

BRADY
THE CITY OF
TEXAS

Aaron Garcia
Mayor

Larry Land
Council Member Place 1

Missi Elliston
Mayor Pro Tem
Council Member Place 2

Jeffrey Sutton
Council Member Place 3

Felix Gomez, Jr.
Council Member Place 4

Gabe Moreno
Council Member Place 5

Erin Corbell
City Manager

Tina Keys
City Secretary

Sharon Hicks
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

APRIL 2, 2024 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 p.m. April 2, 2024**, at the City of Brady Municipal Court Building located 207 S. Elm St., 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 March 19, 2024.

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 discuss 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 1377** of the City of Brady, Texas to adopt the 2024 Water Conservation and Drought Contingency Plan as required by the Texas Water Development Board.
- B. Discussion, consideration and possible action to approve the Memorandum of Understanding "MOU" between the City of Brady and Brady Independent School District regarding responsibilities for girls' softball field at Richards Park

8. STAFF REPORTS

- A. **Monthly Financials (February – inadvertently omitted from last packet)**
- B. **Upcoming Special Events/Meetings:**

April 8	Eclipse
April 12	LCRA Steps Forward Day at Willie Washington Park
April 16	Regular City Council Meeting, 6:00 p.m.
April 22 – 30	Early Voting
April 23	Happy Birthday Missi Elliston
May 4	Election Day
May 7	Regular City Council Meeting, 6:00

9. ANNOUNCEMENTS

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

10. EXECUTIVE SESSION

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

- Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act:

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

Discussion, consideration or possible action as a result of Executive Session, if any

12. ADJOURNMENT

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

Tina Keys, City Secretary

In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or tkeys@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 Regular Meeting on Tuesday March 19, 2024 at 6:00 p.m. with Mayor Aaron Garcia presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, Larry Land and Gabe Moreno. City staff present were City Manager Corbell, Public Works Director Steven Miller, City Attorney Sharon Hicks, Asst Fire Chief Jeremy Ramon, Fire Chief Lloyd Perrin, Fire Administrator Ron Larson, Firefighters Fire Captain Scott Gillaspia, Firefighters Tyler Wells and Kason King PPM Superintendent Steve Morgan, PPM Crewman Carl Friedrich and John Wilkens, Golf superintendent Mason Howell, Electric Superintendent Joe Solis, Municipal Court Judge JT Owens, Police Chief Randy Batten, and City Secretary Tina Keys. Also in attendance were Annita Ellison, Terry Phillips, David Ortiz, James Griffin, Curtis Owens, Frann Leonard, Earl Leonard, Daniel Mendoza, Chris Martin, John Boekweg, Sheila Hemphill, Charles R. Bush, R.S. Bush, Tony Groves, Tim Walker, Heath Stratton, Lisa Selensky, David McMillan, and Lynn Farris.

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Land gave the invocation, and the Pledge of Allegiance was recited

3. PUBLIC COMMENTS

Charles Hodges – said at Thanksgiving he organized a turkey trot and wanted to thank the city and parks dept for their help. They did a great job keeping the park and trail cleaned up. There were a lot of downed limbs after the rain recent rains, and it was already cleaned up today.

Shiela Hemphill – wanted to express information and gratitude for the response to her inquiry regarding the walking path and mowing. She had concerns we were mowing and didn't give a chance for flowers to seed but found out in the walking path you have to use mowers and cannot use shredders and because they are mulching, it's too much for them to accommodate if it's too tall. In the larger areas they can use the shredders which makes sense. There may have been concerns about conditions of parks but since there are 3 of them, the areas that are used more are to be committed to. Also, last week's complaints before council, she would encourage Council to be transparent when there are complaints and handle things openly before calling in state or personal investigators. The more transparent, everybody can understand situations and hold people accountable and thanked Erin Corbell and Mayor Garcia for how it was handled. The complaints did not rise to the level of the actions that were proposed.

Tim Walker – said the condition of the golf course is a hot topic. He was out there today and ran into Steve Morgan. They had a tournament so Mr. Walker thought it would be in top condition, but it's not quite what he found. There's an overall lack of detail being paid to the golf course. The grass is extremely long. Mr. Walker said he thinks Mr. Morgan found the same thing to be true. Mr. Walker said we had coaches leave who were unhappy with the state of the course. Second, he saw on the agenda that city manager was listed under executive session and took it to mean the City is looking at getting rid of the city manager. He has been here for 15 years and has seen several city managers and has never seen anyone as attentive as Erin Corbell. She answers questions and he is impressed any time he has had to deal with her. He also called others in the community. All of them raved about her and how wonderful she has been. She is local and has planted seeds. Same input was given. She is responsive. Feels like she needed encouragement because she's doing a wonderful job.

James Stewart – quick update to support the firefighters. He is a member of the Brady Volunteer Fire Department. Ideas have been passed around for 20 years. He is in a position to act as a liaison to reach the goal of getting a new fire dept. A year ago we had guests from all over the state staying at our firehouse and he was embarrassed. He

knows the challenges. The Volunteer Fire Department wants the same goal, a new department as quickly and efficiently as possible. He has blueprints from other communities to get viable options that we can tweak to match our needs. He likes what's on the agenda with the plans. Is it the best location no, is it a workable solution, yes. Please know the volunteers are trying to come up with something that might work better, cheaper. Getting something done needs to happen. They make it work, but it's an old building. He is still working trying to get something tangible. He would like more time.

4. CONSENT AGENDA

- A. Approval of Minutes for Regular and Work Session meetings on March 5, 2024

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

5. PRESENTATIONS:

- City's Financial Audit report for FY 23 – Lisa McElrath introduced John Boekweg with Haynie and Company who presented to Council.
Mayor Garcia thanked Lisa McElrath and her staff for all they do.
- 2024 Water Conservation and Drought Contingency Plan Update – Steven Miller presented.

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings.

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding amendment to Interlocal Agreement between City of Brady and McCulloch County for labor, material and equipment sharing to improve/maintain infrastructure of public facilities. Erin Corbell presented and said council approved an agreement for services labor and equipment. The County asked to include materials that are not usable by the city. Contractors at the airport unearthed a bunch of caliche that we can't use so we offered it to the county. It's construction waste for our purposes. They didn't feel comfortable just accepting it without it included in the agreement. If it's materials we can use, we're not going to give it to them. We need to be careful about how to word it. They did not pick up the caleche. Carol Andeson and Judge Trull requested materials be added. Mayor Garcia asked how staff feels. Erin said it needs to be carefully worded. A commissioner asked that the street department give them material that we use. Council Member Moreno moved to table for a work session. Seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- B. Discussion, consideration and possible action regarding results of feasibility study for Fire Station/Eikon. Erin Corbell presented. Council has a second copy of feasibility study. The first one has individual bunk rooms. Second has open space bunk facilities. \$3.295million was the estimated cost at the Fair Street location. Changing to open bunks would change \$50,000 - \$100,000. Eikon feels the separation is necessary. They will be happy to discuss further with council. Council Member Moreno would like to have a work shop. Council Member Land said we could invite the chief to voice an opinion. Chief Perrin said they're supposed to have individual bunks. Council Member Land said he thinks it will be money well spent to give them a more comfortable private space to sleep in. Mayor Garcia said when we started this set of plans was in hopes of keeping the budget on the lower side. The study does not reflect what our goal was. Mayor Garcia went on to say this amount does not include the purchase price of the building. We can do a

workshop. We want to make sure we provide the best opportunity for our firefighters. Mayor Garcia moved to table. Seconded by Council Member Elliston. Council Member Sutton questioned if Mayor Garcia can make a motion. Council Member Moreno made a motion to table. Seconded by Council Member Elliston. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

C. Discussion, consideration and possible action regarding requesting Planning and Zoning Commission to consider allowing mobile home overlay or special use permit in single family residential with terms and conditions if allowed. Erin Corbell presented and said manufactured homes homes are nicer than ever. There may be some neighborhoods where a new build isn’t possible, but they could bring in a new manufactured home. The manufactured home could be a nice addition to the neighborhood. We can’t pick one lot and zone it manufactured housing. That’s spot zoning but we could put a manufactured home overlay over certain neighborhoods where we would want that type of development where a manufactured home could be brought in that meets requirements. Mayor Garcia said there are certain builders of manufactured homes that are already approved. Attorney Hicks said there are manufactured homes and modular homes. Modular can go in any single-family residential. The manufactured homes still have the typical skirting and things. Erin Corbell said we would look at doing this to Dodge Heights. Rather than pull the single-family zoning, we could do a manufactured home overlay without sacrificing standards out there. Council Member Sutton said why should we designate another when we already have one out there. Council Member Moreno said someone talked to him and wants to buy a dilapidated building and put a manufactured home on that property. He was not allowed to because of this. Two houses down there are manufactured homes. Council Member Sutton said if they tear something down and put something better he’s all for that, but it should go to Planning and Zoning. Erin Corbell said there are certain neighborhoods that could use improvement and this could allow for that. It’s fairly common in municipalities. Mayor Garcia clarified it would empower Planning and Zoning to decide then it would come to council for approval. Erin Corbell agreed. Sheila Hemphill said she would encourage council to make it manufactured modular. It’s different than a manufactured home. There are some manufactured home neighborhoods now. The modular homes would help meet the price point while keeping the integrity of the neighborhood. Sheila doesn’t know if certified is different than modular. Erin Corbell said from a staff perspective our intention is not to put manufactured home overlay in every neighborhood. This gives an incentive for property to bring up the standard. It’s still zoned Single-Family, you can do a single family build but you can do certain manufactured homes that meet certain standards. Sheila Hemphill said she is all for people making improvements. David Ortiz said he understands the difference. He lived in 22 locations. He doesn’t see the benefit to allow existing manufactured homes because they depreciate differently. If you give latitude to put manufactured homes, he would not give it to a committee. If you want to have an overlay, bring it to council. Erin Corbell said it starts with Planning & Zoning and then they bring to council for approval. David Ortiz said he understands this reads it gives the authority to Planning & Zoning. Erin said the final decision comes back to council. James Griffin said in our zoning classification we have manufactured homes and some variations that allow modular homes. There are also provisions for specific use permit. Is that something the individual is going to have to approach Planning & Zoning for a specific use permit. Some people might be concerned about people bringing in a trailer. In determining what will be allowed, will there be a variance on a particular style of home. Council Member Moreno said those questions will go to P&Z. the P&Z board can work it out. He thinks an overlay is a good thing. It won’t be

just everywhere. Council Member Moreno moved to allow overlay. Seconded by Council Member Elliston. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

D. Discussion regarding conditions of Brady parks, golf course and cemeteries. Mayor Garcia said he asked for this item to be added to agenda. He has had citizens approach him about the golf course, ball fields, and cemeteries. He wants to know how we can improve those things and asked Steve Morgan what he needs to make us successful. Morgan said it's more manpower than anything. We have 6 people in PPM. We mow 250 acres plus 5 miles of right of way. They do everything for the city. The one person at the cemetery is one person out there all the time. If we have 3 – 5 people mowing and weed eating, it takes a minimum of 4 days. If we want it to be perfectly mowed and weed-eated, we need 3 people on each cemetery. The parks, our guys know that's the first thing we take care of. We have 4 parks that they take care of. The ball fields are always immaculate. Morgan said he takes care of them himself. The pony league field, we put it in ourselves. We'll have it up and running next year. It's hard to find people to work. Morgan said he is down 2 guys right now. Council Member Moreno asked about volunteers. Morgan said he never sees them. He told them they can work on the pony league backstop, but he hasn't seen them. Council Member Land asked the big ballfield, was there irrigation being put in? Morgan said yes. The estimate was high, so they put it in themselves to put it in to get operational by next year. They did the infield already. Council Member Land thanked Morgan and his crews for doing that. Morgan said they're doing it for less than \$5K. Earl Leonard asked why the city is paying for cemeteries and asked doesn't somebody pay for that and asked if the city owns the cemeteries. Morgan said yes. Tim Walker said about the ballfields, he has offices in several locations where there is traveling ball going on. He gets comments that our fields are so nice. They're the nicest in the area. Mayor Garcia said the two ballfields are good, it's just the pony field now. Morgan said they want to get it fixed up to where 14U can play there. Right now only t-ball can play there. Council Member Moreno said he had people talk to him about golf course including the sheds and the overall look of golf course. Is there any plan for that? We've discussed we need to do something. Knock those sheds down. Mason Howell, golf superintendent said they're not worth redoing. Most carts don't even fit in them. Council Member Moreno asked what we can do and said his golf cart doesn't fit either. Erin Corbell said it's a budget item and we can bring it back. Steve Morgan said we can build them but we don't have the time. Morgan said we can do the demolition in the winter fairly easily. Erin Corbell said she can send the street division since they do home demolitions. Council Member Moreno said even if we demolished some it would help. Mason Howell said he lost both of his workers in one day. They got rained out Friday, Saturday and Sunday. Manpower is the problem. The rough mower is a lawn mower. It takes one person 3 days to mow; fairways take 2 days. They tried to do 3 days of mowing yesterday in one day. He didn't mow the t-box edges. Mayor Garcia said some of the out of bounds markers are everywhere. There are pieces of equipment behind a tree for a long time. There is a tractor sitting there. A city truck that has been there for a while. A huge hole that has been there for months and not filled in on the back side. Mason Howell said there is a hole that's last on the list of priorities because it's so far out of the play area. Howell also said there is one leak that they haven't been able to find. Shiela Hemphill asked if they determine weekly where they will be mowing and said if the public is aware, it could be posted. Morgan said they take care of the parks first. Tim Walker said Mason has done several things really well. He's knowledgeable in a lot of areas, however, he went out there 4 weeks ago for the first time in a while. There's long grass. #8 tee box used to be falling over with railroad ties. They built a rock wall. There are weeds growing through the staircase. We used to do this with one person. Other communities do it with one

person. There is an issue that needs to be addressed. Council Member Gomez said he played out there recently. We don't have a lot of income. Our gold mines are golf course and lake. There are going to be a lot of people here with the music festival. We need to be proactive. The conditions he has seen is not where it has been in previous years. Council Member Gomez asked if concerns on manpower have been addressed. Morgan said one of their guys is out with health issues, one guy quit about a month ago. We had one interview a few days ago. People are not applying for jobs. Younger people don't want to work. His youngest guy is 45. Morgan said we are good with equipment. The mower works fine. We don't have people. Somebody asked who pays for the golf course. Erin Corbell said the city. The BGA does make some improvements. Council Member Land said he knows there are issues with employees and thanked Morgan for chipping away at it. Our parks and golf course are a valuable asset. The BGA does great. If the course was developed people would come to Brady to golf. Morgan said they are waiting on the results of a soil sample. Council Member Land said he would love to see the BGA and the city and council get together during budget and make a plan on what we can do over the next few years. Mayor Garcia thanked Morgan for coming and talking to them and asked that we stay diligent on the items that needs improvement. Mayor Garcia also asked Mason to look into some of those small details and asked what they can do to help them be successful.

- E. Council Member Elliston moved to remove from table. Seconded by Council Member Moreno. Discussion, consideration and possible action approving renewal of a 5-year lease agreement with Redeemer Church for the old K-Life (Boy Scout) Building to conduct a community youth program. Erin Corbell presented and said Redeemer is not interested in purchasing property at this time. Council Member Elliston asked if we are in a lease and they do want to purchase, could we move forward. Erin Corbell said she believes leaseholders get the first right. Council Member Moreno moved to approve. Seconded by Council Member Elliston. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- F. Discussion regarding department head review process. Mayor Garcia said he would just like to know what the process is. Erin Corbell said there are 11 people in the city they consider department heads and handed out a form. Mayor Garcia said council should not discuss any names but refer to positions only. Erin Corbell said the supervisor gets a copy of the job description and reviews to make sure it's still accurate. Then the supervisor highlights where the employee does well and underlines where they need improvement. The employee does a self-evaluation and the supervisor does the review and the supervisor and employee sign then it goes to Erin Corbell to sign off. Mayor Garcia said he was looking for comments and what they are doing good and what they can improve on. Erin Corbell said Miller does entire public works division, she does community services and airport. For appointed officials, the new personnel policy said their reviews are to be held on their anniversary dates.

8. STAFF REPORTS

- A. Monthly Financial / Utility Reports**
- B. Monthly Activity Reports:** Seniors, Golf, BPD, Fire-EMS Calls, BVFD Expense Report, Animal Control, Airport, Code Enforcement, Municipal Court
- C. Upcoming Special Events/Meetings:**

March 29	Good Friday Holiday, City offices closed, altered trash schedule
April 2	Regular City Council Meeting, 6:00 p.m.
April 8	Eclipse
April 16	Regular City Council Meeting, 6:00 p.m.

April 22 – 30	Early Voting
April 23	Happy Birthday Missi Elliston
May 4	Election Day
May 7	Regular City Council Meeting, 6:00 p.m.

9. ANNOUNCEMENTS

Erin Corbell said April 1st will be a joint meeting with the City of Melvin at 1:30. Corbell also said they have had meetings with LEPC and law enforcement and Fire/EMS preparing for the eclipse. The utility bills had a sheet on what to expect and how to prepare. Both PD and sheriff will have all hands-on deck. We do expect an increase in traffic flow and fire/EMS will be staffing an extra ambulance that day. It's hard to anticipate the number of people coming through town. USA today said we are the best location to view the eclipse due to the least likely chance of rain.

10. EXECUTIVE SESSION

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

- Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act;
- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager
- Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange, lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person: Fire / Police Department

Regular session was recessed at 7:56 p.m. Executive Session was opened at 8:05 p.m. and closed at 8:52p.m. Regular session reconvened at that time

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

No action was taken as a result of Executive Session.

12. ADJOURNMENT

There being no further business, Mayor Garcia adjourned the meeting at 8:54 p.m.

Aaron Garcia, Mayor

Attest: _____
Tina Keys, City Secretary

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

AGENDA DATE:	4-2-2024	AGENDA ITEM	7.A.
AGENDA SUBJECT: Discussion, consideration, and possible action regarding first reading of Ordinance 1377 of the City of Brady, Texas to adopt the 2024 Water Conservation and Drought Contingency Plan as required by the Texas Water Development Board.			
PREPARED BY:	S. Miller / T. Keys	Date Submitted:	3/27/2024
EXHIBITS:	Ordinance 1377 2024 WC&DCP		
BUDGETARY IMPACT:		Required Expenditure:	\$0.00
		Amount Budgeted:	\$0.00
		Appropriation Required:	\$0.00
CITY MANAGER APPROVAL:			
SUMMARY: This ordinance adopts the <i>2024 Water Conservation and Drought Contingency Plan</i> and is a Texas Water Development Board regulatory requirement for recipients of funding from TWDB and meets Texas Commission on Environmental Quality (TCEQ) rules for water conservation. The 2024 WC&DCP is updated from 2019 that follows a 5-year renewal cycle as established by TWDB. The 2019 WC&DCP is also a requirement from TCEQ and both state agencies mutually cooperate in accepting these types of plans.			
The adoption of this ordinance is a required formality to meet state agency rules and empowers the city to enforce certain requirements of the plans.			
RECOMMENDED ACTION: 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" Mayor calls for a motion: Move to approve first reading of Ordinance 1377.			

ORDINANCE NO. 1377

AN ORDINANCE OF THE CITY OF BRADY ADOPTING THE 2024 WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS FOR THE CITY OF BRADY TO PROMOTE RESPONSIBLE USE OF WATER AND TO ESTABLISH SPECIFIC GOALS AND TARGETS FOR WATER CONSUMPTION REDUCTION AS REQUIRED BY TEXAS WATER DEVELOPMENT BOARD AND TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

WHEREAS, the City of Brady, Texas (City), recognizes that the Hickory aquifer is a precious natural resource to its citizens and customers; and

WHEREAS, the City recognizes that drought, natural disasters other acts of God may occur; and that the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

WHEREAS, the City desires to conserve water resources and prepare for drought; and

WHEREAS, the City desires to comply with Texas Administrative Code for Environmental Quality and Natural Resources and Conservation, Texas Commission on Environmental Quality and Texas Water Development Board, which require these plans for all public water supply systems; and

WHEREAS, pursuant to the best interests of its citizens, the City is authorized to adopt ordinances it deems are necessary and expedient to preserve and conserve its water resources and to prepare for drought;

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

Section 1. The City Council does hereby find and declare that sufficient and timely written notice of place and subject matter of this meeting adopting this Ordinance was posted. The City Council further ratifies, approves and confirms such written notice and the posting thereof.

Section 2. The City Council adopts the **2024** Water Conservation & Drought Contingency Plans attached to this ordinance. All ordinances that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected.

Section 4. The City Secretary is hereby authorized and directed to publish this Ordinance.

Section 5. The City Manager or his/her designee is hereby directed to file a copy of the Plan and this Ordinance with the Texas Water Development Board in accordance with TAC Title 31, Chapter 363 relating to financial assistance.

Section 6. This Ordinance shall take effect after passage and publication.

Passed and approved on the FIRST READING this ____ day of _____ 2024.

Passed and approved on the SECOND READING this ____ day of _____ 2024.

Aaron Garcia, Mayor

ATTEST:

Tina Keys, City Secretary

CITY OF BRADY

2024 WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

City of Brady
P.O. Box 351
201 East Main Street
Brady, Texas 76825-0351
Phone: 325.597.2152
Fax: 325.597.2068

TABLE OF CONTENTS

<u>SECTION</u>	<u>Page No.</u>
I. GENERAL	2024-4
PUBLIC INVOLVEMENT	2024-4
COORDINATION WITH REGIONAL WATER PLANNING GROUP	2024-4
YEAR 2024 RENEWAL & SUBMISSION	2024-4
II. WATER CONSERVATION PLAN	2024-5
METERING DEVICES	2024-5
WHOLESALE WATER SUPPLY CONTRACT REQUIREMENTS	2024-5
SYSTEM WIDE INTEGRITY & MONITORING	2024-5
BEST MANAGEMENT PRACTICES – GOALS AND TARGETS	2024-6
III. DROUGHT CONTINGENCY PLAN	2024-7
TRIGGER CONDITIONS	2024-7
DEMAND MANAGEMENT MEASURES	2024-10
PROVISION FOR WHOLESALE WATER CONTRACTS	2024-12
EXEMPTIONS OR VARIANCES	2024-12
PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS	2024-13

ATTACHMENTS

- A. Wholesale Customer
- B. Coordination with Region F Water Planning Group
- C. Adoption Resolution
- D. TWDB Utility Profile – BRADY (to be added)
- E. Drought Contingency Plan Trigger Conditions & Response Measures

YEAR 2024 BRADY WATER CONSERVATION & DROUGHT CONTINGENCY PLAN
RENEWAL AND SUBMISSION

The Texas Water Development Board requires all municipalities to update their water conservation & drought contingency plans every five (5) years and adopt by ordinance.

In 2019, city staff compiled this Water Conservation & Drought Contingency Plan (WCDCP) to meet an established 5-year cycle with the TWDB. TWDB has established a 5-year WCDCP submission schedule in which this document presents an updated version of the 2019 WCDCP.

For **2024** Water Conservation Plan requirements include:

- Utility Profile
 - sales and classifications
- Five and ten-year target goals
 - tracking and effectiveness
- Metering
 - production, customer, and wholesale
- Loss prevention
 - monitoring, detection, and education
- Water rate
 - non-promotional and adopted
- Outreach
- Adoption

Similarly, the Drought Contingency Plan requirements include:

- Trigger conditions
- Demand management
- Initiation and termination

Herewith, the **2024** WCDCP is presented by City of Brady incorporating the minimum required content.

I. GENERAL

PUBLIC INVOLVEMENT

Opportunity for public and wholesale customers to provide input into the preparation of this amendment to the Plan was provided by the City of Brady in the form of the following:

Public meeting through regularly scheduled city council meetings and notices to affected wholesale and regional water planning group (Region F).

City Council meetings are open to the public to consider and approve the **2024** Brady WCDCP renewal and submission.

Correspondence with the City's wholesale water customer (Attachment A).

In addition, this **2024** WCDCP renewal and submission is available for public review during the normal business hours of the City at City Hall located at 201 East Main Street, Brady, Texas 76825. Any comments received shall be considered for inclusion in the next revision or amendment to the Water Conservation & Drought Contingency Plan.

COORDINATION WITH REGIONAL WATER PLANNING GROUP

The water service area for the City of Brady is located within the Regional Water Planning Group F (Exhibit). A copy of this **2024** WCDCP renewal and submission has been provided to the Regional Water Planning Group F to seek comment and insure consistency with the approved regional water plan (Attachment B).

YEAR 2024 BRADY WCDCP RENEWAL AND SUBMISSION

This Plan and subsequent Plan elements discussed in this document were adopted by City Ordinance of the City of Brady (Attachment C).

II. WATER CONSERVATION PLAN

The City of Brady intends to achieve long-term water conservation by maintaining a non-wasteful rate structure, reducing unaccounted-for-water, maintaining City water meters through testing and replacement, and providing education and information to all customers of the water system.

Many of these measures have already been implemented and have shown signs of success, and the City realizes that the continuous and diligent adherence to these programs outlined in the Water Conservation Plan is the most likely method for achieving the specific targets for reduced water consumption on a gallons-per-capita-per-day (GPCD) basis. The strategies and specific goals for water conservation outlined herein are in addition to any initiatives outlined in the current Plan.

A. METERING DEVICES

One key element of water conservation is tracking water use and controlling losses. City of Brady utilizes automatic meter read technology for all water meters or nearly 100% of its customers. AMR meters have not been installed at some connections due to customer preference. All metering devices have been shown to be calibrated to an accuracy of better than $\pm 5\%$ for accounting of consumption throughout the water distribution system. Master meters at well sites are tested annually and have shown accuracy of greater than 95%.

B. WHOLESALE WATER SUPPLY CONTRACT REQUIREMENTS

Every contract for the wholesale sale of water by customers that is entered into, renewed, or extended after the adoption of this water conservation and drought contingency plan will include a requirement that the wholesale entity and any wholesale customers of that wholesale provider develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code. The requirement will also extend to each successive wholesale customer in the resale of the water.

C. SYSTEM WIDE INTEGRITY AND MONITORING

Due to the convenience of the Brady community geographical size, water leaks and breaks are generally immediately identified by both customers and city crews. City water distribution crew responds appropriately with equipment and material to control and fix water main breaks and failures. Generally, field indicators for finding leaks include customer complaints, random observations, and abnormal usage indicators through AMR system.

City staff utilizes regular conservation topics distributed sometimes by bill inserts or social media posts to assist in community wide communication. City meter technician and code enforcement division provides field inspection services for illegal hookups, transient occupation of property and substandard plumbing installations. Regular water meter change-out and new service requests are cataloged and tracked in the city's billing database.

D . BEST MANAGEMENT PRACTICES - GOALS AND TARGETS

Water as a natural resource is vital to all life and species. In Texas, there is the phenomenon of drought that can severely affect availability of water resources. Two predominant primary sources exist for water supply throughout Texas and the southwest United States: groundwater and surface water impoundment, i.e., lakes and reservoirs. Brady groundwater supply for drinking water is from the Hickory aquifer. Brady Lake, a flood control reservoir, and recreational use lake is available for surface water use. However, the city's water treatment facility is configured for groundwater use only.

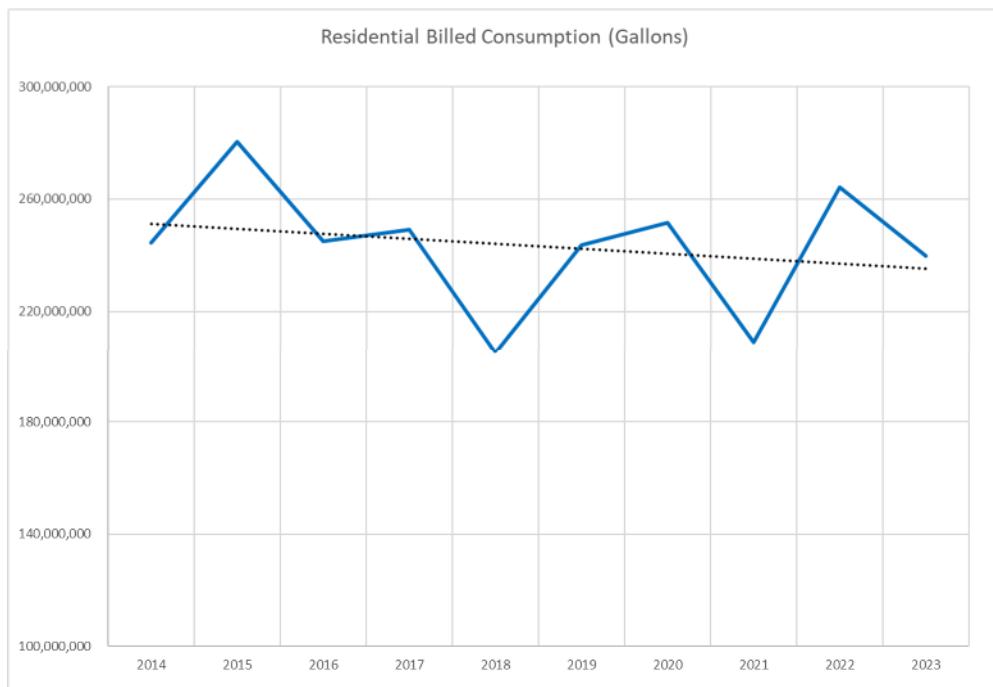
Texas Water Development Board and Texas Commission on Environmental Quality require political subdivisions or towns and cities to develop quantifiable and manageable 5-yr & 10-yr goals and targets for water savings and water loss control. Shown in Table 1 is Brady's water consumption history for several years. From this is extrapolated a consumption figure based on the city's general population's GPCD. These figures represent 5-yr and 10-yr goals and targets. These types of metrics are used by TWDB and TCEQ for publications and tracking. It also serves as a benchmark for the city to track its historical pattern of usage.

TABLE 1
5-yr and 10-yr GPCD

<u>year</u>	<u>residential consumption</u>	<u>base population</u>	<u>GPCD</u>
2019	243,570,000	5,300	126
2020	251,505,000	5,300	130
2021	209,049,000	5,300	108
2022	264,122,000	5,300	137
2023	239,692,000	5,300	124
2028	225,739,950	5,300	117
2033	231,025,418	5,300	119

Note: 2028 GPCD derived from a 5% reduction on previous 3-yr averaging above and likewise for 2033.

Utilizing the current dataset the following graph was derived.



It can be reasonably inferred from the graph that a downward trend is evident.

III. DROUGHT CONTINGENCY PLAN

The City of Brady shall adhere to a 4-stage Drought Contingency Plan as outlined in this **2024** WC&DCP Renewal and Submission document.

This 4-stage plan shall be followed for a drought declared condition or a system-wide emergency.

A. TRIGGER CONDITIONS

The City of Brady receives groundwater from seven (7) water wells that draw water from the Hickory Aquifer. Brady Lake reservoir is considered an alternate water source for drinking water purposes. However, substantial investment is needed at the city's groundwater treatment plant to properly process this surface water supply. The Hickory Aquifer remains the sole source of drinking water for the City of Brady. With multiple groundwater wells, if one fails there is backup to supplement supply for short periods of time. In spite of this redundancy, the City must be prepared to respond to any water supply situation whether a major incident or emergency. It must also be prepared to respond to other emergency conditions occurring in the City's system.

Four (4) threshold levels have been identified for triggering various responses to water supply incidents or emergencies. These trigger conditions and corresponding response measures are summarized in Attachment D.

1. STAGE 1 TRIGGERS CUSTOMER AWARENESS

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

Stage 1 will begin:

Every April 1st, the City of Brady will post through social media a public announcement to its customers.

Stage 1 will end:

Every September 30th, the City of Brady will post through social media a public announcement to its customers.

2. STAGE 2 TRIGGERS MILD WATER SHORTAGE CONDITIONS

Requirements for initiation

Customers may be requested by the Mayor or the duly appointed representative to voluntarily conserve water and adhere to the prescribed restrictions in Section B, Subsection 2, entitled Stage 2 Response MILD Water Shortage Conditions when any of the following conditions exist:

- a. Average daily water consumption reaches 90% of average daily water consumption and production daily rate for three consecutive days.
- b. System storage tanks cannot be replenished for two consecutive days.
- c. Two groundwater wells in the system are inoperable simultaneously.
- d. Supply from groundwater sources is diminished to 80% of water treatment plant capacity.
- e. Drawdown from the Hickory Aquifer reaches 7 feet as declared by the Hickory Underground Water Conservation District (HUWCD).

Requirements for termination

Stage 2 of the Plan may be rescinded by the Mayor or the duly appointed representative when any or all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

3. STAGE 3 TRIGGERS MODERATE WATER SHORTAGE CONDITIONS

Requirements for initiation

The City Council shall convene at an appropriate time and place to receive information from the city manager or public works director that a Stage 3 condition has been determined and a recommendation to implement a Stage 3 response is appropriate.

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section B, Subsection 3, entitled Stage 3 Response MODERATE Water Shortage Conditions when any of the following conditions exist:

- a. Average daily water consumption reaches 100% of average daily water consumption and production daily rate for three consecutive days.
- b. System storage tanks cannot be replenished for four (4) consecutive days.
- c. Two groundwater wells in the system are inoperable simultaneously.
- d. Supply from groundwater sources is diminished to 70% of water treatment capacity.
- e. Drawdown from the Hickory Aquifer reaches 7 feet as declared by the Hickory Underground Water Conservation District (H UWCD).

Requirements for termination

Stage 3 of the Plan may be rescinded by the City Council or the duly appointed representative when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

4. STAGE 4 TRIGGERS SEVERE WATER SHORTAGE CONDITIONS

Requirements for initiation

The City Council shall convene at an appropriate time and place to receive information from the city manager or public works director that a Stage 4 condition has been determined and a recommendation to implement a Stage 4 response is appropriate.

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section B, Subsection 4, entitled Stage 4 Response SEVERE Water Shortage Conditions for Stage 4 of this Plan when:

- a. Average daily water consumption reaches 110% of average daily water consumption and production daily rate for three consecutive days.
- b. Failure of a pumping station or other major system component or a threat to the health and safety of public potable water system.
- c. Two groundwater wells in the system are inoperable simultaneously.
- d. Supply from groundwater sources is diminished to 60% of water treatment capacity.
- e. Drawdown from the Hickory Aquifer reaches 7 feet as declared by the Hickory Underground Water Conservation District (H UWCD).
- f. Other emergency conditions that may arise as determined by the mayor and/or city council.

Requirements for termination

Stage 4 of the Plan may be rescinded by the City Council or the duly appointed representative when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

B. DEMAND MANAGEMENT MEASURES

In response to triggering events mentioned in Section A, the city has adopted these response measures and corresponding goals that are summarized in Attachment D.

1. STAGE 1 RESPONSE - CUSTOMER AWARENESS

Goal: This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file for inspection by the TCEQ.

2. STAGE 2 RESPONSE - MILD WATER SHORTAGE CONDITIONS

Goal: Achieve a voluntary 5% percent reduction in total water use. Encourage water conservation measures such as decreasing water use for landscape purposes.

In accordance with the triggering criteria set forth in Section A of this **2024** Brady WCP & DCP renewal and submission, the mayor or the duly appointed representative shall acknowledge that a mild emergency or water shortage condition exists and shall implement the following response measures:

- a. Inform the general public through news media, websites or other; and notify major commercial users (including wholesale customers) by hand notices of trigger condition and encourage them to look for ways to voluntarily reduce water usage.
- b. Activate an information center and discuss the situation in the local news media daily.
- c. Implement the following voluntary water use restrictions:
 - i. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Tuesdays and Fridays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m to midnight on designated watering days.
 - ii. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

3. STAGE 3 RESPONSE - MODERATE WATER SHORTAGE CONDITIONS

Goal: Achieve a 15% percent reduction in total water use based on average daily water use. Restrict watering to a minimum.

In accordance with the triggering criteria set forth in Section A of this Plan, the City Council or the duly appointed representative shall acknowledge that a moderate emergency or water shortage condition exists and shall implement the following response measures:

- a. Continue implementation of all relevant actions in preceding stage.
- b. Limit nonessential water usage such as street washing, water hydrant flushing, and athletic field watering, city parks and golf course.
- c. Limit residential car washing, window washing, and pavement washing unless a bucket and hose with manual cut-off nozzle is used.
- d. Impose mandatory lawn watering schedule such that watering of lawns shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and Tuesdays and Fridays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), during the hours of 6:00-8:00 a.m. and 8:00-10:00 p.m. on designated watering days.

4. STAGE 4 RESPONSE - SEVERE WATER SHORTAGE CONDITIONS

Goal: Achieve a 30% percent reduction in total water use based on average daily water use. No water uses outside of the minimum necessary.

In accordance with the triggering criteria set forth in Section A of this Plan, the City Council or the duly appointed representative shall determine that a severe emergency or water shortage condition exists and shall implement the following response measures:

- a. Maintain pertinent preceding stage actions.
- b. Forbid ALL outside water use except for public health protection or limited livestock watering.
- c. Restrict each customer's water consumption to a determined percentage of the prior non-emergency month's metered usage allowing a sufficient quantity for public health continuation.
- d. Consider adoption of an emergency ordinance to implement water rationing or surcharges for excessive water users.

Require wholesale customers to partially fill tanks during the hours of Midnight - 6:00 a.m. (as applicable).

C. PROVISION FOR WHOLESALE WATER CONTRACTS

For every wholesale water contract entered into or renewed after adoption of the drought contingency plan, including contract extensions, in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code - 11.039.

D. EXEMPTIONS OR VARIANCES

City Council may grant any customer an exemption or variance from the drought contingency plan for good cause upon written request to the mayor. Mayor may grant an emergency variance until City Council can confirm or deny such request. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Commission on Environmental Quality. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

E. PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS

Mandatory water use restrictions may be imposed when any of the four (4) stages of drought contingency are triggered. In order to potentially reduce the amount of water customer's use, City Council will impose the following fee schedule for each stage of drought contingency:

Stage 1

At **Stage 1** no water rate changes shall apply (rate as adopted for current fiscal year in effect). The monthly rates for Stage 1 Drought Contingency are identical to the City of Brady's current water rates.

Stage 2

At **Stage 2** no water rate changes shall apply (rate as adopted for current fiscal year in effect). The monthly rates for Stage 1 Drought Contingency are identical to the City of Brady's current water rates.

Stage 3

The following monthly rates shall be charged all persons, firms, or corporations for the use of city water **inside the city limits** of the City of Brady when Stage 3 Drought Contingency is in effect:

Residential, Commercial and Wholesale

\$Rate*/1,000	-	0 to 10,000 gallons
\$Rate*x1.10/1,000	-	10,001 to 50,000 gallons
\$Rate*x1.15/1,000	-	50,001 to 100,000 gallons
\$Rate*x1.20/1,000	-	over 100,000 gallons

*Rate as adopted for current fiscal year in effect.

The following monthly rates shall be charged all persons, firms, or corporations for the use of city water **outside the city limits** of the City of Brady when Stage 3 Drought Contingency is in effect:

Residential, Commercial and Wholesale

\$Rate*/1,000	-	0 to 10,000 gallons
\$Rate*x1.10/1,000	-	10,001 to 50,000 gallons
\$Rate*x1.15/1,000	-	50,001 to 100,000 gallons

\$Rate*x1.20/1,000 - over 100,000 gallons

*Rate as adopted for current fiscal year in effect.

The monthly rates shown for Stage 3 Drought Contingency were determined using the City of Brady's current monthly water rates as a guideline and are subject to modification should the current monthly water rates be altered.

Stage 4

The following monthly rates shall be charged all persons, firms, or corporations for the use of city water **inside the city limits** of the City of Brady when Stage 4 Drought Contingency is in effect:

Residential and Commercial inside City

\$Rate*/1,000 - 0 to 10,000 gallons
\$Rate*x1.25/1,000 - 10,001 to 50,000 gallons
\$Rate*x1.30/1,000 - 50,001 to 100,000 gallons
\$Rate*x1.40/1,000 - over 100,000 gallons

*Rate as adopted for current fiscal year in effect.

The following monthly rates shall be charged all persons, firms, or corporations for the use of city water **outside the city limits** of the City of Brady when Stage 4 Drought Contingency is in effect:

Residential and Commercial inside City

\$Rate*/1,000 - 0 to 10,000 gallons
\$Rate*x1.25/1,000 - 10,001 to 50,000 gallons
\$Rate*x1.30/1,000 - 50,001 to 100,000 gallons
\$Rate*x1.40/1,000 - over 100,000 gallons

*Rate as adopted for current fiscal year in effect.

The monthly rates shown for Stage 4 Drought Contingency were determined using the City of Brady's current monthly water rates as a guideline and are subject to modification should the current monthly water rates be altered.

Attachment A

Wholesale Customer



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

325.597.2152 • fax 325.597.2068 • <https://www.bradytx.us>

February 15, 2024

Lakeland Services, Inc.
279 County Road 160
Brady, TX 76825

RE: City of Brady
2024 Water Conservation and Drought Contingency Plan

To Whom It May Concern:

The City of Brady is seeking to update our current Water Conservation and Drought Contingency Plan, which was originally completed in 2012 and amended in 2014. This update is being completed in the form of a 2024 resubmission that complies with Texas Water Development Board requirements including matching rules of Texas Commission on Environmental Quality.

To this end, and on behalf of the City of Brady, transmitted herewith please find one (1) copy of the "City of Brady 2024 Water Conservation and Drought Contingency Plan". As a wholesale customer to the City's public water system, this Plan is submitted for your review and to provide you the opportunity for input in the preparation of this resubmission.

If you have any questions or would like to provide any comments, please feel free to contact me.

Sincerely,
CITY OF BRADY

Steven Miller
Director – Public Works

Enclosures

Attachment B

*Coordination with Region F
Water Planning Group*



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

325.597.2152 • fax 325.597.2068 • <https://www.bradytx.us>

February 14, 2024

Cole Walker, Chair
Region F Water Planning Group
Colorado River MWD
P.O. Box 869
Big Spring, Texas 79721-0869

via email cwalker@crmwd.org

re: City of Brady (McCulloch County)
2024 Water Conservation and Drought Contingency Plan

Mr. Walker,

The City of Brady is seeking to update our current Water Conservation and Drought Contingency Plan, which was originally completed in 2019. This update is being completed in the form of a 5-year renewal for 2024 submission that complies with Texas Water Development Board requirements including matching rules of Texas Commission on Environmental Quality.

To this end, and on behalf of the City of Brady, transmitted herewith please find one (1) copy of the draft "City of Brady 2024 Water Conservation and Drought Contingency Plan". As Chair of Region F Water Planning Group this WC&DCP is submitted for your review and to provide you with the opportunity for input in the preparation of this resubmission.

If you have any questions or would like to provide any comments, please feel free to contact me.

Sincerely,
CITY OF BRADY

A handwritten signature in blue ink, appearing to read "steve miller".

Steven Miller
Director – Public Works

Enclosures

PAGE 1 OF 1

Attachment C

Adoption Ordinance

Attachment D

*Drought Contingency Plan Trigger
Conditions & Response Measures*

TRIGGER CONDITIONS & RESPONSE MEASURES

LEVEL	TRIGGER CONDITIONS	RESPONSE MEASURES
AWARENESS	<ol style="list-style-type: none"> 1. Every April 1st, the City of Brady will post a public announcement to its customers. 2. Every September 30th, the City of Brady will post a public announcement to its customers. 	<ol style="list-style-type: none"> 1. This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be available all times on city's website.
MILD	<ol style="list-style-type: none"> 1. Average daily water consumption reaches 90% of average daily water consumption. 2. System storage tanks cannot be replenished for two consecutive days. 3. Two wells in the system become inoperable simultaneously. 4. Supply from raw water sources is diminished to 80% of consumption needs. 5. Drawdown from the Hickory Aquifer reaches 7 feet. 	<ol style="list-style-type: none"> 1. Inform public and major commercial users of trigger condition through the news media and encourage them to look for ways to voluntarily reduce water usage. 2. Activate an information center and discuss the situation in the local news media daily. 3. Implement voluntary daily lawn watering schedule where even/odd numbered street addresses water on previously specified days between hours of midnight-10:00 a.m. and 8:00 p.m. - midnight.

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LEVEL	TRIGGER CONDITIONS	RESPONSE MEASURES
MODERATE	<p>1. Average daily water consumption reaches 100% of municipal supply for three consecutive days.</p> <p>2. System storage tanks cannot be replenished for four consecutive days.</p> <p>3. Two wells in the system become inoperable simultaneously.</p> <p>4. Supply from raw water sources is diminished to 70% of consumption needs.</p> <p>5. Drawdown from the Hickory Aquifer reaches 7 feet.</p>	<p>1. Continue implementation of all relevant actions in preceding stage.</p> <p>2. Limit nonessential water usage such as street washing, water hydrant flushing, and athletic field watering, city parks and golf course.</p> <p>3. Limit residential car washing, window washing, and pavement washing unless a bucket is used.</p> <p>4. Impose mandatory lawn watering schedule where even/odd numbered street addresses water on previously specified days between the hours of 6:00 -8:00 a.m. and 8:00 - 10:00 p.m.</p> <p>5. Implement adjusted water rate fees.</p>
SEVERE	<p>1. Average daily water consumption reaches 110% of municipal supply for three consecutive days.</p> <p>2. Failure of storage tanks or other major system components which reduce the availability of water to less than 50% of the average daily usage or causes health or safety hazards.</p> <p>3. Two wells in the system become inoperable simultaneously.</p> <p>4. Supply from raw water sources is diminished to 60% of consumption needs.</p> <p>5. Drawdown from the Hickory Aquifer reaches 7 feet.</p>	<p>1. Maintain pertinent preceding stage actions.</p> <p>2. Forbid ALL outside water use except for public health protection or limited livestock watering.</p> <p>3. Consider adoption of an emergency ordinance to implement water rationing or surcharges for excessive water users.</p> <p>4. Require WSC's to partially fill tanks during the hours of 10:00 p.m. - 6:00 a.m. (as applicable).</p> <p>5. Implement adjusted water rate fees.</p>

Attachment E

TWDB Utility Profile Report - BRADY

(to be added)

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	04/02/2024			AGENDA ITEM	7.B.
AGENDA SUBJECT:	Discussion, consideration and possible action to approve Memorandum of Understanding “MOU” between the City of Brady and Brady Independent School District regarding responsibilities for girls’ softball field at Richards Park.				
PREPARED BY:	E. Corbell		Date Submitted:	03/01/2024	
EXHIBITS:	Memorandum of Understanding				
BUDGETARY IMPACT:	Required Expenditure:	\$00.00			
	Amount Budgeted:	\$00.00			
	Appropriation Required:	\$00.00			
CITY MANAGER APPROVAL:					
SUMMARY: <p>Council and staff have requested an MOU to outline responsibilities between both the City of Brady and the Brady Independent School District regarding the girls’ softball field at Richards Park.</p> <p>CM Corbell sent the following MOU to BISD Superintendent Hector Martinez on March 8, 2024, and received approval from the ISD on March 18, 2024.</p> <p>Council’s action represents formal approval of the MOU on behalf of the City.</p>					

RECOMMENDED ACTION:
Approve MOU as desired.

MEMORANDUM OF UNDERSTANDING BETWEEN BRADY ISD AND
THE CITY OF BRADY FOR THE MANAGEMENT OF RECREATION FIELDS

This Memorandum of Understanding ("MOU"), made and entered into this ____ day of _____, 202____, by and between the City of Brady, hereafter referred to as "CITY", and the Brady Independent School District, hereafter referred to as "DISTRICT", for the performance of activities described in this agreement.

RECITALS:

WHEREAS, the parties are mutually interested in supporting adequate programs and facilities for the community in the area of athletics and recreation; and

WHEREAS, it is understood that cooperative efforts can eliminate unnecessary duplication of services, reduce overall park and recreation costs, and can more effectively meet the educational, athletic, and recreational needs of the CITY and DISTRICT; and

WHEREAS, the CITY owns the recreational playing fields and the DISTRICT strives to provide ample athletic opportunities for students of the DISTRICT; and because it is in the best interest of the community and of both the CITY and DISTRICT to provide the best service possible to meet their respective obligations with the least expenditure of public funds and resources, cooperation between the CITY and DISTRICT is necessary and will benefit both organizations.

NOW THEREFORE,

Section 1- CONTACTS

Contacts between the agencies will be City Manager for the CITY and Superintendent for the DISTRICT.

Section 2- LOCATIONS COVERED BY THIS MEMORANDUM OF UNDERSTANDING

- Girls' Softball Field, Richards Park, Brady, TX 76825

Section 3- RESPONSIBILITIES OF DISTRICT

- Maintenance of grass, weeds, and pest control inside of the softball playing field.
- Maintenance of building structures such as press box, dugouts, and concession stand.
- Maintenance of softball field perimeter fence and scoreboard.

Section 4- RESPONSIBILITIES OF CITY

- Parking lot maintenance to include, but not limited to, upkeep of asphalt/dirt lots, trash removal and line painting.
- Trash cans will be cleaned out weekly or more often as needed.
- Maintain general liability coverage for liabilities normal assumed by the CITY arising out of the use of its properties, including recreational playing fields.
- Maintenance of grass, weeds and pest control outside of the playing field.

Section 5- ADDITIONAL RESPONSIBILITIES AND AGREEMENTS

- First priority for the use of the field designated in this agreement will be given to the DISTRICT.
- Other organizations, such as Brady Youth Sports Foundation, may use the field with proper coordination with the DISTRICT.
- Improvements requested by the DISTRICT requiring CITY expenditures in excess of \$500 will, in good effort, be requested prior to the CITY's annual budgeting process, no later than May 31.

Section 6- TERM OF AGREEMENT

- The Term of the Agreement shall be from _____, 202__ to _____, 202__.
- The CITY and DISTRICT may propose amendments to this MOU by August 31st of each year. Modifications may be made by mutual written consent.

Section 7- INSURANCE AND INDEMNIFICATION

- DISTRICT agrees to protect, defend, hold harmless, indemnify and defend the CITY, its officers, employees and agents from any cost, claims, judgments, awards or liability for damages arising out of or in any way resulting from the use, maintenance or operation of CITY-owned fields when such facilities are being, or have been used pursuant to a DISTRICT program or assignment contemplated by this MOU.

Section 8- AUTHORITY

- DISTRICT shall have no right or authority, express or implied, to take any action, expend any sum, incur any obligation or otherwise obligate the CITY in any manner whatsoever, except to the extent specifically provided in this MOU or specifically authorized by the Brady City Council as reflected in the minutes of a Council meeting.
- DISTRICT shall have no right or interest in any of the CITY's property as a result of the MOU.

Approved by:

Aaron Garcia, Mayor

Date

Hector Martinez, Superintendent

Date

CITY OF BRADY
MONTHLY FINANCIAL REPORT
AS OF: FEBRUARY 29TH, 2024

41.67% OF FISCAL YEAR

	CURRENT BUDGET	YEAR TO DATE ACTUAL	% TO DATE	YEAR TO DATE PRIOR YEAR
<hr/>				
BEGINNING FUND BALANCE &				
<hr/>				
NET WORKING CAPITAL	27,354,258.02	27,354,258.02		34,178,081.67
<hr/>				
<u>REVENUES</u>				
10 -GENERAL FUND	7,828,570.00	4,044,608.01	51.66	5,107,196.13
11 -GEN CONSTRUCTION FUND	0.00	0.00	0.00	0.00
20 -ELECTRIC FUND	8,011,600.00	3,482,444.71	43.47	3,152,440.69
30 -WATER / SEWER FUND	4,228,025.00	1,727,980.10	40.87	1,770,580.27
33 -WATER CONSTRUCTION FU	2,130,000.00	5,127.31	0.24	60,660.62
35 -WWTP CONSTRUCTION FUN	335,860.00	24,665.94	7.34	85,145.86
40 -GAS FUND	1,263,500.00	621,159.19	49.16	696,403.83
50 -UTILITY SUPPORT FUND	683,900.00	306,111.96	44.76	291,438.36
60 -SOLID WASTE FUND	1,421,000.00	626,631.33	44.10	627,865.49
61 -STREET SANITATION FUN	74,000.00	31,171.29	42.12	30,916.84
71 -EMPLOYEE BENEFITS TRU	1,116,452.00	422,673.87	37.86	0.00
80 -SPECIAL REVENUE FUND	1,238,510.00	214,258.68	17.30	867,356.41
81 -CEMETERY FUND	48,800.00	47,763.57	97.88	40,684.82
82 -HOTEL/MOTEL FUND	215,000.00	51,088.06	23.76	78,728.98
83 -SPECIAL PURPOSE FUND	<u>5,000.00</u>	<u>4,703.15</u>	<u>94.06</u>	<u>1,578.50</u>
TOTAL REVENUES	28,600,217.00	11,610,387.17	40.60	12,810,996.80
<hr/>				
<u>EXPENDITURES</u>				
10 -GENERAL FUND	9,062,239.00	3,563,245.82	39.32	3,337,981.97
11 -GEN CONSTRUCTION FUND	280,405.00	3,450.00	1.23	36,034.85
20 -ELECTRIC FUND	8,904,754.00	3,569,125.03	40.08	3,270,068.07
30 -WATER / SEWER FUND	6,818,119.00	2,019,396.67	29.62	1,217,119.20
33 -WATER CONSTRUCTION FU	5,794,006.00	245,583.95	4.24	2,776,851.99
35 -WWTP CONSTRUCTION FUN	4,131,529.00	1,010,731.02	24.46	2,606,172.82
40 -GAS FUND	1,317,022.00	581,011.83	44.12	665,861.62
50 -UTILITY SUPPORT FUND	673,480.00	299,943.31	44.54	328,625.46
60 -SOLID WASTE FUND	1,719,834.00	753,490.50	43.81	559,683.56
61 -STREET SANITATION FUN	95,302.00	35,781.71	37.55	41,925.19
71 -EMPLOYEE BENEFITS TRU	1,116,252.00	385,286.01	34.52	0.00
80 -SPECIAL REVENUE FUND	1,352,692.00	237,093.87	17.53	865,812.23
81 -CEMETERY FUND	68,529.00	24,976.43	36.45	22,304.55
82 -HOTEL/MOTEL FUND	229,250.00	51,533.66	22.48	62,591.23
83 -SPECIAL PURPOSE FUND	<u>17,500.00</u>	<u>3,500.00</u>	<u>20.00</u>	<u>1,523.03</u>
TOTAL EXPENDITURES	41,580,913.00	12,784,149.81	30.75	15,792,555.77
<hr/>				
REVENUES OVER/(UNDER) EXPENDITURES	(12,980,696.00)	(1,173,762.64)		(2,981,558.97)
<hr/>				
ENDING FUND BALANCE &				
NET WORKING CAPITAL	14,373,562.02	26,180,495.38		31,196,522.70

RECONCILED OPERATING CASH / TOTAL UTILITY BILLINGS

Fiscal Year 23-24

1171 - Brady, City of (General Obligation Debt)

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

The charts below contain sales tax revenue allocated each month by the Texas State Comptroller. Please contact and search the Texas Comptroller's website if you notice an incorrect amount.

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

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

- View Grid Based on Calendar Year
- View Grid With All Years

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Change Fiscal Year End		Fiscal Year 2024 Allocations											
Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2024	\$118,274	\$116,627	\$117,448	\$122,243	\$126,783	\$97,786	\$0	\$0	\$0	\$0	\$0	\$0	\$699,160
2023	\$107,497	\$116,442	\$105,580	\$106,567	\$132,732	\$99,941	\$96,330	\$115,788	\$104,149	\$114,704	\$148,466	\$142,660	\$1,390,855
2022	\$100,659	\$110,547	\$110,670	\$112,512	\$119,933	\$89,202	\$90,754	\$118,313	\$104,559	\$106,126	\$118,753	\$109,179	\$1,291,207
2021	\$97,505	\$102,843	\$95,512	\$100,910	\$118,480	\$88,588	\$85,665	\$131,540	\$107,199	\$106,167	\$115,244	\$102,302	\$1,251,954
2020	\$94,161	\$95,033	\$98,358	\$107,077	\$114,736	\$90,220	\$86,583	\$101,797	\$101,393	\$109,646	\$105,702	\$97,317	\$1,202,025
2019	\$108,700	\$97,871	\$99,563	\$102,849	\$102,877	\$97,257	\$96,793	\$108,828	\$94,204	\$91,085	\$99,315	\$87,187	\$1,186,530
2018	\$101,224	\$103,733	\$112,475	\$107,463	\$108,139	\$94,294	\$88,618	\$106,428	\$105,435	\$94,199	\$103,004	\$98,016	\$1,223,027
2017	\$87,306	\$91,161	\$89,413	\$100,033	\$109,289	\$86,358	\$97,988	\$101,730	\$86,536	\$97,051	\$103,953	\$100,236	\$1,151,056
2016	\$143,834	\$112,101	\$107,933	\$98,515	\$113,278	\$84,869	\$85,238	\$96,257	\$81,982	\$80,944	\$94,673	\$85,349	\$1,184,973
2015	\$113,438	\$115,026	\$128,575	\$118,282	\$127,008	\$90,659	\$99,414	\$119,166	\$107,160	\$99,436	\$107,394	\$106,966	\$1,332,523
2014	\$86,905	\$90,223	\$83,575	\$87,608	\$114,999	\$83,194	\$86,383	\$103,052	\$119,190	\$96,615	\$101,343	\$109,279	\$1,162,366
2013	\$81,575	\$84,095	\$78,857	\$88,594	\$108,399	\$69,954	\$76,038	\$92,661	\$84,448	\$82,176	\$91,353	\$87,852	\$1,026,002
2012	\$76,182	\$79,173	\$73,628	\$81,661	\$100,901	\$64,794	\$79,473	\$88,392	\$76,641	\$60,890	\$87,159	\$105,230	\$974,124
2011	\$78,998	\$93,104	\$65,476	\$83,507	\$93,953	\$70,399	\$72,121	\$81,841	\$76,174	\$71,819	\$84,522	\$71,003	\$942,918
2010	\$70,849	\$72,537	\$66,287	\$69,364	\$86,286	\$70,868	\$54,779	\$73,192	\$69,685	\$64,455	\$93,443	\$58,872	\$850,618

**CITY OF BRADY
CITY COUNCIL CORRESPONDENCE**

TO: **MAYOR AND COUNCIL**

FROM: **FINANCE / UTILITY DEPARTMENTS**

SUBJECT: **MONTHLY CUSTOMER SERVICE REPORT**

DATE: **February 29, 2024**

SERVICE ORDER REPORT FY 23-24