

**BRYAN CITY COUNCIL
MINUTES OF REGULAR MEETING
DECEMBER 15, 2015 - 11:00 A.M.**

A regular meeting of the Bryan City Council was held on Tuesday, December 15, 2015, in Room 305 and the Council Chambers of the Bryan Municipal Building. A notice of the meeting was posted at least 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Jason Bienski and Councilmembers Al Saenz, Rafael Peña, Greg Owens, Mike Southerland, Ben Hardeman and Buppy Simank were present. Also present were City Manager Kean Register, City Attorney Janis Hampton and City Secretary Mary Lynne Stratta.

1. CALL TO ORDER

The meeting was called to order at 11:25 a.m.

2. EXECUTIVE SESSION

The City Council convened in executive session at 11:26 a.m. under the provisions of Section 551, Texas Government Code, to discuss under the authority of Section 551.071, consultation with attorney – receive legal advice regarding sign ordinance, receive legal advice regarding the Chapter 380 agreement with Kalon Biotherapeutics, L.L.C., receive legal advice regarding legal issues stemming from the purchase and installation of utility meters and the City’s contractual rights and remedies thereunder, receive legal advice regarding proposed amendments to the rules of the Brazos Valley Groundwater District, receive legal advice regarding contractual issue of Atlas Town Center reimbursement, receive legal advice regarding compliance with the Texas Open Meetings Act, receive legal advice regarding amendments to the Research Valley Partnership (RVP) bylaws and the City’s funding agreement with RVP, and receive legal advice regarding proposed contract terms for sale of groundwater based return flow; under the authority of Section 551.072, real estate – discussion regarding possible sale, lease, conveyance, and/or purchase of property in central, north and west Bryan, and discussion regarding possible lease of property in north Brazos County adjacent to Lake Bryan; under the authority of Section 551.074, personnel – discussion regarding duties and responsibilities of City Manager, City Attorney, City Internal Auditor and City Secretary, Council self-evaluation, and discussion regarding appointments to the Planning and Zoning Commission and Bryan Texas Utilities Board; and under the authority of Section 551.087, economic development negotiations – discussion regarding possible economic development incentives for prospects in north, west, central, and east Bryan.

3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION

The meeting was called into open session at 12:44 p.m. Mayor Bienski moved to appoint Mr. Art Hughes to the BTU Board. The motion was seconded by Councilmember Hardeman and carried unanimously. Councilmember Peña moved to appoint Ryan McClarren to the Planning and Zoning Commission. The motion was seconded by Councilmember Saenz. Councilmember Owens moved to substitute Cathy Conlee for Ryan McClarren. The motion was seconded by Councilmember Simank. Qualifications of two outstanding candidates were mentioned, as well as the fact that only three women had ever served on the Planning and Zoning Commission since its creation. After discussion, the motion to substitute carried with four yeases (Mayor Bienski and Councilmembers

Owens, Hardeman and Simank) and three noes (Councilmembers Saenz, Peña and Southerland). The main motion as amended to appoint Cathy Conlee to the Planning and Zoning Commission for a term expiring on December 31, 2018, carried with five yeases, one no (Councilmember Saenz) and one abstention (Councilmember Peña), after discussion.

At 12:51 p.m., the meeting was recessed with the announcement the meeting would reconvene in executive session in Room 305 of the Bryan Municipal Building later in the afternoon.

At 2:56 p.m., the meeting was reconvened in open session in Room 305 of the Bryan Municipal Building and called into executive session at 2:56 p.m. under the provisions of Section 551, Texas Government Code, to discuss under the authority of Section 551.071, consultation with attorney – receive legal advice regarding sign ordinance, receive legal advice regarding the Chapter 380 agreement with Kalon Biotherapeutics, L.L.C., receive legal advice regarding legal issues stemming from the purchase and installation of utility meters and the City’s contractual rights and remedies thereunder, receive legal advice regarding proposed amendments to the rules of the Brazos Valley Groundwater District, receive legal advice regarding contractual issue of Atlas Town Center reimbursement, receive legal advice regarding compliance with the Texas Open Meetings Act, receive legal advice regarding amendments to the Research Valley Partnership (RVP) bylaws and the City’s funding agreement with RVP, and receive legal advice regarding proposed contract terms for sale of groundwater based return flow; under the authority of Section 551.072, real estate – discussion regarding possible sale, lease, conveyance, and/or purchase of property in central, north and west Bryan, and discussion regarding possible lease of property in north Brazos County adjacent to Lake Bryan; under the authority of Section 551.074, personnel – discussion regarding duties and responsibilities of City Manager, City Attorney, City Internal Auditor and City Secretary, Council self-evaluation, and discussion regarding appointments to the Planning and Zoning Commission and Bryan Texas Utilities Board; and under the authority of Section 551.087, economic development negotiations – discussion regarding possible economic development incentives for prospects in north, west, central, and east Bryan.

The meeting was called into open session in the Council Chambers of the Bryan Municipal Building at 4:34 p.m. Councilmember Hardeman moved to authorize the City Manager to execute an amendment to the Kalon Biotherapeutics, L.L.C., Chapter 380 agreement to extend the deadline for the completion of construction for a period of one year. The motion was seconded by Mr. Simank and carried with all present voting aye (Councilmember Saenz was not present at the time of this vote).

4. ADJOURN

Without objection, the meeting was adjourned at 4:35 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski