



CITY OF BAY CITY

MINUTES • MAY 9, 2019

Council Chambers

Regular Meeting – City Council

7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN, BILL CORNMAN

Texas State Flag Pledge:

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

Attendee Name	Title	Status	Arrived
Mark A. Bricker	Mayor	Present	
William Cornman	Councilman	Present	
Becca Sitz	Councilwoman	Present	
Chrystal Folse	Mayor Pro-Tem	Present	
Jason Childers	Councilman	Present	
Julie Estlinbaum	Councilwoman	Present	

3. CERTIFICATION OF QUORUM

Mayor Bricker certified a quorum was present.

4. MISSION STATEMENT

The City of Bay City Mission Statement was read by Councilman, Bill Cornman.

1. Presentation

~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.

Bil Cornman, Councilman

5. APPROVAL OF AGENDA

The agenda was unanimously approved as written by motion. The motion was made by Councilwoman, Chrystal Folse and seconded by Councilman, Jason Childers.

6. APPROVAL OF MINUTES SUMMARY

1. Minutes

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETING HELD ON APRIL 25, 2019, 7PM.

City Secretary, David Holubec

The minutes were approved as written.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Mayor Pro-Tem
SECONDER:	William Cornman, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 9th day of May, 2019, at Bay City

7. 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.

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Laura Price, Junior Service League representative, introduced the new provisional members of the league.

Jerry Hance - Thanked the outgoing Council member, Chrystal Folse and Mayor Bricker.

David Torres- Discussed issues he sees within the City infrastructure.

8. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE CANVASSING OF THE ELECTION RETURNS FOR THE ELECTION HELD ON SATURDAY, MAY 4, 2019.

David Holubec, City Secretary

The May 4, 2019 General/Special Election results were canvassed by Council.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Mayor Pro-Tem
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 9th day of May, 2019, at Bay City

2. Proclamation

~ PRESENTATION OF A PROCLAMATION DECLARING MAY AS NATIONAL HISTORIC PRESERVATION MONTH.

Mark A. Bricker, Mayor

Mayor Bricker read the History Preservation Proclamation and presented the document to Historic Commission Chairman, Michael George.

3. Proclamation

~ PROCLAMATION - NATIONAL PUBLIC WORKS WEEK, MAY 19-25, 2019.

Barry Calhoun, Director of Public Works

Mayor Bricker and Marla Jasek presented the Public Works Proclamation.

4. Resolution

~ DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION ESTABLISHING A POLICY FOR CONSUMPTION OF ALCOHOL UPON PUBLIC PROPERTY WITHIN THE CITY OF BAY CITY, TEXAS. WHEREAS, THE CITY OF BAY CITY CITY COUNCIL HAS THE AUTHORITY TO REGULATE CITY PROPERTIES IN THE SAME MANNER AS A PRIVATE PROPERTY OWNER.

Mayor, Mark A. Bricker

Council passed the Alcohol Consumption Resolution as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Childers, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 9th day of May, 2019, at Bay City

5. Bid

~ DISCUSS, CONSIDER, AND/OR AWARD THE CONSTRUCTION BID FOR THE MISCELLANEOUS CONCRETE REPAIRS TO THE A-TEAM LANDSCAPING IN THE AMOUNT OF \$133,027.00 AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT APPROVED TO FORM BY THE CITY ATTORNEY BETWEEN THE CITY OF BAY CITY AND THE A-TEAM LANDSCAPING.

Marla Jasek, Asst.Dir Public Works

Assistant Public Works Director, Marla Jasek presented the bid for Miscellaneous City concrete projects. This is needed, since the City no longer has a concrete specialist on staff. The contract with A-Team Landscaping was approved for \$133,027.00.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 9th day of May, 2019, at Bay City

6. Report

~ RECEIVE AN UPDATE ON THE SPRING CLEAN-UP DAY, WHICH WAS HELD ON SATURDAY, APRIL 27, 2019.

Becca Sitz, Councilwoman

Krystal Mason presented an update on the April Clean-Up Day. She thanked WCA and City workers that assisted. She presented things that worked well and made suggestions for the next Clean-Up event.

7. Personnel

~ DISCUSS, CONSIDER AND/OR APPROVE STAFFING ADDITIONS AT THE BAY CITY REGIONAL AIRPORT.

Councilman, Bill Cornman

Councilman, Bill Cornman discussed the staffing needs at the airport. He agreed to wait for the upcoming budgeting process to make plans for additional staffing. He stated, along with Councilman, Jason Childers, that the airport was understaffed in order to continue the high level of service.

9. CLOSED / EXECUTIVE SESSION

1. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE COUNCIL, UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS, CLEARLY CONFLICTS WITH TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE.

Mark A. Bricker, Mayor

No Action.

2. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION:

(A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM, COUNCILWOMAN, POSITION 1, BILL CORNMAN, COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY, TEXAS V. ROBERT NEAL HEAD.

Mark A. Bricker, Mayor

No Action.

3. Personnel

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.074(1) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT DISMISSAL, OR DUTIES OF A PUBLIC OFFICER OR EMPLOYEE; OR (2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE: APPEAL OF TERMINATION OF EMPLOYMENT BY A FORMER EMPLOYEE OF THE CITY.

Mark A. Bricker, Mayor

Council members listened to the termination appeal by a former employee.

10.OPEN SESSION

1. Report

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S) LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).

Mark A. Bricker, Mayor

Council members affirmed the termination of the former employee.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Childers, Councilman
SECONDER:	William Cornman, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 9th day of May, 2019, at Bay City

11. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Julie Estlinbaum - Runoff Election June 8, 2019.
Bill Cornman - Pool Project RFQ

12. 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 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 Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Monday, May 6, 2019 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dhoulubec@cityofbaycity.org for further information.

David Holubec
City Secretary



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3710

DISCUSSION ITEM (ID # 3710)

~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3711)

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Minutes
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3711

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETING HELD ON APRIL 25, 2019, 7PM.

COMMENTS - Current Meeting:

The minutes were approved as written.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Mayor Pro-Tem
SECONDER:	William Cornman, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum



CITY OF BAY CITY

MINUTES • APRIL 25, 2019

Service Center

Regular Meeting – City Council

7:00 PM

2107 AVENUE M
BAY CITY, TX 77414

1. CALL TO ORDER

Mayor Mark A. Bricker called the meeting to order.

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN, JASON CHILDERS

Texas State Flag Pledge:

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

Attendee Name	Title	Status	Arrived
Mark A. Bricker	Mayor	Present	
William Cornman	Councilman	Present	
Becca Sitz	Councilwoman	Present	
Chrystal Folse	Mayor Pro-Tem	Present	
Jason Childers	Councilman	Present	
Julie Estlinbaum	Councilwoman	Present	

3. CERTIFICATION OF QUORUM

Mayor Mark A. Bricker certified the quorum.

4. MISSION STATEMENT

1. Presentation

~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.

Jason Childers, Councilman

5. APPROVAL OF AGENDA

The agenda was unanimously approved as written by motion. The motion was made by Councilwoman, Chrystal Folse and seconded by Councilwoman, Becca Sitz.

6. APPROVAL OF MINUTES SUMMARY

1. Minutes

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETING HELD ON APRIL 11, 2019, 7PM.

City Secretary, David Holubec

Attachment: Minutes - 4-25-2019 (3711 : Minutes - April 25, 2019 - Regular Council Meeting)

Correction: Councilwoman, Chrystal Folse made the motion for item 9.9 on the April 11, 2019 Minutes to be tabled indefinitely and was seconded by Councilwoman, Becca Sitz.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 25th day of April, 2019, at Bay City

7. 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.

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.

Crystal Mason reminded everyone in attendance about the upcoming City of Bay City Annual Spring Clean-Up Event scheduled for April 27, 2019.

8. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE MATAGORDA COUNTY AMATEUR RADIO CLUB REQUEST TO HOLD THE 2018 FIELD DAY (24-HOUR) PUBLIC SERVICE EMERGENCY COMMUNICATIONS DEMONSTRATION IN LE TULLE PARK ON JUNE 22, 2019 AND JUNE 23, 2019.

Mark A. Bricker, Mayor

Rick Gangluff gave the presentation regarding this annual event.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Becca Sitz, Councilwoman
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 25th day of April, 2019, at Bay City

2. Presentation

~ RECEIVE AND DISCUSS AN UPDATE ON ONGOING PROJECTS AT THE BAY CITY REGIONAL AIRPORT.

James Mason, Airport Manager

Airport Manager, James Mason presented the current update regarding the events, improvements and future needs/plans of the Bay City Regional Airport. Staffing concerns were mentioned by Councilman, Bill Cornman and Councilman, Jason Childers. Mayor Mark A. Bricker felt the staffing concerns should be addressed in the

upcoming budgeting process. It was agreed by Council members to place the airport staffing needs on the May 9, 2019 Regular Council Agenda.

3. Presentation

~ RECEIVE AND DISCUSS THE QUARTERLY REPORT FROM THE TOURISM DEPARTMENT.

Heidi Martinez, Tourism Manager

Tourism Manager, Heidi Martinez, lead Mayor and Council members through her report regarding the many excellent things happening with the Tourism Department. She was commended by Mayor and Council members for the programs, events and continued success of the program.

4. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE CITY'S QUARTERLY FINANCIAL AND INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2019.

Scotty Jones, Director of Finance

Finance Director, Scotty Jones lead Mayor and Council members through the quarterly financial and investment report. The reports were well received and approved by motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Chrystal Folse, Mayor Pro-Tem
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 25th day of April, 2019, at Bay City

5. Agreement

~ DISCUSS AND TAKE ANY NECESSARY ACTION REGARDING THE REAL PROPERTY IN WHICH THE CITY OF BAY CITY HOLDS A REVERSIONARY INTEREST AND IS CURRENTLY LEASED TO THE BAY CITY COUNTRY CLUB AND THE CLUB'S REQUEST TO EXTEND THE LEASE FOR AN ADDITIONAL THIRTY (30) YEARS.

Mark A. Bricker, Mayor

Eddie Simpson-Kocurek and James Scardami, representing the Bay City Country Club, presented the Clubs request to have a thirty (30) year lease extension. Although the request has support, Mayor and Council members were not sure if this was possible due to the question of ownership. It was decided that the City Attorneys and the Bay City Country Club's attorney would discuss options and Council would revisit this item in May, should an opinion be ready by that time.

RESULT:	TABLED	Next: 5/9/2019 7:00 PM
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9. CLOSED / EXECUTIVE SESSION

None

1. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION:

(A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS,

DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM, COUNCILWOMAN, POSITION 1, BILL CORNMAN, COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY, TEXAS V. ROBERT NEAL HEAD.

Mark A. Bricker, Mayor
None

2. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE COUNCIL, UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS, CLEARLY CONFLICTS WITH TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE.

Mark A. Bricker, Mayor
None

10.OPEN SESSION

None

1. Report

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S) LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).

Mark A. Bricker, Mayor
No Action.

11.ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Relay for Life
Pet Walk
VFW Market Days
Holy Cross Church Spring Bazaar

12.ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:

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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

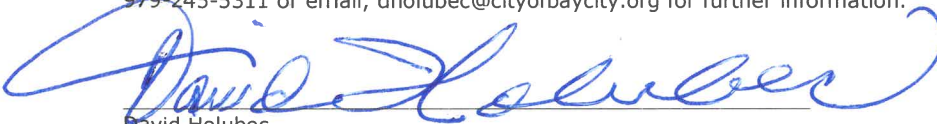
discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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 Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, April 19, 2019 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.



David Holubec
City Secretary





City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3701)

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3701

**~ DISCUSS, CONSIDER, AND/OR APPROVE THE
CANVASSING OF THE ELECTION RETURNS FOR THE
ELECTION HELD ON SATURDAY, MAY 4, 2019.**

COMMENTS - Current Meeting:

The May 4, 2019 General/Special Election results were canvassed by Council.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Mayor Pro-Tem
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Cumulative Report — Unofficial

CITY OF BAY CITY AND BAY CITY ISD — GENERAL ELECTION — May 04, 2019

Page 1 of 2

05/04/2019 09: 30

Total Number of Voters : 1,967 of 0 = 0.00%

Precincts Reporting 2 of 2 = 100.00%

Party	Candidate	Early		Election		Total	
Mayor, Vote For 1							
	Julie Lowry Estlinbaum	428	38.04%	244	36.80%	672	37.58%
	Robert K. Nelson	467	41.51%	279	42.08%	746	41.72%
	Bobby Head	230	20.44%	140	21.12%	370	20.69%
	Cast Votes:	1,125	99.03%	663	98.81%	1,788	98.95%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	11	0.97%	8	1.19%	19	1.05%
Council, Position No. 3 Two year term or Three year term if Proposition B passes, Vote For 1							
	Floyce Brown	330	30.19%	217	34.07%	547	31.62%
	Brent Marceaux	763	69.81%	420	65.93%	1,183	68.38%
	Cast Votes:	1,093	96.21%	637	94.93%	1,730	95.74%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	43	3.79%	34	5.07%	77	4.26%
Council, Position No. 4 Two year term or Three year term if Proposition B passes, Vote For 1							
	Rosalyn White	410	37.72%	262	42.19%	672	39.34%
	Becca Sitz	677	62.28%	359	57.81%	1,036	60.66%
	Cast Votes:	1,087	95.69%	621	92.55%	1,708	94.52%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	49	4.31%	50	7.45%	99	5.48%
Council, Position No. 5 Two year term or Three year term if Proposition B passes, Vote For 1							
	Jason W. Childers	770	72.99%	411	69.66%	1,181	71.79%
	Shaun Jammer	285	27.01%	179	30.34%	464	28.21%
	Cast Votes:	1,055	92.87%	590	87.93%	1,645	91.03%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	81	7.13%	81	12.07%	162	8.97%
City of Bay City Proposition A, Vote For 1							
	FOR	633	57.03%	331	51.24%	964	54.90%
	AGAINST	477	42.97%	315	48.76%	792	45.10%
	Cast Votes:	1,110	97.71%	646	96.27%	1,756	97.18%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	26	2.29%	25	3.73%	51	2.82%

Attachment: May 4 2019 Election Results (3701 : Canvass - Election)

Cumulative Report — Unofficial

CITY OF BAY CITY AND BAY CITY ISD — GENERAL ELECTION — May 04, 2019

Page 2 of 2

05/04/2019 09: 30

Total Number of Voters : 1,967 of 0 = 0.00%

Precincts Reporting 2 of 2 = 100.00%

Party	Candidate	Early		Election		Total	
City of Bay City Proposition B, Vote For 1							
	FOR	630	56.71%	310	47.99%	940	53.50%
	AGAINST	481	43.29%	336	52.01%	817	46.50%
	Cast Votes:	1,111	97.80%	646	96.27%	1,757	97.23%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	25	2.20%	25	3.73%	50	2.77%
City of Bay City Proposition C, Vote For 1							
	FOR	659	60.07%	345	54.85%	1,004	58.17%
	AGAINST	438	39.93%	284	45.15%	722	41.83%
	Cast Votes:	1,097	96.57%	629	93.74%	1,726	95.52%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	39	3.43%	42	6.26%	81	4.48%
School Board Trustee Position No. 1 Three year term, Vote For 1							
	Trent Tinnin	758	63.97%	418	61.29%	1,176	62.99%
	Bobby Kimball	427	36.03%	264	38.71%	691	37.01%
	Cast Votes:	1,185	95.49%	682	93.94%	1,867	94.92%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	56	4.51%	44	6.06%	100	5.08%
School Board Trustee Position No. 2 Three year term, Vote For 1							
	James Scardami	954	100.00%	518	100.00%	1,472	100.00%
	Cast Votes:	954	76.87%	518	71.35%	1,472	74.83%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	287	23.13%	208	28.65%	495	25.17%
School Board Trustee Position No. 3 Three year term, Vote For 1							
	John Dewitt	505	42.91%	251	37.35%	756	40.89%
	Amanda Carlin	433	36.79%	255	37.95%	688	37.21%
	Priscilla Ann Robinson	239	20.31%	166	24.70%	405	21.90%
	Cast Votes:	1,177	94.84%	672	92.56%	1,849	94.00%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	64	5.16%	54	7.44%	118	6.00%

Attachment: May 4 2019 Election Results (3701 : Canvass - Election)

CANVASS OF GENERAL/SPECIAL ELECTION

I, MARK A. BRICKER, Mayor of Bay City, Texas, met with the CITY COUNCIL OF THE CITY OF BAY CITY, sitting as the canvassing board to canvass the GENERAL/SPECIAL election results of MAY 4, 2019 at BAY CITY, TEXAS.

I certify that the figures on the print out tally sheets correspond with the figures on the returns. Witness my hand this __9th__ day of __May_____, 2019.

MARK A. BRICKER, MAYOR
Presiding Officer of Canvassing Authority



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Proclamation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3704

AGENDA ITEM (ID # 3704)

**~ PRESENTATION OF A PROCLAMATION DECLARING MAY
AS NATIONAL HISTORIC PRESERVATION MONTH.**

COMMENTS - Current Meeting:

Mayor Bricker read the History Preservation Proclamation and presented the document to Historic Commission Chairman, Michael George.

OFFICE OF THE MAYOR CITY OF BAY CITY, TEXAS

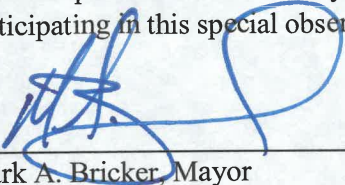


- WHEREAS:** Historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and
- WHEREAS:** Historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and
- WHEREAS:** It is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping preserve the tangible aspects of the heritage that has shaped us as people; and
- WHEREAS:** *"This Place Matters"* is a campaign of the National Trust for Historic Preservation that encourages people to celebrate the places that are meaningful to them and to their communities. The City of Bay City supports and encourages the participation in this worthy campaign;

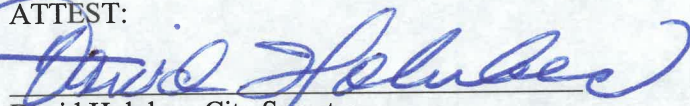
NOW, THEREFORE, BE IT PROCLAIMED, that I, Mark A. Bricker, Mayor of the City of Bay City, Texas, do hereby proclaim the month of May 2019, as,

"National Historic Preservation Month"

and call upon the citizens of Bay City to join their fellow preservationists across the United States in recognizing and participating in this special observance.


Mark A. Bricker, Mayor

ATTEST:


David Holubec, City Secretary





City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3683)

Meeting: 05/09/19 07:00 PM
Department: Public Works
Category: Proclamation
Prepared By: Marla Jasek
Initiator: Marla Jasek
Sponsors:
DOC ID: 3683

~ PROCLAMATION - NATIONAL PUBLIC WORKS WEEK, MAY 19-25, 2019.

May 19-25, 2019 has been designated as National Public Works Week and will be celebrated throughout the United States and Canada. The following is an excerpt from the American Public Works Association (APWA).

"APWA is proud to announce "It Starts Here" as the theme for the 2019 National Public Works Week. This theme represents the many facets of modern civilization that grow out of the efforts put forth by the public works professionals across North America. What starts here? Infrastructure starts with public works... Growth and innovation starts with public works... Mobility starts with public works... Security starts with public works... Healthy communities start with public works... The bottom line is that citizens' quality of life starts with public works."

In Bay City, the Public Works Department has several different divisions: Water and Wastewater Treatment Plants, Utility Operations and Maintenance, Street and Bridge, Equipment Maintenance, Facility Maintenance, Recycling, Building Inspection and Code Compliance.

The employees in Public Works do their work often with little to no recognition or thanks. National Public Works Week is a time to recognize their contributions to the essential functions within the City.

COMMENTS - Current Meeting:

Mayor Bricker and Marla Jasek presented the Public Works Proclamation.



National Public Works Week Proclamation

May 19 – 25, 2019

“It Starts Here”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Bay City; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Bay City to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association be it now,

RESOLVED, I, Mayor Mark Bricker, Mayor of the City of Bay City, do hereby designate the week May 19 – 25, 2019 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and seal,

DONE at the City of Bay City this _____ day of _____ 2019.

Mark Bricker, Mayor
City of Bay City, Texas

ATTEST:

David Holubec
City Secretary

Attachment: 19NPWW_Proclamation (3683 : 2019 Public Works Proclamation)



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Resolution
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3742

AGENDA ITEM (ID # 3742)

**~ DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION
ESTABLISHING A POLICY FOR CONSUMPTION OF
ALCOHOL UPON PUBLIC PROPERTY WITHIN THE CITY OF
BAY CITY, TEXAS. WHEREAS, THE CITY OF BAY CITY CITY
COUNCIL HAS THE AUTHORITY TO REGULATE CITY
PROPERTIES IN THE SAME MANNER AS A PRIVATE
PROPERTY OWNER.**

COMMENTS - Current Meeting:

Council passed the Alcohol Consumption Resolution as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Childers, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

RESOLUTION – R – 2019 - 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, GRANTING OF AN EXCEPTION TO THE PROHIBITION AGAINST THE SALE OF ALCOHOLIC BEVERAGES SET OUT IN SECTION 6-5 OF THE CITY CODE OF ORDINANCES.

WHEREAS, Section 6-5(a) of the Bay City Code of Ordinances prohibits the sale of alcoholic beverages in any city-owned building, enclosed structure, and/or upon any real property owned by the city; and; and

WHEREAS, City Council has adopted an Ordinance, which provides an exception to the prohibition set out in Section 6-5(a) when such exception is granted by resolution of Council and said resolution contains a finding that the event associated with the sale of alcoholic beverages is charitable in nature; and

WHEREAS, City Council has adopted a Resolution, which provides guidelines for authorizing such exceptions; and

WHEREAS, City Council finds that approving requests are made in association with charitable events.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BAY CITY, TEXAS, THAT:

Section one. City Council hereby conditionally approves the requests to consume and sell alcoholic beverages on premise as follows:

- a) City of Bay City Tourism Department events
- b) City of Bay City Parks and Recreation Department events
- c) Bay City Main Street Program events.

Section two. The authorization granted hereby is contingent upon, and shall not be effective, unless prior to the event date the applicant provides written confirmation to the City Secretary that the request has been reviewed and approved by the Police Department; and the Department has coordinated the following with said parties:

- a) The applicant has coordinated with the Police Department for the provision of adequate security for the event.

PASSED AND APPROVED AT BAY CITY TEXAS THIS 9th DAY OF MAY, 2019

Mark A. Bricker, Mayor
City of Bay City

ATTEST:

David Holubec, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney
ROBERTS, ODEFEY, WITTE & WALL, LLP
City of Bay City



City Council
1901 5Th Street
Bay City, TX 77414

Meeting: 05/09/19 07:00 PM
Department: Public Works
Category: Bid
Prepared By: Marla Jasek
Initiator: Marla Jasek
Sponsors:
DOC ID: 3730

ADOPTED

AGENDA ITEM (ID # 3730)

**~ DISCUSS, CONSIDER, AND/OR AWARD THE
CONSTRUCTION BID FOR THE MISCELLANEOUS
CONCRETE REPAIRS TO THE A-TEAM LANDSCAPING IN
THE AMOUNT OF \$133,027.00 AND AUTHORIZE THE MAYOR
TO EXECUTE A CONTRACT APPROVED TO FORM BY THE
CITY ATTORNEY BETWEEN THE CITY OF BAY CITY AND THE
A-TEAM LANDSCAPING.**

This contract is needed to temporarily fill a void created by the retirement of an employee that spent 31 years with the City. Carmen Valdez, our concrete expert, retired on April 30th. We have job openings posted for both a concrete finisher and a concrete helper but have not filled the positions.

This contract will allow public works to catch up on existing concrete projects, specifically curb replacements, and keep up with concrete pavement repairs due to utility work.

Since the contract amounts exceeds \$50,000, staff has complied with the statutory procedures for competitive sealed bidding and is seeking council's approval to award the bid.

Matagorda Construction & Materials, The A-Team Landscaping and Greenscape 6, all of which have performed worked for the city, submitted sealed bids. The A Team Landscaping was the apparent low bidder but their bid included additional bid items and prices written it. Upon consultation with the attorney, it was determined we could accept the bid if the contractor was agreeable to do only the work specified in the bid packet with no additional compensation other than for items on the original bid form. We contacted the A-Team owner and he agreed.

Public Works has reviewed the bids and recommends awarding the bid to the A-Team Landscaping for \$133,027.00.

COMMENTS - Current Meeting:

Assistant Public Works Director, Marla Jasek presented the bid for Miscellaneous City concrete projects. This is needed, since the City no longer has a concrete specialist on staff. The contract with A-Team Landscaping was approved for \$133,027.00.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Miscellaneous Concrete Repairs-Bid Evaluation and Comparison

City Estimate

	Description	Quantity	Unit	Unit price	Amount
1	Concrete Pavement	500	SY	\$ 150.00	\$ 75,000.00
2	Curb and Gutter	1200	LF	\$ 20.00	\$ 24,000.00
3	Sidewalk	120	SY	\$ 100.00	\$ 12,000.00
4	Sawcut concrete	300	LF	\$ 15.00	\$ 4,500.00
5	Mobilization	10	EA	\$ 500.00	\$ 5,000.00
6	Bonds***	1	LS		
			Totals		\$ 120,500.00

Bids				A-Team*		MC&M		Greenscape**	
	Description	Qty	Unit	Unit price	Amount	Unit price	Amount	Unit Price	Amount
1	Concrete Pavement	500	SY	\$ 115.50	\$ 57,750.00	\$ 179.00	\$ 89,500.00	\$ 175.00	\$ 87,500.00
2	Curb and Gutter	1200	LF	\$ 38.14	\$ 45,768.00	\$ 40.00	\$ 48,000.00	\$ 40.00	\$ 48,000.00
3	Sidewalk	120	SY	\$ 158.40	\$ 19,008.00	\$ 110.00	\$ 13,200.00	\$ 55.00	\$ 6,600.00
4	Sawcut concrete	300	LF	\$ 26.67	\$ 8,001.00	\$ 17.50	\$ 5,250.00	\$ 20.00	\$ 6,000.00
5	Mobilization	10	EA	\$ 250.00	\$ 2,500.00	\$ 250.00	\$ 2,500.00	\$ 1,200.00	\$ 12,000.00
6	Bonds***	1	LS						
			Totals		\$ 133,027.00		\$ 158,450.00		\$ 160,100.00

*Handwritten additional items not accepted.

**Bid included a mathematical error in addition.

***Will be paid but not considered in selection of the best bid.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3703

DISCUSSION ITEM (ID # 3703)

**~ RECEIVE AN UPDATE ON THE SPRING CLEAN-UP DAY,
WHICH WAS HELD ON SATURDAY, APRIL 27, 2019.**

COMMENTS - Current Meeting:

Krystal Mason presented an update on the April Clean-Up Day. She thanked WCA and City workers that assisted. She presented things that worked well and made suggestions for the next Clean-Up event.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3712)

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Personnel
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3712

**~ DISCUSS, CONSIDER AND/OR APPROVE STAFFING
ADDITIONS AT THE BAY CITY REGIONAL AIRPORT.**

Requested by Council at the April 25, 2019 Council Meeting to be placed as an agenda item for the May 9, 2019 Regular Council Meeting.

COMMENTS - Current Meeting:

Councilman, Bill Cornman discussed the staffing needs at the airport. He agreed to wait for the upcoming budgeting process to make plans for additional staffing. He stated, along with Councilman, Jason Childers, that the airport was understaffed in order to continue the high level of service.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3709

AGENDA ITEM (ID # 3709)

**~ EXECUTIVE SESSION PURSUANT TO TEXAS
GOVERNMENT CODE §551.071(2) FOR CONSULTATION WITH
CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE
ATTORNEY TO THE COUNCIL, UNDER THE TEXAS
DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF
THE STATE BAR OF TEXAS, CLEARLY CONFLICTS WITH
TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS
GOVERNMENT CODE.**

COMMENTS - Current Meeting:

No Action.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3708

AGENDA ITEM (ID # 3708)

**~ EXECUTIVE SESSION PURSUANT TO TEXAS
GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH
CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION:**

**(A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES,
VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND
THE BAY CITY HOUSING AUTHORITY VS. MARK A.
BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-
00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM,
COUNCILWOMAN, POSITION 1, BILL CORNMAN,
COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY,
TEXAS V. ROBERT NEAL HEAD.**

COMMENTS - Current Meeting:

No Action.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Personnel
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3743

AGENDA ITEM (ID # 3743)

**~ EXECUTIVE SESSION PURSUANT TO TEXAS
GOVERNMENT CODE §551.074(1) TO DELIBERATE THE
APPOINTMENT, EMPLOYMENT, EVALUATION,
REASSIGNMENT DISMISSAL, OR DUTIES OF A PUBLIC
OFFICER OR EMPLOYEE; OR (2) TO HEAR A COMPLAINT
OR CHARGE AGAINST AN OFFICER OR EMPLOYEE:
APPEAL OF TERMINATION OF EMPLOYMENT BY A FORMER
EMPLOYEE OF THE CITY.**

COMMENTS - Current Meeting:

Council members listened to the termination appeal by a former employee.



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3707)

Meeting: 05/09/19 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3707

**~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S)
LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).**

COMMENTS - Current Meeting:

Council members affirmed the termination of the former employee.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Childers, Councilman
SECONDER:	William Cornman, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum