



CITY OF BAY CITY

MINUTES • DECEMBER 19, 2019

Council Chambers

Special Meeting – City Council

4:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robert K. Nelson	Mayor	Present	
Brent P. Marceaux	Councilman	Present	
William Cornman	Councilman	Present	
Becca Sitz	Councilwoman	Present	
Jason W. Childers	Mayor Pro Tem	Present	
Julie Estlinbaum	Councilwoman	Present	

2. CERTIFICATION OF QUORUM

Certified by Mayor Nelson.

3. APPROVAL OF AGENDA

The agenda was unanimously approved, as written, by motion. The motion was made by Councilman, Brent P. Marceaux and seconded by Councilwoman, Becca Sitz.

4. 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.

None.

5. EXECUTIVE / CLOSED SESSION

1. Personnel

~ 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 OR EMPLOYEE [PERMANENT CITY MANAGER]).

Robert K. Nelson, Mayor

Mayor and Council went into closed session at 4:06PM.

Council members worked with SGR representative, Mike Turner to review applicants for permanent City Manager.

6. OPEN SESSION

1. Report

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S) LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).

Mayor, Robert K. Nelson

Council members and Mayor returned to Open Session at 5:43PM.

A motion was made to hold a special council meeting on January 7, 2020, 4PM, to continue narrowing the applicant pool and determine interview strategies and dates. The motion was made by Councilman, Bill Cornman and seconded by Mayor Pro Tem, Jason W. Childers. The motion was approved unanimously.

RESULT:	APPROVED [5 TO 0]
MOVER:	William Cornman, Councilman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Cornman, Sitz, Childers, Estlinbaum
RECUSED:	Marceaux

Enacted and approved this 19th day of December, 2019, at Bay City

7. ITEMS / COMMENTS - MAYOR AND COUNCIL

None.

8. 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.

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 Wednesday, December 4, 2019 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker 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.

David Holubec
City Secretary



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 12/19/19 04:00 PM
Department: City Secretary
Category: Personnel
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 4102

AGENDA ITEM (ID # 4102)

**~ 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 OR EMPLOYEE
[PERMANENT CITY MANAGER].**

COMMENTS - Current Meeting:

Mayor and Council went into closed session at 4:06PM.

Council members worked with SGR representative, Mike Turner to review applicants for permanent City Manager.



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 4103)

Meeting: 12/19/19 04:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 4103

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S) LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).

COMMENTS - Current Meeting:

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A motion was made to hold a special council meeting on January 7, 2020, 4PM, to continue narrowing the applicant pool and determine interview strategies and dates. The motion was made by Councilman, Bill Cornman and seconded by Mayor Pro Tem, Jason W. Childers. The motion was approved unanimously.

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MOVER:	William Cornman, Councilman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Cornman, Sitz, Childers, Estlinbaum
RECUSED:	Brent P. Marceaux