



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 MARCH 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 March 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 March 5, 2019 and Special Meeting on March 12, 2019.

5. PRESENTATION

Fire/EMS Department Annual Report for 2018 – Chief Lloyd Perrin

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 regarding approval of the Type B EDC request to apply for a USDA Revolving Business Loan Grant Project for \$50,000 with an EDC cash match of \$50,000 (Res 2019-B1 approved by Type B EDC March 6, 2019).
- B. Discussion, consideration, and possible action regarding first reading of Ordinance 1268 of the City of Brady, Texas to amend Type A and Type B EDC FY2019 Budgets and creating a new additional fund budget for Type B as requested by Type A and B EDCs on March 6, 2019.
- C. Discussion, consideration, and possible action regarding approval of Resolution 2019-015 approving the execution of the Bill of Sale Agreement with Type A EDC for Hangar E at Curtis Field Airport to the City (book value \$219,537).
- D. Discussion, consideration, and possible action regarding approval of Resolution 2019-016 approving the execution of a special warranty deed conveying the vacant land at 502 W. 10th Street from Type A EDC to the City and from the City to Type B EDC.
- E. Discussion, consideration, and possible action regarding approval of Resolution 2019-017 approving the execution of a special warranty deed conveying Lots 7 and 8 of Block 8 in the Jones Addition and assigning the lease (Old Dodge Crossing/Capco land and building) from Type A EDC to the City and from the City to Type B EDC.
- F. Discussion, consideration, and possible action authorizing the Mayor to sign the Assignment of Deed of Trust for dba Thomas Developments from Type A EDC to Type B EDC.
- G. Discussion, consideration, and possible action regarding approval of Resolution 2019-019 forgiving further obligations of Type A EDC to fund the remaining debt of the 2009 vote to remodel and expand the Civic Center.
- H. Discussion, consideration, and possible action regarding approval of Resolution 2019-020 approving a Performance Agreement with Type B EDC to pay remaining debt of the 2009 vote to remodel and expand the Civic Center (remaining amount \$743,066 payable with $\frac{1}{4}$ of the sales tax receipts each year).
- I. Discussion, consideration, and possible action regarding approval of Resolution 2019-021 approving a Chapter 380 Agreement with Type B EDC for the remaining Type A EDC final cash balance.
- J. Discussion, consideration, and possible action regarding approving a 5-year lease agreement with Redeemer Church for the old K-Life (Boy Scout) Building to conduct a community Youth Program.

- K. 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**.
- L. Discussion, consideration and possible action regarding **Resolution 2019-013** rescinding Resolution 2010-005 removing the procedure and process for disposal of Surplus Brady Volunteer Fire Department Equipment.
- M. 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 (excluding Brady Volunteer Fire Department).
- N. Discussion, consideration, and possible action regarding **first reading of Ordinance 1269** of the City of Brady, Texas to amend FY2019 Budget for Emergency purchase of replacing a Medic Ambulance (\$252,000).
- O. Discussion and summary of City Council action and if procedures and processes worked.
- P. Discussion of a City improvement recognized by City Council.

8. STAFF REPORTS

- A. **February Monthly Activity Reports:** Visit Brady Report, Sales Tax Receipts, Fund Balance Report, Utility Reports, Seniors, Golf, BPD, BF/EMS, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities
- B. **Upcoming Special Events/Meetings:**
 - March – 15th – 23rd HOT Country Music Festival – 2 weeks
 - April 6 – 9am to 12:30pm Don't Mess with Brady Trash-off
 - Week of April 8 – Curbside Bulk Trash Pick-up
 - April – Bagged Leaf Pick-up Schedule
 - June 6 – 75th Anniversary of D-Day and Earl Rudder Statue Dedication
 - June 8 – Inaugural Brady Farm to Table Fundraiser Dinner by Chamber of Commerce – Downtown
 - July 6 – 10am - 93rd July Jubilee Parade – Downtown Square
- C. **Upcoming City Calendar:**
 - March 27 – Annual Meeting for I-14 Coalition – Austin
 - April 19 – City Offices Closed for Good Friday Holiday
 - April 17 and 18 – Holiday Trash Pick-up Schedule Changes – Thurs to Wed; Fri to Thurs
 - May – Military Exercises – Curtis Field Airport
- D. **Investment Committee Minutes – March 14, 2019**

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 current policies in relation to employee eligibility for rehire, and Attorney Sarah Griffin 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 Old Brady Hospital, 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.

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.