

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

MAY 7, 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. May 7, 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 April 16, 2024.

5. PRESENTATIONS

- Lead Copper Rule – Steven Miller

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 **second and final reading of Ordinance 1375** of the City of Brady, Texas granting a zoning change from Single Family Residential (SF) to Manufactured Home District (MH) for the Dodge Heights Subdivision located at Brady Lake.
- B. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1378** of the City of Brady, Texas to amend the FY2024 Budget for municipal purposes.
- C. Discussion, consideration and possible action regarding Resolution 2024-010 to Canvass the May 4, 2024 City of Brady General Election for Mayor and City Council Place 1 and Special Election for Charter amendments and sale of the City's Natural Gas Utility Distribution System.
- D. Recognition of outgoing Mayor Aaron Garcia and City Council Member Larry Land. (Council will take a brief recess)
- E. Administer Oath of Office and swearing in of newly elected officers Mayor Anthony Groves and City Council Place 1
- F. Discussion, consideration and possible action to elect Mayor Pro Tem.
- G. Discussion, consideration and possible action to award the purchase for a 2024 John Deere 320 2-WD Rubber Tire Backhoe to Yellowhouse Machinery Co., San Angelo, TX in the amount of \$128,595.72
- H. Discussion regarding Brady Golf Course Water Well and presentation by Tim Walker – as requested by Council Members Moreno and Gomez
- I. Update from EDC Director Daniel Mendoza on current status of EDC loans.

8. STAFF REPORTS

A. Upcoming Special Events/Meetings:

May 21	Regular City Council Meeting, 6:00 p.m.
May 27	Memorial Day, City Offices Closed, Altered Trash Schedule
June 4	Regular City Council Meeting, 6:00 p.m.
June 4	HAPPY BIRTHDAY FELIX GOMEZ
June 18	Regular City Council Meeting, 6:00 p.m.

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 April 16, 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 Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Randy Batten, Municipal Court Judge J.T. Owens, City Attorney Sharon Hicks and City Secretary Tina Keys. Also in attendance were James Griffin, Annita Ellison, Rich Jolliff, Mark Mayfield, Daniel Mendoza, Charles Bush, R.S. Bush, Chris Martin and Tony Groves.

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

There were no public comments.

4. CONSENT AGENDA

- A. Approval of Minutes for Joint Work Session Meeting on April 1, 2024 and Work Session and Regular Session Meetings on April 2, 2024

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

5. PRESENTATIONS:

- Second Quarter Financial Report – FY 24 – Lisa McElrath presented to council

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

- A Public Hearing to receive comments from the public regarding request for a zoning change from Single-Family Residential District to Manufactured Home District for Dodge Heights Subdivision.

Public Hearing was opened at 6:13 p.m. There were no public comments. Public Hearing was closed at 6:14 p.m.

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding the **second and final 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. Steven Miller presented. Council Member Gomez moved to approve the second and final reading of Ordinance 1377. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- B. Discussion, consideration and possible action regarding the **first reading of Ordinance 1378** of the City of Brady, Texas to amend the FY2024 Budget for municipal purposes. Erin Corbell presented. Council Member

Elliston moved to approve the first reading of Ordinance 1378. Seconded by Council Member Gomez. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

- C. Discussion, consideration and possible action regarding the **first reading of Ordinance 1375** of the City of Brady, Texas granting a zoning change from Single Family Residential (SF) to Manufactured Home District (MH) for the Dodge Heights Subdivision located at Brady Lake. Erin Corbell presented. Council Member Elliston moved to approve the first reading of Ordinance 1375. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action regarding approval of Resolution 2024-008 supporting the Affordable Housing Program application for 218 Lynn Gavit. Erin Corbell introduced Mark Mayfield who presented to council. Mr. Mayfield said they would be rehabbing the outside and inside as well as bringing up to ADA compliant. Council Member Sutton asked if the people have to move out. Mr. Mayfield said they would move them to a hotel for approximately 2 weeks. Council Member Elliston moved to approve Resolution 2024-008. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- E. Discussion, consideration and possible action approving Resolution 2024-009 regarding the delegation of authority to the Finance Director to select, engage, and move City funds relating to Texas Water Development Board financing to an Escrow Bank other than the Escrow Bank currently maintaining such accounts and to negotiate and execute all documents as necessary to effectuate such engagement of an Escrow Bank and transfer of such funds. Lisa McElrath presented. Council Member Elliston moved to approve Resolution 2024-009. Seconded by Council Member Gomez. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- F. 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. Council Member Moreno moved to approve agreement. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- G. Discussion, consideration and possible action approving road closure request from Brady/McCulloch County Chamber of Commerce for Cinco de Mayo dance. Erin Corbell presented and Daniel Mendoza also provided input. Council Member Elliston moved to approve street closure. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- H. Discussion, consideration and possible action approving bid to replace the current air conditioning units at Brady Police Department. Erin Corbell presented. Council Member Elliston asked if the high bid includes reworking everything that the facility needs. Council Member Moreno said all of the facilities are going to be new, this facility needs new duct work. JT Owens with Owens Electric said Duncan wants to turn the entire room into a mechanical room rather than have it half mechanical, half storage. Remodeling may not be where that mechanical room needs to be set up. This is a lot for that building where there is a potential to have to re-do the whole thing. He doesn’t think we’re comparing apples to apples. Duncan quoted a commercial unit. Mayor Garcia moved to move item to executive session. Seconded by Council Member Elliston. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.
- I. Discussion regarding April 8, 2024 eclipse. Mayor Garcia said kudos to city for their great job: city crews did an amazing job and Chief Batten’s guys did amazing. Daniel Mendoza said they had a really good turnout. There were a lot of people everywhere. The flags on the square were great. We had a really good view.

Council Member Moreno asked about hotels and motels. Mr. Mendoza said those figures won't come out for 2 months. Erin Corbell said Richards Park on the 7th was at 100% occupancy and 82% overnight on the 8th. Lake was at 91.75% and 79% on the 8th. Mr. Mendoza said they had a lot of people from San Angelo and Abilene who were here for just a day trip. They heard people wanted to come see it then leave. Chief Batten said they were busy that day not necessarily due to the eclipse. They made sure the safety of the roadways were a priority. Council Member Moreno said the library was packed the whole day. Rich Jolliff said he was at the airport and they planned on a lot of people but the weather kept some away. One guy with the FAA in San Angelo was there. It was a great moment. There was a lot of people going to San Saba but they had 5 or 6 new planes they haven't seen before. He appreciates the airport doing everything they did. Council Member Gomez said kudos to Erin Corbell for preparation. It was exciting. City crews were picking up and cleaning up on bridge street. Police and fire were present throughout town. It was our time to shine. We should continue to have that sense of pride. Erin Corbell said the crews did a fantastic job. It felt like we might have over prepared. Tina has been pushing communication with the citizens and provided information. Crews did a really great job and got a lot of compliments. Council Member Moreno had the idea about flags on Memory Lane. Council Member Sutton asked for a report on the taxes for those few days. Erin Corbell said it takes 2 months for sales tax and 3 months for HOT.

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:

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.
May 21	Regular City Council Meeting, 6:00 p.m.
May 27	Memorial Day, City Offices Closed, Altered Trash Schedule

9. ANNOUNCEMENTS

James Griffin said he follows the sales tax and for the first time in the last reporting month we broke \$100,000 for the very first time. He thinks we will see a significant increase in 2 months.

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 551.072 (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 Department

- 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: Annual performance evaluation for City Manager and Municipal Court Judge

Regular session was recessed at 7:07 p.m. Executive Session was opened at 7:15 p.m. and closed at 8:43 p.m. Regular session reconvened at that time

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

The Council discussed the equipment referenced in the bids. Council Member Land asked which bid was for the American Standard unit, because that brand was preferred over the equipment offered by the low bid. Staff confirmed that Owens had bid the American Standard unit. Council Member Land moved to approve bid from Owens Electric Heating & Air for police department air conditioner. The motion was seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

12. ADJOURNMENT

There being no further business, Mayor Garcia adjourned the meeting at 8:48 p.m.

Aaron Garcia, Mayor

Attest: _____
Tina Keys, City Secretary



USEPA – LEAD COPPER RULE



US EPA - LEAD COPPER RULE REVISIONS (LCRR)
DECEMBER 16, 2021 (ESTABLISHED THE LSLI)

REQUIREMENT – LEAD SERVICE LINE INVENTORY
OCTOBER 16, 2024

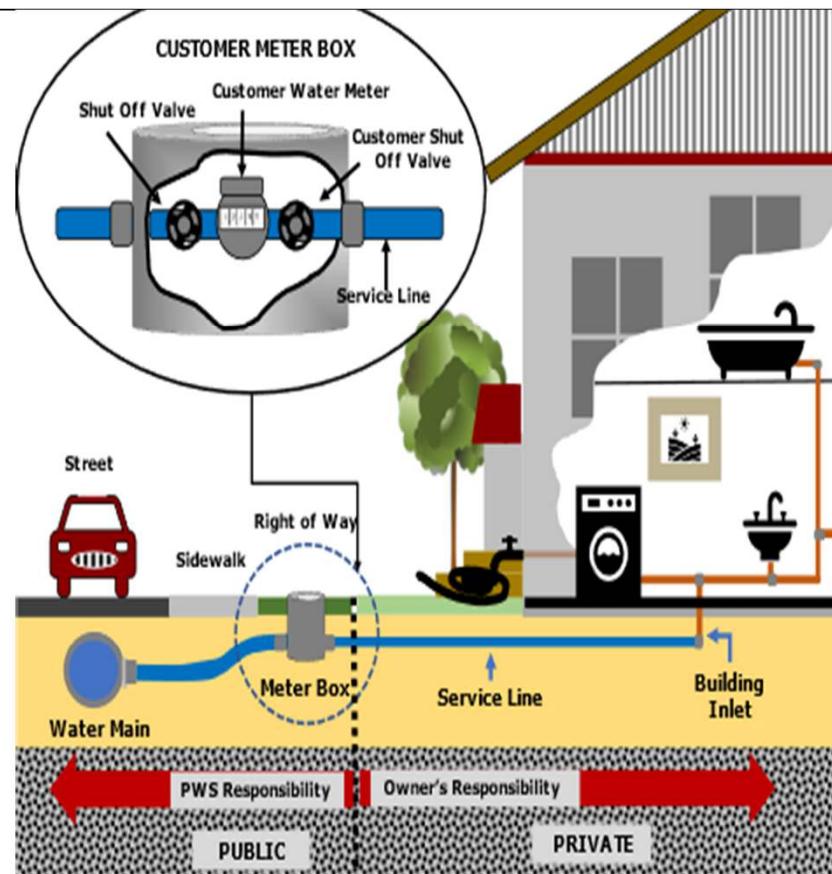
US EPA – LEAD AND COPPER RULE IMPROVEMENTS (LCRI)
NOVEMBER 30, 2023 (ESTABLISHES 10YR REPLACEMENT)



SERVICE LINE INVENTORIES

OCTOBER 16, 2024

- Inventories must include the following:
 - All service lines (public and private) connected to the public water distribution system.
 - Categorization of each service line, or portion of the service line where ownership is split.
 - Inventory completed based on best available data records



INVENTORY

Service Line Material Classification	Definition	Total Number of Service Lines (REQUIRED to be reported under the LCRR) ^x
Lead	Any portion of the service line is known to be made of lead. ²	0
Galvanized Requiring Replacement (GRR)	The service line is not made of lead, but a portion is galvanized and the system is unable to demonstrate that the galvanized line was never downstream of a lead service line.	2,296
Non-Lead	All portions of the service line are known NOT to be lead or GRR through an evidence-based record, method, or technique.	587
Lead Status Unknown	The service line material is not known to be lead or GRR. For the entire service line or a portion of it (in cases of split ownership), there is not enough evidence to support material classification.	44
	TOTAL	2,927



LEAD SERVICE LINE REPLACEMENT - TWDB PROPOSED FUNDING APPLICATION - \$5,234,693.00

- \$2,535,000 TEXAS COMBINATION TAX AND SURPLUS WATERWORKS AND SEWER SYSTEM REVENUE CERTIFICATES OF OBLIGATION, PROPOSED SERIES 2024A
- \$30,000 TEXAS COMBINATION TAX AND SURPLUS WATERWORKS AND SEWER SYSTEM REVENUE CERTIFICATES OF OBLIGATION, PROPOSED SERIES 2024B
- \$2,669,693 IN PRINCIPAL FORGIVENESS

LEAD SERVICE LINE REPLACEMENT - PROJECT #62992 LSLR, BUDGET SUMMARY

BUDGET ITEMS	DESCRIPTION	TWDB FUNDS
CONSTRUCTION	LSLR	\$4,000,000
BASIC ENGINEERING SERVICES		\$200,000
SPECIAL SERVICES	INVENTORY	\$61,224
FISCAL SERVICES		\$144,654
CONTINGENCY		<u>\$828,815</u>
TOTAL		\$5,234,693



DISCUSSION POINTS:

1. DELAY RESPONSE TO LCRI, 10YRs
2. CITY OF BRADY IS EDAP QUALIFIED, I.E. LOAN FORGIVENESS
3. FUTURE TWDB EDAP FUNDING VARIES
4. THIS PROJECT IS ENVISIONED AS A MULTI-YEAR EFFORT

City Council
City of Brady, Texas

Agenda Action Form for Ordinance

AGENDA DATE:	05/07/2024	AGENDA ITEM	7.A.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding the second and final reading of Ordinance 1375 of the City of Brady, Texas granting a zoning change from Single Family Residential (SF) to Manufactured Home District (MH) for the Dodge Heights Subdivision located at Brady Lake.		
PREPARED BY:	E. Corbell	Date Submitted:	4/29/2024
EXHIBITS:	Ordinance 1375 Zoning Application and Packet		
BUDGETARY IMPACT:	Required Expenditure:	0.00	
	Amount Budgeted:	0.00	
	Appropriation Required:	0.00	
CITY MANAGER APPROVAL:			

SUMMARY:

Council, staff and residents of Dodge Heights have communicated an interest in returning Dodge Heights to a Manufactured Home District since the majority of the leased lots have been sold to the leaseholders of the properties.

The City published the proper notice for properties located in the Dodge Heights Subdivision, Brady Texas, for the purpose to rezone and gave proper notice to all property owners within 200 feet.

Planning and Zoning held a meeting and public hearing on April 9, 2024, for the purpose of rezoning. There were no comments against rezoning the subdivision to Manufactured Home, and the Commissioners of P&Z approved rezoning Dodge Heights.

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 **second and final** reading of Ordinance 1375

ORDINANCE NO. 1375

AN ORDINANCE OF THE CITY OF BRADY, TEXAS, GRANTING A ZONING CHANGE FROM SINGLE-FAILY RESIDENTIAL DISTRICT TO MANUFACTURED HOME DISTRICT FOR PROPERTIES LOCATED IN THE DODGE HEIGHTS SUBDIVISION.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers the City of Brady, Texas to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, Chapter 14 of the Brady Code of Ordinances constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the City has requested a zoning change to Manufactured Home District, and

WHEREAS, the Planning and Zoning Commission of the City provided adequate notice and held a public hearing on April 9, 2024, in accordance with the Brady Code of Ordinances and Chapter 211 of the Texas Local Government Code; and

WHEREAS, the Planning and Zoning Commission of the City recommended approving the zoning change of the designated property and confirmed that the zoning change is uniform and does conform to the plan design of the City's Zoning regulations; and

WHEREAS, the City Council believes the zoning change will not adversely affect the character of the area of the neighborhood in which it is proposed; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City;

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

A Zoning Change from Single-Family Residential District to Manufactured Home District is granted for properties located in the Dodge Heights Subdivision.

PASSED AND APPROVED on its First Reading on this _____ day of _____ 2024.

PASSED AND APPROVED on its Second reading this _____ day of _____ 2024.

Aaron Garcia, Mayor

ATTEST:

Tina Keys, City Secretary

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

AGENDA DATE:	05/07/2024	AGENDA ITEM	7.B.
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding second and final reading of Ordinance 1378 of the City of Brady, Texas, to amend the FY2024 Budget for municipal purposes.		
PREPARED BY:	Erin Corbell / Lisa McElrath	Date Submitted:	4-5-24
EXHIBITS:	Ordinance 1378 Exhibit A – Amendment Summary Bid Tabulation Sheet – Dump Truck Fund Balance Compliance Report		
BUDGETARY IMPACT:	Required Expenditure:	\$.00	
	Amount Budgeted:	\$.00	
	Appropriation Required:	\$.00	
CITY MANAGER APPROVAL:			

SUMMARY:
The General Fund depicts a little over \$1,000,000 in excess funds over the minimum requirements when comparing the beginning audited fund balance to FY 2024 budget projections.
Staff is recommending transferring \$1,000,000 from the General Fund to the General Construction Fund to add to fund balance that can be utilized for the construction phase of the future Police and Fire/EMS stations.
The Water Division received 4 bids for a dump truck that was funded at \$90,000 in the FY 24 budget cycle. However, bids for a 2WD backhoe exceeded the approved budget funding by \$38,500 or more. This truck is to replace a 30-year-old truck currently used for excavating, backfilling and clearing work areas after utility repairs. It is also a back up unit for all other divisions. Because the Water Division has not been at full staff for some time, there are excess funds available in payroll and insurance budgets to cover the additional cost. Due to the essential nature of this vehicle, staff would like to utilize these excess funds to purchase the truck.
The Police Department has received six bids to replace the air conditioning units at the Brady Police Department. The current units have been pieced together over the last several years and no longer function. The bids range from \$13,600 replacement of current units to a \$32,449 bid to rework the duct work, replace refrigerant line sets, repair of outside air set up, and repairing line set for other system for a two stage heating and cooling system to better serve the building. If the Police Department is going to remain in the current location, it is recommended that council look at bids that modify the current system to be more appropriate for the layout of the building and flow of air. Because the Police Department has not been at full staff, there are excess funds available in payroll and insurance budgets to cover the additional cost.
Additionally:
Interest earnings are significantly more than projected as the Federal Reserve continues to hold interest rates at the 5% plus range. The City's rate of earnings is tied to the 13-week T-Bill rate plus 0.25 basis points. As of March 31st, the rate of interest on the City's cash accounts was 5.50%, and interest earnings have fully met the current projections.

Staff would like to recognize that total interest revenue sources are likely to be \$467,000 more than originally budgeted to more closely project ending fund balances for FY 2024.

RECOMMENDED ACTION:

Mayor will ask: “Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter.” (City Secretary reads preamble)

Mayor calls for a Motion: Do I have a Motion to approve the second and final reading of **Ordinance 1378?**

ORDINANCE NO. 1378

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE FISCAL
YEAR 2023-2024 BUDGET FOR MUNICIPAL PURPOSES:**

An ordinance amending the 2023-2024 Fiscal Year Budget as follows for municipal purposes:

Transfer excess reserves from the General Fund (10) to General Construction Fund (11) to construct Fire/EMS and Police station improvements, provide funds to replace the heating/cooling unit at the Police station and provide additional funds for a dump truck purchase to be used for daily utility service work - detailed by Fund and Division in Exhibit A, attached.

WHEREAS: The City of Brady City Council desires to fund improvements to existing structures to support public safety facilities, and

WHEREAS: The City Council recognizes that General fund balance exceeds minimum required levels; and

WHEREAS: The approved Fund Balance Policy permits the use of excess fund balance for capital expenditures; and

WHEREAS: The council supports the need to replace certain equipment at city facilities; and

WHEREAS: The council supports the need to maintain appropriate heavy equipment for utility service work;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BRADY TEXAS** that the FY 2023-2024 budget be amended accordingly.

APPROVED UPON FIRST READING THIS THE 16th DAY OF APRIL 2024,

APPROVED AND PASSED UPON SECOND READING THIS THE 7th DAY OF MAY 2024.

Aaron Garcia, Mayor

ATTEST: _____
Tina Keys, City Secretary

CITY OF BRADY
Ordinance 1378 - EXHIBIT A
Budget - FY 24 Amendment Summary
4-16-2024 First reading

REVENUES

EXPENDITURES

<u>REQUEST</u>	<u>AMOUNT</u> INC/(DEC)	<u>BUDGET NUMBER</u>	<u>BUDGET DESCRIPTION</u>	<u>AMENDED BUDGET</u>
GENERAL FUND -10				
Transfers out to Fund 11 General Construction	\$ 1,000,000	10-5-01-910.11	Transfers out	\$ 1,000,000
Transfer available funds to Capital	\$ (16,300)	10-5-08-101.00	Payroll	\$ 747,574
Transfer available funds to Capital	\$ (16,300)	10-5-08-110.00	Insurance	\$ 144,140
Provide funding for AC unit replacement	\$ 32,600	10-5-08-402.00	Capital Equipment/Vehicle	\$ 132,600
Draw down on Fund Balance	<u>\$ 1,000,000</u>			
<hr/>				
GENERAL CONSTRUCTION FUND - 11				
Funding for future Police, Fire/EMS stations	\$ 1,000,000	11-4-28-910.10	Transfers in	\$ 1,000,000
Add to Fund Balance	<u>\$ 1,000,000</u>			
<hr/>				
WATER / SEWER FUND - 30				
Transfer available funds to Capital	\$ (19,300)	30-5-31-101.00	Payroll	\$ 211,639
Transfer available funds to Capital	\$ (19,300)	30-5-31-110.00	Insurance	\$ 38,000
Provide additional funding for a Dump Truck	\$ 38,600	30-5-31-402.00	Capital Equipment/Vehicle	\$ 128,600
No impact on Fund Balance	<u>\$ -</u>			
<hr/>				
REVENUE SOURCES ONLY				
Interest income is significantly more than expected				
GENERAL FUND	\$ 125,000	10-4-01-898.00	Interest Income	\$ 275,000
ELECTRIC FUND	\$ 110,000	20-4-22-898.00	Interest Income	\$ 245,000
SEWER FUND	\$ 75,000	30-4-23-898.00	Interest Income	\$ 165,000
WATER FUND	\$ 80,000	30-4-31-898.00	Interest Income	\$ 175,000
GAS FUND	\$ 13,000	40-4-42-898.00	Interest Income	\$ 28,000
UTILITY SUPPORT FUND	\$ 22,000	50-4-50-898.00	Interest Income	\$ 52,000
SOLID WASTE FUND	\$ 42,000	60-4-14-898.00	Interest Income	\$ 92,000
	<u>\$ 467,000</u>			

EXHIBIT 4

BID TABULATION SHEET

CITY OF BRADY

(TO BE ATTACHED TO PURCHASE ORDER FORM)

Division: Water

Account: 30-5-31-402.00

Date: 03/27/2024

DESCRIPTION OF ITEM TO BE PURCHASED	
2WD Backhoe/Loader Heavy Equipment	

LOW BID	DESCRIPTION OF QUOTED ITEM(S)	VENDOR	CONTACT PERSON	PHONE #	TOTAL PRICE QUOTED
1	2024 John Deere 320-P Tier 2WD Backhoe Loader	Yellowhouse Machinery Co 5550 Link Rd San Angelo, TX 76904	Len Slaughter	325-249-4339	\$ 128,595.72
2	2024 JCB 3CX 14 Super 109hp 2WD Backhoe Loader	Cisco Equipment 620 N Bell St San Angelo, TX 76903	Marty Behrens	325-234-4703	\$ 134,855.00
3	2024 Warren Cat 416 AE4 4WD Backhoe Loader	Warren Cat 1170 TX-306 Loop San Angelo, TX 76905	Jamey West	325-226-0655	\$ 126,458.57
4	2024 Warren Cat 420 AE4 4WD Backhoe Loader	Warren Cat 1170 TX-306 Loop San Angelo, TX 76905	Jamey West	325-226-0655	\$ 138,119.63

PLEASE JUSTIFY BELOW IF LOW BID IS NOT SELECTED

Lowest bid was for a 4WD model backhoe and not a 2WD model backhoe. The 4WD is not made to be driven and transported on the road in the manner the water division utilizes and transports the loader.

I, the undersigned, attest that I received the above quotes for purchase of the item(s) described above and request authorization to purchase said item(s) from the vendor designated as low bid meeting specification(s).


4-8-24
Department Approval
J. Johnson


Purchasing Agent Approval
T. Morris

FY 24 PROJECTED ENDING FUND BALANCE ADEQUACY

TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
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GENERAL FUND - 10

BEGINNING FUND BALANCE 9-30-23 audited			\$4,739,629
FY 24 Current Budget	\$7,828,570	\$9,062,239	(\$1,233,669)
ENDING FUND BALANCE - 9-30-24			\$3,505,960
Restricted -ESTIMATE for airport fuel inventory			(\$19,763)
ENDING FUND BALANCE - Unrestricted 9-30-24			\$3,486,197
Number of days to operating expenditures			155
Excess funds available			\$1,460,132

Current budgeted expenditures FY 24	\$9,062,239
Less capital expenditures	(\$845,420)
Net Operating Expenditures	\$8,216,819
Mimimum level Fund Balance required	\$2,026,065 90 days

ELECTRIC FUND - 20

BEGINNING FUND BALANCE 9-30-23 audited			\$4,782,931
FY 24 Current Budget	\$8,011,600	\$8,904,754	(\$893,154)
ENDING FUND BALANCE - Unrestricted 9-30-24			\$3,889,777
Number of days to operating expenditures			171
Excess funds available			\$473,782

Current budgeted expenditures FY 24	\$8,904,754
Less capital expenditures	(\$592,500)
Operating Expenditures	\$8,312,254
Mimimum level Fund Balance required	\$3,415,995 150 days

WATER / SEWER FUND - 30

BEGINNING FUND BALANCE 9-30-23 audited			\$6,513,293
FY 24 Current Budget	\$4,228,025	\$6,818,119	(\$2,590,094)
ENDING FUND BALANCE			\$3,923,199
Restricted -ESTIMATE for debt service and TWDB commitment			(\$404,232)
ENDING FUND BALANCE - Unrestricted 9-30-24			\$3,518,967

Number of days to operating expenditures	296
Excess funds available	\$1,382,049

Current budgeted expenditures FY 24	\$6,818,119
Less capital expenditures	(\$2,484,925)
Operating Expenditures	\$4,333,194
Mimimum level Fund Balance required	\$2,136,918 180 days

GAS FUND - 40

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FY 24 PROJECTED ENDING FUND BALANCE ADEQUACY		TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
BEGINNING FUND BALANCE 9-30-23 audited				\$515,062
FY 24 Current Budget		\$1,263,500	\$1,317,022	(\$53,522)
ENDING FUND BALANCE - Unrestricted 9-30-24				\$461,540
Number of days to operating expenditures				128
Excess funds available				\$28,546
Current budgeted expenditures FY 24		\$1,317,022		
Less capital expenditures		\$0		
Operating Expenditures		\$1,317,022		
Mimimum level Fund Balance required		\$432,994	120 days	
<hr/>				
UTILITY SUPPORT FUND - 50				
BEGINNING FUND BALANCE 9-30-23 audited				\$218,898
FY 24 Current Budget		\$683,900	\$673,480	\$10,420
ENDING FUND BALANCE - Unrestricted 9-30-24				\$229,318
Number of days to operating expenditures				127
Excess funds available				\$67,446
Current budgeted expenditures FY 24		\$673,480		
Less capital expenditures		(\$17,000)		
Operating Expenditures		\$656,480		
Mimimum level Fund Balance required		\$161,872	90 days	
<hr/>				
SOLID WASTE FUND - 60				
BEGINNING FUND BALANCE 9-30-23 audited				\$1,024,540
FY 24 Current Budget		\$1,421,000	\$1,719,834	(\$298,834)
ENDING FUND BALANCE - Unrestricted 9-30-24				\$725,706
Number of days to operating expenditures				175
Excess funds available				\$352,562
Current budgeted expenditures FY 24		\$1,719,834		
Less capital expenditures		(\$206,527)		
Operating Expenditures		\$1,513,307		
Mimimum level Fund Balance required		\$373,144	90 days	
<hr/>				

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	05/07/2024	AGENDA ITEM	7.C.
AGENDA SUBJECT:	Discussion, consideration and possible action regarding Resolution 2024-010 to Canvass the May 4, 2024 City of Brady General Election for Mayor and City Council Place 1 and Special Election for Charter amendments and sale of City's Natural Gas Utility Distribution System.		
PREPARED BY:	Tina Keys	Date Submitted:	04/30/2024
EXHIBITS:	Resolution 2024-010 Unofficial Election Results		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

As the General and Special Elections were held by the City of Brady on May 4, 2024 and that Election requires Canvassing before the results become official, this Resolution has been presented along with Unofficial results for Council's consideration.

RECOMMENDED ACTION:

Approve Resolution 2024-010 a Resolution of the City Council of the City of Brady, TX declaring the results of the May 4, 2024 elections official.

RESOLUTION AND ORDER NO. 2024-010

A RESOLUTION AND ORDER OF THE CITY OF BRADY, TEXAS CANVASSING RETURNS AND DECLARING THE RESULTS OF A GENERAL ELECTION HELD ON MAY 4, 2024, FOR CITY OF BRADY MAYOR AND CITY COUNCIL PLACE 1 AND A SPECIAL ELECTION HELD ON MAY 4, 2024 FOR PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF BRADY, AND AUTHORIZING THE SALE OF THE CITY'S NATURAL GAS UTILITY DISTRIBUTION SYSTEM AND CONTAINING OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSES HEREOF, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Brady, duly authorized a general election to be held within the City of Brady, Texas (the "City") on May 4, 2024, for the purpose of electing a Mayor and City Council, Place 1 and

WHEREAS, the City Council of the City of Brady, duly authorized a special election to be held within the City of Brady, Texas (the "City") on May 4, 2024, for the purpose of submitting to the resident qualified electors of the City the propositions hereinafter set forth; and

WHEREAS, this City Council has investigated all matters pertaining to said general election and special election; and

WHEREAS, the election officer who held said elections has duly made the returns of the results thereof, and said returns have been duly delivered to the City Council; and

WHEREAS, it is officially found and determined that the said elections were duly ordered, that proper notice thereof was duly given, that proper election officers were duly appointed prior to said elections, that said elections were duly and lawfully held, that due returns of the results of said elections have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the Ordinance calling said election.

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

SECTION 1.

Findings. The statements contained in the preamble of this Resolution and Order are true and correct and are adopted as findings of fact and operative provisions hereof.

SECTION 2.

General Election Votes Cast. It is further officially found and determined that the following votes were cast at said general election on the submitted propositions by the resident qualified electors of the City who voted at said election by 215 valid and legal voters:

Mayor: Anthony Groves – Unopposed

Council Member Place 1:

	Chris Martin	Terry Phillips
Early Voting	29	79
Election Day	44	60
Total	73	139

As a result of said election, and in conformity with law, Anthony Groves was elected Mayor and Terry Phillips was elected to City Council, Place 1.

SECTION 3.

Special Election Votes Cast. It is further officially found and determined that the following votes were cast at said special election on the submitted propositions by the resident qualified electors of the City who voted at said election:

Proposition A (Propuesta A)

Amendments to the City Charter eliminating those provisions which are repetitive of state law?
(Deberán enmendarse los Estatutos de la Ciudad a fin de eliminar aquellas disposiciones reiterativas de la legislación estatal)

	FOR	AGAINST
EARLY VOTING	89	17
ELECTION DAY	84	20
TOTAL	173	37

Proposition B (Propuesta B)

Amendments to the City Charter revising and deleting provisions for consistency with State law?
(Deberán enmendarse los Estatutos de la Ciudad para revisar y eliminar disposiciones a fin de que sean consistentes con la legislación estatal)

	FOR	AGAINST
EARLY VOTING	85	16
ELECTION DAY	83	21
TOTAL	168	37

Proposition C (Propuesta C)

Amendments to the City Charter revising the requirements for initiative, referendum and recall from a percentage of those who voted in the last election to a percentage of the number of qualified voters registered to vote at the last general City election?

(Deberán enmendarse los Estatutos de la Ciudad a fin de revisar los requerimientos de iniciativa, referéndum y el retiro de un porcentaje de quienes votaron en la última elección reemplazándolo por un porcentaje del número de votantes calificados registrados para votar en la última elección general de la Ciudad)

	FOR	AGAINST
EARLY VOTING	61	40
ELECTION DAY	48	56
TOTAL	109	96

Proposition D (Propuesta D)

Shall Section 7.02 of the City Charter be amended to add no person may resign from their current City Council seat and run in an election during their unexpired term? (

Deberá enmendarse la Sección 7.02 de los Estatutos de la Ciudad a fin de agregar que ninguna persona puede renunciar a su actual banca en el Concejo Municipal y presentarse en una elección durante el período restante de su mandato)

	FOR	AGAINST
EARLY VOTING	72	28
ELECTION DAY	80	25
TOTAL	152	53

Proposition E (Propuesta E)

Shall an ordinance be enacted authorizing the sale of real property, with improvements owned, held, or claimed by the city as its natural gas utility distribution system?

(Se deberá aprobar una ordenanza por la que se autorice la venta de bienes inmuebles, con mejoras que la ciudad posee, mantiene o reclama como su sistema de distribución de gas natural)

	FOR	AGAINST
EARLY VOTING	78	24
ELECTION DAY	79	26
TOTAL	157	50

SECTION 4.

Charter Amendments Authorized. As a result of said election, and in conformity with law, this City Council is authorized to amend the Home Rule Charter to reflect the provisions of the propositions receiving a favorable vote of a majority of the resident, qualified voters participating in the Election.

Sale Of Natural Gas Utility Distribution System Authorized. As a result of said election, and in conformity with law, this City Council is authorized to enact an ordinance authorizing the sale of the City's Natural Gas Utility Distribution System.

SECTION 5.

Official Precinct Report. A copy of the Official Cumulative Report is attached and made a part of this resolution and order and is marked "Exhibit A".

Proposition A, B, C, D, and E received favorable votes of a majority of the resident, qualified voters participating in the Special Election. None of the Propositions received unfavorable votes of a majority of the resident, qualified voters participating in the Special Election.

PASSED, APPROVED, AND ADOPTED on this 7th day of May, 2024 at a regular meeting of the City Council of the City of Brady, Texas which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code, §551.001, et.seq.* and at which meeting a quorum was present and voting.

Aaron Garcia, Mayor

ATTEST:

Tina Keys, City Secretary

Uniform Election Program - Tally Page

City of Brady May 4, 2024 Election

	Early Voting	Absentee By Mail	Election Day	Total
Mayor				
Tony Groves - Unopposed				0
City Council Place 1				
Chris Martin	29		44	73
Terry Phillips	77	2	60	139
Proposition A				
For	89	2	84	175
Against	15		20	35
Proposition B				
For	85	2	83	170
Against	14		21	35
Proposition C				
For	61	2	48	111
Against	38		56	94
Proposition D				
For	72	2	80	154
Against	26		25	51
Proposition E				
For	78	2	79	159
Against	22		26	48

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	05/07/2024	AGENDA ITEM	7.F.
AGENDA SUBJECT:	Discussion, consideration and possible action to elect Mayor Pro Tem		
PREPARED BY:	T. Keys	Date Submitted:	04/30/2024
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:

From City of Brady Home Rule Charter: Section 3.06 Mayor Pro Tem:

At its first regular meeting after election of the new members of the Council each year, the Council shall elect one (1) of its own members to be Mayor Pro-Tem for one (1) year. Each Council Member, except the Mayor, is to be considered automatically nominated and the mayor shall have a vote. The vote shall be taken orally and Mayor Pro-Tem shall be the Council Member who receives the most votes. In the absence of the Mayor, the Mayor Pro-Tem shall perform the duties of the office of the Mayor and in this capacity shall be vested with all powers conferred on the Mayor. When presiding over Council proceedings, the Mayor Pro-Tem shall retain his right to vote as a Council Member.

Process:

- 1) All Council Members are considered to be nominated.
- 2) Members will draw numbers to determine the order of voting. Each Council Member will announce their vote orally, in the order of the draw.
- 3) After everyone states their vote, a motion may be made to elect the Council Member with the most votes.

RECOMMENDED ACTION:

Move to elect the Council Member with the most votes as Mayor Pro Tem.

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	5-7-2024	AGENDA ITEM	7.G.
AGENDA SUBJECT: Discussion, consideration, and possible action to award the purchase for a 2024 JOHN DEERE 320 2-WD Rubber Tire Backhoe to Yellowhouse Machinery Co., San Angelo, TX in the amount of \$128,595.72 .			
PREPARED BY:	G. Jacobson / S. Miller	Date Submitted:	5-1-2024
EXHIBITS:	Bid Tabulation Sheet Vendor Bids		
BUDGETARY IMPACT:	Required Expenditure:	\$128,595.72	
	Amount Budgeted (Financed):	\$90,000.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY: On Thursday March 14, 2024, bids were received after proper advertisement and public notification for one (1) Heavy Duty Diesel Class 2-WD Backhoe with Minimum 97Hp Rating. From the bid tabulation sheet the low bid received is shown as Warren CAT, San Angelo at \$126,458.57. However, this price quote is for a 4-WD 87Hp backhoe which does not comply with the original purchase specifications. Besides having a lower horsepower rating, the 4-WD configuration is problematic. City crews regularly drive backhoes and other equipment to jobsites and a 4-WD unit incurs substantial wear & tear when used in this fashion versus a 2-WD model. City staff recommends the price quote from Yellowhouse Machinery Co. at \$128,595.72 that is rated at 113Hp and 2-WD.			
RECOMMENDED ACTION: Mayor: Do I Have a Motion to Award the purchase of a 2024 JOHN DEERE 320 2-WD Rubber Tire Backhoe from Yellowhouse Machinery Co., San Angelo, TX in the amount of \$128,595.72 .			



Cisco Equipment - San Angelo

620 N. Bell St, San Angelo, TX 76903

325-234-4703 325-653-2121

Marty Behrens * 325-234-4703 * MBehrens@ciscoeq.com

Date:

Customer Name:

Address:

City of Brady

Water Utilities

Contact

Taylor Hoffpauir/Gary Jacobson

Email:

Cell:

Thank you for allowing Cisco Equipment to quote your equipment needs, if you have any questions or would like additional information please contact Marty Behrens at 325.234.4703 or MBehrens@ciscoeq.com.

SALES QUOTATION

Ship to Address (if different):	Price
Equipment Description:	
2024 JCB 3CX 14 Super 4WD 109hp Loader Backhoe	List \$194,213
See additional specs/feature on JCB system quote attached to this email	
BuyBoard Discount (30%)	\$ (58,263.90)
Factory Exchange Extend-a-hoe to a Standard Stick	(\$2,760.76)
Delivery to City of Brady	\$ 722.22
Dealer Prep	\$ 944.44

2yr/2,000hr Full Machine Warranty

Excludes wear items and customer damage

Extended warranty available for purchase

BuyBoard Contract no. 685-22



Sales Tax
Terp Diesel surcharge

HET

Freight:

Other:

\$ 134,855.00

Acceptance of Quotation:

Signature: _____

Print Name: _____

Title: _____

Date: _____

PO Number: _____

Quote is based on current availability and is subject to change. Quote is good for 30 days from date above.

Price quoted is Delivered

Price quoted does not include any applicable sales tax or insurance.

Thank you for allowing Cisco Equipment the opportunity to earn your business!!!

EXHIBIT 4

BID TABULATION SHEET

CITY OF BRADY

(TO BE ATTACHED TO PURCHASE ORDER FORM)

Division: Water

Account: 30-5-31-402.00

Date: 03/27/2024

DESCRIPTION OF ITEM TO BE PURCHASED	
2WD Backhoe/Loader Heavy Equipment	

LOW BID	DESCRIPTION OF QUOTED ITEM(S)	VENDOR	CONTACT PERSON	PHONE #	TOTAL PRICE QUOTED
1	2024 John Deere 320-P Tier 2WD Backhoe Loader	Yellowhouse Machinery Co 5550 Link Rd San Angelo, TX 76904	Len Slaughter	325-249-4339	\$ 128,595.72
2	2024 JCB 3CX 14 Super 109hp 2WD Backhoe Loader	Cisco Equipment 620 N Bell St San Angelo, TX 76903	Marty Behrens	325-234-4703	\$ 134,855.00
3	2024 Warren Cat 416 AE4 4WD Backhoe Loader	Warren Cat 1170 TX-306 Loop San Angelo, TX 76905	Jamey West	325-226-0655	\$ 126,458.57
4	2024 Warren Cat 420 AE4 4WD Backhoe Loader	Warren Cat 1170 TX-306 Loop San Angelo, TX 76905	Jamey West	325-226-0655	\$ 138,119.63

PLEASE JUSTIFY BELOW IF LOW BID IS NOT SELECTED

Lowest bid was for a 4WD model backhoe and not a 2WD model backhoe. The 4WD is not made to be driven and transported on the road in the manner the water division utilizes and transports the loader.

I, the undersigned, attest that I received the above quotes for purchase of the item(s) described above and request authorization to purchase said item(s) from the vendor designated as low bid meeting specification(s).


4-8-24
Department Approval
J. Johnson


Purchasing Agent Approval
T. Morris

CITY OF BRADY, TEXAS
BID QUOTATION FORM

THIS IS A QUOTATION FORM ONLY AND DOES NOT REPRESENT AN ORDER FOR A PURCHASE BY THE CITY OF BRADY

1. Refer to "Instructions to Bidder" before completing Bid
2. Delivery Date – as specified in specifications
3. Delivery Address – 1405 N. Bridge Street, Brady, Texas 76825, F.O.B. Destination
4. Price – use unit pricing

Item No.	Description/Part Number	Qty	UOM	Unit Price	Extended Price
1	Backhoe/Loader Equipment heavy duty classification per specifications	1	EA	\$134,943.67	\$134,943.67
2	Carry/Haul Trailer heavy duty to be rated to transport equipment as described in this purchasing offering	1	EA	\$ N/A	\$ N/A

The City of Brady reserves the right to reject any and/or all Bids

Prices to be quoted F.O.B City of Brady all taxes to be excluded from Bid

TOTAL BID PRICE FOR ITEM 1 – 2 \$134,943.67

In submitting this Bid, I certify the following:

1. That the prices in this Bid have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder, or with any competitor
2. That I am an Equal Opportunity Employer

Business Name: YELLOWHOUSE MACHINERY CO.

Authorized signature: 

Print Name: LEN SLAUGHTER

Date: 03/04/2024

Phone: 325-249-4339

Fax: 325-651-3037

Email: LENS@YHMC.COM

Quote Id: 30462976

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Yellowhouse Machinery Co.
5550 Link Road
SAN ANGELO, TX 76904
US

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

Yellowhouse Machinery Co.
5550 Link Road
San Angelo, TX 76904
325-651-3337
jdmal@yellowhouse.us

Prepared For:

CITY OF BRADY

Proposal For:

Delivering Dealer:

LEONARD SLAUGHTER

Yellowhouse Machinery Co.
5550 Link Road
San Angelo, TX 76904

jdmal@yellowhouse.us

Quote Prepared By:

LEONARD SLAUGHTER
lens@yhmc.com

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Yellowhouse Machinery Co.
5550 Link Road
SAN ANGELO, TX 76904
US

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Yellowhouse Machinery Co.
5550 Link Road
San Angelo, TX 76904
325-651-3337
jdmal@yellowhouse.us

Quote Summary

Prepared For:
CITY OF BRADY
201 E MAIN ST
BRADY, TX 76825
Business: 325-597-2152

Delivering Dealer:
Yellowhouse Machinery Co.
LEONARD SLAUGHTER
5550 Link Road
San Angelo, TX 76904
Phone: 325-651-3337
lens@yhmc.com

Quote ID:	30462976
Created On:	01 March 2024
Last Modified On:	04 March 2024
Expiration Date:	31 March 2024

Equipment Summary	Selling Price	Qty	Extended
2024 JOHN DEERE 320 P-Tier Backhoe Loader	\$ 128,595.72 X	1 =	\$ 128,595.72
John Deere Extended Warranty-5YR/ 5000 HR Comprehensive	\$ 6,347.95 X	1 =	\$ 6,347.95
Contract: C&F Sourcewell #011723 (PG AY CG 73) CE			
Price Effective Date: February 29, 2024			
Sub Total			\$ 134,943.67
Equipment Total			\$ 134,943.67

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 134,943.67
Trade In	
SubTotal	\$ 134,943.67
Total	\$ 134,943.67
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 134,943.67

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 30462976 Customer Name: CITY OF BRADY

ALL PURCHASE ORDERS MUST BE MADE OUT

TO (VENDOR):

Yellowhouse Machinery Co.
5550 Link Road
SAN ANGELO, TX 76904
US

ALL PURCHASE ORDERS MUST BE SENT

TO DELIVERING DEALER:

Yellowhouse Machinery Co.
5550 Link Road
San Angelo, TX 76904
325-651-3337
jdmail@yellowhouse.us

2024 JOHN DEERE 320 P-Tier Backhoe Loader

Hours:

Stock Number:

Contract: C&F Sourcewell #011723 (PG AY CG 73) CE

Selling Price *

Price Effective Date: February 29, 2024

\$ 128,595.72

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
17C0T	320 P-tier Backhoe Loader	1	\$ 169,068.00	43.00	\$ 72,699.24	\$ 96,368.76	\$ 96,368.76
Standard Options - Per Unit							
30A1	Custom Code - 2 Wheel Drive Transmission	1	\$ -2,863.00	43.00	\$ -1,231.09	\$ -1,631.91	\$ -1,631.91
183E	JDLink™	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
0202	United States	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
0259	English	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
0351	Translated Text Labels	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
1003	Cab	1	\$ 14,253.00	43.00	\$ 6,128.79	\$ 8,124.21	\$ 8,124.21
4006	John Deere 4.5L - FT4/ Stage IV	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
5246	Galaxy-19.5L-24 12Ply Rear & 12.5/80-18 12PlyFront	1	\$ 71.00	43.00	\$ 30.53	\$ 40.47	\$ 40.47
6154	Dual Batteries with Disconnect, Jump Post, and Engine Block Heater	1	\$ 494.00	43.00	\$ 212.42	\$ 281.58	\$ 281.58
6576	1000 lb. (454 kg.) Front Counterweight	1	\$ 1,515.00	43.00	\$ 651.45	\$ 863.55	\$ 863.55
6751	Standard Dipperstick	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
7001	Auxiliary Hydraulics with One Way Flow (Hammer)	1	\$ 3,393.00	43.00	\$ 1,458.99	\$ 1,934.01	\$ 1,934.01
7028	Pilot Controls, Two Lever, with Pattern Selection	1	\$ 2,997.00	43.00	\$ 1,288.71	\$ 1,708.29	\$ 1,708.29
7038	Loader Coupler, Two-Function Hydraulics, Single Lever	1	\$ 7,350.00	43.00	\$ 3,160.50	\$ 4,189.50	\$ 4,189.50
7713	Rear Hydraulic Coupler for Pin-on Buckets - Less Thumb	1	\$ 9,360.00	43.00	\$ 4,024.80	\$ 5,335.20	\$ 5,335.20

Selling Equipment

Quote Id: 30462976 Customer Name: CITY OF BRADY

**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Yellowhouse Machinery Co.
5550 Link Road
SAN ANGELO, TX 76904
US

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

Yellowhouse Machinery Co.
5550 Link Road
San Angelo, TX 76904
325-651-3337
jdmail@yellowhouse.us

7801	12 in. (309 mm.) Heavy-Duty Bucket, 3.1 cu. ft. (0.09 cu. m.)	1	\$ 1,845.00	43.00	\$ 793.35	\$ 1,051.65	\$ 1,051.65
7860	92 in. (2.35 m.) General Purpose Coupler Bucket, 1.39 cu. yd. (1.06 cu. m.)	1	\$ 5,938.00	43.00	\$ 2,553.34	\$ 3,384.66	\$ 3,384.66
8096	Premium Mirror Option - Exterior Rear View Mirrors (2) and Front View Mirror (1)	1	\$ 199.00	43.00	\$ 85.57	\$ 113.43	\$ 113.43
8109	Sun Visor	1	\$ 102.00	43.00	\$ 43.86	\$ 58.14	\$ 58.14
8182	Radio, Bosch Basic Package	1	\$ 940.00	43.00	\$ 404.20	\$ 535.80	\$ 535.80
8207	Seat, Cloth Air-Suspension	1	\$ 541.00	43.00	\$ 232.63	\$ 308.37	\$ 308.37
8296	Standard Stabilizer Legs	1	\$ 0.00	43.00	\$ 0.00	\$ 0.00	\$ 0.00
Standard Options Total			\$ 46,135.00		\$ 19,838.05	\$ 26,296.95	\$ 26,296.95
Dealer Attachments/Non-Contract/Open Market							
BYT11568	Pre-Cleaner, Engine Air Intake & Install	1	\$ 1,952.23	0.00	\$ 0.00	\$ 1,952.23	\$ 1,952.23
FF	Factory Freight	1	\$ 2,177.78	0.00	\$ 0.00	\$ 2,177.78	\$ 2,177.78
PDI	Pre-Delivery Inspection	1	\$ 1,077.78	0.00	\$ 0.00	\$ 1,077.78	\$ 1,077.78
DEL	Delivery	1	\$ 722.22	0.00	\$ 0.00	\$ 722.22	\$ 722.22
FDD	Expected Factory Ship Date: 9/25/2024	1	\$ 0.00	0.00	\$ 0.00	\$ 0.00	\$ 0.00
Dealer Attachments Total			\$ 5,930.01		\$ 0.00	\$ 5,930.01	\$ 5,930.01
Service Agreements							
John Deere Extended Warranty - 5YR/ 5000 HR Comprehensive		1	\$ 6,347.95			\$ 6,347.95	\$ 6,347.95
Service Agreements Total			\$ 6,347.95			\$ 6,347.95	\$ 6,347.95
Additional Discounts							
Additional Discount Total					\$ 0.00	\$ -0.00	\$ -0.00
Total Selling Price					\$ 92,537.29	\$ 134,943.67	\$ 134,943.67
			\$ 227,480.96				



Extended Warranty Proposal

2024 JOHN DEERE 320 P-Tier Backhoe Loader

Date : March 4, 2024

Machine/Use Information		Plan Description		Price	
Manufacturer	JOHN DEERE	Application	Governmental	Deductible	\$ 0.00
Equipment Type	320 P-TIER BACKHOE LOADER	Coverage	Comprehensive	List	\$ 6,347.95
Model	320 P-TIER BACKHOE LOADER	Total Months	60		
Country		Total Hours	5000		

Extended Warranty is available only through authorized John Deere Dealers for John Deere Products, and may be purchased at any time before the product's Standard Warranty, or Extended Warranty expires.

Extended Warranty Proposal Prepared for: I have been offered this extended warranty and

Customer Name - Please Print

I ACCEPT the Extended Warranty

I DECLINE the Extended Warranty

Customer Signature

If declined, I fully understand that any equipment listed above is not covered for customer expenses due to component failures beyond the original basic warranty period provided by John Deere.

Note : This is not a contract. For specific Extended Warranty coverage terms and conditions, please refer to the actual Extended Warranty contract for more information and the terms, conditions and limitations of the agreement.

What Extended Warranty is :

The Extended Warranty Program is for the reimbursement on parts and labor for covered components that fail due to faulty material or original workmanship that occur beyond the John Deere Basic Warranty coverage period. The agreement is between Deere & Company and the owners of select John Deere Construction and Forestry equipment, who purchase the Extended Warranty Plans for the desired coverage as indicated in this proposal.

What Extended Warranty is not :

Extended Warranty is not insurance. It also does not cover routine maintainance or high wear items, or insurance-related risks/perils such as collision, overturn, vandalism, wind, fire, hail, etc. It does not cover loss of income during or after an equipment failure. See the actual product-specific Extended Warranty agreement for a complete listing of covered components, and limitations and conditions under the program.

Features/Benefits:

- Extended Warranty includes the following features and benefits under the program :
- Pays for parts and labor costs incurred on failed covered components (less any applicable deductibles),
- Does not require pre-approval before repairs are made by the authorized John Deere dealership,
- Payments are reimbursed directly to the dealership with no prepayment required by the contract holder.



Quote 292278-01

BuyBoard 685-22

Feb 26, 2024

CITY OF BRADY
PO BOX 351
BRADY
Texas
76825-0351

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

One (1) New Caterpillar Model: 416 AE4 Backhoe Loaders with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: C140251 **SERIAL NUMBER:** TBD **YEAR:** 2024 **SMU:** new

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

Sincerely,

Jamey West
Machine Sales Representative

One (1) New Caterpillar Model: 416 AE4 Backhoe Loaders with all standard equipment in addition to the additional specifications listed below:

MACHINE SPECIFICATIONS

416 07A BACKHOE LOADER CFG2	543-3339
LANE 2 ORDER	0P-9002
BELT, SEAT, 2" SUSPENSION	206-1747
TIRES, 340 80-18/500 70-24, MX	533-0488
STABILIZER PADS, FLIP-OVER	9R-6007
BUCKET-GP, 1.3 YD3, PO	337-7385
LOADER BUCKET PINS	545-8548
CUTTING EDGE, TWO PIECE	9R-5321
INSTRUCTIONS, ANSI	559-0872
SERIALIZED TECHNICAL MEDIA KIT	421-8926
LINES, COMBINED AUX, E-STICK	548-1231
COLD WEATHER PACKAGE, 120V	551-6940
SHIPPING/STORAGE PROTECTION	461-6839
RUST PREVENTATIVE APPLICATOR	462-1033
TRIM PACKAGE 3	643-4080
ENGINE, 70KW, C3.6 DITA, T4F	542-7779
AIR CONDITIONER, T4F	542-7810
RIDE CONTROL	551-6453
PRODUCT LINK, CELLULAR, PLE643	639-4880
416 LANE 2 ZCON	628-8811
BUCKET-ROCK, HD, 12", 2.5 FT3	219-3412

SELL PRICE	\$126,458.57
EXT WARRANTY	Included
NET BALANCE DUE	\$126,458.57
AFTER TAX BALANCE	\$126,458.57

WARRANTY

Standard Warranty: Standard 12 Month Unlimited Hour Full Machine Coverage

Extended Coverage: 5yr/2500hr premier warranty

F.O.B/TERMS:

San Angelo

PAYMENT TERMS**Cash Invoice Terms**

CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$126,458.57

Accepted by _____ on _____

Signature



Quote 292285-01

Feb 26, 2024

CITY OF BRADY
PO BOX 351
BRADY
Texas
76825-0351

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

One (1) New Caterpillar Model: 420 AE4 Backhoe Loaders with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: C139495 **SERIAL NUMBER:** TBD **YEAR:** 2024 **SMU:** NEW

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

Sincerely,

Jamey West
Machine Sales Representative

One (1) New Caterpillar Model: 420 AE4 Backhoe Loaders with all standard equipment in addition to the additional specifications listed below:

STANDARD EQUIPMENT

BOOMS, STICKS, AND LINKAGES -BACKHOE -- 14'4" Center pivot backhoe -4.3 Meters -- Boom and swing transport locks -- Pilot operated backhoe and -electro hydraulic stabilizer controls -- Street type stabilizer shoes -- Anti-drift hydraulics (boom, stick, -and E-stick) -- Cat Cushion Swing(tm) system -LOADER -- Single Tilt Loader -- Lift cylinder brace -- Self-leveling loader with single -lever

control -- Return-to-dig -(automatic bucket positioner) -- Transmission neutralizer switch -- Bucket level indicator -

POWERTRAIN -- Water separator -- Thermal starting aid system -- Dry type axial seal air cleaner with -integral precleaner -- Automatic dust ejection system -- Filter condition indicator -- Hydraulically boosted multi-plate -wet disk brake with dual pedals & -interlock -- Differential lock -- Torque converter -- Transmission-four speed manual shift -- Neutral safety switch -- Spin-on filters for -Fuel -Engine oil -Transmission oil -- Outboard Planetary Rear Axles -- Diesel particulate filter -- Hydrostatic power steering

HYDRAULICS -- Pilot hoe and mechanical loader -controls -- Load sensing, variable flow system -with 43 gpm (162 L/min) axial piston -pump -- 6 micron hydraulic filter -- Caterpillar XT-3 hose -- Hydraulic oil cooler -- Pilot control shutoff switch -- Flow-sharing hydraulic valves -- Hydraulic suction strainer -

ELECTRICAL -- 12 volt electrical start -- Horn, front and rear -- Backup alarm -- Hazard flashers/turn signals -- Halogen head lights (2) -- Halogen rear flood lights (2) -- Stop and tail lights -- Audible system fault alarm -- Key start/stop system -- 850 CCA maintenance free battery -- Battery disconnect switch -- External Power Receptacle (12v) -- Diagnostic ports for engine and -machine Electronic Control Modules

OPERATOR ENVIRONMENT -- Interior rearview mirror -- ROPS canopy, Rear Fenders -- 2-inch (50mm) retractable seat belt -- Tilt steering column -- Steering knob -- Hand and foot throttle -- Automatic Engine Speed Control -- One Touch Low Idle -- Floor mat and Coat Strap -- Lockable storage area -- Air suspension seat -

FLUIDS -- Antifreeze - Extended Life Coolant --20F (-30C)

OTHER STANDARD EQUIPMENT -- Standard Storage Box -- Transport tie-down points -- Ground line fill fuel tank with -42.3 gal (160L) capacity & 5 gal (19L) -diesel exhaust fluid -- Rubber impact strips on radiator -guard -- CD-ROM Parts Manual -- Safety Manual -- Operations and Maintenance Manual -- Lockable hood -- Tire Valve Stem Protection

MACHINE SPECIFICATIONS

420 07A BACKHOE LOADER CFG2	542-7992
LANE 2 ORDER	0P-9002
TIRES, 340 80R18/500 70R24, MX	320-2384
ENGINE, 74.5KW, C3.6 DITA, T4F	541-9540
STABILIZER PADS, FLIP-OVER	9R-6007
INSTRUCTIONS, ANSI	559-0872
BUCKET-GP, 1.4 YD3, PO	337-7388
LOADER BUCKET PINS	545-8548
SHIPPING/STORAGE PROTECTION	461-6839
BELT, SEAT, 2" SUSPENSION	206-1747
SERIALIZED TECHNICAL MEDIA KIT	421-8926
RUST PREVENTATIVE APPLICATOR	462-1033
CUTTING EDGE, TWO PIECE	9R-5321
TRIM PACKAGE 3	642-9588
PRODUCT LINK, CELLULAR, PLE643	639-4880
BUCKET-ROCK, HD, 12", 2.5 FT3	219-3412

SELL PRICE	\$138,119.63
NET BALANCE DUE	\$138,119.63
EXT WARRANTY	Included
AFTER TAX BALANCE	\$138,119.63

WARRANTY

Standard Warranty: Standard 12 Month Unlimited Hour Full Machine Coverage

Extended Coverage: 60MONTHS/2500HRS PREMIER WARRANTY

F.O.B/TERMS:

San Angelo

PAYMENT TERMS**Cash Invoice Terms**

CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$138,119.63

Accepted by _____ on _____

Signature

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	05/07/2024	AGENDA ITEM	7.H.
AGENDA SUBJECT:	Discussion regarding Brady Golf Course Water Well and presentation by Tim Walker as requested by Council Members Moreno and Gomez		
PREPARED BY:	T. Keys	date	5/3/2024
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY:			
RECOMMENDED ACTION:			
Direct staff as desired			