

CITY OF BAY CITY
MINUTES • FEBRUARY 28, 2023

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Blayne Finlay

Mayor Pro Tem

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

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 pm and a quorum was certified.

PRESENT

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

INVOCATION & PLEDGE

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

Councilman Blayne Finlay

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 Blayne Finlay

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Ben Flores announced his candidacy for City Council Position 1.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**1. Regular Council Meeting minutes of February 14, 2023.**

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

PUBLIC HEARING**2. Public Hearing on Business Resilience Project for Lisciotti CRE LLC.**

Jessica Russell, Executive Director of BCCDC, stated that Bay City Community Development Corporation held a public hearing and the city is not required.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**3. Resolution ~ Discuss, consider, and/or approve a Resolution authorizing the City of Bay City Community Development Corporation to enter into a contract with Bay City CFA Series LL c/o Lisciotti Development Corporation; providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (First Reading).**

Jessica Russell, BCCDC Executive Director, introduced the resolution as the first reading and acknowledged that Lisciotti is the developer of the Chick-Fil-A. Councilman Westmoreland requested a copy of the contract that is reference in the resolution but not provided. Thomas Gwosdz, City Assistant Attorney, stated that a Council vote is not required on the first reading.

4. Award ~ Presentation of "CiCi" award to Bay City Community Development Corporation.

Jessica Russell, BCCDC Executive Director, presented the "CiCi" awarded to BCCDC for outstanding achievement in economic development.

5. Award ~ Presentation of 2022 TMLDA Achievement of Excellence in Libraries Award.

Samantha Denbow, Library Director, presented the 2022 Texas Municipal Library Directors Association Achievement of Excellence Award.

6. Resolution ~ Discuss, consider, and/or adopt a Resolution authorizing the submission of the 2023-2024 Texas Community Development Block Grant Program application and adopting required CDBG Civil Rights policies.

Gabriel Lopez, Engineering Tech, introduced the resolution that pertains to the CDBG Grant that they have been working on and is due April 3rd. Mr. Lopez added that they have been making good progress. The grant is for water line improvement projects and match is 15 percent.

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

7. **Resolution ~ Discuss, consider, and/or adopt a Resolution to designate authorized signatories for the 2023-2024 Texas Community Development Block Grant program.** Gabriel Lopez, Engineering Tech

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

8. **Analysis ~ Discuss, consider, and/or accept the community wide housing analysis performed regarding impediments to Fair Housing for the City of Bay City as part of the grant application for the 2023-2024 Texas Community Development Block Grant program.**

Gabriel Lopez, Engineering Tech, reviewed the analysis that was done by GrantWorks and due by April 3rd for the Community Development Block Grant. Councilman Westmoreland brought attention to the percentage of minorities was not adding up correctly on the first page.

Motion made by Councilwoman Sitz to accept the analysis, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried.

9. **Contract ~ Discuss, consider, and/or approve Amendment No. 1 Work Authorization No. 5 to the standard contract agreement between the City of Bay City, Texas and Garver, LLC for Professional Engineering Services for the Design, Bid, and Construction of the new North Water Plant under the Texas Water Development Board Funding Drinking Water SRF Projects.**

Barry Calhoun, Public Works Director, presented the amendment to revise the design to match the East Plant capacity. Councilman Westmoreland asked if we are matching the other plant then why so much for the design if it's just a copy. A representative from Garver stated that they will need to revise the drawing because it is not the same shape. However, the plants will use the same replacement parts. Mayor Nelson added that there is a possibility that these two new wells capacity might replace the other.

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

10. **Contract ~ Discuss, consider, and/or approve Amendment No. 1 Work Authorization No. 7 to the standard contract agreement between the City of Bay City, Texas and Garver, LLC for Professional Engineering Services for the Design, Bid, and Construction of the new East Water Plant under the Texas Water Development Board Funding Drinking Water SRF Projects.**

Barry Calhoun, Public Works Director, stated that the contract originally included the Airport water well technical support, but Council direction was to put Airport aside.

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

CLOSED / EXECUTIVE SESSION

Council adjourned into an executive session at 6:36 pm.

11. **Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (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: Chief of Police**

12. **Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (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: City Manager**

RECONVENE AND ACTION

Council reconvened into a regular session at 8:06 pm and took no action on items #11 and #12.

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

Mayor Pro Tem Folse would like the web site updated with correct people, some of council photos are outdated. Mayor Pro Tem also stated that he forwarded Patty McKelvy's volunteer interest form for Planning Commission to the Mayor's office.

Mayor Pro Tem Folse requested an updated on the Hardeman Park lights and Councilman Westmoreland added the Little League field lights that they have had a problem with.

Councilman Westmoreland requested updates on train quiet zones and any progress. Mayor responded there were no updates and BASF was to set up another meeting.

Councilwoman Sitz concerned regarding the noise level of the prolonged idling of the train and concerned for children living near by.

Councilwoman Brown announced Heritage Parade this Saturday and her running for re-election of council position 1. Councilwoman Sitz reminded all that the Fair and Rodeo is all weekend.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Finlay. Motion carried and council adjourned at 8:18 pm.

PASSED AND APPROVED, this 14th day of March 2023.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY