CITY COUNCIL REGULAR MEETING
CITY OF BAY CITY

Tuesday, January 12, 2021 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson
Mayor Pro Tem: Jason W. Childers
Council Members: Brent P. Marceaux, Becca Sitz, Floyce Brown, Jim Folse

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

AGENDA

THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:

ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).

CALL TO ORDER

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

CERTIFICATION OF QUORUM

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.

APPROVAL OF AGENDA

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.

APPROVAL OF MINUTES

1. **Minutes of City Council Regular meeting on December 15, 2020.**

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

2. **Appointment ~ Discuss, consider and/or approve the appointment and swearing in of Daniel Shook as Fire Marshall for the City of Bay City.**

3. **Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue certificates of obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund; and approving other matters incidental thereto.**
   Barry Calhoun, Public Works Director

4. **Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue certificates of obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund; and approving other matters incidental thereto.**
   Barry Calhoun, Public Works Director

5. **Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas amending the City of Bay City Code of Ordinances Chapter 46 "Floods"; adopt Floodplain Management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations; adopt the National Flood Insurance Program Flood Insurance Study (FIS) with accompanying flood insurance rate maps dated January 15, 2021; providing an effective date; and directing the City Secretary to publish the caption in accordance with the City Charter.**
   Barry Calhoun, Public Works Director

6. **Report ~ Update on the progress on the construction of the new E-row t-hangars.**
   James Mason, Airport Manager

CLOSED / EXECUTIVE SESSION

7. **Executive session pursuant to Texas Government Code Section 551.087, (1) to discuss or deliberate regarding commercial or financial information that BCCDC has received from a business prospect that BCCDC seeks to have locate, stay, or expand in Bay City and with which BCCDC is conducting economic development negotiations; and/or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).**

8. **Executive Session to consult with legal counsel about legal matters pursuint to Section 551.071(2) of the Texas Government Code.**

9. **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 of Employee).**

OPEN SESSION
Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

ADJOURNMENT

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, January 8, 2021 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.