



Tony Groves  
Mayor

Kathy Gloria  
Mayor Pro Tem

Shelly Perkins  
Council Member Place 2

Marilyn Gendusa  
Council Member Place 3

Jane Huffman  
Council Member Place 4

Jim Griffin  
Council Member Place 5

Kim Lenoir  
City Manager

Tina Keys  
City Secretary

Shannon Kackley  
City Attorney

*The mission of the City of Brady is to celebrate and share our rich history, encourage diverse housing choices, provide employment opportunities, exercise and promote fiscal responsibility, deliver exceptional customer services, and ensure quality infrastructure that fosters a thriving sustainable community for our citizens and visitors.*

## CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING FEBRUARY 7, 2017 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 February 7, 2017, at the City of Brady Municipal Court Building, located at 207 S. Elm Street, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551. of the Texas Government Code.

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

### 2. INVOCATION & PLEDGE OF ALLEGIANCE

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

Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation 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.

### 4. CONSENT AGENDA: Reserved for routine items

All items listed on the Consent Agenda are to be approved with one group motion by the City Council, "Move to approve Consent Agenda." Any item may be removed from the Consent Agenda at the request of a Council Member and considered separately following the Consent Agenda approval. Consent Agendas are used to save time for the public meeting.

- A. Approval of Audit Board for February 7, 2017
- B. Approval of Minutes for January 17, 2017 Regular and Work Session Meetings
- C. Approving Resolution 2017-003 to call May 6, 2017 General Election for the purpose of filing City of Brady City Council Members Mayor and Council Member Place 1.
- D. Approving Resolution 2017-004 approving the 7th Annual Armed Forces Day Fly-in to be held at Curtis Field Airport on May 20th & 21st, 2017.
- E. Approving Resolution 2017-005 approving the Disaster Finance & Procedures Policy amendment to the Brady Emergency Management Plan.
- F. LEFT BLANK
- G. Approving Resolution 2017-008 approving a grant application for NIBRS Compliance for Brady Police Department.
- H. Approving the purchase of a 2017 Ford F-750, Diesel, Regular Cab with Ring-O-Matic Hydro-Excavation Vacuum Machine (\$152,770).

### 5. PRESENTATIONS:

Annual Report of the Fire/EMS & Emergency Operations – Chief Lyle Daniels

### 6. PUBLIC HEARING:

None Scheduled

## 7. INDIVIDUAL CONCERNS:

- A. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1216** regarding the proposed amended change in rates filed with the City of Brady by Sharyland Utilities, L.P. and Sharyland Distribution & Transmission Services, L.L.C. on December 30, 2016, is hereby denied and disapproved, as requested by Sharyland.
- B. Discussion, consideration and possible action regarding **second and final reading of Ordinance 1217** to add two (2) additional cleaning fees and specific discounted fees for the Civic Center that were not included in Ordinance 1206 regarding the Annual Fee Scheduled adopted September 20, 2016.
- C. Discussion, consideration and possible action regarding **first reading of Ordinance 1218** regarding amending Article 1.600 of the Code of Ordinances for Rest Haven and Live Oak Cemeteries to update and revise the Rules and Regulations of the two cemeteries.
- D. Discussion, consideration and possible action regarding direction to staff to revise Ordinance 1155 regarding Heart of Texas Hospital Systems regulations and inspections of ambulance/transfer services in City of Brady.
- E. Discussion, consideration and possible action regarding rescheduling Regular City Council Meeting on July 4, 2017.
- F. Discussion, consideration and possible action to contract for professional services of engineering and design with EIKON to complete plans and specifications for bid-ready renovation plans for the Activity Center (Old South Ward Cafeteria).
- G. Discussion, consideration and possible action to contract for professional services of engineering and design with Luck Design Team to complete plans and specifications for bid-ready renovation plans for Richards Park as part of the Local Outdoor Recreation Grant awarded by Texas Parks and Wildlife Department and funded by sporting goods sales tax.
- H. Discussion regarding City Council meeting procedures and process.

## 8. STAFF REPORTS

- A. Notice of Grant Award to Upper Colorado River Authority (UCRA) for the Brady Creek Aqua Swirl Storm Water Quality Joint Project
- B. Upcoming Brady Events:
  - Feb 11 - Hope from the Heart Annual Banquet, Civic Center
  - Feb 18 – Live, Laugh, Love Tour – Chad Prather & Cooper Wade, Civic Center
  - March 17-25 – Heart of Texas Records Country Music Festival
- C. Upcoming City Calendar:
  - Feb 14 – 5:30pm P&Z Meeting – Public Hearing Davee Addition Replat & Sign Ordinance
  - Feb 20 – City Offices Closed – Presidents Day (In-service Training)
  - Feb 21 – 4pm City Council Work Session
  - Feb 21 – 6pm City Council Public Hearing for Davee Addition Replat
  - Feb 22 – 8:30am Monthly Municipal Court
- D. Proposed Meetings/Events:
  - March 18 – Re-Dedication of the Ed Davenport Civic Center

March 28, 4pm Special City Council Meeting with a Public Hearing for Environmental Report for the WWTP project and report/public meeting on other Sewer and Water Line Improvements

**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 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 – utility easements, animal shelter, and other public facilities.
- B. Pursuant to Section 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), the City Council will deliberate, vote, or take final action on a competitive matter: the electric contract(s) with Trails of Brady Apartments.

**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 02/03/2017 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](mailto: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.



STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session on Tuesday, January 17, 2017 at 4:00 pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Community Services Director Peter Lamont, Public Services Director Steven Miller, Code Enforcement officer Ronnie Roberts, Code enforcement personnel Kim Davee and Amanda Lewis. Also in attendance were Fred Johnson, Harold & Donna Tacker and Sammi Sanchez.

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

Mayor Groves called the meeting to order at 4:00 p.m. Council quorum was certified.

#### 2. Review and Discuss Code Compliance Division: Peter Lamont presented and introduced Code Office personnel

Demolition and Code Compliance Process - Council Member Perkins asked about 901 Bombay St. and said she gets questions all the time about that property. Wants to know if there is anything that can be done. Lamont said they are working on it. Also 1402 S. High St., appears to be a business being operated out of the residence. Code has sent a letter and owner is working to get it cleaned up. Code officer believes it is zoned commercial. Council Member Perkins also brought up 204 S. Walnut.

Illegal Dumping – Peter Lamont reviewed.

In-fill Ordinance and possible incentives – was not discussed

Substandard Building Ordinance with ZBA – Draft was presented. Some thoughts were expressed that City Council should be responsible not ZBA.

#### 3. Review and Discuss Solid Waste Division: Lisa Remini presented to Council

FY17 Solid Waste Budget

Review 3 month dump pass use

Discuss upcoming clean-up projects

Due to time constraints, city council members wanted to discuss other agenda items at a later date.

Review and Discuss Parking Issues / Complaints: Paved parking lots in Industrial, Commercial Districts; On-street parking & off-street parking requirements

There being no further business, the Mayor adjourned the meeting at 5:35 p.m.

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Mayor Anthony Groves

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

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, January 17, 2017 at 6:00 pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were Marilyn Gendusa, Shelly Perkins, Jane Huffman and James Griffin. Kathy Gloria was absent. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Community Services Director Peter Lamont, Public Works Director Steven Miller, City Secretary Tina Keys and Police Chief Steve Thomas. Also in attendance were Tim Jones, Michele Derrick, James Stewart, Dub Smith, Mary Strickland, Yvonne Sandoval, Alicia Barlow, Felix Gomez, Jr., Loretta Behrens and Stephanie Cantrell.

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

Mayor Groves called the meeting to order at 6:00 p.m. Council quorum was certified.

#### **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

#### **3. PUBLIC COMMENTS**

Mary Frances Strickland spoke regarding an issue with a police officer. Alicia Barlow also commented on issues with police. Stephanie Cantrell had questions about utility rates, in particular, distribution rates and was advised to go to City Hall and see City Manager.

#### **4. CONSENT AGENDA**

- A. Approval of Audit Board for January 17, 2017
- B. Approval of Minutes for January 3, 2017 Regular Meeting
- C. Action regarding **Resolution 2017-001** requesting the members of the 85<sup>th</sup> legislative session of the State of Texas to support legislation that provides fair and equitable distribution of the sporting goods sales tax revenue for local and state parks.

Council Member Perkins moved to approve the Consent Agenda. The motion was seconded by Council Member Gendusa. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

#### **5. PRESENTATIONS**

There were no presentations

#### **6. PUBLIC HEARINGS:**

There were no public hearings.

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration and possible action regarding Sign Permit to relocated J&P Liquor Store sign at 100 Crothers St. and N Bridge Street, due to TXDOT N Bridge Road construction project right-a-way and current City Sign Moratorium. Peter Lamont presented. Council Member Gendusa moved to grant an exception to the sign moratorium for JP Liquor. The motion was seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 4 - 0 vote.
- B. Discussion, consideration and possible action regarding authorizing the Mayor to send a letter to Sharyland

Utilities, L.P. (“Sharyland”) and Sharyland Distribution & Transmission Services, L.L.C to suspend the effective date by 90 days pursuant to Texas Utilities Code § 36.108(a)(1) to allow the City of Brady additional time to consider the rate change proposal, as requested by Sharyland. Kim Lenoir presented to Council. Council Member Gendusa moved to authorize the Mayor to send a letter to Sharyland. The motion was seconded by Council Member Perkins. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.

- C. Discussion consideration and possible action regarding **first reading of Ordinance 1216** regarding the proposed amended change in rates filed with the City of Brady by Sharyland Utilities, L.P. and Sharyland Distribution & Transmission Services, L.L.C. on December 30, 2016, is hereby denied and disapproved, as requested by Sharyland. City Manager Kim Lenoir presented. Council Member Griffin moved to approve the first reading of Ordinance 1216. The motion was seconded by Council Member Gendusa. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.
- D. Discussion, consideration and possible action regarding **first reading of Ordinance 1217** to add two (2) additional cleaning fees and specific discounted fees for the Civic Center that were not included in Ordinance 1206 the Annual Fee Scheduled adopted September 20, 2016. Kim Lenoir presented. Council Member Gendusa moved to approve the first reading of Ordinance 1217. The motion was seconded by Council Member Perkins. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.
- E. Discussion regarding codifying, updating and auditing Franklin Legal Code of Ordinances, including Zoning Ordinances. Kim Lenoir and Tina Keys presented the plan to update the Code of Ordinances.
- F. Discussion regarding City Council meeting procedures and process. There were no comments.

## 8. STAFF REPORTS

- A. Monthly Financial Reports for December 2016
- B. December Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Code Enforcement, Civic Center Construction Report, Activity Center Project, Davee-Dodge Heights Replat and Leases
  - Tim Jones spoke concerning the monthly HOT Ambulance Runs report and City Medical Transfer Ordinance – update on HOT Healthcare transfer service – Ordinance passed summer of 2014 – review of ordinance on an annual basis has not been done but has data for new city council members. Mr. Jones gave a brief rundown of how the transfers have been going with the hospital.
  - Michele Derrick spoke concerning the monthly HOT Ambulance Runs report and Ordinance 4.143 of ordinance states at no time shall a transfer be done without notifying dispatch. This is taking valuable time. 4.1451 lists 4 exceptions – they would like to request that in the near future, they would like to be excluded from calling 9-1-1, requesting a change of the ordinance.
- C. Upcoming Special Events:
  - Jan 26 – Annual Brady/McCulloch County Chamber of Commerce Banquet, Civic Center
  - Feb 11 - Hope from the Heart Annual Banquet, Civic Center
  - Feb 18 – Live, Laugh, Love Tour – Chad Prather & Cooper Wade, Civic Center
- D. Upcoming City Calendar:
  - Jan 18, 8:30am, Municipal Court
  - Jan 18 – Good News Luncheon, HOT Event Center
  - Jan 19, 6pm, Charter Review Commission Quarterly Meeting
  - Jan 24, 6pm, BEDC Bi-Monthly Meeting
  - Feb 3, 9am to 2pm, TML Small Cities Problem Solving, Brady hosting

**9. ANNOUNCEMENTS**

Mayor Groves announced the Annual Martin Luther King March was a great event with a lot of good speakers and fellowship.

**10. EXECUTIVE SESSION**

Open Session was closed at 6:50 pm for a break before Executive Session. Executive Session was opened at 7:00p.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 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 – utility easements, animal shelter, and other public facilities.
- B. Pursuant to Section 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), the City Council will deliberate, vote, or take final action on a competitive matter: the electric contract(s) with Trails of Brady Apartments.
- C. Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: legal opinion regarding provisions of the City Charter.

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

Mayor closed Executive Session at 7:18 p.m. No action was taken.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 7:19 p.m.

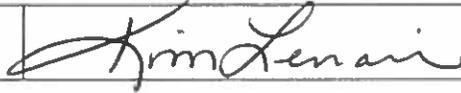
\_\_\_\_\_  
Mayor Anthony Groves

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

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	02/07/2017	<b>AGENDA ITEM</b>	4.C.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action on Resolution 2017-003 to call May 6, 2016 General Election, for the purpose of filling City of Brady City Council Members Mayor and Place 1 expiring terms.		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	02/02/2017
<b>EXHIBITS:</b>	Resolution 2017-003		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>	<p>City of Brady City Council Mayor and Place 1 are up for reelection this year. Per the City of Brady Home Rule Charter, Council must call an Election. The City of Brady is required by law to hold an election on a uniform election date. McCulloch County has only a limited amount of voting equipment and has been unable to assist the City with elections due to conflicting dates of Primary Elections and possible run-off elections. Therefore, we have had to seek help from the Brown County Election Administrator. This resolution calling the election and any needed subsequent agreements will allow the city to meet its obligations to the citizens of Brady, to the BISD School Board, and Brown County by gaining access to needed election equipment and other required resources.</p>		
<b>RECOMMENDED ACTION:</b>	Move to approve Resolution 2017-003		

**CITY OF BRADY, TEXAS**

**RESOLUTION NO. 2017-003**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2017 SAID DATE BEING A UNIFORM ELECTION DATE FOR THE PURPOSE OF FILLING POSITIONS OF MAYOR AND COUNCIL MEMBER PLACE ONE; 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 6, 2017 from 7:00 a.m. to 7:00 p.m. at City Hall, 201 East Main Street, Brady, Texas for the purpose of electing Mayor and Council Member for Place One (1).

**SECTION 2:** Applications for place on the ballot will be accepted from January 18, 2017 until February 17, 2017, 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 24, 2017 until May 2, 2017, 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 25, 2017 and May 2, 2017 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 25, 2017.

**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: Bonney Smith

Alternate Judge: Jessica Sutton

**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 7<sup>th</sup> day of February, 2017.

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

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

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	2/7/2016	<b>AGENDA ITEM</b>	4.D.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action on <b>Resolution 2017-004</b> approving the 7 <sup>th</sup> Annual Armed Forces Day Fly-in to be held at Curtis Field Airport on May 20 <sup>th</sup> & 21 <sup>st</sup> , 2017.		
<b>PREPARED BY:</b>	T. Keys	<b>date</b>	1-17-2017
<b>EXHIBITS:</b>	Resolution 2017-004		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>			
<p>Morgan Military Aviation Museum representatives have requested the use of Curtis Field Airport for the 7<sup>th</sup> Annual 2017 Armed Forces Day Fly-In to be held at Curtis Field Airport on May 20<sup>th</sup> &amp; 21<sup>st</sup>, 2017.</p> <p>This event continues to grow and reflects the military history of the Brady community.</p>			
<b>RECOMMENDED ACTION:</b>			
Move to approve Resolution 2017-004			

**RESOLUTION NO. 2017-004**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS APPROVING THE 7<sup>th</sup> ANNUAL 2017 ARMED FORCES DAY FLY-IN TO BE HELD AT CURTIS FIELD AIRPORT ON MAY 20 & 21, 2017**

**WHEREAS, the City Council of the City of Brady wishes to allow the use of Curtis Field Airport as requested by the Morgan Military Aviation Museum for the 7<sup>th</sup> Annual 2017 Armed Forces Day Fly-In to be held at Curtis Field Airport on May 20 & 21, 2017; and**

**WHEREAS, the City Council of the City of Brady wishes to support the observance of Armed Forces day and honoring our military and veterans; and**

**WHEREAS, the City Council of the City of Brady wishes to support the Curtis Field Airport in promoting fly-in events to advertise our airport facilities and tourism activities in Brady.**

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

**That the City Council of the City of Brady approves the use of Curtis Field Airport for the 7<sup>th</sup> Annual 2017 Armed Forces Day Fly-In to be held on May 20 & 21, 2017;**

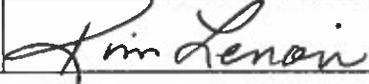
**PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

**CITY OF BRADY**

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

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

**CITY COUNCIL  
CITY OF BRADY, TEXAS  
AGENDA ACTION FORM**

<b>AGENDA DATE:</b>	2-7-2017	<b>AGENDA ITEM</b>	4.E
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action on <b>Resolution 2017-005</b> approving the Disaster Finance and Procedures Policy amendment to the Brady Emergency Management Plan.		
<b>PREPARED BY:</b>	Lisa Remini	<b>Date Submitted:</b>	1-31-2017
<b>EXHIBITS:</b>	Resolution 2017-005 Disaster Finance and Procedure Policy		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	<p>Over the period of 7 months, the Texas Department of Public Safety has conducted 3 onsite workshops and 1 emergency exercise with the city's Finance staff, the Emergency Operations Director, City Manager, Mayor and Department Heads, focusing on financial management during a declared disaster.</p> <p>It is very critical that we as a city be fully prepared to manage a disaster, which includes proper accounting of expenditures and the ability to collect any and all available reimbursement funding from state and federal government disaster funds.</p> <p>The policy presented details the conditions by which the policy will become effective, lists the procedures for each unit of financial management, and provides example forms to record necessary expenditure data during a disaster.</p>
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<b>RECOMMENDED ACTION:</b>	<p>Move to approve Resolution 2017-005 adopting the City's Disaster Finance and Procedures Policy.</p>
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**RESOLUTION NO. 2017-005**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO APPROVE THE DISASTER FINANCE AND PROCEDURES POLICY**

**WHEREAS**, the Finance staff developed with the assistance of the Texas Department of Public Safety and the City's Emergency Management Director a policy and procedure manual for financial accountability during a declared disaster;

**WHEREAS**, this policy will be considered an addendum to the City's Emergency Management Policy;

**WHEREAS**, the City Charter requires City Council to set policy by resolution.

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

that the City of Brady Disaster Finance and Procedures Policy is adopted and effective October 1, 2016.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BRADY

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

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

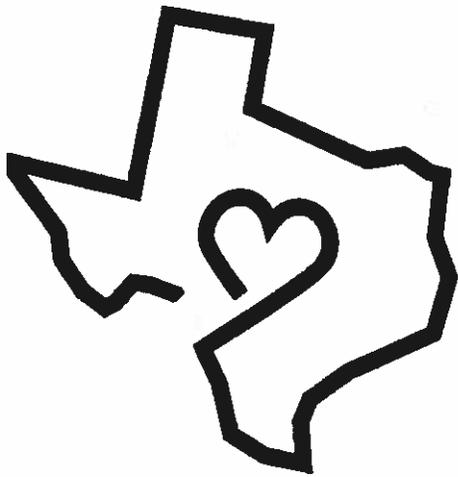
# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	02/07/2017	<b>AGENDA ITEM</b>	4.G.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action on Resolution 2017-008 to approve a grant application a National Incident Based Reporting System (NIBRS) compliance grant for Brady Police Department		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	02/02/2017
<b>EXHIBITS:</b>	Resolution 2017-008		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>	House Bill 11 (HB!!) of the 84 <sup>th</sup> Regular Session introduced the requirement for Texas to begin transitioning from a Uniform Crime Reporting (UCR) system to the National Incident Base Reporting System (NIBRS) by the year 2019. The Brady Police Department is working towards compliance with this directive by securing a grant through the Office of the Governor.		
<b>RECOMMENDED ACTION:</b>	Move to approve Resolution 2017-008		

**City of Brady**  
**Disaster Finance**  
**Policy & Procedure**



**BRADY**  

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**THE CITY OF**  

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**TEXAS**

**CITY OF BRADY DISASTER FINANCE  
POLICY & PROCEDURE**

**CITY COUNCIL  
APPROVAL & IMPLEMENTATION**

**RESOLUTION NO. 2017-005**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO APPROVE  
THE DISASTER FINANCE AND PROCEDURES POLICY

WHEREAS, the Finance staff developed with the assistance of the Texas Department of Public Safety and the City's Emergency Operations Center a policy and procedure manual for financial accountability during a declared disaster;

WHEREAS, this policy will be considered an addendum to the City's Emergency Management Policy;

WHEREAS, the City Charter requires City Council to set policy by resolution.

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

that the City of Brady Disaster Finance and Procedures Policy is adopted and effective October 1, 2016.

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BRADY

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

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

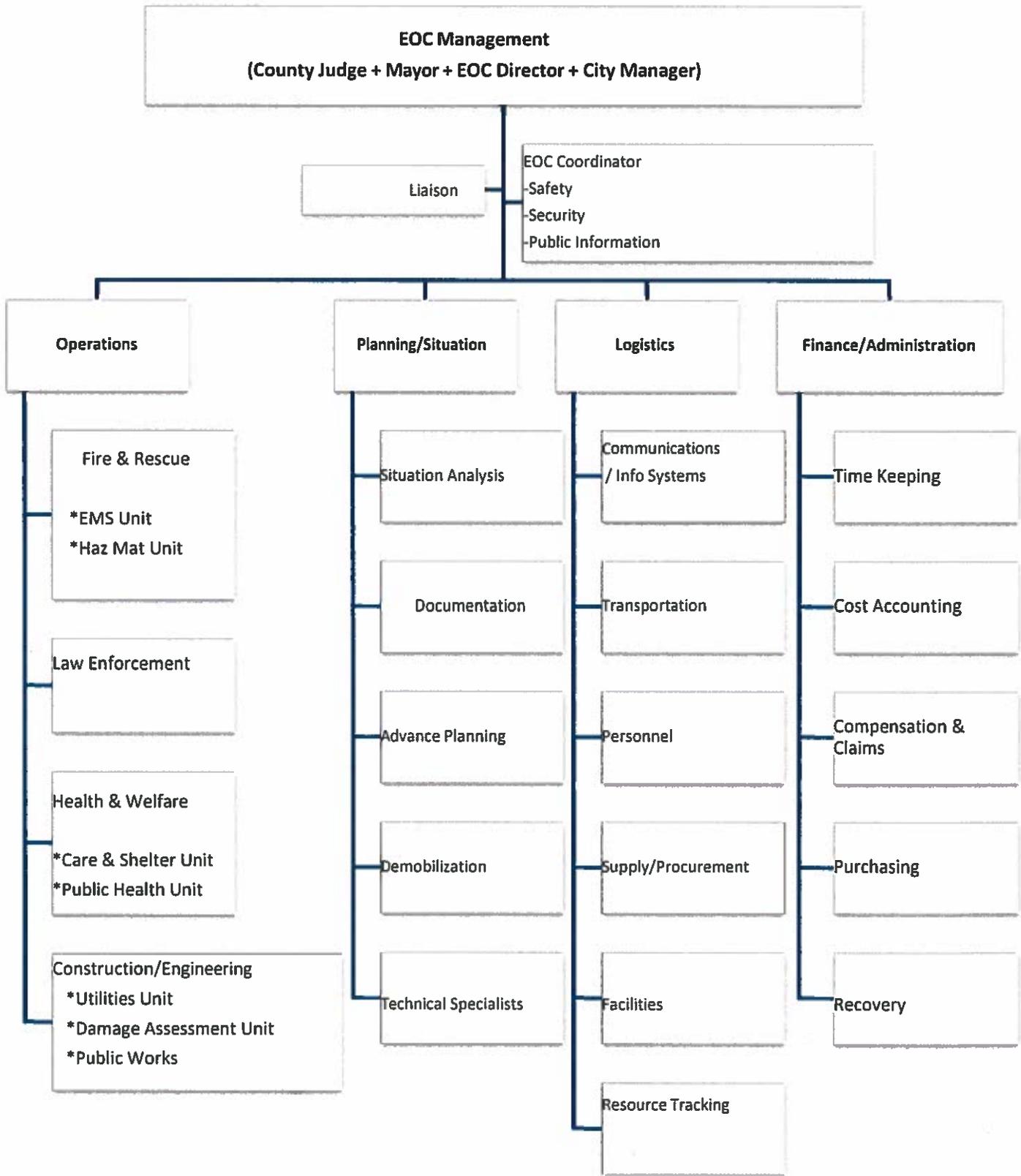
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# I. The City of Brady EOC Functional Organization Chart



**A. Activation of the City of Brady EOC [“Emergency Operations Center”]**

The City of Brady EOC is activated by order of the McCulloch County Judge or the Mayor or the EOC Director (also referred to as the EOC Duty Officer) or the City Manager upon declaration of disaster or imminent disaster and activation of the City of Brady Emergency Management Plan.

**II. General Considerations**

**A. Assumptions**

City of Brady is at risk from a number of hazards which could require extraordinary response by local government and have the potential for causing extensive property damage. The fiscal impacts of such events or disasters could be devastating to local budgets and overwhelm the ability of our community to respond and recover.

**B. Situation**

In order to best position our community for recovery, City of Brady City Council will require an accurate measurement of the true cost of the response to the disaster as well as accurate and timely property damage assessments.

Our damage assessment process and recovery procedures are set out in Annex J, Recovery, however financial and administrative procedures for the daily capture of ongoing response costs, as well as to support an overall event calculation after response, are not contained in that Annex.

Our City must prepare to track, calculate and justify all costs of an emergency.

The Stafford Act authorizes federal disaster assistance to individuals and to governmental entities in the aftermath of a major emergency or disaster and the Texas Division of Emergency Management administers or coordinates most disaster assistance programs in the State of Texas.

Our City seeks to improve our level of financial preparedness and coordination to ensure economic stability after disaster.

**C. Contents and Purpose**

This document contains the City of Brady Disaster Finance Policy and Procedure, as well as functional descriptions, responsibilities, checklists and forms for personnel assigned to the Logistics/Procurement and Finance/Administration Sections of the City of Brady EOC, as well as financial reports required of department heads providing operational response, mitigation and recovery efforts on behalf of City of Brady.

This Policy and Procedure was written to conform with requirements of the Stafford Act.

**D. Authority**

This Policy and Procedure was developed through a series of Disaster Finance Workshops and exercise conducted in February through August of 2016 involving key City of Brady personnel and given final approval by City of Brady City Council on October 18, 2016.

**E. Activation of Disaster Finance Policy**

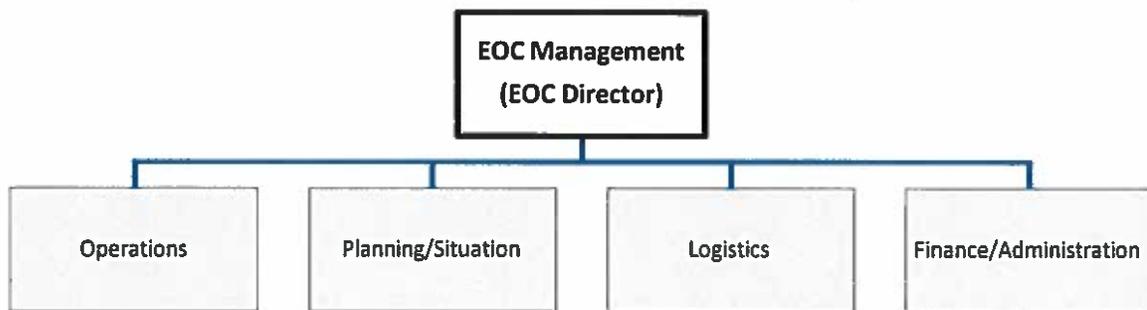
The City of Brady Disaster Finance Policy and all of its provisions shall be activated by order of the McCulloch County Judge, Mayor, City Manager or EOC Director. Upon activation of the policy, the Finance/Administration Section Chief shall notify all officials and department heads providing operational response, mitigation and/or recovery efforts on behalf of City of Brady that this Policy is in effect and supersedes normal City of Brady financial policies and administrative procedures.

**F. Deactivation of Disaster Finance Policy**

The City of Brady Disaster Finance Policy shall be discontinued for a specific event or disaster upon order of the McCulloch County Judge, Mayor, City Manager or EOC Director. The Finance/Administration Section Chief shall notify all officials and department heads that the policy is no longer in effect.

### III. Concept of Operations for EOC Procurements and Finance & Administration Sections

#### A. EOC Organization



When activated, the five primary EOC functions are established as separate sections of the EOC organization. Within each section, there may be several sub-functions established.

The functions described here are those activities that may need to be activated during an EOC activation of the Logistics/Procurement and Finance/Administration Sections of the City of Brady EOC. It is important to note that an EOC activation may not always require Logistics/Procurement and Finance/Administration personnel physically in the EOC. At times, it may make more sense for Finance/Admin personnel to remain in their daily office locations and utilize runners or virtual connections to the EOC. The EOC Director shall establish this physical organization at the time of activation and continuing through each operational period, as appropriate.

## B. Staffing

The determination of the appropriate level of staffing for the EOC shall be determined by the EOC Director on duty at the time of activation. In general, the following conditions will apply:

- Staff the section with the most qualified person in the discipline most closely aligned to the emergency (Logistics/Procurement and Finance/Administration sections may have a standard designation of personnel for all emergencies.)
- Maintain a span of control not to exceed one supervisor for up to seven sub-functions.
- One person may have delegated authority for more than one area of responsibility.
- Each of these functional areas can be expanded as needed into additional organization units with further delegation of authority.
- If a section is not activated, the EOC Director will perform its responsibilities.

## C. Finance/Administration Section General Description

The EOC Director has the authority and responsibility to direct all EOC activity. The EOC Director may delegate authority to General Staff.

Finance/Administration positions will vary depending upon the need of the EOC Director for support. The positions listed below are the more common Finance/Administration positions. Note that in some instances, these positions may be activated at a one-person level, or at a unit level depending upon the level of activation, the work to be accomplished, and the numbers of personnel needed.

The Finance/Administration Section positions are important in that they relieve the EOC Director of many activities that may interfere with the Director's primary responsibility for EOC management.

## D. Logistics/Procurement Section General Description

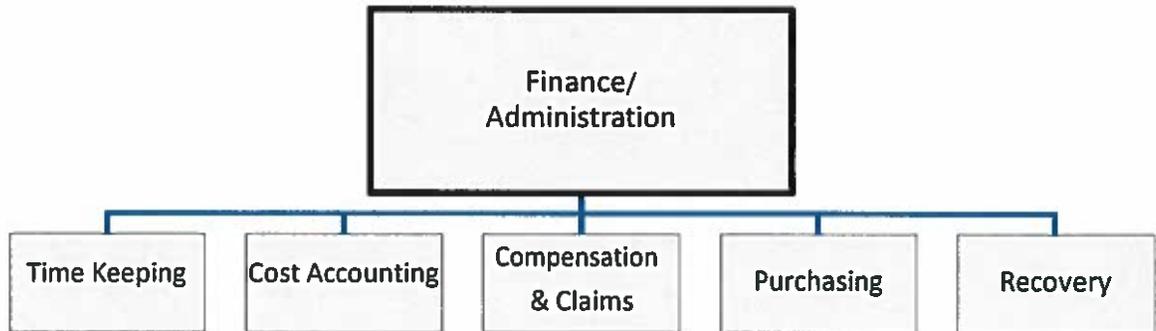
The EOC Director has the authority and responsibility to direct all EOC activity. The EOC Director may delegate authority to General Staff.

Logistic/Procurement Section positions will vary depending upon the need of the EOC Director for support. The positions listed below are the more common

Logistic/Procurement Section positions. Note that in some instances, these positions may be activated at a one-person level, or at a unit level depending upon the level of activation, the work to be accomplished, and the numbers of personnel needed.

The Logistics/Procurement Section positions are important in that they relieve the EOC Director of many activities that may interfere with the Director's primary responsibility for EOC management.

#### **IV. Finance/Administration Section Organization Chart & Functional Descriptions**



The Finance/Administration Section Chief will be the City of Brady's Director of Finance or a person trained and authorized by the Director of Finance to act in his/her place.

The Time Keeping and Cost Accounting Unit Leaders will be named and activated by the City of Brady Director of Finance as the size or scope of the event requires that these positions be filled; i.e., if, as and when the Section Chief determines all of the duties of the positions cannot be performed in a timely manner by the Section Chief himself (herself.)

The Purchasing Unit Leader will be the City of Brady Purchasing Agent or a person trained and authorized by the Purchasing Agent to act in his/her place. (It should be noted here that the City of Brady Purchase Agent is also designated by default assignment as the Logistics Section, Procurement Unit Leader.)

The Compensation & Claims Unit Leader will be the Human Resources Clerk or a person trained and authorized to act in his/her place.

The Recovery Unit Leader will be named and activated by the EOC Director as the size or scope of the event requires this position be filled.

**V. Understanding EOC Activations/Demobilizations/General Responsibilities as Related to Finance & Administration Functions:**

**A. Generic Checklists:**

Checklists for each position are listed by three phases: Activation, Operational and Demobilization. Several of the actions to be taken in the Activation and Demobilization Phases of an EOC activation common to all positions are listed below.

**Activation Phase:**

- ⊗ Check in upon arrival at the EOC, or City Hall
- ⊗ Report to the EOC Director, Section Coordination or other assigned Supervisor.
- ⊗ Set up your workstation at City Hall or designated location and review your position responsibilities.
- ⊗ Establish and maintain a position log that chronologically describes your actions taken during your shift.
- ⊗ Determine your resource needs, such as a computer, phone, plan copies and other reference documents.
- ⊗ Ensure any needed electronic information management systems are operational.

**Demobilization Phase:**

- ⊗ Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- ⊗ Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- ⊗ Be prepared to provide input to the after-action report.

- ⊗ If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- ⊗ Clean up your work area before you leave.
- ⊗ Leave a forwarding phone number where you can be reached.

**B. Specific Checklists:**

More specific checklists for each Finance/Administration position by phases are available in the appendices to this Policy as follows:

Appendix 1: Finance/Administration Section Chief

Appendix 2: Time Keeping Unit Leader

Appendix 3: Cost Accounting Unit Leader

Appendix 4: Compensation & Claims Unit Leader

Appendix 5: Purchasing Unit Leader

Appendix 6: Recovery Unit Leader

**VI. Understanding EOC Activations/Demobilizations/General Responsibilities as Related to Logistics/Procurement Functions:**

Upon activation of this Policy by the McCulloch County Judge, Mayor or EOC Director, all normal City of Brady financial policies and administrative procedures in support of response, mitigation and recovery activities are suspended. Normal purchasing procedures in support of the event will be managed and coordinated through the City of Brady EOC by the Procurement Unit Leader in the Logistics Section.

The Procurement Unit Leader will be the City of Brady Purchasing Agent or a person trained and authorized by the Purchasing Agent to act in his/her place.

Purchasing requests for assistance to the EOC may be made by email / delivered to Finance Department - Purchasing Division.

As part of the suspension of regular purchase practices, a special purchase order project code will be activated and utilized in place of the standard purchase order number to accurately track the purchases made in support of the event.

The City Mastercard will be authorized for issuance by the City of Brady personnel authorized to act on behalf of EOC Logistics by only three EOC positions: the EOC Director, the EOC Finance Chief or the EOC Purchasing Unit Leader. The issuance of such cards shall be tracked on the form attached to this Policy as Appendix 7.

In addition the tracking of purchases by specific "disaster account codes" as set up for the event by the Finance Section Chief through the City of Brady's usual finance information management system, the EOC Purchasing Unit Leader will maintain a list of EOC purchases made for each operational period on the form attached to this Policy as Appendix 8.

As a requirement for all purchases made in support of the event, the Purchasing Unit Leader will ensure that An EOC Supplier Justification Form is completed and retained in the documentation in support of each purchase.

**A. Generic Checklists:**

Checklists for each position are listed by three phases: Activation, Operational and Demobilization. Several of the actions to be taken in the Activation and Demobilization Phases of an EOC activation common to all positions are listed below.

**Activation Phase:**

- ⊗ Check in upon arrival at the EOC.
- ⊗ Report to the EOC Director, Section Coordination or other assigned Supervisor.
- ⊗ Set up your workstation and review your position responsibilities.
- ⊗ Establish and maintain a position log that chronologically describes your actions taken during your shift.
- ⊗ Determine your resource needs, such as a computer, phone, plan copies and other reference documents.
- ⊗ Ensure any needed electronic information management systems are operational.

**Demobilization Phase:**

- ⊗ Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.

- ⊗ Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- ⊗ Be prepared to provide input to the after-action report.
- ⊗ If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- ⊗ Clean up your work area before you leave.
- ⊗ Leave a forwarding phone number where you can be reached.

**B. Specific Checklists:**

More specific checklists for each Logistics/Procurement position by phases are available in the appendices to this Policy as follows:

Appendix 9: Procurement Unit Leader

**VII. Catastrophic Event Personnel Policy:**

The City of Brady has established a policy for the compensation of paid employees during a Catastrophic Event. A copy of said policy is attached as Appendix 10.

The City of Brady shall endeavor to adequately compensate those essential paid staff members who are required to sacrifice their personal safety, as well as the safety and well-being of their families, during a time of emergency for the greater good of the people and property of the City of Brady. This policy shall be implemented in the event of certain catastrophic events including, but not limited to: floods, tornados, wildfire, winter storms, earthquake, pandemic illness and other Acts of God, nuclear, chemical and biological emergencies, terrorist attack(s), or any other emergency or disaster declared by a federal, state or local authority.

The Catastrophic Event Personnel policy applies to all regular full-time and part-time City of Brady employees, whether exempt or non-exempt, and specifically excludes elected officials.

The Catastrophic Event Personnel policy is in effect for any event declared by the County Judge, Mayor or EOC Director catastrophic in nature lasting seventy-two (72) hours or more.

In the event said personnel policy is activated, the Finance Section Chief will notify payroll processing personnel and all officials and department heads of the need to carefully track time worked on the disaster. For purposes of accurately tracking the labor cost of the event, time will be recorded on regular timesheets and on the Daily Disaster Finance Departments Reports (Appendix 11). Using the daily time reported, the Finance/Administration Section will track and record the personnel costs submitted by impacted departments.

The Finance/Administration Section will track the personnel costs via timesheets and the Daily Disaster Finance Departmental Reports submitted by impacted departments.

### **VIII. Responsibilities of All City of Brady Officials and Department Heads**

To support the tracking of all costs of the emergency, a Daily Departmental Disaster Finance Report will be required from each elected official, appointed official or department head with personnel assigned to work in support of the event.

The purpose of the report will be to accurately track the personnel, equipment and supplies utilized for the event and to provide a calculation to the Texas Division of Emergency Management with a "daily burn rate" of costs in support of any available state or federal disaster relief.

By 9 AM of each day this policy is in effect, each department shall submit to the City of Brady Director of Finance (serving as the EOC Finance Section Chief) at [finance@bradytx.us](mailto:finance@bradytx.us) a report in the form attached to this policy as Appendix 11. This report will be for the previous twenty-four hour period from 8 AM to 8 AM.

### **IX. Daily Burn Rate Calculation**

The City of Brady Director of Finance as the EOC Finance Chief will provide to the EOC Director, by 9:30 AM of each day this Policy is in effect, a Daily Burn Rate Report in the form attached to this Policy as Appendix 12 for all reporting City of Brady departments.

## **X. NIMS Compliance**

Our city has adopted the National Incident Management System (NIMS) and we have implemented all of the NIMS procedures and protocols, which will allow us to effectively work with our mutual aid partners, and state and federal agencies during any type of incident response. All personnel assigned responsibilities in this Policy and Procedure will be trained on NIMS concepts, procedures, and protocols.

## **XI. Records Retention**

All records related to disaster finance operations of the City of Brady EOC created as a result of an activation of this policy shall be retained in perpetuity.



## **FINANCE/ADMINISTRATION SECTION CHIEF**

### **Responsibilities:**

1. Ensure that all financial records are maintained throughout the event or disaster.
2. Ensure that all on-duty time is recorded for all city personnel utilized for response, mitigation or recovery to the emergency event or disaster.
3. Ensure that all on-duty time sheets and Daily Disaster Finance Departments Reports (Appendix 11) are collected from EOC assigned personnel and Elected/Appointed Officials and Department Heads who have employees who have been utilized for response, mitigation or recovery to the emergency event or disaster.
4. Ensure there is a continuum of the payroll process for all city employees responding to the event or disaster.
5. Determine purchase order limits for the procurement function in Logistics.
6. Ensure that workers' compensation claims, resulting from the response are processed within a reasonable time, given the nature of the situation.
7. Ensure that all travel and expense claims are processed within a reasonable time, given the nature of the situation.
8. Provide administrative support to all EOC Sections as required, in coordination with the EOC Director.
9. Activate units within the Finance/Administration Section as required; monitor section activities continuously and modify the organization as needed.
10. Ensure that all recovery documentation is accurately maintained during the response and assist the EOC Director in ensuring that such documentation is submitted on the appropriate forms to the Federal Emergency Management Agency (FEMA) and/or the Texas Division of Emergency Management.
11. Supervise the Finance/Administration Section.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist.
- Ensure that the Finance/Administration Section is set up properly and that appropriate personnel, equipment, and supplies are in place.
- Based on the situation, activate units within section as needed and designate the following personnel who will fill the following positions: Time Keeping Unit Leader and Cost Account Unit Leader.
- Ensure that sufficient staff is available for a 24-hour schedule or as required. Generally, the City of Brady EOC will utilize 12 hour operational periods, from 7 -7.
- Meet with the Logistics Section Chief and review financial and administrative support requirements and procedures; determine the level of purchasing authority to be delegated to Logistics Section.
- Meet with all Unit Leaders and ensure that responsibilities are clearly understood.
- In conjunction with Unit Leaders, determine the initial Action Planning objectives for the first operational period.
- Notify the EOC Director when the Finance/Administration Section is operational.
- Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur.
- Ensure receipt of daily personnel and cost accounting from all departments.
- Calculate "daily burn rate" of disaster costs for all City of Brady departments submission to the Texas Division of Emergency Management by 10:00 A.M. on form as required by the EOC Director. A sample of such form is attached as Appendix 12 to the City of Brady Disaster Finance Policy & Procedure.
- Assist EOC Director in calculating "daily burn rate" of disaster costs for all impacted City of Brady cities, as information is received, for submission to the Texas Division of Emergency Management by 10:00 A.M. on forms as required by the EOC Director. A sample of such form is attached as Appendix 12 to the City of Brady Disaster Finance Policy & Procedure.

## **Operational Phase:**

- Ensure that Finance/Administration position logs and other necessary files are maintained.
- Ensure that displays associated with the Finance/Administrative Section are current, and that information is posted in a legible and concise manner.
- Participate in all Action Planning meetings as requested by the EOC Director.
- Brief all Unit Leaders and ensure they are aware of the EOC objectives as defined in the Action Plan.
- Keep the EOC Director and General Staff aware of the current fiscal situation and other related matters, on an on-going basis.
- Ensure that the Recovery Unit maintains all financial records throughout the event or disaster.
- Ensure that the Time-Keeping Unit tracks and records all agency staff time.
- In coordination with the Logistics Section, ensure that the Purchasing Unit processes purchase orders and develops contracts in a timely manner.
- Ensure that the Compensation & Claims Unit processes all workers' compensation claims resulting from the disaster in a reasonable time-frame, given the nature of the situation.
- Ensure that the Time-Keeping Unit processes all time-sheets and travel expense claims promptly.
- Ensure that the Finance/Administration Section provides administrative support to other EOC Sections as required.
- Ensure that all recovery documentation is accurately maintained by the Recovery Unit during the response and submitted on the appropriate forms to Federal Emergency Management Agency (FEMA) and/or the Governor's Office of Emergency Services.

## **Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.

- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.



## **Time Keeping Unit Leader**

### **Responsibilities:**

1. Track, record, and report all on-duty time for personnel working during the emergency.
2. Ensure that all on-duty time is recorded for all city personnel utilized for response, mitigation or recovery to the emergency event or disaster.
3. Ensure that all Disaster Finance Department Reports and on-duty time sheets are collected from EOC assigned personnel and Elected/Appointed Officials and Department Heads who have employees who have been utilized for response, mitigation or recovery to the emergency event or disaster.
4. Ensure Disaster Finance Department Reports and timesheets as collected from City of Brady employees who have participated in response, mitigation or recovery to the emergency event or disaster are properly completed after receipt.
5. Assist the Finance/Administration Section Chief in ensuring that there is a continuum of the payroll process for all city employees responding to the event or disaster.
6. Assist the Finance/Administration Section Chief with supervision of the Time Keeping Unit as directed.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist (See Page 7 of Disaster Finance Policy & Handbook)

### **Operational Phase:**

- Establish and maintain a position log and other necessary files.
- Initiate, gather or update time reports from all personnel, to include volunteers assigned to each shift; ensure that time records are accurate and prepared in compliance with policy.
- Obtain complete Daily Reports from each department head/official which should include a full personnel roster of city employees who have worked in

support of the emergency event or disaster from their department.

- Provide instructions to all supervisors to ensure that time sheets and travel expense claims are completed properly and signed by each employee prior to submitting them.
- Establish a file for each employee or volunteer within the first operational period; maintain a fiscal record for as long as the employee is assigned to the response.
- Establish a file which contains a copy of the following:
  - a. Copy of Payroll Calendar in effect at the time of the event or disaster.
  - b. Copy of Holiday Calendar in effect at the time of the event or disaster.
  - c. Copy of the Employee Handbook in effect at the time of the event or disaster.
  - d. Copy of the Payroll / Position Schedule in effect at the time of the event or disaster.
  - e. Copy of the Travel Policy in effect at the time of the event or disaster.
  - f. Copy of the Catastrophic Event Payroll Policy in effect at the time of the event or disaster.
- Keep the Finance/Administration Section Chief informed of significant issues affecting the Time Keeping Unit.

**Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.



## **Cost Accounting Unit Leader**

### **Responsibilities:**

1. Responsible for collecting cost information, performing cost-effectiveness analysis and providing cost estimates and cost savings recommendations.
2. Supervise the Cost Accounting Unit.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist (See Page 7 of Disaster Finance Policy & Handbook)

### **Operational Phase:**

- Establish and maintain a position log and other necessary files.
- Establish (or implement) an accounting system and special cost codes associated with this event or disaster.
- Monitor all emergency expenditures.
- Ensure that all sections and units are documenting cost related information.
- Collect, and compile, cost information at the end of each shift.
- Obtain and record all cost data to cover:
  - Personnel
  - Equipment
  - Rental/Contract Equipment
  - Supplies from outside vendors
  - Contract for special or emergency services
- Maintain cost documentation files in format transferrable to Recovery Unit Leader.
- Review existing documentation to determine if there are additional cost items that may have been overlooked.

- Prepare cost estimates related to EOC objectives and strategies. Be prepared to discuss these at EOC Planning Meetings if required.
- Compile cumulative cost records on a daily basis.
- Ensure that departments are compiling cost information utilizing appropriate event/disaster account codes.
- Ensure that estimate costs are replaced with actual costs when known.
- Provide verbal or written reports to the Finance Administration Section Chief upon request.
- Prepare and maintain a cost report to include cumulative analysis, summaries and total expenditures related to the event or disaster.
- Organize and prepare records for audits as necessary.
- Assist EOC Director and/or Recovery Unit Leader in coordinating with state and federal disaster assistance agencies during the cost recovery process.
- Assist EOC Director and/or Recovery Unit Leader to prepare all required state and federal documentation as necessary to recover allowable costs.

**Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.



## **Compensation & Claims Unit Leader**

### **Responsibilities:**

1. Oversee the investigation of injuries and property/equipment damage claims arising out of the emergency.
2. Complete all forms required by the worker's compensation program.
3. Maintain a file of injuries and illnesses associated with the emergency which includes results of investigations.
4. Supervise the Compensation and Claims Unit.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist (See Page 7 of Disaster Finance Policy & Handbook)

### **Operational Phase:**

- Establish and maintain a position log and other necessary files. A sample Personnel Claims Log is attached to the City of Brady Disaster Finance Policy & Procedure as Appendix 13. A sample Property Claims Log is attached to the City of Brady Disaster Finance Policy & Procedure as Appendix 14.
- Maintain a chronological log of injuries and illnesses, and property damage reported during the emergency.
- Investigate all injury and damage claims as soon as possible.
- Prepare appropriate forms for all verifiable injury claims and forward them to Workmen's Compensations within the required time frame consistent with City of Brady's usual policy and procedures.
- Keep the Finance/Administration Section Chief informed of significant issues affecting the Compensation and Claims Unit.

- Forward all equipment or property damage claims to the Finance/Administration Section Chief.
- Establish a file which contains a copy of the following:
  - a. Copy of Incident Reporting forms and policy in effect at the time of the event or disaster.
  - b. Copy of Workmen's Compensation policy and procedures in effect at the time of the event or disaster.

**Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.



### **Purchasing Unit Leader Responsibilities:**

1. Provide oversight for, and appropriate documentation of, all purchases related to response, mitigation or recovery to the event or disaster.
2. Coordinate vendor contracts not previously addressed by existing approved vendor lists.
3. Coordinate with Finance/Administration Section Chief and EOC Director on all purchasing matters.
4. Supervise the Purchasing Unit.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist (See Page 7 of Disaster Finance Policy & Handbook)

### **Operational Phase:**

- Establish and maintain a position log and other necessary files.
- Review the emergency purchasing procedures.
- Prepare and sign contracts as needed, be sure to obtain concurrence from the Finance/Administration Section Chief who will coordinate with the EOC Director.
- Ensure that all contracts identify the scope of work and specific site locations.
- Negotiate rental rates not already established, or purchase price with vendors as required.
- Admonish vendors as necessary, regarding unethical business practices, such as inflating prices or rental rates for their merchandise or equipment during emergencies. If such practices continue, confer with Finance/Administration Section Chief and EOC Director as to need to refer matter to District Attorney and/or Attorney General.

- Finalize all agreements and contracts, as required.
- Ensure all purchases made in support of response, mitigation and recovery operations for the event or disaster are documented and charged to appropriate "disaster account codes" as provided by the Finance/Administration Section Chief.
- Complete final processing of requisitions and purchase orders.
- Verify costs data against pre-established vendor contracts and/or agreements.
- Ensure that all departments and officials have discontinued use of regular Procurement Cards for response, mitigation and recovery expenses related to event or disaster.
- Provide verbal or written reports to the Finance Administration Section Chief upon request.
- Keep the Finance/Administration Section Chief informed of all significant issues involving the Purchasing Unit.
- Organize and prepare records for audits as necessary.
- Assist EOC Director and/or Recovery Unit Leader in coordinating with state and federal disaster assistance agencies during the cost recovery process.
- Assist EOC Director and/or Recovery Unit Leader to prepare all required state and federal documentation as necessary to recover allowable costs.

**Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.

- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.



## **Recovery Unit Leader**

### **Responsibilities:**

1. Determine impacts of the emergency requiring recovery planning.
2. Initiate recovery planning meetings with signatory cities, appropriate individuals and agencies.
3. Develop the initial recovery plan and strategy for the jurisdiction.
4. Ensure that all appropriate officials, department heads, signatory cities and agencies are kept informed and have the opportunity to participate in the recovery planning process.
5. Develop the strategy to transition from recovery planning in the EOC to a wider post-emergency recovery effort.
6. Supervise the Recovery Unit.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist (See Page 7 of Disaster Finance Policy & Handbook)

### **Operational Phase:**

- Establish and maintain a position log and other necessary files.
- Monitor the current situation report to include recent updates and determine overall impacts of the emergency.
- Based on available information, prepare an initial estimate of likely recovery issues that must be addressed. Document these in a preliminary report.
- Determine appropriate sites for Disaster Application Centers.
- Facilitate recovery planning meetings involving appropriate General Staff, signatory city, department heads, officials and other agencies as needed.

- Develop a recovery plan and strategy for the jurisdiction or agency.
- Coordinate with Finance/Administration to ensure that FEMA, TDEM and other public reimbursement source documents and applications are consistent with recovery strategy.
- In conjunction with Finance/Administration, ensure that specific project timelines are developed to meet the goals and objectives of the recovery plan.
- Receive daily burn rate reports from signatory cities and Finance/Administration Section Chief; submit daily burn rate reports to TDEM.
- Coordinate donated goods and services from community groups and private organizations. Set up procedures for collecting, inventorying, and distributing usable donations.

**Demobilization Phase:**

- Deactivate your assigned position and close out logs when authorized by the EOC Director or supervisor.
- Complete all required forms, reports and other documentation. All forms should be submitted through your supervisor to the Planning/Situation Section, as appropriate, prior to your departure.
- Be prepared to provide input to the after-action report.
- If another person is relieving you, ensure they are thoroughly briefed before you leave your workstation.
- Clean up your work area before you leave.
- Leave a forwarding phone number where you can be reached.

**CITY OF BRADY EMERGENCY OPERATIONS CENTER [EOC]  
 MASTER CARD ISSUANCE USAGE SUMMARY LOG**

**Card User Name -print**

Card User Name -print		Contact Number	Date Issued	Time Issued	Card Holder Signature	Time Returned	Total Amount of Purchase	PUL Initials
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								

This Master Card Issuance & Daily Total Log is an accurate and complete listing of all Credit cards issued and/or transactions between \_\_\_\_\_ and \_\_\_\_\_ (time and date). These transactions were for goods and services related to \_\_\_\_\_ event.

\_\_\_\_\_  
 Procurement Unit Leader Name

\_\_\_\_\_  
 Procurement Unit Leader Signature

CITY OF BRADY EMERGENCY OPERATIONS CENTER (EOC)

PURCHASE ORDER DAILY LOG

Requisition #	Purchase Order #	Vendor	Budget Code	Description of Purchase	Total Amount	Other Notes
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Daily Total \$					-	

This Purchase Order Daily Total Log is an accurate and complete listing of all purchase orders issued between \_\_\_\_\_ (time and date)

and \_\_\_\_\_ (time and date). These transactions were for goods and services related to \_\_\_\_\_ event.

\_\_\_\_\_  
Purchasing Unit Leader Name

\_\_\_\_\_  
Purchasing Unit Leader Signature



## **LOGISTICS - PURCHASING UNIT LEADER**

### **Responsibilities:**

1. Oversee the procurement and allocation of supplies and material not normally provided through mutual aid channels.
2. Coordinate procurement actions with the Finance/Administration Section.
3. Coordinate delivery of supplies and material as required.
4. Supervise the Supply/Procurement Unit.

### **Activation Phase:**

- Follow the generic Activation Phase Checklist on Page 9 of the Policy.

### **Operational Phase:**

- Establish and maintain a position log and other necessary files.
- Determine if requested types and quantities of supplies and material are available in city inventory.
- Maintain EOC accessible list of pre-existing and contingency contracts.
- Whenever possible, meet personally or speak by telephone with the requesting party to clarify types and amount of supplies and material, and also verify that the request has not been previously filled through another source.
- In conjunction with the Resource Status Unit, maintain a status board or other reference depicting procurement actions in progress and their current status.
- Determine if the procurement item can be provided without cost from another jurisdiction or through the Operational Area.
- Determine unit costs of supplies and material from suppliers and vendors and if they will accept purchase orders as payment, prior to completing the order.
- Orders exceeding the purchase order limit must be approved by the Finance/Administration Section before the order can be completed.

- If vendor contracts are required for procurement of specific resources or services, refer the request to the Finance/Administration Section for development of necessary agreements.
- Determine if the vendor or provider will deliver the ordered items. If delivery services are not available, coordinate pick-up and delivery.
- In coordination with the Personnel Unit, assist in providing food and lodging for EOC staff and volunteers as required.
- Keep the Logistics Section Chief (or if no Logistics Section Chief is appointed, the EOC Director) informed of significant issues affecting the Logistics/Purchasing Unit.

**Demobilization Phase:**

- Follow the generic Demobilization Phase Checklist.



**City of Brady**  
Catastrophic Event Payroll Policy

**Authorization:**

Authorized by the City of Brady City Council on: February 7, 2017

**Reference/Authority:**

Resolution of City of Brady City Council: 2017-005  
Fair Labor Standards Act and Stafford Act

**Applies to:**

Full time City of Brady employees, exempt and non-exempt  
and Part time City of Brady employees

**Does Not Apply to:**

Elected Officials

**PURPOSE**

Establish policy for the compensation of paid employees during a Catastrophic Event.

**BACKGROUND**

City of Brady shall endeavor to adequately compensate those essential paid staff members who are required to sacrifice their personal safety, as well as the safety and well-being of their families, during a time of emergency for the greater good of the people and property of the City of Brady. This policy shall be implemented in the event of certain catastrophic events including, but not limited to: floods, tornados, wildfire, winter storms, earthquake, pandemic illness and other Acts of God, nuclear, chemical and biological emergencies, terrorist attack(s), or any other emergency or disaster declared by a federal, state or local authority.

This policy applies to all regular full-time and part-time City of Brady employees, whether exempt or non-exempt, and specifically excludes elected officials.

**POLICY**

- A. A Catastrophic Event is defined as any event declared by the County Judge or EOC Director as catastrophic in nature lasting seventy two (72) hours or more.
- B. A non-exempt paid staff member who is recalled to duty during a Catastrophic Event shall be paid at their regular rate of pay according to the requirements of the Fair Labor Standards Act (FLSA) for all hours worked during the disaster.
- C. Comp Time will not accrue during a Catastrophic Event. Staff members who regularly accrue comp time will be paid for all hours worked during a Catastrophic Event in lieu of comp time.
- D. During a Catastrophic Event, the following will be implemented for all non-exempt full-time paid employees:

1. At the discretion of the Supervisor, all vacation time or regularly scheduled days off that occur during a declared disaster may be cancelled.
- E. This Catastrophic Event policy will be in effect until deactivated by the McCulloch County Judge, or EOC Director.
- F. Exempt paid staff members who remain in the area to work the Catastrophic Event will be compensated during a disaster declaration as follows:
1. All exempt paid staff members shall be temporarily reclassified as non-exempt full-time paid staff members during the pendency of the disaster.
  2. An exempt full-time paid staff member who is reclassified as a temporary non-exempt full-time paid staff member during a Catastrophic Event shall be paid at their hourly rate of pay according to the requirements of the FLSA for all hours worked during the disaster.
  3. The temporary status as set forth in this paragraph shall begin on the date that an emergency is declared and shall continue during the pendency of the emergency and, further until the end of the emergency as determined and declared by the County Judge or EOC Director in the exercise of his/her sole discretion.





**CITY OF BRADY EMERGENCY OPERATIONS CENTER [EOC]  
PERSONNEL CLAIMS TRACKING LOG**

Occurred		Location of Incident				Reported	
Date	Time	Employee Involved	Description of Event	Date	Time		
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

\_\_\_\_\_  
Claims Unit Leader Name

\_\_\_\_\_  
Claims Unit Leader Signature

**CITY OF BRADY EMERGENCY OPERATIONS CENTER [EOC]  
PROPERTY CLAIMS TRACKING LOG**

Occurred					Reported		
Date	Time	Equipment Description / Number	Location of Incident	Personnel Involved	Description of Event	Date	Time
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

\_\_\_\_\_  
Claims Unit Leader Name

\_\_\_\_\_  
Claims Unit Leader Signature

**RESOLUTION NO. 2017-008**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO APPROVE SUBMISSION OF A GRANT APPLICATION FOR A NATIONAL INCIDENT BASED REPORTING SYETEM (NIBRS) COMPLIANCE GRANT FOR BRADY POLICE DEPARTMENT**

**WHEREAS**, House Bill 11 (HB11) of the 84<sup>th</sup> Regular Session introduced the requirement for Texas to begin transitioning from a Uniform Crime Reporting (UCR) system to the National Incident Based Reporting System (NIBRS) by the year 2019; and

**WHEREAS**, the Brady Police Department is working towards coming into compliance with this directive and has subsequently secured a grant through the Office of the Governor; and

**WHEREAS**, The City Council of Brady Texas agrees that in the event of loss or misuse of the Office of the Governor funds, City Council of Brady Texas assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, The City Council of Brady Texas designates Kim Lenoir as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

That the City Council of Brady Texas approves submission of the grant application for the NIBRS Compliance Grant to the Office of the Governor.

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BRADY

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

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

Grant Number: \_\_3208001\_

# City Council City of Brady, Texas Agenda Action Form

<b>AGENDA DATE:</b>	02/07/2017	<b>AGENDA ITEM</b>	4.H.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action approving the purchase of a 2017 Ford F-750, Diesel, Regular Cab with Ring-O-Matic Hydro-Excavation Vacuum Machine (\$152,770).		
<b>PREPARED BY:</b>	Lisa Remini /Dorsey Bustamante	<b>Date Submitted:</b>	2-2-2017
<b>EXHIBITS:</b>	Bid Tabulation Sheet Supplemental Decisions Summary for 2017 Budget year		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$152,770.00
	<b>Amount Budgeted:</b>		\$165,000.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>			
<p>Staff priced a Ford model and a Freightliner model regular cab vacuum truck thru the Buy Board process to be used in the Public Works Department, Water/Wastewater Division fleet. The truck was approved in the FY 2017 Budget up to a purchase cost of \$165,000. Staff requests to purchase the lower priced model Ford for \$152,770.</p>			
<b>RECOMMENDED ACTION:</b>			
<p>It is recommended that City Council approve the purchase of a 2017 Ford F-750, Diesel, and Regular Cab with Ring-O-Matic Hydro-Excavation Vacuum Machine from Chastang Enterprises in the amount of \$152,770.</p>			

EXHIBIT 4

BID TABULATION SHEET

CITY OF BRADY

(TO BE ATTACHED TO PURCHASE ORDER FORM)

Division: Water/Wastewater

Account:

30-5-31-402.00

Date: 02/01/2017

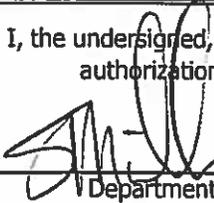
DESCRIPTION OF ITEM TO BE PURCHASED
2017 Truck Ford F-750 Diesel Base Regular Cab with Ring-O-Matic Hydro-Excavation Vacuum Machine

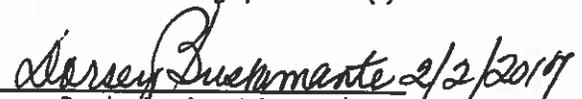
LOW BID	VENDOR	CONTACT PERSON	PHONE #	TOTAL PRICE QUOTED
1	Chastang Enterprises 6200 N. Loop E. Houston, Texas 77026	Ed Miller	713-678-5007	152,770.00
2	Texas Underground 1617 Garden Road Pearland, Texas 77581	David Mills	713-539-8214	215,810.50

PLEASE JUSTIFY BELOW IF LOW BID IS NOT SELECTED

Low bid meeting specifications. Both vendors are on the BuyBoard. Demonstrations were scheduled and conducted by both vendors.

I, the undersigned, attest that I received the above quotes for purchase of the item(s) described above and request authorization to purchase said item(s) from the vendor designated as low bid meeting specification(s).

  
Department Approval 2/2/17

  
Purchasing Agent Approval 2/2/2017

## SUPPLEMENTAL DECISION PACKAGE SUMMARY OF SELECTED DECISIONS BY PRIORITY

Account Number	Line Item / Priority / Description	Page No.	Requesting Division	Program Cost	Program Status			
					Not Approved	Approved	Requirements	
<b>PROPOSED</b>								
<b>SEWER AND ELECTRIC FUND (20)</b>								
20-5-21-203.00	1 TCEQ Final Closure Risk Reduction Plan	30	Power Plant	30,000		30,000		
20-5-22-401.00	1 Relocation of Over Head Electric lines -Square	31	Electric	51,029		51,029		
20-5-22-402.00	2 Small Bucket Lift Truck	32	Electric	100,000		98,500	Trade-in	
20-5-22-401.00	3 Over Head Electric Line Replacement - Wall Street	33	Electric	210,000		210,000	Sale of Substation	
20-5-22-401.00	4 LCRA Project No 6	34	Electric	20,000		20,000	Sale of Substation	
20-5-22-401.00	5 LCRA Project No 8	35	Electric	15,000		15,000	Sale of Substation	
20-5-22-312.00	6 Additional off-site Improvements	36	Electric	15,000		15,000	Sale of Substation	
20-5-22-338.00	7 Christmas Decorations	37	Electric	16,100	10,500	5,600		
20-5-23-401.00	1 Tent Canopy Structure	39	WWTP	150,000		150,000		
20-5-23-203.00	1 Cost of Service and Rate Study	38	WWTP	15,000		15,000		
				\$ 622,129	\$ 10,500	\$ 610,129	\$ -	
<b>WATER FUND (30)</b>								
	1 Utility Specialist	40	PW Admin	8,555		8,555		
	1 Additional 3% Step Grade Adj for Water 1 Technicians	41	W/WW Dist	1,434		1,434		
30-5-31-203.00	1 Cost of Service and Rate Study	38	W/WW Dist	15,000		15,000		
30-5-31-401.00	1 Upgrade Gravity Sewer Line - Nine Rd.	42	W/WW Dist	50,000	N/A		Base Budget	
30-5-31-402.00	2 Vactron Sewer Maintenance Truck Rig	43	W/WW Dist	165,000		165,000		
				\$ 239,989	\$ -	\$ 189,989	\$ -	
<b>GAS FUND (40)</b>								
	1 Additional 3% Step Grade Adj for Gas Technician 2	44	Gas	989		989		
40-5-42-401.00	1 Lynn-Gavit Gas Line Improvement Project	46	Gas	125,000		125,000		
40-5-42-402.00	2 New 3/4T Crew Utility Panel Truck	46	Gas	39,000		39,000		
40-5-42-402.00	3 Welding Rig Trailer Mount	47	Gas	29,000		29,000		
				\$ 193,989	\$ -	\$ 193,989	\$ -	
<b>UTILITY SUPPORT FUND (50)</b>								
60-5-26-402.00	1 Light Duty Pickup -V6	48	Meter	29,000		25,000	Trade-in	
				\$ 29,000	\$ -	\$ 25,000	\$ -	
<b>SANITATION FUND (60)</b>								
60-5-14-309.00	1 Security Cameras at City Landfill	49	Solid Waste	2,000		2,000		
				\$ 2,000	\$ -	\$ 2,000	\$ -	
<b>SPECIAL REVENUE FUND (80)</b>								
80-5-47-324.00	1 Improvements in the City Cemetery System	50	Cemetery	43,000		43,000		
				\$ 43,000	\$ -	\$ 43,000	\$ -	
<b>TOTAL</b>				<b>3,317,953</b>	<b>1,473,827</b>	<b>1,497,656</b>	<b>-</b>	

## Brady Fire/EMS Department



216 W. Commerce  
Brady, TX 76825  
325-597-2311

Date: 1-3-2017

Re: 2007 Emergency Services Department Analysis by Leon Charpentier

After review of the ESD Analysis done in 2007 we find the department has accomplished many of the goals set forth in this analysis. A few areas are still needing improvement so we have put together the following list of areas we feel still need consideration. Many of the items listed in the analysis are ongoing and changes have to happen regularly to keep up with mandated State Laws and Texas Fire Commission Regulations. We feel in the 10 years since this analysis was done the Department has made major strides and improvements. Below are the areas we are still addressing!

1. **Staffing Issues** – The department is still in need of improving staffing of fire apparatus and a second out ambulance crew. The NFPA has mandated a 2 in 2 out policy for structure firefighting that we still struggle to meet and comply with. This could be costly if a firefighter was injured or killed in a structure fire due to reasons relating to this mandated policy. Retention of fire and EMS personnel is still an issue with current salaries.
2. **Building Facility – (Fire/EMS Station)** – The department is in severe need of a new facility capable of housing all equipment and providing living quarters that are not substandard and on the verge of being dangerous. Some of these issues were pointed out ten years ago in this analysis. We have strived to do the best we can with what we have and continue to be patient.
3. **Training Issues** – We are faced with a very limited training facility and lack of enough staff to hold adequate live fire training as mandated by the TCFP and NFPA. We currently work around this issue by using cold smoke techniques which provide moderate training without the dangers of live fire. We also travel to other department facilities for real time live fire training. On line training has helped the classroom part of training however we still are working to improve this area.
4. **Fire/EMS Equipment** – We have made great improvements in the last four years on equipment and will receive two new engines this year to move forward greatly in this area. I have included a list of recent improvements over the last four years. Our biggest need in the future other than a new facility will be a ladder truck capable of reaching five stories. This will also improve ISO ratings.
5. **ISO Ratings** – The ISO rating for the city has improved two points from a seven to a five due to improvements in several department areas including water and communications. We are still adamantly working to improve this rating by two more points but it is expensive to fund these needed improvements.
6. **EMS Certification of Paramedics** – We currently have an adequate paramedic staff but still need to move to provide paramedic training for additional personnel to keep this edge of good quality medics trained to a high level. This training has become very expensive at six to seven thousand dollars per person. We attempt to hire Firefighter Paramedics but recruiting is very difficult at our salary range.
7. **Combining Fire and EMS** – This was the best improvement made since this analysis and still continues to be the best means for providing these Emergency Services for the lowest cost. See Leon Charpentiers statement in the analysis, I have included a copy.

## Brady Fire/EMS Department



216 W. Commerce  
Brady, TX 76825  
325-597-2311

### List of Major Improvements during the last four years.

1. Two new ambulances one in 2012 and one in 2016.
2. One new Monitor Defibrillator a Zoll X-Series top of the line unit.
3. Thirteen new MSA air packs used for firefighting at \$6,200 each acquired through an LCRA grant.
4. Ten sets of Structure Firefighting gear at \$1500 a set furnished by Texas Forest Service Grants.
5. Twenty five sets of wildland gear furnished by Texas Forest Service Grants totaling 16,500.
6. Twelve sets of new structure boots partially by a Texas Forest Service grant. \$3000.
7. One new skid unit with a 700 gallon tank and pump for a brush truck through G. Rollie White grant of \$15,000.
8. One complete set of Extrication Tools (jaws of life) through a G. Rollie White grant of \$8500.
9. Four new Stryker ambulance power lift cots to reduce back injuries. Two came with the new ambulances.
10. Wellness Fitness policy was written and some workout equipment was purchased and some was donated by department staff.
11. A new training computer was acquired through a Texas Forest Service grant. \$1200.
12. A training library of books and dvd's was acquired through a Texas Forest Service grant. \$8500
13. A hazardous materials gas monitoring system was acquired and is used by Fire/EMS and the Gas department.
14. Six new firefighting nozzles were acquired from RAC funding
15. One new heavy duty 220,000 psi cutting unit for extrication was acquired through RAC funding.
16. Two new dispatch consoles were provided through a G. Rollie White grant last year. \$28,000.
17. Three new county wide and surrounding county desk units were purchased with COG money for dispatch, these are compatible with the new consoles and enhance each other.
18. Two new engines are on order for 2017 one purchases with city funds and one by the Volunteer Department through a Texas Forest Service grant of \$200,000 and volunteer raised funds totaling \$104,000.
19. New squad truck was built on a volunteer purchased frame and a city purchased bed.
20. A new F-250 pickup was purchased by the volunteers in 2015-16
21. One new personnel per year for three years was awarded by the City Council in 2016-17.
22. A new 125,000 KW building generator was acquired and installed in 2012 through a TDEM grant Joe Mosier submitted.
23. Brush 2 was purchased new by the volunteer department in 2011-12. It is a Ford F-550 with a skid unit.
24. We achieved a perfect score with no deficiencies on both Fire (TCFP) and EMS (DSHS) inspections in 2016.

  
Lyle Daniel

  
Dink Nichols

Dink Nichols

### Eight Year Fire and EMS Statistics

Year	# of Fire Calls	# of 911 EMS calls	# of Transfers	Total Runs	Fire Budget	EMS Budget	Total Budgets
2009	389	975	337	1701	\$ 761,231.00	\$ 697,504.00	\$ 1,458,735.00
2010	749	900	297	1946	\$ 756,905.00	\$ 964,149.00	\$ 1,721,054.00
2011	501	796	282	1579	\$ 723,632.00	\$ 694,239.00	\$ 1,417,871.00
2012	571	845	296	1712	\$ 718,832.00	\$ 866,501.00	\$ 1,585,333.00
2013	649	900	300	1849	\$ 720,495.00	\$ 745,212.00	\$ 1,465,707.00
2014	551	912	302	1765	\$ 764,871.00	\$ 753,857.00	\$ 1,518,728.00
2015	736	1045	45	1826	\$ 802,317.00	\$ 739,146.00	\$ 1,541,463.00
2016	783	1037	29	1849	\$ 825,341.00	767,958.00	1,593,299.00
2017	243	347	6	596	\$ 353,615.00	\$ 1,315,231.00	1,668,846.00

# EMS CALLS

10/1/2016 THRU 01/29/2017

Total 911 calls-----	347
Transfers from HOT Hosp. to another facility-----	6
911 calls to out of town Facilities-----	12
County calls-----	59
No Transports-----	143

# Brady Fire/EMS Department

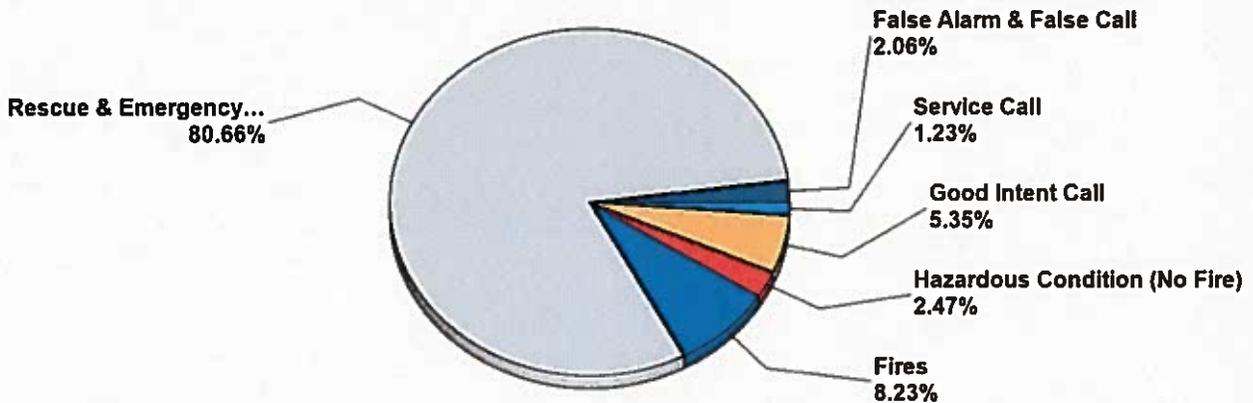
Brady, TX

This report was generated on 1/30/2017 4:46:35 PM



## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 10/01/2016 | End Date: 01/30/2017



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	20	8.23%
Rescue & Emergency Medical Service	196	80.66%
Hazardous Condition (No Fire)	6	2.47%
Service Call	3	1.23%
Good Intent Call	13	5.35%
False Alarm & False Call	5	2.06%
<b>TOTAL</b>	<b>243</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	1	0.41%
111 - Building fire	4	1.65%
113 - Cooking fire, confined to container	1	0.41%
118 - Trash or rubbish fire, contained	2	0.82%
121 - Fire in mobile home used as fixed residence	1	0.41%
130 - Mobile property (vehicle) fire, other	1	0.41%
131 - Passenger vehicle fire	1	0.41%
132 - Road freight or transport vehicle fire	1	0.41%
140 - Natural vegetation fire, other	1	0.41%
143 - Grass fire	4	1.65%
150 - Outside rubbish fire, other	1	0.41%
160 - Special outside fire, other	1	0.41%
162 - Outside equipment fire	1	0.41%
311 - Medical assist, assist EMS crew	176	72.43%
320 - Emergency medical service, other	1	0.41%
322 - Motor vehicle accident with injuries	10	4.12%
324 - Motor vehicle accident with no injuries	9	3.70%
411 - Gasoline or other flammable liquid spill	1	0.41%
412 - Gas leak (natural gas or LPG)	2	0.82%
413 - Oil or other combustible liquid spill	1	0.41%
440 - Electrical wiring/equipment problem, other	2	0.82%
551 - Assist police or other governmental agency	1	0.41%
561 - Unauthorized burning	2	0.82%
611 - Dispatched & cancelled en route	8	3.29%
622 - No incident found on arrival at dispatch address	1	0.41%
631 - Authorized controlled burning	1	0.41%
651 - Smoke scare, odor of smoke	3	1.23%
700 - False alarm or false call, other	3	1.23%
730 - System malfunction, other	1	0.41%
745 - Alarm system activation, no fire - unintentional	1	0.41%
<b>TOTAL INCIDENTS:</b>	<b>243</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

# **EMS CALLS**

**10/01/2015 thru 09/30/2016**

**Total 911 calls..... 1,037**

**Transfers.....29**

**911 calls to out of town facilities.....44**

**County calls.....165**

**No Transport calls.....311**

# **EMS CALLS**

**10/01/2015 thru 09/30/2016**

**Total 911 calls..... 1,037**

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**911 calls to out of town facilities.....44**

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**No Transport calls.....311**

# Brady Fire/EMS Department

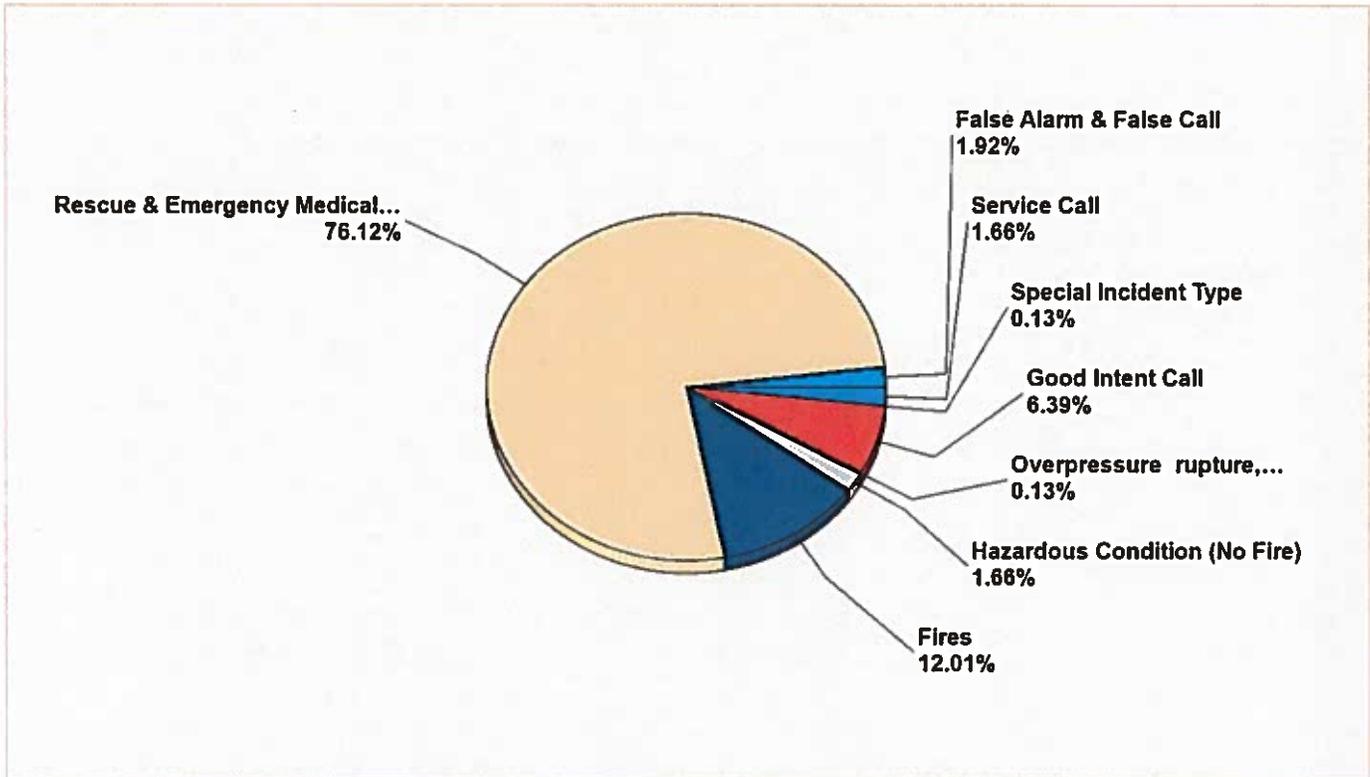
Brady, TX

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 10/01/2015 | End Date: 09/30/2016



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	94	12.01%
Overpressure rupture, explosion, or overheating - no fire	1	0.13%
Rescue & Emergency Medical Service	596	76.12%
Hazardous Condition (No Fire)	13	1.66%
Service Call	13	1.66%
Good Intent Call	50	6.39%
False Alarm & False Call	15	1.92%
Special Incident Type	1	0.13%
<b>TOTAL</b>	<b>783</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	5	0.64%
111 - Building fire	9	1.15%
113 - Cooking fire, confined to container	3	0.38%
118 - Trash or rubbish fire, contained	9	1.15%
121 - Fire in mobile home used as fixed residence	1	0.13%
122 - Fire in motor home, camper, recreational vehicle	1	0.13%
130 - Mobile property (vehicle) fire, other	5	0.64%
131 - Passenger vehicle fire	6	0.77%
132 - Road freight or transport vehicle fire	2	0.26%
137 - Camper or recreational vehicle (RV) fire	1	0.13%
138 - Off-road vehicle or heavy equipment fire	1	0.13%
140 - Natural vegetation fire, other	7	0.89%
142 - Brush or brush-and-grass mixture fire	12	1.53%
143 - Grass fire	23	2.94%
150 - Outside rubbish fire, other	1	0.13%
151 - Outside rubbish, trash or waste fire	5	0.64%
154 - Dumpster or other outside trash receptacle fire	1	0.13%
171 - Cultivated grain or crop fire	1	0.13%
173 - Cultivated trees or nursery stock fire	1	0.13%
220 - Overpressure rupture from air or gas, other	1	0.13%
300 - Rescue, EMS incident, other	2	0.26%
311 - Medical assist, assist EMS crew	554	70.75%
320 - Emergency medical service, other	1	0.13%
321 - EMS call, excluding vehicle accident with injury	1	0.13%
322 - Motor vehicle accident with injuries	18	2.30%
323 - Motor vehicle/pedestrian accident (MV Ped)	1	0.13%
324 - Motor vehicle accident with no injuries.	15	1.92%
331 - Lock-in (if lock out , use 511 )	1	0.13%
342 - Search for person in water	1	0.13%
352 - Extrication of victim(s) from vehicle	1	0.13%
354 - Trench/below-grade rescue	1	0.13%
400 - Hazardous condition, other	1	0.13%
412 - Gas leak (natural gas or LPG)	7	0.89%
413 - Oil or other combustible liquid spill	1	0.13%
422 - Chemical spill or leak	1	0.13%
440 - Electrical wiring/equipment problem, other	1	0.13%
441 - Heat from short circuit (wiring), defective/worn	2	0.26%
511 - Lock-out	1	0.13%
512 - Ring or jewelry removal	1	0.13%
531 - Smoke or odor removal	3	0.38%
561 - Unauthorized burning	8	1.02%
600 - Good intent call, other	4	0.51%
611 - Dispatched & cancelled en route	36	4.60%
622 - No incident found on arrival at dispatch address	6	0.77%
632 - Prescribed fire	1	0.13%
641 - Vicinity alarm (incident in other location)	1	0.13%
651 - Smoke scare, odor of smoke	1	0.13%
652 - Steam, vapor, fog or dust thought to be smoke	1	0.13%
700 - False alarm or false call, other	9	1.15%
733 - Smoke detector activation due to malfunction	1	0.13%
735 - Alarm system sounded due to malfunction	1	0.13%
740 - Unintentional transmission of alarm, other	1	0.13%
743 - Smoke detector activation, no fire - unintentional	1	0.13%
745 - Alarm system activation, no fire - unintentional	2	0.26%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
900 - Special type of incident, other	1	0.13%
<b>TOTAL INCIDENTS:</b>	<b>783</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

City Council  
City of Brady, Texas  
**Agenda Action Form for Ordinance**

<b>AGENDA DATE:</b>	2/7/2017	<b>AGENDA ITEM</b>	7.A.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>second and final reading of Ordinance 1216</b> of the City of Brady, governing body of this municipality, hereby regarding the proposed amended change in rates filed with the City of Brady by Sharyland Utilities, L.P. and Sharyland Distribution & Transmission Services, L.L.C. on December 30, 2016, is hereby denied and disapproved, as requested by Sharyland.		
<b>PREPARED BY:</b>	K Lenoir	<b>Date Submitted:</b>	01/30/2017
<b>EXHIBITS:</b>	Ordinance 1216		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

On January 17, City Council approved first reading of this ordinance. The proposed change in rates filed with the City of Brady, governing body of this municipality, by Sharyland Utilities, L.P. on April 29, 2016, was denied and disapproved, and Sharyland Utilities, L.P. shall continue to provide electric delivery service within this municipality in accordance with its rate schedules and service regulations in effect within the City of Brady on April 29, 2016, as requested.

Now the PUC has asked Sharyland for an amended fee schedule, so another ordinance is requested to be approved like we did last year. By passing this ordinance Sharyland will appeal to the PUCT, who will study the rate case on a systemwide bases instead of each affected City having to address the rate case individually. Other cities considering to deny the rates include Colorado City, Farmersville, Greenville, McAllen, Midland, Mission, Richland Springs, and Stanton.

**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 1216

**ORDINANCE NO. 1216**

**AN ORDINANCE DENYING THE PROPOSED CHANGE IN RATES OF SHARYLAND UTILITIES, L.P. AND SHARYLAND DISTRIBUTION & TRANSMISSION SERVICES, L.L.C, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW, AND DECLARING AN EFFECTIVE DATE OF THIS ORDINANCE.**

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

SECTION 1. That the proposed amended change in rates filed with the Governing Body of this municipality by Sharyland Utilities, L.P. and Sharyland Distribution & Transmission Services, L.L.C. on December 30, 2016, is hereby denied and disapproved.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public and as required by law, and public notice of the time, place and purpose of said meeting was given as required.

SECTION 3. This Ordinance shall be effective on the date of the passage and approval hereof.

**PASSED** first reading at a regular meeting of the City Council of Brady, Texas, on this the 17th day of January, 2017.

**PASSED AND APPROVED** second and final reading at a regular meeting of the City Council of Brady, Texas, on this the 7th day of February, 2017.

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Anthony Groves, Mayor  
CITY OF BRADY

ATTEST:

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Tina Keys, City Secretary  
STATE OF TEXAS  
COUNTY OF MCCULLOCH  
CITY OF BRADY

**CITY COUNCIL  
CITY OF BRADY, TEXAS  
AGENDA ACTION FORM for ORDINANCE**

<b>AGENDA DATE:</b>	2/7/17	<b>AGENDA ITEM</b>	7.B.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>second and final reading of Ordinance 1217</b> to add two (2) additional cleaning fees and specific discounted fees for the Civic Center that were not included in Ordinance 1206 regarding the Annual Fee Scheduled adopted September 20, 2016.		
<b>PREPARED BY:</b>	Kim Lenoir	<b>Date Submitted:</b>	1/30/17
<b>EXHIBITS:</b>	Ordinance No. 1217		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**  
 On January 17, City Council approved first reading of this ordinance. City Council adopted Ordinance 1206 on September 20, 2016 that included most of the Civic Center fees. When Resolution 2016-056 was adopted on Dec 6 for the new rules and procedures of the new Civic Center, two additional cleaning fees were added and discounts were outlined that need to be included in the fee ordinance. Therefore, Ordinance 1217 is presented to add these new fees: 1) Cleaning fees of \$100 per day for Sunday – Thursday use; 2) add \$50 per day for multi-day events to clean during event; 3) discount only for Brady/McCulloch County registered 501(c)3 may receive a \$100 discount of rental fee (Mar – Dec) 1 time per year; and 4) all renters in January and February receive 50% rental fee only discount.

**RECOMMENDED ACTION:**  
 It is recommended that City Council adopt by Ordinance 1217 the additional Civic Center Fees and Discounts to update the consolidated FY 2017 Utility Rates and Fee Schedule adopted by Ordinance 1206.  
**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 1217

ORDINANCE NO. 1217

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS, UPDATING ORDINANCE NUMBER 1206, A SCHEDULE OF FEES, FOR THE ADMINISTRATION OF UTILITY RATES, PROGRAMS, REGULATIONS, AND OTHER OPERATIONS OF THE CITY; UPDATING THOSE FEES; AND PROVIDING A SEVERANCE CLAUSE.**

**WHEREAS**, the City of Brady, Texas (hereinafter the "City") has established numerous fees for the administration of programs and regulations by the City; and

**WHEREAS**, it is often appropriate and equitable for the individuals and businesses that use particular city services to bear the cost of providing those services; and

**WHEREAS**, appropriate fees will encourage the judicious use of city resources in light of the cost to the public of using those resources and the need for the benefit provided by those resources; and

**WHEREAS**, it is necessary to update the existing fee schedule on an as needed basis to keep the public up to date on applicable fees for a particular service, and

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

The following Civic Center Fees be added and are hereby adopted by Ordinance:

*Cleaning Fee: \$100.00 per day Sunday to Thursday*

*add \$50 per day for multi-day events for cleaning during event*

*Discounts: Only Brady/McCulloch County registered 501(c)3*

*may receive a \$100 discount of rental fee (Mar – Dec) 1 time per year*

*All renters in January and February receive 50% rental fee only discount.*

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 17<sup>th</sup> day of January, 2017.

**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 7<sup>th</sup> day of February, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**CITY COUNCIL  
CITY OF BRADY, TEXAS  
AGENDA ACTION FORM for ORDINANCE**

<b>AGENDA DATE:</b>	02/07/2017	<b>AGENDA ITEM</b>	7.C.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>first reading of Ordinance 1218</b> regarding amending Article 1.600 of the Code of Ordinances for Rest Haven and Live Oak Cemeteries to update and revise the Rules and Regulations of the two cemeteries.		
<b>PREPARED BY:</b>	P Lamont	<b>Date Submitted:</b>	02/03/2017
<b>EXHIBITS:</b>	Ordinance No. 1218 Article 1.600 of the Code of Ordinances–Redline Version with Amendments		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

In reviewing the Municipal Code of Ordinances, **Article 1.600 Rules and Regulations of Resthaven (sic) Cemetery and Live Oak Cemetery**, staff is recommending amending portions of Article 1.600 to better address most day-to-day operational and management issues.

Attached is a redline version of the current Article 1.600 with the recommended changes. Changes include isolating the rules and regulations of each of the two cemeteries as spaces in Live Oak Cemetery are no longer available for sale or transfer, therefore most of the information in the current Article regarding ownership, payment options, sale(s), and transfer(s) is no longer applicable to the Rules and Regulations of Live Oak Cemetery.

Please review the proposed amended Article; note all fees were approved with the Annual Fee Ordinance at Budget.

**RECOMMENDED ACTION:**

It is recommended that City Council adopt by Ordinance No. 1218 the amended Article 1.600 to update the Rules and Regulations for Rest Haven Cemetery and Live Oak Cemetery, if desired.

**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 No. 1218

**ORDINANCE 1218**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS AMENDING MUNICIPAL CODE OF ORDINANCES ARTICLE 1.600 RULES AND REGULATIONS OF REST HAVEN CEMETERY AND LIVE OAK CEMETERY;**

**WHEREAS**, in review of the Municipal Code of Ordinances, Article 1.600 Rules and Regulations of Resthaven (sic) Cemetery and Live Oak Cemetery, amendments of Article 1.600 are sought to better address most day-to-day operational and management issues, and

**WHEREAS**, the City Council of the City of Brady has determined that it is in the best interests of the general public and residents of Brady to approve the proposed amendments to Article 1.600 and update the Rules and Regulations for Rest Haven Cemetery and Live Oak Cemetery (respectively).

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

The City Council of the City of Brady, Texas, hereby amends Article 1.600 Rules and Regulations of Rest Haven Cemetery and Live Oak Cemetery of the Municipal Code of Ordinances according.

**PASSED AND APPROVED ON FIRST READING** on this 7<sup>th</sup> day of February 2017.

**PASSED, APPROVED AND ADOPTED ON SECOND READING** on this 21<sup>th</sup> day of February 2017.

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Anthony Groves, Mayor

**ATTEST:**

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Tina Keys, City Secretary  
STATE OF TEXAS  
COUNTY OF MCCULLOCH  
CITY OF BRADY

**ARTICLE 1.600**  
**RULES AND REGULATIONS OF REST HAVEN CEMETERY AND LIVE OAK CEMETERY**

**Rest Haven Cemetery Rules and Regulations (Sec. 1.601 – 1.611)**

**Sec. 1.601 Definitions**

Cemetery:- Refers to ~~both~~ Rest Hhaven Cemetery ~~and Live Oak Cemetery~~.

City:- The City of Brady.

Contractor:- Any person, firm or corporation engaged in placing, erecting or repairing any memorial or performing any work in the cemetery grounds other than an employee of the Ceity.

Interment:- Entombment or burial of the remains of a deceased person.

Memorial:- Any marker, monument or structure upon or in any lot or niche, placed thereupon or partially therein for the purpose of identification or in memory of a deceased person.

Owner:- A person who has purchased from the Ceity a right of interment in Rest Hhaven Cemetery ~~or Live Oak Cemetery~~ for the remains of a deceased person.

**Sec. 1.602 Ownership; Payment Options**

(a) The price for a plot shall be set by and subject to change by action of the Ceity Council. ~~The cost of a plot for persons living outside the city limits shall be increased by \$75.00 per plot.~~

~~(1) Sale to persons residing within the city limits is \$250.00 per grave space.~~

~~(2) Sale to persons residing outside the city limits is \$325.00 per grave space.~~

(b) The purchase price for a plot shall be paid ~~for~~ in cash at the time of purchase. However, the purchaser may pay the purchase price over a period of time on the following schedule:

(1) Ten percent (10%) of the purchase price shall be paid at the time of purchase.

(2) The remaining balance with interest there~~on~~ at the rate of ten percent (10%) per annum shall be due and payable in equal monthly installments until the whole of said sum, with interest, has been duly paid, said balance payable as follows:

(A) If one or two plots are purchased, the remaining balance, principal and interest, shall be paid monthly over a period not to exceed twelve (12) months.

(B) If three plots are purchased, the remaining balance, principal and interest, shall be paid monthly over a period not to exceed eighteen (18) months.

(C) If more than three plots are purchased, the remaining balance, principal and interest, shall be paid monthly over a period not to exceed twenty-four (-24) months.

(D) In the event that the purchaser elects to pay for the plots over a period of time, no deed shall be given to the purchaser until the purchase price is paid in full.

(c) The purchase price of the plot must be paid in full before interment of a deceased person.

~~{Ordinance 846 adopted 8/15/00}~~

(d) Opening and closing of graves shall be done ~~only~~ by the funeral home with prior approval from the City, ~~payment for which shall be made prior to interment.~~ Any damages to existing curbing or monuments will be the responsibility of the funeral home. ~~The charge for opening and closing a grave shall be:~~

~~{1}—Normal work hours: \$350.00.~~

~~{2}—Other than normal work hours, Saturday and city recognized holidays: \$425.00.~~

~~{e}—No Sunday services or Monday morning services before 10:00 a.m. shall be allowed.~~

~~{Ordinance 1049 adopted 9/2/09}~~

### Sec. 1.603 Supervision of Cemetery

(a) The City shall take reasonable care to protect property rights of owners from loss or damage; but it distinctly disclaims all responsibility for loss or damage caused by the elements, an "act of God," common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, whether the damage be direct or collateral, other than herein provided.

(b) Persons within the cemetery grounds shall use only the avenues, walkways and roads.

(c) Automobiles shall not be driven through the grounds at a greater speed than fifteen miles per hour.

(d) The right to enlarge, reduce, replot or change the boundaries or grading of the cemetery and the right to lay, operate or change pipelines ~~(except sprinkler systems)~~ or gutters is expressly reserved to the City. The City reserves to itself, and to those lawfully entitled thereto, a

perpetual right of ingress and egress over the entire cemetery grounds for the purpose of passage.

No new sprinkler systems will be allowed. All maintenance and repair to existing sprinkler systems which have been installed by the owner will be the responsibility of the owner and not the City; regardless of the source of damage to the system. ~~(e) — Owners may be allowed to have sprinkler systems installed in compliance with the following requirement:~~

- ~~(1) — A permit must be obtained from the city;~~
- ~~(2) — Installation must meet code requirements and pass inspection by the city inspector;~~
- ~~(3) — Sprinkler systems must be placed near outside curb and not over grave;~~
- ~~(4) — A cut-off valve must be installed between first sprinkler head or vacuum breaker and supply;~~
- ~~(5) — Installation must be done by licensed plumber or irrigator;~~

~~All maintenance and repair to the system will be the responsibility of the owner and not the city, regardless of source of damage to the system.~~

~~(f) — Any water left on or unattended will be cutoff by City personnel if watering is excessive or running down the roadway, in order to conserve water and protect the roadways.~~

#### Sec. 1.604 Sale and Purchase of Interment Rights

Any The sale or transfer shall be made back to the City at the original purchase price, at which time the City may re-sell at current pricing. of an interment right by any owner or purchaser shall not be binding upon the city unless same shall first be duly approved in writing by the city and in such event which the city shall issue a deed to the new owner. The same rule shall apply in all cases of assignment of a purchase contract of interment rights. This procedure is required in order that the City may at all times have a complete and accurate record of all owners and purchasers. ~~The subdivision of interment rights is not allowed.~~ No person shall be buried in any lot not having an interest therein, except by written consent of all parties interested in such lot and of the City. Any transfer shall be made back to the City at the original purchase price.

#### Sec. 1.605 Maintenance of Cemetery

(a) All grading, landscape work, maintenance and improvements of any kind, and all care of plots shall be done by the City and all trees, shrubs and all herbage of any kind shall be planted, trimmed, cut or removed by the City or under its direct supervision.

(b) No enclosure of any kind, such as a fence, coping, hedge or ditch shall be permitted around any grave or plot. Grave mounds will not be allowed and no plot shall be raised above the established grade.

(c) No ground cover other than sod shall be allowed.

(de) If any tree, shrub or plant is or becomes detrimental to adjacent lots, avenues, walkways or roads, or if for any other reason the Ccity deems its removal necessary, the Ccity shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition existing as it deems necessary.

(ed) No person shall remove any plant or flower, either wild or cultivated, from any part of the cemetery.

(fe) From and after the date of adoption of these rules by the Ccity Council, no tree, shrub, plant or bush shall be placed on the cemetery grounds except those placed therein by the Ccity for landscaping purposes. The purpose of this prohibition is to reduce maintenance time so that the cemetery can be maintained in a clean and attractive condition by the Ccity. This prohibition shall not apply to flowers placed on a memorialgrave.

(g) Sprinkler system will be turned off between November and March.

#### Sec. 1.606 Memorials

(a) For the protection of all plot owners, it is required that persons, firms or corporations erecting, cleaning or repairing memorials obtain a permit, and in doing such work, to comply with the directions of the Ccity. The person, firm or corporation requesting such permit may be required to furnish evidence of their ability to properly perform the work. ~~The charge for this permit shall be \$25.00 and~~ shall allow such person, firm or corporation holding the permit to perform such work for a period of time from January 1st until December 31st of the year in which the permit is obtained, such permit to be renewed on an annual basis. Before any work is commenced on any particular job, the person, firm or corporation performing such work shall notify the Ccity that a memorial is to be erected at and/or what grave site and provide a drawing of proposed installation.

(b) To properly perpetuate memory, all monuments, markers, mausoleums and tombs will be of first quality granite, limestone, marble or bronze. The supplier must assure the Ccity that such materials will be free from sap which causes rust, stains and natural fault which might cause checks or cracks. No granite will be inferior in any way. Should any stone develop any of the above mentioned faults within five (5) years from date of placement, the supplier will be required to replace same without cost to the owner.

(c) All vertical monuments shall be erected on a so that the foundations will extend three (3) inches on each side of the monument and said foundation must be flush with the turf. The size

of a monument will be governed according to the size of the family plot. A monument will be of such size that when erected on a plot, either end of such monument shall not be placed less than one (1) foot from the property lines of said plot, or within two (2) feet of any existing monument. However, this shall apply only to a monument which protrudes above the surface of the ground. A monument which is flush with the turf may extend to the property line. Should any monument, mausoleum or tomb become unsightly, dilapidated or a menace to visitors, the Ccity shall have the right, at the expense of the ~~plot~~ owner, either to correct the condition or to remove the same.

~~{Ordinance 846 adopted 8/15/00}~~

(d) In addition to other requirements regulating memorials, all memorials erected after November 15, 2010 in Rest Haven Cemetery shall conform to the following:

- (1) Upright monuments, beveled markers and flat markers shall be on foundations that are cement and must be flush with the turf;
- (2) Monuments and markers shall be placed in a manner that is conducive with the maintenance of the lot;
- (3) Bevel markers shall be used as headstones, not footstones;
- (4) Flat markers shall be flush with the turf ~~or no higher than two (2) inches above the existing grade~~; and
- (5) All vases must be attached to headstones, no vases ~~may be~~ attached to footstones;

(6) FLAGS MAY BE PLACED ON HOLIDAYS AND REMOVED WITHIN 72 HOURS.

~~{Ordinance 1073 adopted 11/3/10}~~

#### **Sec. 1.607 Funeral Regulations**

(a) All grave sites within a plot must be located by the family or its representatives and written authorization signed by the lot owner or his legal representative shall be given to the Ccity to open the grave space. Any space to be opened will be marked with a surveyor flag with the name of the individual to be interred and the space identification. No space shall be opened until written authorization is provided.

(b) When removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights and ownership therein shall remain with property owner. The removal of said bodies shall be done in strict compliance with all state requirements regulating same. Arrangements for the removal of a body must be made by someone other than the Ccity.

Application for the removal permit must be signed by the next of kin and, properly notarized prior to removal.

(c) The burial of two bodies in one grave space will not be permitted except where one body occupies a space less than three (3) feet in length.

(d) Cremains will be allowed to be buried in a space currently occupied but must be covered with a concrete paving stone to prevent dirt from settling. The City MUST be notified with the name and date of the interment. Two cremains containers may be buried in the same plot. The City shall be made aware of each burial.

(ed) Disinterments are the responsibility of the funeral director. ~~\_\_If done within the city cemeteries, t~~The funeral director will be responsible for opening and closing the graves, with the Ceity's authorization. All state mandated paperwork must be on file with the City before any disinterments are authorized.

(f) Funeral homes will be responsible for the opening and closing of graves utilizing the services of a vendor permitted by the City.

#### Sec. 1.608 Miscellaneous

(a) No dogs shall be permitted in the cemetery.

~~(b) No alcoholic beverages shall be allowed within the cemetery.~~

~~(be)~~ The Ceity is not responsible for theft or damage to anything placed on grave plots.

~~(cd)~~ No ~~wooden~~ bench, chair or trellis shall be permitted to be placed upon the cemetery grounds.

~~(de)~~ The Ceity shall have the authority to enter upon any plot and to remove any objectionable thing or any ~~item-erection~~ that may have been placed there contrary to these regulations.

~~(ef)~~ No person shall be permitted to enter or leave the cemetery except by the public access gates.

~~(fg)~~ All persons found on the cemetery grounds after dark shall be liable for prosecution for trespassing.

~~(gh)~~ All persons are strictly forbidden to mar any landmark, marker or memorial or in any way deface the grounds of the cemetery.

(h) No person or persons other than an employee of the City, shall be permitted to bring or carry firearms within the cemetery except a military guard of honor and then only when in charge of an officer or non-commissioned officer and during a military service.

(i) The digging of holes for any purpose, other than to inter cremains, whatsoever is strictly prohibited.

(j) The City reserves the right to remove all flowers, potted plants, ~~summer~~ wreaths or baskets when they become withered or for any other reason.

~~Sec. 1.609~~ **Memorial Gifts**

~~The city and its citizens recognizes a need for the creation of a memorial fund for the Brady Cemeteries. The funds shall be deposited in an interest bearing account and the earned interest will be used for the maintenance of the Brady Cemeteries. At the council's discretion, the principal can be used for capital improvement projects. The city will initiate the fund with a deposit of \$1,000.00. Donations to this fund may be made at the city hall, any of the local funeral homes and monument companies.~~

~~Sec. 1.60910~~ **Indigent Veterans Fee**

(a) The City will charge for opening and closing only. The County will pay ½, and the City will pay ½ of this fee.

(b) Family must not be able to pay for any charges.

~~Sec. 1.6101~~ **Modifications and Amendment**

(a) The City may, and it hereby expressly reserves the right, at any time or times, with or without notice to owners, ~~to~~ adopt new rules and regulations or amend, alter and/or repeal any rule, regulation and/or sentence in these rules and regulations.

(b) Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City therefore reserves the right, without notice, to make exceptions, suspensions or modifications in any of the rules and regulations when, in its judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of these Rest Haven Cemetery Rules and Regulations.

~~{Ordinance 846 adopted 8/15/00}~~

~~Sec. 1.6112~~ **Fees for Funeral Processions**

(a) Funeral processions using on-duty officers will be at no charge. Due to the officer being on-duty, the officer may be called away from the procession.

(b) Funeral processions using off-duty officers will constitute a charge ~~of \$25.00 per hour~~ with a two (2) hour minimum. Payment will be made to the Ceity prior to the service. The funeral procession utilizing the off-duty officer will extend to the county line boundaries.

### **Live Oak Cemetery Rules and Regulations (Sec. 1.612 – 1.621)**

#### **Sec. 1.612 Definitions**

Cemetery: Refers to Live Oak Cemetery.

City: The City of Brady

Contractor: Any person, firm or corporation engaged in placing, erecting or repairing any memorial or performing any work in the cemetery grounds other than an employee of the City.

Interment: Entombment or burial of the remains of a deceased person.

Memorial: Any marker, monument or structure upon or in any lot or niche, placed thereupon or partially therein for the purpose of identification or in memory of a deceased person.

Owner: A person who has purchased from the City a right of interment in Live Oak Cemetery for the remains of a deceased person.

#### **Sec. 1.613 Grave Opening and Closing**

(a) Opening and closing of graves shall be done by the funeral home with prior approval from the City. Any damages to existing curbing or monuments will be the responsibility of the funeral home.

#### **Sec. 1.614 Supervision of Cemetery**

(a) The City shall take reasonable care to protect property rights of owners from loss or damage; but it distinctly disclaims all responsibility for loss or damage caused by the elements, an "act of God," common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, whether the damage be direct or collateral, other than herein provided.

(b) Persons within the cemetery grounds shall use only the avenues, walkways and roads.

(c) Automobiles shall not be driven through the grounds at a greater speed than fifteen miles per hour.

(d) The right to enlarge, reduce, replot or change the boundaries or grading of the cemetery and the right to lay, operate or change pipelines or gutters is expressly reserved to the City. The City reserves to itself, and to those lawfully entitled thereto, a perpetual right of ingress and egress over the entire cemetery grounds for the purpose of passage.

No new sprinkler systems will be allowed. All maintenance and repair to existing sprinkler systems which have been installed by the owner will be the responsibility of the owner and not the City; regardless of the source of damage to the system.

Any water left on or unattended will be cutoff by City personnel if watering is excessive or running down the roadway in order to conserve water and protect the roadways.

#### **Sec. 1.615 Maintenance of Cemetery**

(a) All grading, landscape work, maintenance and improvements of any kind, and all care of plots shall be done by the City and all trees, shrubs and all herbage of any kind shall be planted, trimmed, cut or removed by the City or under its direct supervision.

(b) No enclosure of any kind, such as a fence, coping, hedge or ditch shall be permitted around any grave or plot. Grave mounds will not be allowed and no plot shall be raised above the established grade.

(c) No ground cover other than sod shall be allowed.

(d) If any tree, shrub or plant is or becomes detrimental to adjacent lots, avenues, walkways or roads, or if for any other reason the City deems its removal necessary, the City shall have the right to remove such tree, shrub or plant, or any part thereof, or otherwise correct the condition existing as it deems necessary.

(e) No person shall remove any plant or flower, either wild or cultivated, from any part of the cemetery.

(f) From and after the date of adoption of these rules by the City Council, no tree, shrub, plant or bush shall be placed on the cemetery grounds except those placed therein by the City for landscaping purposes. The purpose of this prohibition is to reduce maintenance time so that the cemetery can be maintained in a clean and attractive condition by the City. This prohibition shall not apply to flowers placed on a memorial.

(g) Sprinkler system will be turned off between November and March.

#### **Sec. 1.616 Memorials**

(a) For the protection of all plot owners, it is required that persons, firms or corporations erecting, cleaning or repairing memorials obtain a permit, and in doing such work, to comply with

the directions of the City. The person, firm or corporation requesting such permit may be required to furnish evidence of their ability to properly perform the work. This permit shall allow such person, firm or corporation holding the permit to perform such work for a period of time from January 1st until December 31st of the year in which the permit is obtained, such permit to be renewed on an annual basis. Before any work is commenced on any particular job, the person, firm or corporation performing such work shall notify the City that a memorial is to be erected at what grave site and provide a drawing of proposed installation.

(b) To properly perpetuate memory, all monuments, markers, mausoleums and tombs will be of first quality granite, limestone, marble or bronze. The supplier must assure the City that such materials will be free from sap which causes rust, stains and natural fault which might cause checks or cracks. No granite will be inferior in any way. Should any stone develop any of the above mentioned faults within five (5) years from date of placement, the supplier will be required to replace same without cost to the owner.

(c) All vertical monuments shall be erected on a foundation will extend three (3) inches on each side of the monument and said foundation must be flush with the turf. The size of a monument will be governed according to the size of the family plot. A monument will be of such size that when erected on a plot, either end of such monument shall not be placed less than one (1) foot from the property lines of said plot, or within two (2) feet of any existing monument. However, this shall apply only to a monument which protrudes above the surface of the ground. A monument which is flush with the turf may extend to the property line. Should any monument, mausoleum or tomb become unsightly, dilapidated or a menace to visitors, the City shall have the right, at the expense of the owner, either to correct the condition or to remove the same.

(d) In addition to other requirements regulating memorials, all memorials erected after November 15, 2010 in Live Oak Cemetery shall conform to the following:

(1) Upright monuments, beveled markers and flat markers shall be on foundations that are cement and must be flush with the turf;

(2) Monuments and markers shall be placed in a manner that is conducive with the maintenance of the lot;

(3) Bevel markers shall be used as headstones, not footstones;

(4) Flat markers shall be flush with the turf; and

(5) All vases must be attached to headstones, no vases attached to footstones;

(6) FLAGS MAY BE PLACED ON HOLIDAYS AND REMOVED WITHIN 72 HOURS

**Sec. 1.617 Funeral Regulations**

(a) All grave sites within a plot must be located by the family or its representatives and written authorization signed by the lot owner or his legal representative shall be given to the City to open the grave space. Any space to be opened will be marked with a surveyor flag with the name of the individual to be interred and the space identification. No space shall be opened until written authorization is provided.

(b) When removal is to be made from a single grave to another grave, the formerly occupied single grave space and all rights and ownership therein shall remain with property owner. The removal of said bodies shall be done in strict compliance with all state requirements regulating same. Arrangements for the removal of a body must be made by someone other than the City. Application for the removal permit must be signed by the next of kin and properly notarized prior to removal.

(c) The burial of two bodies in one grave space will not be permitted except where one body occupies a space less than three (3) feet in length.

(d) Cremains will be allowed to be buried in a space currently occupied but must be covered with a concrete paving stone to prevent dirt from settling. The City MUST be notified with the name and date of the interment. Two cremains containers may be buried in the same plot. The City shall be made aware of each burial.

(e) Disinterments are the responsibility of the funeral director. The funeral director will be responsible for opening and closing the graves, with the City's authorization. All state mandated paperwork must be on file with the City before any disinterments are authorized.

(f) Funeral homes will be responsible for the opening and closing of graves utilizing the services of a vendor permitted by the City.

#### Sec. 1.618 Miscellaneous

(a) No dogs shall be permitted in the cemetery.

(b) The City is not responsible for theft or damage to anything placed on grave plots.

(c) No bench, chair or trellis shall be permitted to be placed upon the cemetery grounds.

(d) The City shall have the authority to enter upon any plot and to remove any objectionable thing or any item that may have been placed there contrary to these regulations.

(e) No person shall be permitted to enter or leave the cemetery except by the public access .

(f) All persons found on the cemetery grounds after dark shall be liable for prosecution for trespassing.

(g) All persons are strictly forbidden to mar any landmark, marker or memorial or in any way deface the grounds of the cemetery.

(h) No person or persons other than an employee of the City, shall be permitted to bring or carry firearms within the cemetery except a military guard of honor and then only when in charge of an officer or non-commissioned officer and during a military service.

(i) The digging of holes for any purpose, other than to inter cremains, is strictly prohibited.

(j) The City reserves the right to remove all flowers, potted plants, wreaths or baskets when they become withered or for any other reason.

#### **Sec. 1.619 Indigent Veterans Fee**

(a) The City will charge for opening and closing only. The County will pay ½, and the City will pay ½ of this fee.

(b) Family must not be able to pay for any charges.

#### **Sec. 1.620 Modifications and Amendment**

(a) The City may, and it hereby expressly reserves the right, at any time or times, with or without notice to owners, adopt new rules and regulations or amend, alter and/or repeal any rule, regulation and/or sentence in these rules and regulations.

(b) Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City therefore reserves the right, without notice, to make exceptions, suspensions or modifications in any of the rules and regulations when, in its judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application of these Live Oak Cemetery Rules and Regulations.

#### **Sec. 1.621 Fees for Funeral Processions**

(a) Funeral processions using on-duty officers will be at no charge. Due to the officer being on-duty, the officer may be called away from the procession.

(b) Funeral processions using off-duty officers will constitute a charge with a two (2) hour minimum. Payment will be made to the City prior to the service. The funeral procession utilizing the off-duty officer will extend to the county line boundaries.

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	2/7/2016	<b>AGENDA ITEM</b>	7.D.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding direction to staff to revise Ordinance 1155 regarding Heart of Texas Hospital Systems regulations and inspections of ambulance/transfer services in City of Brady.		
<b>PREPARED BY:</b>	K Lenoir / Lyle Daniels	<b>date</b>	1-31-2017
<b>EXHIBITS:</b>	Ordinance 1155		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>			
<p>On January 17, Tim Jones reported to City Council the status of the Hospital's Transfer Services since the City Ordinance 1155 was passed in August of 2014. At that time, the Hospital added their own transfer service, rather than continuing to contract with the City of Brady/McCulloch County EMS Service. During the report, Mr. Jones suggested some changes to the ordinance, specifically the desire to be exempt from the annual city inspections (since it modeled the required state inspection) and from calling central City/County Dispatch (9-1-1) when in route on a hospital transfer.</p> <p>Council Members Jane Huffman and Marilyn Gendusa requested this item be added to an upcoming agenda for City Council discussion.</p>			
<b>RECOMMENDED ACTION:</b>			
Direct staff, as desired.			

**ORDINANCE NO. 1155**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BRADY, TEXAS, BY AMENDING CHAPTER 4 TO ESTABLISH EMERGENCY MEDICAL SERVICES AND AMBULANCE REGULATIONS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

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

**Section 1.** The Code of Ordinances of the City of Brady, Texas, is hereby amended by adding to Chapter 4, Emergency Medical Services and Ambulance Regulations, to read as follows:

**“CHAPTER 4. EMERGENCY MEDICAL SERVICES AND AMBULANCE REGULATIONS”**

**DIVISION 1. IN GENERAL**

**Sec. 4.100. Definitions.**

For the purposes of this chapter, certain words and phrases are defined as follows:

*Ambulance* shall mean any privately or publicly-owned motor vehicle used, designed or redesigned and equipped for the primary purpose of the transportation of the sick or injured persons, whether functioning as a basic life support, advanced life support, or mobile intensive care unit service level as provided by state law.

*City* shall mean the “City of Brady, Texas.”

*City Limits* shall mean the area in the City within the corporate City limits.

*Department* shall mean the designated Emergency Medical Service for the City of Brady.

*DSHS* shall mean the Texas Department of State Health Services as presently constituted, or a successor agency.

*Direct Call* shall mean a request for ambulance service made by telephone or other means directly to an ambulance operator, his agents or employees.

*EMS Chief* shall mean the Department Head of the Emergency Medical Service.

*Emergency Ambulance* shall mean an ambulance used, designed, redesigned or equipped for the purpose of transporting sick or injured persons under emergency circumstances, and the rendering of first aid.

*Emergency Circumstance* shall mean the existence of circumstances in which the element of time in expeditiously transporting a sick or injured person for medical or surgical treatment is essential to the health or life of such person, and in which rescue operations or competent first aid or both, at the place of emergency, may be essential to the health or life of such person.

*ETJ* shall mean the City's extra-territorial jurisdiction.

*Medical Transfer Services* shall mean a pre-scheduled response made by an ambulance for the transportation of individuals to or from a medical facility, a nursing home, an assisted living facility, dialysis center, or residence under circumstances, which do not constitute an emergency.

*Medical Transfer Service Permit* shall mean a certificate of authorization issued by the City to the owner allowing such owner to operate an ambulance for medical transfer services within the City limits.

*Medical Transfer Service Provider* shall mean a person providing medical transfer services and holding a valid Medical Transfer Service Permit.

#### **Sec. 4.101. Interference with Department personnel, equipment.**

The City of Brady Fire/EMS Department shall be the sole provider of emergency medical service (911 service) within the City of Brady and within McCulloch County. It shall be unlawful for any person to intentionally or knowingly physically obstruct any Department personnel proceeding to the scene or reported scene of any accident or emergency call, or to physically obstruct any Department personnel in the course of treating the sick or injured at any such scene. It shall be unlawful for any person to intentionally or knowingly fail or refuse to surrender any sick or injured person to the care of any Department personnel at the scene of any accident or emergency call. It shall be unlawful for any person to intentionally or knowingly damage, destroy or deface any attached or unattached apparatus or equipment belonging to the Department or any structure used to house or protect such apparatus or equipment.

#### **Sec. 4.102. Penalty.**

Any person, firm or corporation who violates or fails to comply with the requirements or provisions of this chapter shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be punished by assessment of a fine of not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each instance such a violation or failure to comply is allowed to exist shall constitute a separate and distinct offense. In addition, the City Attorney is authorized to file suit in any court of competent jurisdiction to enjoin any person from violating or causing to be violated or causing to be violated any of the sections of this article.

#### **Sec. 4.103 – 4.110 reserved.**

## **DIVISION II. AMBULANCES**

### **Sec. 4.111. Personnel required during operation of an ambulance.**

It shall be unlawful to operate or drive or cause to be operated or driven an ambulance on a public street of the City when furnishing ambulance service, including emergency ambulances operated by the emergency medical service Department of the City, unless such ambulance on each trip meets the minimum staffing requirements as set out in Section 157.11(a) of Emergency Medical Services rules adopted by the DSHS under Section 773.050 of the Texas Emergency Medical Services Act, V.T.C.A., Health and Safety Code, ch. 773.

### **Sec. 4.112. Licensing and operating condition requirements for ambulances.**

No ambulance shall be operated upon the streets of the City for the purposes of furnishing ambulance service unless and until such ambulance has a valid license issued by the DSHS.

### **Sec. 4.113. Safety and first-aid equipment required.**

No ambulance shall be operated upon the streets of the City for the purpose of furnishing ambulance service unless such ambulance is equipped as set out in Section 157.11 of Emergency Medical Services Rules adopted by the DSHS under Section 773.050 of the Texas Emergency Medical Services Act, V.T.C.A., Health and Safety Code, ch. 773. Additionally, ambulances shall also meet the minimum requirements as outlined, in writing, by the physician medical director of record for the licensed ambulance service provider and as outlined by the city as required equipment. [outlined in the permit]

### **Sec. 4.114 – 4.120 reserved.**

## **DIVISION III. MEDICAL TRANSFER SERVICES**

### **Sec. 4.121. Permit required; exception.**

(a) *Required.* No person shall furnish, operate, conduct, maintain, advertise or otherwise be engaged in the operation of medical transfer services upon or over any public street within the City limits without having first obtained a transfer services permit.

(b) *Exception.* A transfer services permit shall not be required for:

(1) Emergency Medical Service vehicles or ambulances owned or operated by the City of Brady Fire/EMS Department; or

(2) Emergency Medical Service vehicles or ambulances operating solely at the request of the City or the designated Emergency Medical Service provider for the City or in cases of a mutual aid, disaster, or system overload; or

(3) Emergency Medical Service vehicles or ambulances operating from a location outside the city limits and who are transporting patients from a location outside the limits of the city to a location within the city or through the city to some other location.

(4) Air ambulance services are exempt from this Article.

An application for license to operate an ambulance on the public streets of the City of the purpose of providing medical ambulance transfer service within the City or County shall be made by the owner thereof for each ambulance so used or to be so used, or an agent authorized in writing by such owner to make such application, on forms obtained from the City Manager, which shall contain at minimum the following:

- a. the name, address and telephone number of the owner,
- b. any trade or other fictitious name used or to be used by the owner when providing ambulance service;
- c. the make, model, year of manufacture, motor and chassis number, and current state license number of each ambulance;
- d. the length of time each ambulance has been in service;
- e. the color scheme, insignia, name, monogram or other distinguishing characteristics used or to be used by the owner to designate such ambulance together with an accurate photograph of each ambulance to be permitted;
- f. a list of all current employees of the ambulance service including name and date of birth for each employee; and drug screen results
- g. each application for a permit required by the City shall be accompanied by a non-refundable permit fee, payable to the City of Brady, as established by resolution of City Council.

The annual permit fee associated with the permitting of medical transfer services is one-thousand five-hundred dollars (\$1,500.00) per vehicle and any inspection required is two-hundred dollars (\$200) each.

**Sec. 4.122. Insurance requirements.**

(a) Any applicant for a permit under this division shall, before the permit can be issued, procure, maintain, and furnish proof of financial responsibility as required by law and as prescribed in this section. The applicant shall keep in full force and effect during the entire term of this permit, the required insurance coverage for commercial general liability, automobile liability and professional liability in the minimum limits listed:

- (1) Automobile liability insurance in the amount of not less than one hundred thousand dollars (\$100,000.00) for each person and five hundred thousand dollars (\$500,000.00) for each accident for personal injuries, and one hundred thousand dollars (\$100,000.00) for property damage. This automobile liability insurance shall not contain passenger liability exclusion. A written statement from an

authorized agent of the ambulance operator's insurance carrier shall provide for a thirty day cancellation notice to the City of Brady.

(2) Commercial general liability insurance with a minimum aggregate of three million dollars (\$3,000,000.00) and a minimum per occurrence of one million dollars (\$1,000,000.00).

(3) Professional liability insurance in an amount of not less than one million dollars (\$1,000,000.00).

(4) Workers' Compensation Insurance.

(5) Applicant must agree to indemnify, defend, and hold harmless the City, its officers, employees and agents, and Department, for any and all claims arising from applicant's acts or omissions. Additionally, the City shall be added as an additional insured on the policies, and the coverage shall contain no special limitation on the scope of protection afforded to the City.

(b) The insurance company shall be of sufficient assets, with an agent in the State of Texas upon whom service of the process may be made, and shall be approved by the City Attorney. Every insurance policy and certificate of insurance must contain a provision or an endorsement requiring that the policy will not be cancelled, suspended, voided, or reduced until at least thirty days (30) days prior written notice has been given to the City via certified mail, return receipt requested. If the policy does not provide coverage for "any auto" then a schedule of the covered autos is required to be submitted and filed with the City Manager. Only those covered autos will be permitted to operate within the City.

(c) If the City Attorney determines that the insurance coverage required in subsection (a) of this section become so impaired as to require new and additional insurance, the City Attorney shall require such additional insurance in such company as he may fee is necessary to ensure faithful performance by the operator of ambulances his agents, servants, and employees.

(d) If the insurance policy is cancelled and no insurance policy if filed by the owner or ambulance operators before the cancellation, the permit to operate ambulances granted to such person shall be immediately and automatically revoked.

#### **Sec. 4.123. Inspection.**

(a) The Brady City Manager or designee, or the police department, shall have the right to inspect, at any time, all ambulances permitted or to be permitted under this division to determine if such vehicles meet the following minimum standards:

(1) Each vehicle shall be equipped according to the Texas DSHS equipment standards, and as determined by the ambulance service Medical Director, and as identified by the City as required equipment;

(2) Each vehicle shall be free from dirt or rubbish and shall be otherwise clean and sanitary;

(3) Each vehicle shall meet the general standards and requirements of this article;

- (4) Each vehicle shall have the company name displayed on each side of the vehicle and on the rear;
- (5) Each vehicle shall be inspected each year by a person authorized to conduct vehicle safety inspections by the State of Texas; and
- (6) No vehicle shall display the identification "Emergency Ambulance", "Emergency", "911", or similar marking.
- (7) Random drug testing will be required of all Ambulance service employees.

(b) At no time shall any ambulance that is found to be unsafe by the Brady City Manager or designee, or the police department be operated on the streets of the City. Nothing in this section however shall prevent the Brady City Manager or designee, or the police department from inspecting any ambulance at any time. If the inspector finds that any ambulance is out of compliance, the Brady City Manager or designee, shall order the use of the ambulance discontinued until the ambulance is re-inspected and approved.

(c) At no time shall a person operating a permitted transfer ambulance in the City, respond to or from a direct call for emergency medical service, nor operate such ambulance as an emergency ambulance under emergency conditions.

(d) At no time shall a person operating a permitted transfer ambulance in the City respond to or from a direct call for a medical transfer service unit until notifying Brady Fire/EMS dispatcher.

(e) Inspection shall not exceed state requirements and will follow the TXDSHS checklist.

#### **Sec. 4.124. Payment of Ad valorem taxes.**

It shall be the duty of every medical transfer services provider to pay all ad valorem taxes assessed by the City against such vehicle and all other personal and real property used in such business and to provide to the City a certificate demonstrating that ad valorem taxes have been paid. The failure to pay such ad valorem taxes before they become ninety (90) days delinquent shall result in revocation of the permit issued in accordance with this chapter.

#### **Sec. 4.125. Special requirements for transfer ambulances.**

(a) *Staffing.* No transfer ambulance vehicle shall ever be operated upon the streets, highways or other public places of the city unless such vehicle is operated by at least two validly permitted ambulance attendants, each of whom must possess a current emergency medical technician basic certificate.

(b) *Posting of fee schedule.* All transfer ambulance vehicles shall have a current fee schedule conspicuously posted in the patient's compartment. A transfer services permittee shall have a current fee schedule on file with the City of Brady.

**Sec. 4.126. Issuance of permits.**

(a) The City Secretary, or designee, shall issue to each applicant a permit for each vehicle upon the applicant's filing of written proof of insurance as required in this division, upon ensuring that all City taxes on each vehicle and all other personal and real property used in such business have been paid and upon determination that all requirements of this chapter and all applicable state and federal statutes and regulations have been satisfied.

(b) Permits shall be issued for a twelve-month period. Such period shall run from January 1 to December 31 of each year. Any new permit issued during the year shall begin on the date of issuance and shall end on December 31 of that year. The permit shall state the period for which the permit is issued, the name of the owner, the make of the vehicle(s), the vehicle identification number(s), and the current license number(s).

**Sec. 4.127. Renewal.**

(a) An application for renewal of an existing permit shall be filed on or before November 15 for the renewal period covering the following calendar year. The application process shall be the same as specified in this chapter for initial permits.

(b) The City Secretary shall issue a Medical Transfer Service Permit for each ambulance for which it has received a renewal application upon the applicant's filing of written proof of insurance as required in this chapter, upon ensuring that all City taxes on each vehicle and on all other personal and real property used in such business have been paid, upon each vehicle passing the inspection required by this Chapter, and upon determination that all requirements of this chapter and all applicable state and federal statutes and regulations have been satisfied.

(c) If a permit has been suspended during the permit year, re-issuance of such permit will be reviewed by the Brady City Manager, or designees, during December of the same year. The re-issuance of such permit shall be denied if the City Manager or designee determines that the provisions of this ordinance have not been met.

**Sec. 4.128. Transferability.**

A permit issued under this chapter shall be specific to both the permittee as well as the permitted vehicle, and shall not be transferable.

**Sec. 4.129. Alterations of terms by City Council.**

The City Council expressly reserves the right to modify, amend, change, or eliminate any of the provisions of any permit issued under this chapter, during the life of the permit, to:

(a) Eliminate or delegate any conditions that might prove obsolete or impractical; or

- (b) Impose any additional conditions upon any owner as may be just and reasonable, and which are deemed necessary for the purpose of promoting adequate, efficient, and safe ambulance to the public.

**Sec. 4.130. Requirements for business location.**

If the business location of the ambulance service, firm or organization is located within the City limits, the building must be in compliance with all City ordinances, state and federal laws. Pursuant to this specific chapter, no such ambulance service firm or organization can operate as its main place of business, a storage supply facility, or in a private residence. The Brady City Manager or designee, or police department, has the right to inspect such locations as often as deemed necessary to ensure compliance with all provisions of this chapter. The refusal of any ambulance operator, with a business office located within the City limits, to allow the Brady City Manager or designee, or police department, to inspect such premises shall be considered a violation of this chapter and may be subject to forfeiture of the Medical ambulance permits.

**Sec. 4.131. Revocation.**

(a) In addition to the penalties as provided in the Code for violations of this article, a medical transfer service provider or any of its officers, agents and/or employees who violate any section of this chapter, including allowing drivers to operate or drive any vehicle while not properly licensed or while intoxicated/incapacitated, is subject to immediate suspension of its medical transfer service permit to operate within the City limits by the Brady City Manager designee. Any violation of the chapter may subject the transfer service provider to suspension or revocation of its Non-Emergency Transfer Service Permit. However, not less than ten (10) days before any revocation or suspension for other than operating a vehicle while not properly licensed or while intoxicated/incapacitated, the owner shall be given written notice, be either personal delivery or certified mail to the permittee's address as shown on the permit application, and an opportunity to be heard before the Brady City Manager or designee as to why the permit should not be revoked or suspended. No such notice or hearing shall be deemed necessary prior to the revocation of a permit for failure to maintain proper insurance as required. Additionally, the permittee shall notify the City of any state or federal investigation, or conviction of violation of any state or federal law within ten (10) days of such investigation or conviction.

(b) If the Brady City Manager or designee's decision is not acceptable to applicant or permittee he may, within ten (10) days of that decision, file an appeal in writing with the City Manager. During the pendency of the appeal, the permit shall be suspended. Such a written appeal shall set forth the specific grounds therefore. The City Manager shall notify the appellant within ten (10) days after the receipt of appeal as to the time and place of the hearing, which shall be within thirty (30) days of receipt of such appeal. The determination of City Manager on any appeal pursuant to this chapter shall be final.

(c) Upon suspension or revocation of an ambulance permit, such medical transfer service shall cease operations in the City and no person shall permit such medical transfer service to continue such operations.

Sec. 4.132 – 4.140 reserved.

**Section 2. Penalty.** Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each violation occurrence shall constitute a separate offense.

**Section 3. Repealer.** All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 4. Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Brady, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Passed and Approved on FIRST READING on the 15th day of July, 2014.

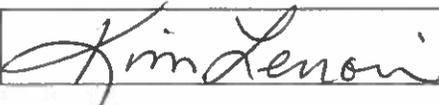
Passed and Approved on SECOND READING on the 5th day of August, 2014.

  
Anthony Groves, Mayor

ATTEST:

  
City Secretary

# City Council City of Brady, Texas Agenda Action Form

<b>AGENDA DATE:</b>	2/7/2016	<b>AGENDA ITEM</b>	7.E.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding rescheduling Regular City Council Meeting on July 4, 2017.		
<b>PREPARED BY:</b>	K Lenoir	<b>date</b>	1-31-2017
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

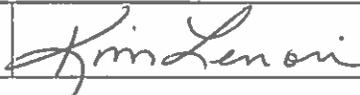
<b>SUMMARY:</b>	<p>Since City Charter Section 3.09 is specific as to determining meeting dates, and the current meeting ordinance, does not allow options for rescheduling a regular meeting. Council could pass an ordinance anytime there is a conflict with a holiday or if they want to give themselves the option of determining an alternative date (due to holiday conflict) by resolution. Since the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday meeting dates are “fixed” by ordinance, there is room to argue that Council has satisfied Section 3.09 and can adopt an alternative date (due to holiday conflict) by resolution (see Charter Section 1.03), if allowed by the ordinance “fixing” the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday as regular meeting dates.</p> <p>July 4<sup>th</sup> this year is the 1<sup>st</sup> Tuesday, which is a regular council meeting date. In accordance with the City Charter, to set a different date the City Council must adopt either an ordinance or a resolution to change the date. Staff will bring back an ordinance or resolution, as directed by City Council.</p> <p>City Council also needs to suggest a new date in July, as desired. Staff suggest that the 2<sup>nd</sup> Tuesday be considered, July 11 or the 1<sup>st</sup> Thursday, July 6.</p>
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<b>RECOMMENDED ACTION:</b>	Direct staff, as desired.
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# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	2/7/2016	<b>AGENDA ITEM</b>	7.F
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action to contract for professional services of engineering and design with EIKON to complete plans and specifications for bid-ready renovation plans for the Activity Center (Old South Ward Cafeteria).		
<b>PREPARED BY:</b>	Lisa Remini / P Lamont	<b>Date</b>	1-31-2017
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$46,600.00	
	<b>Amount Budgeted for Project:</b>	\$121,240.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

EIKON completed and presented a renovation design for the Old South Ward Cafeteria for a future Activity Center for the Senior Citizen program. These plans have been reviewed by the McCulloch County Senior Citizens Association Advisory Board of Directors, and sub-contractors who might be qualified to do the work. After much discussion with the contractors, staff determined that a full set of construction plans were needed to address the Energy Codes, ADA, fire protection, HVAC design, roof structural design, kitchen, and new restrooms. EIKON can continue their work and develop a full set of plans and specifications to bid the project for a general contractor to renovate the facility. Estimates for the construction renovation are currently projected at \$350,000 to \$400,000, using current renovation square footage pricing.

To complete the plans and specifications for bidding, \$38,600 is needed and reimbursable expenses are not to exceed \$8,000; for a total of \$46,600. The FY 2017 budget allows up to \$121,240 for expenditure costs for the project in this fiscal year. Year to date expenditures of \$13,870 leaves \$107,370 available.

**RECOMMENDED ACTION:**

Move to authorize the City Manager to enter into a professional services agreement with EIKON not to exceed \$46,600.

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	2/7/2017	<b>AGENDA ITEM</b>	7.G
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action to contract for professional services of engineering and design with Luck Design Team to complete plans and specifications for bid-ready renovation plans for Richards Park as part of the Local Outdoor Recreation Grant awarded by Texas Parks and Wildlife Department and funded by sporting goods sales tax.		
<b>PREPARED BY:</b>	P Lamont	<b>Date</b>	2-2-2017
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$84,350
	<b>Amount Budgeted for Project:</b>		\$300,000.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

**SUMMARY:**

In October of 2016 a Request for Proposals was released and received for the redevelopment of Richards Park. Four proposals were received and reviewed by staff and the Mayor. From the four proposers, three were selected for interview which took place on January 10, 2017. Vendors were scored on their specific approach to the project, experience, past record of performance and adaptability and consistency of the response and presentation. The interview panel rated each of the proposers and is recommending the Luck Design Team from Austin be retained to provide a plans and specification to bid the project for construction after the 2017 ball season.

To complete the plans and specifications for bidding, \$78,750 is needed and reimbursable expenses are not to exceed \$5,600; for a total of \$84,350. The FY 2017 budget allows up to \$300,000 for expenditure costs for the project in this fiscal year of which 50% is reimbursable by the grant. There have been no expenditures this year.

**RECOMMENDED ACTION:**

Move to authorize the City Manager to enter into a professional service agreement with Luck Design Group not to exceed \$85,000 (maximum allowed by TPWD).