

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, February 19, 2019 at 6:00 pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Jane Huffman, Jim Griffin, Rey Garza, Missi Davis, and Jeffrey Sutton. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steve Miller, Community Services Director Dennis Jobe, Police Chief Steve Thomas, City Attorney Sarah Griffin, and City Secretary Tina Keys. Also in attendance were Jay May, Bobby Williams, Erin Corbell, Lynn Farris, Erick Macha with Hilltop Securities and Gregory Miller with Bickerstaff, Heath, Delgado Acosta, LLP.

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

Mayor Groves called the meeting to order at 6:01 p.m. Council quorum was certified.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Griffin gave the invocation and the Pledge of Allegiance was recited.

**3. PUBLIC COMMENTS**

There were no public comments

**4. 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.

Council Member Sutton moved to approve the Consent Agenda. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

**5. PRESENTATIONS: None Scheduled**

Proclamation recognizing the 30<sup>th</sup> Annual Heart of Texas Country Music Festival – City Secretary Tina Keys read proclamation

**6. PUBLIC HEARINGS: None Scheduled**

There were no public hearings

## 7. INDIVIDUAL CONCERNS

- 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)**. Lisa Remini presented. Erick Macha with Hilltop Securities reviewed information. Gregory Miller with Bickerstaff, Heath, Delgado went over change to Ordinance. Council Member Sutton moved to approve the first and final reading of Ordinance 1266, in accordance with state law. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- 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)**. Council Member Griffin moved to approve Resolution 2019-010. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- 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)**. Council Member Garza moved to approve Resolution 2019-011. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- 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. Steve Miller presented. Council Member Huffman moved to delay action until next meeting. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- 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). Chief Steve Thomas presented. Council Member Huffman moved to approve Resolution 2019-007. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- 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. Erin Corbell presented. Council Member Huffman moved to approve Resolution 2019-009 with third "whereas" stricken from the Resolution. Seconded by Council Member Davis. No Council Members voted "aye". Motion failed. Council Member Huffman moved to approve with 4<sup>th</sup> "whereas" removed. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

- 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. Lisa Remini presented. Council Member Sutton moved to delay item until next council meeting in order to review and possibly amend Resolution 2010-004. Seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- H. Discussion, consideration and possible action from the 3:30pm Council Work Session for goals, vision and budget 2020. There was no discussion.
- I. Discussion, consideration and possible action regarding the **first reading of Ordinance 1267** approving the Recodification of Ordinances as recommended by Franklin Legal Publishing. Kim Lenoir presented. Council Member Griffin moved to approve the first reading of Ordinance 1267. Seconded by Council Member Garza. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote as Council Member Davis stepped away from the meeting and did not vote.
- J. Discussion and summary of City Council action and if procedures and processes worked. There was no discussion.

#### 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 – 5:30pm Airport Advisory Board
  - Feb 27 – 1pm GRW Joint City-County Steering Committee Mtg
  - March 5 – 6pm City Council Meeting
  - March 6 – 6pm Special EDC 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

Mayor Groves talked about the TXDOT Keep Brady Beautiful award and downtown square improvements. Big Creek notified City that TXDOT talked to them about doing ¼ of the square closest to City Hall. They would redo that with 10” concrete. No curbs or sidewalks, just pavement.

#### 10. EXECUTIVE SESSION

Regular Session was closed at 7:21 p.m. and Council took a break before going into Executive Session. Executive Session was opened at 7:48 p.m. Executive Session was closed at 8:19 p.m.

- 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.**

Mayor opened regular session at 8:20 p.m. No action was taken.

**10. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 8:20 p.m.

  
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Mayor Anthony Groves

Attest:   
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Tina Keys, City Secretary