



**CITY OF BRADY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 17, 2015 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 November 17, 2015, at the City of Brady Service Center, located at 1405 N. Bridge 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

Latricia Doyal  
Mayor Pro Tem

Kathy Gloria  
Council Member

Shelly Perkins  
Council Member

Marilyn Gendusa  
Council Member

Jack Turk  
Council Member

Kim Lenoir  
City Manager

Shannon Kackley  
City Attorney

Tina Keys  
City Secretary

Platinum  
Level



Texas Comptroller  
Leadership Circle

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AUDIT BOARD**

**4. APPROVAL OF MINUTES – November 3, 2015**

**5. PUBLIC COMMENTS**

Public comments are reserved for items NOT listed on the agenda. Please address public comments regarding items ON the agenda under “Individual Concerns” during public comments and discussion of those items. To speak, please fill out notecard and give to City Secretary.

**6. PRESENTATIONS AND PUBLIC HEARINGS**

- A. Housing Study – James Griffin
- B. Drinking Water Project (Radium Reduction) Status Update

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding Resolution 2015-044 to canvass Special Election Vote
- B. Discussion, consideration, and possible action regarding first reading of Ordinance 1184 to authorize the sale of the electric substations to LCRA
- C. Discussion, consideration and possible action regarding first reading of Ordinance 1185 Junked Vehicle Ordinance Changes
- D. Discussion, consideration, and possible action regarding second and final reading of Ordinance 1183 to revise Fee Schedule for Animal Services
- E. Discussion, consideration, and possible action regarding City of Brady Sales Tax Rebate Economic Development Incentives for the proposed/possible US Cement Plant, not to exceed \$297,000 over 9 years up to \$33,000 per year

- F. Discussion, consideration, and possible action regarding approval of the Brady Economic Development Corporation (BEDC) recommended Economic Development Incentives for the proposed/possible US Cement Plant (Maximum cost of \$556,000 over 10 years - \$250,000 one time, plus 9 years up to \$34,000 per year)
- G. Discussion, consideration, and possible action regarding acceptance of BEDC Annual Report
- H. Discussion, consideration, and possible action regarding acceptance of McCulloch County/Brady Chamber of Commerce Annual Tourism Report
- I. Discussion, consideration, and possible action regarding acceptance of the City Manager's Annual Report on the status of the City of Brady Comprehensive Plan, and authorize publishing the report
- J. Discussion, consideration, and possible action regarding appointment of members to the McCulloch County Appraisal District
- K. Discussion, consideration, and possible action regarding Resolution 2015-045 authorization for street closures for first Lighted Christmas Parade, Dec 5
- L. Discussion regarding proposed Distributed Generation (DG) Ordinance and advise Staff as necessary
- M. Discussion regarding proposed revisions to City of Brady Personnel Policy and advise Staff as necessary
- N. Discussion regarding adopting city limit map updates/corrections and advise Staff as necessary

## 8. STAFF REPORTS

- A. Monthly Financial Reports for October
- B. Monthly Activity Reports – Seniors; Golf; BPD; Animal Control Services
- C. November 21 – Hunter's Appreciation Dinner
- D. Nov 23, 30 or Dec 1, 1pm – City Council Work Session to discuss Municipal Court Operations / FY 2016 Budget Amendments
- E. Nov 26 & 27 – City Offices Closed – Thanksgiving Holidays
- F. **City Hall will open Friday, Nov 27, 10am to 2pm for utility payments only.**
- G. Thursday and Friday trash pick-up moved to Wednesday, Nov 25
- H. Landfill will be closed – Thurs (Nov 27), Fri (Nov 27), and Sat (Nov 28)

## 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

## 10. EXECUTIVE SESSION

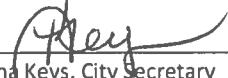
The City Council of the City of Brady will adjourn into Executive Session for the following:

- A. 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 regarding its electric utility – proposed contract with LCRA.
- B. 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 cement plant (US Cement), 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.
- C. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real property 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 551.074 (Personnel Matters) the City Council will deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – City Manager.

## 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 11-13-15 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. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may

be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such 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 about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (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 a written interpretation of 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 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, November 3, 2015 at 6:00p.m. at the Ed Davenport Civic Center, 200 Country Club Rd., Brady, Texas with Mayor Anthony Groves presiding. Council members present were Marilyn Gendusa, Jack Turk, Kathy Gloria and Shelly Perkins. City staff present were City Secretary Tina Keys, Director of Public Works Steven Miller, Director of Finance Lisa Remini, Director of Community Services Peter Lamont, Police Chief Steve Thomas, Asst Fire Chief William Cox, ACO Katherine Mitchell, Bonney Smith and City Attorney Shannon Kackley. Others in attendance were Lynn Farris, Trooper Smith, George Matula, Mary Bradshaw, Beverly Sherwood, S.B. Ross, Layra Greenwood, Kinnan Golemon, Cherise Carter, Hank Lee, Richard Hemingway, Ronnie Reinisch, John Daegen, Anita Ellison, Janabeth Hanson, Charles Hanson, Anna Cox, Eddie Cox, Jeanagayle Smith, Jackie Behrens and Don Miller.

**1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF A QUORUM**

Mayor Groves called the meeting to order at 6:00 p.m. Roll was then called for Council and a quorum was certified.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Gendusa gave the invocation, and the Pledge of Allegiance was recited.

**3. APPROVAL OF AUDIT BOARD**

Council Member Gendusa moved to approve the audit board. Seconded by Council Member Turk. All Council Members voted "aye" and none "nay". Motion carried.

**4. APPROVAL OF MINUTES for October 20, 2015**

Council Member Gendusa moved to approve the minutes. Seconded by Council Member Doyal. Council Member Perkins questioned item D which is a Resolution. Per the Charter Chapter 3.16, an ordinance must be used for an item requiring funding, not a resolution. Peter Lamont commented we aren't committing funds at this time. It allows staff to apply for a grant. The ordinance will come once we are awarded the grant. All Council Members voted "aye" and none "nay". Motion carried.

**5. PUBLIC COMMENTS**

No public comments

**6. PRESENTATIONS AND PUBLIC HEARINGS**

- A. Retail Coach Brady Study – Demographic Profile, Primary/Secondary Retail Trade Areas and GAP/Opportunity Analysis – Peter Lamont presented to Council
- B. Wastewater Treatment Plant Replacement Project (Clean Water) Status Report. Steve Miller and Trooper Smith Presented
- C. WWTP Current Conditions – Steve Miller presented. Mayor Groves discussed what could happen if plant fails.
- D. Drinking Water Project (Radium Reduction) Status Report – delayed until next meeting

**7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration, and possible action regarding **second and final** reading of Ordinance 1182 to amend FY 2014-15 Final Budget (reducing budget by \$2,615,982). Lisa Remini presented to Council. **Mayor: "Do I have a motion to read the full ordinance?" No motion was made, Mayor stated in accordance with City Charter: "A majority of the City Council has dispensed with the full reading of the ordinance."** Mayor asked: **"Madam City Secretary to read the Ordinance Preamble for the record in accordance with the City Charter."** City Secretary read the preamble. Mayor called for a motion: Council Member Gendusa moved to approve second and final reading of Ordinance 1182. Seconded by Council Member Doyal. All Council Members voted "aye" and none "nay". Motion carried.
- B. Discussion, consideration, and possible action regarding **first** reading of Ordinance 1183 to revise Fee Schedule for Animal Services. Peter Lamont presented to Council. Council recommended changing wording on Impound Fees from "\$150 all subsequent offenses" to "\$150 each subsequent offense" and change to "\$50 if altered or \$90 if not altered". **Mayor: "Do I have a motion to read the full ordinance?" No motion was made, Mayor stated in accordance with City Charter: "A majority of the City Council has dispensed with the full reading of the ordinance."** Mayor asked: **"Madam City Secretary to read the Ordinance Preamble for the record in accordance with the City Charter."** City Secretary read the preamble. Mayor called for a motion: Council Member Gendusa moved to approve first reading of Ordinance 1183 with correction. Seconded by Council Member Turk. All Council Members voted "aye" and none "nay". Motion carried.
- C. Discussion regarding City of Brady Sales Tax Rebate Economic Development Incentives for the proposed/possible US Cement Plant, not to exceed \$297,000 over 9 years or \$33,000 per year. Peter Lamont presented to Council. Council Member Doyal asked if this is for the City of Brady and EDC. Lamont responded that yes, these obligations are being proposed for both but the details are slightly different. Council Member Doyal asked how the sales tax grant is based. Lamont replied if they bring in 175 jobs the \$33,000 grant will be reduced by 12.5%. Council Member Perkins suggested paragraph no. 4, the word "City" should be inserted and would like to increase the buffer zone to 100 feet. Peter Lamont advised that an industrial setback is 50 feet in the City but they may agree to 100 feet. Council Member Gendusa would like to see more than 100 feet. Council Member Turk questioned if all this works out and they build the plant, what happens if they sell it to somebody else? Will the negotiations stand? Lamont responded, yes, we can include that in the agreement. Mayor Groves commented that this would be an agreement with US Cement so if US Cement no longer owns it, the agreement would go away. Attorney Kackley confirmed we can put a clause in the agreement. Council Member Perkins would like the City of Brady obligations made clearer by saying they would provide 9 annual grants of \$33,000 each. Council Member Perkins would like to see something that says US cement would provide a public relations officer or something along those lines. Lamont said we will make sure they have a local contact point. Council Member Perkins has concerns about safety and explosions. Mayor Groves suggests Peter Lamont check into requirements. George Matula would like explained how much money would be coming from City and EDC – City \$297,000 over 9 years. EDC - \$556,000 over 10 years. \$250,000 plus \$34,000 over 9 years or \$306,000. Mayor Groves reiterated that is money paid after plant is complete and there is a \$33,000 increase in sales tax and employees are hired. If they don't reach those amounts, they don't get those amounts. Mayor Groves stated the money is already on hand in reserves. Council Member Doyal stated the \$33,000 is based on sales tax increase. Don Miller asked Peter Lamont if we can index growth to consumer price index if that's what we want to pursue. Council Member Gendusa asked are you thinking it should be 34% more than what we normally have? The new business will increase sales tax? We are saying increase is due to US cement so they get a percentage of that. If it's less they get less, if it's more they get \$33,000. Mayor Groves replied that there are several ways we can do it. We can go back 5 years. As of now, we are talking an increase over last year. Kennan Golemon stated he is trying to make it clear that this is a nuisance. George Matula stated he has done a tremendous amount of research. This is a start up company. Maggie & Larry Sawyer stated a 50 or

100 foot buffer will make no difference. Dale Matthews commented that folks are opposed to that site Mike Rice said he has been to Buda and Waco. Anna Cox who lives on small ranch asked Council to look at what you're doing to your neighbors and has concerns about value of property and impact of potential omissions.

- D. Discussion regarding revisions to Junked Vehicle Ordinance. Peter Lamont presented to council. Council Member Perkins noted the first paragraph, the word "off" should be "of" and in the third paragraph, regarding an "attractive nuisance" is this legal term? Council replied yes. It is following state statutes. Also, under section 8.206 – item A – any authorized person may remove – is that police department? Should it be elaborated? Lamont responded that we can define authorized person.

Council took a recess at 8:55 p.m. and returned at 9:10 p.m.

## 8. STAFF REPORTS

- A. City Council Meetings will move to the Service Center, 1405 North Bridge Street
- B. Nov 11, City Offices Closed – Veterans Day (no changes to trash schedule)
- C. November 21 – Hunter's Appreciation Dinner
- D. Nov 26 & 27 – City Offices Closed – Thanksgiving Holidays
- E. City will open for Utility Payments Only Friday, Nov 27, 10am to 2pm
- F. Thursday and Friday trash pick-up moved to Wednesday, Nov 25
- G. Landfill will be closed – Thurs (Nov 26), Fri (Nov 27) , and Sat (Nov 28)

## 9. ANNOUNCEMENTS

No announcements

## 10. EXECUTIVE SESSION

Council closed open session at 9:13 p.m. and went into executive session at 9:14p.m.

- A. 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 regarding its electric utility – proposed contract with LCRA.
- B. 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 cement plant (US Cement Plant) development project 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.
- 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 prospective 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 property as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person.

Executive Session adjourned at 10:52 p.m.

**11. Open Session Action on any Executive Session Item listed above, if needed**

Regular Session reconvened at 10:52 p.m. No action was taken during or as a result of executive session.

**12. ADJOURNMENT**

There being no further business the Mayor adjourned the meeting at 10:54 p.m.

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Mayor Anthony Groves

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.A.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding approval of Resolution 2015-044 to Canvass the November 3, 2015 Election		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	11/10/2015
<b>EXHIBITS:</b>	Resolution 2015-044		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b> <p>A Special Election was held on November 3, 2015 and that Election requires Canvassing before the results become official. This Resolution is being presented along with the Unofficial results for Council's consideration.</p>			
<b>RECOMMENDED ACTION:</b> <p>Motion to approve Resolution 2015-044 declaring the results of the November 3, 2015 election official.</p>			

**RESOLUTION NO. 2015-044**

**STATE OF TEXAS  
COUNTY OF MCCULLOCH**

**AN ORDER DECLARING THE RESULTS OF  
THE CITY OF BRADY SPECIAL ELECTION  
HELD NOVEMBER 3, 2015**

**WHEREAS**, the City Council of the City of Brady resolved and ordered that a Special Election be held on November 3, 2015 in the City of Brady, Texas for the purpose of authorizing the sale of real property, with improvements, owned, held, or claimed by the City as its electric substations to the Lower Colorado River Authority.

**WHEREAS**, there came to be considered the returns of the election held on the 3rd day of November, 2015; and

**WHEREAS**, the returns of said election having been duly canvassed by the City Council; and

**WHEREAS**, there were 544 votes FOR and 170 votes against.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRADY,  
TEXAS that:**

The City Council officially finds, determines, and declares that the election was duly and properly ordered, that the proper legal notice of such election was duly given in the English language and the Spanish language, that proper election officers were duly appointed prior to the election that the election was duly and legally held, that all resident, qualified electors of the City were permitted to vote at the election and due return of the results of the election has been made and delivered, and that the City of Brady has duly canvassed such returns, all in accordance with the laws of the State of Texas and the United States of America and the resolution calling the election.

**PASSED AND APPROVED** this the 17<sup>th</sup> day of November 2014.

**City of Brady**

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Anthony Groves, Mayor

**ATTEST:** \_\_\_\_\_  
Tina Keys, City Secretary

# Canvass Report — Total Voters — Unofficial

McCULLOCH COUNTY, TEXAS — CONSTITUTIONAL AMENDMENT ELECTION — November 03, 2015  
11/10/2015 09:46 AM  
Page 8 of 10  
Total Number of Voters : 1,477 of 5,048 = 29.26%  
Precincts Reporting 9 of 9 = 100.00%

## PROPOSITION Brady

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	AGAINST		Totals
						FOR	AGAINST	
101	297	73	370	0	0.00%	261	75	336
201	86	34	120	0	0.00%	70	40	110
301	172	55	227	0	0.00%	173	41	214
401	42	21	63	0	0.00%	40	14	54
Totals	597	183	780	0	544	170	714	

City Council  
City of Brady, Texas

## Agenda Action Form for Ordinance

AGENDA DATE:	11-17-2015	AGENDA ITEM	7.B.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding <b>first</b> reading of Ordinance 1184 to authorize the sale of the electric substations to LCRA		
PREPARED BY:	T. Keys	Date Submitted:	11-13-15
EXHIBITS:	Ordinance 1184		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>The November 3 Special City Election passed and authorized the sale of the electric substations to LCRA.</p> <p>Staff will be available to answer any questions.</p>		
RECOMMENDED ACTION:	<p><b>Mayor:</b> <u>“Do I have a motion to read the full ordinance?”</u></p> <p><b>If no, Mayor will state:</b> <u>“A majority of the City Council has dispensed with the full reading of the ordinance.”</u></p> <p><b>Mayor will ask:</b> <u>“Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter.”</u> <u>“Secretary reads preamble”</u></p> <p><b>Mayor calls for a motion:</b> Move to approve first reading of Ordinance 1184</p>		

**ORDINANCE NO. 1184**

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS, AUTHORIZING  
THE SALE OF THE ELECTRIC SUBSTATIONS TO LCRA IN  
ACCORDANCE WITH THE CITY ELECTION HELD NOVEMBER 3, 2015  
AS REQUIRED BY THE BRADY CITY CHARTER**

**WHEREAS**, the City of Brady, Texas (hereinafter the “City”) has established the desire to sale the electric substations to LCRA; and

**WHEREAS**, in accordance with City Charter a Special Election was held November 3, 2015 to authorize the sale of the electric substations; and

**WHEREAS**, the voters approved the sale of the electric substations to LCRA; and

**WHEREAS**, the Mayor will be authorized to sign the sale contract with LCRA; and

**WHEREAS**, this transaction has been deemed the most prudent for the continuing operation of the City-owned Electric Distribution System, and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, THAT:**

That this Ordinance is hereby adopted and the Mayor is authorized to sign the sale contract with LCRA.

**PASSED, APPROVED** by the City Council of the City of Brady, Texas, on FIRST READING at a regular meeting held on this the 17<sup>th</sup> of November, 2015.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Brady, Texas, on SECOND READING at a regular meeting held on this the 1<sup>st</sup> of December, 2015.

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Mayor

ATTEST:

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City Secretary

City Council  
City of Brady, Texas

## Agenda Action Form for Ordinance

AGENDA DATE:	11-17-2015	AGENDA ITEM	7.C.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding the <b>first</b> reading of Ordinance 1185 Junked Vehicle Ordinance		
PREPARED BY:	P Lamont	Date Submitted:	11-13-2015
EXHIBITS:	Proposed Ordinance 1185 Junked Vehicle Ordinance		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
<b>SUMMARY:</b> City staff and the City Attorney have been working with the Municipal Code Court to update the rules and procedures for the Junk Vehicle Ordinance.  Council was presented with this item for comment on November 3, 2015. The results of those discussions have been incorporated into the proposed ordinance.			

<b>RECOMMENDED ACTION:</b>
<b>Mayor:</b> <u>“Do I have a motion to read the full ordinance?”</u>
<b>If no, Mayor will state:</b> <u>“A majority of the City Council has dispensed with the full reading of the ordinance.”</u>
<b>Mayor will ask:</b> <u>“Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter.”</u> <b>“Secretary reads preamble”</b>
<b>Mayor calls for a motion:</b> Move to approve <b>first</b> reading of Ordinance 1185

ORDINANCE NO. 1185

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS  
AMENDING THE CITY OF BRADY CODE OF ORDINANCES CHAPTER 8  
OFFENSES AND NUISANCES BY AMENDING ARTICLE 8.200, TITLED  
JUNKED VEHICLES; PROVIDING FOR A CUMULATIVE & CONFLICTS  
CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS  
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 1.04 of the City's Charter permits the City to pass and enforce ordinances, not inconsistent with the Charter and State law, to make and enforce all police, health, and sanitary regulations; as may be expedient for the protection and maintenance of good government, for peace and welfare of the City for the performance of the functions of the City and the order and security of its residences; and may provide suitable penalties for the violations of any ordinance enacted by the City; and

**WHEREAS**, Chapter 683 of the Texas Transportation Code declares that a junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way: (1) is detrimental to the safety and welfare of the public; (2) tends to reduce the value of private property; (3) invites vandalism; (4) creates a fire hazard; (5) is an attractive nuisance creating a hazard to the health and safety of minors; (6) produces urban blight adverse to the maintenance and continuing development of municipalities; and (7) is a public nuisance; and

**WHEREAS**, Chapter 8 of the City's Municipal Code of Ordinances regulates nuisances and establishes offenses related to said nuisances; and

**WHEREAS**, the City Council has determined that the safety, health and welfare of the citizens and general public require amendments to Chapter 8 of the Code of Ordinances to regulate Junked Vehicles, Junked Boats, and Other Junked or Inoperable Equipment; and

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADY,  
TEXAS THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2. Amendment to Municipal Code of Ordinances.** The City of Brady's Municipal Code of Ordinances, Chapter 8 (entitled "*Offenses and Nuisances*"), Article 8.200 (entitled "*Junked Vehicles*"), Article 8.200 is hereby amended by deleting language that is stricken (~~stricken~~) and adding language that is underlined (underlined) as follows:

## **ARTICLE 8.200 JUNKED VEHICLES\***

### **See. 8.201 Title; Jurisdiction**

- (a) Title. This article shall commonly be referred to as the junked vehicle article.
- (b) Jurisdiction. The provisions of this article shall apply within the city limits.

### **See. 8.202 Definitions**

~~Words and phrases used in this article shall have the meanings set forth in this section. Words and phrases which are not defined in this article but are defined in other provisions in this code shall be given the meanings set forth in those sections. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this article.~~

Antique Vehicle. A passenger car or truck that is at least 25 years old.

City. The City of Brady, County of McCulloch, State of Texas, and includes any official, agent or employee acting on behalf of the city.

Code Officer. The person or persons designated by the council to assist the council in implementing and enforcing this article. Such person must be a regularly salaried, full-time employee of the city.

Council. The city council of the City of Brady.

Department. The Texas Department of Transportation.

Junked Vehicle. A vehicle that is self propelled and:

- (1) Does not have lawfully attached to it:
  - (A) An unexpired license plate; and
  - (B) A valid motor vehicle inspection certificate; and
- (2) Is:
  - (A) Wrecked, dismantled, or partially dismantled, or discarded; or
  - (B) Inoperable and has remained inoperable for more than 72 consecutive hours, if the vehicle is on public property; or 30 consecutive days, if the vehicle is on private property.

**Motor Vehicle Collector.** A person who:

- (1) ~~Owns one or more antique or special interest vehicles; and~~
- (2) ~~Acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.~~

**Person.** An individual, corporation, organization, government agency, business, trust, partnership, association, or any other legal entity.

**Public Place.** Any place to which the public or a substantial group of the public has access and includes, but is not limited to, parks, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops.

**Public Right of Way.** The area on, below, above, or adjacent to a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the city has an interest.

**Special Interest Vehicle.** A motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

#### **Sec. 8.203 — Public Nuisance; Prohibition**

~~It shall be unlawful for any person to cause or maintain a public nuisance with regard to junked vehicles as provided in this article.~~

#### **Sec. 8.204 — Filing and Investigating Complaints**

- (a) ~~Any city resident or property owner may file a complaint alleging a violation of this article. The complaint must be in writing; provide sufficient details about the alleged violation; be signed by the complainant; and be filed with the code officer or designee.~~
- (b) ~~The code officer, on his/her own knowledge or on the basis of a complaint by a city resident or property owner, shall investigate any alleged violation of this article.~~
- (c) ~~The code officer may enter and inspect the premises where a violation of this article is alleged to have occurred at any reasonable time and may obtain information to identify the nuisance and to remove or direct the removal of the nuisance in compliance with this article.~~
- (d) ~~If the code officer determines there is a violation of this article and that a public nuisance exists, the officer shall submit to the city manager a written report of violation.~~

#### **Sec. 8.205 — Exemptions**

This article shall not apply to a vehicle, or part thereof that:

- (1) Is completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property;
- (2) Is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard; or
- (3) Is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are maintained in an orderly manner; not a health hazard; and screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery.

#### **Sec. 8.206 Notice and Removal**

(a) The code officer is authorized to issue written notice to the alleged violator. Notice must be provided in accordance with this article prior to abatement and removal of the junked vehicle nuisance.

(b) The notice shall describe the nature and location of the junked vehicle nuisance and be personally delivered, sent by certified mail with a five day return requested or delivered by the United States Postal Service with signature confirmation service to:

- (1) The last known registered owner of the junked vehicle;
- (2) Each lien holder of record of the junked vehicle; and
- (3) The owner or occupant of the property on which the junked vehicle is located; or if the junked vehicle is located on a public right of way, the property adjacent to the right of way.

(c) The notice shall state that:

- (1) The nuisance must be abated and removed not later than the tenth (10th) day after the date on which the notice was personally delivered or mailed; and
- (2) Any request for a hearing must be made before that ten day period expires.

(d) If the post office address of the last known registered owner of the nuisance junked vehicle is unknown, notice may be placed on the vehicle or, if the owner is located, personally delivered.

(e) If the nuisance has not been removed within ten (10) days after the date on which the notice was personally delivered or mailed and the alleged violator has not requested a

public hearing, the code officer or designee may request the municipal court judge to order the removal of the nuisance. The court's order shall contain information about the junked vehicle's description, vehicle identification number, and license plate number, if the information is available at the location of the nuisance; and authorize the relocation of the junked vehicle, or a part thereof to a scrap yard, a motor vehicle demolisher, or a suitable site operated by a municipality or county.

(f) If notice is returned undelivered, action to abate the nuisance shall be continued to a date not earlier than the eleventh (11th) day after the date of the return.

### **Sec. 8.207 Public Hearing**

(a) Upon request within the time period set out in Section 8.206 of this article, a public hearing shall be held upon request of a person who receives notice if the request is made not later than the date by which the nuisance must be abated and removed. The public hearing shall be before the city council or its designee to determine whether or not a junked vehicle nuisance exists and for the purpose of entering an order or resolution requiring the removal of such junked vehicle, if found to be a nuisance.

(b) If a hearing is requested, then the hearing shall be held not earlier than the eleventh (11th) day after the date on which notice was provided as described in Section 8.206 of this article.

(c) At the hearing, the junked vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable.

(d) If, after written notice has been provided as described in Section 8.206 of this article, the junked vehicle is relocated to another location in the city after a proceeding for the abatement and removal of the vehicle has commenced, the relocation has no effect on the proceeding if the vehicle constitutes a public nuisance at the new location.

(e) If the city council or its designee finds, after a hearing, that the vehicle is a junked vehicle nuisance, an order shall be entered requiring the removal of the vehicle and the order shall:

(1) Contain information about the junked vehicle's description, vehicle identification number, and license plate number if the information is available at the location of the nuisance; and

(2) Authorize the relocation of the junked vehicle, or a part thereof to a scrap yard, a motor vehicle demolisher, or a suitable site operated by a municipality or county.

### **Sec. 8.208 Administration of Removal of Vehicle**

~~The code officer shall administer the procedures for the abatement and removal of junked vehicles from property under this article, except any authorized person may remove the junked vehicle from the property.~~

**Sec. 8.209 — Notice to Department of Public Safety**

~~The code officer shall, not later than the fifth (5th) day after the removal of a junked vehicle under this article, provide written notice of the removal to the state department of transportation. Such notice shall identify the vehicle or part of the vehicle that was removed.~~

**Sec. 8.210 — Reconstruction Prohibited**

~~When a junked vehicle is declared a public nuisance under this article and is ordered to be removed, it shall not thereafter be reconstructed or made operable.~~

**Sec. 8.211 — Enforcement**

(a) Civil and Criminal Penalties. The city shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance.

(b) Criminal Prosecution. Any person violating any provision of this article shall, upon conviction, be fined a sum not exceeding two hundred dollars (\$200.00). Each day that a provision of this article is violated shall constitute a separate offense. An offense under this article is a misdemeanor.

(c) Civil Remedies. Nothing in this article shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article; and
- (2) A civil penalty up to one hundred dollars (\$100.00) a day when it is shown that the defendant was actually notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article; and
- (3) Any other available relief.

~~(Ordinance 1060 adopted 1/6/10)~~

## **ARTICLE 8.200 JUNKED VEHICLES**

### **Abatement of Junked Vehicles, Junked Boats, and Other Junked or Inoperable Equipment**

#### **Sec. 8.201 Purpose**

This division establishes procedures conforming to subchapter E of chapter 683 of the Texas Transportation Code for the abatement and removal from private or public property or a public right-of-way of a junked vehicle or a part of a junked vehicle and procedures for the abatement and removal of a junked boat, junked off-road motorcycle or a junked all-terrain vehicle as a public nuisance.

#### **Sec. 8.202 Junked Vehicle is a Public Nuisance**

A junked vehicle, including part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way:

- (1) is detrimental to the safety and welfare of the public;
- (2) tends to reduce the value of private property;
- (3) invites vandalism;
- (4) creates a fire hazard;
- (5) is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) produces urban decay adverse to the maintenance and continuing development of the City; and
- (7) is a public nuisance

(TEX. TRANSP. CODE § 683.0711)

#### **Sec. 8.203 Definitions**

In this division:

*Antique vehicle.* A passenger car or truck that is at least 25 years old.

*Authorized person.* Any person designated by the City Manager, including but not limited to a City Director, City staff, or a third-party vendor.

*Inoperable.* Not in running condition without the necessity of being repaired by, for example but without limitation, installing a part or parts, removing or replacing a damaged or missing part or parts, inflating a tire or tires, or charging of the vehicle's battery.

*Junked all-terrain vehicle.* An all-terrain vehicle that is wrecked, discarded, partially dismantled or inoperable.

*Junked boat.* A boat or personal watercraft that is wrecked, partially dismantled, discarded, lacking a watertight hull, or inoperable.

*Junked off-road motorcycle.* An off-road motorcycle that is wrecked, partially dismantled, discarded or inoperable.

*Junked trailer.* A trailer that is wrecked, dismantled, partially dismantled or inoperable.

*Junked vehicle.* A vehicle that is self-propelled and:

(1) Does not have lawfully attached to it :

(a) An unexpired license plate; and

(2) That is:

(a) Wrecked, dismantled, partially dismantled, or discarded; or

(b) Has remained inoperable for more than thirty consecutive days.

*Motor vehicle collector.* A person who:

(1) Owns one or more antique or special interest vehicle; and

(2) Acquires, collects or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

*Ordinary public view.* Visible at any time of the year from any public property or from any adjacent land (including any point below the second floor of any building located on the adjacent land) that is owned or occupied by a person other than the owner or occupant of the land on which a violating vehicle is kept. In relation to an antique vehicle or a special interest vehicle, "screened from ordinary public view" includes screening the vehicle with a fitted cover designed or fabricated for the make and model of the vehicle and that is good condition and the cover does not contain rips, tears or other holes.

*Special interest vehicle.* A motor vehicle of any age that has not been changed from the original manufacturer's specifications and, because of its historical interest, is being preserved by a hobbyist.

*Trailer.* A vehicle without motive power that is designed, adapted or used to carry property or passengers on its own structure exclusively.

*Violating vehicle.* Includes a junked vehicle, junked all-terrain vehicle, junked boat, junked trailer or junked off-road motorcycle or part thereof that is in violation of this division.

Wrecked. Damaged by collision, impact or other force, or by fire or explosion, in a manner that critically affects the proper operation or structural integrity of the vehicle. Notwithstanding, and without excluding other measurements or systems of damage rating, a vehicle is considered wrecked if the vehicle has been or would be classified on a Texas Department of Transportation Form CR-3 as having sustained a vehicle damage rating of "3" or greater. The term does not include damage due to ordinary wear and tear.

## **Sec. 8.204 Offenses**

(A) A person commits an offense if the person causes, suffers, allows or permits the keeping of a violating vehicle on a premises owned or controlled by that person.

(B) Unless otherwise permitted by applicable law, regulation, permit, or zoning regulations, a person commits an offense if the person causes, suffers, allows or permits the parking or standing of a motor vehicle or a trailer in a residential or nonresidential zone on private property, within public view, owned or controlled by that person if the vehicle:

- (1) Has one or more flat tires;
- (2) Is missing one or more wheels; or
- (3) Is supported by one or more jacks, jack stands, blocks or similar means.

(C) The municipal court shall order abatement and removal of the violating vehicle upon conviction.

## **Sec. 8.205 Affirmative defenses**

(A) It is an affirmative defense to prosecution under section 8.204 (A), and to the abatement procedures established by this division, that the violating vehicle:

(1) Is completely enclosed in a building in a lawful manner and is not within ordinary public view; or

(2) Is a junked vehicle and:

(a) Is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or automobile wrecking yard in a zoning district in which such storage is authorized; or

(b) Is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle and the outdoor storage area, if any, are:

1. Maintained in an orderly manner;

2. Not a health hazard; and
3. Screened from ordinary public view.

(B) It is an affirmative defense to prosecution under section 8.204 (A) if the vehicle is presently under repair, if the owner shows reasonable progress within the preceding 30 days toward repairing the vehicle to an operable condition, and the vehicle is lawfully parked with a fitted cover designed or fabricated for the make and model of the vehicle and that is good condition and the cover does not contain rips, tears or other holes.

(C) It is an affirmative defense to prosecution under section 8.204 (B) if the vehicle has a flat tire, missing wheel or is supported by a jack, jack stand, block or other means for less than 72 hours.

#### **Sec. 8.206 Administration and removal procedures**

(A) The procedures set forth in this division shall be administered by regular full-time employees of the City; provided, however, that any authorized person may remove a violating vehicle under the authority of this division.

(B) The City may seek an owner's written consent to enter private property to examine a suspected violation of this division, to obtain information to identify the violating vehicle, and to remove or direct the removal of the violating vehicle. The City is authorized to obtain a search warrant to conduct an inspection permitted by this section when consent to enter the property for the inspection has been refused or otherwise cannot be obtained.

(C) No violating vehicle removed under the authority of this division may thereafter be reconstructed or made operable.

(D) The relocation of a violating vehicle to another location within the City after a proceeding for the abatement and removal of the violating vehicle has commenced has no effect on the proceeding if the violating vehicle constitutes an offense at the new location.

(E) The City shall notify the appropriate designated state agency of the removal of a junked vehicle not later than the fifth day after the removal of a junked vehicle by identifying the vehicle or part of the vehicle removed.

#### **Sec. 8.207 Notice, hearing, and order of removal**

(A) Prior to the abatement or removal of a violating vehicle under this division, the City shall provide not less than ten-days' notice of the probable violation by personal deliver, certified mail with a five-day return requested to, or delivery through the United States Postal Service with signature confirmation service requested to:

- (1) The last known registered owner of the violating vehicle;

(2) Each lienholder of record, if any, of the violating vehicle; and

(3) The owner or occupant of:

(a) The property on which the violating vehicle is located; or

(b) If the violating vehicle is located on a public right-of-way, the property adjacent to the right-of-way.

(B) If the post office address of the last known registered owner of the violating vehicle is unknown, notice may be placed on the violating vehicle or, if the owner is located, personally delivered. If a notice is returned undelivered, any action to abate the violating vehicle shall be continued to a date not earlier than the eleventh day after the date of the return.

(C) A notice sent under this division shall include a statement that:

(1) The violating vehicle must be abated and removed not later than the tenth day after the date on which the notice was delivered or mailed; and

(2) Any request for a hearing must be made before the ten-day period expires.

(D) A person entitled to notice under this section may request a hearing prior to the removal of the violating vehicle. A request for a hearing shall be made in writing and shall be delivered to the director of the department charged by the City Manager with enforcement of this division not later than ten days after receipt of the notice by the person making the request for a hearing, but in no event more than thirty days following the mailing or delivery of the notice. If a hearing is timely requested by a person for whom notice is required under subsection (A), the hearing shall be held not earlier than the eleventh day after date of the service of the notice. If no request for a hearing is timely filed by a person to whom notice is required under this section, no hearing shall be required.

(E) Upon the timely request for a hearing of any person to whom a notice was provided regarding a violating vehicle, a public hearing will be held before a municipal court judge. Notice of the time, date, and location of the hearing will be provided to each person who submitted a timely request for a hearing.

(F) The issue at the hearing is whether the violating vehicle is a junked vehicle.

(G) At any hearing conducted pursuant to this Article, the violating vehicle is presumed to be inoperable unless demonstrated otherwise by the owner.

(H) If the municipal court judge determines the vehicle to be a junked vehicle, the judge shall order the vehicle to be removed.

(I) Any order requiring the removal of violating vehicle shall include the vehicle's:

- (1) Description;
- (2) Vehicle identification number, if any; and
- (3) License plate, hull registration, or similar registration number, if any.

**Sec. 8.208 Removal of Junked Vehicle**

The city may remove a junked vehicle at any time following a public hearing and order of the judge or following the waiver of a hearing.

**Sec. 8.209 Disposal of Junked Vehicle**

(A) A junked vehicle, or part thereof, shall be disposed of by the City by removal to a scrapyard, demolisher, or any suitable site operated by the City for processing as scrap or salvage, and any reconstruction or work to make the vehicle operable after being removed is prohibited.

(B) If the City Council determines that commercial scrap yard or salvage yard are not available or are inadequate, the City may operate its own disposal site and make final disposition of junked vehicles or vehicle parts at the disposal site or the City may transfer the vehicle or vehicle parts to another disposal site if the disposal site is only as scrap or salvage.

**Section 3. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**Section 4. Savings.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed offense, nor shall the repeal prevent a prosecution from being commenced for any violation occurring to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

**Section 5. Remedies.** All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Code of Ordinances in effect on the effective date of this Ordinance and modified by this Ordinance or any other ordinances in effect on the effective date of this Ordinance and modified by this Ordinance and requiring the payment of fees for licenses, permits, and other services provided by the City which have accrued on the effective date of this Ordinance; and any and all accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such

ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 6. Effective Date.** This Ordinance shall be in full force and effect on December , 2015.

PASSED AND APPROVED ON FIRST READING on this \_\_\_\_\_day of  
\_\_\_\_\_ 2015.

PASSED AND APPROVED ON SECOND READING on this \_\_\_\_\_day of  
\_\_\_\_\_ 2015.

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Anthony Groves, Mayor

ATTEST:

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Tina Keys, City Secretary

APPROVED AS TO FORM:

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M. Shannon Kackley, Asst. City Attorney  
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, P.C.

City Council  
City of Brady, Texas

## Agenda Action Form for Ordinance

AGENDA DATE:	11-17-2015	AGENDA ITEM	7.D.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding second and final reading of Ordinance 1183 to revise Fee Schedule for Animal Services		
PREPARED BY:	T. Keys	Date Submitted:	11/13/2015
EXHIBITS:	Ordinance 1183 and Exhibit A		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

### SUMMARY:

On October 12, the City Council held a work session with city staff and members of PAWS to discuss changes to fees now outlined in the Animal Services Ordinance.

On November 3, City Council changed wording on Impound Fees from “\$150 all subsequent offenses” to “\$150 each subsequent offense” and changed to surrender fees to “\$50 if altered or \$90 if not altered.”

Staff will be available to answer any questions.

Once the new fees are approved by City Council, PAWS intends to begin a Pet Registration Drive and public awareness campaign to collect fees as authorized in the city ordinances and City-PAWS Contract.

### RECOMMENDED ACTION:

**Mayor:** “Do I have a motion to read the full ordinance?”

**If no, Mayor will state:** “A majority of the City Council has dispensed with the full reading of the ordinance.”

**Mayor will ask:** “Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter.” “Secretary reads preamble”

### **Mayor calls for a motion:**

Move to approve second and final reading of Ordinance 1183

EXHIBIT A –

**RED IS RECOMMENDED CHANGES – Updated 11-3-15 and approved first reading**

**PER PAWS CONTRACT, CITY ORDINANCE FEES COLLECTED BY PAWS:**

License/Registration Fee (Sec 2.300):

~~\$3/dog and \$2/cat~~ **\$5/pet every two years – expires Oct 1 – odd years**

Annual Dangerous Pet Registration demeaned by ACO (Sec 2.501-2.505): \$50 / year – **expires Oct 1**

Change ownership: \$25 – **expires Oct 1**

Annual Breeders License (Sec 2.700): ~~\$25 per year~~ **\$25/every 2 years - expires Oct 1-odd years**

Late Fee: ~~assess by ACO~~ **30 days past due date \$5 per month**

Impounded Animal (Sec 2.112) – required to pay all fees incurred – boarding and compliance  
\$25 first offense; ~~\$45~~ **\$50** second offense; ~~\$100~~ **\$150** all each subsequent offenses

Daily Boarding Fee: \$15

Redemption of Quarantined Animal (Sec 2.114): after payment of all fees incurred (**\$10/day for 10 days min**)

**FEES COLLECTED AND PAID TO CITY OF BRADY:**

Animal Pick-up by (Surrender to) ACO requested by owner: ~~\$30~~ **\$50 if altered or \$90 if not altered** each

Evidence leading to conviction of poisoning any animal (Sec 2.104): \$50 award

Annual Exotic Animal Permit: \$25 per year for 1<sup>st</sup> year; \$15 for 2<sup>nd</sup> year; \$15 to amend permit-  
expires each December (permits held by City Secretary)

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.E.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding City of Brady Sales Tax Rebate Economic Development Incentives for the proposed/possible US Cement Plant, not to exceed \$297,000 over 9 years or \$33,000 per year.		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11-13-2015
<b>EXHIBITS:</b>	Proposed criteria and guidelines for an Economic Development agreement		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		
	<b>Amount Budgeted:</b>		
	<b>Appropriation Required:</b>		
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b> <p>U.S. Cement is proposing to build a new white cement plant in McCulloch County. They have requested some Economic Development Incentives from McCulloch County, City of Brady and the Brady Economic Development Corporation.</p> <p>On September 28 City Council heard approximately 10 hours of public input on the proposed project. Staff has taken some of that input together with the requests from U.S. Cement and staff suggestions to develop a starting point for a possible agreement. These include obligations of U.S. Cement, obligations of the City of Brady, remedies should obligations not be met and a schedule for establishing enactment dates and payment dates.</p> <p>On November 3, 2015 Council was provided with draft incentives, guidelines and criteria.</p>			
<b>RECOMMENDED ACTION:</b> <p>Approve incentives criteria and guidelines and direct staff to proceed with formal negotiations</p>			

**City of Brady**

**Proposed Terms, Guaranties and Conditions**

**For and with U.S. Cement**

**For a Proposed Plant in McCulloch County**

**U.S. Cement Obligations**

- 1) U. S. Cement shall construct a Limestone Quarry and Cement Manufacturing Plant with an improved value, including structure and permanent equipment, as determined by the McCulloch County Appraisal District of at least \$175,000,000 U.S. Dollars.
- 2) U. S. Cement shall provide for 200 Permanent, full time jobs, as defined under the U.S. Department of Labor, Fair Labor Standards Act for the entire term of the agreement
  - a. Undocumented Workers – U.S. Cement shall certify that it does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, U.S. Cement is convicted of a violation of 8 U.S.C. § 1324(a)(Bringing in and harboring certain aliens), U.S. Cement shall repay the amount of the grant for all years in which the violation occurred. Pursuant to Section 2264.101, Texas Government Code, a business is not liable for a violation of Chapter 2264 by a subsidiary, affiliate or franchisee of the business, or by a person with whom the business contracts.
- 3) U.S. Cement shall comply with all applicable state and federal regulations regarding the construction and operations of a cement manufacturing facility in perpetuity.
- 4) U.S. Cement shall provide reasonable assistance to future economic development efforts by the County, City and/or Economic Development Corporation (i.e. testimonials, board participation, etc.).
- 5) U.S. Cement shall utilize only Natural gas for fuel until such time as a safer and lower emission fuel shall be developed. Transition to any such fuel shall be upon mutual agreement of the parties.
- 6) U.S. Cement shall maintain a minimum fifty to one hundred (50 - 100) foot buffer adjacent to all city, state, county, and federal roadways and all adjacent properties not owned by the company.
- 7) U.S. Cement shall utilize all currently available methods to minimize artificial/night light leakage off of all properties.
- 8) U.S. Cement shall adhere to City of Brady Building and Safety Codes for Industrial areas.
- 9) U.S. Cement agrees to purchase all natural gas and water from the City of Brady for a period of no less than 15 years.

- 10) U. S. Cement shall provide a designated individual to receive citizens' concerns, comments and complaints.

#### **City of Brady Obligations**

- 1) Except as provided below, the City of Brady shall provide 9 annual grants to U.S. Cement in the amount of \$33,000 each year, based on the increase of sales tax generated with the City of Brady as determined by a comparison of sales tax for one year prior to the onset of construction of the plant and for one year after construction is completed and a staffing level of at least 200 permanent, full time jobs has been achieved.
- 2) The City of Brady shall provide coordination and assistance in developing a workforce training program for local residents.
- 3) The City of Brady shall provide reasonable support to U.S. Cement in applying for other assistance by the State and/or other appropriate agencies and in coordinating with local and regional organizations to ensure that the site is adequately served by transportation and utility infrastructure

#### **Remedies**

- 1) Should U.S. Cement fail to develop a plant with an improved value, including structure and permanent equipment, as determined by the McCulloch County Appraisal District of at least \$175,000,000 U.S. Dollars, then the sales tax grant shall be permanently reduced by a corresponding percentage.
- 2) Should U.S. Cement fail to provide for 200 Permanent, full time jobs, as defined under the U.S. Department of Labor, Fair Labor Standards Act for the entire term of the agreement, the sales tax grant shall be decreased by a corresponding percentage for any and all years in which the employment requirement is not met.

#### **Payment Schedules**

- 1) The effective date of the Sales Tax Grants shall be based upon the 1st year anniversary date of significant completion of the plant and certification of jobs as required by the Texas Workforce Commission.
- 2) Annual Sales Tax payments shall be made on or before August 30th each year for the preceding one year after the effective date defined above and is based on the increase in sales tax as described in paragraph City of Brady Obligation, paragraph 1 above.

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.F.	
<b>AGENDA SUBJECT:</b>		Discussion, consideration and possible action regarding approval of the Brady Economic Development Corporation (BEDC) Economic Development Incentives for the proposed/possible US Cement Plant,(Maximum cost \$556,000 over 10 years – \$250,000 one time, plus 9 years up to \$34,000 per year.)		
<b>PREPARED BY:</b>		Peter Lamont	<b>Date Submitted:</b>	11-13-2015
<b>EXHIBITS:</b>		Proposed criteria and guidelines for an Economic Development agreement		
<b>BUDGETARY IMPACT:</b>		<b>Required Expenditure:</b>		
		<b>Amount Budgeted:</b>		
		<b>Appropriation Required:</b>		
<b>CITY MANAGER APPROVAL:</b>				
<b>SUMMARY:</b>				
U.S. Cement is proposing to build a new white cement plant in McCulloch County. They have requested some Economic Development Incentives from McCulloch County, City of Brady and the Brady Economic Development Corporation.				
At their August 6 meeting, the BEDC approved an incentives package not to exceed a one-time payment of \$250,000 once the facility was built and operating and 9 annual sales tax grants not to exceed \$34,000 per year.				
On September 28 City Council heard approximately 10 hours of public input on the proposed project. Staff has taken some of that input together with the requests from U.S. Cement and staff suggestions to develop a starting point for a possible agreement. These include obligations of U.S. Cement, obligations of the City of Brady, remedies should obligations not be met and a schedule for establishing enactment dates and payment dates.				
On November 3, 2015 Council was provided with draft incentives, guidelines and criteria.				

#### **RECOMMENDED ACTION:**

Approve the proposed BEDC incentives, criteria and guidelines and direct staff to proceed with formal negotiations with U.S. Cement.

**Brady Economic Development Corporation**

**Proposed Terms, Guaranties and Conditions**

**For and with U.S. Cement**

**For a Proposed Plant in McCulloch County**

**U.S. Cement Obligations**

- 1) U. S. Cement shall construct a Limestone Quarry and Cement Manufacturing Plant with an improved value, including structure and permanent equipment, as determined by the McCulloch County Appraisal District of at least \$175,000,000 U.S. Dollars.
- 2) U. S. Cement shall provide for 200 Permanent, full time jobs, as defined under the U.S. Department of Labor, Fair Labor Standards Act for the entire term of the agreement
  - a. Undocumented Workers – U.S. Cement shall certify that it does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, U.S. Cement is convicted of a violation of 8 U.S.C. § 1324(a)(Bringing in and harboring certain aliens), U.S. Cement shall repay the amount of the grant for all years in which the violation occurred. Pursuant to Section 2264.101, Texas Government Code, a business is not liable for a violation of Chapter 2264 by a subsidiary, affiliate or franchisee of the business, or by a person with whom the business contracts.
- 3) U.S. Cement shall comply with all applicable state and federal regulations regarding the construction and operations of a cement manufacturing facility in perpetuity.
- 4) U.S. Cement shall provide reasonable assistance to future economic development efforts by the County, City and/or Economic Development Corporation (i.e. testimonials, board participation, etc.).
- 5) U.S. Cement shall utilize only Natural gas for fuel until such time as a safer and lower emission fuel shall be developed. Transition to any such fuel shall be upon mutual agreement of the parties.
- 6) U.S. Cement shall maintain a minimum fifty to one hundred (50 -100) foot buffer adjacent to all city, state, county, and federal roadways and all adjacent properties not owned by the company.
- 7) U.S. Cement shall utilize all currently available methods to minimize artificial/night light leakage off of all properties.
- 8) U.S. Cement shall adhere to City of Brady Building and Safety Codes for Industrial areas.
- 9) U.S. Cement agrees to purchase all natural gas and water from the City of Brady for a period of no less than 15 years.

- 10) U. S. Cement shall provide a designated individual to receive citizens' concerns, comments and complaints.

### **Brady Economic Development Corporations Obligations**

- 1) Brady Economic Development Corporation (BEDC) shall make a one-time payment of \$250,000 to U.S. Cement upon completion, opening and shipping of first order of white cement.
- 2) Except as provided below, the Brady Economic Development Corporation (BEDC) shall provide 9 annual grants to U.S. Cement in the amount of \$34,000 each year, based on the increase of sales tax generated with the City of Brady as determined by a comparison of sales tax for one year prior to the onset of construction of the plant and for one year after construction is completed and a staffing level of at least 200 permanent, full time jobs has been achieved.
- 3) The BEDC shall provide coordination and assistance in developing a workforce training program for local residents.
- 4) The BEDC shall provide reasonable support to U.S. Cement in applying for other assistance by the State and/or other appropriate agencies and in coordinating with local and regional organizations to ensure that the site is adequately served by transportation and utility infrastructure

### **Remedies**

- 1) Should U.S. Cement fail to develop a plant with an improved value, including structure and permanent equipment, as determined by the McCulloch County Appraisal District of at least \$175,000,000 U.S. Dollars, then the sales tax grant shall be permanently reduced by a corresponding percentage.
- 2) Should U.S. Cement fail to provide for 200 Permanent, full time jobs, as defined under the U.S. Department of Labor, Fair Labor Standards Act for the entire term of the agreement, the sales tax grant shall be decreased by a corresponding percentage for any and all years in which the employment requirement is not met.

### **Payment Schedules**

- 1) The effective date of the Sales Tax Grants shall be based upon the 1st year anniversary date of significant completion of the plant and certification of jobs as required by the Texas Workforce Commission.
- 2) Annual Sales Tax payments shall be made on or before August 30th each year for the preceding one year after the effective date defined above and is based on the increase in sales tax as described in paragraph Brady Economic Development Corporations Obligation, paragraph 2 above.

# City Council

## City of Brady, Texas

### Agenda Action Form

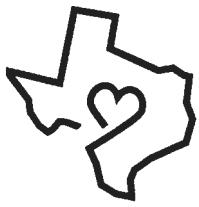
<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.G.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding acceptance of the BEDC Annual Report.		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11-13-2015
<b>EXHIBITS:</b>	BEDC Annual Report		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		
	<b>Amount Budgeted:</b>		
	<b>Appropriation Required:</b>		
<b>CITY MANAGER APPROVAL:</b>			

#### **SUMMARY:**

The Brady Economic Development Corporation is required to submit an annual report to the City Council detailing activity for the previous Fiscal Year.

The BEDC approved the report including FY 2016 Goals at the October 27, 2015 meeting

<b>RECOMMENDED ACTION:</b>
Accept the report and provide feedback to staff



# BRADY

THE CITY OF

# TEXAS

Jon Chase  
President

Charles Stokes  
Vice-President

Tracy Pitcox  
Board Member

Charlotte Harper  
Board Member

Lauren Bedwell  
Board Member

## Ex-officio Members

Anthony Groves  
Mayor

Latricia Doyal  
Mayor Pro Tem

Kim Lenoir  
City Manager

Erin Corbell  
Chamber of Commerce

## Staff

Peter Lamont  
Director

Lisa Remini  
Treasurer

Tina Keys  
Secretary

## ECONOMIC DEVELOPMENT CORPORATION ANNUAL REPORT 09/30/2015

The following constitutes the annual report for the Brady Economic Development Corporation (BEDC) for fiscal year 2015. The fiscal year runs from October 1, 2014 through September 30, 2015.

### Open Contracts:

- 1) Owens Electric – expires FY17
- 2) Thomas Water Well Service – expires FY 27
- 3) Davenport Trucking – expires FY15
- 4) Dodge Crossing – expires FY23
- 5) City of Brady – expires FY17

### Ongoing Projects:

- 1) Civic Center
  - a. Plans and Specification completed
  - b. Project bids received
  - c. Project awarded by City Council to Waldrop Construction
- 2) Marina
  - a. Corps Permit Received
  - b. U.S. Fish and Wildlife approval
  - c. Grant Acceptance signed
  - d. Plans submitted to TPWD for Review
- 3) Marketing and Development program with The Retail Coach
  - a. Demographic Analysis Completed
  - b. Gap Analysis Completed
  - c. Retail Trade Areas defined

### Organizational Memberships:

- 1) Texas Economic Development Corporation (TEDC)
- 2) Texas Midwest Communities Network (TMCN)
- 3) Texas Downtown Association (TDA)
- 4) International Council of Shopping Centers (ICSC)

### Advertising Opportunities:

- 1) Heart of Texas Music Celebration - \$500.00
- 2) Ol Houn Dawgs ad and sponsorship sign- \$500.00
- 3) TMCN annual guide book ad – Chamber Paid

### Prospective Business Projects:

- 1) Assisted Living Facility
- 2) Hotel – unknown new jobs
- 3) U. S Cement
- 4) Apartment/Housing projects
- 5) Truck Stop
- 6) TxDOT/Airport Hanger Expansion Project

**Meetings and Trainings:**

- 1) Oct 29, 2014 –TMCN Annual Conference – Peter Lamont, Kim Lenoir
- 2) Nov 5-7, 2014 TDA Annual Conference – Peter Lamont
- 3) Dec 12, 2014 – Sales Tax Training – Peter Lamont, Lisa Remini, Charlotte Harper, Charles Stokes, Lauren Bedwell
- 4) Jan 8, 2015 – BEDC Retreat
- 5) Feb 9, 2015 – BEDC Regular Meeting
- 6) Mar 31, 2015 – BEDC Special Meeting – Civic Center Plans
- 7) Apr 20, 2015 – BEDC Special Meeting – Development Project
- 8) Apr 28, 2015 – BEDC Regular Meeting
- 9) June 15-16, 2015 – Governor's Office Small Business Administration Texas Rural Challenge – Peter Lamont
- 10) July 13, 2015– Development Project and Civic Center
- 11) July 15, 2015 – TMCN Council Meeting – Peter Lamont
- 12) July 28, 2015 – BEDC Regular Meeting
- 13) Aug 8, 2015 – BEDC Special Meeting – The Retail Coach Presentation
- 14) Aug 20, 2015 – Retail Live – Peter Lamont
- 15) Aug 24, 2015 – BEDC Joint Meeting – Civic Center
- 16) Sept 17, 2015 – TMCN Council Meeting – Kim Lenoir

**Commercial Certificates of Occupancy:**

- 1) Hibbett Sports
- 2) Daughters of the Republic of Texas meeting room
- 3) Frontera Clinic
- 4) So Unique Boutique
- 5) Main Street Cutlery – Diversified Products
- 6) Reno's on the Square
- 7) T-Byrd's Sign Shop
- 8) Texas Wildlife Supply expansion
- 9) Oscar Villa's Exercise Gym
- 10) The Locker
- 11) JK Jewelry and Awards

**FY 2015 Goals**

- 1) Improve Sale Tax/Property Tax revenue through the attraction of two new businesses – Attracted 1
- 2) Work with local partners to develop workforce training opportunities – Ongoing, Letter of Commitment for potential new business, Director now part of Concho Valley Workforce Board – Economic Development Committee
- 3) Complete a Local Market Economic Study - Completed
- 4) Advance the Civic Center Project (voter approved 4B project) – Completed Construction Contract Awarded 19 October, 2015

**FY 2016 Goals**

- 1) Improve Sale Tax/Property Tax revenue through the attraction of two new businesses;
- 2) Work with local partners to develop workforce training opportunities;
- 3) Partner with the Chamber of Commerce in the development of a Leadership Academy;
- 4) Complete a redesign of the EDC webpages as part of the overall update of the Cities website.

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.H.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding acceptance of the McCulloch County /Brady Chamber of Commerce Annual Tourism Report.		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11-13-2015
<b>EXHIBITS:</b>	McCulloch County /Brady Chamber of Commerce Annual Tourism Report		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		
	<b>Amount Budgeted:</b>		
	<b>Appropriation Required:</b>		
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b> <p>The City of Brady provides Hotel Occupancy Tax funds for the McCulloch County/Brady Chamber of Commerce to provide tourism related activities and advertising. As part of the agreement, the Chamber President is required to submit a written report of their activities by October 30, 2015 to the City Manager.</p> <p>This report is forward to the Council for review and acceptance.</p>			
<b>RECOMMENDED ACTION:</b> <p>Accept the report and provide feedback to staff</p>			

**BRADY/MCCULLOCH COUNTY CHAMBER OF COMMERCE**  
**BUDGET VS. ACTUALS: TCB BUDGET - FY15 P&L**  
October 2014 - September 2015

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
<b>GENERAL INCOME</b>				
Hotel/Motel Tax	145,000.00	145,000.00	0.00	100.00 %
<b>Total GENERAL INCOME</b>	<b>145,000.00</b>	<b>145,000.00</b>	<b>0.00</b>	<b>100.00 %</b>
<b>Total Income</b>	<b>\$145,000.00</b>	<b>\$145,000.00</b>	<b>\$0.00</b>	<b>100.00 %</b>
<b>Gross Profit</b>	<b>\$145,000.00</b>	<b>\$145,000.00</b>	<b>\$0.00</b>	<b>100.00 %</b>
<b>Expenses</b>				
<b>GENERAL EXPENSE</b>				
Advertising (TCB)	18,072.47	16,200.00	1,872.47	111.56 %
Contract Labor (TCB)	584.80	600.00	-15.20	97.47 %
Dues & Subscriptions (TCB)	1,367.03	2,270.00	-902.97	60.22 %
Employee Insurance (TCB)	5,490.06	6,575.00	-1,084.94	83.50 %
Equip/Maintenance/Furn (TCB)	2,810.23	2,000.00	810.23	140.51 %
Legal and Prof. Fees (TCB)	1,000.00	1,000.00	0.00	100.00 %
Mobile Phone Expense (TCB)	400.00	480.00	-80.00	83.33 %
Office Supplies (TCB)	607.86	600.00	7.86	101.31 %
<b>PAYROLL</b>				
TCB Payroll	39,412.19	40,000.00	-587.81	98.53 %
<b>Total PAYROLL</b>	<b>39,412.19</b>	<b>40,000.00</b>	<b>-587.81</b>	<b>98.53 %</b>
Payroll Taxes (TCB)	3,193.91	4,000.00	-806.09	79.85 %
Postage (TCB)	825.93	900.00	-74.07	91.77 %
Printing (TCB)	5,145.26	6,000.00	-854.74	85.75 %
Property Taxes (TCB)	1,111.82	1,300.00	-188.18	85.52 %
Schools/Registration/Fees (TCB)	1,380.00	1,200.00	180.00	115.00 %
Service Contracts (TCB)	316.00	300.00	16.00	105.33 %
Telephone (TCB)	2,164.19	1,700.00	464.19	127.31 %
Trade Shows (TCB)	1,094.00	1,000.00	94.00	109.40 %
Travel/Meals (TCB)	2,011.82	2,500.00	-488.18	80.47 %
TruCountry Television Contract	0.00	0.00	0.00	0.00 %
Utilities (TCB)	1,309.67	1,600.00	-290.33	81.85 %
Website Maintenance (TCB)	2,509.47	1,446.00	1,063.47	173.55 %
Workers Compensation (TCB)	231.50	220.00	11.50	105.23 %
<b>Total GENERAL EXPENSE</b>	<b>90,038.21</b>	<b>91,891.00</b>	<b>-1,852.79</b>	<b>97.98 %</b>
<b>GOAT COOK-OFF EXPENSE</b>				
Advertising/GCO (TCB)	13,559.60	15,000.00	-1,440.40	90.40 %
Band/Sound (TCB)	19,352.50	18,000.00	1,352.50	107.51 %
Campsites (TCB)	0.00	0.00	0.00	0.00 %
Judges/T-Shirts GCO (TCB)	4,554.06	4,000.00	554.06	113.85 %
Special Event Ins. GCO (TCB)	1,495.00	350.00	1,145.00	427.14 %
<b>Total GOAT COOK-OFF EXPENSE</b>	<b>38,961.16</b>	<b>37,350.00</b>	<b>1,611.16</b>	<b>104.31 %</b>

**87812.91**

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>July Jubilee Expense</b>				
Advertising/Tickets (TCB)	6,377.70	3,000.00	3,377.70	212.59 %
Band (TCB)	12,086.76	10,000.00	2,086.76	120.87 %
<b>Total July Jubilee Expense</b>	<b>18,464.46</b>	<b>13,000.00</b>	<b>5,464.46</b>	<b>142.03 %</b>
<b>Total Expenses</b>	<b>\$147,463.83</b>	<b>\$142,241.00</b>	<b>\$5,222.83</b>	<b>103.67 %</b>
<b>Net Operating Income</b>	<b>\$ -2,463.83</b>	<b>\$2,759.00</b>	<b>\$ -5,222.83</b>	<b>-89.30 %</b>
<b>Net Income</b>	<b>\$ -2,463.83</b>	<b>\$2,759.00</b>	<b>\$ -5,222.83</b>	<b>-89.30 %</b>

*Friday, Oct 30, 2015 03:19:23 PM PDT GMT-5 - Accrual Basis*

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7. I
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding 2015 Annual Comprehensive Plan / Capital Improvement Plan (CIP) status report of all current projects as required in Article 5 Section 4 of the Brady City Charter		
<b>PREPARED BY:</b>	Kim Lenoir	<b>Date Submitted:</b>	11-12-2015
<b>EXHIBITS:</b>	Draft report		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$0	
	<b>Amount Budgeted:</b>	\$0	
	<b>Appropriation Required:</b>	\$0	
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

Attached is a draft annual report for your review and consideration. P&Z reviewed and recommended approval at their meeting on November 10, 2015.

City Charter requires that the report be published in November in the local newspaper.

Staff will review and is open to suggestions for any changes or additions.

**RECOMMENDED ACTION:**

Move to approve and authorize publishing of the 2015 Annual Comprehensive Plan/CIP Status Report as required by City Charter.

## DRAFT 11-12-15

### City of Brady Annual Report 2015

#### Comprehensive Master Plan and Capital Improvement Projects

This report includes activities of the City of Brady and the Brady Planning and Zoning Commission in relation to the Comprehensive Master Plan, Zoning Ordinances, Subdivision Regulations and Capital Improvement Projects.

**Goal One: Create a Land Use Plan that promotes the development of quality housing options, recreation, tourism, Brady Lake and a diversified economy.**

*Zoning Ordinance Use Chart:* The City amended the Zoning Use Chart after the May election, authorizing Liquor by the Drink sales in Brady. The Zoning Ordinance now includes Alcoholic Beverage Liquor by the Drink as a Specific Use Provision (SUP) in the Brady Lake Recreational District (BLR), Retail District (R), Central Business District (CBD), and Commercial District (C). Gun Repairs & Sales was also added to the Use Chart for the same zoning districts listed above.

*Zoning Map Changes:* An Industrial District (I) was established on 16.62 acres on the east side of Oglebay Norton Drive which is adjacent and requested by Premier Silica. The city also approved zoning change at the east corner of West 17<sup>th</sup> Street and Nine Road from Commercial to Multi-Family for a future Trails of Brady Apartment Complex (construction planned 2016). A zoning change from Single Family Residential (SF) to Commercial(C) in the 1600 block of South High Street between 14<sup>th</sup> and 15<sup>th</sup> Street was approved.

*Make the downtown a vibrant destination:* Several new businesses in 2015 moved in to downtown – The Locker Sports Bar, T-Byrd's Sign Shop, JK Awards and Designs, Main Street Cutlery, Reno's on the Square, and DOR of Texas Community Room. TXDOT completed a traffic study to consider optional traffic flow in downtown for truck traffic. The conclusion was to turn northbound traffic to the left/west and southbound traffic to the right/west. Consideration of a one-way traffic circle was ruled out due to stacking congestion as traffic models were analyzed during the morning, noon and evening heavy traffic flow time periods.

*Housing:* Housing conditions in Brady were analyzed over a year-long review by citizen volunteer, Jim Griffin. Of the 2690 residential structures, 30% are owned by people who do not live in Brady/McCulloch County. Upon visual reviews, housing conditions of the residential properties show that 32% are in "poor" to "fair" condition (750 houses). Additionally, 36% were ranked "average" condition (966 houses) and 32% were ranked in the "good" to "excellent" condition (863 houses). P&Z and City Council clarified the ordinance for the masonry requirements for residential structures. The city demolished 3 dilapidated houses and cleared 4 hazardous lots in 2015. Infill housing development is encouraged, in that utilities and roads are readily available.

*Brady Lake:* The Brady Economic Development Corporation is funding repairs to the Brady Lake Marina, as authorized by voters in 2009. A Texas Parks and Wildlife boat ramp grant was awarded for repairs and upgrades to the Boat Ramps on the north and south sides of the Brady Lake Dam. The City has been authorized to publicly bid the construction of these projects and construction should be completed in 2016 (4). Brady Lake Park is undergoing clean-up and fix-up projects to enhance its appeal to visitors.

**Goal Two: Improve the City's transportation system by planning for new roadways to improve traffic flow and by prioritizing improvements and maintenance of existing roadways.**

*North Bridge Street and Downtown:* TXDOT Brownwood Region has scheduled a 2017 road improvement/reconstruction project for North Bridge Street / Highway 377 N in Brady and downtown improvements. Staff is working with TXDOT to address utility relocations, traffic flow options for downtown, truck reliever routes, intersection reconfiguration at N Bridge St and Crothers St to improve traffic flow and pedestrian access. Utility engineering plans for relocation and upgrades are scheduled to begin in 2016 (14, 17, 21).

*Street Maintenance:* The City completed a \$3 million city street reconstruction project in 2002. In 2014 the first major street maintenance project for existing city streets was completed in 12 years. The City requested bids for a 2015 annual chip seal-coat project, but received no bids due to heavy TXDOT work. The City did acquire new equipment to maintain a regular/consistent pothole filling program of 810 potholes and completed approximately three-quarters of a mile of "in-house" street rehab work on city streets with our city crew of 4 employees. (20 & 22).

**Goal Three: Plan for improvements to the City's infrastructure system (water, wastewater, electric lines, parks, physical buildings, etc.) to ensure quality services are available to residents, businesses and tourists.**

*Lake Dam and Storm Water/Drainage Plan Study:* City received a grant and are requesting proposals for an engineering study of Brady Lake Dam Inundation Study and Storm Water Management Plan as required by TCEQ. Study is projected to be completed in 2016 (23).

*Water System Improvements:* City Council hired Enprotec / Hibbs & Todd (eHT) Engineers to address the water quality and capital improvements needed for the existing Brady water system. Final preliminary engineering report was completed and EDAP Grant fund of \$1.8m for engineering design was received. Construction plans will be completed late in 2016. This project addresses groundwater (Radium) and surface water quality treatment regulations mandated and standards as mandated by TCEQ and EPA and fire protection and water pressure improvements for the entire city. (Action Items 24, 25, 26, 27). The City also improved this year the Long Term Credit Bond rating from Standard & Poor's (up to a AA-) to finance needed utility improvements in 2017. The City also received the Platinum Level Texas Comptroller Leadership Circle Award for financial transparency.

*Water system distribution maintenance:* The city uses a private contractor to perform annual tank maintenance services as mandated by the TCEQ. The city has a six (6) more years on this maintenance agreement with Utility Service Group of Perry, GA. This agreement and service contract allows the city to meet expensive maintenance needs without budgeting for large capital commitments.

*Waste Water System Improvements:* City Council hired Freese & Nichols Engineers to address the capital improvement project to replace the 1960s obsolete wastewater treatment plant and prepare plans and specifications for specific repairs to the sewer collection system. The major task of engineering services underway includes an engineering feasibility report, permitting and environmental documentation for review by TCEQ and TWDB (28, 29, 30).

*Electric System:* After a year-long study and voter approval (Nov 3), the City will sell two electric substations to LCRA for \$350,000. These funds will be dedicated to complete, in 2016, the repairs and

maintenance upgrades outlined by a system-wide study for our electric distribution system (32). The community-owned city electric distribution system relies on the local businesses, schools, and hospital for support to aggregate and purchase the best transmission rates available to the entire community. With the new deregulation and dual certified areas within the city limits, the staff continues to analyze and review costs to assure that we remain competitive with other private investor-owned electric service options available. Local city electric rates have remained unchanged for 5 years. "Buy local power" is required to maintain and expand city services. City of Brady also continues to work with AEP to bring into Brady the third major transmission line authorized and funded by ERCOT to improve the reliability of our electric grid.

*Gas System:* The community-owned city gas utility department completed a digital mapping project and engineering for maintenance repairs to the gas distribution system. Section repairs and upgrades will be bid this year to maintain the gas system in meeting TRRC regulations and guidelines. Local city gas rates have remained unchanged for 5 years.

*City Buildings:* Staff completed a five-year roof maintenance assessment and plan for all city buildings; including City Hall, Service Center, Police Station, and Fire/EMS Station Building (33). The City repaired the roofs of the Police Stations and the adjacent Municipal Court building, currently under renovation. The annual budget now includes a five-year projection of capital improvements and equipment replacement needs to allow for improved financial planning to maintain a comprehensive repair and maintenance plan for all city facilities.

*Civic Center Renovation:* The City Council is proud to announce, that with the 2009 citizen vote to "expand and renovate" the Ed Davenport Civic Center with 4B sales tax funds, award of \$1.7M bid to Waldrop Construction LLC of Brownwood in October. Construction will begin soon, construction projected to be completed in 8 months.

*Ballfields & Playgrounds:* City Council received a \$400,000 50/50 Texas Parks and Wildlife Outdoor Recreation Grant to upgrade the Richard's Park Baseball/Softball Complex and a \$75,000 50/50 Small Cities Recreation Grant for playground improvements at Willie Washington Park. Design work for these projects will be underway in 2016 (34).

*Signage:* City staff, Chamber of Commerce staff, and TXDOT are working on design plans for wayfinding signs for the numerous public and private attractions in the City (37). The Chamber added a digital community events sign at their office on South Bridge and 1<sup>st</sup> Street.

*Developers:* To improve economic development services, the city has initiated a one-stop permit issuance and zoning/permit assistance for any development project. The city staff has monthly predevelopment design review committee (DRC) meetings to review all the options and utility services for developers to help make the process as streamline as possible.

#### **Goal Four: Improve the City's visual appearance and identity.**

*Communicate Brand:* City Council adopted Vision – Purpose – Mission – Value Statements (41).

*New Municipal Code Court:* In 2015, City Council hired 2 alternate Municipal Judges and started a new Municipal Code Court that meets monthly to address quickly code violations. The new Municipal Code Court addressed 91 cases so far this year.

*Landscaping:* Marvin Smith, PPM Supervisor completed Master Gardener's certification program and is working with Master Gardener's to complete a Monarch Garden at EO Martin Park. Wildflower planting projects will continue for the gateways to the City and in the city parks (40). The City has established a new standard for street signs that meets new federal regulations. The consistency of the signage will improve the visual appearance and identity of the city. The City maintains the TXDOT gateway entry features to the City and the County Courthouse grounds to improve the visual appearance of the City.

**Goal Five: Promote recreational opportunities to support tourism and to provide a benefit to local residents.**

*Tourism promotion and events:* With Hotel Occupancy Taxes (HOT), the City contracts with the McCulloch / Brady Chamber of Commerce for tourism promotion and some event planning. The Director of Community Services is working closely with the Chamber of Commerce, McCulloch County, and AgriLife Extension Service to continue downtown community events and to promote additional activities at the G Rollie White Complex, such as the successful first Hogtoberfest this year. The city completed additional bleacher seating maintenance and facility repairs at GRW and will continue to do more this winter to maintain and improve the complex (42, 45, 47). Hotel-Motel Occupancy Tax Funds are now distributed to tourism projects on an annual contract bases to offer and encourage new events to be developed by a larger variety of event planners and local agencies. In 2015 events supported included the Heart of Texas Country Music Festival, McCulloch County Historical Commission Living History Weekend, Morgan Military Aviation Museum Fly-In, Memorial Weekend Golf Tourney, July Jubilee, World Championship BBQ Goat Cook-Off, Hogtoberfest, and the upcoming Christmas in the Heart event.

*Golf Course:* For the second year, Two Pro Golf experts from Brownwood/San Angelo were hired to assist the Brady Municipal Golf Course employees in improving the maintenance and operations of the golf course. Memberships, tournament play, daily play and revenues have increased as the condition of the course has improved. The City Council appreciates the partnership and support of the Brady Golf Association who provided new equipment and manpower to improve the public facility this year.

*Brady Creek Trail:* Bids are currently under review for a concrete hike and bike trail on Brady Creek from Richards Park to downtown. This is a Texas Parks and Wildlife Trail Grant project that will be completed mid-2016.

Special thanks to our citizen volunteers, city council members, board members, contractors and city employees for a productive and proactive year of community development projects and programs for the City of Brady.

**City Council:** Anthony Groves, Mayor, Latricia Doyal, Mayor Pro Tem, Kathy Gloria, Place 1, Shelly Perkins, Place 2, Marilyn Gendusa, Place 3, and Jack Turk, Place 5

**Planning & Zoning Commission:** Nick Blyshak, Chair, Ronnie Aston, Vice Chair, Amy Greer, Connie Easterwood, Thomas Flanigan, Jeff Bedwell, and JoAnn Coffey

**Brady Economic Development Corporation:** Jon Chase, President, Charles Stoke, VP, Tracy Pitcox, Charlotte Harper, and Lauren Bedwell

City Management Staff: Kim Lenoir, City Manager, Steven Miller, Director of Public Works, Peter Lamont, Director of Community Services, Carey McBride, Building Official/Code Compliance, Lisa Remini, Director of Finance, Lyle Daniel, Fire Chief, Steve Thomas, Police Chief, and Tina Keys, City Secretary

City of Brady works with the following partners, membership organizations and agencies: Brady Economic Development Corporation, Brady Golf Association, Brady/McCulloch County Chamber of Commerce, McCulloch County Junior Livestock Association, McCulloch County Commissioners Court, McCulloch County Hospital District, Brady ISD, McCulloch County Appraisal District, AgriLife Extension Service, McCulloch County Master Gardeners, Concho Valley Council of Governments, Area Agency on Aging of the Concho Valley, Texas Midwest Community Network, Lower Colorado River Authority, Texas Municipal League, Texas Economic Development Council, Texas Downtown Association, Texas Power Association, Texas Commission of Environmental Quality, Texas Railroad Commission, Texas Department of Transportation, Texas Water Development Board, Texas Parks and Wildlife Department, Texas Comptroller's Financial Transparency Recognition, AEP Utilities, Sharyland Utilities, West Texas Gas, The Governor's Office of Economic Development and Tourism, International City Management Association

*As required by City Charter Article 5 Section 4, this report includes activities in relation to the Comprehensive Master Plan, Zoning Ordinances, Subdivision Regulations and Capital Improvement Projects. The 2013 Comprehensive Plan was adopted by City Ordinance on November 19, 2013 and is available on the city website at [www.bradytx.us](http://www.bradytx.us) for viewing. There are five goals, eighteen recommendations, and fifty (50) action items to be implemented over the next five (5) to ten (10) years.*

Printed in compliance with Brady City Charter Section 5.04

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11/17/2015	<b>AGENDA ITEM</b>	1.5.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding Votes and Nominations for McCulloch County Appraisal District Board of Directors Members		
<b>PREPARED BY:</b>	Tina Keys	<b>Date Submitted:</b>	11/10/2015
<b>EXHIBITS:</b>	Copy of letter to taxing entities regarding nominations and votes for Members of the McCulloch County Appraisal District Board of Directors		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b> <p>Members of the McCulloch County Appraisal District Board of Directors are up for election and each voting entity must vote in an open meeting and report the vote to the Chief appraiser. Once your selection (s) is/are made, the City Secretary will report to McCulloch County Appraisal District on your behalf.</p>			
<b>RECOMMENDED ACTION:</b> <p>Cast your votes for one or two of the individuals on the ballot as instructed on the attached letter.</p>			



**MC CULLOCH COUNTY APPRAISAL DISTRICT  
306 WEST LOCKHART, BRADY, TEXAS 76825**

PHONE: 325-597-1627 FAX: 325-597-2408  
E-MAIL: MCCULLOCHCAD@VERIZON.NET

**ZANE BRANDENBERGER, CCA  
CHIEF APPRAISER**

September 29, 2015

**TO ALL VOTING TAXING ENTITIES:**

**IT IS TIME TO VOTE FOR NEW BOARD OF DIRECTOR (BOD) MEMBERS.**

**WE HAVE FIVE (5) MEMBERS ON THE BOD BUT ONLY TWO MEMBERS NEED TO BE NOMINATED. THE NEW MEMBERS WILL BEGIN A TWO YEAR TERM STARTING IN 2015. EXISTING BOARD MEMBERS MUST BE RENOMINATED IN ORDER TO SERVE ANOTHER TERM.**

**CURRENT BOARD OF DIRECTORS:**

BRENTT RAYBION  
MICHAEL PROBST

**BOARD OF DIRECTORS UP FOR RE-ELECTION/NOMINATION:**

REED WILLIAMS - WISHES TO SERVE AGAIN

CYNTHIA QUINN – WISHES TO SERVE AGAIN

JOE MILLIKEN - DOES NOT WANT TO SERVE AGAIN

**WHEN MAKING A NOMINATION PLEASE MAKE SURE HE/SHE IS WILLING TO SERVE ON THE BOARD.**

**PLEASE SEND IN YOUR NOMINATIONS BY NOVEMBER 20, 2015.**

**THANK YOU.**

**SINCERELY,**

---

ZANE P. BRANDENBERGER, CCA

A handwritten signature in black ink is written over a horizontal line. The signature reads "ZANE P. BRANDENBERGER, CCA".

## **Board of Director Membership**

A board of five (5) members shall govern the district, pursuant to the Texas Property Tax Code, Section 6.03(a).

### **Qualifications**

To be eligible to serve on the board of directors, an individual must be a resident of the appraisal district. This individual also must have resided in the appraisal district for at least two years immediately preceding the date of taking office.

Board members must receive mandatory training regarding Open Meetings and Open Records.

### **Disqualifications**

An employee of a taxing unit that participates in the district is not eligible to serve. However, an elected official or member of the governing body of a participating taxing unit may serve.

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors. The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.

A person may not be a board of director member if they are related within the second degree of consanguinity (blood) or affinity (marriage) to an employee in the appraisal district.

### **Selection Process**

Voting taxing units, specified by statute, select the appraisal district directors. Voting taxing units for McCulloch County are:

McCulloch County, Brady ISD, Lohn ISD, Rochelle ISD, Mason ISD, City of Brady, and City of Melvin.

The number of votes given to each voting taxing units is determined by the tax levied by each of the units. Depending on the number of members being appointed to the board, a number of 1,000 votes will be given for each member being appointed.

Ex: if there are 3 members being appointed, there will be a total of 3,000 votes divided (based on actual tax levy) between the voting taxing units.

In the event of a vacancy, the taxing units shall appoint a new director to fill the un-expired term of office. The voting will remain the same as when they are appointing new members.

### **Term of Office**

Appraisal district directors serve two-year terms. With each term beginning on January 1 of each year (3 terms on even numbered years, 2 terms of odd numbered years).

McCulloch County Appraisal District

Board of Directors

Nominations:

REED WILLIAMS

CYNTHIA QUINN

\_\_\_\_\_

\_\_\_\_\_

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11-17-2015	<b>AGENDA ITEM</b>	7.K
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding Resolution 2015-045. A resolution of the City Council of the City of Brady, TX for the temporary use of designated streets in Brady for the purpose of the first Lighted Christmas Parade		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11-13-2015
<b>EXHIBITS:</b>	Resolution 2015-045 Lighted Parade Proposed Route map Proposed Letter to TxDOT		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

This Resolution will authorize the closure of streets identified in the attached map for the purpose of a lighted parade on December 5, 2015.

**RECOMMENDED ACTION:**

Approve Resolution 2015-045 A resolution of the City Council of the City of Brady, TX for the temporary use of designated streets in Brady for the purpose of the first Lighted Christmas Parade

**RESOLUTION 2015-045**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF FOUR LANE US HIGHWAY 87 WEST AND EAST GOING INTO AND FROM BRADY; TWO LANE US HWY 377/190; AND TWO LANE FM 714 ON DECEMBER 5, 2015 FOR THE FIRST LIGHTED CHRISTMAS PARADE.**

**WHEREAS**, the City Council of the City of Brady in cooperation with the State of Texas for the safety and convenience of the traveling public request temporary closure of four lane US Highway 87 West and East going into and from Brady; two lane US Hwy 377/190; and two lane FM 714 on December 5, 2015 for the Lighted Christmas Parade; and

**WHEREAS**, the parade will be held within the City of Brady incorporated area from approximately 6:00 p.m. until 7:00p.m. and the closure will be performed within the State's requirements

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS:**

The City Council enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary street closure of four lane US Hwy 87 West and East going into and from Brady; two lane US Hwy 377/190; and two lane FM 714 for the purpose of the First Lighted Christmas Parade on Saturday, December 5, 2015..

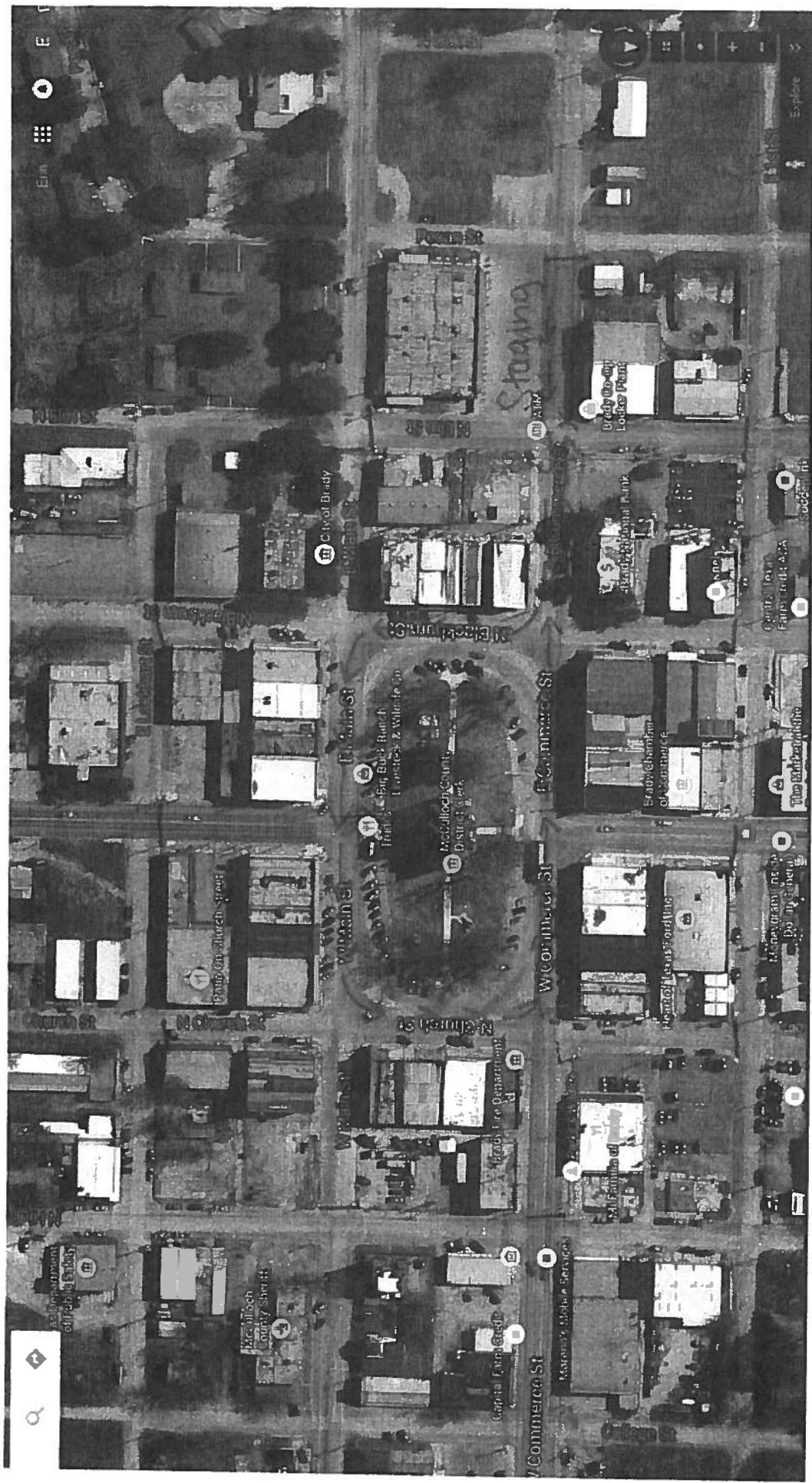
**RESOLUTION 2015-045**

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**CITY OF BRADY:**

\_\_\_\_\_  
Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary



November 13, 2015

Elias Rmeili, P.E., District Engineer  
Texas Department of Transportation  
PO Box 1549  
Brownwood, Texas 76801

Dear Mr. Rmeili,

The City of Brady, representing the Brady/McCulloch County Chamber of Commerce, respectfully requests the temporary closure of US Highway 87 in Brady from High Street to the courthouse square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square. All through lanes on these roads would be temporarily closed on Saturday, December 5th, 2015 from approximately 5:30 p.m. to 6:30 p.m. for the first Christmas in the Heart Lighted Parade.

Attached you will find a city map outlying the proposed route to be taken by the parade.

Law enforcement officers from the City of Brady Police Department and McCulloch County Sheriff's Office will be positioned along the route to assist in traffic control.

All preparations, before and after this event, will be done by local staff and volunteers. There will be no state equipment or manpower involved in this process. The parade is held to promote Brady and McCulloch County and brings tourists to our community for the weekend. This, in turn, will provide an economic boost our hotels, restaurants, retail stores, and fuel providers.

At this time, it is unknown how many people will attend the parade.

If you have any questions, problems, or concerns, please do not hesitate to contact me at (325) 597-2152.

Sincerely,

Peter Lamont  
Director of Community Services

Enclosure(s)

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	11-17-2015	AGENDA ITEM	T.L.
AGENDA SUBJECT:	Discussion of a proposed Distributed Generation Ordinance		
PREPARED BY:	Kim Lenoir	Date Submitted:	11-12-2015
EXHIBITS:	Draft ordinance		
BUDGETARY IMPACT:	Required Expenditure:	\$0	
	Amount Budgeted:	\$0	
	Appropriation Required:	\$0	
CITY MANAGER APPROVAL:			

#### SUMMARY:

**Amendment to the Municipal Code of Ordinances.** The City of Brady's Municipal Code of Ordinances, Chapter 13 (entitled "Utilities") is to be amended by adding Section 13.1012 entitled "Distributed Generation" to regulate non-emergency generators on the City's Electric Distribution Grid.

Staff will discuss and review the proposed ordinance.

#### RECOMMENDED ACTION:

Discussion item only

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS  
AMENDING THE CITY OF BRADY CODE OF ORDINANCES CHAPTER 13 UTILITIES  
BY ADDING SECTION 13.1012, TITLED DISTRIBUTED GENERATION; PROVIDING A  
SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, Chapter 13 (Utilities) of the City of Brady Code of Ordinances provides for the regulatory control of the City's electric service; and

**WHEREAS**, the City of Brady is the approving authority to distribute and service electricity to customers in a safe and compliant method; and

**WHEREAS**, the provision of such electric service is vital to the safety and well-being of the City's residents, users, and customers;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2. Amendment to the Municipal Code of Ordinances.** The City of Brady's Municipal Code of Ordinances, Chapter 13 (entitled "Utilities") is hereby amended by adding Section 13.1012 (entitled "Distributed Generation") to read as follows:

**Sec. 13.1012 Distributed Generation**

(a) The City shall be the sole provider of electric power within the City's designated certificate of convenience and necessity (CCN), as defined by the Public Utility Commission of Texas, with the exception of emergency generators as defined herein.

(1) Prohibition. Interconnections to the City's electric system by a distributed generation facility, regardless of the size or nature of the facility, shall be strictly prohibited. For purposes of this section distributed generation shall mean a device that converts a form of energy (typically petrochemical or gas) into electricity.

This prohibition shall not apply to emergency generators during periods of outages of the City's electric system. All such emergency generators shall be permitted, inspected, tested and approved by the City prior to use.

(2) The City Manager is authorized to develop administrative rules to facilitate the efficient implementation of this section and protect the best interest of the city.

(3) Nothing in this ordinance prohibits Distributed Renewable Generation (solar or wind) as defined by the Public Utility Commission of Texas provided all rules and regulations are met.

**Section 3. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**Section 4. Savings.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed offense, nor shall the repeal prevent a prosecution from being commenced for any violation occurring to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

**Section 5. Remedies.** All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the Code of Ordinances in effect on the effective date of this Ordinance and modified by this Ordinance or any other ordinances in effect on the effective date of this Ordinance and modified by this Ordinance and requiring the payment of fees for licenses, permits, and other services provided by the City which have accrued on the effective date of this Ordinance; and any and all accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 6. Effective Date.** This Ordinance shall become effective on its second reading.

PASSED AND APPROVED ON FIRST READING on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

PASSED AND APPROVED ON SECOND READING on this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

---

Anthony Groves, Mayor

ATTEST:

---

Tina Keys, City Secretary

APPROVED AS TO FORM: M. Shannon Kackley, Asst. City Attorney, DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, P.C.

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	11-17-15	AGENDA ITEM	7.M.
AGENDA SUBJECT:	Discussion regarding proposed revisions to the City of Brady Personnel Policy		
PREPARED BY:	K Lenoir	Date Submitted:	11-13-15
EXHIBITS:	Draft redline policy – to be distributed at the meeting		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

#### SUMMARY:

The last personnel policy was dated 2003. Staff and the attorney have prepared a draft for your review and comments. If needed, staff can set-up a work session to review in more detail.

#### RECOMMENDED ACTION:

Direct staff as desired.

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	11-17-15	AGENDA ITEM	7.N
AGENDA SUBJECT:	Discussion regarding adopting city limit map updates/corrections and advise Staff as necessary		
PREPARED BY:	K Lenoir	Date Submitted:	11-13-15
EXHIBITS:	List of annexation ordinances to be mapped		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

#### SUMMARY:

GIS Map contractors are developing a final map for the public to review. Staff plans to have a copy of this map to give the City Council on November 17. A news story and public hearing will be held December 1 to review the actual boundary lines of the city.

An ordinance will also be prepared for the City Council to officially adopt the map of the city limits. This map will be distributed to all entities desired to clarify the boundary lines of the city.

#### RECOMMENDED ACTION:

Direct staff as desired.

City of Brady - Annexation Ordinances - City Limit Map

Ordinance		
Year	Number	Subdivision
1906		Original Town
1927	44	W. 1st to Brady Creek - Old City Service Center
1927	52	South Brady - 16th to 17th Street
1929	80	North Brady - Boy St to Ballou St
1947	176	South Brady - Stanburn Park Area
1949	193-194	W 11th and 12th between Live Oak to Persimmon
1952	215	Houses N of W 6th street near park, Simpson, Jordan, Bombay Streets
1956	239	Curtis Field Airport
1961	276	Houses Southside of W 6th Street, near park
1961	293	S Bridge Commercial Tract
1962	291	S Bridge Commercial Tract
1964	324	S Bridge Commercial Tract
1965	330	Live Oak Cemetery
1968	369	Rest Haven Cemetery, Golf Course, Lake
1969	378	3 ac - Brady Nursing Home
1970	385	GRW Complex - 100 acres
1971	396	Waste Water Treatment Plant
1971	397	McBee 2.4 ac, W. 17th and Simpson St
1972	412	Parkview
1972	413	Richard Park, Park Addition / Memory Lane
1973	423	Broad * six small tracts around Park
1975	435	McCulloch County Hospital
1976	454	Meadow Creek
1976	453	Rudder Tract
1976	448	Southgate Terrace
1980	497	Civic Center Site
1984	544	South Brady to Hwy 71
1984	546	Highland South Subdivision
1992	684	Aston Property
2001	894	39 acres north of Golf Course, 14.8 ac east and south of golf course

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	11-17-2015	AGENDA ITEM	8.A
AGENDA SUBJECT:	Monthly Financial Reports		
PREPARED BY:	Lisa Remini	Date Submitted:	11-12-2015
EXHIBITS:	Investment Activity Operating Cash /Utility Billing History Sales Tax Report Motel Tax Collection and Distribution Report Utility Customer Service Reports		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
<b>SUMMARY:</b> <ul style="list-style-type: none"> <li>• Monthly financial update report for October 2015 will be available November 17.</li> <li>• October Financial Statements will be emailed to your City email address for your review. Final unaudited financial statements for the FY 15 will be emailed for your review.</li> <li>• Total Sales Tax collections through October 2015 exceed last year's collections by \$30,396, or 26.8%.</li> <li>• Total Hotel/Motel collections for the FY 2015 are \$9,462.93 or 4% more than last FY.</li> <li>• Monthly expenditure data provided by the Volunteer Fire Department is included for your review.</li> </ul>			

#### RECOMMENDED ACTION:

This item is for discussion purposes only.

Note:

After each Audit Board and upon Council approval, the check register denoting the checks issued to each Vendor, amount paid, and description of the item paid will be on the City's website for public view. Go to the Finance Department tab and then look for the Check Register tab.

**CITY OF BRADY**  
**INVESTMENT ACTIVITY**  
**DATE: October 31, 2015**

Certificates of Deposit at	<b>Commercial National Bank:</b>				Interest Earnings
					Y-T-D
1. #28503	\$242,942.61	at	0.25%	for 365 days maturity	12/21/2015 \$0.00

**GRAND TOTAL**    **\$242,942.61**    **TOTAL SHORT-TERM CASH INVESTMENTS**

The City investment portfolio is in compliance with the PFIA and the City's investment strategy as outlined in the Council approved Investment Policy dated 9-01-15 by Resolution 2015-037.

Lisa Remini

Lisa Remini, Investment Officer

**FUND BALANCE AND CASH RECONCILEMENT**  
As of: October 31, 2015

		Unrestricted Cash	Restricted Cash	Total Cash	Comments
<b>BRADY NATIONAL BANK</b>					
Operating Account	#100677	\$ 10,509,645.33	49,532.56	10,559,177.89	Street Sanitation
Airport Account	#172791	\$ 22,197.15	-	22,197.15	
EMS - RAC	#166470	\$ -	5,824.75	5,824.75	
Water Repair & Replacement	#172817	\$ 14,304.98	220,000.00	234,304.98	
TXDOT Bridge Street Reimbursement	#173153	\$ 91,313.20	-	91,313.20	
CW - WWTP Construction	#103671	\$ -	178.09	178.09	
DW Construction	#104828	\$ -	600.01	600.01	
Sinking Fund 2000	#172890	\$ -	106,521.67	106,521.67	
Sinking Fund 2004	#176727	\$ -	5,051.07	5,051.07	
Sinking Fund 2012 - Refunding	#103069	\$ -	38,473.83	38,473.83	
Sinking Fund 2012 - WWTP	#103663	\$ -	22,753.17	22,753.17	
Sinking Fund 2013 - DW	#105770	\$ -	6,968.26	6,968.26	
Landfill Closure Reserve	#172775	\$ -	334,950.76	334,950.76	
Drug Seizure FDS	#172668	\$ -	13,259.15	13,259.15	
Police Educational	#172700	\$ -	5,017.66	5,017.66	
Court Security	#102533	\$ -	3,566.45	3,566.45	
Court Technology	#102541	\$ -	1,617.85	1,617.85	
Community Development Block	#172627	\$ -	-	-	
Former CD's - Reserves	#102525	\$ 996,587.08	410,352.41	1,406,939.49	Utility Deposit \$
Cash on Hand		\$ 1,940.00	-	1,940.00	
Bank Balances - Interest rate .55%	Subtotal	\$ 11,635,987.74	1,224,667.69	12,860,655.43	
Certificate of Deposit at CNB					
BOTX Escrow Account - CO 2012 CW Project		\$ -	242,942.61	242,942.61	Utility Deposit \$
BOTX Escrow Account - LF 2012 CW Project		\$ -	1,158,224.67	1,158,224.67	
BOTX Escrow Account - EDAP 2015 DW Project		\$ -	846,780.64	846,780.64	
BOTX Escrow Account - CO 2013 DW Project		\$ -	1,771,413.97	1,771,413.97	
BOTX Escrow Account - LF 2013 DW Project		\$ -	17,255.21	17,255.21	
	Subtotal	\$ -	4,036,617.10	4,036,617.10	
<b>TOTAL CASH BALANCES RECONCILED</b>		11,635,987.74	5,261,284.79	<b>16,897,272.53</b>	
<b>10-31-15 GENERAL LEDGER</b>					
Total Current Non-Cash Assets - All Funds				862,141.65	
(Total Current Liabilities - All Funds)				(1,554,887.09)	
<b>Total Fund Balance / Net Working Capital</b>				<b>16,204,527.09</b>	

## RECONCILED OPERATING CASH / TOTAL UTILITY BILLINGS

Fiscal Year 15-16

## 1171 - Brady, City of (General Obligation Debt)

### Report - Brady, City of (General Obligation Debt) / Sales Tax Data

The Charts below contain sales tax revenue allocated each month by the State Comptroller. For example, the February allocations reflect December sales, collected in January and allocated in February.

\*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

- View Grid Based on Calendar Year
  - View Grid With All Years

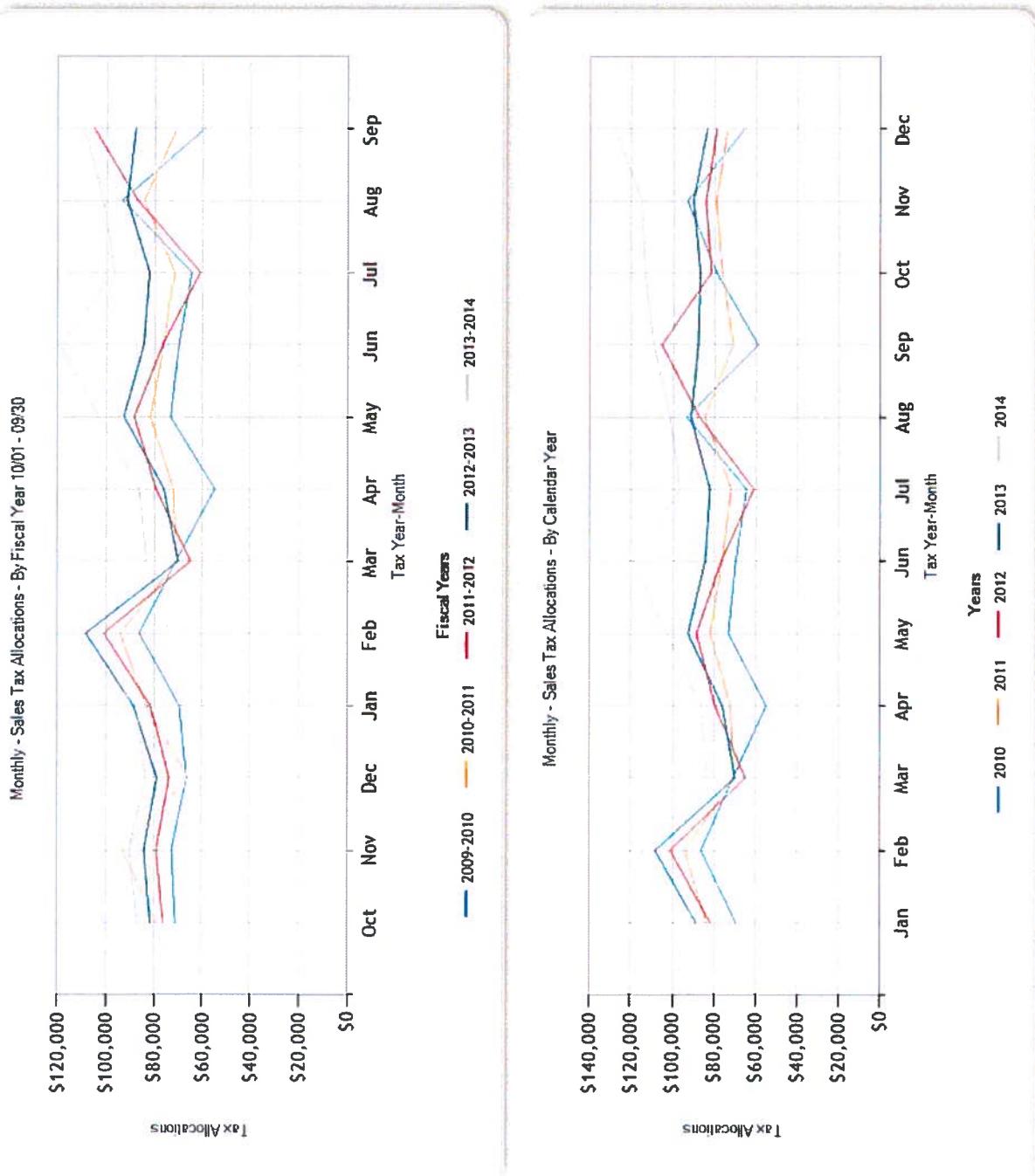
[Download to Excel](#)  
 Change Fiscal Year

#### By Fiscal Year 10/01 - 09/30

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2016	\$143,834	\$112,101	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$255,934
2015	\$113,438	\$115,026	\$128,575	\$118,282	\$127,008	\$90,659	\$99,414	\$119,166	\$107,160	\$99,436	\$107,394	\$106,966	\$1,332,523
2014	\$86,905	\$90,223	\$83,575	\$87,608	\$114,999	\$83,194	\$86,383	\$103,052	\$119,190	\$96,615	\$101,343	\$109,279	\$1,162,366
2013	\$81,575	\$84,095	\$78,857	\$88,594	\$108,399	\$69,954	\$76,038	\$92,661	\$84,448	\$82,176	\$91,353	\$87,852	\$1,026,002
2012	\$76,182	\$79,173	\$73,628	\$81,661	\$100,901	\$64,794	\$79,473	\$88,392	\$76,641	\$60,890	\$87,159	\$105,230	\$974,124
2011	\$78,998	\$93,104	\$65,476	\$83,507	\$93,953	\$70,399	\$72,121	\$81,841	\$76,174	\$71,819	\$84,522	\$71,003	\$942,918
2010	\$70,849	\$72,537	\$66,287	\$69,364	\$86,286	\$70,868	\$54,779	\$73,192	\$69,685	\$64,455	\$93,443	\$58,872	\$850,618
2009	\$79,109	\$125,392	\$86,622	\$79,704	\$95,830	\$73,457	\$68,319	\$79,191	\$78,551	\$96,167	\$89,024	\$73,646	\$1,025,012
2008	\$73,939	\$76,885	\$75,520	\$76,332	\$88,517	\$69,243	\$60,775	\$73,032	\$72,513	\$74,539	\$82,203	\$80,973	\$904,471
2007	\$62,229	\$81,144	\$67,861	\$60,380	\$101,688	\$59,568	\$53,524	\$79,704	\$54,614	\$77,376	\$76,886	\$72,942	\$847,915

1 2 3 >

## Sales Tax Charts - Brady, City of (General Obligation Debt)



## MOTEL OCCUPANCY TAX

### FY 2015 Quarter Totals

4th Quarter 2014 (October - December)	Total
	\$59,092.55
1st Quarter 2015 (January - March)	\$51,748.09
2nd Quarter 2015 (April - June)	\$61,167.04
3rd Quarter 2015 (July - September) Due October 31, 2015	\$64,141.16
	<u><b>\$236,148.85</b></u>

### FY 2015 Summary Collections

	Taxable Receipts	Tax @ 7%	Disc.	Net Tax
Holiday Inn Express - 2320 S Bridge 597-1800	\$1,689,723.99	\$118,280.68	\$1,182.80	\$117,097.90
Best Western - 2200 S. Bridge 597-3997	\$903,773.34	\$63,264.12	\$632.63	\$62,631.49
Days Inn - 2108 S. Bridge 597-0789	\$519,439.93	\$36,360.62	\$363.64	\$35,997.07
Gold Key Inn - 2021 S Bridge 597-2185	\$244,944.85	\$17,165.03	\$522.64	\$16,642.18
Brady Motel - 603 W. Commerce 597-2442	\$54,548.39	\$3,818.38	\$38.15	\$3,780.20
	<b><u>\$3,412,430.50</u></b>	<b><u>\$238,888.82</u></b>	<b><u>\$2,739.86</u></b>	<b><u>\$236,148.85</u></b>

### **FY 2015 Grants**

	Commitment	YTD Distributions	Payment Date
Chamber of Commerce	\$145,000.00	\$141,250.00	Monthly thru 09/01/15
McCulloch Co Historical Commission	\$1,500.00	\$1,500.00	4/7/2015
Morgan Military Aviation Museum	\$10,000.00	\$10,000.00	4/21/2015
Brady Golf Association	\$3,000.00	\$3,000.00	5/18/2015
Hillbilly - HOT Country Music Museum	\$7,500.00	\$7,500.00	6/30/2015
HOT Historical Museum	\$15,000.00	\$15,000.00	9/10/2015
Tru Country	\$7,500.00	\$7,500.00	9/11/2015
<b>YTD Total</b>	<b><u>\$189,500.00</u></b>	<b><u>\$185,750.00</u></b>	

### FY 2014 Quarter Totals

	Chamber of Commerce	HOT Historical Museum	HOT Country Music Museum	Total
4th Quarter 2013 (October - December)	\$42,056.77	\$3,823.34	\$1,911.67	\$47,791.79
1st Quarter 2014 (January - March)	\$46,912.43	\$4,264.77	\$2,132.38	\$53,309.58
2nd Quarter 2014 (April - June)	\$52,823.10	\$4,802.10	\$2,401.05	\$60,026.25
3rd Quarter 2014 (July - September)	<u><b>\$57,691.31</b></u>	<u><b>\$5,244.65</b></u>	<u><b>\$2,622.33</b></u>	<u><b>\$65,558.29</b></u>
	\$199,483.62	\$18,134.86	\$9,067.43	\$226,685.92

### FY 2014 Annual Summary

	Taxable Receipts	Tax @ 7%	Disc.	Net Tax
Holiday Inn Express - 2320 S Bridge 597-1800	\$1,565,357.48	\$109,575.02	\$1,095.74	\$108,479.29
Best Western - 2200 S. Bridge 597-3997	\$993,684.29	\$69,557.89	\$695.56	\$68,862.33
Days Inn - 2108 S. Bridge 597-0789	\$419,317.76	\$29,352.22	\$293.50	\$29,058.72
Gold Key Inn - 2021 S Bridge 597-2185	\$237,054.43	\$16,593.81	\$165.94	\$16,427.88
Brady Motel - 603 W. Commerce 597-2442	\$55,666.72	\$3,896.65	\$38.97	\$3,857.70
	<b><u>\$3,271,080.68</u></b>	<b><u>\$228,975.60</u></b>	<b><u>\$2,289.71</u></b>	<b><u>\$226,685.92</u></b>

TAX DISTRIBUTION	HISTORICAL PMT HISTORY				
	2014	2013	2012	2011	2010
88% CHAMBER OF COMMERCE	\$199,483.62	\$167,135.77	\$148,640.69	\$145,284.51	\$91,243.04
8% HOT HISTORICAL MUSEUM C/O PO BOX 48	\$18,134.86	\$15,194.16	\$13,512.78	\$13,207.69	\$8,294.82
4% HOT COUNTRY MUSIC MUSEUM C/O TRACY PITCOX 1701 S BRIDGE	\$9,067.43	\$7,597.09	\$6,756.39	\$6,603.84	\$4,147.41
	<b><u>\$226,685.92</u></b>	<b><u>\$189,927.02</u></b>	<b><u>\$168,909.86</u></b>	<b><u>\$165,096.04</u></b>	<b><u>\$103,685.27</u></b>
PERCENT CHANGE:	19.35%	12.44%	2.31%	59.23%	

11/10/2015 3:48 PM

## CASH COLLECTION HISTORY REPORT

PAGE: 30

OPERATOR: ALL

HISTORY TRANSACTION SUMMARY

DATES: 10/01/2015 THRU 10/31/2015

TERMINAL: ALL

RECEIPTS: 0 THRU 99999999

SUMMARY CODE: ALL

TRAN: 0.0000 THRU 999.9999

DEPARTMENT: ALL

AMOUNT: 0.00 THRU 9,999,999.

TRAN	NAME	VOIDS	NO#	TOTAL	CA	CK	MO	CC	C
1.0000	UTILITY PAYMENT	12	2277	723,390.65CR					
2.0000	MAIL PAYMENT	42	465	244,336.28CR					
3.0000	NIGHT DROP PAYMENT	2	262	73,700.74CR					
4.0000	BAD DEBT PAYMENT	1	13	4,404.22CR					
10.0000	ELECTRIC DEPOSIT	1	42	4,650.00CR					
11.0000	GAS DEPOSIT	1	31	1,550.00CR					
12.0000	WATER DEPOSIT	1	42	2,300.00CR					
22.0000	TRANSFER FEE	1	14	300.00CR					
35.0000	TAP FEE-WATER	0	1	790.00CR					
100.0000	A/R PAYMENT	1	45	7,892.95CR					
103.0000	SB EMS payments	0	9	13,260.19CR					
110.0000	Airport Revenues	0	1	1,987.47CR					
172.0000	CEMETERY OPEN/CLOSE	0	2	385.00CR					
173.0000	CEMETERY LOT PURCH	0	7	1,110.00CR					
195.0000	CREDIT CARD USER FE	0	88	550.63CR					
217.0000	DEP-F30 Ck to 2000S	0	1	17,415.00CR					
220.0000	DEP-F30 Ck to 2004S	0	1	1,156.25CR					
221.0000	DEP-F60 CktoLClosur	0	1	2,916.50CR					
224.0000	DEP-SF 2012 WWTP	0	1	10,995.00CR					
225.0000	Dep to SF 2013-DW	0	1	3,430.00CR					
320.0000	GOLF-DAILY DEPOSITS	0	22	2,729.42CR					
335.0000	FIRE Inspection Fee	1	2	225.00CR					
493.0000	LAKE-DAILY DEPOSITS	0	28	5,116.85CR					
505.0000	LANDFILL - DAILY DE	1	20	5,814.91CR					

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## CASH COLLECTION HISTORY REPORT

PAGE: 31

OPERATOR: ALL

## HISTORY TRANSACTION SUMMARY

DATES: 10/01/2015 THRU 10/31/2015

TERMINAL: ALL

RECEIPTS: 0 THRU 99999999

SUMMARY CODE: ALL

TRAN: 0.0000 THRU 999.9999

DEPARTMENT: ALL

AMOUNT: 0.00 THRU 9,999,999.

TRAN	NAME	VOIDS	NO#	TOTAL	CA	CK	MO	CC	C
543.0000	MUNI COURT PAYMENT	0	38	2,734.67CR					
550.0000	Municipal Franch Ta	0	1	7,625.40CR					
551.0000	Muni R of W Fee/tel	0	1	266.43CR					
640.0000	Parks-Rental Fees	0	3	892.00CR					
645.0000	Permit/Inspt/Licens	0	7	1,604.95CR					
647.0000	Permits-Peddlers	0	1	35.00CR					
655.0000	Police Revenues	0	1	56.00CR					
760.0000	Sr Citizen Daily De	0	23	4,670.03CR					
860.0000	West Texas Gas	0	1	15,751.61CR					
861.0000	WWTP Disposal Fees	0	7	1,040.00CR					
900.0000	EDC Sales Tax	0	1	21,393.23CR					
903.0000	Loan Pmt- Thomas	0	1	551.72CR					
904.0000	Loan Pmt- Owens	0	2	807.82CR					
912.0000	Rental Pmt- Old Dod	0	1	643.39CR					
990.0000	G/L Entry	0	19	42,457.16CR					
*** GRAND TOTALS **									
	64	3483		1,230,936.47CR	222,839.74	907,603.16		18,905.42	81,588.
*** CASH LONG ***									
				100.35CR	100.35				
*** REVISED ***									
				1,231,036.82CR	222,940.09				

**CITY OF BRADY  
CITY COUNCIL CORRESPONDENCE**

**TO: MAYOR AND COUNCIL**

**FROM: FINANCE / UTILITY DEPARTMENTS**

**SUBJECT: MONTHLY CUSTOMER SERVICE REPORT**

**DATE: October 31, 2015**

## BNB/Brady VFD Maintenance Fund

Date	Payee	Description	Amt	Ck #	Recurring Payment	Other Comments
<b>Oct-14</b>						
9/30/2015	Bob Moore	Replace Tires from Camp San Saba Fire	430.92	157		Replace Ruined Tires at Camp San Saba Fire on Brush 1
9/30/2015	Berkley's	Fuel for Mule (Danny Galindo)	8.81	158		Fuel for Mule (Danny Galindo)
10/1/2015	CTTC	Tower Lease	25.00	EFT	X	Tower Lease
10/9/2015	City Brady	Deposit from City of Brady	2,283.33	DEP		Monthly Maintenance Fund money from City of Brady
<b>10/2015</b>						
10/2/2015	Chase	Uniform Shirts	529.92	EFT		Uniform Shirts
10/8/2015	Ace Hardware	Parts for Repair on Rescue	16.99	159		Parts for Repair of Rescue 1
10/8/2015	Brady Butane	PVC Pipe	4.34	160		PVC Pipe
10/8/2015	Bob Moore	CR 124 Fire - Ruined Tires	142.50	161		CR 124 Fire - Ruined Tires
<b>10/15/2015</b>						
10/15/2015	BNB	Auto Withdraw on Loan # 55027	308.23	Auto WD	X	Payment on Loan # 55027
10/15/2015	BNB	Auto Withdraw on Loan # 54135	440.35	Auto WD	X	Payment on Loan # 54135
10/15/2015	BNB	Auto Withdraw on Loan # 56439	914.47	Auto WD	X	Payment on Loan #56439
<b>Explanation of Loans and Terms</b>						
Loan #54135 - 2011 Ford F-550 (Brush 2) 10/28/10 thru 10/5/2015 @ 4.75% Interest = \$484.87						
Loan # 55027 - 2010 Ford F-250 4x4 Crew Cab (Command 1) 5/9/12 thru 5/6/2017 @ 5.95% Interest = \$308.23						
Loan #56439 - 2015 Ford F-250 Crew Cab (Command 2) 6/1/15 thru 12/15/17 @ 3.5% Interest - \$914.47						

## October 2015 Statement

Maintenance  
11/3/2015

Page 1

### Reconciliation Summary

#### BANK STATEMENT -- CLEARED TRANSACTIONS:

Previous Balance:		4,773.00
Checks and Payments	9 Items	-2,875.72
Deposits and Other Credits	1 Item	2,283.33
Service Charge	0 Items	0.00
Interest Earned	0 Items	0.00
Ending Balance of Bank Statement:		4,180.61

#### YOUR RECORDS -- UNCLEARED TRANSACTIONS:

Cleared Balance:		4,180.61
Checks and Payments	0 Items	0.00
Deposits and Other Credits	2 Items	2,283.33
Register Balance as of 11/3/2015:		6,463.94
Checks and Payments	0 Items	0.00
Deposits and Other Credits	0 Items	0.00
Register Ending Balance:		6,463.94

### October 2015 Statement

Maintenance  
11/3/2015

Page 2

#### Uncleared Transaction Detail up to 11/3/2015

Date	Num	Payee	Memo	Category	Clr	Amount
<b>Uncleared Checks and Payments</b>						
		Total Uncleared Checks and Payments		0 Items		0.00
<b>Uncleared Deposits and Other Credits</b>						
9/30/2015 11/3/2015	158 DEP	Berkley C-Store (VOID) City Of Brady	Fuel November check	Auto Other Inc		0.00 2,283.33
		Total Uncleared Deposits and Other Credits		2 Items		2,283.33
		Total Uncleared Transactions		2 Items		2,283.33



Satisfying Needs . . .

Building Relationships

P.O. Box 111  
BRADY, TX 76825

101 SOUTH BLACKBURN  
(325) 597-2104

[Bank Home Page](#) [MEMBER FDIC](#)

Date 10/30/15  
Account Number

Page 1  
103655

BRADY VOLUNTEER FIRE DEPT INC  
MAINTENANCE FUND  
216 WEST COMMERCE  
BRADY TX 76825

#### SUMMARY OF ACCOUNTS

ACCOUNT NO	TYPE OF ACCOUNT	CURRENT BALANCE	ENCLOSURES
103655	REGULAR CHECKING	4,180.61	5

REGULAR CHECKING		Image Statement	
Account Number	103655	Statement Dates 10/01/15 thru 10/31/15	5
Previous Balance	4,773.00	Days in the statement period	31
1 Deposits/Credits	2,283.33	Average Ledger	3,220
4 Checks/Debits	594.75	Average Collected	3,220
5 Electronic Debit	2,280.97		
Service Charge	.00		
Interest Paid	.00		
Ending Balance	4,180.61		

#### DEPOSITS

DATE	DESCRIPTION	AMOUNT
10/27	RDA REGULAR DEPOSIT	2,283.33

#### OTHER WITHDRAWALS AND FEES

DATE	DESCRIPTION	AMOUNT
10/05	EPAY CHASE 5760039224 10/05/15	592.92
10/06	CentTX Pmt Central Tx Tele 1750853485 10/06/15	25.00
10/15	1/3 OF PMT ON LOAN # 55027	308.23
10/15	1/3 OF PAYMENT LOAN # 54135	440.35
10/15	LOAN #56439	914.47
	LOAN # 56439	



*Satisfying Needs . . .*

*Building Relationships*

P.O. Box 111  
BRADY, TX 76825

101 SOUTH BLACKBURN  
(325) 597-2104

[Bank Home Page](#) [MEMBER FDIC](#)

Date 10/30/15 Page 2  
Account Number 103655

REGULAR CHECKING

103655 (continued)

**CHECKS AND OTHER ITEMS IN SERIAL NUMBER OR DATE ORDER**

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
10/05	157	430.92	10/14	160	4.34
10/13	159*	16.99	10/14	161	142.50

\*Denotes Skip in Check Number

**DAILY BALANCE SECTION**

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
10/01	4,773.00	10/13	3,707.17	10/27	4,180.61
10/05	3,749.16	10/14	3,560.33		
10/06	3,724.16	10/15	1,897.28		

**Remote Deposit****Credit**

**The Brady National Bank RDA Services**  
 Mobile MicroBusiness **BRADY VOLUNTEER FIRE**  
 01 S. Blackburn St.  
 Brady, Texas 76825  
 225 597 2104

Date: 10/27/2015  
 Items: 1  
 Amount: \$2,283.33  
 Batch ID: 1279730182  
 Account ID: 207333 898405  
 Acc. Num: 103655  
 AuxOnUs: 109250122

RDA REGULAR DEPOSIT Date: 10/27 Amount: \$2,283.33

BRADY VOLUNTEER FIRE DEPT INC.  
 MAINTENANCE FUND  
 216 WEST COMMERCE  
 BRADY, TX 76825  
 PAY TO *Keith's Ace Hardware* \$16 99/xx  
*the order of* *Keith's Ace Hardware* *16 99/xx*  
*MEMO: 110245* *16 99/xx*  
 10-8-15 159

**BRADY** NATIONAL BANK PO Box 111 - (225) 597-2104  
 Brady, Texas 76825 0111

DDA REGULAR CHECK Date: 10/13 Amount: \$16.99

BRADY VOLUNTEER FIRE DEPT INC.  
 MAINTENANCE FUND  
 216 WEST COMMERCE  
 BRADY, TX 76825  
 PAY TO *Bob Moore Tires* \$147 50/xx  
*the order of* *Bob Moore Tires* *147 50/xx*  
*MEMO: CR 124 - Bunked Tires* *147 50/xx*  
 10-8-15 161

**BRADY** NATIONAL BANK PO Box 111 - (225) 597-2104  
 Brady, Texas 76825 0111

DDA REGULAR CHECK Date: 10/14 Amount: \$142.50

BRADY VOLUNTEER FIRE DEPT INC.  
 MAINTENANCE FUND

88-349/1113

157

216 WEST COMMERCE

7-29-15

BRADY, TX 76825

PAY TO *Bob Moore Tires* \$450 99/xx

the order of

*Four hundred thirty and 99/xx*

DOLLARS @

**BRADY** NATIONAL BANK

PO Box 111 - (225) 597-2104

Brady, Texas 76825 0111

MEMO: *PVC Pipe*

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10-11 303



BOB MOORE TIRE COMPANY

Highway 87 South  
2338 SO Bridg

Brady, Texas 76825  
2530 30th, Bridge

telephone 325-591-06

CUSTOMER  
ORDER NO

Books of Poetry Brady, U. S. UNIVERSITY

DATE 10-6-15

PRODUCT NO.	DESCRIPTION
—	

~~McLaren~~ ~~McLaren~~  
McLaren  
McLaren

6/21/07 ~~0001~~

A FINANCE CHARGE OF 1 1/2%, ANNUAL RATE OF 18% WILL BE ASSESSED ON THE UNPAID BALANCE OF ALL ACCOUNTS NOT PAID BY THE 10TH OF MONTH FOLLOWING PURCHASE. ALL ACCOUNTS DUE AND PAYABLE IN 30 DAYS.

**THERE IS A \$30 RETURN CHECK FEE!**

TOTAL PAY THIS AMOUNT	142 50
SALES TAX	E 8

## INVOICE

No. 199709

RECEIVED BY John Doe INVOICE

905

TOTAL PAY THIS AMOUNT	142	50
-----------------------	-----	----

CHECK   
CASH   
CHARGE  *(X)*  
CREDIT   
C.C.

✓ 100

BRADY BUTANE CO., INC.  
1907 S. BRIDGE  
BRADY, TX 76825

PHONE: (325) 597-2428

THANK YOU FOR SHOPPING AT BRADY BUTANE!

BRADY VOLUNTEER FIRE DEPT.  
216 W. COMMERCE  
BRADY TX 76825

CUST # 1102  
TERMS: NET 10TH  
P.O. # 501  
REF. # PO # 501

INV # 294261  
DATE : 9/30/15  
CLERK: RC  
TERM # 554

TIME : 9:10

\*\*\*\*\*  
\* INVOICE \*  
\*\*\*\*\*

QUANTITY	UM	ITEM	DESCRIPTION	PRICE/PER	EXTENSION
1	EA	6205421	2" CI/PVC X CT/PVC NON-PROFIT ORGANIZATION EXEMPTION ON FILE	4.34 /EA .001/EA	4.34 N N

*Yoder  
Booster Corp  
Report*

\*\* AMOUNT CHARGED TO ACCOUNT \*\*

4 . 34	TAXABLE	0 . 00
NON-TAXABLE		4 . 34
SUB-TOTAL		4 . 34
TAX AMOUNT		0 . 00
TOTAL INVOICE		4 . 34

*Yoder*

# STATEMENT

PAGE: 1 KEITH'S ACE HARDWARE-GO  
 P.O. BOX 820  
 LORENA, TEXAS 76655-0820  
 (254) 857-8667

CLOSING  
 CLOSING DATE: 9/30/15 DATE : 9/30/15  
 DUE DATE : 10/10/15  
 ACCT: 907465 DUE DATE: 10/10/15

BRADY VOLUNTEER FIRE DEPT.  
 216 WEST COMMERCE  
 BRADY TX 76825

KEITH'S ACE HARDWA  
 BRADY VOLUNTEER FI  
 ACCOUNT : 907465

|||||||||||||||||

PLEASE DETACH AND RETURN  
 REMITTANCE STUB WITH YOUR PAYMENT

DATE	REFERENCE	ST	C	DESCRIPTION	DEBIT	CREDIT	REFERENCE	AMOUNT
				EMAIL STATEMENTS AND INVOICES NOW AVAILABLE EMAIL - CUSTOMERSERVICE@KEITHHARDWARE.COM				
				PREV BALANCE	14.97		PREV BAL	14.97
9/ 4/15	I72317	9	P	PAYMENT TO DOC #109190		14.97	I72317	-14.97
9/21/15	110245	9	I	PO # RESCUE1	16.99		110245	16.99
				NEW BALANCE	16.99			
PAYMENT	SUMMARY			CHECK DATE 156 09/04/15 PAYMENT TOTALS:		AMOUNT 14.97 14.97		
CURRENT	1-30 DAYS			31-60 DAYS	61-90 DAYS	OVER 90 DAYS		
16.99	0.00			0.00	0.00	0.00		
							NEW BAL:	16.99

TERMS: NET 10TH

CUT HERE ↑ ↑ ↑ ↑ ↑ ↑

907465

## Transaction Codes

A - Adjustment	C - Credit	I - Invoice
B - Balance Forward	F - Finance Charge	P - Payment

AMOUNT PAID



## Pay Bills

You've successfully scheduled this payment.

Payee	Pay From	Send On	Deliver By	Amount	Status Transaction No.
All Accounts ...5146	BRADY NATIONAL BANK (...3655)	10/2/2015	10/2/2015	\$592.92	<input checked="" type="checkbox"/> Pending 2372622939
Total:					\$592.92

JPMorgan Chase Bank, N.A. Member FDIC  
Equal Opportunity Lender



94 Horizon Loop  
Monticello, Ky. 42633

Toll: 1-888-377-1591  
Fax: 66-340-9122

# Invoice

Date	Invoice #
9/29/2015	34122

## Bill To

Brady Fire/EMS  
216 West Commerce  
Brady, TX 76825

## Ship To

Brady Fire/EMS  
Attn: Lynne White  
216 West Commerce  
Brady, TX 76825

	Terms	Due Date	Account #	Ship Date	Ship Via
	Personal Credit Card	9/29/2015	3255973489	9/29/2015	UPS

Description	Item	Qty	Unit ...	Total Cost
DD-FDPINK5 Flames For A Cure	Heliconia SST Small	4	8.95	35.80
DD-FDPINK5 Flames For A Cure	Heliconia SST Med	12	8.95	107.40
DD-FDPINK5 Flames For A Cure	Heliconia SST Large	12	8.95	107.40
DD-FDPINK5 Flames For A Cure	Heliconia SST XL	26	8.95	232.70
DD-FDPINK5 Flames For A Cure	Heliconia SST 2XL	6	10.95	65.70
Shipping & Handling	Shipping & Handling	1	43.92	43.92

multi-color Left Chest..Black Ink Full Back

<b>Subtotal</b>	\$592.92
<b>Sales Tax (6.0%)</b>	\$0.00
<b>Total</b>	\$592.92
<b>Payments/Credits</b>	-\$592.92
<b>Balance Due</b>	\$0.00

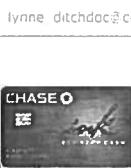


Chase.com | Contact Us | Privacy Notice | En Español |

Search:  CHASE ONLINE<sup>SM</sup> Friday, October 02, 2015

Welcome BRADY VOLUNTEER FIRE DEPT

Secure Message Center | Customize Accounts



**INK CASH BUSINESS CARD**  
**EARN \$300 BONUS CASH BACK** [Learn more](#)



**What can we do better?**  
**WE'RE LISTENING**

Buy or refinance with our competitive auto loan rates.  
[Learn more](#)

**Account Summary****BRADY VOLUNTEER FIRE DEPT****Credit cards****\$592.92**

Create a list of your favorite accounts

**11,079****Business Accounts****Business Card Summary for BRADY VOLUNTEER FIRE DEPT****All Accounts**

Current balance*	\$592.92	See activity
Payment due date	<b>10/07/2015</b>	See statements
Minimum payment due	<b>\$0.00</b>	Pay credit card
Balance last statement	<b>\$0.00</b>	
Available credit*	\$5,707.08	Transfer balances
Total credit limit*	\$6,300.00	



[Show Rewards balance](#)  
[Go to Ultimate Rewards](#)

Blueprint Home page

[Go to BLUEPRINT](#)

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**Card Details**

L. WHITE (...5146)

See activity

See expense reports

[See more information](#) **Payments & Transfers**

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[See statements](#)  
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[L. WHITE \(...5146\)](#)

[Alerts](#)

[Enrolled](#)



## BOB MOORE TIRE COMPANY

Highway 87 South  
2338 So. Bridge  
Brady, Texas 76825  
Telephone 325-597-0701

CUSTOMER  
ORDER NO.

DATE 9-12-2005

## INVOICE

FINANCIAL CHARGE OF  $1\frac{1}{2}\%$ , ANNUAL RATE OF 18%, WILL BE ASSESSED ON THE UNPAID BALANCE OF ALL ACCOUNTS NOT PAID BY THE 10TH OF MONTH FOLLOWING PURCHASE. ALL ACCOUNTS DUE AND

THERE IS A ~~30~~ RETURN CHECK FEE!

**SALES TAX** **TOTAL-PAY THIS AMOUNT**

AVAILABLE IN BRADY, TEXAS.

RECEIVED BY John Bell VOICE

BERKLY C-STORE  
600 W.COMMERCE St.  
Brady, TX 76825

VOLUNTEER FIRE DEPARTMENT OF BRADY

Due Date: Due on Receipt

Date	Inv No	Amount
08.26.15	41476	8.81
Total		8.81

Please Mail the check in following Address

BERKLY C-STORE  
600 W. COMMERCE ST.  
Brady, Tx 76825

BERKLY ENTERPRISES, INC.

BERKLY'S C - STORES AND TRAVEL CENTERS  
301 E. WALLACE, SUITE 110 SAN SABA, TX 76877  
325-372-3103

SOLD BY	DATE		
NAME <i>SA</i> 8/26/15			
NAME <i>Vol. Fire Dept. of Brady</i>			
ADDRESS			
CASH	COD	CHARGE	ON ACCT.
<i>3.26 Gal</i>	<i>2.69.9</i>		<i>8.81</i>
<i>Danny Belinda</i>			
TAX			
TOTAL <i>8.81</i>			
RECEIVED BY			

**41476** *Thank You*

All claims and returned goods MUST be accompanied by this bill.

San Saba Printing • 325-372-3825





**CITY OF BRADY**  
**CITY COUNCIL CORRESPONDENCE**

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**TO:** **BRADY CITY COUNCIL**  
**FROM:** **STEVE THOMAS, CHIEF OF POLICE**  
**THROUGH:** **KIM LENOIR, CITY MANAGER**  
**SUBJECT:** **MONTHLY POLICE REPORT FOR OCTOBER 2015**  
**DATE:** **NOVEMBER 9, 2015- FISCAL YEAR 2015-16**

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TYPE	CURRENT MONTH	YEAR TO DATE
Person Crimes	28	28
Property Crimes	52	52
Narcotics Crimes	3	3
Disturbances	31	31
Felony Arrests	6	6
Misdemeanor Arrests	7	7
Suspicious Person/Vehicle	50	50
Felony Warrant	3	3
Misdemeanor Warrant	0	0
D.W.I.	2	2
Alarms	6	6
Agency Assist	15	15
Public Assist	3	3
Escorts	8	8
Animal Calls	20	20
Traffic Direction	7	7
Close Patrols	122	122
Civil Matters	18	18
Juvenile	11	11
Crash Investigation	14	14
Welfare Concerns	26	26
Information	40	40
Court	3	3
Citations	58	58
Warnings	63	63
Building Checks	102	102
Misc. Incidents	246	246
Supplements	7	7
Follow-ups	19	19
Reports	43	43

McCulloch County / Brady Senior Citizens Program Center  
 Sunset Senior Center, 214 W. Lockhart  
 Brady, Texas 76825  
 (325) 597-2946 Fax: (325) 597-3912

Rosie Gomez, Director  
 Monthly Reports for 2015-2016

SERVICES	FISCAL YEAR 2015-2016												
	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APR.	MAY	JUNE	JULY	AUG.	SEPT.	To Date Total
Meals @ Sunset Center	901												901
Meals sent-Helping Hands	382												382
Home Delivered Meals	836												836
Total Meals	2,119	-	-	-	-	-	-	-	-	-	-	-	2,119
Medicaid Trips	84												84

SERVICES	FISCAL YEAR 2014-2015												
	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APR.	MAY	JUNE	JULY	AUG.	SEPT.	To Date Total
Meals @ Sunset Center	931	631	722	742	696	847	827	771	900	929	851	863	9,710
Meals sent-Helping Hands	527	402	524	332	254	340	324	341	367	371	460	447	4,689
Home Delivered Meals	1,014	731	870	822	646	766	790	778	923	939	859	849	9,987
Total Meals	2,472	1,764	2,116	1,896	1,596	1,953	1,941	1,890	2,190	2,239	2,170	2,159	24,386
Medicaid Trips	105	51	14	13	42	55	35	52	52	57	73	75	624

Brady Municipal Golf Course  
Monthly Report  
FY 15

Item	FY 2014	FY 2015	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Totals
<b>Rounds</b>		<b>2677</b>	1630	91											
<b>Green Fees</b>	\$22,625.82		\$19,837.72	\$1,094.16											
<b>Membership Rounds</b>			3785	140											
<b>Student Rounds</b>			457	9											
<b>Total Rounds</b>			5872	240											
<b>Cart Fee</b>			3216	1945											
<b>Cart Fee Revenues</b>	\$1,608.39		\$1,085.59	\$59.50											
<b>Cart Rentals</b>	1218		1217	81											
<b>Cart Revenue</b>	\$20,058.97		\$19,840.52	\$1,150.00											
<b>Cart Shed Rental</b>	\$12,306.75		\$11,186.50	\$90.00											
<b>Vending Revenue</b>	\$15,703.72		\$16,558.58	\$1,006.61											
<b>Memberships</b>	279		368	26											
<b>Membership Fees</b>	\$27,902.56		\$39,915.18	\$1,412.00											
<b>Driving Range</b>	519		471	16											
<b>Range Revenue</b>	\$2,260.46		\$2,018.92	\$72.00											
<b>Misc.</b>	\$5.81		\$140.64												
<b>Total Revenue</b>	<b>\$102,472.48</b>		<b>\$110,583.65</b>	<b>\$4,804.27</b>	<b>\$0.00</b>										

None of the above figures included sales tax

**Hotel Occupancy Monthly Tax Grant Recipients thru October 31, 2015  
FY 2015/2016**

<u>Group</u>	<u>Amount</u>	<u>Proposed use</u>	<u>Event Date</u>
No Grants Made as of 10/31-2015			