

BRADY
THE CITY OF
TEXAS

Tony Groves
Mayor

Jim Griffin
Mayor Pro Tem

Rey Garza
Council Member Place 1

Shelly Perkins
Council Member Place 2

Jeffrey Sutton
Council Member Place 3

Jane Huffman
Council Member Place 4

Kim Lenoir
City Manager

Tina Keys
City Secretary

Shannon Kackley
City Attorney

MISSION

The City of Brady strives to share its history and encourage the development of diverse housing, employment, infrastructure, and opportunity through transparent management and financing for all residents and employees.

CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING OCTOBER 3, 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 October 3, 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

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

- A. Approval of Audit Board for October 3, 2017.
- B. Approval of Minutes for Work Session and Regular Meeting Sept 19, 2017.
- C. Approval of Resolution 2017-034 to designate the *Brady Standard-Herald* as the City's official newspaper as required by City Charter Section 13.02.

5. PRESENTATIONS:

- A. eHT Engineers will present and answer questions concerning the status report of the Radium Reduction Drinking Water Project for City of Brady

6. PUBLIC HEARINGS:

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7. INDIVIDUAL CONCERNS

City Council Members are to deliberate the following items. Staff will present the item and are prepared to answer City Council Member questions. The Mayor will recognize Council Members as the council discussed the item so everyone is heard. Once the City Council Members finish discussion, the Mayor will recognize attendees who have comments. Attendees and council members need to direct comments to the Mayor as they are recognized. When all comments are complete, the Mayor will call for a motion.

- A. Discussion, consideration and possible action regarding second and final reading of Ordinance 1235 for a Specific Use Provision (SUP) as requested by Greg and Cheryl Kubacak for property located at 1000 East 4th Street for the purpose of Commercial storage (Planning and Zoning recommended approval 9-12-17).
- B. Discussion, consideration and possible action regarding first reading of Ordinance 1236 of the City of Brady, Texas, to amend FY 2018 Budget transferring the fund balance reserves of the Sewer Fund and separating the Wastewater Treatment Plant and Special Projects-CW Budgets from the Electric-Sewer Fund and adding to the new Water-Sewer Fund.
- C. Discussion, consideration and possible action regarding first reading of Ordinance 1237 to amend Article 2 of the City of Brady Municipal Code of Ordinances to restrict non-domestic animals (livestock) from the city limits, to establish fencing requirements and to permit 4-H/FFA animals annually, if located in the city limits.
- D. Discussion and summary of City Council action and if procedures and process worked.

8. STAFF REPORTS

- A. **3rd Quarter Reports for Public Works:** WWTP Replacement Project; Radium Reduction Drinking Water Treatment Project; TCEQ – Old Power Plant Station Site and Judgement; TXDOT North Bridge Street Project
- B. **3rd Quarter Reports for Community Services:** Brady Lake Boating Access Grant; BEDC Brady Lake Fish House Project; Richards Park Improvements Grant; Willie Washington Park Improvements; Stanburn Park Improvements; Brady Creek Trail Project; Brady Lake Dam Breach Inundation Mapping and Brady Drainage Master Plan; Curtis Field Master Plan; Automated Weather Observation System Grant; GRW Steering Committee; Activity Center Renovation Project; Brady Lake Game Mgmt Program
- C. **3rd Quarter Administration:** Davee-Dodge Heights Project; Brady Lake Boat Dock Permits/ Rules/ Regulations and Billing
- D. **3rd Quarter Reports for Public Safety:** Grant(s) Status Reports; Animal Control Facility Project
- E. **Upcoming Special Events/Meetings:**
 - October – Breast Cancer Awareness Month – “Fired Up to Save Lives”
 - October 7 – 9am – City Employees met at Brady Lake Pavilion - Fall Sweep Clean-up /4-H GRW
 - October 7 – Steel Magnolia’s Show – Central Baptist Church – Sponsored by Senior Center
 - October 10 – Ol’ Hound Dawgs Homecoming Bonfire – Brady Lake Pavilion
 - October 13 – BISD Homecoming – Bulldog Stadium
 - October 14 – 5K/1 mile Color Fun Run – Richards Park and Brady Creek Trail
 - October 18 – 12 noon Good News Luncheon by Chamber of Commerce, HOT Event Center
 - October 28-29 – Hogtoberfest – GRW Complex
 - November 18 – Hunter’s Appreciation Dinner – Civic Center

F. Upcoming City Calendar:

October 5 – 5pm GRW Steering Committee
October 9 – Columbus Day – City Offices Closed / In-service Training Day – No Trash Service
October 10 & 11 – Holiday Reschedule of Trash – Mon service on Tues; Tues Service on Wed
October 10 – 5:30pm P&Z Regular Monthly Meeting
October 17 – 4pm City Council Work Session – Signs / Boat Docks
October 18 – 8:30am Monthly Municipal Court
October 26 – 5:30pm Charter Review Commission
Set Date for a Joint Charter / Council Work Session

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 551.071 (Consultation with City Attorney), the City Council will conduct a private consultation with the City Attorney to seek advice regarding the TCEQ Case and the Old Hospital.
- B. 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.
- C. Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager Lenoir and City Attorney duties under the City Charter.

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

12. ADJOURNMENT

I certify that this is a true and correct copy of the City of Brady City Council Meeting Agenda and that this notice as posted on the designated bulletin board at Brady City Hall, 201 E. Main St., Brady, Texas 76825; a place convenient and readily accessible to the public at all times, and said notice was posted on _____ by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Tina Keys, City Secretary

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City Facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or citysec@bradytx.us.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The

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

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (Economic Development).

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.114(c) and the meeting is conducted by all participants in reliance on this opinion.

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session Meeting on Tuesday, September 19, 2017 at 4:00 p.m. at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Tony Groves presiding. Council Members present were Jim Griffin, Rey Garza, Shelly Perkins, and Jane Huffman. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Public Works Director Steven Miller, Finance Director Lisa Remini, Police Chief Steve Thomas, Fire Chief Brian Meroney, Code Compliance Officer Kim Davee, Animal Control Officer Chantal Solis, and City Secretary Tina Keys.

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 proposed sign ordinance in accordance with P&Z recommendations. Peter Lamont presented.
3. Review and discuss proposed animal ordinance changes as directed by City Council on August 16. Kim Lenoir presented. At 4:54 p.m., Council Members Huffman and Garza left the room. Council took a break until a quorum was present again. Council resumed at 4:56pm. Council took a break at 5:30 p.m. but then resumed the meeting.
4. Review and discuss changes to paved parking lots requirements in Industrial and Commercial Districts before sending to P&Z for review. Item was not discussed due to time constraints.
5. Discuss 72 hour Stray Hold Facility location across from FFA Barns at GRW Complex. Kim Lenoir presented.
6. Discuss grand reopening and dedication for Brady Creek Trail. Item was not discussed.
7. Discuss a contest to rename the park/trail stop on Richards Street. Item was not discussed.

8. Discuss and plan future work session dates and topics

There was no discussion.

9. Announcements

There were no announcements.

10. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 5:53 p.m.

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, September 19, 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 Jim Griffin, Rey Garza, Shelly Perkins and Jane Huffman. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Public Works Director Steven Miller, Finance Director Lisa Remini, Police Chief Steve Thomas, Fire Chief Brian Meroney, Code Compliance Officer Kim Davee, Water Crew Leader Vern Canter and City Secretary Tina Keys. Also in attendance were Harold Tacker, Carl and Jeanette Tacker, Annita Ellison, Lynn Farris, Patsy Cole, Teresa and Chris Liefeste, Cheryl Kubacak, Louise Long, Belle Howell, Heather Jo Ashton, Gina Hepburn, Brian Crabb, Farris Moreno, Rhonda Wright and Wayne Wright.

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

Mayor Groves called the meeting to order at 6:01 p.m. Council quorum was certified.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. PUBLIC COMMENTS

There were no public comments

4. CONSENT AGENDA

- A. Approval of Audit Board for September 19, 2017.
- B. Approval of Minutes for Special Meeting August 31, 2017 and Regular Meeting September 5, 2017.
- C. Approval of the Mayor's appointment of Stan Amyett to the Airport Advisory Board.
- D. Approval the Mayor's appointment of Rex Ewert to the Charter Review Commission

Council Member Perkins asked for the removal of Item D.

Council Member Garza moved to approve the Consent Agenda items A, B & C. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

Council Member Perkins questioned Rex Ewert already listed as a member on the Charter Review. Kim Lenoir clarified.

Council Member Perkins moved to approve Rex Ewert. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

5. PRESENTATIONS

There were no presentations

6. PUBLIC HEARINGS:

- A. Continue public hearing posted February 14, continued to June 13, and continue to September 12, to receive comments for or against a revised re-plat of the Davee Subdivision as requested by the City of Brady (published 01/25/2017). Kim Lenoir presented. Public Hearing was opened at 6:12pm. There were no

comments. Public hearing was closed at 6:13pm.

- B. Discussion, consideration and possible action regarding Planning and Zoning Commission's recommendation to City Council to approve re-plat of the Davee Subdivision (survey 7-10-17) as requested by the City of Brady. Kim Lenoir presented. There were no comments. Council Member Griffin moved to accept P&Z's recommendation. Seconded by Council Member Perkins. All council members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- C. A public hearing regarding a Specific Use Provision (SUP) as requested by Greg and Cheryl Kubacak for property located at 1000 East 4th Street for the purpose of Commercial storage. (published 08/23/2017). Peter Lamont presented. Public hearing was opened at 6:15pm. There were no comments. Public Hearing was closed at 6:15pm.
- D. Discussion, consideration and possible action regarding first reading of **Ordinance 1235** for a Specific Use Provision (SUP) as requested by Greg and Cheryl Kubacak for property located at 1000 East 4th Street for the purpose of Commercial storage (Planning and Zoning recommended approval 9-12-17). Peter Lamont presented. Council Member Huffman moved to approve the first reading of Ordinance 1235. Seconded by Council Member Griffin. Three Council Members voted "aye" with Council Member Garza voting "nay". Motion carried with a 3 – 1 vote.

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding second and final reading of **Ordinance 1232** of the City of Brady, Texas, to adopt FY 2018 Budget. Lisa Remini presented. Council Member Huffman moved to approve the second and final reading of Ordinance 1232. Seconded by Council Member Garza. In a roll call vote: Rey Garza - aye / Shelly Perkins - aye / Jane Huffman - aye / Jim Griffin – aye. No Council Members voted "nay", motion carried in a 4 – 0 vote.
- B. Discussion, consideration and possible action regarding ratification of the tax increase reflected in the FY 2018 Budget. Lisa Remini presented. Council Perkins moved to approve ratification of the tax increase reflected in the FY 2018 Budget. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- C. Discussion, consideration and possible action regarding second and final reading of **Ordinance 1233** of the City of Brady, Texas, to adopt 2017 property tax rate. Lisa Remini presented. Council Member Garza moved that the property tax rate be increased by the adoption of a Tax rate of 0.409609 per \$100 of taxable value, which is effectively an 8 (eight) percent increase in the tax rate. Seconded by Council Member Perkins. In a roll call vote: Rey Garza – "aye" / Shelly Perkins – "aye" / Jane Huffman – "aye" / Jim Griffin – "aye". No Council Members voted "nay", motion carried in a 4 – 0 vote.
- D. Discussion, consideration and possible action regarding second and final reading of **Ordinance 1234** of the City of Brady, Texas, to adopt October 1, 2017 Schedule of Fees and Charges. Kim Lenoir presented. Council Member Griffin moved to approve the second and final reading of Ordinance 1234. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carries in a 4 – 0 vote.
- E. Discussion, consideration, and possible action regarding **Resolution 2017-033** to adopt revisions to the Personnel Policy adding a 28-day, 212 hour work period for Fire Department in accordance with Federal Regulations, adjustments to leave paid, and clarifying taken-home vehicles in accordance with city policy. Kim Lenoir presented. Council Member Perkins moved to approve Resolution 2017-033. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carries in a 4 – 0 vote.

- F. Discussion, consideration, and possible action regarding Demolition Order 2016-10 in accordance the Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 502 West 2nd Street in the Luhr Subdivision, Block 97, Lot 3. (Public Hearing held July 18, 2017). Peter Lamont presented. Staff would like to ascertain if the structure can hold up a new roof. City Manager Lenoir thinks we need to inspect it. Council Member Griffin asked if the Homeowner is willing to take it down to rafters. Staff does not know. Action is delayed until no later than the first regularly scheduled council meeting in November.
- G. Discussion, consideration and possible action regarding adoption of the revised Mission-Vision-Purpose-Values Statements. Kim Lenoir presented. Council Member Griffin moved to approve. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- H. Discussion, consideration and possible action authorizing the Fire Department to perform a training burn of the Old Jockey House as suggested by the GRW Steering Committee before the upcoming Hogtoberfest event at the GRW Complex. Kim Lenoir presented. Council Member Garza moved to authorize removal of the jockey house from GRW Complex. Seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- I. Discussion, consideration and possible action regarding appointment of a Council position for the Hotel Occupancy Committee for FY2018. Council Member Garza moved to approve recommendation of Council Member Griffin to continue serving on Hotel Occupancy Committee. Seconded by Council Member Huffman. All Council members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- J. Discussion, consideration and possible action regarding nomination of members of the McCulloch County Appraisal District Board of Directors. Council Member Perkins moved to nominate the three currently serving on the board – Williams, Quinn and McBee. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.
- K. Discussion regarding City Council procedures and process. There was no discussion.

8. STAFF REPORTS

- A. August Monthly Financial and Utility Reports
- B. August Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Code Enforcement, Chronic Code Compliance Update, Administrative Projects
- C. Upcoming Special Events/Meetings:
 - September 23 – 9am to 12 noon Free Fall Bulk Trash Drop-off – GRW Complex
 - October 7 – Fall Sweep Clean-up – GRW
 - October 10 – 6pm Ol' Hound Dawgs Booster Club - Homecoming Bonfire – Brady Lake Park
 - October 13 – BISD Homecoming
 - October 14 – 5K/1 mile Color Fun Run – Richards Park and Brady Creek Trail
 - October 28-29 – Hogtoberfest – GRW Complex
- D. Upcoming City Calendar:
 - September 21 – 6pm BEDC Meeting
 - October 3 – 6pm – Radium Water Project Update; Council Meeting
 - October 5 – 5pm GRW Steering Committee
 - October 9 – Columbus Day – City Offices Closed / In-service Training Day – No Trash Service
 - October 10 & 11 – Holiday Reschedule of Trash – Mon service on Tues; Tues Service on Wed
 - October 10 – 5:30pm P&Z Regular Meeting
 - October 17 – 4pm City Council Work Session; 6pm Regular Council Meeting
 - October 26 – 5:30pm Charter Review Commission

9. ANNOUNCEMENTS

Council Member Perkins distributed copies of the Central Texas Master Gardeners upcoming event – Texas Pollinator Bio Blitz, supporting bees and butterflies; Sept 23 to Oct 8.

10. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 7:15 p.m.

Mayor Anthony Groves

Attest: _____

Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	10/03/2017	AGENDA ITEM	4.C.
AGENDA SUBJECT:	Discussion, consideration and possible action on Resolution 2017-034 to designate the Brady Standard Herald as the City's official newspaper as required by the City Charter Sec 13.02.		
PREPARED BY:	T. Keys	Date Submitted:	9/22/16
EXHIBITS:	Resolution 2017-034		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY: <p>The City of Brady's Home Rule Charter requires the designation of an official newspaper by resolution annually.</p>			
RECOMMENDED ACTION: <p>Move to approve Resolution 2017-034 to designate an official newspaper for required publication and Public Notices.</p>			

RESOLUTION 2017-034

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS
DESIGNATING ANNUALLY THE CITY'S OFFICIAL NEWSPAPER AS PROVIDED
FOR IN SECTION 13.02 OF THE HOME RULE CHARTER.**

WHEREAS, the Home Rule Charter of the City of Brady, Texas requires the Council to annually designate an official newspaper of general circulation in the City; and

WHEREAS, this allows for the City to utilize the chosen paper as its official newspaper; and

WHEREAS, it will greatly benefit the City as well as the citizens to have the local newspaper as the official newspaper of the City; and

WHEREAS, the City Council of the City of Brady, Texas hereby selects the *Brady Standard-Herald* as the City's official newspaper.

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

That the *Brady Standard-Herald* be designated as the City's official newspaper as required by the City of Brady's Home Rule Charter, effective immediately.

PASSED AND APPROVED this the _____ day of _____, 2017

CITY OF BRADY:

Anthony Groves, Mayor

Attest: _____

Tina Keys, City Secretary

Status Report

Council Presentation

City of Brady Radium Reduction Project

Presentation Outline

- Summary of Project Scope
- Overview of Schedule
- Funding Options
- Questions

Basis of Recommended Improvements

- Water Capital Improvements were identified based on the following:
 - Balance of Capital Costs with Life Cycle Costs
 - Resolution of observed Distribution/Pressure Issues
 - Foundation for Future Growth and Economic Development

Water CIP Summary

- Over 6.4 miles of new water transmission line proposed (varies from 20-inch to 12-inch)
- Over 3 miles of water distribution line replacement (varies from 6-inch to 2-inch)
- 600,000 Gallons of new elevated storage tanks
- New 3 MGD Radionuclide Reduction Groundwater Treatment Plant
- Surface WTP Renovations, 3 MGD
- Groundwater Well Site Renovations
- Over \$26 million in Capital Improvements!



Current Status

- Radionuclide Reduction Treatment
 - **Process design is complete**, finishing coordination with structural, electrical and architectural design
- Surface WTP
 - **Process design is complete**, finishing coordination with structural, electrical and architectural design
- Water Transmission Lines
 - **Design is 80% complete**, finalizing remaining outstanding easements
- Elevated and Ground Storage
 - **Design is complete**, finishing coordination with FAA for new Airport EST
- Easements
 - **Major easements have been acquired**, finishing last remaining easements near Well 5 to optimize transmission line design
- Environmental
 - Environmental clearance will be updated once outstanding easements have been finalized



Normal EDAP Funding Process

Legislature Approves the
Issuance of
EDAP Bonds

Spring 2017

State Issues
EDAP Bonds

Fall 2017

Applicants Close on
EDAP Funds

January 2018

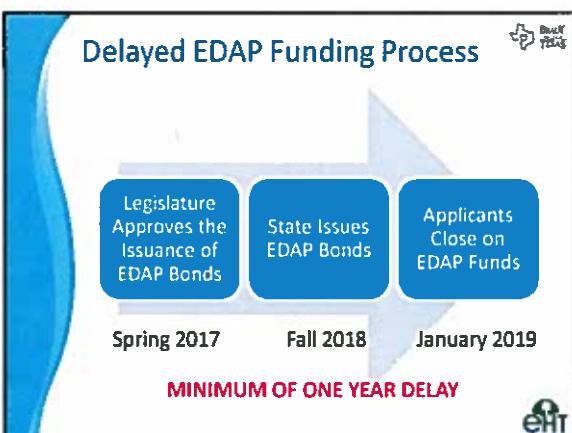


What Happened?

- State Legislature did not approve additional EDAP Program Funding
- State Legislature did approve release of the remaining EDAP Funds \$52 million BUT...
- Issuance of the remaining \$52 million must be delayed until the next fiscal year to avoid the State incurring any costs for the upcoming fiscal year



Delayed EDAP Funding Process



Legislature Approves the Issuance of EDAP Bonds

State Issues EDAP Bonds

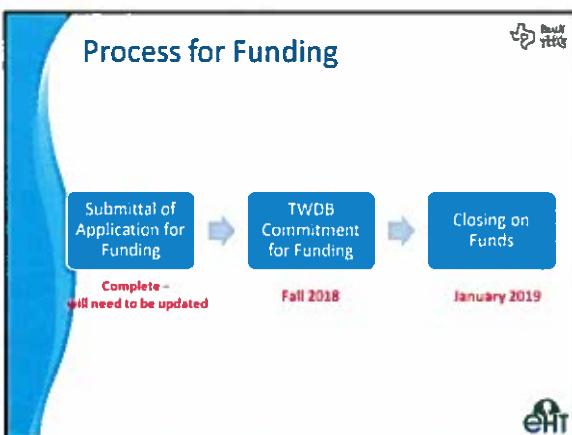
Applicants Close on EDAP Funds

Spring 2017 Fall 2018 January 2019

MINIMUM OF ONE YEAR DELAY



Process for Funding



Submittal of Application for Funding

Complete - will need to be updated

TWDB Commitment for Funding

Fall 2018

Closing on Funds

January 2019



Schedule Impacts

PREVIOUS SCHEDULE		
Milestones	EPA Compliance Schedule	EDAP Funding Only
Construction Start	March 2016	January 2018
Achieve Compliance	September 2017	June 2019
REVISED SCHEDULE – DELAY IN EDAP FUND AVAILABILITY		
Construction Start	January 2018	January 2019
Achieve Compliance	September 2019	September 2020
City will need USEPA to Amend the Agreed Order for Compliance Date – Meeting Scheduled for October 10, 2017		



Detailed Schedule

ITEM	DATE
DESIGN COMPLETION	MARCH 2018
TCEQ/TWDB APPROVAL OF PS&E	JULY 2018
ENVIRONMENTAL CLEARANCE	JULY 2018
ADVERTISE/BID/AWARD	FALL 2018
CONSTRUCTION START	JANUARY 2019
CONSTRUCTION COMPLETION/COMPLIANCE	SEPTEMBER 2020



Previous Funding and Proposed

- Planning Funds of \$700,000 - \$350,000 Loan and \$350,000 Grant
- Design Funds of \$1,804,000 – 100% GRANT
- EDAP Construction Funding of Estimated 85% Grant for \$26 million - \$22.1M Grant and \$3.9M Loan; or, if City wanted to proceed this year...
- DWSRF Funding at 50% for \$13M Loan and \$13M Grant – additional \$9.1M in Debt



Current Surface Water Treatment Plant

➤ Why Not Start It Up Now?

- Plant was mothballed with drought – additional costs to start up then shut-down again for improvements are not cost efficient
- Existing plant is not able to produce treated surface water that is compliant for disinfection byproducts rule
- The existing plant does not have a permitted evaporation permit for disposal of concentrate, which would be required to operate the RO system
- City will incur additional violations for TTHMs under Federal and State Drinking Water Standards, until the plant has been upgraded
- Do not need new violations when asking EPA to lengthen the compliance schedule

Current Surface Water Treatment Plant

➤ Why Not Use It to Treat Our Groundwater?

- The original project was based on sending treated surface water to each well site to blend down radionuclide levels to compliance – **this approach was not successful in the past and still resulted in noncompliant radionuclide levels**
- RD itself can reduce radionuclides, but results in the creation of a highly concentrated waste stream that cannot be discharged downstream – **the buildup of radionuclides in an evaporation basin could result in the formation of a dangerous radioactive basin in the future**
- If used for radionuclide reduction, RO membranes will become saturated with radionuclide infused inorganic scale over time, which requires disposal of the RO membranes as **low level radioactive waste** at a special disposal facility when the RO membranes must be replaced
- To meet TCEQ radionuclide maximum contaminant limits with RO, all of the groundwater must be treated (cannot blend to re-stabilize the RO permeate) – **the existing RO system is only rated for 3.5 MGD, which will not provide enough water to meet daily demands**



Summary

- The Delay in EDAP Funds is disappointing but worth the wait!
- City has other future debt such as \$9 - \$12 million CWSRF at possible 50% Loan.
 - EDAP Water is being used to maintain debt service at reasonable level.
- It is not cost effective nor compliant with regulatory standards to start the Surface WTP.

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

AGENDA DATE:	10/03/2017 AGENDA ITEM 7.A.		
AGENDA SUBJECT: Discussion, consideration and possible action regarding second and final reading of Ordinance 1235 for a Specific Use Provision (SUP) as requested by Greg and Cheryl Kubacak for property located at 1000 East 4 th Street for the purpose of Commercial storage (Planning and Zoning recommended approval 9-12-17).			
PREPARED BY:	Kimberly Davee	Date Submitted:	09/21/2017
EXHIBITS:	SUP Ordinance 1235		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

Greg and Cheryl Kubacak, owners of Texas Wildlife Supply have applied for an SUP on 1000 East 4th Street on May 19, 2017. After an initial meeting with the neighborhood in which they expressed opposition, a joint meeting was held at City Hall between the two sides on August 3, 2017.

After a separate meeting with the neighbors of the Southeast side and the Kubacak family, it seems an agreement has been reached. The agreed upon terms are included:

- A two year permit with Options for the City to renew;
- Vegetative visual barrier at least 6 foot high at maturity, ex. Red Tip Photinia, Yaupon Holly, Italian Cypress or similar;
- Primary Entrance off A.L. Reed;
- Secondary/Emergency gated Entrance off Plum;
- 25 foot corner setbacks for sight visibility on all corner;
- All truck traffic should completely enter the property for loading/unloading.

A Public Hearing was conducted and this item was discussed at the September 12, 2017 Planning and Zoning Commission Meeting. No one spoke against the terms and the recommendation to City Council passed Unanimously (Cathy Ewert motion and Nick Blyshak second).

A public hearing was conducted and this item was discussed at the September 19, 2017 City Council meeting. There were no public comments during the hearing. City Council approved the 1st reading of Ordinance 1235 for a Specific Use Provision for 1000 East 4th Street.

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 the second and final reading of Ordinance 1235

ORDINANCE NO. 1235

AN ORDINANCE OF THE CITY OF BRADY, TEXAS GRANTING A SPECIFIC USE PROVISION FOR THE PROPERTY LOCATED AT 1000 EAST 4TH STREET IN THE SINGLE-FAMILY RESIDENTIAL DISTRICT UPON APPLICATION BY GREG AND CHERYL KUBACAK.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers the City of Brady, Texas (City) to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, Chapter 14 of the Brady Code of Ordinances constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, Greg and Cheryl Kubacak applied for a Specific Use Provision to use their property located at 1000 East 4th Street as commercial property; and

WHEREAS, the Planning and Zoning Commission of the City provided adequate notice and held a public hearing on September 12, 2017 in accordance with the Brady Code of Ordinances and Chapter 211 of the Texas Local Government Code; and

WHEREAS, the Planning and Zoning Commission of the City recommended approval of the Specific Use Provision of the designated property and confirmed that the Specific Use Provision is uniform and conforms to the plan and design of the City's Zoning regulations; and

WHEREAS, the City Council held a public hearing on September 19, 2017 regarding the Specific Use Provision and its effect on nearby properties and complied with notice provisions of the Texas Local Government Code; and

WHEREAS, the City Council believes the Specific Use Provision will not adversely affect the character of the area of the neighborhood in which it is proposed; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City;

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

A Specific Use Provision is allowed for the Property located as 1000 East 4th Street in the Luhr Subdivision, Block 29, Lot 1 (the "Property") in the Single-Family Residential District subject to the conditions listed below.

Specific Use Provision: Commercial

Conditions:

1. The Property shall have a vegetative barrier located on the perimeter of the Property. The vegetative barrier shall be at least 6' high at maturity. The vegetative barrier shall be planted within 60 days of the passage of this Ordinance and shall be composed of vegetation that will reach maturity within two years of the passage of this ordinance.
2. There shall be a primary gated entrance off A.L. Reed.
3. There shall be a secondary/emergency gated entrance off Plum Street.
4. There shall be 25' setback on all four corners of the Property for sight visibility.
5. All truck traffic shall completely enter the Property for loading and unloading.
6. This Specific Use Provision automatically expires on the second anniversary of this Ordinance. The Owners of the Property may seek a renewal or extension of this Specific Use Provision after demonstrating compliance hereof and no detrimental effect to nearby properties.

PASSED and APPROVED on its First Reading on this the _____ day of _____ 2017.

PASSED and APPROVED on its Second Reading this the _____ day of _____ 2017.

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	10-3-2017	AGENDA ITEM	7. B
AGENDA SUBJECT:	Discussion, consideration and possible action regarding first reading of Ordinance 1236 of the City of Brady, Texas, to amend FY 2018 Budget transferring the fund balance reserves of the Sewer Fund and separating the Wastewater Treatment Plant and Special Projects-CW Budgets from the Electric-Sewer Fund and adding to the new Water-Sewer Fund.		
PREPARED BY:	Lisa Remini	Date Submitted:	9-28-2017
EXHIBITS:	Ordinance #1236 FY 18 Budget Summaries FY 18 Budget Reports for Funds 20 and 30		
BUDGETARY IMPACT:	Required Transfer:	\$1,867,000.00	
	Amount Budgeted:	\$00.00	
	FY 18 Budget after all Transfers:	\$26,518,890.00	
CITY MANAGER APPROVAL:			
SUMMARY: <p>It is believed that when the city acquired debt to upgrade the current WWTP in 1990, the city staff put the Sewer Plant funds/budget with the Electric Fund in order to strengthen debt service ability.</p> <p>The debt has been paid off and in 2015 the city received grant funding from the TWDB's EDAP program. When the city accepted funds from the EDAP program, a commitment to spend water and sewer funds only on water and sewer expenditures was required. Therefore, to ascertain accountability to that commitment staff recommends transferring the Sewer reserve funds in the amount of \$1,867,000 and the WWTP (23) and Special Projects (25) budgets from the Electric/Sewer Fund (20) to the Water Fund (30).</p> <p>There is no change in the budgeted revenues and expenditures for each division that was approved by Ordinance #1232 adopted by City Council September 19, 2017.</p>			
RECOMMENDED ACTION: <p>Mayor: <u>Do I have a motion to read the full ordinance?"</u></p> <p>If no, Mayor will state: <u>A majority of the City Council has dispensed with the full reading of the ordinance."</u></p> <p>Mayor will ask: <u>Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."</u> "Secretary reads preamble"</p> <p>Mayor calls for a motion: Move to approve the first reading of Ordinance 1236.</p>			

ORDINANCE NO. 1236

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE FISCAL
YEAR 2017-2018 BUDGET**

An ordinance amending the 2017-2018 Fiscal Year Budget as follows:

Transferring the fund balance reserves of the Sewer Fund and separating the Wastewater Treatment Plant (23) and the Special Projects-CW (25) Divisions operating budgets from the Sewer/Electric Fund to add to the Water Fund; therefore, creating an Electric Fund and a Water/Sewer Fund.

This amendment will promote accountability of water and sewer enterprise funds.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BRADY TEXAS** that the FY 2017-2018 budget be amended accordingly.

APPROVED UPON FIRST READING THIS THE _____ DAY OF _____ 2017,

**APPROVED AND PASSED UPON SECOND READING THIS THE _____ DAY OF
_____ 2017.**

EFFECTIVE OCTOBER 1, 2017.

Anthony Groves, Mayor

ATTEST: _____
Tina Keys, City Secretary

CITY OF BRADY

EFFECTIVE 10/01/2017 ORDINANCE #1236

FY 18 BUDGET SUMMARY

GENERAL FUND - 10

		TOTAL REVENUES	TOTAL EXPENSES	OVERALL NET
GENERAL FUND BASE BUDGET BEFORE TRANSFERS	\$3,656,120	\$7,176,876		(\$3,520,756)
Transfer in lieu of taxes from Electric Fund	\$2,945,000			\$2,945,000
Transfer in lieu of taxes from Gas Fund	\$397,000			\$397,000
Administrative fee from Sewer Fund	\$150,000			\$150,000
Administrative fee from Water Fund	\$150,000			\$150,000
Approved Supplemental Decision Packets	\$80,000	\$473,177		(\$393,177)
GENERAL FUND BUDGET AFTER TRANSFERS	\$7,378,120	\$7,650,053		(\$271,933)

ELECTRIC FUND - 20 Effective 10-1-2017

ELECTRIC FUND BASE BUDGET BEFORE TRANSFERS	\$8,749,410	\$6,363,024	\$2,386,386
Transfer Sewer Fund Balance to Fund 30		\$1,867,000	(\$1,867,000)
Transfer out in lieu of taxes from Electric to General Fund		\$2,945,000	(\$2,945,000)
Transfer out from Electric to Utility Support Fund		\$38,400	(\$38,400)
Transfer out from Electric to Special Revenue Fund		\$246,500	(\$246,500)
Approved Supplemental Decision Packets		\$377,600	(\$377,600)
ELECTRIC FUND BUDGET AFTER TRANSFERS	\$8,749,410	\$11,837,524	(\$3,088,114)

WATER / SEWER FUND - 30 Effective 10-1-2017

WATER / SEWER FUND BUDGET BEFORE TRANSFERS	\$2,150,000	\$1,576,674	\$573,326
Transfer Sewer Fund Balance Reserves in from Fund 20	\$1,867,000		\$1,867,000
Administrative fee from Sewer to General Fund		\$150,000	(\$150,000)
Administrative fee from Water to General Fund		\$150,000	(\$150,000)
Transfer out to Utility Support Fund		\$230,000	(\$230,000)
Approved Supplemental Decision Packets		\$146,849	(\$146,849)
WATER / SEWER FUND BUDGET AFTER TRANSFERS	\$4,017,000	\$2,253,523	\$1,763,477

GAS FUND - 40

GAS FUND BUDGET BEFORE TRANSFERS	\$1,125,000	\$883,303	\$241,697
Transfer out in lieu of taxes to General Fund		\$397,000	(\$397,000)
Transfer out to Utility Support Fund		\$30,000	(\$30,000)
GAS FUND BUDGET AFTER TRANSFERS	\$1,125,000	\$1,310,303	(\$185,303)

UTILITY SUPPORT FUND - 50

UTILITY SUPPORT FUND BUDGET BEFORE TRANSFERS	\$211,300	\$481,032	(\$269,732)
Transfer in from Electric Fund	\$38,400		\$38,400
Transfer in from Water Fund	\$230,000		\$230,000
Transfer in from Gas Fund	\$30,000		\$30,000
Approved Supplemental Decision Packets		\$50,214	(\$50,214)
UTILITY SUPPORT FUND BUDGET AFTER TRANSFERS	\$509,700	\$531,246	(\$21,546)

CITY OF BRADY

EFFECTIVE 10/01/2017 ORDINANCE #1236

FY 18 BUDGET SUMMARY

	TOTAL REVENUES	TOTAL EXPENSES	OVERALL NET
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SOLID WASTE FUND - 60

SOLID WASTE FUND BUDGET BEFORE TRANSFERS	\$1,096,000	\$1,040,206	\$55,794
Transfer to Special Revenue Fund		\$215,000	(\$215,000)
Approved Supplemental Decision Packets	(\$10,000)	\$31,399	(\$41,399)
SOLID WASTE FUND BUDGET AFTER TRANSFERS	\$1,086,000	\$1,286,605	(\$200,605)

SPECIAL REVENUE FUND - 80

SPECIAL REVENUE FUND BUDGET BEFORE TRANSFERS	\$1,121,050	\$1,649,636	(\$528,586)
Transfer in from Electric Fund	\$246,500		\$246,500
Transfer in from Solid Waste Fund	\$215,000		\$215,000
SPECIAL REVENUE FUND BUDGET AFTER TRANSFERS	\$1,582,550	\$1,649,636	(\$67,086)

TOTAL BUDGET BEFORE TRANSFERS AND FEES	\$18,178,880	\$20,249,990	(\$2,071,110)
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TOTAL BUDGET AFTER TRANSFERS AND FEES	\$24,447,780	\$26,518,890	(\$2,071,110)
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OTHER RESOURCES AVAILABLE:

Funds from TWDB for the CW Project	\$1,056,875
Cemetery funds	\$4,996
Excess Reserve Funds over policy required levels	\$1,009,239
TOTAL OTHER RESOURCES	\$2,071,110

TOTAL BUDGET AFTER TRANSFERS, FEES AND OTHER RESOURCES	<u>\$26,518,890</u>	\$26,518,890	\$0
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FY 18 APPROVED BUDGET SUMMARY - FUND BALANCE ADEQUACY

	TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
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GENERAL FUND - 10

PROJECTED GENERAL FUND BALANCE 10-1-2017			\$2,178,926
Proposed Budget FY18	\$3,656,120	\$7,176,876	(\$3,520,756)
Approved Supplemental Decision Packet(s)	\$80,000	\$473,177	(\$393,177)
Transfer in lieu of taxes from Electric Fund	\$2,945,000		\$2,945,000
Transfer in lieu of taxes from Gas Fund	\$397,000		\$397,000
Administrative fee from Sewer Fund	\$150,000		\$150,000
Administrative fee from Water Fund	\$150,000		\$150,000
ENDING GENERAL FUND BALANCE			\$1,906,993
Restricted - Estimated			(\$74,805)
ENDING GENERAL FUND BALANCE - Unrestricted 9-30-2018			\$1,832,188
Number of days to operating expenditures			90
Projected Excess funds available			\$7,517
Total budgeted expenditures FY18	\$7,650,053		
Less budgeted capital expenditures	(\$250,000)		
Net Operating Expenditures	\$7,400,053		
Minimum level Fund Balance required	\$1,824,671	90 days	

ELECTRIC FUND - 20 EFFECTIVE 10-1-17

PROJECTED ELECTRIC / SEWER FUND BALANCE 10-1-17			\$5,758,762
Transfer out Sewer Fund Balance Reserves to Fund 30		\$1,867,000	(\$1,867,000)
Proposed Budget FY 18 Electric / Power Plant	\$7,745,410	\$4,745,817	\$2,999,593
Approved Supplemental Decision Packet(s)		\$377,600	(\$377,600)
Transfer out in lieu of taxes from Electric to General Fund		\$2,945,000	(\$2,945,000)
Transfer out from Electric to Utility Support Fund		\$38,400	(\$38,400)
Transfer out from Electric to Special Revenue Fund		\$246,500	(\$246,500)
ENDING ELECTRIC FUND BALANCE			\$3,283,855
Restricted - Estimated			none
ENDING ELECTRIC FUND BALANCE - Unrestricted 9-30-18			\$3,283,855
Number of days to operating expenditures			150
Projected Excess funds available			\$10,486
Total budgeted expenditures FY 18	\$8,353,317		
Less budgeted capital expenditures	(\$388,120)		
Operating Expenditures	\$7,965,197		
Minimum level Fund Balance required	\$3,273,369	150 days	

WATER / SEWER FUND - 30 - EFFECTIVE 10-1-2017

PROJECTED WATER FUND BALANCE 10-1-2017			\$1,232,653
Transfer in Sewer Fund Balance Reserves from Fund 20	\$1,867,000		\$1,867,000
Proposed Budget FY18 Water / Sewer	\$3,154,000	\$3,193,881	(\$39,881)
Approved Supplemental Decision Packet(s)		\$146,849	(\$146,849)
Transfer out to Utility Support Fund		\$230,000	(\$230,000)
Administrative fee from Water to General Fund		\$150,000	(\$150,000)
Administrative fee from Sewer to General Fund		\$150,000	(\$150,000)
ENDING WATER / SEWER FUND BALANCE			\$2,382,923
Restricted - Estimated			(\$388,204)
ENDING WATER / SEWER FUND BALANCE - Unrestricted 9-30-2018			\$1,994,719
Number of days to operating expenditures			278
Projected Excess funds available			\$705,280

Total budgeted expenditures FY 18	\$3,870,730		
Less budgeted capital expenditures	(\$1,256,035)		
Operating Expenditures	\$2,614,695		
Minimum level Fund Balance required	\$1,289,439	180 days	

FY 18 APPROVED BUDGET SUMMARY - FUND BALANCE ADEQUACY

	TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
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GAS FUND - 40

PROJECTED BEGINNING GAS FUND BALANCE 10-1-2017			\$751,718
Proposed Budget FY18	\$1,125,000	\$883,303	\$241,697
Transfer out in lieu of taxes to General Fund		\$397,000	(\$397,000)
Transfer to the Utility Support Fund		\$30,000	(\$30,000)
ENDING GAS FUND BALANCE - Unrestricted 9-30-2018			\$566,415
Number of days to operating expenditures			181
Projected Excess funds available			\$2,328
Total budgeted expenditures FY18	\$1,310,303		
Less budgeted capital expenditures	(\$166,460)		
Operating Expenditures	\$1,143,843		
Minimum level Fund Balance required	\$564,087	180 days	

UTILITY SUPPORT FUND - 50

PROJECTED BEGINNING UTILITY SUPPORT FUND BALANCE 10-1-2017			\$148,190
Proposed Budget FY 18	\$211,300	\$481,032	(\$269,732)
Approved Supplemental Decision Packet(s)		\$50,214	(\$50,214)
Transfer from Electric Fund	\$38,400		\$38,400
Transfer from Water Fund	\$230,000		\$230,000
Transfer from Gas Fund	\$30,000		\$30,000
ENDING UTILITY SUPPORT FUND BALANCE - Unrestricted 9-30-2018			\$126,644
Number of days to operating expenditures			94
Projected Excess funds available			\$5,638
Total budgeted expenditures FY 18	\$531,246		
Less budgeted capital expenditures	(\$40,500)		
Operating Expenditures	\$490,746		
Minimum level Fund Balance required	\$121,006	90 days	

SOLID WASTE FUND - 60

PROJECTED BEGINNING SOLID WASTE FUND BALANCE 10-1-2017			\$576,199
Proposed Budget FY18	\$1,096,000	\$1,040,206	\$55,794
Approved Supplemental Decision Packet(s)	(\$10,000)	\$31,399	(\$41,399)
Transfer out to Special Revenue Fund		\$215,000	(\$215,000)
ENDING SOLID WASTE FUND BALANCE			\$375,594
Restricted - Estimated			(\$59,218)
ENDING SOLID WASTE FUND BALANCE - Unrestricted 9-30-2018			\$316,376
Number of days to operating expenditures			95
Projected Excess funds available			\$15,457
Total budgeted expenditures FY18	\$1,286,605		
Less budgeted capital expenditures and Street Sanitation exps	(\$66,210)		
Operating Expenditures	\$1,220,395		
Minimum level Fund Balance required	\$300,919	90 days	

Total Ending Fund Balances - Unrestricted		\$8,120,197
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Number of days to Total Operating Expenditures	4.7 MONTHS	142
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TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
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SPECIAL REVENUE FUND - 80

PROJECTED BEGINNING SPECIAL REVENUE FUND BALANCE 10-1-2017			\$188,811
Proposed Budget FY 18	\$1,121,050	\$1,649,636	(\$528,586)
Transfer in from Electric Fund	\$246,500		\$246,500
Transfer in from Solid Waste Fund	\$215,000		\$215,000
ENDING SPECIAL REVENUE FUND BALANCE - RESTRICTED			\$121,725

TOTAL BUDGET BEFORE TRANSFERS AND FEES **\$18,178,880** **\$20,249,990** **(\$2,071,110)**

TOTAL BUDGET AFTER TRANSFERS AND FEES **\$24,447,780** **\$26,518,890** **(\$2,071,110)**

OTHER RESOURCES AVAILABLE:

Funds from TWDB for the CW Project	\$1,056,875
Cemetery funds	\$4,996
Excess Reserve Funds over policy required levels	\$1,009,239
TOTAL OTHER RESOURCES	\$2,071,110

TOTAL BUDGET AFTER TRANSFERS, FEES AND OTHER RESOURCES **\$26,518,890** **\$26,518,890** **\$0**

CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2017 - 2018

Budget Amendment Ord #2017-1236
Effective 10-1-17

20-ELECTRIC FUND

	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	(- 2016-2017 -)		(- PROPOSED BUDGET -)		2017-2018 TOTAL
				ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	
BEGINNING FUND BALANCE & NET WORKING CAPITAL	5,237,002	6,221,019	6,618,643	7,152,397	7,152,397	5,758,762		5,758,762
REVENUES								
Electric Service Revenues								
20-4-22-700.00 Residential-Distribution	1,750,337	1,782,362	1,706,151	1,965,000	1,900,000	1,940,000	0	1,940,000
20-4-22-705.00 Commercial-Distribution	1,198,577	1,261,565	1,201,730	1,450,000	1,430,000	1,400,000	0	1,400,000
20-4-22-710.00 Industrial- Distribution	121,737	113,327	113,055	151,000	151,000	150,000	0	150,000
20-4-22-715.00 PCRF-Pass through charge	4,542,648	4,934,624	4,117,333	4,000,000	4,000,000	4,000,000	0	4,000,000
20-4-22-720.00 City Departments-Distribution	172,249	177,516	172,082	214,000	200,000	200,000	0	200,000
20-4-22-725.00 Security Lights	18,562	18,019	18,149	18,000	18,000	18,000	0	18,000
20-4-22-750.00 Sales Concessions	0	0	0	0	0	0	0	0
TOTAL Electric Service Revenues	7,804,109	8,287,413	7,328,500	7,798,000	7,699,000	7,708,000	0	7,708,000
Electric Operating Revenues								
20-4-22-622.00 County Subsidy	64,650	0	0	0	0	0	0	0
20-4-22-805.00 Transfer Fee to Other Util	0	0	0	0	0	0	0	0
20-4-22-806.00 Sale of Scrap	15,115	1,358	500	0	0	0	0	0
20-4-22-811.00 Pole Rental	37,410	37,410	37,410	37,410	37,410	37,410	0	37,410
20-4-22-815.00 Reimbursed Expenses	12,299	2,278	1,635	0	87,700	0	0	0
20-4-22-815.02 TXDOT Grant	0	0	0	13,080	0	0	0	0
20-4-22-898.00 Interest Income	2,551	808	0	0	0	0	0	0
20-4-22-899.00 Sale of Fixed Assets	0	1,000	2,500	1,500	1,500	0	0	0
TOTAL Electric Operating Revenues	132,024	42,854	42,045	51,990	126,610	37,410	0	37,410
Sewer Service Revenues								
20-4-23-700.00 Residential-Service	476,513	534,864	555,612	618,800	615,800	0	0	0
20-4-23-705.00 Commercial-Service	172,083	223,771	266,513	291,200	280,000	0	0	0
20-4-23-720.00 City Departments-Service	4,916	9,717	9,784	8,000	8,000	0	0	0
20-4-23-750.00 Sales Concessions	(392)	0	(345)	0	0	0	0	0
TOTAL Sewer Service Revenues	653,120	768,352	831,563	918,000	903,800	0	0	0
Sewer Operating Revenues								
20-4-23-814.00 Disposal Fees	15,614	11,360	11,640	12,000	9,000	0	0	0
20-4-23-815.00 Reimbursed Expenses	0	116	384	0	0	0	0	0
20-4-23-818.00 Sewer Tap Fees	2,250	3,000	1,000	1,000	1,000	0	0	0
20-4-23-898.00 Interest Income	1,359	1,551	483	500	500	0	0	0
TOTAL Sewer Operating Revenues	19,223	16,026	13,507	13,500	10,500	0	0	0
Long-Term Capital								
20-4-25-685.00 TWDB CW # 73638 - CO 2012	0	0	3,403	0	0	0	0	0
20-4-25-685.01 TWDB CW # 73638 - LF	0	0	2,219	0	0	0	0	0
TOTAL General Revenues	0	0	5,622	0	0	0	0	0
Other Sources								
20-4-22-900.00 Loan Proceeds	0	0	25,000	0	0	0	0	0
20-4-22-910.30 Transfers-in from Water	0	221,260	0	0	0	0	0	0
20-4-23-900.00 Loan Proceeds	0	0	0	0	0	0	0	0
20-4-25-910.00 Transfers-In	56	0	0	0	0	0	0	0
TOTAL Other Sources	56	221,260	25,000	0	0	0	0	0
TOTAL REVENUES	8,608,532	9,335,905	8,246,238	8,781,490	8,739,910	7,745,410	0	7,745,410
TOTAL AVAILABLE FUNDS	13,845,533	15,556,924	14,864,881	15,933,887	15,892,307	13,504,172	0	13,504,172

CITY OF BRADY
 BUDGET PLANNING REPORT
 FISCAL YEAR 2017 - 2018

Budget Amendment Ord #2017-1236
 Effective 10-1-17

20-ELECTRIC FUND

EXPENDITURES	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	(- - - 2016-2017 - - -)		(- - - PROPOSED BUDGET - - -)		2017-2018 TOTAL
				ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	
TOTAL EXPENDITURES	7,624,515	8,938,281	7,712,485	10,809,240	10,133,545	9,842,717	377,600	10,220,317
REVENUE OVER/(UNDER) EXPENDITURES	984,017	397,625	533,753	(2,027,750)	(1,393,635)	(2,097,307)	(377,600)	(2,474,907)
PROJECTED ENDING FUND BALANCE & NET WORKING CAPITAL	6,221,019	6,618,643	7,152,397	5,124,647	5,758,762	3,661,455		3,283,855

CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2017 - 2018

Budget Amendment Ord #2017-1236
Effective 10-1-17

20-ELECTRIC FUND

23-SEWER TREATMENT PLANT

(HISTORY ONLY)

EXPENDITURES	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	(- 2016-2017 -)		(- PROPOSED BUDGET -)		
				ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	2017-2018 TOTAL
Personnel								
20-5-23-101.00 Regular Pay	84,363	83,488	82,250	86,469	86,469	0	0	0
20-5-23-102.00 Overtime Pay	13,092	13,361	11,815	15,000	15,000	0	0	0
20-5-23-103.00 Certification Pay	0	2,400	2,400	2,400	2,400	0	0	0
20-5-23-106.00 Stand by Pay	3,640	3,640	3,640	3,640	3,640	0	0	0
20-5-23-110.00 Hospital Insurance	14,832	15,915	18,792	19,690	19,690	0	0	0
20-5-23-111.00 Municipal Retirement	9,819	10,396	9,959	9,890	9,890	0	0	0
20-5-23-112.00 Worker's Comp Insurance	2,752	2,573	2,265	2,501	2,501	0	0	0
20-5-23-113.00 Unemployment Insurance	580	63	408	297	297	0	0	0
20-5-23-114.00 Payroll Taxes	7,695	7,789	7,592	7,915	7,915	0	0	0
TOTAL Personnel	136,773	139,624	139,122	147,802	147,802	0	0	0
Contract Services								
20-5-23-201.00 Organ Dues/Fees	0	0	0	150	2,150	0	0	0
20-5-23-202.00 Utilities	63,389	90,953	73,959	95,000	95,000	0	0	0
20-5-23-203.00 Professional Fees	20	74	0	15,000	13,000	0	0	0
20-5-23-203.01 Agency Fees	11,887	15,874	8,212	15,000	20,000	0	0	0
20-5-23-204.00 Property/Liability Insurance	5,771	7,517	6,989	7,100	7,100	0	0	0
20-5-23-212.00 Rentals /Leases	0	0	0	0	0	0	0	0
20-5-23-213.00 Contract Labor	0	0	0	0	0	0	0	0
20-5-23-214.00 Internet Acess Fee	479	488	340	500	500	0	0	0
20-5-23-232.00 Computer Software Maint	80	98	0	750	750	0	0	0
20-5-23-233.00 Computer Hardware Maint	0	1,230	65	500	500	0	0	0
20-5-23-241.00 Bond Collections Fees	400	300	300	400	400	0	0	0
TOTAL Contract Services	82,026	116,535	89,865	134,400	139,400	0	0	0
Supplies/Repair/Expenses								
20-5-23-301.00 Employee Expense	283	93	312	900	900	0	0	0
20-5-23-301.02 Employee Training	1,548	1,187	558	2,500	2,500	0	0	0
20-5-23-302.00 Supplies	3,436	3,249	2,885	4,000	4,000	0	0	0
20-5-23-303.00 Fuel	5,142	3,123	1,053	6,500	5,500	0	0	0
20-5-23-304.00 Vehicles	1,090	5,793	2,866	4,000	4,000	0	0	0
20-5-23-305.00 Communication Equip	0	0	0	0	0	0	0	0
20-5-23-306.00 Buildings	0	0	0	0	0	0	0	0
20-5-23-307.00 Office Equipment	0	0	0	0	0	0	0	0
20-5-23-308.00 Heavy Rolling Stock	0	0	0	0	0	0	0	0
20-5-23-309.00 Small Equipment	2,334	954	1,329	2,000	2,000	0	0	0
20-5-23-312.00 General	29,980	10,709	10,454	20,000	6,900	0	0	0
20-5-23-313.00 Telephone/Cell/Alarm Sys	1,530	1,000	900	1,200	1,200	0	0	0
20-5-23-314.00 Drug Testing	15	0	170	110	110	0	0	0
20-5-23-316.00 Chemicals	22,750	19,261	24,750	30,000	30,000	0	0	0
20-5-23-317.00 Uniforms and Accessories	412	629	311	750	750	0	0	0
20-5-23-318.00 Laboratory-Testing	27,067	24,125	31,742	30,000	30,000	0	0	0
20-5-23-392.00 Bad Debt Expense	3,150	3,004	3,004	4,000	4,000	0	0	0
20-5-23-398.00 Interest Expense	18,294	18,294	17,811	17,110	17,110	0	0	0
TOTAL Supplies/Repair/Expenses	117,031	91,421	98,144	123,070	108,970	0	0	0
20-5-23-401.00 Capital Outlay-Projects	42,182	0	0	150,000	0	0	0	0
20-5-23-402.00 Capital Outlay -Vehicles & Equip	0	0	0	0	150,000	0	0	0
TOTAL	42,182	0	0	150,000	150,000	0	0	0

CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2017 - 2018

Budget Amendment Ord #2017-1236
Effective 10-1-17

20-ELECTRIC FUND

23-SEWER TREATMENT PLANT
(HISTORY ONLY)

EXPENDITURES	2013-2014	2014-2015	2015-2016	(- - - 2016-2017 - - -)		(- - - PROPOSED BUDGET - - -)		
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	2017-2018 TOTAL
<u>Replacement</u>								
20-5-23-551.00 Emergency Repairs	49,900	0	44,290	22,000	454,600	0	0	0
TOTAL Depreciation/Replacement	49,900	0	44,290	22,000	454,600	0	0	0
<u>Other Uses</u>								
20-5-23-900.00 Principal Debt Requirements	0	115,000	115,000	115,000	115,000	0	0	0
20-5-23-901.00 Capital Outlay - Financed	0	0	0	0	0	0	0	0
20-5-23-905.00 Administrative fee to General Fund	0	0	41,885	100,000	100,000	0	0	0
20-5-23-910.00 Transfers-out	0	0	0	0	0	0	0	0
20-5-23-910.10 Transfer to General Fund	0	0	0	0	0	0	0	0
20-5-23-910.30 Transfer-out to Water Fund	0	0	0	0	0	1,867,000	0	1,867,000
20-5-23-910.50 Transfers-out Utility Support	0	0	0	0	0	0	0	0
TOTAL Other Uses	0	115,000	156,885	215,000	215,000	1,867,000	0	1,867,000
TOTAL 23-SEWER	427,912	462,580	528,305	792,272	1,215,772	1,867,000	0	1,867,000

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Budget Amendment Ord #2017-1236
Effective 10-1-17

20-ELECTRIC FUND
25-LT CAPITAL PROJECTS

(HISTORY ONLY)

EXPENDITURES	2013-2014	2014-2015	2015-2016	(- - - 2016-2017 - - -)		(- - - PROPOSED BUDGET - - -)		2017-2018 TOTAL
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	
<u>Contract Services</u>								
20-5-25-285.00 TWDB CW#73638-CO 2012	0	0	0	1,156,875	100,000	0	0	0
20-5-25-285.01 TWDB CW#73638-LF	24,812	320,116	72,147	564,974	632,761	0	0	0
TOTAL Contract Services	24,812	320,116	72,147	1,721,849	732,761	0	0	0
<u>Other Uses</u>								
20-5-25-910.00 Transfers-out	0	0	0	0	0	0	0	0
TOTAL Other Uses	0	0	0	0	0	0	0	0
TOTAL 25-SPECIAL PROJECTS	24,812	320,116	72,147	1,721,849	732,761	0	0	0

CITY OF BRADY
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Budget Amendment Ord #2017-1236
Effective 10-1-17

30 -WATER / WASTEWATER UTILITY FUND

	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	(- - - 2016-2017 - - -)		(- - - PROPOSED BUDGET - - -)		
				ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	2017-2018 TOTAL
BEGINNING FUND BALANCE & NET WORKING CAPITAL	2,393,388	2,668,327	3,149,934	2,269,865	2,269,865	1,232,653		1,232,653
REVENUES								
Sewer Service Revenues								
30-4-23-700.00 Residential-Service	0	0	0	0	0	675,000	0	675,000
30-4-23-705.00 Commercial-Service	0	0	0	0	0	310,000	0	310,000
30-4-23-720.00 City Departments-Service	0	0	0	0	0	8,000	0	8,000
30-4-23-750.00 Sales Concessions	0	0	0	0	0	0	0	0
TOTAL Sewer Service Revenues	0	0	0	0	0	993,000	0	993,000
Sewer Operating Revenues								
30-4-23-814.00 Disposal Fees	0	0	0	0	0	9,000	0	9,000
30-4-23-815.00 Reimbursed Expenses	0	0	0	0	0	0	0	0
30-4-23-818.00 Sewer Tap Fees	0	0	0	0	0	1,000	0	1,000
30-4-23-898.00 Interest Income	0	0	0	0	0	1,000	0	1,000
TOTAL Sewer Operating Revenues	0	0	0	0	0	11,000	0	11,000
Sewer Long-Term Capital								
30-4-25-685.00 TWDB CW # 73638 - CO 2012	0	0	0	0	0	0	0	0
30-4-25-685.01 TWDB CW # 73638 - LF	0	0	0	0	0	0	0	0
TOTAL General Revenues	0	0	0	0	0	0	0	0
Water Service Revenues								
30-4-31-700.00 Residential-Distribution	1,085,596	1,150,875	1,254,339	1,396,000	1,320,000	1,455,000	0	1,455,000
30-4-31-705.00 Commercial-Distribution	402,627	435,187	475,430	502,000	495,000	565,000	0	565,000
30-4-31-705.01 Commercial Wholesale-Distribut	7,305	11,919	14,407	12,000	12,000	10,000	0	10,000
30-4-31-706.00 Bulk Water Sales	100	600	5,120	500	500	500	0	500
30-4-31-720.00 City Departments-Distribution	114,120	122,198	103,923	115,000	115,000	115,500	0	115,500
30-4-31-750.00 Sales Concessions	(964)	(695)	(2,407)	(1,000)	(1,000)	(1,000)	0	(1,000)
TOTAL Service Revenues	1,608,785	1,720,083	1,850,812	2,024,500	1,941,500	2,145,000	0	2,145,000
Water Operating Revenues								
30-4-31-806.00 Sale of Scrap	20,300	1,666	354	0	0	0	0	0
30-4-31-815.00 Reimbursed Expenses	2,971	5,821	7,130	0	0	0	0	0
30-4-31-815.02 TXDOT Grant	0	0	0	87,950	87,950	0	0	0
30-4-31-818.00 Water Tap Fees	1,721	3,016	3,838	1,500	1,500	3,000	0	3,000
30-4-31-819.00 Meter Fees	0	647	1,412	0	12,640	0	0	0
30-4-31-885.00 Donated Assets	0	0	2,680	0	0	0	0	0
30-4-31-898.00 Interest Income	6,571	4,042	2,686	2,500	2,500	2,000	0	2,000
30-4-31-899.00 Sale of Fixes Assets	0	0	8,296	0	0	0	0	0
TOTAL Operating Revenues	31,563	15,192	26,396	91,950	104,590	5,000	0	5,000
Water Long-Term Capital								
30-4-33-686.00 TWDB DW#62545 - CO 2013	350,000	0	8	0	0	0	0	0
30-4-33-686.01 TWDB DW#62545 - LF	350,000	0	0	0	0	0	0	0
30-4-33-687.00 TWDB DW#62545 - EDAP 2015	0	1,804,000	122	0	0	0	0	0
TOTAL General Revenue	700,000	1,804,000	130	0	0	0	0	0

CITY OF BRADY
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 Effective 10-1-17

30 -WATER / WASTEWATER UTILITY FUND

	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	(- - - 2016-2017 - - -)		(- - - PROPOSED BUDGET - - -)		
				ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	2017-2018 TOTAL
Other Sources								
30-4-23-900.00 Loan Proceeds	0	0	0	0	0	0	0	0
30-4-23-910.23 Transfer-in from Electric Fund	0	0	0	0	0	1,867,000	0	1,867,000
30-4-25-910.00 Transfers-In	0	0	0	0	0	0	0	0
30-4-31-900.00 Loan Proceeds	0	71,890	0	0	0	0	0	0
30-4-31-910.80 Transfers-in Special Revenue Fund	0	2,300	0	0	0	0	0	0
30-4-33-910.00 Transfers-in	44,407	0	0	0	0	0	0	0
TOTAL Other Sources	44,407	74,190	0	0	0	1,867,000	0	1,867,000
TOTAL REVENUES	2,384,755	3,613,465	1,877,338	2,116,450	2,046,090	5,021,000	0	5,021,000
TOTAL AVAILABLE FUNDS	4,778,143	6,281,792	5,027,272	4,386,315	4,315,955	6,253,653		6,253,653

CITY OF BRADY
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30 -WATER / WASTEWATER UTILITY FUND

EXPENDITURES	(- - - 2016-2017 - - -)					(- - - PROPOSED BUDGET - - -)		
	2013-2014 ACTUAL	2014-2015 ACTUAL	2015-2016 ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	2017-2018 TOTAL
TOTAL EXPENDITURES	2,109,816	3,131,858	2,757,407	3,046,172	3,083,302	3,723,881	146,849	3,870,730
REVENUE OVER/(UNDER) EXPENDITURES	274,938	481,607	(880,069)	(929,722)	(1,037,212)	1,297,119	(146,849)	1,150,270
PROJECTED ENDING FUND BALANCE & NET WORKING CAPITAL	2,668,327	3,149,934	2,269,865	1,340,143	1,232,653	2,529,772		2,382,923

**CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2017 - 2018**

Budget Amendment Ord #2017-1236
Effective 10-1-17

**30 -WATER / WASTEWATER UTILITY FUND
23-SEWER TREATMENT PLANT**

CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2017 - 2018

30 -WATER / WASTEWATER UTILITY FUND
23-SEWER TREATMENT PLANT

EXPENDITURES	2013-2014	2014-2015	2015-2016	2016-2017		PROPOSED BUDGET		2017-2018 TOTAL
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	
Replacement								
30-5-23-551.00 Emergency Repairs	0	0	0	0	0	25,000	0	25,000
TOTAL Depreciation/Replacement	0	0	0	0	0	25,000	0	25,000
Other Uses								
30-5-23-900.00 Principal Debt Requirements	0	0	0	0	0	115,000	0	115,000
30-5-23-901.00 Capital Outlay - Financed	0	0	0	0	0	0	0	0
30-5-23-910.10 Administrative fee to General Fund	0	0	0	0	0	150,000	0	150,000
30-5-23-910.00 Transfers-out	0	0	0	0	0	0	0	0
30-5-23-910.10 Transfer to General Fund	0	0	0	0	0	0	0	0
30-5-23-910.50 Transfers-out Utility Support	0	0	0	0	0	0	0	0
TOTAL Other Uses	0	0	0	0	0	265,000	0	265,000
TOTAL 23-SEWER	0	0	0	0	0	710,332	0	710,332

CITY OF BRADY
 BUDGET PLANNING REPORT
 FISCAL YEAR 2017 - 2018

30 -WATER / WASTEWATER UTILITY FUND
 25-LT CAPITAL PROJECTS

EXPENDITURES	2013-2014	2014-2015	2015-2016	---- 2016-2017 ----)		---- PROPOSED BUDGET ----)		2017-2018 TOTAL
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	2017-2018 BASE	2017-2018 SUPPLEMENTAL	
Contract Services								
30-5-25-285.00 TWDB CW#73638-CO 2012	0	0	0	0	0	1,056,875	0	1,056,875
30-5-25-285.01 TWDB CW#73638-LF	0	0	0	0	0	0	0	0
TOTAL Contract Services	0	0	0	0	0	1,056,875	0	1,056,875
Other Uses								
30-5-25-910.00 Transfers-out	0	0	0	0	0	0	0	0
TOTAL Other Uses	0	0	0	0	0	0	0	0
TOTAL 25-LT CAPITAL PROJECTS	0	0	0	0	0	1,056,875	0	1,056,875

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

AGENDA DATE:	10/03/2017	AGENDA ITEM	7.C.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding first reading of Ordinance 1237 to amend Article 2 of the City of Brady Municipal Code of Ordinances to restrict non-domestic animals (livestock) from the city limits, to establish fencing requirements and to permit 4-H/FFA animals annually, if located in the city limits.		
PREPARED BY:	K Lenoir	Date Submitted:	09/28/2017
EXHIBITS:	Ordinance 1237 Exhibit A		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

On August 27, Council Member Garza requested a change in the Animal Control Ordinance to restrict livestock (goats, sheep, horses) from the city limits. He had received numerous complaints from citizens about odors, flies and maintenance of the grounds. The City Council discussed concerns with the Animal Control Officer and directed staff to bring a revised ordinance to City Council to consider. Staff and Council Members reviewed draft changes at a Work Session on September 19.

Changes include restricting livestock, establishing fence requirement for all animals, requiring annual permits for 4-H and FFA animals kept in residential areas, and several grammar corrections.

Staff will be available to discuss and answer questions. In accordance with City Charter, changes in the draft presented can be made during the first reading of the ordinance. The ordinance goes into effect after a second reading is approved by City Council.

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 the first reading of Ordinance 1237

ORDINANCE 1237

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS AMENDING MUNICIPAL CODE OF ORDINANCES ARTICLE 2 AMINAL CONTROL TO RESTRICT NON-DOMESTIC ANIMALS (LIVESTOCK) FROM THE CITY LIMITS, TO ESTABLISH FENCING REQUIREMENTS AND TO PERMIT 4-H/FFA ANIMALS ANNUALLY, IF LOCATED IN THE CITY LIMITS;

WHEREAS, in review of the Municipal Code of Ordinances, Chapter 2, Animal Control, it has become apparent that the Ordinance should more clearly define issues dealing with livestock within the City limits of the City of Brady; and

WHEREAS, changes to the City of Brady Municipal Code of Ordinances must be done by a new Ordinance; 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 changes to the City of Brady Animal Control Ordinance.

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 Chapter 2, Animal Control of the Municipal Code of Ordinances.

PASSED AND APPROVED ON FIRST READING on this _____ day of _____ 2017.

PASSED, APPROVED AND ADOPTED ON SECOND READING on this _____ day of _____ 2017.

Anthony Groves, Mayor

ATTEST:

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

CHAPTER 2

ANIMAL CONTROL

**REDLINE to remove fees and
restrict horses, chickens, goats and sheep in city limits,
permit 4-H Animals**

ARTICLE 2.100 IN GENERAL

Sec. 2.101 Definitions

As used in this chapter the following terms mean:

4-H/FFA Animal. A 4-H/FFA animal is any animal under the control of an authorized 4-H or FFA program.

Animal. Any living creature except human beings, and including (without limiting the generality thereof) animals, birds, reptiles and fish, except the word "animal" shall mean only a mammal when referring specifically to the control of rabies.

Animal Control Authority or Animal Control Officer. The city animal control officer, or his or her designee, with authority over the city limits within which the dog, cat or animal is kept.

Animal Control Center or Center. Facility in which the division of animal and rabies control is housed.

Bite. An abrasion, scratch, puncture, tear or piercing of the skin actually or suspected of being caused by the mouth of any animal.

Breeder. Any person licensed by the city to keep, harbor, breed and/or raise in excess of four (4) dogs or four (4) cats, six (6) months of age or older, on any premises used or zoned for residential purposes and less than two acres in area.

Collar. A band, chain, harness or other suitable device worn around the neck of an animal to which a current rabies vaccination tag can be affixed.

Current Vaccination. Vaccinated and satisfying the following:

- (1) The animal must have been at least three (3) months of age at the time of vaccination.
- (2) At least thirty (30) days have elapsed since the initial vaccination.
- (3) Not more than thirty-six months have elapsed since the most recent vaccination.

Dangerous Dog. A dog that:

- (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the dog enclosure on its own, and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Department. The police department of the city.

Exotic animal. An exotic animal is any animal that is not indigenous to the state of Texas. Exotic animals include the following: feral hog, Russian boar, aoudad sheep, axis deer, elk, elk hybrids, sika deer, fallow deer, red deer, and blackbuck and nilgai antelope.

Exotic foul. An exotic foul is any avian species not indigenous to the state of Texas. Exotic foul include the following: ratites, emu, ostrich, rhea, and cassowary [SK1].

Exposed to Rabies. An animal has been exposed to rabies if it has been bitten by any other animal or if it has been in contact with any animal known to be, or suspected of being infected with rabies.

Euthanize. To cause death of an animal by a method which:

- (1) Rapidly produces unconsciousness and death without visible evidence of pain or distress; or
- (2) Utilizes anesthesia produced by an agent that causes painless loss of consciousness, and death following such loss of consciousness.

Including. The term including is not a term of limitation. It means "including but not limited to."

Kennel. A place where animals are bred and boarded that has been approved by the animal control officer.

License. A document issued by the officer or any other employee of the city that shows that the owner is entitled to keep an animal as required by this chapter.

Livestock. Livestock means cattle, horses, mules, asses, sheep, goats, llamas, alpacas, exotic livestock, and hogs, unless otherwise defined^[SK2].

Officer. Any animal warden or animal quarantine investigator employed by the city police department.

Owner. Any person who owns, harbors, handles, keeps or causes or permits to be harbored, handled, or kept, or has in his care, an animal or bird on or about his premises.

Person. The word “person” shall extend and be applied to associations, corporations, firms, partnerships and bodies politic and corporate as well as to individuals.

Pet Shelter. A facility that is approved to keep and care for animals by the animal control officer. The facility houses homeless, lost or abandoned animals: primarily a large variety of dogs and cats. The animals are kept at the shelter until they are either reclaimed by an owner, adopted by a new owner, placed with another organization, or if necessary, euthanized.

Secure Enclosure. A fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of a dog;
- (4) Clearly marked as containing a dangerous dog; and
- (5) In conformance with the requirements for enclosures established by the animal control officer.

Tag. A small identifying mark^[SK3], that must be kept on each dog or cat^[SK4] at all times.

Vaccination. Inoculation of an animal with a vaccine that is licensed by the United States Department of Agriculture, and which is administered by a veterinarian for the purpose of immunizing the animal against rabies.

Veterinarian. A doctor of veterinary medicine who holds a valid license to practice his profession.

Wild animal. Any animal that is not tame or domesticated.

Sec. 2.102 Enforcing Officer Designated

(a) ~~The [KLS] [SK8] governing body of the city designates the animal control officer for the city. The animal control officer shall be designated at least annually at the beginning of the fiscal year.~~ It shall be the duty of the animal control officer and the city police department to enforce the provisions of this chapter.

(b) It shall be the duty of the city police department to keep, or cause to be kept, accurate records pertaining to bite incidents and investigations thereof, impoundments and dispositions thereof, and any other information as deemed necessary by the governing body~~city council~~.

Sec. 2.103 Noise

~~Determination by court~~; If such any court shall determines that any dog or other animal disturbs the peace and quiet of the neighborhood or occupant or any adjacent premises by loud, unusual or prolonged barking or howling, the court, after a hearing, may order that such dog or other animal be removed permanently beyond the city corporate limits or delivered to the animal control officer, and ~~failure or refusal to do so~~ remove the animal within twenty-four (24) hours after receiving said an order shall be deemed an offense. A substantial copy of such the notice of the order for hearing detailing the time, date, place and purpose therefor, personally delivered or enclosed in a correctly addressed envelope to such the owner, postage prepaid, and deposited in the United States mail within not less than ten (10) days prior to the date of the~~such~~ hearing, shall be deemed sufficient and proper notice. (Ordinance 1194 approved 5-3-16).

Sec. 2.104 Reward Offered

(a) A reward is hereby offered by the city ~~in the sum of fifty dollars (\$50.00 [KL7] [SK8])~~ to any person who shall furnishes testimony or evidence leading to the conviction of any person or persons who shall willfully poison any animal within the city. City Council shall establish the amount of the reward by separate ordinance.

(b) The finance officer is directed, upon recommendation of the city manager, to pay a said reward to such any person as shall be who is entitled to receive the same~~it~~ in accordance with this section.

Sec. 2.105 Treatment of Animals

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

1. regular and adequate amounts of nutritious food that is appropriate for the species and maintains the animal in good health.¹⁷
2. a constant and adequate supply of clean, fresh water that keeps the animal hydrated for current environmental conditions.¹⁸ and
3. care and medical treatment for injuries, parasites and diseases that is sufficient to maintain the animal in good health and minimize suffering.

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

1. is large enough for the animal to enter, stand, turn around, and lie down in a natural manner.¹⁹
2. keeps the animal dry.²⁰
3. provides the animal with shade from direct sunlight.²¹ and
4. protects the animal from excessive heat and cold and other adverse weather conditions.²²

An animal's owner shall regularly maintain the animal and its shelter to prevent odor or a health or sanitation problem. (Ordinance 1194 approved 5-3-16)

Sec. 2.106 Abandoning

It shall be unlawful for any person to abandon or dump any animal in the city. Abandoning an animal is a crime. After leaving notice, the animal control officer has the authority to impound any animal that appears to be abandoned. (Ordinance 1194 approved 5-3-16)

Sec. 2.107 Report of Animals at Large

It shall be the duty of every person to report immediately to the police department the location and description of any animal which is not under the owner's direct control by a leash or tether in violation of Section 2.110 or Section 1.208 [sic]. Any animal that is not on a leash or under the owner's direct control by leash or tether as reasonably determined by the animal control officer is deemed an unlawful animal at large and the animal's owner may be cited as in violation of this chapter. (Ordinance 1194 approved 5-3-16)

Sec. 2.108 City-Sponsored Clinics Authorized

The city manager or designee is authorized to arrange for city-sponsored vaccination-registration clinics when and where deemed necessary and approved by the city council.

Sec. 2.109 Restraint of Animals and Birds^[sk9]

(a) Every person owning or having charge, care, custody or control of any domestic animal or bird shall keep said the animal or bird under his control by means of physical restraint as follows:

(1) ~~Confined confined on in the backyard of the premises of the owner within a fence, a fence, kennel, dog run, or enclosure that meets the requirements of Section 2.105;~~

(2) ~~Fastened or picketed by a lead, rope, or chain so as to keep the animal on the premises, and not less than ten feet away from any public utility meter;~~

(3) ~~Under under the control of a person by a leash;~~

(4) ~~On on or within a vehicle being driven or parked; or~~

(5) confined inside a building.

(b) Any domestic animal or bird in violation of this section may be seized and impounded by the police department.

Sec. 2.110 Animals Registered to be Vaccinated

It shall be unlawful for the owner of animals over the age of six (6) months to possess, keep or maintain within the city any animals that are not currently registered ~~or and~~ vaccinated for rabies. Failure to comply ~~is an offense. (S10)~~ may result in a citation and court appearance. Vaccinations must be valid for the entire licensing period. (Ordinance 1194 approved 5-3-16)

Sec. 2.111 Notice of Impoundment

Reasonable efforts must be made by the police department to promptly notify the owner of any impounded animal. No impounded animal shall be redeemed unless approved for redemption by the animal control officer. To obtain approval for redemption, the owner shall provide proof of vaccinations and registration and pay all applicable fees, cost and expenses incurred in the seizure, impoundment and redemption of the animal including an impoundment fee, daily boarding fees, and fees for alteration, vaccination and registration. (Ordinance 1194 approved 5-3-16)

Sec. 2.112 Right to Redeem Impounded Dog

The owner of an impounded dog has the right shall be entitled to redeem ~~sum~~ possession of any impounded dog within the timeframe specified below upon payment of all applicable fees, cost, and expenses incurred in the seizure, impoundment, and redemption of the dog including impoundment fees, daily boarding fees, and fees for alteration, vaccination and registration and proof of vaccination and registration. The owner of an impounded dog has the right to redeem an impounded dog ~~which is wearing a tag required by this chapter within 120 hours of impoundment.~~ The owner of an impounded dog has the right to redeem an impounded dog ~~which is not wearing a tag required by this chapter within 72 hours of impoundment.~~ An owner and the animal control officer may extend the time to redeem the impounded dog by written agreement if an agreement is made during the 120 hour or 72 hour period, as applicable, and the agreement does not exceed ten days of total impoundment time. No impounded animal

shall be redeemed unless approved for redemption by the animal control officer~~or designee~~ (Ordinance 1194 approved 5-3-16)

Sec. 2.113 Right to Redeem Other Animals

The owner of an impounded animal, other than a dog, Any impounded animal other than a dog may be reclaimed ~~redeem possession of the animal by the owner~~ upon payment of all applicable fees, cost, and expenses incurred in the seizure, impoundment, and redemption of the animal including impoundment fees, daily boarding fees, and fees for alteration, vaccination and registration and proof of vaccination and registration. ~~impoundment and daily board fees and compliance all other legal requirements for keeping of the animal.~~

Sec. 2.114 Redemption of Quarantined Animals

If any dog or other animal is being held under quarantine or observation for rabies, the owner shall not be entitled to possession until it has been released from quarantine or observation by a veterinarian, and after payment of all fees necessary for such release. The payment of fees may be deferred until the animal is eligible for release.

Sec. 2.115 Disposition of Unredeemed Dogs

Any dog impounded and not reclaimed by the owner as set forth in Section 2.112 above may be euthanized after being held for at least 120 hours if such dog is wearing a tag and 72 hours after impoundment if such dog is not wearing a tag. If the animal control officer determines that any unclaimed dog is reasonably healthy, currently vaccinated against rabies, and should not constitute a threat to the public or the health of the animals in the community, the animal control officer may, after the applicable 120 or 72 hour holding period, offer the dog for adoption. If the dog is not adopted, it shall~~will~~ be euthanized, or relinquished to approved 501(c)3 non-profit rescue service. Prospective adopting persons must show proof of reasonable facilities for caring for an adopted animal before being permitted to adopt. (Ordinance 1194 approved 5-3-16)

Sec. 2.116 Disposition of Unredeemed Animals Other Than Dogs

If any impounded animal, other than a dog, is not reclaimed by the owner as set forth in Section 2.113~~or designee~~ within 120 hours if wearing a tag or 72 hours if not wearing a tag, the animal shall be held for such time as the animal control officer deems reasonable, considering the animal's probable value, condition of health and suitability for use. Upon expiration of such reasonable time, the animal control officer may offer the animal, if suitable, to be sold by posting the date of sale, animal's description and sale location for five (5) days on the city hall bulletin board, on the courthouse door and on one other public place in the city. Animals not suitable for sale shall~~will~~ be euthanized.

● **Sec. 2.117 Euthanizing of Sick or Injured Impounded Animals After 120 or 72 Hour Period**

Any animal impounded and suffering from serious injuries, in great pain with probability of recovery remote, or having a communicable or infectious disease, which would endanger the health of people or other animals, may be euthanized after reasonable efforts to determine ownership have failed. However, no animal under quarantine or observation for a bite incident or under suspicion of having rabies shall be destroyed until it has been released from said quarantine or observation or destruction for rabies testing. (Ordinance 1194 approved 5-3-16)

● **Sec. 2.118 Euthanizing of Impounded Animals Prior to 120 or 72 Hour Period**

Notwithstanding the prescribed impoundment periods, the animal control officer shall have the discretion to dispose of any animal determined to be at risk due to a state of illness, injury or infancy in the most humane manner as possible to avoid prolonging its suffering or transfer an animal determined to be at risk due to a state of illness, injury or infancy to an approved 501(c)3 non-profit animal rescue service. (Ordinance 1194 approved 5-3-16)

● **Sec. 2.119 Fees (Listed in consolidated fee schedule)**

- (a) An impoundment fee shall be twenty five dollars (\$25.00) collected for the each occurrence first offense, forty five dollars (\$45.00) for the second offense, and one hundred dollars (\$100.00) for all subsequent offenses by the same owner or person.
- (b) A daily board fee of fifteen dollars (\$15.00) shall be charged for every day or fraction thereof that an animal shall be is confined.
- (c) A fee of thirty dollars (\$30.00) shall be charged for animal pickup service requested by the owner of the animal.

City Council shall establish the amount of the fees by separate ordinance.

● **Sec. 2.120 Redeemed Dogs to be Vaccinated and Registered**

Any dog redeemed by or released from quarantine to an owner shall be required to meet the vaccination and registration_[SK14] requirements of this chapter prior to release.

● **Sec. 2.121 Vicious Animals to be Confined**

The owner of a fierce, dangerous, or vicious animal shall confine the animal within a building or enclosure every fierce, dangerous or vicious animal. An animal_[SK15] dog is "confined" as the term is used in this section if such dog the animal is securely confined indoors or confined in a secure enclosure which meets the following requirements:

- (1) The enclosure must have secure sides and a secure top, or all sides must be at least eight (8) feet high;

(2) The enclosure must have a bottom permanently attached to the sides or sides embedded into the ground not less than one (1) foot; and

(3) The enclosure must be of such material and closed in such a manner that the doganimal cannot exit the enclosure on its own. (No person who owns, possesses, keeps or exercises any control over a dangerous animal dog shall permit such doganimal to be on the premises of such person without being confined.

No person who owns, possesses, keeps or exercises any control over a dangerous animaldog shall permit such animaldog to go beyond the premises of such person unless the dangerous animaldog is securely leashed and muzzled. (Ordinance 1194 approved 5-3-16)

Sec. 2.122 Authority of Animal Control Officer Over Vicious Animals

The animal control officer may cause the muzzling, secure confinement, removal from the city or euthanizing of any animal for any of the following reasons:

- (1) Whenever an animal has committed an unprovoked attack upon any person or animal on more than one occasion ~~or~~
- (2) Whenever a lawful patron or visitor of a business is jeopardized by a guard dog which is not securely confined during the time ~~said~~ business is open to the public.

(Ordinance 996 adopted 5/2/07)

Sec. 2.123 Tethering Animals to Meters Prohibited

It is unlawful to Dogs, cats and all other animals may not be ~~chained~~, leashed or otherwise tethered ~~any animal~~ -to any city property, ~~or~~ to a city water meter, gas meter, ~~or~~ electrical meter, or to any other object that allows the animal to reach the meter while tethered, chained, or leashed. An animal may not be tethered in any manner so as to interfere with the reading of a meter. Notwithstanding Section 2.802, ~~a~~Any person found to be in violation will be liable for a fine not to exceed \$250.00 for the first violation and \$500.00 for any subsequent violation. (Ordinance 1079 adopted 3/15/11)

Sec. 2.124 Keeping Animals in Front Yards Prohibited

It is unlawful to keep any animal in the front yard of any property. Animals shall be kept in accordance with Section 2.109. The animal control officer may allow an exception to this section in writing ~~Dogs and cats may not be kept in the front yard of an owner's property unless they are fenced, leashed or kennelled, or the specific written permission of the animal control officer.~~ Electronic fencing shall be considered fencing for the purposes of this section, but is not a secured enclosure for purposes of this chapter. Any animals ~~s~~ not compliant with this SeeSection 1.124 is subject for impoundment. (Ordinance 1194 approved 5-3-16)

ARTICLE 2.200 ANIMALS SUSPECTED OF RABIES

Sec. 2.201 Reports of Human Exposure to Rabies

(a) Any person having knowledge of an animal bite to a human shall will report the incident to the animal control officer and the police department as soon as possible, but not later than twenty-four (24) hours from the time of the incident.

(b) The animal control officer and the police department shall will investigate each bite incident, utilizing standardized reporting forms provided by the Texas Department of Health (T.D.H.), the The animal control officer shall, immediately upon receiving such report, relay the same to the city manager health officer, and be guided by such health officer's instructions as to impoundment and restraint.

Sec. 2.202 Report of Rabies Suspects, Quarantine Method and Testing

(a) It shall be the duty of every veterinarian to report immediately to the police department his the diagnosis of any animal observed by the veterinarian him as a rabies suspect and to make disposition of such the confirmed cases of rabies as herein provided.

(b) When an animal dog or cat which that has bitten a human has been identified, the owner shall quarantine will be required to place the animal in quarantine. The quarantine period must last at least ten days immediately following the date and time of the bite incident The ten-day observation period will begin on the day of the bite incident. The animal must be placed in the animal control facilities specified for this purpose, if available. However, the owner of the animal may request permission from the animal control officer for home quarantine if the following criteria are can be met:

- (1) Secure facilities must be available at the home of the animal's owner, and must be approved by the animal control officer.
- (2) The animal is currently vaccinated against rabies.
- (3) The animal control officer or a licensed veterinarian must observe the animal at least on the first and last days of the quarantine period. If the animal becomes ill during the observation period, the animal control officer must be notified by the person having possession of the animal. At the end of the observation period the release from quarantine must be accomplished in writing.
- (4) The animal was not in violation of any laws at the time of the bite.
- (5) If the biting animal cannot be maintained in any secured quarantine, it shall be euthanized and the brain submitted to a Texas Department of Health certified laboratory for rabies diagnosis.

(c) No wild animal maywill be placed in quarantine. All wild animals^(sk17) involved in biting incidents shallwill be euthanized in such a manner that the brain is not mutilated. The brain shall be submitted to a Texas Department of Health^B certified laboratory for rabies diagnosis.

Sec. 2.203 Quarantine of Animals Suspected of Rabies

Every animal that bites a human or other animal, or has rabies or is under suspicion of having rabies shallwill be immediately confined by the owner, who must promptly notify the police department, or a police officer, who must notify the police department of the place where such animal is confined and the reason therefor. The owner may not permit such an animal to come in contact with any other person or animal. The owner must surrender possession of the animal to the police department when the police department demands supervised quarantine of the animal. Supervised quarantine shall be in a veterinary hospital; or by any other method of adequate confinement approved by the animal control officer. The quarantined period must last at least ten days immediately following the date and time of the bite incident and must be under the supervision of a veterinarian. A release from quarantine may be issued if no signs of rabies have been observed during the quarantine period. The owner of the animal shall pay Payment by owner the charges for the quarantine period must be made to the veterinarian directly as a prerequisite to the animal's release. [The^(sk18) city shallwill pay the charges if the owner refuses to do so and if the owner requestsdetermines that he or she wishes that the animal be disposed of as provided for in this chapter under the direction of the animal control officer.

Sec. 2.204 Supervision of Quarantine

Any animal quarantined must be observed by a veterinarian throughout the entire required quarantine period in the same manner as outlined in Section 2.203 above. The owner of an animal that is quarantined must immediately notify the police department as to the veterinarian supervising the quarantine.

Sec. 2.205 Quarantine on Order of Animal Control Officer

If the animal control officer orders quarantine, the owner is responsible for confining the animal as designated by the animal control officer to prevent further exposure to humans or animals during the quarantine period. The animal control officer shallwill also be required to obtain the same veterinary supervision of the animal and release from quarantine as required in a veterinary hospital.

Sec. 2.206 Quarantine of Guard or Police Dogs

Any guard or police dog currently vaccinated that is involved in a bite incident while in the ~~expressed~~ performance of guard or police duties ~~shall~~will be allowed to continue on duty under quarantine. The ~~owner~~handler of the dog is responsible for having the dog observed during the quarantine and released from quarantine by a veterinarian.

Sec. 2.207 Violation of Quarantine

The violation of quarantine by any person is just cause for seizure and impoundment of the quarantined animal by the police department.

Sec. 2.208 Investigation of Bite Reports

All animal bite reports shall be investigated by ~~personnel of~~ the police department.

Sec. 2.209 Removing Biting Animal from the City

~~Without permission of the animal control officer, it~~ is unlawful for any person to kill or remove from the city limits any animal that has bitten a human or another animal, or that has been placed under quarantine, ~~without permission of the animal control officer. However, a person except when it is necessary to may~~ kill the an animal that has bitten a human or another animal, or that has been placed under quarantine, to protect any person or other animal.

Sec. 2.210 Supervision of Euthanizing of Animals Suspected of Rabies

The animal control officer ~~shall~~will direct the euthanizing of any animal found to be or suspected of being rabid.

Sec. 2.211 Surrender of Carcass of Animal Suspected of Rabies

The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the police department.

Sec. 2.212 Bitten Animals to be Confined

Every animal that has been bitten by another animal must be immediately confined by the owner who shall promptly notify the police department of the place where the animal is confined and the reason therefor the confinement. The owner may not permit such an animal to come in contact with any other person or animal.

Sec. 2.213 Handling of Animals Exposed to Rabies

Any animal exposed to rabies must be handled in one of the following ways:

- (1) Euthanized with notification to, or under the supervision of the police department; or
- (2) If not currently vaccinated, quarantine for at least 90 days immediately following the date of exposure. The animal must be vaccinated 30 days prior to release; or
- (3) If currently vaccinated, immediately placed in quarantine for at least 45 days immediately following the date of exposure; or
- (4) No person shall fail or refuse to surrender an animal for supervised quarantine or to be euthanize as required herein for rabies control when demand therfor is made by the police department.
- (5) Any person having possession of or responsibility for any quarantined animal shall immediately notify the police department if such animal escapes, or becomes or appears to become sick, or dies. If any quarantined animal dies and in case of death of the animal while under quarantine, the person shall immediately surrender the dead body to the police department for diagnostic purposes.
- (6) No animal may be released until all fees are paid in accordance with Sections 2.119 and 2.222 [sic] of this chapter.

(Ordinance 996 adopted 5/2/07)

ARTICLE 2.300 LICENSING/REGISTRATION_{1SK19} AND VACCINATION

Sec. 2.301 License/Registration and Fees

- (a) All dogs and cats four months or older that are kept, harbored or maintained within the corporate limits of the city must be licensed. To receive a license, the owner must show proof of a current rabies vaccination, the form of a rabies vaccination certificate, and pay for the licensing fee for each animal. The license will be is valid for exactly one year from the issue date if the dog or cat is receiving its first vaccination. After the dog or cat's second vaccination, a license is will be valid for a period of three-two (2) years. The license may be obtained from the city or any licensed veterinarian. If the city or veterinarian determines that a license should be granted, the owner shall will be given a written document that contains the date of vaccination, the date that the license is granted and how long the license is good for, the owner's name and a brief description of that dog or cat. A pet shelter does not have to comply with the licensing, vaccination, or tag requirements in this chapter as long as it obtains approval from the animal control officer on an annual basis to serve as a pet shelter in accordance with this chapter and all applicable state laws.

(b) The license city shall charge a license fee for registration of dogs and cats, shall be collected \$3.00 per dog and \$2.00 per cat. City Council shall establish the amount of the license fee by separate ordinance.

(Ordinance 1020 adopted 1/16/08)

Sec. 2.302 Dogs and Cats to be Vaccinated

(a) No person shall own, keep or harbor within the city limits any dog or cat four months of age or older unless such dog or cat has a current vaccination. A dog or cat will have a current vaccination for the remainder of the month during which it is first vaccinated at an age of 4 months or less and for the following 12 months. After a dog or cat's second vaccination, the dog or cat shall will only be required to obtain a vaccination once every 36 months. The dog or cat must be revaccinated before the expiration of the first and each subsequent current vaccination period.

(b) Official current vaccination certificates issued by the vaccinating veterinarian must contain certain standard information as designated by the Texas Department of Health. Information required is as follows:

- (1) Owner's name, address, and telephone number;
- (2) Animal identification. Species, sex, age (3 months to 12 months, 12 months or older);
- (3) Vaccine used, producer, expiration date and serial number;
- (4) Date vaccinated;
- (5) Rabies tag number; and
- (6) Veterinarian's signature and license number.

Sec. 2.303 Dogs and Cats Exempted from Vaccination

Vaccination will not be required for any dog or cat that a veterinarian determines should not be inoculated for valid medical health reasons.

Sec. 2.304 Licenses and Tags

The city shall issue a A tag will be issued to for each licensed pet. The tag that must be displayed on a dog or any other animal, except a cat, at all times. Tags for cats do not have to be displayed on the cat, but must be immediately available upon request from an owner. Replacement tags for lost or stolen tags may be obtained by presenting the receipt for the current year's license fee and by paying a replacement tag fee. If the

owner does not have a receipt for the current license fee, the license fee must be paid in order to obtain a new license and the new tag that will accompany it. Tags are not transferable and no refunds will be made. Tags are not required to be displayed for dogs that are being used for hunting, during the time when the dogs are hunting. At all other times, hunting dogs must have tags displayed to show that they are licensed.

Sec. 2.305 Assistance Guide Dog Animal May Accompany Master

Any assistance animal dog trained to guide a person with a disability ~~any blind person may shall~~ be admitted to any public facility with the person with the disability ~~blind person when accompanying the blind person to any public place or vehicle that the blind person has the lawful right to enter~~, if the dog assistance animal is currently vaccinated.

Sec. 2.306 Late Fee

(a) For the purpose of this chapter, a late fee may be assessed under the following conditions:

- (1) Failure to obtain a license for a dog or cat that is over four months of age;
- (2) Failure to renew a license within 30 days of expiration of a current ~~license; or license; or~~
- (3) Failure to obtain a license within 30 days of taking up residence in the city;

~~(b) (4) The animal control officer shall assess a~~ All late fees ~~will be assessed by the animal control officer.~~

~~(c) (b)~~ The city ~~will shall~~ create a brochure that will accompany the initial utility bill sent to all new customers that will notify the new customers that dogs and cats must be licensed in the city.

(d) City Council shall establish the amount of the late fees by separate ordinance.

Sec. 2.307 Revocation of License

The police department~~(sk20)~~ may revoke any cat or dog license after a hearing for any one or more of the following reasons:

- (1) Impoundment of a cat or dog by the city more than three times during a 12-month period;
- (2) If ~~the~~ a dog or cat ~~in question~~ has been involved in a conviction of an offense under this chapter ~~violating this article~~ more than three times;

- (3) Any combination of subsections (1) and (2) totaling three incidents; or
- (4) Upon the determination that an animal a dog is a dangerous dog as defined in this chapter.

Sec. 2.308 Inspections

The animal control officer is authorized to an-inspection the property of the person to whom a license is granted or will be granted either before a license is authorized or after a license is granted on the property of the person to whom a license is or will be granted at any time between the hours of 8:00 a.m. and 7:00 p.m.

ARTICLE 2.400 KEEPING LIVESTOCK AND EXOTIC ANIMALS

Sec. 2.401 Leaving Stock Unhitched

It is unlawful for aAny person who to leaves standing any livestock horse, ass, mare, mule, or ox, or cow on a public street or alley within the city is guilty of a misdemeanor.

Sec. 2.402 Hitching Stock on Sidewalks

It is unlawful for aAny person who to hitches or ties any livestock horse, ass, mare, mule, ox, or cow to a shade tree, fence or house on or along any sidewalk in the city is guilty of a misdemeanor.

Sec. 2.403 Restrictions on Keeping Horses [SK21]

- a. No person shall keep a horse on any premises, if:
 - 1) the overall area within which the horse is kept is less than one acre6,500 square feet for each horse kept;
 - 2) the premises are unsanitarynor keep more horses than can be cared for under sanitary conditions; or
 - 3) the premises are a public nuisance.
- b. No person shall keep a horse in violation of the zoning ordinance.
- c. The requirements of this section do not apply to the G. Rollie White Complex or to any veterinary facility.

~~and not create a public nuisance and in no event exceed the permitted number of adults, and their foals up to six (6) months of age. The number of horses permitted shall not exceed one horse per each sixty-five hundred (6500) square feet acre of space in the enclosure where kept. The person in lawful possession of the premises, as owner or tenant, may keep thereon horses belonging to others, but limitation to number of horses on the premises and the area and distance requirements of this article shall still apply; and the keeping of horses for others shall not be done as a business in violation of the zoning ordinance. The permit may include reasonable conditions, including total number of horses authorized, determined by the animal control officer to prevent a nuisance, and all conditions of a permit are subject to review and revision. These requirements will not apply to the G. Rollie White Complex, or to any veterinary facilities.~~

d. The manure and debris incident to the maintenance and care of horses shall be scraped from the floor and raked from pens or areas with such frequency as to prevent the same from serving as breeding places for insects and form emitting noxious odors. The manure and debris scraped or raked, as provided above, shall immediately be collected and either placed and kept in a waterproof and insect proof container until removed from the premises. The inside walls, ceilings, roosts, and floors of the structure in which the horses are housed shall be treated and kept treated with effective material manufactured and sold for the control of flies, mites, and lice and applied according to the manufacturer's directions. (Ordinance 1194 approved 5-3-16)

Sec. 2.404 Keeping Swine, Cows, Goats, and Sheep Prohibited

No person shall keep within the city any hog, sow or pig, cow, goats, or sheep. These requirements do not apply to the G. Rollie White Complex or to any veterinary facilities.

Or

Sec. 2.404 Keeping Swine Prohibited

No person shall keep within the city any hog, sow, or pig. These requirements do not apply to the G. Rollie White Complex or to any veterinary facilities.

Sec. 2.404.1 Restrictions on keeping Cows, Goats, and Sheep

No person shall keep a cow, goat, or sheep on any premises if:

- a) the overall area within which the animal is kept is less than one acre for each animal kept;
 - b) the premises are unsanitary; or
 - c) the premises are a public nuisance.
- b. No person shall keep a cow, goat, or sheep animal in violation of the zoning ordinance.
- c. The requirements of this section do not apply to the G. Rollie White Complex or to any veterinary facility.

Sec. 2.404.2 Restrictions on keeping Chicken hens

- (a) No person shall keep more than four (4) chicken hens and no roosters on any premises. if;
- (b) the overall area within which the chicken hens are shall be kept in a coop behind a solid fenced backyard.
- (c) The premises where the chicken hens are kept shall not be are unsanitary. ; OR
- (d) The premises where the chicken hens are kept shall not be a are a public nuisance.

b. No person shall keep chickens hens in violation of the zoning ordinance.

c. The requirements of this section do not apply to the G. Rollie White Complex or to any veterinary facility.

Sec. 2.404.3 Keeping Chicken roosters prohibited

No person shall keep within the city any chicken rooster. This requirement does not apply to the G. Rollie White Complex or to any veterinary facility.

Sec. 2.405 Permit Required for Exotic Animals and 4-H/FFA Animals

No person shall keep within the city, any wild animal, exotic animal, or exotic bird, or exotic species of land animals or birds, warm-or-cold-blooded (not including except caged pet rodents, caged pet birds and animals in aquariums) unless a permit therefore is obtained from the animal control officer in accordance with the provisions in this

chapter. This section does not apply to animals located at the G. Rollie White Complex or to any veterinary facility.

● **Sec. 2.406 Application to Keep Exotic Animal and 4-H/FFA Animals; Fee**

Application for any permit required in Section 2.4085 shall be made in writing to the animal control officer, accompanied by payment determined by city council ~~of twenty-five dollars (\$25.00) which is hereby assessed~~ to pay part of the cost of enforcing this ~~article~~chapter and is not to be prorated or refunded. The application shall state the name and residence of the applicant, the location of the premises where ~~such the~~ animals or birds ~~are~~is to be kept, the number and kind of such animals or birds, and the kind of enclosure within which they are to be kept.

● **Sec. 2.407 Renewal, Amendment of Permit to Keep Exotic Animal and 4-H/FFA Animals**

The permit required by Section 2.4058 shall be renewed annually ~~be by December 31st each year~~the last day of the month ~~in which the permit was issued the previous year~~, accompanied by payment of a fee established by City Council ~~of fifteen dollars (\$15.00)~~. If ownership of the place in which the animal or bird is kept is changed, the permit may be changed accordingly upon written verified application and payment of a fee ~~established by City Council of fifteen dollars (\$15.00)~~ for amending the permit.

● **Sec. 2.408 Findings Prerequisite to Permit for Exotic Animal and 4-H/FFA Animals**

(a) The animal control officer shall determine, by inspection or otherwise, whether the keeping of exotic animals or birds as proposed is in violation of any law or ordinance, and whether the keeping of exotic such animals or birds will constitute a nuisance. In making ~~such this~~ determination, the animal control officer shall consider the following factors and be guided by the following standards:

- (1) The area of the premises on which the animals or birds are to be kept;
- (2) Whether the immediate neighborhood is residential or other;
- (3) Whether the keeping of animals or birds will endanger the public health or cause orders or noises offensive to persons of ordinary sensibilities residing in the vicinity; and
- (4) Whether the keeping of such animals or birds considering all the circumstances, is likely to endanger persons or property.

(b) The animal control officer shall verify ~~the information in the his approval or disapproval of the application~~ and shall issue or refuse the permit accordingly. The permit may include reasonable conditions determined by the animal control officer to be necessary to prevent a nuisance, such as the number and kind of animals or birds to be kept thereon. All conditions of a permit are subject to review and revision by the animal control officer.

Sec. 2.409 Suspension, Revocation, Alteration of Permit

After reasonable notice and opportunity to be heard, the animal control officer may suspend ~~or~~ revoke any permit issued under Section 2.408~~5~~ for violation of this ~~chapterarticle~~ by the permittee. ~~After issuing a permit, - the animal control officer may add denying the permit on an original application he may review and alter conditions or restrictions of to the permit if investigation indicates any changes since the original permit was issuedapplication.~~

Sec. 2.410 Sanitation

(a) All animals and birds (except dogs, cats, caged pet rodents, caged pet birds, ~~and~~ fowl and rabbits the keeping of which is otherwise regulated herein) shall be kept in a secure pen or enclosure which shall not be less than one hundred (100) feet from any inhabited dwelling (except that of the owner or person keeping such animals or birds) or any hotel, apartment house, tenement house, hospital, church or school.

(b) Fowl and rabbits ~~shallwill~~ be kept in a secure pen or enclosure that is at least 30 feet from any inhabited dwelling that is not the owner's dwelling, or any hotel, apartment houses, tenement houses, hospital, church or school; provided, the pen or enclosure may be within 20 feet of such buildings if separated therefrom by a public alley and by a solid fence or wall at least six feet high between the pen or enclosure and the alley; and provided, further, homing pigeons may be released from the pen or enclosure for the purpose of supervised flights.

(c) The word "kept" as used in this section does not prevent the temporary removal of the animal or bird from the pen for any normal use or purpose. In the case of animals or birds for which a permit is issued, the animal control officer may waive the requirements as to distance from dwellings or other buildings if keeping the animal or bird in a dwelling house or close by will not endanger the public health or create a public nuisance.

(d) The owner or person in possession of the pen or enclosure must keep it in such a manner as not to give off odors offensive to persons residing in the vicinity, or to breed or attract flies, mosquitoes, or other noxious insects, or in any manner to endanger the public health or create a public nuisance.

(e) All persons keeping such animals and birds must comply with the following regulations:

- (1) Manure and droppings must be removed from pens, stables, yards, cages and other enclosures at least twice weekly and handled or disposed of in such a manner as to keep the premises free of any nuisance;
- (2) Mound storage of droppings or manure between such removals will only be permitted under such conditions as to protect against the breeding of flies and to prevent migration of fly larvae (maggots) into the surrounding soil;
- (3) Feed troughs may be provided for the feeding of vegetables, meat scraps, or garbage and such feeding must be done only in containers or on an impervious platform;
- (4) Watering troughs or tanks may be provided that will be equipped with adequate facilities for draining the overflow, as to prevent the breeding of flies, mosquitoes, or other insets; and
- (5) No putrescible material may be allowed to accumulate on the premises, and all such material used as feed that is unconsumed must be removed daily and disposed of by burial or other means approved by the animal control officer.

(f) For the purpose of enforcing this article, the animal control officer must make inspections of all places where animals or birds are kept; and the making of an application for or the issuing of any permit under this article constitutes consent for entry and inspection of the officer or his or her appointed agent(s) at all reasonable times.

Sec. 2.411 Exceptions to Permit Requirements

The permit requirements of this article do not apply to animals or birds kept for scientific purposes by any educational or scientific institution, nor to animals or birds belonging to a licensed circus or animal shows exhibited in the city temporarily, nor to animals or birds kept by the city for exhibition in a public park or zoo. Such animals or birds, however, shall be so kept as not to constitute a nuisance or a danger to the public health or safety of any person, or group of persons within the city.

Sec. 2.412 Importation of Certain Animals

(a) The following animals, because they have a high probability of carrying rabies and constitute a danger to public health if brought into the state, will be excluded from importation as domestic pets:

- (1) Skunk.
- (2) Fox.
- (3) Raccoon.

(4) Ringtail.

(5) Coyote.

(6) Bobcat.

(7) Marten.

(b) These animals may be imported if they are designed for a research institute or public display as in zoos or organized entertainment units.

ARTICLE 2.500 DANGEROUS DOGS

Sec. 2.501 Requirements for Owners of Dangerous Dog

(a) Not later than the 30th days after a person learns that the person is the owner of a dangerous dog, the person must:

(1) Register the dangerous dog with the animal control officer for the area in which the dog is kept;

(2) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure.

(3) Obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control officer for the area in which the dog is kept; and

(4) Comply with an applicable municipal or county regulation, requirement, or restriction on dangerous dogs.

(b) The owner of a dangerous dog who does not comply with subsection (a) shall deliver the dog to the animal control officer not later than the 30th day after the owner learns that the dog is a dangerous dog.

(c) If, on application of any person, ~~any justice court, county court, or municipal court~~ finds, after notice and hearing as provided in this article, that the owner of a dangerous dog has failed to comply with subsection (a) or (b), the court shall order the animal control officer to seize the dog and shall issue a warrant authorizing the seizure. The ~~animal control officer authority~~ shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.

(d) The owner shall pay ~~any~~ ~~all~~ costs ~~or~~ ~~and~~ fees ~~assessed by the municipality or county~~ related to the seizure, acceptance, impoundment, or destruction of the dog. ~~The governing body of the~~

~~municipality or county may prescribe the amount of the fees~~ City Council shall establish the fees by separate ordinance.

(e) The court shall order the animal control officer to ~~humanely destroy~~euthanize the dog if the owner has not complied with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the animal control officer authority. The court shall order the animal control officer authority to return the dog to the owner if the owner complies with subsection (a) before the 11th day after the date on which the dog is seized or delivered to the animal control officer authority.

(f) The court may order the euthanization ~~humane destruction~~ of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.

(g) For purposes of this section, a person learns that the person is the owner of a dangerous dog when:

- (1) The owner knows of an attack described in Section 2.101;
- (2) The owner receives notice that a justice court, county court, or municipal court has determinedfound that the dog is a dangerous dog; or
- (3) The owner is informed by the animal control officer that the dog is a dangerous dog under Section 2.101.

(h) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure and dangerous dog must be identified with yellow designated dangerous dog collar provided by the police departmentAnimal Control Department(sk22). (Ordinance 1194 approved 5-3-16)

Sec. 2.502 Determination that Dog is Dangerous

(a) If a person reports an incident described by Section 2.101, the animal control officer may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control officer determines the dog is a dangerous dog, it shall notify the owner of that fact.

(b) An owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control officer to a justice, county, or municipal court of competent jurisdiction. An owner may appeal the decision of the justice, county, or municipal court in the same manner as appeal for other cases from the justice, county, or municipal court.

Sec. 2.503 Reporting of Incident

(a) The city elects to be governed by Health and Safety Code Section 822.0422 et seq.

(b) A person may report an incident described by Section 2.101 to a municipal court, a justice court, or a county court. The owner of the dog shall deliver the dog to the animal control officer not later than the fifth day after the date on which the owner receives notice that the report has been filed. The ~~authority~~ animal control officer ~~may provide for the~~ ~~shall~~ impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog.

(c) If the owner fails to deliver the dog as required by subsection (b), the court shall order the animal control officer to seize the dog and shall issue a warrant authorizing the seizure. The ~~animal control officer~~ authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog. The owner shall pay any cost incurred in seizing the dog.

(d) The court shall determine, after notice and hearing as provided in this article, whether the dog is a dangerous dog.

(e) The court, after determining that the dog is a dangerous dog, may order the animal control officer to continue to impound the dangerous dog in secure and humane conditions until the court orders disposition of the dog ~~under this section and the dog is returned to the owner or destroyed.~~

(f) The owner shall pay ~~all~~ costs ~~or~~ and fees assessed by the city.

Sec. 2.504 Hearing

(a) ~~The~~ A ~~municipal~~ court, ~~justice~~ court, or ~~county~~ court, on receiving a report of an incident under Section 2.503 or on receiving an application under this chapter, ~~shall~~ will set a time for a hearing to determine whether the dog is a dangerous dog or whether the owner of the dog has complied with Section 2.501. The hearing must be held not later than the 10th day after the date on which the dog is seized or delivered.

(b) The court shall give written notice of the time and place of the hearing to:

- (1) The owner of the dog or the person from whom the dog was seized; and
- (2) The person who made the complaint.

(c) Any interested party, including the county or city attorney, is entitled to present evidence at the hearing.

(d) An owner or person filing the action may appeal the decision of the municipal court, justice court, or county court in the manner provided for the appeal of cases from the municipal, justice, or county court.

Sec. 2.505 Registration

(a) ~~An~~ The animal control officer ~~for the area in which the dog is kept~~ shall annually register a dangerous dog if the owner:

- (1) Presents proof of:
 - (A) Liability insurance or financial responsibility, as required by Section 2.501;
 - (B) Current rabies vaccination of the dangerous dog; and
 - (C) The secure enclosure in which the dangerous dog will be kept; and
- (2) Pays an annual registration fee established by city council of \$50.00.

- (b) The animal control officer shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog's collar.
- (c) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the animal control officer for the area in which the new address is located. On presentation by the current owner of the dangerous dog's prior tag and payment of a fee established by city council of \$25.00, the animal control officer shall issue a new tag to be placed on the dangerous dog's collar.
- (d) An owner of a registered dangerous dog shall notify the police department office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

Sec. 2.506 Attack by Dangerous Dog

- (a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.
- (b) An offense under this section is a class C misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense is a class A misdemeanor.
- (c) If a person is found guilty of an offense under this section, the court may order the dangerous dog euthanized~~destroyed~~ by a person listed in Section 822.00~~43~~ of the Health and Safety Code.
- (d) In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed \$10,000. ~~The city attorney~~~~An attorney having civil jurisdiction in the county or an attorney for a municipality where the offense occurred~~ may file suit in a court of competent jurisdiction to collect the penalty. Penalties collected under this subsection shall be retained by the county or municipality.

Sec. 2.507 Violations

- (a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with Section 2.501 or Section 2.502 ~~or an applicable municipal or county regulation relating to dangerous dogs~~.

- (b) Except as provided by subsection (c), an offense under this section is a class C misdemeanor.
- (c) An offense under this section is a class B misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted under this section.

Sec. 2.508 Defense

- (a) It is a defense to prosecution under Section 2.506 or Section 2.507 that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.
- (b) It is a defense to prosecution under Section 2.506 or Section 2.507 that the person is an employee of the institutional division of the Texas Department of Criminal Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.
- (c) It is a defense to prosecution under Section 2.506 or Section 2.507 that the person is a dog trainer or an employee of a guard dog company under Chapter 1702, Occupations Code.

ARTICLE 2.600 NUMBER OF DOGS AND CATS ALLOWED

Sec. 2.601 Number of Dogs and Cats Allowed

- (a) Unless specific written permission is obtained by the animal control officer, the city hereby limits ownership of cats and dogs within the city limits to a total of four (4) cats or four (4) dogs or any combination thereof. More than four (4) cats or dogs or a combination thereof, may be allowed by the animal control officer, but such approval must be in writing and obtained from the animal control officer based on the standards set forth in subsection (c) of this section.
- (b) Exceptions to subsection (a) above are hereby made for breeders as provided for in this chapter, pet shelters, kennels, and new litters of dogs or cats that are less than 6030 days old or less than 90 days old~~4523~~, provided that each of these exceptions must be approved in writing by the animal control officer.
- (c) If an applicant requests permission to keep more than a total of four cats or four dogs or any combination thereof, the animal control officer may inspect the property where the dogs or cats are to be kept to determine whether written approval should be granted to the applicant. Written approval may not be granted to the applicant if it is found that the animals cannot be maintained without creating noise or odor nuisances or otherwise being detrimental to the public health, safety or welfare. The animal control officer may deny the applicant's request if he or she determines in writing that there is a reasonable probability that the additional animals would not be maintained in a healthy or sanitary environment. The animal control officer may revoke ~~written permission for~~ a multi-animal permit at any time as long as the officer~~he or she~~ makes a written finding of necessity of revocation within 10 business days.

Sec. 2.602 Pet Shelters and Kennels

Pet shelters and kennels that meet applicable state law and the requirements in this chapter ~~will be are~~ allowed to exceed the limit of four dogs and cats or any combination thereof, if they obtain permits from the animal control officer on an annual basis to serve as a pet shelter or kennel. Pet shelters and kennels ~~are will~~ not ~~be~~ required to obtain permits for each ~~additional~~ animal above the limit, but instead ~~shall will~~ be required merely to obtain one license to operate as a pet shelter from the animal control officer on an annual basis. The animal control officer may inspect a pet shelter or kennel at his or her reasonable discretion during weekday business hours from 9 a.m. to 5 p.m. Monday through Friday.

ARTICLE 2.700 **BREEDERS**

Sec. 2.701 Breeder License

Upon approval of the city council, the animal control officer shall issue annual breeder licenses, subject to the terms and conditions of this article.

Sec. 2.702 Breeder License Application

The initial application for an annual dog or cat breeder license, and any application for its renewal, shall at a minimum contain the following information:

- (1) Name and permanent address of the applicant and, if different, the location and/or address of the subject property or premises;
- (2) The maximum number of dogs or cats that the applicant will keep, harbor, breed and/or raise on the subject property or premises; and
- (3) A drawing showing the dimensions of the subject property or premises and identifying all structures on the premises, all fenced or enclosed areas, and the proximity of adjacent property owners and public streets.

Sec. 2.703 Public Hearing on Application for Breeder License

The city council shall hold a public hearing on any application for either a breeder license or its renewal. Public notice of the hearing shall be given by depositing a written notice in the mail addressed to all owners of real property located within 200 feet of the subject property or premises, as determined from the last approved city tax roll, and by its publication in a newspaper of general circulation in the city. Both the mailed and published notices shall be given at least ten (10) days prior to the date set

for the hearing. Such notice shall state the date, time and place of the public hearing; adequately identify the location and/or address of the subject property or premises; state the nature of the application to be considered; and state that any party may appear in person or by attorney or agent. The public hearing procedure prescribed in this section shall apply to the initial application for any such license and any application for its renewal.

Sec. 2.704 Breeder License Fee

An annual license and inspection fee ~~of twenty five dollars (\$25.00)~~ shall be paid to the city prior to the issuance of any breeder license or annual renewal. City Council shall establish the amount of the fee by separate ordinance. The city council may increase the fee as needed from time to time.

Sec. 2.705 Licensee Requirements

Requirements to be met by licensees are as follows:

- (1) The dogs or cats shall be housed in cages or pens inside a residence or a completely enclosed accessory structure.
- (2) The dogs or cats shall be kept, harbored, bred and/or raised so as to not be a nuisance or detriment to any adjoining property or adjacent neighbors.
- (3) The dogs or cats shall not bark, howl, or create noises that cause the peace and quiet of the neighborhood or the adjacent premises to be disturbed, or create a public nuisance.
- (4) The cages or pens in which the dogs or cats are housed shall be maintained in a sanitary condition, so as not to create any hazards to the general health and welfare of the community. The cages or pens in which the dogs or cats are housed shall be maintained in a sanitary condition so as not to produce odors or unclean conditions sufficient to create a public nuisance. All excrements shall be disposed of in such a manner so as to prevent them from becoming a public nuisance.
- (5) The subject property or premises shall provide an enclosed or fenced area for the exercise of the dogs or cats that will be kept, harbored, bred and/or raised thereon containing a minimum area equal to or greater than 500 square feet multiplied by the number of dogs or cats six (6) months of age or older.
- (6) The enclosed area in which the dogs or cats are to be housed shall be of adequate size, height and construction to prevent the dogs or cats from running at large.

(7) The subject property or premises shall be subject to inspection by the animal control officer, ~~as the term is defined in Section 2.101 of this code~~, between the hours of 8:00 a.m. and 7:00 p.m.

 **Sec. 2.706** Penalty

~~Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof, fined in accordance with the general penalty provision set forth in Section 1.109 of this code, except that a first offense shall be punishable by a fine not exceeding two hundred and fifty dollars (\$250.00).~~

 **ARTICLE 2.800** SEIZURE OF CRUELLY TREATED ANIMALS

 **Sec. 2.801** Seizure of Cruelly Treated Animal

A peace officer or ~~T~~he animal control officer may apply to the municipal court or to the applicable county court for a warrant to seize ~~the~~a cruelly treated animal. If the animal control officer provides sufficient proof of probable cause, the court ~~shall~~must issue a warrant and set a hearing within 10 days of issuance of the warrant to determine if the animal has been cruelly treated. The animal ~~control officer shall~~will ~~be impounded~~the animal and provide notice ~~must be provided~~ to the owner in accordance with Chapter 821 of the Texas Health and Safety Code.

(Ordinance 996 adopted 5/2/07)

Sec. 2.802 Penalty

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, fined in accordance with the general penalty provision set forth in Section 1.109 of this code, except that a first offense shall be punishable by a fine not exceeding two hundred and fifty dollars (\$250.00).

UTILITY INFORMATION AND CITY REGULATION

Payment is due at the City of Brady Utility Department before 5:00 pm on the due date indicated. The due date on the statement is for the current bill only and does not apply to any previous billing amount due. Previous amounts due are delinquent and service is subject to disconnection. **Postal delays do not waive responsibility for timely payment.**

Payments made in outside/afterhours payment box after 3:00 pm will post the next business day. Payments can also be made online at www.bradytx.us.

RETURN CHECK PROCEDURE: There is a \$15.00 NSF fee charged for returned checks. Customers are required to pay with cash, credit card, or money order for any returned check. A customer who has a returned check, a check will not be accepted for payment for a period of one (1) year following the receipt of the returned check date. After this period, payment by check will be reinstated.

DISCONNECTION FOR NON PAYMENT: An account is classified as off for non –payment if any of the following apply:

- Service is disconnected due to non-payment of bill(s)
- Customer moves and does not request the account to be finalized. The customer is responsible for any usage incurred until meter is locked.
- Failure to comply with payment arrangements made by the customer and the City of Brady.
- If returned checks and fees are not paid after notification.

CUT OFF FOR NON PAYMENT: If services are in a non-payment status a fee of \$50.00 must be paid in cash along with full balance of account before services are reinstated or disconnection order is canceled. If a customer has been disconnected twice in a calendar year they will be required to have double deposit for that account.

TAMPERING FEES: If a meter is damaged or tampered with, the customer will be required to compensate the City of Brady for damaged equipment including meter, meter cables, housing unit, box, lid, plus any labor at \$50.00 per hour. A full fee schedule is available at the Utility office. **Criminal charges may be filed.** Damaged poly carts for solid waste: Full replacement of can \$70.00. Replacement for a lid is \$19.00 and wheel is \$5.00.

METER ACCESS: As your utility provider, we strive to collect accurate meter readings monthly so that your billed charges reflect your current consumption used. If your meter(s) is/are not accessible, the City of Brady will not be able to service your meter(s) appropriately.

Please note the following are common problems that we would like to make you aware of: Dog too close to meter, locked gates, or an obstacle in front of or covers a meter. Access to your meter must be made possible at any time during the workday.

We will estimate your billing charge if we are unable to obtain an accurate reading from a meter due to the above scenarios. However, upon notification of the problem to you from City staff, we will expect immediate action to remove or restrain the obstacle. If you do not correct the problem, City ordinance 1030 allows the City to disconnect services until a way to read the meter is reached. Once an accurate record of your consumption is obtained, we will adjust your bill amount to reflect underestimations/overestimations of the previous billing.

ANIMAL REGISTRATION: City Ordinance Article 2.100 approved on November 3, 2015 states that all households within the city limits of Brady must register and license their pets. To receive a license, the owner must provide a copy of a current rabies vaccination certificate and pay the appropriate licensing fee for each animal. For altered animals, vet records showing procedure done are required on animal to be registered/licensed the fees are as follows: \$5 every 2 years (Expires Oct 1st, odd years), Annual Dangerous pet \$50 per year (Expires annually October 1st), Breeders license \$25 every 2 years (Expires Oct 1st, odd years). Registration and fees are paid at: The City of Brady 201 E Main, or call 325-597-2152 for more information.

Customer signature: _____ Date: _____

Quarterly Report: July 2017 - September 2017**Project Status Report, Drinking Water State Revolving Fund (DWSRF) Project #62545: Radium Reduction Project – Drinking Water****Project Description -**

The City of Brady is a loan recipient from TWDB under the DWSRF and the Economically Distressed Areas Program (EDAP) programs. The city's groundwater supply has been deemed non-compliant due to radionuclides as promulgated by the Safe Drinking Water Act and administered by the USEPA. The engineering firm of Enprotec / Hibbs & Todd of Abilene (eHT) has been engaged to provide professional engineering services for producing a technical solution to bring the city's groundwater supply into compliance.

Contract Assignments –

Engineer: Enprotec / Hibbs & Todd (eHT), Abilene, Texas
Original Contract Commitment: \$ 612,000.00 (Planning Phase)
Engineering Services Amendment: \$1,623,000.00 (Design Phase)

Budget Information -

TWDB Funds: TWDB #10447 – EDAP 2015

Year	Expenditures	Revenues	Ending Balance
2011-2012	0.00	0.00	\$0.00
2012-2013	0.00	0.00	\$0.00
2013-2014	0.00	0.00	\$0.00
2014-2015	\$129,636.61	\$1,804,000.00	\$1,674,363.39
2015-2016	\$938,380.00	\$122.30	\$736,105.69
2016-2017	\$315,360.00	\$1,953.00	\$422,698.69

CITY OF BRADY

WATER TREATMENT DIVISION

TWDB Funds: TWDB #62545 DW – CO 2013

Year	Expenditures	Revenue	Ending Balance
2011-2012	0.00	0.00	\$0.00
2012-2013	0.00	0.00	\$0.00
2013-2014	\$51,562.41	\$350,000.00	\$298,437.59
2014-2015	\$292,237.59	0.00	\$6,200.00
2015-2016	\$6,200.00	\$7.97	\$7.97
2016-2017	0.00	0.00	\$7.97

TWDB Funds: TWDB #62545 – DW - LF

Year	Expenditures	Revenue	Ending Balance
2011-2012	0.00	0.00	\$0.00
2012-2013	0.00	0.00	\$0.00
2013-2014	196,246.00	\$350,000.00	\$153,754.00
2014-2015	153,754.00	0.00	\$0.00
2015-2016	0.00	0.00	\$0.00
2016-2017	0.00	0.00	\$0.00

Current Status -

Easement acquisition for the southern transmission water main route remains unfinished. This is due to various landowners along and near and between Nine Rd. and Calf Creek Rd. who had been identified and contacted and then, after several weeks of effort by city staff the property owners decide to stall or stop negotiating. This has resulted in lost time and effort and city staff has had to identify new pipeline alignment routes in order to reach city well no. 5 & pump station. Currently, the secured alignment is shown as attached.

Engineering work for the entire project is nearing completion. Water treatment process & improvements remains with a primary vendor service for radium reduction involving ion-exchange technology. A secondary treatment option is under consideration and may involve an alternative treatment process in-lieu of ion-exchange. Both proprietary treatments systems require a "cradle-to-grave" solution with radium residue. The basis of this effort to secure an alternative treatment option is to increase competitiveness that affects cost. Well site modifications have been completed to 75% phase stage, see example attached. The following are the proposed construction improvement contracts:

DESCRIPTION**OPINION OF PRELIMINARY COST**

• Contract A – Elevated Storage Improvements	\$ 4,071,000.00
• Contract B – Transmission & Distribution System Improvements	\$ 7,841,000.00
• Contract C – Treatment Improvements	\$ 12,526,000.00
• Contract D – Ground Storage Improvements	\$ 700,000.00
	SUBTOTAL \$ 25,138,000.00
	Legal, Engr., Loan
	Svcs., Contingency \$ 952,000.00
	TOTAL \$ 26,090,000.00

Reiteration: During this 2nd-quarter of the 2017 calendar year the primary focus has been the Texas legislature and their effort for the next Texas biennial 2018-19 budget. An important issue for the legislative session was the matter of a remaining \$53,000,000.00 (approx.) appropriation for EDAP (originally part of a state-wide water bond fund released several years ago). City of Brady is actively seeking favorable consideration from TwDB for 85% grant funding (EDAP) toward construction loan in upwards of \$26,000,000.00 for water treatment & transmission improvements.

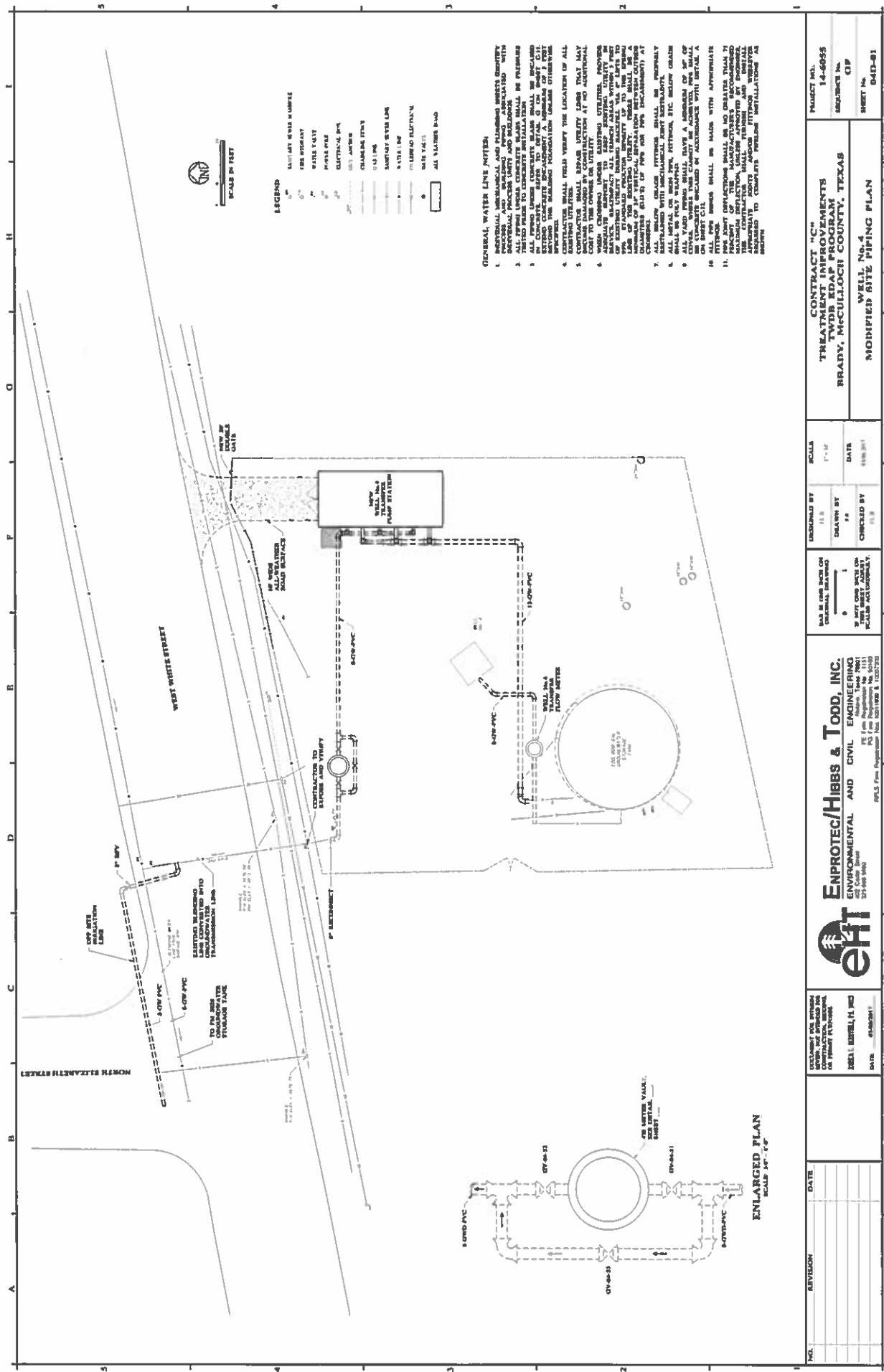
Water Transmission Line — Southern Alignment



Prepared by: Loya Young

Disclaimer: Approximate locations, for presentation purposes.

September 18, 2017



CITY OF BRADY**SEWER TREATMENT DIVISION****Quarterly Report: July 2017 – September 2017****Project Status Report, Clean Water State Revolving Fund (CWSRF) Project #73638:****WWTP Replacement Project**

The City of Brady is a loan recipient from TWDB under the CWSRF program. The WWTP is at a critical stage in regard to its structural viability and treatment efficacy as the entire facility has reached the end of its useful life. Originally placed into service early circa 1960's and re-purposing of existing structures over several decades with one (1) major upgrade in late circa 1980's. The engineering firm of Freese and Nichols, Inc. (FNI) has been engaged to provide professional engineering services for producing a proper design for the replacement of the WWTP that will meet the rules and requirements of two (2) State Agencies: TWDB and TCEQ.

Budget Information -**TWDB Funds -**

20-5-23-285.01(exp.) – CW#73638-LF1000019 **\$1,441,990.00**
20-4-25-685.01(rev.)

Year	Revenue	Expenditures	Balance
2011-2012	\$0.00	\$0.00	0.00
2012-2013	\$1,441,990.00	\$331,250.00	\$1,110,740.00
2013-2014	\$0.00	\$24,812.00	\$1,085,928.00
2014-2015	\$0.00	\$320,115.96	\$765,812.04
2015-2016	\$2,218.84	\$72,146.89	\$695,883.99
2016-2017	\$2,186.20	\$561,618.04	\$136,452.15

Year	Revenue	Expenditure	Balance
2011-2012	\$0.00	\$0.00	\$0.00
2012-2013	\$1,210,000.00	\$53,125.44	\$1,156,874.56
2013-2014	\$0.00	\$0.00	\$1,156,874.56
2014-2015	\$0.00	\$0.00	\$1,156,874.56
2015-2016	\$3,402.79	\$0.00	\$1,160,277.35
2016-2017	\$3,710.60	\$0.00	\$1,163,987.95

CITY OF BRADY

SEWER TREATMENT DIVISION

Contract Assignments -

Engineer: **Freeze and Nichols, Inc. (FNI), Austin, Texas**

<u>PHASE I ENGINEERING SERVICES</u>		<u>PHASE II ENGINEERING SERVICES</u>	
Original Contract Commitment	=	\$ 381,410.50	Basic Services: Permits & Environmental \$136,590.00
Contract Amendment 12-10-2015	=	<u>(\$ 41,438.00)</u>	Basic Services: Preliminary Design \$584,779.00
Current Contract Commitment	=	<u>\$ 339,972.50</u>	Special Services: Survey \$ 10,409.00
			Special Services: Geotechnical \$ 26,607.00
			<u><u>\$758,385.00</u></u>
			Add Services – Sensitivity Analysis \$ 4,785.62
			Total Fee Basis: <u><u>\$763,170.62</u></u>
Final Contract Amount	=	\$ 319,825.17	

Status -

City staff and FNI engineers completed a technology transfer workshop in late 2016 in which major decisions were made affecting treatment process. Two primary options were presented: 1) Continuous flow through extended aeration or 2) Single Batch Reactors (SBR). Each process treatment design has particular advantages and disadvantages. SBR are highly automated and very dependent on instrumentation and computer driven devices. Whereas the city's current wwt is very similar to the continuous flow through treatment process and it was elected to stay with this design. Floodplain rules for wwt requires accommodations to prevent facilities from being flooded during a 100-yr storm event. In this case the city's plant is located adjacent to Brady Creek and has the potential to be inundated during a major storm event. Subsequently, it was decided to elevate the proposed new site by approximately five feet.

At the completion of the technology transfer workshop the mission became the development of full 30% design documents for a 0.6MGD treatment plant. In late spring of 2017 plans, specifications and opinion of preliminary probable costs (OPPC) were delivered describing the 30% design phase work. It was at this point the newly derived OPPC of **\$14,595,000** was originated, see table below.

CITY OF BRADY

SEWER TREATMENT DIVISION

30% DESIGN LEVEL			\$ 9,354,000
OH & P	15%		\$ 1,404,000
SUBTOTAL			\$10,754,000
MOBILIZATON	5%		\$ 468,000
SUBTOTAL			\$11,226,000
CONTINGENCY	25%		\$ 2,807,000
SUBTOTAL			\$14,033,000
INFLATION (4%/yr)	4%		\$ 561,320
GRAND TOTAL OPPC			\$14,595,000

City staff requested a follow up meeting on this cost estimate and met with the engineers in May 2017. An outcome of this meeting was the issuance of directives from city staff to the engineer for an independent evaluation of the 30% design phase document. The engineers agreed to the importance of this activity for ensuring bidding accuracy and suggested a general contractor service. FNJ acquired an independent contractor for cost valuing the 30% design phase document, which coincidentally the selected contractor has previously bid work in Brady. Through a series of communication and correspondence targeting value engineering the following OPPC tabulation was derived:

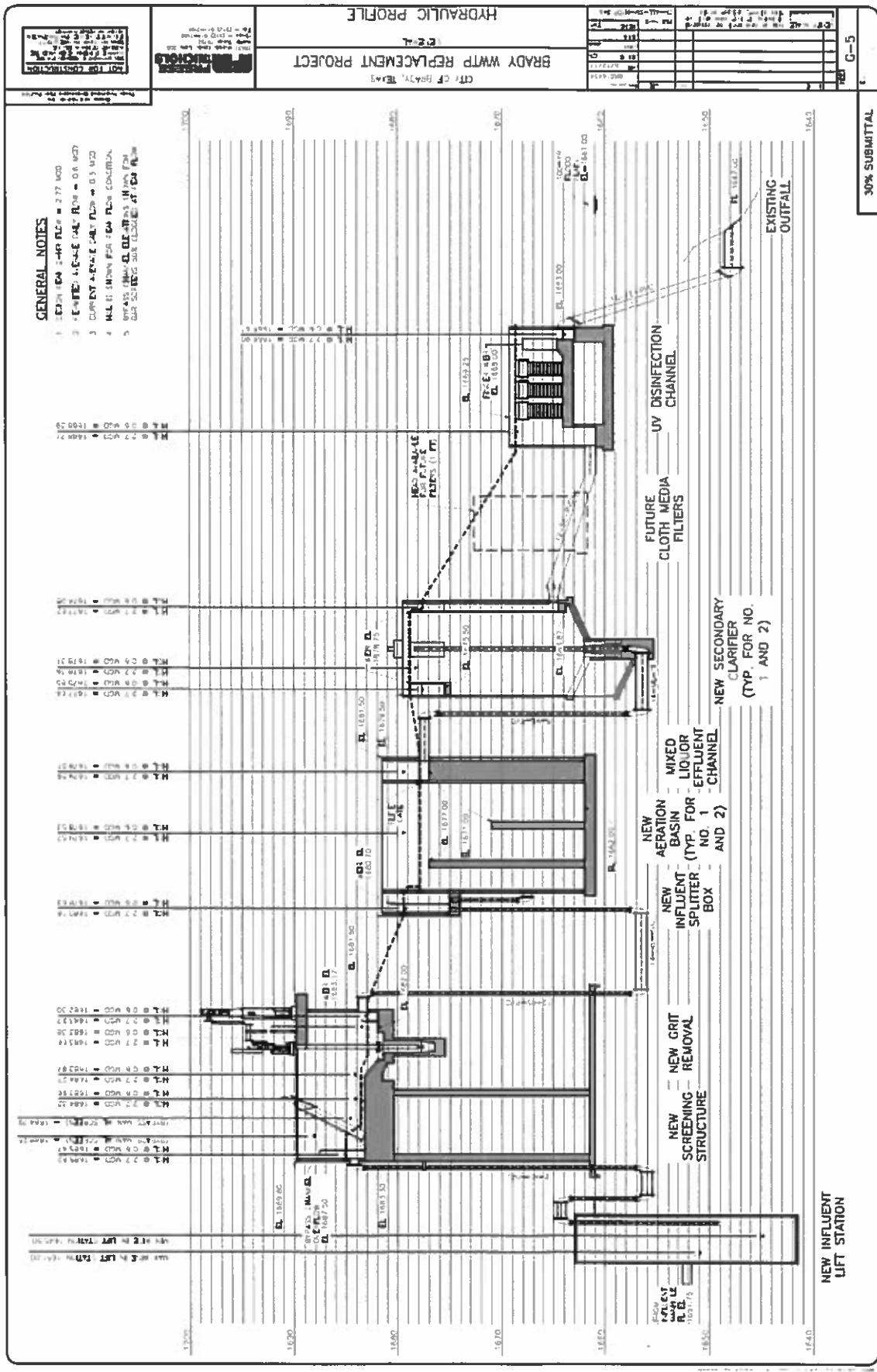
30% DESIGN LEVEL			\$ 7,875,000
OH & P	15%		\$ 1,182,000
SUBTOTAL			\$ 9,057,000
MOBILIZATON	5%		\$ 394,000
SUBTOTAL			\$ 9,451,000
CONTINGENCY	25%		\$ 2,363,000
SUBTOTAL			\$11,814,000
INFLATION (4%/yr)	4%		\$ 472,000
GRAND TOTAL OPPC			\$12,286,000

Time-line of Major Events –

	Phase I – Preliminary Engineering	Phase II – 30% Design & Permitting
N.T.P. -	March 09, 2015	October 20, 2016
Completion required / actual -	December 31, 2015 / November 30, 2015	Draft permit – April 20, 2017 30% Design – June 20, 2017 Environmental – October 20, 2017
Major Product -	E.F.R., Interim Solids Handling Design, T.M. Sewer System Improvements	Permitting, Environmental Document (E.I.D.) and 30% Level Design

CITY OF BRADY

SEWER TREATMENT DIVISION



CITY OF BRADY**PROJECT STATUS REPORT****Quarterly Report: July 2017 – September 2017****TxDOT US377 Road Improvements (N Bridge Street)****Current status - bid January 2018:**

CCSI: 0128-04-035	
District: BROWNWOOD	Let Date: Jan 2018
Highway: US 190	Let Status: Approved
Project ID: STP 2017(458)	CSI: 0128-04-035
Description: RECONSTRUCT URBAN ROAD	Handling Code:
Limits From: US 87	Fund Cat: 1
Limits To: US 377	ESTIMATE: \$6,500,001

County:	MCCULLOCH	Let Date:	07/12/17
Type:	RECONSTRUCT URBAN ROAD	Seq No:	3207
Time:	636 WORKING DAYS	Project ID:	STP 2017(458)
Highway:	US 190	Contract #:	07173207
Length:	0.880	CCSI:	0128-04-035
Limits:			
From:	US 87	Check:	\$100,000
To:	US 377	Misc Cost:	\$684,869.00
Estimate	\$11,675,760.25	% Over/Under	Company
Bidder 1	\$17,475,201.59	+49.67%	ALLEN KELLER COMPANY

City of Brady is a participant with TxDOT – Brownwood through a 90-10 cost share agreement where city's contribution is \$297,280.00 for relocation of existing gas, water, electric and sewer within the state's right-of-way road corridor. Project planning began in calendar year 2014 with engineering and surveying wrapping up in early 2017. TxDOT Brownwood established a bid date on July 12, 2017 and at the time there were five (5) qualified contractors on the bid list. At bid opening only one bidder responded as shown above. Due to the cost "overrun" TxDOT – Brownwood rejected the bid received and established a new bid date of January 2018. The project scope is now reduced to include only N Bridge St. from the north side of the courthouse square up to US190E. The downtown square is delayed indefinitely.

Contribution payments were structured for three fiscal year releases – 1st payment, June 2016 = \$35,000.00, 2nd payment, November 2016 = \$131,140.00. The last payment is scheduled for November 2017 in the amount of \$131,140.00.

Quarterly Report: July 2017 – September 2017

Old Power Plant Site – Closure

TCEQ Docket Num: 1996-1637-IHW-E

SOAH Docket Num: 582-96-2370

TCEQ Customer Number: CN600249866

Regulated Entity Number: RN103030292

Project Status

- A soil assessment work plan has been prepared and submitted to the TCEQ to reinitiate the process of complying with the 1997 Order. Proposed activities include defining soil source conditions, removal of soil that may be acting as a continuing source of hydrocarbons in groundwater, and development of a long term plan to prevent exposure to hydrocarbons that will be left in place. TCEQ has completed review of the assessment report and an approval letter is pending. That should close the soil/source remediation portions of the closure proceedings. Strategy is to meet with TCEQ in late October and simultaneously originate a proposal for groundwater monitoring for the 2017-2018 year.

History

- The City operated an electrical power generation plant from about 1900-1980 on property south of the Hwy 87 overpass on the west side of town (former City service center site). The property is currently vacant except for some water utilities, landscaped with native grasses, and designated for future use as a public park.
- In May 1996 during demolition of the power plant, the Texas Commission on Environmental Quality (TCEQ) performed onsite complaint inspections and identified mismanagement of some regulated waste. TCEQ directives were issued to the City to correct observed conditions and perform an investigation to determine the extent of environmental impact on the property.
- In March 1997, the State issued an Order against the City for failure to comply with the directives. The Order included a **\$20,216** fine and requirements to complete the earlier directives.
 - **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION Wednesday, March 5, 1997**
 - **Item 20. Docket No. 96-1637-IHW-E. Consideration of an Agreed Order assessing administrative penalties and requiring certain actions of the City of Brady in McCulloch County; SWR No. 23296; for industrial and hazardous waste violations pursuant to the Texas Solid Waste Disposal Act, Chapter 361 of the Texas Health & Safety Code, and the rules of the Texas Natural Resource Conservation Commission. (Vic McWherter). Issue Agreed Order, RM/JB. All Commissioners Agree**
- Investigation and cleanup on the property by an environmental contractor was initiated in 1999, concurrent with completion of plant demolition activities.

CITY OF BRADY

PROJECT STATUS REPORT

- In December 2001, the State issued a Judgement against the City for failure to comply with the 1997 Order. The Judgement included a \$9,025 fine and mandate to comply with the Order.
- Investigation and cleanup was carried out episodically on the property from 1999 through 2004.
- Since 2004, the City has monitored conditions on the property monthly and submitted an annual report to the TCEQ.
- Some environmental provisions of the 1996 directives, 1997 Order, and 2001 Judgement have not yet been completed.

Current Conditions

- Former structures and operations at the power plant related to this project included an aboveground petroleum storage tank battery, Buildings A & B that housed large hydrocarbon-fueled engines used to turn electrical generators, and an underground piping and pump system that delivered fuel from the tank battery to the engines. Electrical service equipment containing polychlorinated biphenyl (PCB) oils was also managed on the property.
- Releases of petroleum products on the property appear to have come from 2 primary sources:
 - A leaking underground fuel delivery system south of the former Building A, and
 - Surface disposal of waste oil. An area north of the former Building B appears to have been a primary disposal site.
- Known conditions on the property are as follows:
 - Petroleum hydrocarbons remain in soil in each of the source areas at concentrations that exceed TCEQ health-based standards.
 - Petroleum hydrocarbons both as a free-phase liquid and as a dissolved phase are routinely measured in groundwater beneath each of the source areas.
- A requirement of the 1997 Order that has not been met is development of a plan that describes to the TCEQ how known conditions will be managed to protect the public.

Uncertainties

- The volume and accessibility of hydrocarbon-affected soil is unknown. Soil borings will be installed to redefine affected areas and estimate the volume of affected soil. However, the extent of excavation will be largely controlled by conditions encountered as subsurface soil is exposed. Remnants of the former power plant buildings may prevent ready access to affected areas.
- Concentrations of hydrocarbons in excavated material will determine how the soil waste can be disposed. Soil with concentrations <1500 mg/Kg can be disposed of at the City landfill. Soil with concentrations >1500 mg/Kg will have to be treated or transported to a permitted industrial waste landfill for disposal.
- Liquid hydrocarbons are widely dispersed in groundwater at the property and complete removal is rarely achievable. Even with successful removal of soil sources, conditions for closure of this case may include long term groundwater monitoring requirements.

CITY OF BRADY

PROJECT STATUS REPORT

Budget Information -

Clean-up Costs 20-5-21-251.00

Professional Fees 20-5-21-203.00

Year	Activity	Original Budget	Ending Budget
2001-2002	\$98,135.86	50,000.00	120,000.00
2002-2003	\$25,740.35	10,000.00	26,000.00
2003-2004	\$36,351.76	10,000.00	34,000.00
2004-2005	\$29,594.57	7,000.00	38,866.00
2005-2006	\$6,580.53	10,000.00	9,000.00
2006-2007	\$0.00	11,000.00	11,000.00
2007-2008	\$377.90	11,000.00	400.00
2008-2009	\$1,228.42	5,000.00	1,000.00
2009-2010	\$1,282.39	5,000.00	3,000.00
2010-2011	\$158.18	4,000.00	1,000.00
2011-2012	\$176.33	3,000.00	1,000.00
2012-2013	\$79.99	500.00	500.00
2013-2014	\$71.99	800.00	800.00
2014-2015	\$365.53	800.00	800.00
2015-2016	\$807.56	800.00	1,300.00
2016-2017	\$426.25	800.00	40,800.00
TOTALS		\$201,377.61	

Year	Activity	Original Budget	Ending Budget
2001-2002	\$82,183.71	50,000.00	85,000.00
2002-2003	\$1,815.00	10,000.00	2,000.00
2003-2004	\$10,108.67	0.00	3,200.00
2004-2005	\$76,105.67	6,500.00	76,680.00
2005-2006	\$62,342.38	30,000.00	65,000.00
2006-2007	\$26,898.71	50,000.00	30,000.00
2007-2008	\$6,483.44	50,000.00	8,000.00
2008-2009	\$4,799.32	10,000.00	5,000.00
2009-2010	\$4,278.99	5,000.00	5,000.00
2010-2011	\$1,211.60	5,000.00	2,000.00
2011-2012	\$1,977.19	3,000.00	3,000.00
2012-2013	\$7,365.37	1,000.00	7,366.00
2013-2014	\$6,784.13	2,000.00	6,784.13
2014-2015	\$5,121.73	4,000.00	7,000.00
2015-2016	\$18,212.14	7,000.00	24,500.00
2016-2017	\$20,506.41	37,000.00	50,888.00
TOTALS		\$336,194.46	

CITY OF BRADY**PROJECT STATUS REPORT****Repairs – General 20-5-21-312.00**

Year	Activity	Original Budget	Ending Budget
2001-2002	\$0.00	0.00	0.00
2002-2003	\$183.00	0.00	500.00
2003-2004	\$112.21	0.00	0.00
2004-2005	\$25.62	0.00	100.00
2005-2006	\$5.27	30.00	30.00
2006-2007	\$2.34	100.00	100.00
2007-2008	\$632.65	0.00	615.00
2008-2009	\$113.97	0.00	0.00
2009-2010	\$0.00	0.00	0.00
2010-2011	\$0.00	0.00	0.00
2011-2012	\$7.12	0.00	0.00
2012-2013	\$0.00	0.00	0.00
2013-2014	\$0.00	0.00	0.00
2014-2015	\$0.00	0.00	0.00
2015-2016	\$0.00	0.00	0.00
2016-2017	\$0.00	0.00	0.00
TOTALS	\$1,082.18		

Utilities 20-5-21-202.00

Year	Activity	Original Budget	Ending Budget
2002-2003		\$0.00	0.00
2003-2004		\$0.00	0.00
2004-2005		\$0.00	0.00
2005-2006		\$61.58	0.00
2006-2007		\$128.14	100.00
2007-2008		\$152.53	100.00
2008-2009		\$151.09	137.00
2009-2010		\$217.55	137.00
2010-2011		\$152.05	160.00
2011-2012		\$149.09	150.00
2012-2013		\$151.79	155.00
2013-2014		\$529.36	200.00
2014-2015		\$158.78	200.00
2015-2016		\$147.45	200.00
2016-2017		\$135.53	200.00
TOTALS	\$2,134.94		

Vendor Assignments -

Apex-TITAN, Inc.
6410 Southwest Boulevard, Ste. 104
Fort Worth, TX 76109

www.apexcos.com

Brad Parish, P.G. Senior Hydrogeologist
Richard Hudson, P.G. Project Geologist

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 20, 2017

Mr. James Minor
City Manager
City of Brady
P.O. Box 351
Brady, Texas 76825

Re: Approval
Report, *Soil Assessment Results*, May 15, 2017
City of Brady Former Power Plant
900 West 1st Street, Brady, McCulloch County, Texas
TCEQ SWR No. 84607; CN600249866; RN101472975, EPA ID No. TXD988066296,
TCEQ Agreed Final Judgment No. GV000266

Dear Mr. Minor:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced submittal, dated May 15, 2017. The report evaluates the concentration of total petroleum hydrocarbons (TPH) in soil on site. The site is currently subject to 30 TAC 335, Subchapter S (Risk Reduction Rules), however, the TPH concentration was evaluated using the TCEQ Texas Risk Reduction Program (TRRP) Tier 1 TPH PCL Calculator (v 1.8 - 5/2015). The report finds that there are areas of soil contamination above the calculated Tier 1 $PCL_{TPH\ mix}$, however the areas above the Tier 1 $PCL_{TPH\ mix}$ are isolated to the vadose zone and likely represents the light aqueous phase liquid in the vadose zone. Apart from the samples collected in the vadose zone, there were no areas of TPH concentration in soil that exceeded the Tier 1 PCL.

The TCEQ has completed a review of the report. The report contains documentation indicating that soil is contain no COCs above the TRRP Tier 1 $PCL_{TPH\ mix}$.

Questions concerning this letter should be directed to me at (512) 239-2261. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127. An additional copy should be submitted to the local TCEQ Region Office. The information in the reference block should be included in all submittals.

Sincerely,

A handwritten signature in black ink that reads "Rachel Forster".

Rachel Forster, Project Manager
Team 1, VCP-CA Section
Remediation Division

RKF/bk

cc: Mr. Richard M. Hudson, P.G., Senior Geologist, TITAN Engineering, Inc., 2801 Network Boulevard, Suite 200, Frisco, Texas 75034

Mr. Christopher Mayben, Waste Section Manager, TCEQ Region 8 Office, San Angelo

Quarterly Report: July 2017 – September 2017**Sewer Line Replacement – L.E.C. Site**

City of Brady implemented an urgent repair of an existing sewer line adjacent to the proposed McCulloch County Law Enforcement Center, a wastewater main that services a large area of the downtown neighborhoods. The basis of the repair is the sewer main is in extensive disrepair, see photo attached. Project scope and development was negotiated with KSA Engineers – San Angelo and bidding was controlled by city staff. Project consisted of 1,000 l.f. of sewer line replacement including four manholes. Engineer's estimated cost of the project was broken down into two-parts: pipe bursting method at \$308,000.00 and remove/replace method at \$230,000.00. City staff utilize a web-based bid advertisement through CivCast, an internet based business. Approximately 25 plan holders were achieved and six actual sealed bids were submitted as tabulated below.

Darnell Construction, LLC of San Angelo was deemed the lowest responsive bid at \$141,647.00 and was awarded the project. Construction started on September 07, 2017 and is expected to be completed by the end of September.

Purchase Order Encumbrances:Engineering

06/08/2017	Engineering Service	14-02029	4,528.00
07/14/2017	Amended Eng Svc	14-02041	4,700.00

Construction

08/23/2017	Sewer Line Project	14-02054	141,647.00
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CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT****Project Status Report:** **Brady Lake Boating Access Grant** **September 2017**Grant Project Deadline: **June 30, 2018****Budget Information:**

TPWD Funds:	\$127,238.00
<u>COB:</u>	<u>\$ 42,413.00</u>
TOTAL:	\$169,651.00

Expenditures:

KSA Planning and Design:	\$ 17,317.50
Weststar Construction:	\$100,000.00

Contract Assignments:

Engineer:	KSA Contracted:	June 16, 2014
Contractor:	Weststar Construction – Boat Ramps	March 15, 2016

Project Description: The City of Brady (COB) received a Boating Access Program Grant from the Texas Parks and Wildlife Department (TPWD). This grant will extend one (1) boat ramp and improve two (2) boat docks at Brady Lake. The ramp on the north side of the park will be extended and boat docks at the Main Ramp and the North Ramp will be updated. The project was rebid in March 2016, and Weststar Construction secured the contract for the ramp improvements and docks. Construction of the dock was completed in January 2017, but due to recent rains and increasing lake levels the boat ramp construction has been delayed and a contract amendment with Weststar to remove the Boat Ramp Project from the original contract is in process.

Start Date / Completion Date:

Planning Start:	June 2014
Design Completion:	October 2015

Major Activities:

Corps Permit Received:	November 14, 2014
Plans Submitted to TPWD Review:	September 11, 2015
TPWD Approval of Plans:	September 18, 2015
U.S. Fish and Wildlife Approval:	September 22, 2015
Grant Acceptance Signed:	September 22, 2015
Project Bid September:	November 4, 2015
Bids Opened:	December 16, 2015
Project Rebid:	February 3, 2016
Bids Opened:	March 2, 2016
Bid Awarded to Weststar Construction:	March 15, 2016
Change Order #1 Signed:	June 21, 2016
Dock Plan and Material Submittal Approval:	November 28, 2016
Boat Dock Construction Begins:	January 3, 2017
Walk-Through with Project Engineer:	January 20, 2017

Next Steps:Review by TPWD: **December 2017**

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Brady Lake Fish House Redevelopment Project** **September 2017**

Budget Information: Brady Economic Development Corporation (BEDC) \$ 65,256.00

Expenditures: BEDC Funds to date for Fish House: \$ 48,416.70

Contract Assignments:

Engineer: KSA Contracted: June 16, 2014

Contractor: Docks of Texas – Fish House started March 14, 2016

Project Description: In 2009, the citizens of Brady approved the use of Type A Economic Development Corporation Sales Tax Funds for Type B projects for improvements at Brady Lake Park. One of the improvements was the rehabilitation of the Fish House. The new Fish House was designed and originally bid as part of a larger project including a boat ramp and new boat docks. After receiving no bids for the ramp and docks, the Fish House Redevelopment Project was separated from the boat ramp improvements. Docks of Texas is remodeling the Fish House with BEDC funds and is 80% complete. The old Fish House has been removed. Electrical has been run and lighting has been installed. With few contractors that have this experience, Docks of Texas was pulled off our job to tend to emergencies at other Texas lakes. Then illnesses have kept him from returning to complete the project. We are working with legal counsel to get the contractor back on site.

Start Date / Completion Date:

Planning Start: June 2014

Design Completion: October 2015

Major Activities:

Project Bid September: November 4, 2015

Bids Opened: December 16, 2015

Contracted with Docks of Texas: February 8, 2016

Demolition of Old Fish House Began: March 14, 2016

Next Steps:

Complete the remaining 20% of the Fish House Project: December 2017

Rollover unexpended funds to FY 2018

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT****Project Status Report:** **Richards Park Improvements Grant** **September 2017**Grant Project Deadline: **July 31, 2018****Budget Information:**

TPWD Funds:	August 20, 2015	\$400,000.00
COB:		\$400,000.00
U.S. Silica Donation:		\$ 10,000.00
Humana Health Care Grant:		\$ 1,000.00
TOTAL:		\$811,000.00

Expenditures:

N/A

Contract Assignments:**Landscape Architect:** **Luck Design Group:** **February 7, 2017**

Project Description: The City of Brady (COB) has received an Outdoor Recreation Grant from Texas Parks and Wildlife Department (TPWD). This project will renovate the baseball fields at Richards Park to include the relighting of two (2) ball fields. Additional renovations include a trail from E.O. Martin Memorial Park to the soccer fields at Richards Park, a new playground at the baseball complex, and benches/picnic tables along the trail. COB staff has met with the selected design firm to discuss the design and layout of the project. A Town Hall Meeting was held June 19, 2017 for public input. Approximately 10 people plus staff and two Council members attended.

Design work is anticipated to be 100% complete in October 2017, TPWD will need to approve the plans and authorize bidding. Construction is estimated to begin in January 2017 and be complete in July 2018.

Start Date / Completion Date: N/A**Major Activities:**

Grant Awarded by TPWD:	August 20, 2015
Field Visit by TPWD:	September 28, 2015
Contract Signed with TPWD:	July 13, 2016
RFP for Design Released:	September 23, 2016
RFP for Design Evaluated:	December 7, 2016
Design Firms Invited to Interview:	December 15, 2016
Design Firms Interviewed:	January 10, 2017
Selected Landscape Architect:	February 7, 2017
Town Hall Meeting:	June 19, 2017
80% Plan Review:	August 22, 2017

Next Steps:

Complete Design:	October 2017
Begin Construction:	January 2018
Complete Construction:	July 2018

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Willie Washington Park Improvements** **September 2017**
Grant Project Deadline: **July 31, 2018**

Budget Information: TPWD Funds: August 20, 2015 **\$ 75,000.00**
COB: **\$ 75,000.00**
TOTAL: **\$150,000.00**

Expenditures: Ross Surveying **\$ 2,750.00**
T'Byrds sign shop **\$ 256.00**
T.F. Harper **\$139,932.75**
TOTAL **\$142,938.75**

Contract Assignments:
Construction: **T. F. Harper & Associates, L.P.** **March 28, 2017**

Project Description: The City of Brady (COB) has received a Small Communities Grant from the Texas Parks and Wildlife Department (TPWD). This project includes new sidewalks, picnic spaces and a new playground with shade at Willie Washington Park. Director Peter Lamont attended the National Recreation and Parks Association Conference in October 2016 to view first hand possible playground styles to develop conceptual ideas to present to citizens. Staff met with neighborhood representatives on November 22, 2016 and March 27, 2017 to discuss the style and design of the playground. Council then approved issuing a purchase order for the new playground with the requested changes. The playground, sidewalk, benches and shade structure have been installed. The Electrical Utilities Division will be putting the majority of the overhead electrical, underground and installing new lights. Irrigation will be completed over the winter and new landscaping added early spring and a dedication will be planned once all parts of the project are completed.

Start Date / Completion Date: October 2016

Major Activities: Grant Awarded by TPWD: **August 20, 2015**
Field Visit by TPWD: **September 28, 2015**
Contract with TPWD Signed: **February 17, 2016**
Presented Potential Playground Styles to Neighborhood: **November 22, 2016**
Ordered Engineering Survey of Park: **November 30, 2016**
Sent Request for Proposals: **March 3, 2017**
Received Proposals: **March 22, 2017**
Presented Proposals to Neighborhood: **March 27, 2017**
City Council Approved playground design: **March 28, 2017**
Begin Construction/Remove Equipment: **May 2017**
Playground/Benches/Shade Installed: **June/July 2017**

Next Steps: Roll-over unexpended funds to FY2018 Budget
Move Electrical Underground: **Oct/Nov 2017**
Install Irrigation: **Nov/Dec 2017**
Install Landscaping **Feb/March 2018**
Dedication **March 2018**

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Stanburn Park Improvements** **September 2017**

Project Deadline: **May 2018**

Budget Information: **Private Funds:** **(Minimum)** **\$ 50,000.00**
TOTAL: **\$ 50,000.00**

Expenditures: **N/A**

Contract Assignments:

Engineer: Not Required
Contractor: Not Selected

Project Description: The City of Brady (COB) has received a request by a private company, Fairmount Santrol to adopt the park and install improvements at Stanburn Park. The desired improvements include updating the tennis courts and converting to basketball courts, planting trees, improving the turf, and installing shade structures.

Additionally, the family of Lt. Daniel R. Conway is committing a one-time gift of \$50,000.00 towards a new playground. The City has received a total of \$50,000.00 in donations. A request has been made of several playground companies for designs for the new playground and cost(s) to resurface the existing tennis court.

Start Date / Completion Date: **N/A**

Major Activities:	Naming Policy Approved:	December 16, 2014
	Initial Project Meeting:	February 2, 2015
	Request Presented to Council:	March 3, 2015
	Estimated Court Costs:	July 10, 2015
	Preliminary Playground Designs:	July 14, 2015
	Dedicated Funds received \$50,000:	May 3, 2017
	Playground Design Requests Made:	June 2017
	Selected Playground Design with Donor:	September 2017

Next Steps:	Install Playground:	Nov/Dec 2017
	Update Tennis Court Area	February/March 2018
	Roll-over Donations received and expense line items to complete project in FY2018	

CITY OF BRADY ***FINAL REPORT****COMMUNITY SERVICES DEPARTMENT****Project Status Report:** **Brady Creek Trail Project** **September 2017****Grant Project Deadline:** **June 30, 2017**
Second Extension Granted: **May 27, 2016****Budget Information:** **TPWD Funds: May 22, 2012** **\$200,000.00**
COB: **\$133,100.00**
TOTAL: **\$333,100.00****Expenditures:** **Planning and Design:** **\$ 47,662.68**
Construction To-Date: **\$267,409.30**
Bid Advertisements **\$ 63.00**
TOTAL **\$315,134.98****Reimbursements:** **TPWD:** **\$190,000.00** **December 12, 2016**
TPWD: **\$ 10,000.00** **July, 24, 2017****Contract Assignments:** **Engineer:** **KSA Contracted:** **February 5, 2015**
Contractor: **Westar Construction Contracted:** **January 7, 2016**
Award Amount: **\$282,967.50**

Project Description: The City of Brady (COB) received a Recreational Trails Program Grant from the Texas Parks and Wildlife Department (TPWD) in 2012. This grant rebuilds the gravel trail along Brady Creek from Richards Park to a park located on West Richards Drive and North Pine Street. The original trail was built in 1986. This project had an original due date of June 2015. Staff completed a walk-through of the trail on September 13, 2016 with the project engineer and has submitted a punch list to the contractor containing two items (2) for repair. Staff conducted a walk-through with TPWD on March 1, 2017. Due to recent rains and flooding a second extension was granted until June 30, 2017. The original project was to cover 7,200 linear feet, but due to costs, could only cover approximately 5,000 feet. Due to this, an amendment to the contract must be completed. Staff submitted the amendment in April and contract amendment was completed in June. The punch list items were completed and the project accepted.

Start Date / Completion Date:**Planning Start:** **February 2015**
Design Completion: **September 29, 2015**
Bidding Process Began: **September 30, 2015****Major Activities:****Grant Acceptance Letter Signed:** **May 22, 2012**
Grant Extension Letter Signed: **March 27, 2015**
Plans Reviewed by TPWD: **July 30-September 14, 2015**
Plans Completed: **September 29, 2015**
Project Released for Bids: **September 30, 2015**
Bids Opened: **October 28, 2015**
Bid Awarded: **December 1, 2015**
Budget Amendment Approval: **December 15, 2016**

CITY OF BRADY ***FINAL REPORT****COMMUNITY SERVICES DEPARTMENT**

Signing of Contracts:	January 7, 2016
Pre-Construction Meeting:	January 14, 2016
Notice to Proceed:	January 14, 2016
Named Trail – <i>Brady Creek Trail</i> :	March 15, 2016
Change Order #1:	July 2016
Complete Construction:	September 2016
Walk-Through with Engineer:	September 13, 2016
Walk-Through with TPWD:	March 1, 2017
Contract Amendment Completed:	June 2017
Punch List Completed:	June 30, 2017

Next Steps:	Name Pocket Park:	November/December 2017
	Dedication:	TBD

FINAL REPORT

Project Status Report: **Brady Lake Dam Breach Inundation Mapping & Brady Drainage Master Plan** **September 2017**

Grant Project Deadline: **March 31, 2018**

Budget Information:

TDEM:	\$ 50,000.00
COB:	\$ 20,100.00
TOTAL:	\$ 70,100.00

Grant Payment: **\$ 50,000.00**

Expenditures:

\$70,020.00 as per signed contract with Lockwood, Andrews & Newman, Inc. (LAN).

Contract Assignments:

Engineer: **Lockwood, Andrews & Newman, Inc.**

Project Description: The City of Brady (COB) received a grant from the Federal Emergency Management Agency (FEMA) through the Texas Department of Emergency Management (TDEM) to conduct a Breach and Inundations Study of the Brady Lake Dam, and a Drainage Master Plan. A signed contract was secured with LAN in the amount of \$70,020.00 to complete the project. COB staff met with LAN on May 6, 2016 and subsequently submitted a list of sites to be further evaluated for drainage improvements. LAN submitted the Breach Analysis to the Texas Commission on Environmental Quality (TCEQ). TCEQ had requested additional downstream mapping and that work was completed by LAN. TDEM has reimbursed the City for the \$50,000.00 awarded in the grant.

Start Date / Completion Date:

Start Date:	April 6, 2016
Acceptance by TCEQ:	September 21, 2017

Major Activities:

Grant Accepted:	April 27, 2015
Kickoff Meeting with TDEM:	April 29, 2015
RFP Submitted to TDEM for Review:	September 29, 2015
RFP Released:	October 21, 2015
RFPs Received:	November 18, 2015
Engineer Interviews:	January 7, 2016
Engineer Selection:	January 8, 2016
Council Approved Contract with LAN:	February 16, 2016
Kickoff Meeting Held:	April 6, 2016
Project Update Meeting with Staff:	May 6, 2016

Project Deadline Extended:	July 22, 2016
Public Presentation to City Council:	September 20, 2016
Filed Payment Request with TDEM:	October 31, 2016
Final Report Submitted to COB:	November 18, 2016
TCEQ Request for Further Mapping:	January 8, 2017
Project Deadline Extended:	January 19, 2017
Grant Payment Received:	January 31, 2017
Report Resubmitted to TCEQ:	March 22, 2017
TCEQ Dam Inspection:	May 5, 2017
Met with LAN to discuss additional Mapping required by TCEQ	August 31, 2017
Project Deadline Extended:	September 14, 2017
Acceptance by TCEQ:	September 21, 2017

Next Steps:

Both Projects (TCEQ required *Breach and Inundations Study of the Brady Lake Dam* and City-wide *Storm Water Drainage Master Plan*) are complete.

As FEMA or TDEM grants become available, storm water improvement project grants may be applied for as outlined and recommended in the *Storm Water Drainage Master Plan*.

Brady Lake Dam – continue to coordinate with TCEQ dam inspectors and work with the local Natural Resources Conservation Service (NRCS) to maintain the dam as required.

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Curtis Field Airport Master Plan** **September 2017**

Grant Project Deadline: **August 31, 2018**

Budget Information:

TxDOT Aviation Funds:	\$180,000.00
COB:	\$ 20,000.00
TOTAL:	\$200,000.00

Expenditures: **N/A**

Contract Assignments:

Engineer: **None selected**

Project Description: The City of Brady (COB) has received, from the Texas Department of Transportation (TxDOT) Aviation Division an Airport Improvement Program Grant to prepare a new Master Plan for Curtis Field Airport. The current Master Plan is over seventeen (17) years old. Master Plans should be revised no less than every five (5) years and updated no less than every ten (10) years to ensure goals and objectives are current and operational.

After negotiations with the previously selected vendor were unsuccessful, TxDOT, in coordination with COB staff elected to develop a new Scope of Work for the project and seek new proposals. The new Scope of Work was completed in July 2017 and responses were received in August. The proposals have been evaluated by the selection team and the results are being provided to TxDOT.

Start Date / Completion Date:

Planning Start:

Major Activities:

RFP for Planning Service Release:	August 5, 2016
Contract with TxDOT Aviation Signed:	August 22, 2016
Proposals Received by TxDOT Aviation:	August 30, 2016
Selection Committee Requested Interviews: (with three (3) contractors)	November 2, 2016
Interviewed Potential Contractors:	February 1, 2017
Selected KSA as Project Engineer:	February 2017
Negotiations Failed with Selected Vendor:	May 19, 2017
Council Approved New Resolution-Revised Grant:	June 6, 2017
Develop New Scope of Work for Airport Plan:	July 2017
Receive Proposals for New Plan:	September 2017

Next Steps:

Roll-over this project for FY2018 Expenses

TxDOT Complete Negotiations with Contractor: **October 2017**

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Automated Weather Observation System Grant (AWOS)** **September 2017**

Grant Project Deadline: **To Be Determined**

Budget Information:

TxDOT Aviation Funds:	\$150,000.00	75%
COB:	\$ 50,000.00	25%
TOTAL:	\$200,000.00	

Expenditures:

N/A

Contract Assignments:

Contractor:	All Weather Inc.	\$96,513.00
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Project Description: The City of Brady (COB) received the Texas Department of Transportation (TxDOT) Aviation Division Airport Improvement Program (AIP) Grant to replace the current Automated Weather Observation System (AWOS). The current system is no longer functioning and the parts to repair it are unavailable. The TxDOT Commission awarded the grant February 23, 2017. Staff worked with TxDOT to bid the project in April in accordance with TxDOT requirements, but due to the invitation to bid not being posted, we have had to extend the bid timeline. Two bids were received and the lowest responsible bidder has been awarded the project.

Start Date / Completion Date:

Planning Start:	TBD
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Major Activities:

Council Approval of Grant Resolution:	December 4, 2016
TxDOT Grant Approval	February 23, 2017
Release Bid for AWOS	April 2017
Award Bid by City Council	July 18, 2017

Next Steps:

This project needs to roll-over to FY2018 budget
Construction Start & Completion projected **December 2017**

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT****Project Status Report: G. Rollie White Complex Steering Committee****September 2017****Budget Information:** N/A**Expenditures:** N/A**Contract Assignments:**

Engineer: N/A
Contractor: N/A

Project Description: On April 24, 2017 members of the AgriLife Leadership Committee including City Council, City staff, County Commissioners and AgriLife Extension Service represents met in a special joint work session to discuss current City, County and 4-H needs and plans for the GRW Complex as well as its history of joint-use, its future use and the next steps of appointing a GRW Steering Committee. The City Council and the County Commissioners agreed to appoint 2 members each to the Committee. On June 20, Director Peter Lamont and Agent Jacque Behrens met to discuss and organize the inaugural meeting of the GRW (Goals) Steering Committee. The meeting was held June 29 and included ten (10) members: Mayor Pro Tem James Griffin, Council Member Shelly Perkins, P&Z Committee Chair Nick Blyshak, Director of Community Services Peter Lamont, City Manager Kim Lenoir, County Commissioners Gene Edmiston and Jason Behrens, Extension Agent Jacque Behrens, Livestock Association representatives Joe Behrens and Michael Probst and Chamber President Erin Corbell. Initial thoughts on required facilities included two (2) covered arenas, buildings that can accommodate portable stalls, meeting building and show office, RV spaces with hookups and an office for the McCulloch County AgriLife Extension Service agents. After the first meeting, Council Member Shelly Perkins resigned and newly elected Council Member Jeffrey Sutton was appointed to the committee. City prepared application to GRW Foundation for Master Plan Grant, August 11, 2017. The grant not awarded.

Start Date / Completion Date:

Committee Started Meeting: June 2017

Major Activities:

Inaugural Meeting: June 29, 2017
Tours of Similar Facilities: July 20-21, 2017

Committee wanted to move forward with cleaning the facility and trying to get users now. Committee requested removal of Jockey House; Council approved - September 19, 2017

Next Steps: City needs to locate deed and survey of the property

Begin Master Planning Facility In-house October 2017

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT****Project Status Report:** **New Activity Center Renovation Project September 2017**Project Deadline: **TBD****Budget Information:**

COB:	\$96,600.00
McCulloch County	\$50,000.00
Senior Advisory Committee	\$60,000.00

Expenditures:

BISD	\$100,000.00
<u>EIKON Consultants</u>	<u>\$ 46,600.00</u>
TOTAL	\$146,600.00

Contract Assignments:**Architects:** **EIKON Consultants**

Project Description: In 2015, the City has purchased the South Ward Cafeteria building from the Brady Independent School District with assistance from McCulloch County. The facility is intended to hold the Senior Citizen program and the Meals-on-Wheels program that is in a very old county-owned building. The facility would also be used for other activities and programs when not in use for senior programming. EIKON was hired to provide conceptual drawings for the facility with the City planning to contract out the various aspects of the construction. In December 2015 a request for proposals for was released for HVAC services. Only one company responded and noted that energy codes would require each trade to build to the highest level of the code while a completed plan would allow tradeoffs resulting in costs savings.

So on February 7, 2016, the contract EIKON was expanded to include full plans, specifications and bid documents. These plans include a commercial kitchen to support the Senior Lunch program. EIKON has provided an estimated cost of \$875,000 or approximately \$130/sq. ft. The reason for the costs include additional restroom, energy code requirements, ADA accessibility requirements, and commercial kitchen codes. The City has cleaned the facility and sold what items it could via online auction. Utilities has been reworking the lines servicing the facility. No construction funds were budget for FY2018.

Start Date / Completion Date: **N/A****Major Activities:**

Purchased South Ward Cafeteria:	2015
Contracted with EIKON for conceptual Design	2015
Contracted with EIKON 100% plans	February 7, 2016

Next Steps: **Budget Allocation Needed** **TBD**

CITY OF BRADY**COMMUNITY SERVICES DEPARTMENT**

Project Status Report: **Brady Lake Game Management Program** **September 2017**

Budget Information: **N/A**

Expenditures: **N/A**

Contract Assignments:

Contractor: **Jason Skinner**

Project Description:

Axis deer have become a game management issue of over population and overgrazing lake vegetation in the vicinity of Brady Lake. Large herds have been entering the City limits, especially in the Simpson Lake Club area. These same herds have had a detrimental effect on the native White Tail deer. On April 4, 2017, City Council authorized the City Manager to enter into an agreement with Jason Skinner to act as a trapper and to relocate Axis deer from the South Shore Park area of Brady Lake. The contract includes fees for Axis of various ages and sizes to be paid to the City.

After numerous contracts going back and forth between parties, it is believed an agreement has been reached and a contract should be signed shortly. Trapping could begin immediately after that.

Start Date / Completion Date:

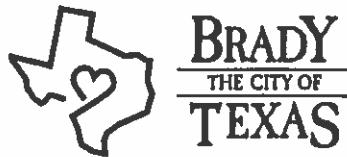
Planning Start: **April 4, 2017**

Major Activities:

Approval by City Council **April 4, 2017**

Next Steps:

Complete Contract **October 2017**
Begin Trapping at South Shore Park **October 2017**



MEMORANDUM

September 27, 2017

To: City Council

From: Kim Lenoir, City Manager

Subject: Update of Replat-Leases of Davee and Dodge Heights Subdivisions

In 2013-2014, staff discovered the tangled web of non-compliance and billing with lake lot leases for Davee and Dodge Heights. In 2015, City Council increased the annual lease payments to \$1200 per year per lot. TCEQ rules also made it difficult for the city to continue to lease lots that were too small (less than $\frac{1}{2}$ acre) for current septic tank requirements, especially in complying with the clean pristine water quality of the Brady Lake area. In 2016, staff began survey and replat work to clear up the records, billing, property inspections and compliance with current TCEQ septic tank regulations.

In January 2017, City Council and P&Z discussed the proposed replat of Davee Addition. The City Council gave staff further directions on the amended lease agreements for the new lot lay-outs and to assume if bills had been sent and paid the owner had a right to a lake lot lease. Draft lease agreements and maps were mailed and staff met with the 7 families affected in the Davee Addition. P&Z held a Public Hearing for Davee Addition on February 14 and City Council on February 21, both hearings have been extended to June 13 and 20 and then to September 12 and 19 to address one property survey line adjustment, that the surveyor needed to make. Council approved the replat of the Davee Addition September 19.

City Council also discussed a desire to sell the newly replatted lots, with first right of refusal going to the active lease holder with proper property improvements. The City Attorney found that city's could sell the leased lake lots at appraised value. An appraiser is working now on the Davee Addition and is expected to be complete in November.

City Council waived the 2016 billing and staff billed the Davee lot leases with active leases for 2017 at the rate of the existing leases.

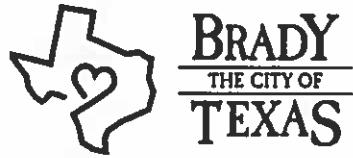
The Dodge Heights replat has been more difficult to replat, with the probability of several units on a 1/2 acre tract. The goal is to have the Dodge Heights replat and staff recommendations scheduled in July.

In February, City Council put a moratorium on considering any new leases, until the lake lot leases and replats are in order. Both subdivisions are going through the replatting rules process, requiring public hearings, P&Z approval and City Council approval. All new leases will be prepared and approved by city council, incorporating any current active leases yet to expire.

Next Step:

Davee – File final plat. Appraise lots.

Dodge Heights – continuation for cleaning up records. One abandoned lot and personal property is scheduled for demolition.



MEMORANDUM

September 28, 2017

To: City Council

From: Kim Lenoir, City Manager

Subject: Update of Regulating Boat Docks on Brady Lake

City of Brady has Ordinance No. 316, Regulating Boat Docks and Other Floating Structures that needs updating. Just like recordkeeping of lease lake lots, records of active boat dock permits are not complete. Now that the lake is filling and boat docks can float again on the lake, there is more interest in acquiring and permitting boat docks from lake property owners. There are also many existing boat docks in poor condition that are not claimed that need to be removed.

Staff is reviewing rules on other Texas lakes and is preparing new boat dock rules and regulations. Staff will be presented soon to the City Council to discuss all issues in an upcoming work session.

Next Steps:

Staff needs to identify existing boat dock permits that are in compliance and billed in January.

Inspect existing docks for non-compliance and abandonment.

Present new rules and regulations to City Council for consideration.



MEMORANDUM

September 29, 2017

To: City Council
From: Kim Lenoir, City Manager
Subject: Construct City Animal Control at GRW Complex

In June, City Council Members and staff toured animal control facilities in Lampasas and San Saba. The city has been leasing for 2 years the old vet building on the San Angelo Highway for a 72-hour stray hold facility. That lease expires November 2017. In September, the Vet Clinic owners have agreed to extend the lease if needed.

During budget work sessions, City Council proposed to build a small facility at GR White Complex to meet the minimum needs of the city for a permanent 72-hour stray hold facility, not to exceed \$70,000 which was budgeted for FY2018.

Staff reviewed with City Council on-site and at the work session on September 19, the concept plan for the facility. It would be located on the north end of the race track, near the back unpaved road and surrounding an existing small concrete building (17' x 16'), all located southwest of the existing FFA/4H animal pens. Water, sewer, electric, and phone utilities are located nearby. The site needs to be raised and drainage improved by adding a second culvert under the unpaved road that drains to Brady Creek.

The concept plans include moving the 20' x 20' portable office building located at the South Shore Park (old Mutualistic site) and to build a new garage style metal building with 24 kennels, like was observed in Lampasas. City Council liked the concept plan and staff is now working "in-house" to fill the site and improve the drainage.

Next Steps:

Develop plans for the new metal building and solicit proposals to construct the facility.



BRADY POLICE DEPARTMENT
209 S. Elm St.
Brady, Texas 76825
325-597-2121 (Office) 325-597-9520 (FAX)

3rd Quarter Report for Public Safety
September 29, 2017

The Brady Police Department has one active grant, and one pending grant application. Both are with the Office of the Governor.

Grant #3208001 (City Council Resolution No. 2017-008) has been awarded and is active, but the funds have not yet been expended. The funds are on hold as we wait for COPsync (provider) to develop the software needed for implementation of the National Incident-Based Reporting System (NIBRS). COPsync has promised to have the software available before the end of calendar year 2017. The granting agency is aware of this delay and the funding is still guaranteed.

Grant Application #3483301 (City Council Resolution No. 2017-030) has been submitted. This application requests funds for purchase of 10 sets of Rifle-Resistant Body Armor for our officers.