



BAY CITY

REVISED MINUTES • SEPTEMBER 28, 2015

Council Chambers

Special Meeting

6:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Called to order at 602, q certified
cdc called to order at 603 and certified q

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

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN CAROLYN THAMES

Texas State Flag Pledge:

"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."

3. 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 - except Mike Reddell asked about how neither agenda states that this is a joint meeting

per Habib the agenda needs to state that it is a joint meeting in the future but with both

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

DC will represent for the mayor in regards to the resolutions

motion to approve by karen to approve their (CDC) agenda, cf 2nd carries

all resolutions approved

1. Resolution

CONSIDER AND TAKE ACTION ON RESOLUTION THAT DESIGNATES AREAS WITHIN THE DESIGNATED MAIN STREET DISTRICT AS SLUM/BLIGHTED AND IN NEED OF IMPROVEMENT, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Estlinbaum, Cornman, Folse, Johnson, Thames

RESOLUTION

Enacted and approved this 28th day of September, 2015, at Bay City

2. Resolution

CONSIDER AND TAKE ACTION ON A RESOLUTION THAT AUTHORIZES SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR A 2015 TEXAS CAPITAL FUND - MAIN STREET PROGRAM GRANT TO CONSTRUCT SIDEWALK, LIGHTING, AND HANDICAP-ACCESSIBILITY IMPROVEMENTS IN THE DESIGNATED MAIN STREET DISTRICT, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Estlinbaum, Cornman, Folse, Johnson, Thames

RESOLUTION

Enacted and approved this 28th day of September, 2015, at Bay City

3. Resolution

CONSIDER AND TAKE ACTION ON A RESOLUTION THAT ADOPTS A PUBLIC ACCESS PLAN TO BE UTILIZED DURING INFRASTRUCTURE CONSTRUCTION PROJECTS FUNDED THROUGH THE TEXAS CAPITAL FUND - MAIN STREET PROGRAM, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Councilwoman
SECONDER:	Steven Johnson, Councilman
AYES:	Estlinbaum, Cornman, Folse, Johnson, Thames

RESOLUTION

Enacted and approved this 28th day of September, 2015, at Bay City

4. Resolution

CONSIDER AND TAKE ACTION ON THE ADOPTION OF A CITIZEN PARTICIPATION PLAN AND CITIZEN COMPLAINT PROCEDURES TO BE FOLLOWED DURING IMPLEMENTATION OF

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TEXAS CAPITAL FUND PROJECTS, AND DIRECT STAFF AS NECESSARY.

Mayor Mark A. Bricker

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Johnson, Councilman
SECONDER:	Carolyn Thames, Councilwoman
AYES:	Estlinbaum, Cornman, Folse, Johnson, Thames

RESOLUTION

Enacted and approved this 28th day of September, 2015, at Bay City

5. EXECUTIVE SESSION

DC Dunham, Executive Director of the Bay City Community Development Corporation, addressed the Council with information in regards to the Entertainment Center Project.

1. Report

TO CONSULT WITH BCCDC AND CITY ATTORNEYS TO RECEIVE LEGAL ADVICE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING THE ENTERTAINMENT CENTER PROJECT SEEKING TO LOCATE, STAY, OR EXPAND IN BAY CITY AND REGARDING THE OFFICER OF FINANCIAL OR OTHER FINANCIAL INCENTIVE TO SAME PURSUANT TO SECTIONS 551.087(1) & (2) OF THE TEXAS GOVERNMENT CODE.

Mayor Mark A. Bricker

2. Report

TO DELIBERATE ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING BUSINESS PROSPECTS SEEKING TO LOCATE, STAY OR EXPAND IN THE BAY CITY AREA PURSUANT TO SECTION 551.087(1) OF THE TEXAS GOVERNMENT CODE.

Mayor Mark A. Bricker

3. Report

TO DELIBERATE ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING THE OFFER OF FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT PURSUANT TO SECTION 551.087(2) OF THE TEXAS GOVERNMENT CODE.

Mayor Mark A. Bricker

4. Report

TO DELIBERATE THE POTENTIAL PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE AS THE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PARTY.

Mayor Mark A. Bricker

6. OPEN SESSION

The Council reconvened into an open session. No action was taken by the City Council.

1. Report

ADJOURN EXECUTIVE SESSION, RECONVENE OPEN SESSION: TAKE ACTION AS NECESSARY AS A RESULT OF THE EXECUTIVE SESSION.

Mayor Mark A. Bricker

7. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor Pro-Tem Julie Estlinbaum thanked the other council members for pens she received from them.

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 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 Thursday, September 24, 2015 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary