



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 DECEMBER 5, 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 December 5, 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 December 5, 2017.
- B. Approval of Minutes for Regular and Work Session Meetings Nov 21, 2017.

### 5. PRESENTATIONS:

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### 6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS:

- A. Public Hearing for the purpose of receiving comments for or against a zoning change from Single-Family Residential to Commercial District requested by Sharon Watson for property located at 104 West 13<sup>th</sup> Street of the Jones Subdivision, Block 13, Lots 7-9. (Published 11-15-2017/P&Z recommended 11-28-17).
  - A.1. Discussion, consideration, and possible action regarding first reading of Ordinance 1239 of the City of Brady; to rezone property located at 104 West 13<sup>th</sup> Street of the Jones Subdivision, Block 13, Lots 7-9, from Single-Family Residential to Commercial District (P&Z recommended 11-28-17).
- B. Public Hearing for the purpose of receiving comments for or against a re-plat, requested by KSA Engineers, for property located at 1110 West 11th Street of the Parkview Subdivision, Block A, Lots 8-9. (Published 11-15-2017/P&Z recommended 11-28-17).

B.1. Discussion, consideration, and possible action regarding replat of property located at 1110 West 11th Street of the Parkview Subdivision, Block A, Lots 8-9 and to abandon drainage easement and combine two lots. (P&Z recommended 11-28-17).

## **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 **first reading of Ordinance 1241** of the City of Brady to temporarily reduce speed limits on portions of US HWY 377 N and US HWY 190 during reconstruction of portions of those highways.
- B. Discussion, consideration, and possible action regarding the Brady Economic Development Corporation recommendation to change from a Type A to a Type B Corporation (city election required).
- C. Discussion, consideration, and possible action regarding council member(s) appointment(s) for a liaison member(s) to attend McCulloch County Commissioners Court Meetings, BISD Board Meetings, and/or McCulloch County Hospital Board Meetings.
- D. Discussion, consideration and possible action on approving an Axis Management Contract for Brady Lake.
- E. Discussion and summary of City Council action and if procedures and processes worked.

## **8. STAFF REPORTS**

### **A. Upcoming Special Events/Meetings:**

Hunter Dumpsters now available at Service Center, North Bridge Street  
December 16 – Christmas in the Heart – McCulloch County Chamber on the Square  
Jan 5 & 6 – McCulloch County Stock Show – GRW Complex

### **B. Upcoming City Calendar:**

December 13 – 3pm, Annual City Employee Christmas Party – Civic Center  
December 19 – 4pm City Council Work Session – Livestock Ordinance & Sign Ordinance  
December 20 – 8:30am Municipal Court  
Dec 21 and 22 Holiday Trash Schedule – Thurs service moves to Wed; Fri service moves to Thurs  
Dec 25 and 26 Holiday Trash Schedule – Mon service moves to Tues; Tues service moves to Wed  
Jan 1 and 2 Holiday Trash Schedule - Mon service moves to Tues; Tues service moves to Wed  
Dec 22, 25, and Jan 1 - City Offices Closed  
Jan 2 – City Council Meeting  
Jan 10 – 5pm GRW Steering Committee  
Jan 15 and 16 Holiday Trash Schedule - Mon service moves to Tues; Tues service moves to Wed  
Jan 16 – 4pm Council Work Session / 6pm Council Meeting  
Jan 17 – 8:30am Municipal Court

**C. Other Reports:**

**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**

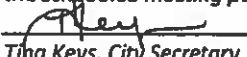
The City Council of the City of Brady will adjourn into Executive Session for the following:

- A. Pursuant to Sections 551.071 (Consultation with Legal Counsel) and 551.074 (Personnel Matters) City Council will meet to discuss legal and personnel issues related to the search and appointment of a Municipal Judge and/or an Assistant Municipal Judge.

**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 12/1/17 by 6:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.*

  
Tina Keys, City Secretary

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

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

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

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

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session Meeting on Tuesday, November 21, 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, Shelly Perkins, Jeffrey Sutton, and Jane Huffman. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Finance Director Lisa Remini, and City Secretary Tina Keys. Also in attendance were Charter Review members Jo Anne Coffey, Teresa Liefeste, Bill Derrick and Patsy Cole. Chad Blankenship came in after a quorum was certified.

#### **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. Charter Review quorum was certified.

2. Review and Discuss Charter Review Commission's recommendations for changes to the City of Brady Home Rule Charter, possible election May 2018

3.01 – Council Member Sutton commented since the Mayor does so much and has to have so much training, they should go to 4 year terms. Sutton is worried that some people may be ready to step down after 3 years. Mayor Groves stated he thinks a 4 year obligation might scare some people off. Charter Review Member Derrick asked about cost savings in the long run to prevent having an election every year. Council Member Perkins asked about "elected and qualified" on last paragraph. City attorney says we can take "and qualified" out. Council Member Huffman likes the 4 year term because it gives council more time to see projects through. Processes would need to be discussed on how to transition to a 4 year term.

3.02 – Qualifications – Suggestions were made to clean up repetitions. State law says the candidate can have no felony convictions and not be mentally incapacitated. Being indebted to city cannot prevent somebody from being on council per state law. Add 3.02 (4) to section 3.15.

3.04 – City Manager Lenoir discussed the reasoning behind the suggested changes. Mayor Groves suggested tripling the Mayor Pro Tem salary to \$180 if the Mayor and Council were tripled.

3.09 – City Manager Lenoir said the wording has been cleaned up to make clear. Mayor recommends striking "on an already posted agenda". Some clarification changes were requested.

3.12 – There were discussions on deleting "penalties for failure to attend" sentence.

3.16 – City Manager Lenoir said they were trying to dispense with the "read the caption" section. And do away with "regular" schedule meeting. Council Member Perkins commented since people don't typically attend special meetings, she thinks it should stay "regular". Charter Review Chair Coffey thinks we should put it on the ballot and let the people decide.

4.02 – Suggested changes were made to clean up grammar and to clarify actual practices.

6.03 – Suggested changes were made to clean up grammar and to clarify actual practices. Mayor asked if we want this much in the actual charter when policies and procedures are already in place and went on to comment that possibly too much detail may not be necessary. Finance Director Lisa Remini clarified that a “draft budget will be presented in June but proposed budget isn’t presented until August after workshops.” It may be necessary to simplify that the proposed budget will be presented in August, with no mention of a draft. Perkins would agree that it needs to be made clearer. Charter Review Commission will discuss at next meeting. Regarding option for quarterly reports presented to council, Council would still get printed monthly financial statements. Council Member Huffman thinks quarterly presentations are fine but thinks reports need to be on web page monthly.

6.10 – Council Member Perkins asked about checks that are signed during Audit Board. Council Member Griffin thinks we need to eliminate Audit Board. Finance Director Remini said it was a great tool years ago, but now there are policies in place that promote transparency so this process doesn’t serve much efficiency.

6.12 – Suggested changes were made to clarify actual practices.

7.02 – Mayor requested deletion of #2 – “An incumbent seeking reelection must file for the same place presently serving”. Council Member Huffman agreed.

12:15 – City Manager Lenoir stated you can’t really ever get “a majority vote of the qualified voters” due to the low voter turnout. Item needs to be changed to read “a majority of voters in that election”.

### **3. Discuss and plan future work session dates and topics**

There was no discussion

### **4. Announcements**

There were no announcements.

### **5. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 5:17 p.m.

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Mayor Anthony Groves

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

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, November 21, 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, Shelly Perkins, Jeffrey Sutton and Jane Huffman. City staff present were City Manager Kim Lenoir, Community Services Director Peter Lamont, Public Works Director Steve Miller, Finance Director Lisa Remini, Police Chief Steve Thomas, Fire Chief Brian Meroney, Code Enforcement Officer Kim Davee, Municipal Court Judge Bill Spiller and City Secretary Tina Keys. Also in attendance were Lynn Farris, Ed Hernandez, Dub Smith, Erin Corbell, Annita Ellison, Brian Crabb, Joan McBride, Julie Clevenger, Barbara Bolton, James Minor, Linda Stewart and Christopher Longoria.

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

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

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

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

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

Both persons signed up are speaking on an agenda item and will wait until the agenda item to speak.

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

- A. Approval of Audit Board for November 21, 2017.
- B. Approval of Minutes for Regular Meeting November 17, 2017.
- C. Discussion, consideration and possible action regarding Resolution 2017-038 for the temporary closure of roads around the Courthouse Square for the first Christmas in the Heart Lighted Parade

Council Member Griffin moved to approve the Consent Agenda. Seconded by Council Member Perkins. 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. Public Hearing for comments concerning demolition of dilapidated structures at 301 Boston in the Martin Heights Subdivision, Block 40, Lots 1-2 was opened at 6:05 p.m. Julie Clevenger showed pictures taken today. Clevenger also said they are paying \$100 a month on delinquent taxes and continued to say this is a family home. They use it for storage. They plan to come back to Brady and make it their home. Council Member Huffman asked how long it has been vacant and was told since 2014. Public Hearing was closed at 6:17 p.m.

A.1. Discussion, consideration and possible action regarding Demolition Order 2018-18 in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 301 Boston in the Martin Heights Subdivision, Block 40, Lots 1-2. Peter Lamont presented. Council Member Sutton moved to approve Demolition Order 2018-18. There was no second. Motion failed. Council Member Perkins moved to extend consideration of the demolition order until January 2, 2018 and bring back before Council with owner instructed to present pictures of improvements and to present a written timeline to improve property. Three Council Members voted "aye" and one Council Member, Sutton, voted "nay". Motion carried in a 3 – 1 vote.

B. Public Hearing for comments concerning demolition of dilapidated structures at 501 West 2nd Street in the Luhr Subdivision, Block 104, Lot 2 was opened at 6:27 p.m. Peter Lamont presented. There were no comments. Public Hearing was closed at 6:29 p.m.

B.1. Discussion, consideration and possible action regarding Demolition Order 2018-20 in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 501 West 2nd Street in the Luhr Subdivision, Block 104, Lot 2. Peter Lamont presented. Council Member Huffman moved to approve Demolition Order 2018-20. Seconded by Council Member Perkins. All Council Members voted "aye" and none "nay". Motion carried with a 4 – 0 vote.

C. Public Hearing for comments concerning demolition of dilapidated structures at 401 Boston in the Martin Heights Subdivision, Block 39, Lots 3-4 was opened at 6:33 p.m. Chris Longoria spoke and said he bought the house a couple of days ago and is in the process of remodeling. Brian Crabb commented it looks structurally sound. Public Hearing was closed at 6:40 p.m.

C.1. Discussion, consideration and possible action regarding Demolition Order 2018-19 in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 401 Boston in the Martin Heights Subdivision, Block 39, Lots 3-4. Council Member Sutton would like to see proof of ownership. Council Member Perkins moved to bring back on January 2, 2018 with documentation of ownership and show progress and have a written timeline for repairs. Seconded by Council Member Huffman. Sutton moved to amend motion to include tax information. Seconded by Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote. Mayor called for a vote on the now amended original motion. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

D. Open Public Hearing for comments concerning demolition of dilapidated structures at 703 East 11th Street in the Luhr Subdivision, Block 86, Lot 3 was opened at 6:46 p.m. There were no comments. Public Hearing was closed at 6:49 p.m.

D.1. Discussion, consideration and possible action regarding Demolition Order 2018-21 in accordance with Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 703 East 11th Street in the Luhr Subdivision, Block 86, Lot 3. Council Member Sutton moved to approve Demolition Order 2018-21. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

## 7. INDIVIDUAL CONCERNS

A. Discussion, consideration and possible action regarding Demolition Order 2018-15 in accordance with the Code of Ordinances Section 3.207 to authorize demolition of dilapidated structure(s) at 1308 North College Street in the Crothers Subdivision, Block 31, Lot 5 (Published 10-5-17 / Public Hearing Held 10-17-17). Peter Lamont presented and recommends removal of tree / securing windows and doors / allow access to interior and removal of addition. Council Member Huffman moved to defer item until January 2, 2018 with the stipulation that actions specified to remove tree and secure building are followed. Seconded by Council Member Griffin. All Council Members, voted "aye" and none voted "nay". Motion carried in a 4 - 0 vote.

B. Discussion, consideration and possible action regarding acceptance of the McCulloch County/Brady Chamber of Commerce Annual Tourism Report. Erin Corbell, Chamber President presented. Council Member Huffman moved to accept the McCulloch County / Brady Chamber of Commerce Annual Tourism Report. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion carried in a 4 – 0 vote.

C. Discussion, consideration and possible action regarding acceptance of the 2017 Annual Report for the Brady

Economic Development Corporation. Peter Lamont presented. Council Member Griffin moved to accept the 2017 Annual Report for the Brady Economic Development Corporation. Seconded by Council Member Perkins. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.

- D. Discussion, consideration, and possible action regarding council member(s) appointment(s) for a liaison member(s) to attend McCulloch County Commissioners Court Meetings, BISD Board Meetings, and/or McCulloch County Hospital Board Meetings. Council Member Griffin nominated Council Member Sutton to attend Commissioners Court. Council Member Sutton commented he has experience with hospital boards too and would like to volunteer. Council Member Huffman moved to appoint Sutton to all three boards. The motion was seconded by Griffin. Some Council Members commented Rey Garza might want to represent the Council with one of the Boards. The Mayor suggested amending the motion to appoint Sutton as City Council representative to County Commissioners and Hospital and bring item back to next meeting. All Council Members voted “aye” and none “nay”. Motion carried in a 4-0 vote.
- E. Discussion, consideration and possible action regarding report from Municipal Judge Bill Spiller of City of Brady Municipal Court for 2016 and 2017. Bill Spiller presented Municipal Court revenue figures and turned in his resignation as of 12/3/17 since he was running for office of McCulloch County Judge. Council Member Huffman moved to accept the resignation. Seconded by Council Member Perkins. All Council Members voted “aye”, and none “nay”. Motion carried in a 4 – 0 vote. Council Member Griffin moved to accept report. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.
- F. Discussion, consideration, and possible action regarding filling vacancy on Zoning Board of Adjustments. Mayor Groves appointed Lauri Smith as an alternate to ZBA. Council Member Sutton moved to approve appointment. Seconded by Council Member Perkins. All Council Members voted “aye” and none “nay”. Motion carried in a 4 – 0 vote.
- G. There was no discussion regarding City Council procedures and process.

## 8. STAFF REPORTS

- A. October Monthly Financial and Utility Reports
- B. October Monthly Activity Reports – Seniors, Golf, BPD, Animal Control, Tourism Funding, Airport, Code Enforcement, and Chronic Code Complaints & Structures Inhabited without Utilities
- C. Upcoming Special Events/Meetings:
  - Hunter Dumpsters now available at Service Center, North Bridge Street sponsored by the Chamber
  - November 22 – Light up the Historic Downtown Square for the Holidays
  - November 28 – BISD Facility Needs Assessment – Post possible quorum
  - December 16 – Christmas in the Heart – McCulloch County Chamber on the Square
- D. Upcoming City Calendar:
  - Wed, Nov 22 – Holiday Trash Schedule for Thursday and Friday trash service, pick-up Wednesday
  - November 23 & 24 – City Offices Closed
  - November 28 – Called P&Z Commissioners Meeting
  - December 5 – City Council Interviewing for Municipal Court Judge(s) positions
  - December 13 – 3pm, Annual City Employee Christmas Party – Civic Center
  - December 19 – 4pm City Council Work Session – Livestock Ordinance & Sign Ordinance



**E. Other Reports:**

UPS – under state law will use city streets in SW corner of city to deliver holiday packages

**9. ANNOUNCEMENTS**

There were no announcements

**10. EXECUTIVE SESSION**

Regular Session was closed at 7:40 pm and Council took a break before going into Executive Session. Executive Session was opened at 7:47 p.m.

- 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 551.086 (Deliberations, vote or final action about competitive matters of the public power utility)), the City Council will deliberate, vote, or take final action on a competitive matter.
- 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**

Mayor opened regular session at 8:02 p.m.

**12. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 8:03 p.m.

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Mayor Anthony Groves

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

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

<b>AGENDA DATE:</b>	12/05/2017	<b>AGENDA ITEM</b>	6.A.1.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding <b>first reading of Ordinance 1239</b> of the City of Brady; to rezone property located at 104 West 13 <sup>th</sup> Street of the Jones Subdivision, Block 13, Lots 7-9, from Single-Family Residential to Commercial District (P&Z recommended 11-28-17).		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	11/30/2017
<b>EXHIBITS:</b>	Ordinance 1239 for Zoning Change P&Z Minutes (unofficial)		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	<p>Wes and Sharon Watson submitted application on November 13, 2017 for a zoning change for 104 West 13<sup>th</sup> Street.</p> <p>The property is currently zoned Single-Family Residential with the North, South and West sides of this property zoned as Single-Family Residential District and the East side as Commercial District. The structure was built for commercial use and has been used for that intended purpose.</p> <p>Staff feels that this is not an unusual request and is in compliance with the 2013 Comprehensive Plan and the regulations of the Zoning Ordinance.</p> <p>On November 28, 2017, the Planning and Zoning Commission held a public hearing and made a recommendation to City Council to approve the application for re-zoning.</p> <p>It has been requested that the Council waive the 4 day waiting period for the Ordinance to be effective.</p>
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<b>RECOMMENDED ACTION:</b>	<p>Upon recommendation by P&amp;Z, staff recommends the first reading by City Council.</p> <p><b>Mayor:</b> <u>"Do I have a motion to read the full ordinance?"</u></p> <p><b>If no, Mayor will state:</b> <u>"A majority of the City Council has dispensed with the full reading of the ordinance."</u></p> <p><b>Mayor will ask:</b> <u>"Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."</u> <b>"Secretary reads preamble"</b></p> <p><b>Mayor calls for a motion:</b> Move to approve <b>first</b> reading of Ordinance 1239</p>
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## **ORDINANCE NO. 1239**

**REZONING CERTAIN REAL PROPERTY FROM SF-5 (SINGLE FAMILY RESIDENTIAL) TO COMMERCIAL DISTRICT AS REQUESTED BY SHARON WATSON FOR THE PROPERTY LOCATED AT 104 W. 13<sup>TH</sup> STREET IN BRADY, TEXAS.**

**WHEREAS**, Chapter 211 of the Texas Local Government code empowers a 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**, the Brady Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

**WHEREAS**, the Planning and Zoning Commission of the City of Brady provided adequate notice and held a public hearing on November 28, 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 of Brady has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Brady's Zoning regulations; and

**WHEREAS**, the City Council of the City of Brady held a public hearing on December 5, 2017 regarding the re-zoning on affected properties and complied with notice provisions of the Texas Local Government Code; and

**WHEREAS**, the City Council of the City of Brady believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to re-zone; 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 of Brady;

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

1. Property being described as 104 West 13<sup>th</sup> Street of the Jones Subdivision, Block 13, Lots 7-9 is hereby re-zoned from SF-5 (Single Family Residential) to Commercial District
2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

**PASSED** and **APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

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

**ATTEST:**

\_\_\_\_\_  
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF MCCULLOCH

CITY OF BRADY

Minutes Pg 1

The Planning and Zoning Commission held a special public hearing meeting on November 28, 2017 at 5:30 P.M. at the Brady Municipal Court located at 207 South Elm, Brady, Texas. Planning and Zoning Members present were Chairman Nick Blyshak, Vice Chairman Ronnie Aston, Cathy Ewert, Amy Greer, Tom Flanagan (arrived at 5:57 p.m.) and Jeff Bedwell. Staff members present were Kim Davee, Councilman Jim Griffin, Mayor Anthony Groves and Peter Lamont. Others present were Sharon Watson, Wes Watson, Vernon Canter, Jerry Debord, Chris Wilde with KSA Engineers, Erin Betts, Robbie Betts and Cynthia Hamilton.

#### **CALL TO ORDER, ROLL CALL, AND CERTIFICATION OF A QUORUM**

The meeting was called to order at 5:30 P.M. Kim Davee called roll and a quorum was certified with 4 members present.

#### **APPROVAL OF MINUTES – 10/10/2017**

Jeff Bedwell made a motion to approve the minutes of the last meeting. Ronnie Aston seconded that motion. All members voted “aye” and none “no”.

#### **PUBLIC HEARING AND ITEMS FOR DISCUSSION AND CONSIDERATION**

**A public hearing to receive public comments regarding a re-plat to combine two lots into one lot at 1108 and 1110 West 11<sup>th</sup> Street.**

The public hearing was opened at 5:31 p.m.

There were no public comments.

The public hearing was closed at 5:32 p.m.

**Discussion, consideration and possible action regarding a re-plat to combine two lots into one lot at 1108 and 1110 West 11<sup>th</sup> Street.**

Peter Lamont explained the new owners wanted to combine the lots to allow a fence to be erected on the property. KSA Engineers did a study of the property to examine the existing drainage easement. The drainage easement is no longer needed since the curb and gutter was installed. The re-plat will abandon that easement and combine both properties into one.

Planning and Zoning members agreed the easement is no longer needed. Nick Blyshak made a motion to recommend to City Council approval of the re-plat to abandon the drainage easement and to combine the lots at 1108 and 1110 West 11<sup>th</sup> Street. Jeff Bedwell seconded the motion. All members voted “aye” and none “no”. Motion carried.

**A public hearing to receive public comments regarding a zoning change from Single-Family Residential to Commercial District as requested by Sharon Watson for property located at 104 West 13<sup>th</sup> Street.**

The public hearing was opened at 5:35 p.m.

There were no public comments.

The public hearing was closed at 5:35 p.m.

**Discussion, consideration and possible action regarding a zoning change from Single-Family Residential to Commercial District as requested by Sharon Watson for property located at 104 West 13<sup>th</sup> Street.**

Peter Lamont explained the property has been used for commercial purposes since the structure was built. There have been at least three commercial businesses in this location.

Ronnie Aston made a motion to recommend approval of the zoning change from Single-Family Residential to Commercial District to City Council. Nick Blyshak seconded the motion. All members voted "aye" and none "no". Motion carried.

#### **ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 5:35 P.M.

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Nick Blyshak  
Chairperson

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Kimberly Davee  
Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	12/05/2017	<b>AGENDA ITEM</b>	6.B.1.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding replat of property located at 1108 and 1110 West 11th Street of the Parkview Subdivision, Block A, Lots 8-9 and <u>to abandon drainage easement and combine two lots into one.</u> (P&Z recommended 11-28-17).		
<b>PREPARED BY:</b>	Kimberly Davee	<b>Date Submitted:</b>	12/01/2017
<b>EXHIBITS:</b>	Plat prepared by KSA Engineers		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>
<p>KSA Engineers submitted a re-plat of 1108 and 1110 West 11<sup>th</sup> to combine both lots into one lot. The re-plat will also abandon the existing drainage easement.</p> <p>The existing drainage easement is longer valid since the curbs and gutter were installed.</p> <p>Planning and Zoning held a public hearing on 11/28/2017 and made a recommendation to City Council to approve the re-plat to combine both lots and abandon the drainage easement for 1108 and 1110 West 11<sup>th</sup> Street.</p>

<b>RECOMMENDED ACTION:</b>
<p>Upon P&amp;Z approval, it is recommended that City Council approve the re-plat of 1108 and 1110 West 11<sup>th</sup> Street.</p>

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

<b>AGENDA DATE:</b>	12/05/2017	<b>AGENDA ITEM</b>	7.A.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>first reading of Ordinance 1241</b> of the City of Brady, Texas to temporarily reduce speed limits on portions of US HWY 377 N and US HWY 190 during reconstruction of portions of those highways.		
<b>PREPARED BY:</b>	K. Lenoir / S. Miller	<b>Date Submitted:</b>	11/30/2017
<b>EXHIBITS:</b>	Ordinance No. 1241 Map		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>	<p>TxDOT has set planned improvements for North Bridge St (US377 N) beginning in Spring 2018. As part of the improvements required construction zone speed limits are necessary for public safety including road construction workers. The proposed speed limits reduce speed zones along the construction portion extending from north of the courthouse square northward to US190 exit opposite of Boy Street. Further north along US377 N reduced speed zones are established in graduated rates.</p>
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<b>RECOMMENDED ACTION:</b>	<p>It is recommended that City Council adopt Ordinance 1241 adopting temporary construction speed zones in accordance with TxDOT practices and procedures</p> <p><b>Mayor:</b> <u>"Do I have a motion to read the full ordinance?"</u></p> <p><b>If no, Mayor will state:</b> <u>"A majority of the City Council has dispensed with the full reading of the ordinance."</u></p> <p><b>Mayor will ask:</b> <u>"Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."</u> "Secretary reads preamble"</p> <p><b>Mayor calls for a motion:</b>  Move to approve <b>first reading of Ordinance No. 1241.</b></p>
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## ORDINANCE 1241

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TEMPORARILY REDUCING THE SPEED LIMIT FOR PORTIONS OF US HWY 377 N WITHIN THE CITY LIMITS OF THE CITY OF BRADY WHICH WILL BE UNDER CONSTRUCTION;**

**WHEREAS**, the Brownwood District of the Texas Department of Transportation ("Brownwood District TxDOT") has requested, temporary Construction Speed Zones on US HWY 377 N; and

**WHEREAS**, the Brownwood District TxDOT has requested that the City of BRADY temporarily reduce the speed limit on one (1) section of US Hwy 377 N in the City Limits *varies* from 50 MPH to 40 MPH and 40 MPH to 30 MPH and 30 MPH to 25 MPH and 25 MPH to 20 MPH Construction Speed Zone; and on one (1) section of US HWY 190 varies from 75 MPH to 65 MPH Construction Speed Zone while a construction project is underway;

**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, shall temporarily reduce the speed limits in areas pertaining to plan improvements by TxDOT – Brownwood and more fully described on the here-to-fore attachments delineating areas and proposed speed limits in construction zones; and

Appropriate signage shall be placed on US HWY 377 N by the City, the Brownwood District TxDOT, and/or the TxDOT contractor to indicate when and where the reduced speed limits, described above, are in effect.

This ordinance shall remain in effect until the time that the above project is complete and accepted by the Brownwood District TxDOT.

All Ordinances or part of Ordinances in conflict with this Ordinance are hereby repealed to the extent of that conflict.

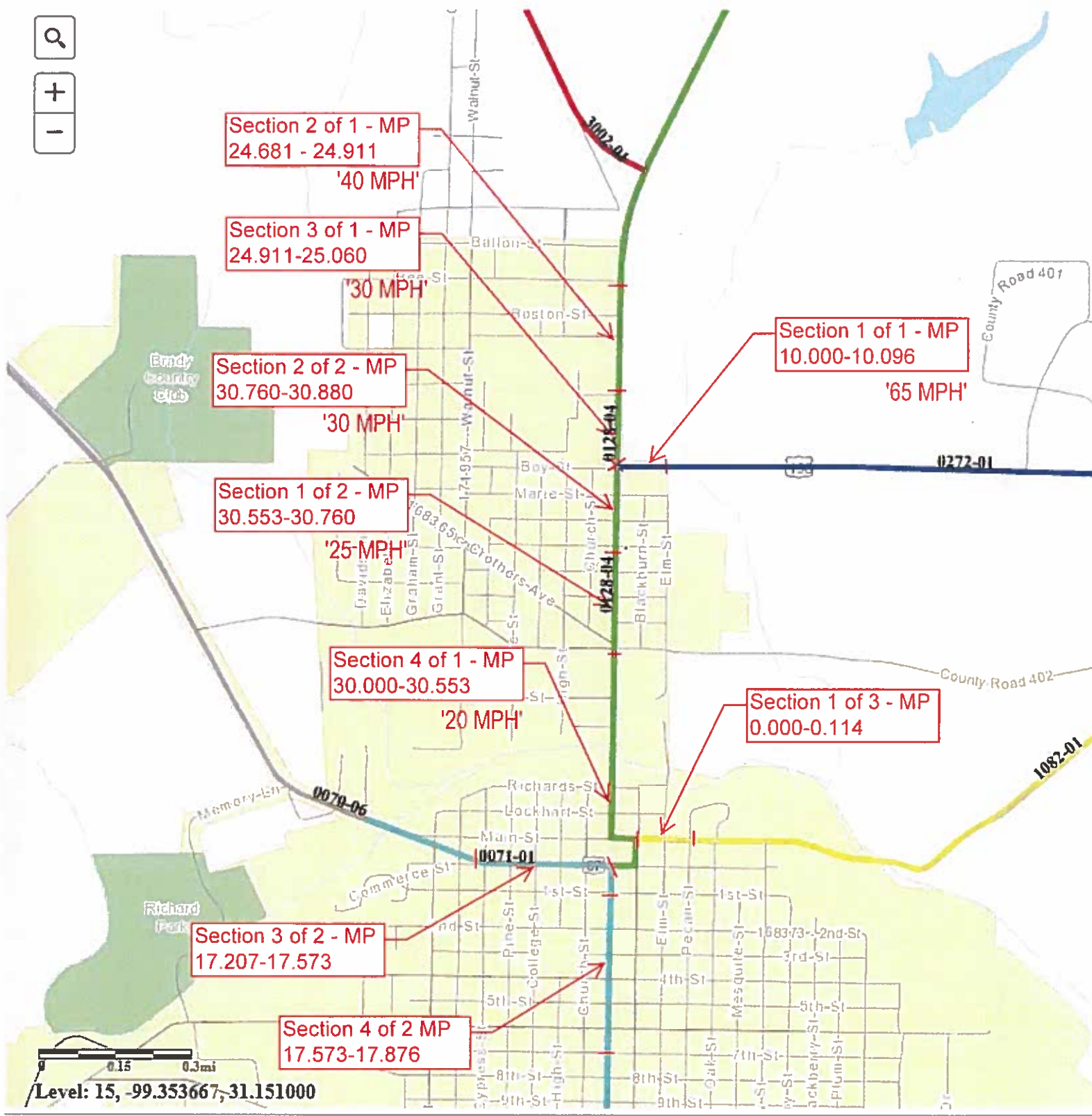
**PASSED AND APPROVED ON FIRST READING** on this \_\_\_\_ day of \_\_\_\_\_ 2017.

**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



Red break marks denote approximate limits of speed zone request locations.

# City Council

## City of Brady, Texas

<b>AGENDA DATE:</b>	12-5-2017	<b>AGENDA ITEM</b>	7.B.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding the Brady Economic Development Corporation recommendation to change from a Type A to a Type B Corporation (city election required)		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11/29/17
<b>EXHIBITS:</b>	Comparison of Type A, Type B and MDD Economic Development Entities		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>	<p>As part of the discussions during the Brady Economic Development Corporation's (BEDC) strategic planning retreat, discussion was had on changing from a Type A EEDC to a Type B EDC. The primary differences are in the allowable projects. A Type A EDC is designed to focus on Industrial/Manufacturing projects, workforce development and targeted infrastructure.</p> <p>A Type B EDC can participate in all of the activities a Type A EDC can as well as quality of life (i.e. parks, lake), infrastructure, affordable housing, and retail development.</p> <p>At the November 16, 2017 meeting, the BEDC Board of Directors voted unanimously to recommend to the City Council calling an election to transition the Type A EDC to a Type B EDC.</p>		
<b>RECOMMENDED ACTION:</b>	Provide feedback to staff in preparation for the May election cycle		

## COMPARISON OF TYPE A, TYPE B AND MDD ECONOMIC DEVELOPMENT ENTITIES

### Nature of the Entities

<u>Type A</u>	<u>Type B</u>	<u>MDD</u>
Misc. limiting provisions	All Cities	All Cities
A corporation which administers the sales and use tax	A corporation which administers the sales and use tax	Not a corporation - a district and political subdivision of the state and the city
Files Articles of Incorporation	Files Articles of Incorporation	No Articles of Incorporation (not a corporation)
Corporation is governed by the Development Corporation Act of 1979 found now in Chapters 501-505 of the Local Gov't Code ("LGC") and the Texas Non-Profit Corporation Act (Business Organizations Code formerly Art. 1396-1.01. V.T.C.S)	Same as Type A	Created by LGC Ch. 377
Bylaws	Bylaws	Authorized to adopt rules to govern the operation of the district and its employees and property [LGC §377.071(5)]
Not a political subdivision	Not a political subdivision	Political subdivision of the state and the city [LGC §377.022]
Boundaries: City limits	Boundaries: City limits	<b>Boundaries of MDD:</b> (1) within all or part of city limits; (2) within all or part of city limits; and ETJ; or (3) within all or part of ETJ
Tax: 1/8, 1/4, 3/8 or 1/2 of 1% of sales and use tax	Same	Same

## Board of Directors

### Type A

### Type B

### MDD

At least 5 members; appointed by the city council	Seven members exactly; appointed by the city council; three members of the Board must not be employees, officers or city council members	Governed by a board of at least four directors; appointed by the city council (All council could be directors. I would recommend at least a 5 member board for purposes of a quorum)
May be removed by city council at will	Same	Same
Terms not to exceed 6 years	2-year terms (not necessarily staggered)	Staggered two-year terms
Qualification are not specified by statute	If City has population less than 20,000, must be a resident of the city; of the county in which the majority of the city is located; or reside within 10 miles of the city in a county which borders the county in which a majority of the city is located.	Director must reside within boundaries of the City or the MDD
All expenditures authorized require approval by City Council	Same	Establishes a Development Project Fund by resolution to pay costs of planning, acquiring, establishing, developing, constructing or renovating a project, and for operating and maintaining a project. [LGC §377.072]
Conflict of Interest: Ch. 171, LGC does not apply; Bylaws apply	Conflict of Interest: Ch. 171, LGC does not apply; Bylaws apply	Conflict of Interest: Ch. 171, LGC does apply; and may not have a personal interest in a contract executed by the district other than as an employee, officer, or member of the city council [LGC §377.051]
Compensation: Reimbursement only	Same	Same [LGC §377.052]
Quorum: Majority of entire membership	Same Majority of entire membership	Quorum: Not specified in LGC Ch. 377, Gov't Code Ch. 551 is applicable

## Administrative Expenses

### Type A

### Type B

### MDD

Authorized to pay the administrative expenses (including staff) to implement the projects.	Same	Employ necessary personnel [LGC §377.071(4)]
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## Open Meeting, Public Hearings and Public Information

### Type A

### Type B

### MDD

Subject to TOMA (Gov't Code, Ch. 551) [LGC §501.072]	Same	Subject to TOMA as a political subdivision
Meetings to be held in the city or county in some cases (new law)	Same	Meetings to be held in the city
<b>Public Hearings:</b> Not required for Type A projects.  But they are required for Type B (LGC Ch. 505) projects – along with a special election to be held on a uniform election date. [LGC §504.152 - §504.153]  Plus: two (2) separate readings are required by the City Council if the project expenditure is \$10,000 or more. [ LGC §505.158(b)]	<b>Public Hearings:</b> At least one public hearing is required on a proposed project before spending money to undertake the project <u>unless</u> the project is a project that is defined under Subchapter C, Ch. 501 of the LGC) <u>and</u> if the population of the city is < 20,000. [LGC §505.159]	None; no publications, public hearings, performance agreements, or elections are required.
60 day waiting period to expend funds following first public notice of a <u>Type B project only</u>	Same	None



Subject to Public Information Act (Gov't Code Ch. 552) [LGC §501.072]	Same	Subject to PIA as a political subdivision
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## Projects

### Type A

### Type B

### MDD

<b>Intended for manufacturing and industrial development</b>	<b>For economic development and community development</b>	<b>Very similar to Type B</b> <b>("for the purpose of finance development projects beneficial to the district")</b> <b>[LGC §377.021]</b>
<p><b><u>Projects that Create or Retain Primary Jobs</u></b></p> <p>A Type "A" economic development corporation may fund the following projects provided the projects create or retain "<b><u>primary jobs</u></b>:"</p> <p>See LGC §501.002 for definition of "<b><u>primary job</u></b>" which means a "job that is ... available at a company for which a majority of the products or services of that company are <b><u>ultimately exported</u></b> to regional, statewide, national or international markets <b><u>infusing new dollars</u></b> into the local economy"; and that is included in one of nearly sixteen (16) NAICS sector codes.<sup>1</sup></p> <p>See LGC §§501.101 and 504.103 for description of projects authorized under Chapters 501 and 504.</p>	<p><b><u>Projects that Create or Retain Primary Jobs</u></b></p> <p>A Type "B" economic development corporation may fund the following projects, <b><u>provided</u></b> the projects create or retain "<b><u>primary jobs</u></b>:"</p> <p>Type B corporations may provide land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements (one or more) that are for the creation or retention of primary jobs and that are found by the board of directors to be required or suitable for the development, retention, or expansion of:</p> <p>(1) manufacturing and industrial facilities;</p> <p>(2) research and development facilities,</p> <p>(3) military facilities, including closed or realigned military bases;</p>	<p><b>Same as Type B</b> <b>[LGC §505.151-505.158]</b></p> <p><b>Plus:</b></p> <p><b>A convention center facility or related improvement such as a convention center, civic center, civic center building, civic center hotel, or auditorium, including parking areas or facilities that are used to park vehicle and that are located at or in the vicinity of other convention center facilities.</b></p> <p><b>[LGC §377.001(3)]</b></p>

<sup>1</sup> The NAICS sector code categories include: crop production; animal production; forestry and logging; commercial fishing; support activities for agriculture and forestry; mining; utilities; manufacturing; wholesale trade; transportation and warehousing; information, securities, commodity contracts, and other financial investments and related activities; scientific research and development services; management of companies and enterprises; telephone call centers; correctional institutions; and a job included within National Security sector number 928110.

**Authorized Projects for "Primary Jobs" under §501.101:**

- (1) manufacturing and industrial facilities;
- (2) research and development facilities;
- (3) military facilities;
- (4) recycling facilities;
- (5) distribution center;
- (6) small warehouse facilities;
- (7) primary job training facility by institutions of higher education; and
- (8) regional or national corporate headquarters.

[LGC §501.101]

**LGC § 501.101 projects which are excluded under Chapter 504 – for Type A corporations**

- (1) transportation facilities ;
- (2) sewage or solid waste disposal facilities;
- (3) air or water pollution control facilities;

[LGC §504.103]

(4) transportation facilities (including but not limited to airports, ports, mass commuting facilities, and parking facilities);

(5) sewage or solid waste disposal facilities;

(6) recycling facilities;

(7) air or water pollution control facilities;

(8) distribution centers;

(9) small warehouse facilities capable of serving as decentralized storage and distribution centers;

(10) primary job training facilities for use by institutions of higher education; and

(11) regional or national corporate headquarters facilities.

[LGC 505.151; See LGC § 501.101]

Type B corporations may provide land, buildings, equipment, facilities, and improvements found by the board of directors to promote or develop new or expanded business enterprises that create or retain primary jobs, including a project to provide:

(1) public safety facilities;

(2) streets and roads;

(3) drainage and related improvements;

(4) demolition of existing structures;

(5) general municipally owned improvements; and

(6) any improvements or facilities that are related to any of those projects and any other project that the board in its discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs.

[LGC §505.155]



<p><b><u>Projects that are NOT Required to Create or Retain Primary Jobs</u></b></p> <p>Additionally, Type A corporations may fund the following projects <b><u>without creating or retaining primary jobs:</u></b></p> <p><b><u>Ch. 501 Authorized Projects:</u></b></p> <p>(1) job training classes [LGC §501.102, See also §501.162];</p> <p>(2) <b><u>certain targeted infrastructure projects necessary to promote or develop new or expanded business enterprises</u></b>, limited to streets and roads, rail spurs, water and sewer utilities, and electric utilities, gas utilities, drainage, <b><u>site improvements, and related improvements</u></b>, telecommunications and Internet improvements, and beach remediation along the Gulf of Mexico [LGC §501.103];</p> <p>3) land, buildings, equipment, facilities, and expenditures required or suitable for a career center not located within the taxing jurisdiction of a junior college [LGC § 501.105];</p> <p><b><u>Ch. 504 (expressly Type A) Projects:</u></b></p> <p>(4) a general aviation business airport which is an integral part of an industrial park [LGC §504.103(c)(1)];</p> <p>(5) port related facilities [LGC §504.103(c)(2)];</p> <p>(6) airport-related facilities for communities located 25 miles from U.S./Mexico border only [LGC § 504.103(c)(3)];</p>	<p><b><u>Projects that are NOT Required to Create or Retain Primary Jobs</u></b></p> <p>Additionally, Type B corporations may fund the following projects <b><u>without creating or retaining primary jobs:</u></b></p> <p><b><u>Ch. 501 Authorized Projects:</u></b></p> <p>(1) job training classes [LGC §505.151; See §501.162];</p> <p>(2) <b><u>certain targeted infrastructure projects necessary to promote or develop new or expanded business enterprises</u></b>, limited to streets and roads, rail spurs, water and sewer utilities, and electric utilities, gas utilities, drainage, <b><u>site improvements, and related improvements</u></b>, telecommunications and Internet improvements, and beach remediation along the Gulf of Mexico [LGC §501.103];</p> <p>(3) land, buildings, equipment, facilities, and expenditures required or suitable for a career center not located within the taxing jurisdiction of a junior college [LGC § 501.105];</p> <p><b><u>Ch. 505 (expressly Type B) Projects:</u></b></p> <p>(4) <b><u>land, buildings, facilities, and related improvements that enhance projects</u></b> consisting of professional and amateur (including children's) sports, athletic, <b><u>entertainment, tourist, convention, and public park purposes and events</u></b> [Local Gov't Code § 505.152];</p> <p>(5) affordable housing projects [LGC §505.153];</p>	
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**Ch. 502 Projects:**

(7) development, improvement, expansion, or maintenance of facilities relating to the operation of commuter rail, light rail, or motor buses

[LGC § 502.052];

(6) water supply facilities projects, with the requisite voter approval [LGC § 505.154(1) and § 505.304];

(7) water conservation programs, with the requisite voter approval [LGC § 505.154(2) and § 505.304];

(8) development or expansion of airport or railport facilities, including hangars, maintenance and repair facilities, cargo facilities, and related infrastructure located on or adjacent to an airport or railport facility, if the project is undertaken by a Type B corporation and enters into a development agreement with an entity who acquires a leasehold or other possessory interest from the Type B corporation and is authorized to sublease the entity's interest for other authorized projects

[LGC § 505.1561]; and

**Ch. 502 Projects:**

(9) development, improvement, expansion, or maintenance of facilities relating to the operation of commuter rail, light rail, or motor buses

[LGC § 502.052];

**Ch. 505 Certain Small Cities Projects:**

**(10) Type B corporations with a city population of 20,000 or less, may provide land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the board of directors to promote new or expanded business development, provided projects which require an expenditure of more than \$10,000 the city council must adopt a resolution authorizing the project after giving the resolution at least two (2) separate readings [LGC § 505.158].**

<p><b><u>Ch. 504 Additional Projects</u></b>  <b><u>(8) Type "B" projects with voter approval</u></b>  <b>[LGC § 504.152 - .153]; and</b></p>	<p>Note: LGC §505.158 the operative word here is "<b><u>expenditures</u></b>" versus "<b><u>improvements</u></b>" as found in other provisions.</p>	
<p><b><u>Ch. 504 Promotional Purposes:</u></b>  <b><u>(9) promotional projects</u></b>  <b>[LGC § 504.105].</b></p>	<p><b><u>Ch. 503 Promotional Purposes:</u></b>  <b><u>(11) promotional projects</u></b>  <b>[LGC § 505.103].</b></p>	
<p><b><u>Performance Agreements</u></b>  <b><u>(w/ Business Enterprises):</u></b>  Necessary for Projects under §§501.101-501.107 and §§505.151 – 505.161  <b>[See §501.158]</b></p>	<p><b><u>Performance Agreements</u></b>  <b><u>(w/ Business Enterprises):</u></b>  Necessary for Projects under §§501.101-501.107 and §§505.151 – 505.161  <b>[See §501.158]</b></p>	
<p><b><u>HB 3302 – Recently adopted as LGC §504.171</u></b>  <b>(Effective 06/17/11)</b></p> <p><b><u>Type A corporations in Cities with population under 7,500 having both a Type A and a Type B EDC may now, if permitted by ordinance of the authorizing municipality, undertake any project that a Type B corporation may undertake under Chapter 505.</u></b></p> <p>Until this new provision, a Type A could undertake a Type B project only by conducting a special election to gain public approval and conduct a public hearing.</p>	<p><b><u>Payment of Maintenance and Operation Costs:</u></b></p> <p>LGC §505.303 allows payment of M &amp; O costs of a publicly owned and operated project "<b><u>purchased or constructed under this Chapter.</u></b>" <b><u>(Ch. 505)</u></b></p>	

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	12-05-2017	<b>AGENDA ITEM</b>	7.C.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding council member(s) appointment(s) for a liaison member(s) to attend McCulloch County Commissioners Court Meetings, BISD Board Meetings, and/or McCulloch County Hospital Board Meetings.		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	12-01-2017
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>			
This item is being presented again to give Council Member Rey Garza an opportunity to volunteer for an appointment if desired.			
<b>RECOMMENDED ACTION:</b>			
Appoint Council Member(s)			

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	12-05-2017	<b>AGENDA ITEM</b>	7.D
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding authorizing contract with Jason Skinner to relocate Axis Deer from Southshore Park land in accordance with Texas Parks and Wildlife Department (TPWD) Permits, to assist in wildlife management at Brady Lake.		
<b>PREPARED BY:</b>	Peter Lamont	<b>Date Submitted:</b>	11-04-2017
<b>EXHIBITS:</b>			
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>		\$00.00
	<b>Amount Budgeted:</b>		\$00.00
	<b>Appropriation Required:</b>		\$00.00
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>
<p>As part of the ongoing maintenance of the Southshore Park land and areas around Brady Lake, it has been noticed that there is an overabundance of Axis Deer on the property. This overabundance creates an unhealthy environment for not only the Axis, but other deer species as well other wildlife around the Lake, and is intruding in the developed area of the Lake. The animals trapped (in accordance with Texas Parks and Wildlife Department Permits) will be taken off-site and sold by the trapper to assist in wildlife management at Brady Lake. The City will receive a fee for each Axis caught, based on its gender and size/age.</p> <p>Council originally authorized the Mayor to enter into an agreement with Jason Skinner on April 4, 2017. Ongoing contract discussion have continued and at the first meeting in November, council asked if the contract term could be reduced from two years to one year. Due to the complexities in setting up the traps, the frequency of trap use, allowing the animals to get used to them, and the labor involved in possibly setting and removing traps every year, Mr. Skinner is asking that we retain the original two year time frame.</p>

<b>RECOMMENDED ACTION:</b>
<p>Move to authorize the City Manager to enter into a two year professional services agreement with Jason Skinner.</p>