



**CITY OF BRADY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
MAY 21, 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 May 21, 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.

Tony Groves
Mayor

Rey Garza
Council Member Place 1

Missi Davis
Council Member Place 2

Jeffrey Sutton
Council Member Place 3

Jane Huffman
Mayor Pro Tem
Council Member Place 4

Jay May
Council Member Place 5

Dennis Jobe
Interim 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.

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 and Special Meetings on May 7, 2019.

5. PRESENTATION

North Substation Transformer - damage status report

6. PUBLIC HEARING: (none)

Public Hearing to hear comments for or against amending Zoning Ordinance 933, Section 28.10 (Zoning Use Chart) to allow Gun Sales in an Office District for property located at 602 W. 17th Street as requested by Charles and Barbara Garner

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 the **second and final reading of Ordinance 1270** of the City of Brady, Texas, to adopt the 2019 Brady Water Conservation and Drought Contingency Plan as required by the Texas Water Development Board and TCEQ.

- B. Discussion, consideration and possible action regarding the first reading of Ordinance 1274 to amend Zoning Ordinance 933, Section 28.10 (Zoning Use Chart) to allow Gun Sales in an Office District for property located at 602 W. 17th Street as requested by Charles and Barbara Garner.
- C. Discussion, consideration and possible action regarding first reading of Ordinance 1275 of the City of Brady, Texas to amend the FY2019 Budget to purchase the property described as the East 30 feet of Lots 1, 2, 3 and 4 and all of Lot A, Block No. 6, Fairview Addition, City of Brady. (\$60,000)
- D. Discussion, consideration and possible action to approve Resolution 2019-026 authorizing publication of notice of intent to issue City of Brady combination tax and surplus waterworks and sewer system revenue certificates of obligation 2019A and 2019B the combined total not to exceed \$10,435.00.
- E. Discussion, consideration and possible action regarding award of Sewer Jetter Machine to Harben, Inc., Cumming, GA in the amount of \$50,013.00.
- F. Discussion, consideration and possible action approving Subordination and Intercreditor Agreement with Bonneville Mortgage Company in relation to a loan of \$53,000 to THF Brady Housing, Ltd, in accordance with Resolution 2015-13 to replace a prior approval of Intercreditor Agreement with JP Morgan Chase.
- G. Discussion, consideration and possible action regarding review of Ordinance 1198 adopted on July 19, 2016 relating to Curfew.
- H. Discussion, consideration and possible action regarding a "Personal Day" for City Employees.
- I. Discussion and summary of City Council action and if procedures and processes worked.
- J. Discussion by City Council of City improvements to be recognized

8. STAFF REPORTS

- A. **Monthly Financial and Utility Reports**
- B. **Monthly Activity Reports:** Visit Brady Report, Seniors, Golf, BPD, Fire-EMS Calls, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities
- C. **Upcoming Special Events/Meetings:**
 - May 23 – Last Day of School BISD
 - May 26 – City Swimming Pool Opens
 - June 1 & 2; 8 & 9 – Mission Brady Workdays
 - 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
 - June 13 – Employee Appreciation Pool Party
 - July 6 – 10am - 93rd July Jubilee Parade – Downtown Square
 - July 26, 2019 – Denton Navarro HOG WILD, Live Oak, Texas
- D. **Upcoming City Calendar:**
 - May – Military Exercises – Curtis Field Airport

- May or June-- Dedication of Richards Park Improvements
- June 15 – Dedication of Willie Washington Park Improvements
- June 21-22 – Juneteenth, Willie Washington Park
- June 18 – 12 noon – Open Meetings Board Training and Appreciation Lunch
- July 16, 18, 23rd – 9:00 a.m. – 4:00 p.m. Budget Work Sessions
- July 24th & 25th – Budget Work Sessions, if necessary

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: Kim Lenoir / Dennis Jobe
- B. Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney on pending or contemplated litigation or a settlement offer or 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 conflict with the Texas Open Meetings Act - Old Brady Hospital; Carrizales v. Brady Police Department (SOAH); Kim Lenoir

11. 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.