

**NOTICE OF REGULAR MEETING
CITY OF BROOKSHIRE – CITY COUNCIL**

The Board of Aldermen of the City of Brookshire will conduct a Regular Meeting on **Thursday, April 20, 2023, at 7:00 pm in the Council Chambers of the Brookshire Municipal Building, 4029 5th Street.** This Notice and the Agenda are posted online at:

www.brookshiretexas.org

A recording of the meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

AGENDA

(1) Call to order.

By: Laketra Glover

Start: 7:03 pm

Mayor Branch: here

Mayor Pro Tem K. Branch: here

Aldерwoman M Taylor: here

Alderman J Hill: present

Aldерwoman A Neuendorf: absent

Alderman L Stamps: present

(2) Prayer & Pledge.

Prayer: Ryan Orbin

Pledge: The Body

(3) Public comments.

1. Marcus T Grant state he is a CPCELA (Certified Paralegals Certified Legal Assistant): Marcus T Grant (47 years old), a citizen of Brookshire, TX. Marcus came to the council meeting because of an ongoing problem with the Brookshire Police Department. He believes the council members need to hear what's going on. Marcus T Grant stated that he filed a complaint with the mayor's office in every situation, and the problem still consists. First, Marcus T Grant specializes in criminal law and civil litigation, which is embedded with constitutional law. There's an incident at Flying J that deeply hurt him, and I think the council members should hear about it. Marcus T Grant stated he trespassed at Flying J for unjustifiable reasons, which Marcus T Grant said he except. Marcus T Grant

continues to talk about how he meets clients in public places because that's proper. Marcus T Grant stated he assists in legal matters at Denny's and sometimes eats there. Marcus T Grant indicated his wife was coming from Warden to meet him one night. Officer Austin moved tables around, roughing him up, and arrested him for criminal trespassing. He stated he had a document regarding criminal trespassing, which clearly states Flying J property, which he could not walk upon. Marcuse T Grant said he would never purposely break the law. Marcus T Grant was arrested and manhandled in front of people, and he was embarrassed. Marcus T Grant also said he was issued a trespassing warning by Denny's manager. Marcus T Grant stated he was arrested and eventually released from jail. Marcus T Grant, these are ongoing problems. Marcus T Grant asks that his rights be respected and the law be adhered to.

2. Ruth Rodriguez -I'm a citizen of Brookshire, TX. Ms. Rodrigues stated Mayor Branch and Mayor Pro Tem Branch were elected to practice the distribution and maintenance of power wisely; still, I crashed on a city street Brookshire Police Department insisted I predetermined that crash Velasco Street. Then three men representing the City seek me out to record me. Ms. Rodriguez stated this was hedonism. So my motto to all my elected officials here. What's yours? I don't want it; you can have it whatever is mine. And this is why she was at the city council meeting to protect my everyday life. Ms. Rodriguez, as the council member, reviewed encroachments past and current upon my residency, including when a city employee owed the justice system of her property. Also, immediately cease any further violations of constitutional rights. Please honor my demands for restoration to my residency, past and current. She demands a formal correspondence of action within seven business days. So Mr. Hill, let's build the City up, Mr. Kelley, let's build the City up, and Mayor Branch, let's build this City up for all of us.

3. Jim Lowry – request if informational type bulletin slash newspaper startup would be of any value or interest to the council members.

4. Tony McNelly – leading the charge on the sesquicentennial event celebration that will be happening here in Brookshire on Saturday and giving updates on events outline of the day's events schedule. At 12:30 pm, the mayor will read the Proclamation. On Saturday, the Brown Sugar Band is coming, and they will be performing from 7 – 10 pm. Mr. McNelly passed out buttons to the mayor and city council members, which said I celebrated "the 150th in Brookshire, TX. The buttons will go out to everyone who shows up to the event.

**THE CITY COUNCIL WILL DISCUSS AND TAKE POSSIBLE ACTION
REGARDING THE FOLLOWING ITEMS:**

- (4) Approval of Council Meeting Minutes from April 6, 2023.
Motion: Alderwoman Taylor approved the Council Meeting Minutes from April 6, 2023.
Second: Mayor Pro Tem Branch
For: Alderman Hill
Approve: Mayor D Branch Motion Carried
- (5) Presentation by HDL Companies regarding sales tax administration, economic development market analytics reports, and hotel occupancy tax administration. (Alderman Hill) Representatives Richard Fletcher (Vice President of client services and operations for HDL companies and Katie Biggers (Director of Business Development) HDL supports the local government. Their offices are in Houston, and Austin supports our Texas office. HDL offers sales tax administration, which provides reports and consultation to the City of Brookshire to help with questions about any vulnerabilities within your sales tax. The Economic Development standpoint focuses on taxpayer retention programs and knowing who's driving the sales tax revenues into the community. HDL business has sales tax generally split into two separate pieces: reports and consultation. The second is recovery, which helps ensure all taxpayers are paying and people shouldn't be paying. **No Action**
- (6) Spraying for mosquitos and related services within the City.
Tabled
- (7) Citizen request to close Velasco Street between 2½ Street and 4th Street on June 11, 2023, from 10:00 am to 6:00 pm. (Ryan Orbin)
Motion: Mayor Pro Tem Branch, we approve closing off Velasco Street between 2 ½ Street and 4th Street on June 11, 2023, from 12:00 pm to 8:00 pm
Second: Alderwoman Taylor
For: Alderman Hill
Approve: Mayor Branch Motion Carried

- (8) Citizen requested to use 3707 12th Street for mini-storage and truck trailer parking. (DM Storage)

Motion: Mayor Pro Tem Branch, we deny the citizen's request to use 3707 12th Street for mini-storage and truck trailer parking due to the fact that the Street is already narrow

Second: Alderwoman Taylor

For: Alderwoman Hill

Approve: Mayor Pro Tem Branch Motion Carried

2nd Motion: Mayor Pro Tem Branch to have DM Storage remove the storage containers they put on 3707 12th Street within 14 days.

Second: Alderwoman Taylor

For: Alderman Hill

Approve: Mayor Branch Motion Carried

- (9) Citizen request to move and install a structure to 3223 Robin Street. (Judy Rothell)

Justin Pruitt (City Attorney) stated to council members that the City of Brookshire doesn't have any prohibition against modular homes. There are just two steps here. Get a permit to move the structure into the City and approve. Code (Section 10-110: has 4 or 5 provisions that apply to the permit of the structures). Once permits are approved, if the council will work to allow them. You will have 60 days to get it to move into the City. So to make sure the timing is correct. Get permit timeline it's essentially 120 days from approval it's got to be set up in the performance of all codes. Justin Pruitt (CA) advise to set up a pre-development meeting with the City's permitting staff. **No Action**

- (10) Citizen request to move and install a structure to 4319 South Front Street. (David Aguilar)

Motion: Alderman Hill, we approve the citizen's request to move and install a structure to 4319 South Front Street, pending no rejection letter from Brookshire Katy Drainage.

Second: Mayor Pro Tem K Branch

For: Alderwoman Taylor

Approve: Mayor Branch Motion Carried

- (11) Considering **Resolution 1439** regarding a variance of the type and size of a pole sign to be located at 341 FM 359 in the City. Representative: A.J. Loving
No Action
Motion: Mayor Pro Tem Branch motion to table until the next council to do research and contact AJ Loving to discuss this matter at a reasonable time before the next council meeting.
Second: Alderman Hill
For: Alderwoman Taylor
Approve: Mayor D Branch Motion Carried
Tabled next agenda
- (12) Considering **Resolution 1440** regarding a variance from the front and side setbacks for a structure at 1502 FM 362 in the City. **No Action**
Motion: Mayor Pro Tem Branch approves Resolution 1440
Second: Alderwoman Taylor
For:
Abstain: Alderman Hill
Approve:
- (13) Considering **Resolution 1441** regarding a variance for minimum lot sizes for undeveloped properties in the City identified by Waller County Appraisal District numbers 5483 & 5054.
Motion: Mayor Pro Tem Branch approves Resolution 1441 regarding a variance for minimum lot sizes for undeveloped properties in the City identified by Waller County Appraisal District numbers 5483 & 5054.
Second: Alderwoman Taylor
For: Alderman Hill
Approve: Mayor Branch Motion Carried
- (14) Approving **Resolution 1442** finding that Linebarger, Goggan, Blair & Sampson, LLP is fully qualified special counsel to perform all legal services necessary collect unpaid fines, fees, and court costs under Texas Code of Criminal Procedure Section 103.0031, and finding that: there is a substantial need for the services; the services cannot be adequately performed by the jurisdiction's attorneys; and, the services cannot be adequately performed for an hourly fee.
Motion: Alderman Hill, we approve Resolution 1442
Second: Mayor Pro Tem Branch
For: Alderwoman Taylor
Approve: Mayor D Branch Motion Carried

- (15) Approving **Resolution 1438** authorizing an Agreement with Linebarger, Goggan, Blair & Sampson, LLP to act as special counsel to perform all legal services necessary to collect unpaid fines, fees, and court costs under Texas Code of Criminal Procedure Section 103.0031 and authorizing the mayor to sign the Agreement.

Motion: Alderman Hill, we approve Resolution 1438

Second: Alderwoman Taylor

For: Mayor Pro Tem Branch

Approve: Mayor D Branch Motion Carried

- (16) Approving **Resolution 1443** finding that Linebarger, Goggan, Blair & Sampson, LLP is fully qualified special counsel to perform all legal services necessary to collect unpaid delinquent ad valorem taxes under Texas Tax Code Section 6.30.

Motion: Alderman Hill, we approve Resolution 1443

Second: Mayor Pro Tem Branch

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

- (17) Approving **Resolution 1444** authorizing an Agreement with Linebarger, Goggan, Blair & Sampson, LLP for delinquent tax collection services and authorizing the mayor to execute the Agreement, and finding notice has been provided for the Agreement under Texas Government Code Section 2254.1036.

Motion: Alderman Hill, we approve Resolution 1444

Second: Alderwoman Taylor

For: Mayor Pro Tem Branch

Approve: Mayor D Branch Motion Carried

- (18) Approving **Resolution 1445** authorizing the imposition of a twenty percent (20%) penalty for the collection costs on delinquent personal property taxes for Tax Year 2023 and subsequent years under Texas Tax Code Section 33.11.

Motion: Alderman Hill, we approve Resolution 1445

Second: Alderwoman Taylor

For: Mayor Pro Tem Branch

Approve: Mayor D Branch Motion Carried

- (19) Approving **Resolution 1446** authorizing the imposition of a twenty percent (20%) penalty for the collection costs on delinquent taxes for Tax Year 2022 and subsequent years under Texas Tax Code Sections 33.07 & 33.08.
Motion: Alderman Hill, we approve Resolution 1446
Second: Alderwoman Taylor
For: Mayor Por Tem Branch
Approve: Mayor D Branch Motion Carried
- (20) Approving **Resolution 1447** declaring April 2023 as Fair Housing Month.
Motion: Alderman Hill, we approve Resolution 1447
Second: Alderwoman Taylor
For: Mayor Pro Tem Branch
Approve: Mayor D Branch Motion Carried
- (21) Approving a contract for lawn maintenance of City parks, the field across from City Hall, and along Highway 90. (Alderman Hill)
Motion:
Second:
For:
Abstain:
Approve: Mayor D Branch Motion Carried
Tabled: next agenda
- (22) Identifying substandard structures in the City, including structures that may need demolition due to fire or structural damage. (Mayor Pro Tem Branch)
Motion: Mayor Pro Tem Branch motion to table until we have the address of houses that the City needs to demolish and put a lien on the demolished property by the City.
Second: Alderwoman Taylor
For: Alderman Hill
Approve: Mayor D Branch Motion Carried
Tabled: next agenda
- (23) Request that a culvert with pedestrian access be placed between the general vicinity of Depot Street and Highway 90. (Alderman Hill)
Motion: Alderman Hill, we approve a culvert with pedestrian access to be placed between the general vicinity of Depot Street and Highway 90.
Second: Mayor Pro Tem Branch
For: Alderwoman Taylor
Approve: Mayor Branch Motion Carried

**(24) Placing no parking and no through trucks on Baines from South St. to I-10.
(Mayor Pro Tem Branch)**

Motion: Mayor Pro Tem Branch, make a motion that we place no parking signs and no through trucks signs on Baines from South St. to I-10, and the second part of the motion is that police start ticketing those people as of next Monday and, directing Olson & Olson to work with Chief Miller regarding an Ordinance for repeat tickets defenders.

Second: Alderman Hill

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

Mayor Branch requested that Chief Miller not ticket delivery trucks but those trucks passing through.

(25) City Advisory Committee budgets and purchasing policies, including using Hotel Occupancy Taxes for Committee purposes, the Cinco de Mayo Budget, and the Juneteenth Budget. (Alderwoman Taylor)

Justin Pruitt, City Attorney – suggested to council members to amend the purchasing policy because, as of now, all purchases for expense have to be approved by the mayor. 1st- set the budget, meet the requirements of Hotel Motel Funds, and find the line item from where the money is coming. 2nd – amending the purchasing policy to who is authorized, such as council members, for spending the money.

Alderwoman Taylor stated that each festival had a budget for each committee is 12,000.00.

Motion: Mayor Pro Tem Branch motion that we Okay the Cinco de Mayo Budget and the Juneteenth Budget as presented

Second: Alderman Hill

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

(26) Invoice payments and reports.

Motion: Alderwoman Taylor motion to approve invoice payment and reports

Second: Alderman Hill

For:

Abstain: Mayor Pro Tem K Branch

Approve: Mayor D Branch Motion Carried

(27) Request for Future Agenda Items.

Discussion and possible action RFP bodycam system for PD paid for using ARPA Funds. (Alderman Hill)

Second: Mayor Pro Tem Branch

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

Discussion and possible action RFP for recording system for PD paid for using ARPA Funds. (Alderman Hill)

Second: Mayor Pro Tem Branch

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

Discussion and possible action prohibition of 18-wheelers on certain city streets. (Alderman Hill)

Second: Mayor Pro Tem Branch

For: Alderwoman Taylor

Approve: Mayor D Branch Motion Carried

Discussion and possible action for culverts on the end of 11th through Solomon Road through I-10 on both ends. (Alderwoman Taylor)

Second: Mayor Pro Tem Branch

For: Alderman Hill

Approve: Mayor D Branch Motion Carried

Discussion and possible action on the rental fees for the Convention Center (Mayor Pro Tem Branch)

Second:

For:

Approve: Mayor D Branch Motion Carried

Discussion and possible action of providing a cleaning service for the Convention Center and City Hall. (Mayor Pro Tem Branch)

Second:

For:

Approve: Mayor D Branch Motion Carried

(28) Council Reports and Community Announcements.

Alderman Hill: Waller County 150th celebration this week, I would like to recognize our city staff and especially public works for helping us get the downtown area looking nice and sharp for the event.

Early Voting will start on Monday, and we have both our mayor and 2 city council seats and a bond election for the school district. So please educate yourself and vote your conscience.

Alderwoman Taylor: Cinco de Mayo festival starting May 5th, at The Trading Market, 1042 Starling Rd. 7-8 pm and May 6th, at Hovas Park 1412 FM South Brookshire, TX 77423. If you would like to join us in the parade at 9 am. The starting time is 10 am at Brookshire PD; from there, we will travel to Hovas Park; we also have a trailer for children. Parade route (Hwy 90 to 359)

Mayor Pro Tem Branch:

(29) Executive Session. The City Council will meet in a closed session pursuant to Title 5, Chapter 551, of the Texas Government Code for the purpose of:

a. Consultation with legal counsel (Section 551.071);

b. Deliberations on real property (Section 551.072) to deliberate the purchase, exchange, lease, or value of real property, and;

c. Deliberations on personnel (Section 551.074) regarding the appointment, appeal, employment, evaluation, reassignment, duties, discipline, or dismissal of: **the Police Chief, former Police Officers, the City Secretary, the Public Works Director, the Municipal Court Director, and the City Administrator.**

Open: 8:34 pm Closed: 9:59 pm

(30) Discussion and possible action regarding items discussed in Executive Session (if needed).

No Action

(31) Adjournment.

Motion: Mayor Pro Tem Branch

Second: Alderwoman Taylor

For: Alderman Hill

Approve: Mayor D Branch Motion Carried

Darrell Branch

Darrell Branch, Mayor

ATTEST:

Stephanie L...

City Secretary