



CITY OF BAY CITY

MINUTES • MARCH 12, 2019

Council Chambers

Special Meeting – City Council

6:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Mark A. Bricker	Mayor	Present	
William Cornman	Councilman	Present	
Becca Sitz	Councilwoman	Present	
Chrystal Folse	Mayor Pro-Tem	Present	
Jason Childers	Councilman	Present	
Julie Estlinbaum	Councilwoman	Present	

2. CERTIFICATION OF QUORUM

Mayor Bricker certified that a quorum was present.

3. APPROVAL OF AGENDA

The agenda was unanimously approved by motion. The motion was made by Councilwoman, Chrystal Folse and seconded by Councilman, Jason Childers.

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. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. Resolution

~ DISCUSS, CONSIDER, AND/OR APPROVE, BY RESOLUTION, THE RENAMING OF 7TH STREET, WITHIN THE CITY LIMITS OF BAY CITY, TEXAS, TO TOM UHER MEMORIAL HIGHWAY.

Mark A. Bricker, Mayor

The Resolution to ceremonially change the name of Texas Highway 35, within the city limits of Bay City, in honor of D. R. Tom Uher, was unanimously approved by motion.

Other items discussed supporting the Resolution:

1. Ceremony to dedicate the renaming
2. Reception
3. Councilwoman Becca Sitz suggested also naming a park, project or other City property in honor of Mr. Uher, that others, in the community, could contribute to financially.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

Enacted and approved this 12th day of March, 2019, at Bay City

2. Agreement

~ DISCUSS A POSSIBLE LEASE AGREEMENT WITH BAY CITY HOMELESS SHELTER.

Julie Estlinbaum, Councilwoman

Councilwoman Julie Estlinbaum and Mayor Mark Bricker presented the agenda item. A motion was made to move forward with the lease negotiations. Lease is to be for only a two-year period at \$500.00 per month with stipulations and requirements. Council stressed the desire to have the clients chaperoned and supervised. Requested seeing the current client rules and regulations set forward by the House of Refuge Bay City.

Councilman, Jason Childers made the motion to move forward and Councilwoman Julie Estlinbaum seconded the motion. Passed unanimously.

6. ITEMS / COMMENTS - MAYOR AND COUNCIL

Agenda items for March 28th discussed.

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 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, March 7, 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

ADOPTED

AGENDA ITEM (ID # 3613)

Meeting: 03/12/19 06:00 PM
Department: City Secretary
Category: Resolution
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3613

**~ DISCUSS, CONSIDER, AND/OR APPROVE, BY
RESOLUTION, THE RENAMING OF 7TH STREET, WITHIN THE
CITY LIMITS OF BAY CITY, TEXAS, TO TOM UHER
MEMORIAL HIGHWAY.**

COMMENTS - Current Meeting:

The Resolution to ceremonially change the name of Texas Highway 35, within the city limits of Bay City, in honor of D. R. Tom Uher, was unanimously approved by motion.

Other items discussed supporting the Resolution:

1. Ceremony to dedicate the renaming
2. Reception
3. Councilwoman Becca Sitz suggested also naming a park, project or other City property in honor of Mr. Uher, that others, in the community, could contribute to financially.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Jason Childers, Councilman
AYES:	Cornman, Sitz, Folse, Childers, Estlinbaum

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, RENAMING 7TH STREET (HIGHWAY 35), WITHIN THE CITY LIMITS OF BAY CITY, TO TOM UHER MEMORIAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bay City, Texas (City) is a Home Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, within the City is 7th Street. 7th Street currently begins at the city limits of Bay City from the south to the city limits of Bay City to the north; and

WHEREAS, under the provisions of the City Code of Ordinances Section 94-228, City Council may authorize the permanent change of City street names; and

WHEREAS, Mayor Mark A. Bricker has requested to rename 7th Street to honor, the Honorable D. R. “Tom” Uher; and

WHEREAS, the City shall publish notice of the Public Hearing to receive public comment on renaming 7th Street (Highway 35), within the city limits of Bay City, Texas to Tom Uher Memorial Highway; and

WHEREAS, the City shall hold a Public Hearing before March 12, 2020 to receive public comment on renaming 7th Street (Highway 35), within the city limits of Bay City, Texas to Tom Uher Memorial Highway; and

WHEREAS, the City Council shall guarantee that all notices and requirements contained in the Code of Ordinances shall be met and the renaming of this street is administratively completed and complies with Section 94-229 of the City’s Code of Ordinances; and

WHEREAS, the City Council approves the renaming of 7th Street (Highway 35), within the city limits of Bay City, Texas to Tom Uher Memorial Highway; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS:

Section 1. The forgoing recitals are hereby found to be true and such recitals are hereby made a part of this Resolution for all purposes and findings of the Council.

Section 2. That the City Council approves the renaming of 7th Street (Highway 35), within the city limits of Bay City, Texas to Tom Uher Memorial Highway; and

Section 3. That 7th Street (Highway 35), within the city limits of Bay City, Texas is hereby changed to Tom Uher Memorial Highway; and

Section 4. That this Resolution shall be implemented by the City's Public Works Department, and upon completion of the new street name sign installation, the City's Public Works Department shall notify City Council and the City Secretary in writing.

Section 5. That the City Secretary shall provide a copy of this Resolution, as recorded in the City Secretary's Records, to all governmental subdivisions, agencies, and departments effected by the renaming of 7th street (Highway 35), within the city limits of Bay City, Texas and to the Matagorda County Appraisal District.

Section 6. This Resolution shall become effective immediately upon its passage and approval as provided by law.

PASSED AND APPROVED on this __12th__ day of March 2019.

Mark A. Bricker, Mayor

ATTEST:

David Holubec, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey City Attorney
ROBERTS, ODEFEY, WITTE & WALL, LLP
City of Bay City

Attachment: Uher Resolution (3613 : Uher Memorial Highway)

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Julie L. Estlinbaum	_____	_____	_____
Bill Cornman	_____	_____	_____
Chrystal Folse Mayor Pro Tem	_____	_____	_____
Becca Sitz	_____	_____	_____
Jason Childers	_____	_____	_____

Mark A. Bricker, Mayor,
City of Bay City

ATTEST:

David Holubec, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey City Attorney
ROBERTS, ODEFEY, WITTE & WALL, LLP
City of Bay City



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3616)

Meeting: 03/12/19 06:00 PM
Department: City Secretary
Category: Agreement
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3616

**~ DISCUSS A POSSIBLE LEASE AGREEMENT WITH BAY
CITY HOMELESS SHELTER.**

COMMENTS - Current Meeting:

Councilwoman Julie Estlinbaum and Mayor Mark Bricker presented the agenda item. A motion was made to move forward with the lease negotiations. Lease is to be for only a two-year period at \$500.00 per month with stipulations and requirements. Council stressed the desire to have the clients chaperoned and supervised. Requested seeing the current client rules and regulations set forward by the House of Refuge Bay City.

Councilman, Jason Childers made the motion to move forward and Councilwoman Julie Estlinbaum seconded the motion. Passed unanimously.