



BAY CITY

MINUTES • JULY 5, 2016

Council Chambers

Special Meeting

7:30 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

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

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

1. Resolution

DISCUSS, CONSIDER, AND/OR OVERRIDE THE MAYOR'S VETO OF CITY COUNCIL'S RESOLUTION AUTHORIZING AND RATIFYING THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION'S ACQUISITION OF, AND CLOSING ON, A \$7,500,000 LOAN FROM TEXAS DOW EMPLOYEES CREDIT UNION FOR THE CONSTRUCTION OF THE CINEMA/INDOOR ENTERTAINMENT CENTER PROJECT ON PROPERTY LOCATED AT THE CORNER OF MCCROSKY ROAD AND 7TH STREET, BAY CITY, TEXAS.

Mayor Pro Tem Chrystal Folse

Mayor Mark Bricker addressed the Council stating that he issued the veto because he didn't have specific information on the project. He wrote a letter addressed to Council that he read. Amongst the concerns stated in the letter were the lease agreements, the economic impact analysis inaccuracies, and the sustainability of the project. Mayor Pro Tem Chrystal Folse stated that these questions should have been asked in the 8 meetings prior as the loan documents have already been signed. The ground breaking has already been done. Mayor Bricker advised that he has asked these questions but they have gone unanswered. Councilman Bill Cornman stated that the Mayor's concerns were valid but that they should have been made 6 months ago. He also stated that the community needs to come together to make it succeed. Councilwoman Carolyn Thames stated that she did her due diligence to get information regarding this and that she felt informed on the project. Mayor Pro Tem Chrystal Folse made a motion to override the Mayor's veto and Councilwoman Julie Estlinbaum seconded the motion. The motion carries.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chrystal Folse, Mayor Pro-Tem
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Folse, Cornman, Estlinbaum, Johnson, Thames

RESOLUTION

Enacted and approved this 5th day of July, 2016, at Bay City

3. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilwoman Carolyn Thames thanked the citizens for coming. Councilman Bill Cornman spoke about the July 4th celebration and the kids programs that the city has going on. Councilman Steven Johnson stated that there would be a budget meeting on Wednesday, July 6, 2016 and he invited the citizens to attend that meeting.

4. 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 Wednesday, June 29, 2016 before 7:30 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary