



**BRADY**  
THE CITY OF  
**TEXAS**

Tony Groves  
Mayor

Jim Griffin  
Mayor Pro Tem

Rey Garza  
Council Member Place 1

Missi Davis  
Council Member Place 2

Jeffrey Sutton  
Council Member Place 3

Jane Huffman  
Council Member Place 4

Kim Lenoir  
City Manager

Tina Keys  
City Secretary

Sarah Griffin  
City Attorney

#### **MISSION**

The City of Brady strives to share its history and encourage the development of diverse housing, employment, infrastructure, and opportunity through transparent management and financing for all residents and employees.

## **CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING FEBRUARY 19, 2019 AT 6:00 PM**

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00pm on February 19, 2019, at the City of Brady Municipal Court Building, located at 207 S. Elm Street, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

### **2. INVOCATION & PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENTS: Reserved for items NOT listed on the agenda**

*Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation 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 to place the item on an agenda for a subsequent meeting.*

### **4. CONSENT AGENDA: Reserved for routine items to save time**

*Any item may be removed from the Consent Agenda at the request of a Council Member and considered separately following the Consent Agenda approval. All items listed on the Consent Agenda are to be with one motion "Move to approve Consent Agenda."*

- A. Approval of Minutes for Regular Meeting on February 5, 2019.
- B. Approval of Resolution 2019-008 for request to TXDOT for temporary street closure for 93<sup>rd</sup> Annual July Jubilee Parade (July 6, 2019).
- C. Authorizing the Mayor to sign a new Davee Subdivision *Lease with the Option to Purchase* the replatted Lot -15R Block 1 to Jeanette Tacker at \$4,680.00.
- D. Authorizing the Mayor to sign a new Davee Subdivision *Lease with the Option to Purchase* the replatted Lot 12R Block 1 to Harold Tacker at \$3,330.00.
- E. Authorizing the Mayor to sign a new Davee Subdivision *Lease with the Option to Purchase* the replatted Lot -13R Block 1 to Sammi Sanchez at \$3,210.00.
- F. Authorizing the Mayor to sign a new Davee Subdivision *Lease with the Option to Purchase* the replatted Lot -14R Block 1 to Sammi Sanchez at \$4,690.00.

### **5. PRESENTATION**

Proclamation recognizing the 30<sup>th</sup> Annual Heart of Texas Country Music Festival

### **6. PUBLIC HEARING: (none)**

## 7. INDIVIDUAL CONCERNS

*City Council Members are to deliberate the following items. Staff will present the item and are prepared to answer City Council Member questions. The Mayor will recognize Council Members as the council discussed the item so everyone is heard. Once the City Council Members finish discussion, the Mayor will recognize attendees who have comments. Attendees and council members need to direct comments to the Mayor as they are recognized. When all comments are complete, the Mayor will call for a motion.*

- A. Discussion, consideration and possible action ON ORDINANCE 1266 AUTHORIZING THE ISSUANCE OF \$10,830,000 "CITY OF BRADY, TEXAS COMBINATION TAX AND SURPLUS WATERWORKS AND SEWER SYSTEM REVENUE CERTIFICATES OF OBLIGATION, SERIES 2019"; AUTHORIZING THE SALE THEREOF; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE OF SAID CERTIFICATES (Drinking Water Treatment Project).
- B. Discussion, consideration and possible action ON RESOLUTION 2019-010 AUTHORIZING THE APPROVAL AND EXECUTION OF A GRANT AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD IN THE AMOUNT OF \$13,375,000; APPROVAL OF A RELATED ESCROW AGREEMENT AND OTHER MATTERS RELATED THERETO (Drinking Water Treatment Project).
- C. Discussion, consideration and possible action ON RESOLUTION 2019-011 CONCERNING A PRINCIPAL FORGIVENESS AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD IN THE APPROXIMATE AMOUNT OF \$4,700,000; ACCEPTING THE TERMS OF THE FINANCIAL ASSISTANCE FROM THE STATE AGENCY; AND, AUTHORIZING OFFICIALS OF THE CITY TO EXECUTE THE AGREEMENT (Drinking Water Treatment Project).
- D. Discussion, consideration, and possible action regarding approval of construction improvements in the amount of \$139,260.56 for "Airport Overhead Powerline" Section 2 and award of *Techline Construction, LLC* (equipment & labor) in the amount of \$96,863.77; and *Techline, Inc.* (material) in the amount of \$42,396.79.
- E. Discussion, consideration and possible action approving Resolution 2019-007 to apply for a Police Audio/Visual Equipment Grant from the Governor's Office to fund 100% of ten body cameras and eight in-car video systems (\$58,023.00 grant).
- F. Discussion, consideration, and possible action regarding Resolution 2019-009 to request TXDOT/City street closures for the Chamber of Commerce Inaugural Brady Farm to Table Fundraiser Dinner to be held on June 8, 2019.
- G. Discussion, consideration and possible action regarding Resolution 2019-006 adopting a City of Brady Standard Operating Procedure (SOP) Policy for Disposal of Surplus and Salvage.
- H. Discussion, consideration and possible action from the 3:30pm Council Work Session for goals, vision and budget 2020.
- I. Discussion, consideration and possible action regarding the first reading of Ordinance 1267 approving the Recodification of Ordinances as recommended by Franklin Legal Publishing.
- J. Discussion and summary of City Council action and if procedures and processes worked.

## 8. STAFF REPORTS

- A. January Monthly Activity Reports: Visit Brady Report, Sales Tax Receipts, Utility Reports, Seniors, Golf, BPD, Fire-EMS Calls, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities
- B. Quarterly Report on Hotel Occupancy Tax (HOT) Receipts
- C. Upcoming Special Events/Meetings:
  - March – 15<sup>th</sup> – 23<sup>rd</sup> HOT Country Music Festival – 2 weeks
  - June 6 – 75<sup>th</sup> Anniversary of D-Day and Earl Rudder Statue Dedication
- D. Upcoming City Calendar:
  - Feb 21 – Airport Advisory Board
  - Feb 27 – GRW Joint City-County Steering Committee Mtg
  - March 5 – 6pm City Council Meeting
  - March 11 – 15 BISD Spring Break
  - March 27 – Annual Meeting for I-14 Coalition - Austin
  - Week of April 8 – Curbside Bulk Trash Pick-up

## 9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include: Expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

## 10. EXECUTIVE SESSION

The City Council of the City of Brady will adjourn into Executive Session for the following:

- A. Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager Kim Lenoir and Attorney Sarah Griffin and duties under the City Charter.
- B. Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: legal opinion(s) regarding Brady Volunteer Fire Department, G Rollie White Complex, and EDC.
- C. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective business, retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.
- D. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange, lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person: Brady Lake.

## 11. OPEN SESSION ACTION on Any Executive Session Item listed above, if needed.

## 12. ADJOURNMENT

*I certify that this is a true and correct copy of the City of Brady City Council Meeting Agenda and that this notice as posted on the designated bulletin board at Brady City Hall, 201 E. Main St., Brady, Texas 76825; a place convenient and readily accessible to the public at all times, and said notice was posted on \_\_\_\_\_ by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.*

Tina Keys, City Secretary

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or [citysec@bradytx.us](mailto:citysec@bradytx.us).

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding prospective Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), 551.086 (Deliberate, vote or take final action on competitive matters of the public power utility), and 551.087 (Deliberation regarding Economic Development).

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 written interpretation of the 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 551.104(c) and the meeting is conducted by all participants in reliance on this opinion.