



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, August 24, 2021 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Jason W. Childers

Council Members: Becca Sitz, Bradley Westmoreland, Floyce Brown, Jim Folse

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

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

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

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

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.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 1. Minutes of Regular Council Meeting on July 27, 2021**
- 2. Minutes of Council Workshop on August 10, 2021**
- 3. Minutes of Regular Council Meeting on August 10, 2021**

PUBLIC HEARINGS

- 4. Public Hearing ~ Pursuant to Texas Local Government Code, Section 370.002, The City of Bay City, Texas shall conduct a Public Hearing to review the Ordinance Codified in Division 2 of Article II of Chapter 66 of the Code of Ordinances and receive public comment on the City of Bay City's Curfew Ordinance. Robert Lister, Chief of Police**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 5. Presentation ~ Presentation of Airport of the Year to the Bay City Regional Airport to James Mason, Airport Manager.**
- 6. Proposal ~ Discuss, consider, and/or approve a proposed Interlocal Agreement with Matagorda County to assist with costs related to road repairs. Shawna Burkhart, City Manager**
- 7. Presentation ~ Presentation of Regional Drainage Study. Matt Braezeale, Jones & Carter**
- 8. Budget ~ Discuss cost of street rehabilitation for Moore and Highland Additions to include utilities. Barry Calhoun, Public Works Director**
- 9. Contract ~ Discuss, consider, and/or approve awarding the construction quote for the City Hall Roof Replacement Project to Centurion Industries Inc. in the amount of \$ 247,810.00 and authorize the City Manager to execute a contract to form by the City Attorney. Scotty Jones, Finance Director**
- 10. Tax ~ Consider placing a proposal to adopt a Tax Rate for the 2022 Fiscal Year as an action item on the agenda of a future Council meeting, specifying therein the desired tax rate and publishing notice thereof. Scotty Jones, Finance Director**
- 11. Tax ~ Consider setting a Public Hearing on the Proposed 2022 Fiscal Year Tax Rate for Thursday, September 9, 2021. Scotty Jones, Finance director**
- 12. Budget ~ Consider setting a Public Hearing on the City of Bay City's proposed 2022 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 9, 2021. Scotty Jones, Finance Director**

- 13. Budget ~ Consider setting a Public Hearing on the Bay City Community Development Corporation's proposed 2022 Fiscal Year Budget for Thursday, September 9, 2021.** Scotty Jones, Finance Director

CLOSED / EXECUTIVE SESSION

OPEN SESSION

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

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

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.

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, August 20, 2021 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.