

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 NOVEMBER 6, 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 November 6, 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 and Work Session Meeting October 16, 2018 and Special Meeting October 23, 2018.
- B. Approval of UPS use of old cafeteria parking lot, 607 W. 11th Street, to store U-Haul enclosed trailer and golf cart with trailer, along with use of golf cart on City streets to deliver holiday packages in compliance with all State laws.
- C. Proclamation recognizing Small Business Saturday, November 24, 2018

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 second and final reading of **Ordinance 1260** of the City of Brady, Texas, to amend FY 2019 Budget for municipal services, approving the Fiscal Year 2019 (Oct 1 2018 to Sept 30 2019) Type A and Type B Budgets, as approved by the Type A and Type B Brady Economic Development Corporation Boards (EDC).
- B. Discussion, consideration and possible action regarding **first reading of Ordinance 1261** of the City of Brady, Texas, to amend FY 2019 Budget for municipal services, transferring unfinished FY2018 projects to FY 2019 Budget, and adding new requests, utilizing savings from decreased employee insurance rates and donated funds.
- C. Discussion, consideration and possible action regarding issuing final **Demolition Order 2018-32** in accordance with the Code of Ordinances Section 3.207 to authorize demolition of dilapidated structures at 102 West Shore Drive of the Simpson Lake Division, Block 4 Lot 13 (Public Hearing held August 21, 2018).
- D. Discussion, consideration and possible action regarding **Resolution 2018-043** to approve equipment lease-purchase agreement with Caterpillar Financial Services Corp. for new landfill compactor.
- E. Discussion, consideration and possible action regarding **Resolution 2018-044** to approve *Visit Brady Tourism Agreement* allocating 95% Hotel Motel Taxes to the McCulloch County/Brady Chamber of Commerce, in accordance with the City Council approved Tourism Strategic Plan (May 15, 2018).
- F. Discussion, consideration and possible action regarding **Resolution 2018-045** to move the January 1, 2019 Regular Council Meeting date. (Recommending Jan. 2, 12:00 noon).
- G. Discussion, consideration and possible action regarding recommendations for the two new Elevated Water Storage (Towers) Logos.
- H. Discussion, consideration and possible action approving the purchase of 1,500 tons Limestone Rock Asphalt, Type 1, Grade D (cold mix) material at \$44.55 per ton for \$66,825.00. Delivery charge is \$0.15 per Ton/Mile at 180 miles for \$40,500.00. Total purchase w/ delivery equals \$107,325.00.
- I. Discussion regarding city facilities that are rented to the public as requested by Council Member Missi Davis.
- J. Discussion regarding economic development corporation funds as requested by Council Member Jane Huffman.
- K. Discussion regarding streets/potholes as requested by Mayor Pro Tem Jim Griffin.
- L. Discussion and summary of City Council action and if procedures and processes worked.

8. STAFF REPORTS

A. Upcoming Special Events/Meetings:

Nov 7 – 1:30am Workforce, EDC, and Chamber hosting Luncheon for Businesses to learn about WorkForce Ready Communities – Civic Center
Nov 9 – 3-5pm, Open House of the McCulloch County Law Enforcement Center
Nov 10 – 9am Bulldog Fall Swept by Keep Brady Beautiful – meet at Brady Lake Store
Nov 17 – 10am to 6pm Candy Cane Arts & Craft Show – Curtis Field Airport
Nov 17 – Dec 31 - Christmas Lights on the Square
Dec 15 – 6pm Christmas in the Heart Night Parade

B. Upcoming City Calendar:

Nov 12 – Veterans Day Holiday – City Offices Closed (Trash Schedule changes)
Nov 13 – 5:30pm Planning and Zoning Regular Meeting
Nov 16 – 11:30am City Employee Thanksgiving Luncheon – Service Center
Nov 20 – 4pm Work Session – Phase One of Dodge Heights Replat
Nov 21 – 8:30am Monthly Municipal Court
Nov 22 & 23 – Thanksgiving Holidays – City Offices Closed (Th/Fri trash picked up on Wednesday)
Nov 26 – Annual AgriLife Leadership Luncheon – Ag Office
Nov 26 – 1pm GRW Steering Committee Meeting – Ag Office
Dec 3 – 1:30pm Monthly Development Review Committee (DRC) Meeting – City Hall
Dec 4 – Council Meeting
Dec 5 – 6pm Annual Employee Christmas Party - Civic Center
Dec 18 – Council Meeting
Dec 24 & 25 – Christmas Holidays – City Offices Closed (Mon/Tues trash picked up on Wednesday)
Jan 1 – New Year's Day – City Offices Closed (Tues trash picked up on Wednesday)

C. 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. ADJOURNMENT

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

Tina Keys, City Secretary

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

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. 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 regarding Real Property), 551.073 (Deliberations regarding prospective Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), 551.086 (Deliberate, vote or take final action on competitive matters of the public power utility), and 551.087 (Deliberation regarding 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 551.104(c) and the meeting is conducted by all participants in reliance on this opinion.

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Work Session Meeting on Tuesday, October 16, 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 Jeffrey Sutton, Rey Garza, Jim Griffin and Jane Huffman. Council Member Davis arrived after a quorum was certified. City staff present were City Manager Kim Lenoir, Public Works Director Steve Miller, Community Services Director Dennis Jobe, Interim Fire Chief Lloyd Perrin, Police Chief Steve Thomas, Code Enforcement Officer Walter Holbert, Finance Director Lisa Remini, and City Secretary Tina Keys. Also in attendance were Jason Valdez, Michele Derrick, Amy Greer, Erin Betts, Don Miller, Lauren Bedwell, Erin Corbell and Taylor Hoffpauir.

1. Call to Order, Roll Call and Certification of a Quorum

Mayor Groves called the meeting to order at 4:03 p.m. Council quorum was certified.

2. Review and discuss FY2019 Budget Amendments

Lisa Remini and Kim Lenoir presented. City Manager Lenoir discussed Supplemental Decision Requests. Chief Thomas went over requests to increase patrol officer salaries. Staff was instructed to look at numbers and bring back to Council. Staff will bring back figures for a 15% increase for Fire Dept. across the board. Council also brought up City Secretary salary and suggested a 15% increase.

Golf course fees were brought back up after regular meeting. Council Member Huffman pointed out that our daily fees and cart fees are higher than a lot of other courses.

3. Review and discuss Interlocal Agreement with McCulloch County for services

Council Member Sutton doesn't think we should make Emergency Management calls in McCulloch County. Council Member Huffman doesn't think we should pay for jail services if they are not paying for fire and EMS. Council Member Huffman suggested another joint meeting after the new county commissioners are seated.

4. Review and discuss Type A EDC legal issues in dissolving corporation

Kim Lenoir presented and discussed transferring Type A assets. EDC Director Michele Derrick said the Attorney General determined as a Home Rule City, we can transfer assets back to the Type B EDC and handed out paperwork supporting the information. The EDC is upset that it's taking so long to transition to the Type B.

5. Review and discuss draft Goals Poster

Kim Lenoir presented. Council liked the new lay-out design.

6. Review and discuss demolition process

Kim Lenoir presented. Council suggested taking a break on demo orders and focus on old hospital.

7. Discuss method for recommending future use of old library building

The Mayor discussed possibilities. Council Member Davis would like to read the requests. Council agreed to form a sub committee consisting of Council Members Davis and Griffin and Mayor Groves to review. Mayor Groves asked if

the Council is comfortable with the Mayor signing after the sub-committee comments, no one objected.

8. Adjournment

There being no further business, the Mayor recessed the meeting at 5:48 p.m.

Mayor called the work session back to order at 7:08 p.m. after the regular meeting.

The Work Session was adjourned at 7:32pm.

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 16, 2018 at 6:00 pm at the City of Brady Municipal Court Building located at 207 S. Elm Street, Brady, Texas with Mayor Anthony Groves presiding. Council Members present were 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, and City Secretary Tina Keys. Also in attendance were Brian Crabb, Amy Greer, Michele Derrick, Don Miller, Jason Valdez, Erin Corbell, Tim Jones, Erin Betts, Lynn Farris, James Stewart, Dr. Steven Bell and wife, Chris & Teresa Liefeste, and Angie Turner.

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

Mayor Groves called the meeting to order at 6:05 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

Erin Corbell thanked City personnel for their hard work to make the GRW facilities usable. She added that she would like the City to maintain GRW and the Civic Center to make sure they are always in good usable condition.

4. CONSENT AGENDA

- A. Approval of Minutes for Regular Meeting October 2, 2018 and Special Meeting October 11, 2018
- B. Approval of Resolution 2018-039 for the temporary closure of roads around the Courthouse Square for the second annual Christmas in the Heart Lighted Parade

Council Member Davis 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: None Scheduled

There were none.

6. PUBLIC HEARINGS: None Scheduled

There were no Public Hearings.

7. INDIVIDUAL CONCERNS

- A. 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. Council Member Huffman moved to delay until new County Commissioners are in place and hold a Joint-Meeting. Seconded by Council Member Davis. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- B. Discussion, consideration, and possible action regarding 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 Lisa Remini presented. Council Member Sutton moved to approve award to McLane

Intelligent Solutions from Temple, Texas for citywide IT Support. Seconded by Council Member Huffman. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

- C. Discussion, consideration and possible action regarding status of Heart of Texas Healthcare System Assisted Living Facility. Tim Jones, Director of the HOT Hospital, presented to Council. The assisted living facility at Nine Rd and 17th street has been a long-range goal for the Hospital Foundation. Phase I includes 20 apartments housing approximately 30 people. Public Works Director Steve Miller explained the fire suppression service line that has been in place since 2010 for the Hospital, from the now inactive Surface Water Treatment Plant, that the City is planning to upgrade this year. The City will share the final plans of the new design with the Assisted Living engineers that should be available in 2 months. This project is in the City’s ETJ and must follow all development rules and regulations for construction. Discussion only, no action.
- 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). Kim Lenoir presented. Council Member Griffin moved to approve. Seconded by Council Member Sutton. Erin Corbell, Chamber President, requested removal of Christmas in the Heart, from the list of tourism events since it is illegal to use tourism funds for Christmas decorations and to change June to May for the Tourism Plan presentation. Since motion was already made, no Council Members voted “aye” and all voted “nay”. Motion failed. Council Member Davis moved to approve as amended with the recommendations by Erin Corbell. Seconded by Council Member Huffman. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- 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). Kim Lenoir presented. Council Member Griffin moved to approve the first reading of Ordinance 1260. 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 **Resolution 2018-041 OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS, APPROVING AMENDED BYLAWS OF THE (Type A) BRADY ECONOMIC DEVELOPMENT CORPORATION**. Kim Lenoir presented. Council Member Huffman moved to approve the Resolution 2018-041. Seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- 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**. Kim Lenoir presented. Council Member Griffin moved to approve Resolution 2018-042. Seconded by Council Member Garza. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- 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. Council Member Huffman moved to authorize the Mayor to execute a termination of the City of Brady Management Service Contract with the Type A EDC and enter into a month by month agreement. Seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

- 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. Council Member Huffman moved to authorize the Brady EDC to proceed with contracting attorney services from Brown & Hofmeister. Seconded by Council Member Griffin. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- J. Discussion and summary of City Council action and if procedures and processes worked. No comments.

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:
 - Council agreed to add a Budget Work Session 4pm October 23, 2018
 - 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

There were no announcements

10. EXECUTIVE SESSION

There was no executive session

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

12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 7:07 p.m. Council called to order the previous work session at 7:08pm.

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 Special Meeting on Tuesday, October 23, 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 Jane Huffman, Jeffrey Sutton, Rey Garza, Missi Davis and Jim Griffin. City staff present were City Manager Kim Lenoir, Finance Director Lisa Remini, Public Works Director Steven Miller, Community Services Director Dennis Jobe, Police Chief Steve Thomas, Interim Fire Chief Lloyd Perrin, Fire Lieutenant Priscilla Campbell, City Attorney Sarah Griffin and City Secretary Tina Keys.

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

Mayor Groves called the meeting to order at 4:00pm. Council quorum was certified. Council Member Davis arrived at 4:44pm after a quorum was certified.

2. Discuss proposed 2019 Budget Amendments

Kim Lenoir and Lisa Remini presented. Steven Miller talked about the need to replace electric poles damaged during storm. Chief Perrin said since the County Judge has not yet declared a disaster, our deductible is approximately \$31,000. We will take pictures to show proof of all areas that we are going to declare. We might get 75%. Other counties that were hit harder will have priority.

Lisa Remini is trying to understand what the council is asking for as far as personnel goes and went on to say we go through the budget process and set numbers and budget is adopted by Council. We're drawing down on fund balance to cover FY 2019. Remini doesn't know how she can financially support increases in salaries. There may be excess fund balances when all the numbers are in but fund balance policy says excess funds should be spent on one-time expenditures, not recurring expenses. Lisa doesn't believe the figures are there to support the requested increases in salary. Remini brought up the loss of revenue from the County. Council Member Huffman believes these items were brought up at budget time and were told they would be brought back up as a budget amendment. Council Member Huffman believes we should go ahead with the 15% pay increases for Fire and PD personnel. Council Member Davis also wants a 15% pay increase for the City Secretary.

Mayor Groves suggested we start future budget sessions with personnel and discuss what's left after all personnel issues have been addressed. Mayor Groves also suggests the Council consider closing down, leasing, or selling the golf course to free up funds for other items.

Regular Session was closed at 5:12pm to adjourn into Executive Session for the following:

3. Executive Session - Opened at 5:25pm and closed at 7:25pm

- A. Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee: City Manager Lenoir and Attorney Sarah Griffin duties under the City Charter.

4. Adjournment

There being no further business, the Mayor adjourned the meeting at 7:26p.m.

Mayor Anthony Groves

Attest: _____

Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/2018	AGENDA ITEM	4.B.
AGENDA SUBJECT:	Discussion regarding approval of UPS use of old cafeteria parking lot, 607 W. 11 th Street, to store U-Haul enclosed trailer and golf cart with trailer, along with use of golf cart on City streets to deliver holiday packages in compliance with all State laws.		
PREPARED BY:	Tina Keys	Date Submitted:	11/1/2018
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	UPS in Brownwood requested use of the old cafeteria parking lot to store equipment used to deliver packages during the holiday season. They will be using golf carts to deliver packages to residents complying with all applicable State laws		
RECOMMENDED ACTION:			
Approve use of old cafeteria parking lot and allow use of City streets to deliver packages in golf carts			



Proclamation Recognizing Small Business Saturday

WHEREAS, the City of Brady celebrates and recognizes local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the U.S. Small Business Administration, there are 2.6 million Small Businesses in the Texas with 4.7 million Small Business Employees; and

WHEREAS, the "Buy Local" movement emphasizes the importance of patronizing small businesses, and Small Business Saturday is observed as a call to action for shoppers to remember local businesses during the busy holiday shopping season; and

WHEREAS, the City of Brady supports our local business and their investment in our local economy to provide goods and services, create jobs and retain the unique character of our area.

NOW, THEREFORE, BE IT PROCLAMED by, Anthony Groves, Mayor of the City of Brady that

November 24, 2018

*be designated as **SMALL BUSINESS SATURDAY** in Brady, Texas and urge the residents of our community and communities across the country to support small businesses and merchants on Small Business Saturday and throughout the year.*

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this _____ day of _____ in the year _____.

Anthony Groves, Mayor

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	11-6 -18	AGENDA ITEM	7. A.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding second and final reading of Ordinance 1260 of the City of Brady, to amend FY2019 Budget for municipal purposes, approving the Fiscal Year 2019 (Oct 1 2018 to Sept 30 2019) Type A and Type B Budgets as approved by the Type A and Type B Brady Economic Development Corporation Boards (EDC).		
PREPARED BY:	L. Remini / K Lenoir	Date Submitted:	10-2918
EXHIBITS:	Approved FY 2019 EDC – Type A Amended Budget Approved FY 2019 EDC - Type B Budget Ordinance 1260 Oct 11 Type A and B Minutes approved October 29, 2018		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

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 City of Brady Services for FY 2019 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.

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.

The Contract for Services budget represents a 12-month fee for Treasury and Secretarial Services. Staff could be spending more time on EDC-B functions than EDC-A, due to new set up and processing that requires the creation of new set of books, accounts, various start-up paperwork duties.

RECOMMENDED ACTION:

Mayor will ask: **"Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."** "Secretary reads preamble"

Mayor calls for a motion: Move to approve second and final reading of Ordinance 1260.

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 16th DAY OF OCTOBER 2018,

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

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	— 2017-2018 —		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
<u>REVENUES</u>							
<u>General Revenues</u>							
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
TOTAL REVENUES	365,824	283,393	252,296	238,342	238,342	250,300	15,800
TOTAL AVAILABLE FUNDS	1,282,244	1,322,903	709,059	721,697	721,697	742,883	508,383

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

**TYPE A
ECONOMIC DEV CORPORATION FUND**

EXPENDITURES	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		
Contract Services							
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-COBdry	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
TOTAL Contract Services	229,266	858,848	216,762	201,250	212,214	174,750	61,000
Supplies/Repair/Expenses							
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
TOTAL Supplies/Repair/Expenses	9,497	7,291	8,942	16,900	16,900	6,900	7,300
90-5-90-400.00 Property Acquisition	3,970	0	0	0	0	0	0
TOTAL Property Acquisition	3,970	0	0	0	0	0	0
TOTAL EXPENDITURES	242,734	866,140	225,704	218,150	229,114	181,650	68,300
REVENUE OVER/(UNDER) EXPENDITURES	123,090	(582,747)	26,592	20,192	9,228	68,650	(52,500)
PROJECTED ENDING FUND BALANCE & NET WORKING CAPITAL	1,039,510	456,763	483,355	503,547	492,583	561,233	440,083

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	233,000

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-COBdry	16,300
90-5-90-214.00 Contract for Services - Chamber	0
90-5-90-230.00 Debt Service	0
TOTAL Contract Services	116,300

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
TOTAL Supplies/Repair/Expenses	27,250

TOTAL EXPENDITURES 143,550

REVENUE OVER/(UNDER) EXPENDITURES 89,450

PROJECTED ENDING FUND BALANCE &
NET WORKING CAPITAL 89,450

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The Brady Type A and B Economic Development Corporation of the City of Brady, Texas met in a Regular Monthly Meeting on Thursday, October 11, 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 Lauren Bedwell, Don Miller, Erin Betts and Michele Derrick. Also, in attendance were City Manager Kim Lenoir, Treasurer Lisa Remini, Mayor Tony Groves, Type B Board Members Amy Greer, Billie Davis and Board Secretary Kathryn Meroney.

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

President Jason Valdez called the meeting of the Type A to order at 6:00 p.m. Roll was called and a quorum was certified by the Board Secretary. 2. Minutes September 27, 2018 were approved unanimously. Vote 5-0.

3. REPORTS/PRESENTATION ITEMS

- A. Jason Valdez reviewed the bills and checks for September 2018. No checks were written and a debit of \$2500 on the Hangar note.

4. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action advertising of sealed bids for EDC properties located at 502 W. 10th St. and 1308 N. Grant St. in Brady to build residential homes. Last open date to accept bids is 11/15/18. Lauren Bedwell discussed possible taking the items to the P&Z prior to taking bids. A motion was made by Michele Derrick to move forward with the sale of the properties. There was a second by Don Miller. Vote 4-1. Director Bedwell voted against.
- B. Discussion, consideration and possible action on paying off the balance of EDC loan at Commercial National Bank (Council approval required). Payoff as of 10/19/18 is \$36,744.47. Item tabled.
- C. Discussion, consideration and possible action on donation EDC Hangar at the Airport to the City of Brady, once debt is paid off (Council approval required). Item tabled.
- D. Discussion, consideration and possible action to approve Resolution 2018-BEDC-01 to assign Civic Center payment to Type B. Item tabled.
- E. Discussion, consideration and possible action to address roof repairs of the Chinese Restaurant Building and future financing of the building. Board reviewed minutes from April 25, 2012, Item 7, where the roof had been discussed. Jason Valdez stated that it is his opinion that maintenance of the building falls on the owner. The EDC only owns the lien, not the building. Jason Valdez will make some collection calls, because the payments are again behind.
- F. Discussion, consideration and possible action on lease agreement with John Knox Moore on property located at 208 W. Grove St. in Brady, TX. Jason Valdez stated that Billie Davis wrote the letter was sent and he wanted to recognize his good work. The Board discussed insuring the building as well as the monthly rent at \$643.39. Moore has until October 18, 2018 to produce the required insurance. Jason Valdez will follow-up with Keith Rose, current user of building.
- G. Discussion, consideration and possible action of approval of the revised Comptroller Report for FY2017. Lisa Remini presented and spoke on the corrections made to the report. The report was approved by a motion from Lauren Bedwell and a second from Erin Betts. Vote 5-0
- H. Discussion, consideration and possible action to amend the Management Services Contract. Item tabled.

- I. Discussion, consideration and possible action on amending the FY 2019 Budget. Lisa Remini presented the budget for FY 2018-2019. Items addressed and changed included Legal Services increased to \$15,000, Debt Services increased to \$37,000, Insurance increased to \$6,000 and City Services to \$9,000 with the wording of "pro-rating the fee with a month to month agreement". Motion made by Michele Derrick and a second by Erin Betts. Vote 5-0
- J. Discussion, consideration and possible action on hiring attorney Jeffery Moore. Jason Valdez would like the wording on the engagement letter to read Type A and B. Motion made by Lauren Bedwell and a second by Michele Derrick. Vote 5-0.

5. ADJOURNMENT

There being no further business, President Jason Valdez adjourned the meeting at 7:30 p.m.

~~Jason Valdez, President~~

Attest:

Kathryn Meroney Board Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The Brady Type A and B Economic Development Corporation of the City of Brady, Texas met in a Regular Monthly Meeting on Thursday, October 11, 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 Lauren Bedwell, Don Miller, Erin Betts and Michele Derrick. Also, in attendance were City Manager Kim Lenoir, Treasurer Lisa Remini, Mayor Tony Groves, Type B Board Members Amy Greer, Billie Davis and Board Secretary Kathryn Meroney.

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

President Jason Valdez called the meeting of the Type B to order at 7:30 p.m. Roll was called and a quorum was certified by the Board Secretary (Erin Betts left the meeting).

2. Minutes September 27, 2018 were approved unanimously. Vote 6-0.

2. REPORTS/PRESENTATION ITEMS

A. N/A

3. INDIVIDUAL CONCERNS

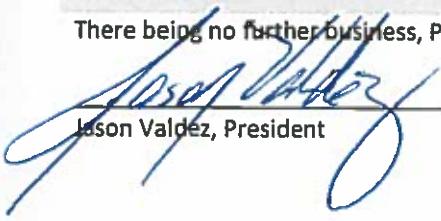
- A. September 27, 2018 minutes approved. Vote 6-0
- B. Discussion, consideration and possible action on Letter of Support for and Economic Development Grant to replace the City of Brady Waste Water Treatment Plant. Letter of Support approved by a motion from Michele Derrick and a second by Amy Greer. Letter distributed for signatures. Vote 6-0
- C. Discussion, consideration and possible action on amending the Initial Bylaws (same as current Type A Bylaws) as adopted by City Council on August 21, 2018. The board reviewed and discussed the current Bylaws as well as the proposed bylaws. One noted to add bonding for the Board, add committees. Bylaws will be given to Attorney, Jeffery Moore for future guidance.
- D. Discussion, consideration and possible action, if any, for Management Services Contract. Jason Valdez would like to see this more as an agreement than a contract. Jason intends to draft a letter requesting services and present it to the City Manager.
- E. Discussion, consideration and possible action to approve Resolution 2018-BEDC-01 – Civic Center reimbursement. Lenoir presented an email from the City Attorney with a recommendation on how to proceed with “assigning” the debt from Type A to Type B. Item tabled.
- F. Discussion, consideration and possible action on hiring the attorney services form Brown & Hofmeister, LLP. Engagement letter for hourly representation presented. Motion by Lauren Bedwell and a second by Billie Davis. Vote 6-0.
- G. Discussion, consideration and possible action to submit Fiscal Year 2019 Budget. After discussion changes were made to increase Travel and training to \$20,000, legal \$15,000 and Insurance to \$5,000. Motion made by Michele Derrick and a second by Amy Greer. Vote 6-0.
- H. Discussion, consideration and possible action to direct staff to changes needed on City of Brady website. This item will be addressed in the letter that will be written to the City Manager. Wording will include Web services and Maintenance.
- I. Discussion, consideration and possible action establishing regular meetings. Item tabled.

2 | Page - Brady Economic Development Corporation Minutes October 11, 2018 -
AMENDED -

- J. Discussion, consideration and possible action on workforce training. Don Miller presented information on the workforce program. He stated that it would be a "BIG" project. The board members would like to invite others that participate in this program to a future meeting.
- K. Discussion, consideration and possible action on local EDC Training arrangements. Don Miller presented. Don has looked into hosting a training in Brady. This would be two individuals traveling to Brady. They would spend one night and it would be a one-day training.
- L. Future Agenda Items -
- M. Next Meeting will not be scheduled until a consultation with Attorney, Jeffery Moore, has taken place.

5. ADJOURNMENT

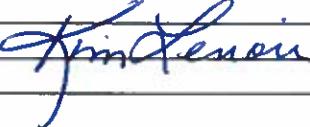
There being no further business, President Jason Valdez adjourned the meeting at 8:55 p.m.


Jason Valdez, President

Attest: 
Kathryn Meroney, Board Secretary

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	11-6-2018	AGENDA ITEM	7.B
AGENDA SUBJECT:	Discussion, consideration and possible action regarding first reading of Ordinance 1261 of the City of Brady, Texas, to amend FY 2019 Budget transferring unfinished FY2018 projects to FY2019 Budget, and adding new requests, utilizing savings from decreased employee insurance rates and donated funds.		
PREPARED BY:	Lisa Remini	Date Submitted:	10-18-2017
EXHIBITS:	Ordinance #1261 Amendment Summary Write ups for new requests		
BUDGETARY IMPACT:	Required Expenditure:	\$2,596,280.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$2,596,280.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>Staff is requesting to carry over projects totaling \$1,833,280 that were approved and started in the FY 18 Budget period, but due to delays in product delivery and timing to coordinate with various agencies and professionals, these projects could not be fully completed in the FY 18 time period.</p> <p>Additionally, Staff has 4 New Requests:</p> <ol style="list-style-type: none"> 1. \$45,000 -Emergency Request: Repair the golf course irrigation system 2. \$50,000-Emergency Request: Replace approximately 50 electric poles that were damaged during the tornado and flooding in October. 3. \$660,000-Apply for a grant from TXDOT Aviation to repave airport runways, taxiways and apron and utilize donated funds to provide for the city's local match requirements. 4. \$8,000-Purchase additional Christmas lights with sale of scrap proceeds acquired October 26, 2018. <p>The need for these expense items materialized after the budgeting workshops. Staff requests to include these projects in the FY 19 budget at this time.</p> <p>Council requests to use savings from the employee insurance rate decrease in the amount of \$114,000 and to reduce selected payroll budgets by \$48,100 to provide funding for market adjusted pay rate increases to the following divisions: Fire/EMS-\$112,500, Police -\$41,400, and Administration-\$8,200</p>		
RECOMMENDED ACTION:	<p>Mayor will ask: <u>"Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."</u> "Secretary reads preamble"</p> <p>Mayor calls for a motion: Move to approve the first reading of Ordinance 1261.</p>		

ORDINANCE NO. 1261

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

An ordinance amending the 2018-2019 Fiscal Year Budget by \$2,596,280 as follows:

Transferring unfinished FY2018 projects (\$1,833,280) to the FY2019 Budget for municipal purposes;

Adding emergency requests for repairs to the golf irrigation system (\$45,000) and Electric system infrastructure damaged from recent storm activity (\$50,000);

And adding for municipal purposes (\$660,000) to promote an application for 90% grant funding from TXDOT-Aviation and 10% donation funding for an Airport re-pavement program, and adding funds to the Christmas decoration budget (\$8,000).

**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 6th DAY OF November 2018,

**APPROVED AND PASSED UPON SECOND READING THIS THE 20th DAY OF
November 2018.**

EFFECTIVE OCTOBER 1, 2018.

Anthony Groves, Mayor

ATTEST: _____
Tina Keys, City Secretary

CITY OF BRADY
FY 19 PROPOSED BUDGET AMENDMENT (1) 11-6-2018

FUND:	DIVISION:	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	AMENDMENT INC / (DEC)	PROPOSED BUDGET
General - 10					page 1/6
REVENUES					
10-4-08-652.00	Police	Grants	\$ -	\$ 79,400	\$ 79,400
		Net change in Revenues		\$ 79,400	
EXPENDITURES					
10-5-XX-110.00	ALL	Employee Insurance		\$ (114,000)	
10-5-02-101.00	Airport	Payroll	\$ 90,200	\$ (8,000)	\$ 82,200
10-5-05-101.00	Golf	Payroll	\$ 122,300	\$ (12,000)	\$ 110,300
10-5-07-101.00	Fire	Payroll	\$ 136,300	\$ (15,000)	\$ 121,300
10-5-45-101.00	Code	Payroll	\$ 100,600	\$ (13,100)	\$ 87,500
10-5-01-233.00	Administration	Computer Hardware	\$ 1,500	\$ 18,484	\$ 19,984
10-5-01-214.00	Administration	Internet Access	\$ 12,613	\$ 5,700	\$ 18,313
10-5-02-402.00	Airport	Capital Equipment	\$ -	\$ 9,500	\$ 9,500
10-5-05-401.00	Golf	Capital Projects	\$ -	\$ 45,000	\$ 45,000
10-5-07-233.00	Fire	Computer Hardware	\$ 3,000	\$ 7,361	\$ 10,361
10-5-08-233.00	Police	Computer Hardware	\$ 3,000	\$ 7,361	\$ 10,361
10-5-08-401.00	Police	Capital Projects	\$ -	\$ 71,900	\$ 71,900
10-5-19-227.00	Community	Various Organizations	\$ -	\$ 55,000	\$ 55,000
10-5-27-401.00	Animal Control	Capital Projects	\$ -	\$ 48,800	\$ 48,800
10-5-27-212.00	Animal Control	Rent	\$ 10,000	\$ 2,000	\$ 12,000
		Net change in Expenditures		\$ 271,106	
		Net impact on General Fund Balance		\$ (191,706)	
ELECTRIC -20					
REVENUES					
20-4-22-806.00	Electric Distribution	Sale of Scrap	\$ -	\$ 8,000	\$ 8,000
		Net change in Revenues		\$ 8,000	
EXPENDITURES					
20-5-21-203.00	Power Plant	Professional Fees	\$ 10,000	\$ 9,600	\$ 19,600
20-5-22-338.00	Electric Distribution	Christmas Decorations	\$ 10,000	\$ 8,000	\$ 18,000
20-5-22-401.00	Electric Distribution	Capital Projects	\$ 350,000	\$ 65,080	\$ 465,080
20-5-22-401.00	Electric Distribution	Capital Projects		\$ 50,000	\$ 515,080
		Net change in Expenditures		\$ 132,680	
		Net Impact on Electric Fund Balance		\$ (124,680)	

CITY OF BRADY
FY 19 PROPOSED BUDGET AMENDMENT (1) 11-6-2018

FUND:	DIVISION:	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	AMENDMENT INC / (DEC)	PROPOSED BUDGET
WATER/SEWER - 30					page 2/6
EXPENDITURES					
30-5-23-401.00	WWTP	Capital Projects	\$ 90,000	\$ 37,000	\$ 127,000
30-5-25-285.00	CW Project	Capital Projects	\$ -	\$ 488,466	\$ 488,466
30-5-31-401.00	Water Distribution	Capital Projects	\$ 273,500	\$ 62,200	\$ 335,700
30-5-33-287.00	DW Project	Capital Projects	\$ -	\$ 103,330	\$ 103,330
		Net change in Expenditures		\$ 690,996	
		Net impact on Water Fund Balance		\$ (690,996)	
GAS - 40					
EXPENDITURES					
40-5-42-401.00	Gas Distribution	Capital Projects	\$ -	\$ 15,000	\$ 15,000
		Net change in Expenditures		\$ 15,000	
		Net impact on Gas Fund Balance		\$ (15,000)	
UTILITY SUPPORT- 50					
EXPENDITURES					
50-5-50-401.00	Utility Support	Capital Projects	\$ 53,000	\$ 6,475	\$ 59,475
		Net change in Expenditures		\$ 6,475	
		Net impact on Utility Support Fund Balance		\$ (6,475)	
SOLID WASTE -60					
EXPENDITURES					
60-5-14-402.00	Waste Disposal	Capital Equipment	\$ -	\$ 3,600	\$ 3,600
		Net change in Expenditures		\$ 3,600	
		Net impact on Solid Waste Fund Balance		\$ (3,600)	

CITY OF BRADY
FY 19 PROPOSED BUDGET AMENDMENT (1) 11-6-2018

FUND:	DIVISION:	ACCOUNT DESCRIPTION	ORIGINAL BUDGET	AMENDMENT INC / (DEC)	PROPOSED BUDGET
SPECIAL REVENUE -80					page 3/6
REVENUES					
80-4-43-673.00	Comm Dev	TXDOT Grant-Repavement	\$ -	\$ 600,000	\$ 600,000
80-4-43-674.00	Comm Dev	TXDOT Grant-Master Plan	\$ -	\$ 66,119	\$ 66,119
80-4-43-676.00	Comm Dev	TPW Grant - Boat Ramp	\$ -	\$ 16,560	\$ 16,560
80-4-43-677.00	Comm Dev	TPW Grant - Richards Park	\$ -	\$ 400,000	\$ 400,000
80-4-43-679.00	Comm Dev	TPW Grant - WWashington	\$ -	\$ 3,530	\$ 3,530
		Net Change in Revenues		\$ 1,086,209	
EXPENDITURES					
80-5-43-273.00	Comm Dev	TXDOT Grant- Repavement	\$ -	\$ 600,000	\$ 600,000
80-5-43-273.01	Comm Dev	Local Cost - Repavement	\$ -	\$ 60,000	\$ 60,000
80-5-43-274.00	Comm Dev	TXDOT Grant -Master Plan	\$ -	\$ 66,119	\$ 66,119
80-5-43-276.00	Comm Dev	TPW Grant - Boat Ramp	\$ -	\$ 16,560	\$ 16,560
80-5-43-276.01	Comm Dev	Local Cost - Boat Ramp	\$ -	\$ 5,290	\$ 5,290
80-5-43-277.00	Comm Dev	TPW Grant - Richards Park	\$ -	\$ 340,889	\$ 340,889
80-5-43-277.01	Comm Dev	Local Cost - Richards Park	\$ -	\$ 351,889	\$ 351,889
80-5-43-279.00	Comm Dev	TPW Grant-WWashington	\$ -	\$ 1,478	\$ 1,478
80-5-43-279.01	Comm Dev	Local Cost - WWash. Park	\$ -	\$ 1,478	\$ 1,478
80-5-43-280.00	Comm Dev	Stanburn Park	\$ -	\$ 19,550	\$ 19,550
		Net Change in Expenditures		\$ 1,463,253	
		Net impact on Special Rev Fund Balance		\$ (377,044)	
CEMETERY - 81					
EXPENDITURES					
80-5-47-401.00	Cemetery	Capital Projects	\$ -	\$ 13,170	\$ 13,170
		Net change in Expenditures		\$ 13,170	
		Net impact on Cemetery Fund Balance		\$ (13,170)	

TOTAL NET REVENUES AMENDED \$ 1,173,609

TOTAL NET EXPENDITURES AMENDED \$ 2,596,280



FUND / DIVISION	ACCOUNT DESCRIPTION	AMENDMENT AMOUNT	REASON FOR AMENDMENT
GENERAL -10			
REVENUES			
Police	Grants	\$ 79,400	Grant from Office of the Govenor - NIBRS program
	TOTAL	\$ 79,400	
EXPENDITURES			
ALL DIVISIONS	Hospital Insurance	\$ (114,000)	Savings from new insurance rates
Airport	Payroll	\$ (8,000)	Reduce payroll to average cost
Golf	Payroll	\$ (12,000)	Reduce payroll to average cost
Fire	Payroll	\$ (15,000)	Reduce payroll to expected cost
Code	Payroll	\$ (13,100)	Reduce payroll to expected cost
Administration	Payroll, Retirement,Taxes	\$ 8,200	NEW REQUEST- 15 % increase to City Secretary
Administration	Computer Hardware	\$ 18,484	Carry-over budgeted work by McLane Intel
Administration	Internet Access	\$ 5,700	Carry-over budgeted work by McLane Intel
Airport	Capital Equipment	\$ 9,500	Aircraft tug could not be delivered until October
Golf	Capital Projects	\$ 45,000	NEW EMERGENCY REQUEST - IRRIGATION SYSTEM
Fire	Computer Hardware	\$ 7,361	Carry-over budgeted work by McLane Intel
Police	Payroll, Retirement,Taxes	\$ 41,400	NEW REQUEST- 15% increase to pay rate patrol officers
Police	Computer Hardware	\$ 7,361	Carry-over budgeted work by McLane Intel
Police	Capital Projects	\$ 71,900	Carry-over budgeted NIBRS grant for new software
Community	Various Organizations	\$ 55,000	Carry-over Loan Commitment to Trails of Brady
Animal Control	Capital Projects	\$ 48,800	Carry-over budgeted funds for a new Shelter
Animal Control	Rent	\$ 2,000	Carry-over funds to provide for Shelter rent
EMS	Payroll, Retirement,Taxes	\$ 112,500	NEW REQUEST- 15% increase to pay rate all positions
	TOTAL	\$ 271,106	
ELECTRIC -20			
REVENUES			
Electric Dist.	Sale of Scrap	\$ 8,000	Excess copper sold to recycle company 10-26-18
	TOTAL	\$ 8,000	
EXPENDITURES			
Power Plant	Professional Fees	\$ 9,600	Carry-over budgeted cost for clean-up at Power Plant
Electric Dist.	Christmas Decorations	\$ 8,000	NEW REQUEST- additional decorations
Electric Dist.	Capital Projects	\$ 65,080	Carry-over budgeted cost for Airport feed rebuild
Electric Dist.	Capital Projects	\$ 50,000	NEW EMERGENCY REQUEST - REPLACE DAMAGED 50 POLES
	TOTAL	\$ 132,680	



FUND / DIVISION	ACCOUNT DESCRIPTION	AMENDMENT AMOUNT	REASON FOR AMENDMENT
--------------------	---------------------	---------------------	----------------------

WATER/SEWER -30

EXPENDITURES			
WWTP	Capital Projects	\$ 37,000	Carry-over budgeted funds for the sludge pumps
CW Project	Capital Projects	\$ 488,466	Carry-over budgeted funds for engineering work.
Water Dist.	Capital Projects	\$ 62,200	Carry-over budgeted sewer distribution line replacement due to delay in project work.
DW Project	Capital Projects	<u>103,330</u>	Carry-over budgeted funds for the engineering work.
	TOTAL	<u><u>\$ 690,996</u></u>	

GAS -40

EXPENDITURES			
Gas Dist.	Capital Projects	\$ 15,000	Carry-over budgeted funds for Lynn Gavitt line improvement project
	TOTAL	<u><u>\$ 15,000</u></u>	

UTILITY SUPPORT -50

EXPENDITURES			
Utility Support	Capital Projects	\$ 6,475	Carry-over budgeted funds for new offices
	TOTAL	<u><u>\$ 6,475</u></u>	

SOLID WASTE -60

EXPENDITURES			
Waste Disposal	Capital Equipment	\$ 3,600	Carry-over budgeted funds for construction of methane gas vents
	TOTAL	<u><u>\$ 3,600</u></u>	



FUND / DIVISION	ACCOUNT DESCRIPTION	AMENDMENT AMOUNT	REASON FOR AMENDMENT
--------------------	---------------------	---------------------	----------------------

SPECIAL REVENUE -80

REVENUES

Comm Dev	TXDOT Grant-Repavement	\$ 600,000	NEW REQUEST - to repave airport runways, taxiways
Comm Dev	TXDOT Grant-Master Plan	\$ 66,119	Carry-over grant funds not earned yet.
Comm Dev	TPW Grant - Boat Ramp	\$ 16,560	Carry-over grant funds available,not earned yet.
Comm Dev	TPW Grant - Ballfields	\$ 400,000	Carry-over grant funds not earned yet.
Comm Dev	TPW Grant - WWashington	\$ 3,530	Carry-over grant funds not earned yet.
	TOTAL	\$ 1,086,209	

Comm Dev	TXDOT Grant-Repavement	\$ 600,000	NEW REQUEST -GRANT FUNDS for repavement
Comm Dev	Local cost - Repavement	\$ 60,000	LOCAL FUNDS from Mr. Ritter's donation
Comm Dev	TXDOT Grant -Master Plan	\$ 66,119	Carry-over budgeted funds for plan not yet completed.
Comm Dev	TPW Grant - Boat Ramp	\$ 16,560	Carry-over budgeted funds available if needed.
Comm Dev	Local Cost - Boat Ramp	\$ 5,290	Carry-over budgeted for match required if needed.
Comm Dev	TPW Grant - Ballfields	\$ 340,889	Carry-over budgeted funds for work not completed.
Comm Dev	Local Cost - Ballfields	\$ 351,889	Carry-over budgeted cost for work not completed.
Comm Dev	TPW Grant-WWashington	\$ 1,478	Carry-over budgeted funds for work not completed.
Comm Dev	Local Cost - WWash. Park	\$ 1,478	Carry-over budgeted funds for work not completed.
Comm Dev	Stanburn Park	\$ 19,550	Carry-over budgeted funds for work not completed.
	TOTAL	\$ 1,463,253	

CEMETERY -81

EXPENDITURES

Cemetery	Capital	\$ 13,170	Carry-over budgeted funds for curbing not completed.
	TOTAL	\$ 13,170	

TOTAL REVENUES \$ 1,173,609

TOTAL EXPENDITURES \$ 2,596,280

**NET INC/(DEC) TO FUND
BALANCE RESERVES** \$ (1,422,671)



BRADY
THE CITY OF
TEXAS

INTER-OFFICE MEMORANDUM

October 31, 2018

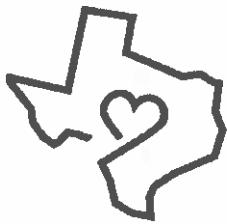
TO: Lisa Remini
Finance Director

FROM: Dennis Jobe
Director of Community Services

Stephen Morgan
Golf Course Supervisor

SUBJ: Pumps for the Golf Course
Proposed \$45k Budget Amendment, FY2018/2019

We are requesting an amendment to the budget for a new irrigation pump at the golf course. The existing pump is working at half capacity which is causing air in the lines and then causing pressure leaks in the system. Rebuild of the one pump and an additional new one will result in no pressure leaks and will work efficiently to provide adequate water for the irrigation system. We are also in need of a new pm pump that controls the air in the system. It is highly recommended an additional \$45,000 in funds be categorized in Golf Course Distribution as a budget amendment for FY2018/2019.



October 29, 2018

TO: Lisa Remini
Finance Director

FROM: Steven Miller
PW – Director

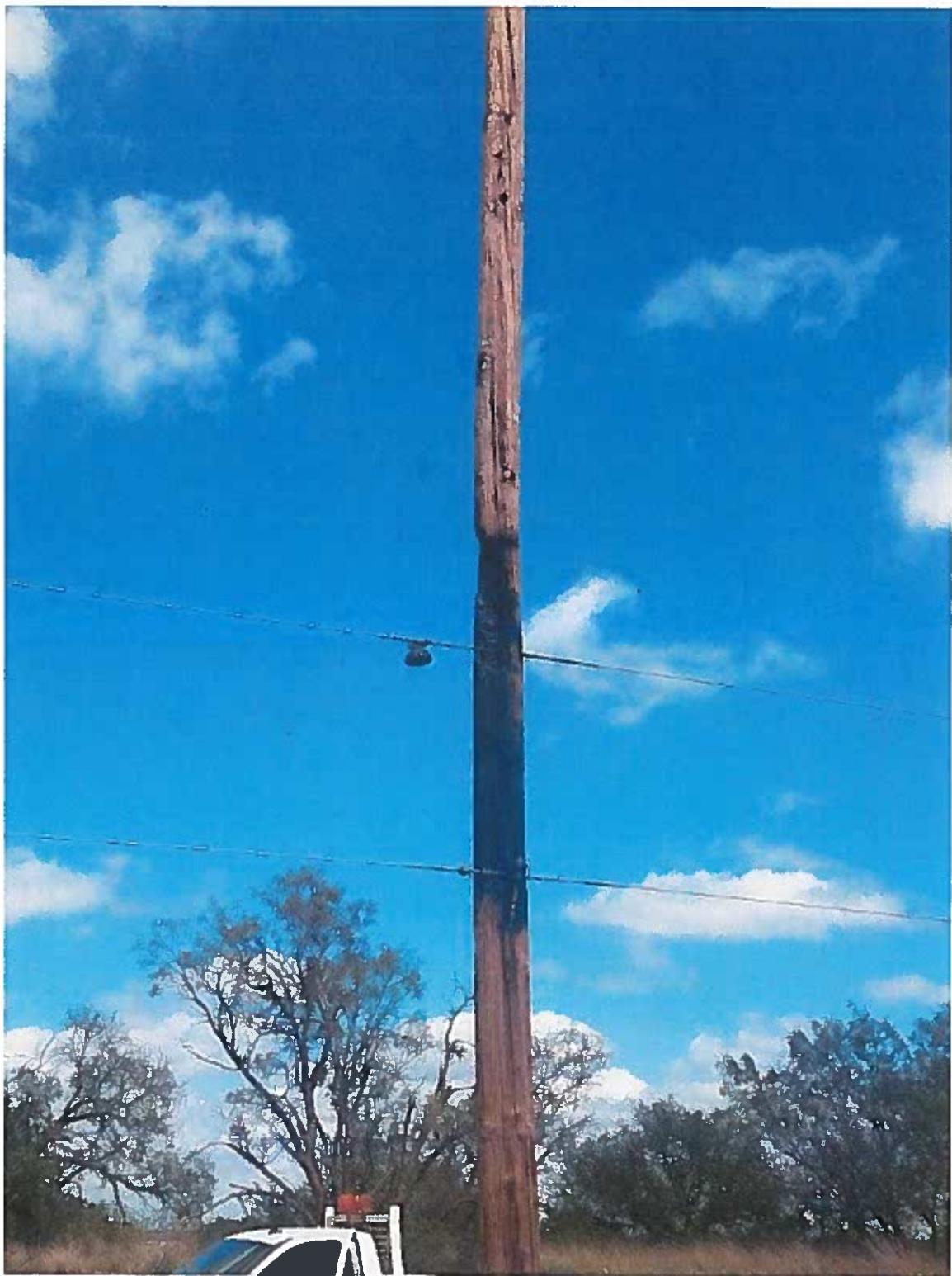
Joe Solis
Electric Distr. Supt.

SUBJ: Power Pole Replacement
Proposed \$50k Budget Amendment, FY2019

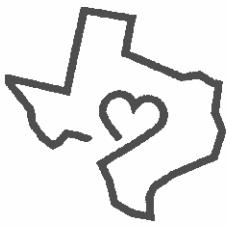
On Saturday October 13th, 2018 a severe thunderstorm event occurred in and around Brady, including a low grade tornado being recorded in the city. The severe thunderstorm and associated tornado inflicted damage to a number of power poles throughout the city limits. The electric distribution system consists primarily of power poles and is at risk of failure in various areas of the city due to the storm event. It is estimated around 50 poles were damaged ranging from lightning strikes burns, wind shear weakening at bases and pole breakage.

This storm event creates an unplanned expenditure burden to the city's operating budget. City Council approved a regular capital outlay project of \$50,000 for pole replacement in the FY2019 budget. The Electric Division has an assigned work agreement with an electric power contractor schedule for November 2018. It would be advantageous for the city to offer emergency pole replacement work to this general contractor.

It is highly recommended an additional \$50,000 in funds be categorized in Electric Distribution as a budget amendment for FY2019.







BRADY
THE CITY OF
TEXAS

INTER-OFFICE MEMORANDUM

October 31, 2018

TO: Lisa Remini
Finance Director

FROM: Dorsey Bustamante
Purchasing Agent

Joe Solis
Electric Distr. Supt.

SUBJ: Christmas Decorations
Proposed \$8,000 Budget Amendment, FY2019

On Thursday, October 25, 2018 the Electric Division transported and disposed of scrap metal copper wire accumulated from improvement projects performed in FY2018. The copper wire was recycled at Big County Recycling located in San Angelo, Texas. The Electric Division received cash payment of \$8,131.

The Electric Division is requesting an additional \$8,000 in funds be added to the Scrap Metal Revenue line item 20-4-22-806.00 and to the Christmas Decoration Expense line item 20-5-22-338.00 for the purchase of additional decorations. The staff will be purchasing the decorations after the Christmas Holiday to take advantage of the additional discounts. Some considerations at this time are: an 18 foot Christmas tree \$9,200 estimated cost

**MANDATORY****GRANT PROJECT FORM (10/2018)**DATE: 10/30/2018DIVISION: 2-AirportSTAFF ADMINISTRATOR: Airport Manager - Lisa PerryGRANT PROJECT NAME: Pavement RehabilitationGRANTOR: TXDot - Aviation DivisionGRANT PROJECT OBJECTIVE: All pavement will require routine and/or preventative maintenance during the service period. Due to deterioration from normal use and the environment, rehabilitation of surface grades and renewal of skid-resistant properties are required. Rehabilitation will consist of runway, taxiways, and apron - each getting any required crack seal, seal coat, and re-markings

	Percent		FY 19	FY	FY
GRANT AMOUNT	<u>90%</u>	\$ <u>600,000</u>	\$ <u>600,000</u>	<u> </u>	<u> </u>
CITY MATCH AMOUNT*	<u>10%</u>	\$ <u>60,000</u>	\$ <u>60,000</u>	<u> </u>	<u> </u>
TOTAL PROJECT COST	<u>100%</u>	\$ <u>660,000</u>	\$ <u>660,000</u>	<u> </u>	<u> </u>

* The funding for the local match will come from Mr. Ritter's donation.

G/L Expense Budget #: 80-4-43-673.00G/L Revenue Budget #: 80-5-43-273.00 and 80-5-43-673.01

CITY MANAGER APPROVAL

FINANCE DIRECTOR

A handwritten signature in blue ink, appearing to read "J. Ritter". It is placed over two horizontal lines, one above the other.

ADMINISTRATIVE PROCESS:

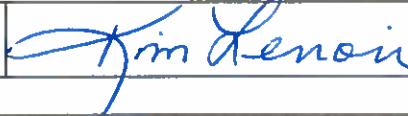
(How will paperwork and funding be handled?)

Airport Management will track cost and file all required grant funding documents.

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/18	AGENDA ITEM	7.C.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding issuing final Demolition Order 2018-32 in accordance with Code of Ordinances Section 3.207 to authorize abatement of violations of dilapidated structures at <u>102 West Shore Drive</u> of the Simpson Lake Division, Block 4 Lot 13.		
PREPARED BY:	Walter Holbert	Date Submitted:	11/6/18
EXHIBITS:	Demolition Order 2018-32; Photos of Property		
BUDGETARY IMPACT:	Required Expenditure:	\$1350.00	
	Amount Budgeted:	\$30,000.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>This structure at this address has been determined to be a dangerous premise. This property has not had utilities connected since 2012. 102 West Shore Drive is in the Simpson Lake Club Subdivision at Brady Lake.</p> <p>Owners: Patricia Boothe Est.</p> <p>Last Known Address: 400 Sundance Circle, Irving, TX 75063</p> <p>Property Taxes Due: \$ 2136.27</p> <p>Amount of Tax Lien: \$ 1690.00</p> <p>Action taken:</p> <p>July 21, 2016 - This property was first identified as a substandard structure following a complaint. A letter was sent to the estate by then Building Official Ronnie Roberts with no response. The case was incorrectly changed to closed on November 30, 2016. Staff has reopened the case.</p> <p>August 13, 2018 - City received notice that the property did not sell and would be going to the estate.</p> <p>August 21, 2018 - The property went before council where it was decided to approve Abatement Order 2018-32.</p> <p>The Structure meets the requirement for Abatement under section 3.207 for the following reasons:</p> <p>(2) The building or structure was constructed or maintained in violation of any provision of the city's building code, or any other applicable ordinance or law of the city, county, state, or federal government,</p> <p>(9) The structure has inadequate light, ventilation, or sanitation facilities as required by the city,</p> <p>(10) The structure, because of its condition, is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the City's citizens including all conditions conducive to the harboring of rats or mice or other disease carrying animals or insects reasonably calculated to spread disease,</p> <p>(11) The structure is unsafe, unsanitary or dangerous to the health, safety and general welfare of the city's citizens due to failure to comply with any provision in Chapter 13 of the city code ("Utilities").</p>		
RECOMMENDED ACTION:			
It is the determination of the Code Enforcement office that this structure can never be repaired to a condition of complete code compliance without significant repair of the entire structure.			
It is recommended that City Council approve final Demolition Order 2018-32.			

DEMOLITION ORDER 2018-32

AN ORDER OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO THE OWNER OF THE PROPERTY LOCATED AT 102 WEST SHORE DRIVE, BRADY, MCCULLOCH COUNTY, TEXAS WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS PREMISES

WHEREAS, on April 6, 2018, the City provided the owner of the property located at 102 West Shore Drive, Texas with notice, via certified mail, of a hearing to be held on April 17, 2018, and was continued until August 21, 2018

WHEREAS, on August 21, 2018, the City Council conducted a public hearing concerning the structure located at 102 West Shore Drive, City of Brady, Texas to determine whether to order the demolition or repair of the structure under Section 3.212 of the Brady Code of Ordinances (Dangerous Premises); and

WHEREAS, the City Council finds that all proper notices have been sent as required by City Ordinances; and

WHEREAS, based upon the evidence presented, the City Council finds that the Property is in violation of the ordinances regarding substandard structures under Section 3.207 of the City of Brady Code of Ordinances (Dangerous Premises); and

WHEREAS, the property owner, Patricia Boothe, did not appear at the hearing; and

WHEREAS, the City Council finds that the structure is unoccupied; and

WHEREAS, the City Council finds based on the evidence presented at the hearing that the structure contains nuisance conditions that constitute a hazard to the health, safety and welfare of the citizens and are likely to endanger persons and property; and

WHEREAS, the City Council takes notice of and incorporates all evidence presented, including photographs and the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes; and

WHEREAS, based upon the evidence presented, the City Council finds that the Property is in violation of the Dangerous Premises Ordinance; and

WHEREAS, the City Council finds that the structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizens and likely to endanger persons and property.

NOW THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BRADY THAT:

- (1) The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.
- (2) The structure located at 102 West Shore Drive, Brady, Texas satisfies one or more of the substandard and dangerous conditions set forth in Section 3.204 of the Brady Code of

Ordinances (Dangerous Premises). Specifically, Subsections, (1) The building or structure is liable to partially or fully collapse, (4) The foundation or the vertical or horizontal supporting members are twenty-five percent or more damaged or deteriorated, (5) The non-supporting coverings of walls, ceilings, roofs, or floors are fifty (50) percent or more damaged or deteriorated, (6) The structure has improperly distributed loads upon the structural members, or the structural members have insufficient strength to be reasonably safe for the purpose used, (7) The structure of any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public, health, safety and welfare, of Section 3.207 of the Code of Ordinances have been violated.

(3) The owner is hereby ordered to demolish the structure located at 102 West Shore Drive, Brady, Texas by no later than 30 days from the date of this Order, which is November 6, 2018; and

(4) This property will be inspected for compliance with this order on November 6, 2018. If the owner fails to demolish and remove or repair the building before November 6, 2018, the City will demolish and remove the building and assess the expenses against the lot, tract, or parcel of land or the premises upon which such expense was incurred.

It is specifically determined that the recitals in this order are incorporated by reference as findings of fact and that the meeting that the City Council passed this order was open to the public, and that the public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act.

ORDERED THIS _____ DAY OF _____ 2018.

Anthony Groves, Mayor

Attest: _____
Tina Keys, City Secretary



08/14/2018

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11-06-2018	AGENDA ITEM	7. D.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding Resolution 2018-043 to approve equipment lease-purchase agreement with Caterpillar Financial Services Corp. for new landfill compactor.		
PREPARED BY:	Jim Kidd/S Miller/L Remini	Date Submitted:	10-31-2018
EXHIBITS:	Buy Board Quote / Proposal from Warren Cat Lease Agreement with Resolution 2018-043		
BUDGETARY IMPACT:	Required Expenditure:	\$69,043.60	
	Amount Budgeted:	\$69,043.60	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
<p>SUMMARY: The City Landfill division is currently leasing a trash compactor from Warren CAT that is used daily, all day to compact city collected trash. The lease has matured. Due to the number of hours on the current compactor, staff recommends to return/trade-in the compactor to Warren CAT for a value of \$120,000. As a result, a new lease agreement is required. This equipment is priced on the Buy Board which means bids have been taken though the Buy Board process approved by State procurement standards and the asset is eligible to purchase without further bidding.</p> <p>The proposal details the trade-in of the current compactor to satisfy the majority balance due on the current lease with a net balance to finance at \$477,294.09. The resulting monthly payment will be \$6,904 for 60 months with a balloon payment of \$146,904.36 at the end of the term. Staff intends to traded-in the asset with a guaranteed repurchase value of \$140,000 at the maturity date of the proposed lease; therefore, this transaction is budgeted as a rental expense.</p>			

RECOMMENDED ACTION:

Move to approve **Resolution 2018-043**, lease agreement of an 816K compactor from Warren CAT and authorize the Mayor to execute a lease contract between the City of Brady and CAT Financial Services Corporation for a 5-year term at \$6,904.36 per month.

GOVERNMENTAL ENTITY RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE

WHEREAS, the laws of the State of Texas (the "State") authorize CITY OF BRADY, TEXAS (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

RESOLVED, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Name (Print or Type)

Anthony Groves

Title (Print or Type)

Mayor

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the Secretary/Clerk of the Governmental Entity is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

I, City Secretary, Tina Keys, of CITY OF BRADY, TEXAS, certify that the resolutions above are a full, true and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the officer named below executes this document on behalf of the Governmental Entity.

Signature:

Title: Mayor

Date:

Signature:

Title: City Secretary

Date:

Governmental Equipment Lease-Purchase Agreement
Transaction Number 3580076



1. PARTIES

LESSOR ("we", "us", or "our"):

CATERPILLAR FINANCIAL SERVICES CORPORATION
2120 West End Avenue
Nashville, TN 37203

LESSEE ("you" or "your"):

CITY OF BRADY, TEXAS
201 E. MAIN
BRADY, TX 76825

In reliance on your selection of the equipment described below (each a "Unit"), we have agreed to acquire and lease the Units to you, subject to the terms of this Lease. Until this Lease has been signed by our duly authorized representative, it will constitute an offer by you to enter into this Lease with us on the terms stated herein.

2. DESCRIPTION OF THE UNITS

DESCRIPTION OF UNITS Whether the Unit is new or used, the model number, the manufacturer, and the model name.	SERIAL/VIN Unique ID number for this Unit.	MONTHLY LEASE PAYMENT This is due per period, as stated below in section 3.	FINAL LEASE PAYMENT	DELIVERY DATE Enter date machine was delivered to you
(1) New 816K Caterpillar Landfill Compactor	LT600102	\$6,904.36	\$146,904.36	_____

TERMS AND CONDITIONS

3. **Lease Payments; Current Expense** You will pay us the lease payments, including the final lease payment set forth above (collectively, the "Lease Payments"). Lease Payments will be paid by you to us as follows: a first payment of \$6,904.36 will be paid in arrears and the balance of the Lease Payments is payable in 59 successive monthly payments of which the first 58 payments are in the amount of \$6,904.36 each, and the last payment is in the amount of \$146,904.36 plus all other amounts then owing under this Lease, with the first Lease Payment due one month after the date that we sign this Lease and subsequent Lease Payments due on a like date of each month thereafter until paid in full. A portion of each Lease Payment constitutes interest and the balance of each Lease Payment is payment of principal. The Lease Payments will be due without demand. You will pay the Lease Payments to us at Caterpillar Financial Services Corporation, PO Box 730681, Dallas, TX 75373-0681 or such other location that we designate in writing. Your obligations, including your obligation to pay the Lease Payments due in any fiscal year, will constitute a current expense of yours for such fiscal year and will not constitute an indebtedness of yours within the meaning of the constitution and laws of the State in which you are located (the "State"). Nothing in this Agreement will constitute a pledge by you of any taxes or other moneys, other than moneys lawfully appropriated from time to time for the payment of the "Payments" (as defined in the last sentence of this Section) owing under this Agreement. You agree that, except as provided in Section 7, your duties and liabilities under this Agreement and any associated documents are absolute and unconditional. Your payment and performance obligations are not subject to cancellation, reduction, or setoff for any reason. You agree to settle all claims, defenses, setoffs, counterclaims and other disputes you may have with the Supplier, the manufacturer of the Unit, or any other third party directly with the Supplier, the manufacturer or the third party, as the case may be. You will not assert, allege or make any such claim, defense, setoff, counterclaim or other dispute against us or with respect to the payments due us under this Agreement. As used in this Agreement, "Payments" will mean the Lease Payments and any other amounts required to be paid by you.

The portion of the Lease Payments constituting principal will bear interest (computed on the basis of actual days elapsed in a 360 day year) at the rate of 4.84% per annum.

4. **Late Charges** If we do not receive a Payment on the date it is due, you will

pay to us, on demand, a late payment charge equal to the lesser of five percent (5%) of such Payment or the highest charge allowed by law.

5. **Security Interest** To secure your obligations under this Agreement, you grant us a continuing first priority security interest in each Unit (including any Additional Collateral), including all attachments, accessories and optional features (whether or not installed on such Units) and all substitutions, replacements, additions, and accessions, and the proceeds of all the foregoing, including, but not limited to, proceeds in the form of chattel paper. You authorize the filing of such financing statements and will, at your expense, do any act and execute, acknowledge, deliver, file, register and record any document, which we deem desirable to protect our security interest in each Unit and our rights and benefits under this Agreement. You, at your expense, will protect and defend our security interest in the Units and will keep the Units free and clear of any and all claims, liens, encumbrances and legal processes however and whenever arising.

6. **Disclaimer of Warranties** WE HAVE NOT MADE AND DO NOT MAKE ANY WARRANTY, REPRESENTATION OR COVENANT OF ANY KIND, EXPRESS OR IMPLIED, AS TO THE UNITS. AS TO US, YOUR LEASE AND PURCHASE OF THE UNITS WILL BE ON AN "AS IS" AND "WHERE IS" BASIS AND "WITH ALL FAULTS". Nothing in this Agreement is intended to limit, waive, abridge or otherwise modify any rights, claims, or causes of action that you may have against any person or entity other than us.

7. **Non-Appropriation** You have an immediate need for, and expect to make immediate use of, the Units. This need is not temporary or expected to diminish during the term of this Agreement. To that end, you agree, to the extent permitted by law, to include in your budget for the current and each successive fiscal year during the term of this Agreement, a sufficient amount to permit you to discharge your obligations under this Agreement. Notwithstanding any provision of this Agreement to the contrary, we and you agree that, in the event that prior to the commencement of any of your fiscal years you do not have sufficient funds appropriated to make the Payments due under this Agreement for such fiscal year, you will have the option of terminating this Agreement as of the date of the commencement of such fiscal year by giving us sixty (60) days prior written notice of your intent to terminate. No later than the last day of the last fiscal year for which appropriations were made for the Payments (the "Return Date"), you will



return to us all of the Units, at your sole expense, in accordance with Section 14, and this Agreement will terminate on the Return Date without penalty or expense to you and you will not be obligated to pay the Lease Payments beyond such fiscal year; provided, that you will pay all Payments for which moneys have been appropriated or are otherwise available; and provided further, that you will pay month to-month rent at the rate set by us for each month or part of any month that you fail to return the Units.

8. **Tax Warranty** You will, at all times, do and perform all acts and things necessary and within your control to ensure that the interest component of the Lease Payments will, for the purposes of Federal income taxation, be excluded from our gross income. You will not permit or cause your obligations under this Agreement to be guaranteed by the Federal Government or any branch or instrumentality of the Federal Government. You will use the Units for the purpose of performing one or more of your governmental functions consistent with the scope of your authority and not in any trade or business carried on by a person other than you. You will report this Agreement to the Internal Revenue Service by filing Form 8038G, 8038GC or 8038, as applicable. Failure to do so will cause this Agreement to lose its tax exempt status. You agree that if the appropriate form is not filed, the interest rate payable under this Agreement will be raised to the equivalent taxable interest rate. If the use, possession or acquisition of the Units is determined to be subject to taxation, you will pay when due all taxes and governmental charges assessed or levied against or with respect to the Units.

9. **Assignment** You may not, without our prior written consent, by operation of law or otherwise, assign, transfer, pledge, hypothecate or otherwise dispose of your right, title and interest in and to this Agreement and/or the Units and/or grant or assign a security interest in this Agreement and/or the Units, in whole or in part. We may not transfer, sell, assign, pledge, hypothecate, or otherwise dispose of our right, title and interest in and to this Agreement and/or the Units and/or grant or assign a security interest in this Agreement and/or the Units, in whole or in part.

10. **Indemnity** To the extent permitted by law, you assume liability for, agree to and do indemnify, protect and hold harmless us and our employees, officers, directors and agents from and against any and all liabilities, obligations, losses, damages, injuries, claims, demands, penalties, actions, costs and expenses (including reasonable attorney's fees), of whatsoever kind and nature, arising out of the use, condition (including, but not limited to, latent and other defects and whether or not discoverable by you or us), operation, ownership, selection, delivery, storage, leasing or return of any item of Units, regardless of where, how and by whom operated, or any failure on your part to accept the Units or otherwise to perform or comply with any conditions of this Agreement.

11. **Insurance; Loss and Damage** You bear the entire risk of loss, theft, destruction or damage to the Units from any cause whatsoever. No loss, theft, destruction or damage of the Units will relieve you of the obligation to make Lease Payments or to perform any obligation owing under this Agreement. You agree to keep the Units insured to protect all of our interests, at your expense, for such risks, in such amounts, in such forms and with such companies as we may require, including but not limited to fire and extended coverage insurance, explosion and collision coverage, and personal liability and property damage liability insurance. Any insurance policies relating to loss or damage to the Units will name us as loss payee as our interests may appear and the proceeds may be applied toward the replacement or repair of the Units or the satisfaction of the Payments due under this Agreement. You agree to use, operate and maintain the Units in accordance with all laws, regulations and ordinances and in accordance with the provision of any policies of insurance covering the Units, and will not rent the Units or permit the Units to be used by anyone other than you. You agree to keep the Units in good repair, working order and condition and house the Units in suitable shelter, and to permit us or our assigns to inspect the Units at any time and to otherwise protect our interests in the Units. If any Unit is customarily covered by a maintenance agreement, you will furnish us with a maintenance agreement by a party acceptable to us.

12. **Default; Remedies** An "Event of Default" will occur if (a) you fail to pay any

Payment when due and such failure continues for ten (10) days after the due date for such Payment or (b) you fail to perform or observe any other covenant, condition, or agreement to be performed or observed by you under this Agreement and such failure is not cured within twenty (20) days after written notice of such failure from us. Upon an Event of Default, we will have all rights and remedies available under applicable law. In addition, we may declare all Lease Payments due or to become due during the fiscal year in which the Event of Default occurs to be immediately due and payable by you and/or we may repossess the Units by giving you written notice to deliver the Units to us in the manner provided in Section 14, or in the event you fail to do so within ten (10) days after receipt of such notice, and subject to all applicable laws, we may enter upon your premises and take possession of the Units. Further, if we financed your obligations under any extended warranty agreement such as an Equipment Protection Plan, Extended Service Contract, Extended Warranty, Customer Service Agreement, Total Maintenance and Repair Agreement or similar agreement, we may cancel such extended warranty agreement on your behalf and receive the refund of the extended warranty agreement fees that we financed but had not received from you as of the date of the Event of Default.

13. **Miscellaneous** This Agreement may not be modified, amended, altered or changed except by a written agreement signed by you and us. In the event any provision of this Agreement is found invalid or unenforceable, the remaining provisions will remain in full force and effect. This Agreement, together with exhibits, constitutes the entire agreement between you and us and supersedes all prior and contemporaneous writings, understandings, agreements, solicitations, documents and representations, expressed or implied. Any terms and conditions of any purchase order or other documents submitted by you in connection with this Agreement which are in addition to or inconsistent with the terms and conditions of this Agreement will not be binding on us and will not apply to this Agreement. You agree that we may correct patent errors in this Agreement and fill in blanks including, for example, correcting or filling in serial numbers, VIN numbers, and dates. Any notices required to be given under this Agreement will be given to the parties in writing and by certified mail at the address provided in this Agreement, or to such other addresses as each party may substitute by notice to the other, which notice will be effective upon its receipt.

14. **Title; Return of Units** Notwithstanding our designation as "Lessor", we do not own the Units. Legal title to the Units will be in you so long as an Event of Default has not occurred and you have not exercised your right of non-appropriation. If an Event of Default occurs or if you non-appropriate, full and unencumbered title to the Units will pass to us without the necessity of further action by the parties, and you will have no further interest in the Units. If we are entitled to obtain possession of any Units or if you are obligated at any time to return any Units, then (a) title to the Units will vest in us immediately, and (b) you will, at your expense, promptly deliver the Unit to us properly protected and in the condition required by Section 11. You will deliver the Unit, at our option, (i) to the nearest Caterpillar dealer selling equipment of the same type as the Unit; or (ii) on board a carrier named by us and shipping the Unit, freight collect, to a destination designated by us. If the Unit is not in the condition required by Section 11, you must pay us, on demand, all costs and expenses incurred by us to bring the Unit into the required condition. Until the Units are returned as required above, all terms of this Agreement will remain in full force and effect including, without limitation, your obligation to pay Lease Payments and to insure the Units.

15. **Other Documents** In connection with the execution of this Agreement, you will cause to be delivered to us (i) either (A) a certified copy of your authorizing resolution substantially in the form attached as Attachment B and a copy of the minutes of the relevant meeting or (B) an opinion of your counsel substantially in the form attached as Attachment C; (ii) a Verification of Insurance substantially in the form attached to this Agreement; (iii) a copy of the signed Form filed with the Internal Revenue Service required in Section 8 above as Attachment D; and (iv) any other documents or items required by us.

16. **Applicable Law** This Agreement will be governed by the laws, excluding the laws relating to the choice of law, of the State in which you are located.

SIGNATURES

LESSOR

CATERPILLAR FINANCIAL SERVICES CORPORATION

Signature _____

Name (print) _____

Title _____

Date _____

LESSEE

CITY OF BRADY, TEXAS

Signature _____

Name (print) Anthony Groves

Title Mayor

Date _____

FOR INFORMATION PURPOSES -





Quote 197030-01

May 25, 2018

CITY OF BRADY
PO BOX 351
BRADY
Texas
76825-0351

BUY BOARD PROPOSAL

Honorable Mayor and City Council;

Thank you for this opportunity to quote Caterpillar products for your business needs. We are pleased to quote the following for your purchase consideration.

One (1) New CATERPILLAR Model: 816K Wheel Dozers with all standard equipment in addition to the additional specifications listed below:

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Bill Thomas". The signature is fluid and cursive, with "Bill" on the left and "Thomas" on the right.

Bill Thomas
Machine Sales Representative

One (1) New CATERPILLAR Model: 816K Wheel Dozers with all standard equipment in addition to the additional specifications listed below:

STANDARD EQUIPMENT

CONSIST NOTE-The standard equipment list includes all-Attachment section.-no-charge (NC) items from the Mandatory

POWERTRAIN-Advanced Productivity Electronic Control-Engine driven cooling fan (suction)-Shifting (APECS)-Fuel priming pump (electric)-Air to air aftercooler-Fuel to air cooler-Brakes, full hydraulic, enclosed, wet-Ground level engine shutoff-multiple disc service brakes-Muffler (under hood) (LRC)-Cat clean emission module (HRC)-Radiator, unit core-Electro-hydraulic parking brake-Starting aid (ether)-Electronic Clutch Pressure Control-Throttle lock-(ECPC)-Transmission, planetary with 2F/2R-Engine, CAT C7.1-speed range control-US EPA T4/EU Stage IV Technology (HRC)-Torque converter-US EPA T3/EU Stage IIIA Technology (LRC)

ELECTRICAL-Alarm, back-up-switch-Alternator (150 amp)-Light, warning unswitched (LED strobe)-Batteries, maintenance free-Lighting system (front and rear)-Electrical system (24 volt)-Starter, electric-Ground level lockable master disconnect-Starting receptacle for emergency start

OPERATOR ENVIRONMENT-12-volt power port for mobile phone or-Parking brake status-laptop connection-Internal four-post rollover protective-AccuGrade mapping (ready)-structure (ROPS/FOPS)-Air conditioner with roof mounted-Light, (dome) cab-condenser-Lunch box and beverage holders-Cab, sound-suppressed pressurized-Mirror, internal (panoramic)-Camera, rear vision-Mirrors, rearview (externally mounted)-Coat and hard hat hooks-Radio, CB ready-Finger tip shifting controls-Radio ready for entertainment-Flip-up armrest-Antenna-Heater and defroster--Speakers-Horn, electric-Converter (12-volt 10-15 amp)-Hydraulic controls - floor mounted-Seat belt with minder, retractable, 76mm-Implement hydraulic lockout-(3") wide-Instrumentation, gauges:-STIC control system with lockout--DEF fluid level (HRC)-Sun visor, front--Engine coolant temperature-Tinted glass--Fuel level-Transmission gear (indicator)-Hydraulic oil temperature-Vital Information Management System-Speedometer/Tachometer-(VIMS):-Torque convertor temperature--Graphical information display-Instrumentation, warning indicators:--External data port-Action alert system, three category-Customizable operator profiles-Brake oil pressure-Event indicator light on rear grill-Electrical system, low voltage-Wet-arm wipers/washers (front and rear)--Engine failure malfunction alert and-Intermittent wipers (front and rear)-action lamp

GUARDS-Guards, axle (front and rear)-Guard, driveshaft-Guard, cab window-Guard, radiator-Guards, crankcase and powertrain, hinged-Striker bars

FLUIDS-Antifreeze, premixed 50% concentration-extended life (-34C)

OTHER STANDARD EQUIPMENT-DEF tank fill gauge (HRC)-Hoses, Cat XT(TM)-Doors, service access (locking)-Hydraulic, engine, and transmission-Ecology drains for engine, radiator,-oil coolers-transmission, hydraulic tank-Oil change system, high speed-Engine, crankcase, 500 hour interval-Oil sampling valves-with CJ-4 oil-Steering, load sensing-Emergency egress-Total hydraulic filtration system-Fire suppression ready-Vandalism protection caplocks-Fuel tank, 523 L (138 gal)-Venturi stack-Hitch, drawbar with pin

MACHINE SPECIFICATIONS

Description	Reference No
816K LANDFILL COMPACTOR HRC	430-8350
LANE 2 - AVAILABLE FROM AURORA FACTORY	
AVAILABLE FOR: AM-N, EU, ISRAEL, ANZ, JAPAN, and SOUTH KOREA	
HEATER, ENGINE BLOCK, 120V	265-7724
MIRRORS, STANDARD	346-3864
HORN, TRUMPET	383-2192
PRECLEANER, STANDARD	433-0491
FILMS, ANSI	434-5933
BULLDOZER, STRAIGHT BLADE	446-6763
AXLES, NO-SPIN FRONT and REAR	446-6769
RADIO, AM/FM/AUX/USB/BT	452-1394
WHEELS, COMBINATION TIPS	457-7819
STRIKER BARS W/CLEANER FINGERS	467-5160
LIGHTS, STANDARD	489-2326
FILM, AM-NORTH	504-1365
CAB, DELUXE	525-7227
PRODUCT LINK, CELLULAR PLE641	528-5686
PACK, DOMESTIC TRUCK	OP-0437
LANE 2 ORDER	OP-9002

Sell Price	\$466,015.45
Less Gross Trade Allowance	(\$120,000.00)
Net Balance Due	\$346,015.45
Ext Warranty	Included
Trades Amount Owed (Paid By Dealer)	\$130,000.00
HET: HET TOM GREEN CO TAX (0.21%)	\$978.63
After Tax Balance	\$476,994.09

TRADE-INS

Model	Make	Serial Number	Year	Trade Allowance
816F	CATERPILLAR(AA)	BZR00521	2013	\$120,000.00

WARRANTY

Standard Warranty: Standard 12 Month Unlimited Hour Full Machine Coverage

Extended Warranty: 816 GOVERNMENT 60 / 5000 PREMIER

F.O.B/TERMS

Brady landfill

5 YEAR 5000 HOUR REPURCHASE \$140,000

PAYMENT TERMS**Outright Sale Financing Terms**

CASH WITH ORDER	BALANCE TO FINANCE	TERM	PERIOD PAYMENT	RATE	DOCUMENT FEE	AMOUNT
\$0.00	\$477,294.09	60 (Monthly)	\$6,904.36	4.8372%	\$300.00	\$466,015.45

The above is subject to credit approval

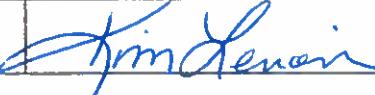
Accepted by John Lenoir on 7-5-18

Signature

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11 - 6 - 2018	AGENDA ITEM	7.E
AGENDA SUBJECT:	Discussion, consideration and possible action regarding Resolution 2018-044 to approve <i>Visit Brady Tourism Agreement</i> allocating 95% Hotel Motel Taxes to the McCulloch County/Brady Chamber of Commerce, in accordance with the City Council approved Tourism Strategic Plan (May 15, 2018).		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/29/2018
EXHIBITS:	Resolution 2018-044 Agreement Tourism Strategic Plan		
BUDGETARY IMPACT:	Required Expenditure:	\$234,500.00	
	Amount Budgeted:	\$250,000.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>The City Council and the Chamber of Commerce met May 15, 2018 in a Work Session to hear Vickey Soderberg with Cygnet Strategies present the two-year study and <i>Brady Texas Tourism Strategic Plan</i> to begin October 2018. The City and the Chamber invested \$72,000 of HOT funds in this plan.</p> <p>The plan outlines a very aggressive plan of work for the next 3 years for the Chamber, City and EDC. The City Council agreed to pay the Chamber of Commerce 95% of the HOT funds to complete this plan of work; projected for FY2019 is \$234,500.</p> <p>The attached contract has been reviewed by the City Attorney, City Manager, Finance Director and the Chamber President.</p>		
RECOMMENDED ACTION:	<p>Staff recommends approval of Resolution 2018-044 approving the contract and authorizing the Mayor to sign the contract.</p>		

RESOLUTION 2018-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO APPROVE VISIT BRADY TOURISM AGREEMENT ALLOCATING 95% HOTEL MOTEL TAXES TO THE MCCULLOCH COUNTY/BRADY CHAMBER OF COMMERCE, IN ACCORDANCE WITH THE CITY COUNCIL APPROVED TOURISM STRATEGIC PLAN APPROVED ON MAY 15, 2018.

WHEREAS, the City Council and the Chamber of Commerce met May 15, 2018 in a Work Session to discuss the Brady Texas Tourism Strategic Plan to begin October 2018; and

WHEREAS, City Council approved the “Plan” on May 15, 2018; and

WHEREAS, Vickey Stoderburg with Cygnet Stratgies presented the two-year study; and

WHEREAS, the City of Brady and the Chamber invested \$72,000 of HOT funds in this plan.

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

The City of Brady approves contract agreement with the Brady/McCulloch County Chamber of Commerce for a Visit Brady Strategic Plan.

PASSED AND APPROVED this the _____ day of _____, 2018

CITY OF BRADY:

Anthony Groves, Mayor

Attest: _____

Tina Keys, City Secretary

VISIT BRADY STRATEGIC PLAN - TOURISM SERVICES CONTRACT AGREEMENT

STATE OF TEXAS
COUNTY OF MCCULLOCH

This Agreement is made and entered into by and between the City of Brady, Texas, a municipal corporation of McCulloch County, Texas (hereinafter referred to as "City" and the Brady/McCulloch County Chamber of Commerce, a Texas non-profit corporation (hereinafter referred to as "Chamber").

WHEREAS, by ordinance passed and approved on the 6th day of September, 1985, City has assessed a Hotel-Motel Occupancy Tax to be collected by all hotels and motels located within the city limits of the City of Brady, Texas;

WHEREAS, the City desires to contract with the Chamber to act as the contractor for the City to implement the "Visit Brady Strategic Plan" for the City of Brady which said Hotel-Motel Occupancy Tax will support;

WHEREAS, the original contract between the City and the Chamber was entered into in 1985 and this Contract amends and replaces such contract as originally written so as to provide continuity in contracting between the City and the Chamber; and

WHEREAS, it is understood that the City enters into this Contract with the Chamber under its power to contract the functional and administrative work of expending said funds for public purposes.

NOW, THEREFORE, the parties agree as follows:

1. The Chamber's Board of Directors shall prepare an annual budget describing in detail a program of work in accordance with the "Visit Brady Strategic Plan"(Plan) that was approved by City Council in May 2018 for tourism related advertising and promotion services, separated from the regular Chamber business, as a stand-alone community program. The budget shall be submitted to the City no later than June 1 of each year for the annual budget approval process by the City Council (the City will provide the projected tax collection by May 15). The City Council shall approve, disapprove and/or amend the proposed budget during its budgeting process. The approved budget shall then be adopted by the City no later than the second meeting of the City Council in September of each year.

2. All funds received by the Chamber "Visit Brady Program" from the City Hotel-Motel Occupancy Tax shall be disposed of in a manner not in violation of state law.

3. This Contact shall be for three (3) one (1) year terms (FY 2019-FY 2021), ending on September 30, 2021, and from year to year thereafter upon like terms and conditions, unless either party shall give to the other party written notice of its intention to terminate the Contract,

such notice to be given in writing sixty (60) days (August 1) prior to the renewal date and the right to so terminate this Contract is hereby specifically reserved to both parties, unless cancelled pursuant to Section 7 below.

4. The total funds in a fiscal year distributed to the Chamber under this agreement shall be determined by calculating ninety-five percent (95%) of the Council approved budgeted tax collections for a fiscal year. To transition from monthly to quarterly payments from the City to the Chamber, the City will distributed five (5) \$15,000 monthly payments beginning October 2018 for Fiscal Year 2019 only. In May 2019, Hotel Occupancy Tax (HOT) actual collections will be reviewed and the first quarterly payment due to the Chamber/Visit Brady community program in May 2019 will reflect 95% of the total actual collections received from October 2018 through March 2019 activity less the advance payment of \$75,000. The following will then be the payment schedule: Quarterly payments (in the months of August, November, February, May) that equal 95% of actual collections received by the city and paid to the Chamber/Visit Brady community program in the month following the due date for delivery of funds to the city from the hotel/motels.

MuniServices is contracted to collect HOT taxes, audit the local hotels (to ascertain payment of all HOT taxes are made to the city) and to validate the use of HOT funds as dictated by law. The firm is auditing 2 motels for FY2019. City may bid or discontinue this service in FY 2020 and 2021. Ninety-five (95%) of any additional net funds collected from the MuniServices audit function, less cost of the service, will be distributed to the Chamber in accordance with this agreement.

The funds as provided for, approved, and budgeted by City Council under this Contract shall be budgeted and segregated in a special fund by the Chamber, and shall be expended only for the purposes hereinabove set out. These funds shall be disbursed under the direction of the Plan program in accordance with the City Council's approved budget. Accurate account of all funds received and expended, with supporting documentation, shall be kept thereon and subject to the both MuniServices audit and the Chamber's annual audit.

5. The Chamber "Visit Brady staff" (staff) will meet on a regular basis with the City Council HOT Tourism Committee (Committee). The Committee is to review and approve tourism grants and monthly progress reports and to monitor the program in accordance with the Plan. The staff will make a good faith effort to satisfy any questions or concerns by the Committee.

Quarterly meetings will be established by a newly appointed Visit Brady Advisory Tourism Board (Board), appointed by the staff. The Committee will be a sub-committee of the Board. Staff will define the Board's duties and responsibilities. The Board will be advisory only in reviewing annual funding of projects with the Plan, quarterly reports, and community program HOT funds in accordance with the approved budget by city council.

6. The Chamber shall make and render to the City an annual written report no later than January 2 of each year, showing in detail with supporting documentation how said funds from the previous year fiscal year have been expended, for what purposes, and the beneficial results thereof. If there are any unexpended funds, the Chamber shall repay these unexpended funds to the City by February 1. The unexpended funds returned to the City will be deposited in

the City's designated HOT Fund as "undesignated funds." The Chamber "Visit Brady" staff and Tourism Board will review all available funds and projected HOT receipts each May and prepare any additional budget requests for the City's annual budget process and City Council's approval.

7. In addition to the provisions of Section 3 herein, the City reserves the right to cancel this Contract without penalty by providing 30 days prior written notice to the Chamber for breach of any of its provisions by the Chamber expressed through a resolution of the City Council, and this Contract shall terminate at the expiration of said thirty (30) days unless the Chamber shall have previously corrected the defaults set out in the cancelling resolution. Termination under this paragraph shall not relieve the Chamber of any obligation or liability that has occurred prior to cancellation. **NOTE: This contract is subject to cancellation, without penalty, at any time the City deems the Chamber to be non-compliant with contractual obligations.**

8. The City shall not be liable for claims or demands for damages, monetary or otherwise, that may develop from the Chamber's actions in the performance of its work and activities financed under this Contract, and the Chamber shall indemnify, save harmless and defend the City, its officers, agents, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, attorney's fees and any and all other costs or fees (whether grounded in Constitutional law, Tort, Contract, or Property Law, or raised pursuant to local, state or federal statutory provision), arising out of the performance of the resulting agreement and/or arising out of a willful or negligent act or omission of the Chamber, its officers, agents, and employees. It is understood and agreed that the contractor and any employee or sub-contractor of contractor shall not be considered an employee of the City. **The Chamber shall not be within protection or coverage of the City's workers' compensation insurance, health insurance, liability insurance or any other insurance that the City from time to time may have in force and effect.**

9. It is further understood that by entering into this Contract with the Chamber, the City does not bind itself in the future to any action of the Council in connection with the alteration, repeal, or amendment of the City of Brady's Hotel-Motel Occupancy Tax. The City shall not be obligated under contract to pay over any funds of the City to the Chamber of Commerce. It is also understood between the parties to the Contract that, in the event no funds are available from the City of Brady seven percent (7%) Hotel-Motel Occupancy Tax, the Chamber shall have no right or demand upon the City for funds payable under this Contract if such funds are not available for any reason.

10. OWNERSHIP OF DOCUMENTS

A. Any and all writings, documents or information in whatsoever form and character produced by Chamber pursuant to the provisions of this Agreement is the exclusive property of City; and no such writing, document or information shall be the subject of any copyright or proprietary claim by Chamber.

B. Chamber understands and acknowledges that as the exclusive owner of any and all

such writings, documents and information, City has the right to use all such writings, documents and information as City desires, without restriction.

11. RECORDS RETENTION

A. Chamber and its subcontractors, if any, shall properly, accurately and completely maintain all documents, papers, and records, and other evidence pertaining to the services rendered hereunder (hereafter referred to as "documents"), and shall make such materials available to the City at their respective offices, at all reasonable times and as often as City may deem necessary during the Agreement period, including any extension or renewal hereof, and the record retention period established herein, for purposes of audit, inspection, examination, and making excerpts or copies of same by City and any of its authorized representatives.

B. Chamber shall retain any and all documents produced as a result of services provided hereunder for a period of four (4) years (hereafter referred to as "retention period") from the date of termination of the Agreement. If, at the end of the retention period, there is litigation or other questions arising from, involving or concerning this documentation or the services provided hereunder, Chamber shall retain the records until the resolution of such litigation or other such questions. Chamber acknowledges and agrees that City shall have access to any and all such documents at any and all times, as deemed necessary by City, during said retention period. City may, at its election, require Chamber to return said documents to City prior to or at the conclusion of said retention.

C. Chamber shall notify City, immediately, in the event Chamber receives any requests for information from a third party, which pertain to the documentation and records referenced herein. Chamber understands and agrees that City will process and handle all such requests.

12. NOTICE

Except where the terms of this Agreement expressly provide otherwise, any election, notice or communication required or permitted to be given under this Agreement shall be in writing and deemed to have been duly given if and when delivered personally (with receipt acknowledged), or three (3) days after depositing same in the U.S. mail, first class, with proper postage prepaid, or upon receipt if sending the same by certified mail, return receipt requested, or upon receipt when sent by a commercial courier service (such as Federal Express or DHL Worldwide Express) for expedited delivery to be confirmed in writing by such courier, at the addresses set forth below or to such other address as either party may from time to time designate in writing.

If intended for City, to:

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

If intended for Chamber, to: Brady/McCulloch County Chamber of Commerce
101 East 1st Street
Brady, TX 76825

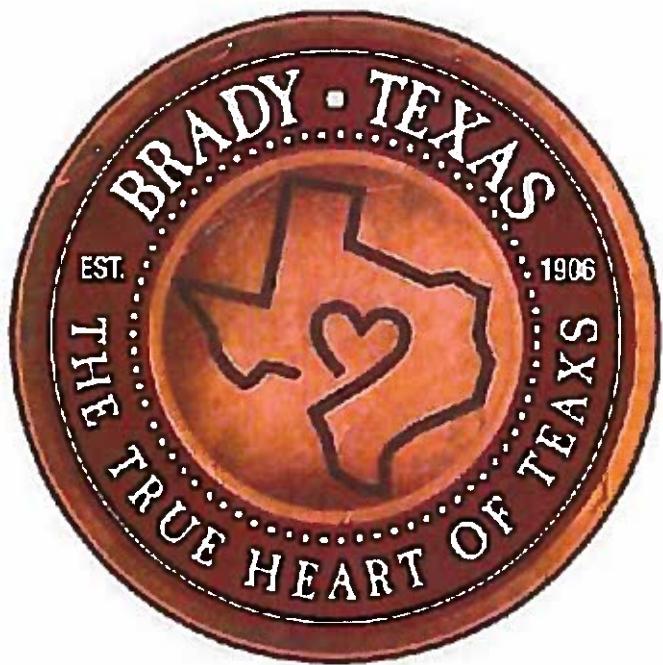
13. SEVERABILITY

If any clause or provision of this Agreement is held invalid, illegal or unenforceable under present or future federal, state or local laws, including but not limited to the City Charter, City Code, or ordinances of the City of Brady, Texas, then and in that event it is the intention of the parties hereto that such invalidity, illegality or unenforceability shall not affect any other clause or provision hereof and that the remainder of this Agreement shall be construed as if such invalid, illegal or unenforceable clause or provision was never contained herein; it is also the intention of the parties hereto that in lieu of each clause or provision of this Agreement that is invalid, illegal, or unenforceable, there be added as a part of the Agreement a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

By: _____
City of Brady, Anthony Groves, Mayor

By: _____
Brady/McCulloch County Chamber of Commerce, Erin Corbell, President

Attest:
By _____, Tina Keys, City Secretary



**TOURISM STRATEGIC PLAN
BRADY, TEXAS
OCTOBER 2018**



Table of Contents

Brady Tourism Strategic Plan

Acknowledgements	4
Introduction	5
Research Summary	7
Visitor Experience Assessment	7
Demographics	12
Previous Plans/Reports	13
What We Learned from Others	15
Mission, Identity and Goals	19
Mission Statement/Goals	19
Identity	20
Product Development Recommendations	21
1.0 Events	21
2.0 Ed Davenport Civic Center	26
3.0 Outdoor Recreation	27
4.0 Downtown	28
5.0 Main Street	29
6.0 Public Art	30
Marketing Recommendations	31
7.0 Audience	32
8.0 Digital Footprint	33
9.0 Social Channels	34
10.0 Partnerships	35
11.0 Groups/Conferences/Niches	36
12.0 Public Relations	36
13.0 Trade Shows	37
14.0 Advertising	37
15.0 Monitor the Competition	38



Table of Contents

Brady Tourism Strategic Plan

Tourism Administration Recommendations 39

16.0 Visit Brady Structure 40

17.0 Staffing 41

18.0 Visitor Center 41

19.0 Budget 42

20.0 Grants 42

21.0 Reporting Dashboard 42

22.0 Training 43

Implementation Plan 44

Texas Main Street Application 54

Acknowledgements

Brady Tourism Strategic Plan

The development of this strategic plan was a collaboration between Cygnet Strategies, City of Brady staff and elected officials, Brady/McCulloch County Chamber of Commerce and various tourism stakeholders.

We would like to express our gratitude for the hours, ideas and resources contributed by a broad range of participants to make this plan a reality.

The information and recommendations contained in this plan are based upon Cygnet Strategies' broad-based experience working with communities and destinations combined with independent research, Brady's previous planning efforts, interviews, informal conversations, and best practices.

Any plan is only as effective as its implementation effort. We encourage the City of Brady to support the Chamber of Commerce and the community's tourism stakeholders with funding and resources as they move forward through the implementation process.

Introduction

Brady Tourism Strategic Plan

INTRODUCTION

Tourism is an enormous economic driver for the State of Texas. In 2017, visitors spent \$74.7 billion resulting in \$7.0 billion in local tax revenues and supporting 1 out of every 10 jobs. More specifically, visitors to McCulloch County in 2017 had the following impacts:

Total Direct Spending: \$18.5 million

Total Direct Employment: 160 FTE

Total Local Tax Receipts: \$350,000

Clearly, tourism is a strong partner in terms of economic development and business retention with a pleasant side effect: local residents spend more of their money at home when their community offers new and different experiences. This helps to stop the leakage—the cash residents spend someplace else—and strengthens local pride.

Decisions to close attractions, stores and restaurants, even those that appear successful, are announced too frequently in today's economy. Downtown Brady is a prime example of this and has seen restaurants and retailers come and go over the past several years.

Doing nothing puts Brady at the mercy of the unknown and at risk of losing control over the community's future quality of life. The purpose of this plan is to leverage the existing tourism product and consider additional options that will add sustainability and resiliency for the community.

Throughout the development of this plan, five consistent themes emerged: (1) Brady embraces family and multi-generational activities; (2) access to outdoor recreation is not being maximized; (3) downtown needs significant assistance; (4) history is often referred to but there is little experience connection made for visitors or residents; and (5) the current schedule of local events does not draw regional visitors more than a few times a year.

Based upon these themes, this plan provides a roadmap for improving the visitor experience, creating visitor loyalty, and increasing Brady's visibility as a tourism destination.

The following analysis and recommendations are aimed at building a foundation for future tourism efforts that positively impacts the community's quality of life. Implementation may require adjustments to staffing and re-evaluation of existing and proposed opportunities, however, all of the recommendations are economically viable within the constraints of the Hotel Occupancy Tax (HOT) annual revenue.

Introduction

Brady Tourism Strategic Plan

How do Brady's assets fit into its tourism identity? Traditionally, a community's tourism is based on product, which includes:

- Primary lures—activities and experiences that draw people to the community. These are different and unusual things they can't get closer to home and are the primary reason for visiting.
- Secondary diversions—activities and experiences people participate in once they're in a community. These may be things they can do closer to home, but people will do them in the community they're visiting because they're already in town.
- Amenities—things that make a visit more comfortable and enjoyable. Depending upon the community it might include a variety of quality lodging and outstanding restaurants; adequate wayfinding; free Wi-Fi; clean, convenient accessible restrooms; comfortable, shaded outdoor seating; public green spaces; and plenty of parking.
- Sense of Place—the overall feel, or ambience, is critical but ambience alone will not create a successful tourism destination. Hundreds of communities have beautifully restored buildings, impressive fountains and lush landscaping in their downtowns, but there are no people on the streets. Public art helps, but without things for people to do—activities to participate in, experiences to enjoy—visitors will go elsewhere.

Successful implementation is a team effort. We encourage the City of Brady to support the Chamber and the community's tourism stakeholders with funding and resources as they move forward through the implementation process.

KEY OBJECTIVES

The product development, marketing, and administrative recommendations contained in this plan support the four key objectives guiding the plan:

- Development of an implementable strategic plan for improving, monitoring, and promoting Brady's visitor experience
- On-going accountability and transparency in managing HOT funds
- Clarification of the identity defined by Brady's tourism product and experiences
- Improvement in civic pride and resident activity participation

Research Summary

Brady Tourism Strategic Plan

RESEARCH SUMMARY

VISITOR EXPERIENCE ASSESSMENT

August 2016

A team of five completed the marketing assessment to determine if Brady shows up as an option when people plan a Texas vacation. The assessment started with planning a trip to Central Texas and then focused on Brady to determine whether they would visit and what they would do if they did visit.

Getting past the first step, where visitors gather information, is challenging for all destinations. When visitors are making decisions about where to spend their time and money, they consciously and subconsciously access an array of resources over an indeterminate period of time. The team was free to use any resources they would normally use when planning a trip, including:

- Recommendations from friends and family
- Books
- Movies and TV shows
- Magazine and newspaper articles
- Guidebooks and brochures
- Print advertising
- TV and radio advertising
- On-line advertising
- Social media including Facebook and Twitter
- Websites
- Blogs
- YouTube and Flickr
- Billboards
- Highway signs

Research Summary

Brady Tourism Strategic Plan

September 2-5, 2016 and September 27-28, 2016

Another team conducted the on-site assessment of Brady. The purpose of this phase was to experience the community the same way a first-time visitor might. Questions addressed were:

- With so many destinations for visitors to choose from, why should they choose Brady and what will their experience be once they arrive?
- Can visitors find Brady?
- What's the first impression?
- Where can visitors get information?
- What is Brady's tourism product?
- Is Brady's tourism product worth the visit?
- Where are the public restrooms?
- Can visitors find their way around?

The team took pictures, explored, visited attractions, made purchases, ate in restaurants and talked to business owners, residents and other visitors.

September 28, 2016

A meeting was held to review the assessment findings and begin the conversation about Brady's future as a tourism destination. A copy of the final report is included in the Appendix.

As part of the assessment, the team identified initial expectations prior to the on-site visit. These expectations were re-evaluated after the assessment was completed. As part of the presentation and report, Brady's strengths, opportunities, challenges and threats were determined and initial recommendations were outlined.

Research Summary

Brady Tourism Strategic Plan

The team's initial expectations are highlighted in bold text—we analyzed whether the expectations were met during the visit in 2016.

Interesting landscape—YES. The topography in the area provides an interesting setting, as does the drive to Brady from surrounding communities.

Not much to do—YES and NO. Although there are a few things to do on the weekends and during events, most of the time the only visitor draw is shopping at D & J's and/or Evridge's. Hunting season does bring visitors for a specific activity; however, unless they are purchasing gear or supplies, visiting hunters are at all-inclusive locations.

Great events—YES. The Goat Cook Off is a solid event and provides a foundational event that makes a significant economic impact on the community. Other events, like Hogtober Fest are also strong assets.

Great boating, swimming and fishing at the lake—NO. The lake needs significant infrastructure work before this will be true.

Variety of restaurants—YES. For a town of its size, Brady has a solid variety of cuisines at reasonable price points.

Interesting shops—YES and NO. Currently there are only a few destination shopping experiences.

Friendly people—YES. Except for a handful of aggressive, non-pedestrian-friendly drivers, everyone we encountered was kind and helpful.

No traffic—YES and NO. While there is minimal traffic in most areas of town, the traffic along Commerce Street creates a dangerous pedestrian experience.

Research Summary

Brady Tourism Strategic Plan

Identified Strengths and Opportunities

- Courthouse Square buildings
- Brady Lake
- Well-known annual events
- Foundation of restaurants
- Lodging options
- Proximity to other places
- Country Music memorabilia collection
- Richards Park
- G. Rollie White Complex

Identified Challenges and Threats

- TXDOT plan for courthouse square
- Empty storefronts
- Limited shopping
- Brady Lake
- No city staff person focused on events
- Need decision on identity
- Lack of tourism strategic plan
- Need strategic plan to grow events
- Limited to non-existent cell service for many carriers
- Events aren't in places where people can spend money with local businesses

Research Summary

Brady Tourism Strategic Plan

Recommendations from the Assessment

- Develop and implement Tourism Strategic Plan
- Complete southside gateway sign
- Redesign sign at golf course
- Recruit complementary shops on the square
- Improve and promote historic home tour
- Promote military aspects of museum
- Increase interpretation at County Music museum
- Clean up entrance area at G. Rollie White
- Address landscaping and playground issues at Brady Lake
- Claim business listings
- Review websites
- Be proactive with TXDOT about Courthouse Square Project
- Establish who you are and own it
- Tourism management strategy
- Grow/enhance current signature events
- Develop both product and events to support defined identity

Research Summary

Brady Tourism Strategic Plan

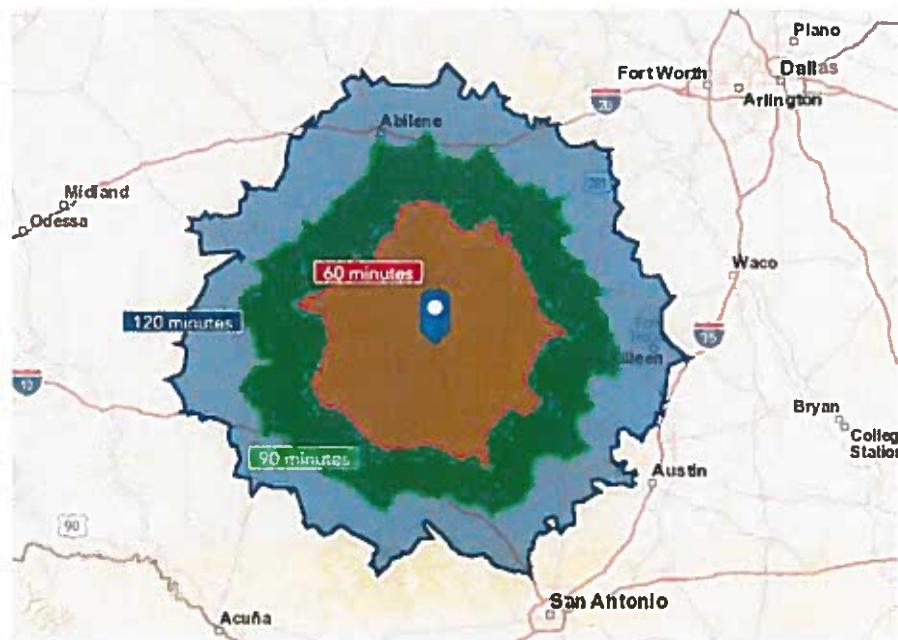
DEMOGRAPHICS

Tourism marketing and product development focuses on bringing visitors to your community. To be successful, you need to know where those visitors might come from and what they might be interested in.

You also need to understand the psychographics and sociographics of local residents. This is important because creating and implementing any tourism plan that is contrary to what local residents want to do or how they want to spend their money will be counterproductive and risks diminishing the quality of life for residents.

Generally, people travel for one of two reasons: (1) leisure, including visits to friends and relatives; or (2) business. Leisure visitors, particularly those who live nearby, will form the foundation of Brady's tourism market for the next several years. While they may not stay overnight, as long as visitors live outside of Brady they qualify as tourists and HOT funds may be used to attract them to the community and provide services and activities to encourage them to stay longer and spend more.

The data below reflects Brady itself compared with the market within a 60 minute, 90 minute or 120 minute drive time.



Research Summary

Brady Tourism Strategic Plan

ESRI has developed a segmentation tool that provides an accurate, detailed description of American neighborhoods based upon their socioeconomic and demographic composition. Using these Tapestry segments for understanding your potential market will be useful as you implement the recommendations in this plan. (Note: Detailed information about each segment is included in the Appendix.)

Top segments for Brady (92.6% of population):

12C Small Town Simplicity

6F Heartland Communities

While the top segments for the 60-minute radius remain similar, as the distance increases, the composition of the area becomes more varied. Using this information as you plan and market events and activities to appeal to your audience will be helpful and prevent you from spending dollars marketing to people who aren't interested.

PREVIOUS PLANS/REPORTS/INTERVIEWS

The planning process is a critical part of successful communities. Plans are the roadmap for identifying where you are, where you're going and how you'll get there.

But what happens when things change? Funding diminishes or disappears, priorities shift, or politics and new perspectives emerge. Often the chosen solution is to create a new plan to reflect the changes, which can result in another unimplemented plan gathering dust. It also leads to valid questions:

"Why are we spending money on a new plan? Can't the current/previous one be updated?"

"How will this plan be different?"

"Why should we spend the time and money on this plan when in a few years someone new is going to want to do it all over again?"

After completion of the Visitor Experience Assessment and multiple conversations and interviews with city staff, officials, and tourism stakeholders, Brady's 2013 Comprehensive Plan was reviewed.

Research Summary

Brady Tourism Strategic Plan

2013 Comprehensive Plan

This plan was reviewed to identify sections that focus on tourism.

Chapter 2: Community Vision

Opportunities identified included recreational opportunities such as the lake, having places to eat, events at G Rollie White, and sports tournaments.

Goal 1: Create a land-use plan that promotes the development of quality housing options, recreation, tourism, Brady Lake, and a diversified economy.

Goal 4: Improve the City's visual appearance and identity.

"Brady residents should identify a brand or image for the community.... The city is already well known as a place for outdoor activities of wildlife. The city should build upon this existing marketable data and appeals to people looking for outdoor based recreation. However, the city should not be limited to just outdoor recreation and should focus on its historic nature and providing recreation opportunities for those individuals not interested in outdoor sporting events, such as hunting."

Goal 5: Promote recreational opportunities to support tourism and to provide a benefit to local residents

"The lake is one major opportunity that should be considered the opportunities around the lake are currently underutilized Other recreational opportunities that should be considered include sports recreation."

Research Summary

Brady Tourism Strategic Plan

What Our Team Heard From Others in 2016 and 2017

Vision for Brady Lake:

- uses can be limited due to flooding
- lower elevations are used as recreation areas
- recreational uses should be the predominant land use with a conference/retreat center, parks in outdoor sporting activities, community festivals
- retail and commercial establishments such as restaurants would be appropriate
- city-owned boat docks, cabins and cabanas are in need of maintenance
- RV park should not allow long-term residents

Downtown Vision:

- downtown should be considered focal point of the community
- focus on developing tourism and recreational opportunities downtown
- a survey of downtown business owners should be conducted
- improve traffic flow around the courthouse
- Improve pedestrian safety

Recreational Facilities Vision:

- baseball/softball facility updates are needed chamber and other individuals involved in economic development should be consulted when planning improvements to facilities to better understand what will make the park more attractive to tournaments
- develop a multipurpose recreational facility
- improve the connection between Richards Park and G. Rollie White
- purpose of G. Rollie White should be evaluated to expand use of the complex
- physical improvements to both G. Rollie White and Richards Park

Research Summary

Brady Tourism Strategic Plan

What Our Team Heard From Others in 2016 and 2017

Additional Tourism-Related Recommendations:

- investigate the feasibility of a conference/retreat center
- hold events in downtown to foster community spirit/pride and social interaction
- hold sports tournaments within the community
- create a new park downtown along Brady Creek and create connections to the train station, Heart of Texas Historical Museum, and courthouse
- Improve the streetscape downtown and create a more walkable and pedestrian friendly downtown
- Enforce codes on substandard buildings.
- Provide cleanup assistance for homes and businesses.
- Need more separation between city and EDC.
- Need security for residents/affordable housing/food insecurity.
- Adopt potholes— beautify Brady one pothole at a time.
- Integrate hospital into the community.
- Do a pedestrian count downtown on Sundays.
- Become a Main Street community.

Research Summary

Brady Tourism Strategic Plan

What Our Team Heard From Others in 2016 and 2017

If money and personnel were no object, what tourism product, activity or events would you like to see in Brady?

- More chain restaurants
- Chain clothing stores
- H.E.B.
- More events
- Use G. Rollie White for equestrian event
- Use the facilities we have— airport, lake, racetrack, Civic Center, golf course, parks, museums, movie theater— but having all of these to maintain spreads resources too thin

Event Ideas:

- Car shows like Llano.
- Llano Crawfish Fest.
- Llano music on the square.
- Llano rock stacking.
- Canton 1st Monday flea market .
- Expand fly-in to the square.
- Have a monthly dance hall event at the Civic Center.
- Build upon Hunter's dinner.
- Do a pentathlon or triathlon at the lake.
- Do a D-Day reenactment at the dam at the lake for the 75th anniversary of D-Day in 2019.
- Antique shows with quality items.
- Ethnic, heritage and cultural events.
- Washer tournaments.

Research Summary

Brady Tourism Strategic Plan

Civic Center Ideas:

- Use Civic Center for concerts.
- Overcome mentality about the Civic Center that just because we built it, they will come.
- New sand plants could use it for local meeting space.
- Get referrals from San Angelo when their spaces are full.
- Need a system to subdivide space, could use curtains.
- During Goat Cook Off have vendors at Civic Center and run a shuttle between the hotels, park, and Civic Center.

Mission, Identity, and Goals

Brady Tourism Strategic Plan

MISSION STATEMENT/GOALS

Every organization should have a mission statement. It clarifies your purpose, it determines your direction, it focuses on the future, and it provides a basis for decisions. A mission statement answers 4 basic questions:

- What do we do?
- How do we do it?
- Whom do we do it for?
- Why do we do it or what value do we create?

For Brady's tourism effort, the mission is:

Brady will build upon its assets to create engaging visitor experiences and will be an effective steward of Hotel Occupancy Tax funds to market and support these experiences in ways that increase overnight visitation and local tax revenues.

When developing goals to support the mission, it is important for the goals to be S.M.A.R.T—specific, measurable, attainable, relevant, and timely. The following goals meet these criteria and form the foundation for the recommendations outlined in this plan:

Goal 1: Increase the variety/quantity of visitor experiences by 25% within 3 years.

Goal 2: Increase weekday utilization of the Civic Center by 50% within 5 years.

Goal 3: Effectively utilize HOT funds to increase overnight visitation by 15% within 3 years.

Mission, Identity, and Goals

Brady Tourism Strategic Plan

IDENTITY

At its core, the essence of this project is to make Brady a “3rd place” for residents and potential visitors. Their 1st Place is their home. Their 2nd Place is where they work. Their 3rd Place is where they hang out and spend their leisure time (and money). Third Places are important to demographic groups and smart communities work to establish their reputation as a local and regional option to meet this need.

However, communities cannot be all things to all people. Narrowing your focus and building your identity upon existing assets and the desired quality of life for residents is the most effective and sustainable approach.

Your identity is comprised of two things—an identity vision and identity pillars.

Identity Vision: A statement of fewer than 10 words that concisely describes the identity Brady is striving to become.

Identity Pillars: Concepts that support the identity while retaining Brady’s core characteristics.

Brady’s identity vision and the accompanying pillars are built upon defining and clarifying what it means to be “The True Heart of Texas.” Each of the recommendations in this plan supports this effort and meets one of the three goals.

BRADY’S IDENTITY VISION

A relaxing front porch filled with laughter and engaging experiences.

BRADY’S IDENTITY PILLARS

Family/Relationships—Building, sustaining and enhancing relationships with family, friends, and new acquaintances.

Outdoor Activities—Exploring the natural environment through a variety of sports and activities.

Events—Bringing people together in creative, engaging ways.

Heritage—Understanding and experiencing history and culture.

Product Development Recommendations

Brady Tourism Strategic Plan

PRODUCT DEVELOPMENT

Enhancing and building upon existing assets is the easiest way to initiate tourism product development. Starting with what you have and what is already working, instead of rushing to create new attractions, will be less expensive and more supportive of the community. The recommendations in this section address ways to work with and build upon what you have.

As this plan is implemented, the emphasis will be less about generating overnight stays and more toward creating so much activity that, eventually, Brady will become a primary draw as a destination for people from throughout the region.

Specific information about the target audiences defined by both regional demographics and existing tourism product is provided in the Tourism Administration Recommendations and these audiences have been considered in the development of both the Product Development and Marketing Recommendations.

1.0 EVENTS

Events are an excellent tool for attracting visitors and, with a dedicated focus on developing new events and enhancing existing ones, this can be an effective way for Brady to increase visitation.

Keep in mind that events draw people to a community but, depending upon the structure and location of the event, attendee spending does not necessarily contribute to the local economy. One way to mitigate this is to create partnerships and have local restaurants and businesses be your event vendors.

There are three types of events:

- **Venue Events** where Brady provides the venue—places like the Ed Davenport Civic Center, Richards Park, or the Courthouse Square—and an outside group runs an event that may be attended by locals, visitors, or both.
- **Local Events** that primarily attract residents.
- **Visitor Events** that will attract both residents and visitors and may be hosted by the City, the Chamber of Commerce, or another local group or organization.

Product Development Recommendations

Brady Tourism Strategic Plan

Some of Brady's current/recent/past events include:

- World Championship BBQ Goat Cookoff
- Heart of Texas Country Music Festival
- Hogtoberfest
- Heart of Texas Thunder Drag Boat Races
- July Jubilee
- Christmas in the Heart
- Texas Muzzle Loader Association
- Golf Tournaments
- Hunter Appreciation Dinner
- Armed Forces Weekend Celebration and Fly-In
- Early Days Celebration

Some of these events are attended primarily by residents and others draw regional, state-wide, and out-of-state visitors. In addition to expanding current efforts, there are other ways to leverage events to both increase attendance and make them appealing to potential visitors.

Product Development Recommendations

Brady Tourism Strategic Plan

1.1 EVENT RECRUITMENT (POTENTIALLY ELIGIBLE FOR HOT FUNDS)

Recruiting events is easier than creating and running them, and this type of event primarily attracts out-of-town visitors who often spend the night.

1.1.1 Database

Develop a database of local and regional groups including professional organizations, non-profits, niche organizations, and religious groups.

1.1.2 Research the Competition

Build a list of groups holding events in surrounding communities and identify those who could be accommodated using the facilities available in Brady.

1.1.3 Event Marketing Collateral

Develop a marketing piece (in digital and print) about why Brady would be a good location for an event that includes information about venues, food options, lodging and camping options, and support services.

1.1.4 Examples of events include:

- ✓ Classic Car Shows
- ✓ Square Dancing Groups
- ✓ Family reunions
- ✓ Biking/running group events
- ✓ Sports tournaments

Product Development Recommendations

Brady Tourism Strategic Plan

1.2 LOCAL EVENTS (USUALLY NOT ELIGIBLE FOR HOT FUNDS)

An increase in events has been requested both by residents and city staff. Although local events are not eligible for support by HOT funds, they are important and can serve as building blocks for an event that attracts visitors.

1.2.1 *Local Events*

Local events are important to strengthen communities, build relationships and provide activities for residents and their friends and family.

Event ideas include:

- ✓ Back-to-school events
- ✓ Boy Scout/Girl Scout Events
- ✓ Water-based sport "try it" events at the lake
- ✓ Health and wellness workshops/competitions
- ✓ Youth writing and art competitions/workshops
- ✓ Make up Brady-only holidays for each month or quarter
- ✓ Restaurant week
- ✓ Scavenger hunts
- ✓ Sidewalk Chalk Art contests/workshops
- ✓ Farm to Table meals
- ✓ First Night
- ✓ Support for local business events
- ✓ Annual alumni event/homecoming
- ✓ Expand Farmers Market

Product Development Recommendations

Brady Tourism Strategic Plan

1.3 VISITOR EVENTS (POTENTIALLY ELIGIBLE FOR HOT FUNDS)

In addition to local events and events that are recruited to use Brady's venues, larger events should be developed to appeal to a broader geographic audience. These events don't need to be on the same scale as the Cookoff but, they should be able to grow and expand in ways that appeal to those from outside of Brady.

1.3.1 General Events

Within three years, Brady could be hosting at least one major event every other month that attracts visitors. Ideas include:

- ✓ Mardi Gras
- ✓ Cinco de Mayo
- ✓ Microbrew Festival
- ✓ Local music festivals
- ✓ Food eating contests
- ✓ Water-based events at the lake
- ✓ Storytelling/Cowboy Poetry
- ✓ Liars' Festival
- ✓ Adventure races
- ✓ ATV Poker Runs

Product Development Recommendations

Brady Tourism Strategic Plan

2.0 Ed DAVENPORT CIVIC CENTER

Increasing utilization of the civic center is important and this is possible, with the staffing outlined later in this plan.

2.1 *Improvements needed*

In order for the Civic Center to be a competitive venue, some amenities are needed:

- ✓ Pipe and drape
- ✓ Tablecloths
- ✓ Rectangular tables
- ✓ New chairs
- ✓ Ability to provide electricity for booths

2.2 *Increase Civic Center bookings*

One of the current challenges is the lack of a staff person responsible for developing leads, pursuing leads, and working with potential opportunities. After addressing this need, the following are possible options:

- ✓ Area business meetings and trainings
- ✓ Weekends for niche collectors/enthusiasts
- ✓ Writer's workshops
- ✓ Songwriter's workshops
- ✓ Monthly dance parties
- ✓ Home show
- ✓ Agricultural-related trade shows

Product Development Recommendations

Brady Tourism Strategic Plan

3.0 OUTDOOR RECREATION

In addition to events that are held outside, two of Brady's draws are hunting and activities at Brady Lake.

3.1 *Hunting*

Since hunting access and activities are on private land, development of the activities and opportunities is something that the tourism staff can't facilitate, however, when special events or offerings are available, there is an opportunity for marketing partnerships.

3.2 *Brady Lake*

As improvements continue at the lake, there will be more opportunity to use the lake as a venue for events. Additional information should be available about where to rent equipment, where to get licenses, and where the public access points are located.

When visitors are at the lake, they are contributing to the local economy in limited ways. An information kiosk at the store would be beneficial to encourage people to come into town and shop or have a meal or attend an event.

3.3 *Trails*

Creating a trail system, whether for hiking, biking, or BMX, would serve three purposes: (1) add an activity resource for residents; (2) create a potential draw for visitors; and (3) serve as a venue for competitions and training workshops.

Product Development Recommendations

Brady Tourism Strategic Plan

4.0 DOWNTOWN

Brady's downtown has incredible potential. It also has multiple challenges. The area needs significant attention and requires capital investment.

4.1 *Critical Mass*

Downtowns are a draw when they have a concentration of shopping, dining and entertainment options clustered in one place. Brady's courthouse square needs a better, stronger business mix to be competitive as an option for visitors and residents.

This may mean creating relocation incentives to move inappropriate businesses to other areas of town and to encourage property owners to partner in recruiting targeted business types.

As an overall goal, Brady should strive to have the following business mix around and within one block of the square:

- ✓ 10 retailers that appeal to both residents and visitors
- ✓ 10 food-related businesses—restaurants, ice cream, candy, specialty foods
- ✓ 10 places open after 5 p.m. at least 3 nights a week

4.2 *TXDOT*

Many small towns struggle with getting traffic into their downtown but, this isn't the problem for Brady. In fact, it's just the opposite. Due to the multiple highways converging on the courthouse square, pedestrians deal with semi trucks along with passenger vehicles on the narrow streets. Trying to back out of a parking space on Commerce Street is not for the faint of heart.

Continue to aggressively lobby TXDOT for improvements to the traffic flow and pedestrian safety around the square. Just because the project is currently mothballed doesn't mean it has to stay that way.

Product Development Recommendations

Brady Tourism Strategic Plan

5.0 MAIN STREET

Becoming part of the Texas Main Street program is a recommendation that has been made before. Spend the next few years preparing and file an intent to apply in 2019 so you can apply for 2021.

5.1 Recruitment

Making a focused effort to recruit and sustain downtown businesses is a key component of the product development effort. Without assistance in creating a critical mass of shops, restaurants, and activities, it will be extremely difficult for downtown to be what it could be. Organic growth is unpredictable and has not been sustainable over the past several years. Brady already has home goods destination retail and that is an excellent foundation. Adding more quantity and variety will increase downtown's appeal as place for visitors to spend the day. Types of businesses to be considered for recruitment:

- ✓ Toys and games
- ✓ Children's clothing
- ✓ At least two more restaurants
- ✓ Food-related (natural foods, oil and vinegar, herbs)
- ✓ Outdoor equipment sales and rentals
- ✓ Brewery
- ✓ Wine bar
- ✓ Women's clothing

Starting with the goal of attracting 25 more people each day for shopping and activities with dining and music in the evening is realistic. Increasing that number to 200-300 a day on Friday, Saturday, and Sunday is possible, but not without adding events and a strong recruitment and support process. Downtown is the heart of Brady but it has been struggling for many years. A Main Street/Downtown Manager position within the City as a part of Economic Development is, realistically, the most effective alternative for creating a vibrant, sustainable downtown.

Product Development Recommendations

Brady Tourism Strategic Plan

6.0 PUBLIC ART

6.1 Public art

For public art to be eligible as a HOT fund expense, it must, at a minimum, provide an experience for nonresidents and hotel guests and not be primarily targeted at and/or primarily attended by Brady residence. While it is true that up to 15% of each year's HOT funds may be allocated to public art, there is no requirement that any monies be spent on public art.

Dare to be creative—add art in unexpected places, hire street performers for the farmers market and other events. Use large blank walls as canvases and create collaborative murals.

6.2 Art activities and events

Activities incorporating the arts are the easiest and least expensive place to start.

- ✓ Instagram scavenger hunts
- ✓ Make and take events
- ✓ Collaborative murals or mosaics
- ✓ Spoken word or poetry readings
- ✓ Young writer workshops
- ✓ Parent/child or grandparent/child memory board events
- ✓ Storycorps-type events
- ✓ Plein air painting at various locations
- ✓ Photography walks

Marketing Recommendations

Brady Tourism Strategic Plan

MARKETING

Decisions about when and where to travel are influenced by a variety of information sources:

- ✓ Recommendations from friends/family
- ✓ Books, TV shows, movies
- ✓ Newspaper and magazine articles
- ✓ Blogs
- ✓ Google/Facebook/Banner Ads
- ✓ Billboards
- ✓ Brochures (that can be obtained in dozens of ways)
- ✓ Suggestions by retail/restaurant/hotel staff
- ✓ Overhearing conversations held by strangers
- ✓ Social media channels
- ✓ Websites
- ✓ Review sites (TripAdvisor, Yelp, Google)
- ✓ Claimed listings

The content provided by some of these is under your control but when and if the information connects with a potential visitor isn't. Creating as many touchpoints as possible that are targeted to a specific audience is the best approach.

Marketing Recommendations

Brady Tourism Strategic Plan

7.0 AUDIENCE

Understanding your markets makes decisions about how to promote Brady easier. You are trying to appeal to everyone and your message can be more specific. People don't want to know that you have something for everyone. They want to know what you have to offer for them.

7.1 Day Trip Markets

The primary day trip market for Brady is people who live within a 90-minute drive. Becoming and remaining a favored destination for this group will require an emphasis on:

- ✓ Proximity
- ✓ Bringing them into the "locals" club with special deals and events
- ✓ Providing a better/different experience than they can get closer to home
- ✓ Cultivating customer/visitor loyalty

7.2 Overnight Market

Once the daytrip market is well-established, tourism staff will be better able to define the appropriate overnight niche markets. Brady's appeal will be directly related to the amount of product development that occurs.

7.3 Drive Through Market

The multiple highways criss-crossing Brady often create a traffic headache but they also bring hundreds of people a day to your community. They stop to eat and they stop to buy gas. Providing them with information about upcoming events or specials at local retailers helps encourage them to stay a little longer or come back.

7.4 Friends and Family

Every kitchen table in Brady should be considered a concierge desk. Providing residents with updated information about events and shopping and dining options encourages them to spend their time and money in Brady when friends and family visit.

Marketing Recommendations

Brady Tourism Strategic Plan

8.0 DIGITAL FOOTPRINT

It's time for Brady's online presence to be revamped. Start with the development of a new, tourism-specific website.

8.1 *Website URL*

www.visitbrady.com has already been claimed and will be used once the new website is developed. This allows for an independent online presence for tourism.

8.2 *Website redevelopment*

As the new website is developed be sure that the format and content are able to be easily updated. One of the most important rules for your website is that it must be current. If it isn't, the impression it communicates is one of a dying community. Start simple. You don't have to have 50 pages before you go live. Get the basics down, launch, and then keep adding content.

Initial considerations:

- ✓ Lodging information
- ✓ Restaurant information
- ✓ Retailers that might appeal to visitors
- ✓ Be sure it's mobile friendly
- ✓ Upcoming events
- ✓ Don't just use lists
- ✓ Be sure to include links
- ✓ Photos/video
- ✓ Include social links for every business that has them

Links are important and challenging to keep up-to-date. It is worthwhile to keep a list of outbound links to businesses, etc. that are used in your website. This makes it easier to just click through each one on a monthly basis to make sure they are still live.

Marketing Recommendations

Brady Tourism Strategic Plan

9.0 SOCIAL CHANNELS

Leveraging social media is an inexpensive way to have a significant impact. Online chatter is a presence with an on-going shelf life and meets the visitor's desire to have information available 24/7.

While there are dozens of social media tools that are used by tourism entities, however, the key is to use the ones that your visitors and potential visitors use. If your audience isn't hanging out on Twitter, don't waste your time (unless you have a full-time social media manager).

9.1 Editorial Calendar

Setting up a calendar to know what you will promote and when allows for creating content in advance and helps to keep the message on track. Events can be added and the content schedule adjusted. The calendar provides a roadmap and helps you to know whether there are topics that need more attention.

9.2 Platforms to use

Try to keep social media as a conversation. It's okay to link back to a relevant page on your website or to invite people to events, but keeps the sales pitch low-key. Social media is a conversation, entice people to want to know more instead of hitting them over the head.

Using the following platforms should target most of your potential visitors:

- ✓ Facebook
- ✓ Instagram
- ✓ YouTube

9.3 Negativity

Social media has become a safe space for those with complaints or who choose to whine or attack others and the natural inclination is to hide from negative comments or posts. While sometimes it is better to let it go and let the community as a whole deal with it, staff should contact anyone who has a concrete or detailed complaint. Determine what the real issues are and be creative in resolving them.

If there is a response necessary, try to put it into a post of its own instead of as a response to their comment. This avoids it being buried or lost. If it's important enough for your response, it's important enough to stand on its own.

Marketing Recommendations

Brady Tourism Strategic Plan

10.0 PARTNERSHIPS

Maintaining relationships with a variety of current and potential partners is important for a number of reasons. It helps keep you up-to-date on what's happening, it fosters collaboration, and it makes Brady stronger as a destination.

10.1 Tourism Organizations

Brady should be an active member of the following organizations to take advantage of the resources and expertise they provide.

- ✓ Texas Forts Trails
- ✓ Texas Downtown Association (TDA)
- ✓ Texas Association of Convention and Visitor Bureaus (TACVB)

10.2 Local Businesses and Attractions

Creating strong two-way communication with local businesses and attractions helps everyone know what's going on and where support or information are needed.

One tool that can be added is a monthly update about events and special promotions. This is particularly beneficial as part of the resources available to frontline staff who get questions about what there is to do in Brady.

10.3 Area Communities

Surrounding communities are both your competition and your partners. Supporting each other's major events by adding them to event calendars and coordinating to provide overflow lodging are easy ways to do this. The more people who come to the region, the better the opportunity for you to get them to Brady.

Marketing Recommendations

Brady Tourism Strategic Plan

11.0 GROUPS/CONVERENCES/NICHES

Identifying the groups and organizations who might be interested in the Civic Center is the first step. Letting them know what is available and finding ways to meet their needs will be more successful for everyone.

Search for potential groups and organizations and contact their directors or event planners to get on their RFP lists. Let local residents know about the facilities that are available. They belong to a number of social, military, educational, religious or fraternal groups and organizations, plan family reunions, and have ideas about events.—do they know that Brady can host their groups?

12.0 PUBLIC RELATIONS

Public relations focuses on managing the public perception of Brady. While it can be considered a form of marketing, it isn't focused specifically on sales or driving visitation. It's all about positive publicity.

Opportunities like "American Pickers" don't shout "come visit Brady" but they do put Brady in the spotlight. Coverage of the Goat Cookoff by Texas Highways magazine or a segment with Chet Garner on The Daytripper provide third-party endorsements and information that are considered more interesting and reliable by your audience.

Continue and to seek out these opportunities and consider partnering with area communities to provide more options for visitors.

Marketing Recommendations

Brady Tourism Strategic Plan

13.0 TRADE SHOWS

Attending tradeshows can be effective if they target appropriate audiences. Once you have increased the number of events and improved Brady's tourism product, attending select shows will be worth the time and expense.

Shows to consider include:

- ✓ Lone Star Outdoor Show
- ✓ TX Society of Association Executives Annual Conference

14.0 ADVERTISING

Advertising in magazines or producing rack cards is the traditional means of marketing a destination. Today the choices have expanded exponentially. There is still a need for collateral and advertising in targeted publications, but the majority of contact points will need to be online in order to connect with your market.

14.1 Collateral

Every community still needs some printed materials. Not everyone wants their information digitally. At a minimum you should have the following both digitally and in print (and the print version should be updated annually):

- ✓ Visitor Guide
- ✓ Major event calendar
- ✓ Rack cards for Goat Cookoff

Make sure materials are available at TXDOT VICs, especially the Goat Cookoff rack card. For now, that is what sets you apart.

14.2 Print Advertising

Put together an annual plan focusing on major events and advertising in regional and statewide tourism-focused publications.

14.3 Online Advertising

Create an annual plan for promoting events, allowing enough flexibility for spontaneous opportunities that arise.

Marketing Recommendations

Brady Tourism Strategic Plan

15.0 MONITOR THE COMPETITION

It is important to define and keep an eye on your competition. When a community is doing things well people want to emulate them.

15.1 Events

Subscribe to events calendars for surrounding communities. This will be important as new events are developed. You'll know what others are doing and where there are opportunities to partner or create complementary experiences.

15.2 Marketing

Take the time to see how others are using social media and what marketing programs, social media initiatives or special offers are complementing or competing with the ones offered by Brady.

Tourism Administration Recommendations

Brady Tourism Strategic Plan

TOURISM ADMINISTRATION

Brady needs to formalize its tourism presence. Creating a designated tourism entity—Visit Brady—the city's stature will rise and it will be more effective at increasing tax revenues and will provide a focused effort for utilizing the Civic Center.

BASIC DATA

Year-over-year data is important as a means of identifying negative trends and taking actions to reverse the downward trajectory. Looking at the big picture helps put a single year in perspective and helps account for influences that are beyond the control of a local community. Virtually every destination saw a significant impact from the 2008 Financial Crisis but, as you can see from the data below, the impact on spending, tax revenues, and employment were not simultaneous.

In Texas, natural disasters, volatile weather, and the ebb and flow of the oil and gas industry also create anomalies not seen in the rest of the country. The good news for Brady is that the results of the tourism efforts in 2017 (led primarily by the Brady/ McCulloch County Chamber of Commerce) have been dramatic and have positioned Brady to continue strengthening its tourism product and its appeal to visitors. (NOTE: the numbers below are compiled for the state and are broken down only by county. The "county" tax receipts are primarily sales tax that are collected and remain in Brady)

TOTAL DIRECT TRAVEL SPENDING (M)	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
McCulloch Co	\$16.6	\$14.2	\$15.0	\$18.3	\$18.0	\$17.9	\$19.0	\$16.6	\$15.50	\$18.5
Growth %	12.50%	-14.60%	5.90%	21.70%	-1.50%	-0.60%	6.00%	-12.20%	-6.60%	18.90%
TOTAL DIRECT EMPLOYMENT	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
McCulloch Co	140	170	140	180	160	160	160	160	150	160
Growth %	0%	21.40%	-17.60%	28.60%	-11.10%	0%	0%	0%	-6.20%	6.70%
TOTAL LOCAL TAX RECEIPTS (000)	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
McCulloch Co	\$160	\$170	\$160	\$220	\$230	\$230	\$280	\$280	\$250	\$350
Growth %	14.30%	6.30%	-5.90%	37.50%	4.50%	0%	21.70%	0%	-10.70%	40.00%
HOT RECEIPTS (000)	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Brady					\$169	\$190	\$227	\$236	\$207	\$291
Growth %						12.42%	19.47%	3.96%	-12.29%	40.58%

Data: Office of the Governor, Economic Development & Tourism, City of Brady

Tourism Administration Recommendations

Brady Tourism Strategic Plan

16.0 VISIT BRADY STRUCTURE

While it might seem appropriate to add a city position and department, this would not be the most efficient or cost-effective choice. By building upon the efforts to-date by the Brady/McCulloch County Chamber of Commerce, Brady will be able to keep moving forward. Creating a new position and new department will take time and will not be easy.

Recruiting a competent person capable of starting a successful tourism department from scratch will necessitate a salary of about \$75,000 plus benefits. Once the person is hired, there will be a significant delay before they understand Brady's tourism product, create and produce events, set up a sales process for filling the Civic Center, and create annual marketing and editorial plans.

The recommendation is that the City of Brady contract with the Chamber to establish Visit Brady and operate it for three years. A tourism board would be established for oversight and, at the end of three years, there will be an established, effective entity and it would, potentially, be feasible for the City to hire a director and other staff as city employees.

Tourism Administration Recommendations

Brady Tourism Strategic Plan

17.0 STAFFING

Initial staffing for Visit Brady would consist of 2 positions (1.5 FTE):

17.1 Tourism Director (0.5 FTE)

This position oversees all tourism activities with primary responsibility for:

- ✓ Budget, including monthly reports
- ✓ Grants
- ✓ Marketing Plan implementation
- ✓ Training partners
- ✓ Overseeing development efforts
- ✓ Maintaining and leveraging partnerships

17.2 Events & Engagement Manager (1.0 FTE)

This position has primary responsibility for the following:

- ✓ Event development and production
- ✓ Assisting with marketing plan implementation
- ✓ Increasing utilization of Civic Center
- ✓ Communicating with partners
- ✓ Event and activity calendar

18.0 VISITOR CENTER

A new, more welcoming visitor center location should be considered to provide the following services:

- ✓ Better parking
- ✓ Meeting and work space for groups planning events
- ✓ Display space for art and cultural exhibits
- ✓ Office space for future Main Street Director
- ✓ Storage for event materials

Tourism Administration Recommendations

Brady Tourism Strategic Plan

19.0 BUDGET

In order to facilitate the creation of Visit Brady and implement the recommendations in this plan, Visit Brady should be provided with 95% of the city's annual H.O.T. revenues with 5% being held in reserve by the City for future tourism infrastructure costs, including upgrades to amenities at the Civic Center.

20.0 GRANTS

Visit Brady would establish a grant review committee as a part of the Tourism Board to oversee the grant process.

21.0 REPORTING DASHBOARD

Once the specific criteria are identified by the City Manager, City Council, and Visit Brady, a reporting dashboard will be created for submission to Council on a monthly basis. Some ideas for information to be included in the dashboard are:

- ✓ Budget/Expenditure overview
- ✓ Walk-ins at Visitor Center
- ✓ Website visits, pages visited, time on site
- ✓ Facebook/Instagram/YouTube followers, engagement
- ✓ Hotel occupancy rates
- ✓ Event attendance numbers

Tourism Administration Recommendations

Brady Tourism Strategic Plan

22.0 TRAINING

On-going training, both for stakeholders and for Visit Brady staff, is important to raise the level of Brady's tourism product and to remain current with industry knowledge.

22.1 *Staff Training*

Both the Director and the Events & Engagement Manager should attend Tourism College sponsored by TTIA and, at a minimum, the Director should attend both the TDA and TACVB annual conferences along with any relevant workshops throughout the year.

22.2 *Digital Training*

Continue the effort to get local businesses to claim their Google, Yelp and TripAdvisor listings and offer annual social media training to help them improve their reach.

22.3 *Event Training*

An important role for Brady's tourism entity is to develop training and assistance for businesses who want to create their own events. Most businesses do not know where to start when it comes to determining the type of event that might be appropriate for their business.

Training in how to identify creative ways to provide an engaging, experiential promotion for customers will add to the city's event opportunities and can infuse new energy into a business's customer service delivery.



Implementation Plan

Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
1.0 EVENTS									
1.1 Event Recruitment									
1.1.1	Database	Compile list of local and regional groups who hold special events in various locations	E & E Manager	<input type="checkbox"/>	Database created	<input type="checkbox"/>	Database updated	<input type="checkbox"/>	Database updated
	Database	Contact groups to learn their process for selecting event locations	E & E Manager	<input type="checkbox"/>	Contacted 20 groups	<input type="checkbox"/>	Contacted 30 groups	<input type="checkbox"/>	Contacted 30 groups
1.1.2	Research	Create list of events in local communities hosted by groups/organizations	E & E Manager	<input type="checkbox"/>	Created list	<input type="checkbox"/>	Updated list	<input type="checkbox"/>	Updated list
1.1.3	Event collateral	Develop digital/print marketing piece highlighting Brady as a venue for events	E & E Manager CVB Director	<input type="checkbox"/>	Created marketing pieces	<input type="checkbox"/>	Updated as needed	<input type="checkbox"/>	Updated as needed
1.2 Local Events									
1.2.1	Local Events	Develop small quarterly events for local residents that could develop a regional audience	E & E Manager City Staff Volunteers	<input type="checkbox"/>	Held 2 events	<input type="checkbox"/>	Held 3 events	<input type="checkbox"/>	Held 4 events
1.3 Visitor Events									
1.3.1	General Events	Develop new events or enhance existing events to draw regional attendees	E & E Manager City Staff Volunteers	<input type="checkbox"/>	Held 3 events	<input type="checkbox"/>	Held 4 Events	<input type="checkbox"/>	Held 6 events



Implementation Plan

Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
2.0 CIVIC CENTER									
2.1	Improvements	Pipe and Drape	City Staff	<input type="checkbox"/>	Purchase completed				
	Improvements	Tablecloths	City Staff	<input type="checkbox"/>	Purchase completed				
	Improvements	New Chairs	City Staff	<input type="checkbox"/>	Purchase completed				
	Improvements	Ability to provide electricity for booths	City Staff	<input type="checkbox"/>	Outlets installed				
2.2	Bookings	Identify groups/organizations/events to recruit for weekday use of the venue	E & E Manager	<input type="checkbox"/>	Created contact list	<input type="checkbox"/>	Updated list	<input type="checkbox"/>	Updated list
	Bookings	Analyze current weekday use of the venue	E & E Manager	<input type="checkbox"/>	Determined # of weekdays booked FY 2018				
	Bookings	Work with City staff to streamline booking process and address competitiveness of pricing structure	City Staff CVB Director	<input type="checkbox"/>	Revised booking & pricing structure				
	Bookings	Increase FY 2018 weekday booking days by 50% within 5 years	City Staff E & E Manager	<input type="checkbox"/>	Increased by 10% over FY 18	<input type="checkbox"/>	Increased by 20% over FY 18	<input type="checkbox"/>	Increased by 30% over FY 18

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
3.0 OUTDOOR RECREATION									
3.1	Hunting	Identify marketing partnerships	CVB Director	<input type="checkbox"/>	#	<input type="checkbox"/>	#	<input type="checkbox"/>	#
	Brady Lake	Create information packet for lake users	E & E Manager	<input type="checkbox"/>	Packet completed	<input type="checkbox"/>	Packet updated	<input type="checkbox"/>	Packet updated
3.2	Brady Lake	Information kiosk at the store	City Staff CVB Director			<input type="checkbox"/>	Kiosk installed	<input type="checkbox"/>	Kiosk updated
	Brady Lake	Continue improvements to facilities: beach, campground, playground, boat ramps	City Staff	<input type="checkbox"/>	Improvements	<input type="checkbox"/>	Improvements	<input type="checkbox"/>	Improvements
3.3	Trails	Develop and implement a plan for a trail system—hiking/biking/BMX	City Staff			<input type="checkbox"/>	Plan developed	<input type="checkbox"/>	Trail development started
4.0 DOWNTOWN (SEE ALSO 5.0 MAIN STREET)									
	Critical Mass	Inventory businesses in downtown, identify available spaces and potential uses	City Staff EDC	<input type="checkbox"/>	Inventory completed				
4.1	Critical Mass	Recruit and maintain a minimum mix of 10 retailers, 10 food-related businesses, and 10 places open after 5 pm at least 3 nights a week that appeal to local residents/visitors	City Staff EDC			<input type="checkbox"/>	# of new businesses	<input type="checkbox"/>	# of new businesses
4.2	TXDOT	Continue lobbying TXDOT for downtown traffic flow and pedestrian safety improvements	City Staff	<input type="checkbox"/>	Continued efforts	<input type="checkbox"/>	Plan in place		

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
5.0 MAIN STREET (SEE ALSO 4.0 DOWNTOWN)									
5.0	Main Street	Complete foundational work to support a Texas Main Street application in 2021	City Staff CVB Director EDC	<input type="checkbox"/>	File intent to apply	<input type="checkbox"/>	Continue preparation	<input type="checkbox"/>	Submit application
5.1	Recruitment	Establish a Main Street/Downtown Manager position within the City or EDC to work on recruitment efforts	City Staff EDC	<input type="checkbox"/>	Hire Manager				
6.0 PUBLIC ART									
6.1	Public Art	Develop and implement a mural program	City Staff CVB Director	<input type="checkbox"/>	Program Initiated	<input type="checkbox"/>	Plan Implemented	<input type="checkbox"/>	Plan Implemented
6.2	Art activities and events	Integrate the arts into new and existing events	E & E Manager			<input type="checkbox"/>	2 events	<input type="checkbox"/>	4 events
7.0 AUDIENCE									
7.1	Day Trip	Identify appropriate markets within 90-mile radius—create deals and events for them	E & E Manager			<input type="checkbox"/>	2 deals created	<input type="checkbox"/>	4 deals created
7.2	Overnight	Establish FY 2018 baseline visitation numbers	CVB Director	<input type="checkbox"/>	Baseline established				
	Overnight	Once product and events are well-established, identify appropriate markets	CVB Director E & E Manager			<input type="checkbox"/>	Increased by 5% over 2018	<input type="checkbox"/>	Increased by 15% over 2018
7.3	Drive through	Create marketing pieces/campaigns for gas stations & restaurants	E & E Manager CVB Director	<input type="checkbox"/>	1 campaign	<input type="checkbox"/>	2 campaigns	<input type="checkbox"/>	2 campaigns
7.4	Friends & family	Encourage residents to bring friends & family to events	E & E Manager			<input type="checkbox"/>	Program Initiated	<input type="checkbox"/>	Updated program

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
8.0 DIGITAL									
8.1	URL	Obtain both VisitBrady.com and TrueHeartOfTexas.com	CVB Director	<input type="checkbox"/>	Obtain URLs				
8.2	Website	Create new, visitor-oriented website	CVB Director	<input type="checkbox"/>	Website created	<input type="checkbox"/>	Website updated	<input type="checkbox"/>	Website updated
	Website	Establish an online events calendar that is continually updated	CVB Director	<input type="checkbox"/>	Created calendar	<input type="checkbox"/>	Calendar maintained	<input type="checkbox"/>	Calendar maintained
9.0 SOCIAL									
9.1	Editorial Calendar	Set up annual editorial calendar for identified platforms to supplement other marketing and focus on upcoming events, activities and promotions	CVB Director	<input type="checkbox"/>	Calendar created and utilized	<input type="checkbox"/>	Calendar created and utilized	<input type="checkbox"/>	Calendar created and utilized
9.2	Platforms	Focus on Facebook, Instagram and YouTube and track followers, likes, engagement	E & E Manager CVB Director	<input type="checkbox"/>	Baseline	<input type="checkbox"/>	10% increase over baseline		15% increase over baseline
10.0 PARTNERSHIPS									
10.1	Professional organizations	Active memberships in Texas Forts Trails; Texas Downtown Association; and Texas Association of Convention & Visitors Bureaus	CVB Director	<input type="checkbox"/>	Joined/renewed	<input type="checkbox"/>	Renewed	<input type="checkbox"/>	Renewed
10.2	Local businesses & attractions	Establish monthly update about events and special promotions	E & E Manager			<input type="checkbox"/>	6 updates	<input type="checkbox"/>	12 updates
10.3	Area communities	Work with area communities on cross-promotional and partnership opportunities	CVB Director	<input type="checkbox"/>	Established	<input type="checkbox"/>	Maintained	<input type="checkbox"/>	Maintained

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
11.0 GROUPS/CONFERENCES/ NICHES									
11.0	Groups	Once improvements to the resources at the Civic Center have been completed, begin identifying local residents who are involved in regional groups and organizations	E & E Manager CVB Director			<input type="checkbox"/>	# of contacts	<input type="checkbox"/>	# of contacts
	Groups	Once improvements to Brady Lake have been completed, research and market to groups seeking sites for water-based gatherings	E & E Manager CVB Director			<input type="checkbox"/>	# of contacts	<input type="checkbox"/>	# of contacts
	Groups	Once improvements to G. Rollie White have been completed, research and market to appropriate groups	E & E Manager CVB Director			<input type="checkbox"/>	# of contacts	<input type="checkbox"/>	# of contacts
12.0 PUBLIC RELATIONS									
12.0	Third-party	Continue to take advantage of opportunities for third-party endorsements of Brady's assets	CVB Director	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach
13.0 TRADE SHOWS									
13.0	Trade shows	Attend appropriate trade shows	CVB Director	<input type="checkbox"/>	1 show	<input type="checkbox"/>	2 shows	<input type="checkbox"/>	2 shows

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
14.0 ADVERTISING									
14.1	Collateral	Visitor Guide	CVB Director	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update
	Collateral	Event Calendar	CVB Director	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update
	Collateral	Rack cards for major events	CVB Director	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update	<input type="checkbox"/>	Annual update
14.2	Print	Create and implement annual plan focusing on major events with ads in targeted regional and statewide publications	CVB Director	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach
14.3	Online	Create and implement annual plan promoting annual and other events	CVB Director	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach	<input type="checkbox"/>	Reach
15.0 COMPETITION									
15.1	Events	Subscribe to events calendars and updates from surrounding communities	E & E Manager	<input type="checkbox"/>	Subscribed				
15.2	Marketing	Analyze what types of marketing surrounding communities are using	CVB Manager	<input type="checkbox"/>	Analysis				

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
16.0 VISIT BRADY									
16.0	Structure	Contract with City	CVB Director	<input type="checkbox"/>	Contract	<input type="checkbox"/>	Contract	<input type="checkbox"/>	Contract
	Structure	Establish Visit Brady board of up to 7 including City Council member as City liaison plus hoteliers, attractions, retailers, restaurants	CVB Director	<input type="checkbox"/>	Established				
	Structure	Create bylaws and establish Visit Brady entity	CVB Director	<input type="checkbox"/>	Established				
17.0 STAFFING									
17.1	Tourism Director	Create position description	Board	<input type="checkbox"/>	PD created				
17.2	E & E Manager	Create position description & hire staff	CVB Director	<input type="checkbox"/>	Staff hired				
18.0 Visitor Center									
18.0	Visitor Center	Seek opportunities for a larger visitor center	CVB Director	<input type="checkbox"/>	Sought options				
19.0 Budget									
19.0	Budget	City allocates 95% of annual HOT revenues to Visit Brady	City Staff	<input type="checkbox"/>	Budget	<input type="checkbox"/>	Budget	<input type="checkbox"/>	Budget

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
20.0 GRANTS									
20.0	Grants	Establish grant review committee of 3-5 members of the Visit Brady Board	Board	<input type="checkbox"/>	Established				
	Grants	Revise grant criteria to reflect emphasis on creating and enhancing visitor experiences that drive overnight visitation	Board CVB Director	<input type="checkbox"/>	Grant application				
	Grants	As additional money is available, consider increasing the number or amount	Grant Committee	<input type="checkbox"/>	As needed	<input type="checkbox"/>	As needed	<input type="checkbox"/>	As needed
21.0 REPORTING DASHBOARD									
21.0	Dashboard	Identify criteria to be reported monthly to City Council via custom dashboard	City Manager City Council CVB Director	<input type="checkbox"/>	Created				
	Dashboard	Once criteria are determined, provide dashboard monthly to City Council	CVB Director	<input type="checkbox"/>	Monthly	<input type="checkbox"/>	Monthly	<input type="checkbox"/>	Monthly

Implementation Plan
Brady Tourism Strategic Plan

#		Action Items	Who	FY 2019	Metrics	FY 2020	Metrics	FY 2021	Metrics
22.0 TRAINING									
22.1	Staff	Attend TTIA Tourism College	E & E Manager CVB Director	<input type="checkbox"/>	Attended	<input type="checkbox"/>	Attended	<input type="checkbox"/>	Attended
	Staff	Attend TDA and TACVB annual conferences and relevant workshops	CVB Director	<input type="checkbox"/>	Attended	<input type="checkbox"/>	Attended	<input type="checkbox"/>	Attended
22.2	Digital	Work with local businesses to claim their listings and offer annual social media training to help improve their reach	CVB Director E & E Manager	<input type="checkbox"/>	Annual training held	<input type="checkbox"/>	Annual training held	<input type="checkbox"/>	Annual training held
22.3	Event	Create training program for organizations and businesses to help them provide engaging, experiential events and promotions	CVB Director E & Manager			<input type="checkbox"/>	Program created	<input type="checkbox"/>	Program implemented
ADDITIONAL GOAL-RELATED ACTION ITEMS									
	Goal #1	Create baseline list of current visitor experiences as baseline	CVB Director E & E Manager	<input type="checkbox"/>	Created baseline list				
	Goal #1	Annual assessment of number of visitor experiences	CVB Director E & E Manager	<input type="checkbox"/>	Increased by 10% over baseline	<input type="checkbox"/>	Increased by 15% over baseline	<input type="checkbox"/>	Increased by 25% over baseline

Appendix—Main Street Program Application

Brady Tourism Strategic Plan

BECOMING A MAIN STREET COMMUNITY (FROM THE TEXAS HISTORICAL COMMISSION WEBSITE—[HTTP://WWW.THC.TEXAS.GOV/BECOMING-MAIN-STREET-COMMUNITY](http://WWW.THC.TEXAS.GOV/BECOMING-MAIN-STREET-COMMUNITY))

An applicant from a community of less than 50,000 in population applies as a small-city program through city government. An urban program with more than 50,000 population may choose to apply either under state government or through a stand-alone non-profit.

To apply, a community must agree to hire a full-time Main Street Director, adequately budget for the local program, and show the following:

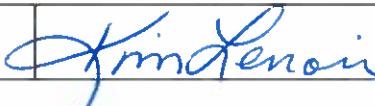
- **Historic commercial fabric and historic identity**—The historic significance of the proposed Main Street area and the interest in and commitment to historic preservation.
- **Community and private sector support and organizational capacity**—Demonstrates community and private sector support for the program. (The capability of the applicant to successfully implement the Main Street Program.)
- **Support and financial capacity**—Demonstrates the public sector support and the financial capability to employ a full-time manager, fund a local Main Street Program and support downtown-related projects.
- **Physical capacity**—The cohesiveness, distinctiveness and variety of business activity conducted in the proposed Main Street Program area.
- **Demonstrated need**—The need for the Main Street Program and its expected impact on the city.

For reference, the application and process for 2017 can be found at: <http://www.thc.texas.gov/becoming-main-street-community>

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11-06-2018	AGENDA ITEM	7.F.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding approval of Resolution 2018-045 to reschedule the regular January 1, 2019 City Council Meeting. Recommending January 2, 2019, 12:00 noon.		
PREPARED BY:	T. Keys	Date Submitted	10/30/2018
EXHIBITS:	Resolution 2018-045		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY: City Council passed Ordinance 1219 On March 7, 2017 to authorize Council to "change meeting dates by resolution when a regular meeting date conflicts with holidays or other unforeseen conflicts". New Year's Day 2019 falls on the first regularly schedule Council meeting date of January 1, 2019, which is a National holiday. Therefore, the January 1, 2019 Council meeting will need to be rescheduled to			

RECOMMENDED ACTION: Move to approve Resolution 2018-045

RESOLUTION NO. 2018-045

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO
RESCHEDULE THE FIRST REGULAR CITY COUNCIL MEETING IN JANUARY 2019.**

WHEREAS, the City Council of the City of Brady finds that the first regular Council Meeting in January 2019 is January 1st, a national holiday; and

WHEREAS, Council passed Ordinance 1219 on March 7, 2017 authorizing the Council to change regularly scheduled meetings "when a regular meeting date conflicts with holidays or other unforeseen conflicts".

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

That the City Council of the City of Brady approves the first regular City Council meeting date for January 2019 to be held on _____.

PASSED AND APPROVED this the _____ day of _____, 2018.

CITY OF BRADY

Anthony Groves, Mayor

Attest: _____
Tina Keys, City Secretary

City Council

City of Brady, Texas

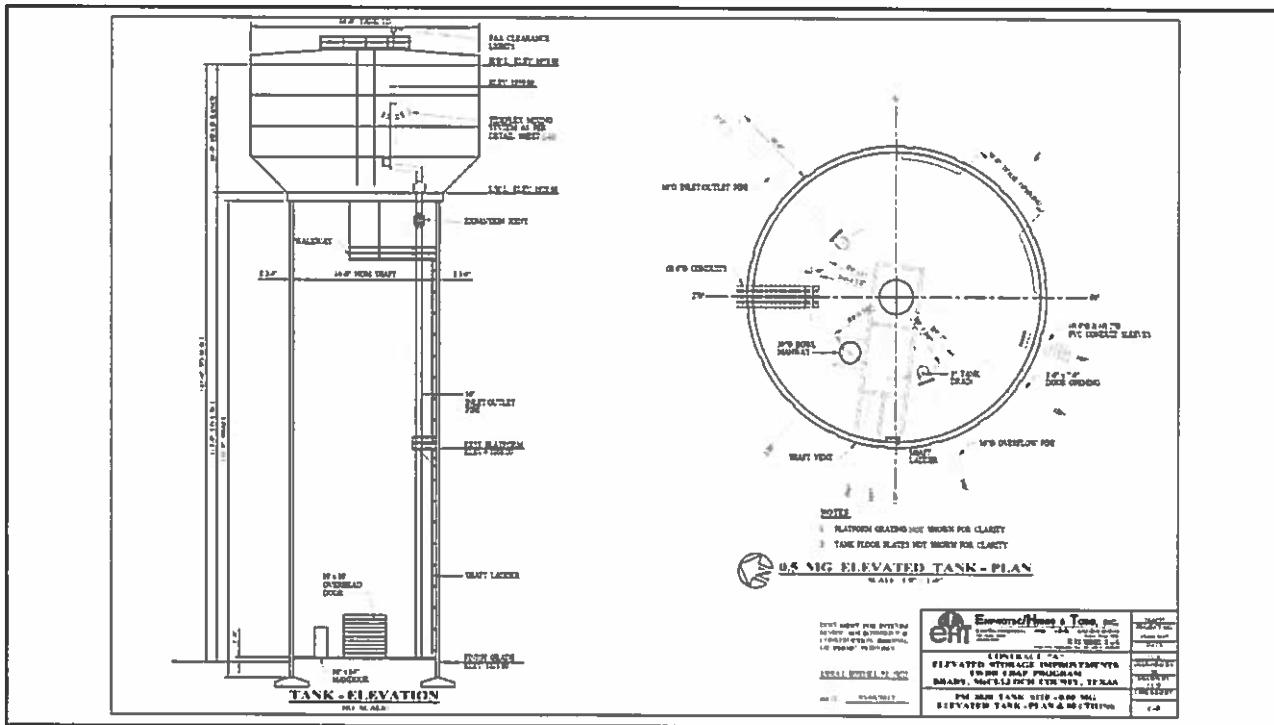
Agenda Action Form

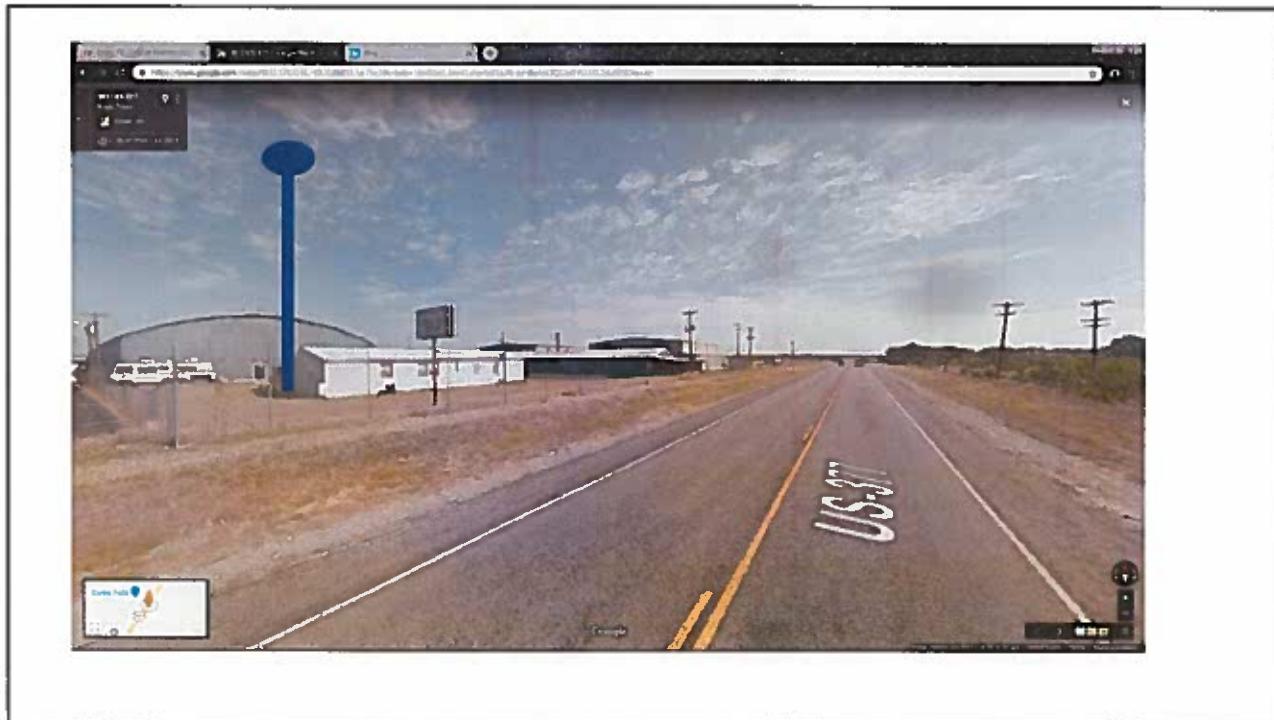
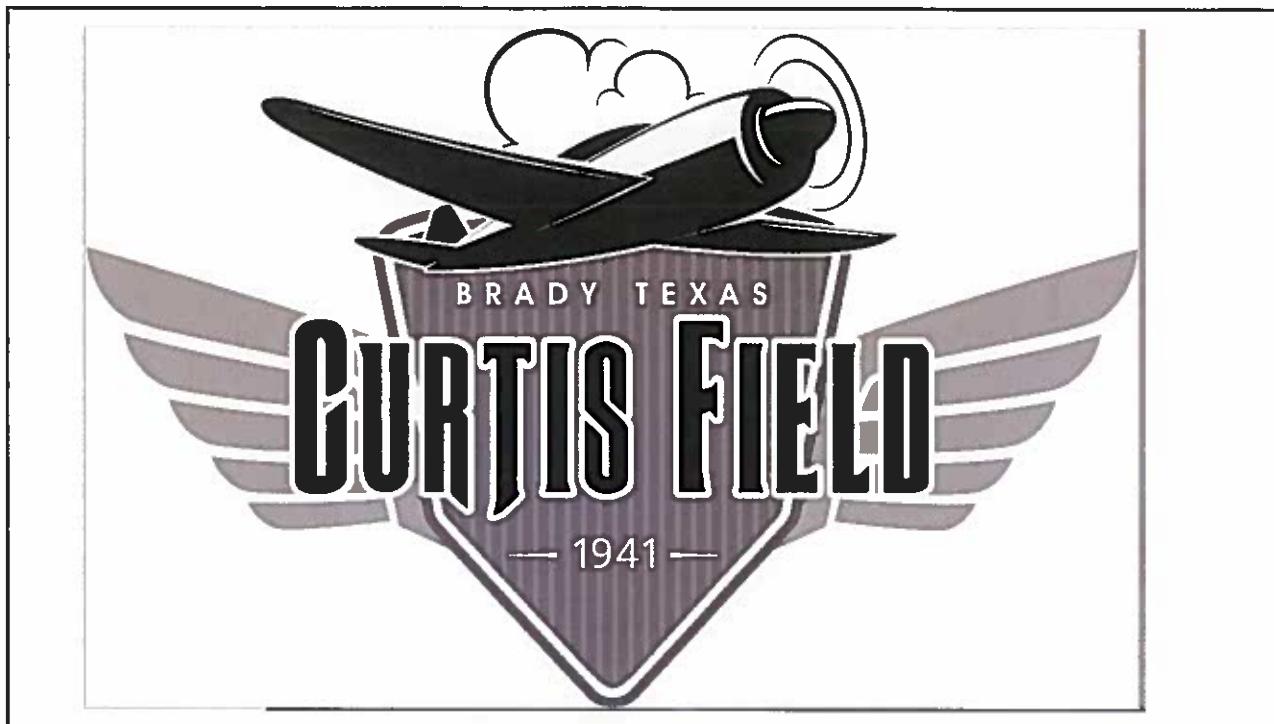
AGENDA DATE:	11 - 6- 2018	AGENDA ITEM	7.G.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding recommendations for the two new Elevated Water Storage (Towers) Logos.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/29/2018
EXHIBITS:	Power point presentation will be presented to visualize the area being discussed.		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	<p>The two new water towers will be like new billboards for Brady. We can easily do both sides or one both sides.</p> <p>At the Airport we could have Southbound traffic see City of Brady, Brady or tourism logo. North bound traffic could see the Curtis Field Logo.</p> <p>At the tank farm, we could have Westbound traffic see Brady Lake Logo and Eastbound traffic see City of Brady or tourism logo as they drive back to the main city.</p> <p>Lettering alone would be about \$5,000 and a logo can run from \$7,500-15,000 depending on how complex the logo is. From our standpoint, the additional cost of a logo is negligible, as the additional cost would be less than \$1,000 per year, given a 15- to 20- year life of the exterior coating of the water tower.</p> <p>This expense should be considered advertising our community and tourist attractions.</p>		
RECOMMENDED ACTION:	<p>Direct staff as desired.</p>		

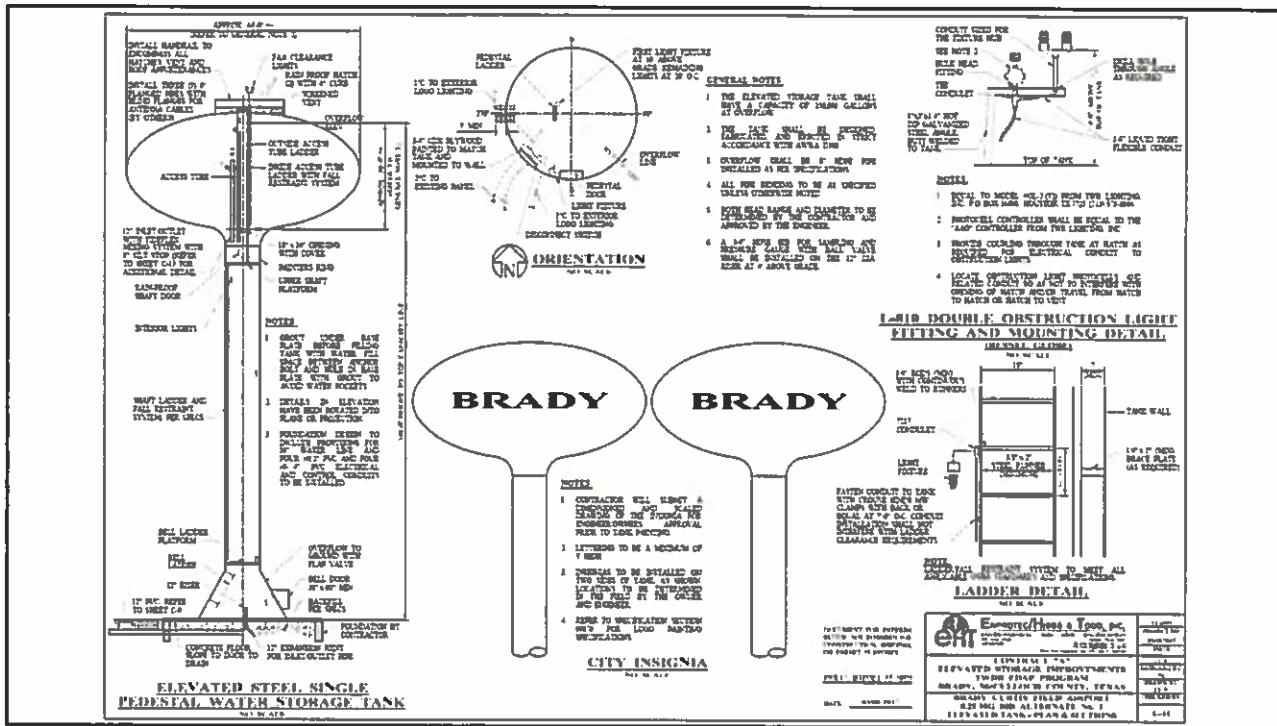
Two New Water Towers

Council consideration November 6, 2018









Colors, Logos or Letters Only



BRADY



BRADY THE CITY OF TEXAS

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/2018 AGENDA ITEM 7.H.		
AGENDA SUBJECT:	Discussion, consideration and possible action approving the purchase of 1,500 tons Limestone Rock Asphalt, Type 1, Grade D (cold mix) material at \$44.55 per ton for \$66,825 . Delivery charge is \$0.15 per Ton/Mile at 180 miles for \$40,500 . Total purchase w/ delivery equals \$107,325 .		
PREPARED BY:	D. Bustamante/D. Sewell/S. Miller	Date Submitted:	10/31/2018
EXHIBITS:	Quote from the Texas Comptroller of Public Accounts - Texas Smart Buy Contract #748-N1 Aggregate, Asphaltic & Non-Asphaltic (North Region)		
BUDGETARY IMPACT:	Required Expenditure:	\$107,325.00	
	Amount Budgeted:	\$200,000.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

City staff is requesting to utilize the State of Texas Cooperative Purchasing Program (CO-OP) with the Texas Comptroller of Public Accounts for the purchase of Limestone Rock Asphalt Cold Mix, Type 1, Grade D material with supplier/vendor Martin Marietta Materials, Uvalde, Texas. The Texas Comptroller's office stands behind all contracts to ensure they offer the best value for the state of Texas. This type of material is used to support the overlay & rebuild of streets, new street surface courses, large area street repairs including the final course material over re-conditioned street base course usually completed with the asphalt recycling machine.

The FY2019 budget for the appropriation shown is sufficiently funded.

RECOMMENDED ACTION:

Move to authorize the purchase of Limestone Rock Asphalt Cold Mix, Type 1, Grade D material from Martin Marietta Materials, Uvalde, Texas for an eleven (11) month supply at the aggregate purchase price of \$71.55 per ton (material + delivery) in the amount of **\$107,325**.



Bustamante, Dorsey - Saved Carts - 1 item

Contracts SPD Applications Help (http://)

My Cart

Checkout

Confirmation

HOME (http://) / SHOPPING CART

My Cart

[Start New Cart](#)

[Share Cart](#)

[Save Cart As...](#)

[Delete Cart](#)

Item	Shipping Address	Price	Qty	UOM	Subtotal
Limestone Rock Asphalt (product/7671780)	Dugan Sewell 1600 West 17th Street Brady, TX 76825 Delivery days: 30	\$44.55	1500	TON	\$66,825.00 Delivery

Delivery Charge

Price	Miles	UOM	Delivery Subtotal
\$0.15	180	TON/MILE	\$40,500.00

Community Code: 7457700000
Item Detail: Line Item 300,050 ITEM 330, LIMESTONE
ROCK ASPHALT, TYPE 1, GRADE D
Contractor: Martin Materials Materials
Contract #: 748-N1
Min. Order Quantity: 24

Highway District: 1, 10, 16, 18, 2, 23, 3, 9
Plant Address: 4403 Ranch Rd 1022, Uvalde, TX 78801
Line Item #: 330,050
Delivery Date: 11/02/2016
Grade: Grade D
Type: Type I

[Add Note to Item](#)

[Attach File to Item](#)

[Choose File](#) No file chosen

Item Subtotal: \$66,825.00
Delivery Subtotal: \$40,500.00

Order Total: \$107,325.00

[Search for More Items \(http://\)](#)

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/2018	AGENDA ITEM	7.1
AGENDA SUBJECT:	Discussion regarding city facilities that are rented to the public as requested by Council Member Missi Davis.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/31/2018
EXHIBITS:	Division Summaries from public rented properties – PPM, Golf, GRW, Lake, Swimming Pool, Airport, Civic Center, Senior Center		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	Council Member Missi Davis requested this item for council discussion.		
RECOMMENDED ACTION:			
Direct staff as desired.			

**MUNICIPAL AIRPORT
DIVISION NUMBER: 02
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR-AIRPORT MANAGER

The City owns and operates the Curtis Field Airport with a 4,608 feet runway. The airport division rents hangar space, sells fuel and coordinates the use of the airport. The airport manager is responsible for ordering fuel, training all line service personnel, meeting and greeting the aviation public, and writing grants for airport improvements. The airport manager sees that the airport is in compliance with all state, federal, and local regulations and standards. The airport manager maintains all records of arrivals and departures and provides a monthly report to the city manager and the accounting department for cash flow and billing. Must meet all requirements to maintain contracts with military as to leasing of building space, ground lease, and fuel sales.

The airport manager is responsible for scheduling and coordinating all maintenance for the airside areas and landside areas of the airport and city-owned equipment. To enforce all city rules, regulations and ordinances.

The airport manager, in coordination with BEDC and the city manager is responsible for recruiting new business to the airport. To coordinate with local law enforcement to meet the security needs of the airport that are mandated by the Transportation Safety Administration and Homeland Security.

GOALS / OBJECTIVES

- Maintain runway, taxiway and ramp pavements, and reduce grass encroachment
- Increase fuel sales and Fixed Based Operation business
- Increase civilian and military use of facility
- Secure grant funds for Airport Improvements to meet the Airport Master Plan
- Continue to upgrade T-Hangars and build additional T-Hangars as needed to meet the needs of the flying public
- Complete the updated Airport Business and Development Plan coordinated by TXDOT

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Airport Manager	1	1	1	1	1
Assistant Airport Manager	0	1	0	0	0
Line Serviceman	1	1	1	1	1
Part-time Serviceman (0.5)	1	1.5	1	1	1

**PUBLIC PROPERTY MAINTENANCE
DIVISION NUMBER: 03
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR - PPM SUPERINTENDENT

This division is responsible for the care, maintenance and repair of all city parks: Richard Park, EO Martin Park, Willie Washington Park, Daniel R. Conway Park, Brady Creek Trail, pocket parks, baseball and soccer fields, G. Rollie White Complex, two (2) cemeteries, public/TXDOT ROW mowing and courthouse lawn. PPM also maintains city facilities of City Hall, BPD, Service Center, Municipal Court, Civic Center and GRW Buildings. The PPM obligations include the upkeep such as mowing, weed control (both mechanical and spraying), cleaning of public restrooms, playgrounds, pavilions, maintenance of soccer and football fields, swimming pool grounds, grave plots including raking leaves brush control and hauling.

The inspection, maintenance and repair of irrigation system for all parks and cemeteries. The division also responds to and provide support during emergency conditions such as icing, flooding and other weather related incidents.

GOALS / OBJECTIVES

- Efficient chemical application of herbicides in spraying for weeds and nuisance shrubs
- Organize the work priorities for optimal use of personnel and equipment
- Acquire equipment that will reduce labor needs
- Improve appearance of facilities and city by removing dead trees, brush, and shrubbery
- Instill *pride of work and accomplishment* in personnel

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Superintendent	0	1	1	1	1
Maintenance I	2	3	1	2	2
Maintenance II	1	1	3	3	3
Part-time Seasonal Crewman (0.5)	1.5	0	0	0	0

GOLF COURSE
DIVISION NUMBER: 05
FISCAL YEAR 2018-2019

DIVISION SUPERVISOR - GOLF COURSE MANAGER

This division is responsible for the daily operations and maintenance of the 9-hole golf course, pro-shop, driving range and putting green.

The manager is responsible for the overall management and operation of the course and pro shop, coordinating tournaments, special events, and enforcement of all rules. The part-time laborer and part-time seasonal laborer assist with the course maintenance, as well as, PPM when needed.

Clerks are responsible for the day to day operation of the pro-shop.

GOALS / OBJECTIVES

- Improve overall aesthetics of course.
- Continue to improve the quality of the greens.
- Continue to upgrade and repair cart paths as needed.
- Plant new trees.
- Increase green fee players.
- Improve pro-shop function.

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Groundskeeper/Manager	1	1	1	0	1
Pro Shop Attendant	0	0	0	1	1
Groundskeeper	0	0	0	1	1
Part-time Groundskeeper (0.5)	0	0	0.5	0.5	0.5
Part-time Clerk (0.5)	1	1	2	2	2
Part-time Laborer (0.5)	0.5	0.5	0.5	0.5	0.5
Part-time Seasonal Laborer May-Sept (0.5)	0.5	0.5	0.5	0.5	0.5

**SWIMMING POOL
DIVISION NUMBER: 06
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR - PPM SUPERINTENDENT

The municipal swimming pool operates during summer months for the use by the general public. The employees are to lifeguard pool guests, collect daily pool fees and season ticket fees. Also employees are to keep daily attendance records, clean the pool and restrooms, empty trash cans, and perform other related duties as assigned. Public contact is required. Employees may have to handle emergency situations, as well as, crowd control. Each employee is required to be a certified lifeguard. PPM maintains pool chemicals in the off season.

GOALS / OBJECTIVES

- Follow loss prevention measures to maintain a safe facility.
- Support community activities, which bring visitors and money to Brady.
- Maintain proper water quality, to provide a healthy save environment.
- Provides training course on Standard Operating Procedures for lifeguards prior to opening.
- Provides public swimming lessons to the community.
- Provides adult swim / lap pool hours.
- Manage and supervise reservations for private parties.

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Summer Pool Manager (0.5)	0.5	0.5	0.5	0.5	0.5
Assistant Manager (0.5)	0	0.5	0.5	0.5	0.5
Summer Lifeguards (0.5)	6.5	10.5	10.5	10.5	10.5

**CIVIC CENTER
DIVISION NUMBER: 13
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR-PPM SUPERINTENDENT

The Civic Center is provided, for a fee, to the community for a variety of uses. The Community Services Assistant handles the reservations, payments for rental, inspections and keys. The fees for the use of the Civic Center are established by the City Council, and likewise the Council establishes the rules concerning the renting and/or the use of the Civic Center.

The PPM Superintendent shall oversee the maintaining, repairing, and cleaning of the Civic Center and the grounds and parking lot surrounding it. Contract maintenance is hired to clean after each event.

GOALS / OBJECTIVES

- Keep the building clean and in a neat, professional manner.
- Develop new sources of events.

EMPLOYMENT HISTORY BY POSITION

Staffing duties included under PPM, Community Services and contract maintenance

BRADY LAKE
DIVISION NUMBER: 32
FISCAL YEAR 2018-2019

DIVISION SUPERVISOR - PPM SUPERINTENDENT

This division is responsible for Brady Lake's public recreational property. Monthly inspections of the Dam are required with the assistance of Water/Wastewater Department. Staff handles reservations for all camp sites in the park, including RV hook-up sites, the pavilion area, rifle range, cabanas, cabins, primitive areas and storage facilities. The division is likewise generally responsible for the maintenance of satellite facilities including campgrounds, the fish house, restrooms, boat ramps, public docks, beaches, swimming areas, and walkways. Additionally the division provides administrative oversight for the Brady Lake Store and park including: stocking, ordering, pricing, selling, renting, staffing and purchase of resale items, such as bait.

GOALS / OBJECTIVES

- To maintain, refurbish, expand lake and Lake Store.
- To ensure the store utilizes standardized budget, inventory, and accounting procedures.
- To ensure the park maintenance, repair and construction program acquires an accurate equipment inventory and repairs, renovates, replaces, maintains or transform selected / deficient components within City of Brady Lake holdings.
- To establish hunting, fishing and game management policies and procedures.
- Provide beer and wine products at the lake store.
- Increase signage on highways to recruit more single night campers.
- Provides paddleboards / kayak rentals.

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Manager*	1	1	0	0	0
Full-time Groundkeeper	1	1	1	1	1
Full-time Administrative Assistant/Clerk	0	1	1	1	1
Part-time Crewman (0.5)	0	0.5	0.5	0.5	0.5
Part-time Weekend Clerk (0.5)	0.5	0.5	0.5	0.5	0.5

* Manager now supervises the Lake, Aquatics and PPM

**G. ROLLIE WHITE COMPLEX
DIVISION NUMBER: 34
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR - PPM SUPERINTENDENT

This division includes only the maintenance and operation cost of the G. Rollie White Complex and preparation cost the facilities for upcoming events. Employees from PPM typically do the maintenance and repairs of the GRW Complex.

The city maintains a joint-use agreement with the McCulloch County Junior Livestock Association for several facilities on the grounds.

A joint committee was appointed by the City Council and the County Commissioners' Court to prepare a master plan for future development of the Complex grounds.

GOALS / OBJECTIVES

- To work with council to develop a long-term usage plan.
- Complete repairs as affordable or needed.
- Develop a business plan for the future use of the facility.

**SENIOR CITIZENS
DIVISION NUMBER: 16
FISCAL YEAR 2018-2019**

DIVISION SUPERVISOR - SENIOR CITIZENS DIRECTOR

The Senior Citizens program provides a community facility where persons aged 60 or older meet for the noon meal, to have fellowship with others, and take part in activities that will enhance their quality of life, support their independence, and encourage their continued involvement in the community. This program also prepares and delivers the noon meal to persons aged 60 or older who are homebound and cannot participate in the congregate setting.

It is the duty of the Senior Citizen Director to file vendor applications, complete necessary monthly reports, coordinate with the Area Agency on Aging of the Concho Valley, supervise center employees and perform other related duties.

This division coordinates with Concho Valley Council of Government (CVCOG) Transit Program four vans for senior citizens and public riders to go to their doctor, the grocery stores and other appointments.

McCulloch County provides the Sunset Senior Center building and its repairs and the CVCOG transportation program.

GOALS / OBJECTIVES

- Abide by the Texas Department of Aging regulations while monitoring the cost of food.
- Continue to provide the noon meal for the senior citizens to ensure they have the opportunity to get a well-balanced meal at least once a day. The homebound meals play an important role in keeping those persons in their homes and sometimes the delivery person may be the only in home contact.
- Coordinate public transportation vans that are essential in getting people to and from appointments and shopping since there is no taxi service available.
- Work with city staff to renovate Activity Center for future Senior Citizen Program.
- Serves approximately 23,000 congregate and home delivered meals with an average cost of \$6.48 each.

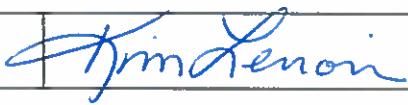
EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Director	1	1	1	1	1
Head Cook	1	1	1	1	1
Van Driver	0	0	0	0	0
Part-time Clerk (0.5)	0.5	0.5	0.5	0.5	0.5
Part-time Cook Aide (0.5)	1	1	0.5	0.5	0.5
Part-time Van Driver (0.5)	0	0	0	0	0
Part-time Meal Driver (0.5)	0.5	0.5	0.5	0.5	0.5

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/2018	AGENDA ITEM	7.J.
AGENDA SUBJECT:	Discussion regarding economic development corporation funds as requested by Council Member Jane Huffman.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/31/2018
EXHIBITS:	Portions of EDC Sales Tax Orientation from Attorney Jeff Moore (new EDC Attorney)		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	Council Member Jane Huffman requested this item for council discussion.		
RECOMMENDED ACTION:			
Direct staff as desired.			

Type A and Type B Sales Tax

**Texas Economic Development Council
Economic Development Sales Tax Workshops
2013-2014**

Prepared by:

Jeff Moore
Brown & Hofmeister, L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081
(214) 747-6100

Table of Contents

General:

What is Type A and Type B Sales Tax.....	1
How Many Cities Have Adopted Type A and Type B Sales Tax	1

Adoption of Tax:

How are Type A or Type B Sales Tax Adopted	1
Who Can Initiate Type A or Type B Sales Tax Election.....	1
When Must Type A or Type B Sales Tax Election Be Held	1
Eligible Type A and Type B Cities.....	2
Frequency of Sales Tax Elections	2

Tax Rate:

Tax Rate for Type A and Type B Sales Tax.....	3
Limited Ability to Increase or Decrease Type A or Type B Sales Tax	3
Cannot Create More Than One Type A or Type B Sales Tax Corporation.....	3

Permissible Expenditures of Sales Tax Proceeds:

Type A Projects	
Type A Projects Which Must Create or Retain Primary Jobs	4
Type A Projects Not Required to Create or Retain Primary Jobs.....	4
Type B Projects	
Type B Projects Which Must Create or Retain Primary Jobs.....	6
Type B Projects Not Required to Create or Retain Primary Jobs.....	7
Type B Projects for Corporation Receiving \$50,000 or Less	
In Revenue	9
Type B Projects in City with Less Than 20,000 in Population	10
Type B Projects in Landlocked Communities	10
Type A Corporation in Certain Cities Pursuing Type B Projects.....	11
Hurricane Ike Bond Projects.....	11
Primary Jobs.....	11
Type A Pursuing a Type B Project	12
Promotional Expenditures.....	12
Job Training Classes	13
Training Seminars	13
Performance Agreements.....	14
Third Party Business Recruitment	14
Cleanup of Contaminated Property.....	14
Water Supply Facility	15
Water Conservation Program.....	15
Ability to Undertake Project Outside City Limits	15

Ballot Wording:

Type A Sales Tax:

Adopt Type A Sales Tax.....	16
Increase/Decrease Type A Sales Tax.....	16

Abolish Type A Sales Tax	16
Impose Type A Sales Tax for Certain Period of Time	16
Limit Use of Type A Sales Tax for Certain Projects	17
Reduce Sales Tax for Property Tax Relief to Adopt Type A Sales Tax...	17
Reduce/Abolish Type A to Adopt Type B Sales Tax	17
Cleanup of Contaminated Property.....	18
Type B Sales Tax:	
Adopt Type B Sales Tax	18
Increase/Decrease Type B Sales Tax.....	18
Abolish Type B Sales Tax	18
Impose Type B Sales Tax for Limited Period of Time.....	19
Limit Use of Type B Sales Tax for Certain Projects	19
Reduce Sales Tax for Property Tax Relief to Adopt Type B Sales Tax...	19
Reduce/Abolish Type A to Adopt Type B Sales Tax	20
Cleanup of Contaminated Property.....	20
Water Supply Facilities.....	20
Water Conservation Programs	21

Administration of Sales Tax:

General Administration:

Economic Development Corporations Administer the Sales Tax	21
Must Have Separate Corporations for Type A and Type B Sales Tax	21

Role of City Council:

City Council Approval of Expenditures	22
City Council Cannot Fund Projects	22
City Council Attendance at Type A or Type B Meeting	22
City Council Access to Financial Records.....	22
City Council Appointment of Type A or Type B Directors	23
Discussing Type A or Type B Directors in Executive Session ,.....	23
City Council Removal of Type A or Type B Directors	23
Limited Ability of City to Provide Services or Money to Corporation	24
Receipt of Type A or Type B Sales Tax Proceeds.....	24
City Council Cannot Sell Real Estate of Corporation	24

Type A and Type B Board of Directors:

Number of Board of Directors	25
Term	25
Removal	25
Reappointment to Subsequent Term	25
Filling of Vacancies	25
Appointment of Officers - President, Secretary, and Other Officers.....	26
Length of Term of Officers.....	26
Residency Requirements for Type A Board	26
Residency Requirements for Type B Board	26
Ability of Council Members to Serve on Board	26
Limited Ability of Governing Body to Serve in Paid Positions	27
Quorum Requirements	27
Board of Directors Are Not Paid	27

Nepotism Statute	28
Open Meetings Act	28
Board of Directors Must Take Action in a Meeting	28
Public Information Act	29
Conflicts of Interest Statute	29
Corporation Powers and Duties:	
Certificate of Formation (i.e. Articles of Incorporation)	29
Amending the Certificate of Formation.....	30
Bylaws.....	30
Amending Bylaws.....	30
Texas Non-Profit Corporation Act.....	30
Assuming Debt.....	31
Sale of Real Property	31
Acquisition of Real Property from City.....	31
Acquisition of Real Property by Type B with Bond Proceeds	32
Sales Tax Exemption for Projects.....	32
IRS Form 990 Filing	32
Role of Citizens:	
Ability to Initiate Type A or Type B Sales Tax Election	32
Limited Ability to Object Type A Expenditure	33
Ability to Object to Type B Expenditure.....	33
Inability to Force Funding of Particular Project	34
Ability to Abolish a Type A Sales Tax	34
Ability to Abolish a Type B Sales Tax	34
Procedural Requirements for Funding Projects:	
Hearing Requirements:	
Type A Hearing Requirements in General.....	35
Type A Pursuing Type B Project	35
Type B Hearing Requirements in General	35
Citizens Right to Object to Type B Expenditures.....	36
Type B Hearing Requirements for Sports Venue Projects	36
Publication of Notice Requirements:	
Type A Notice Requirements in General.....	37
Type A Notice Requirements for Sports Venue Projects	37
Type A Notice Requirements for Maintenance and Operating Costs.....	38
Type B Notice Requirements in General	38
Type B Notice Requirements for Sports Venue Projects.....	38
Type B Notice Requirements for Maintenance and Operating Costs.....	39

(2) Type B corporations may provide land, buildings, equipment, facilities, and improvements found by the board of directors to promote or develop new or expanded business enterprises that create or retain primary jobs, including a project to provide:²⁸

- (a) public safety facilities;
- (b) streets and roads;
- (c) drainage and related improvements;
- (d) demolition of existing structures;
- (e) general municipally owned improvements; and
- (f) any improvements or facilities that are related to a project described by this subsection; and any other project that the board of directors in its discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs.

Type B Projects Which Are Not Required to Create or Retain Primary Jobs

Not all Type B projects are required to create or retain primary jobs. The following Type B projects are not required to create or retain primary jobs:

- (1) job training classes;²⁹
- (2) certain targeted infrastructure projects necessary to promote or develop new or expanded business enterprises, limited to streets and roads, rail spurs, water and sewer utilities, and electric utilities, gas utilities, drainage, site improvements, and related improvements, telecommunications and Internet improvements, and beach remediation along the Gulf of Mexico;³⁰
- (3) land, buildings, equipment, facilities, improvements, and expenditures required or suitable for use for a career center if the area to be benefited by the career center is not located within the taxing jurisdiction of a junior college district;³¹
- (4) projects consisting of professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events;³²
- (5) affordable housing projects;³³
- (6) water supply facilities projects, with the requisite voter approval;³⁴

²⁸ TEX. LOC. GOV'T CODE ANN. § 505.155.

²⁹ TEX. LOC. GOV'T CODE ANN. §§ 501.102 and 501.162.

³⁰ TEX. LOC. GOV'T CODE ANN. § 501.103.

³¹ TEX. LOC. GOV'T CODE ANN. § 501.105.

³² TEX. LOC. GOV'T CODE ANN. § 505.152.

³³ TEX. LOC. GOV'T CODE ANN. § 505.153.

Type A and Type B Sales Tax Workshops
Texas Economic Development Council
2013-2014

- (7) water conservation programs, with the requisite voter approval;³⁵
- (8) development, improvement, expansion, or maintenance of facilities relating to the operation of commuter rail, light rail, or motor buses;³⁶
- (9) development or expansion of airport or railport facilities, including hangars, maintenance and repair facilities, cargo facilities, and related infrastructure located on or adjacent to an airport or railport facility, if the project is undertaken by a Type B corporation and enters into a development agreement with an entity who acquires a leasehold or other possessory interest from the Type B corporation and is authorized to sublease the entity's interest for other authorized projects; and is approved by city council by resolution;³⁷ and
- (10) development or construction of housing facilities on or adjacent to the campus of a public state college. This particular provision expires September 1, 2017.³⁸

In addition, certain Type B corporations meeting the requisite revenue amounts, population requirements, and other requirements specified in the Act, may assist with certain Type B projects without the creation or retention of primary jobs. These projects include the following:

- (1) Type B corporations located within twenty-five (25) miles of an international border, with a city population of less than 50,000 or an average rate of unemployment that is greater than the state average rate of unemployment during the preceding twelve (12) month period may assist with land, buildings, facilities, infrastructure, and improvements required or suitable for the development or expansion of airport facilities;³⁹
- (2) Type B corporations, located in Hidalgo county, may provide certain assistance with infrastructure necessary to promote or develop new or expanded business enterprises, including airports, ports, and sewer or solid waste disposal facilities, provided Type B sales tax revenue does not support the project;⁴⁰

³⁴ TEX. LOC. GOV'T CODE ANN. §§ 505.154(1) and 505.304.

³⁵ TEX. LOC. GOV'T CODE ANN. §§ 505.154(2) and 505.304.

³⁶ TEX. LOC. GOV'T CODE ANN. § 502.052.

³⁷ TEX. LOC. GOV'T CODE ANN. § 505.1561.

³⁸ TEX. LOC. GOV'T CODE ANN. § 501.163 (as added by Tex. H.B. 2473, 83rd Leg., R.S. (2013)).

³⁹ TEX. LOC. GOV'T CODE ANN. § 501.106.

⁴⁰ TEX. LOC. GOV'T CODE ANN. § 501.107.

(3) Type B corporations, which have not generated more than \$50,000 in revenues in the preceding two (2) fiscal years, may provide land buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for the development, retention, or expansion of business enterprises, provided city council authorizes the project by adopting a resolution following two (2) separate readings conducted at least one (1) week apart;⁴¹

(4) Type B corporations with a population of 20,000 or less, may provide land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the board of directors to promote new or expanded business development, provided projects which require an expenditure of more than \$10,000 city council must adopt a resolution authorizing the project after giving the resolution at least two (2) separate readings;⁴²

(5) Type B corporations located wholly or partly in Dallas or Harris county and has within its city limits and extraterritorial jurisdiction less than 100 acres that can be used for the development of manufacturing or industrial facilities in accordance with the zoning laws or land use restrictions of the city, the term project also means Type B expenditures found by the board of directors to be required for the promotion of new or expanded business enterprises within the landlocked community;⁴³ and

(6) Type B corporations in a city with a population of 10,000 or more, located in a county bordering the Gulf of Mexico or the Gulf Intracoastal Waterway, and has, or is included in a metropolitan statistical area of this state that has, an unemployment rate that averaged at least two percent (2.0%) above the state average for the most recent two (2) consecutive years for which statistics are available, the term "project" includes expenditures found by the board of directors to be required or suitable for infrastructure improvements necessary to develop and revitalize areas in the corporation's authorizing municipality, including: streets and roads, rail spurs, water and sewer utilities, electric utilities, gas utilities, drainage, site improvements, and related improvements; telecommunications, data, or Internet improvements; or facilities designed to remediate, mitigate, or control erosion, including coastal erosion along the Gulf of Mexico or the Gulf Intracoastal Waterway. This particular provision expires September 1, 2017.⁴⁴

13. What are permissible Type B projects for a Type B corporation which received less than \$50,000 in Type B sales tax revenue?

In 2005, the Texas Legislature authorized certain Type B corporations to use Type B sales tax revenue for land, buildings, equipment, facilities, and improvements found by the board of

⁴¹ TEX. LOC. GOV'T CODE ANN. § 505.156.

⁴² TEX. LOC. GOV'T CODE ANN. § 505.158.

⁴³ TEX. LOC. GOV'T CODE ANN. § 505.157.

⁴⁴ TEX. LOC. GOV'T CODE ANN. § 501.108 (as added by Tex. H.B. 1966, 83rd Leg., R.S. (2013)).

directors to be required or suitable for the development, retention, or expansion of business enterprises. This broad use of sales tax revenue is available for Type B corporations which have not for each of the preceding two fiscal years received more than \$50,000 in Type B sales tax revenues, and the governing body of which has authorized the project has adopted a resolution only after giving the resolution at least two separate readings conducted at least one week apart.⁴⁵

14. What are permissible Type B projects for a Type B corporation located in a city with a population of 20,000 or less?

Type B corporations located in a city with a population of 20,000 or less may rely on the various definitions of "project" contained within the statute. Yet, in 2005, the Texas Legislature made a significant revision affecting many Type B economic development corporations. This amendment authorizes a Type B corporation located in a city with a population of 20,000 or less to assist with land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements. Nonetheless, the board of directors must determine the assistance will promote new or expanded business development. If the assistance will promote new or expanded business development, the Type B corporation is authorized to fund the project. The statute requires the following of certain procedural requirements for expenditures exceeding \$10,000. The Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until city council adopts a resolution authorizing the project after giving the resolution at least two (2) separate readings.⁴⁶

15. What are permissible Type B projects for a Type B corporation located in a "landlocked community"?

A "landlocked community" may rely on the various definitions of "project" contained in the Act. However, a landlocked community may also look only to a specific provision added recently by the Texas Legislature. In 2005 the Texas Legislature authorized a Type B corporation located in a "landlocked community" to use Type B sales tax revenue towards "expenditures found by the board of directors to be required for the promotion of new or expanded business enterprises within the landlocked community".⁴⁷ The term "landlocked community" is defined to mean a city which is located wholly or partly located in a county with a population of 2 million or more and has within its city limits and extraterritorial jurisdiction less than 100 acres that can be used for the development of manufacturing or industrial facilities in accordance with the zoning laws or land use restrictions of the city. Accordingly, this specific provision is limited to Type B corporations located wholly or partly within Harris or Dallas counties.

⁴⁵ TEX. LOC. GOV'T CODE ANN. § 505.156.

⁴⁶ TEX. LOC. GOV'T CODE ANN. § 505.158.

⁴⁷ TEX. LOC. GOV'T CODE ANN. § 505.157.

The NAICS sector code categories include: crop production; animal production; forestry and logging; commercial fishing; support activities for agriculture and forestry; mining; utilities; manufacturing; wholesale trade; transportation and warehousing; information (excluding movie theaters and drive-in theaters); securities, commodity contracts, and other financial investments and related activities; scientific research and development services; management of companies and enterprises; telephone call centers; and correctional institutions.⁵² Further, a job included within the national security sector code classification for the armed forces, army, navy, air force, marine corps, and military bases meet the definition of "primary job."

19. Can a Type A corporation fund a Type B project?

Type A sales tax may be used to fund Type B projects with voter approval.⁵³ A public hearing must be conducted within the city to inform the residents of the city of the cost and impact of the project prior to the election.⁵⁴ Further, the city must publish notice of the hearing in a newspaper with general circulation in the city at least thirty (30) days before the date set for the hearing. The notice must include the date, time, place, and subject of the hearing and should be published on a weekly basis until the date of the hearing.⁵⁵ In addition, the Texas Legislature amended the statute in 2011 by addressing the authority of a Type A corporation located within a city with a population of less than 7,500 and which also has a Type B corporation. The city council by ordinance may authorize a Type A corporation to undertake any project that a Type B corporation may undertake.⁵⁶

20. Can Type A or Type B corporations expend sales tax proceeds for promotional purposes?

Both Type A and Type B corporations may spend no more than ten percent (10%) of the corporate revenues for promotional purposes.⁵⁷ Recently, the Texas Attorney General considered promotional expenditures and concluded a promotional purpose is a question of fact for the board of directors to resolve in the first instance, subject to judicial review and the supervisory authority of the city council.⁵⁸ Further, the city council could approve or disapprove of a particular promotional expenditure. The Attorney General noted a corporation may not spend more than ten percent (10%) of its current annual revenues for promotional purposes in any

⁵² *Id.*

⁵³ TEX. LOC. GOV'T CODE ANN. § 504.152.

⁵⁴ TEX. LOC. GOV'T CODE ANN. § 504.153.

⁵⁵ *Id.*

⁵⁶ TEX. LOC. GOV'T CODE ANN. § 504.171.

⁵⁷ TEX. LOC. GOV'T CODE ANN. §§ 504.105(a) and 505.103.

⁵⁸ Op. Tex. Att'y Gen. No. GA-0086 (2003).

given year. Yet, unexpended revenues specifically set aside for promotional purposes in past years may be expended for such purposes.⁵⁹

21. Can Type A or Type B corporations expend sales tax proceeds for job training classes?

A Type A or Type B corporation may spend sales tax proceeds for job training offered through a business enterprise under certain conditions. The business enterprise must commit in writing to create jobs which pay wages that are at least equal to the prevailing wage for the applicable occupation in the local market area, or increase its payroll to pay wages that are at least equal to the prevailing wage for the occupation in the local labor market area.⁶⁰

In addition, Type A and Type B corporations in a city with a population of 10,000 or more, located in a county bordering the Gulf of Mexico or the Gulf Intracoastal Waterway, and has, or is included in a metropolitan statistical area of this state that has, an unemployment rate that averaged at least two percent (2.0%) above the state average for the most recent two (2) consecutive years for which statistics are available, may spend sales tax revenue for job training that consists of: (1) providing job-related life skills sufficient to enable an unemployed individual to obtain employment; and (2) providing job training skills sufficient to enable an unemployed individual to obtain employment.⁶¹

22. Can Type A or Type B corporations expend sales tax proceeds for training seminars?

In the 2001 legislative session, the Texas Legislature amended the Development Corporation Act to require certain Type A and Type B economic development officials to complete a training seminar which ensures officials properly and legally operate the corporation and administer the tax imposed for the benefit of the Type A or Type B corporation.⁶² One of the following three city officials are required to attend a seminar each twenty-four (24) month period: the city attorney, the city administrator, or city clerk. Further, the executive director or other person who is responsible for the daily administration of the corporation must attend a seminar in each twenty-four (24) month period.⁶³ The Development Corporation Act specifically authorizes to use of Type A or Type B sales tax proceeds to pay for the costs of attending the seminar.⁶⁴

⁵⁹ *Id.*

⁶⁰ TEX. LOC. GOV'T CODE ANN. §§ 501.102 and 501.162.

⁶¹ TEX. LOC. GOV'T CODE ANN. § 501.163 (as added by Tex. H.B. 1967, 83rd Leg., R.S. (2013)).

⁶² TEX. LOC. GOV'T CODE ANN. § 502.101.

⁶³ TEX. LOC. GOV'T CODE ANN. § 502.101(a)(1) & (2).

⁶⁴ TEX. LOC. GOV'T CODE ANN. § 502.101(d).

23. Can Type A or Type B corporations grant or gift Type A or Type B proceeds to a business entity without a performance agreement?

In 2003, the Texas Legislature amended the Development Corporation Act to address business incentives and performance agreements. Type A and Type B corporations may not provide a direct incentive or make expenditures on behalf of a business enterprise unless the corporation enters into a performance agreement with the business enterprise.⁶⁵ The performance agreement at a minimum must provide for a schedule of additional payroll or jobs to be created or retained and the capital investment to be made as consideration for any incentives.⁶⁶ Further, the agreement must specify the terms for any repayment should the business fail to meet the performance requirements specified in the agreement.

24. Can Type A and Type B corporations hire an independent third party to conduct business recruitment or development?

Type A and Type B corporations may hire a third party for the purposes of conducting business recruitment or development.⁶⁷ Nonetheless, the corporation must enter into a written contract approved by the corporation's board of directors in connection with the payment of a commission fee, or thing of value to a broker, agent, or third party who is involved in business recruitment or development. This requirement does not apply to the business recruitment or development activities conducted by the executive director or other employees of the Type A or Type B corporation. Should the corporation hire a third party for the purposes of business recruitment or development without a written contract approved by the board, the corporation could be liable to the State of Texas for a civil penalty in an amount not to exceed \$10,000. Further, the Texas Attorney General's office could bring an action to recover the penalty in Travis County District Court or the district court in the county in which the violation occurred.⁶⁸

25. Can Type A or Type B corporations use sales tax proceeds to cleanup contaminated property?

Should the Texas Governor's office or Texas Commission on Environmental Quality encourage or request a Type A or Type B corporation to use sales tax proceeds to cleanup contaminated property, the corporation may not undertake the project until the use is approved by a majority of the qualified voters of the city voting in an election called and held for that purpose. The ballot proposition is as follows:⁶⁹

⁶⁵ TEX. LOC. GOV'T CODE ANN. § 501.158(a).

⁶⁶ TEX. LOC. GOV'T CODE ANN. § 501.158(b).

⁶⁷ TEX. LOC. GOV'T CODE ANN. § 502.051.

⁶⁸ TEX. LOC. GOV'T CODE ANN. § 502.051(c).

⁶⁹ TEX. LOC. GOV'T CODE ANN. §§ 504.304 and 505.305.

"The use of sales and use tax proceeds for the cleanup of contaminated property."

26. Can Type B corporations expend sales tax proceeds for water supply facility projects?

A water supply facility is a permissible Type B project provided the voters approve the project in an election called and held for that purpose.⁷⁰ The term "water supply facility" includes dams, transmission lines, well field developments, and other water supply alternatives.⁷¹ The ballot proposition which must be used to vote for or against the water supply facility is as follows:⁷²

**"The use of sales and use tax proceeds for infrastructure relating to
(insert water supply facilities or water conservation programs, as appropriate)."**

27. Can a Type B corporation expend sales tax proceeds for a water conservation program?

Water conservation programs include incentives to install water-saving plumbing fixtures, educational programs, brush control programs, and programs to replace malfunctioning or leaking water lines and other water facilities.⁷³ These programs are permissible Type B projects provided the project is approved by a majority of the qualified voters in an election called held for that purpose. The ballot wording which must be used for such a proposition is as follows:⁷⁴

**"The use of sales and use tax proceeds for infrastructure relating to
(insert water supply facilities or water conservation programs, as appropriate)."**

28. Can Type A or Type B corporations undertake projects which are located outside the city limits of the eligible city?

An economic development corporation may undertake projects outside of the city limits with permission of the governing body that has jurisdiction over the property.⁷⁵ Consequently, should a Type A or Type B corporation decide to undertake a project located completely in the city's extraterritorial jurisdiction or beyond, it should get approval from the county commissioners court.

⁷⁰ TEX. LOC. GOV'T CODE ANN. §§ 505.154 and 505.304.

⁷¹ TEX. LOC. GOV'T CODE ANN. § 505.154(1).

⁷² TEX. LOC. GOV'T CODE ANN. § 505.304(b).

⁷³ TEX. LOC. GOV'T CODE ANN. § 505.154(2).

⁷⁴ TEX. LOC. GOV'T CODE ANN. § 505.304(b).

⁷⁵ TEX. LOC. GOV'T CODE ANN. § 501.159(a).

46. Can a Type B corporation expend sales tax proceeds for a water conservation program?

Water conservation programs include incentives to install water-saving plumbing fixtures, educational programs, brush control programs, and programs to replace malfunctioning or leaking water lines and other water facilities.⁹⁷ These programs are permissible Type B projects provided the project is approved by a majority of the qualified voters in an election called and held for that purpose. The ballot wording which must be used for such a proposition is as follows:⁹⁸

**"The use of sales and use tax proceeds for infrastructure relating to
(insert water supply facilities or water conservation programs, as appropriate)."**

Administration of Sales Tax:

General:

47. Who administers and oversees a Type A or Type B sales tax?

Once the Type A or Type B sales tax is adopted, the sales tax revenues are administered by the corporations. Non-profit corporations must be created to administer these sales taxes. These corporations are governed by the Development Corporation Act, and Texas Non-Profit Corporation Act, as contained in the Texas Business Organizations Code.⁹⁹ The corporations determine which projects to fund, with city council retaining approval authority over all expenditures of the corporation.¹⁰⁰

48. If a city has both Type A and Type B sales tax must the city create separate corporations for administration of the Type A and Type B sales tax?

The city must establish separate corporations and boards of directors to administer the Type A and Type B taxes.¹⁰¹

⁹⁷ TEX. LOC. GOV'T CODE ANN. § 505.154.

⁹⁸ TEX. LOC. GOV'T CODE ANN. § 505.304(b).

⁹⁹ TEX. LOC. GOV'T CODE ANN. §§ 504.003, 505.003 & 501.054.

¹⁰⁰ TEX. LOC. GOV'T CODE ANN. § 501.073(a) (formerly § 21) ("The corporation's authorizing unit [city council] will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation.")

¹⁰¹ TEX. LOC. GOV'T CODE ANN. §§ 504.003 and 505.003.

Role of City Council:

49. Does city council have to approve expenditures for permissible Type A and Type B projects?

The development corporation has the power to expend the proceeds of the economic development sales tax for purposes authorized by the Development Corporation Act.¹⁰² Nonetheless, city council retains authority to “approve all programs and expenditures of a corporation.”¹⁰³ City council’s oversight includes the authority to approve promotional expenditures as well.¹⁰⁴

50. Can city council fund certain Type A or Type B projects on their motion?

City council cannot expend Type A or Type B funds on their own initiative. Approval for funding of projects begins with the board of directors. Should the board of directors decide to fund a particular project, city council approval is required. Nonetheless, city council cannot fund a project on their initiative.¹⁰⁵ The board of directors must also approve the project.

51. Can a quorum of city council attend a Type A or Type B corporation meeting?

A quorum of city council could attend a Type A or Type B meeting. However, attendance by a quorum of city council would require compliance with the Open Meetings Act. Consequently, the city would want to post an agenda of the city council meeting for 72 hours prior to the meeting.¹⁰⁶ Further, recent amendments to the Open Meetings Act may require the agenda be posted on the city’s Internet website.¹⁰⁷

52. Is city council entitled to the financial records of a Type A or Type B corporation?

The Development Corporation Act provides that city council will annually review the financial records of the corporation and at all times will have access to the books and records of the

¹⁰² TEX. LOC. GOV’T CODE ANN. §§ 504.303 and 505.302.

¹⁰³ TEX. LOC. GOV’T CODE ANN. § 501.073(a).

¹⁰⁴ Op. Tex. Att’y Gen. No. GA-0086 (2003) at 3 – 5 (concluding city council may approve or disapprove a particular promotional expenditure).

¹⁰⁵ Op. Tex. Att’y Gen. No. JC-0488 (2002) at 3 (“Before addressing the City’s principal concern, we address its assumption that the City, rather than its [Type B] development corporation, may expend the sales tax proceeds for the purposes authorized by the voters. This assumption is contrary to the Act.”).

¹⁰⁶ TEX. GOV’T CODE ANN. §§ 551.041 and 551.043.

¹⁰⁷ TEX. GOV’T CODE ANN. § 551.056(b).

corporation.¹⁰⁸

53. Does city council appoint the directors of the Type A and Type B corporation?

The board of directors of a Type A corporation consists of at least five (5) directors who are appointed by city council.¹⁰⁹ Similarly, seven (7) directors appointed by city council serve on the Type B board.¹¹⁰

54. Could city council discuss the appointment of the directors of the Type A or Type B corporation in executive session?

A city council may only meet in executive session under the personnel exception if the person being discussed is an officer or employee of the city. Neither the appointment of advisory committee members nor the hiring of independent contractors are proper subjects for executive sessions under the personnel exception.¹¹¹ Whether a particular position is an officer or employee of the city is a question of fact.

In Texas Attorney General Letter Opinion 94-063 the Attorney General considered whether the Dallas City Council could deliberate in executive session the appointment of board members to the Dallas Area Rapid Transit Authority (DART). Although, the Attorney General noted factual determinations could not be resolved in the opinion process, the opinion concluded city council could discuss in executive session appointees to the Dallas Area Rapid Transit Authority. This conclusion was based on several factors, including: a public officer generally has a fixed term of office and could be removed only in accordance with law; public officers perform governmental functions "largely independent of the control of others;" and city council was authorized by state law to appoint members to the DART board.

55. Can city council remove the directors of a Type A or Type B corporation?

Type A board of directors serve terms not to exceed six (6) years and are subject to removal at any time by city council.¹¹² Type B board of directors serve two (2) year terms and are subject to removal at any time by city council.¹¹³

¹⁰⁸ TEX. LOC. GOV'T CODE ANN. § 501.073.

¹⁰⁹ TEX. LOC. GOV'T CODE ANN. § 504.051.

¹¹⁰ TEX. LOC. GOV'T CODE ANN. § 505.051.

¹¹¹ Op. Tex. Att'y Gen. No. DM-149 (1992) (members of advisory committee are not public officers or employees); *Board of Trustees v. Cox Enterprises*, 679 S.W.2d 86, 90 (Tex. App. – Texarkana 1984), *aff'd in part, rev'd in part on other grounds*, 706 S.W.2d 956 (Tex. 1986) (governing body may meet in executive session to discuss officers and employees only; independent contractors are not officers or employees).

¹¹² TEX. LOC. GOV'T CODE ANN. § 504.051(b) & (c). *See also*, Op. Tex. Att'y Gen. No. JC-0349 (2001).

¹¹³ TEX. LOC. GOV'T CODE ANN. § 505.051(b) & (c).

56. Can the city provide services or money to a Type A or Type B corporation?

The Development Corporation Act generally prohibits a city from lending its credit or granting any public money or thing of value to an economic development corporation. The city may not provide any funding or services to a development corporation unless the city is reimbursed for the expenditure.¹¹⁴

In 2001, the Texas Legislature did create an exception to this general rule. A home rule city is now authorized to grant public money to a Type A or Type B corporation under a contract authorized by Section 380.002 of the Texas Local Government Code.¹¹⁵ The Type A or Type B corporation is required to use the grant of city money for the “development and diversification of the economy of the state, elimination of unemployment or underemployment in the state, and development and expansion of commerce in the state.”¹¹⁶

57. Who receives the Type A or Type B sales tax proceeds?

Once the Type A or Type B sales tax is effective, the sales tax is remitted to the State Comptroller who then remits the Type A and Type B sales tax proceeds to the city. The city upon receiving its local sales tax allotment from the Comptroller must remit the sales tax to the Type A or Type B corporation.¹¹⁷

58. Can city council sell land held by a Type A or Type B corporation without the Type A or Type B board’s approval?

In Texas Attorney General Opinion JC-0109 (1999), the Attorney General addressed land sales of a Type B corporation. The opinion noted, “the powers of the corporation are vested in the board of directors, . . . a [Type B] development corporation may not sell land without board approval. The board of directors of a development corporation is subject to the Open Meetings Act and therefore may not take final official action on a land sale except in an open meeting.”¹¹⁸

¹¹⁴ TEX. LOC. GOV’T CODE ANN. § 501.007 (“(a) Except as provided by Subsection (b), a unit may not lend its credit or grant public money or another thing of value in aid of a corporation. (b) A municipality may grant public money to a corporation under a contract authorized by Section 380.002 [of the Local Government Code]”). *See also*, Op. Tex. Att’y Gen. No. JC-0109 (1999) at 3-5.

¹¹⁵ TEX. LOC. GOV’T CODE ANN. § 501.007(b).

¹¹⁶ TEX. LOC. GOV’T CODE ANN. § 380.002(b).

¹¹⁷ TEX. LOC. GOV’T CODE ANN. §§ 504.301 & 505.301.

¹¹⁸ Op. Tex. Att’y Gen. No. JC-0109 (1999) at 2&3.

72. Would the nepotism statute preclude city council from appointing family members or relatives to the Type A or Type B board of directors?

The nepotism statute, Texas Government Code Chapter 573, prohibits a public official from appointing, confirming the appointment, or voting on the appointment of a "close relative" of certain city officials to paid positions.¹³⁶ Since, neither Type A nor Type B board members are paid, the state nepotism statute would not preclude such appointments.¹³⁷ Nonetheless, a home rule city could enact more restrictive nepotism limitations and preclude such appointments.¹³⁸

73. Are the board meetings of Type A or Type B board subject to the Open Meetings Act?

Type A and Type B corporations and the board of directors are subject to the Open Meetings Act.¹³⁹ Further, for most Type A or Type B boards meetings must occur within the city limits. Yet, in 2011, the Texas Legislature amended state law to allow Type A and Type B boards located within a county with a county population of less than 30,000 to conduct their meetings within the county.¹⁴⁰

74. Can the board of directors of Type A or Type B corporations take action without a meeting if the board of directors consents in writing?

Section 501.071 of the Texas Local Government Code provides that "[a]n action that may be taken at a meeting of a board of directors, including an action required by this subtitle to be taken at a meeting, may be taken without a meeting if each director signs a written consent providing the action to be taken." However, in 1983 the Development Corporation Act was amended by providing that the board of directors is subject to the Open Meetings Act.¹⁴¹ Consequently, in Texas Attorney General Opinion JM-120 (1983), the Attorney General concluded the addition of section 11(b), now Section 501.072 of the Texas Local Government Code, subjecting the board of directors to the Open Meetings Act "impliedly repealed" section 14(c), now Section 501.071(a) of the Texas Local Government Code. As a result, the board of directors of Type A

¹³⁶ TEX. GOV'T CODE ANN. § 573.041.

¹³⁷ Tex. Att'y Gen. LO 96-010 (1996) (concluding because a member of the board of directors of an industrial development corporation, established under the Development Corporation Act of 1979, V.T.C.S. article 5190.6, receives only reimbursement for the member's expenses, the member was not "directly or indirectly compensated from public funds or fees of office." Thus, section 573.041 of the Government Code, which generally prohibits nepotistic appointments, was inapplicable).

¹³⁸ See, Tex. Att'y Gen. LO 93-30 (1993).

¹³⁹ TEX. LOC. GOV'T CODE ANN. § 501.072.

¹⁴⁰ TEX. LOC. GOV'T CODE ANN. §§ 504.054 and 505.055.

¹⁴¹ TEX. LOC. GOV'T CODE ANN. § 501.072.

or Type B corporations may not take official action by written agreement without a meeting. All official actions of the Type A or Type B corporation must occur in a posted meeting in full compliance with the Texas Open Meetings Act.

75. Are Type A and Type B corporations subject to the Public Information Act (formerly the Open Records Act)?

Both Type A and Type B corporations are subject to the Public Information Act.¹⁴²

76. Are the Type A and Type B directors subject to the state conflicts of interest statute?

Generally, directors of non-profit corporations do not constitute a “local public official” subject to the conflicts of interest statute. Consequently, absent a local provision to the contrary directors of a Type A or Type B corporation are not subject to chapter 171 of the Texas Local Government Code.¹⁴³ However, the Texas Non-Profit Corporation Act may prohibit certain transactions. In Texas Attorney General Opinion JC-338 (2001), the Attorney General noted the Texas Non-Profit Corporation Act prohibited the board of directors from approving a loan to a director of the Type B corporation.

Corporation Powers and Duties:

77. Once a Type A or Type B corporation is formed must city council approve articles of incorporation now referred to as certificate of formation?

The certificate of formation for all development corporations must be approved by city council.¹⁴⁴ Further, the certificate of formation of a Type A or Type B corporation must state that the corporation is governed by either Chapter 504 or Chapter 505 of the Texas Local Government Code,¹⁴⁵ and must be filed in triplicate with the Secretary of State’s Office.¹⁴⁶ Upon the issuance of the certificate of incorporation, the corporate existence begins. Once the certificate of incorporation is issued, the board of directors is required to hold an organizational meeting for the purposes of adopting the corporation’s bylaws and to elect officers.¹⁴⁷

¹⁴² TEX. LOC. GOV’T CODE ANN. § 501.072.

¹⁴³ Op. Tex. Att’y Gen. No. JC-0338 (2001) at 3 (concluding that a development corporation created under the Act is not a political subdivision nor any other “local governmental entity” subject to chapter 171 of the Local Government Code).

¹⁴⁴ TEX. LOC. GOV’T CODE ANN. § 501.051.

¹⁴⁵ TEX. LOC. GOV’T CODE ANN. §§ 504.004 and 505.004.

¹⁴⁶ TEX. LOC. GOV’T CODE ANN. § 501.057(b).

¹⁴⁷ TEX. LOC. GOV’T CODE ANN. § 501.063(a).

78. Who can amend the certificate of formation?

The Development Corporation Act provides that the certificate of formation may be amended at any time by the board of directors or city council.¹⁴⁸ The board of directors is required to file with city council a written application requesting city council approve the amendments. The written application must specify the proposed amendments. If city council, by appropriate resolution, determines that it is advisable that the proposed amendments be made, authorizes the same to be made, and approves the form of the proposed amendment, the board of directors shall proceed to amend the certificate of formation.¹⁴⁹ The certificate of formation may also be amended at any time by city council by resolution.¹⁵⁰ Again, city council would be required to file the certificate of amendment with the Secretary of State.

79. Must city council approve bylaws for the Type A or Type B corporation?

City council must approve the initial bylaws. After the issuance of the certificate of formation, the board of directors is required to hold an organizational meeting to adopt the bylaws and to elect officers.¹⁵¹ The initial bylaws must be adopted by the board of directors and approved by city council by resolution.¹⁵²

80. Can a Type A or Type B corporation amend its bylaws?

A Type A or Type B corporation is authorized to adopt and amend bylaws not inconsistent with its certificate of formation or with state law. In addition, amendments to the bylaws must be approved by resolution of the city council.¹⁵³

81. Are Type A or Type B corporations governed by the Texas Non-Profit Corporation Act?

Type A and Type B corporations are governed by the Development Corporation Act, chapters 501 to 505 of the Texas Local Government Code, and the Texas Non-Profit Corporation Act, as contained in the Texas Business Organizations Code. To the extent the provisions of the Texas Non-Profit Corporation Act conflict with the provisions of the Development Corporation Act, the Development Corporation Act prevails.¹⁵⁴

¹⁴⁸ TEX. LOC. GOV'T CODE ANN. § 501.301.

¹⁴⁹ *Id.*

¹⁵⁰ TEX. LOC. GOV'T CODE ANN. § 501.302.

¹⁵¹ TEX. LOC. GOV'T CODE ANN. § 501.063(a).

¹⁵² TEX. LOC. GOV'T CODE ANN. § 501.064.

¹⁵³ TEX. LOC. GOV'T CODE ANN. § 501.064(c)(2).

¹⁵⁴ TEX. LOC. GOV'T CODE ANN. § 501.054(a).

82. Can a Type A or Type B corporation assume a debt?

A Type A economic development corporation is prohibited from assuming a debt or making “an expenditure to pay the principal of or interest on a debt that existed before the date” the city authorized the creation of the corporation.¹⁵⁵ The Development Corporation Act does not address whether a Type B corporation is prohibited from paying principal or interest on a debt if the debt existed before the date the city creates a Type B corporation.

83. When a Type A or Type B corporation sells real property must the corporation comply with certain notice and bidding requirements applicable to cities?

The Texas Attorney General determined an economic development corporation who sells real property unrelated to a project is not required to comply with the notice and bidding procedures applicable to Texas cities, chapter 272 of the Texas Local Government Code.¹⁵⁶ Nonetheless, a Type A or Type B corporation must obtain fair market value when selling real property unrelated to a project.¹⁵⁷

84. May a city convey real property to a Type A or Type B corporation?

In 2009, the Texas Legislature approved a bill authorizing a city with a population of 20,000 or less to convey real property to a Type A or Type B corporation without complying with the notice bidding requirements of chapter 272 of the Texas Local Government Code.¹⁵⁸ The city may convey real property to the Type A or Type B corporation provided the economic development corporation agrees to use the property in a manner that primarily promotes a public purpose of the municipality. However, the city may not convey real property acquired through eminent domain. Further, should the economic development corporation at any time fail to use the property in that manner, ownership of the property automatically reverts to the city. The municipality shall transfer the property by an appropriate instrument of transfer. The instrument must include a provision that: (1) requires the economic development corporation to use the property in a manner that primarily promotes a public purpose of the municipality; and (2) indicates that ownership of the property automatically reverts back to the city should the corporation at any time fail to use the property in that manner.

¹⁵⁵ TEX. LOC. GOV'T CODE ANN. § 504.104.

¹⁵⁶ Op. Tex. Att'y Gen. No. JC-0109 (1999).

¹⁵⁷ *Id.* at 2.

¹⁵⁸ TEX. LOC. GOV'T CODE ANN. § 253.012.

85. May a Type B corporation purchase real property with proceeds without an appraisal of the property's market value?

In 2011, the Texas Legislature amended the statute to provide that a Type B corporation may not purchase real property for a project wholly or partly with bond proceeds until the Type B corporation obtains an independent appraisal of the property's market value.¹⁵⁹

86. Are purchases made by Type A and Type B corporations exempt from state sales and use taxes?

An otherwise taxable item sold, leased, or rented to or stored, used, or consumed by a Type A or Type B corporation is exempt from sales and use taxes imposed by chapter 151 of the Texas Tax Code, provided the item is for the exclusive use and benefit of the corporation.¹⁶⁰ The exemption does not apply to an item that is a project or part of a project that is to be leased, sold, or lent by the Type A or Type B corporation.¹⁶¹

87. Are Type A and Type B economic development corporations required to file with the Internal Revenue Service Form 990?

An issue which occasionally comes up is whether a Type A or Type B corporation must file with the IRS Form 990. Form 990 is a form used by tax-exempt organizations to file annual information returns. There are however exceptions to the filing requirement. The Internal Revenue Service in Revenue Procedure 95-48, I.R.B. 1995-47, 13., (Nov. 20, 1995) concluded governmental units, and affiliates of governmental units are exempt from the Form 990 filing requirements. Accordingly, a corporation may wish to review this issue with their attorney. Further, a corporation could request from the IRS a determination whether their entity qualifies as an "affiliate of a governmental unit," and exempt from the Form 990 filing requirements. The IRS in making the determination will want to review the corporation's certificate of formation, bylaws, and there is a charge set by the IRS for the ruling.

Role of Citizens:

88. Can citizens initiate Type A or Type B sales tax election?

An election to adopt either the Type A or Type B sales tax may be initiated by citizens. If the city council receives a petition signed by a number of qualified voters that equals at least twenty percent (20%) of the voters who voted in the most recent city election, city council would be required to pass an ordinance ordering an election on the imposition of the tax.¹⁶² Additionally,

¹⁵⁹ TEX. LOC. GOV'T CODE ANN. § 505.1041.

¹⁶⁰ TEX. TAX CODE ANN. § 151.341(a). *See also*, 34 Tex. Admin. Code. § 3.322(c)(7).

¹⁶¹ TEX. TAX CODE ANN. § 151.341(b).

¹⁶² TEX. LOC. GOV'T CODE ANN. §§ 504.255 and 505.256 (stating Chapter 321 of the Texas Tax Code governs the imposition, computation, administration of the Type A and Type B sales tax) and TEX. TAX CODE ANN. §

city council on its own initiative may approve an ordinance calling for an election to adopt either the Type A or Type B sales tax.¹⁶³

89. Can citizens object to Type A expenditures?

When a Type A corporation pursues a project it is required to obtain city council approval of the project.¹⁶⁴ Generally, there is no additional requirement of notice or hearing for projects undertaken by Type A corporations. Nonetheless, citizen taxpayers through an action in district court could seek declaratory and or injunctive relief to prevent the funding of a particular project.¹⁶⁵

90. Can citizens object to Type B expenditures?

Generally, a Type B corporation must hold at least one (1) public hearing on a proposed project.¹⁶⁶ However, in 2007 the Texas Legislature approved legislation applicable to Type B cities with a population of less than 20,000.¹⁶⁷ A Type B corporation in a city with a population of less than 20,000 is not required to hold a public hearing if the proposed project is authorized by Subchapter C of Chapter 501 of the Texas Local Government Code. Subchapter C of Chapter 501 of the Texas Local Government Code is Sections 501.101 to 501.107 of the Texas Local Government Code. Any hearing must be held prior to the expenditure of any funds on the project. The Type B corporation may hold one (1) public hearing to consider one project or a group of projects. After the projects have been considered at a public hearing and sixty (60) days have passed since the first published notice of the project, the Type B corporation may make expenditures related to the project.¹⁶⁸

Further, the public has a right to gather a petition to object to a particular expenditure.¹⁶⁹ The petition must be submitted within sixty (60) days following the first published notice of the project or categories of projects. This petition must be signed by ten percent (10%) or more of the registered voters of the city requesting an election be held before the project is undertaken. If the petition is submitted in a timely manner and is signed by the requisite number of voters, an

¹⁶³ 321.401(c) (Vernon 2002) (requiring city council to pass an ordinance ordering an election on the Type A or Type B sales tax if a petition is presented).

¹⁶⁴ TEX. TAX CODE ANN. § 321.401(b).

¹⁶⁵ TEX. LOC. GOV'T CODE ANN. § 501.073(a) ("The corporation's authorizing unit will approve all programs and expenditures of a corporation...").

¹⁶⁶ See, *Gaut v. Amarillo Economic Development Corporation*, 921 S.W.2d 884 (Tex. App. – Austin 1996) (plaintiffs filed a petition seeking declaratory and injunctive relief to prevent Type A corporation's performance of jet service contract with American Airlines for continued jet service for DFW Airport to the Amarillo airport).

¹⁶⁷ TEX. LOC. GOV'T CODE ANN. § 505.159(a).

¹⁶⁸ TEX. LOC. GOV'T CODE ANN. § 505.159(b).

¹⁶⁹ TEX. LOC. GOV'T CODE ANN. § 505.160(a).

¹⁶⁹ *Id.*

election is required. The corporation may not undertake the project until the voters approve the project at an election on the issue. If the voters disapprove the project at the election, the Type B tax proceeds may not be used for the project. An election is not required to be held after the submission of a petition if the qualified citizens of the city have previously approved the undertaking of a specific project or projects.¹⁷⁰

91. Can the citizens force the funding of a particular Type A or Type B project?

The Development Corporation Act does not address the ability of citizens to force the directors of a Type A or Type B board to fund a particular project.

92. Can citizens seek to abolish a Type A sales tax?

On a petition signed by at least ten percent (10%) or more of the registered voters of the city, the city can be required to order an election on the dissolution of the Type A corporation. If the election for dissolution is approved, the Type A tax would continue to satisfy any remaining obligations that were executed prior to the date of the dissolution election. When the last of the obligations are satisfied, any remaining assets of the corporation shall be transferred to the city, and the corporation is dissolved.¹⁷¹

93. Can citizens seek to abolish a Type B sales tax?

An eligible Type B city must hold an election on the issue of dissolution of a Type B corporation created on or after September 1, 1999¹⁷² if a proper petition is submitted to the city council.¹⁷³ The petition requesting the election on the dissolution of the Type B corporation must be signed by at least ten percent (10%) of the registered voters of the city. At the dissolution election, the ballot shall be printed to permit voting for or against the proposition. The ballot proposition to dissolve a Type B corporation created on or after September 1, 1999 is as follows:¹⁷⁴

“Termination of the _____ (name of the corporation).”

For Type B corporations created prior to September 1, 1999, the city could pass a resolution to dissolve the corporation.¹⁷⁵ If the city passed the resolution, the tax would continue to pay off any outstanding obligations.

¹⁷⁰ TEX. LOC. GOV'T CODE ANN. § 505.160(b).

¹⁷¹ TEX. LOC. GOV'T CODE ANN. §§ 504.351 and 504.353. *See also*, Op. Tex. Att'y Gen. No. JC-0553 (2002).

¹⁷² TEX. LOC. GOV'T CODE ANN. § 505.351. (formerly Texas Senate Bill 269, Section 2, 76th Legislature, Regular Session (1999)).

¹⁷³ TEX. LOC. GOV'T CODE ANN. § 505.352.

¹⁷⁴ TEX. LOC. GOV'T CODE ANN. § 505.353.

¹⁷⁵ TEX. LOC. GOV'T CODE ANN. § 501.401(c).

Procedural Requirements:

Hearing Requirements:

94. Must Type A corporations conduct hearings prior to funding Type A projects?

Generally, when Type A corporations pursue projects they are required to obtain city council approval of the project.¹⁷⁶ Type A corporations generally do not have additional notice and hearings requirements on individual projects undertaken by the corporation. Nonetheless, there are exceptions requiring the Type A corporation to conduct a public hearing. If a Type A corporation desires to pursue a sports venue project, or a Type B project, a public hearing is required.¹⁷⁷

95. If Type A corporations pursue a Type B project must the Type A corporation conduct hearings?

Type A corporations must conduct a public hearing prior to the Type B project.¹⁷⁸ If the economic development corporation desires to use Type A proceeds to undertake a Type B project, it is required to conduct a public hearing prior to the election. The hearing must be held in the city and must inform the residents of the cost and impact of the project or category of projects. Additionally, the city must publish notice of the hearing in a newspaper of general circulation in the city at least thirty (30) days prior to the hearing date. The notice must indicate the date, time, place and subject of the hearing. The notice should be published on a weekly basis until the date of the hearing.¹⁷⁹

96. Must Type B corporations conduct a public hearing prior to funding Type B projects?

Generally, a Type B corporation must hold at least one (1) public hearing on a proposed project.¹⁸⁰ In 2007, the Texas Legislature amended the Development Corporation Act applicable to Type B cities with a population of less than 20,000.¹⁸¹ A Type B corporation in a city with a population of less than 20,000 is not required to hold a public hearing if the proposed project is

¹⁷⁶ TEX. LOC. GOV'T CODE ANN. § 501.073(a) ("The corporation's authorizing unit [city council] will approve all programs and expenditures of a corporation and annually review any financial statements of the corporation.")

¹⁷⁷ TEX. LOC. GOV'T CODE ANN. §§ 504.152 and 504.153.

¹⁷⁸ TEX. LOC. GOV'T CODE ANN. § 504.153.

¹⁷⁹ *Id.*

¹⁸⁰ TEX. LOC. GOV'T CODE ANN. § 505.159(a).

¹⁸¹ TEX. LOC. GOV'T CODE ANN. § 505.159(b).

contained in Subchapter C of Chapter 501 of the Texas Local Government Code. Additionally, the Type B corporation must obtain city council approval of the expenditure.¹⁸² When required a Type B corporations could conduct one (1) public hearing to consider several projects. Nonetheless, notice of the project or projects must be published in a newspaper of general circulation in the city. After the projects have been considered at a public hearing, as necessary, and once sixty (60) days have passed since the first published notice of the projects, the Type B corporation is authorized to make expenditures related to the projects.

97. Can citizens object to Type B expenditures?

The public has a right to gather a petition objecting to a particular Type B project.¹⁸³ The petition must be submitted within sixty (60) days of the first published notice of a specific project or type of project, and must be signed by more than ten percent (10%) of the registered voters of the city. If the governing body of the city receives a petition from more than ten percent (10%) of the registered voters of the city requesting an election be held before that specific project or the general type of project is undertaken, the corporation may not undertake the project until the voters approve the project at an election called and held to consider the proposed Type B project.¹⁸⁴ An election is not required to be held after the submission of a petition if the voters have previously approved the specific project at an election called for that purpose or in conjunction with another Type B election.

98. Must a Type B corporation conduct a hearing to pursue a sports venue project?

Type B corporations must conduct at least one public hearing to consider a sports venue project.¹⁸⁵ Initially, the city would have to call an election on a uniform election date to consider the sports venue project.¹⁸⁶ At the election, the voters of the city would vote on a ballot proposition authorizing the Type B corporation to use the sales and use tax, "including any amount previously authorized and collected, for a specific sports venue project." The project or category of projects must be clearly described on the ballot proposition so that a voter will be able to discern the limits of the specific project or category of projects authorized by the proposition.¹⁸⁷ If maintenance and operating costs are to be paid from the sales or use tax, the ballot proposition must clearly state that fact. Again, a public hearing must be held within the city to inform the residents of the city of the cost and impact of the project prior to the election. At least thirty (30) days before the date set for the hearing, a notice of the date, time, place, and subject of the hearing must be published in a newspaper of general circulation within the city.

¹⁸² TEX. LOC. GOV'T CODE ANN. § 501.073(a).

¹⁸³ TEX. LOC. GOV'T CODE ANN. § 505.160(a).

¹⁸⁴ *Id.*

¹⁸⁵ TEX. LOC. GOV'T CODE ANN. § 505.203.

¹⁸⁶ TEX. LOC. GOV'T CODE ANN. § 505.202(c)(2).

¹⁸⁷ TEX. LOC. GOV'T CODE ANN. § 505.202(b).

101. Must a Type A corporation publish notice to expend sales tax proceeds on maintenance and operating costs of a Type A project?

Type A corporations may use Type A sales tax proceeds on maintenance and operation expenses for a Type A project.¹⁹⁷ Yet, the voters of the city may petition for an election on the use of Type A proceeds for maintenance and operation costs of a particular project within sixty (60) days of the first published notice of the use of sales tax proceeds to pay maintenance and operating costs. This petition must be signed by at least ten percent (10%) of the registered voters of the city requesting that an election be held prior to tax proceeds being used to pay for the maintenance and operating costs of a project.¹⁹⁸

102. When must a Type B corporation publish notice of a proposed project?

Type B corporations must publish notice of all projects.¹⁹⁹ Excluding sports venue projects and absent a local provision, there is not a requirement the published notice of the hearing be published a certain number of days prior to the hearing. Further, Type B corporations must conduct at least one (1) public hearing on most projects. Yet, a Type B corporation in a city with a population of less than 20,000 is not required to hold a public hearing if the proposed project is authorized by Subchapter C of Chapter 501 of the Texas Local Government Code.²⁰⁰ Further, Type B corporations must wait sixty (60) days after first publishing notice of the specific project or category of projects before expending any monies for the Type B project.²⁰¹

103. When must a Type B corporation publish notice of their hearing on a sports venue project?

Type B corporations must conduct at least one public hearing on a proposed sports venue project.²⁰² The public hearing is required to be held in the city to inform the residents of the city of the cost and impact of the project or category of projects. “At least 30 days before the date set for the hearing, notice of the date, time, place, and subject of the hearing must be published each week until the date of the hearing in a newspaper with general circulation in the municipality in which the project is located.”²⁰³

¹⁹⁷ TEX. LOC. GOV'T CODE ANN. § 504.302(a).

¹⁹⁸ TEX. LOC. GOV'T CODE ANN. § 504.302(b).

¹⁹⁹ TEX. LOC. GOV'T CODE ANN. § 505.160(a).

²⁰⁰ TEX. LOC. GOV'T CODE ANN. § 505.159(b).

²⁰¹ TEX. LOC. GOV'T CODE ANN. § 505.160(a).

²⁰² TEX. LOC. GOV'T CODE ANN. §§ 505.159 and 505.203.

²⁰³ TEX. LOC. GOV'T CODE ANN. § 505.203.

104. Must a Type B corporation publish notice to expend sales tax proceeds on maintenance and operating costs of a Type B project?

After a public hearing has been held on the proposed project, Type B corporations must wait sixty (60) days after first publishing notice of the specific project or category of projects before expending any monies for the Type B project. This includes the maintenance and operating costs of a Type B project. The Development Corporation Act specifically provides that the voters may object to expenditures for maintenance and operating costs of Type B projects by submitting a petition signed by more than ten percent (10%) of the registered voters of the city.²⁰⁴ The public has sixty (60) days from the date of the first published notice of the project to submit the petition.

²⁰⁴ TEX. LOC. GOV'T CODE ANN. § 505.160(a).

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11/6/2018	AGENDA ITEM	7.K
AGENDA SUBJECT:	Discussion regarding streets/potholes as requested by Mayor Pro Tem Jim Griffin.		
PREPARED BY:	Kim Lenoir	Date Submitted:	10/31/2018
EXHIBITS:	Division Summary and Budget of Street Division		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Amount Budgeted:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:	Mayor Pro Tem requested this item for council discussion.		
RECOMMENDED ACTION:			
Direct staff as desired.			

STREETS
DIVISION NUMBER: 12
FISCAL YEAR 2018-2019

DIVISION SUPERVISOR-STREET SUPERINTENDENT

This division is primarily responsible for 85 miles of city's streets and 4 miles drainage ways. Streets obligations include the maintenance and repair of the road surfaces, drainage ways, curbs, gutters and sidewalks throughout the city. The division carries out its responsibilities through the use of heavy equipment and specialized machinery / equipment and shovels/rakes/brooms. The work involves paving, pot-hole patching, grading and cleaning along city right-of-ways. Other important work includes erecting and/or fixing street signs and stripping and painting. This division assist in bulk curbside clean-up, brush removal, and demolition of dilapidated houses.

The division also responds to and provides vital support during emergency conditions and severe weather events such as icing, flooding and other weather related incidents.

GOALS / OBJECTIVES

- Prioritize the maintenance of city streets and roads through a modified street restoration program and pothole patching.
- Maintain unpaved streets, roads and drainage ditches.
- Replace street and traffic control signs for missing, broken or defaced situations.
- Organize the work priorities for the division for good use of personnel and equipment.
- Replace vital streets/roads maintenance equipment.
- Instill *pride of work and accomplishment* in personnel.

EMPLOYMENT HISTORY BY POSITION

	<u>FY15</u>	<u>FY16</u>	<u>FY17</u>	<u>FY18</u>	<u>FY19</u>
Superintendent	1	1	1	1	1
Maintenance I	3	2	2	2	2
Maintenance II (Truck Driver)	0	1	1	1	1
Heavy Equipment Operator - Lead	1	1	1	1	1
Part-time Seasonal Maintenance I (0.5)	1	1	1	1	0

CITY OF BRADY
BUDGET PLANNING REPORT
FISCAL YEAR 2018 - 2019

10 -GENERAL FUND
12-STREETS

EXPENDITURES	2014-2015 ACTUAL	2015-2016 ACTUAL	2016-2017 ACTUAL	(---- 2017-2018 ----)		(---- PROPOSED BUDGET ----)		
				ORIGINAL BUDGET	PROJECTED BUDGET	2018-2019 BASE	2018-2019 SUPPLEMENTAL	2018-2019 TOTAL
Personnel								
10-5-12-101.00 Regular Pay	117,185	146,906	146,739	156,333	158,550	193,500	(22,200)	171,300
10-5-12-102.00 Overtime Pay	372	408	1,570	1,000	1,000	1,000	0	1,000
10-5-12-103.00 Certification Pay	0	0	0	600	600	600	0	600
10-5-12-106.00 Stand-by Pay	3,230	3,500	3,640	3,540	3,640	3,640	0	3,640
10-5-12-107.00 Car Allowance	0	100	300	300	300	300	0	300
10-5-12-110.00 Hospital Insurance	30,572	45,352	45,210	57,076	54,344	62,297	0	62,297
10-5-12-111.00 Municipal Retirement	12,889	15,780	16,300	16,441	16,530	18,626	0	18,626
10-5-12-112.00 Worker's Comp Insurance	9,794	11,777	10,604	10,377	10,570	10,115	(2,000)	8,115
10-5-12-113.00 Unemployment Insurance	59	865	182	567	800	1,260	(360)	900
10-5-12-114.00 Payroll Taxes	9,223	11,538	11,635	12,272	12,272	15,171	(1,780)	13,391
TOTAL Personnel	183,324	236,228	236,181	258,506	258,606	306,509	(26,340)	280,169
Contract Services								
10-5-12-201.00 Organ Dues/Fees	0	0	0	0	0	0	0	0
10-5-12-202.00 Utilities	19,751	19,189	20,558	19,000	19,000	19,000	0	19,000
10-5-12-203.00 Professional Fees	0	0	0	0	0	0	0	0
10-5-12-203.01 Agency Fees	0	0	0	0	0	0	0	0
10-5-12-204.00 Property/Liability Insurance	10,267	11,177	11,696	13,150	13,150	14,700	0	14,700
10-5-12-207.00 Janitorial / Pest Services	0	0	0	0	0	0	0	0
10-5-12-212.00 Rentals /Leases	0	0	0	0	0	0	0	0
10-5-12-213.00 Contract Labor	1,203	14,600	0	0	0	0	0	0
10-5-12-232.00 Computers Software Maint	0	0	0	0	0	0	0	0
10-5-12-233.00 Computer Hardware Maint	1,436	0	0	200	200	200	0	200
10-5-12-241.00 Bond Collection Fees	777	777	400	800	800	800	0	800
TOTAL Contract Services	33,434	45,743	32,654	33,150	33,150	34,700	0	34,700
Supplies/Repair/Expenses								
10-5-12-301.00 Employee Expense	539	120	445	550	550	550	0	550
10-5-12-301.02 Employee Training	640	305	0	1,300	1,300	700	(300)	400
10-5-12-302.00 Supplies	4,712	19,722	1,492	2,000	2,000	2,000	0	2,000
10-5-12-303.00 Fuel	14,939	13,583	16,235	21,000	16,000	21,000	0	21,000
10-5-12-304.00 Vehicles	2,805	1,706	3,184	2,500	2,500	1,500	0	1,500
10-5-12-305.00 Communication Equip	0	0	0	0	0	0	0	0
10-5-12-306.00 Buildings	0	0	0	0	0	0	0	0
10-5-12-307.00 Office Equipment	0	0	0	200	200	200	0	200
10-5-12-308.00 Heavy Rolling Stock	20,814	22,963	19,262	25,000	18,000	25,000	0	25,000
10-5-12-309.00 Small Equipment	7,191	5,647	1,138	9,000	9,000	6,000	0	6,000
10-5-12-312.00 General	15,687	13,998	22,019	21,200	21,200	24,200	0	24,200
10-5-12-313.00 Telephone/Cel/Alarm Sys	1,047	1,577	1,407	1,500	1,500	1,500	0	1,500
10-5-12-314.00 Drug Testing	340	264	364	780	780	780	0	780
10-5-12-315.00 Donations / Memorials	0	0	0	0	0	0	0	0
10-5-12-316.00 Chemicals	1,845	924	6,450	5,000	7,000	5,000	0	5,000
10-5-12-317.00 Uniforms and Accessories	1,232	2,383	3,108	4,000	4,000	4,000	0	4,000
10-5-12-328.00 Materials	98,644	220,844	199,670	200,000	210,000	200,000	0	200,000
10-5-12-398.00 Interest Expense	40,559	36,773	33,282	28,000	28,000	12,000	0	12,000
10-5-12-398.01 Principal Debt Requirements	219,574	203,283	245,941	230,000	230,000	220,050	0	220,050
TOTAL Supplies/Repair/Expenses	430,569	544,090	553,998	552,030	552,030	524,480	(300)	524,180
10-5-12-401.00 Capital Outlay-Projects	0	0	0	0	0	0	0	0
10-5-12-402.00 Capital Outlay -Vehicles & Equip	41,670	154,039	152,490	0	36,445	0	0	0
TOTAL	41,670	154,039	152,490	0	36,445	0	0	0
TOTAL 12-STREETS	688,997	980,100	975,323	843,786	880,231	865,689	(26,640)	839,049