



BAY CITY

MINUTES • MAY 11, 2017

Council Chambers

Regular Meeting

7:00 PM

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

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN CAROLYN THAMES

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 Bricker	Mayor	Present	
Chrystal Folse	Mayor Pro-Tem	Present	
William Cornman	Councilman	Present	
Julie Estlinbaum	Councilwoman	Present	
Steven Johnson	Councilman	Present	
Carolyn Thames	Councilwoman	Present	

3. CERTIFICATION OF QUORUM

4. APPROVAL OF AGENDA

MOTION BY COUNCILWOMAN ESTLINBAUM, SECOND BY MAYOR PRO TEM FOLSE, TO APPROVE THE AGENDA. MOTION CARRIED.

5. 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.

Karma Crain, VP of the Junior Service League, introduced four of the five JSL provisionals.

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

1. Personnel

SWEARING-IN OF DAVID HOLUBEC AS CITY SECRETARY.

Rhonda Clegg, City Secretary

Outgoing City Secretary, Rhonda Clegg, swore-in incoming City Secretary, David Holubec.

2. Report

DISCUSS, CONSIDER, AND/OR APPROVE THE CANVASS OF THE ELECTION RETURNS FOR THE GENERAL ELECTION HELD ON SATURDAY, MAY 6, 2017.

Rhonda Clegg, City Secretary

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

Enacted and approved this 11th day of May, 2017, at Bay City

3. Report

RECEIVE AND DISCUSS QUARTERLY UPDATE ON CITY OF BAY CITY HEALTH INSURANCE PLAN.

Rhonda Clegg, City Secretary and Jeff Noyes, Ardent Solutions

Jeff Noyse stated that it was his goal to go over claims for Blue Cross Blue Shield. He explained that we were trending in the right direction. Mr. Noyse reviewed the quarterly information for Mayor and Council. The goal is to move out to the market quickly since the City is trending well. We are currently trending at 66%, which is better than what providers are looking for, which is at 85%. Mr. Noyse stated that he did meet with the TML representative and what they do is cherry pick groups to join them that run really well.

Councilman Cornman asked if they looked at more than 12 months, and Mr. Noyse stated yes. Councilwoman Estlinbaum asked if we had April's numbers, and Mr. Noyse stated that with Blue Cross Blue Shield will run a new report on the 15th or 16th.

Councilman Cornman asked if he expected to have a renewal by September 1st. Mr. Noyse stated that they planned to have the numbers by July or August.

4. Resolution

DISCUSS, CONSIDER AND/OR ADOPT A RESOLUTION TO DESIGNATE AN ADMINISTRATION SERVICE PROVIDER AND AN ENGINEERING SERVICE PROVIDER FOR A 2017 TEXAS CAPITAL FUND GRANT TO HELP FUND EXTENDING CITY INFRASTRUCTURE INCLUDING DRAINAGE, WATER, SEWER, AND/OR STREET IMPROVEMENTS FOR EXISTING COMMERCIAL BUSINESSES INCLUDING A PROPOSED MCCOY'S BUILDING SUPPLY STORE TO BE LOCATED BEHIND THE CHILI'S RESTAURANT ON SH 35.

Barry Calhoun, Director of Public Works

Mrs. Jasek informed Mayor and Council that the resolution would be applying to support McCoy's. The approval of the resolution would allow the City to apply for funds in June. McCoy's is projecting that the City would be eligible for \$425,000. McCoy's would pay for 100% of the engineering fee. Mrs. Jasek added that they were seeking support from Council by way of a resolution at the first meeting in June. She added that McCoy's would like to begin construction by the end of the year.

Councilman Johnson asked if McCoy's would take the in-kind match, and Mrs. Jasek stated that there was no match; however, they would take the overages.

Councilwoman Thames asked how many jobs would they bring, and Mrs. Jasek stated that she was not sure, but would get that information.

Councilman Cornman asked what would happen if we did not get the grant, and Mrs. Jasek stated that she believed McCoy's is very committed to comming in.

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

RESOLUTION

Enacted and approved this 11th day of May, 2017, at Bay City

5. Resolution

DISCUSS, CONSIDER, AND/OR OVERRIDE THE MAYOR'S VETO OF RESOLUTION R- 2017-11 IN WHICH CITY COUNCIL APPROVED THE COMPROMISE AND SETTLEMENT AGREEMENT WITH COUNCIL MEMBER CHRYSTAL FOLSE.

Councilman Steven Johnson

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

RESOLUTION

Enacted and approved this 11th day of May, 2017, at Bay City

6. Resolution

DISCUSS, CONSIDER, AND/OR OVERRIDE THE MAYOR'S VETO OF CITY RESOLUTION R- 2017-09 IN WHICH CITY COUNCIL APPROVED THE CENSURE OF THE MAYOR.

Councilman Bill Cornman

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

RESOLUTION

Enacted and approved this 11th day of May, 2017, at Bay City

7. Policy

DISCUSS, CONSIDER, AND/OR APPROVE AMENDMENTS TO THE CITY'S PERSONNEL POLICY RELATED TO: REFERENCING THE HR DIRECTOR INSTEAD OF THE CITY SECRETARY, ALLOWING AIRPORT CLIENTS TO OPERATE COURTESY VEHICLES, AND USING AN

EMPLOYEE'S VACATION OR COMPENSATION TIME ONCE SICK LEAVE IS NO LONGER AVAILABLE; ALL AMENDMENTS TO BE EFFECTIVE IMMEDIATELY.

Rhonda Clegg, City Secretary

Mrs. Clegg explained the three proposed changes to the policy.

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

Enacted and approved this 11th day of May, 2017, at Bay City

7. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Estlinbaum reminded everyone that the movie theater would be opening this month.

Councilwoman Thames added that they hired 168 local people, with the majority being high school students.

Councilman Cornman informed everyone of Stuart Lynn's recent award.

Mayor Pro Tem Folse thanked everyone for her re-election and apologized for all of the things that have gone on.

8. 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 Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Monday, May 8, 2017 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



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

DISCUSSION ITEM (ID # 2626)

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Personnel
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2626

SWEARING-IN OF DAVID HOLUBEC AS CITY SECRETARY.

COMMENTS - Current Meeting:

Outgoing City Secretary, Rhonda Clegg, swore-in incoming City Secretary, David Holubec.



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 2627)

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2627

**DISCUSS, CONSIDER, AND/OR APPROVE THE CANVASS OF
THE ELECTION RETURNS FOR THE GENERAL ELECTION
HELD ON SATURDAY, MAY 6, 2017.**

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

Cumulative Report — Unofficial

CITY OF BAY CITY, TEXAS — GENERAL ELECTION — May 06, 2017

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05/06/2017 08:11

Total Number of Voters : 1,422 of 0 = 0.00%

Precincts Reporting 2 of 2 = 100%

Party	Candidate	Early		Election		Total	
Council Position No. 3, Vote For 1							
	Franc Paiz	292	33.64%	189	40.82%	481	36.14%
	Chrystal Folse	576	66.36%	274	59.18%	850	63.86%
	Cast Votes:	868	95.38%	463	94.11%	1,331	94.94%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	42	4.62%	29	5.89%	71	5.06%
Council Position No. 4, Vote For 1							
	Becca Sitz	466	52.36%	257	53.77%	723	52.85%
	Donnye Massey Stone	424	47.64%	221	46.23%	645	47.15%
	Cast Votes:	890	97.80%	478	97.15%	1,368	97.57%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	20	2.20%	14	2.85%	34	2.43%
Council Position No. 5, Vote For 1							
	Jason W. Childers	484	54.44%	223	45.88%	707	51.42%
	Floyce Brown	233	26.21%	128	26.34%	361	26.25%
	Esau A. Rodriguez	172	19.35%	135	27.78%	307	22.33%
	Cast Votes:	889	97.69%	486	98.78%	1,375	98.07%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	21	2.31%	6	1.22%	27	1.93%
School Board Trustee Position No. 4, Vote For 1							
	David Holubec	378	44.95%	204	44.35%	582	44.73%
	Jerry Manning	463	55.05%	256	55.65%	719	55.27%
	Cast Votes:	841	91.41%	460	91.63%	1,301	91.49%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	79	8.59%	42	8.37%	121	8.51%
School Board Trustee Position No. 5, Vote For 1							
	Frankie Glaspy Cole	667	100.00%	389	100.00%	1,056	100.00%
	Cast Votes:	667	72.50%	389	77.49%	1,056	74.26%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	253	27.50%	113	22.51%	366	25.74%

Attachment: ED Unofficial Results (2627 : Canvass)

CANVASS OF GENERAL ELECTION

I, MARK A. BRICKER, Mayor of Bay City, Texas, met with the City of Bay City City Council sitting as the canvassing board to canvass the GENERAL election of MAY 6, 2017 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 ____ day of _____, 2017.

MARK A. BRICKER, MAYOR
Presiding Officer of Canvassing Authority

Attachment: Canvass Certify (2627 : Canvass)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

DISCUSSION ITEM (ID # 2625)

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2625

RECEIVE AND DISCUSS QUARTERLY UPDATE ON CITY OF BAY CITY HEALTH INSURANCE PLAN.

COMMENTS - Current Meeting:

Jeff Noyse stated that it was his goal to go over claims for Blue Cross Blue Shield. He explained that we were trending in the right direction. Mr. Noyse reviewed the quarterly information for Mayor and Council. The goal is to move out to the market quickly since the City is trending well. We are currently trending at 66%, which is better than what providers are looking for, which is at 85%. Mr. Noyse stated that he did meet with the TML representative and what they do is cherry pick groups to join them that run really well.

Councilman Cornman asked if they looked at more than 12 months, and Mr. Noyse stated yes. Councilwoman Estlinbaum asked if we had April's numbers, and Mr. Noyse stated that with Blue Cross Blue Shield will run a new report on the 15th or 16th.

Councilman Cornman asked if he expected to have a renewal by September 1st. Mr. Noyse stated that they planned to have the numbers by July or August.



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

RESOLUTION (ID # 2620)

Meeting: 05/11/17 07:00 PM
Department: Public Works
Category: Grant
Prepared By: Barry Calhoun
Initiator: Barry Calhoun
Sponsors:
DOC ID: 2620 A

DISCUSS, CONSIDER AND/OR ADOPT A RESOLUTION TO DESIGNATE AN ADMINISTRATION SERVICE PROVIDER AND AN ENGINEERING SERVICE PROVIDER FOR A 2017 TEXAS CAPITAL FUND GRANT TO HELP FUND EXTENDING CITY INFRASTRUCTURE INCLUDING DRAINAGE, WATER, SEWER, AND/OR STREET IMPROVEMENTS FOR EXISTING COMMERCIAL BUSINESSES INCLUDING A PROPOSED MCCOY'S BUILDING SUPPLY STORE TO BE LOCATED BEHIND THE CHILI'S RESTAURANT ON SH 35.

The City of Bay City plans to apply a 2017 Texas Capital Fund Infrastructure Program grant from the Texas Community Development Block Grant (TxCDBG) Program of the Texas Department of Agriculture (TDA) to support public infrastructure improvements in the City of Bay City. The grant will potentially help fund extending City infrastructure including drainage, water, sewer, and/or street improvements for existing commercial businesses and future developments including a proposed McCoy's Building Supply store located behind the Chili's restaurant on SH35.

This agenda item is a requirement of the grant program to select an administration service provider and an engineering service provider to aide in the application submission and implementation of the grant project if awarded.

COMMENTS - Current Meeting:

Mrs. Jasek informed Mayor and Council that the resolution would be applying to support McCoy's. The approval of the resolution would allow the City to apply for funds in June. McCoy's is projecting that the City would be eligible for \$425,000. McCoy's would pay for 100% of the engineering fee. Mrs. Jasek added that they were seeking support from Council by way of a resolution at the first meeting in June. She added that McCoy's would like to begin construction by the end of the year.

Councilman Johnson asked if McCoy's would take the in-kind match, and Mrs. Jasek stated that there was no match; however, they would take the overages.

Councilwoman Thames asked how many jobs would they bring, and Mrs. Jasek stated that she was not sure, but would get that information.

Councilman Cornman asked what would happen if we did not get the grant, and Mrs. Jasek stated that she believed McCoy's is very committed to coming in.

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

RESOLUTION

A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDERS FOR A 2017 TEXAS CAPITAL FUND PROJECT.

WHEREAS, the 2017 Texas Capital Fund contract requires implementation by professionals experienced in the administration and implementation of federally-funded community development projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration services and a Request for Qualifications (RFQ) for engineering services for application preparation and professional services has been completed in accordance with Texas CDBG requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service.

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

- Section 1A. That **GrantWork, Inc.** be selected to provide Texas Capital Fund project-related **application preparation** and **administration services** for a 2017 Texas Capital Fund project contingent on award.
- Section 1B. That **Eckermann Engineering, Inc.** be selected to provide Texas Capital Fund project-related **application preparation** and **professional engineering services** for a 2017 Texas Capital Fund project contingent on award.
- Section 2. That any and all contracts or commitments made with the above-named services providers are dependent on the successful negotiation of a contract with the service provider.

PASSED AND APPROVED on first and final reading this _____ day of May 2017.

CITY OF BAY CITY, TEXAS

Mark Bricker, Mayor

ATTEST:

Rhonda Clegg, City Secretary

APPROVED as to FORM:

M. Shannon Kackley, Assistant City Attorney
DENTON, NAVARRO, ROCHA,
BERNAL, HYDE & ZECH, P.C.

Scoring Summary

Contractor Locality City of Bay City

TxCDBG Contract No. McCoy's

*Please note: If only one submission was received for either service, the submission does not need to be scored. Please just make a note below.

Administrative Firm	Total Score
GrantWorks, Inc.	97+98+93+98=386
	(only one bidder)

Engineering Firm	Total Score
Eckermann Engineering	92+95+89+80=356
	(only one bidder)

Signature: _____

Any member of the Selection Review Committee may sign.

Date: 5/3/2017

A501**Management Rating Sheet**Grant Recipient City of Bay CityTxCDBG Contract No. McCoy'sName of Respondent GrantWorks, Inc.Date of Rating 5/3/2017Evaluator's Name D.C. Dunham**Experience** -- Rate the respondent for experience in the following areas:Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Federal Procurement Procedures	5	<u>4</u>
2. Environmental Reviews	4	<u>4</u>
3. Fair Housing/EEO	5	<u>5</u>
4. Financial Management	5	<u>5</u>
5. Uniform Act Acquisition/Relocation	2	<u>2</u>
6. Project Construction Management	2	<u>2</u>
7. Labor Standards Requirements	2	<u>2</u>
8. Audit/Contract Close-out	5	<u>5</u>
Subtotal, Experience	<u>30</u>	<u>29</u>

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Submits requests to TDA in a timely manner	5	<u>4</u>
2. Responds to TDA requests in a timely manner	5	<u>4</u>
3. Past TDA projects completed on schedule	5	<u>5</u>
4. Work product is consistently of high quality with low level of errors	5	<u>5</u>
5. Past TDA projects have low level of monitoring findings/concerns and offeror responds to monitoring reports in a timely manner	5	<u>5</u>
6. Manages projects within budgetary constraints	5	<u>5</u>
Subtotal, Performance	<u>30</u>	<u>28</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.**Capacity to Perform**

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staffing Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>10</u>
Subtotal, Capacity to Perform	<u>20</u>	

Proposed Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
A = Lowest Proposal \$ <u>35,000</u>		
B = Bidder's Proposal \$ <u>35,000</u>		
A ÷ B X 20 equals Respondent's Score	<u>20</u>	<u>20</u>

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
☐ Experience	30	<u>29</u>
☐ Work Performance	30	<u>28</u>
☐ Capacity to Perform	20	<u>20</u>
☐ Proposed Cost	20	<u>20</u>
Total Score	<u>100</u>	<u>97</u>

A501**Management Rating Sheet**

Grant Recipient City of Bay City
 Name of Respondent GrantWorks, Inc.
 Evaluator's Name Chrystal Folsom

TxCDBG Contract No. McCoy's
 Date of Rating 5/3/2017

Experience -- Rate the respondent for experience in the following areas:

Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Federal Procurement Procedures	5	4
2. Environmental Reviews	4	4
3. Fair Housing/EEO	5	5
4. Financial Management	5	5
5. Uniform Act Acquisition/Relocation	2	2
6. Project Construction Management	2	2
7. Labor Standards Requirements	2	2
8. Audit/Contract Close-out	5	5
Subtotal, Experience	30	29

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Submits requests to TDA in a timely manner	5	5
2. Responds to TDA requests in a timely manner	5	5
3. Past TDA projects completed on schedule	5	4
4. Work product is consistently of high quality with low level of errors	5	5
5. Past TDA projects have low level of monitoring findings/concerns and offeror responds to monitoring reports in a timely manner	5	5
6. Manages projects within budgetary constraints	5	5
Subtotal, Performance	30	29

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staffing Level / Experience of Staff	10	10
2. Adequacy of Resources	10	10
Subtotal, Capacity to Perform	20	20

Proposed Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
A = Lowest Proposal \$ <u>535,000</u>		
B = Bidder's Proposal \$ <u>35,000</u>		20
A ÷ B X 20 equals Respondent's Score	20	20

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
☐ Experience	30	29
☐ Work Performance	30	29
☐ Capacity to Perform	20	20
☐ Proposed Cost	20	20
Total Score	100	98

A501**Management Rating Sheet**Grant Recipient City of Bay CityTxCDBG Contract No. McCoy'sName of Respondent GrantWorks, Inc.Date of Rating 5/3/2017Evaluator's Name Berry Calhoun**Experience** -- Rate the respondent for experience in the following areas:Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Federal Procurement Procedures	5	<u>4</u>
2. Environmental Reviews	4	<u>4</u>
3. Fair Housing/EEO	5	<u>5</u>
4. Financial Management	5	<u>4</u>
5. Uniform Act Acquisition/Relocation	2	<u>2</u>
6. Project Construction Management	2	<u>2</u>
7. Labor Standards Requirements	2	<u>2</u>
8. Audit/Contract Close-out	5	<u>5</u>
Subtotal, Experience	<u>30</u>	<u>28</u>

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Submits requests to TDA in a timely manner	5	<u>4</u>
2. Responds to TDA requests in a timely manner	5	<u>5</u>
3. Past TDA projects completed on schedule	5	<u>5</u>
4. Work product is consistently of high quality with low level of errors	5	<u>3</u>
5. Past TDA projects have low level of monitoring findings/concerns and offeror responds to monitoring reports in a timely manner	5	<u>4</u>
6. Manages projects within budgetary constraints	5	<u>5</u>
Subtotal, Performance	<u>30</u>	<u>26</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.**Capacity to Perform**

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staffing Level / Experience of Staff	10	<u>10</u>
2. Adequacy of Resources	10	<u>9</u>
Subtotal, Capacity to Perform	<u>20</u>	<u>19</u>

Proposed Cost

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
A = Lowest Proposal \$ <u>35,000</u>		
B = Bidder's Proposal \$ <u>35,000</u>		<u>20</u>
A ÷ B X 20 equals Respondent's Score	<u>20</u>	<u>20</u>

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
☐ Experience	30	<u>28</u>
☐ Work Performance	30	<u>26</u>
☐ Capacity to Perform	20	<u>19</u>
☐ Proposed Cost	20	<u>20</u>
Total Score	<u>100</u>	<u>93</u>

A501**Management Rating Sheet**Grant Recipient City of Bay CityTxCDBG Contract No. McCoy'sName of Respondent GrantWorks, Inc.Date of Rating 5/3/2017Evaluator's Name Rhonda Cleary**Experience** -- Rate the respondent for experience in the following areas:Comments

Factor	Max.Pts.	Score
1. Federal Procurement Procedures	5	5
2. Environmental Reviews	4	4
3. Fair Housing/EEO	5	5
4. Financial Management	5	5
5. Uniform Act Acquisition/Relocation	2	2
6. Project Construction Management	2	2
7. Labor Standards Requirements	2	2
8. Audit/Contract Close-out	5	5
Subtotal, Experience	30	30

Work Performance

Factor	Max.Pts.	Score
1. Submits requests to TDA in a timely manner	5	4
2. Responds to TDA requests in a timely manner	5	4
3. Past TDA projects completed on schedule	5	5
4. Work product is consistently of high quality with low level of errors	5	5
5. Past TDA projects have low level of monitoring findings/concerns and offeror responds to monitoring reports in a timely manner	5	5
6. Manages projects within budgetary constraints	5	5
Subtotal, Performance	30	28

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.**Capacity to Perform**

Factor	Max.Pts.	Score
1. Staffing Level / Experience of Staff	10	10
2. Adequacy of Resources	10	10
Subtotal, Capacity to Perform	20	20

Proposed Cost

Factor	Max.Pts.	Score
A = Lowest Proposal \$ <u>35.000</u>		
B = Bidder's Proposal \$ <u>35.000</u>		
A ÷ B X 20 equals Respondent's Score	20	20

TOTAL SCORE

Factor	Max.Pts.	Score
☐ Experience	30	30
☐ Work Performance	30	28
☐ Capacity to Perform	20	20
☐ Proposed Cost	20	20
Total Score	100	98

Engineer/Architect Rating Sheet

Grant Recipient City of Bay City
 Name of Respondent Eckermann Engineering
 Evaluator's Name DC Dunham

TxCDBG Contract No. McCoy's
 Date of Rating 5/3/2017

Experience -- Rate the respondent for experience in the following areas:Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Has previously designed <u>TCF</u> type of projects	10	<u>6</u>
2. Has previously designed McCoy's Building Supply stores	10	<u>10</u>
3. Has worked on federally funded construction projects	10	<u>10</u>
4. Has worked on projects that were located in this general region	15	<u>14</u>
5. Extent of experience in project construction management	15	<u>14</u>
Subtotal, Experience	60	<u>54</u>

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Past projects completed on schedule	10	<u>8</u>
2. Manages projects within budgetary constraints	5	<u>5</u>
3. Work product is of high quality	10	<u>10</u>
Subtotal, Performance	25	<u>23</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
1. Staff Level / Experience of Staff	5	<u>5</u>
2. Adequacy of Resources	5	<u>5</u>
3. Professional liability insurance is in force	5	<u>5</u>
Subtotal, Capacity to Perform	15	<u>15</u>

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>
☐ Experience	60	<u>54</u>
☐ Work Performance	25	<u>23</u>
☐ Capacity to Perform	15	<u>15</u>
Total Score	100	<u>92</u>

Engineer/Architect Rating Sheet

Grant Recipient City of Bay City
 Name of Respondent Eckermann Engineering
 Evaluator's Name Chrystal Tolse

TxCDBG Contract No. McCoy's
 Date of Rating 5/3/2017

Experience -- Rate the respondent for experience in the following areas:Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Has previously designed <u>TCF</u> type of projects	10	<u>7</u>	
2. Has previously designed McCoy's Building Supply stores	10	<u>10</u>	
3. Has worked on federally funded construction projects	10	<u>10</u>	
4. Has worked on projects that were located in this general region	15	<u>15</u>	
5. Extent of experience in project construction management	15	<u>15</u>	
Subtotal, Experience	60	<u>57</u>	

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Past projects completed on schedule	10	<u>9</u>	
2. Manages projects within budgetary constraints	5	<u>4</u>	
3. Work product is of high quality	10	<u>10</u>	
Subtotal, Performance	25	<u>23</u>	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Staff Level / Experience of Staff	5	<u>5</u>	
2. Adequacy of Resources	5	<u>5</u>	
3. Professional liability insurance is in force	5	<u>5</u>	
Subtotal, Capacity to Perform	15	<u>15</u>	

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
☐ Experience	60	<u>57</u>	
☐ Work Performance	25	<u>23</u>	
☐ Capacity to Perform	15	<u>15</u>	
Total Score	100	<u>95</u>	

Engineer/Architect Rating SheetGrant Recipient City of Bay CityTxCDBG Contract No. McCoy'sName of Respondent Eckermann EngineeringDate of Rating 5/3/2017Evaluator's Name Barry Calhoun**Experience** -- Rate the respondent for experience in the following areas:Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Has previously designed <u>TCF</u> type of projects	10	<u>6</u>	
2. Has previously designed McCoy's Building Supply stores	10	<u>10</u>	
3. Has worked on federally funded construction projects	10	<u>9</u>	
4. Has worked on projects that were located in this general region	15	<u>13</u>	
5. Extent of experience in project construction management	15	<u>15</u>	
Subtotal, Experience	<u>60</u>	<u>53</u>	

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Past projects completed on schedule	10	<u>8</u>	
2. Manages projects within budgetary constraints	5	<u>4</u>	
3. Work product is of high quality	10	<u>9</u>	
Subtotal, Performance	<u>25</u>	<u>21</u>	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Staff Level / Experience of Staff	5	<u>5</u>	
2. Adequacy of Resources	5	<u>5</u>	
3. Professional liability insurance is in force	5	<u>5</u>	
Subtotal, Capacity to Perform	<u>15</u>	<u>15</u>	

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
☐ Experience	60	<u>53</u>	
☐ Work Performance	25	<u>21</u>	
☐ Capacity to Perform	15	<u>15</u>	
Total Score	<u>100</u>	<u>89</u>	

A502**Engineer/Architect Rating Sheet**

Grant Recipient City of Bay City
 Name of Respondent Eckermann Engineering
 Evaluator's Name Rhonda Clegg

TxCDBG Contract No. McCoy's
 Date of Rating 5/3/2017

Experience -- Rate the respondent for experience in the following areas:

Comments

Factor	Max.Pts.	Score
1. Has previously designed <u>TCF</u> type of projects	10	<u>5</u>
2. Has previously designed McCoy's Building Supply stores	10	<u>10</u>
3. Has worked on federally funded construction projects	10	<u>8</u>
4. Has worked on projects that were located in this general region	15	<u>12</u>
5. Extent of experience in project construction management	15	<u>13</u>
Subtotal, Experience	<u>60</u>	<u>48</u>

Work Performance

Factor	Max.Pts.	Score
1. Past projects completed on schedule	10	<u>7</u>
2. Manages projects within budgetary constraints	5	<u>3</u>
3. Work product is of high quality	10	<u>7</u>
Subtotal, Performance	<u>25</u>	<u>17</u>

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

Factor	Max.Pts.	Score
1. Staff Level / Experience of Staff	5	<u>5</u>
2. Adequacy of Resources	5	<u>5</u>
3. Professional liability insurance is in force	5	<u>5</u>
Subtotal, Capacity to Perform	<u>15</u>	<u>15</u>

TOTAL SCORE

Factor	Max.Pts.	Score
☐ Experience	60	<u>48</u>
☐ Work Performance	25	<u>17</u>
☐ Capacity to Perform	15	<u>15</u>
Total Score	<u>100</u>	<u>80</u>



City Council
1901 5Th Street
Bay City, TX 77414

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2622

ADOPTED

RESOLUTION (ID # 2622)

**DISCUSS, CONSIDER, AND/OR OVERRIDE THE MAYOR'S
VETO OF RESOLUTION R- 2017-11 IN WHICH CITY COUNCIL
APPROVED THE COMPROMISE AND SETTLEMENT
AGREEMENT WITH COUNCIL MEMBER CHRYSTAL FOLSE.**

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

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A COMPROMISE AND SETTLEMENT AGREEMENT WITH COUNCILMEMBER CHRYSTAL FOLSE

WHEREAS, around September 2013, the City Secretary and the Finance Director interpreted Section 4.04 of the City Charter to allow Councilmember Chrystal Folse to obtain City employee health insurance benefits at the same costs as City employees; and

WHEREAS, Councilmember Chrystal Folse then enrolled to receive City employee health insurance benefits at City employee costs; and

WHEREAS, in the fall of 2016, questions arose concerning whether the City employee health insurance benefits that Councilmember Chrystal Folse had been receiving may not have been in compliance with Section 4.04 of the City Charter and whether the September 2013 interpretation of Section 4.04 by the City Secretary and Finance Director may have been in error.

WHEREAS, on December 15, 2016 in Resolution Number R-2016-24, City Council clarified Section 4.04, ex post facto, to mean that councilmembers can receive City employee health insurance benefits solely at councilmember's expense; and

WHEREAS, the City and Councilmember Chrystal Folse acknowledge an improper cost allocation for the City employee health insurance benefits provided to Councilmember Chrystal Folse; and

WHEREAS, the City and Councilmember Chrystal Folse agree in fairness to balance the responsibility associated with this mistake by entering into a Compromise & Settlement Agreement.

WHEREAS, City Council hereby approves the Compromise & Settlement Agreement negotiated and approved by City Council and Councilmember Chrystal Folse.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Settlement and Compromise Agreement is Approved. The City Council approves the Settlement & Compromise Agreement attached as **Exhibit A** to this Resolution, which is fully incorporated herewith for all purposes.

APPROVED AND ADOPTED on this the 11th day of May 2017.

MARK A. BRICKER, MAYOR

ATTEST

RHONDA CLEGG, CITY SECRETARY

APPROVED AS TO FORM:

M. SHANNON KACKLEY, ASST. CITY ATTORNEY
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

Attachment: R-2017- Approving Settlement and Compromise Agreement with Chystal Folse (2622 : Veto Override - Council Insurance

EXHIBIT A
Settlement and Compromise Agreement

Attachment: R-2017- Approving Settlement and Compromise Agreement with Chystal Folse (2622 : Veto Override - Council Insurance



City Council
1901 5Th Street
Bay City, TX 77414

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2623

ADOPTED

RESOLUTION (ID # 2623)

**DISCUSS, CONSIDER, AND/OR OVERRIDE THE MAYOR'S
VETO OF CITY RESOLUTION R-2017-09 IN WHICH CITY
COUNCIL APPROVED THE CENSURE OF THE MAYOR.**

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

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS
APPROVING THE CENSURE OF THE MAYOR**

WHEREAS, The City of Bay City Home Rule Charter grants the City Council “all powers and authority which are expressly or impliedly conferred on or possessed by the City in Article II of the Home Rule Charter;” and

WHEREAS, Article II of the Home Rule Charter grants the City “all powers now or hereafter granted to municipal corporations by the Constitution and laws of the State of Texas, together will all implied powers necessary to carry into execution such granted powers;” and

WHEREAS, City Council possesses the authority to censure; and

WHEREAS, The Mayor posted the following on his Facebook Page – “What if an elected official was overcompensated by \$25,000, should they have to pay it back? Or just run for election like nothing happened?” and

WHEREAS, At the April 13, 2017, City Council Meeting, City Council discussed “the Mayor’s judgment relative to the posting of derogatory and leading negative messages directed at individuals on his Facebook page and other forms of social media;” and

WHEREAS, the Mayor disputed the claims and provide evidence supporting his position; and

WHEREAS, City Council then voted to direct the City Attorney to prepare a Resolution for City Council to censure the Mayor; and

WHEREAS, City Council scheduled the vote on the Resolution to Censure the Mayor for the April 27, 2017 City Council Meeting, which was posted according to the Texas Open Meetings Act; and

WHEREAS, At the April 27, 2017 City Council Meeting, the Mayor was given an opportunity to refute the claim against him and the Public was given an opportunity to comment; and

WHEREAS, City Council hereby determines that Mayor Mark Bricker has exercised poor judgement in methods used to post City related matters on social media by targeting individuals causing harm to them and harm to the reputation of City government.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Notice. Mayor Mark Bricker was provided notice of City Council's action to approve a Resolution to censure the Mayor.

Section 3. Opportunity to Dispute. Mayor Mark Bricker was provided an opportunity to dispute the allegations against him and the Public was provided an opportunity to comment.

Section 4. Findings. City Council determines that the following Facebook post by the Mayor was made in poor judgment and caused harm to individuals and the reputation of the City of Bay City - "What if an elected official was overcompensated by \$25,000, should they have to pay it back? Or just run for election like nothing happened?"

Section 5. Censure. The City Council of the City of Bay City, Texas does hereby officially censure Mayor Mark Bricker.

APPROVED AND ADOPTED on this the day of April 2017.

MARK A. BRICKER, MAYOR

ATTEST

RHONDA CLEGG, CITY SECRETARY

APPROVED AS TO FORM:

M. SHANNON KACKLEY, ASST. CITY ATTORNEY
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

Attachment: R-2017- Censure of Mayor (2623 : Veto Override - Mayor Censure Resolution)



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 2624)

Meeting: 05/11/17 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 2624

**DISCUSS, CONSIDER, AND/OR APPROVE AMENDMENTS TO
THE CITY'S PERSONNEL POLICY RELATED TO:
REFERENCING THE HR DIRECTOR INSTEAD OF THE CITY
SECRETARY, ALLOWING AIRPORT CLIENTS TO OPERATE
COURTESY VEHICLES, AND USING AN EMPLOYEE'S
VACATION OR COMPENSATION TIME ONCE SICK LEAVE IS
NO LONGER AVAILABLE; ALL AMENDMENTS TO BE
EFFECTIVE IMMEDIATELY.**

The proposed policy amendment will change the following:

1. The current references to the City Secretary to the HR Director,
2. Allow for the Regional Airport clients to operate a City vehicle, and
3. Eliminate the need to receive approval from an employee to use their vacation or comp time once they have run out of sick leave.

COMMENTS - Current Meeting:

Mrs. Clegg explained the three proposed changes to the policy.

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