

CITY OF BAY CITY

MINUTES • MARCH 08, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

**1901 5TH STREET
BAY CITY TX, 77414**



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

***Bay City is committed to developing and enhancing the long-term prosperity,
sustainability, and health of the community.***

CALL TO ORDER

The Regular Council meeting was called to order by Mayor Robert K. Nelson at 6:01 pm.

INVOCATION & PLEDGE

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

Councilwoman Floyce Brown

CERTIFICATION OF QUORUM

Quorum certified.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland

MISSION STATEMENT

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.

Councilwoman Floyce Brown

APPROVAL OF AGENDA

Motion made by Councilwoman Brown to approve the agenda, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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.

Jessica Russell, BCCDC, introduced Mr. Marino Galgo with RGV Summit Construction, LLC, a developer in Bay Ridge. Ms. Russell presented Mr. Galgo a Certification of Appreciation for time and investment in the progression and growth of Bay City.

Tina Israel, Main Street Manager, gave Council updates on Main Street activities.

APPROVAL OF MINUTES**1. City Council Workshop Meeting minutes of February 22, 2022**

Motion made by Councilwoman Sitz, Seconded by Councilman Folse to approve the minutes. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**2. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the Project and Finance Plan of Tax Increment Reinvestment Zone Number One (TIRZ #1), City of Bay City, Texas, established pursuant to Chapter 311 of the Texas Tax Code.**

David Pettit, DPED, presented the ordinance adopting the Project and Finance Plan. Mr. Pettit summarized events that led up to this stating that the TIRZ Board has approved. Mayor Pro Tem Jason Childers asked about page 21 where it showed 1a completed in 2023. Mr. Pettit replied that it is the start date not completed and will take 5 years to build out.

Motion made by Mayor Pro Tem Childers to approve the ordinance, Seconded by Councilwoman Brown.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

3. Agreement ~ Discuss, consider and/or approve the TIRZ #1 Reimbursement Agreement with SAL Holdings, LLC.

Ann Marie Odefey, City Attorney, reviewed the agreement, emphasized that page 2 section 3 is the meat of the agreement. Ms. Odefey added that they used the Bold Fox agreement as a model but felt the language needed to be clearer, particularly part c - next we will have a developer agreement with design standards. Mayor Pro Tem Childers asked about the change in phase 1 and Stuart Lynn with Sal Holdings addressed the change of entry due to drainage. Councilman Folse stated that the city still needs to verify and discuss parks and parking.

Motion made by Mayor Pro Tem Childers to approve the agreement, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

4. Budget ~ Discuss, Consider, and/or Approve Budget Amendments for the Bay City Community Development Corporation (BCCDC) as of February 28, 2022.
Jessica Russell, BCCDC Executive Director

Jessica Russell, BCCDC Executive Director, presented the budget amendment.

Motion made by Councilwoman Brown to approve the BCCDC Budget Amendment, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

5. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas approving an amendment to the Main Street Board Bylaws regarding residence requirements for Board Members.** Tina Israel, Main Street Manager

Jessica Russell, BCCDC Executive Director, reviewed the resolution amending the bylaws bringing up to state statutes regarding director's residence. BCCDC has had difficulty recruiting board members, so this bylaw change brings their bylaws in line with state statute for cities under 20,000 residents.

Motion made by Councilwoman Brown to approve the resolution, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

6. **Appointment ~ Discuss, consider, and/or approve the appointment of Alisha Cornett to the Bay City Community Development Board.** Robert Nelson, Mayor

Motion made by Councilwoman Brown to approve the appointment of Alisha Cornett to the Bay City Community Development Board, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. **Appointment ~ Discuss, consider, and/or approve the appointment of Jennifer Bishop and Justin Rhodes to the Main Street Board.** Robert Nelson, Mayor

Motion made by Councilwoman Brown to approve the appointment of Jennifer Bishop to the Main Street Board and approve the appointment of Justin Rhodes pending verification of residency requirement, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

8. **Ordinance ~ Discuss, consider, and/or approve an ordinance declaring unopposed candidates in the May 7, 2022 General City Election, elected to office; canceling the election, providing a severability clause; and providing an effective date.** Jeanna Thompson, City Secretary

Motion made by Councilwoman Brown to approve the ordinance declaring unopposed candidates and cancelling the election, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

9. Tourism ~ Discuss, consider, and approve final etching design for Visit Bay City Sign. Shawna Burkhart, City Manager

Shawna Burkhart, City Manager, introduced the sign design. Councilwoman Sitz and Councilman Folse were assigned to complete the sign with board.

10. Litigation ~ Discuss, consider, and/or approve the Texas Subdivision and Special District Election and Release Form. Anne Marie Odefey, City Attorney

Motion made by Councilwoman Brown to approve the form, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular meeting to convened into an executive session at 6:52 pm.

11. Pursuant to the Texas Government Code Section 551.074 (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 & City Manager

12. Pursuant to the Texas Government Code Section 551.074 (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: Tourism Manager

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

Council reconvened the regular session at 7:55 pm. and took no actions on items 11 and 12

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Shawna Burkhart, City Manager, read a letter from Bethel Baptist Church regarding where city had caused damage to the property. Oscar Garcia met with church and kept church updated on progress. The church thanked the Mayor and Council.

Shawna Burkhart, City Manager, reported to Council that Hamman drainage project is having problems with suppliers getting materials, Elliot subdivision water lines and hydrants completed, Cottonwood Creek FEMA grant awarded, ARP has approved the United project, bridge work on Nile Valley road starts this summer, Mockingbird Plant electrical work starts in

September. water meter replacements still ongoing. Ms. Burkhart asked council to consider holding on the LeTulle Park amphitheater and gave an update on Airport funding.

Councilman Folse requested a Hardeman park update, especially on the lights.

Councilwoman Sitz stated that the leak at 4th and K is back. Councilwoman Sitz also stated that she has spoken to the Worksource leader and he mention that they are starting a new program where they pay an employee during the training term on new hire.

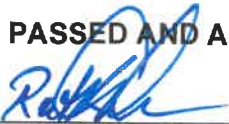
Councilman Westmoreland asked about the lights at Joe Davis field.

Major Pro Tem Childers encouraged the city to keep the Hamman Road folks on any delays.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:13 pm.

PASSED AND APPROVED, this 22nd day of March 2022.



ROBERT K. NELSON, MAYOR
CITY OF BAY CITY, TEXAS



JEANNA THOMPSON
CITY SECRETARY

