



# CITY OF BAY CITY

MINUTES • AUGUST 13, 2019

Council Chambers

Special Meeting – City Council

7:00 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

Mayor Nelson certified a quorum was present.

## 3. APPROVAL OF AGENDA

The agenda was approved, by motion, as written. The motion was made by Councilwoman, Julie Estlinbaum and seconded by Councilman, Jason Childers.

## 4. 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 [INTERIM CITY MANAGER / CITY MANAGER].

Mayor, Robert K. Nelson

Council members and Mayor Nelson retired to closed session at 7:03PM.

## 5. 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 Nelson returned from closed session at 7:47PM.

Councilman, Jason Childers, made a motion to continue negotiations for an interim city manager. Bill Cornman, seconded the motion. The motion passed unanimously.

## 6. 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.

Bay City Sentinel representative, Mike Reddell asked if the Council would place the interim position out for bid again. Councilman, Jason Childers responded by saying no. The negotiations are only with the current finalists.

## **7. ITEMS / COMMENTS - MAYOR AND COUNCIL**

Councilwoman Becca Sitz: She was in a meeting today with the people that are doing the feasibility study. The timeline is to have it accomplished by Thanksgiving. Meeting dates will be set in October and November to give update and final information.

Councilman, Brent Marceaux reminded everyone that school is starting up and to be cautious drivers around school areas.

Mayor Nelson reminded council members that the Council/Mayor group picture will be taken at the August 22, 2019 meeting.

## **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 Thursday, August 8, 2019 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Robert K. Nelson 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](mailto:dholubec@cityofbaycity.org) for further information.

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David Holubec  
City Secretary



**City Council**  
1901 5Th Street  
Bay City, TX 77414

**SCHEDULED**

Meeting: 08/13/19 07:00 PM  
Department: City Secretary  
Category: Personnel  
Prepared By: David Holubec  
Initiator: David Holubec  
Sponsors:  
DOC ID: 3926

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**AGENDA ITEM (ID # 3926)**

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**~ 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 [INTERIM  
CITY MANAGER / CITY MANAGER].**

**COMMENTS - Current Meeting:**

Council members and Mayor Nelson retired to closed session at 7:03PM.



**City Council**  
1901 5Th Street  
Bay City, TX 77414

**SCHEDULED**

**AGENDA ITEM (ID # 3925)**

Meeting: 08/13/19 07:00 PM  
Department: City Secretary  
Category: Report  
Prepared By: David Holubec  
Initiator: David Holubec  
Sponsors:  
DOC ID: 3925

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

**COMMENTS - Current Meeting:**

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