



BAY CITY

MINUTES • APRIL 27, 2017

Service Center

Workshop

6:00 PM

**2107 AVENUE M
BAY CITY, TX 77414**

I. CALL TO ORDER

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

II. APPROVAL OF AGENDA

Councilwoman Carolyn Thames made a motion of approval and Councilwoman Julie Estlinbaum seconded the motion. The motion carries.

III. FUTURE ACTION ITEMS

1. Planning / Plat

DISCUSS PROPOSED REVISIONS TO CHAPTER 46 OF THE BAY CITY CODE OF ORDINANCES CONCERNING FLOODPLAIN AS A RESULT OF THE TEXAS WATER DEVELOPMENT BOARD'S COMMUNITY ASSISTANCE VISIT.

Marla Jasek, Assistant Director Public Works

Assistant Director of Public Works, Marla Jasek, addressed the Mayor and Council in regards to the revisions of the ordinance. The current floodplain ordinance is out of date. During the study in January there were a couple of things noted. This included unlicensed RV's and connex containers. Another changes is that they are proposing that the Floodplain Administrator be the Director of Public Works or his designee. Mrs. Jasek currently has this certification. Mrs. Jasek advised that the current flood map is under review. FEMA has hired a company to do a floodplain study and they should finish in September. The comment period for the maps should begin in January.

2. Policy

DISCUSS PROPOSED REVISIONS TO CHAPTER 62 OF THE BAY CITY CODE OF ORDINANCES RELATED TO OIL AND GAS WELLS.

Cynthia Trevino, Denton Navarro Rocha Bernal Hyde & Zech, P.C. and Barry Calhoun, Director of Public Works

Attorney Cindy Trevino addressed the Mayor and Council to provide proposed revisions that were drafted with the Barnet Shell and Eagle Shell type of drilling. She has not run a comparison against our current ordinance. She outlined some of the revisions. No motion is needed at this time, the Mayor and Council just need to provide direction on how they want to proceed. Mrs. Trevino stated that everyone

should get their thoughts and questions together so that any changes could be made. City Attorney, Shannon Kackley, stated that this could go through Public Works Director Barry Calhoun. Mayor Mark Bricker asked Mr. Calhoun if he had any comments. Mr. Calhoun advised that they have gone through a similar process and have sat down with a driller to go over the changes and to get input. He stated that this was a good ordinance. Councilman Steven Johnson stated that we should move forward and take the next step to get the ordinance cleaned up. Councilwoman Julie Estlinbaum stated that they should read through this and funnel any questions through Mr. Calhoun and let him contact Mrs. Trevino. All Councilmembers were in agreement to move forward.

IV. ITEMS/COMMENTS FROM MAYOR AND COUNCIL MEMBERS

There were not any items to be discussed.

V. 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 was posted on the front window of the City Hall of the City of Bay City, Texas on Thursday, April 20, 2017 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