

CITY OF BAY CITY

MINUTES • AUGUST 08, 2023

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
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland
Councilman Benjamin Flores

ABSENT

Mayor Pro Tem 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."*

Councilwoman Becca Sitz

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.

Councilwoman Becca Sitz

APPROVAL OF AGENDA

Motion made by Councilman Westmoreland to approve the agenda with items 4 and 5 moved to the start of Regular Items, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Mayor Pro Tem Flores. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER

Shawna Burkhart, City Manager, recognized the Street Department for their work in San Jose subdivision.

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

Councilman Jim Folse stated that he noticed Public Works working on the drainage at United Rentals. Councilman Flores thanked the City Manager for showing him the use of "Eye on Water" app that helped him monitor water use and recommend all citizens to use. Councilwoman Sitz requested street sweeping.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**1. City Council Workshop meeting minutes of July 20, 2023**

Motion made by Councilman Folse to approve consent items, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**4. PID ~ Discussion relating to the Crescent Capital Investments LLC (Russell Ranch) Development PID budget and comparisons.**

Marla Jasek, G&W Engineering for Crescent Capital, reviewed the probable costs, stating that Bay City Gas Company may cover \$45,000, requirement of Lift Station early on has been eliminated due to gravity flow. Shawna Burkhart, City Manager, reviewed private costs vs. public costs.

5. Agreement ~ Discuss, consider, and/or approve an amended development agreement in regard to development standards between the City of Bay City and Crescent Capital Investments LLC (Russell Ranch). Shawna Burkhart, City Manager

Shawna Burkhart, City Manager, presented the amendment changing the street width to 28 feet. Jessica Russell, BCCDC Executive Director, added that originally this came up due to parking on street, a 28 foot wide road does not allow for emergency vehicles. Ms. Russell stated that this is something that the HOA can address and enforce. Anne Marie Odefey, City Attorney, reviewed other changes including subdivision name change from Almaf Ranch to Russell Ranch.

Motion made by Councilman Folse, Seconded by Councilman Westmoreland. Voting Yea: Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Voting Nay: Mayor Nelson. Motion carried.

2. Benefits ~ Discuss, consider, and/or approve a fitness incentive and employee reimbursement of gym fees extended to Police Department staff.

Sgt. Ruben Gutierrez, Bay City Police Department, and All-Star Fitness presented the fitness incentive with three options to consider. Councilman Westmoreland stated that a full gym is being provided in the proposed new police facility. Councilman Folse stated that some insurance companies add a discount for wellness and asked that we

look into. Mayor Nelson also added that no one really had an answer on how to set up who's paying and that he suggest city pay and deduct from employee checks. Councilman Westmoreland asked for more discussion during benefits workshop.

3. **Resolution ~ Discuss, consider, and/or approve a Resolution approving the submission of the "Lone Star Grant Program" application under the Homeland Security Grants Division with the Office of the Governor Public Safety Office.** Sgt. Chris Hadash, BCPD

Motion made by Councilwoman Sitz, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

6. **Agreement ~ Discuss, consider, and/or approve an Economic Development Professional Services Agreement with David Pettit Economic Development, LLC., relating to the creation of a Public Improvement District (PID) in the City of Bay City, Texas.** Shawna Burkhart, City Manager

Item removed

7. **Agreement ~ Discuss, consider, and/or approve a Professional Services Payment Agreement between the City of Bay City and Bold Fox Development, LLC.** Shawna Burkhart, City Manager

Item removed

8. **Ordinance ~ Discuss, consider, and/or approve amending the City Code of Ordinances relating sections of Chapter 98, Sections 98-3, 98-39, 98-123; Chapter 46, Section 46-21 and Chapter 62, Section 62-5; removing all references to Drainage District in the City of Bay City Code of Ordinances; and providing an effective date.** Councilman Jim Folse

Anne Marie Odefey, City Attorney, stated that the amendment does not change the law that requires Drainage District approval. Councilman Folse emphasized that if it's already a law then it does not need to be stipulated in our ordinance.

Motion made by Councilwoman Sitz, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

9. **Resolution ~ Discuss, consider, and/or approve a resolution authorizing the City of Bay City to offer Group Health Insurance to City Council members at City Council Member's expense.** Shawna Burkhart, City Manager

Motion made by Councilman Flores to approve the resolution, no second was offered.

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- 10. Grants ~ Discuss, consider, and or approve various equipment to be funded by the American Rescue Plan Funds and authorize staff to proceed with procurement.** Scotty Jones, Finance Director

Motion made by Councilman Folse to approve the 4 police units and flat bed truck and explore co-op with county, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. motion carried.

- 11. Budget ~ Discuss and review the City's budget calendar.**

Scotty Jones, Finance Director, reviewed the revised budget calendar with Council. August 17th Special Called meeting to set public hearings was removed from the calendar due to Councilman Folse, Councilwoman Sitz, and Councilman Westmoreland unable to attend.

- 12. Grant ~ Discussions regarding rescoping of Texas Water Development Board Application #2 for arsenic and other desired projects.**

Shawna Burkhart, City Manager, discussed the application with the TWDB, emphasizing that we are not requesting the full amount but need time to develop the amount needed due to rescoping of the job.

- 13. Committee ~ Discuss, consider, and/or approve the formation of an Ad Hoc Committee to study LCRA canals.** Councilwoman Becca Sitz

- 14. Committee ~ Discuss, consider, and/or approve the formation of an Ad Hoc Committee to study Nile Valley Road extension.** Councilwoman Becca Sitz

- 15. Committee ~ Discuss, consider, and/or approve the formation of an Ad Hoc Committee to study Railroad Quiet Zone.** Councilwoman Becca Sitz

- 16. Committee ~ Discuss, consider, and/or approve the formation of an Ad Hoc Committee to study the north to east waterline roadway.** Councilwoman Becca Sitz

Council discuss **items 13 thru 16**, each introduced by Councilwoman Sitz. Recommendation that members consist of Mayor, two councilmembers, BCCDC, EDC, and Public Works Director.

Motion made by Councilwoman Sitz to approve the formation of Ad Hoc Committees to study LCRA canals, study Nile Valley Road extension, study Railroad Quiet Zone, study the north to east waterline roadway, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

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- 17. Capital Planning ~ Discuss, consider, and/or approve a change from easement acquisitions to land acquisitions for north to east waterlines into the five (5) year Capital Plan.** Councilwoman Becca Sitz

Motion made by Councilwoman Sitz to approve adding to the Five (5) Year Capital Plan \$250,000.00 for any land acquisitions for the north to east waterlines, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Folsie, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

- 18. Policy ~ Discuss, consider, and/or approve amending the appointment of Council Members as Liaisons and the City Administrative Divisions.** Jeanna Thompson, City Secretary

Motion made by Councilman Folsie, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Folsie, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned into an executive session at 8:00 p.m.

- 19. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
- 20. 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 of an officer or employee: City Manager**
- 21. 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 of an officer or employee: Public Works Director**

RECONVENE AND ACTION

Council reconvened back into regular session at 9:43 pm. Council took no action on items #19 and #21.

Motion on item #20 made by Councilwoman Sitz to approve \$5,000.00 salary increase for the City Manager, Seconded by Councilman Folsie. Voting Yea: Mayor Nelson, Councilman Folsie, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried.

ADJOURNMENT

Motion made by Mayor Pro Tem Folsie to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Folsie, Councilwoman Sitz, Councilman Westmoreland, Councilman Flores. Motion carried and the meeting adjourned at 9:44 p.m.

PASSED AND APPROVED, this 22th day of August 2023.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY