



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, March 26, 2024 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Blayne Finlay

Council Members: Benjamin Flores, Bradley Westmoreland, Becca Sitz, Jim Folse

Vision Statement

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

AGENDA

THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:

ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).

CALL TO ORDER AND CERTIFICATION OF QUORUM

INVOCATION & PLEDGE

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

Councilman Jim Folse

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilman Jim Folse

APPROVAL OF AGENDA**PUBLIC COMMENTS**

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

PROCLAMATION

1. **Presentation of Proclamation declaring April 7-13, 2024 as National Library Week.**

ACKNOWLEDGEMENTS FROM CITY MANAGER**ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS****CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

2. **Consider and approve Amendment #1 to the Memorandum of Understanding between the City of Bay City, Texas and Bay City Gas Company for construction and maintenance of BMX Bike Park at City Field.**

DEPARTMENT REPORTS

3. **Public Works report and presentation.** Krystal Mason, Assistant Public Works Director

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

4. **Property ~ Discuss, consider, and/or approve declaring radio equipment as surplus property and authorizing proper disposition.** Dan Shook, Fire Marshall
5. **Discuss, consider, and/or approve awarding the construction quote for the Hilliard Pool to Progressive Commercial Aquatics in the amount of \$255,800.00 and authorize the City Manager to execute a contract by for by the City Attorney.** Kelly Penewitt, Interim Park & Recreation Director
6. **Resolution ~ Discuss, consider, and adopt a resolution determining that the City of Bay City contains areas which are considered to be blighted.** Gabriel Lopez, Engineering Tech
7. **Resolution ~ Discuss, consider, and adopt a resolution authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the Main Street Program.** Gabriel Lopez, Engineering Tech
8. **Interlocal Agreement ~ Discuss, consider, and/or approve an Interlocal Agreement between the city of Bay City and Matagorda County regarding the Bay City Service Center.** Scotty Jones, Interim City Manager

9. **Resolution ~ Discuss, Consider, and/or approve the Resolution of the City of Bay City suspending the April 4, 2024 effective date of AEP Texas Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the Commission; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate the Company and direct any necessary litigation and appeals; requiring reimbursement of cities; rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Scotty Jones, Interim City Manager**
10. **Resolution ~ Discuss, consider, and/or approve a resolution by the City of Bay City, Texas, authorizing publication of Notice of Intention to issue Certificates of Obligation; authorizing preparation of a preliminary official statement and notice of sale; and approving other matters incidental thereto. Scotty Jones, Interim City Manager**
11. **Property ~ Discuss, consider, and/or approve a Resolution authorizing the sale of 11.6222 acres of land by the City of Bay City to Ivan Depaz-Osoria and Priscilla Marie Depaz and authorizing the Mayor to sign all documents in connection with the sale. Anne Marie Odefey, City Attorney**
12. **Ordinance ~ Discuss, consider, and/or approve a proposed Ordinance amending the City of Bay City Code of Ordinance Article II - City Council; creating Division 3 - Conduct of City Council Members; providing for Ethical Standards for City Council Members; providing a penalty for violations of the Ethical Standards; providing for Municipal Court Jurisdiction; providing for an effective date; and repeal any conflicting code provisions. Anne Marie Odefey, City Attorney**
13. **Report ~ Discuss report received on 2500 Hamman Road and take any action deemed necessary. Anne Marie Odefey, City Attorney**

CLOSED / EXECUTIVE SESSION

14. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
15. **Executive Session pursuant to the Texas Government Code Section 551.087 to discuss economic development negotiations.**
16. **Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: Mayor and Council**
17. **Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)**

RECONVENE AND ACTION

Take any action on matters discussed in closed meeting.

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER**ADJOURNMENT****AGENDA NOTICES:**

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION OF POSTING

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Friday, March 22, 2024 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.