

**CITY OF BAY CITY**  
**MINUTES • DECEMBER 10, 2024**

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Regular Meeting**

**6:00 PM**

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



**Mayor**

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Robert K. Nelson

**Mayor Pro Tem**

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Becca Sitz

**Councilman**

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Jim Folse

**Councilman**

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Bradley Westmoreland

**Councilman**

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Blayne Finlay

**Councilman**

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Benjamin Flores

*We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.*

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**CALL TO ORDER AND CERTIFICATION OF QUORUM**

The meeting was called to order at 6:00 p.m.

**PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Becca Sitz  
Councilman Benjamin Flores  
Councilman Blayne Finlay

**ABSENT**

Councilman Jim Folse  
Councilman Brad Westmoreland

**INVOCATION & PLEDGE**

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

*Councilman Brad Westmoreland*

**MISSION STATEMENT**

*The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns and strive to deliver superior municipal services.*

*Councilman Brad Westmoreland*

**APPROVAL OF AGENDA**

Mayor Robert K. Nelson suggested moving items 15, 16, and 17 to Consent Agenda Items.

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

**PUBLIC COMMENTS**

Angelica Hernandez, resident of 2306 Matthews Street spoke about her concerns with a police case.

There were no further comments.

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**PUBLIC HEARINGS**

1. **A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 1.748 acres of land, being a portion of all that certain GCA Ventures, LLC called 28.24 acre tract as recorded in Clerk's File No. 2007-075954 and corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records in the Reuben P.T. Stone 1/4 League Abstract 92, Matagorda County, Texas.**

Assistant Director of Public Works, Krystal Mason stated the BC Development Group, LLC is requesting the annexation of a 1.749 adjacent to their 5.827 acre tract on Nile Valley Road north of MLK Blvd. This is for construction of a multi-family apartment complex called The Reserve at Riverbend. The complex will be on city water and sewer.

2. **A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 3.6816 acres tract of land, being out of and a part of Reserve "A" corrected Plat of Bay Way Estates recorded in Volume 8, Pg. 16, M.C.P.R., located in the J.F. Bowman Survey, A-9, Matagorda County, Texas.**

Assistant Director of Public Works, Krystal Mason stated the developer on this project, Bay City Highway Property, Inc. is requesting the annexation of a 3.6816 acre tract located on the northwest corner of State Highway 60 and FM 3156. They intend to construct a convenient store which will be on City water. They will be on a septic system but will be required to switch to the city sewer system when it's available in that location.

3. **A public hearing to consider the advisability of the creation of Reinvestment Zone Number Five (5), Bay city, Texas for Tax Increment Financing purposes pursuant to Chapter 311, Texas Tax Code.**

David Pettit, Consultant with DPED Professional Services, discussed and presented the advisability of the creation of Reinvestment Zone Number Five (5), Bay City, Texas for Tax Increment Financing purposes pursuant to Chapter 311, Texas Tax Code.

**ACKNOWLEDGEMENT FROM CITY MANAGER**

City Manager, Scotty Jones gave a shout-out to the Airport all that helped with the Santa Fly-In, and the also to the Library for Santa Storytime. She also thanked Angela Hadash and Christina Lopez for refurbishing the Christmas wreath in Council chambers. Ms. Jones then mentioned upcoming city events and encouraged the public to attend.

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**ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS**

Councilman Finlay stated the Airport did a great job on the Santa Fly-In event. Then asked when the traffic lights were going to be in operation. Mayor Nelson said it may be a while. Councilman Finlay also asked the status on Nile Valley Road. Public Works Director, Herb Blomquist commented it was estimated 150 days but maybe sooner. Information has been sent out. Mayor Pro Tem Becca Sitz thanked the Street & Bridge department for filling the pothole at Avenue I & 3rd Street. Mayor Nelson commented that the Christmas in the Park event was awesome. He also thanked Airport Director, James Mason for the diligent work on the handrails at the Airport. Councilman Flores issued an apology to the Public Works department; his presentation last meeting wasn't to single anyone out but to voice citizen concerns. He then followed up on the PIO. City Manager, Scotty Jones stated they have been working on it. Councilman Flores did use the app to report an issue, the problem did get fixed. Mayor Nelson stated the toy drive is accepting toy donations until the 21st, and Shop with a Cop will be held on December 11th at Walmart at 4:15. He also mentioned he was on a podcast with Mitch Thames and talked about water and sewer bills. Mayor Nelson asked that if anyone has any questions about what is going on in Bay City, please ask.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

Item numbers 4, 5, 15, 16, and 17.

Motion made by Councilman Finlay to approve consent agenda items numbers 4, 5, 15, 16, and 17, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 4. A Resolution formalizing the selection of Engineering Geotechnical, and Architectural Service Providers previously approved by City Council on February 27, 2024 for project implementation using Local, State, and Federal funding.**
- 5. An Interlocal Agreement between the City of Bay City and Matagorda County for library services for the 2025 year.**
- 15. Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) and Matagorda County Precinct 2 Commissioner (Mike Estlinbaum), to Board of Directors to Reinvestment Zone Number One (1), City of Bay City, Texas (Downtown). Scotty Jones, City Manager**
- 16. Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) and Matagorda County Precinct 2 Commissioner (Mike Estlinbaum), to Board of Directors to**

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**Reinvestment Zone Number Two (2), City of Bay City, Texas.** Scotty Jones, City Manager

17. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Samantha Denbow, Tina Israel, and Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) to Board of Directors to Reinvestment Zone Number Four (4), City of Bay City, Texas.** Scotty Jones, City Manager

## DEPARTMENT REPORTS

### 6. Airport Report

Airport Director, James Mason discussed and presented the Airport Report.

## REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

7. **Ordinance ~ An Ordinance of the City Council of the City of Bay City, Texas, Pursuant to Chapter 311 of the Texas Tax Code, Creating Tax Increment Financing Reinvestment Zone Number Five, City of Bay City, Texas.** Scotty Jones, City Manager

Motion made by Councilman Flores to approve an Ordinance of the City Council of the City of Bay City, Texas, Pursuant to Chapter 311 of the Texas Tax Code, Creating Tax Increment Financing Reinvestment Zone Number Five, City of Bay City, Texas., Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

8. **Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 7.575 acres of land located in the RPT Stone Abstract 0092, Matagorda County, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date.**

Assistant Public Works Director, Krystal Mason discussed the ordinance.

Motion made by Councilman Flores to approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 7.575 acres of land located in the RPT Stone Abstract 0092, Matagorda County, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the

extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

**9. Agreement ~ Discuss, consider, and/ or approve a Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC.**

City Manager, Scotty Jones discussed the Chapter 380 agreement. The agreement will help reimburse for utility infrastructure. The estimated investment for infrastructure will likely exceed \$400,000. This agreement provides that the City will reimburse the developer an amount up to \$100,000 over a period of 5 years, and under a separate agreement, the Bay City CDC will reimburse the developer of an amount up to \$250,000.

Motion made by Councilman Finlay to approve a Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC., Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

**10. Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 3.6816 acres of land located in the Bay Way Estates, Reserve A, Matagorda county, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date.**

Krystal Mason, Assistant Director of Public Works, discussed the ordinance. She explained that in Section 1E the property will be on city water and the City will allow them to develop of septic system.

Motion made by Councilman Flores to approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 3.6816 acres of land located in the Bay Way Estates, Reserve A, Matagorda county, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all

inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

- 11. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with Fit for Life (First Reading) - Jessica Russell, Executive Director, BCCDC**

Motion made by Mayor Pro Tem Sitz to approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with Fit for Life (First Reading), Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 12. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with El Zarape. (First Reading) - Jessica Russell, Executive Director, BCCDC**

Motion made by Councilman Finlay to approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with El Zarape. (First Reading), Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 13. Bids ~ Discuss, consider, and/ or approve authorization for the City of Bay City to issue requests for proposals (RFPs) for administrative services and requests for qualification (RFQs) for engineering services related to the Texas General Land Office (GLO) Disaster Recovery Resilience Program (DRRP).**

Gabriel Lopez, Engineering Tech, stated the three projects that were identified and submitted for the preliminary application were a drainage project in the Del Norte subdivision, a drainage project at the Tennie Holmes Elementary, and waterline improvements in the Northwest quadrant.

Motion made by Mayor Pro Tem Sitz to approve authorization for the City of Bay City to issue requests for proposals (RFPs) for administrative services and requests for qualification (RFQs) for engineering services related to the Texas General Land Office (GLO) Disaster Recovery Resilience Program (DRRP), Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

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- 14. Appointment ~ Discuss, consider and/ or approve the re-appointment of Robert Howard and Lyn McCalister to the Bay City Housing Authority Board.** Robert K. Nelson, Mayor

Motion made by Councilman Flores to approve the re-appointment of Robert Howard and Lyn McCalister to the Bay City Housing Authority Board, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 18. Legal ~ Discuss, consider, and/or approve participation in the Kroger Opioid Settlement.** Anne Marie Odefey, City Attorney

Ms. Odefey stated that for participation this must be approved by December 22nd. Deterrence and education are the goal.

Motion made by Councilman Finlay to approve participation in the Kroger Opioid Settlement, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

Council adjourned and went into an Executive Session at 7:38 p.m.

- 19. Executive Session pursuant to Section 551.071(2) of the Texas Government Code (Consultation with Counsel on Legal Matters)**
- 20. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

## **RECONVENE AND ACTION**

Council reconvened back into Regular Session at 8:33 p.m. No action was taken.

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

Jeanna Thompson, City Secretary mentioned that meeting agenda management software is changing in late January. The last meeting in January will be on the new system and will look different when you go to the webpage.

## **ADJOURNMENT**

The meeting adjourned at 8:35 p.m.



**PASSED AND APPROVED**, this 14th day of January, 2025.

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

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JEANNA THOMPSON  
CITY SECRETARY