



BRADY
THE CITY OF
TEXAS

Tony Groves
Mayor

Latricia Doyal
Mayor Pro Tem, Place 5

Kathy Gloria
Council Member, Place 1

Shelly Perkins
Council Member, Place 2

Marilyn Gendusa
Council Member, Place 3

Jack Turk
Council Member, Place 4

Kim Lenoir
City Manager

Shannon Kackley
City Attorney

Tina Keys
City Secretary

Platinum
Level



Texas Comptroller
Leadership Circle

**CITY OF BRADY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
APRIL 19, 2016 AT 6:00 PM**

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00pm on April 19, 2016, 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.

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

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. APPROVAL OF AUDIT BOARD

4. APPROVAL OF MINUTES – April 5, 2016

5. PUBLIC COMMENTS: Reserved for items NOT listed on the agenda

Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff to place the item on an agenda for a subsequent meeting.

6. PRESENTATIONS AND PUBLIC HEARING

- A. Proclamation for Motorcycle Safety and Awareness Month
- B. Proclamation for National Telecommunicators Week
- C. State of the City Annual Report – Kim Lenoir

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding naming Brady Civic Center.
- B. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1193** granting a Non-Exclusive Franchise to Brady Communication, LLC for the installation of a Fiber Optic Communications System.
- C. Discussion, consideration and possible action regarding **first reading of Ordinance 1194** revising Animal Control Ordinance Sections 2.103 Noise; 2.105 Treatment of Animals; 2.106 Abandoning; 2/107 Report of Animals at Large; 2.110 Animals Registered to be Vaccinated; 2.111 Notice of Impoundment; 2.112 Right to Redeem Impounded Dog; 2.115 Disposition

of Unredeemed Dogs; 2.117 Destruction of Sick or Injured Impounded Animals After 120 or 72 Hour Period; 2.118 Destruction Impounded Animals Prior to 120 or 72 Hour Period; 2.121 Vicious Animals to be Confined; Section 2.124 Keeping Animals in Front Yard Prohibited; 2.403 Restrictions on Keeping Horses; and 2.501 Requirements for Owners of Dangerous Dog

- D. Discussion, consideration and possible action regarding the **first reading of Ordinance 1195** establishing for no overhead power lines, communication lines of similar improvements parallel and along the US 377 N ROW including the downtown square for maintaining a controlled appearance.
- E. Discuss P&Z recommended ordinances for Infill Overlay and Substandard Buildings
- F. Discussion, consideration and possible action regarding Resolution 2016-009R-1 to change the Election Judge and the Alternate Judge for the May 7, 2016 General Election
- G. Discussion, consideration and possible action to appointments to fill vacancies and alternates on City Boards – ZBA, Charter Commission, P&Z.
- H. Discussion, consideration and possible action to appoint a non-voting advisory director for Brady Youth Sports Foundation.
- I. Discussion, consideration and possible action regarding approval of BEDC action of offering a Small Business Loan, if needed.

8. STAFF REPORTS

- A. Monthly Financial Reports for March
- B. Monthly Activity Reports – Seniors; Golf; BPD; Civic Center; HOT Events
- C. Upcoming Special Events:
 - April 20 – 11:30am “Good News” Chamber Luncheon, HOT Event Center
 - April 23 – Miles for Smiles, 5K at VFW at Richards Park
 - April 23 – Car Show & Child Welfare Fund Raiser Event at Richards Park
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 - May 20-21 – 6th Annual Air Forces Day Fly-in at Curtis Field Airport
- D. April 20, 8:30am – Monthly Municipal & Code Court – Judge Bill Spiller
- E. April 25 to May 3 - Early Voting for City Council and BISD School Board - Begins at City Hall, 8am to 5pm (7am to 7pm on April 26 & May 3)
- F. April 26, 10:00 a.m. – 4 year TXDOT plan, Brownwood
- G. April 26, 6:00pm - Quarterly BEDC Meeting, Service Center
- H. April 28 – Texas Midwest Community Network (TMCN) Lunch – Abilene
- I. May 3 - Public Hearing for appeal by Greg and Cheryl Kubacak for Industrial District Zoning request at 1000 East 4th Street
- J. May 7 - Election Day, 7am to 7pm
- K. May 17 – Canvass Election, Seat Council Members as elected
- L. May 19 – Texas Midwest Community Network (TMCN) Annual Legislative Luncheon - Coleman
- M. May 24 – City Council FY17 Budget Goals Work Session
- N. Noise Variance Times approved for the Annual Iron Horse Rally at Richards Park, who will be playing music on Friday night, May 27 until 1:00am on Saturday morning and on Saturday, May 28 until 1:00am on Sunday morning.

9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include: Expressions of thanks, congratulations, or condolence; An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and Announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

10. EXECUTIVE SESSION

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

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties located in the southern and northern sections of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person - sites for future Multi-use Activity Center (Senior Citizen) Facility.
- 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.

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 _____ 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 discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations 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 written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.114(c) and the meeting is conducted by all participants in reliance on this opinion.



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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, April 5, 2016 at 6:00p.m. at the City of Brady Service Center located at 1405 N. Bridge Street, Brady, Texas with Mayor Anthony Groves presiding. Council members present were Latricia Doyal, Marilyn Gendusa, Shelly Perkins, Kathy Gloria and Jack Turk. City staff present were City Manager Kim Lenoir, 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, and City Attorney Shannon Kackley. Others in attendance were Joe Whitehead, James Griffin, Audra Wilcox, Michelle Duque, Sondra Turner, Amy Greer, Chris Huffman, Huffman brother, Chris and Teresa Liefeste, Trevor Dickschat, Robert Darilek, Jonathan (Daniel) Mendoza, Julissa Bucholz and Dion White.

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

Mayor Groves called the meeting to order at 6:04 p.m. Roll was then called for Council and a quorum was certified.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Doyal 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 5-0.

4. APPROVAL OF MINUTES for March 8, March 8 Special Meeting and March 15, 2015

Council Member Perkins apologized for comments made during last meeting regarding minutes. Would like answers included in minutes to questions asked. Wanted items clarified on minutes. Council Member Perkins moved to approve the minutes. Seconded by Council Member Doyal. All Council Members voted "aye" and none "nay". Motion carried 5-0.

5. PUBLIC COMMENTS

Sondra Turner stated she had asked to be put on agenda. Mayor Groves stated her item was on the agenda under staff reports and will be discussed later in the meeting.

6. PRESENTATIONS AND PUBLIC HEARINGS

- A. April Autism Awareness Month Proclamation, Center for Life Resources CEO Dion White presented.
- B. Annual FY2015 Audit Presentation – Lisa Remini introduced Robert Darilek of Darilek Butler CPA firm who reviewed the Audit. 2015 was a clean audit and City of Brady was in compliance.
- C. Report on Brady Lake Hunting Program – Trevor Dickschat, Extension Agent presented a final report of the 2015-16 Youth Hunting Program. Council Members congratulated him on a job well done.
- D. Presentation from Operation Orphans an Award of Appreciation to City of Brady / Brady Lake for the 2015-16 Youth Hunt (*for unselfishly providing the key that will help unlock the door of opportunity for a deserving youngster*). Peter Lamont presented plaque to the City on behalf of Operation Orphans.
- E. **PUBLIC HEARING will be opened and delayed to May 3 as requested by clients:** City Council will hold a Public Hearing to hear appeal requested by Greg and Cheryl Kubacak and to receive public comments for/against the appeal regarding the decision made by the Planning and Zoning Commission on January 19,

2016 to deny the application for a zoning change from Single Family Residential to Industrial District on property located at 1000 East 4th Street, Block 29, Lot 1 of the Luhr Addition as requested by Greg and Cheryl Kubacak. NO PUBLIC COMMENTS WILL BE TAKEN AT THIS MEETING. The Mayor opened the Public Hearing at 7:11 p.m. and delayed presentation and public comments until the 3rd of May Meeting.

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration, and possible action regarding naming Brady Civic Center. Delayed until next meeting due to Mrs. Davenport's request who wished to speak.
- B. Discussion, consideration, and possible action regarding first reading of **Ordinance 1193** granting a non-exclusive franchise to Brady Communications, LLC for the installation of a fiber optic communications system. Peter Lamont presented to Council. Representatives from Brady Communications discussed running fiber optic cable starting at 1601 S. Bridge to the South Elevated Water Tank at Burns and S. Pine Street. Company will focus on first phase, 125 homes around that area then focus on going North. The company would like to bring another line to the square for those businesses. The slowest speed will be 10 mb per second up to 30 mb per second. Council Member Gendusa asked how residents will access the lines. There will be slice points to build out east and west side of Bridge Street. They will allow the expansion of network to each group of homes. Council Member Gendusa asked if there will be an additional charge and was told there will be an installation charge. Council Member Gloria asked if it will be available for businesses. The response was "yes". Council Member Perkins wanted to clarify, if the City will receive 5% of gross revenue. Peter Lamont answered "yes". Mayor Groves inquired when will people be able to start using the new service? They don't have a specific timeline. Council Member Gendusa asked if it will be above or below ground and the response was "it will be aerial". Council Member Gendusa wanted to know if you have Suddenlink, will we be able to use it. "Yes." Council Member Perkins asked if there will be a physical connection into household and the response was "yes, it is fiber to the home or business". Mayor Groves commented "you sign an agreement with Brady Communications and pay a fee". Council Member Gendusa asked if the pricing has been set. Brady Communications stated "it's on their website. www.bradycom.com". Council Member Gloria asked "if you are currently wireless, are we now going to fiber?" and was told "yes, they would encourage you to go to fiber optic. Their wireless network will still be available." Council Member Perkins inquired "so you have the internet in Brady?" Their response was "yes". Council Member Perkins commented regarding the Ordinance, pg 2, Item C, 5% of Gross revenues then next paragraph, ...any and all Shall not include – don't you mean net receipts? Gross receipts is the biggest number. You're going to pay by gross receipts?" City Attorney Shannon Kackley commented "this is how we defined it in this ordinance." Council Member Perkins commented that Gross Receipts mean all revenues. It should be 5% of the net revenues." She went on to say that in item D needs to read "City Council MAY repeal this franchise not MY repeal." Council Member Perkins moved to approve the first reading of Ordinance 1193 as amended as discussed. Seconded by Council Member Gloria. All Council Members voted "aye" and none "nay". Motion carried 5-0.
- C. Discussion, consideration and possible action regarding **Resolution 2016-021** requesting support from our state leaders and the 85th Legislature (opens January 2017) to approve the issuance of the remaining \$50 million to Texas Water Development Board's EDAP (economically distressed areas program) assistance AND to place a constitutional amendment before the voters of Texas in November 2017 to consider approval of the issuance of another \$250 million in general obligation bonds to continue to assist economically distressed areas to obtain adequate water and wastewater services. Kim Lenoir presented to Council and stated that Keith Kindle with EHT helped to draft the resolution. EDAP funds are currently used to design our water system, with a \$1.8 million 100% grant. For the next phase, construction phase, we are looking at EDAP funds, but we have to make sure the next legislature adopts these funds. We will send this to our state legislators. Council Member Doyal moved to approve Resolution 2016-021. Seconded by Council Member

Gendusa. All Council Members voted “aye” and none “nay”. Motion carried 5-0.

- D. Discussion, consideration and possible action regarding **Resolution 2016-022** approving a noise variance request by Michelle Duque for a benefit BBQ and dance for her husband, Alfredo Duque who has been diagnosed with cancer. The family members spoke with Council about the benefit. The benefit will be held at Bernal’s Dance Hall, 1105 E. 6th Street on Saturday, April 9, 2016 from 8:00 p.m. to 12:00 a.m. Council Member Turk moved to approve Resolution 2016-022. Seconded by Council Member Gloria. All Council Members voted “aye” and none “nay”. Motion carried 5-0.
- E. Discussion, consideration, and possible action regarding **Resolution 2016-023** to finance a capital purchase of a heart monitor with accessories (Not to exceed \$31,000.00). Lisa Remini presented to Council. Council Member Gloria moved to approve Resolution 2016-023. Seconded by Council Member Gendusa. All Council Members voted “aye” and none “nay”. Motion carried 5-0.
- F. Discussion, consideration, and possible action regarding **Resolution 2016-024** approving temporary use of designated streets in Brady for the purpose of the Miles for Smiles, 5K Run Event from 7:00 a.m. until 11:00 a.m. on April 23, 2016, requested by the Brady High School Interact Club to benefit the Mission of Mercy. Peter Lamont presented to Council. Council Member Doyal asked what the Interact Club does. Representatives from Brady High School Interact Club explained that they do various projects, including veterans programs, canned food drives, now this is for Mission of Mercy. They try to come up with new projects every year. Mission of Mercy is a community led project to provide dental care for those who have no other means of access to dental care. Council Member Gloria asked if it’s the same route of the Salute Run 5K route starting and ending at VFW, answered yes. Council Member Gendusa moved to approve Resolution 2016-024. Seconded by Council Member Turk. All Council Members voted “aye” and none “nay”. Motion carried 5-0.
- G. Discussion, consideration and possible action to appointments to fill vacancies and alternates on City Boards – ZBA, Charter Commission, P&Z. Joe whitehead announced he will have to resign from Airport Board due to health. Council received one application from Heath McBride for ZBA. Council Member Gendusa highly recommends Mr. McBride. Mayor Groves appoints McBride to ZBA. Council Member Gendusa moved to approve appointment of Mr. McBride. Seconded by Council Member Turk. All Council Members voted “aye” and none “nay”. Motion carried 5-0.
- H. Discussion, consideration and possible action regarding approval of BEDC action of offering a Small Business Loan, if needed. After Executive Session motion by Council Member Gendusa, seconded by Council Member Perkins to authorize staff to proceed with negotiations offering a Small Business Retention Loan to a local business, as discussed. All Council Members voted “aye” and none “nay”. Motion carried 5-0.

8. STAFF REPORTS

- A. Quarterly Reports CIP Reports – Public Works - CW Project, DW Project, Emergency WWTP Project; Community Services Department – Richards Park, Willie Washington Park, Stanburn Park, Brady Creek Trail, Boating Access Grant and Marina (Fish House) Project, Airport Projects, Hazard Mitigation Plan, Storm Water and Dam Inundation Study
- B. Quarterly Update on Administration Projects, including Surveying and Re-platting of city-owned Davee and Dodge Heights Subdivisions Davee & Dodge Heights

Sondra Turner asked what about current improvements / people who are there now. What are you going to

do? City Manager Kim Lenoir responded that Kenneth Ross is out there surveying and will then identify as best they can where are those half acre lots are to be located. The City goal to keep the majority of the daily owners where they are. If they see some people need to move, they may be grandfathered in and given time to fix the issues. It was further explained the city is leasing that land to the people to put their homes on. The people sell their personal property to somebody else, then they want a lease from the City. We need to make sure they have the proper acreage as required by TCEQ for septic systems, $\frac{1}{2}$ acres per housing unit. Lenoir went on to explain the first step is to replat then make direct contact with the people in the subdivisions. Council Member Gloria reiterated that it's a requirement by TCEQ. Ms. Turner stated she still doesn't understand how it's going to work. Mayor Groves, explained that the first step in the process is the survey, then we will deal with it. It was asked "what does TCEQ say about current leases already in effect?" We have to have a plan to correct it; possible for these people who are not in compliance and when their lease expires, it will be adjusted and when you sell your property, the lease doesn't transfer with that sale of the improvements. Mayor Groves went on to say that if she has a lease on a piece of land, and the land next door belongs to somebody else, then that lease has to be redone. When we get the survey, we will know more about what has to be re-done. It could be replatted and that all her property is in one lease and Ms. Turner would be OK. Right now nobody is on a $\frac{1}{2}$ acre unless they lease more than one lot. Lenoir commented that the surveys will probably be completed this summer. Jim Griffin asked "is this going to be replatted?" and Mayor Groves responded "Yes". Mr. Griffin went on to say the lot numbers are completely wrong out there. If there are people living there, they are grandfathered until the lease expires. Lenoir again stated that when the survey is done, we will know more. Ms. Turner, asked about a sewer line and asked why they never get one? Mayor Groves stated there is no sewer out there anywhere and is sure the cost was not feasible.

Council Member Perkins asked what was the status of the dump station at the lake. Lamont answered that the current septic systems are operating. We've already done the permit for the new dump station at the Lake Store. It was asked what are we doing with the old dump station. Lamont does not know where the old dump station is. We have no open holes. There was a previous concern about a lid on the septic system and that has been fixed. The dump station will be a separate system from the septic system. It was again asked what did we do with the old one and Lamont replied he had not seen an old one. Council Member Gloria will find out where it was. Council Member Doyal also asked what the above ground tanks are out there but Lamont was not sure about any above ground tanks so they will look into it.

Mayor Groves also commented that he would like folks to incorporate the new trail into future 5 K runs.

C. Upcoming Special Events:

April 8 & 9 – MCHC Early Days II at Richards Park;
 April 14 & 15 – 9am *Coffee with a Cop*, Reno's On The Square
 April 16 – Rochelle Project Graduation Fun Run at Richards Park;
 April 16 – 10am to 1pm, *Connecting Volunteers*, Richards Memorial Library
 April 30 – BGA Duffers Golf Tourney at Brady Municipal Golf Course

- D. April 7, 5pm, Called ZBA/BOA Meeting at Service Center
- E. April 12, 5:30pm, Regular P&Z Meeting at Service Center
- F. April 20, 8:30am – Monthly Municipal & Code Court – Judge Spiller
- G. April 25 to May 3 - Early Voting for City Council and BISD School Board - Begins at City Hall, 8am to 5pm (7am to 7pm April 26 & May 3)
- H. April 26, 6:00pm - Quarterly BEDC Meeting, Service Center
- I. May 3 - Public Hearing for appeal by Greg and Cheryl Kubacak for Industrial District Zoning request at 1000 East 4th Street
- J. May 7 - Election Day, 7am to 7pm

- K. Noise Variance Times approved for the Annual Iron Horse Rally at Richards Park, who will be playing music on Friday night, May 27 until 1:00am on Saturday morning and on Saturday, May 28 until 1:00am on Sunday morning.

9. ANNOUNCEMENTS

Mayor discussed the Early Day events and schedule. Council Member Gendusa reminded council members to check their boxes for a Saturday lunch invitation at the Early Day Event.

10. EXECUTIVE SESSION

Council closed open session at 8:15 p.m. and took a recess before going into Executive Session. Executive Session was opened at 8:27 p.m.

- A. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real properties located in the southern and northern sections of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person - sites for future Public Safety Facility and Multi-use Activity Center (Senior Citizen) Facility.
- 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 552.074 (Personnel), the City Council will deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – City Secretary Tina Keys and Council Members Latricia Doyal and Jack Turk.

Executive Session adjourned at 9:26 p.m.

11. Open Session Action on any Executive Session

Regular Session reconvened at 9:27 p.m. Action was taken on Item 7.H.

12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 9:28 p.m.

Mayor Anthony Groves

Attest: _____
Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	4-19-16	AGENDA ITEM	7.A.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding naming Brady Civic Center.		
PREPARED BY:	K Lenoir	Date Submitted:	4-13-16
EXHIBITS:	City Council Minutes June 17 and July 1, 1980 and newspaper story 7-4-80 City Council Minutes April 2, 2003 and newspaper story April 4, 2003 Resolution 2004-027 recognizing Ed Davenport May 2003 donation of \$50,000 to golf course water well – approved November 3, 2004		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

Ms Davenport requested this item move from April 5 to April 19 agenda due to a family emergency. Ms Davenport requested this item due to action March 15 renaming the Brady Civic Center.

In the July 4, 1980, *Brady Standard Herald* newspaper story, “*Civic Center Going Up Soon*” it was announced that “*Guyler Construction Company of Lampasas was the low bidder and only bidder at \$118,777.*” HOT Civic Center “*will be financed partly from thousands of dollars in contributions which came this spring from individuals, businesses and civic organizations all over the county, and even from ex-residents elsewhere who simply are interested in seeing the center built in their home town. A grant also was received from the G.R. White Trust. The center will occupy a three-acre site purchased from Mary Agnes Glober, a retired city employee. City crews bladed off the site and moved the fence.*”

The Heart of Texas Civic Center was dedicated April 18, 1981 as part of the 75th City of Brady Anniversary, Ed Davenport was the Mayor. A committee of citizens were recognized as heading up the project for the City. Picture in the newspaper of the center, inside and out, look much as it did before the current remodel and expansion now underway.

On April 2, 2003, Mayor Friar recommended renaming the “*Brady (HOT) Civic Center to the Ed Davenport Civic Center for all that he has contributed to the community.*”

RECOMMENDED ACTION:

Listen to Ms Davenport as requested. No action required or direct staff as city council desires.

original RPC order. This agreement to be effective June 1, 1980. The City withholds a decision concerning a rate increase until City Auditors, rate consultants and legal counsel have time to determine the need and adequacy of the proposed rate increase and other possible solutions and suspends the requested rate increase for a period of 120 days from the proposed effective date, was made by Alderman Sherrod Kilmer. This motion of intent was seconded by Alderman John Bucy. Motion carried unanimously.

Meeting adjourned.

ATTEST: *Verne Patterson*
City Secretary

SIGNED: *Ed Davenport*
Mayor

STATE OF TEXAS
COUNTY OF MCCULLOCH
CITY OF BRADY

The Brady City Council met in regular session Tuesday, June 17, 1980 at 7:00 P.M. with the Mayor Ed Davenport presiding, present was Alderman Sherrod Kilmer, Clarence Friar, John Bucy, Kenneth Bull and Alderwoman Betty Kensing. Also attending was Bill Graves, Bob Wilson, Luther Winans, R. E. Harmond, Don Caveness, Clara Capps, Joe Hill, Vanard Young, L. B. Cox, Larry Roberts, Tex Bloys, R. Talley, Donald Barley, Lizzie Black, Leona Eastmen, Edith Rowell, Mineola Sanders, Otha Cole, Mrs. A. Davenport, V. Hurd, Zora Harris, Hardin Jones, Mrs. Myers, Geraldine Fuller, Ruby Cude, Mac Bryson, Dora Noeglin, Lydia Genienhardt, Cora Watkins, Willie Huffman, Diana Woodress, Lillie Kolb, Leona Stroope, Rose Laremore, Ruth Underwood, Louise Helge, Mrs. J. C. Collingsworth, Dorothy Lafuente, Harold Underwood and City Supt. Dennis Jones.

APPROVAL OF MINUTES:

A motion was made by Alderman Sherrod Kilmer and seconded by Alderwoman Betty Kensing to approve the minutes of the regular meeting held June 3, 1980 and also the Emergency Call meeting held June 7, 1980. Motion carried unanimously.

MEETING WITH SENIOR CITIZEN GROUP TO DISCUSS THEIR REQUEST FOR FINANCIAL ASSISTANCE FOR NEW SENIOR CITIZEN CENTER.

Dorothy Lafuente, President of the McCulloch County Senior Citizen Association addressed the Council and stated the Association has obtained a building at 214 W. Lockhart, Brady and would like for the City to furnish the utilities at this location. After discussion of the matter Alderman John Bucy moved that the City pay for gas, electricity, water, sewer and sanitation up to \$300.00 a month when the building is to be used starting Sept. 1980. Motion carried. For 4 Mayor Ed Davenport voiced his opposition to this proposal. Against 1 - None

DISCUSSION WITH RESIDENTS OF "OPEN COUNTRY ACRES" SUBDIVISION CONCERNING CITY WATER SERVICE CHARGES.

Mr. Luther Winans and Mr. R. E. Harman met with the Council to discuss the monthly charge for the Master Meter and the developers refusal to pay this bill.

The residents reported they were willing to:

1. Prorate the charges for both the master meter and any of the losses among the residents.
2. Be responsible for maintenance on water line from master meter to individual meters.
3. Reluctantly pay past due bill prorated among each resident.
4. Request the security light be turned on and the bill for that prorated.

City Supt. Dennis Jones recommended:

1. Charges for master meter and any loss be prorated among residents.
2. Past due charges also be prorated.
3. Charges for electricity for two security lights be prorated.

A motion was made by Alderman John Bucy and seconded by Alderman Clarence Friar to approve the City Supt.'s recommendation. Motion carried unanimously.

DISCUSSION WITH MR. RAYMOND TALLEY OF TEX BLOYS REAL ESTATE CONCERNING A REQUEST FOR CITY WATER TO A 19 ACRE TRACT OUTSIDE CITY LIMITS ON MENARD HIGHWAY.

Mr. Tally and Mr. Bloys stated they have plans to develop a tract of land on Nine Rd. South of the Southgate apartments and build individual homes in the price range of \$36,000.00 to \$46,000.00. They wanted to know if the City would furnish water and electricity to the site. Mayor and Council requested Mr. Tally and Mr. Bloys furnish a plat and the City would investigate the electricity infringement (McCulloch Electric Cooperative and City of Brady). This matter will be considered at a later date.

CITY COUNCIL MET IN EXECUTIVE SESSION AS AUTHORIZED BY ARTICLE 6252 - 17, Sec. 2, e, f, & g, V.A.C.S. TO DISCUSS PERSONNEL MATTERS, PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND MATTERS CONCERNING CONTEMPLATED OR PENDING LITIGATION WITH CITY ATTORNEY.

CONSIDERATION OF ENGINEER'S REPORT CONCERNING THE 6th. Street and 11th. Street LIFT STATION.

Mr. Larry Roberts, Engineer with Hunter & Associates met with the Council and requested authority to proceed with advertising for bids, he presented a sewer system improvement map and copies of the proposal specifications, Contract and Bond Forms for Sewer System Improvements. After discuss, a motion was made by Alderman Kenneth Bull and seconded by Alderwoman Betty Kensing authorizing solicitation of bids for sewer arrangement in accordance with Engineer packet. Motion carried, For 4 Against 1 Ald. Bucy

DISCUSSION CONCERNING THE HEART OF TEXAS CIVIC CENTER.

A resolution was read that, authorized the Mayor to enter into contract for purchase of land and building of a facility known as Heart of Texas Civic Center.

City agrees to establish Board of Directors appointed by Mayor with consent of Council to establish operating rules and make recommendations to the Council.

City agrees to budget for operation of the Center as a Department.

Funds required in excess of citizens donations not to exceed \$80,000.00 will be paid from General Revenue Sharing Funds.

City agrees all future donations designated for Civic Center be applied to repay the funds in excess of current donations or defray operation cost of Civic Center and may never be used for any other purpose in City budget.

Council authorizes a Committee, appointed by the Mayor to open bids for Civic Center building June 27, 1980.

Authorize Mayor to accept donations designated for Heart of Texas Civic Center.

A motion was made by Alderman Clarence Friar and seconded by Alderman Kenneth Bull to adopt the Resolution. Motion carried, For 4 Against 1 Ald. Bucy

A motion was made by Alderman Kenneth Bull and seconded by Alderman Clarence Friar to adopt Ordinance #494 that establishes a board of directors for the Heart of Texas Civic Center, prescribes the Organization of the Board, prescribes the duties of the board, terms of office and declares an emergency. Motion carried For 4 Against 1 Ald. Bucy

Mayor Ed Davenport appointed the following Aldermen and Alderwoman to be present for the opening of the Heart of Texas Civic Center bids, Alderwoman Betty Kensing, Aldermen Kenneth Bull, Sherrod Kilmer and Clarence Friar.

The Mayor appointed the following to the Board of Directors of the Heart of Texas Civic Center:

Frank Roddie	Faye King
Boyd Gartman	Robert Barnhill
Mrs. Don Neal	Ferd Slocum
Raymond Rubio	

A motion was made by Alderman Kenneth Bull and seconded by Alderman John Bucy to agree to the appointment of Board of Directors and let the Board select own term of office. Motion carried unanimously.

CONSIDERATION OF AN ORDINANCE ALLOWING THE BRADY TEXAS MUNICIPAL GAS CORP. TO RECOUP UNDERCOLLECTION ON THE PGA CHARGES.

STATE OF TEXAS
COUNTY OF MCCULLOCH
CITY OF BRADY

The Brady City Council met in regular session July 1, 1980 at 7:00 P.M. with the Mayor Ed Davenport presiding, present was Aldermen Sherrod Kilmer, Clarence Friar, Kenneth Bull and Alderwoman Betty Kensing. Others attending the meeting was City Supt. Dennis Jones, Asst. City Supt. Harold Underwood, Gray Carrithers, Bob Higginbotham, Billy L. Jackson, Lacky Akins, A. R. Rutherford, Bill Graves and Bob Wilson.

APPROVAL OF MINUTES:

A motion was made by Alderman Clarence Friar to amend the minutes of the previous meeting by naming the Aldermen or Alderwoman who voted no, motion was seconded by Alderman Sherrod Kilmer, motion carried. Motion was made by Alderman Clarence Friar and seconded by Alderman Sherrod Kilmer to approve the minutes as amended. Motion carried unanimously.

APPROVAL OF BILLS, OVERTIME AND COURT RECORDERS REPORT.

A motion was made by Alderman Kenneth Bull and seconded by Alderman Sherrod Kilmer to approve the employee overtime, payment of bills and approve the Court Recorder's report. (\$1,444.00)

General Division

A & B Electric	3.54	Loadcraft, Inc.	30.00
Alamo Iron Works	260.84	Frank Lohn	24.00
Bes-Tx Insecticides	501.00	W. E. Lohn, Jr.	1.50
Brady Butane	11.62	W. A. Neel, Assoc.	63.78
Brady Implement	10.20	L. B. Petty Oil Co.	4,760.90
Burnes Auto & Welding	385.51	Rudder Drug Store	4.05
Byrd's Radiator	20.00	Treanor Ford Trucks	209.79
Stiles Carmichael	24.00	Treanor Equipment	20.11
Clarke & Courts	61.93	Turner Office Equipt.	49.92
Countryside Farm & Ranch	54.30	Vinson Tractor	168.85
H. M. Deaton	24.00	F. V. Waddill, Tax Collector	21.00
Fitting Supply Co.	203.81	Wester Auto Assoc. Store	4.45
14th. & S. Bridge Conoco	9.00	Western Plumbing Wholesales	76.05
General Electric Supply	133.77	White's Nines	1,022.42
Gibson Discount	26.33	Dallas Miller	75.00
Goldthwiates's of Texas	216.00	Wilkerson Funeral Home	2,979.33
Hach Chemical Co.	11.55	Audit Board	12.00
Huppert Co.	375.00	M. L. Wootan	606.20
The Lacal Company	358.00	Bob Archer	173.20
Lane's Auto Supply	42.58	Total	\$13,209.48
General Telephone Co. of SW	\$684.76		

Sewer & Electric Division

Allan & Co.	84.09
Brady Radiator	32.27
Brady, TX Municipal Gas Corp.	31.23
Brownwood Welding Supply	47.30
Commercial Janitorial	342.30
Curry Motor Freight	16.27
Deans Motor Co.	5.00
Delaval, Inc.	150.00
W. A. Dodds Co.	124.85
Evridge Furniture	34.75
International Paper Co.	5,465.50
Jackson Electric	5.47
Jones Cleaners	2.00
Lustra Lighting	204.72

Waterworks Division

100,000 Auto Parts	233.25
Brady Automotive Supply	262.48
Carroll Welding Supply	413.70
Homer Duncum Tire Co.	297.00
Dirst Ford Tractor Co.	61.80
Gartman's Butane Co.	10.00
Higginbothams	28.00
Household Co.	67.46
Moore's Texaco	14.00
W. D. Moreland Contracting	62.00
North Supply Co.	506.40
The Perry Shankle Co.	186.60
Powell Supply Co.	100.93
Bill Strickland, Sheriff	100.00

Mr. Gray Carrithers, representing Carrithers Insurance Agency, met with the Council to present the City with checks totaling \$9,520.75, this money represents refunds on premiums paid on liability and Workman's Compensation and for hail damage to City property. Mr. Carrithers explained he represents all the Insurance Agencies in town and they appreciated the City business and would always be available to answer any questions and assist anytime he was called upon. Mayor Ed Davenport thanked Mr. Carrithers for service and for coming to the meeting..

READING OF A PROPOSED ORDINANCE LEVYING A HOTEL OCCUPANCY TAX:

An ordinance proposing to levy a hotel occupancy tax was read by City Secretary, Dorene Patterson, this was the first reading of three readings.

Mr. Billy Jackson, owner of the Hi-Way Motel, read a letter he had written in protest to the Hotel/Motel Occupancy tax. Mr. Jackson introduced the following motel owners present at the meeting,,,Lucky Akins, Heart of Texas Motel, Bill Higginbotham, Oaklawn Motel, A. P. Putherford, Plateau Motel.

Mayor Davenport thanked the motel owners for coming to the meeting.

PROPOSAL BY CITY SUPERINTENDENT TO CHANGE THE NEXT REGULARLY SCHEDULED COUNCIL MEETING DATE FROM JULY 15, 1980 TO JULY 17, 1980.

City Supt. Dennis Jones explained that Federal Law requires a public hearing on the proposed use of Revenue Sharing funds must be held at least seven days prior to the time the proposed budget is presented to the governing body. The earliest time the notice of the meeting could be published in the newspaper was July 1, 1980, with the proposed use hearing to be held July 11, 1980. Seven days from the hearing would be July 17, this being the earliest date the budget could be presented to the council for enactment.

A motion was made by Alderman Kenneth Bull and seconded by Alderman Clarence Friar to hold the next regular council meeting July 17, 1980. Motion carried unanimously.

EXECUTIVE SESSION AS AUTHORIZED BY ARTICLE 6252-17, SEC. 2 (f), AND (e), V.A.C.S.

Back to open session.

CONSIDERATION OF CONSTRUCTION OF THE HEART OF TEXAS CIVIC CENTER.

Mayor Ed Davenport reported that only one bid was received for construction of the Civic Center. The bid was opened at 3:00 P.M. June 27, 1980. Guyler Construction Co. of Lampasas, TX offered a bid of \$118,777.00. Mayor and three council persons were present for the bid opening and awarded the contract to Guyler Construction Co. The land for the site has been surveyed and purchased, Mr. Milton G. Allen, General Mgr. of Guyler Construction stated construction would begin in about 10 days and should be completed within four months..

REPORT FROM COUNCIL PERSON AND STAFF ON EFFORTS TO SECURE SUITABLE LEGAL AND ENGINEERING SERVICES FOR THE CITY IN REGARDS TO THE BRADY TEXAS MUNICIPAL GAS CORP. REQUEST FOR A RATE INCREASE AND SUBSEQUENT FILING FOR BANKRUPTCY.

Alderman Sherrod Kilmer reported on the trip to Austin, Texas where he and Alderman Kenneth Bull visited with several attorneys. After careful consideration of the attorneys, Alderman Kilmer and Alderman Bull recommended contracting the services of the law firm of Brown, Maroney, Rose, Baker and Barber of Austin, Texas to represent the City's interest in the Brady Texas Municipal Gas Corp. bankruptcy court. Mr. Richard Alexander, of the law firm chosen will work with city officials. Alderman Kenneth Bull stated that from two points of view the City had, one, responsibility to protect the peoples interest for gas utility and second, interest vested by the indenture itself, in that, the Company was to belong to the City once it was paid off. A certain amount has been paid off and in a sense these assets belong to the City and Council would be derelict if they did not protect those interest.

Alderman Sherrod Kilmer made a motion recommending that the Council adopt the resolution to hire the law firm of Brown, Maroney, Rose, Baker and Barber of Austin, Texas. Motion was seconded by Alderman Kenneth Bull. Motion carried unanimously.

Heat Sets 109 Record

It's still hot in the heart of Texas.

A new record for July was set Wednesday as the mercury hit 109 degrees. That replaces the previous record of 108 set in 1954. Weather observer Jean Williams has counted nine consecutive days with heat over 100 degrees.

tom.

Jackson said: "Let's put a 1 percent tax on everybody and see how that goes over!"

Rutherford offered an answer to the argument that the tax applies to motel customers, not the motel operators.

"If we thought we could add anything to the price of the rooms, we'd add it for ourselves," he said.

PHOTO BY ROBERT MCKEE

The office occupies the south half of the old A. H. Broad building, adjoining the Brady Standard office.

Most recently the building was owned by Norman Hurd, an East Swedes native who developed the Horseshoe Bay resort on Granite Shoals Lake. Hurd used the building to house his collection of antique cars and donated the building last year to the Central Texas MHMR Center, headquartered in Brownwood.

David Youngblood of Brady represents McCallie County on the Central Texas center's board of trustees. Nancy Dumas will be director of the work center and Karen Vestel is the office secretary.

"They do piece work and earn income, receiving training in social skills which will allow them to live independently," said Pete Kenner from the Brownwood office.

Money to remodel the building came from donations, foundations, and federal grants. A driveway was cut into the side of the building to allow cars to

Civic Center Going Up Soon

Guyler has four months to complete the work but is hoping to have it ready by Labor Day. Steel girders and other supplies already have been delivered.

The civic center will be financed partly from thousands of dollars in contributions which came this spring from individuals,

alums. Eleven adults now are working there on contracts for firms like General Telephone.

"They do piece work and earn income, receiving training in social skills which will allow them to live independently," said Pete Kenner from the Brownwood office.

Money to remodel the building came from donations, foundations, and federal grants. A driveway was cut into the side of the building to allow cars to

businesses and civic organizations all over the county, and even from ex-residents elsewhere who simply are interested in seeing the center built in their home town.

A grant also was received from the G. R. White Trust. The center will occupy a three-acre site purchased

told the City Council Tuesday night that he would have a City crew blade off the site and move the fence back.

He said one problem had come up. There is a power line that runs across the site. Either the power line or the building will have to be moved slightly.

July 4, 1980—Brady Standard Herald

Heat Sets

109 Record

It's still hot in the heart of Texas.

A new record for July was set Wednesday as the mercury hit 109 degrees. That replaces the previous record of 108 set in 1954. Weather observer Jean Williams has counted nine consecutive days with heat over 100 degrees.

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STATE OF TEXAS**COUNTY OF McCULLOCH****CITY OF BRADY**

The City Council of the City of Brady, Texas met in a joint session with the Planning and Zoning Commission on Wednesday, April 2, 2003 at 10:00 a.m. in the City Council Chambers, 105 East Main Street, Brady, Texas with Mayor Clarence Friar presiding. Councilmembers present were Barbi Jones, Donald Barley, Jesse McAnally, Billy Patterson and Matt Mills. Others present were City Manager Merle Taylor, Christi McAnally, Amanda Howell, Joe Sanchez, Conise Green, Danny Neal, Lynn Farris, Tom Sammons, Pete McKinney, and Randy Young.

I. COMMENCEMENT

The meeting was called to order by Mayor Clarence Friar.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Friar gave the invocation & the pledge of allegiance was recited.

APPROVAL OF MINUTES: March 19, 2003

Motion was made by Councilman Patterson and seconded by Councilwoman Jones to approve the minutes from the meeting of March 19, 2003. All Councilmembers voted "aye" and none "no". Motion carried.

APPROVAL OF AUDIT BOARD

Present for special session & audit board held Tuesday, March 18, 2003 at 10:00 a.m. were Mayor Clarence Friar, Councilmembers Donald Barley, Jesse McAnally, Matt Mills, Barbi Jones, and Billy Patterson, City Manager Merle Taylor, Christi McAnally, Rufus Beam, Jesse Castanuela, Lisa Remini, Pete McKinney, Tracy Pitcox, Darlene Reynolds, and John Bucy.

Mayor Friar proclaimed April 2003 as Parkinson's Disease Awareness Month.

John Bucy addressed the Council regarding paving of a street in his subdivision. City Ordinance does not allow new paving of subdivisions by the City. It is the responsibility of the subdivision owner. Mayor Friar suggested that he would get with the street contractor to get a better price for Mr. Bucy.

Mayor Friar recommended renaming of the Brady Civic Center to the Ed Davenport Civic Center for all that he has contributed to the community. With several compliments by other Council Members, motion was made by Councilman Mills and seconded by Councilman Patterson to accept the Mayor's recommendation to rename the Brady Civic Center the Ed Davenport Civic Center. All Councilmembers voted "aye" and none "no". Motion carried.

Audit board bills were reviewed and with no other business, the meeting was adjourned.



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Tuesday, March 29, 2016

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It's now 'Ed Davenport Civic Center'

4/4/2003

Two-time Brady city mayor Ed Davenport was recognized by current city council and mayor as they voted unanimously in a special meeting Tuesday morning to rename the Heart of Texas Civic Center to honor the civic leader's dedication and contributions to the local community over the years. Davenport was first elected mayor of Brady when the Civic Center was erected in the late 1970s. He donated his time and equipment both in his elected position and as a local businessman and citizen. To be renamed, Ed Davenport Civic Center, the facility will soon undergo minor changes to either the sign on the building or the entrance to the facility; however, "that hasn't been determined yet," according to city manager Merle Taylor. "Davenport helped early on to draw business to Brady," he said. "He has been an avid supporter of the community for many years and continues to support area businesses and churches." Davenport's most recent contribution came in the amount of \$50,000 which he placed in escrow for an irrigation well for the proposed golf course expansion. According to Taylor, the sizable donation is "well over" half of what the Brady Golf Course Association would have had to raise for funding the well which will be drilled at 2,500 feet to tap into the Hickory water supply. In other business Tuesday morning, the city council approved a proclamation designating April as "Parkinson's Disease Awareness Month" in Brady. Parkinson's disease is a progressive disorder of the central nervous system, affecting more than one million people in the United States. Clinically, the disease is characterized by a decrease in spontaneous movement, gait difficulty, postural instability and rigidity and tremor. Linda Duncan, support group leader with Central Texas Parkinson's Chapter in Brownwood, addressed the city council in a letter requesting that the proclamation be considered for approval. An item that didn't receive approval in Tuesday's special meeting was John Bucy's request that the city council include the paving of the entrance to his proposed subdivision located southeast of the Heart of Texas Memorial Hospital. The property, which is currently undeveloped, is located just north of the Highland South Addition. The council chose not to approve Bucy's request based on the fact that the subdivision is not developed enough for the city to authorize taxpayer money to pay for any paving. Taylor explained that before the city can assume ownership of streets and takeover upkeep, the developer is responsible for installing water, sewer and gas lines and building the streets.

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RESOLUTION NO. 2004-027

A RESOLUTION OF THE CITY OF BRADY, TEXAS
ACKNOWLEDGING THE DONATION AND PURPOSE OF
DONATION OF MONEY FROM MR. ED DAVENPORT;
ACKNOWLEDGING THE CITY'S MATCHING OF SAID
DONATION; AND DECLARING THE INTENT OF THE CITY TO
USE THE COMBINED FUNDS FOR THE PURPOSE OF
DRILLING A WATER WELL AT THE CITY GOLF COURSE

WHEREAS, Mr. Ed Davenport, in May, 2003, donated to the City the sum of \$50,000.00 for the purpose of drilling a water well at the City's golf course; and

WHEREAS, the City appropriated a matching sum of \$50,000.00 for the same purpose and invested the combined amount in a Certificate of Deposit that is currently C.D. No. 16659 at the Brady National Bank; and

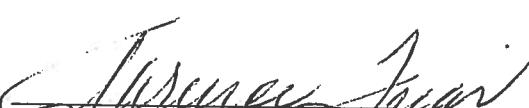
WHEREAS, it is the desire of the City Council of the City of Brady to honor the wishes of Mr. Ed Davenport and the intentions of the City Council at the time the donation and the matching appropriation were made by dedicating and setting aside such funds for the purpose of drilling a water well at the City's golf course;

NOW THEREFORE, be it resolved by the City Council of the City of Brady that the foregoing recitations are true and are hereby adopted in their entirety, and further that it is the intent of the City Council that the aforesaid principal amount of \$100,000, together with all interest that has accrued or shall hereafter accrue under the aforesaid C.D. No 16659 or any succeeding or renewed Certificate of Deposit or any other lawful investment made by the City, the source of which is the donation made by Mr. Ed Davenport and the matching amount appropriated by the City, shall be used for the purpose of offsetting the costs of drilling a water well at the City's golf course, and that such funds shall be used for no other purpose.

PASSED AND APPROVED this 3 day of November, 2004, the City Council of the City of Brady, Texas.

THE CITY OF BRADY

By:


Clarence Friar,
Mayor

ATTEST:


Christi McAnally, City Secretary

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	4-19-2016	AGENDA ITEM	7.B.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding second and final reading of Ordinance 1193 granting a Non-Exclusive Franchise to Brady Communications, LLC for the installation of a Fiber Optic Communications System		
PREPARED BY:	K Lenoir	Date Submitted:	4-15-16
EXHIBITS:	Ordinance 1193 – prepared by City Attorney Exhibit of map route		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

Staff has meet and reviewed the Brady Communications proposal for fiber communication cable installation and distribution, map of the route is attached. The City Attorney has prepared the Franchise Ordinance in accordance with the City Charter.

Staff will be available to answer any questions.

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 1193

ORDINANCE NO. 1193

AN ORDINANCE OF THE CITY OF BRADY, TEXAS, GRANTING A NON-EXCLUSIVE FRANCHISE TO BRADY COMMUNICATIONS, LLC FOR THE INSTALLATION OF A FIBER OPTIC COMMUNICATION SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE GRANT; ESTABLISHING A TERM OF THE FRANCHISE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, communication services are necessary for effective and reliable communication; and

WHEREAS, the franchise and regulation of communication services are necessary and further a compelling public interest; and

WHEREAS, the City of Brady is authorized to grant non-exclusive franchises for communication services within the City of Brady; and

WHEREAS, the City Council of the City of Brady is of the opinion that the granting of the franchise on the terms and conditions set forth in this ordinance is in the public interest and in the interest of the City of Brady and its residents.

NOW THEREFORE, 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. Definitions. Except where the context clearly indicates a different meaning, the definitions appearing in Section 12 of the City of Brady, Texas Home Rule Charter are applicable to this Ordinance. Words and phrases not defined therein will have their common and ordinary meaning.

Section 3. Grant of Franchise. In accordance with Section 12.06 of the City of Brady, Texas (City) Home Rule Charter for the City, the City hereby grants to **Brady Communications, LLC**, its successors and assigns (the "Company") consent to operate within the City or to occupy or use the streets of the City to provide a Fiber Optic Communication System, subject to the terms and conditions contained in this Ordinance. Company's Fiber Optic Route and City Pole Count are attached hereto in **Exhibit A**.

Section 4. Terms of Franchise.

(A) *Non-exclusivity.* This franchise is non-exclusive.

(B) *Term.* This franchise is granted for a period of approximately eight (8) years, 2 months, ending July 1, 2024.

(C) *Franchise Fee/Pole Rental Fee/Late Fee.* In consideration of the grant of the franchise, Company agrees to pay the City a franchise fee equal to five percent (5%) of gross revenues, as defined below, for services provided in the City. The franchise fee shall be paid each quarter, within thirty (30) days after the end of the quarter. The payment shall be accompanied by a report by a Company auditor or financial officer providing details of the gross receipts and the basis on which the payment was determined. The City may inspect the books of Company with or without previous notice, at any time during regular business hours.

Gross receipts shall mean any and all compensation received directly or indirectly by Company for fiber optic communication services in the City. Gross receipts shall not include advertising receipts, installation or similar ancillary charges to subscribers or any taxes on services furnished by the Company or imposed directly on any subscriber or user by any city, state, or other governmental unit and collected by Company for such governmental unit.

The acceptance of any payment required by the City shall not be construed as an acknowledgment that the amount paid is the correct amount due, nor shall acceptance of payment be construed as a release of any claim which the City may have for additional sums due and payable.

Company also agrees to pay City a pole rental fee equal to \$10.00 per pole per year. The pole rental fee shall be paid on or before January 30th each year.

A ten percent (10%) penalty will be assessed on delinquent amounts. An additional ten percent (10%) penalty will be added for every month or portion thereof that said payment is late.

(D) *Termination.* The franchise may be terminated by mutual agreement of the parties at any time or may be terminated upon sixty days' notice by either party to the other. In addition, City Council may repeal this Franchise by ordinance at any time upon the failure of the Company to comply with the terms of this Franchise, the Ordinance, the City Home Rule Charter, any applicable statute of the State, or any rule of any applicable governing body.

(E) *Notices.* All notices from Company to the City concerning the franchise shall be addressed to the Finance Director Lisa Remini, City of Brady, P. O. Box 351, 201 E. Main Street, Brady, Texas 76825.

(F) *Non-waiver.* Company shall not be excused from complying with any of the terms and conditions of the franchise by any failure of the City upon any one or more occasions to insist upon or to seek compliance with any such terms or conditions.

Section 5. Franchise Responsibility. Company must comply with Article XII of the City of Brady, Texas Home Rule Charter, setting forth Franchises Rules and Procedures.

Section 6. Insurance, Indemnity and Bond.

(A) *Insurance.* Company shall secure and maintain in effect insurance to protect Company, its employees, and the City from claims for bodily injuries, death or property damage which may arise out of Company's performance or nonperformance of its duties under the franchise, whether that performance or nonperformance is by Company or one directly or indirectly employed by Company. The following *minimum* levels of coverage are required:

- (1) Public liability and property damage (no pollution exclusion endorsement is permitted):
 - (a) General Liability: \$1,000,000 per occurrence
 - (b) Property Damage: \$1,000,000 per occurrence
 - (c) Automobile Liability: \$1,000,000
- (2) Umbrella Liability: \$1,000,000
- (3) Worker's Compensation: As required by law.
- (4) Employer's Liability: \$500,000

Certificates of insurance confirming coverage and naming the City as an additional insured must be provided to the city on or before the date of the passage of this Ordinance, and renewal certificates must be provided to the City at least 15 days prior to the date of expiration of any required coverage. Company's failure to maintain any required insurance or to furnish any required certificate will be grounds for termination of the franchise. All insurance certificates must confirm that the insurance may not be terminated or materially changed without 30 days' prior notice to the City.

(B) *Indemnity.* COMPANY, TO THE FULLEST EXTENT PERMITTED BY LAW, WILL AND DOES HEREBY INDEMNIFY AND HOLD HARMLESS THE CITY AND ITS OFFICERS, DIRECTORS, AGENTS AND EMPLOYEES FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING, BUT NOT LIMITED TO, ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OR FAILURE TO PERFORM THE WORK REQUIRED UNDER THIS FRANCHISE. THIS OBLIGATION WILL NOT BE CONSTRUED TO NEGATE OR REDUCE ANY OTHER RIGHT OR OBLIGATION OF INDEMNITY THAT WOULD OTHERWISE EXIST. THIS INDEMNIFICATION REQUIREMENT WILL NOT BE LIMITED BY ANY LIMITATION ON THE AMOUNT OR TYPE OF DAMAGES, COMPENSATION OR BENEFITS PAYABLE BY OR FOR COMPANY UNDER ANY WORKERS' COMPENSATION ACTS, DISABILITY BENEFIT ACTS OR OTHER EMPLOYEE BENEFIT ACTS.

Section 7. Subcontracts. Company may not subcontract with another person on a regular, periodic or long-term basis to provide fiber optic communication service under this Ordinance without prior city approval. Such subcontract will not relieve Company of responsibility for compliance with this Ordinance.

Section 8. Transfer, Modification, Revocation.

(A) Company may not transfer this franchise or any portion thereof to other persons or entities, including transfer of the controlling interest of a corporation, unless approved by ordinance of the City Council, in accordance with Section 12.04 of the City Home Rule Charter.

(B) Failure to comply with the provisions of this Ordinance after written notice and a reasonable opportunity to comply will be grounds for the modification, revocation or suspension of this franchise by the City.

(C) Upon receipt of the written notice, referred to in subsection (B), the Company has thirty (30) days from the date of mailing of the notice in which to comply or to request a public hearing before the City. A request for a public hearing before the city must be made in writing and if a public hearing is held, the Company and other interested persons will have a reasonable opportunity to present information and testimony in oral or written form.

Section 9. Acceptance. Within fifteen (15) days of the effective date of this Ordinance, Company must file with the City a written acceptance of this Franchise.

Section 10. Effective Date. This Ordinance will be read at two consecutive regular city council meetings. The Ordinance will be effective after final passage.

Section 11. Severability. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 12. Effective Date. This Ordinance shall be in full force and effect on April 19, 2016.

PASSED AND APPROVED this _____ day of _____ 2016.

PASSED AND APPROVED this _____ day of _____ 2016.

CITY OF BRADY, TEXAS

By: _____
Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

APPROVED:

M. Shannon Kackley, City Attorney
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

Exhibit A

Brady Communications

Fiber Optic Route

Start Point: 1601 S. Bridge St.

End Point: Intersection of South Pine St. and Burns St. (near south water tower)

Pole count: 19



**City Council
City of Brady, Texas**

Agenda Action Form for Ordinance

AGENDA DATE:	4/19/2016	AGENDA ITEM	7.C.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding first reading of Ordinance 1194 revising Animal Control Ordinances Sections 2.103 Noise; 2.105 Treatment of Animals; 2.106 Abandoning; 2.107 Report of Animals at Large; 2.110 Animals Registered to be Vaccinated; 2.111 Notice of Impoundment; 2.112 Right to Redeem Impounded Dog; 2.115 Disposition of Unredeemed Dogs; 2.117 Destruction of Sick or Injured Impounded Animals After 120 or 72 Hour Period; 2.118 Destruction Impounded Animals Prior to 120 or 72 Hour Period; 2.121 Vicious Animals to be Confined; Section 2.124 Keeping Animals in Front Yard Prohibited; 2.403 Restrictions on Keeping Horses; and 2.501 Requirements for Owners of Dangerous Dog.		
PREPARED BY:	K Mitchell	Date Submitted:	4/14/16
EXHIBITS:	Ordinance and Work Sheets showing current and proposed wording.		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
<p>SUMMARY: On January 25, City Council received from the ACO recommended animal control ordinance changes proposed by staff. City Council reviewed and provide any concerns about these changes at the March 8, City Council two hour work session where each section was reviewed, discussed, and changes in wording were made and are now included on all items recommended.</p> <p>The ACO is recommending these changes as she has been trying to enforce the code and feels this changes will clarify the goals and better define the issues she is dealing with in the City.</p>			

<p>RECOMMENDED ACTION:</p> <p>Mayor: <u>“Do I have a motion to read the full ordinance?”</u></p> <p>If no, Mayor will state: <u>“A majority of the City Council has dispensed with the full reading of the ordinance.”</u></p> <p>Mayor will ask: <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>Mayor calls for a motion: Move to approve first reading of Ordinance 1194.</p>
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ORDINANCE NO. 1194

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS, UPDATING
ANIMAL CONTROL CODE OF ORDINANCES FOR THE
ADMINISTRATION OF ANIMAL SERVICES, PROGRAMS,
REGULATIONS, AND OTHER OPERATIONS OF THE CITY.**

WHEREAS, the City Council of the City of Brady, finds that Chapter 2, Animal Control, Code of Ordinances, City of Brady should be amended to further regulate the growing concerns with Animal Control within the City of Brady; and

WHEREAS, it is often appropriate to review and update those ordinances; and

WHEREAS, many of those animal control regulations have become obsolete and no longer meet the demand of the City; and

WHEREAS, Animal Control has closely reviewed the existing Ordinance and has made suggested changes to the Animal Control Ordinance; and

WHEREAS, the City Council agrees that it is necessary and proper for the good and order of the City of Brady to adopt a new and revised Chapter 2, Animal Control, Code of Ordinances, City of Brady, and

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

The Animal Control change recommendations attached hereto as "Exhibit A" to this Ordinance is hereby adopted.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED, APPROVED by the City Council of the City of Brady, Texas, on FIRST READING at a regular meeting held on this the 15th day of April, 2016.

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 3rd day of May, 2016.

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

Animal Service Ordinance Change Recommendations

Sec 2.103 Noise

Delete Ordinance: It shall be unlawful for any person to own, keep or be in control of any animal that causes unreasonably loud or unnecessary noise that causes material distress or discomfort to a person or persons of ordinary sensibilities in the immediate vicinity.

Add Ordinance: Determination by court; If such court shall determine that any dog or other animal disturbs the peace and quiet of the neighborhood or occupant or any adjacent premises by loud, unusual or prolonged barking or howling, the court may order that such dog or other animal be removed permanently beyond the city corporate limits or delivered to the animal control officer, and failure or refusal to do so within twenty-four (24) hours after receiving said order shall be deemed an offense. A substantial copy of such order for hearing detailing the time, date, place and purpose therefor, personally delivered or enclosed in a correctly addressed envelope to such owner, postage prepaid, and deposited in the United States mail within not less than ten (10) days prior to the date of such hearing, shall be deemed sufficient and proper notice.

Sec 2.105 Treatment of Animals

Delete Ordinance: No owner shall fail to provide his animals with sufficient and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment.

Add Ordinance: An animal's owner shall keep the animal in a clean, sanitary, and healthy condition. An animal's owner or handler shall provide for the animal:

1. regular and adequate amounts of nutritious food that is appropriate for the species and maintains the animal in good health.
2. a constant and adequate supply of clean, fresh water that keeps the animal hydrated for current environmental conditions
3. care and medical treatment for injuries, parasites and diseases that is sufficient to maintain the animal in good health and minimize suffering.

An animal's owner shall provide the animal with shelter that:

1. is large enough for the animal to enter, stand, turn around, and lie down in a natural manner
2. keeps the animal dry
3. provides the animal with shade from direct sunlight
4. protects the animal from excessive heat and cold and other adverse weather conditions

An animal's owner shall regularly maintain the animal and its shelter to prevent odor or a health or sanitation problem.

Sec 2.106 Abandoning

Delete Ordinance: It shall be unlawful for any person to abandon or dump any animal in the city.

Add Ordinance: **It shall be unlawful for any person to abandon or dump any animal in the city.** Abandoning an animal is a crime. After leaving notice, animal control officer has the authority to impound any animal that appears to be abandoned.

Sec 2.107 Report of Animals at Large

Delete Ordinance: It shall be the duty of every person to report immediately to the department the location and description of any animal which is in violation of Section 2.110 or Section 1.208 [sic]. Any animal that is not on its owner's property or on a leash or under the owner's direct control as reasonably determined by the animal control officer is deemed an unlawful animal at large and the animal's owner may be cited as in violation of this chapter.

Add Ordinance: It shall be the duty of every person to report immediately to the department the location and description of any animal which is in violation of Section 2.110 or Section 1.208 [sic]. Any animal that is not on a leash or under the owner's direct control **by leash or tether**, as reasonably determined by the animal control officer is deemed an unlawful animal at large and the animal's owner may be cited as in violation of this chapter.

Sec 2.110 Animals Registered to be Vaccinated

Delete Ordinance: Animals not vaccinated or registered pursuant to the provisions of this chapter, and dogs in violation of this section shall be seized and impounded.

Add Ordinance: It shall be unlawful for the owner of animals over the age of six (6) months to possess, keep or maintain within the city any animals that is **a** not currently registered or vaccinated for rabies. Failure to comply may result in a citation and court appearance. Vaccinations must be valid for the entire licensing period.

Sec 2.111 Notice of Impoundment

Delete Ordinance: Reasonable efforts must be made by the department to promptly notify the owner of any impounded animal or the holder of the vaccination-registration certificate of any vaccinated or registered animal by telephone, personal service, or ordinary mail addressed to the owner of such animal at the place listed on the vaccination certificate or at the owner's last known address. At the very least, the officer will call the telephone number of the last known address of the last known owner of the animal.

Add Ordinance: Reasonable efforts must be made by the department to promptly notify the owner of any impounded animal. No impounded animal shall be redeemed unless approved for redemption by the animal control officer. To obtain approval for redemption, the owner shall provide proof of vaccinations and registration and pay all applicable fees, cost and expenses incurred in the seizure, impoundment and redemption of the animal including an impoundment fee, daily boarding fees, and fees for alteration, vaccination and registration.

Sec 2.112 Right to Redeem Impounded Dog

Delete Ordinance: The owner shall be entitled to resume possession of any impounded dog upon payment of the impoundment and daily boarding fees and compliance with vaccination

requirements: provided, application for such possession with payment of all required fees, is made within 120 hours after impoundment if the dog is not wearing a tag as required by this chapter, or within such time after impoundment as may be agreed to by the warden and such owner, if such agreement is made within such 120 or 72 hour period as applicable, provided such addition time does not exceed ten days of total impoundment time.

Add Ordinance: The owner shall be entitled to resume possession of any impounded dog upon payments of (but not limited to) impoundment fee, daily boarding fees, and fees for alteration, vaccination and registration and payment of all required fees is made within 120 hours after impoundment if the dog is wearing a tag as required by this chapter and 72 hours after impoundment if the dog is not wearing a tag as required by this chapter, or within such time after impoundment as may be agreed to by the animal control officer and such owner, if such agreement is made within such 120 or 72 hour period as applicable, provided such addition time does not exceed ten days of total impoundment time. To obtain approval for redemption, the owner shall provide proof of vaccinations and registration and pay all applicable fees, costs and expenses incurred in the seizure, impoundment and redemption of the dog. No impounded animal shall be redeemed unless approved for redemption by the animal control officer or designee.

Sec 2.115 Disposition of Unredeemed Dogs

Delete Ordinance: Any dog impounded and reclaimed by the owner as set forth in Section 2.112 above may be humanely destroyed after being held for at least 120 hours if such dog is wearing a tag and 72 hours after impoundment if such dog is not wearing a tag. If the animal control officer determines that any unclaimed dog or cat is reasonably healthy, currently vaccinated against rabies, and should not constitute a threat to the public or the health of the animals in the community, he may, after the applicable 120 or 72 hour holding period, offer the dog for adoption. If the dog is not adopted, it will be humanely destroyed. Prospective adopting persons must show proof of reasonable facilities for caring for an adopted animal before being permitted to adopt.

Add Ordinance: Any dog impounded and not reclaimed by the owner as set forth in Section 2.112 above may be humanely destroyed after being held for at least 120 hours if such dog is wearing a tag and 72 hours after impoundment if such dog is not wearing a tag. If the animal control officer determines that any unclaimed dog or cat is reasonably healthy, currently vaccinated against rabies, and should not constitute a threat to the public or the health of the animals in the community, he may, after the applicable 120 or 72 hour holding period, offer the dog for adoption. If the dog is not adopted, it will be humanely destroyed, or relinquished to approved 501(c)3 non-profit rescue service. Prospective adopting persons must show proof of reasonable facilities for caring for an adopted animal before being permitted to adopt.

Sec 2.117 Destruction of Sick or Injured Impounded Animals After 120 or 72 Hour Period

Delete Ordinance: Any animal impounded and suffering from serious injuries, in great pain with probability of recovery remote, or having a communicable or infectious disease which would endanger the health of people or other animals, may be humanely destroyed after reasonable efforts to determine ownership have failed. However, no animal under quarantine or observation for a bite incident or under suspicion of having rabies shall be destroyed until it has been released from said quarantine or observation by a veterinarian.

Add Ordinance: Any animal impounded and suffering from serious injuries, in great pain with probability of recovery remote, or having a communicable or infectious disease which would endanger the health of people or other animals, may be humanely destroyed after reasonable efforts to determine ownership have failed. However, no animal under quarantine or observation for a bite incident or under suspicion of having rabies shall be destroyed until it has been released from said quarantine or destruction for rabies testing.

Sec 2.118 Destruction Impounded Animals Prior to 120 or 72 Hour Period

Delete Ordinance: Animals may be disposed of prior to the applicable 120 hour or 72 hour period from the time of impoundment if upon notification of impoundment of said animal the owner states he does not wish to redeem the animal and subsequently in writing releases the animal to the sole jurisdiction of the department.

Add Ordinance: Notwithstanding the prescribed impoundment periods, the animal control officer shall have the discretion to dispose of an animal determined to be at risk due to a state of illness, injury or infancy in the most humane manner as possible to avoid prolonging its suffering or transfer an animal determined to be at risk due to a state of illness, injury or infancy to an approved 501(c)3 non-profit animal rescue service.

Sec 2.121 Vicious Animals to be Confined

Delete Ordinance: The owner shall confine within a building or enclosure every fierce, dangerous or vicious animal. Confinement must be in such a manner that the animal cannot come in contact with any person or other animal except for supervised breeding.

Add Ordinance: The owner shall confine within a building or enclosure every fierce, dangerous or vicious animal. A dog is "confined" as the term is used in this section if such dog is securely confined indoors or confined in a secure enclosure which meets the following requirements:

- (1) The enclosure must have secure sides and a secure top, or all sides must be at least eight (8) feet high;
- (2) The enclosure must have a bottom permanently attached to the sides or sides embedded into the ground not less than one (1) foot; and
- (3) The enclosure must be of such material and closed in such a manner that the dog cannot exit the enclosure on its own. (No person who owns, possesses, keeps or exercises any control over a dangerous dog shall permit such dog to be on the premises of such person without being confined.

No person who owns, possesses, keeps or exercises any control over a dangerous dog shall permit such dog to go beyond the premises of such person unless the dangerous dog is securely leashed and muzzled.

Sec 1.124 Keeping Animals in Front Yard Prohibited

Delete Ordinance: Dogs and cats may not be kept in the front yard of an owner's property unless they are fenced, leashed or kenneled, or the specific written permission of the animal control officer. Electronic fencing shall be considered fencing for the purposes of this section, but is not a secured enclosure for purposes of this chapter.

Add Ordinance: Dogs and cats may not be kept in the front yard of an owner's property unless they are fenced, leashed or kenneled, or the specific written permission of the animal control officer. Electronic fencing shall be considered fencing for the purposes of this section, but is not a secured enclosure for purposes of this chapter. Any dog or cat **animals** not compliant with Sec 1.124 is subject for impoundment.

Sec 2.403 Restrictions on Keeping Horses

Existing Ordinance: No person shall keep a horse on any premises, if the overall area within which the horse is kept is less than 6,500 square feet for each horse kept, nor keep more horses than can be cared for under sanitary conditions and not create a public nuisance and in no event exceed the permitted number of adults, and their foals up to six (6) months of age. The number of horses permitted shall not exceed one horse per each sixty-five hundred (6500) square feet of space in the enclosure where kept. The person in lawful possession of the premises, as owner or tenant, may keep thereon horses belonging to others, but limitation to number of horses on the premises and the area and distance requirements of this article shall still apply; and the keeping of horses for others shall not be done as a business in violation of the zoning ordinance. The permit may include reasonable conditions, including total number of horses authorized, determined by the animal control officer to prevent a nuisance, and all conditions of a permit are subject to review and revision. These requirements will not apply to the G. Rollie White Complex, or to any veterinary facilities.

Keep current ordinance but add details about maintenance and conditions of horses and premises being kept on.

Add: The manure and debris incident to the maintenance and care of horses shall be scraped from the floor and raked from pens or areas with such frequency as to prevent the same from serving as breeding places for insects and form emitting noxious odors. The manure and debris scraped or raked as provided above, shall immediately be collected and either placed and kept in a waterproof and insect proof container until removed from the premises. The inside walls, ceilings, roosts, and floors of the structure in which the horses are housed shall be treated and kept treated with effective material manufactured and sold for the control of flies, mites, and lice and applied according to the manufacturer's directions.

Sec 2.501 Requirements for Owners of Dangerous Dog

Add requirement of dog to wearing designated color collar.

Add: Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure and dangerous dog must be identified with **yellow** designated dangerous dog collar provided by the **Animal Control Department**.

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	4/19/2016	AGENDA ITEM	7.D
AGENDA SUBJECT:	Discussion, consideration and possible action regarding first reading of Ordinance 1195 establishing for no overhead power lines, communication lines of similar improvements parallel and along the US 377 N ROW including the downtown square for maintaining a controlled appearance.		
PREPARED BY:	K Lenoir / S Miller	Date Submitted:	4/14/16
EXHIBITS:	Ordinance 1195		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

The City of Brady has been working in cooperation with TXDOT to improve the utilities, sidewalks, lighting and roadway of US 377 N from Main Street to US 190 E and including the downtown square. As TXDOT is now in the final design phase and utility coordination phase, staff recommends the attached ordinance to remove all overhead utilities in this new reconstruction project to improve the appearance of the city and our historic square.

This project is currently estimated to be about a \$6 million improvement, funded 90% by TXDOT and 10% by the City of Brady.

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 first reading of Ordinance 1195.

ORDINANCE NO. 1195

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS
ESTABLISHING FOR NO OVERHEAD POWER LINES, COMMUNICATION LINES OR SIMILAR
IMPROVEMENTS PARALLEL AND ALONG THE US 377 N R.O.W INCLUDING THE
DOWNTOWN SQUARE FOR MAINTAINING A CONTROLLED APPEARANCE**

WHEREAS, the City Council of the City of Brady is a participant in the improvements to US 377 N Rights-of-Way (R.O.W) Improvements as planned and developed by the Texas Department of Transportation (TXDOT); and

WHEREAS, the City of Brady is committing significant and vital funding as a participant in the improvements to US 377 N including the Downtown Square; and

WHEREAS, the City of Brady is establishing a priority to improve the aesthetic and general appearance of the main thoroughfare into the heart of the city; and

WHEREAS, Sec. 3.16 of the City Charter requires an ordinance when "the purpose is to regulate persons or property."

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

That the City Council of the City of Brady hereby authorizes this ordinance restricting the placement, erecting or installation of overhead utility and power lines, communication lines or similar improvements parallel and along the US 377 N from Main Street to north of Belton Street and on all city blocks facing the downtown square as executed by the City Council of the City of Brady.

PASSED, APPROVED by the City Council of the City of Brady, Texas, on FIRST READING at a regular meeting held on this the 19th day of April, 2016.

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 3rd day of May, 2016.

Effective date of this Ordinance is May 3, 2016.

CITY OF BRADY

Anthony Groves, Mayor

Attest: _____

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	4-19-16	AGENDA ITEM	7.E.
AGENDA SUBJECT:		Discuss P&Z recommended ordinances for Infill Overlay and Substandard Buildings	
PREPARED BY:	P Lamont	Date Submitted:	4-13-16
EXHIBITS:	P&Z Recommended Infill Ordinance P&Z Recommended Substandard Building Ordinance		
BUDGETARY IMPACT:		Required Expenditure:	\$00.00
		Amount Budgeted:	\$00.00
		Appropriation Required:	\$00.00
CITY MANAGER APPROVAL:			
SUMMARY: P&Z reviewed these ordinances March 8 and April 12, recommending to City Council. The Infill Ordinance was modeled after a similar ordinance in the City of Waxahachie that has been championed by them as extremely helpful in spurring in-fill development. In-fill lots have utilities and streets and if built on help to revitalize an older community. The Substandard Building Ordinance was prepared by the City Attorney to assist the city in removing substandard structures. The proposed ordinance provides for specific conditions that will trigger action by staff. Final action for removal is given to the ZBA/BOA, not City Council and provides for appeal to State District Court, as well as the ability to place a lien against property, if the City has to demolish. Please review and we can discuss and answer your questions.			
RECOMMENDED ACTION: Direct staff as city council desires.			

Section 26.B. - Overlay District for infill development.

The overlay district shall be in effect in all areas of the City of Brady and made a part hereof.

It is provided that within said area, the existing (or as then amended) base zoning will remain in effect, and will control the USE of the property. This section does not change the USE of the property, only the structures that may be placed on it. The base zoning still applies to structures, except as amended by this ordinance.

Property, in order to qualify under this Section 26.B, must consist of lots initially platted prior to 1980 or transferred by metes and bounds before 1980, AND be located within the Single-Family Residential and Manufactured Home District.

The following is allowed on qualifying property:

1. The front yard setback must be within five (5) feet of the average of each structure that is within fifty (50) feet from the buildable lot, as measured from the front building plane, and not including porches.
2. Maximum lot coverage is eighty percent (80%).
3. Side yards will be ten percent (10%) of lot width.
4. The massing, scale, and materials shall be appropriate to the neighborhood and porches may be required, which requirements can be set with the City staff by written approval; however, their ruling may be appealed to the Planning and Zoning Commission.
5. In no situation will a house be less than ten (10%) percent of the average of square footage area of houses to each side and directly across the street, but not less than 800 square feet.
6. Two off-street parking areas behind the front building plane are required, any garage that is built shall not have a door facing the right-of-way, unless set back from the front of the building plane at least five (5') feet.
7. Garages will not be required if three bedrooms or less.
8. Material for driveway may be permeable behind the front building plane with approved driveway section and material.
9. Minimum lot size—Similar sizing to adjacent lots, flexible depending on surrounding lots. In no situation will a lot be less than ten (10%) percent less than the square footage area of adjacent lots on each side and directly on the other side of the street.
10. A residential planned development (PD) district may be any size in this overlay district, if approved for a specific use permit.
11. Garage Dwelling Units may be allowed with SUP in SF-5 and SF-10.
12. Duplexes on corner lots must have entrances facing one to each street.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS
AMENDING THE CITY OF BRADY CODE OF ORDINANCES CHAPTER 3 BUILDING
REGULATIONS BY AMENDING ARTICLE 3.200, TITLED DANGEROUS PREMISES;
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 to provide suitable penalties for the violations of any ordinance enacted by the City; and

WHEREAS, Chapter 214 of the Texas Local Government Code allows the City to require the vacation, relocation of occupants, securing, repair, removal, and demolition of a building that is dilapidated, substandard, unfit for human habitation, or a hazard to the public health, safety, and welfare; and

WHEREAS, Article 3.200 of the City's Municipal Code of Ordinances regulates dangerous and substandard premises and establishes procedures to remove and demolish dangerous and substandard premises; and

WHEREAS, the City Council has determined that the safety, health and welfare of the citizens and general public require amendments to Article 3.200 of the Code of Ordinances to regulate dangerous and substandard premises; 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 3 (entitled "*Building Regulations*"), Article 3.200 (entitled "*Dangerous Premises*") is hereby amended and replaced with Article 3.200 contained in Exhibit A.

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 (including Exhibit A) 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 _____, 2016.

PASSED AND APPROVED ON FIRST READING on this _____ day of _____ 2016.

PASSED AND APPROVED ON SECOND READING on this _____ day of _____ 2016.

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.

EXHIBIT A

ARTICLE 3.200 DANGEROUS PREMISES

Sec. 3.201 Definitions

As used in this article, the following terms are defined as follows:

Appraised value. The value given the structure by the county tax assessor's office.

Building. Any structure of any kind or any part thereof, erected for the support, shelter or enclosure of persons, animals, chattel or property of any kind.

Building Inspector. The person appointed by the city to conduct periodic inspections of buildings and structures to insure that the same are being maintained in a manner consistent with prescribed building codes of the city and not in violation of this article.

City. The City of Brady, Texas.

City Council. The governing body of the City of Brady.

Diligent Effort. Best or reasonable effort to determine the identity and address of an owner, a lienholder, or a mortgagee including a search of the following records:

- (1) County real property records of the county in which the building is located;
- (2) Appraisal district records of the appraisal district in which the building is located;
- (3) Records of the secretary of state;
- (4) Assumed name records of the county in which the building is located;
- (5) City tax records; and
- (6) City utility records.

Minimum Housing Standards. Those standards found in the city's adopted standard building, electrical, plumbing, gas, mechanical, existing building and fire prevention codes and any other housing and structure regulations adopted under Chapter 214, Local Government Code.

Owner. Any person, agent, firm, corporation, or other entity named in the real property records of the county where the building is located as owning the property.

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner, or any part thereof.

Sec. 3.202 Purpose

This dangerous premises article is adopted so that the city council may promote the public health, safety, and general welfare within the city through the regulation of substandard and dangerous buildings or structures. By requiring the repair or demolition of substandard and dangerous buildings and structures, the city council seeks to protect property values and prevent bodily injury, death, and property damage within the city limits.

Sec. 3.203 Securing vacant structures.

No owner or person having charge of any unoccupied building or structure within the city shall leave said building or structure unlocked, un-boarded, or otherwise unsecured so that unauthorized persons may enter said building or structure. An unsecured building or structure shall constitute *prima facie* evidence of a condition of immediate danger to the building or structure and adjoining buildings or structures, and the building inspector shall immediately notify the owner of said unsecured building or structure to secure the same, and if said building or structure is not secured within seventy-two (72) hours after the date of issuance of notice to the owner or person in charge of the building or structure, the building inspector is authorized to secure the building or structure at the expense of the owner or person in charge of said building or structure, the cost of expense of the work required to secure such building or structure to be charged against the owner of the property as provided by state law.

Sec. 3.204 Substandard premises

A premises is substandard under this article if any one or more, in any combination, of the following conditions exists on the premises:

- (1) Inadequate sanitation.
 - (a) Lack of a bathroom or the existence of an improper bathroom.
 - (b) Lack of or an improper kitchen.
 - (c) Lack of hot and cold running water to plumbing fixtures.
 - (d) Lack of or improper required heating, mechanical ventilation or electric facilities.
 - (e) Lack of required amounts of natural light and ventilation.
 - (f) Lack of or improper space or floor area.
 - (g) Lack of required electrical lighting.
 - (h) Dampness of habitable space.

- (i) Infestation of insects, vermin or rodents.
- (j) The existence of dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person.
- (k) Lack of or improper connection to required sewage disposal.
- (l) Lack of or improper garbage and rubbish storage and removal facilities.
- (m) Lack of or improper drainage so as to prevent standing or stagnant water on the premises.

Sec. 3.205 Violations; application; penalty and report of inspections

(A) The owner of a premises that is substandard commits an offense. The occupant of a substandard premises commits an offense if the occupant causes or has caused the premises to be substandard.

1. An owner of a premises remains liable for violations of this article even though an occupant of those premises is responsible for the premises and regardless of any agreement between the owner and another that imposes or attempts to delegate responsibility for the premises to the other.

(B) It shall be a violation for an owner or occupant of a premises or multifamily dwelling to occupy, or allow the occupation of, any structure or building that has been placarded as substandard by the city.

1. Unless otherwise specified in this article, no culpable mental state is required for the commission of an offense under this article.

(D) In addition to imposing a criminal penalty, the city shall have the power to enforce any provision of this article and any applicable provision of this Code under the provisions of subchapters B and C of chapter 54 of the Texas Local Government Code. No enforcement remedy shall be exclusive of any other remedy the city may have under state law or city ordinances.

1. Whenever a routine inspection is made for an alleged violation at a premises or multifamily dwelling, the findings shall be recorded on a form approved by the city. The owner or property manager or other person in charge of the property shall be provided a copy of the inspection report, either in person or by mail. Notice of the alleged violations has been given to an owner when a copy of the inspection report: (1) is delivered in person to any owner, manager, or person in charge of the property; or (2) two days after the copy of the inspection report is deposited with the US Postal Service, addressed to any owner, manager, or person in charge of the property, with proper postage affixed. The inspection report may establish violation categories as defined in Section 3.204, which shall be corrected within a time as established in subsection

(F) The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law.

(F) A violation listed in a notice of violation shall be corrected in accordance with the time specified in the notice of violation, subject to the following:

- (1) A life-safety violation shall be corrected within 24 hours of the issuance of the notice of violation;
- (2) A minimum of 72 hours shall be allowed for the correction of a critical violation; and
- (3) A minimum of 30 days shall be allowed for the correction of a noncritical violation.

Sec. 3.206 Termination of utility services

The city may initiate termination of utility services, or place a hold on reconnecting or reinstating utility services that have been terminated, as the case may be, to or for a dwelling unit or premises that is substandard, or unfit for human occupation by certifying, in writing, that the dwelling unit or premises is substandard or unfit for human occupation.

Sec. 3.207 Declaration of Nuisance

Any building or structure requiring repair, removal, or demolition, as described and defined in this article and all buildings or structures within the city which because of their condition are unsafe, unsanitary, substandard, or otherwise dangerous to the health, safety, and general welfare of the citizens of the city are hereby declared to be a public nuisance and unlawful and subject to the provisions of this article in addition to the other provisions in this code of ordinances. Such unsafe, unsanitary, substandard, and dangerous conditions include, but are not limited to the other portions of Chapter 3 of the city code of ordinances regarding building, electrical and plumbing regulations, Chapter 8 of the city code of ordinances regarding repair, removal or demolition of nuisances, Chapter 13 of the city code of ordinances regarding utilities, and any other provision in the city code of ordinances.

Sec. 3.208 Inspection

An inspection shall be made of every building located within the city which is suspected of being in violation of this article. The building inspector, or his or her official designee, is hereby authorized to conduct inspections of buildings suspected of being in violation of this article and take such actions as may be required to enforce the provisions of this article.

Sec. 3.209 Adoption of the Uniform Code for the Abatement of Dangerous Buildings

The Uniform Code for the Abatement of Dangerous Buildings, 1994 edition published by the International Conference of Building Officials is adopted, incorporated by reference into this

section in its entirety, and the city secretary will make available relevant provisions at the request of any citizen of the city.

Sec. 3.210 Duties of Building Inspector

The building inspector shall perform the following duties:

- (1) Inspect or cause to be inspected periodically all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial manufacturing or loft buildings or tents for the purpose of determining whether conditions exist which render any such place a dangerous premises within the terms of this article;
- (2) Inspect any premises, building, wall or structure about which complaints have been filed by any person to the effect that such premises or building, wall or structure is or may be existing in violation of this article;
- (3) Inspect any premises, building, wall or structure reported by the health, fire or police department of this city as possibly existing in violation of the terms of this article;
- (4) Inspect any premises, building wall or structure which he has reason to believe may be in violation hereof;
- (5) Notify in writing the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in such premises, at their last known address as shown by the records of the assessor and collector of taxes of the city, of any premises found by him to be dangerous premises within the standards set forth in this article, that:
 - (A) The owners shall vacate, repair or demolish such building in accordance with the terms of the notice and this article;
 - (B) The occupant or lessee shall vacate such building or have it repaired in accordance with the notice and remain in possession;
 - (C) The mortgagee, agent or other person having an interest in such building may at his own risk repair, vacate or demolish the building or have such work or act done; provided that any person notified under this subsection to repair, vacate or demolish any building shall be given such reasonable time, not exceeding 30 days, as may be necessary to do, or have done, the work or act required by the notice provided herein.
- (6) Set forth in the notice provided for in subsection (5) of this section a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a dangerous building; and a statement requiring the building to be put in such condition as to comply with the terms of this article within such time as is reasonable, as long as that time is not longer than 30 days;

(7) If the owner, occupant, mortgagee or lessee fails to comply with the notice provided for in subsection (5) above within 30 days, report the condition to the city attorney giving him or her a copy of the notice described in subsections (5) and (6) hereof. The city attorney shall then take any necessary action to secure compliance with the order of the building inspector provided in subsection (1) of this section, and in particular shall proceed as provided in Sections 3.211 and 3.212, taking additional steps to determine the names and addresses of persons having an interest in the premises.

Sec. 3.211 Determination

The following standards shall be utilized in determining whether a building should be ordered repaired, removed or demolished:

- (1) The building or structure is liable to partially or fully collapse.
- (2) The building or structure was constructed or maintained in violation of any provision of the city's building code, or any other applicable ordinance or law of the city, county, state, or federal government.
- (3) Any wall or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle one-third (1/3) of its base.
- (4) The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
- (5) The nonsupporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated.
- (6) The structure has improperly distributed loads upon the structural members, or the structural members have insufficient strength to be reasonably safe for the purpose used.
- (7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare.
- (8) The structure does not have adequate light, ventilation, or sanitation facilities as required by the city.
- (9) The structure has inadequate facilities for egress in case of fire or other emergency or has insufficient stairways, elevators, fire escapes or other means of ingress or egress.
- (10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the city's citizens including all conditions

conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease.

(11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").

(12) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to a nuisance that constitutes an unsanitary condition on property as defined in Section 8.106 of the city code.

(13) The structure or premises is substandard.

Sec. 3.212 Standard for Vacation

If a dangerous or substandard premise is in such condition as to make it dangerous to the health or safety of its occupants, it shall be ordered to be vacated.

Sec. 3.213 Standard for Repair

If a dangerous or substandard premise can be feasibly repaired or the condition remedied so that it will no longer exist in violation of the terms of this article, it shall be ordered remedied or repaired. Repairs will only be deemed feasible if less than 50% of the appraised value as determined by the McCulloch County Appraisal District value or structure of the building is required to be repaired or replaced.

Sec. 3.214 Standard for Demolition

In any case where a dangerous or substandard building is fifty (50) percent or more damaged, decayed or deteriorated from its value or structure, it shall be demolished, and in all cases where a building cannot be repaired to meet the standards and provisions in this article, it shall be demolished.

Sec. 3.215 Notice of Violation

(a) *Notice to property owner.* Whenever the building inspector determines that there has been a violation of this article or has grounds to believe that a violation has occurred, notice shall be given to the property owner in the manner prescribed in section 3.218(c) for the violation. The notice and order shall:

(1) Inform the property owner of the right to appeal, specifically:

(i) that any person having recorded title or legal interest in the building or structure may appeal from the notice and order or any action of the building inspector to the zoning board of adjustment; provided the appeal is made in writing as provided in this article and filed with the building inspector within thirty (30) days from the date of service of such notice and order; and

(ii) that failure to appeal will constitute a waiver of all rights to an administrative hearing and termination of the matter.

(2) Include a statement of the city's right to file a lien.

(3) Include statements advising that if any required repair or demolition work, is not commenced within the specified time, the building inspector may order the building vacated and posted to prevent further occupancy until the work is completed.

(b) *Placarding of Structures.* Upon any vacant structure being deemed dangerous by the building inspector, the building inspector shall cause to be posted on each entrance to such structure a placard including, but not limited to, the following language:

"Do Not Enter, Unsafe to Occupy. It shall be unlawful for any person to enter such structure except for persons authorized by the owner to enter for the purpose of securing the structure, making the required repairs therein under permit, and under inspection by inspectors of the city. This notice shall remain on this building until it is repaired or demolished."

It shall be unlawful for any person to enter any structure marked by such placard, except for persons authorized by the owner to enter for the purpose of securing the structure, making the required repairs therein under permit, and under inspection by inspectors of the city. Such placard shall remain on the structure until it is repaired or demolished, or until removed by the building inspector.

Sec. 3.216 Recordation of notice and order by the building inspector.

If compliance with a notice and order described by section 3.211 is not secured within the time specified therein, and no appeal has been timely and properly filed, the building inspector may file in the deed records of the office of the county clerk a certificate describing the property and certifying that the building or structure has been determined to be a dangerous or substandard building or structure by the building inspector and that the owner has been so notified. Whenever the corrections ordered shall thereafter be completed or the building or structure demolished or that all required corrections have been made so that the building or structure is no longer dangerous, whichever is appropriate.

Sec. 3.217 Emergency measures authorized by the building inspector.

(a) *Temporary safeguards.* Notwithstanding other provisions of this division, whenever, in the opinion of the building inspector, there is imminent danger due to an unsafe condition, the building inspector shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the building inspector deems necessary to meet such emergency.

- (b) *Closing streets.* When necessary for public safety, the building inspector shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures and prohibit the same from being utilized.
- (c) *Emergency repairs.* For the purposes of this section, the building inspector shall employ the necessary labor and materials to perform the required work as expeditiously as possible.
- (d) *Costs of emergency repairs.* Costs incurred in the performance of emergency work may be paid by the city. The city attorney may institute appropriate action against the owner of the premises for the recovery of such costs.
- (e) *Hearing.* Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the zoning board of adjustment, be afforded a hearing as described in this article.

Sec. 3.218 Appeals from orders of building inspector.

- (a) *Form of appeal.* Any person entitled to service of a notice issued pursuant to section 3.211 may appeal from any notice and order or any action of the building inspector under this division by filing at the office of the building inspector a written appeal and filing fee as determined by the city council and on file in the office of the city secretary. The appeal shall contain the following:
 - (1) A heading in the words: "Before the Zoning Board of Adjustment of the City of Brady, Texas";
 - (2) A caption reading: "Appeal of _____," giving the names of all appellants participating in the appeal;
 - (3) A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order;
 - (4) A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
 - (5) A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
 - (6) The signatures of all parties named as appellants and their official mailing addresses; and
 - (7) The verification, by declaration under penalty of perjury, of at least one (1) appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within thirty (30) days from the date of the service of such order or action of the building inspector; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property, or safety of the public or adjacent property and is ordered vacated and is posted in accordance with sections 3.208 and 3.211, such appeal shall be filed within ten (10) days from the date of the service of the notice and order of the building inspector.

- (b) *Processing of appeal.* Upon receipt of any appeal filed pursuant to this article and receipt of the filing fee, the building inspector shall present the appeal at the next available regular or special meeting of the zoning board of adjustment.
- (c) *Scheduling and noticing appeal for hearing.* As soon as practicable after receiving the written appeal, the zoning board of adjustment shall fix a date, time and place for the hearing of the appeal by the zoning board of adjustment. Such date shall be not less than ten (10) days, or more than sixty (60) days, from the date the appeal was filed with the building inspector. Written notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal.

Sec. 3.219 Scope of hearing on appeal.

Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal as provided in this article.

Sec. 3.220 Staying of order under appeal.

Except for vacation orders made pursuant to section 3.208, enforcement of any notice and order of the building inspector issued under this article shall be stayed during the pendency of an appeal therefrom which is timely and properly filed.

Sec. 3.221 Order to repair, vacate, remove or demolish.

The following standards shall be followed by the building inspector or by the zoning board of adjustment regarding any order to repair, vacate, remove, or demolish substandard or dangerous buildings or structures:

- (a) When, in the opinion of the building inspector;
 - (1) There is imminent danger of failure or collapse of a building or structure which endangers life;
 - (2) When any structure or part of a structure has fallen and life is endangered by the occupation of the structure; or
 - (3) When there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes, or vapors or the presence of toxic fumes, gases or materials, or operation of

defective or dangerous equipment, the building inspector is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith.

- (b) If the building inspector has determined that the building or structure constitutes an immediate danger and must be vacated, the order shall require that the building or structure to be vacated before a date certain, as determined by the building inspector to be reasonable, but not to exceed ten (10) days.
- (c) If the building or structure is in a dangerous or substandard condition, but does not present an immediate threat to the life, limb, property or safety of the public or its occupants, the deadline to vacate may be extended to not less than sixty (60) days from the date of the order.
- (d) Any building or structure declared dangerous or substandard under this article shall be repaired or demolished in accordance with the current building code or current code applicable to the type of substandard condition(s) requiring the repair, or demolition, as follows:

- (1) If in the opinion of the building inspector, the repair is not feasible, the zoning board of adjustments may issue an order to demolish and remove such structure; or
- (2) If such structure is capable of being made safe by repairs, then the building inspector or the zoning board of adjustment may issue an order to repair and make safe and sanitary, provided that the owner agrees to the following conditions, which will also be listed in the order:
 - (i) He or she exclusively assumes all risk, expense, and responsibility for ensuring that all legal requirements and standards are fully and strictly satisfied within the strict time constraints of the order, regardless of whether such standards are required under the code of ordinances or any other law.
 - (ii) Neither the city, nor its staff, assume any responsibility for identifying these standards, nor for guiding the owner towards a timely, successful, or feasible repair.
 - (iii) Neither the city, nor its staff, warrant, assure, represent or recommend that timely, compliant, affordable, complete, or satisfactory repairs are feasible, or even possible, whether under ideal circumstances or in the face of hidden, unforeseen, or unforeseeable circumstances.
- (3) Any building permit for repairs is strictly conditioned:
 - (i) Upon the limitations set forth in the order;
 - (ii) Upon application of the current code standards to any repair;
 - (iii) Upon the owner's expressed assumption of his or her exclusive responsibility for strict, timely, and complete compliance with these restrictions; and

- (iv) Upon the owner's understanding and acceptance that the order could be strictly applied to authorize demolition of the structure if repairs are not timely and completely completed, regardless of any cause, condition, or circumstance, even if unforeseen or unforeseeable, regardless of any other statement or representation made by the city, or its staff; regardless of time, money or effort already invested into the repairs upon expiration of the time allocated for repairs, and regardless of the amount of progress made toward completion upon expiration of the time allocated for repairs under the order.
- (4) If an order has been issued to allow repairs, the owner still retains the option to demolish or remove the structure for which the order has been issued.
- (5) Upon any structure deemed dangerous and/or substandard by the building inspector, the building inspector shall cause to be posted at each entrance to such structure, a placard including, but not limited to, the following language:

"Do Not Enter, Unsafe to Occupy. It shall be unlawful for any person to enter such structure except for persons authorized by the owner to enter for the purpose of securing the structure, making the required repairs therein under permit and under inspection by inspectors of the City of Brady. This notice shall remain on this building until it is repaired or demolished."

It shall be unlawful for any person to enter any structure marked by such a placard, except for persons authorized by the owner to enter for the purpose of securing the structure or making the required repairs therein under permit, and inspectors of the city. Such placard shall remain on the structure until it is repaired or demolished, or until removed by the building inspector.

Sec. 3.222 Public hearing required for order of demolition.

(a) *Hearing required.* In cases where the building inspector has determined that a building or structure should be demolished, a public hearing before the zoning board of adjustment shall be held, regardless of whether an appeal from such determination has been filed.

(b) *Diligent effort must be made to locate the owner, lien holder, or a mortgagee on the property.*

(c) *Notice of hearing.* Notice of the hearing shall be given as in cases where an appeal has been filed. In addition, the secretary of the zoning board of adjustment shall cause a notice to be published in the official newspaper of the city at least ten (10) days prior to the scheduled hearing date. The published notice shall be directed to any person having any interest in the property, stating the names of such persons, if known. The notice shall include the following:

- (1) The names of all persons to whom notice is being served;
- (2) The street address and a legal description sufficient for identification of the premises upon which the structure is located;
- (3) The date of inspection;
- (4) The nature of the violation(s);

- (5) A statement that the building inspector has found the building or structure located thereon to be dangerous and/or substandard and constitutes a hazard to the health, safety, and welfare of the citizens;
- (6) A statement that a public hearing will be held before the zoning board of adjustment on a date and time and at a place therein specified to determine whether the building or structure should be demolished in accordance with the notice and order of the building inspector; and
- (7) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the article and the time it will take to reasonable perform the work.

(d) *Nuisance determination required to demolish.* A notice and order to demolish a building or structure shall be issued only in those cases where the zoning board of adjustment after the hearing has determined that the building or structure is dilapidated, substandard, dangerous, or unfit for human occupancy, does not meet minimum standards, and that the building or structure constitutes a nuisance, in so far as it is a hazard to the health, safety and welfare of the public and the occupants.

(e) *Notice of demolition.* Notice of demolition shall be by the following methods within ten (10) days after the date that the order of the zoning board of adjustment is issued:

(1) *Notice by mail.* Whenever the zoning board of adjustment has determined that a building should be demolished, the zoning board of adjustment's notice and order shall be sent to all record owners, interested parties of record or other persons known to have an interest in the property informing such persons of the zoning board of adjustment's determination and that, pursuant to the determination, the building will be demolished. The notice shall state that the costs of demolition shall be assessed against the property. All notices shall be sent by registered or certified mail, return receipt requested.

(2) *Notice by publication.* In addition to the notice provided for in subsection (e)(1) of this section, the building inspector shall cause to be published in the official newspaper of the city, a notice of the zoning board of adjustment's determination. The notice shall contain:

- (i) The street address or legal description of the property;
- (ii) The date of the hearing;
- (iii) A brief statement indicating the results of the order;
- (iv) Instructions stating where a complete copy of the order may be obtained; and
- (v) A statement that the building or structure on the premises will be demolished and that the cost of demolition will be assessed against the property.

(3) A copy of the order shall be filed with the office of the city secretary.

(4) A copy of the order shall be filed with the county clerk.

Sec. 3.223 Appeal

The owner, lienholder, or mortgagee shall have the right to appeal the decision made by the zoning board of adjustment to a district court. A notice of appeal must be filed with the district court within thirty (30) calendar days from the date the order is mailed to the owner, lienholder or mortgagee, as provided herein.

Sec. 3.224 Assessment of Lien

(a) When the city incurs expenses to repair, remove, or demolish a building, the city may assess the expenses on and obtain a lien against the property on which the building is located, unless it is a homestead as protected by the Texas Constitution. The lien arises and attaches to the property when the city has the lien recorded and indexed with the county clerk in which the property is located. The notice shall contain:

- (1) The name and address of the owner, if that information can be determined with a reasonable effort;
- (2) A legal description of the real property on which the building was located;
- (3) The amount of expense incurred by the city;
- (4) The balance due; and
- (5) The date on which said work was done or improvements made.

(b) The city shall have a privileged lien on such lot, lots, or other premises or real estate upon which said building was located, to secure the expenditure so made, second only to other liens as provided by law. It is further provided that for any such expenditure suit may be instituted and foreclosure of said lien may be made in the name of the city; and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be *prima facie* proof of the amount expended for such work or expense.

(c) The lien is extinguished if the property owner or another person having an interest in the legal title to the property reimburses the city for the expenses.

Sec. 3.225 Penalty for Violation of This Article

The city shall have the power to administer and enforce the provisions of this article as may be required by governing law.

- (1) Civil Remedies.

(A) A property owner violating any provision of this article shall, upon conviction, be fined a sum not exceeding one thousand dollars (\$1,000.00) for each and every day of violation, or, if the owner shows the property is the owner's

lawful homestead, in an amount not to exceed ten dollars (\$10.00) per day for each violation, provided that:

(i) The owner was notified of the requirements of the article and the owner's need to comply with the requirements; and

(ii) After notification, the owner committed an act in violation of the article or failed to take action necessary for compliance with the article.

(B) If such a civil penalty is assessed, the city secretary shall file a certified copy of the order containing such amount and duration of the penalty with the county district clerk's office no later than three (3) working days after such order.

(2) Other Remedies.

(A) The remedies provided in this section shall be available to the city in addition to any penal or other remedy provided by law or equity which the city, state, or any other person may provide to remedy the unsafe building condition.

(B) The city may bring a civil action in a court of competent jurisdiction to collect the amount due plus all associated costs and fees.

Sec. 3.226 Administrative Liability

Neither the city, zoning the board of adjustment, nor any authorized agent acting under the terms of this article shall be liable or have any liability by reason of orders issued or work done in compliance with the terms of this article. Any suit brought against any officer, agent, board member, or employee of the city as a result of any act required or permitted in the discharge of his duties under this article shall be defended by the city attorney until the final determination of proceedings therein.

Sec. 3.227 Duties of Other Departments

The heads of the fire, police, public health and other city departments shall make prompt reports in writing to the building inspector of all buildings or structures which are, may be or are suspected to be dangerous premises within the terms of this article and the code of ordinances of the city.

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	04-19-2016 AGENDA ITEM 7.F		
AGENDA SUBJECT:	Discussion, consideration, and possible action on Resolution 2016-009R-1 to change the election judges.		
PREPARED BY:	T. Keys	Date Submitted:	04/14/2016
EXHIBITS:	Resolution 2016-009R-1		
BUDGETARY IMPACT:	Required Expenditure: \$00.00	Amount Budgeted: \$10,000.00	Appropriation Required: \$00.00
CITY MANAGER APPROVAL:			

SUMMARY:

May 7 is the annual city election date. The City will also be hosting the BISD School Board Election. The election judges and clerks provide a vital role in our election process. Resolution 2016-009 listed the Election Judge to be Bonney Smith with Alternate Judge being Jessica Sutton. Due to a medical emergency, Bonnie Smith will be unable to serve as Election Judge. Therefore, Jessica Sutton will take over the duties of Election Judge and Alternate Judge will be Monica Avila.

RECOMMENDED ACTION:

If you agree, please move to approve Resolution 2016-009R-1.

CITY OF BRADY, TEXAS

RESOLUTION NO. 2016-009R-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 7, 2016 SAID DATE BEING A UNIFORM ELECTION DATE FOR THE PURPOSE OF FILLING POSITIONS OF COUNCIL MEMBER PLACE FOUR AND COUNCIL MEMBER PLACE FIVE; APPOINTING ELECTION OFFICIALS; SETTING THE RATE OF PAY FOR ELECTION OFFICIALS; ESTABLISHING THE MAXIMUM NUMBER OF ELECTION CLERKS; VOTING BY PERSONAL APPEARANCE; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR REPEAL AND CONFLICTING PROVISIONS; SEVERABILITY; PROPER NOTICE AND MEETING; AND EFFECTIVE DATE

WHEREAS, the City of Brady, Texas desires to conduct elections in accordance with the provisions of the City's Charter and state election laws; and

WHEREAS, the City Council has authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with other political subdivisions holding elections on the same day in all or part of the same territory; and

WHEREAS, the City Council has authority pursuant to Chapters 31 and 271, Texas Election Code, to enter into an election services contract with the Brown County to obtain certain election services;

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

SECTION 1: The City of Brady will hold a General Election on May 7, 2016 from 7:00 a.m. to 7:00 p.m. at City Hall, 201 East Main Street, Brady, Texas for the purpose of electing Council members for Place Four (4) and Place Five (5).

SECTION 2: Applications for place on the ballot will be accepted from January 20, 2016 until February 19, 2016, by the close of business (5:00 p.m.) in the Office of the City Secretary, City Hall, 201 East Main Street, Brady, Texas.

SECTION 3: Early voting will be from April 25, 2016 until May 3, 2016, Monday through Friday and from 8:00 a.m. to 5:00 p.m. with extended hours from 7:00 a.m. until 7:00 p.m. on April 26, 2016 and May 3, 2016 at City Hall, 201 East Main Street, Brady, Texas.

Applications for ballots by mail shall be submitted to Tina Keys, P.O. Box 351, 201 East Main Street, Brady, Texas by April 26, 2016.

SECTION 4: The Election Judge to serve at the polling place of such election shall be and are hereby appointed as follows:

Early Voting Place: City Hall

Early Voting Clerk: To Be Determined by City Secretary, Brady, Texas

Early Voting Clerk: To Be Determined by City Secretary, Brady, Texas

Polling Place #1: City Hall

Election Judge: Jessica Sutton

Alternate Judge: Monica Avila

SECTION 5: In accordance with Section 32.091 of the Texas Election Code, clerks shall be paid at the rate of \$11.00 per hour and the election judges shall be paid \$12.50 per hour..

SECTION 6: There shall be a minimum of two (2) clerks at the polling place, which includes the alternate judge.

SECTION 7: In accordance with Section 87.004 of the Texas Election Code, the presiding judge at City Hall and at least two (2) clerks shall also serve as the Early Voting Ballot Board to count ballots received during early voting by personal appearance and early voting by mail.

PASSED AND APPROVED this 19th day of April, 2016.

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

CITY OF BRADY

2016 Boards & Commissions

PLANNING AND ZONING COMMISSION (3 yr term)

Kim Davee, Staff Liaison 325/597-2244 ext 201 kdavee@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Nick Blyshack, Chair	6/18
2	Ronnie Aston, Vice Chair	6/17
3	Amy Greer	6/17
4	Thomas Flanigan	6/16
5	Jo Ann Coffey	6/16
6	Connie Easterwood	6/16
7	Jeff Bedwell	6/18
ALT	Vacant	6/16

CHARTER REVIEW COMMISSION (4 year term)

Kim Lenoir, Staff Liaison 325/597-2152 ext 209 klenoir@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Vacant	2016-2020
2	Vacant	2016-2020
3	Vacant	2016-2020
4	Vacant	2016-2020
5	Vacant	2016-2020
6	Vacant	2016-2020
7	Vacant	2016-2020

Economic Development Corporation - 4A (2 year term)

Peter Lamont, Staff Liaison 325/597-2152 ext 211 plamont@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Lauren Bedwell	6/16
2	Charlotte Harper	6/16
3	Jon Chase, President	6/17
4	Charles Stokes, VP	6/16
5	Tracy Pitcox	6/17

ZONING BOARD OF ADJUSTMENT (ZBA/BOA)

Charter & Zoning Ord. Sec. 9.1 (2 yr term)

Kim Davee, Staff Liaison 325/597-2244 ext 201 kdavee@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Melanie Franco	6/17
2	Rod Young, Vice Chair	6/16
3	Heath McBride, Chair	6/18
4	Holly Groves	6/17
5	James Griffin	6/17
Alt 1	Joe Evridge	6/16
Alt 2	vacant, alternate	6/16
Alt 3	vacant, alternate	6/16

Airport Advisory Board (Ord 1149 - 2 yr term)

Peter Lamont, Staff Liaison 325/597-2152 ext 211 plamont@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Bob Rice	6/17
2	Rick Morgan, Chair	6/17
3	John Morgan	6/17
4	Joe Whitehead - resigned 4/7	6/16
5	Kirk Roddie	6/16
6	Vacant	6/16
7	Carey Day	6/16

Municipal Court Judges (2yr term)

Tina Keys, Staff Liaison 325/597-2152 ext 207 citysec@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
Judge	Bill Spiller	12/17
Alt		
Alt		

INVESTMENT COMMITTEE (1 yr term)

Lisa Remini, Staff Liaison 325/597-2152 ext 204 lremini@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Finance Director	FY 2016
2	City Manager	FY 2016
3	Kathy Gloria	FY 2016

CITY COUNCIL (3 yr term)

Kim Lenoir, Staff Liaison 325/597-2152 ext 209 klenoir@bradytx.us

PLACE	MEMBER NAME	CURRENT TERM
MAYOR	Anthony Groves	5/17
1	Kathy Gloria	5/17
2	Shelly Perkins	5/18
3	Marilyn Gendusa	5/18
4	Jack Turk	5/16
5	Latricia Doyal, Mayor Pro Tem	5/16

McCulloch County Senior Citizen Association

Sunset Center Advisory Board (2 year term)

Rosie Gomez, Staff Liaison 325/597-2946 rgomez@bradytx.us

PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Wanda Nesbit - President	10/17
2	Marcia Arons - VP	10/17
3	Elbert Boswell - Treasurer	10/17
4	Sheryl Roberts - Secretary	10/17
5	Mary Bradshaw	10/17
6	Rene Avants	10/17
7	Alvin Bolton	10/17
8	Janice Crawford	10/17
9	Mindy Gober	10/17
10	Bill Spiller	10/17
11	Angelita Torrez	10/17
12	Evelyn Pitcox	10/17
13	Daymon McBee	10/17
14	Rosie Gomez	Director
15	Kim Lenoir	City Manager
16	Danny Neal	County Judge
17	Hazel Maner	Lifetime

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	4-19-16	AGENDA ITEM	7.H
AGENDA SUBJECT:	Discussion, consideration, and possible action to appoint a non-voting advisory director for Brady Youth Sports Foundation		
PREPARED BY:	T Keys	Date Submitted:	4/15/16
EXHIBITS:	BYSF Bylaws		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

The Brady Youth Sports Foundation, Inc. Bylaws, Article 2.02 requires a non-voting advisory director to be appointed by City Council and is requesting Council appoint this director. This director should be a City Council member.

RECOMMENDED ACTION:

Appoint a City Council member as a non-voting advisory director to the Brady Youth Sports Foundation, Inc.

BYLAWS
OF
BRADY YOUTH SPORTS FOUNDATION INC.

ARTICLE 1: OFFICES

1.01 Registered Office and Agent. The registered office of the corporation shall be at PO Box 1206 // 1501 S. Bridge, Brady, Texas. The name of the registered agent at such address is David Bernard.

1.02 Other Offices. The corporation may also have offices at such other places both within and without the State of Texas as the Board of Directors may from time to time determine or the business of the corporation may require.

1.03 Wavier of Interest in Corporation Property. All real and personal property, including any and all improvements located or placed on the corporation property shall be owned by the corporation. No director or officer shall have any interest in specific property of the corporation. Each director and officer hereby expressly waives the right to require partition of all or part of the corporation's property.

ARTICLE 2: DIRECTORS

2.01 Management. The business and affairs of the corporation shall be managed by the Board of Directors who may exercise all such powers of the corporation and do all such lawful acts and things as allowed by law.

2.02 Number; Qualification; Election; Term. The Board of Directors shall consist of nine (9) voting directors and three (3) non-voting advisory directors. The directors shall take office at the annual meeting, except as provided in Bylaws Sections 2.03 and 2.05. Each director elected shall hold office until his successor shall be elected and shall qualify. Each officer of the corporation shall be a director. All voting directors shall serve two (2) year terms on a staggered basis. The basketball, soccer, football/cheerleading, and baseball/softball divisions will each select two (2) directors from their operating committees. No person shall serve in more than one director in a sport concurrently. The board of Directors as then constituted shall select one (1) at large director at a regular meeting held in December of each year to serve for the succeeding year. Advisory directors shall be appointed as follows: the City Council of the City of Brady will appoint one (1) director from the City Council; the Brady Independent School District will appoint one (1) director and the McCulloch County Commissioners Court will appoint one (1) director. These directors shall not be entitled to vote on any matter and shall serve in an advisory capacity only.

2.03 Change in Number. The number of directors may be increased or decreased from time to time by amendment to these Bylaws but no decrease shall have the effect of shortening the term of any incumbent director. Any directorship to be filled by reason of an increase in the number of directors shall be filled by election at an annual meeting or at a special meeting called for that purpose. All increases in the number of directors must be approved by four (4) of the directors.

2.04 Removal. Any director may be removed either for or without cause at any special or annual meeting, by the affirmative vote of all of the other directors. Notice of intention to act upon such matter shall have been given in the notice calling such meeting.

2.05 Vacancies. Any vacancy occurring in the Board of Directors (by death, resignation, removal or otherwise) will be filled by the group which he represents. A director elected to fill a vacancy shall serve the unexpired term of his predecessor in office.

2.06 Approval of Directors. New voting directors must be approved by the Board prior to the start of their term. Each operating committee appointing a director shall submit their director's name for approval by November 1 of each year. The Board of Directors as composed at that time must approve or disapprove the proposed director by November 15th. If a person is not approved by the Board of Directors the appointing committee shall submit another person for approval or disapproval as soon as possible. New directors must start their term at the annual meeting held in January of each year.

2.07 Place of Meetings. Meetings of the Board of Directors, regular or special, shall be held in McCulloch County, Texas.

2.08 Annual Meeting. The Board of Directors shall hold an annual meeting during January of each year at such date, time and place in Brady as the Board of Directors designates. At the annual meeting, the directors shall transact any business that may come before the meeting.

2.09 Regular Meetings. Regular meetings of the Board of Directors shall be held at least quarterly and such meeting may be held without notice at such time and place as shall from time to time be determined by the board.

2.10 Special Meetings. Special meetings of the Board of Directors may be called by the president on three (3) days notice to each director, either personally or by mail. Special meetings shall be called by the president or secretary in like manner and on like notice in the request of two (2) directors. Except as otherwise expressly provided by statute, by the articles of incorporation or by the Bylaws, neither the business to be transacted at, nor the purpose of, any special meeting need be specified in a notice or a waiver of notice.

2.11 Quorum; Majority Vote. At all meetings of the Board of Directors a majority of the number of directors fixed by these Bylaws shall constitute a quorum for the transaction of business. The act of a majority of the directors present at any meeting at which a quorum is present shall be the act of the Board of Directors, except as otherwise specifically provided by statute or by the articles of incorporation or by these Bylaws. If a quorum is not present at a meeting of the Board of Directors, the directors present there may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present.

2.12 Compensation. The directors shall not receive compensation for their services.

2.13 Procedure. The Board of Directors shall keep regular minutes of its proceedings. The minutes shall be placed in the minute book of the corporation. All meetings shall be conducted in accordance with the current edition of Robert's Rules of Order.

2.14 Interested Directors and Officers.

- (a) **Validity.** Any contract or other transaction between the corporation and any of its directors or officers (or corporation or firm in which any of them are directly or indirectly interested) shall be valid for all purposes notwithstanding the presence of such director or officer at the meeting authorizing such contract or transaction, or his participation in such meeting or authorization.
- (b) **Disclosure; Approval.** The foregoing shall, however, apply only if the interest of each such director or officer is known or disclosed to the Board of Directors and it nevertheless authorizes or ratifies the contract or transaction by a majority of the directors present, each such interested director to be counted in determining whether a quorum is present but not in calculating the majority necessary to carry the vote.
- (c) **Non-Exclusive.** This provision shall not be construed to invalidate any contract or transaction which would be valid in the absence of this provision.

ARTICLE 3: SPORTS DIVISIONS

3.01 Divisions. The corporation shall be composed of four (4) divisions: (a) football/cheerleading, (b) basketball, (c) soccer and (d) baseball/softball. An operating committee will administer and operate each respective sport division. Each division's operating committee will determine the number of persons who compose its own operating committee and will select 2 voting directors to sit in the director board position. Such operating committee shall be solely responsible for operation of its division's sport. The members of each operating committee must be approved by the Board of Directors. Each operating committee

division shall submit a list of proposed committee members for its next operating year before the sport division season begins. The Board of Directors may, in its discretion, grant the committee an extension of time in which to submit new committee members. The Board of Directors will approve or disapprove such division's committee members at its next regular meeting following submission of names. If the listing of proposed committee members is not submitted within the six (6) week period, or extended term, whichever is applicable, the Board will appoint new committee members for the sport division.

3.02 Conflicts. If any issue cannot be resolved within the operating committee, appeal may be made to the Board of Directors who will make the final decision. Any dispute or conflict between the sports divisions that cannot be resolved by the divisions' operating committee will be decided by the Board of Directors of the corporation. Such decision by the Board of Directors will be final and binding on the divisions.

3.03 Rules and Regulations. Each operating committee must submit a set of rules and regulations for operation of their respective sports prior to the start of a sport's season. Such rules and regulations must be approved by the Board of Directors. If any rule or regulation is not approved by the Board, the operating committee must revise such rules and regulations so as to obtain Board approval. Once the rules and regulations are approved by the Board of Directors, all individual games must be played in accordance with the approved rules. No deviation from the approved rules is allowed. If an operating committee desires to change the rules and regulations governing its sport, such change must be approved by the Board of Directors and the change does not take effect until approved by the Board. Each operating committee must submit a copy of all current rules and regulations for its sport to all team coaches.

3.04 Budgets. Each operating committee must submit to the Board of Directors for approval a proposed budget for the season before the season begins. Any deviation from an approved budget must be approved by the Board of Directors prior to the expenditure of funds. Any division that operates at a deficit may be funded by the corporation at the sole discretion of the Board. If the Board decides not to fund a particular sport then such division operating committee shall reduce expenditures so as not to operate at a deficit.

3.05 Operations. Each operating committee must turn in all funds received and expense reports for payment to the person designated by the Board of Directors within three (3) business days of such receipt. One checking account will be maintained by the Corporation in its checking account. The checking account for the Corporation shall require two (2) signatures for withdrawal of any funds. The required signing parties will be designated by the Board of Directors. Notwithstanding the provisions of Article 4.07(d), the Board of Directors, at its discretion, may designate a person other than the treasurer to disburse corporate funds.

3.06 Intent. It is the intent of the corporation to accumulate sufficient funds to accommodate growth and expansion of youth sports programs in McCulloch County. The

primary use of the corporation's funds shall be to preserve the viability of youth sports programs in the area so as to benefit all youth who desire to participate in sports.

ARTICLE 4: OFFICERS AND AGENT

4.01 Number; Qualification; Election; Term.

- (a) The corporation shall have a president, a vice president, a secretary, and a treasurer.
- (b) All officers must be directors with the exception of the treasurer who may or may not also be a director.
- (c) 1 person may not sit as a director in more than 1 sport concurrently.
- (d) Officers shall be elected by the directors at the annual meeting or by the Board of Directors whenever a vacancy exists.
- (e) Each officer's term shall end at the annual meeting of directors. He shall serve until the end of his term, or if earlier, his death, resignation or removal.

4.02 Removal. Any agent appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the corporation will be served thereby. Election or appointment of an agent shall not of itself create contract rights.

4.03 Vacancies. Any vacancy occurring in any office of the corporation (by death, resignation, removal or otherwise) may be filled by the Board of Directors.

4.04 Authority. Officers and agents shall have such authority and perform such duties in the management of the corporation as are provided in these Bylaws or as may be determined by resolution by the Board of Directors not inconsistent with these Bylaws.

4.05 President. The president shall be the chief executive officer of the corporation; he shall preside at all meetings of the Board of Directors, shall have general and active management of the business and affairs of the corporation, shall see that all orders and resolutions of the board are carried into effect. He shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time preside.

4.06 Vice President. The vice president shall, in the absence or disability of the president, perform the duties and have the authority and exercise the powers of the president. He shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time delegate.

4.07 Secretary.

- (a) The secretary-treasurer shall attend all meetings of the Board of Directors and record all votes and the minutes of all proceedings in a book to be kept for that purpose.
- (b) He shall give, or cause to be given, notice of all meetings of the Board of Directors.

4.08 Treasurer.

- (a) He shall have the custody of the corporation funds and securities and shall keep full and accurate accounts of receipts and disbursements of the corporation and shall deposit all moneys and other valuable effects in the name of and to the credit of the corporation in such depositories as may be designated by the Board of Directors.
- (b) He shall disburse the funds of the corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the president and directors, at the regular meetings of the board or whenever they may require it, an account of all his transactions as treasurer and of the financial condition of the corporation.
- (c) He shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the president may from time to time delegate.

ARTICLE 5: GENERAL PROVISIONS

5.01 Books and Records. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Board of Directors.

5.02 Annual Statement. The Board of Directors shall present at each annual meeting a full and clear statement of the business and condition of the corporation, including a reasonably detailed balance sheet and income statement.

5.03 Checks and Notes. All checks or demands for money and notes of the corporation shall be signed by such officer or officers or such other person or persons as the Board of Directors may from time to time delegate.

5.04 Fiscal Year. The fiscal year of the corporation shall begin on the first day of January and end on December 31 of each year.

5.05 Indemnification.

(a) **Persons.** The corporation shall indemnify, to the extent provided in paragraph (b), these persons:

- (1) Any director, Officer, agent or employee of the corporation;
- (2) Any former director, officer, agent or employee of the corporation, and;
- (3) Any person who may have served at the corporation's request as a director, officer, agent or employee of another corporation in which the corporation owns or has owned stock, or of which it is or has been a creditor.

(b) **Extent.** The indemnification shall be against expenses actually and necessarily incurred by such person, and any amount paid in satisfaction of judgments in connection with any action, suit or proceeding (whether civil or criminal) in which is made a party by reason of being or having been such a director, officer, agent or employee (whether or not such at the time costs or expenses are incurred by or imposed on him) except in relation to matters as to which he shall be adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of duty.

(c) **Reimbursement.** The corporation may also reimburse to any such person the reasonable costs of settlement of any such action, suit or proceeding, if it is found by a majority of the committee of the directors not involved in the matter (whether or not a quorum) that (1) it was in the interest of the corporation to make such settlement and (2) such person was not guilty of gross negligence or willful misconduct.

(d) **Non-Exclusive.** These rights of indemnification and reimbursement shall not be exclusive of any other rights to which such person may be entitled by law, Bylaw, agreement or otherwise.

5.06 Resignation. Any director, officer or agent may resign by giving written notice to the president or the secretary. The resignation shall take effect at the time specified therein. Unless otherwise specified therein the acceptance of such resignation shall not be necessary to make it effective.

5.07 Amendment of Bylaws. These Bylaws may be altered, amended or repealed at an annual meeting of the Board of Directors or a special meeting of the Board of Directors at which a quorum is present, by the affirmative vote of four (4) of the members present at such meeting, provided notice of the proposed alteration, amendment or repeal is contained in the notice of such meeting.

5.08 Construction. Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural and conversely. If any portion of these Bylaws shall be invalid or inoperative, then, as far as is reasonable and possible:

- (a) The remainder of these Bylaws shall be considered valid and operative, and;
- (b) Effect shall be given to the intent manifested by the portion held invalid or inoperative.

5.09 Headings. The headings used in these Bylaws have been inserted for convenience only and do not constitute matter to be construed in interpretation.

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	4-19-2016			AGENDA ITEM	8.A	8.A
AGENDA SUBJECT:	Monthly Financial Reports					
PREPARED BY:	Lisa Remini		Date Submitted:		4-14-2016	
EXHIBITS:	Monthly Financial Report 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:						
SUMMARY: <ul style="list-style-type: none"> • Monthly financial update report for the 6th fiscal month - March 2016 • March Financial Statements will be emailed to your City email address for your review. • Total Sales Tax collections through March 2016 are less than last year's collections by \$32,459, or 4.7%. Sales tax collections for the month of March are \$5,790 or 6.4% less than March 2015. Year to date collections compare favorably to the Budget at 56%. • Monthly expenditure data provided by the Volunteer Fire Department is included for your review. 						

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 click on the Check Register tab.

50.00% OF FISCAL YEAR

CURRENT BUDGET	YEAR TO DATE ACTUAL	% TO DATE	YEAR TO DATE PRIOR YEAR
-------------------	------------------------	-----------	----------------------------

BEGINNING FUND BALANCE &

NET WORKING CAPITAL	15,648,679.31	15,648,679.31	13,185,396.95
---------------------	---------------	---------------	---------------

REVENUES

10 -GENERAL FUND	8,375,117.00	3,460,605.01	41.32	2,599,979.75
20 -SEWER AND ELECTRIC FU	9,172,862.00	4,153,186.30	45.28	4,482,138.63
30 -WATER UTILITY FUND	1,929,672.00	875,215.66	45.36	772,008.64
40 -GAS UTILITY FUND	1,531,122.00	792,862.27	51.78	1,015,563.46
50 -UTILITY SUPPORT FUND	271,300.00	124,301.31	45.82	116,753.81
60 -SOLID WASTE FUND	1,180,000.00	656,575.97	55.64	638,612.78
80 -SPECIAL REVENUE FUND	<u>2,488,929.00</u>	<u>248,126.18</u>	<u>9.97</u>	<u>403,488.89</u>
TOTAL REVENUES	24,949,002.00	10,310,872.70	41.33	10,028,545.96

EXPENDITURES

10 -GENERAL FUND	9,626,050.00	3,429,418.87	35.63	2,865,695.89
20 -SEWER AND ELECTRIC FU	11,406,804.00	2,462,577.18	21.59	2,814,090.66
30 -WATER UTILITY FUND	3,802,668.00	923,624.04	24.29	999,522.44
40 -GAS UTILITY FUND	2,037,023.00	613,613.13	30.12	684,143.12
50 -UTILITY SUPPORT FUND	517,400.00	223,603.26	43.22	175,972.02
60 -SOLID WASTE FUND	1,424,460.00	421,086.14	29.56	418,927.34
80 -SPECIAL REVENUE FUND	<u>2,634,472.00</u>	<u>568,279.48</u>	<u>21.57</u>	<u>364,709.60</u>
TOTAL EXPENDITURES	31,448,877.00	8,642,202.10	27.48	8,323,061.07

REVENUES OVER/ (UNDER) EXPENDITURES	{ 6,499,875.00	1,668,670.60	1,705,484.89
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ENDING FUND BALANCE &

NET WORKING CAPITAL	9,148,804.31	17,317,349.91	14,890,881.84
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FUND BALANCE AND CASH RECONCILEMENT
As of: March 31, 2016

		Unrestricted Cash	Restricted Cash	Total Cash	Comments
BRADY NATIONAL BANK					
Operating Account	#100677	\$ 12,288,362.35	83,129.51	12,371,491.86	Street Sanitation \$
Airport Account	#172791	\$ 99,197.05	-	99,197.05	
EMS - RAC	#166470	\$ -	5,839.57	5,839.57	
Water Repair & Replacement	#172817	\$ 14,900.59	220,000.00	234,900.59	
TXDOT Bridge Street Reimbursement	#173153	\$ 91,545.31	-	91,545.31	
CW - WWTP Construction	#103671	\$ -	246.59	246.59	
DW Construction	#104828	\$ -	815.16	815.16	
Sinking Fund 2000	#172890	\$ -	193,981.37	193,981.37	
Sinking Fund 2004	#176727	\$ -	10,852.73	10,852.73	
Sinking Fund 2012 - Refunding	#103069	\$ -	112,918.79	112,918.79	
Sinking Fund 2012 - WWTP	#103663	\$ -	68,797.29	68,797.29	
Sinking Fund 2013 - DW	#105770	\$ -	21,081.07	21,081.07	
Landfill Closure Reserve	#172775	\$ -	350,406.98	350,406.98	
Drug Seizure FDS	#172668	\$ -	10,861.91	10,861.91	
Police Educational	#172700	\$ -	6,172.68	6,172.68	
Court Security	#102533	\$ -	3,575.51	3,575.51	
Court Technology	#102541	\$ -	1,621.97	1,621.97	
Community Development Block	#172627	\$ -	1,884.27	1,884.27	
Former CD's - Reserves	#102525	\$ 996,649.98	413,866.00	1,410,515.98	Utility Deposit \$
Cash on Hand		\$ 1,940.00	-	1,940.00	
Bank Balances - Interest rate .55%	Subtotal	\$ 13,492,595.28	1,506,051.40	14,998,646.68	
Certificate of Deposit at CNB		\$ -	243,109.02	243,109.02	Utility Deposit \$
BOTX Escrow Account - CO 2012 CW Project		\$ -	1,158,558.98	1,158,558.98	
BOTX Escrow Account - LF 2012 CW Project		\$ -	747,292.29	747,292.29	
BOTX Escrow Account - EDAP 2015 DW Project		\$ -	1,297,395.76	1,297,395.76	
BOTX Escrow Account - CO 2013 DW Project		\$ -	-	-	
BOTX Escrow Account - LF 2013 DW Project		\$ -	-	-	
	Subtotal	\$ -	3,446,356.05	3,446,356.05	
TOTAL CASH BALANCES RECONCILED		13,492,595.28	4,952,407.45	18,445,002.73	
03-31-16 GENERAL LEDGER					
Total Current Non-Cash Assets - All Funds				692,683.33	
(Total Current Liabilities - All Funds)				(1,820,336.15)	
Total Fund Balance / Net Working Capital				17,317,349.91	

CITY OF BRADY
INVESTMENT ACTIVITY

DATE: March 31, 2016

Certificates of Deposit at	Commercial National Bank:				Interest Earnings
					Y-T-D
1. #32788	\$243,109.02	at	0.20%	for 180 days maturity	6/27/2016 \$166.41

GRAND TOTAL **\$243,109.02** **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

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
End

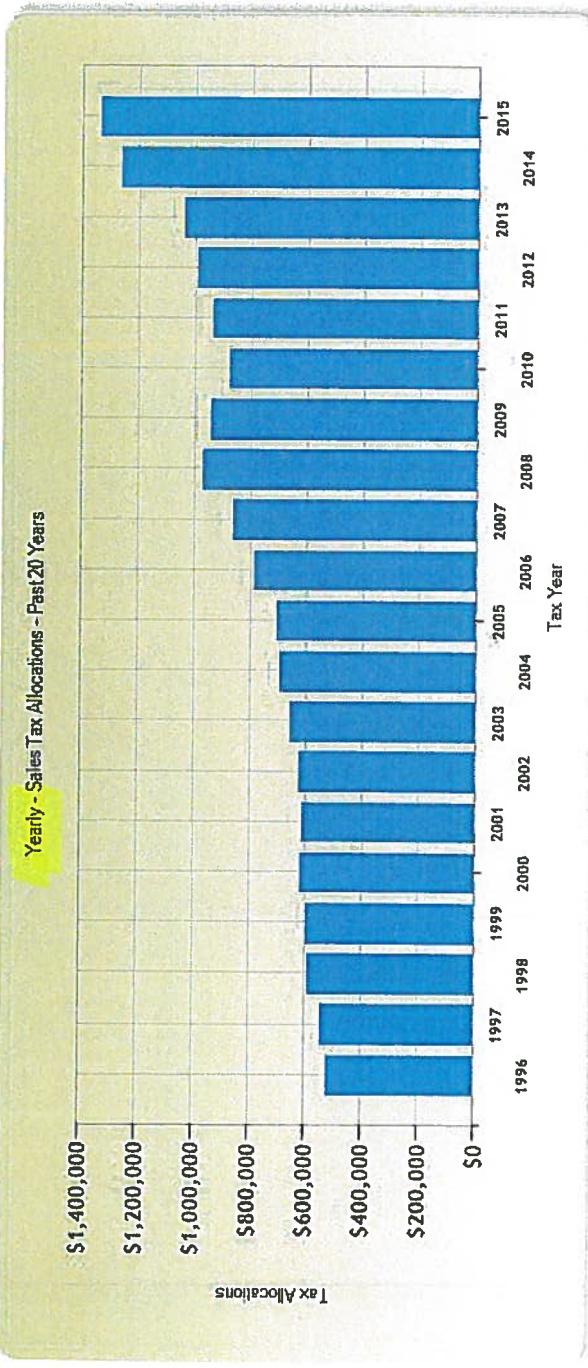
09/30/2017



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	\$107,933	\$98,515	\$113,278	\$84,869	\$85,238	\$0	\$0	\$0	\$0	\$0	\$745,767
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

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MOTEL OCCUPANCY TAX

FY 2016 Quarter Totals

4th Quarter 2015 (October - December)	Total \$56,496.47
1st Quarter 2016 (January - March)	\$0.00
2nd Quarter 2016 (April - June)	\$0.00
3rd Quarter 2016 (July - September)	\$0.00
	<u>\$56,496.47</u>

FY 2016 Summary Collections

Holiday Inn Express - 2320 S Bridge 597-1800	Taxable Receipts \$398,005.15	Tax @ 7% \$27,860.36	1% Discount \$278.60	Net Tax \$27,581.36
Best Western - 2200 S. Bridge 597-3997	\$265,501.48	\$18,585.10	\$185.85	\$18,399.25
Days Inn - 2108 S. Bridge 597-0789	\$88,084.70	\$6,165.93	\$61.66	\$6,104.27
Gold Key Inn - 2021 S Bridge 597-2185	\$51,771.66	\$3,624.02	\$36.24	\$3,587.78
Brady Motel - 603 W. Commerce 597-2442	\$11,887.70	\$832.13	\$8.32	\$823.81
	<u>\$815,250.69</u>	<u>\$57,067.54</u>	<u>\$570.67</u>	<u>\$56,496.47</u>

FY 2016 Grants

	Commitment	YTD Distributions	Payment Date
Chamber of Commerce	\$177,700.00	\$88,850.02	Monthly thru 3/31/16
McCulloch Co Historical Commission	\$3,000.00	\$3,000.00	3/2/2016
Morgan Military Aviation Museum	\$10,000.00		
Brady Golf Association	\$3,000.00		
YTD Total	<u>\$193,700.00</u>	<u>\$91,850.02</u>	

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>\$236,148.85</u>

FY 2015 Summary Collections

Holiday Inn Express - 2320 S Bridge 597-1800	Taxable Receipts \$1,689,723.99	Tax @ 7% \$118,280.68	1% Discount \$1,182.80	Net Tax \$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
	<u>\$3,412,430.50</u>	<u>\$238,888.82</u>	<u>\$2,739.86</u>	<u>\$236,148.85</u>

FY 2015 Grants

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

HISTORICAL COLLECTION / PAYOUT HISTORY

	2015	2014	2013	2012
% CHANGE	4.17%	19.35%	12.44%	2.31%
COLLECTONS	\$236,148.85	\$226,685.90	\$189,927.02	\$168,909.86
GRANTS	(\$185,750.00)	(\$226,685.90)	(\$189,927.02)	(\$168,909.86)
FUND BALANCE	<u>50,398.85</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

**CITY OF BRADY
CITY COUNCIL CORRESPONDENCE**

TO: **MAYOR AND COUNCIL**
FROM: **FINANCE / UTILITY DEPARTMENTS**
SUBJECT: **MONTHLY CUSTOMER SERVICE REPORT**
DATE: **March 31, 2016**

SERVICES	FISCAL YEAR 2016											
	October	November	December	January	February	March	April	May	June	July	August	September
Phone Calls	551	523	596	498	481	660						
Returned Calls	140	125	178	118	93	149						
Residential Apps	33	26	32	35	48	32						
Commercial Apps	3	5	1	3	2	5						
Service Orders	235	161	223	230	173	172						

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CASH COLLECTION HISTORY REPORT

PAGE: 28

OPERATOR: ALL

HISTORY TRANSACTION SUMMARY

DATES: 3/01/2016 THRU 3/31/2016

TERMINAL: ALL

RECEIPTS: 0 THRU 99999999

SUMMARY CODE: ALL

TRAN: 0.0000 THRU 999.9999

DEPARTMENT: ALL

AMOUNT: 0.00 THRU 9,999,999.99

TRAN	NAME	VOIDS	NO#	TOTAL	CA	CK	MO	CC	OT
1.0000	UTILITY PAYMENT	17	2250	672,164.69CR					
2.0000	MAIL PAYMENT	8	558	213,681.68CR					
3.0000	NIGHT DROP PAYMENT	1	220	48,374.17CR					
4.0000	BAD DEBT PAYMENT	0	7	1,829.19CR					
10.0000	ELECTRIC DEPOSIT	0	51	6,965.00CR					
11.0000	GAS DEPOSIT	0	30	1,600.00CR					
12.0000	WATER DEPOSIT	0	41	2,100.00CR					
22.0000	TRANSFER FEE	0	4	100.00CR					
25.0000	TEMP SERVICE FEE	0	1	30.00CR					
35.0000	TAP FEE-WATER	0	4	1,374.40CR					
100.0000	A/R PAYMENT	0	42	12,522.11CR					
103.0000	SB EMS payments	0	8	9,816.80CR					
172.0000	CEMETERY OPEN/CLOSE	0	1	350.00CR					
173.0000	CEMETERY LOT PURCH	0	8	560.00CR					
195.0000	CREDIT CARD USER FE	0	84	482.88CR					
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	23	4,306.78CR					
493.0000	LAKE-DAILY DEPOSITS	1	31	7,554.21CR					
505.0000	LANDFILL - DAILY DE	0	16	5,689.89CR					
540.0000	Motel Occupancy Tax	0	1	401.00CR					

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CASH COLLECTION HISTORY REPORT

PAGE: 29

OPERATOR: ALL

TERMINAL: ALL

SUMMARY CODE: ALL

DEPARTMENT: ALL

HISTORY TRANSACTION SUMMARY

DATES: 3/01/2016 THRU 3/31/2016

RECEIPTS: 0 THRU 99999999

TRAN: 0.0000 THRU 999.9999

AMOUNT: 0.00 THRU 9,999,999.99

TRAN	NAME	VOIDS	NO#	TOTAL	CA	CK	MO	CC	OT
543.0000	MUNI COURT PAYMENT	0	40	4,817.27CR					
639.0000	Parks-Pavill Deposi	0	2	100.00CR					
640.0000	Parks-Rental Fees	0	7	3,310.00CR					
645.0000	Permit/Inspt/Licens	0	11	4,270.87CR					
655.0000	Police Revenues	0	2	138.00CR					
665.0000	Property Tax Recpts	0	1	78,661.92CR					
666.0000	Cemetery Tax Receip	0	1	4,729.15CR					
760.0000	Sr Citizen Daily De	0	22	2,677.25CR					
860.0000	West Texas Gas	0	1	16,938.93CR					
861.0000	WWTP Disposal Fees	0	11	1,190.00CR					
900.0000	EDC Sales Tax	0	1	22,655.63CR					
903.0000	Loan Pmt- Thomas	0	1	551.72CR					
904.0000	Loan Pmt- Owens	0	1	403.91CR					
912.0000	Rental Pmt- Old Dod	0	2	1,286.78CR					
990.0000	G/L Entry	0	5	1,399.12CR					
*** GRAND TOTALS **				27 3493 1,168,946.10CR	207,906.37	860,202.10		16,578.08	84,259.55
*** CASH SHORT ***					110.43	110.43CR			
*** REVISED ***					1,168,835.67CR	207,795.94			

BNB/Brady VFD Maintenance Fund

Date	Payee	Description	Amt	Ck #	Recurring Payment	Other Comments
Mar-14						
3/1/2016	CTTC	Tower Lease in Lohn	25.00		Auto WD	
3/15/2016	Chase Ink	CE Class for 4 people	266.00		EFT	Lease for Use of Tower for Radio Transmissions
3/16/2016	City of Brady	Deposit from City of Brady	2,283.33		DEP	Stem/Stroke Class for 4 people in Abilene/Plaque for Ben Francisco
3/16/2016	Tax Assessor	Registration & Plates for 2 vehicles	15.00	186		Monthly Maintenance Fund money from City of Brady
						Registration & Plates for 2 vehicles (Engine 6 & Brush 2)
3/15/2016	BNB	Auto Withdraw on Loan # 55027	308.23		Auto WD	
3/15/2016	BNB	Auto Withdraw on Loan # 56439	914.47		Auto WD	Payment on Loan # 55027
						Payment on Loan # 56439

Explanation of Loans and Terms

Loan # 55027 - 2010 Ford F-250 4x4 Crew Cab (Command 1)
05/09/12 thru 05/06/2017 @ 5.95% Interest = \$308.23 monthly

Loan #56439 - 2011 Ford F-250 Crew Cab (Command 2)
6/10/2015 thru 12/15/2017 @ 3.5% Interest = \$914.47

March 2016 Statement

Maintenance
4/2/2016

Page 1

Reconciliation Summary

BANK STATEMENT -- CLEARED TRANSACTIONS:

Previous Balance:		3,405.32
Checks and Payments	5 Items	-1,528.70
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:		4,159.95

YOUR RECORDS -- UNCLEARED TRANSACTIONS:

Cleared Balance:		4,159.95
Checks and Payments	0 Items	0.00
Deposits and Other Credits	0 Items	0.00
Register Balance as of 4/2/2016:		4,159.95
Checks and Payments	0 Items	0.00
Deposits and Other Credits	0 Items	0.00
Register Ending Balance:		4,159.95

March 2016 Statement

Maintenance
4/2/2016

Page 2

Uncleared Transaction Detail up to 4/2/2016

Date	Num	Payee	Memo	Category	Clr	Amount
Uncleared Checks and Payments						
					0 Items	0.00
Uncleared Deposits and Other Credits						
					0 Items	0.00
					0 Items	0.00



Satisfying Needs . . .

Building Relationships

P.O. Box 111
BRADY, TX 76825

101 SOUTH BLACKBURN
(325) 597-2104

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

Date 3/31/16 Page 1
Account Number 103655

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

IN ORDER TO ENSURE THE TIMELY RECEIPT OF YOUR STATEMENTS AND NOTICES
PLEASE TAKE A MOMENT TO UPDATE YOUR CONTACT INFORMATION, INCLUDING YOUR
ADDRESS AND ANY PHONE NUMBERS YOU MAY HAVE ADDED OR CHANGED.

SUMMARY OF ACCOUNTS

ACCOUNT NO	TYPE OF ACCOUNT	CURRENT BALANCE	ENCLOSURES
103655	REGULAR CHECKING	4,159.95	2

REGULAR CHECKING		Image Statement	
Account Number	103655	Statement Dates	3/01/16 thru 3/31/16
Previous Balance	3,405.32	Days in the statement period	31
1 Deposits/Credits	2,283.33	Average Ledger	3,751
1 Checks/Debits	15.00	Average Collected	3,751
4 Electronic Debit	1,513.70		
Service Charge	.00		
Interest Paid	.00		
Ending Balance	4,159.95		

DEPOSITS

DATE	DESCRIPTION	AMOUNT
3/16	RDA REGULAR DEPOSIT	2,283.33

OTHER WITHDRAWALS AND FEES

DATE	DESCRIPTION	AMOUNT
3/08	CentTX Pmt Central Tx Tele 1750853485 03/08/16	25.00
3/15	1/3 OF PMT ON LOAN # 55027	308.23
3/15	LOAN # 56439	914.47
3/16	LOAN # 56439	
3/16	EPAY CHASE 5760039224 03/16/16	266.00



BRADY
NATIONAL BANK

Satisfying Needs...

Building Relationships

P.O. Box 111
BRADY, TX 76825

101 SOUTH BLACKBURN
(325) 597-2104

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

Date 3/31/16 Page 2
Account Number 103655

REGULAR CHECKING

103655 (Continued)

CHECKS AND OTHER ITEMS IN SERIAL NUMBER OR DATE ORDER

DATE	CHECK NO	AMOUNT
3/22	168	15.00

*Denotes Skip in Check Number

DAILY BALANCE SECTION

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
3/01	3,405.32	3/15	2,157.62	3/22	4,159.95
3/08	3,380.32	3/16	4,174.95		

OUR PRIVACY NOTICE IS AVAILABLE AT:
WWW.BRADYNATIONALBANK.COM

Remote Deposit**Credit**

The Brady National Bank RDA Services
Mobile MicroBusiness **BRADY VOLUNTEER FIRE**
.01 S. Blackburn St.
Brady, Texas 76825
325-597-2104

Date: 3/16/2016
Items: 1
Amount: \$2,283.33
Batch ID: 1594146026
Account ID: 207333 898405
Acct Num: 103655
AutaOnUs: 139694026

RDA REGULAR DEPOSIT Date: 03/16 Amount: \$2,283.33

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

00-348/1113

168

3-16-16
DATE

PATRIOT McCallum Co. Tax Disavowal \$ 15.00/-
the order of
Fifteen and no/

DALLAS 6 2016

BBRADY PO. Box 111 - (325) 597-2104
NATIONAL BANK Brady, Texas 76825-0111
MEMO: 109722 453026

103655 0168

DDA REGULAR CHECK Date: 03/22 Amount: \$15.00



VEHICLE REGISTRATION RENEWAL NOTICE

IF YOU NO LONGER OWN THIS VEHICLE PLEASE COMPLETE THE
VEHICLE TRANSFER NOTIFICATION ONLINE AT TxDMV.gov.

Brush 2

Renew online @ www.texas.gov

VEHICLE INFORMATION

LICENSE PLATE NUMBER 1091721
 VEHICLE IDENT. NO. 1FDRF3GTOCEA89224
 YEAR/MAKE/BODY STYLE 2012/FORD/AM
 CURRENT EXP. MON YR APR 2016

TOTAL FEE DUE (in person)..... \$ 7.50
 IF MAILED..... \$ 7.50

A passing vehicle inspection is required to obtain registration. Your vehicle inspection status will be verified electronically. Please go to TwoStepsOneSticker.com for more information and to renew online.

Send bottom part of form, proof of insurance, and correct fee to your county tax office in the enclosed envelope. Make check or money order payable to your local tax assessor-collector. Allow 15 days for processing by mail. Driver's license number required on checks.

FOR QUESTIONS CALL YOUR LOCAL
TAX ASSESSOR-COLLECTOR: 325-597-7807

YOUR CHECK MAY BE CONVERTED TO AN ELECTRONIC FUND TRANSFER.

CUSTOMER COPY

▲KEEP TOP SECTION FOR YOUR RECORDS▲

▼MAIL SECTION BELOW FOR CONVENIENT PROCESSING▼

AFTER RENEWED, THIS REGISTRATION WILL EXPIRE
THE LAST DAY OF: APR 2017

VEHICLE INFORMATION

VEH. CLASS. TRK<=1
 VEH. IDENT. NO. 1FDRF3GTOCEA89224
 YR/MAKE/BODY STYLE 2012/FORD/AM
 FUEL TYPE DIESEL
 EMPTY WEIGHT 6600

VEHICLE OWNER
NAME(S) & ADDRESS:

CITY OF BRADY
216 W COMMERCE
BRADY, TX 76825

LICENSE NO. 1091721

UNIT NO.

TOTAL FEE \$ 7.50
 IF MAILED 7.50

SEND THIS PART OF FORM, PROOF OF INSURANCE,
& CORRECT FEE TO:

RENEWAL RECIPIENT NAME AND ADDRESS:

CITY OF BRADY
216 W COMMERCE ST
BRADY, TX 76825-4522

SILVIA B. CAMPOS
MCCULLOCH CNTY TAX ASSESSOR-COL
302 W. COMMERCE ST.
BRADY, TX 76825-4402

VEHICLE TITLES AND REGISTRATION DIVISION

 CITY OF BRADY

MARK "X" FOR ADDRESS CHANGE

04

NUMBER IN BOX DENOTES PLATE AGE

EXEMPT

1091721 04 039 7.50

1FDRF3GTOCEA89224 16000040999153219

LICENSE NO. 1091721
 PLT EXEMPT DOUBLE PLT
 REGIS. EXP. MON YR APR 2017

VEH/REG CL TRK<=1/EXEMPT-NOT FOR TITLE ON
 PLATE TYPE/STICKER TYPE EXPDBL/WS
 YEAR/MAKE/BODY STYLE 2012/FORD/AM
 REGISTRATION FEE \$ 0.00
 LOCAL FEE \$ 0.00

INSPECTION FEE \$ 7.50
 TOTAL FEE \$ 7.50
 IF MAILED \$ 7.50

Donate to Support TX Veterans \$ _____

Donate \$5 (or more) to State Parks \$ _____

Donate \$1 (or more) to Donate Life \$ _____

Grand Total Due in Fees & Donations \$ _____

★★★ UPDATE ADDRESSES HERE ★★★
 OWNERS ADDRESS: RENEWAL RECIPIENT ADDRESS:

DATE PRINTED: 01/14/2016PM VER: 06 E 111791

COUNTY COPY
VTR-39-A (REV. 9/2015) DHT 153619

OVER



Make a Payment

You've successfully made this payment.

Credit card: All Accounts
...5146

Payment amount: \$266.00 Current balance

Pay from: BRADY NATIONAL BANK (...3655)

Payment due: 04/07/2016

Payment date: 03/15/2016

Transaction number: 2559139622

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



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

Search: [LOG OFF](#)CHASE ONLINESM Tuesday, March 15, 2016

Welcome BRADY VOLUNTEER FIRE DEPT

[\(1\) Secure Message Center](#) | [Customize Accounts](#)lynne ditchdoc@centex.net | Last logged on at 4:27 PM ET on 01/21/2016 | [See session summary](#)

Stay in good financial shape

Browse articles, tips and resources for making the most of your finances.

[Learn more](#)

What can we do better?

WE'RE LISTENING

You have earned rewards
so have a little fun.[Redeem Now](#)**Account Summary****BRADY VOLUNTEER FIRE DEPT**

Credit cards

\$266.00

13,498

Create a list of your favorite accounts

Business Accounts**Business Card Summary for BRADY VOLUNTEER FIRE DEPT****All Accounts**

Current balance*	\$266.00	See activity
Payment due date	04/07/2016	See statements
Minimum payment due	\$25.00	Pay credit card
Balance last statement	\$266.00	
Available credit*	\$6,034.00	Transfer balances
Total credit limit*	\$6,300.00	



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

[Go to BLUEPRINT](#)**Card Details**

L. WHITE (...5146)

See activity

See expense reports

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

- [Pay credit card](#)
- [Transfer balances](#)
- [See statements](#)
- [Pay a Person using Chase QuickPaySM](#)
- [Chase Paymentech Sign-On](#)

Customer Center

- [Try Chase Mobile](#)
- [Manage Account Alerts](#)
- [Change my Password](#)
- [Change mailing address, phone and/or email](#)
- [Delegate with Access and Security Manager](#)
- [Go to Download Center](#)
- [Add employee card](#)
- [Change spending limit](#)
- [Create expense report](#)
- [Manage accounts](#)

Available Services Services Notices**Paperless Statements** L. WHITE (...5146)**Alerts** Enrolled

ink.

All Accounts (...5146)

Posted Activity

Statement Ending Mar 13, 2016 ▾

<u>Trans Date</u>	<u>Post Date</u>	<u>Type</u>	<u>Description</u>	<u>Expense Category</u>	<u>Amount</u>
<input type="checkbox"/> 03/10/2016	03/13/2016	Sale	ENGRAVING AWARDS AND G	Work Related	\$166.00
<input type="checkbox"/> 03/04/2016	03/06/2016	Sale	AHA PROF ED CENTER	Legal & Professional	\$25.00
<input type="checkbox"/> 03/04/2016	03/06/2016	Sale	AHA PROF ED CENTER	Legal & Professional	\$25.00
<input type="checkbox"/> 03/04/2016	03/06/2016	Sale	AHA PROF ED CENTER	Legal & Professional	\$25.00
<input type="checkbox"/> 03/04/2016	03/06/2016	Sale	AHA PROF ED CENTER	Legal & Professional	\$25.00

ELEMENTS of *High Quality*

STEMI & STROKE CONFERENCE

Monday, March 7 • 8 a.m. – 4:30 p.m.

Hendrick Medical Center • Auxiliary Conference Center
Shelton Building • Second Floor • 2000 Pine St. • Abilene, Texas

Visit ehendrick.org/AHAconference to register.
Lunch is provided with registration.

PRESENTERS

Bob Paige, M.Ed., NRP, CCP, NCEE

Maria Atencio, RN

Ben Leonard, A.A.S., NREMT-P

Charles Wilkins, MD

Clare Santistevan, RN, MHA, MSN

Jennifer Rasmussen, MD

The American Heart Association is accredited by the American Nurses Credentialing Center (ANCC), the Accreditation Council for Pharmacy Education (ACPE), and the Accreditation Council for Continuing Medical Education (ACCME), to provide continuing education for the healthcare team.

Target Audience

This activity has been designed for physicians, physician assistants, nurse practitioners, nurses and EMT providers.

Physicians

The American Heart Association designates this live activity for a maximum of 6.75 AMA PRA Category 1 Credits™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Physician Assistants

AAPA accepts certificates of participation for educational activities certified for AMA PRA Category 1 Credit™ from organizations accredited by ACCME or a recognized state medical society. Physician assistants may receive a maximum of 6.75 hours of Category 1 credit for completing this program.

Nurse Practitioners

American Academy of Nurse Practitioners (AANP) accepts AMA PRA Category 1 Credit™ from organizations accredited by the ACCME.

Nurses

The maximum number of hours awarded for this CE activity is 6.75 contact hours.

Emergency Medical Services

This continuing education activity is approved by the American Heart Association, an organization accredited by the Continuing Education Coordinating Board for Emergency Medical Services (CECBEMS), for 6.75 Advanced CEUs, activity number 16-AMHA-F1-0303.





Professional Education Center

[All Activities](#)

[HOME](#)
[ACTIVITIES CATALOG](#)
[ACTIVITIES IN PROGRESS](#)
[COMPLETED ACTIVITIES](#)
[MY ACCOUNT](#)
[Welcome, Rikki.](#)


Elements of High Quality- STEMI and Stroke Conference

This conference focuses on the most recent science in the area of heart attack and stroke care, as well as updates on the current state of cardiovascular care in Texas. You will learn about system development and hospital resources available through the American Heart Association, best practice sharing on the use of data for quality improvement in both heart attack and stroke care, and you will have the opportunity to share the roadblocks to guideline-based care for their own region.

Your transaction was successful.

Please [print](#) this receipt for your records.

Transaction Information

Transaction Number	Activity	Transaction Date	Fee	Tax	Payment Method	Total
AX0AE2679AB7	Elements of High Quality- STEMI and Stroke Conference	3/4/2016 4:37:42 PM	\$25.00	\$0.00	Visa (42****5146)	\$25.00

A charge from AHA for the above total will appear on your credit card statement.

Billing Summary: Lynne White
216 W Commerce
Brady TX
US 76825
emtricks@yahoo.com



You must click the OK button above to complete the registration process.



Professional Education Center

American Heart Association

American Stroke Association

life is why

HOME

ACTIVITIES CATALOG

ACTIVITIES IN PROGRESS

COMPLETED ACTIVITIES

MY ACCOUNT

Welcome, Priscilla.



All Activities

▼ Search for Keyword



Elements of High Quality- STEMI and Stroke Conference

This conference focuses on the most recent science in the area of heart attack and stroke care, as well as updates on the current state of cardiovascular care in Texas. You will learn about system development and hospital resources available through the American Heart Association, best practice sharing on the use of data for quality improvement in both heart attack and stroke care, and you will have the opportunity to share the roadblocks to guideline-based care for their own region.

Your transaction was successful.

Please [print](#) this receipt for your records.

Transaction Information

Transaction Number	Activity	Transaction	Transaction Date	Fee	Tax	Payment Method	Total
AL0AD294B7FA	Elements of High Quality- STEMI and Stroke Conference	Sale	3/4/2016 4:33:38 PM	\$25.00	\$0.00	Visa (42****5146)	\$25.00

A charge from AHA for the above total will appear on your credit card statement.

Billing Summary: Lynne White
216 W Commerce
Brady TX
US 76825

campbellconcrete66@yahoo.com



You must click the OK button above to complete the registration process.

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Professional Education Center

All Activities

▼ All Activities

Search for Keyword



HOME

ACTIVITIES CATALOG

ACTIVITIES IN PROGRESS

COMPLETED ACTIVITIES

MY ACCOUNT

Welcome, Lynne.



Elements of High Quality- STEM and Stroke Conference

This conference focuses on the most recent science in the area of heart attack and stroke care, as well as updates on the current state of cardiovascular care in Texas. You will learn about system development and hospital resources available through the American Heart Association, best practice sharing on the use of data for quality improvement in both heart attack and stroke care, and you will have the opportunity to share the roadblocks to guideline-based care for their own region.

Your transaction was successful.

Please **print** this receipt for your records.

Transaction Information

Transaction Number	Activity	Transaction	Transaction Date	Fee	Tax	Payment Method	Total
AR0AD13A7D80	Elements of High Quality- STEM and Stroke Conference	Sale	3/4/2016 4:29:11 PM	\$25.00	\$0.00	Visa (42****5146)	\$25.00

A charge from AHA for the above total will appear on your credit card statement.

Billing Summary: Lynne White
216 W Commerce
Brady TX
US 76825
lynne_ditchdoc@centex.net



You must click the OK button above to complete the registration process.



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All Activities ▼

HOME

ACTIVITIES CATALOG

ACTIVITIES IN PROGRESS

COMPLETED ACTIVITIES

MY ACCOUNT

Welcome, Dink.



Elements of High Quality- STEM and Stroke Conference

This conference focuses on the most recent science in the area of heart attack and stroke care, as well as updates on the current state of cardiovascular care in Texas. You will learn about system development and hospital resources available through the American Heart Association, best practice sharing on the use of data for quality improvement in both heart attack and stroke care, and you will have the opportunity to share the roadblocks to guideline-based care for their own region.

Your transaction was successful!

Please [print](#) this receipt for your records.

Transaction Information

Transaction Number	Activity	Transaction Date	Transaction Fee	Tax	Payment Method	Total
AU0AE1FE1D71	Elements of High Quality- STEM and Stroke Conference	Sale 3/4/2016 4:20:52 PM	\$25.00	\$0.00	Visa (42****5146)	\$25.00

A charge from AHA for the above total will appear on your credit card statement.

Billing Summary: Lynne White
216 W Commerce
Brady TX
US 76825
dnichols@bradytx.us



You must click the OK button above to complete the registration process.



Central Texas Telephone Cooperative Inc.
The Hometown Advantage!

With Offices
Serving You
8:00 - 5:30 M-F

Goldthwaite
1012 Reiley Street

San Saba
208 East Brown Street



CUSTOMER CARE 1-800-535-8904

Invoice Totals
Leasing Service

Subtotal
25.00

Subtotal Current Charges

\$ 25.00

Service Summary
Leasing Service

	Adj	Charges	Taxes	Surcharges	Fees	Subtotal
Leasing Service		25.00				25.00
		25.00				25.00

Summary of Charges By Type of Service

	Past Due	Current	Subtotal
Non Basic Service	\$ 0.00	\$ 25.00	\$ 25.00
	0.00	25.00	25.00

Balance Forward

Previous Bill	\$ 25.00
Payment made on Feb 5	\$ 25.00cr
Total payments through Feb 18	\$ 25.00cr
Balance Before Current Charges	\$ 0.00

Total Amount Due \$ 25.00

Charge Detail

Leasing Service

Recurring Charges (Mar 01 - Mar 31)

Lease Tower

Total for Leasing Service

25.00
\$ 25.00

Account Summary for: Brady Volunteer Fire Dept

Account Number	00005711-0
Invoice Number	10720043
Service Identifier	
Billing Date	Mar 01, 2016
Past Due After	Mar 16, 2016
Previous Bill	\$ 25.00
Previous Payments	\$ 25.00
Adjustments	\$ 0.00
Previous Balance	\$ 0.00
Advance Payments	\$ 0.00
Current Charges	\$ 25.00
Total Due	\$ 25.00

Bank Deduct - Do Not Pay

Important Messages

Visit our Online Bill Payment Website to view or pay your bill!
Access your account 24 hours a day.
Visit us online at centex.net

Please do not pay. The amount of this bill will be deducted from your account on the 5th-7th. Any adjustments will be reflected on your next statement.

Please detach at perforation and return bottom portion with your payment. Make checks payable to Central Texas Telephone Cooperative, Inc.



**Central Texas Telephone
Cooperative Inc.**

PO Box 1619
Goldthwaite, Tx 76844-1619



Address Service Requested

Account Number	00005711-0
Invoice Number	10720043
Service Identifier	Leasing Service
Billing Date	Mar 01, 2016
Past Due After	Mar 16, 2016
Total Due	\$ 25.00

Bank Deduct - Do Not Pay



Check here for address changes, credit card payments, or other automatic payment options (see back for details).

Amount Enclosed: \$

REMIT TO:

Bank Deduct - Do Not Pay...

000529 1 AV 0.391 T4
BRADY VOLUNTEER FIRE DEPT
LYNNE WHITE
216 W COMMERCE ST
BRADY, TX 76825-4522

G: 1-0529



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	720	725	712	797	860							4,715
Meals sent-Helping Hands	382	287	340	331	352	311							2,003
Home Delivered Meals	836	703	814	833	865	811							4,862
Total Meals	2,119	1,710	1,879	1,876	2,014	1,982	-	-	-	-	-	-	11,580
Medicaid Trips	84	53	60	59	89	79							424

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	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
Rounds	2677	1630	91	55	41	69	80	225							\$561.00
Green Fees	\$22,625.82	\$49,837.72	\$1,094.16	\$539.00	\$761.98	\$834.00	\$1,054.00	\$2,708.00							\$6,991.14
Membership Rounds			3785	140	115	108	187	251	260						\$1,061.00
Student Rounds			457	9	4	2	20	78	12						\$125.00
Total Rounds			5872	240	174	151	276	409	497	0	0	0	0	0	\$1,747.00
Trail Fee	3216	1945		132	96	106	6		8						\$348.00
Trail Fee Revenues	\$1,608.39	\$1,085.59	\$69.50	\$52.50	\$56.00	\$10.00	\$0.00	\$4.00							\$192.00
Cart Rentals	1218	1217	81	40	43	55	0	71							\$280.00
Cart Revenue	\$20,058.97	\$19,840.52	\$1,150.00	\$600.00	\$573.59	\$696.74	\$875.00	\$1,140.00							\$5,035.33
Cart Shed Rental	\$12,306.75	\$11,186.50	\$0.00	\$0.00	\$0.00	\$10,776.00	-\$150.00	\$0.00							\$10,626.00
Vending Revenue	\$15,703.72	\$16,558.58	\$1,006.61	\$464.62	\$258.53	\$383.37	\$855.75	\$1,753.23							\$4,722.11
Memberships	279	368		26	26	30	51	26	22						\$181.00
Membership Fees	\$27,902.56	\$39,915.18	\$1,412.00	\$2,851.00	\$2,985.60	\$7,302.00	\$2,213.00	\$1,975.00							\$18,738.60
Driving Range	519	471	16	13	23	12	1	47							\$112.00
Range Revenue	\$2,260.46	\$2,018.92	\$72.00	\$64.00	\$103.00	\$48.00	\$3.00	\$213.00							\$503.00
Misc.	\$5.81	\$140.64	\$10,000.49	\$0.84	\$1.28	\$1.55	\$1.82	\$2.81							\$10,008.79
Total Revenue	\$102,472.48	\$110,583.65	\$14,804.76	\$4,571.96	\$4,739.98	\$20,051.66	\$4,852.57	\$7,796.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$56,816.97	

None of the above figures included sales tax



CITY OF BRADY
CITY COUNCIL CORRESPONDENCE

TO: **BRADY CITY COUNCIL**
FROM: **STEVE THOMAS, CHIEF OF POLICE**
THROUGH: **KIM LENOIR, CITY MANAGER**
SUBJECT: **MONTHLY POLICE REPORT FOR MARCH 2016**
DATE: **APRIL 12, 2016- FISCAL YEAR 2015-16**

TYPE	CURRENT MONTH	YEAR TO DATE
Person Crimes	56	208
Property Crimes	45	284
Narcotics Crimes	11	48
Disturbances	67	285
Felony Arrests	9	71
Misdemeanor Arrests	12	73
Suspicious Person/Vehicle	98	387
Felony Warrant	9	61
Misdemeanor Warrant	6	30
D.W.I.	3	20
Alarms	8	59
Agency Assist	28	159
Public Assist	8	29
Escorts	6	42
Animal Calls	31	108
Traffic Direction	6	47
Close Patrols	128	473
Civil Matters	36	133
Juvenile	26	102
Crash Investigation	22	106
Welfare Concerns	31	160
Information	51	251
Court	-	17
Citations	85	321
Warnings	165	581
Building Checks	56	409
Misc. Incidents	361	1,779
Supplements	20	64
Follow-ups	39	213
Reports	50	286



MEMORANDUM

April 15, 2016

To: City Council

From: Kim Lenoir, City Manager

Subject: Monthly Update of Civic Center Construction Project

The monthly construction progress meeting was held April 12, 44% of the time has lapsed, 20% of the budget spent. The contractor is behind schedule but expects to gain speed once the building is enclosed. Metal frame work additions are underway. Wall panels are expected to arrive Thursday. Then drywall will be put in place. Submittal review of off-site utility materials are underway, once completed, materials will take two weeks to order. Contractor would like to start work in early May on the exterior utility connections – sewer line and water. City electric division is installing electric pad-mount transformer and will bury all overhead lines for parking lot lights and connections to the building.

Contractor brought color samples for interior color selections. Contractor clarified closed versus open cell insulation, with flat black paint, ceiling spray foam and wall insulation with higher than required energy factors. The floor paint colors are limited to grey or tan, so contractor will have the sub-contractor paint some samples on-site next week for our review. Staff also shared concerns about maintenance, cleanliness and upkeep of interior materials. Staff suggested that the architect put a color scheme together of tans or greys for main room; tans, greys or soft greens for restrooms; dark colors for trim and for doors; and light-colors for counter tops in kitchen and restrooms. The new addition of restrooms and kitchen will have the dropdown white ceiling panels. A classic, neutral color scheme is needed, so as to not compete but to enhance the decorations of the large variety of special events to use the center, from birthday parties, banquets to weddings.

Other items addressed this past month include:

- Concrete pour went well and all testing samples passed.
- Metal building, roof colors, and masonry colors were agreed to by Architect, Contractor and City, and have been ordered.
- Submittals under review 16C, 18 – 21, 31, 33. Nearing completion of all submittal reviews.

Waldrop Construction Project Contract Budget: \$1,727,046

Billed to date (less 5% retainage): \$322,545.90

Percentage completed: 20%

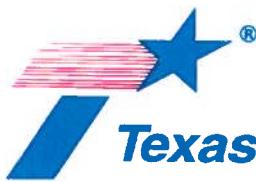
Size of the grand hall is 9,940 S.F.

Size of the overall building is 94ft x 140ft or 13,160 S.F.

Next Monthly Progress Meeting, May 10, 10am, Service Center

**Hotel Occupancy Monthly Tax Grant Recipients thru April 15, 2016
FY 2015/2016**

<u>Group</u>	<u>Amount</u>	<u>Proposed use</u>	<u>Event Date</u>
Approved			
Morgan Military Aviation Museum	\$10,000.00	Advertising and Orchestra	
McCulloch County Historical Commission	\$3,000.00	Advertising and Insurance	May 20-21
Brady Golf Association	\$3,000.00	Advertising and Promotional Items	April 8-9
			April 2-3
Pending			
Heart of Texas Country Music Museum	\$10,000.00	Promotion and Marketing	March 17-27



2495 US 183 NORTH | BROWNWOOD, TEXAS 76802 | (325) 646-2591 | WWW.TXDOT.GOV

April 12, 2016

The Honorable Anthony Groves
Mayor, City of Brady
P O Box 351
Brady, TX 76825

Dear Mayor Groves:

Your interest in the transportation needs of your area is important to the Texas Department of Transportation's planning process. Your input helps us develop our project schedules. For this reason, we invite you to attend a public meeting to discuss our four-year transportation plan, as well as public transportation funding for elderly persons and persons with disabilities. Three public meetings have been scheduled as listed below:

 Tuesday, April 26, 2016 – 10:00 a.m. at the Santa Fe Train Depot located at 600 E Depot St. in Brownwood. The Brown, Coleman, and McCulloch county projects will be discussed.

Wednesday, April 27, 2016 – 10:00 a.m. in the Roof Garden of the Connellee Hotel located at 209 W. Main in Eastland. The Comanche, Eastland, and Stephens county projects will be discussed.

Thursday, April 28, 2016 – 10:00 a.m. at the Hostess House Meeting Room, located at the intersection of US 281 and US 190 at Hancock Park in Lampasas. The Lampasas, Mills, and San Saba County projects will be discussed.

We urge you to participate in the meeting that includes your area of interest and to express your ideas for the improvement and growth of the transportation system. Also come hear which improvements have been scheduled in your area. Please notify the appropriate people in your organization who should attend.

Thank you in advance for your attendance and your support for our transportation system.

Sincerely,


FOR
Elias H. Rmeili, P.E.
Brownwood District Engineer

OUR GOALS

MAINTAIN A SAFE SYSTEM • ADDRESS CONGESTION • CONNECT TEXAS COMMUNITIES • BEST IN CLASS STATE AGENCY

An Equal Opportunity Employer

MY BRADY NEWS



City of Brady Newsletter

April 2016

Meet Judge Bill Spiller, Brady's Presiding Municipal Court Judge—although you may already know him, since Judge Spiller is a Brady native and can trace his lineage in the Brady/McCulloch County area back to the 1860s. He is a proud graduate of Brady High School and also the University of Texas at Austin, where he graduated with a degree in Public Relations with a concentration in Organizational Communications. After graduation, Spiller began a 35+ year career as a banker during which, part of that time he lived outside Brady in Winters, Texas, Los Angeles, California and places in between, but he has always referred to Brady as home. Spiller is no stranger to adventure and new experiences, whether he's globetrotting to exotic locales, moving to a new city, finalizing a bank merger, or just being out at his family ranch in the Voca area. Currently, Spiller is employed by USDA, working in the Farm Service Agency (FSA) branch. In addition, he sits on the McCulloch County Senior Citizen Association / Sunset Center Advisory Board, as well as, its funds management board, the Voca Community Board and the Voca Cemetery Association. Worldly-wise, intelligent and ethical, Spiller joined the City's Municipal Court as Associate Judge over a year ago, and shortly thereafter began his magistrate duties. He began sitting on the bench in September 2015. Welcome Judge Spiller!



VOTE EARLY April 25th through May 3rd for May 7th City & BISD General Election & for County Run-Off, May 16th through 20th for the May 24th Primary Election

Voting is defined by the Merriam-Webster Dictionary as "an expression of opinion or preference." An important and well-known concept, voting can determine many things about our City, Schools, County, State and Country. This year the President, city council members, sheriff, school board members and county commissioners are up for election. "We the People" determine who represents our interest in governmental duties. All of us must make our opinions heard through our votes at the ballot box on election day.



Everyone should vote, because everyone has an opinion! In a functioning democracy, voting is of paramount importance. In the United States, we value our ability to choose who is in office.

Your vote is your voice! It's your opportunity to be heard, to hold elected officials accountable for their decisions and to have a say in important issues that affect our community. **On Election Day, every vote counts!**

May 7th Election & Early Voting at City Hall, 201 E. Main Street
May 24th Election at Your Precinct Poll Location—Early Voting for
May 24th Election is at the County Clerk's Office, 101 N. High Street

Public Drinking Water Notice

PWS/1540001/CO

The U.S. Environmental Protection Agency (EPA) has set maximum "allowable levels" for certain contaminants in drinking water. These levels are referred to as MCL (Maximum Contaminant Levels). When the Texas Commission on Environmental Quality (TCEQ) notifies the City that our regular water system testing shows that the allowable levels for certain contaminants have exceeded those "allowable limits," we are required to notify our citizens. This is a mandatory/required quarterly notification regarding contaminant levels of Radium, Gross Alpha, excluding Radon and Uranium in our drinking water for the time frames indicated below.

Mandatory language for Maximum Contaminant Level Violation MCL, COMBINED RADIUM -226 & RADIUM -228

The Texas Commission of Environmental Quality (TCEQ) has notified the CITY OF BRADY water system that the drinking water being supplied to customers had exceeded the Maximum Contaminant Level (MCL) for COMBINED RADIUM (-226 & -228). The U.S. Environmental Protection Agency (U.S. EPA) has established the MCL for COMBINED RADIUM (-226 & -228) at 5 pico curies per liter (pCi/L), based on a running annual average (RRA), and has determined that it is a health concern at levels above the MCL. Analysis of drinking water in your community for **COMBINED RADIUM (-226 & -228) indicates a compliance value during quarter four of 2015 of 19 pCi/L for EP002, 22 pCi/L for EP003, 42 pCi/L for EP004, 15 pCi/L for EP005, 25 pCi/L for EP006, and 19 pCi/L for EP007.**

This is not an emergency. However, some people who drink water-containing radium -226 and/or -228 in excess of the MCL over many years may have an increased risk of getting cancer.

You do not need to use an alternative water supply. However, if you have health concerns, you may want to talk to your doctor to get more information about how this may affect you.

We are working to correct the problem: The City of Brady has engaged professional engineering services in which probable technical solutions have been derived to reduce radionuclides in the drinking water.

Mandatory language for Maximum Contaminant Level Violation MCL, AVERAGE/02/GROSS ALPHA, EXCL. RADON & URANIUM

The Texas Commission of Environmental Quality (TCEQ) has notified the CITY OF BRADY water system that the drinking water being supplied to customers had exceeded the Maximum Contaminant Level (MCL) for gross alpha excluding radon and uranium. The U.S. Environmental Protection Agency (U.S. EPA) has established the MCL for gross alpha excluding radon and uranium at 15 pico curies per liter (pCi/L) based on a running annual average (RAA), and has determined that it is a health concern at levels above the MCL. **Analysis of drinking water in your community for gross alpha excluding radon and uranium indicates a compliance value during quarter four of 2015 of 24 pCi/L for EP002, 30 pCi/L for EP003, 40 pCi/L for EP004, 19 pCi/L for EP005, 27 pCi/L for EP006, and 28 pCi/L for EP007.**

This is not an emergency. Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have increased risk of getting cancer.

You do not need an alternate water supply. However, if you have health concerns, you may want to talk to your doctor to get more information about how this may affect you.

We are working to correct the problem: The City of Brady has engaged professional engineering services in which probable technical solutions have been derived to reduce radionuclides in the drinking water.

If you have any questions regarding these violations, you may contact Gary Jacobson at the City of Brady at 325-597-2244.

Please share all of this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Public Meetings

City Council
Meetings are held the first and third Tuesdays of each month at 6:00pm at the City of Brady Service Center, located at 1405 North Bridge St.

Each meeting includes an opportunity for the public to address the City Council with any issue.

Contact Us

Give us a call for more information about our services.

8:30am to 5:00pm
Customer Service
(325) 597-2152

City of Brady
PO Box 351
201 East Main St
Brady, TX 76825

Visit us on the web at www.bradytx.us

Or on our Facebook page at www.facebook.com/BRADYTXUS

