



BAY CITY

MINUTES • SEPTEMBER 22, 2016

Council Chambers

Regular Meeting

7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Mayor Mark Bricker certified that a quorum was present.

Attendee Name	Title	Status	Arrived
Mark Bricker	Mayor	Present	
Chrystal Folsie	Mayor Pro-Tem	Present	
William Cornman	Councilman	Present	
Julie Estlinbaum	Councilwoman	Excused	
Steven Johnson	Councilman	Present	
Carolyn Thames	Councilwoman	Present	

2. INVOCATION & PLEDGE OF ALLEGIANCE - MAYOR PRO TEM CHRYSAL FOLSE

Texas State Flag Pledge:

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

3. 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.

Bay City resident, Floyce Brown, addressed the Mayor and Council in regards to item 4:6 on the agenda. She asked them to consider providing assistance to the law abiding citizens that had homes in unsafe living conditions.

4. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Public Hearing

PUBLIC HEARING ON PROPOSED PROPERTY (AD VALOREM) TAX RATE FOR FISCAL YEAR 2016-2017.

Mayor Mark Bricker opened the public hearing at 7:06 PM. Bay City resident, Floyce Brown, asked if the tax rate would be effective for the 2017 year. It was stated that it would be for the 2017 year. Mayor Bricker closed the public hearing at 7:07 PM. He also stated that the second public hearing would be on Monday, September 26, 2016.

2. Resolution

DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION AUTHORIZING MATAGORDA COUNTY TO ASSESS AND COLLECT THE CITY'S PROPERTY TAXES UNDER SECTION 6.22 OF

THE TEXAS TAX CODE IN ACCORDANCE WITH MATAGORDA COUNTY'S TAX ASSESSMENT AND COLLECTION PROCESS UNTIL A NEW CONTRACT IS ENTERED WITH MATAGORDA COUNTY FOR THE COUNTY TO ASSESS AND COLLECT THE CITY'S PROPERTY TAXES.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Chrystal Folsie, Mayor Pro-Tem
AYES:	Folsie, Cornman, Johnson, Thames
EXCUSED:	Estlinbaum

RESOLUTION

Enacted and approved this 22nd day of September, 2016, at Bay City

3. Agreement

DISCUSS, CONSIDER, AND/OR APPROVE AUTHORIZING THE NEGOTIATIONS OF A NEW CONTRACT WITH MATAGORDA COUNTY FOR THE COUNTY'S ASSESSMENT AND COLLECTION OF CITY PROPERTY TAXES, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

City Attorney, Shannon Kackley, is working with Ms. Hallmark of Matagorda County to get a new contract put together. A motion was made and approved in order to authorize Mr. Kackley to move forward. Councilman Bill Cornman stated that a budgeting process map was needed. Councilman Cornman made a second motion to have the staff prepare a detailed budgeting process map that includes target completion dates, deadlines, late dates, and mandatory items including postings and public hearings. Mayor Pro Tem Chrystal Folsie seconded the motion. The motion carries.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Folsie, Cornman, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 22nd day of September, 2016, at Bay City

4. Public Hearing

PUBLIC HEARING ON SUBMITTING A SMALL COMMUNITY GRANT PROGRAM APPLICATION TO THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR RESTROOM PROJECT LE TULLE PARK

Shawn Blackburn, Director Parks & Recreation

Shawn Blackburn, Parks and Recreation Director, addressed the Mayor and Council in regards to this grant. It would allow them to double the efforts on LeTulle Park. It is a 50-50 match. Each bathroom will cost \$75,000 for renovations. It was asked if CDC money could be used for this. It was stated that it could be. The application for this grant is due October 1, 2016. Councilman Bill Cornman stated that the city could commit to this until they could speak with the CDC. Mayor Mark Bricker opened the public hearing at 7:17 PM. There were not any residents that came forward to

speak. Mayor Bricker closed the public hearing at 7:17 PM. The result is listed as withdrawn as they were not able to approve anything at this time.

RESULT: WITHDRAWN

5. Resolution

DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY TO MAKE AN APPLICATION TO THE TEXAS PARKS & WILDLIFE DEPARTMENT CONCERNING THE LETULLE PARK, AND DIRECT STAFF AS NECESSARY.

Shawn Blackburn, Director of Parks and Recreation

RESULT: APPROVED [UNANIMOUS]
MOVER: Steven Johnson, Councilman
SECONDER: Carolyn Thames, Councilwoman
AYES: Folse, Cornman, Johnson, Thames
EXCUSED: Estlinbaum

RESOLUTION

Enacted and approved this 22nd day of September, 2016, at Bay City

6. Resolution

DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR FUNDS THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A HOME PROGRAM CONTRACT AND/OR RESERVATION AGREEMENT, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

Shirleen Bonacci, of GrantWorks, addressed the Mayor and Council in regards to the Home Program. It is a program for low income homeowners that live in their own home but the house is substandard. The current home would be torn down and rebuilt. There wouldn't be any expense to the home owner. They would just be responsible for clearing out the house and finding another place to live during the rebuild process. That process would be 45-90 days. The requirements would include: living in the home, income standards, paid property taxes, and would have to live in the house for 15 years after the rebuild before they could sell it. The city's responsibility would be a 15% match and signing forms. The process could take 1-2 years.

RESULT: APPROVED [UNANIMOUS]
MOVER: William Cornman, Councilman
SECONDER: Carolyn Thames, Councilwoman
AYES: Folse, Cornman, Johnson, Thames
EXCUSED: Estlinbaum

RESOLUTION

Enacted and approved this 22nd day of September, 2016, at Bay City

7. Agreement

DISCUSS, CONSIDER, AND/OR APPROVE A LEASE AGREEMENT BETWEEN THE BAY CITY YOUTH SOCCER ASSOCIATION AND THE CITY OF BAY CITY FOR THE USE AND MAINTENANCE OF HARDEMAN PARK AND AUTHORIZE THE MAYOR TO EXECUTE A LEASE AGREEMENT APPROVED BY THE CITY ATTORNEY, AND DIRECT STAFF AS NECESSARY.

Mayor Pro Tem Chrystal Folse

The Soccer Association is requesting to use the area south of the football fields. They would like to have the same agreement with the city that they have for using the other fields.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Johnson, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Folse, Cornman, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 22nd day of September, 2016, at Bay City

8. Report

DISCUSS DEVELOPING A PROJECT APPROACH TO CONSTRUCT, OPERATE, AND MAINTAIN A NATATORIUM FOR COUNTY WIDE ATHLETIC, RECREATIONAL, EDUCATIONAL, AND THERAPEUTICAL USES (SIMILAR TO THE EL CAMPO FACILITY), AND DIRECT STAFF AS NECESSARY.

Councilman Bill Cornman

Councilman Bill Cornman discussed his visit to the El Campo recreation facility. He stated that it was done by local contractors and that the whole community was involved. He believes that it is possible to do this in Bay City. Now that the Master Parks Plan has been approved, this project could parallel with it. Councilman Cornman would like Mayor Bricker to go ahead and meet with the other entities in the area so they could move forward with the project.

9. Bid

DISCUSS, CONSIDER, AND/OR APPROVE REJECTING THE CONSTRUCTION BID FOR THE 2016 TEXAS CAPITAL FUND CONTRACT 7216112 FOR DRAINAGE IMPROVEMENTS FOR SCHULMAN MOVIE BOWL GRILL DEVELOPMENT TO REXCO CONSTRUCTION SERVICES, INC. IN THE AMOUNT OF \$164,602.18 AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Director of Public Works

Public Works Director, Barry Calhoun, addressed the Mayor and Council stating that this is a formality. An addendum was made and the bid date was changed on the original bid date and the engineer on the project failed to notify the state of this change. The contractor stated that they would bid again.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Johnson, Councilman
SECONDER:	William Cornman, Councilman
AYES:	Folse, Cornman, Johnson, Thames
EXCUSED:	Estlinbaum

Enacted and approved this 22nd day of September, 2016, at Bay City

10. Report

RECEIVE AND DISCUSS AN UPDATE ON ONGOING PUBLIC WORKS PROJECTS INCLUDING STREET REHABILITATION PROJECTS, UTILITY PROJECTS, GRANT PROJECTS, SIEMENS ENERGY SAVINGS PROJECT, NEW DEVELOPMENTS, AND THE BUILDING DEPARTMENT, AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Director of Public Works

Public Works Director, Barry Calhoun, provided a detailed update on the current Public Works projects.

11. Resolution

DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION TO DESIGNATE AUTHORIZED SIGNATORS TO EXECUTE DOCUMENTS ON BEHALF OF THE CITY OF BAY CITY FOR THE 2016 TEXAS CDBG PROGRAM CONTRACT 7216112 FOR THE STREET IMPROVEMENTS AND DRAINAGE IMPROVEMENTS PROJECT FOR THE SCHULMAN MOVIE BOWL GRILL DEVELOPMENT AND DIRECT STAFF AS NECESSARY.

Barry Calhoun, Director of Public Works

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Councilwoman
SECONDER:	Chrystal Folse, Mayor Pro-Tem
AYES:	Folse, Cornman, Johnson, Thames
EXCUSED:	Estlinbaum

RESOLUTION

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12. Policy

DISCUSS CREATING A POLICY THAT INCENTIVIZES DEVELOPMENT ON LOTS WITH CITY LIENS THROUGH THE WAVING OF THE LIENS, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

Dustin Hodges addressed the Mayor and Council in regards to this matter. He stated that several months ago a developer spoke with him about purchasing some property. However, the cost of the city liens on these properties made it unobtainable. Mr. Hodges is wanting to come up with an incentive plan for developers that want to purchase properties that have city liens on them. There would be stipulations within the policy. Once the policy is drafted, it would be brought back to Council for approval. The Mayor and Council want to move forward with this.

5. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

The Council members congratulated Mayor Mark Bricker on the birth of his son. Mayor Pro Tem Chrystal Folse stated that on October 15, 2016 at 8 AM there would be a dedication to Andy Hopkins. Councilman Bill Cornman asked Mayor Bricker when they would hear about the process for the Finance Director. Mayor Bricker advised that it would be on the agenda for Monday's Special Call meeting.

6. ADJOURNMENT

AGENDA NOTICES:**Action by Council Authorized:**

The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

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 Agenda City Council August 8, 2013 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.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Regular Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, September 16, 2016 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary