



CITY OF BAY CITY

MINUTES • DECEMBER 6, 2018

Council Chambers

Workshop – City Council

5:00 PM

**1901 5TH STREET
BAY CITY, TX 77414**

1. CALL TO ORDER

Mayor Pro-Tem, Chrystal Folse, called the meeting to order at 5:10PM. Mayor Bricker was excused from this meeting.

Attendee Name	Title	Status	Arrived
Mark A. Bricker	Mayor	Excused	
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 Pro-Tem, Chrystal Folse, certified a quorum was present.

3. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. Report

~ DISCUSS AND CONSIDER REVISIONS TO THE CITY OF BAY CITY HOME RULE CHARTER.

Councilman Bill Cornman

Councilman Cornman requested City Secretary, David Holubec email all parties involved for confirmation of who is attending the El Campo Workshop on December 11, 2018.

CHARTER Sections:

3.02, 4.01, 16.02 Handout - revisions reviewed. 4.01 is the actual item number for both items.

4.01 Reviewed from attorney copy. No retroactive option. Prospective only. Year to start would be 2020. Council expressed desire to have it in affect in term 2019. Suggested having 4.01 (a) and 4.01 (b) on separate propositions.

16.02 Reviewed from attorney copy. 3 consecutive terms.

Use attorney language from 4.01 into 2 separate propositions.

16.02 - Reviewed from attorney copy. Recommended changes were discussed.

1. When a Charter Review can be commissioned.
2. Council and Mayor as non-voting members of Charter.
3. Term of Charter Review
4. Action by the Council.

5. Council vote every 5 years to determine whether to review or not review changes to the Charter was recommended.

Charter Correction Ordinance from the attorney was reviewed. Place on future agenda. December 20, 2018 Agenda.

City Manager - Article 4 review will continue on December 20, 2018. Workshop 5:30PM.

4. CLOSED / EXECUTIVE SESSION

Council members did not meet in Executive/Closed Session.

1. Report

~ TEXAS GOVERNMENT CODE, SECTION 551.071 (2). CONFER WITH ATTORNEY REGARDING LEGAL MATTERS RELATED TO THE HOME RULE CHARTER AND THE POTENTIAL UPCOMING SPECIAL CHARTER ELECTION FOR THE NEXT ELECTION PERIOD.

Mayor, Mark A. Bricker

5. OPEN SESSION

N/A

1. Report

~ CITY COUNCIL MEMBERS SHALL RECONVENE IN OPEN SESSION AND MAY DISCUSS, CONSIDER, AND/OR TAKE ACTION ON ANY ITEM LISTED ABOVE THAT WAS LAWFULLY CONSIDERED AND DISCUSSED IN EXECUTIVE SESSION (IF NECESSARY).

Mayor, Mark A. Bricker

6. 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, November 29, 2018 before 5:00 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

DISCUSSION ITEM (ID # 3453)

Meeting: 12/06/18 05:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 3453

~ DISCUSS AND CONSIDER REVISIONS TO THE CITY OF BAY CITY HOME RULE CHARTER.

COMMENTS - Current Meeting:

Councilman Cornman requested City Secretary, David Holubec email all parties involved for confirmation of who is attending the El Campo Workshop on December 11, 2018.

CHARTER Sections:

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City Manager - Article 4 review will continue on December 20, 2018. Workshop 5:30PM.

CITY CHARTER ACTION ITEMS

Highlighted items are complete

2018

November 15th Meeting (6th mtg)

- | | |
|---|------------------------|
| 1. Publish questions for 12/11, 4 PM mtg in El Campo | - Jason |
| 2. Revise 3.02 & 16.02 per discussion, & publish | - Ann Marie |
| 3. Final agreement on ordinance to fix Charter errors | - All |
| 4. Exec. Session agenda to determine path forward relative to ordinance to correct Charter errors | - Mark |
| 5. Provide 2017 Charter Commission discussion notes relative to the CM issue | - Mark |
| 6. Continue with CM inclusion in Charter | - All |
| 7. Post next meeting for Dec. 6th at 5:00 PM | - Rhonda/Lillie |

WGC 11/16/2018

November 8th Meeting

- | | |
|--|------------------------|
| 1. Final arrangements for 12/11, 4:00 mtg w/ Mindy | - Jason |
| 2. Post mtg w/ Mindy in El Campo | - Rhonda/Lillie |
| 3. Publish questions / topics for mtg w/ Mindy | - Jason/Bill |
| 4. See below open action items | - All |
| 5. Distribute copies of 2013 Charter proposal | - Rhonda |
| 6. Continue with CM review at 3.02 next mtg | - All |
| 7. Post next meeting for Nov 15th at 6:00 PM | - Rhonda/Lillie |

WGC 11/8/2018

November 1st Meeting

- | | |
|---|-----------------|
| 1. Legal input "Prop C" | - Julie |
| 2. Read, study other Charters | - All |
| 3. Arrange session with Mindy Snyder (target = 12/11) | - Jason |
| 4. Feed question/topics for Mindy to WGC | - All |
| 5. "Prop's of 6/5/2018 document" fresh update per current discussion. | - Rhonda/Lillie |

- | | |
|--|--------------------|
| 6. Find Cities that have reverted back to Mayor-Co. | - Ann Marie |
| 7. Provide Charter investigation package to Ann Marie | - Rhonda/Lillie |
| 8. Legal review of Ordinance to correct Charter errors | - Ann Marie |
| 9. Revise 16.02 (Charter Comm. Interval) | - Julie, Ann Marie |
| 10. Post next meetings for Nov 8 th & 15 th at 6:00 PM | - Lillie |

WGC 11/1/2018

October 25th Meeting

- | | |
|---|-------------|
| 1. Legal input "Prop C" | - Julie |
| 2. Read Manvel, El Campo, Wharton Charters | - All |
| 3. Printed copies of El Campo Charter | - Jason |
| 4. Find cities that reverted back to Strong Major | - Bill |
| 5. "Prop's of 6/5/18 document" fresh update
per current discussions. | - Lillie |
| 6. Legal review of Ordinance to correct Charter errors | - Ann Marie |
| 7. Post next meeting for Thursday, Nov 1 st , 5:00 PM | - Lillie |

WGC 10/25/2018

October 17th Meeting

- | | |
|---|---------|
| 1. Legal input "Prop C" | - Julie |
| 2. Rewrite "Prop H" | - Jason |
| 3. Investigate 6.01 (Habib's Ordinance) | - Becca |
| 4. Read El Campo & Wharton Charters | - All |
| 5. Contact Mindy (El Campo) to see if she is willing
to meet with us at a date TBD | - Jason |
| 6. Find cities that reverted back to Strong Mayor | - Bill |

- | | |
|---|---------|
| 7. Post next meeting for Thursday, Oct 25, 5:00 | - Lille |
|---|---------|

(Clean up action items)

- | | |
|---|--------|
| 8. Notify Legal to be present @ 5:00 PM on the 25 th | - Bill |
|---|--------|

WGC 10/16/2018

October 10th Meeting

1. Provide link to 2013 Town Hall meeting. - Rhonda

In the "Propositions as of 6/6/18" document

2. Clarify/rewrite "Prop C". - Julie
3. Clarify/rewrite "Prop F". - Chrystal
4. Straighten out/clarify Charter review interval issue in "Prop H". - Jason
5. Arrange with Mark to engage legal council assigned to Charter review effort. - Bill
6. Think about the level of research Council should engage in relative to inclusion of the City Manager - All
7. Post next meeting for **Tuesday, Oct 16, 5:30 PM** - Lille

WGC 10/10/2018



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 12/06/18 05:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3458

AGENDA ITEM (ID # 3458)

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POTENTIAL UPCOMING SPECIAL CHARTER ELECTION FOR
THE NEXT ELECTION PERIOD.**



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SCHEDULED

AGENDA ITEM (ID # 3457)

Meeting: 12/06/18 05:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3457

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