



**CITY OF BRADY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
APRIL 16, 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 April 16, 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

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.

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 April 2, 2019.

B. Approve Resolution 2019-025 amending the Brady Type B Economic Development Corporation Articles of Formation to add "charitable" to the "Purpose Statement" as requested by the IRS for 501(c)3 tax exempt status and requested by the Brady Type B Economic Development Corporation Board of Directors, and as prepared by the EDC Attorney.

5. PRESENTATION

A. Review of the 2018 Financial Audit, as required by City Charter – presented by Haynie and Company CPAs of San Antonio

B. Review of the 2018 Audited Reserve Fund Adequacy Statements, as required by City Policy - Finance Director Lisa Remini

C. Review of the 2nd Quarter of FY2019 Budget to Actual Reports, as required by City Charter and March Monthly Reports for Sales Tax Receipts, Summary of Funds Report, Utility Reports, BVFD Expense Report – Finance Director Lisa Remini

D. Review draft of the 2019 Brady Water Conservation and Drought Contingency Plan as required by the Texas Water Development Board and TCEQ

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 **first 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 **first reading of Ordinance 1272** of the City of Brady, Texas to deny and disapprove the proposed changed rate schedules and service regulations filed with the City of Brady by Oncor Electric Delivery Company LLC on April 8, 2019, as requested by Oncor Electric Delivery Company LLC.
- C. Discussion, consideration and possible action regarding award of Buyboard Bid from T.F. Harper and Associated LP for the ballfield playground, a Texas Parks and Wildlife Local Park Grant Fund Project (\$30,945).
- D. Discussion and summary of City Council action and if procedures and processes worked.
- E. Discussion by City Council of City improvements to be recognized.

8. STAFF REPORTS

- A. **March Monthly Activity Reports** – Visit Brady Report, Seniors, Golf, BPD, BF/EMS, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities; LEPC Minutes
- B. **EPA Quarterly Report for Drinking Water Project**
- C. **Upcoming Special Events/Meetings:**
 - April 17 – 11:30am – Good News Luncheon – Civic Center
 - April 18 – 8:30am Coffee with a Cop – BNB Community Room
 - April 19 – City Hall Opens 8am to 11am to accept mail in ballot applications for BISS Election
 - April 22 – April 30 – BISS SMD 4, Early Election at City Hall (April 23rd and 25th 7am – 7pm)
 - May 4 – 7am to 7pm, BISS Single Member District 4, Election Day, City Hall
 - May 23 – Last Day of School BISS
 - 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
 - July 6 – 10am - 93rd July Jubilee Parade – Downtown Square
- D. **Upcoming City Calendar:**
 - April 17 – Bagged Leaves Pick-up for Thursday Services
 - April 17 and 18 – Holiday Trash Pick-up Schedule Changes – Thurs to Wed; Fri to Thurs
 - April 19 – City Offices Closed for Good Friday Holiday
 - April 24 – Bagged Leaves Pick-up for Friday Services
 - April 24 – 3pm Open Davee Lot Bids – City Hall
 - May 9 – TWDB – WWTP Construction Funding Award
 - May – Military Exercises – Curtis Field Airport

- May or June— Dedication of Richards Park Improvements
- June 15 – Dedication of Willie Washington Park Improvements
- June 18 – 12 noon – Open Meetings Board Training and Appreciation Lunch

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.
- C. 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.
- D. Pursuant to Section 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), the City Council will deliberate, vote, or take final action on a competitive matter.

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

- A. Consider purchase of property near a city facility for future expansion.

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.