

CITY OF BAY CITY

MINUTES • JANUARY 25, 2022

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

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

CALL TO ORDER

The Regular Council meeting was called to order by Mayor Robert K. Nelson at 6:00 pm.

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

CERTIFICATION OF QUORUM

Quorum certified.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland

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.

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

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

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.

Tina Israel, Main Street Director, updated Council on the upcoming Camofest event scheduled for January 29th.

Jesse Ramirez, 301 Ave H, addressed Council as the voice representing 30 to 40 families who are being evicted by owner without legal process.

APPROVAL OF MINUTES**1. City Council Regular Meeting minutes of January 11, 2022**

Motion made by Mayor Pro Tem Childers to approve the minutes of January 11, 2022, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**2. Discussion ~ Discuss concerns regarding street conditions of Chapparral Drive.**
E M "Eddie" Douglas, Resident

Mr. Douglas was not present. No action.

3. Appointment ~ Discuss, consider, and approve the appointment of Erandi Allison to the Bay City Community Development Board. Robert. K. Nelson, Mayor

Jessica Russell, BCCDC Executive Director, presented Erandi Allison giving her full support to her appointment.

Motion made by Mayor Pro Tem Childers to approve the appointment of Erandi Allison to the Bay City Community Development Board, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

4. Resolution ~ Discuss, consider, and/or approve a resolution of the City of Bay City, Matagorda County, Texas, authorizing Professional Service(s) provider(s) selection for American Rescue Plan Act (ARP Act) program(s). Alyssa Dibbern, Engineering Tech

Scotty Jones. Finance Director, stated that thirteen firms were solicited and five responded. Ms. Jones recommended, based on scoring, Civil Corp, Mercer and Jones & Carter. Councilman Folse was concerned with Jones & Carter considering recent issues.

Motion made by Mayor Pro Tem Childers to approve Civil Corp, Mercer, and Jones & Carter as ARP selected Professional Service providers, Seconded by Councilwoman Sitz.

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

5. Policy ~ Discussion regarding vehicle procurement and policies. Scotty Jones, Finance Director

Scotty Jones, Finance Director, presented finance documentation regarding vehicle purchases, stating that the vehicle was approved a year ago and just delivered. Councilman Westmoreland stated that some vehicles in the fleet are quite nice and what is the best process to determine what is purchased and what is disposed, Mayor Nelson stated that each department makes the decisions on what they purchase. Barry Calhoun, Public Works Director, stated that when they prepare the Capital Improvement Plan they review equipment and vehicle needs and look at each department needs and funding. Some vehicles are transferred to other departments. The purpose of the vehicle was to be used for traveling for training by any employee. Councilman Westmoreland asked how frequently is it used and can we rent and was a luxury trim necessary. He has noticed other city vehicles that are high end and he wants to know the process and best practice. Mr. Calhoun added that they look at safety features and that they don't target high end. Councilman Westmoreland requested an ongoing conversation in the future and during budget discussions. Councilwoman Sitz stated that she is concerned with the perception with citizens and it does not reflect well on the city. Mayor Nelson stated that he wanted to point out that dealers will make offers on fleets.

6. Discuss, consider, and/or approve expanding the TIRZ #1 territory. DC Dunham, Sal Holdings

DC Dunham, Sal Holdings, presented the plans for expanding the TIRZ #1 territory to include Valor Park development. David Pettit stated that Council can not approve at this time until other steps have been completed, such as public notice and public hearing. The TIRZ expansion will be done by adopting an ordinance. Council took no action.

7. Agreement ~ Consider and take any action necessary to approve amendment to Tenaris Economic Development and Non-Annexation Agreement in the form of a letter agreement and authorize Mayor to sign same on behalf of the City. Scotty Jones, Finance Director

Motion made by Councilman Westmoreland to approve the amendment to Tenaris Economic Development and Non-Annexation Agreement, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

8. Agreement ~ Discuss, consider, and/or approve a Professional Service Agreement between David Pettit Development, LLC and the City of Bay City providing services relating to the creation of a Tax Increment Reinvestment Zone Number Four (TIRZ #4). Shawna Burkhart, City Manager

Motion made by Councilman Folse to approve David Pettit Professional Service Agreement relating to the creation of a TIRZ #4, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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9. **Agreement ~ Discuss, consider, and/or approve the Amalfi Ranch Public Improvement District (PID) Development agreement between Crescent Capital Investments, LLC and the City of Bay City, Texas.** Scotty Jones, Finance Director

David Pettit summarized the PID Development agreement and its overlay of TIRZ #4.

Motion made by Mayor Pro Tem Childers to approve the development agreement with Crescent Capital, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

10. **Resolution ~ Discuss, consider, and/or approve a resolution of the City of Bay City, Texas approving an addendum to Engagement Agreement with Bracewell LLP relating to Public Improvement Districts (Agenda Exhibit).** Scotty Jones, Finance Director

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

11. **Report ~ Discuss, consider, and/or approve the City's Quarterly Investment Report for the quarter ending December 31, 2021.** Scotty Jones, Finance Director

Motion made by Councilwoman Brown to approve the Quarterly Investment Report, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular meeting to convene into an executive session at 7:37 pm.

12. **Pursuant to Texas Government Code 551.071(1) to consult with its attorney on attorney client matters.**
13. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

OPEN SESSION

Council reconvened the regular session at 8:22 pm. and took no actions on items 12 and 13.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Westmoreland stated that he had notice the work on the square and wanted to thank Public Works and Parks. Councilman Westmoreland also thanked who have worked on the TIRZ and PID.

Councilman Folse stated that parking issues around the Valor Park development for the ball fields needs discussion. Councilman Folse asked the City Manager to check on water leak on 4th and Nichols.

Councilwoman Brown stated that there still are no compact parking signs up. Councilwoman Brown asked the City Manager to check on leak at JP Davis and Whitson.

Councilman Westmoreland asked if we should look into combining and improving a sports complex and ball fields.

Councilwoman Sitz reminded Council of the Camofest this Saturday.

Mayor Nelson gave an update regarding railroads.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and Council adjourned at 8:30 pm.

PASSED AND APPROVED, this 22nd day of February 2022.

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

JEANNA THOMPSON
CITY SECRETARY