



City of Killeen

Legislation Text

File #: MN-18-022, Version: 1

Consider Minutes of Regular City Council Meeting of September 11, 2018.

City of Killeen
Regular City Council Meeting
Killeen Utilities Collections Conference Room
September 11, 2018 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers, Butch Menking, Juan Rivera, Gregory Johnson (arrived at 5:08 p.m.), Shirley Fleming, Debbie Nash-King, and Steve Harris

Also attending were City Manager Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Mr. Jones gave the invocation, and Councilmember Fleming led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Kilpatrick to approve the agenda as written. Motion was seconded by Councilmember Fleming. The motion carried unanimously.

Minutes

Motion was made by Councilmember Menking to approve the minutes of the August 21, 2018 Special City Council Meeting and the August 28, 2018 Regular City Council Meeting. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

Resolutions

RS-18-075 Consider a memorandum/resolution to enter into an agreement with the Greater Killeen Chamber of Commerce for economic development services.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke provided the background of the chamber agreement and the services that have been provided since 1987. During the September 4, 2018 City Council Workshop meeting, city council directed the City Manager to work with the Chamber of Commerce on a transition plan that would separate the Killeen Economic Development Corporation from the Chamber of Commerce, creating two separate entities. As that transition is being researched and possibly implemented over an undetermined amount of time, staff is recommending that City Council

authorize the City Manager or designee to execute the agreement for FY2019 with the Greater Killeen Chamber of Commerce and set the contribution amount of \$338,700.

Motion was made by Mayor Pro Tem Kilpatrick to approve RS-18-075. Motion was seconded by Councilmember Fleming. Motion carried 5 to 2 with Councilmember Harris and Councilmember Johnson in opposition.

RS-18-076 Consider a memorandum/resolution to enter into an agreement with the Killeen Economic Development Corporation for economic development services.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke provided a background of the KEDC agreement and the services that have been provided since 1990. Staff recommends that City Council authorize the City Manager or designee to execute an agreement with the Killeen Economic Development Corporation and set the FY 2019 contribution amount of \$386,354.

Motion was made by Councilmember Fleming to approve RS-18-076. Motion was seconded by Councilmember Nash-King. Motion carried 6 to 1 with Councilmember Harris in opposition.

RS-18-077 Consider a memorandum/resolution approving the acceptance and disposition of the Homeland Security Grant - Office of the Governor.

Staff Comments: Brian Brank, Fire Chief.

The Killeen Fire Department has applied for and received a grant from the Homeland Security Office of the Governor in the amount of \$22,626.67. This grant will be used to replace outdated equipment currently used on the haz-mat vehicle (ChemPro100i and Level A Haz-Mat Suites) that will enhance the fire department's capabilities when responding and identifying chemical warfare agents. Staff recommends that the City Manager or his designee be the authorized official and be given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City. City staff further recommends the City Manager or his designee be authorized to execute the purchase of Chempro 100i detector and Level A suits within the required state purchasing law and city policy and that the City Manager or his designee be expressly authorized to execute any and all change orders within the amounts set by state and local law.

Motion was made by Councilmember Rivera to approve RS-18-077. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-18-078 Consider a memorandum/resolution authorizing an agreement for HVAC repairs at the Police Department Headquarters.

Staff Comments: Charles Kimble, Chief of Police.

Chief Kimble gave an overview of the repairs that are needed on the HVAC system at the police headquarters building. The police department is currently under contract with The Brandt Companies, LLC (TASB BuyBoard #558-15) for on-going maintenance of the HVAC system. The proposed repair cost in the amount of \$38,092 will be performed under TASB BuyBoard #461-14. This expense plus pre-budgeted maintenance and repairs performed under the existing maintenance contract will cause expenses paid to this vender to exceed \$50,000 this fiscal year. Funding has been identified and is available for the heat and air repairs to be completed. City staff recommends that the City Manager or his designee be authorized to execute the agreement for repairs of the HVAC System at the Police Headquarters building by The Brandt Companies, LLC., through the TASB BuyBoard.

Motion was made by Councilmember Nash-King to approve RS-18-078. Motion was seconded by Councilmember Menking. Motion carried unanimously.

RS-18-079 Consider a memorandum/resolution appointing members to various citizen boards and commissions

Staff Comments: Kathy Davis, City Attorney.

Staff recommends that City Council appoint new member individuals to fill vacancies and expired terms, as well as, make re-appointments to positions as necessary. The following indicates the proposed appointments/re-appointments:

Animal Advisory Committee (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Petra Cannon	Term Expired	Dirk Davis	Citizen Rep	Yes (6)	
Katherine Fischer	Term Expired	Leo Gukeisen	Citizen Rep	Yes (6)	
Linda Knotts	Term Expired	Linda Knotts	Citizen Rep	No	Yes
Lynette Boughton	Term Expired	Lynette Boughton	Citizen Rep	No	Yes
Peter Stanonik	Term Expired	Peter Stanonik	Citizen Rep	No	Yes
Natalie Pitman	Term Expired	Natalie Pitman	Citizen Rep	No	Yes
Melinda Harken-Hensley	Term Expired / Attendance	Janice Holladay	Citizen Rep		
Michael Joyner (unexpired 17-19)	Filled Vet Position	Shirley Del Conte	Citizen Rep		
George Fox	Term Expired	George Fox	Ex-Officio	No	Yes
Linda Marzi	Term Expired	Linda Marzi	Ex-Officio	No	Yes

Arts Commission (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Nelson Santiago	Term Expired	Nelson Santiago	Member-at-Large	No	Yes
John Doranski(unexpired 16-19)	Resigned	R. Flores-Achmad	Member-at-Large		
Vantonio Fraley	Term Expired/Resigned	John Miller	Folk Art/Paint/Scpl		
John Miller	Fill Folk Art Pos	Position Eliminated	Member-at-Large		
Rachel Brent	Term Expired	Position Eliminated	Member-at-Large		

Audit Committee (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
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Bob Blair	Term Expired	Bob Blair	Citizen Rep	No	Yes
Jack Ralston	Term Expired	Jack Ralston	Citizen Rep	No	Yes

Board of Adjustment - Construction (Sub-Comm: D. Nash-King, S. Fleming)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Royce Bowles	Term Expired	Royce Bowles	Electrical Contractor	Yes (15)	Yes
John Deane	Term Expired	John Deane	Mechanical Contractor	Yes (12)	Yes
Michael Jahns	Term Expired/Resigned	Kent Stephens	Health District Rep		

Board of Adjustment - Fire Prevention Code (sub-comm: J. Kilpatrick, D. Nash-King)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Michael Neujahr	Term Expired	Reginald Cole	Citizen Rep	No	
Sean Payton	Term Expired	Sean Payton	Citizen Rep	No	Yes
Tommy Litton	Term Expired	Michael Turo	Alternate	No	
Clifford Pinkerton	Term Expired	Ronald Blackman	Citizen Rep	Yes (6)	

Board of Adjustment - Airport Hazard Zoning (sub-comm: S. Fleming, S. Harris)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Phil Haggerty	Term Expired	Phil Haggerty	Aviation Exp	Yes (14)	Yes
Charlie Watts	Term Expired	Jim Livingston	Citizen Rep	No	
Glenn Birmingham	Term Expired	Glenn Birmingham	Aviation Exp	No	Yes
Robert Harmon	Term Expired	Robert Harmon	Aviation Exp	No	Yes
Barbara Taylor	Term Expired	Barbara Taylor	Citizen Rep	Yes (8)	Yes

Board of Adjustment - Zoning (Sub-Comm: J. Kilpatrick, D. Nash-King)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Millie Cotto	Term Expired	Millie Cotto	Citizen Rep	Yes (8)	Yes
Sandra Johnson	Term Expired	Sandra Johnson	Citizen Rep	Yes (6)	Yes
Joel Steine	Term Expired	Joel Steine	Citizen Rep	Yes (6)	Yes
Tad Dorroh,P&Z Rep*	Term Expired	TBD	P&Z Rep	No	Yes
Claudia Bentley	Term Expired	Claudia Bentley	Citizen Rep	No	Yes

Civil Service Commission (City Manager)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Kelly Jenks	Term Expired	Kelly Jenks	Citizen Rep	Yes (6)	Yes

Community Development Advisory Committee (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
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Richard Banta	Term Expired	Richard Banta	Citizen Rep	No	Yes
Kim Barr	Term Expired	Luvina Sabree	Citizen Rep	Yes (9)	
Angelia Batie	Term Expired	Johnny Frederick	Citizen Rep	Yes (6)	
Nick Guajardo	Term Expired	Nick Guajardo	Citizen Rep	No	Yes
Riakos Adams	Term Expired	Riakos Adams	Citizen Rep	No	Yes
Andre Owens	Term Expired	Andre Owens	Citizen Rep	No	Yes

Heritage Preservation Board (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Jeb Burns (unexpired 17-20)	Resigned	Placidio Rivera	Architect/Rehabilitation Const. Exp		
Leonard Mantey (unexpired 16-19)	Resigned	Holly Teel	Citizen Rep		

Killeen Housing Authority (Mayor)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Erma Taylor	Term Expired	Erma Taylor	Resident Memb	No	Yes
Frederick Bee	Term Expired	Frederick Bee	Citizen Rep	Yes (6)	Yes
Daryl Peters	Term Expired	Daryl Peters	Citizen Rep	No	Yes
Minerva Trujillo	Term Expired	Minerva Trujillo	Citizen Rep	Yes (8)	Yes

Killeen Sister Cities (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Angel Rivera	Term Expired	Eliminated	Osan Rep-Cmte is Dormant		
Anna Rice	Term Expired	Kamal Rangel	YAC Rep, Ex-Officio		

Killeen Volunteers, Inc. (Sub-Comm: J. Kilpatrick, D. Nash-King)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
AnaLuisa Carrillo-Tapia	Term Expired	AnaLuisa Carrillo-Tapia	Citizen Rep	No	Yes
Misty Baumgrotz (unexpired 17-19)	Attendance	Michael Hodges	Citizen Rep		
Raquel Watkins	Term Exp/Resigned	Maceia Roscoe	Citizen Rep		
Linda Knotts (unexpired 17-19)	Filled VKI Rep Seat	R. Flores-Achmad	Citizen Rep		
Vera Simpson	Vol Killeen Rep	Linda Knotts	Vol Killeen Rep		

Raymond Perez	Cel Killeen Rep	Terry Mustapher	Cel Killeen Rep		
Laura Moreno	KKB Rep	Bonita Henderson	KKB Rep		
Brian Sunshine	CTC Rep	Rudy Sandoval	CTC Rep		
Olivia Winder	YAC Rep	To Be Determined	YAC Rep		

Planning & Zoning Commission - Identify Positions and Apply Correct Terms Appointed to:

Position 1	Ben Purser (appt 2016* - 2015-2018)	Term 1
Position 2	Sean Payton (appt 2017* - 2015-2018)	Term 1
Position 3	Tad Dorroh (appt 2012 - 2015-2018)	Term 2
Position 4	Kirk Latham (appt 2016 - 2016-2019)	Term 1
Position 5	Anthony Cooper (appt 2013 - 2016-2019)	Term 2
Position 6	Eugene Kim (appt 2017* - 2016-2019)	Term 1
Position 7	Larry Holly (appt 2017 - 2017-2020)	Term 1
Position 8	Daryl Peters (appt 2016* - 2014-2017)	Term 1
Position 9	Vacant (unexpired term 2017-2020)	Term 1

Planning & Zoning Commission (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Pos 1 - Ben Purser	Term Expired	Ben Purser	Citizen Rep	No	Yes
Pos 2 - Sean Payton	Term Expired	Sean Payton	Citizen Rep	No	Yes
Pos 3 - Tad Dorroh	Term Expired	Ramon Alvarez	Citizen Rep	Yes (6)	
Pos 9 - (unexpired 17-20)	Resigned	Sandra O'Brien	Citizen Rep		
Pos 8 - Daryl Peters	Retro Action	Daryl Peters	Citizen Rep	No	Yes (17-20)

Senior Citizen Advisory Board (Sub-comm: S. Fleming, S. Harris)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Marjorie Banta (unexpired 2016-19)	Resigned	Mark Hyde	Citizen Rep		
Sean Payton (unexpired 2016-19)	Resigned	Monika Spilman	Citizen Rep		
Lisa Kerschner (unexpired 2016-19)	Resigned	Llewellyn Walker	Citizen Rep		
Larry Egly (unexpired 2016-19)	Resigned	Vacant	Citizen Rep		
Tommi Fettig (unexpired 2017-20)	Resigned	Vacant	Citizen Rep		

Tax Increment Reinvestment Zone #2 (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Patton Kaufman	Term Expired	Patton Kaufman	City Rep	Yes (10)	Yes

Tree Advisory (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Rosemary Kana	Term Expired		Citizen Rep	No	No

Peter Stanonik	Term Expired		Citizen Rep	Yes (6)	?
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*No appointments are being recommended to the Tree Advisory Board at this time, city staff is researching the past activity of this board prior to moving forward with appointing new members.

Motion was made by Councilmember Johnson to approve RS-18-079. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

RS-18-080 Consider a memorandum/resolution rescheduling the regular City Council meetings of October 2018.

Staff Comments: Mayor Segarra.

Mayor Segarra identified that the second Tuesday of October, a regularly scheduled council meeting date, falls during the national Association of the United States Army meeting. Due to a lack of a quorum, it is requested that the City Council meeting scheduled for October 9, 2018 be rescheduled for October 16, 2018 and that the October 16, 2018 workshop meeting be rescheduled for October 23, 2018 followed by the October 23, 2018 regular meeting being rescheduled to October 30, 2018.

Motion was made by Mayor Pro Tem Kilpatrick to approve RS-18-080. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-18-081 Consider a memorandum/resolution adopting 2018-2019 Federal Legislative Principles.

Staff Comments: Hilary Shine, Executive Director of Communications.

Ms. Shine gave a brief overview of the agenda item identifying that staff has developed a draft of the 2018-2018 legislative principles that will serve as a guide for representing the City's interests at the federal level. In general, the proposed federal principles support legislation that maintains or enhances municipal authority to govern local services, revenue and economic development policies. As well as, oppose unfunded mandates. A formal list of principles has been developed and includes positions of support as it pertains to defense (Fort Hood), public safety, transportation, environment, emergency preparedness, community development, finance and communications. Staff recommends that City Council approve adoption of the 2018-2019 Federal Legislative Principles.

Motion was made by Councilmember Rivera to approve RS-18-081. Motion was seconded by Councilmember Menking. Motion carried unanimously.

Public Hearings

PH-18-027A HOLD a public hearing and consider an ordinance submitted by the City of Killeen (**FLUM #18-16**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Residential' designation for 902 Judy Drive and from an 'Estate' designation to a 'suburban Commercial' designation for 6304 Trimmier Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'SUBURBAN COMMERCIAL' TO 'GENERAL RESIDENTIAL' FOR 902 JUDY DRIVE AND FROM 'ESTATE' TO 'SUBURBAN COMMERCIAL' FOR 6304 TRIMMIER ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner

This request is to facilitate an extension of the Deorsam Estates community while preserving the commercial frontage along the Trimmier Road corridor. The Planning and Zoning Commission recommended approval of the FLUM amendment by a vote of 5 to 0. If approved, the FLUM designation for the 2.57 acres located at 902 Judy Drive will be changed from 'Suburban Commercial' to 'General Residential'. The 'General Residential' designation allows greater flexibility to the development marketplace as it allows for a variation of different residential housing types. Additionally, page 2.15 of the Comprehensive Plan details that " *neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) 'GR' areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses.*" In this regard, the 'General Residential' designation does not diminish the community character of this area.

Secondly, if approved, the FLUM designation for the 2.91 acres located at 6304 Trimmier Road will be changed from 'Estate' to 'Suburban Commercial'. This property is platted as Lot 20, Block 1, Southwest Crossing, and is commercially zoned, has frontage along a minor arterial and is strategically located at an intersection. The current owner has informed Staff that they have no intention of changing the zoning to utilize it for future 'Estate' development types.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke in opposition of the request.

With no one else appearing, the public hearing was closed.

Motion was made by Mayor Pro Tem Kilpatrick to approve PH-18-027A. Motion was seconded by Councilmember Rivera. Motion carried 6 to 1 with Councilmember Harris in opposition.

PH-18-027B HOLD a public hearing and consider an ordinance requested by Killeen EGS Property, Ltd., and Bentina Ltd. (**Case #Z18-16**) to rezone approximately 2.573 acres, out of the Azra Webb Survey, Abstract No. 857, from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "SF-2" (Single-Family Residential District) uses. The property is located at 902 Judy Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM B-3 (LOCAL BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH SF-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain, City Planner.

The applicant is requesting approval of a twelve lot development, with a decrease of the minimum required front yard setback of 25' to 20'. In exchange for the front yard setback modification, the applicant is proposing an increase of the minimum masonry requirement of 50% to 75% of brick, stucco or stone veneer for all exterior walls excluding doors, windows and gables; all other standards would apply. Staff notified twenty-five (25) surrounding property owners within a 200' notification boundary. No written responses have been received. One resident,

Ms. Debra Patterson - 6906 Alvin Drive, spoke in opposition to the request. The Planning and Zoning Commission's recommendation (by a vote of 5 to 0) is for approval of the applicant's request with the added condition that any alternate sidewalk placement meet current ADA guidelines.

Applicant: Ms. Anca Neagu from Killeen Engineering Services spoke in favor of the request, ensuring that the proposed development is consistent with existing structures in the same area.
Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive- spoke in opposition of the request.
Holly Teel, 1704 Hooten Street - spoke in opposition of the request.

With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Nash-King to approve PH-18-027B. Motion was seconded by Mayor Pro Tem Kilpatrick. Motion carried 6 to 1 with Councilmember Harris in opposition.

PH-18-028 HOLD a public hearing on the proposed tax rate of 0.7575 for the fiscal year beginning October 1, 2018 and ending September 30, 2019, and announce the meeting to adopt the tax rate on September 18, 2018. **(2nd of 2 Public Hearings)**

Staff Comments: Jon Locke, Executive Director of Finance

On August 21, 2018, City Council set the preliminary tax rate at 0.7575 per \$100 valuation and adopted a resolution scheduling the adoption of the tax rate for September 18, 2018, and setting public hearings for September 4, 2018, and September 11, 2018, on the proposed tax rate for the FY 2019 Proposed Annual Budget and Plan of Municipal Services. The effective tax rate for FY 2019 is 0.7449. The rollback tax rate adjusted for sales tax for FY 2019 is 0.7575. Since the preliminary tax rate was set above the effective tax rate, Texas Property Tax Code requires that two public hearings be held prior to the adoption of the final tax rate. Staff recommends the City Council conduct the second of two public hearings to receive comments on the proposed tax rate of 0.7575 per \$100 valuation for fiscal year October 1, 2018, through September 30, 2019, and announce meeting to adopt the proposed tax rate on September 18, 2018.

Mayor Segarra opened the public hearing.

Jordan Clark, 2103 Graney Drive - spoke against raising the tax rate.
Mellisa Brown, 6105 Melanie Drive - spoke against raising the tax rate.

With no one else appearing, the public hearing was closed.

Mayor Segarra announced that this was the second and final public hearing on the proposed tax rate. The meeting to adopt the tax rate will be held on September 18, 2018 at 5:00 p.m. at 210 West Avenue C, Killeen, Texas.

PH-18-029 HOLD a public hearing on the FY 2019 Proposed Annual Budget and Plan of Municipal Services for the fiscal year beginning October 1, 2018 and ending September 30, 2019. **(2nd Public Hearing)**

Staff comments: Jon Locke, Executive Director of Finance.

During the September 4, 2018 Special City Council meeting; the City Council proposed the following changes to the FY 2019 Proposed Budget: 1) Change the funding for Hill Country Transit to equal the \$120,850 funded in the FY 2018 Adopted Budget. The remaining \$334,899 will be moved to a reserve appropriation account. 2) Establish a \$400,000 budget for the Sanitary Sewer Service Maintenance Program. The City Charter requires a public hearing be held after the City Council increases or decreases items of the proposed budget. City staff recommends that public hearing be held as required.

Mayor Segarra opened the public hearing.

Holly Teel, 1704 Hooten Street - spoke in favor of the proposed budget but against how travel funds at the department level are spent.

Mellisa Brown, 6105 Melanie Drive - spoke against funds being spent on museum contributions and how future capital improvement projects are budgeted.

With no one else appearing, the public hearing was closed.

Mayor Segarra announced that City Council voted on September 4, 2018 to set the date of September 18, 2018 to adopt the FY 2019 Proposed Budget, the meeting will start at 5:00 p.m. and will be held at 210 West Avenue C, Killeen, Texas.

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember