



CITY OF BAY CITY

MINUTES • JANUARY 28, 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 as written, by motion. The motion was made by Councilwoman Julie Estlinbaum 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.

Ronny Reeves, Kamisha Payne, Jerry Manning and Brittany Roberson spoke of their displeasure with the Housing Authority situation with Mayor Bricker. Officer: 6:13PM.

5. EXECUTIVE / CLOSED SESSION

1. Litigation

~ CLOSED MEETING IN ACCORDANCE WITH 551.071(1) TO SEEK LEGAL ADVICE OF ITS ATTORNEY REGARDING CAUSE NO. 19-E-0013, RONNY DEAN REEVES, VIDALA LEAH RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY.

Mark A. Bricker, Mayor

Recess. Council members and Mayor went into Closed Session at 6:17PM. Councilman, Jason Childers had to leave the meeting at 7:09PM. Left Closed Session at 7:37PM.

6. OPEN SESSION

1. Litigation

~ TAKE ANY ACTION DEEMED APPROPRIATE AS A RESULT OF DISCUSSIONS IN CLOSED SESSION, INCLUDING BUT NOT LIMITED TO: (1) APPROVE, REJECT AND/OR RATIFY MAYOR BRICKER'S REMOVAL OF DANYAL SHENIEL MANNING FROM THE BAY CITY HOUSING AUTHORITY BOARD OF COMMISSIONERS; (2) APPROVE, REJECT AND/OR RATIFY MAYOR BRICKER'S APPOINTMENT OF VERONICA MAGANA, JOHNNIE MONTALBO AND FRANK PAIZ TO FILL VACANT SEATS ON THE BAY CITY HOUSING AUTHORITY; AND/OR (3) ADOPT A RESOLUTION OF COUNCIL THAT CONFIRMS THAT CHARTER PROVISION 3.09 AND/OR 3.10 DO NOT APPLY TO THE REMOVAL AND/OR APPOINTMENT OF MEMBERS TO THE BAY CITY HOUSING AUTHORITY AND RECOGNIZING THAT IT IS WITHIN THE MAYOR'S SOLE DISCRETION TO MAKE THOSE APPOINTMENTS AND/OR REMOVALS PURSUANT TO TEXAS LAW.

Mark A. Bricker, Mayor
No action was taken.

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 Friday, January 25, 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

AGENDA ITEM (ID # 3552)

Meeting: 01/28/19 06:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3552 A

**~ CLOSED MEETING IN ACCORDANCE WITH 551.071(1) TO
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CAUSE NO. 19-E-0013, RONNY DEAN REEVES, VIDALA
LEAH RODAS, DANYAL SHENIEL MANNING AND THE BAY
CITY HOUSING AUTHORITY.**

COMMENTS - Current Meeting:

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SCHEDULED

Meeting: 01/28/19 06:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3553

AGENDA ITEM (ID # 3553)

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COMMENTS - Current Meeting:

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