

BAY CITY

REVISED AGENDA • JUNE 22, 2017

Council Chambers

Regular Meeting

7:00 PM

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



Mayor

Mark Bricker

Councilwoman

Becca Sitz

Councilman

Jason Childers

Mayor Pro-Tem

Chrystal Folse

Councilman

William Cornman

Councilwoman

Julie Estlinbaum

Phrase or additional picture or information here

1. CALL TO ORDER**2. INVOCATION & PLEDGE OF ALLEGIANCE - MAYOR PRO TEM CHRYSAL FOLSE**

Texas State Flag Pledge:

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

3. CERTIFICATION OF QUORUM**4. APPROVAL OF AGENDA****5. 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.

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6. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

1. Resolution DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION CONSENTING TO THE MAYOR'S APPOINTMENT OF CHARLIE ALLISON AND BENNY JUDKINS TO THE BOARD OF DIRECTOR FOR REINVESTMENT ZONE NUMBER THREE, CITY OF BAY CITY, TEXAS; RECOGNIZING THE APPOINTMENTS OF COMMISSIONER GARY GRAHAM, COMMISSIONER KENT POLLARD, BRYAN PROCHNOW, AND STEVEN WEIR; AND CONSENTING TO THE APPOINTMENT OF CHARLIE ALLISON AS THE CHAIRPERSON OF THE BOARD OF DIRECTORS.

Mayor Mark A. Bricker

2. Amendment DISCUSS, CONSIDER, AND/OR APPROVE CHANGING THE DATE OF THE REGULAR CITY COUNCIL MEETING FROM JULY 13, 2017 TO JULY 6, 2017 DUE TO A CONFLICT WITH COUNCILMEMBER TRAINING.

David Holubec, City Secretary

7. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Recognition RECOGNITION OF RETIRING BAY CITY HOUSING AUTHORITY BOARD CHAIRMAN, LAMAR EVANS.

Mayor Mark A. Bricker

2. Presentation PROCLAMATION DESIGNATING JULY AS PARKS & RECREATION MONTH IN BAY CITY, TEXAS.

Mayor Mark A. Bricker

3. Appointment DISCUSS, CONSIDER AND/OR APPROVE THE ELECTION OF MAYOR PRO TEM.

Mayor Mark A. Bricker

4. RFP DISCUSS, CONSIDER AND/OR APPROVE AWARDDING THE BID FOR GROUP BENEFIT CONSULTANT SERVICES TO ONE OF SIX BIDDERS WHO SUBMITTED BIDS WITH CONTRACT PRICES RANGING FROM \$30,000 TO \$45,000, AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT APPROVED TO FORM BY THE CITY ATTORNEY.

Rhonda Clegg, Director of Human Resources

5. Report DISCUSS, CONSIDER AND/OR APPROVE A POLICY TO INCENTIVIZE THE DEVELOPMENT OF PROPERTY ENCUMBERED BY CITY LIENS.

Dustin Hodges

6. Ordinance DISCUSS, CONSIDER AND/OR TAKE ACTION REGARDING AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 18 (TITLED "AVIATION") BY AMENDING VARIOUS SECTIONS TO REQUIRE A PERMIT FOR AGRICULTURE AIRCRAFT OPERATIONS (CROP DUSTING).

James Mason, Airport Manager

7. Resolution DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION APPROVING THE FORM OF THE AERIAL APPLICATOR OPERATING (CROP DUSTING) PERMIT.

James Mason, Airport Manager

8. Policy CONDUCT A PUBLIC HEARING REGARDING KALER ENERGY CORPORATION'S DRILLING PERMIT APPLICATION FOR A WELL SITE LOCATED ON 51.76 ACRES IN THE I.&G.N.N.R.R. COMPANY SURVEY 2 & SURVEY 3 AND THE H. GOSLING SURVEY.

John Kaler, Kaler Energy Corp. or Gilbert L. Winne, Jr, Winne Land & Minerals, Inc.

9. Ordinance DISCUSS, CONSIDER AND/OR POSSIBLE ACTION REGARDING A DRILLING PERMIT APPLICATION SUBMITTED BY KALER ENERGY FOR A WELL SITE LOCATED ON 51.76 ACRES IN THE I.&G.N.N.R.R. COMPANY SURVEY 2 & SURVEY 3 AND THE H. GOSLING SURVEY..

Barry Calhoun, Director of Public Works

10. Ordinance DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE AMENDING CHAPTER 62 OF THE BAY CITY CODE OF ORDINANCES REGARDING OIL AND GAS WELLS.

Cynthia Trevino, Denton Navarro Rocha Bernal Hyde & Zech, P.C. and Barry Calhoun, Director of Public Works

11. Ordinance DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ESTABLISHING A REVISED FRANCHISE AGREEMENT WITH AEP.

Mayor Mark A. Bricker

12. Ordinance DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ESTABLISHING A REVISED FRANCHISE AGREEMENT WITH AT&T.

Mayor Mark A. Bricker

13. Appointment DISCUSS, CONSIDER, AND/OR APPROVE THE APPOINTMENT OF THE NOMINEES TO THE CHARTER REVIEW COMMISSION.

Mayor Mark A. Bricker

8. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

9. 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 Agenda City Council August 8, 2013 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.

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 Monday, June 19, 2017 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

David Holubec
City Secretary