



BAY CITY

REVISED MINUTES • JULY 10, 2014

Council Chambers

Regular Meeting

7:00 PM

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

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Attendee Name	Title	Status	Arrived
Chrystal Folse	Councilwoman	Present	
Steven Johnson	Councilman	Present	
Mark Bricker	Mayor	Present	
Carolyn Thames	Mayor Pro-Tem	Present	
Julie Estlinbaum	Councilwoman	Present	
William Cornman	Councilman	Present	

2. INVOCATION & PLEDGE OF ALLEGIANCE - MAYOR PRO TEM CAROLYN THAMES

Texas State Flag Pledge:

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

3. 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.

Bobbie Head, was concern that emergency equipment may have a problem getting pass the permanent barricades on Nile Valley Road.

David Torres, expressed his concerns about the roads, trash, trailer parks and signs.

4. 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.

RESULT:	APPROVED [4 TO 0]
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Chrystal Folse, Councilwoman
AYES:	Folse, Johnson, Estlinbaum, Cornman
ABSTAIN:	Bricker, Thames

1. Appointment

CONSIDER AND/OR APPROVE MAYOR MARK A. BRICKER'S APPOINTMENT OF FLOYCE BROWN TO THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

Mayor Mark A. Bricker

Enacted and approved this 10th day of July, 2014, at Bay City

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

1. Policy

CONSIDER AND/OR APPROVE THE APPOINTMENT OF MAYOR PRO TEM.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Chrystal Folsie, Councilwoman
AYES:	Folsie, Johnson, Thames, Estlinbaum, Cornman
EXCUSED:	Bricker

Enacted and approved this 10th day of July, 2014, at Bay City

2. Ordinance

A PUBLIC HEARING TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC REGARDING THE NEED TO CONTINUE ORDINANCE NO. 1403, (THE CURFEW ORDINANCE) IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE SECTION 370.002. THIS IS THE SECOND OF TWO PUBLIC HEARINGS.

Captain Robert Lister

David Torres, expressed his concerns about the Curfew Ordinance, stating he was against the Ordinance.

Floyce Brown, explained that she would like for Council to keep the Curfew Ordinance, in place.

Adjourned into Public Hearing at 7:17 p.m.

Reconvened after Public Hearing at 7:18 p.m.

3. Report

DISCUSS, CONSIDER AND/OR TAKE POSSIBLE ACTION FOR THE CITY OF BAY CITY TO JOIN THE COALITION FOR THE PROTECTION OF THE LOWER COLORADO RIVER BASIN WATER RESOURCES, FOLLOWING SIMILAR ACTION BY THE MATAGORDA COUNTY COMMISSIONERS AND OTHER CITIES ALONG THE LOWER REACHES OF THE COLORADO RIVER.

Councilman Bill Cornman

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman
EXCUSED:	Bricker

Enacted and approved this 10th day of July, 2014, at Bay City

4. Ordinance

CONSIDERATION AND/OR TAKE ACTION ON AN ORDINANCE AUTHORIZING THE NON-VOLUNTARY ANNEXATION OF LOTS 1 THROUGH 7 AND LOTS 27 THROUGH 31 OF MOORE ESTATES, MATAGORDA COUNTY, TEXAS.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Johnson, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman
EXCUSED:	Bricker

ORDINANCE

Enacted and approved this 10th day of July, 2014, at Bay City

5. Report

DISCUSS, CONSIDER AND/OR TAKE POSSIBLE ACTION TO FORM A SOLID WASTE TASK FORCE TO FACILITATE BETTER SOLID WASTE COLLECTION PRACTICES AND IMPROVEMENT IN THE PERFORMANCE OF THE CITY'S SOLID WASTE CONTRACTOR.

Councilman Bill Cornman

Council suggested to form a Task force to meet with WCA and discuss what can be done to improve the quality of service, whether it is through providing community education, code enforcement, or Ordinance revisions. The Task force consist of Public Works Director Barry Calhoun, Mayor Bricker, Councilwoman Chrystal Folse, and Public Information Officer Dustin Hodges.

The task force was asked to be placed on the agenda to provide updates.

6. Property

PRESENT AND DISCUSS THE JONES & CARTER SURVEY OF THE REAL PROPERTY IN WHICH THE CITY HOLDS A REVERSIONARY INTEREST AND THAT IS CONTIGUOUS TO THE BAY CITY COUNTRY CLUB.

Mayor Mark A. Bricker

Council suggested to contact an adjuster to get a market analysis of the property,(i.e, estimated value of the property, what the property would sell for, calculate the Cities portion and the Country Clubs portion).

Councilwoman Folse, agreed to contact a realtor, gather all the information and report back to Mayor and Council.

7. Report

DISCUSS TRACTOR TRAILER TRAFFIC DRIVING THROUGH RESIDENTIAL AREAS OF THE CITY.

Councilman Steven Johnson

Council, requested that Mayor give direction to Public Works Director Barry Calhoun to have signs installed in the residential sub-divisions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Johnson, Councilman
SECONDER:	Chrystal Folsie, Councilwoman
AYES:	Folsie, Johnson, Thames, Estlinbaum, Cornman
EXCUSED:	Bricker

Enacted and approved this 10th day of July, 2014, at Bay City

8. Report

PROVIDE UPDATE ON THE PROGRESS OF IMPROVEMENTS TO NORTH, BAYOU, AND CHATEAUX ROADS.

Barry Calhoun, Director of Public Works

Barry Calhoun, gave an updated on Phase I , to begin on August 4th, beginning with Bayou, North, and Chateaux.

6. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor Pro Tem Thames, thanked everyone for re-electing her as Mayor Pro-Tem.

7. 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 Workshop Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Monday, July 7, 2014 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary