
CITY OF BAY CITY

MINUTES • JUNE 23, 2020

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

William Cornman

Mayor Pro Tem

Jason W. Childers

Councilman

Brent P. Marceaux

Councilwoman

Becca Sitz

Councilwoman

Julie Estlinbaum

***Bay City is committed to developing and enhancing the long-term prosperity,
sustainability, and health of the community.***

Called to order

The meeting was called to order at 6:02 p.m. by Mayor Robert K. Nelson.

INVOCATION & PLEDGE

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

Councilwoman Julie Estlinbaum

CERTIFICATION OF QUORUM**PRESENT**

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilman William Cornman
Councilman Brent P. Marceaux
Councilwoman Julie Estlinbaum

ABSENT

Councilwoman Becca Sitz

MISSION STATEMENT

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

Councilwoman Julie Estlinbaum

APPROVAL OF AGENDA

Motion made by Councilman Cornman, Seconded by Mayor Pro Tem Childers.
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum

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.

Jessica Duhon thanked Council for their hard work despite COVID-19. She apologized to Mayor Nelson for misinformation she had passed on about him.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilman Cornman, Seconded by Councilman Marceaux to approve the meeting minutes of June 1, 2020 and June 9, 2020.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum

Motion carried to approve the Consent Agenda Items.

1. **SPECIAL CALLED MEETING MINUTES OF JUNE 1, 2020**
2. **REGULAR COUNCIL MEETING MINUTES OF JUNE 9, 2020**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

3. **RECEIVE A REPORT FROM WCA ON THE SANITATION OPERATIONS IN THE CITY OF BAY CITY AND DISCUSS, CONSIDER AND/OR APPROVE WCA'S CPI RATE INCREASE REQUEST PURSUANT TO THE SOLID WASTE CONTRACT WITH WCA.**

Krystal Mason, Code Compliance Officer

Motion made by Councilwoman Estlinbaum, Seconded by Councilman Cornman to table the item until the July 14th Regular Council meeting.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried.

4. **UPDATE ON THE HHW SOLUTIONS (E-Waste)**

Krystal Mason, Code Compliance Officer

Ms. Mason gave an update on HHW Solutions and their free service to Bay City residents. The service started in March and 177 products have been picked up. Councilwoman Estlinbaum stated that this was a great program. Mayor Pro Tem asked Ms. Mason if the program was in line with projections and expectations. Ms. Mason answered that it had exceeded those expectations. Councilman Marceaux recommended using the master dial program to remind residents.

5. **UPDATE ON THE LOWER COLORADO RIVER FPP STUDY (INUNDATION STUDY)**

Eric Schiebe, Schiebe Engineering

A slide show presentation given by Eric Schiebe. The study end date is projected for February 2021. Mr Schiebe will send progress reports. Councilman Cornman asked about next years budget, Mr. Schiebe responded about \$20000 depending on number of gauges. Mayor Nelson asked what and when does the guages tell us. Schiebe explained, that over time, experience tells you that when guage reads something they know what may happen

6. **DISCUSS, CONSIDER, AND/OR APPROVE THE AUTHORIZATION TO ISSUE REQUESTS FOR PROPOSALS (rfp) FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS (rfq) FOR ENGINEERING SERVICES**

RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) GRANT PROGRAMS ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).

Alyssa Dibbern, Engineering Tech

Ms. Dibbern explained that this grant addresses current and future risk areas for communities that declared Harvey disasters. Grant is scored, those having the highest score for drainage projects. The minimum awarded is \$3 million and does not require a match not does not need to tie back to any disaster.

Motion made by Councilwoman Estlinbaum, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried.

7. DISCUSS, CONSIDER, AND/OR APPROVE DESIGNATING AN ADMINISTRATION SERVICE PROVIDER FOR THE 2020 TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM FOR APPLICATION AND PROJECT IMPLEMENTATION.

Alyssa Dibbern, Engineering Tech

Ms. Dibbern stated that Grantworks scored highest and suggested they be awarded the administration provider. Ms. Dibbern also stated, after approval they will need to select an Engineering service by July for the sidewalk project.

Motion made by Councilwoman Estlinbaum, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried approving GrantWorks as the Administration Service Provider.

8. DISCUSS, CONSIDER , OR TAKE ACTION ON THE VISION 2040 PLANNING DOCUMENT, "BAY CITY WORKS"

Shawna Burkhardt, City Manager

Ms. Burkhardt stated that the vision and mission is the same. There were 4 core elements and we added Public Safety as the 5th core element. Ms. Burkhardt reviewed other areas that were expanded on or added.

Motion made by Mayor Pro Tem Childers, Seconded by Councilwoman Estlinbaum.
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman,
Councilman Marceaux, Councilwoman Estlinbaum

Motion carried approving the "Bay City Works" and the Vision 2040 Planning.

9. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE DRINKING WATER STATE REVOLVING FUND.

Barry Calhoun, Public Works Director

Council would like to hear terms and list of project priorities.

Motion made by Councilman Cornman, Seconded by Councilman Marceaux to approve the resolution.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried.

10. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE CLEAN WATER STATE REVOLVING FUND.

Barry Calhoun, Public Works Director

Council would like to hear terms and list of project priorities.

Motion made by Councilman Cornman, Seconded by Mayor Pro Tem Childers to approve the resolution.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried.

11. DISCUSS, CONSIDER, AND/OR ADOPT A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED; AND APPROVING OTHER MATTERS INCIDENTAL THERETO.

Barry Calhoun, Public Works Director

Council would like to hear terms and list of project priorities.

Motion made by Mayor Pro Tem Childers, Seconded by Councilwoman Estlinbaum to approve the resolution.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum. Motion carried.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Cornman reminded Council that the City Manager appraisal is due in September. The review will be in two executive sessions. Councilman Cornman also stated that their will be an Aquatics meeting August 13th, where they will review the feasibility study on the Natatorium. This meeting will be a joint meeting with the City and CDC and will need a signal from the City if to go forward. We may need a larger place such as the Civic Center. Shawna Burkhart recommended Schulmans for skype abilities and will contact them.

Council discussed the 4th of July plans.

ADJOURNMENT

Motion made by Councilman Cornman to adjourn, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Estlinbaum.

Meeting adjourned at 7:30 p.m.

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 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.

CERTIFICATION OF POSTING

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 **Friday, June 19, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.

PASSED AND APPROVED, this ____ day of _____, 20____.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY