



# BRADY

THE CITY OF

# TEXAS

Tony Groves  
Mayor

Jim Griffin  
Mayor Pro Tem

Rey Garza  
Council Member Place 1

Missi Davis  
Council Member Place 2

Jeffrey Sutton  
Council Member Place 3

Jane Huffman  
Council Member Place 4

Kim Lenoir  
City Manager

Tina Keys  
City Secretary

Sarah Griffin  
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 16, 2018 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 16, 2018, 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 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 to save time

*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 Minutes for Regular Meeting October 2, 2018 and Special Meeting October 11, 2018

B. Discussion, consideration and possible action regarding Resolution 2018-039 for the temporary closure of roads around the Courthouse Square for the second annual Christmas in the Heart Lighted Parade

### 5. PRESENTATION: None Scheduled

### 6. PUBLIC HEARINGS: None Scheduled

## 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 **Resolution 2018-035** a City of Brady Interlocal Agreement with McCulloch County for the services of Fire/EMS, 9-1-1 Dispatching, Law Enforcement, Radio, Senior Citizens, Concho Valley Transportation, Courthouse Grounds Maintenance, Emergency Management and Jailing of Class C Offenders.
- B. Discussion, consideration and possible action approving the award to McLane Intelligent Solutions from Temple, Texas for citywide IT Support in accordance with Local Government Code 252.022 A. (4) in the amount of \$82,824.00.
- C. Discussion, consideration and possible action regarding status of Heart of Texas Healthcare System Assisted Living facility.
- D. Discussion, consideration and possible action regarding **2018 Annual Comprehensive Plan / Community Improvement Plan (CIP) Status Report** of all current projects as required by the City Charter Art. 5, Sec 4, and publish in the newspaper (Recommended by P&Z 10-11-2018).
- E. Discussion, consideration and possible action regarding **first reading of Ordinance 1260** of the City of Brady, Texas, to amend FY 2019 Budget for municipal services, approving the Fiscal Year 19 (Oct 1 2018 to Sept 30 2019) Type A and B Budgets, as approved by the Type A and B Brady Economic Development Corporation Boards. (EDC).
- F. Discussion, consideration and possible action regarding **Resolution 2018-041 OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, APPROVING AMENDED BYLAWS OF THE (Type A) BRADY ECONOMIC DEVELOPMENT CORPORATION.**
- G. Discussion, consideration and possible action regarding **Resolution 2018-042 OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, APPROVING AMENDED BYLAWS FOR THE BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION.**
- H. Discussion, consideration and possible action authorizing the Mayor to execute a termination of the City of Brady Management Service Contract with the Type A EDC and to enter into a month-to-month agreement for personnel services of treasury, website, and secretarial duties with the Type A and B EDCs until a transition is completed.
- I. Discussion, consideration and possible action authorizing Type A and B Brady Economic Development Corporation to hire attorney services from Brown & Hofmeister, LLP, with engagement letter for hourly representation from Jeffery Moore, as approved by the Type A and B Brady Economic Development Corporation Boards (EDC), subject to approval of Bylaw amendments of each body.
- J. Discussion and summary of City Council action and if procedures and processes worked.

## 8. STAFF REPORTS

- A. September Board Minutes – BEDC Type A and B (Sept 27) and GRW Steering Committee (Sept 12)
- B. September Monthly Activity Reports – Sales Tax Receipts, Utility Reports, Hotel/Motel Occupancy Tax (HOT) Receipts, Seniors, Golf, BPD, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without Utilities
- C. **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; Airport Feed 1 OH Electric Line Replacement
- D. **3rd Quarter Reports for Community Services:** Brady Lake Boating Access Grant; BEDC Brady Lake Fish House Project; Richards Park Ballfield Improvements Grant; Willie Washington Park Improvements; Lt. Conway (Stanburn) Park Improvements; Brady Creek Trail Project; Curtis Field Master Plan; GRW Steering Committee; Activity Center Renovation Project; Dodge Heights Replat Project; Brady Lake Boat Dock Permits/ Rules/ Regulations and Billing
- E. **3rd Quarter Reports for Public Safety:** Grant(s) Status Reports; Animal Control Facility Project
- F. **Upcoming Special Events/Meetings:**
  - Oct 16 – 7pm Homecoming Bonfire – Brady Lake
  - Oct 18 – 19 – 9am McCulloch County Tire Recycling Event – GRW Complex
  - Oct 19 – BISD Homecoming
  - Oct 20 – 9am City-wide “Bulldog Fall Swept” Clean-up – Keep Brady Beautiful
  - Oct 27 – The Hope from the Heart 5K Glow Run – Richards Park
  - Oct 27 – Drug Take-Back Program – Brady Police Department
  - Nov 17 – Candy Cane Arts & Craft Show – Curtis Field Airport
  - Nov 17 – Dec 31 - Christmas Lights on the Square
- G. **Upcoming City Calendar:**
  - October 24 – 11 am - Employee Chili Cook-off – Service Center
  - Nov 12 – Veterans Day Holiday – City Offices Closed (Trash Schedule changes)
- H. Possible Visit by K-9 Officer Sator – Chief Thomas

## 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 551.074 (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 Attorney Sarah Griffin 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](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. 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 Special Meeting on Thursday, October 11, 2018 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 Missi Davis, Jane Huffman, Jeffrey Sutton and Jim Griffin. City staff present were City Manager Kim Lenoir, Public Works Director Steven Miller, and City Secretary Tina Keys. Also in attendance was Lynn Farris.

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

Mayor Groves called the meeting to order at 4:01 p.m. Council quorum was certified. Council Member Griffin arrived after a quorum was certified.

**2. Discussion, consideration and possible action regarding approving GrantWorks as the grant writer for the City of Brady Senior Center / Old cafeteria project.**

Kim Lenoir presented. Council Member Sutton would like City Staff to check into other options. Council Member Davis moved to approve GrantWorks. Seconded by Council Member Griffin. Three Council Members voted "aye" and with one, Council Member Sutton voting "nay". Motion passed with a 3 – 1 vote.

**3. Discussion, consideration and possible action regarding approving the hiring of Dennis Jobe as the new City of Brady Community Services Director.**

Kim Lenoir presented. Council Member Huffman moved to approve. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 4 – 0 vote.

**4. Adjournment**

There being no further business, the Mayor adjourned the meeting at 4:13 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, October 2, 2018 at 12:00 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 Jane Huffman, Missi Davis, Jim Griffin, Rey Garza and Jeffrey Sutton. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steve Miller, Police Chief Steve Thomas, Interim Fire Chief Lloyd Perrin, Electric Superintendent Joe Solis, City Secretary Tina Keys. Also in attendance were County Judge Danny Neal, Lynn Farris, Evelyn Pitcox, Brent Luck, and Brady Quam.

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

Mayor Groves called the meeting to order at 12:00 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**

Brady Quam with Concho Valley Transit, now offering free rural bus service from Brady to San Angelo. They are changing over Thunderbird to CVT. Council Member Sutton asked if you have to schedule appointments or if its just a scheduled route. Quam said you will need to make appointment. They will have daily runs Monday thru Saturday to San Angelo. Totally free. Contact 325-947-8729 or cvtd.org

Danny Neal, County Judge will wait to discuss agenda item. Council moved to item 7.B.

**4. CONSENT AGENDA**

- A. Approval of Minutes for Regular and Special Meeting September 18, 2018
- B. Approval of Resolution 2018-037 for the temporary closure of certain streets in the City of Brady, listed below, on October 2, 2018 from 6:00 p.m. to 10:00 p.m. for National Night Out Block Parties

102 Bruce St.	904 Southgate	Bombay Street
1111 Live Oak St	1800 Park St.	1913 Walnut
900 S. Blackburn	806 A.L. Reed	102 Fair St.

Council Member Sutton moved to approve the Consent Agenda. Seconded by Council Member Garza. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

**5. PRESENTATIONS AND INDIVIDUAL CONCERNs**

- A. Visit by K-9 Officer Sator – Chief Thomas announced that Sator was unable to attend meeting.
- B. Status of Landfill Permit Modifications – Steve Miller presented.

**6. PUBLIC HEARINGS: None Scheduled**

There were no Public Hearings

**7. INDIVIDUAL CONCERNs**

- A. Discussion, consideration and possible action regarding award of Buyboard Bid to MUSCO (low bidder) to replace Ballfield Lighting with LED lights on Fields 1 and 2 (Young and McCord) in accordance with the TPWD

Grant for Richards Park Renovation Project (\$160,000). Kim Lenoir presented. Brent Luck, landscape architect for the project, answered additional questions about the lights. Joe Solis said he likes that we're going with LEDs to save on energy costs. Council Member Huffman moved to award bid to MUSCO. Second by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

B. Discussion, consideration, and possible action revising Resolution 2018-035 a City of Brady Interlocal Agreement with McCulloch County for the services of Fire/EMS, 9-1-1 Dispatching, Law Enforcement, Radio, Senior Citizens, CVCOG Thunderbird Transportation, Courthouse Grounds Maintenance, Emergency Management and Jailing of Class C Offenders. Danny Neal said Commissioners Court met last Monday. He submitted a list of revisions that Commissioners Court requested. Mayor Groves asked about Class C jail prisoners increase to \$45. Judge Neal explained that \$45 a day is what they get charged by other Counties. If they had to move a prisoner because of the Class C's that are housed, then that's what they would have to pay. Mayor Groves said maybe we can pay \$15 unless the County has to move somebody to another county then pay \$45. Council Member Huffman asked about the plan for the Senior Center. Judge Neal said the building wouldn't pass Code if it was vacant, it has 7 layers of roofing, it is an old building. Mayor Groves would like to bring back the Interlocal Agreement with changes made and recommendations. Mayor would like to delete 6(c). The Interlocal Agreement will be discussed further at the next Council Work Session October 16, after changes have been made.

Council took a recess at 1:20pm and resumed at 1:50pm

C. Discussion, consideration, and possible action regarding approving award to Sensus/Aqua-Metrics Services to upgrade the utility billing metering system (\$64,172.66). Lisa Remini presented. Council Member Sutton moved to approve. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

D. Left Blank.

E. Discussion, consideration, and possible action regarding nominations for McCulloch County Appraisal District Board of Directors Members. Council Member Huffman moved to nominate Brent Raybion and Michael Probst. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

F. Discussion, consideration and possible action regarding wording of City Council Goals Poster. Kim Lenoir presented. Council Member Sutton suggested adding color and pictures. City Manager Lenoir said we will bring back a draft. Council Member Huffman reviewed and recommended changes. Council Member Griffin moved to approve the construction of goals poster. Seconded by Council Member Huffman. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.

G. Discussion and summary of City Council action and if procedures and processes worked. No comments.

## 8. STAFF REPORTS

### A. Upcoming Special Events/Meetings:

Oct 2 – 6pm – 10pm National Night Out – Crime Stoppers Block Parties

Oct 6 – Lt Conway Park – Tree Planting

Oct 7 – Annual Fall Festival – Civic Center

Oct 9 – Trucountry Music Show Filming – New Song Sanctuary

Oct 13 – 4pm Hope from the Heart 5K Fun Run "Put the Cuffs on Cancer" – Richards Park

Oct 13 - 14 – Hogtober Fest – GRW Complex  
Oct 17 – Good News Luncheon – Civic Center  
Oct 18 – 19 - McCulloch County Tire Recycling Event – GRW Complex  
Oct 20 – 9am City-wide “Bulldog Fall Swept” Clean-up – Keep Brady Beautiful  
Oct 27 – Drug Take-Back Program – Brady PD

**B. Upcoming City Calendar:**

Oct 8 – 8:00am In-service Training Day (Active Shooter)  
Oct 8 – City Offices Closed – Trash Schedule Changes  
Oct 16 – 4pm Council Work Session – Budget 2019  
Oct 24 – 11am – Annual Employee Chili Cook-off – Service Center

**9. ANNOUNCEMENTS**

Council Member Griffin said McCulloch County Historical Commission and McCulloch County will be holding on Saturday at 10:30am a dedication for a plaque to honor founders of Brady.

**10. ADJOURNMENT**

There being no further business, the Mayor adjourned the meeting at 2:27 p.m.

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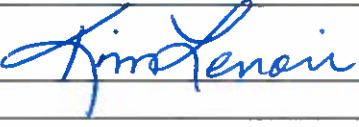
Mayor Anthony Groves

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

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	10/16/2018	<b>AGENDA ITEM</b>	4.B.
<b>AGENDA SUBJECT:</b>	<p>Discussion, consideration, and possible action regarding <b>Resolution 2018-039</b> to enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane State Ranch Road 714, and two-lane of US Highway 190/and Highway 377 around the Courthouse Square from 6:00 p.m. to 7:00 p.m. on <u>Saturday, December 15, 2018</u> for the second Annual <i>Christmas in the Heart Lighted Parade</i> along with the temporary closure of E. Commerce Street from S. Pecan to S. Blackburn from 5:00 p.m. to 7:00 p.m. for the staging of the parade.</p>		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	10/03/2018
<b>EXHIBITS:</b>	<p>Resolution 2018-039          TXDOT agreement          Request letters          Route Map</p>		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b> <b>Amount Budgeted:</b> <b>Appropriation Required:</b>	\$00.00 \$00.00 \$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b> <p>This Resolution will authorize the temporary closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane State Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the Courthouse Square from 6:00 p.m. to 7:00 p.m. on Saturday December 15, 2018 for the second annual <i>Christmas in the Heart Lighted Parade</i> being planned by the Chamber of Commerce.</p> <p>Along with the temporary closure of E. Commerce Street from S. Pecan to S. Blackburn from 5:00 p.m. to 7:00 p.m. for the staging of the parade.</p>			
<b>RECOMMENDED ACTION:</b> <p>Move to approve Resolution 2018-039</p>			

**RESOLUTION 2018-039**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF US HIGHWAY 87 IN BRADY FROM HIGH STREET TO THE COURTHOUSE SQUARE, ALONG WITH TWO LANE RANCH ROAD 714, AND TWO-LANE US HIGHWAY 190/AND HIGHWAY 377 AROUND THE COURTHOUSE SQUARE FROM 6:00 P.M. TO 7:00 P.M. ON SATURDAY, DECEMBER 15<sup>th</sup>, 2018 FOR THE SECOND CHRISTMAS IN THE HEART LIGHTED PARADE ALONG WITH THE TEMPORARY CLOSURE OF EAST COMMERCE STREET FROM SOUTH PECAN TO SOUTH BLACKBURN FROM 5:00 P.M. TO 7:00 P.M. FOR THE STAGING OF THE PARADE.**

**WHEREAS**, the City Council of the City of Brady in cooperation with the State of Texas for the safety and convenience of the traveling public request temporary closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square from 6:00 p.m. to 7:00 p.m. on Saturday, December 15, 2018 for the Second Christmas in the Heart Lighted Parade along with the temporary closure of closure of Commerce Street from South Pecan to South Blackburn from 5:00 p.m. to 7:00 p.m. on the same day for staging of the Parade; and

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

**WHEREAS**, the City Council authorizes the City staff to adjust or add any later road closures necessary to assist in this event; and

**WHEREAS**, the McCulloch County/Brady Chamber of Commerce respectfully requests the temporary closure of these state roads and city streets for the Second Christmas in the Heart Lighted Parade.

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

The City Council enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary street closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square from 6:00 p.m. to 7:00 p.m. on Saturday, December 15, 2018 for the second Christmas in the Heart Lighted Parade along with the temporary closure of closure of Commerce Street from South Pecan to South Blackburn from 5:00 p.m. to 7:00 p.m. for staging of the parade.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2018

**CITY OF BRADY:**

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Anthony Groves, Mayor

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

STATE OF TEXAS        §  
 COUNTY OF TRAVIS    §

**AGREEMENT FOR THE TEMPORARY CLOSURE  
OF STATE RIGHT OF WAY**

**THIS AGREEMENT** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of Brady, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "local government."

**W I T N E S S E T H**

WHEREAS, the State owns and operates a system of highways for public use and benefit, including the City of Brady, in McCulloch, County; and

WHEREAS, the local government has requested the temporary closure of US Hwy 87 from Hwy 190 to County Square ~~BR 714, US Hwy 190 Hwy 77 around Court House~~ for the purpose of LIGHTED CHRISTMAS PARADE, from 6:00 pm to 1:00 pm as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the local government's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right of way will be performed within the State's requirements; and

WHEREAS, on the 16th day of October, 2018, the City of Brady City Council passed Resolution / Ordinance No. 2018-039, attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

**A G R E E M E N T**

**Article 1. CONTRACT PERIOD**

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

## **Article 2. EVENT DESCRIPTION**

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

## **Article 3. OPERATIONS OF THE EVENT**

**A.** The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

**B.** The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

**C.** The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

**D.** The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

**E.** The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

**F.** The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

**G.** The local government hereby assures the State that there will be appropriate passage

allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

H. The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

#### **Article 4. OWNERSHIP OF DOCUMENTS**

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

#### **Article 5. TERMINATION**

A. This agreement may be terminated by any of the following conditions:

- (1) By mutual written agreement and consent of both parties.
- (2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
- (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
- (4) By satisfactory completion of all services and obligations as set forth herein.

B. The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

#### **Article 6. DISPUTES**

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

#### **Article 7. RESPONSIBILITIES OF THE PARTIES**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

#### **Article 8. INSURANCE**

A. Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period Traffic-Traffic\_Closure Incorporated (TEA30A) Page 3 of 8 Rev. 05/02/2008

Agreement No. \_\_\_\_\_

that the local government and/or its contractors are encroaching upon the State right of way. B. In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

#### **Article 9. AMENDMENTS**

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

#### **Article 10. COMPLIANCE WITH LAWS**

The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right of way.

#### **Article 11. LEGAL CONSTRUCTION**

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

#### **Article 12. NOTICES**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Local Government:	State:
<u>City of Brady</u> <u>P.O. Box 351</u> <u>Brady, TX 76825</u>	<u>Texas Department of Transportation</u> <u>2495 Hwy 183 N.</u> <u>Brownwood, Tx 76801</u>

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

#### **Article 13. SOLE AGREEMENT**

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

**IN TESTIMONY WHEREOF**, the parties hereto have caused these presents to be executed in duplicate counterparts.

**THE CITY OF BRADY**

Executed on behalf of the local government by:

Agreement No. \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_

City Official

Typed or Printed Name and Title \_\_\_\_\_

\_\_\_\_\_

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By \_\_\_\_\_ Date \_\_\_\_\_

District Engineer





**BRADY**  
THE CITY OF  
**TEXAS**

---

201 East Main • P.O. Box 351 • Brady, Texas 76825

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325.597.2152 • fax 325.597.2068 • <http://bradytx.us>

October 12, 2018

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

Dear Mr. Rmeili,

The City of Brady, representing the Brady/McCulloch County Chamber of Commerce, respectfully requests the temporary closure of US Highway 87 in Brady from High Street to the courthouse square, along with two-lane Ranch Road 714, and two-lane US Highway 190 and Highway 377 around the courthouse square. All through lanes on these roads would be temporarily closed on Saturday, December 15th, 2018 from approximately 6:00 p.m. to 7:00 p.m. for the first Christmas in the Heart Lighted Parade.

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

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

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

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

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

Sincerely,

  
Tina Keys  
City Secretary

Enclosure(s)

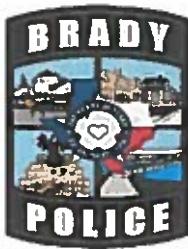


# BRADY POLICE DEPARTMENT

209 South Elm Street, Brady Texas, 76825

P. (325) 597-2121 F. (325) 597-9081

[www.bradytx.us](http://www.bradytx.us)



**DATE:** 10/12/2018

**TO:** Mr. Elias Rmeili, Texas Department of Transportation  
P.O. Box 1549  
Brownwood, Texas 76801

**FROM:** Steve Thomas, Chief of Police

**RE:** "Christmas in the Heart" Parade - 12/15/18

Our officers will be providing traffic control/direction along the proposed route(s) as part of our annual "Christmas in the Heart" Parade, taking place on December 15<sup>th</sup>, 2017.

Please do not hesitate to contact me with any questions or concerns.



*Steve Thomas, Chief of Police*

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	7.A
AGENDA SUBJECT:	Discussion, consideration and possible action regarding revising <b>Resolution 2018-035</b> , a City of Brady Interlocal Agreement with McCulloch County for the services of Fire/EMS, 9-1-1 Dispatching, Law Enforcement, Radio, Senior Citizens, Concho Valley Transit Service, Courthouse Grounds Maintenance, Emergency Management and Jailing of Class C Offenders.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/4/18
EXHIBITS:	Draft Agreement – revised 10-4-18		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>This summer the Brady City Council and McCulloch County Commissioners met in two Joint Meetings and discussed a wide variety of services and the need for an Interlocal Agreement outlining the wide variety of services that the City and County provide.</p> <p>Attached is the draft agreement that the City Attorney and County Judge has reviewed. It is designed to be effective October 1, 2018 for fiscal year 2019, and reviewed on an annual bases.</p> <p>After the Commissioners Court Work Session on September 24, additional changes were requested (see attached).</p> <p>Council reviewed changes October 2, and requested this item be discussed further at the next work session October 16.</p>		
RECOMMENDED ACTION:	<p>Staff recommends approval, as desired.</p>		

## EXHIBIT A

### INTERLOCAL COOPERATION AGREEMENT

*Between*

**The City of Brady and the County of McCulloch**

**STATE OF TEXAS**

**COUNTY OF MCCULLOCH**

This Interlocal Cooperation Agreement for Services (the "Agreement"), as provided in Sec. 791.001, et seq., Texas Government Code, is made and entered into by and between the City of Brady (the CITY) and the County of McCulloch (the COUNTY).

**WHEREAS**, the CITY is a home rule municipality incorporated pursuant to the Statutes of the State of Texas; and

**WHEREAS**, the COUNTY is a Texas county of less than 75,000 people that encompasses the CITY;

**WHEREAS**, the CITY and the COUNTY individually have the authority to perform governmental functions such as operation of an emergency medical service for the transportation of sick and injured persons, the operation of law enforcement dispatch services, and the operation of fire protection services within their respective boundaries in McCulloch County; and

**WHEREAS**, Brady has the responsibility under sections 4.03, 4.04, and 4.08 of the Home Rule Charter of the City of Brady to provide such services within its corporate boundaries; and

**WHEREAS**, the CITY desires to provide its residents with efficient, effective public services to provide for the welfare of its citizens; and

**WHEREAS**, the COUNTY desires to provide its residents with efficient, effective public health services for the welfare of its citizens, both in the CITY, which is within the McCulloch County tax base, and in the parts of the COUNTY that are outside the City limits; and

**WHEREAS**, the CITY is located in the COUNTY;

**NOW, THEREFORE, the CITY and COUNTY hereby agree as follows:**

#### **1. PURPOSE**

The purpose of this agreement is to provide Emergency Medical Service, law enforcement, jail services, 9-1-1 dispatch service, grounds maintenance, senior and bus services, emergency management services and fire protection service to the citizens of the CITY and the COUNTY.

Emergency Medical Service ("EMS") is defined to be emergency ambulance service, and to include prehospital transportation of persons in need of emergency medical care by trained and specially equipped personnel for that purpose.

## 2. TERM

A. The CITY and COUNTY agree that this Agreement shall be for one year beginning each fiscal year, October 1, unless one of the following events occurs:

- (1) The parties mutually agree in writing upon a termination date; or
- (2) Either the CITY or the COUNTY may express in writing 30 days before the date when this Agreement is up for renewal, that they wish to terminate the agreement, by sending written notice to the other party of such a desire to terminate this Agreement; or
- (3) The CITY and the COUNTY express on the last day of any term of this Agreement that such party wishes to terminate the Agreement in 60 days.

## 3. RIGHTS AND DUTIES OF THE PARTIES

The parties acknowledge that this is an agreement for services only.

Pursuant to this Agreement, the CITY shall provide emergency medical service, law enforcement, grounds maintenance, senior services, emergency management services and fire protection service to the residents of the CITY and those residents outside its corporate boundaries within the COUNTY.

Pursuant to this Agreement, the COUNTY shall provide law enforcement, jail services, 9-1-1 dispatch service, bus services, and emergency management services to the residents of CITY.

## 4. FINANCIAL AND RELATED SUPPORT

In return for the provision of emergency medical service, law enforcement, and fire protection service by CITY to the residents of COUNTY who reside outside Brady's boundaries, the CITY will bill the COUNTY 10% of the approved net operating budgets (does not include purchase of capital equipment, i.e. ambulances and fire trucks) of Fire and EMS divisions (\$140,500 FY2019) due in two payments, one in February and one in September of each year that this Agreement is in effect. CITY will provide to COUNTY a draft operating budget net of projected service revenues each June for budgeting purposes.

The CITY will provide Fire and EMS services (inside and) outside the City Limits of Brady at no charge to the COUNTY for FY 2018-2019, and in exchange the COUNTY will provide Dispatch service (outside and) inside the City Limits of Brady at no charge to the CITY.

The COUNTY will bill the CITY for jail services in accordance with state law for each Class C jailed individuals at \$45 (has been \$30) per day.

The CITY EMS will bill the county jail inmate(s) for EMS calls for service to the COUNTY Jail in accordance with the standard billing service fee schedule determined by the level of EMS services rendered.

The COUNTY will provide 9-1-1 dispatching services at no charge to the CITY, due to the COUNTY's desire to combine dispatching and jailer job descriptions with the new McCulloch County Law Enforcement Center (County Jail).

The COUNTY will provide the Sunset Center Building for the Senior Citizens Services and will fund the Concho Valley Transit County-wide CVCOG transportation services. The CITY will fund the staff and meal services for the Senior Citizen Services. The COUNTY will pay \$599.99 to the CITY for matching grant funds for the annual HMD-Texans Feeding Texans Grant.

The COUNTY will pay the CITY \$5,000 in February of each year this Agreement is in effect, for the City to provide regular turf mowing services for the Courthouse grounds. The CITY agrees that a regularly well-maintained turf grass lawn is important to all citizens and visitors as the oval courthouse grounds is the center of the community, supports community events and is a community beautification project for the downtown business district. The COUNTY will water and maintain the irrigation system on the courthouse grounds.

The COUNTY will pay the CITY \$15,000 each February that this Agreement remains in effect, for the City to maintain the paperwork for reporting as required for state and federal agencies, monthly Local Emergency Planning Committee (LEPC) meetings, and annual reports for a Joint City-County Emergency Management Program in accordance with state and federal regulations.

The CITY will allow the COUNTY to use the City Hall roof and IT closet at no cost to assist the COUNTY with its internet connections until permanent county facilities fiber solution is completed.

For Law Enforcement purposes, the CITY will support the COUNTY with any calls for service as necessary or requested. The COUNTY agrees to also support the CITY with any calls for service as necessary or requested within the City limits. The COUNTY (now the primary answering point for information and calls for service for the area) agree to notify all Law Enforcement entities about pertinent and/or critical information disseminated to them by outside agencies. The COUNTY will provide a written directive to the CITY concerning jail procedures, requiring each agency to follow and adhere to these protocols.

CITY will provide to COUNTY a draft operating budget net of projected service revenues each June for the following fiscal year budget planning purposes.

Other than the above listed financial and related support, the COUNTY will not be liable to the CITY for any costs and/or expenditures associated with the services outlined.

Other than the above listed financial and related support, the CITY will not be liable to the COUNTY for any costs and/or expenditures associated with the services outlined.

## 5. ITEMIZED STATEMENT

The CITY shall provide the COUNTY with an itemized statement of Fire and EMS expenses and revenue at the end of the fiscal year, closing out all bills (by November 30), which shall clearly state all amounts received and paid pursuant to this Agreement. The COUNTY dispatch shall provide the CITY with counts and percentages of Fire and EMS

calls in the City and in the County for the fiscal year.

## 6. INDEPENDENT CONTRACTOR

A. At all times during the performance of this Agreement and in connection with any services rendered under this Agreement, both Parties shall be considered as independent contractors. No relationship of employer - employee is created by this Agreement or by the City's service. The COUNTY acknowledges that CITY is not obligated to provide Workers' Compensation Insurance, or any other of the City's employee related insurance or benefits, for COUNTY personnel. The CITY acknowledges that COUNTY is not obligated to provide Workers' Compensation Insurance, or any other of the County's employee related insurance or benefits, for CITY personnel.

B. Pursuant to Texas Local Government Code Chapter 791, Section 791.006(a) COUNTY shall be responsible for any civil liability that arises from the furnishing of training, fire suppression, firefighting, ambulance services, hazardous materials response services, fire and rescue services, or paramedic services by CITY if such service is provided outside the City limits of CITY.

C. ~~In the case of law enforcement services, the "Party requesting" and obtaining the services shall be responsible for any civil liability that arises from the furnishing of such services.~~

## 7. MISCELLANEOUS

- A. Each party shall approve participation in this Agreement by the appropriate governmental body or authorized public officer.
- B. The COUNTY and the CITY may not assign or amend all or any part of this Agreement without the prior written consent of each party.
- C. The annual renegotiation of this Agreement shall be contingent upon the availability of current revenue funds. If sufficient funds are not allocated by the CITY or the COUNTY as provided for in this Agreement, either Party may terminate this Agreement on thirty (30) days notice to the other Party.
- D. This Agreement may be terminated or renegotiated in the event of changed state regulations that affect the parties' performance under this Agreement.
- E. All notices under this Agreement shall be in writing and may be either hand delivered or sent by certified mail, postage prepaid, return receipt requested, to the following addresses:

**CITY:** Honorable Anthony Groves  
Mayor of the City of Brady

**COUNTY:** Honorable Judge Danny Neal  
McCulloch County Judge

## 8. SEVERABILITY

- A. If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Agreement.
- B. The waiver by any party of a breach of the Agreement shall not constitute a continuing waiver of such breach or of a subsequent breach of the same or different provision.
- C. Each party shall be excused from any breach of this Agreement that is proximately caused by action by the Legislature of the State of Texas, war, strike, acts of God, or other similar circumstances or events normally deemed outside the control of the non-performing party.
- D. The CITY and the COUNTY shall not discriminate based on creed, age, race, religion, disability, or gender and shall abide by all local state, and federal laws prohibiting discrimination.
- E. This is the entire agreement between the CITY and COUNTY. No other agreements, statements, or promises relating to the subject matter of this Agreement and which are not contained herein shall be valid or binding. This Agreement may not be amended, except in writing signed by all parties. NO OFFICIAL, AGENT, EMPLOYEE, OR REPRESENTATIVE OF THE CITY OR COUNTY HAS ANY AUTHORITY TO ALTER, AMEND, OR MODIFY THE TERMS OF THIS CONTRACT, EXCEPT IN ACCORDANCE WITH SUCH EXPRESS WRITTEN AUTHORITY AS MAY BE GRANTED BY THE CITY AND COUNTY.
- F. This Agreement is to be performed in McCulloch County, Texas. The District Court of McCulloch County shall have exclusive venue and jurisdiction over the parties in the event any dispute or legal action arising from this Agreement.

**EFFECTIVE ON OCTOBER 1, 2018.**

**FOR THE CITY OF BRADY:**

*by:* \_\_\_\_\_  
Mayor Anthony Groves

Date: \_\_\_\_\_

**FOR THE COUNTY OF McCULLOCH:**

*by:* \_\_\_\_\_  
Judge Danny Neal

Date: \_\_\_\_\_

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	7. B.
AGENDA SUBJECT:	Discussion, consideration and possible action approving the award to McLane Intelligent Solutions from Temple, Texas for citywide IT Support in accordance with Local Government Code 252.022 A. (4) in the amount of \$82,824.00.		
PREPARED BY:	Dorsey Bustamante/Lisa Remini	Date Submitted:	10/10/2018
EXHIBITS:	Approved Budget report Email from City Attorney Sarah Griffin dated June 12, 2018 Quote #006131 Version 2 from McLane Intelligent Solutions		
BUDGETARY IMPACT:	Required Expenditure:	\$82,824.00	
	Amount Budgeted:	\$92,200.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
<b>SUMMARY:</b> IT Support is an exception to the competitive bidding requirement under Local Government Code 252.022 A. (4). The City is replacing IT providers from Snider Technology of San Angelo, Texas to McLane Intelligent Solutions (McLane Intel) from Temple, Texas.			
The City's IT Committee determined that Snider IT was not providing satisfactory IT management services and began to research other IT providers that offered more proactive and interactive IT management services. The committee found that IT service to municipalities is limited and that two companies interviewed were not adequately prepared to service a municipal environment. City staff was introduced to McLane Intel at an Association of Rural Communities in Texas (ARCIT) Workshop. McLane was then invited to make a presentation to the City's IT Committee. The presentation confirmed to the committee that McLane Intel is fully aware of the municipal structure and is prepared to provide written IT planning, purchasing and budgeting assistance and regular reporting to staff and council. Further, it is clear McLane IT is set up to promote a relationship-based service by providing a Client Success Manager that will regularly communicate with the city to ensure our needs are being addressed appropriately and timely.			
The FY19 Budget process approved the expenditure of funds for city-wide IT Support that is intended to promote unity of technology through out the city and to provide a program that will promote the safety and security of city data in a very complex environment.			
McLane Intelligent Solutions billing is divided into two categories: Cloud IT Monthly Backup Disaster Recovery (BDR) – FY 19 budget year total of \$26,664 Constant Care Monthly Services (remote desktop support) – FY 19 budget year total of \$56,160			

The monthly desktop support cost is approximately \$11,000 or 25% more than Snider Technology's fee and the back-up service is a new cost to the city. The IT Committee believes that the additional services provided by McLane Intel are needed to meet the city's IT requirements and therefore, justifies the additional cost. The back up service will provide business class security that is not currently in place.

Further, the IT Committee recommends a service rather than an individual be utilized for IT work to promote cost efficiencies with consistency of service from year to year, clear documentation of IT set ups, an expanded knowledge base, and sufficient personnel to handle the work load of city-wide IT needs. An individual salary and benefits plus back up costs would likely be more money and position turnover more frequent.

**RECOMMENDED ACTION:**

Approve to award an IT support services contract to McLane Intelligent Solutions in the amount of \$82,824 for FY 19.

CITY OF BRADY  
BUDGET REPORT  
FISCAL YEAR 2018 - 2019

50 -UTILITY SUPPORT FUND  
50-UTILITY SUPPORT

EXPENDITURES	2014-2015	2015-2016	2016-2017	— 2017-2018 —		2018-2019
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	APPROVED BUDGET
<b><u>Contract Services</u></b>						
50-5-50-202.00 Utilities	23,023	19,800	20,021	20,000	20,000	20,000
50-5-50-203.00 Professional Fees	175	0	0	500	500	500
50-5-50-207.00 Janitorial / Pest Services	553	6,914	7,036	7,600	7,600	7,600
50-5-50-212.00 Rentals/Leases	4,639	4,390	4,129	5,800	5,800	3,600
50-5-50-214.00 Internet Access Fees	0	0	0	0	0	4,000
50-5-50-232.00 Computer Software Maint	4,140	26,748	8,114	10,000	18,600	24,000
50-5-50-233.00 Computer Hardware Maint	0	1,137	891	1,000	1,000	1,000
✓ 50-5-50-236.00 IT Contract	40,048	40,830	43,250	48,800	48,800	56,200 ✓
✓ 50-5-50-236.01 IT Backup Service	0	0	0	0	0	36,000 ✓
<b>TOTAL Contract Services</b>	<b>72,579</b>	<b>99,819</b>	<b>83,441</b>	<b>83,700</b>	<b>102,300</b>	<b>152,900</b>
<b><u>Supplies/Repair/Expenses</u></b>						
50-5-50-302.00 Supplies - Service Center	621	1,224	672	2,500	2,500	2,500
50-5-50-302.03 Postage	20,000	15,616	16,200	20,000	20,000	20,000
50-5-50-306.00 Building	10,885	5,340	3,390	10,000	5,700	10,000
50-5-50-307.00 Office Equipment	0	0	0	2,500	3,500	1,200
50-5-50-313.00 Telephone/Cell/Alarm Sys	5,813	4,237	3,292	4,600	4,600	4,600
50-5-50-319.00 Credit Card Fees	12,702	13,597	20,758	21,000	21,000	28,000
50-5-50-360.00 Miscellaneous Expense	0	0	0	0	0	0
50-5-50-365.00 Inventory Adjustment Expense	214	(57)	10	200	200	200
50-5-50-392.00 Bad Debt Expense	3,205	2,497	2,620	5,000	5,000	3,500
50-5-50-398.00 Interest Expense	786	585	376	160	160	5
<b>TOTAL Supplies/Repair/Expenses</b>	<b>54,226</b>	<b>43,039</b>	<b>47,318</b>	<b>65,960</b>	<b>62,660</b>	<b>70,005</b>
50-5-50-401.00 Capital Outlay - Projects	0	0	86,000	38,000	38,000	53,000
50-5-50-402.00 Capital Outlay-Vechicles & Equip	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>86,000</b>	<b>38,000</b>	<b>38,000</b>	<b>53,000</b>
<b><u>Replacement</u></b>						
50-5-50-554.00 Technology Replacement	16,512	57,186	8,857	10,000	10,000	10,000
<b>TOTAL Depreciation/Replacement</b>	<b>16,512</b>	<b>57,186</b>	<b>8,857</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>
<b><u>Other Uses</u></b>						
50-5-50-900.00 Principal Debt Requirements	4,958	5,159	5,368	5,600	5,600	1,000
50-5-50-901.00 Capital Outlay - Financed	0	0	0	0	0	0
50-5-50-910.10 Transfers-out to General Fund	0	10,640	0	0	0	0
<b>TOTAL Other Uses</b>	<b>4,958</b>	<b>15,799</b>	<b>5,368</b>	<b>5,600</b>	<b>5,600</b>	<b>1,000</b>
<b>TOTAL 50-UTILITY SUPPORT</b>	<b>148,276</b>	<b>215,843</b>	<b>230,984</b>	<b>213,260</b>	<b>218,560</b>	<b>286,905</b>

**Dorsey Bustamante**

---

**From:** Lisa Remini  
**Sent:** Tuesday, June 12, 2018 10:44 AM  
**To:** Sarah Griffin  
**Cc:** Dorsey Bustamante; Kim Lenoir  
**Subject:** RE: New IT service provider

Thank you Sarah. I appreciate the quick response.

Lisa Remini  
Director of Finance

**City of Brady**  
*The True Heart of Texas*

[finance@bradytx.us](mailto:finance@bradytx.us)  
325-597-2152 ext 204 office/VM  
325-597-2068 fax  
[www.bradytx.us](http://www.bradytx.us)

*"Character is doing the right thing when nobody's looking." – J.C. Watts*

**From:** Sarah Griffin <[Sarah.Griffin@rampage-aus.com](mailto:Sarah.Griffin@rampage-aus.com)>  
**Sent:** Tuesday, June 12, 2018 10:39 AM  
**To:** Lisa Remini <[lremini@bradytx.us](mailto:lremini@bradytx.us)>  
**Cc:** Dorsey Bustamante <[dbustamante@bradytx.us](mailto:dbustamante@bradytx.us)>  
**Subject:** RE: New IT service provider

Lisa:

I think you are safe to consider IT Services as an exception to the competitive bidding requirement under 252.022(a)(4) of the Local Government Code.

There is no specific definition of Professional Services in the Statute, but several cases suggest that it comprehends labor and skill that is 'predominantly mental or intellectual, rather than physical or manual.' *Maryland Casualty Co. v. Crazy Water Co.*, 160 S.W.2d 102 (Tex. Civ. App.—Eastland 1942, no writ).

Certainly the nature of this service would fall under that definition.

Let me know if I can be of further assistance.

Regards,

Sarah Griffin  
Attorney  
Denton Navarro Rocha Bernal & Zech  
A Professional Corporation



## Onboarding Project & ConstantCare Services



Prepared by:

**McLane Intelligent Solutions**  
Ben Terry  
254-791-8300  
Fax 254-791-1366  
ben.terry@mclaneintel.com

Prepared for:

**City of Brady**  
201 East Main Street  
Brady, TX 76825  
Kim Lenoir  
(325) 597-2152  
klenoir@bradytx.us

Quote Information:

**Quote #:** 006131  
**Version:** 2  
**Delivery Date:** 08/02/2018  
**Expiration Date:** 08/16/2018

### Quote Summary

Description	Amount
build IT - Product Remediation	\$28,887.00
build IT - Professional Services Remediation	\$22,600.00
build IT - Onboarding Professional Services	\$12,335.00
<b>Total:</b>	<b>\$63,822.00</b>

### \* Monthly Expenses Summary

*Beginning October 2018*

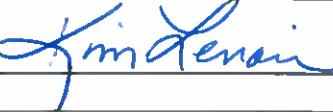
Description	Amount
cloud IT - BDR	\$2,222.00
manage IT - ConstantCare Monthly Services	\$4,680.00
<b>Monthly Total:</b>	<b>\$6,902.00</b>

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	7.C
AGENDA SUBJECT:	Discussion, consideration and possible action regarding status of Heart of Texas Healthcare System Assisted Living facility.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/12/18
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>Tim Jones, Director of the Heart of Texas Healthcare System, requested this item, to inform the City of the Assisted Living facility planned.</p>		
RECOMMENDED ACTION:			
No action required.			

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	7.D.
<b>AGENDA SUBJECT:</b> Discussion, consideration and possible action regarding <b>2018 Annual Comprehensive Plan / Community Improvement Plan (CIP) Status Report</b> of all current projects as required by the City Charter Art. 5, Sec 4, and publish in the newspaper (Recommended by P&Z 10-11-2018).			
PREPARED BY:	Kim Lenoir	Date Submitted:	10/12/18
EXHIBITS:	Draft Annual Report – Oct 16, 2018		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>This is an Annual Report required by the City Charter Art. 5, Sec 4, and must be publish in the newspaper.</p> <p>P&amp;Z recommended approval at the 10-11-2018 meeting.</p>		
RECOMMENDED ACTION:	<p>Staff recommends approval, as desired.</p>		

## **DRAFT for City Council Comments/Approval – October 16, 2018**

### **2018 Annual Report (October 2017-September 2018)**

### **2013 Comprehensive Master Plan and Community Improvement Program**

This report includes activities of the City of Brady and Planning and Zoning Commission (P&Z) in relation to the Comprehensive Master Plan, Zoning Ordinances, Subdivision Regulations and Community Improvement Projects (CIP). The Comprehensive Master Plan was adopted in 2013 and should be reviewed and updated by the community every five (2018) to ten (2023) years.

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

**Zoning Map Changes:** The City amended the zoning for three properties, 104 West 13<sup>th</sup> Street from Single-Family Residential to Commercial District (Ord 1239); 315 Irish Street from Commercial District to Manufacturer Home District (Ord 1252); and 212 North Church from Commercial District to Central Business District (Ord 1250). The property at 1110 West 11<sup>th</sup> Street was replatted combining two lots and removing an abandoned drainage easement.

**Make the downtown a vibrant destination:** The Texas Department of Transportation (TXDOT), Brownwood Region, has scheduled a December 2018 bidding of rebuilding the downtown square streets and sidewalks. The current TXDOT North Bridge Street Improvement Project started in 2018 and is projected to be completed in 2020. (Action Items 14, 17, 21). City Council approved an ordinance to not allow overhead utilities to be located on the Downtown Square (Action Item 10).

**Housing:** Housing conditions in Brady were analyzed in 2015. Of the 2,056 residential structures, 30% are owned by people who do not live in Brady/McCulloch County. Upon visual reviews, housing conditions of the residential properties show that 32% are in “poor” to “fair” condition (750 houses). Additionally, 68% were ranked “average” condition (966 houses) and “good” to “excellent” condition (863 houses). P&Z and City Council adopted an in-fill ordinance to support development on existing city lots. In-fill housing development is encouraged because utilities and roads are readily available. The city demolished 12 dilapidated houses and owners demolished three (3) structures in 2018.

**Brady Lake:** The Brady Economic Development Corporation (BEDC) is funded and completed a new Brady Lake Fish House and removed the old Marina, as authorized by voters in 2009.

**Development:** *Trails of Brady Apartments* 72-unit apartment complex located on W. 17th and Nine Road opened this year. The old Brady Hotel, historic building on Main Street opened this year as the *TruCountry Inn* and is continuing additional renovations to open soon. The City and TruCountry Inn, entered into a joint public-private agreement to pave the parking lot and open it to public use for the downtown business district. *Pioneer Sands*, on Oglebay Norton Street expanded their plant and other facilities in the City. *CMS Properties* opened the new *Dollar Tree*. Other businesses that opened included *Joe's Italian Restaurant*, *Mexico City Café*, *Welders Equipment*, *Reza Taqueria*, and *Buffalo Falls Antiques*.

**Economic Development Corporation Type A:** The City Council, upon recommendation of the BEDC, called city-wide election in May to replace the Type A corporation that receives ¼ cent sales tax funding with a Type B corporation, to increase the flexibility of the projects that an EDC can support in the City.

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

*North Bridge Street:* TXDOT Brownwood Region North Bridge Street / Highway 377 N in Brady, construction is addressing utility relocations, intersection reconfiguration at intersection of N Bridge Street at White Street and Crothers Street to improve traffic flow and pedestrian access. (14, 17, 21).

*Interstate 14:* City is working with McCulloch County, TXDOT and the Gulf Coast Strategic Highway Coalition to plan the route for the newly designated federal I-14 Highway as it nears Brady.

*Street Maintenance:* The City completed a \$3 million city street reconstruction project in 2002. Asphalt streets need to be reworked at least every 10 years. The City utilizes an asphalt recycler machine to rework city streets. 8 streets were rehabilitated with the asphalt recycler machine. This year 215 tons of material for pot-holes were filled and approximately 45,000 SF of roads were overlaid with cold mix and placed on city streets. City roads are maintained by Street Division employees, equipment and machinery for making up our "in-house" street rehab program under direction of a superintendent and 4 employees. (20 & 22).

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

*Lake Dam and Storm Water/Drainage Plan Study:* City completed a Brady Lake Dam Inundation Study and Storm Water Management Plan as required by the Texas Commission on Environmental Quality (TCEQ) (23). The City is working with the Natural Resource Conservation District developing and initiating an annual maintenance plan for the Brady Lake Dam that is now 50 years old. The storm drainage master plan described needed drainage improvements for Hallum Draw (18). This master plan will allow the city to acquire additional grant funds to correct and improve drainage problems identified in the City (19).

*Water System Improvements:* City Council hired Enprotec / Hibbs & Todd (eHT) design engineers to address the water quality and capital improvements needed for the existing Brady water treatment and distribution system. The preliminary engineering report (PER) was completed in 2015. An Economically Distressed Areas Program (EDAP) Grant funded 100% final engineering design (\$1.8 million) is now 100% complete. This project addresses groundwater (Radium) and surface water quality treatment regulations and standards as mandated by TCEQ and the U.S. Environmental Protection Agency (EPA). This project improves water quality, fire protection and water pressure improvements for the entire city. (Action Items 24, 25, 26, 27). Funding of this \$26M construction project is expected to be available through the Texas Water Development Board in November 2018, construction begins mid-2019, and construction is estimated to be completed late 2020.

*Water and Wastewater System Distribution maintenance:* The city continues to repair distribution lines as needed. Sewer line cleaning and maintenance has been enhanced through the recent acquisition of a vacuum/jetting machine. The City completed a Utility Rate Study that outlines a 5 to 10 year plan to fund water and sewer infrastructure needs.

*Waste Water System Improvements:* City Council hired Freese & Nichols, Inc. design engineers to address the major capital improvement project of replacing the 1960s obsolete wastewater treatment plant (WWTP) and to prepare plans and specifications for specific repairs to the sewer collection system. The

major task of engineering services underway includes an engineering feasibility report, permitting and environmental documentation for review by TCEQ and TWDB. Construction plans are now 90% complete. Project is expected to bid in late 2019. (28, 29, 30). TCEQ Discharge Permit has been re-issued and new construction is expected in 2020. Emergency repairs have been made to the WWTP.

*Electric System:* Our community-owned city electric distribution system relies on the local businesses, industry, schools, and the hospital for support to aggregate and purchase at the best transmission rates available for the entire community. With the new deregulation and dual certified areas within the city limits, the staff continues to analyze and review costs to assure that we remain competitive with other private investor-owned electric service options available. “Buy local power” is required to maintain city services. City of Brady completed new distribution line improvements on S. Wall Street and multiple specific site improvements in 2018. City of Brady also continues to support a major transmission powerline improvement from AEP utilities to bring into Brady the third major transmission line from Menard, Yellowjacket Transmission Project. This \$27 million project is funded by the Electric Reliability Council of Texas (ERCOT) and will improve tremendously the reliability of our electric grid.

*Gas System:* The community-owned city gas utility division completed a digital mapping project and engineering for maintenance repairs to the gas distribution system. Localized repairs, gas main upgrades, and annual gas leak surveys were implemented to maintain the gas system in meeting Texas Railroad Commission (TRRC) regulations and guidelines. Local city gas rates have remained unchanged for 8 years.

*Conduct Facility Assessment for a new Public Safety Facility for Fire, Emergency Medical Services (EMS), Dispatch, Police and Emergency Management (33):* The 2016 study reviewed numerous sites and determined the best location is at the GR White Complex on 1600 W. 17<sup>th</sup> Street. Due to limited funds, the possible construction plans are on hold until the water and sewer construction projects are bid and underway.

*City Buildings:* The City and County purchased the old South Ward Brady Independent School District (BISD) Cafeteria for a future Senior Citizens/Community Activity Center (35). Design and cost estimates are completed. Construction funds are not available to begin this project, but a grant request is underway to fund \$500,000 of this project. The annual budget now includes a five-year projection of Community improvements and equipment replacement needs to allow for improved financial planning to maintain a comprehensive repair and maintenance plan for all city facilities and streets.

*Animal Control Facility:* The city has been leasing the Mays Veterinary Clinic facility for 3 years. City Council approved construction of a 72-hour stray hold facility to meet the state requirements for Animal Control in the City, but construction cost have been greater than budget funds available. City Council also amended the Animal Ordinance.

*Airport:* The City Council has accepted a grant to prepare a Master Business Plan for the Curtis Field Airport, which will be completed in late 2018. In a cost savings move, airport city staff hours have been reduced, adjusted seasonally, and after-hour service is now on-call. The military contracts have continued at the airport.

*Ballfields & Playgrounds:* City Council received a \$400,000 50/50 Texas Parks and Wildlife Outdoor Recreation Grant to upgrade the Richards Park Baseball/Softball Complex and a \$75,000 50/50 Small Cities Recreation Grant for playground improvements at Willie Washington Park. The Willie Washington Project

is 99% complete with the first new shaded playground ever for a Brady city park (34). Construction is underway for Fields 1 and 2 ballfields should be open in late Spring 2019. LCRA organized a volunteer clean-up day at the ballfields painting the concession stand and restrooms. Community volunteer clean-up projects are always encouraged.

*G Rollie White Complex Vision:* In May 2017, the County and the City appointed a GRW Steering Committee to identify a future vision for the complex (36). The committee toured facilities in Uvalde, Sonora, Dripping Springs and Llano. In August 2018, a master plan was presented and a request for a county-wide "Hotel Occupancy Venue Tax" election is requested in 2019 to ask county voter approval to assist in funding the new vision of the 100-acre facility.

*Developers:* To improve economic development services, the city has initiated a one-stop permit issuance and zoning/permit assistance for any development project. The city staff has monthly predevelopment design review committee (DRC) meetings to review all the options and utility services for developers to help make the process as streamlined as possible. A full and active Planning and Zoning (P&Z) Commission and Zoning Board of Adjustment (ZBA) greatly benefit the city in timely responses to development.

*Financing:* The City's Long Term Credit Bond rating from Standard & Poor's is AA-. In efforts to promote transparency in government, the City was awarded the Gold Star by the State Comptroller for its financial transparency efforts on the website.

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

*Communicate Brand:* City Council adopted updated Mission-Vision-Purpose-Value Statements (41). New logos for the airport, Brady Lake, and the golf course are complete. City street signs meeting the new federal regulations (larger size and reflective) continue to be installed throughout the city. The consistency of the signage will improve the visual appearance and identity of the city. Staff is working on replacing the faded signage to city facilities. Redeemer Church adopted the old billboards as visitors enter the city on the San Angelo Highway and South Bridge Street with a new "We Love Brady" campaign.

*Municipal Code Court:* City Council appointed JT Owens Municipal Judge, who holds weekly office hours to address cases in a timely manner. The Municipal Court has reviewed 975 cases this year of which property code compliance citations were 26 cases.

*Keep Brady Beautiful:* Brady won the \$130,000 Landscape Award from Keep Texas Beautiful and TXDOT recognizing the City of Brady and community groups that help with environmental programs and clean-ups. (40). City employees adopted two (2) miles of highway at Brady Lake to clean at least 4 times a year. McCulloch County held a tire clean-up, City did curb-side bulk trash clean-up, two leaf pick-ups, and a Spring and Fall Community-wide clean-ups were held this year.

*Signage:* City Council approved a sign regulation ordinance for the City of Brady (Recommendation 11).

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

*Tourism promotion and events:* With Hotel Occupancy Taxes (HOT), the City contracts with the Brady/McCulloch County Chamber of Commerce for tourism promotion and some event planning. The City is working closely with the Chamber of Commerce, McCulloch County, and AgriLife Extension Service

to continue downtown community events and to promote additional activities at the G Rollie White Complex. (42, 45, 47). Hotel-Motel Occupancy Tax Funds continue to be distributed to tourism projects on an annual contract bases to offer and encourage new events to be developed by a larger variety of event planners and local agencies. In 2018, events supported included the Heart of Texas Country Music Festival, Memorial Weekend Golf Tournament, July Jubilee, World Championship BBQ Goat Cook-Off, TruCountry Concert and filming with RFD-TV, Hogtoberfest, and Christmas in the Heart.

With Hotel Motel Occupancy Tax proceeds, the Chamber and City hired tourism consultant *Cygnus Strategies, LLC* who completed a two-year study that included a secret shopper for Brady's attractions and assisted in changes for the Annual World Championship BBQ Goat Cook-off. A renewed two-day GCO was held this year. A report was presented to the City and the Chamber in June with a Tourism Strategic Plan to begin a "Visit Brady" Program in 2019.

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

**City Council:** Anthony Groves, Mayor; Jim Griffin, Mayor Pro Tem; Council Members Rey Garza, Place 1; Missi Davis, Place 2; Jeffrey Sutton, Place 3; and Jane Huffman, Place 4.

**Planning & Zoning Commission:** Nick Blyshak, Chair; Ronnie Aston, Vice Chair; Commissioners Amy Greer, Connie Easterwood, Thomas Flanigan, Jeff Bedwell, Cathy Ewert, and Alternate Lauri Smith.

**Brady Economic Development Corporation:** Jason Valdez, President; Don Miller, VP; Directors Lauren Bedwell, Erin Betts, and Michele Derrick. Type B EDC added Directors Amy Greer and Billie Davis.

**Zoning Board of Adjustments:** Heath McBride, Chair; Rod Young, Vice Chair; Board Members Holly Groves, James Stewart, and Chris Green.

**Airport Advisory Board:** Board Members Bob Rice, Richard Lenoir, Richard Jolliff, Kirk Roddie, Stan Amyett, Carey Day, and Dale Scott.

**Charter Review Commission:** JoAnn Coffey, Chair; Teresa Leifeste, Vice Chair; Commissioners Bill Derrick, Rex Ewert, Patsy Cole, Kelly Green, and Chad Blankenship.

**City Management Staff:** Kim Lenoir, City Manager; Steven Miller, Director of Public Works; Dennis Jobe, Director of Community Services; Walter Holbert, Code Compliance; Lisa Remini, Director of Finance; Lloyd Perrin, Acting Fire Chief; Steve Thomas, Police Chief; and Tina Keys, City Secretary.

City of Brady works with the following partners, membership organizations and agencies:

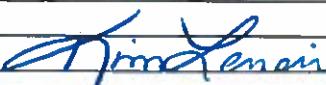
Brady Economic Development Corporation – Type A and B, Brady Golf Association, Brady/McCulloch County Chamber of Commerce, McCulloch County Junior Livestock Association, McCulloch County Commissioners Court, McCulloch County Hospital District, Brady ISD, McCulloch County Appraisal District, Texas A&M AgriLife Extension Service, Central Texas Master Gardeners Association, Hickory Underground Water Conservation District No. 1, Concho Valley Council of Governments, Area Agency on Aging of the Concho Valley, Texas Midwest Community Network, Association of Rural Communities in Texas, Lower Colorado River Authority, Texas Municipal League, Texas Economic Development Council, Texas Downtown Association, Texas Power Association, Texas Commission of Environmental Quality, Texas Railroad Commission, Texas Department of Transportation, Texas Water Development Board, Texas Parks and Wildlife Department, Texas Comptroller's Financial Transparency Recognition, AEP, Oncor Electric Delivery, West Texas Gas, The Governor's Office of Economic Development and Tourism.

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

Recommended by Planning and Zoning Commission on October 9, 2018; City Council approved October 16, 2018; Printed in compliance with Brady City Charter Section 5.04 – November 21, 2018

City Council  
City of Brady, Texas

## Agenda Action Form for Ordinance

AGENDA DATE:	10-16-18	AGENDA ITEM	7.E.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding <b>first reading of Ordinance 1260</b> of the City of Brady, to amend FY2019 Budget for municipal purposes, approving the Fiscal Year 19 (Oct 1 2018 to Sept 30 2019) Type A and B Budgets as approved by the Type A and B Brady Economic Development Corporation Boards (EDC).		
PREPARED BY:	L. Remini	Date Submitted:	10-12-18
EXHIBITS:	Approved FY 19 EDC – Type A Amended Budget Approved FY 19 EDC - Type B Budget Ordinance 1260 Draft Type A and B Minutes – October 11, 2018		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
<p><b>SUMMARY:</b>  The Type A EDC Budget is amended to reflect:    Sales Tax collections reduced to \$0. Interest income was reduced, legal and professional fee expense was increased, and the debt service budget was increased to allow pay off the CNB note of EDC Airport Hangar. Other budget line items were fully eliminated including the Civic Center payment to the City. The adjusted budget for Contract for COBrady Services for FY 19 represents a 12-month fee. This annual fee proposal represents 50% of the original annual fee for treasury services plus secretarial services provided by the City staff. Due to the reduced functions of EDC-A, time spent on EDC-A is expected to be half that of last year.</p> <p>Type B EDC Budget is approved to reflect:    Sales Tax collection and some interest earnings revenues. Expenditures include funds for marketing, legal and professional service fees and a line item for the audit expense was created. Training for new Type B Board members, and insurance expense for bonding members is also included. The payment to the City for the Civic Center construction cost (25% of sales tax collections) and other operational items are also budgeted.</p> <p>The Contract for Services budget represents a 12-month fee for Treasury and Secretarial Services. Staff is spending similar if not more time on EDC -B functions than EDC – A due to new set up processing that requires the creation of new set of books, accounts, various start-up paperwork duties.</p>			
<p><b>RECOMMENDED ACTION:</b>  <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 first reading of Ordinance 1260.</p>			

**ORDINANCE NO. 1260**

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE  
FISCAL YEAR 2018-2019 BUDGET FOR MUNICIPAL PURPOSES**

An ordinance amending the 2018-2019 Fiscal Year Budget as follows:

Amending the Brady Economic Development Corporation (BEDC) Type A Budget and adopting the BEDC Type B Budget.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
BRADY TEXAS** that the FY 2018-2019 budget be amended accordingly.

**APPROVED UPON FIRST READING THIS THE 16<sup>th</sup> DAY OF OCTOBER 2018,**

**APPROVED AND PASSED UPON SECOND READING THIS THE 6<sup>th</sup> DAY OF  
NOVEMBER 2018.**

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Anthony Groves, Mayor

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

**CITY OF BRADY  
BUDGET REPORT  
FISCAL YEAR 2018 - 2019**

**TYPE A  
ECONOMIC DEV CORPORATION FUND**

	2014-2015 ACTUAL	2015-2016 ACTUAL	2016-2017 ACTUAL	( <u>— 2017-2018 —</u> )		2018-2019 APPROVED BUDGET	2018-2019 AMENDED BUDGET
				ORIGINAL BUDGET	PROJECTED BUDGET		
BEGINNING FUND BALANCE & NET WORKING CAPITAL	916,420	1,039,510	456,763	483,355	483,355	492,583	492,583
<b><u>REVENUES</u></b>							
General Revenues							
90-4-90-600.00 Corporation Sales Tax	266,967	241,318	227,234	220,000	220,000	230,000	0
90-4-90-605.00 Interest Income	5,015	3,096	5,024	4,000	4,000	6,000	1,500
90-4-90-610.00 Loan Income-Davenport	48,215	0	0	0	0	0	0
90-4-90-612.00 Loan Income-Thomas	4,965	7,724	4,557	6,621	6,621	6,600	6,600
90-4-90-613.00 Loan Income-Owens	4,847	4,847	4,039	0	0	0	0
90-4-90-630.00 Rental Income-Hangar E	5,000	0	0	0	0	0	0
90-4-90-631.00 Rental Income-City of Brady	18,480	18,480	4,350	0	0	0	0
90-4-90-632.00 Loan Income-Old Dodge Cross'g	8,364	7,721	7,077	7,721	7,721	7,700	7,700
90-4-90-650.00 Reimbursements	0	207	15	0	0	0	0
90-4-90-655.00 Donations	3,970	0	0	0	0	0	0
TOTAL General Revenues	365,824	283,393	252,296	238,342	238,342	250,300	15,800
<b>TOTAL REVENUES</b>	<b>365,824</b>	<b>283,393</b>	<b>252,296</b>	<b>238,342</b>	<b>238,342</b>	<b>250,300</b>	<b>15,800</b>
<b>TOTAL AVAILABLE FUNDS</b>	<b>1,282,244</b>	<b>1,322,903</b>	<b>709,059</b>	<b>721,697</b>	<b>721,697</b>	<b>742,883</b>	<b>508,383</b>

**CITY OF BRADY  
BUDGET REPORT  
FISCAL YEAR 2018 - 2019**

**TYPE A  
ECONOMIC DEV CORPORATION FUND**

EXPENDITURES	2014-2015	2015-2016	2016-2017	( <u>— 2017-2018 —</u> )		2018-2019	2018-2019
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL BUDGET	PROJECTED BUDGET	APPROVED BUDGET	AMENDED BUDGET
<b><u>Contract Services</u></b>							
90-5-90-201.00 Marketing FY 13	268	0	0	0	0	0	0
90-5-90-202.00 Marketing FY 14	732	2,821	0	0	0	0	0
90-5-90-203.00 Marketing FY 15	0	4,000	0	0	0	0	0
90-5-90-204.00 Marketing FY 16	0	10,010	0	0	0	0	0
90-5-90-205.00 Marketing FY 17	0	0	22,165	3,000	3,000	0	0
90-5-90-206.00 Marketing FY 18	0	0	0	22,000	22,000	0	0
90-5-90-207.00 Marketing FY 19	0	0	0	0	0	23,000	0
90-5-90-211.00 Professional / Legal Fees	11,116	1,671	5,606	1,000	1,000	1,000	15,000
90-5-90-213.00 Contract for Services-COBrady	36,000	36,300	88,715	90,000	90,000	63,000	9,000
90-5-90-230.00 Debt Service	30,000	30,000	29,251	30,000	30,000	30,000	37,000
90-5-90-240.00 Community Dev - Civic Center	150,900	725,650	56,808	55,000	55,000	57,500	0
90-5-90-242.00 Community Dev - Fish House	0	48,147	13,967	0	10,964	0	0
90-5-90-280.00 Annual Land Lease - COBrady	250	250	250	250	250	250	0
<b>TOTAL Contract Services</b>	<b>229,266</b>	<b>858,848</b>	<b>216,762</b>	<b>201,250</b>	<b>212,214</b>	<b>174,750</b>	<b>61,000</b>
<b><u>Supplies/Repair/Expenses</u></b>							
90-5-90-300.00 Travel and Training	4,493	3,170	7,364	14,000	14,000	4,000	0
90-5-90-301.00 Membership Dues / Fees	850	550	850	1,000	1,000	1,000	0
90-5-90-302.00 Insurance	100	100	0	100	100	100	6,000
90-5-90-303.00 Office Supplies	0	0	40	250	250	250	0
90-5-90-304.00 Office Equipment	0	0	216	250	250	250	0
90-5-90-305.00 Meeting Provisions	418	105	472	300	300	300	300
90-5-90-310.00 Building Repair / Maintenance	544	0	0	1,000	1,000	1,000	1,000
90-5-90-340.00 Property Taxes	3,092	3,366	0	0	0	0	0
<b>TOTAL Supplies/Repair/Expenses</b>	<b>9,497</b>	<b>7,291</b>	<b>8,942</b>	<b>16,900</b>	<b>16,900</b>	<b>6,900</b>	<b>7,300</b>
90-5-90-400.00 Property Acquisition	3,970	0	0	0	0	0	0
<b>TOTAL Property Acquisition</b>	<b>3,970</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>	<b>242,734</b>	<b>866,140</b>	<b>225,704</b>	<b>218,150</b>	<b>229,114</b>	<b>181,650</b>	<b>68,300</b>
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>123,090</b>	<b>(582,747)</b>	<b>26,592</b>	<b>20,192</b>	<b>9,228</b>	<b>68,650</b>	<b>(52,500)</b>
<b>PROJECTED ENDING FUND BALANCE &amp; NET WORKING CAPITAL</b>	<b>1,039,510</b>	<b>456,763</b>	<b>483,355</b>	<b>503,547</b>	<b>492,583</b>	<b>561,233</b>	<b>440,083</b>

BUDGET REPORT  
FISCAL YEAR 2018 - 2019

TYPE B  
ECONOMIC DEV CORPORATION

APPROVED  
BUDGET

BEGINNING FUND BALANCE &  
NET WORKING CAPITAL 0

REVENUES

General Revenues

90-4-90-600.00 Corporation Sales Tax	230,000
90-4-90-605.00 Interest Income	3,000
90-4-90-650.00 Reimbursements	0
90-4-90-655.00 Donations	0
TOTAL General Revenues	<u>233,000</u>

TOTAL REVENUES 233,000

TOTAL AVAILABLE FUNDS 233,000

EXPENDITURES

Contract Services

90-5-90-207.00 Marketing FY 19	23,000
90-5-90-211.00 Professional / Legal Fees	15,000
90-5-90-212.00 Audit	4,500
90-5-90-213.00 Contract for Services-COBrady	16,300
90-5-90-214.00 Contract fo Services - Chamber	0
90-5-90-230.00 Debt Service	0
90-5-90-240.00 Community Dev - Civic Center	<u>57,500</u>
TOTAL Contract Services	<u>116,300</u>

Supplies/Repair/Expenses

90-5-90-300.00 Travel and Training	20,000
90-5-90-301.00 Membership Dues / Fees	1,000
90-5-90-302.00 Insurance	5,000
90-5-90-303.00 Office Supplies	250
90-5-90-304.00 Office Equipment	250
90-5-90-305.00 Meeting Provisions	750
90-5-90-310.00 Building Repair / Maintenance	0
90-5-90-340.00 Property Taxes	0
TOTAL Supplies/Repair/Expenses	<u>27,250</u>

TOTAL EXPENDITURES 143,550

REVENUE OVER/(UNDER) EXPENDITURES 89,450

PROJECTED ENDING FUND BALANCE &  
NET WORKING CAPITAL 89,450

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	10/16/2018	<b>AGENDA ITEM</b>	7.F.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding RESOLUTION 2018-041 OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, APPROVING AMENDED BYLAWS FOR THE (Type A) BRADY ECONOMIC DEVELOPMENT CORPORATION.		
<b>PREPARED BY:</b>	Kim Lenoir	<b>Date Submitted:</b>	10/12/18
<b>EXHIBITS:</b>	Type A By-laws will be available at the meeting		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$0.00	
	<b>Amount Budgeted:</b>	\$0.00	
	<b>Appropriation Required:</b>	\$0.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>	Current by-laws of A and B require City Attorney services.  Jason Valdez, President of the Type A and B EDC will discuss the reasoning for this request.		
<b>RECOMMENDED ACTION:</b>	Staff recommends approval, as desired.		

**RESOLUTION NO. 2018-041**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS,  
APPROVING AMENDED BYLAWS OF  
THE BRADY ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS**, on \_\_\_\_\_ the City Council of the City of Brady approved amended Bylaws of the Brady Economic Development Corporation, a Non-Profit Corporation, also known as the Brady Type A Economic Development Corporation; and

**WHEREAS**, the City and the Board of the Brady Economic Development Corporation desire to make certain additional changes to said Bylaws as denoted in Exhibit A; and

**WHEREAS**, bylaws for such Corporation must be approved by both the Corporation itself and by Resolution of this City Council.

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

**Section 1.** That the City Council of the City of Brady hereby approves the Amended Bylaws of the Brady Economic Development Corporation attached hereto as Exhibit A and made a part hereof by reference.

**Section 2.** This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

---

Anthony Groves, Mayor

ATTEST: \_\_\_\_\_

Tina Keys, City Secretary

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

<b>AGENDA DATE:</b>	10/16/2018	<b>AGENDA ITEM</b>	7.G.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding RESOLUTION 2018-042 OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, APPROVING AMENDED BYLAWS FOR THE BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION.		
<b>PREPARED BY:</b>	Kim Lenoir	<b>Date Submitted:</b>	10/12/18
<b>EXHIBITS:</b>	Type B By-laws attached		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$0.00	
	<b>Amount Budgeted:</b>	\$0.00	
	<b>Appropriation Required:</b>	\$0.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>	Current by-laws of A and B require City Attorney services.  Jason Valdez, President of the Type A and B EDC will discuss the reasoning for this request.		
<b>RECOMMENDED ACTION:</b> Staff recommends approval, as desired.			

**RESOLUTION NO. 2018-042**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS,  
APPROVING AMENDED BYLAWS FOR THE  
BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS**, on August 21, 2018 the City Council of the City of Brady approved the Bylaws of the Brady Type B Economic Development Corporation, a Non-Profit Corporation; and

**WHEREAS**, the City Council and the Board of the Brady Type B Economic Development Corporation desire to make certain changes to said Bylaws as denoted in Exhibit A; and

**WHEREAS**, bylaws for such Corporation must be approved by both the Corporation itself and by Resolution of this City Council.

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

**Section 1.** That the City Council of the City of Brady hereby adopts the Amended Bylaws of the Brady Type B Economic Development Corporation attached hereto as Exhibit A and made a part hereof by reference.

**Section 2.** This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

---

Anthony Groves, Mayor

ATTEST: \_\_\_\_\_

Tina Keys, City Secretary

**“Exhibit A”**

**AMENDED BYLAWS  
OF  
BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION  
A NON-PROFIT CORPORATION  
BRADY, TEXAS**

**SECTION I  
OFFICES**

**1.01 Registered Office and Registered Agent**

The Corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The Board of Directors may, from time to time, change the registered agent and/or the address of the registered office, provided that such change is appropriately reflected in these Bylaws and in the Articles of Incorporation.

**1.02 Principal Office**

The principal office of the Corporation in the State of Texas shall be located in the City of Brady, County of McCulloch, and it may be, but need not be, identical with the registered office of the Corporation.

**SECTION II  
PURPOSES**

**2.01 Purpose**

The Corporation is incorporated for the purposes set forth in Article Three of its Articles of Incorporation, the same to be accomplished on behalf of the City of Brady, Texas, (the “City”) as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended, (the “Act”), and other applicable laws.

## **2.02 Powers**

In the fulfillment of its corporate purpose, the Corporation shall be governed by the Act, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

## **SECTION III MEMBERS**

### **3.01 Members**

The Corporation shall have no members.

## **SECTION IV BOARD OF DIRECTORS**

### **4.01 Board of Directors**

The business affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the governing body of the City of Brady, and subject to applicable limitations imposed by the Texas Non-Profit Corporation Act, the Texas Business Corporation Act, the Articles of Incorporation, or these Bylaws. The Board may, by contract, resolution, or otherwise, give general or limited or special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization.

### **4.02 Number and Qualifications**

The authorized number of Directors of this Board shall be seven (7). The City Council shall appoint the Directors of the Corporation. The Board of Directors shall consist of at least three citizens meeting one (1) of the following qualifications:

1. serve, or have served, as Chief Executive Officer of a company; or
2. serve, or have served, in a position of executive management of a company; or
3. serve, or have served, in a professional capacity; or
4. have experience equivalent to any of the above qualifications.

The City Council shall consider an individual's experience, accomplishments, and educational background in appointing members to the Board to ensure that the interests and concerns of all segments of the community are considered.

#### 4.03 General Duties of the Board

The Board is hereby required to perform the following duties:

1. The Board shall develop an overall economic development plan for the City which shall include and set forth intermittent and/or short term goals deemed necessary to accomplish compliance with an overall economic development plan.
2. The Board shall review and update its overall economic development plan annually to ensure that said plan is up to date with the current economic climate and is capable of meeting Brady's current economic development needs.
3. The Board shall expend, in accordance with State law, the tax funds received by it on direct economic development where such expenditures will have a direct benefit to the citizens of Brady.

As used in this article, "direct economic development" shall mean the expenditure of such tax funds for programs that directly accomplish or aid in the accomplishment of creating identifiable new jobs or retaining identifiable existing jobs including job training and/or planning and research activities necessary to promote said job creation. The Corporation's focus will be primarily in the areas of:

- (a) Business retention and expansion;
- (b) Formation of new businesses;
- (c) Business attraction.

4. The Board shall be regularly accountable to the City Council for all activities undertaken by them or on their behalf, and shall report on all activities of the Board, whether discharged directly by the Board or by any person, firm, corporation agency, association or other entity on behalf of the Board. This report shall be made by the Board to the City Council annually no later than November 1 of each year (30 days after the end of the fiscal year of the Corporation). The annual report shall be considered by the City Council for its review and acceptance.

#### 4.04 Tenure

All Directors shall serve two (2) year terms. No member of the Board shall serve more than three (3) consecutive terms or more than six (6) years consecutively. Directors shall be removable at anytime by the majority vote of City Council members.

Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the President. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

#### 4.05 Vacancies

Any vacancy occurring shall be filled by appointment of the City Council.

#### 4.06 Meeting

The Board may hold their meetings at such place or places in the City as the Board may from time to time determine; however, such meetings shall not be less than quarterly meetings, and in the absence of any such determination by the Board of the place of meeting, the meetings shall be held at the registered office of the Corporation as specified in the Articles of Incorporation. All meetings of the Board shall provide notice thereof as provided and set forth in the Open Meetings Act. Any member of the Board may request that an item be placed on the agenda by delivering the same in writing to the Secretary to the Board no later than ten (10) days prior to the date of the Board meeting.

Notice of any meeting shall be given to the public in accordance with the requirements of the Texas Open Meetings Act. The notice shall contain information regarding the particular time, date, and location of the meeting and the agenda to be considered. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

The annual meeting of the Board of Directors shall take place the first meeting in October of each year, at a time to be posted by the Board

#### 4.07 Attendance

Regular attendance of the Board meetings is required of all members. The following number of absences may constitute the need for replacement of a member: three (3) consecutive absences, or attendance reflecting absences constituting 50% of the meetings over a 12-month period. In the event replacement is indicated, the member will be counseled by the President and, subsequently, the President shall submit in writing to the City Secretary the need to replace the Board member in question.

#### 4.08 Quorum

For the purpose of convening a meeting, a simple majority of the appointed Directors then serving on the Board shall constitute a quorum. For purposes of transacting business of the Corporation at any meeting, a simple majority of the appointed Directors shall constitute a quorum. If there is an insufficient number of Directors present to convene the meeting, the presiding officer shall adjourn the meeting.

#### 4.09 Compensation

The duly appointed members of the Board shall serve without compensation, but shall be reimbursed for actual or commensurate cost of travel, lodging and incidental expenses while on official business of the Board in accordance with State law.

#### 4.10 Voting; Action of the Board of Directors

Directors must be present in order to vote at any meeting. Unless otherwise provided in these Bylaws or in the Articles of Incorporation or as required by law, the act of a simple majority of the Directors present at any meeting for which a quorum is present shall be the act of the Board of Directors. In the event that a Director is aware of a conflict of interest or potential conflict of interest, with regard to any particular vote, the Director shall bring the same to the attention of the meeting and shall abstain from the vote, unless the Board determines that no conflict of interest exists.

Any Director may bring to the attention of the meeting any apparent conflict of interest or potential conflict of interest of any other Director, in which case the board shall determine whether a true conflict of interest exists before any vote shall be taken regarding that particular matter. The Director as to whom a question of interest has been raised shall refrain from voting with regard to the determination as to whether a true conflict exists.

#### 4.11 Board's Relationship with City Council

In accordance with State law, the City Council shall require that the Brady Type B Economic Development Corporation be responsible to it for the proper discharge of its duties assigned in this article. All policies for program administration shall be submitted for Council approval, and the Board shall administer said programs accordingly. The Board shall determine its policies and direction within the limitations of the duties herein imposed by applicable laws, the Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities.

#### 4.12 Board's Relationship with Administrative Departments of the City

Any request for services made to the administrative departments of the City shall be made by the Board or its designee in writing to the City Manager. The City Manager may approve such request for assistance from the Board when he/she finds such

requested services are available within the administrative departments of the City and that the Board has agreed to reimburse the administrative department's budget for the costs of such services so provided.

~~Any request for legal assistance shall be made by the Board or its designee to the City Attorney, who shall serve as Attorney to the Board. The Board has agreed to pay for the costs of such services so provided.~~

## **SECTION V OFFICERS**

### **5.01 Officers of the Corporation**

The elected officers of the Corporation shall be a President and Vice President. Upon the expiration of the terms, each officer shall be eligible to be reappointed or reelected. Any two (2) or more offices may be held by the same person, except the office of President.

The appointed officers of the Board shall be the Secretary and Treasurer. The City Secretary or the City Secretary's designated representative shall serve as Secretary to the Board. The Finance Director of the City or the Finance Director's designated representative shall serve as the Treasurer to the Board.

### **5.02 Selection of Officers**

The initial President and Vice President shall be elected by the majority vote of the quorum present by the Board and shall serve a term of one (1) year. On the expiration of the term of office of the original President and Vice President, the Board shall select from among its members individuals to hold such office. The term of office of the President and Vice President shall always be for a period of one year, beginning January 1 of each year; provided, however, that the President and Vice President continue to serve until election of their successors.

### **5.03 Vacancies**

Vacancies in any office which occur by reason of death, resignation, disqualification, removal, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term of that office in the same manner as other officers are elected to the Board.

### **5.04 President**

The President shall be the presiding officer of the Board with the following authority:

1. shall preside over all meetings of the Board;
2. shall have the right to vote on all matters coming before the Board;
3. shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when, in his/her judgment, such meeting is required;
4. shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or other matters incidental to the operations and functions of the Board;
5. shall have the authority to appoint ad hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.

In addition to the above mentioned duties, the President shall sign any deed, mortgage, bonds, contracts, or other instruments which the Board of Directors has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board of Directors.

#### 5.05 Vice President

In the absence of the President, or in the event of his or her inability to act, the Vice President shall perform the duties of the President. When so acting, the Vice President shall have all power of and be subject to all the same restrictions as upon the President. The Vice President shall also perform other duties as from time to time may be assigned to him or her by the President.

#### 5.06 Treasurer to the Board

The treasurer shall be the chief fiscal officer of the Corporation, and shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes, and other obligations in or drawn upon such bank, banks, or depositories, as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all money received and paid out on account of the Corporation. All check writing authority will follow all applicable Board policies concerning authorizations, signatures and disbursements.

## 5.07 Secretary to the Board

The secretary shall keep the minutes of all meetings of the Board and books provided for that purpose, shall give and serve all notices, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes, and other instruments of the Corporation, shall have charge of the corporate books, records, documents, and instruments, except the books of account and financial records and securities, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the principal office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary. When necessary or proper, the secretary may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes, and other obligations in or drawn upon such bank, banks, or depositories, as shall be designated by the Board consistent with these Bylaws.

## 5.08 Director of Economic Development

The Board shall plan and direct the work of the Corporation through a Director of Economic Development or may contract with another entity for the services of a director. The Director will be charged with the responsibility of carrying out the Corporation's program as adopted and planned by the Board. When necessary or proper, the Director may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes, and other obligations in or drawn upon such bank, banks, or depositories, as shall be designated by the Board consistent with these Bylaws.

The Director shall serve as the Chief Executive Officer of the Corporation and shall oversee all administrative functions of the Corporation as directed and approved by the Board. The Director of Economic Development shall be the City Manager or the City Manager's designated representative.

## 5.09 Other Employees

The Corporation may employ such full or part-time employees as needed to carry out the programs of the Corporation within the specific budget approved by the City Council.

## 5.10 Contracts for Services

The Corporation may, with approval of the City Council, contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of Directors of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

## **SECTION VI COMMITTEES**

### **6.01 Qualifications for Committee Membership**

Members of committees shall be appointed by the President, and approved by the Board. Committee members need not be members of the Brady Economic Development Corporation unless required by these Bylaws or Board resolution.

### **6.02 Standing Committees**

The President shall have authority to appoint the following standing committees of the Board and such other committees as the Board may deem appropriate in the future:

1. **Budget, Finance and Audit Committee:** This committee shall have the responsibility of working with the Director, or the contractual entity performing as a Director as the case may be, in the formation and promotion of the annual budget of the Board. The committee shall present, in accordance with these Bylaws, said budget to the City Council. In addition to the preparation of the budget for the Board, the committee shall monitor all budget expenditure of the Board and keep the Board advised in such matters. The committee shall further have the responsibility to oversee the work with auditors of the City or outside auditors when audits of the Board are being performed.
2. **Committee for Business Retention and Expansion:** This committee shall work with the Director of Economic Development and shall keep the Board informed of all development and activities concerning the business retention and expansion.
3. **Committee for New Business Formation:** this committee shall work with the Director of Economic Development and shall keep the Board informed of all development and activities concerning new business formation.
4. **Committee for New Business Attraction and Recruitment:** This committee shall work with the Director of Economic Development and shall keep the Board informed of all developments and activities concerning business attraction and recruitment.

### **6.03 Special Committees**

The President may determine from time to time that other committees are necessary or appropriate to assist the Board of Directors, and shall designate, subject to Board approval, the members of the respective committees.

No such committee shall have independent authority to act for or in the stead of the Board of Directors with regard to the following manners: amending, altering, or repealing the Bylaws; electing, appointing, or removing any member of any such committee or any Director or Officer of the Corporation; amending the Articles of Incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking the proceedings therefor; adopting a plan for the distribution of the assets of the Corporation; or amending, altering, or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee.

The designation and appointment of any such committee and delegation to that committee of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or in him/her by law.

#### 6.04 Term of Office of Committee Members

Each member of a committee shall continue as such until the next annual appointment of the Board of Directors and until his or her successor on the committee is appointed, unless the committee shall be sooner terminated, or unless such member has ceased to serve on the Board of Directors, or unless such member be removed from such committee.

Any committee member may be removed from committee membership by the President, with Board's approval, whenever, in their judgment, the best interest of the Corporation would be served by such removal.

#### 6.05 Vacancies on Committees

Vacancies in the membership of any committee may be filled in the same manner as provided with regard to the original appointments to that committee.

#### 6.06 Ex-officio Members

The President of the Chamber of Commerce may attend all meetings of the Board of Directors or committees, including executive, private or public. The representative shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of ensuring that information about the meetings are accurately communicated to the Chamber of Commerce.

The Mayor and Mayor Pro Tem may attend all meetings of the Board of Directors or committees, including executive, private or public. The representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of

ensuring that information about the meetings are accurately communicated to the City Council.

## **SECTION VII** **FINANCIAL ADMINISTRATION**

The Corporation may contract with the City for financial and accounting services, unless otherwise approved by the City Council. The Corporation's financing and accounting records shall be maintained according to the following guidelines.

### **7.01 Fiscal Year**

The fiscal year of the Corporation shall begin on October 1 and end on September 30 of the following year.

### **7.02 Budget**

A budget for the forthcoming fiscal year shall be submitted to, and approved by, the Board of Directors, and the City Council of the City of Brady. In submitting the budget to the City Council, the Board of Directors shall submit the Budget on forms prescribed by the City Manager and in accordance with the annual budget preparation schedule as set forth by the City Manager. The budget shall be submitted to the City Manager for inclusion of it in the annual budget presentation to the City Council. The budget proposed for adoption shall include the projected operating expenses, and such other budgetary information as shall be useful to or appropriate for the Board of Directors and the City Council of the City of Brady.

### **7.03 Contracts**

As provided in Section V above, the President shall execute any contracts or other instruments which the Board has approved and authorized to be executed. The Secretary to the Board shall attest to any signature of the President.

### **7.04 Checks and Drafts**

All checks, drafts, or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by the designees of the Board.

### **7.05 Deposits**

All funds of the Brady Type B Economic Development Corporation shall be deposited on a regular basis to the credit of the Corporation in a local bank which shall be federally insured and shall be selected following procedures and requirements for selecting a depository as set forth in Chapter 105 of the Local Government Code.

#### **7.06 Gifts**

The Brady Type B Economic Development Corporation may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the general purpose or for any special purpose of the Corporation.

#### **7.07 Purchasing**

All purchases made and contracts executed by the Corporation shall be made in accordance with the requirements of the Texas Constitution, Statutes of the State of Texas and ordinances and policies of the City of Brady.

#### **7.08 Investments**

Temporary and idle funds which are not needed for immediate obligations of the Corporation may be invested in any legal manner provided by the Public Funds Investment Act and ordinances and policies of the City of Brady.

#### **7.09 Bonds**

Any bonds issued by the Corporation shall be in accordance with the statute governing this Corporation, but, in any event, no bonds shall be issued without approval of the Brady City Council after review and comment by the City's bond counsel and financial advisor.

#### **7.10 Uncommitted Funds**

Any uncommitted funds of the Corporation at the end of the fiscal year shall be considered a part of the fund balance of the Corporation.

The undersigned fund balance may be committed for any legal purpose provided the Corporation's Board of Directors and the City Council both approve such commitment. This may include the establishment of a permanent reserve fund which shall be accumulated for the purpose of using the interest earnings of such fund to finance the operation of the Corporation.

### **SECTION VIII BOOKS AND RECORDS**

The Corporation shall keep correct and complete books and records of all actions of the Corporation, including books and records of account and the minutes of meetings of the Board of Directors and of any committee having any authority of the Board and the City Council. All books and records of the Corporation may be inspected by Directors of the Corporation or their agent or attorney at any reasonable time; and any information which may be designated as public information by law shall be open to public inspection

at any reasonable time. The Texas Public Information Act and Open Meetings Act shall apply to disclosure of public information. The Corporation shall cause its books, records, accounts and financial statement to be audited at least once each fiscal year by an outside independent auditing and accounting firm selected by the Corporation and approved by the Council. Such audit shall be at the expense of the Corporation.

## **SECTION IX SEAL**

### **9.01 Seal**

The Board of Directors shall obtain a corporate seal which shall bear the words "Brady Type B Economic Development Corporation;" the Board may thereafter use the corporate seal and may later alter the seal as necessary without changing the corporate name; but these Bylaws shall not be construed to require the use of the corporate seal.

## **SECTION X PROGRAM**

### **10.01 Authorization**

The Corporation shall carry out its program subject to its Articles of Incorporation and these Bylaws, and such resolutions as the Board may from time to time authorize.

### **10.02 Program**

The program of the Brady Type B Economic Development Corporation shall be to assist, stimulate, and enhance economic development in Brady, Texas, subject to applicable State and Federal law, these Bylaws, and the Articles of Incorporation.

## **SECTION XI PARLIAMENTARY AUTHORITY**

### **11.01 Amendments to Bylaws**

These Bylaws may be amended or repealed and new Bylaws may be adopted by an affirmative vote of four (4) of the authorized Directors serving on the Board, at a special meeting of the Directors held for such specific purpose, and the notice requirements stated hereinabove regarding special meetings shall apply.

Notwithstanding the foregoing, neither the initial Bylaws nor any subsequently effective Bylaws may be amended unless the City Council has consented to and approved said amendments as provided by the Articles of Incorporation and the Act.

The Board of Directors shall review the bylaws at the Annual Meeting in October in odd numbered years to ensure compliance with state statutes and requirements of the Economic Development Corporation Act.

## **SECTION XII DISSOLUTION**

### **12.01 Dissolution**

In accordance with the State statutes governing the Development Corporation or any amendments thereto, the City Council shall order an election of the issue. The election must be conducted according to the applicable provision of the Election Code. The ballot for the election shall be printed to provide for voting for or against the proposition:

**"Dissolution of the Brady Type B Economic Development Corporation"**

If a majority of voters voting on the issue approve the dissolution, the Corporation shall continue operations only as necessary to pay the principal of and interest of its bonds and to meet obligations incurred before the date of the election and, to the extent practicable, shall dispose of its assets and apply the proceeds to satisfy those obligations. When the last of the obligations is satisfied, any remaining assets of the Corporation shall be transferred to the City, and the Corporation is dissolved.

## **SECTION XIII INDEMNITY**

### **13.01 Indemnity**

As provided in the Act and in the Articles of Incorporation, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

The Corporation shall indemnify each and every member of the Board, its officers, and its employees, and each member of the Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys fee, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation.

## **SECTION XIV MISCELLANEOUS**

### **14.01 Relation to Articles of Incorporation**

These Bylaws are subject to, and governed by, the Articles of Incorporation and applicable State statutes under which the Corporation is organized.

## **SECTION XV SEVERABILITY**

### **15.01 Severability**

If any section or part of section of these Bylaws shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of these Bylaws nor the context that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

## **SECTION XVI EFFECTIVE DATE**

### **16.01 Effective Date**

These Bylaws shall become effective upon the occurrence of the following events.

1. the approval of these Bylaws by Resolution of the City Council; and
2. the adoption of these Bylaws by the Board.

---

Approved by the Board on DATE

Approved by City Council on DATE

---

President

Mayor

---

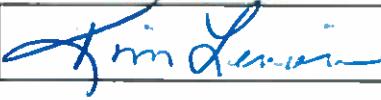
Attest: Secretary to the Board

Attest: City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	7.4.
AGENDA SUBJECT:	Discussion, consideration and possible action authorizing the Mayor to execute a termination of the City of Brady Management Service Contract with the Type A EDC and to enter into a month-to-month agreement for personnel services of treasury, website, and secretarial duties with the Type A and B EDCs until a transition is completed.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/12/18
EXHIBITS:	Existing COB Management Service Contract		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>Type A &amp; B EDC no longer want to use the City of Brady Management Services Contract. During the transition of Type A to Type B a request for a month-to-month Memo of Understanding has been requested.</p> <p>Jason Valdez, President of the Type A and B EDC will discuss the reasoning for this request.</p>		
RECOMMENDED ACTION:	<p>Staff recommends approval, as desired.</p>		

STATE OF TEXAS  
COUNTY OF MCCULLOCH  
CITY OF BRADY

§ MANAGEMENT SERVICES AGREEMENT  
§

This agreement is made as of the 7th day of May, 2013, by and between the City of Brady ("City"), a municipality located in McCulloch County, Texas and the Brady Economic Development Corporation ("BEDC"), a special district created pursuant to Article 5190.6, Section 4A Vernon's Annotated Civil Statutes.

WHEREAS, at a special election held January 16, 1993, the voters within the City approved adoption of a one-fourth of one cent local sales and use tax support economic development as provided in Section 4A as described above; and

WHEREAS, funded by said sales and use tax to further the goal of a continuous economic development program for the City; and

WHEREAS, to further the aim of providing a comprehensive economic development program it is necessary to employ personnel to carry out an economic development program for the City; and

WHEREAS, the City Council and the BEDC Board of Directors agree that it is in the public interest to enter into this agreement by which the City will hire and maintain personnel devoted to economic development, now, therefore,

For and in consideration of the terms and conditions set forth herein, City and BEDC agree as follows:

1. City will develop, organize and manage an economic development program according to an economic development proposal approved by the BEDC and the City Council;

2. All persons employed in connection with carrying out said economic development program shall be employees of the City and shall be under the City's sole control and supervision. The City Manager or his designated representative will consult with the BEDC board of directors to receive advice, guidance, and recommendations regarding the BEDC's policies for economic development. All equipment and supplies purchased in connection with the economic development program shall be and remain the

property of the City. The City shall select the employees that will carry out the economic development program, and may assign other duties to those employees in addition to the duties carried out on behalf of the BEDC.

3. BEDC agrees to pay City an amount for its services as provided below for the first six months of operation:

Personnel Costs: \$15,215 (prorated for the remainder of Fiscal Year 2013).

Beginning with Fiscal Year 2014 (October 1, 2013) it is understood by both parties that it is intended that the cost of services shall be amended from year to year based upon the approved budgets of BEDC and the City and, at other times, as agreed by the parties, based upon changing conditions or circumstances.

4. This agreement shall be for a period beginning June 1, 2013 and extend until September 30, 2016; provided, however that said agreement shall automatically renew at three year intervals unless specifically cancelled by either party, in writing, a minimum of 90 days prior to the renewal date.

In witness whereof, the parties have executed this Agreement in multiple originals on this 20th day of May, 2013.

Brady Economic Development Corporation

City of Brady

  
President

  
Attest  
Secretary

  
Mayor

  
Attest  
City Secretary

# City Council

## City of Brady, Texas

### Agenda Action Form

AGENDA DATE:	10/16/2018	AGENDA ITEM	EH. 7.1
AGENDA SUBJECT:	Discussion, consideration and possible action authorizing Type A and B Brady Economic Development Corporation to hire attorney services from Brown & Hofmeister, LLP, with engagement letter for hourly representation from Jeffery Moore, as approved by the Type A and B Brady Economic Development Corporation Boards (EDC), subject to approval of Bylaw amendments of each body.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/4/18
EXHIBITS:	Draft Engagement Letter		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	Jason Valdez, President of the Type A and B EDC will discuss the reasoning for this request.		
RECOMMENDED ACTION:	Staff recommends approval, as desired.		

# BROWN & HOFMEISTER, L.L.P.

740 East Campbell Road  
Suite 800  
Richardson, Texas 75081

JEFFREY L. MOORE  
(214) 747-6109  
[jmoore@bhlaw.net](mailto:jmoore@bhlaw.net)

Telephone: (214) 747-6100  
Telecopier: (214) 747-6111  
[www.bhlaw.net](http://www.bhlaw.net)

October 2, 2018

Mr. Jason Valdez  
Commercial National Bank  
105 E. 2<sup>nd</sup> Street  
Brady, Texas 76825

**SENT REGULAR MAIL:**

**Re: Engagement Letter for Hourly Representation**

Dear Mr. Valdez:

The purpose of this letter, together with the enclosed "Standard Terms of Engagement," is to set out our understanding with respect to the specific terms of our relationship. Please review the Standard Terms of Engagement carefully and contact us promptly if you have any questions regarding our relationship. This letter, together with the Standard Terms of Engagement, constitutes our agreement with you (this "Agreement") under which our services will be provided.

### **Identity of Client**

We will be representing the interests of the Brady Type B Economic Development Corporation ("EDC"), a Type B economic development corporation.

### **Time of Performance**

The services will be performed within a mutually agreed upon schedule.

### **Nature and Scope of Representation**

We understand that our present relationship is to represent and provide legal counsel to you and the EDC, on an as needed basis.

### **Financial Arrangements**

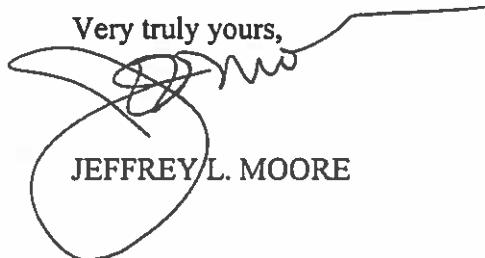
The enclosed Standard Terms of Engagement, together with this letter, outlines the financial terms of our engagement. Jeff Moore shall serve as the attorney providing advice to EDC. The hourly rate for his services is \$250.00 per hour. The hourly rate for any partners of the firm is \$250.00 per hour. The hourly rate for any associates of the firm is \$175.00 per hour. Billing will accrue in one tenth (1/10<sup>th</sup>) of an hour increments.

Acceptance of Terms

If this arrangement is acceptable to you and EDC, please sign the enclosed duplicate original of this letter and return it to us at your earliest convenience.

We truly appreciate the opportunity to be of service to you and look forward to working with EDC, in a mutually beneficial relationship.

Very truly yours,



JEFFREY L. MOORE

**AGREED TO AND ACCEPTED:**

**BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION,  
A Texas non-profit corporation**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

cc: Billing Department

**BROWN & HOFMEISTER, L.L.P.**  
**STANDARD TERMS OF ENGAGEMENT**

This statement sets forth the standard terms of our engagement as your attorneys. Unless modified in writing by mutual agreement, these terms will be an integral part of our agreement with you. Therefore, we ask that you review this statement carefully and contact us promptly if you have any questions. We suggest that you retain this statement in your file.

**1. The Scope of Our Work**

You should have a clear understanding of the legal services we will provide. Any questions that you have should be dealt with promptly. We will provide services related only to matters as to which we have been specifically engaged.

We will at all times act on your behalf to the best of our ability. Any expressions on our part concerning the outcome of your legal matters are expressions of our best professional judgment, but are not guarantees. Such opinions are necessarily limited by our knowledge of the facts and are based on the state of the law at the time they are expressed. We cannot guarantee the success of any given matter, but we will strive to represent your interests professionally and efficiently.

**2. Fees For Legal Services**

Our charges for professional services are customarily based on the time devoted to the matter, the novelty and difficulty of the questions presented, the requisite experience, reputation and skill requested to deal with those questions, time limitations imposed by the circumstances, and the amount involved and the results obtained. Unless otherwise indicated in writing, our fees for legal services are determined on the basis of the hourly rates of the respective lawyers and paralegals who perform the services. These rates vary depending on the expertise and experience of the individual. We adjust these rates from time to time, increasing them as the individuals gain experience and expertise and to reflect current economic conditions. We will notify you in writing if this fee structure is modified.

**3. Other Charges**

All out-of-pocket expenses (such as long-distance telephone charges, copying charges, travel expenses, messenger expenses and the like) incurred by us in connection with our representation of you will be billed to you as a separate item on your hourly statement. We have enclosed a schedule which indicates the rate at which most of these items will be charged.

**4. Billing Procedures and Terms of Payment**

Our billing period begins on the 1<sup>st</sup> of the month and ends on the end of the month. We will render periodic statements to you for legal services and expenses. We usually mail these

periodic statements toward the end of the month following the latest date covered in the statement. Each statement is payable within 45 days of its stated date and must be paid in U.S. Dollars.

If you have any question or disagreement about any statement that we submit to you for payment, please contact me at your earliest convenience so that we can resolve any problems without delay. Typically, such questions or disagreements can be resolved to the satisfaction of both sides with little inconvenience or formality.

#### 5. Termination of Services

You have the right at any time to terminate our employment upon written notice to us, and if you do we will immediately cease to render additional services. We reserve the right to discontinue work on pending matters or terminate our attorney-client relationship with you at any time that payment of your account becomes delinquent. Additionally, in the event that you fail to follow our advice and counsel, or otherwise fail to cooperate reasonably with us, we reserve the right to withdraw from representing you upon short notice, regardless of the then status of your matter. No termination shall relieve you of the obligation to pay fees and expenses incurred prior to such termination.

#### 6. Retention of Documents

Although historically we have attempted to retain for a reasonable time copies of most documents generated by this Firm, we cannot be held responsible in any way for failure to do so, and we hereby expressly disclaim any such responsibility or liability. You must ultimately retain all originals and copies you desire among your own files for future reference.

#### 7. Fee Estimates

We are often requested to estimate the amount of fees and costs likely to be incurred in connection with a particular matter. Our attorneys do their best to estimate fees and expenses for particular matters when asked to do so. However, an estimate is just that, and the fees and expenses required are ultimately a function of many conditions over which we have little or no control, especially in litigation or negotiation situations where the extent of necessary legal services may depend to a significant degree upon the tactics of the opposition. Unless otherwise agreed in writing with respect to a specific matter, all estimates made by us shall be subject to your agreement and understanding that such estimates do not constitute maximum or fixed fee quotations and that the ultimate cost is frequently more or less than the amount estimated.

#### 8. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, United States of America. Venue of any case or controversy arising under or pursuant to this Agreement shall be in McCulloch County, Texas, United States of America.

9. **Questions**

If you have any questions from time to time about any aspect of our arrangements, please feel entirely free to raise those questions. We want to proceed in our work for you with a clear and satisfactory understanding about every aspect of our billing and payment policies; and we encourage an open and frank discussion of any or all of the matters mentioned in this memorandum.

**BROWN & HOFMEISTER, L.L.P.**  
**CLIENT COSTS ADVANCED SCHEDULE**

The Firm incurs expenses on behalf of clients only when required by the legal needs of the clients. Some cases or matters require extensive use of copy facilities, and other cases may not be so paper-intensive. Standard services such as secretarial and word processing time, file setup and file storage are not charged; however, other expenses such as long-distance fees, copies, delivery fees and fax charges are billed to the client requiring those services. An explanation of the billing structure is as follows:

**Delivery Services**

Outside delivery services are used only when firm runners are not available and an urgent delivery is required. Outside delivery fees are charged to the client at the rate charged to the Firm. Overnight delivery services also are charged at the rate charged to the Firm with no markup.

**Postage**

Our postal equipment calculates exact U.S. postage for all sizes and weights of posted material. The rate charged for postage is the same as the amount affixed to the material that is mailed. We will not charge clients for standard postage; however, the cost of certified mail or other additional mail services will be charged to the client with no markup.

**Copies**

Our standard rate for copies made by firm personnel is \$.15 per copy. This charge covers paper, equipment costs and other supplies. If savings can be realized within the required time frame by sending copy jobs to subcontractors, the firm uses only qualified legal services copiers and the cost charged to the client is the same as the amount billed to the Firm with no markup.

**Computerized Research**

If a legal matter requires the use of computerized legal research, trained and skilled legal researchers are used to minimize on-line data charges. The cost charged to the client for computerized legal research is the same as the amount billed to the Firm.

**Fax**

Fax copies will be charged at the rate of \$.25 per outgoing page. There is no charge for incoming faxes.

### Travel

Attorney time spent traveling on behalf of a client will be billed to the client. Hotel, meal, local transportation and similar expenses are charged based on receipts and travel expense forms submitted by the attorney. Documentation is available to the client if requested.

### Other Expenses

Expenses incurred to outside providers in connection with the client's legal services should be paid by the client directly to the outside provider unless specifically arranged in advance. If the Firm agrees to pay outside providers, the cost charged to the client is the same as the amount billed to the Firm. Examples of such charges include: court reporter fees, filing fees, newspaper charges for publication notices, expert witness fees, consultants and other similar expenses. Such expenses will not be incurred without approval from the client.

**BRADY ECONOMIC DEVELOPMENT CORPORATION TYPE A MINUTES**  
**SEPTEMBER 27, 2018 -DRAFT-**

**STATE OF TEXAS**

**COUNTY OF McCULLOCH**

**CITY OF BRADY**

The Brady Type A and B Economic Development Corporations of the City of Brady, Texas met in a Joint Meeting on Thursday, September 27, 2018, at 6:00 p.m. at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas. BEDC President Jason Valdez presided over the meeting. BEDC Type A Board Members present were Don Miller, Lauren Bedwell, Erin Betts and Michele Derrick. Also, in attendance were City Manager Kim Lenoir, Mayor Tony Groves, Treasurer Lisa Remini, James Griffin, Amy Greer, Billie Davis, Jeffery Sutton, Erin Corbell, Brian Crabb, Keith Rose and Board Secretary Kathryn Meroney.

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

2. President Jason Valdez called the Type A Board meeting to order at 5:59 p.m. Roll was called and a quorum was certified by the Board Secretary. 2. Minutes of August 17, 2018 were approved unanimously. Vote 5-0.

**3. REPORTS/PRESENTATION ITEMS**

A. Type A – Review Monthly Bills, Jason Valdez presented the checks written.

4. Individual Concerns:

A. Discussion, consideration and possible action on Letter of Support for an Economic Grant to replace the City of Brady Waste Water Treatment Plant. Presentation given by Steve Miller, Director of Public Works. All supportive of the letter but would like to see the Type B Board members added. Erin Corbell stated that the Chamber of Commerce would also sign a letter of support. Action to move forward with letter of support with all 7 board member names listed was approved with a motion from Erin Betts and a second from Michele Derrick, approved unanimously. Vote 5-0.

B. Discussion, consideration and possible action on the request from Brian Crabb to purchase EDC property located at 1308 N. Grant to build residential homes. Brian Crabb was present and presented a drawing of his plan for residential homes. Michele Derrick would like to see the property listed for sale publicly so everyone has the opportunity to bid. Lauren Bedwell would like to see the item pushed to a Type B. Jason Valdez was in favor of publishing all properties that are for sale. Jason Valdez made the motion to place the two residential lots in the local paper and accept bids to publicly open. Michele Derrick seconded the motion and all were in favor. Vote 5-0.

C. Discussion, consideration and possible action on donating the Brady Lake Fish House to the City of Brady (final BEDC-A 2009 Type B election project). This property will be transferred to the City and the City will do all the paperwork. This was approved by a motion from Erin Betts and a second from Lauren Bedwell with all in favor. Vote 5-0.

D. Discussion, consideration and possible action of revised Comptroller Report for the Year 2017 – Treasurer Lisa Remini (reports are submitted each year. The EDC Board should approve each submittal annually in May. Comptroller EDC Reports are due in February 1, but audited numbers are not available until April, annual reports are locked by the state at the end of September, therefore, the informational reports submitted 2013 to 2016 cannot be changed). Lisa Remini presented the information. At this time the Comptroller Report for the year 2017 is still open and can be modified. Board requested that a change be made from the Administration line item to move in portion of salaries paid by EDC under Personnel. Lisa Remini will make that change and bring back to the Board for final approval.

E. Discussion, consideration and possible action on FY2018 financial concerns. Lauren Bedwell presented a few questions regarding past minutes but no action was taken.

BRADY ECONOMIC DEVELOPMENT CORPORATION TYPE A MINUTES  
SEPTEMBER 27, 2018 -DRAFT-

F. Discussion, consideration and possible action on lease agreement with John Knox Moore on property located at 208 W. Grove St. in Brady, TX. Keith Rose was present and stated that he is planning on paying off the property this year. Jason Valdez stated that his concern is the insurance and overall maintenance issues on the property. Jason Valdez and Billie Davis will write a letter to Mr. Rose outlining these concerns and mail it by Monday, October 1, 2018. Jason Valdez obtained the entire board's permission to write and mail out the letter prior to another meeting.

G. Discussion, consideration and possible action of all other current contracts, assets and liabilities. If contracts are not assignable, may need to be amended first. Staff provided all current contracts for review which included: Management Service Contract, EDC Hangar, Davenport, HOT (defaulted), Owens, Jenny Thomas, Old Dodge Crossing and the Civic Center. There is also one note with Commercial National Bank. The group discussed in detail the prorating of the City Management Service Contract until Type A business closed. The City Staff agreed to draft a resolution to transferring Civic Center debt to Type B and an amended FY19 budget. The Jenny Thomas property was discussed. It is active and the contract length is 2027. The EDC board will be taking the contracts for Old Dodge Crossing as well as, the Jenny Thomas property to a local title company for further review. The board asked that the City's Attorney review the contract for the Civic Center. A motion was made by Don Miller regarding the Hangar located at Curtis Field. The motion was to pay off the hangar. There was a second by Michele Derrick and all were in favor. Vote 5-0.

H. Discussion, consideration and possible action on Articles of Dissolution for the Type A EDC. The EDC packet included a copy of Local Government Code 504.353. When discussing Local Government Code Sec. 504.353, Kim Lenoir informed the Type A Board Members that cash was not an asset so the funds in the Type A EDC checking account at Brady National Bank would not transfer over to the Type B EDC. Kim Lenoir informed the board that as per Texas Law, the Type A cannot roll the cash to the Type B EDC. She continued to inform the board that the cash has to go back to the City of Brady and that the City of Brady could not give the cash to the Type B EDC because it was against the law. Assets such as real estate could be transferred but cash could not. The Board disagreed with Kim's interpretation of the law. Jason Valdez made a motion to hire and outside attorney (possible Jeff Moore) for more clarification. This was followed by a second from Erin Betts. All in favor 5-0. Kim Lenoir stated that she would contact Sarah Griffin for more clarification as well.

There being no further business, President Jason Valdez adjourned the meeting at 8:06 p.m.

Attest:

Jason Valdez, President

Kathryn Meroney, Board Secretary

1 | Page - Brady Economic Development Corporation Minutes September 27, 2018 - DRAFT

The Brady Type B Economic Development Corporation of the City of Brady, Texas met in its first Organizational Meeting on Thursday, September 27, 2018, at 8:16 p.m. at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas. Jason Valdez presided over the meeting. BEDC Directors present were Don Miller, Lauren Bedwell, Erin Betts, Amy Greer, Billie Davis and Michele Derrick. Also, in attendance were City Manager Kim Lenoir, Mayor Tony Groves, Treasurer Lisa Remini, Mayor Pro Tem James Griffin, Council Member Jeffery Sutton, Chamber President Erin Corbell and Board Secretary Kathryn Meroney.

Before the meeting, City Secretary Tina Keys administered the oath of office and swore in the new Type B EDC Board of Directors: Jason Valdez, Don Miller, Lauren Bedwell, Erin Betts, Michele Derrick, Amy Greer and Billie Davis.

Jason Valdez called the Type B Meeting to order at 8:16 p.m. Roll was called and a quorum was certified by the Board Secretary.

1. No minutes to approve.
2. Reports/Presentations – Lauren Bedwell stated that if the Type B intends to move away from the City it is going to have to start shouldering several duties. City Manager Kim Lenoir reported that Lisa Remini will remain the Treasurer and Kathryn Meroney will remain the Secretary until the Board organization and transition is completed.
3. Need to approve By-laws first: 6.B. Discussion, consideration and possible action on approving (or amending) the Initial Bylaws. Initial Bylaws approved with a motion from Billie Davis and a second by Michele Derrick. All in Favor. Vote 7-0.
4. Election of President and Vice President. Erin Betts made the motion to keep Jason Valdez as President and Don Miller as Vice President. This was followed by a second from Michele Derrick and all in favor. Vote 7-0.
5. Select Directors who will serve a one-year and serve a two-year term.

<u>One Year</u>	<u>Two Year</u>
Michele Derrick	Amy Greer
Erin Betts	Jason Valdez
Don Miller	Lauren Bedwell
	Billie Davis

6. Individual Concerns
  - A. Discussion, consideration and possible action in reviewing of State Guidelines and Texas EDC workshop dates and training. Don Miller will obtain information from TEEX regarding possible upcoming Sales Tax Course and the potential of one being held in Brady, saving the Board travel expenses.
  - B. Discussion, consideration and possible action on assignable rolling over assets, liabilities, contracts, and accounts to new Type B EDC. The board will assume that the China Restaurant building, Old Dodge Crossing building and the two residential lots will transfer to Type B once legal paperwork is completed by Type A.
  - C. Discussion, consideration and possible action to name signatory persons for the new Brady Type B EDC checking account – funding begins October 2018. After discussion it was decided that a new account would be opened up at Brady National Bank under the City of Brady umbrella of accounts. All checks will require two signatures. Signing designees will be Directors Jason Valdez, Billie Davis and Don Miller. The motion regarding the account location, two signatures required and naming the 3 check signing designees was made by Michele Derrick with a second by Erin Betts. All in favor. Vote 7-0.
  - D. Discussion, consideration and possible action on lease agreement with John Knox Moore on property located at 208 W. Grove St. in Brady, TX. Type B discussed concerns with insurance and the overall maintenance of this property. Jason Valdez and Billie Davis agreed to write a letter and mail it to the owner regarding the concerns of the Board.
  - E. Discussion, consideration and possible action on the City of Brady's relationship with the Type B Board, duties and roles moving forward until the new City of Brady Service Contract is approved by Board and City Council. The group discussed future agendas, audits, the budget process and the end of the year report. Draft by-laws were distributed to the Board Members to consider at the next meeting.
  - F. Discussion, consideration and possible action to amend the Fiscal Year 2019 Budget. Staff will work with Jason Valdez to present a FY2019 at the next meeting. The current Type A Budget will need to be amended at the next Type A meeting.

2 | Page - Brady Economic Development Corporation Minutes September 27, 2018 - DRAFT

- G. Discussion, consideration and possible action on replacing Type A with Type B website. The Type A is currently on the City of Brady website. After discussion a motion was made to take down the Type A site and replace it with a message reading "Temporarily Under Construction". This was decided upon with a motion from Erin Betts and a second by Lauren Bedwell. All in favor. Vote 7-0.
- H. Discussion, consideration and possible action on Strategic Plan, Goals and Strategies. This item was tabled.
- I. Discussion, consideration and possible action designating regular meeting location, dates and times until December 30, 2018. Jason Valdez stated that he wanted to hold off on setting a regular meeting date at this time. Possible other meeting locations were mentioned including Brady National Bank Meeting room and the Hospital Meeting Room. It was decided that the next meeting will be held on Thursday, October 11, 2018, at 6:00 p.m. This will be a joint meeting and will be held at the Brady Municipal Court Building.
- J. Future Agenda Items – Consider amending Articles of Incorporation.

## 74 ADJOURNMENT

There being no further business, President Jason Valdez adjourned the meeting at 9:19 p.m.

Attest: \_\_\_\_\_

**G. Rollie White Joint City-County Steering Committee Meeting**

**Held at Extension Office**

**Minutes**

**4:00 p.m. September 12, 2018**

- 1. Call to Order – 4pm;**  
Present – Justin Klinksiek, Sheila Van Zant, Jacque Behrens, Mike Probst, Kim Lenoir
- 2. Review and approve Minutes from August 22, 2018– Approved Unanimously**
- 3. Review Power Point Presentation prepared for public presentation at the Farmer and Rancher Appreciation Dinner– Justin Klinksiek**  
Members offered ideas for additional information, slides were very good in telling the story of the Master Plan for the GRW Complex.
- 4. Justin Klinksiek reviewed different grants that may be available for the “Friends of the GRW” to pursue. Members are asked to bring any other grants ideas to Justin K.**
- 5. Draft lease agreement from the City to FOGRW needs to be prepared. Kim Lenoir stated she would work on a draft lease for the committee to review.**
- 6. Set-up next meeting date – 1pm November 26, 2018 at Extension Office.**
- 7. Adjourn – 5:10pm**

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

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

The Charts below contain sales tax revenue allocated each month by the State Comptroller.

For example, the February allocations reflect December sales, collected in January and allocated in February.

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

- View Grid Based on Calendar Year

- View Grid With All Years

[Download to Excel](#)

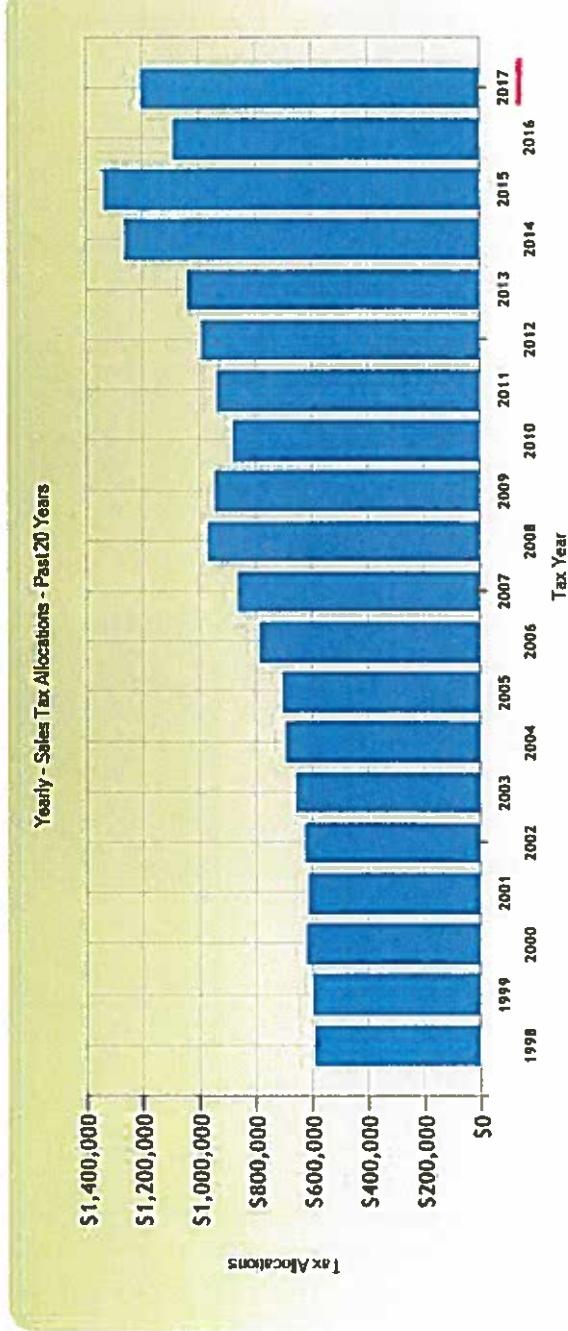
09/30/2019 



**By Fiscal Year 10/01 - 09/30 includes Collections dedicated to EDC**

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2019	\$108,700	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$108,700
2018	\$101,224	\$103,733	\$112,475	\$107,463	\$108,139	\$94,294	\$88,618	\$106,428	\$105,435	\$94,199	\$103,004	\$98,016	\$1,223,027
2017	\$87,306	\$91,161	\$89,413	\$100,033	\$109,289	\$86,358	\$97,988	\$101,730	\$86,536	\$97,051	\$103,953	\$100,236	\$1,151,056
2016	\$143,834	\$112,101	\$107,933	\$98,515	\$113,278	\$84,869	\$85,238	\$96,257	\$81,982	\$80,944	\$94,673	\$85,349	\$1,184,973
2015	\$113,438	\$115,026	\$128,575	\$118,282	\$127,008	\$90,659	\$99,414	\$119,166	\$107,160	\$99,436	\$107,394	\$106,966	\$1,332,523
2014	\$86,905	\$90,223	\$83,575	\$87,608	\$114,999	\$83,194	\$86,383	\$103,052	\$119,190	\$96,615	\$101,343	\$109,279	\$1,162,366
2013	\$81,575	\$84,095	\$78,857	\$88,594	\$108,399	\$69,954	\$76,038	\$92,661	\$84,448	\$82,176	\$91,353	\$87,852	\$1,026,002
2012	\$76,182	\$79,173	\$73,628	\$81,661	\$100,901	\$64,794	\$79,473	\$88,392	\$76,641	\$60,890	\$87,159	\$105,230	\$974,124
2011	\$78,998	\$93,104	\$65,476	\$83,507	\$93,953	\$70,399	\$72,121	\$81,841	\$76,174	\$71,819	\$84,522	\$71,003	\$942,918
2010	\$70,849	\$72,537	\$66,287	\$69,364	\$86,286	\$70,868	\$54,779	\$73,192	\$69,685	\$64,455	\$93,443	\$58,872	\$850,618

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

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**TO:** **MAYOR AND COUNCIL**

**FROM:** **FINANCE / UTILITY DEPARTMENTS**

**SUBJECT:** **MONTHLY CUSTOMER SERVICE REPORT**

**DATE:** **September 30, 2018**

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SERVICES	FISCAL YEAR 2018											
	October	November	December	January	February	March	April	May	June	July	August	September
Received Phone Calls	1359	1398	1237	1405	989	1352	1283	1268	1235	978	548	723
Returned Calls	79	68	82	83	69	79	84	61	52	64	56	66
Residential Apps	43	41	80	28	32	52	54	51	41	31	31	34
Commercial Apps	6	3	7	2	4	0	6	2	2	2	0	1
Service Orders	208	194	213	137	230	238	251	249	221	221	216	128
Utility Onsite Payments	1285	1260	1316	1268	1304	1314	1276	1268	1223	1232	1319	1099
Utility Mail Payments	728	673	748	875	685	755	770	738	667	757	698	701
Utility Online Payments	400	432	451	467	447	485	451	453	452	445	490	440
Utility Draft Payments	421	424	418	419	419	424	427	445	454	461	460	462

**SERVICE ORDER REPORT FY 17-18**

<b>TOTALS BY JOB CODE</b>		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
BTP - BULK TRASH PICKUP		1	0	1	0	0	0	1	3	0	1	0	0	7
CC - BRUSH CHIPPING		0	1	0	0	2	4	2	4	4	4	2	0	23
CHG - SERVICE CHANGE		10	1	5	2	2	5	2	4	2	3	0	0	36
CON - CONNECT SERVICE		30	58	65	19	23	28	32	29	22	25	22	19	372
DIS - DISCONNECT SERVICE		26	13	23	14	27	22	41	30	21	16	25	22	280
DMP - DUMPSTER SERVICE CHANG		0	6	3	5	4	1	1	2	2	1	3	2	30
EOUT - ELECTRIC OUTAGE		0	4	5	0	3	0	2	5	8	4	4	2	37
FD - FORCED DISCONNECT		47	22	25	26	36	49	49	54	46	46	62	37	499
GL - GAS LEAK		4	8	7	4	2	6	1	6	3	6	3	7	57
GOUT - GAS OUTAGE		1	0	0	1	0	0	0	0	0	0	0	0	2
MCE - ELECTRIC METER CHANGEOUT		5	2	2	1	0	1	2	3	3	1	5	7	32
MCG - GAS METER CHANGEOUT		1	0	0	2	1	2	0	3	1	2	1	5	18
MCW - WATER METER CHANGEOUT		7	7	5	7	6	5	6	5	3	11	2	1	65
MISC - MISCELLANEOUS		20	9	7	8	15	10	10	11	19	11	11	8	139
NONCO - NON COMPLIANCE CODE		0	0	1	1	0	0	0	0	0	0	0	0	2
NONPAY - DISCONNECT FOR NON PAY		22	12	20	11	18	16	31	15	11	10	21	25	212
PH - STREET POTHOLES		3	3	4	2	6	0	1	2	2	2	0	2	27
PL - PILOT LIGHT ON/OFF		5	2	5	2	2	0	1	2	1	0	1	0	21
PLY - POLYCART SVC CHANGE		32	35	41	31	39	47	44	41	33	29	27	19	418
PULL - PULL METER		20	4	15	12	2	18	11	7	12	18	10	0	129
RC - CHECK READ		33	47	39	44	61	38	30	44	47	50	49	53	535
REINS - REINSTATEMENT OF SERVICE		11	8	11	8	11	10	23	11	9	8	12	14	136
SBU - SEWER BACK UP		2	1	1	4	2	5	2	0	1	1	0	1	20
SC - STREET CUTS FOR TAPS		0	0	0	3	5	0	0	0	0	0	1	0	9
SL - SECURITY LIGHTS REPAIR		1	3	3	2	4	4	6	5	6	10	7	3	54
TT - TREE TRIMMING		2	0	0	0	1	0	1	0	1	0	0	0	5
WL - WATER LEAK		8	3	11	16	9	3	9	11	8	10	7	6	101
WOUT - WATER OUTAGE		0	0	0	2	2	1	1	0	0	4	1	2	13
<b>TOTAL ALL CODES</b>		291	249	299	227	283	275	309	297	265	273	276	235	3,279

<b>SERVICE ORDER DELEGATION BY GROUP</b>		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
CODE ENFORCEMENT		0	0	1	1	0	0	0	0	1	0	0	0	3
ELECTRIC		12	12	15	4	13	8	15	17	20	20	19	13	168
GAS		23	13	13	12	8	10	2	13	8	9	11	12	134
METER TECHNICIAN		200	166	204	138	187	186	221	198	171	178	198	175	2222
SOLID WASTE		32	41	44	36	43	48	45	43	35	30	30	21	448
STREETS		8	4	5	7	14	4	4	9	10	9	3	2	79
WATER		16	13	17	29	18	19	22	17	20	27	15	12	225
<b>TOTAL</b>		291	249	299	227	283	275	309	297	265	273	276	235	3,279

## RECONCILED OPERATING CASH / TOTAL UTILITY BILLINGS

Fiscal Year 17-18

## MOTEL OCCUPANCY TAX

### FY 2018 Quarter Totals

Due	Total
1st Quarter FY 18 (October - December 2017) - January 31, 2018	\$69,699.49
2nd Quarter FY 18 (January - March 2018) - April 30, 2018	\$68,539.08
3rd Quarter FY 18 (April - June 2018) - July 31, 2018	\$60,382.45
4th Quarter FY 18 (July - September 2018) - October 31, 2018	\$0.00
	<u><b>\$198,621.02</b></u>
Less: Texas Boll Weevill Eradication Foundation, Inc refund (1)	(\$6.37)
	<u><b>\$198,614.65</b></u>

### FY 2018 Summary Collections

	Taxable Receipts	Tax @ 7%	1% Discount	Net Tax
Holiday Inn Express - 2320 S Bridge 597-1800	\$1,493,583.66	\$104,550.86	\$1,045.51	\$103,505.34
Best Western - 2200 S. Bridge 597-3997	\$775,204.06	\$54,264.28	\$542.64	\$53,721.64
Sunset Inn - 2108 S. Bridge 597-0789	\$322,559.82	\$22,579.19	\$225.79	\$22,353.40
Gold Key Inn - 2021 S Bridge 597-2185	\$235,018.95	\$16,451.32	\$164.45	\$16,286.86
Brady Motel - 603 W. Commerce 597-2442	\$34,118.53	\$2,388.28	\$23.86	\$2,364.42
Tenpenny Adventures, LLC - 207 W 13th 597-2602	\$1,902.00	\$133.11	\$1.33	\$131.78
Trucountry Inn - 202 W.Main 800-371-4121	\$3,703.00	\$259.21	\$1.62	\$257.59
	<b><u>\$2,866,090.02</u></b>	<b><u>\$200,626.24</u></b>	<b><u>\$2,005.21</u></b>	<b><u>\$198,621.02</u></b>

### FY 2018 Grants

	Commitment	YTD Distributions	Payment Date
Chamber of Commerce	\$165,000.00	\$165,000.00	Monthly thru 9/01/18
Chamber of Commerce - Visitor Assessment	\$18,000.00	\$18,000.00	1/12/2018
Chamber of Commerce - Event transportation	\$4,800.00	\$0.00	
Civic Center - furniture		\$25,616.35	6/21/2018
HOT Museum	\$10,000.00	\$10,000.00	8/15/2018
TruCountry	\$10,000.00	\$9,000.00	8/30/2018
Annual Hotel Administrative Fee & Audit-MuniServices	\$2,200.00	\$2,200.00	9/30/2018
<b>YTD Total</b>	<b><u>\$210,000.00</u></b>	<b><u>\$229,816.35</u></b>	
<b>2018 Budget</b>	<b><u>\$275,000.00</u></b>		

(1) TBWEF is a State Agency that is eligible for a refund of local hotel occupancy tax (Tax Code Section 156.103(b) & (c) and 156.154 )

### HISTORICAL COLLECTION / PAYOUT HISTORY

	2017	2016	2015	2014
% CHANGE	40.91%	-12.54%	4.17%	19.35%
COLLECTONS	\$291,037.90	\$206,535.69	\$236,148.85	\$226,685.90
GRANTS	(\$219,786.14)	(\$224,778.00)	(\$185,750.00)	(\$226,685.90)
FUND BALANCE	<u>103,408.30</u>	<u>32,156.54</u>	<u>50,398.85</u>	<u>0.00</u>

SERVICES	FISCAL YEAR 2017-2018												
	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APR.	MAY	JUNE	JULY	AUG.	SEPT.	To Date Total
Days Meals Served	21	19	19	21	19	21	21	22	21	21	23	19	247
Average Daily Meals	90	87	82	78	80	79	77	81	84	88	88	81	
Meals @ Sunset Center	782	682	609	631	577	671	631	747	763	745	793	554	8,185
Meals sent-Helping Hands	263	212	215	237	240	240	237	232	259	226	249	188	2,798
Home Delivered Meals	855	759	728	765	702	757	748	809	747	886	991	805	9,552
Total Meals	1,900	1,653	1,552	1,633	1,519	1,600	1,616	1,700	1,769	1,857	2,033	1,547	20,535
Closed Oct. 10 for Inservice										Closed Sept. 3 (Labor Day)			
Closed Nov. 23rd & 24th for Thanksgiving										Closed Sept. 3 (Labor Day)			
Closed Dec. 22nd & 25th for Christmas							Closed July 4th			Changes in Clients, either into Nursing home/rehab or on temp. leave resulting in 95 less meals			
Closed Jan. 1st - New Years Day, 15th - Inservice													

## Detail Pay Type Analysis

## Receipts by Sale type - Closeout (1)

From: 09/01/2018 - 12:00:00 am To: 09/30/2018 - 11:59:59 pm

Category:	Qty	Member Charge	Cash	Credit Card	Credit Book	Check	Gift Cert	Other	Total
<b>Club Business:</b>									
<b>Department: Range Balls</b>									
Large Bucket	16	0.00	60.00	20.00	0.00	0.00	0.00	0.00	80.00
Small Bucket	16	0.00	30.00	18.00	0.00	0.00	0.00	0.00	48.00
<b>Range Balls Totals:</b>	<b>32</b>	<b>0.00</b>	<b>90.00</b>	<b>38.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>128.00</b>
Tax:		0.00	7.43	3.14	0.00	0.00	0.00	0.00	10.57
Total:		0.00	97.43	41.14	0.00	0.00	0.00	0.00	138.57
<b>Department: Cart Fees</b>									
1/2 Cart	75	0.00	412.50	487.50	0.00	37.50	0.00	0.00	937.50
Full Cart	10	0.00	140.00	100.00	0.00	0.00	0.00	0.00	240.00
<b>Cart Fees Totals:</b>	<b>85</b>	<b>0.00</b>	<b>552.50</b>	<b>587.50</b>	<b>0.00</b>	<b>37.50</b>	<b>0.00</b>	<b>0.00</b>	<b>1,177.50</b>
Tax:		0.00	45.55	48.41	0.00	3.09	0.00	0.00	97.05
Total:		0.00	598.05	635.91	0.00	40.59	0.00	0.00	1,274.55
<b>Department: Green Fees</b>									
Weekday (Tue-Thu)	26	0.00	135.00	255.00	0.00	0.00	0.00	0.00	390.00
Weekend (Fri-Sun & Hol)	35	0.00	260.00	438.00	0.00	0.00	0.00	0.00	698.00
Member Round	38	0.00	120.00	102.00	0.00	6.00	0.00	0.00	228.00
Senior	24	0.00	188.00	50.00	0.00	0.00	0.00	0.00	238.00
Youth-Non Member	4	0.00	8.00	8.00	0.00	0.00	0.00	0.00	16.00
<b>Green Fees Totals:</b>	<b>127</b>	<b>0.00</b>	<b>711.00</b>	<b>853.00</b>	<b>0.00</b>	<b>6.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,570.00</b>
Tax:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:		0.00	711.00	853.00	0.00	6.00	0.00	0.00	1,570.00
<b>Department: Trail Fees</b>									
Non Shed Member	11	0.00	4.00	40.00	0.00	0.00	0.00	0.00	44.00
<b>Trail Fees Totals:</b>	<b>11</b>	<b>0.00</b>	<b>4.00</b>	<b>40.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>44.00</b>
Tax:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:		0.00	4.00	40.00	0.00	0.00	0.00	0.00	44.00
<b>Department: Vending (taxable)</b>									
Sodas	72	0.00	87.36	62.40	0.00	0.00	0.00	0.00	149.76
Sports Drinks	111	0.00	141.44	89.44	0.00	0.00	0.00	0.00	230.88
Candy	40	0.00	48.60	16.20	0.00	0.00	0.00	0.00	64.80
Ice	47	0.00	74.88	22.88	0.00	0.00	0.00	0.00	97.76
<b>Vending (taxable) Totals:</b>	<b>270</b>	<b>0.00</b>	<b>352.28</b>	<b>190.92</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>543.20</b>
Tax:		0.00	28.78	15.62	0.00	0.00	0.00	0.00	44.40
Total:		0.00	381.06	206.54	0.00	0.00	0.00	0.00	587.60
<b>Department: City of Brady Merchandise</b>									
Ball Markers	1	0.00	0.00	3.00	0.00	0.00	0.00	0.00	3.00
<b>City of Brady Merchandise Totals:</b>	<b>1</b>	<b>0.00</b>	<b>0.00</b>	<b>3.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.00</b>
Tax:		0.00	0.00	0.25	0.00	0.00	0.00	0.00	0.25
Total:		0.00	0.00	3.25	0.00	0.00	0.00	0.00	3.25
<b>Department: Vending (non taxable)</b>									
Water	98	0.00	72.00	27.00	0.00	0.00	0.00	0.00	99.00
Other	303	0.00	371.75	511.94	0.00	18.00	0.00	0.00	901.69
Deli Express	23	0.00	44.11	34.91	0.00	0.00	0.00	0.00	79.02
<b>Vending (non taxable) Totals:</b>	<b>424</b>	<b>0.00</b>	<b>487.86</b>	<b>573.85</b>	<b>0.00</b>	<b>18.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,079.71</b>
Tax:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:		0.00	487.86	573.85	0.00	18.00	0.00	0.00	1,079.71
<b>Department: Member Payments</b>									
Payment Received	21	0.00	215.00	1,100.00	0.00	1,165.00	0.00	0.00	2,480.00
Payment Applied	-21	(2,480.00)	0.00	0.00	0.00	0.00	0.00	0.00	(2,480.00)
<b>Member Payments Totals:</b>	<b>0</b>	<b>(2,480.00)</b>	<b>215.00</b>	<b>1,100.00</b>	<b>0.00</b>	<b>1,165.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Tax:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:		(2,480.00)	215.00	1,100.00	0.00	1,165.00	0.00	0.00	0.00

## Detail Pay Type Analysis

## Receipts by Sale type - Closeout (1)

From: 09/01/2018 - 12:00:00 am To: 09/30/2018 - 11:59:59 pm

Category:	Qty	Member Charge	Cash	Credit Card	Credit Book	Check	Gift Cert	Other	Total
<b>Club Business:</b>									
<b>Club Business Totals:</b>		(2,480.00)	2,412.64	3,386.27	0.00	1,226.50	0.00	0.00	4,545.41
Tax:		0.00	81.76	67.42	0.00	3.09	0.00	0.00	152.27
Total:		(2,480.00)	2,494.40	3,453.69	0.00	1,229.59	0.00	0.00	4,697.68
<b>Report Totals</b>		(2,480.00)	2,412.64	3,386.27	0.00	1,226.50	0.00	0.00	4,545.41
Tax:		0.00	81.76	67.42	0.00	3.09	0.00	0.00	152.27
Total:		(2,480.00)	2,494.40	3,453.69	0.00	1,229.59	0.00	0.00	4,697.68

# September (2018) Monthly Member Count

Members - 300

Non Members - 127

Youth Member - 0

Youth Non Member - 4

The Tres Amigos Tournament - 150

Players. Saturday & Sunday 15-16

BGA Hully Gullys every Tuesday and Sunday. Approximately 20-25 each Tuesday or Sunday

BNB/Brady VFD Maintenance Fund

Date	Payer	Description	Amt	Ck #	Recurring Payment	Other Comments
Sep-18						
9/6/2018	CTTC	Tower Lease	25.00	EFT	X	Tower Lease
9/14/2018	Hoginbotham	Paint & Supplies	300.73	225		Paint and Supplies
9/21/2018	Napa	Batteries	244.90	226		2 Batteries
9/5/2018	Deposit	City of Brady	1,000.00			Expense Check for Month of September
9/5/2018	Deposit	Refund for Truck Deposit	27,558.00			Refund Check for Deposit on New Engine

10/1/2018

do

## Code Enforcement Monthly Case Load FY 2018

## Violations

Violation	FY 16	FY 17
Background Info Cases	26	13
Building Code Violations	14	3
Dangerous Premises	16	14
Depositing, Dumping, Burning	12	8
Home Occupation Violation	2	0
Junk and Unsightly Matter	80	115
Junked Vehicle	37	47
Minimum Housing Standards	3	2
Noise Prohibited, Animals		
Non-Residential Open Storage	10	11
Obstruction of Drainageway	4	0
Permit Required	10	2
Pool Enclosure	1	4
Posting Signs on Poles		0
Posting Signs on Public Property		0
Acc. Bldg. prohibited in front yd		0
Refrigerators and Air Tight Containe	7	5
Residential Open Storage	18	19
Residential Setbacks	6	0
Residential RVs - No Residence	8	3
Sight Visibility	4	12
Unsanitary Conditions	15	16
Weeds and Vegetation	187	112
Zoning Ord. Use Regs Violations	1	0
<b>Monthly Totals</b>	<b>461</b>	<b>386</b>

Oct.	Nov.	Dec.	Jan	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Totals
2	1	1	2									6
1	2			1	2							6
5	1	5	1				2	1			2	17
		1			1		2	1				5
												0
5	2	21		7	3	1	5	6	5	7	3	65
4	1	2	1	1	1	1	4	2	2	1		20
3	9				1		1	1				15
												0
												0
												0
1												1
		1										1
												0
												0
1												1
1	1								1			3
		1										1
1												1
												0
		3		1	1	1		1	1			8
9	3	5	1	6	1		2	1		17	4	49
	1	1										2
32	23	40	5	16	10	3	16	13	9	25	9	201

## Cases

Open Cases at the start of month	305	
Complaints	209	82
Pro-Active - Self Initiated	85	145
Total New Cases	294	242
Closed Cases	521	248
Citations		43
Open Cases at the end of month	78	

45	51	44	56	56	57	65	60	68	41	49	67	
13	4	10	3	16	4	0	9	6	0	0	0	65
5	5	15	0	3	3	0	2	2	6	18	4	63
18	9	25	3	14	9	0	11	9	7	18	4	127
12	17	13	3	13	1	5	3	37	0	0	0	104
5	3	3	5	1	1	0	0	0	0	1	0	19
51	44	56	56	57	65	60	68	40	48	67	71	683

## Utility Inspections

31	27	24	19	19	19	24	25	11	18	11	10
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10/11/2018  
SD.

**Building Permit Department  
Monthly Report  
FY 2018**

Item	FY 16	FY 17		Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Total
Commercial Addition	2	4									1	1	2			4
Commercial Electrical	16	15		2			2	1				1	1	1	1	9
Commercial Gas	6	14		2		1										3
Commercial Mechanical/HVAC	7	6										2	2	1		5
Commercial Plumbing	10	8							2			2	4	1	1	10
Commercial Remodel	3	6									2			1		3
Commercial Demolition	6	3						1								1
Commercial Sign		12		1						2	1	1				5
Commercial Screening	2	1														0
Commercial Cert of Occupancy					1	1		1	1		1	1				6
Customer Service Inspection		1										2	2	2		6
PZ-Zoning Request	3	0			2	2	1	1								6
Driveway/ Curb Cut		1										2				2
Residential Accessory Bldg.	11	17		3	1	1						1				6
Residential Additions	5	8						1		1	1				2	1
Residential Demolition-Owner							1									1
Residential Demolition-City																
Residential Electrical	38	78		3	7	3	5	4	3	2		5	3	9	7	51
Residential Fence	12	13		1	2		2	1	3	1	1					11
Residential Gas	66	61		3	2		1		1		6	1	1		1	16
Residential Mechanical/HVAC	11	4			2					1	1	1		4	3	12
New Residential Bldg									1			1	1			3
Residential Plumbing	18	24			4	1		4	6	2	1	1	3	6	3	31
Residential Remodel	1	5		1	1			1				2		1	1	7
Special Use	7	8			1		1	1	1	4		1	1			10
<b>Monthly Total</b>	<b>224</b>	<b>289</b>		<b>16</b>	<b>23</b>	<b>10</b>	<b>13</b>	<b>16</b>	<b>18</b>	<b>13</b>	<b>14</b>	<b>24</b>	<b>19</b>	<b>29</b>	<b>18</b>	<b>213</b>

**CITY OF BRADY****SEWER TREATMENT DIVISION****Quarterly Report: July 2018 – Sept. 2018****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 circa 1960's and repurposing of existing structures over several decades with one (1) major upgrade in late 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 -****CW#73638-LF1000019 \$1,441,990.00****CW#73638-CO 2012-L1000011 \$1,210,000.00**

Year	Revenue 30-4-25-685.01	Expenditures 30-5-25-285.01	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	\$2,729.44	\$677,404.49	\$21,208.94
2017-2018	\$311.12	\$18,249.00	\$0.00

Year	Revenue 30-4-25-685.00	Expenditure 30-5-25-285.00	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	\$6,236.34	\$25,012.00	\$1,141,501.69
2017-2018	\$10,215.21	\$448,606.42	\$703,110.48

## CITY OF BRADY

## SEWER TREATMENT DIVISION

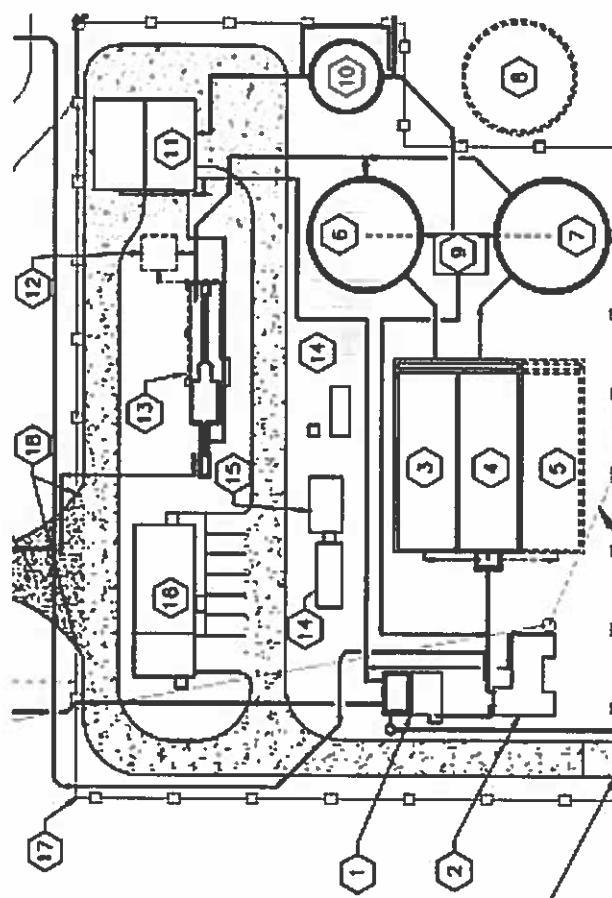
### Contract Assignments -

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

<u>PHASE I ENGINEERING SERVICES</u>	
Original Contract Commitment	<b>\$ 381,410.50</b>
Contract Amendment 12-10-2015	<b><u>(\$ 41,438.00)</u></b>
Current Contract Commitment	<b>\$ 339,972.50</b>
Basic Services: Permits & Environmental	\$136,590.00
Basic Services: Preliminary Design	\$584,779.00
Special Services: Survey	\$ 10,409.00
Special Services: Geotechnical	<b><u>\$ 26,607.00</u></b>
Add Services – Sensitivity Analysis	<b>\$758,385.00</b>
Final Contract Amount	<b><u>\$ 4,285.62</u></b>
	<b><u>\$763,170.62</u></b>

### Status -

FNI submitted 60% phased plans & specifications on July 31, 2018 delineating final treatment arrangements of structures and basins, as shown.



<u>PHASE II ENGINEERING SERVICES</u>	
Basic Services: Permits & Environmental	\$136,590.00
Basic Services: Preliminary Design	\$584,779.00
Special Services: Survey	\$ 10,409.00
Special Services: Geotechnical	<b><u>\$ 26,607.00</u></b>
Spcl. Svcs: Survey Services	<b>\$1,007,885.00</b>
Spcl. Svcs: Geotechnical	<b>\$ 1,575.00</b>
Total Fee Basis:	<b><u>\$ 49,130.00</u></b>
	<b><u>\$1,058,560.00</u></b>

<u>PHASE III ENGINEERING SERVICES (100%)</u>	
Basic Svcs.: Funding Asst.	\$ 34,301.00
Basic Svcs.: Proj.Mgmt. & Final Design	\$ 939,692.00
Basic Svcs: Bid Management	<b><u>\$ 33,862.00</u></b>
Spcl. Svcs: Survey Services	<b>\$1,007,885.00</b>
Spcl. Svcs: Geotechnical	<b>\$ 1,575.00</b>
Total Fee Basis:	<b><u>\$1,058,560.00</u></b>

## CITY OF BRADY

## SEWER TREATMENT DIVISION

Interim design capacity is 600,000 gal/day (avg.) with a future permitted flow of 990,000 gal/day including an approximate 2-hr peak flow of 2.75 M.G.D. Upon start-up of the new WWTP the existing facility will be abandoned and secured. Important funding application with Texas Water Development Board is being compiled under the Clean Water State Revolving Fund an approximate amount of \$14,700,000.00.

### Current milestone dates –

90% Design Plans - January 11, 2019  
TWDB Approval for Bid - June 12, 2019  
Bidding Award - November 2019  
Construction Phase: December 2019 to November 2021

<b>TWDB 1201 FORM</b>	
<b>Construction</b>	<b>\$13,000,000</b>
<b>Subtotal Construction</b>	
<b>Basic Engineering Fees</b>	
<b>Subtotal Basic Engineering Fees</b>	<b>\$250,000</b>
<b>Special Services</b>	
<b>Subtotal Special Services</b>	<b>\$752,000</b>
<b>Subtotal Other Services</b>	<b>\$37,000</b>
<b>Fiscal Services</b>	
<b>Subtotal Fiscal Services</b>	<b>\$344,068</b>
<b>Contingency</b>	
<b>Subtotal Contingency</b>	<b>\$301,932</b>
<b>TOTAL COSTS</b>	<b>\$14,685,000</b>

**CITY OF BRADY****WATER TREATMENT DIVISION****Quarterly Report: July 2018 – Sept. 2018****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**

TWDB #10447 – EDAP 2015			TWDB #62545 DW – CO 2013			TWDB #62545 – DW - LF		
Year	Expenditures	Revenues	Ending Balance	Expenditures	Revenues	Ending Balance	Expenditures	Revenues
2013-2014	0.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00	0.00
2014-2015	\$129,636.61	\$1,804,000.00	\$1,674,363.39	\$51,562.41	\$350,000.00	\$298,437.59	196,246.00	\$3350,000.00
2015-2016	\$938,380.00	\$122.30	\$736,105.69	\$292,237.59	0.00	\$6,200.00	153,754.00	0.00
2016-2017	\$393,915.00	\$2,949.97	\$345,140.67	\$6,200.00	\$7.97	\$7.97	0.00	0.00
2017-2018	\$179,333.39	\$3,075.59	\$168,882.87	0.00	0.00	\$7.97		

**CITY OF BRADY****WATER TREATMENT DIVISION****Current Status -**

Project improvements comprises of four major contracts: Contract A (tanks), B (pipelines), C (treatment) & D (storage)

TWDB 1201 FORM (utilize for DWSRF funding application submitted 9/14/2018)

EDAP-DWSRF PROJECT BUDGET - City of Brady						
Uses	EDAP Grant	DWSRF Loan	DWSRF Loan Forgiveness	DWSRF Urgent Need	TWDB Cost	Other Funds
<b>Construction</b>						
<b>Subtotal Construction</b>	<b>\$12,571,000</b>	<b>\$7,997,000</b>	<b>\$3,994,000</b>	<b>\$699,000</b>	<b>\$25,261,000</b>	<b>\$0</b>
<b>Basic Engineering Fees</b>						
<b>Subtotal Basic Engineering Fees</b>	<b>\$279,000</b>	<b>\$0</b>	<b>\$0</b>		<b>\$279,000</b>	<b>\$0</b>
<b>Special Services</b>						
<b>Subtotal Special Services</b>	<b>\$440,000</b>	<b>\$0</b>	<b>\$0</b>		<b>\$440,000</b>	<b>\$0</b>
<b>Other</b>						
<b>Subtotal Other Services</b>	<b>\$54,000</b>	<b>\$0</b>	<b>\$0</b>		<b>\$54,000</b>	<b>\$0</b>
<b>Fiscal Services</b>						
<b>Subtotal Fiscal Services</b>	<b>\$31,000</b>	<b>\$306,274</b>	<b>\$6,000</b>	<b>\$ 1,000</b>	<b>\$344,274</b>	<b>\$0</b>
<b>Contingency</b>						
<b>Subtotal Contingency</b>	<b>\$0</b>	<b>\$2,526,726</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,526,726</b>	<b>\$0</b>
<b>TOTAL COSTS</b>	<b>\$13,375,000</b>	<b>\$10,830,000</b>	<b>\$4,000,000</b>	<b>\$700,000</b>	<b>\$28,905,000</b>	<b>\$0</b>

Project improvements comprises of four major contracts: Contract A (tanks), B (pipelines), C (treatment) & D (storage)

CITY OF BRADY

**EDAP**  
Economically Distressed Areas Program  
**SFY 2018/2019 Prioritization**

9/4/2018

WATER TREATMENT DIVISION

Rank	TWDN Project Number	Entity	Project	Prioritization Criteria				Tidewater			
				Planning: A, B, C Complete (a)	Planning: D Complete (a)	Design Complete	Acquisition Complete	Prior EDAP Funding (for this Project)	Estimated Total EDAP Cost to Date (including prior EDAP with the \$13,175,000 limit) (c)	Number of Residential Connections	EDAP Cost per Connection
1	10447	Brady City of	Brady Reduction Groundwater Treatment	\$ 29,664,000	Yes	Yes	Yes	\$ 1,894,000	\$ 15,179,000	2,300	\$ 6,600
2	10438	El Paso Water Utilities Public Service Board	Montana Vista Wastewater System	\$ 42,648,054	Yes	Yes	Yes	\$ 2,338,016	\$ 16,213,016	800 (b)	\$ 20,266
3	10418	Beaver Creek Water Control and Improvement District No. 1	First-Time Water Service	\$ 6,486,462	Yes	Yes	Yes	\$ 533,862	\$ 7,020,324	301	\$ 23,323
4	10366	Kent County	Center Point Wastewater System	\$ 13,400,000	Yes	Yes	Yes	\$ 14,293,118	\$ 27,668,118	700	\$ 39,526
5	10459	Mission City of	Northwest Sewer Service	\$ 5,104,000	Yes	Yes	No	\$ 579,000	\$ 5,683,000	652	\$ 4,585
6	10445	North Alamo Water Supply Corporation	North Wedico Colonias Wastewater System	\$ 15,854,000	Yes	Yes	No	\$ 1,568,000	\$ 14,941,000	752	\$ 19,871
7	10421	Menard City of	Surface Water Treatment Plant	\$ 2,788,000	Yes	No	No	\$ 92,570	\$ 2,880,570	679	\$ 4,242

**CITY OF BRADY****ELECTRIC DISTRIBUTION DIVISION****Quarterly Report: July 2018 – Sept. 2018****Airport O.H. Power Line Replacement, Section 1****Descriptions and Summaries –**

Project Limits: US190E north to near South Ave. at approx. 2,800 L.F.

Complete replacement of poles, conductors, guys and insulators. This proposed project will improve the reliability of electrical service to the airport. This power line improvement is an outcome of continuous customer complaints of poor electric service especially from LOADCRAFT, an industrial business at the Curtis Airfield.

Contractor: Techline Construction, LLC (field installation)  
Techline, Inc. (materials)

Award: August 7, 2018

Contractor mobilization to Brady expected November 2018.

**Funding descriptions -**

FY18 Approved Projects, Total	\$377,600.00	Capital Outlay – Projects 20-5-22-401.00
Completed Projects, Total	<u>\$220,535.00</u>	
Estimated Balance Remaining	\$157,065.00	
Proposed Airport Feed Section 1	\$65,080.00	<b>Techline Construction, LLC</b>
Proposed Airport Feed Section 1	<u>\$25,070.15</u>	<b>Techline, Inc.</b>
Proposed Award, Total	<b>\$90,150.15</b>	

**Quarterly Report: July 2018 – Sept. 2018**

**Old Power Plant Site – Closure**

**900 West 1<sup>st</sup> Street**  
TCEQ SWR No. **84607**  
TCEQ Customer No.: **CN600249866**  
Regulated Entity No: **RN103030292**  
TCEQ Docket No.: **1996-1637-IIHW-E**  
SOAH Docket No.: **582-96-2370**

**Project Status –**

- July 16, 2018 TCEQ delivered correspondence approval an **Affected Property Assessment Report (APAR)** confirming Apex-TITAN assessment of 'stability' of contaminants present in Class 2 groundwater at the old power plant site. Class 2 groundwater is applied to this site for the type of contamination present in the soil interfacing with groundwater-bearing unit.
- Approval of the APAR triggered implementation of a Response Action Plan for establishing a plume management zone. This work effort will allow the city to establish a deed record for the property disallowing water wells and establish minimum protocols for the future.
- Response Action Plan – underway. Document is a TCEQ form worksheet of approximately 20 pages consisting of questions and requests for documents and responses. Evaluation is underway.

**Assignments -**

**Purchase Order No. 14-02134, \$19,300.00 APAR Development & Submission & Response Action Plan**

Apex-TITAN, Inc.  
6410 Southwest Boulevard, Ste. 104  
Fort Worth, TX 76109  
[www.apexcos.com](http://www.apexcos.com)

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

**Budget Information -**

**Clean-up Costs Acct. No. 20-5-21-251.00**

**Professional Fees Acct. No. 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
2017-2018	\$123.00	10,000.00	35,000.00
<b>TOTALS</b>			<b>\$201,500.61</b>

Year	Activity	Original Budget	Ending Budget
2001-2002		\$82,183.71	50,000.00
2002-2003		\$1,815.00	10,000.00
2003-2004		\$10,108.67	0.00
2004-2005		\$76,105.67	6,500.00
2005-2006		\$62,342.38	30,000.00
2006-2007		\$26,898.71	50,000.00
2007-2008		\$6,483.44	50,000.00
2008-2009		\$4,799.32	10,000.00
2009-2010		\$4,278.99	5,000.00
2010-2011		\$1,211.60	5,000.00
2011-2012		\$1,977.19	3,000.00
2012-2013		\$7,365.37	1,000.00
2013-2014		\$6,784.13	2,000.00
2014-2015		\$5,121.73	4,000.00
2015-2016		\$18,212.14	7,000.00
2016-2017		\$20,506.41	37,000.00
2017-2018		\$19,151.20	\$25,000.00
<b>TOTALS</b>			<b>\$355,345.46</b>

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

<b>Project Status Report:</b>	<b>Brady Lake Boating Access Grant</b> Grant Project Deadline:	<b>October 2018</b> June 30, 2019
<b>Budget Information:</b>	TPWD Funds: <u>COB:</u> <u>TOTAL:</u>	\$127,238.00 \$ 42,413.00 \$169,651.00
<b>Expenditures:</b>	KSA Planning and Design: Weststar Construction:	\$ 17,317.50 \$100,000.00
<b>Contract Assignments:</b>		
<b>Engineer:</b>	KSA Contracted:	June 16, 2014
<b>Contractor:</b>	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 has been completed.

At this time no further action is anticipated unless lake level drop significantly. TPWD has granted an extension of 1 year until June of 2019 to complete the project in case the lake lowers to a level sufficient to complete the project.

<b>Start Date / Completion Date:</b>	Planning Start:	June 2014
	Design Completion:	October 2015
<b>Major Activities:</b>		
	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
	Extension granted by TPWD	June 25, 2018

**Next Steps:** Final Inspection and Close-out Project by TPWD: January 2019

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

**Project Status Report:** **Brady Lake Fish House Redevelopment Project October 2018**

**Budget Information:** **Brady Economic Development Corporation (BEDC) \$ 65,256.00**  
**City of Brady \$ 7,000.00**

**Expenditures:** **BEDC Funds to Date for Fish House: \$ 62,383.70**

**Contract Assignments:** **Engineer: KSA Contracted: June 16, 2014**  
**Contractor: Docks of Texas – Fish House**

**Project Description:** In 2008, the citizens of Brady approved the use of 4A Economic Development Funds for a 4B-Type project 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. Staff has attempted to notify the contractor that they are in breach of contract via phone, e-mail and certified letter. The letter was returned unclaimed. Staff is seeking new contractors to anchor and insulate the fish house.

Staff has been unable to find a contractor willing to finish the construction so is acting as the general contractor. Flotation for the ramp has been received and the structure insulated. Welding of the ramp and installation of the flotation should be completed in July. Once these steps are complete, the fish house can be moved into final position and anchored. The anchors are already installed on the shoreline.

<b>Start Date / Completion Date:</b>	<b>Planning Start: June 2014</b>
	<b>Design Completion: October 2015</b>
<b>Major Activities:</b>	<b>Project Bid September: November 4, 2015</b>
	<b>Bids Opened: December 16, 2015</b>
	<b>Contracted with Docks of Texas: February 8, 2016</b>
	<b>Demolition of Old Fish House Begun: March 14, 2016</b>
	<b>Contractor notified in Breach November 2017</b>
	<b>Initiated contact with contractors to November 2017</b>
	<b>Finish work June 2018</b>
	<b>Spray Foam Installed June 2018</b>
	<b>Welding of Ramp begun July 2018</b>
	<b>Installation of Floatation July/Aug 2018</b>
	<b>Permanent Anchoring of Fish House September 2018</b>
	<b>Complete New Fish House:</b>

Type A EDC Donated the Fish House to the City of Brady on 9-27-18

**BEDC Fish House Project is closed – Fish House was damaged in a rain storm and PPM is working with TML Insurance and Docks of Brownwood to make repairs.**

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

**Project Status Report:** **Richards Park Improvements Grant** **October 2018**  
Grant Project Deadline: **June 30, 2019**

**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:** Luck Design Group **\$ 72,296.00**

**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 was completed in April and in May the project was released for bid. Three companies submitted bids with Westar Construction of Georgetown being the low bid. Bids were all over budget so a town hall was held on June 19, 2018 to determine priorities. Council directed staff to proceed with a construction budget of \$1,260,000. On July 3, 2018, council voted to reject all bids and directed staff to complete the project with the original budget of \$811,000.

**Start Date / Completion Date:** **2016/2019**

**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**  
Selected Landscape Architect: **February 7, 2017**  
Town Hall Meeting: **June 19, 2017**  
Design Completed **February 2018**  
Project Bid **May 2018**  
Town Hall Meeting **June 19, 2018**  
Awarded Texas – Chem Buyboard Bid to rebuild F#1 & 2 – August 2018  
Awarded Musco Lighting Buyboard Bid – September 2018

**Next Steps:** Bid and Award Concrete Flatwork – Dec 2018  
City staff complete parking and trail work – Winter/Spring 2019  
Complete Construction: **June 2019**

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

<b>Project Status Report:</b>	<b>Willie Washington Park Improvements</b>	<b>October 2018</b>
	<b>Grant Project Deadline:</b>	<b>June 30, 2019</b>
<b>Budget Information:</b>	<b>TPWD Funds: August 20, 2015</b>	<b>\$ 75,000.00</b>
	<b>COB:</b>	<b>\$ 75,000.00</b>
	<b>TOTAL:</b>	<b>\$150,000.00</b>
<b>Expenditures:</b>	<b>Ross Surveying</b>	<b>\$ 2,750.00</b>
	<b>T'Byrds sign shop</b>	<b>\$ 256.00</b>
	<b>T.F. Harper</b>	<b>\$139,932.75</b>
	<b>TOTAL</b>	<b>\$142,938.75</b>
<b>Contract Assignments:</b>		
<b>Construction:</b>	<b>T. F. Harper &amp; Associates, L.P.</b>	<b>March 28, 2017</b>

**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 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 has been installed. The Electrical Utilities Division has put the overhead electrical, underground and installed new lights. Irrigation installation was completed in September. Staff needs to install plants and signage in a new sign bed.

**Start Date / Completion Date:** **Feb 17, 2016 / June 30, 2019**

<b>Major Activities:</b>	<b>Grant Awarded by TPWD:</b>	<b>August 20, 2015</b>
	<b>Field Visit by TPWD:</b>	<b>September 28, 2015</b>
	<b>Contract with TPWD Signed:</b>	<b>February 17, 2016</b>
	<b>Present Potential Playground Styles to Neighborhood:</b>	<b>November 22, 2016</b>
	<b>Ordered Engineering Survey of Park:</b>	<b>November 30, 2016</b>
	<b>Sent Request for Proposals:</b>	<b>March 3, 2017</b>
	<b>Received Proposals:</b>	<b>March 22, 2017</b>
	<b>Presented Proposals to Neighborhood:</b>	<b>March 27, 2017</b>
	<b>Presented Proposal to City Council:</b>	<b>March 28, 2017</b>
	<b>Begin Construction/Remove Equipment:</b>	<b>May 2017</b>
	<b>Playground/Benches/shade Installed:</b>	<b>June/July 2017</b>
	<b>Electrical moved underground</b>	<b>December 2017</b>
	<b>Installed Irrigation:</b>	<b>September 2018</b>
<b>Next Steps:</b>	<b>Install Landscaping</b>	<b>Spring 2019</b>
	<b>Final Inspection/Dedication</b>	<b>Spring 2019</b>

## **CITY OF BRADY**

## **COMMUNITY SERVICES DEPARTMENT**

Project Status Report: Stanburn Park (Lt. Daniel R. Conway) Improvements Oct 2018

Project Deadline: Fall 2019

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

**Expenditures:**      Playground      T.F. Harper      \$ 29,999.85

### **Contract Assignments:**

**Engineer:** Not Required

**Contractor:** Playground T.F. Harper

\$ 29,999.85

**Project Description:** The City of Brady (COB) has received a request by a private company, Fairmount Santrol (now Covia) to install improvements at Stanburn Park. The desired improvements include updating the tennis courts and converting them 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. The new playground was installed in February and staff worked to improve the surface of the court area. Projects still anticipated in the park are updating the lighting, installing a second basketball goal and painting the court surface, installing trees and a drip irrigation system for them, and adding bleachers to the basketball court. Staff is working on a design for the new name sign and commemorative plaque.

On October 6, 2018 Covia Sand Plant planted 3 new live oak trees, added irrigation to all trees in the park, and gave away 100 trees to the public within 30 minutes.

**Start Date / Completion Date:** 2015/2019

<b>Major Activities:</b>	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
	Current Dedicated Funds-\$50,000:	May 3, 2017
	Playground Design Requests Made:	June 2017
	Met with Donors Representative on Playground Design:	September 2017
	Selected Playground:	December 2017
	Installed Playground:	February 16, 2018
	Repair Courts:	February 2018
	Trees and Irrigation	Oct 6 2018

<b>Next Steps:</b>	Update Lighting	Winter 2018
	Bleachers and Basketball Goal	Winter 2018
	Rededication:	TBD

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

<b>Project Status Report:</b>	<b>Curtis Field Airport Master Plan</b>	<b>October 2018</b>
	Grant Project Deadline:	August 31, 2019
<b>Budget Information:</b>	<b>TxDOT Aviation Funds:</b>	<b>\$180,000.00</b>
	<b>COB:</b>	<b>\$ 20,000.00</b>
	<b>TOTAL:</b>	<b>\$200,000.00</b>
<b>Expenditures:</b>	<b>COB</b>	<b>\$19, 935.00</b>
<b>Contract Assignments:</b>		
<b>Engineer:</b>	<b>Coffman and Associates</b>	

**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. A new contractor, Coffman and Associates was selected in October and TxDOT completed negotiations in December of 2018. A kickoff meeting was held with key stakeholders to conduct a SWOT analysis of the airport and gain insight into the process moving forward.

**Start Date / Completion Date:** Planning Start: Dec 13, 2017

<b>Major Activities:</b>	<b>RFP for Planning Service Release:</b>	<b>August 5, 2016</b>
	<b>Contract with TxDOT Aviation Signed:</b>	<b>August 22, 2016</b>
	<b>Proposals Received by TxDOT Aviation:</b>	<b>August 30, 2016</b>
	<b>Selection Committee Requested Interviews:</b>	<b>November 2, 2016</b>
	<b>Interviewed Potential Contractors:</b>	<b>February 1, 2017</b>
	<b>Selected KSA as Project Engineer:</b>	<b>February 2017</b>
	<b>Negotiations Failed with Selected Vendor:</b>	<b>May 19, 2017</b>
	<b>Council Approved New Resolution-Revised Grant:</b>	<b>June 6, 2017</b>
	<b>Develop New Scope of Work for Airport Plan:</b>	<b>July 2017</b>
	<b>Receive Proposals for New Plan:</b>	<b>September 2017</b>
	<b>Selected Coffman and Associates:</b>	<b>October 2018</b>
	<b>TxDOT Completed Negotiation with Contractor:</b>	<b>December 2018</b>
	<b>Kickoff Meeting:</b>	<b>February 21, 2018</b>
	<b>2<sup>nd</sup> local meeting with PAC</b>	<b>August 7, 2018</b>

**Next Steps:**

Staff working with consultants to gather information requested  
Next Planning Advisory Committee Meeting      TBD

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT****Project Status Report:** **G. Rollie White Complex Steering Committee** **October 2018****Budget Information:** N/A**Expenditures:** N/A**Contract Assignments:****Master Plan Architect/Engineer:** Reliance Architects – February-August 2018

**Project Description:** On April 24, 2017 members of the McCulloch County 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 the GRW Steering (nee AgriLife Leadership) 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, County Commissioners Gene Edmiston and Jason Behrens, Extension Agent Jacque Behrens, City Manager Kim Lenoir, 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. A grant was submitted to the G. Rollie White Foundation for planning funds, but was not awarded. A side committee organized a “Friends of GRW” non-profit 501(c)3 organization. The City and County agreed to each fund \$2000 for Reliance Architects to assist the Steering Committee in developing a master plan for GRW.

**Start Date / Completion Date:** Planning Start: **June 2017**

<b>Major Activities:</b>	<b>Inaugural Meeting:</b>	<b>June 29, 2017</b>
	<b>Tours of Similar Facilities:</b>	<b>July 20-21, 2017</b>
	<b>Application to GRW Foundation for Master Plan Grant</b>	<b>August 11, 2017</b>
	<b>Began Process of Forming a 501(c)3</b>	<b>January 2018</b>
	<b>Met with Architect to Begin Master Plan</b>	<b>February 28, 2018</b>
	<b>Contract with Architect for Master Plan</b>	<b>May 2018</b>
	<b>Articles of Incorporation for Friends of G. Rollie White</b>	<b>June 2018</b>
	<b>Finalize 501(c)3</b>	<b>August 2018</b>
	<b>Complete Master Planning Facility</b>	<b>August 2018</b>
	<b>Presented Master Plan to Joint City-County Meeting</b>	<b>August 2018</b>

**Next Steps:** Steering Committee willing to continue working for a County-wide Election  
Determine next County-Wide “Venue Tax” Election Date  
Continue to speak to groups about the GRW Master Plan

**CITY OF BRADY****COMMUNITY SERVICES DEPARTMENT**

<b>Project Status Report:</b>	<b>Activity Center Renovation Project</b>	<b>October 2018</b>
	<b>Project Deadline:</b>	<b>TBD</b>
<b>Budget Information:</b>	<b>COB:</b>	<b>\$96,600.00</b>
	<b>McCulloch County</b>	<b>\$50,000.00</b>
	<b>Senior Advisory Committee</b>	<b>\$60,000.00</b>
<b>Expenditures:</b>	<b>BISD</b>	<b>\$100,000.00</b>
	<b><u>EIKON Consultants</u></b>	<b><u>\$ 46,600.00</u></b>
	<b>TOTAL</b>	<b>\$146,600.00</b>

**Contract Assignments:**

**Architects:** EIKON Consultants

**Contract GrantWriter and Management Services of the Grant:** GrantWorks, Austin, TX

**Project Description:** In 2015, the City has purchased the Southward 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. The facility will 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

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.

Staff is was notified on June 22, 2018 that the City of Brady was being invited to apply for the Community Development Block Grant Community Enhancement Fund (CDBG-CEF) program based on a Letter of Interest submitted in May 2018.

Staff had trouble getting grant writers interested in this project due to the tight deadlines for the environmental and engineering work. Staff visited with TDA, who agreed to extend the environmental deadline, but GrantWorks did not believe they could make the deadlines. The project will remain on the list for the 2019 round of funding.

On October 11, City Council approved selection of GrantWorks as a third-party grant writer/administrator to oversee the grant proposal and the administration as the grant are extremely comprehensive in their reporting requirements.



## MEMORANDUM

October 1, 2018

**To:** City Council

**From:** Kim Lenoir, City Manager

**Subject:** Update of Replat & Leases of Davee and Dodge Heights Subdivisions

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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. Davee Addition replat has been approved by P&Z and City Council. The lots have also been appraised. Surveyor needs to complete the final plat for the county records. Donald Barley has confirmed that the City has clear title on both subdivisions. Council approved selling lots in the Davee Addition.

In February 2017, City Council put a moratorium on considering any new leases, until the lake lot leases and replats are in order. The Dodge Heights subdivision, zoned single-family in 2013. DH replat needs to go through the replatting rules process, requiring public hearings, P&Z approval and City Council approval. All new leases for larger lots will be prepared and approved by city council, incorporating any current active leases yet to expire.

On April 17, City Council met in a Work Session to review proposed replatting of Dodge Heights. The Dodge Heights replat has been more difficult to replat, with the probability of several homes on less than a 1/2 acre tract.

Council approved several demolitions of abandoned property in Dodge Heights Addition. Work orders have been created to remove the property by the street department.

City Council adopted new lease rates in September for all lake leases. The Director of Community Services will work on this project with a goal to have the Dodge Heights replat and staff recommendations scheduled for Council review by December 2018.

### Next Steps:

- Davee – File final plat. Letters to leases to update leases to new lot lines & purchase options.
- Dodge Heights – continuation of cleaning up records. Abandoned lots and personal property needs to be scheduled for demolition. Replatting must be complete before lots can be appraised for possible sale.
- City Council will have a work session before December to discuss replatting plans and selling lots in Dodge Heights.



## MEMORANDUM

October 1, 2018

**To:** City Council

**From:** Kim Lenoir, City Manager

**Subject:** Construct City Animal Control Facility at or near Waste Water Treatment Plant

---

In June 2017, City Council Members and staff toured animal control facilities in Lampasas and San Saba. The city has been leasing for 3 years the Mays Vet building on the San Angelo Highway for a 72-hour stray hold facility. The new lease now expires November 2019.

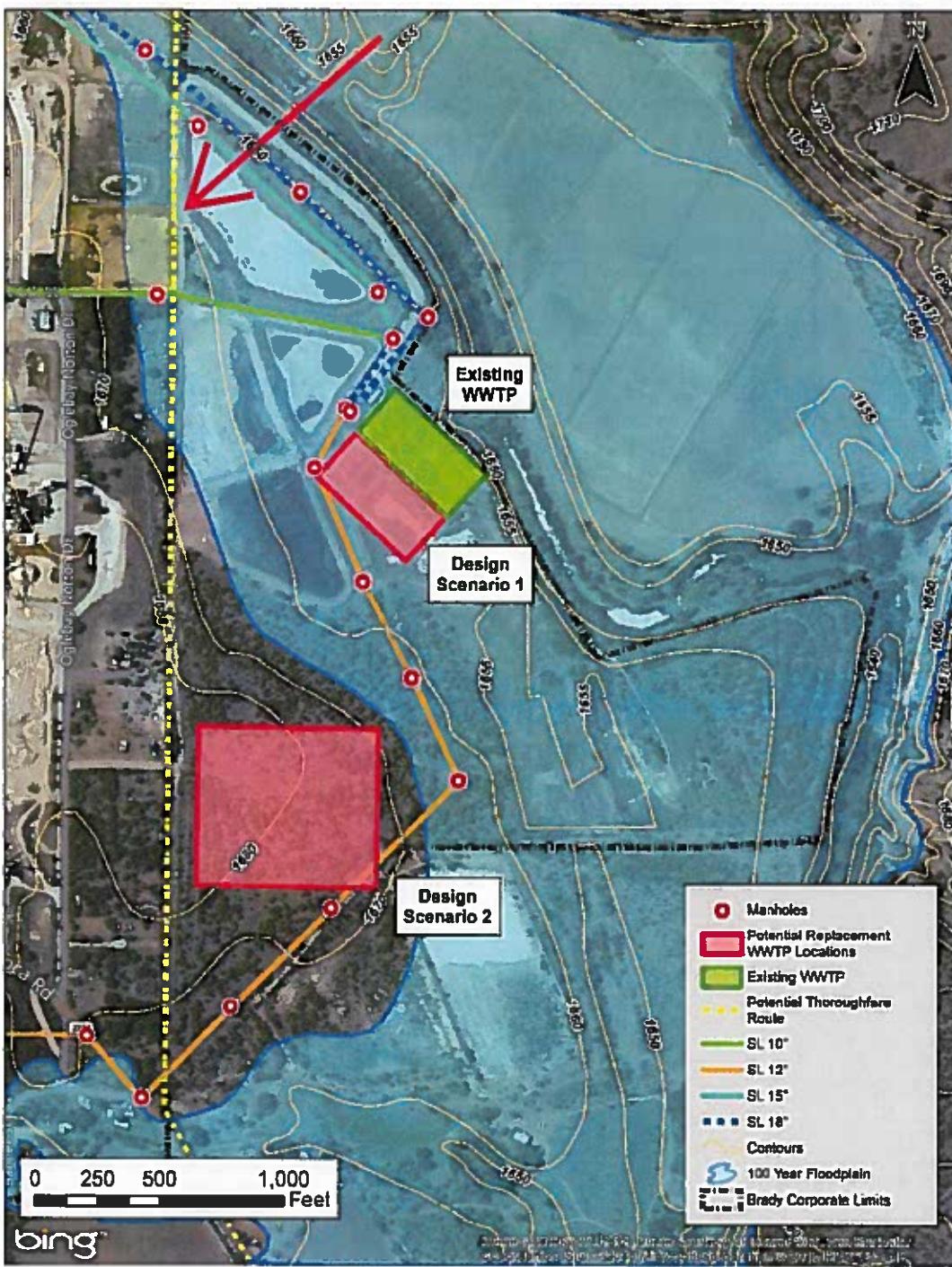
During the 2017 budget work sessions, City Council proposed to build a small facility at GR White Complex to meet the minimum needs of the city for a permanent 72-hour stray hold facility, not to exceed \$70,000 which was budgeted for FY2018. Staff reviewed with City Council on-site and at the work session 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 needed to be raised and drainage improved by adding a second culvert under the unpaved road that drains to Brady Creek. The street division completed the pad site. The concept plans included moving the 20' x 20' portable office building located at the South Shore Park (old MUDualistic site) and to build a new garage style metal building with 24 kennels, like was observed in Lampasas. City Council liked the concept plan.

Eikon engineered the foundation plans and plumbing. Mueller prepared a pre-fab engineered metal building quote. Bids were solicited February 28, with no bids received. Staff called all parties interested and extended the bids to open March 21. Two bids were received from Ballinger and Cleburne both exceeding estimates by 5 times the budgeted funds.

The GRW Steering Committee has completed a site plan for future development of the GRW Site and are requesting that the site be relocated. Staff agrees that the waste water plant property is a good option to plan to develop a permanent facility. KNEL owns a radio tower site adjacent to the WWTP site and has good potential for site development. 100-yr floodplain elevation is estimated to only partially impact the radio tower site and possibly no fill would be needed at the west side of the lot. Staff needs to see if the KNEL site has enough room to build the facility without interfering with the AM antenna on site.

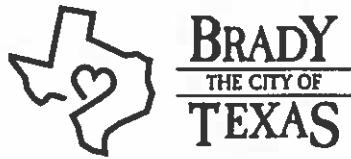
Next Steps: Discuss with City Council to determine a new budget and direction for a permanent facility.

City of Brady



**Figure 3: Brady WWTP Replacement Project Site Options**

The sites chosen for Design Scenarios 1 and 2 meet the buffer zone requirements described in TCEQ §309.13. While Design Scenario 1 is located within the 100-year flood plain, the units within the plant



## MEMORANDUM

October 1, 2018

**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 record keeping 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 reviewed rules on other Texas lakes and prepared new boat dock rules and regulations.

Staff billed in January existing boat docks with permits and requested new applications from all boat dock owners. By ordinance only lake lot owners may have a boat dock on Brady Lake (some lease lot owners have boat docks). Staff has received new contracts and pictures of 40 boat docks; 3 accounts are currently inactive. Staff has transferred several docks as lake lots are sold.

The Director of Community Services will work with PPM Supt Stephen Morgan and Code Compliance Officer Walter Holbert to review the docks on-site and prepare a list of docks not claimed and in need to removal or demolition. Fee for an annual boat dock permit is \$25.

### Next Steps:

Inspect existing/unclaimed docks for non-compliance and abandonment. Post notices and remove the docks.

Present updated rules and regulations to City Council for discussion during a work session and updated City Ordinance with updated rules and regulations.

New residents at the lake are requesting new docks. Staff would like Council to adopt new rules before new docks are allowed.



## MEMORANDUM

October 1, 2018

**To:** City Council

**From:** Kim Lenoir, City Manager

**Subject:** Construct City Animal Control Facility at or near Waste Water Treatment Plant

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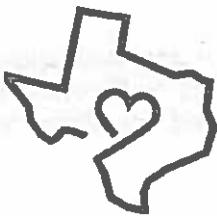
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Next Steps: Discuss with City Council to determine a new budget and direction for a permanent facility.



**BRADY**  
THE CITY OF  
**TEXAS**

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October 11, 2018

Mr. Mehdi Taheri  
Water Enforcement Branch (6EN-W)  
U.S. EPA Region 6  
1445 Ross Avenue, Ste. 1200  
Dallas, TX 75202 – 2733

*via email* [taheri.mehdi@epa.gov](mailto:taheri.mehdi@epa.gov)

Re: PWS ID Number: TX1540001  
Docket Number: SDWA-06-2017-1206  
2018 3rd - Quarterly Report – Radium Reduction Job

Mr. Taheri,

The City of Brady (TX) respectfully submits this 2018 – 3<sup>rd</sup> quarterly report covering the period from July – September and is in response to the above-mentioned docket. The following work matters have been accomplished and/or initiated:

**TWDB Related Issues -**

- Enprotec / Hibbs & Todd (city's design engineer) compiled and coordinated major loan application with Texas Water Development Board under this agency's Drinking Water State Revolving Fund. eHT communicated directly with TWDB regional staff on matters of distinction between program loan and grant funding opportunities. City of Brady DWSRF loan application amount set at \$29,230,000. TWDB established maximum allocations under DWSRF loan forgiveness at \$4,000,000.
- eHT identified and initiated follow up on TWDB Economically Distressed Areas Program funding with regional staff. eHT developed strategy for coordination of EDAP submission for ranking and achieved a #1 prioritization for City of Brady (Table 1, attachment). eHT continues to monitor EDAP progress through TWDB administration schedule for implementation or release. TWDB established funding cap on EDAP funds at \$13,375,000 for eligible entities.

## ATTACHMENT

Table 1: Prioritization

Rank	Applicant
1	Brady, City of
2	El Paso Water Utilities Public Service Board
3	Beaver Creek Water Control and Improvement District No. 1
4	Kerr County
5	Mission, City of
6	North Alamo Water Supply Corporation
7	Menard, City of
8	Iola, Town of
9	Alpine, City of
10	Rio Hondo, City of