

BRADY
THE CITY OF
TEXAS

Tony Groves
Mayor

Rey Garza
Council Member Place 1

Missi Davis
Council Member Place 2

Jeffrey Sutton
Council Member Place 3

Jane Huffman
Mayor Pro Tem
Council Member Place 4

Jay May
Council Member Place 5

Dennis Jobe
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 WORK SESSION MEETING NOVEMBER 5, 2019 AT 4:00 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 4:00 pm on November 5, 2019, 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. DISCUSSION REGARDING:

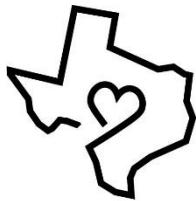
- a. 2020 Projects
- b. Axis hunts at Brady Lake
- c. City Hall beautification
- d. Code Enforcement
- e. Convenience Fee on Credit Card transactions
- f. Drive Through Utility window
- g. Possible sale of land near Brady Lake

3. 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.



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CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING NOVEMBER 5, 2019 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 6:00 pm on November 5, 2019, at the City of Brady Municipal Court Building, located at 207 S. Elm Street, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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

2. INVOCATION & PLEDGE OF ALLEGIANCE

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

Please limit individual public comments to three (3) minutes. In accordance with TX AG opinion, any public comment addressing items not on the agenda, will only be heard by the City Council. No formal action, deliberation, discussion, or comment will be made by City Council. State Law prohibits any deliberation or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff to place the item on an agenda for a subsequent meeting.

4. CONSENT AGENDA: Reserved for routine items to save time

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

- A. Approval of Minutes for Regular Meeting on October 15, 2019.
- B. Discussion, consideration and possible action regarding **Resolution 2019-038** to enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary closure of the roads around the courthouse square for the annual Christmas in the Heart parade on December 14, 2019, and further keeping the east side of the square closed until 9:30 p.m. for the remainder of the Christmas in the Heart activities.
- C. Discussion, consideration and possible action on the second reading of Resolution 2019-036 regarding an economic development project recommended by the Brady Type B EDC; specifically, a loan in the amount of \$15,895 to T Byrds Sign Shop for the purchase of an OmniPrint Direct to Garment printer.
- D. Discussion, consideration and possible action on the second reading of Resolution 2019-037 regarding an economic development project recommended by the Brady Type B EDC; specifically a loan / grant combination in the amount of \$35,000 to Mexico City Café for the remodel and expansion of their local restaurant.

5. PRESENTATIONS

None

6. PUBLIC HEARING:

None

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 the first reading of Ordinance 1285 of the City of Brady, Texas to amend FY 2020 Budget transferring unfinished FY2019 projects to FY2020 Budget
- B. Discussion, consideration and possible action regarding the donation of Tanker 9, a 1990 Freightliner, to the London Volunteer Fire Department through the Texas Forest Service "Helping Hands Program".
- C. Discussion, consideration and possible action regarding approval of "Curtis Field Airport Action, Development, Business Plan" with Airport Layout Diagram (ALD).
- D. Discussion, consideration and possible action regarding approval of a yearly lease renewal with Brady Veterinary Hospital, Myron Mays and Glennon Mays in the amount of \$12,000
- E. Discussion and summary of City Council action and if procedures and processes worked.
- F. Discussion by City Council of City improvements to be recognized

8. STAFF REPORTS

9. ANNOUNCEMENTS

Pursuant to the Texas Government Code § 551.0415, City Council Members and City staff may make reports about items of community interest during a meeting of the governing body without having given notice of the report. Items of community interest include: Expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to public health and safety of people in the municipality that has arisen after the posting of the agenda.

10. EXECUTIVE SESSION

None

11. OPEN SESSION ACTION ON ANY ITEMS COMING OUT OF EXECUTIVE SESSION

12. ADJOURNMENT

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Tina Keys, City Secretary

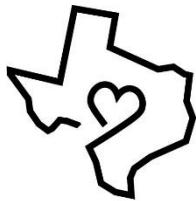
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Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission 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.



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

2. DISCUSSION REGARDING:

- a. 2020 Projects
- b. Axis hunts at Brady Lake
- c. City Hall beautification
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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 15, 2019 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, Jay May, Jeffrey Sutton and Rey Garza. City staff present were Interim City Manager Dennis Jobe, Finance Director Lisa Remini, Public Works Director Steve Miller, Police Chief Steve Thomas, Airport Superintendent Lisa Perry, Gas Superintendent Danny Galindo, Johnny Cook, Electric Superintendent Joe Solis, City Secretary Tina Keys. Also in attendance were Keith Kindle, Josh Berryhill, James Griffin, Erin Corbell, Don Miller, Amy Greer, Peter Lamont, Michele Derrick, Lynn Farris, Erin Betts, Destiny Tindell, Robert Tindell, Eric Pfeifer, Mike Dmyterko, Chris Whitfeld, Daniel Bentley, and Chris Huffman.

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. PUBLIC COMMENTS

Peter Lamont elected to speak when Council addressed item 7.A. Peter Lamont complimented Lisa Perry and Coffman Associates for their work on the project. He went on to say the Airport Advisory Board was not asked for a recommendation and was not advised and if the Board is not going to be used, it should be disbanded.

4. CONSENT AGENDA

- A. Approval of Minutes for Special Meeting on October 1, 2019
- B. Discussion, consideration and possible action regarding a request to TXDOT for the temporary closure of roads around the Courthouse Square for the annual Christmas in the Heart parade on December 14, 2019, and further keeping the east side of the square closed until 9:30 p.m. for the remainder of the Christmas in the Heart activities

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:

- Radium Reduction System – Water Treatment Project – eHT – Steven Miller introduced Keith Kindle and Josh Berryhill who presented to Council.
- North Substation Transformer Update – Solomon – Steven Miller introduced Jan Sexton who presented to Council

6. PUBLIC HEARINGS:

There were no public hearings

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding approval of “Curtis Field Airport Action Development, Business Plan” with Airport Layout Diagram (ALD) as prepared and presented by Coffman Associates. Lisa Perry introduced Mike Dmyterko & Erik Pfeifer who presented to Council. Mayor Groves said there is further work to be done and emphasized that this is a plan on what can be done with the airport. The plan is simply a starting point. Mayor Groves asked the Council to review the package and come back at another meeting with their comments. No action was taken.

- B. Discussion, consideration and possible action regarding the first reading of Ordinance 1285 of the City of Brady, Texas to amend FY 2020 Budget transferring unfinished FY2019 projects to FY2020 Budget. Lisa Remini presented. The ordinance was omitted from the packet and therefore no action could be taken. Item will be brought back on the next Council agenda.
- C. Discussion, consideration and possible action regarding approval of disposition of City-owned electronic devices and miscellaneous items with STS Electronic Recycling, an electronic recycling company located in Jacksonville, Texas. Lisa Remini presented. Mayor Groves asked if citizens can participate in this electronics recycling or destruction. Remini will find out. Council Member Sutton moved to give approval to the City Manager to dispose of City-owned electronic devices and miscellaneous items with STS Electronic Recycling. Seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 - 0 vote
- D. Discussion and summary of City Council action and, if procedures and processes worked. Mayor Groves said it was his fault items were not given to council before the meeting and accepted responsibility.
- E. Discussion by City Council of City improvements to be recognized. There was no discussion.

8. STAFF REPORTS

- A. **Monthly Financial / Utility Reports:**
- B. **Monthly Activity Reports:** Visit Brady Report, Seniors, Golf, BPD, Fire-EMS Calls, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Chronic Code Complaints, and Structures Inhabited without utilities
- C. **Upcoming Special Events/Meetings:**
 - October 26 – FIRE SWEEP, Fall Cleanup recognizing our firefighters – in memory of DINK NICHOLS
 - October 31 – Halloween at Civic Center
 - November 5 – City Council Meeting
 - November 11 – Veteran’s Day Holiday – City Offices Closed
 - November 16 – Hunter’s Appreciation Dinner – Civic Center
 - November 19 – City Council Meeting
 - November 27 - Turkey Trot
 - November 28 & 29 – Thanksgiving Holiday – City Offices Closed
 - December 3 – City Council Meeting
 - December 17 – City Council Meeting
 - December 24 & 25 – Christmas Holiday – City Offices Closed
 - January 1 – New Year’s Day Holiday – City Offices Closed
 - January 7 – City Council Meeting

9. ANNOUNCEMENTS

Mayor Groves said we should be thankful that sales tax revenues are only down by 3 percent.

10. EXECUTIVE SESSION

Regular Session was closed at 7:29 p.m. and Council took a break before going into Executive Session. Executive Session was opened at 7:43 p.m. Executive Session was closed at 8:17 p.m.

- A. Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment,

employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Interim City Manager Dennis Jobe.

Mayor Groves opened regular session at 8:21 p.m.

a. Discussion, consideration and possible action regarding Interim City Manager Dennis Jobe. Council Member Huffman stated “Dennis has an extensive career in City government. He joined the City of Brady team one year ago and most recently, Dennis has been our Acting City Manager. In these 5 months he has gained significant experience and administrative training. He has proven his ability to handle the job during this time. He has been able to complete and accomplish things we have been unsuccessfully trying to do long before he came. He has mended many fences and the overall environment in this City, as well as relationships are at an all-time positive state. During the 5 months as Acting City Manager, he has had the opportunity to display his ability to manage almost every one of the eight powers and duties of the City Manager per Section 4.01 of the City of Brady Home Rule Charter.

It is with great confidence and satisfaction that I move to appoint Dennis Jobe as City Manager with a total compensation package of \$121,000 including Salary of \$115,000, Car Allowance of \$4,200 per year, Phone Allowance of \$1,800 per year and all other benefits that are standard for other City of Brady employees. In addition, to grant him 6 months to move into the City, with the option to use the City owned Lake House, all as reduced to writing by the City Attorney in a formal written agreement for a 2 year period of time”. The motion was seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

Regular Session was closed at 8:25. Council went back into Executive Session which was opened at 8:30 pm. and closed at 9:05 p.m.

B. Pursuant to Section 551.087 ((Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective business, retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations; T Byrds Sign Shop, Mexico City Café, Brady Communications

Mayor Groves opened regular session at 9:06 p.m.

- b. Discussion, consideration and possible action regarding an economic development project recommended by the Brady Type B EDC; specifically, a loan in the amount of \$15,895 to T Byrds Sign Shop for the purchase of a OmniPrint Direct to Garment printer. Council Member Davis moved to carry over Resolution 2019-036 to the next meeting. 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 an economic development project recommended by the Brady Type B EDC; specifically, a loan/grant combination in the amount of \$35,000 to Mexico City Café for the remodel and expansion of their local restaurant. Council Member May moved to carry over Resolution 2019-037 to the next meeting. Seconded by Council Member Davis. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- d. Discussion, consideration and possible action regarding an economic development project recommended by the Brady Type B EDC; specifically, a loan/grant combination in the amount of \$100,000 to Brady Communications for the expansion of high speed fiber internet from a fiber hub outside of Rochelle into the

City of Brady, and that such project serves as an infrastructure project for telecommunication and internet improvements under Texas Local Government Code, Section 501.103. Council Member Davis elected to abstain to avoid personal conflicts. Council Member May moved to approve. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

12. ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 9:10 p.m.

Mayor Anthony Groves

Attest: _____
Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|----------------------------|--|-----------------|------------|
| AGENDA DATE: | 11/05/2019 | AGENDA ITEM | 4.B. |
| AGENDA SUBJECT: | Discussion, consideration, and possible action regarding Resolution 2019-038 to enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary closure of the roads around the courthouse square for the annual Christmas in the Heart parade on December 14, 2019, and further keeping the east side of the square closed until 9:30 pm for the remainder of the Christmas in the Heart activities | | |
| PREPARED BY: | T. Keys | Date Submitted: | 10/29/2019 |
| EXHIBITS: | Resolution 2019-038 | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |
| SUMMARY: | Council passed this item on October 15, 2019, but needs to be brought back as a Resolution to meet TXDOT requirements | | |
| RECOMMENDED ACTION: | Move to approve Resolution 2019-038. | | |

RESOLUTION 2019-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF US Highway 87 in Brady from High Street to the courthouse square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square from approximately 5:00 p.m. to 6:30 p.m. along with the east half of the square remaining closed until 9:30 p.m. on December 14, 2019 for the third Christmas in the Heart Lighted Parade.

WHEREAS, the City Council of the City of Brady in cooperation with the State of Texas for the safety and convenience of the traveling public request temporary closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square from approximately 5:00 p.m. to 6:30 p.m. on Saturday, December 14, 2019 and the east half of the square remaining closed until 9:30 pm. for the Third Christmas in the Heart Lighted Parade; and

WHEREAS, the Christmas in the Heart Lighted Parade will be held within the City of Brady incorporated area from approximately 5:00 p.m. until 6:30 p.m. with festivities continuing on the east half of the square until 9:30 p.m. and the closure will be performed within the State's requirements; and

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

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

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

The City Council shall enter into an agreement with the State of Texas through the Texas Department of Transportation for the temporary street closure of US Highway 87 in Brady from High Street to the Courthouse Square, along with two-lane Ranch Road 714, and two-lane US Highway 190/and Highway 377 around the courthouse square from approximately 5:00 p.m. to 6:30 p.m. on Saturday, December 14, 2019 and the east half of the square remaining closed until 9:30 pm. for the Third Christmas in the Heart Lighted Parade.

PASSED AND APPROVED this the _____ day of _____, 2019

CITY OF BRADY:

Anthony Groves, Mayor

Attest: _____
Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|-------------------------------|---|------------------------|------------|
| AGENDA DATE: | 11/05/2019 | AGENDA ITEM | 4.C. |
| AGENDA SUBJECT: | Discussion, consideration, and possible action on the second reading of Resolution 2019-036 regarding an economic development project recommended by the Brady Type B EDC; specifically, a loan in the amount of \$15,895 to T Byrds Sign Shop for the purchase of a OmniPrint Direct to Garment printer. | | |
| PREPARED BY: | Erin Corbell | Date Submitted: | 10/29/2019 |
| EXHIBITS: | Resolution 2019-036 | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |

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|---|
| SUMMARY: The Brady EDC board found that the attached project would help retain or expand local jobs by creating additional work for TByrds that is currently sourced out to printers outside of the community, and such job creation will be tied to the performance agreement as part of the loan process. |
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| RECOMMENDED ACTION: Move to approve the second reading of Resolution 2019-036 |
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RESOLUTION NO. 2019-036

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS,
AUTHORIZING THE BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION
TO ENTER INTO AN AGREEMENT WITH T BYRDS SIGN SHOP FOR A PROJECT
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 505**

WHEREAS, the City Council of the City of Brady, Texas finds the Brady Type B Economic Development Corporation (“BEDC”) seeks to enter into an agreement with T Byrds Sign Shop for an “Authorized Project” pursuant to Texas Local Government Code Chapter 505; and,

WHEREAS, the City Council finds that T Byrds Sign Shop has proposed a project to the BEDC which would help retain and/or expand local jobs by creating additional work through the purchase of an OmniPrint Direct to Garment printer, which printing is currently sourced outside of the community.

WHEREAS, the City Council finds that approval of this Resolution is in the public interest, promotes economic development and furthers the best interests of the City of Brady, Texas;

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

- 1) The Brady Type B Economic Development Corporation is authorized to enter into a Performance Agreement between BEDC and T Byrd Sign Shop which allows for a loan in an amount up to \$15,895.00, compliant with Chapters 501 and 505 of the Texas Local Government Code; and,
- 2) All expenditures as provided for in the agreement are approved.

PASSED AND APPROVED this _____ day of November, 2019.

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|-------------------------------|---|------------------------|------------|
| AGENDA DATE: | 11/05/2019 | AGENDA ITEM | 4.D. |
| AGENDA SUBJECT: | Discussion, consideration, and possible action on the second reading of Resolution 2019-037, an economic development project recommended by the Brady Type B EDC; specifically, a loan/grant combination in the amount of \$35,000 to Mexico City Café for the remodel and expansion of their local restaurant. | | |
| PREPARED BY: | Erin Corbell | Date Submitted: | 10/29/2019 |
| EXHIBITS: | Resolution 2019-037 | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |

SUMMARY:

The Brady EDC board found that the attached project would help retain or expand local jobs by creating additional work at Mexico City Café expanding the current restaurant, and such job creation will be tied to the performance agreement as part of the loan process.

RECOMMENDED ACTION:

Move to approve the second reading of Resolution 2019-037

RESOLUTION NO. 2019-037

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY, TEXAS,
AUTHORIZING THE BRADY TYPE B ECONOMIC DEVELOPMENT CORPORATION
TO ENTER INTO AN AGREEMENT WITH MEXICO CITY CAFÉ FOR A PROJECT
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 505**

WHEREAS, the City Council of the City of Brady, Texas finds the Brady Type B Economic Development Corporation (“BEDC”) seeks to enter into an agreement with Mexico City Café for an “Authorized Project” pursuant to Texas Local Government Code Chapter 505; and,

WHEREAS, the City Council finds that Mexico City Café has proposed a project to the BEDC which would remodel and expand their local restaurant thereby retaining and/or expand local jobs.

WHEREAS, the City Council finds that approval of this Resolution is in the public interest, promotes economic development and furthers the best interests of the City of Brady, Texas;

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

- 1) The Brady Type B Economic Development Corporation is authorized to enter into a Performance Agreement between BEDC and Mexico City Café which allows for a combination loan/grant in an amount up to \$35,000.00, compliant with Chapters 501 and 505 of the Texas Local Government Code; and,
- 2) All expenditures as provided for in the agreement are approved.

PASSED AND APPROVED this _____ day of November, 2019.

Anthony Groves, Mayor

ATTEST: _____
Tina Keys, City Secretary

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

| | | | |
|-------------------------------|---|------------------------|------------|
| AGENDA DATE: | 11-5-2019 | AGENDA ITEM | 7.A |
| AGENDA SUBJECT: | Discussion, consideration and possible action regarding first reading of Ordinance 1285 of the City of Brady, Texas, to amend FY 2020 Budget transferring unfinished FY2019 projects to FY2020 Budget. | | |
| PREPARED BY: | Lisa Remini | Date Submitted: | 10-24-2019 |
| EXHIBITS: | Ordinance #1285 Amendment Summary | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$19,582,396 | |
| | Amount Budgeted: | \$00 | |
| | Appropriation Required: | \$19,582,396 | |
| CITY MANAGER APPROVAL: | | | |

SUMMARY:

Staff is requesting to carry over projects totaling \$2,015,771 that were approved and started in the FY 19 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 19 time period. In addition, the Live Oak Cemetery Association donated \$26,970 to the city in September 2019. Staff requests that the expenditure of such funds be approved in the FY 20 Cemetery budget for road improvements within the cemetery.

In addition, budgeted construction costs of \$13,308,000 (Water system improvements) and \$4,231,655 (WWTP) needs to roll over to the FY 20 budget document. Funding for both projects was received in full in the FY 19 Budget period.

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 the **first reading** of Ordinance 1285.

ORDINANCE NO. 1285

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE FISCAL
YEAR 2019-2020 BUDGET**

An ordinance amending the 2019-2020 Fiscal Year Budget by \$19,582,396 as follows:

Transferring unfinished FY2019 capital and grant projects (\$2,042,741) to the FY2020 Budget for municipal purposes;

And transferring unfinished Water system and Wastewater Treatment Plant construction projects funded by Texas Water Development Board Drinking Water and Clean Water programs (\$17,539,655);

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BRADY TEXAS** that the FY 2019-2020 budget be amended accordingly.

APPROVED UPON FIRST READING THIS THE 5th DAY OF November 2019,

**APPROVED AND PASSED UPON SECOND READING THIS THE 19th DAY OF
November 2019.**

EFFECTIVE OCTOBER 1, 2019.

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

CITY OF BRADY

FY 20 ROLL-OVER BUDGET AMENDMENT (1) - FROM FY 19 BUDGET

11/5/2019

| FUND: | DIVISION: | ACCOUNT DESCRIPTION | ORIGINAL BUDGET | AMENDMENT INC / (DEC) | PROPOSED BUDGET |
|---------------------|-----------------------|--|-----------------|-----------------------|-----------------|
| | | | | | |
| GENERAL - 10 | | | | | |
| | | | | | |
| REVENUES | | | | | |
| 10-4-08-652.00 | Police | Grants | \$ - | \$ 48,000 | \$ 48,000 |
| 10-4-29-899.00 | EMS | Sale on Fixed Assets | \$ - | \$ 9,000 | \$ 9,000 |
| | | Net change in Revenues | | \$ 57,000 | |
| | | | | | |
| EXPENDITURES | | | | | |
| 10-5-01-401.00 | Administration | Capital Projects | \$ - | \$ 14,713 | \$ 14,713 |
| 10-5-08-305.00 | Police | Communication Equipment | \$ 500 | \$ 2,914 | \$ 3,414 |
| 10-5-08-309.00 | Police | Small Equipment | \$ 3,500 | \$ 46,500 | \$ 50,000 |
| 10-5-08-401.00 | Police | Capital Projects | \$ - | \$ 10,000 | \$ 10,000 |
| 10-5-19-227.00 | Community Support | Trails of Brady Loan Commitment | \$ - | \$ 55,000 | \$ 55,000 |
| 10-5-29-402.00 | EMS | Capital Vehicles and Equipment | \$ 134,000 | \$ 229,215 | \$ 363,215 |
| | | Net change in Expenditures | | \$ 358,342 | |
| | | Net impact on General Fund Balance | | \$ (301,342) | |
| | | | | | |
| ELECTRIC -20 | | | | | |
| | | | | | |
| EXPENDITURES | | | | | |
| 20-5-21-203.00 | Power Plant | Professional Fees | \$ 5,000 | \$ 4,775 | \$ 9,775 |
| 20-5-22-203.00 | Electric Distribution | Professional Fees | \$ 20,000 | \$ 1,200 | \$ 21,200 |
| 20-5-22-302.01 | Electric Distribution | Transformers | \$ 50,000 | \$ 21,300 | \$ 71,300 |
| 20-5-22-401.00 | Electric Distribution | Capital Projects | \$ 5,000 | \$ 79,300 | \$ 84,300 |
| 20-5-22-402.00 | Electric Distribution | Capital Vehicles and Equipment | \$ 8,000 | \$ 370,000 | \$ 454,300 |
| | | Net change in Expenditures | | \$ 476,575 | |
| | | Net Impact on Electric Fund Balance | | \$ (476,575) | |
| | | | | | |

CITY OF BRADY

FY 20 ROLL-OVER BUDGET AMENDMENT (1) - FROM FY 19 BUDGET

11/5/2019

CITY OF BRADY**FY 20 ROLL-OVER BUDGET AMENDMENT (1) - FROM FY 19 BUDGET**

11/5/2019

| FUND: | DIVISION: | ACCOUNT DESCRIPTION | ORIGINAL BUDGET | AMENDMENT INC / (DEC) | PROPOSED BUDGET |
|--------------|------------------|----------------------------|------------------------|------------------------------|------------------------|
|--------------|------------------|----------------------------|------------------------|------------------------------|------------------------|

SPECIAL REVENUE -80**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 | \$ - | \$ 9,834 | \$ 9,834 |
| Net Change in Revenues | | | | \$ 609,834 | |

EXPENDITURES

| | | | | | |
|-----------------------------------|----------|----------------------------|------|-------------------|------------|
| 80-5-43-273.00 | Comm Dev | TXDOT Grant- Repavement | \$ - | \$ 600,000 | \$ 600,000 |
| 80-5-43-274.00 | Comm Dev | TXDOT Grant -Master Plan | \$ - | \$ 9,834 | \$ 9,834 |
| 80-5-43-277.00 | Comm Dev | TPW Grant - Richards Park | \$ - | \$ 3,567 | \$ 3,567 |
| 80-5-43-277.01 | Comm Dev | Local Cost - Richards Park | \$ - | \$ 13,160 | \$ 13,160 |
| 80-5-43-280.00 | Comm Dev | Stanburn Park | \$ - | \$ 19,550 | \$ 19,550 |
| Net Change in Expenditures | | | | \$ 646,111 | |

Net impact on Special Rev Fund Balance**\$ (36,277)****CEMETERY FUND - 81****EXPENDITURES**

| | | | | | |
|-----------------------------------|----------|-----------------|------|------------------|-----------|
| 81-5-47-312.00 | Cemetery | General Repairs | \$ - | \$ 26,970 | \$ 26,970 |
| Net Change in Expenditures | | | | \$ 26,970 | |

TOTAL NET REVENUES AMENDED**\$ 666,834****TOTAL NET EXPENDITURES AMENDED****\$ 19,582,396**

CITY OF BRADY
FY 20 ROLL-OVER BUDGET AMENDMENT (1) FROM FY 19 BUDGET

11/5/2019

**FUND /
DIVISION**

AMENDMENT

AMOUNT

REASON FOR AMENDMENT



GENERAL -10

REVENUES

| | | | |
|--------|----------------------|------------------|--------------------------------------|
| Police | Grants | \$ 48,000 | 2 Grants from Office of the Govenor |
| EMS | Sale of Fixed Assets | \$ 9,000 | Proceeds from the trade-in ambulance |
| | TOTAL | \$ 57,000 | |

EXPENDITURES

| | | | |
|----------------|----------------------------|-------------------|---|
| Administration | Capital Projects | \$ 14,713 | Carry-over budgeted telephone system final stage |
| Police | Communication Equip | \$ 2,914 | Carry-over cell phone prog to supplement radio |
| Police | Small Equipment | \$ 46,500 | Carry-over body camera cost grant awarded end of FY |
| Police | Capital Projects | \$ 10,000 | Carry-over budgeted funds for NIBRS program |
| Community Sup | Trails of Brady Loan | \$ 55,000 | Carry-over loan commitment to Trails of Brady |
| EMS | Capital Vehicles and Equip | \$ 229,215 | Carry-over budgeted funding for new ambulance |
| | TOTAL | \$ 358,342 | |

ELECTRIC -20

EXPENDITURES

| | | | |
|----------------|----------------------------|-------------------|---|
| Power Plant | Professional Fees | \$ 4,775 | Carry-over budgeted cost for clean-up at Power Plant |
| Electric Dist. | Professional fees | \$ 1,200 | Carry-over budgeted cost for work by McCord Eng |
| Electric Dist. | Transformers | \$ 21,300 | Carry-over budgeted cost for fuses at both substations |
| Electric Dist. | Capital Projects | \$ 44,300 | Carry-pver budgeted cost for Engineering fees by LCRA for N Walnut St. |
| Electric Dist. | Capital Projects | \$ 35,000 | Carry-over budgeted cost for cross-arms and poles |
| Electric Dist. | Capital Vehicles and Equip | \$ 370,000 | Carry-over budgeted cost for recondition costs with the N Substation |
| | TOTAL | \$ 476,575 | |

CITY OF BRADY**FY 20 ROLL-OVER BUDGET AMENDMENT (1) FROM FY 19 BUDGET**

11/5/2019

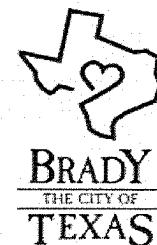
FUND /
DIVISION

ACCOUNT DESCRIPTION

AMENDMENT

AMOUNT

REASON FOR AMENDMENT

**WATER/SEWER -30****EXPENDITURES**

| | | | |
|-------------|------------------|-------------------|--|
| WWTP | Capital Projects | \$ 117,950 | Carry-over budgeted funds for the sludge pumps |
| CW Project | Capital Projects | \$ 33,898 | Carry-over budgeted funds for engineering work on new WWTP |
| Water Dist. | Capital Projects | \$ 50,500 | Carry-over budgeted a tank piping bypass to complete Supplemental Environmental Proj |
| | | \$ 274,050 | Carry-over budgeted funds for the Simpson/ Nueva Street line replace improvements |
| DW Project | Capital Projects | \$ 46,345 | Carry-over budgeted funds for the engineering work for Water system improvements |
| | TOTAL | \$ 522,743 | |

WATER CONSTRUCTION - 33**EXPENDITURES**

| | | | |
|------------|------------------|----------------------|---|
| CW Project | Capital Projects | \$ 13,308,000 | Carry-over budgeted funds for Water system improvements |
| | TOTAL | \$ 13,308,000 | |

WWTP CONSTRUCTION FUND - 35**EXPENDITURES**

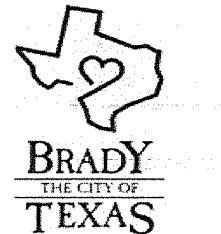
| | | |
|------------|------------------|---------------------|
| DW Project | Capital Projects | \$ 4,231,655 |
| | TOTAL | \$ 4,231,655 |

UTILITY SUPPORT -50**EXPENDITURES**

| | | | |
|-----------------|------------------------|------------------|---|
| Utility Support | Capital Projects | \$ 800 | Carry-over budgeted funds for new offices |
| Utility Support | Technology Replacement | \$ 11,200 | Carry-over budgeted funds for meter reading upgrades to software reading system |
| | TOTAL | \$ 12,000 | |

CITY OF BRADY**FY 20 ROLL-OVER BUDGET AMENDMENT (1) FROM FY 19 BUDGET**

11/5/2019

FUND /
DIVISION**AMENDMENT****AMOUNT****REASON FOR AMENDMENT****SPECIAL REVENUE -80****REVENUES**

| | | | |
|----------|--------------------------|--------------------------|--|
| Comm Dev | TXDOT Grant-Repavement | \$ 600,000 | Carry-over grant funds not earned yet. |
| Comm Dev | TXDOT Grant -Master Plan | \$ 9,834 | Carry-over grant funds not earned yet. |
| | TOTAL | <u>\$ 609,834</u> | |

EXPENDITURES

| | | | |
|----------|--------------------------|--------------------------|---|
| Comm Dev | TXDOT Grant-Repavement | \$ 600,000 | Carry-over budgeted funds for work not completed. |
| Comm Dev | TXDOT Grant -Master Plan | \$ 9,834 | Carry-over budgeted funds for plan not yet completed. |
| Comm Dev | TPW Grant - Ballfields | \$ 3,567 | Carry-over budgeted funds for work not completed. |
| Comm Dev | Local Cost - Ballfields | \$ 13,160 | Carry-over budgeted cost for work not completed. |
| Comm Dev | Stanburn Park | \$ 19,550 | Carry-over budgeted funds for work not completed. |
| | TOTAL | <u>\$ 646,111</u> | |

CEMETERY -81**EXPENDITURES**

| | | | |
|----------|-----------------|-------------------------|---|
| Cemetery | General Repairs | \$ 26,970 | Road repairs and asphalt replace at Live Oak Cemetery |
| | TOTAL | <u>\$ 26,970</u> | |

TOTAL REVENUES **\$ 666,834****TOTAL EXPENDITURES** **\$ 19,582,396**

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|--|--------------------------------------|---------------------------------|------------|
| AGENDA DATE: | 11/05/2019 | AGENDA ITEM | 7.B. |
| AGENDA SUBJECT: Discussion, consideration and possible action regarding the donation of Tanker 9, a 1990 Freightliner Tractor, to the London Volunteer Fire Department through the Texas Forest Service "Helping Hands Program." | | | |
| PREPARED BY: | Tina Keys | Date Submitted: | 10/21/2019 |
| EXHIBITS: | AAF from 02/20/2018 Donation Form | | |
| BUDGETARY IMPACT: | | Required Expenditure: | \$0.00 |
| | | Budget Amount Available: | \$0.00 |
| | | Appropriation Required: | \$0.00 |
| CITY MANAGER APPROVAL: SUMMARY: <p>In February 2018, Former Fire Chief Brian Meroney brought before the Council a request to donate Tanker 9, "a 1981 Freightliner Tractor", to the London VFD through the Texas Forest Service Helping Hands Program. The request was approved.</p> <p>During several attempts to secure a clear title to the vehicle, it was determined that the tanker that was donated belonged to the Brady Volunteer Fire Department, but was titled to the City, and was actually a 1990 Freightliner. The 1981 Freightliner was traded in when the Brady VFD purchased the 1990 Freightliner.</p> <p>The Brady Volunteer Fire Chief, J. T. Owens, has confirmed this information and had given approval to release the title to the 1990 Freightliner to the London Volunteer Fire Department.</p> | | | |
| RECOMMENDED ACTION: <p>Move to approve donating a 1990 Freightliner to the London Volunteer Fire Department through the Texas Forest Service "Helping Hands Program" and releasing the title to the vehicle.</p> | | | |



**TEXAS A&M
FOREST SERVICE**

HELPING HANDS PROGRAM DONATION FORM

Donor: City of Brady Fire / EMS Department
Address: 216 W. Commerce St.
Brady, TX 76825

Manager/Chief: Brian Meroney
Contact Person: Brian Meroney
Telephone: 325-597-2311
Email: 235-1625

I do not wish to designate a recipient.

I wish to designate a recipient.

May we list you as one of our program donors?

Yes

No.

Donor Signature:

Date: 2/26/2018

TSF Signature:

Date: 2/26/2018

Submit via Mail or Fax:
Texas A&M Forest Service
Capacity Building Department
P.O. Box 310
Lufkin, Texas 75902-0310
Fax: (936) 639-8138

For more information:
Call: (936) 639-8100
Email: helpinghands@tfs.tamu.edu

Please attach more pages if needed.

Page 1 Of 1

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

| | | | |
|---|---|---------------------------------|--------------|
| AGENDA DATE: | 11/5/2019 | AGENDA ITEM | 7.C. |
| AGENDA SUBJECT: Discussion, consideration, and possible action regarding approval of "Curtis Field Airport "Action, Development, Business Plan" with Airport Layout Diagram (ALD) as prepared and presented by Coffman Associates. | | | |
| PREPARED BY: | Lisa Perry | Date Submitted: | 10/29/2019 |
| EXHIBITS: | Final draft as provided by Coffman Associates | | |
| BUDGETARY IMPACT: | | Required Expenditure: | \$199,334.00 |
| | | Budget Amount Available: | \$200,000.00 |
| | | Appropriation Required: | \$19,935.00 |
| CITY MANAGER APPROVAL: | | | |

| |
|---|
| SUMMARY: |
| On June 6, 2017 Resolution No. 2017-022 was signed allowing the City of Brady - Curtis Filed Airport along with TxDot Aviation to move forward with a project for an "Action, Development, Business Plan" to include an Airport Layout Diagram (ALD). This project is being funded by a 90/10 grant through TxDot Aviation. The funding is as follows: 90% TxDot Aviation and 10% City of Brady. The budgeted total amount was \$200,000. Coffman Associates was selected as the consultant for the project with a project cost of \$199,334.00 (City of Brady \$19,935/TxDot Aviation \$179,399). Upon award of project to Coffman Associates the City of Brady paid its portion (\$19,935) in full to TxDot Aviation. TxDot Aviation is responsible payments to Coffman Associates. |
| The City of Brady's portion of the funds were paid in full to TxDot Aviation on December 4, 2017 and no additional funding is required. |
| On October 15, 2019 Coffman Associates presented a summary of their findings and recommendations to the Brady City Council. |

| |
|--|
| RECOMMENDED ACTION: |
| Move to approve the "Development, Action and Business Plan" and the Airport Layout Diagram as presented by Coffman Associates on October 15, 2019. |

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|-------------------------------|---|------------------------|------------|
| AGENDA DATE: | 11/5/2019 | AGENDA ITEM | 7.D. |
| AGENDA SUBJECT: | Discussion, consideration, and possible action regarding approval of a yearly lease renewal with Brady Veterinary Hospital, Myron Mays and Glennon Mays in the amount of \$12,000 | | |
| PREPARED BY: | Tina Keys | Date Submitted: | 10/31/2019 |
| EXHIBITS: | existing lease agreement | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$12,000.00 | |
| | Amount Budgeted: | \$12,000.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |

| |
|--|
| SUMMARY: |
| The annual lease for the Brady Veterinary Hospital, that is currently being used as the City's Animal Control Facility, expires on November 18, 2019. Staff recommends renewal until another option becomes available. |

| |
|----------------------------|
| RECOMMENDED ACTION: |
| Move to approve |

LEASE AGREEMENT

This Lease Agreement is made and entered into this 15th day of October, 2018, by and between Brady Veterinary Hospital, a partnership composed of Myron Mays and Glennon Mays, hereinafter referred to as Lessor, and The City of Brady, hereinafter referred to as Lessee.

1. Lessor, for and in consideration of the rents, covenants and agreements hereinafter stipulated to be paid, kept and performed by the parties hereto, hereby leases, lets and demises unto Lessee, its successors and assigns, the property commonly known as Brady Veterinary Hospital, located at 805 San Angelo Highway, Brady, Texas. Together with all easements, rights and appurtenances pertaining thereto. All real property shall be herein referred to as premises.

2. The primary term of this Lease is for a period of one (1) year beginning November 19, 2018 and ending November 18, 2019.

3. Lessee shall pay Lessor as rent therefor the sum of \$12,000.00, payable in advance for the entire term hereof. Lessee acknowledges that the premises are listed for sale. If Lessor is able to sell the premises, Lessor shall have the right to terminate this Lease upon giving Lessee 45 days notice of its intent to terminate. In such event, Lessee will be entitled to a pro-rata refund of its lease payment from the date of sale to the end of the primary term hereof.

4. Lessee will use and occupy the premises in a careful and proper manner, committing no waste, and use such premises for the purposes of operating an animal shelter.

5. If, during the primary or extended term(s) of this Lease, the premises shall be so injured by fire or otherwise, as to be rendered unfit for occupancy by Lessee, and the premises shall not have been repaired within ninety (90) days thereafter by Lessor, this Lease may be terminated by either party, and the rent shall be payable only to the date of such injury and Lessor shall refund any unearned rent to Lessee. If, however, any such injury does not render the premises unfit for occupancy by Lessee, Lessor will promptly cause the premises to be repaired at Lessor's expense and there shall be a fair abatement in the rate of rent payable during the time such repairs are being made. Lessor's decision as to whether the premises are fit or unfit for occupancy shall be controlling.

6. At the termination of this Lease Lessee shall surrender the premises to Lessor in as good condition as they were at the time of the execution hereof; save and except ordinary wear and tear and damage by fire or other casualty.

7. Lessee has inspected and accepts the premises, fixtures and/or furniture as is. Lessor makes no implied warranties.

8. Lessee shall pay prior to delinquency all charges for utility services, sewer and trash collection used in and about the premises; including utility and security deposits.

9. Lessee shall at its own cost and expense, throughout the term of this Lease and so long as it shall remain in possession of the premises, keep and maintain in good repair the interior portion of the building located on the premises, including, but not limited to, day to day maintenance of air conditioning and heating units, electric wiring, plumbing and plumbing fixtures. All normal and routine maintenance costs shall be paid by Lessee. Lessee shall maintain the grounds surrounding the building and keep all trash outside the building picked up. Lessor shall, at its own cost and expense, throughout the term of this Lease keep and maintain in good repair the roof and exterior portion of the building except Lessor shall not be responsible for repair and/or maintenance

necessitated by the careless, negligent or intentional acts of Lessee, its agents, employees or invitees. Lessee shall be responsible for the cost of replacement of all glass and glass windows. Lessor shall be responsible for major repairs to the air conditioner and heating units, such as replacement of the compressor or fan.

10. Lessee will suffer no waste and will keep the water pipes and connections free from ice and other obstructions. Lessee may make changes or alterations in the premises so long as same does not weaken or change the building proper with the prior written consent of Lessor. All furniture, fixtures and equipment which Lessee may install upon the premises shall remain the property of the Lessee. Upon the expiration of the primary or extended term(s) of this Lease, Lessee may, if it is not in default at that time, remove from the premises all of such fixtures installed by Lessee. Lessee agrees to repair any damage to the premises caused by the removal of such fixtures.

11. Lessee shall, at its own expense during the term of the Lease, maintain bodily injury, property damage and comprehensive public liability insurance with a coverage of not less than Five Hundred Thousand and No/100 Dollars (\$500,000.00) for any one person injured, Five Hundred Thousand and No/100 Dollars (\$500,000.00) for any one (1) accident and Five Hundred Thousand and No/100 Dollars (\$500,000.00) for property damage. Such insurance shall also cover liability in public areas such as the parking lot. Lessee shall deliver to Lessor a duplicate original of each such policy, or in lieu thereof, a certificate issued by the carrier. Each such policy or certificate shall provide that the same shall not be canceled without at least thirty (30) days prior written notice to Lessor, and shall name Lessor as an additional insured thereunder. Lessee shall furnish to Lessor from time to time promptly upon request being made therefor, a certificate evidencing the carrying of insurance as required hereunder, endorsed to require at least thirty (30) days notice to Lessor prior to any cancellation or reduction of coverage. Not less than fifteen (15) days prior to the expiration of any such policy, certificates of the insurers (bearing notations evidencing the payment of renewal premiums) shall be delivered to Lessor.

12. Lessee agrees to maintain and keep in force all employees' compensation insurance required under the laws of the State of Texas, and such other insurance as may be necessary to protect Lessor against any other liability to person or property arising hereunder by operation of law, whether such law be now in force or adopted subsequent to the execution hereof.

13. In the event the leased premises shall be damaged or destroyed by fire or other casualty so insured against, Lessee hereby agrees that it will claim no interest in any insurance settlement arising out of any such loss where Lessor is named as the sole beneficiary, and that it will sign any and all documents required by Lessor or the insurance company or companies that may be necessary for use in connection with the settlement of any such loss, provided however that Lessee shall be entitled to reimbursement for damage to or loss of its personal property placed on the premises which is covered in the policy.

14. Should Lessee fail to keep in effect and pay for such insurance as required herein to be maintained, the Lessor may do so, in which event the insurance premiums paid by Lessor shall become due and payable forthwith and failure of Lessee to pay same on demand shall constitute an event of default and be governed by Paragraph 15 below.

15. The following events shall be considered events of default by Lessee hereunder:

A. Lessee's failure to pay any installment of rent when due or to comply with any term, provision or covenant of this Lease and failure to cure such default within thirty (30) days after written notice thereof to Lessee; or

B. Lessee shall become insolvent, or shall make a transfer in fraud of creditors or shall make an assignment for the benefit of creditors or shall be adjudged a bankrupt or insolvent in

proceedings filed against Lessee or shall file a voluntary petition under any chapter of the federal bankruptcy law; or

C. A receiver or trustee shall be appointed for all or substantially all of Lessee's assets; or

D. Lessee shall abandon or vacate the leased premises.

Upon the occurrence of any such event of default, Lessor shall have the option to pursue, after giving the required notice, any one or more of the following remedies:

A. Terminate this Lease, in which event Lessee shall immediately surrender the premises to Lessor, and if Lessee fails to do so, Lessor may, without prejudice to any other remedy which it may have for possession or arrearages in rent or rent for the remainder of the lease term, enter upon and take possession of the premises and expel or remove Lessee and any other person who may be occupying said premises or any part thereof, by force if necessary, without being liable for prosecution or any claim of damages therefor; and Lessee agrees to pay Lessor on demand the amount of all loss and damage which Lessor may suffer by reason of such termination, whether through inability to relet the demised premises on satisfactory terms or otherwise.

B. Enter upon and take possession of the premises without terminating this Lease and expel or remove Lessee and any other person who may be occupying said premises or any part thereof, by force if necessary, without being liable for prosecution or any claim for damages therefor, and relet the premises and receive the rent therefor; and Lessee agrees to pay to Lessor on demand any deficiency that may arise by reason of such reletting.

C. Enter upon the premises by force if necessary without being liable for prosecution or any claim for damages therefor, and do whatever Lessee is obligated to do under the terms of this Lease, and Lessee agrees to reimburse Lessor on demand for any expenses which Lessor may incur in thus effecting compliance with Lessee's obligations under this Lease, and Lessee further agrees that Lessor shall not be liable for any damages resulting to Lessee from such action whether caused by the negligence of Lessor or otherwise.

Acceptance of possession of the demised premises by Lessor from Lessee shall not constitute an acceptance of a surrender of the demised premises as such unless Lessor shall specifically acknowledge the same in writing.

Except as otherwise provided by statute or rule of law, pursuit of any of the foregoing remedies shall not preclude pursuit of any of the other remedies provided for herein or any other remedies provided by law, all of which may be enforced cumulatively, nor shall pursuit of any remedy provided for herein constitute a forfeiture or waiver of any rent due to Lessor hereunder or of any damages accruing to Lessor by reason of the violation of any of the terms, provisions and covenants herein contained. Failure by Lessor to enforce one or more of the remedies herein provided upon an event of default shall not be deemed or construed to constitute a waiver of such default, or of any other violation or breach of any of the terms, provisions and covenants herein contained.

16. Lessee may not assign nor sublet this Lease without Lessor's prior written consent. Assignment or sublet of this Lease after such consent is given by Lessor, shall not release Lessee from any liability and responsibility imposed upon him by the terms of this Lease. Any assignee or sublessee of this Lease must accept the terms and conditions of this Lease in their entirety.

17. Lessee shall not place any signs or other objects upon the roof of the building or paint or otherwise place any signs on or deface the exterior walls of the building, except with the prior

written approval of Lessor and in compliance with any applicable governmental law, ordinances, regulations and other requirements. Lessee shall remove all signs at the termination of this Lease. Such installations and removals shall be made in such manner as to avoid injury, defacement or overloading of the building and other improvements. Lessee shall have the right to place a free standing sign on the premises.

18. Lessee shall not remove or move any of the load bearing interior walls of the building without the Lessor's prior consent.

19. Lessor and Lessor's agents and representatives shall have the right to enter and inspect the premises during business hours and emergencies for the purpose of ascertaining the condition of the premises or in order to make such repairs as may be required to be made by Lessor under the terms of this Lease during normal business hours.

20. Lessor shall not be liable to Lessee or Lessee's employees, agents or visitors or to any other person whomsoever for any injury to person or damage to property on or about the premises, caused by the negligence or misconduct of Lessee, its agents, servants, employees or invitees or caused by the building and improvements located on the premises, or due to any other cause whatsoever. Lessee does hereby indemnify Lessor and agrees to save it harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury, and/or damage to property arising from or out of any occurrence in, upon or at the premises which are caused wholly or in part by any act or omission of Lessee, its agents, guest, business invitees, contractors, employees, servants or sublessees. In case Lessor shall, without fault on Lessor's part, be made a part to any litigation commenced by or against Lessee, then Lessee shall protect and hold Lessor harmless and shall pay all costs and expenses such as attorney's fees incurred or paid by Lessor in connection with such litigation.

21. If, on account of any breach or default by Lessee in Lessee's obligations under the terms and conditions of this Lease, it shall become necessary for Lessor to employ an attorney to enforce or defend any of the Lessor's rights or remedies hereunder, Lessee agrees to pay any reasonable attorney's fee incurred by the Lessor in such connection.

22. It is distinctly understood and agreed by and between the Lessor and Lessee that any hold over by Lessee of the herein described premises after the expiration of this Lease shall operate and be construed only as a tenancy from month to month, terminable at the will of the Lessor, upon the same terms and conditions and the same rent as specified herein during the last proceeding rental period.

23. All notices proved to be given under this Agreement shall be given by certified mail or registered mail, addressed to the proper party at the following addresses:

Brady Veterinary Hospital
c/o Box 469
Brady, TX 76825

City of Brady
Attn: Kim Lenoir
Brady, TX 76825
Telephone: 325-597-2152, Ext. 209
Email: klenoir@bradytx.us

24. This Lease shall be binding upon and inure to the benefit of the parties, their and its heirs, executors, administrators, successors and assigns.

In Witness Whereof, the parties have executed this Lease as of the day and year above written.

Lessor
Brady Veterinary Hospital

By Myron Mays
Myron Mays, Partner

Lessee
City of Brady

By Kim Lenoir
Kim Lenoir, City Manager

November

2019

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|--|---|-----------|---|---|---|
| 27 | 28 | 29 | 30 | 31 | 1 | 2 |
| 3 | 4 LEPC 9:30 a.m. | 5 CITY COUNCIL 6:00 P.M. Work Session 4:00 p.m. Siren Test 12:00 Noon | 6 | 7 | 8 | 9 |
| 10 | 11 VETERAN'S DAY City Offices Closed | 12 | 13 | 14 | 15 | 16 CANDY CANE MARKET Curtis Field |
| 17 | 18 | 19 CITY COUNCIL 6:00 p.m. | 20 | 21 | 22 THANKSGIVING DINNER at Service Center | 23 HAPPY BIRTHDAY JEFFREY !! |
| 24 | 25 | 26 | 27 | 28 THANKSGIVING City Offices Closed | 29 THANKSGIVING City Offices Closed | 30 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

Notes:

*Happy
Thanksgiving*

December

2019

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|------------------------|---|---|--|--------|----------|
| 1 | 2 LEPC 9:30 a.m. | 3 CITY COUNCIL 6:00 P.M. Siren Test 12:00 Noon | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 CITY EMPLOYEE CHRISTMAS PARTY | 13 | 14 |
| 15 | 16 | 17 CITY COUNCIL 4:00 & 6:00 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 CHRISTMAS EVE City Offices Closed | 25 CHRISTMAS DAY City Offices Closed | 26 | 27 | 28 |
| 29 | 30 | 31 | 1 NEW YEARS DAY City Offices Closed | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |

Notes:

*Merry
Christmas*

