

CITY OF BAY CITY
MINUTES • JANUARY 09, 2024

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Mayor Pro Tem

Blayne Finlay

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilman

Benjamin Flores

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 6:00 p.m.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Councilwoman Becca Sitz

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER**1. Introduction of new Police Officers**

Chief Christella Rodriguez introduced and provided bios for two new officers Braeden Foytik and Ryan Salcedo. Chief Rodriguez also announced Chris Hadash's promotion to Lieutenant.

2. TIRZ Board Member resignation

Shawna Burkhart, City Manager, stated that Julie Estlinbaum has resigned from the TIRZ Boards and asked Council to contemplate who they would like to be on the Board.

ITEMS / COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS

Councilman Flores stated he attended the new officers swearing in and also participated in the Polar Plunge event. Councilwoman Sitz stated that Mad Island might make the number one on annual bird count again. Councilman Folse reminded council that Monday is Martin Luther King Day and Friday the 19th is the Crisis Center Chicken Fried Steak dinner. Councilman Westmoreland requested an update on property designated as surplus. Mayor Nelson read the City's Vision Statement and would like citizens to be involved, adding that we need volunteers.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 3. City Council Workshop meeting minutes of December 12, 2023.**
- 4. City Council Regular meeting minutes of December 12, 2023.**

Motion made by Mayor Nelson to approve the consent itmes, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 5. Contract ~ Discuss, consider, and/or approve the Contract Work Order No. 10 with Garver, LLC for Arsenic Treatment and Facility Rehabilitation detailed design and bidding phase services for the 6th Street and I Avenue Water Treatment Plant.** Herb Blomquist, Public Works Director

Herb Blomquist, Public Works Director, presented the contract. Councilman Westmoreland asked if engineering services was normal and Mr. Blomquist stated that it is and listed type projects that require engineering services especially when using Federal Funds. Don Olsen, Garver, provided a presentation of the project and time line. Shawna Burkhart, City Manager, added that this did not include construction.

Motion made by Councilman Flores to approve the Contract Work Order No. 10 with Garver, LLC for Arsenic Treatment and Facility Rehabilitation, Seconded by Councilman Westmoreland.

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

- 6. Contract ~ Discuss, consider, and/or approve extending the contract with Prosperity Bank.** Scotty Jones, Assistant City Manager

Shawna, City Manager, presented stating that this was a two year extension.

Motion made by Mayor Pro Tem Finlay to approve extending the contract with Prosperity Bank, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

7. **Ordinance ~ An Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024A (CWSRF); Authorizing Execution And Delivery Of A Paying Agent/Registrar Agreement And An Escrow Agreement Relating To Such Certificates; Prescribing The Form Of Said Certificates; Levying A Tax And Pledging Surplus Revenues Of The Water And Sewer System In Payment Thereof; And Enacting Other Provisions Relating Thereto.** Scotty Jones, Assistant City Manager

James Guilley, US Capital Advisor, reviewed the four ordinances presented, stating that 2024D was the more recent to include the arsenic treatment. Annual payment is fixed and no prepayment in first ten years.

Motion made by Councilwoman Sitz to approve the Ordinance Authorizing the issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024A (CWSRF);, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council was polled.

8. **Ordinance ~ An Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024B (DWSRF); Authorizing Execution And Delivery Of A Paying Agent/Registrar Agreement And An Escrow Agreement Relating To Such Certificates; Prescribing The Form Of Said Certificates; Levying A Tax And Pledging Surplus Revenues Of The Water And Sewer System In Payment Thereof; And Enacting Other Provisions Relating Thereto.** Scotty Jones, Assistant City Manager

Motion made by Councilman Westmoreland to approve the Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024B (DWSRF), Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council polled.

9. **Ordinance ~ An Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024C (DWSRF); Authorizing Execution And Delivery Of A Paying Agent/Registrar Agreement And An Escrow Agreement Relating To Such Certificates; Prescribing The Form Of Said Certificates; Levying A Tax And Pledging Surplus Revenues Of The Water And Sewer System In Payment Thereof; And Enacting Other Provisions Relating Thereto.** Scotty Jones, Assistant City Manager

Motion made by Councilman Folsie to approve the Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024C (DWSRF), Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council polled.

- 10. Ordinance ~ An Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024D (DWSRF); Authorizing Execution And Delivery Of A Paying Agent/Registrar Agreement And An Escrow Agreement Relating To Such Certificates; Prescribing The Form Of Said Certificates; Levying A Tax And Pledging Surplus Revenues Of The Water And Sewer System In Payment Thereof; And Enacting Other Provisions Relating Thereto.** Scotty Jones, Assistant City Manager

Motion made by Mayor Nelson to approve the Ordinance Authorizing the Issuance of the City Of Bay City, Texas, Tax And Surplus Revenue Certificates Of Obligation, Series 2024D (DWSRF), Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council was polled.

- 11. Resolution ~ A Resolution by the City Council Of The City Of Bay City, Texas Approving A Principal Forgiveness Agreement With The Texas Water Development Board And Authorizing The Mayor As The Designated Representative Of The City To Execute The Principal Forgiveness Agreement; And Approving Other Matters Related Thereto.** Scotty Jones, Assistant City Manager

Motion made by Councilwoman Sitz to approve the Resolution by the City Council Of The City Of Bay City, Texas Approving A Principal Forgiveness Agreement With The Texas Water Development Board, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into Executive Session at 6:44 p.m.

- 12. Executive Session pursuant to Section 551.071 of the Texas Government Code (Consultation with Counsel on Legal Matters)**

RECONVENE AND ACTION

Council reconvened at 7:02 p.m. and took no action on item #13.

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

Shawna Burkhart announced city offices closed Monday for the holiday. Councilwoman Sitz requested street sweeper on highway 35. Mayor Pro Tem Finlay asked about old landmark

building and Ms. Burkhart replied that they have been asked to provide us an engineered stamp drawing.

ADJOURNMENT

Motion made by Councilman Flores to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council adjourned at 7:04 p.m.

PASSED AND APPROVED, this 13th day of February 2024.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY