



**CITY OF BRADY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
JULY 2, 2024, 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. July 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.

Tony Groves,
Mayor

Terry Phillips
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.

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 June 18, 2024.
- B. Discussion, consideration and possible action regarding the temporary closure of W. 3rd Street between Bridge Street and S. Church Street on July 5, 2024 from 12:00 noon to 9:00 a.m. July 6, 2024 for a block party as requested by Heather Jo Ashton and St. Patrick's Church

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 to approve Resolution 2024-012 authorizing publication of notice of intent to issue City of Brady, Texas combination tax and surplus waterworks and sewer system revenue certificates of obligation 2024 in the amount not to exceed \$680,000
- B. Discussion, consideration and possible action approving interlocal agreement with McCulloch County for EMS services.

8. STAFF REPORTS

A. Upcoming Special Events/Meetings:

July 4	Independence Day Holiday, City offices closed, altered trash schedule
July 9	Budget Work Session
July 11	Budget Work Session
July 16	Budget Work Session
July 16	Regular City Council Meeting, 6:00 p.m.
July 18	Budget Work Session – IF needed
July 23	Employee Pool Party, 6:00 p.m.
August 6	Regular City Council Meeting, 6:00 p.m.
August 20	Regular City Council Meeting, 6:00 p.m.
August 20	Happy Birthday Terry Phillips
August 21	Happy Birthday Tony Groves

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:
- 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: 480 acres, Brady Lake / 357 2293 Fisher & Miller

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 June 18, 2024 at 6:00 p.m. with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, and Terry Phillips. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Police Chief Randy Batten, City Attorney Sharon Hicks, and City Secretary Tina Keys. Also in attendance were James Griffin, Linda Phillips, Rich Jolliff, Chris Martin, Annita Ellison, Larry Land, Daniel Mendoza, Scott Bush, James Stewart, Mike & Sheryl Whitworth, Billy Turner, Seth Keer, Oscar Ruiz, Chris Moseley, Mark Moseley, Candy Weatherman, Bob Hoepfner, Annita Ellison, Jim Lero, Charles Hodges, and R. S. Bush.

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

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

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

3. PUBLIC COMMENTS

Public Comments were reserved for Individual Concerns / Town Hall Meeting agenda item

4. CONSENT AGENDA

- A. Approval of Minutes for Regular Meeting on June 4, 2024

Council Member Sutton moved to approve the Consent Agenda. Seconded by Council Member Phillips. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

5. PRESENTATIONS:

There were no presentations

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings

7. INDIVIDUAL CONCERNS

- Town Hall Meeting with citizen and council input and discussions on what assets will be the future of Brady.

Chris Martin – for him, recruitment of younger citizens coming to Brady is a primary focus. People aged 20 on up to middle age that are remote workers. Martin said his job headquarters is in Houston, but he works here in Brady. These people are middle income families, their spouse may or may not work which opens them up to be entrepreneurs in the city. We don’t have a lot of industry. We need to look at how to recruit people to make Brady their home; or even look at companies who can bring their departments in Brady. We can recruit to these companies. We need to take a good hard look at how we are recruiting people to Brady. Mayor Groves said we could connect that with zoom meetings. Chris said he spends about 6 hours a day at the corporate office in meetings once a week a month in Houston. The low cost of

living could be a factor to bring people in. Council Member Sutton asked Chris what his ideas that might bring people. Chris said promote no traffic, a smaller community. The kids can run and have fun. There is not as much crime as a larger city. Chris said he is suggesting we build a campaign of why you should move to Brady.

Jim Griffin – said he started working on a housing study and has north side has been completed. Griffin said let's build a vision for what we want to be. Other towns have their own identity, and we need to build our own. A lot of people are looking for a town like this. Chamber, EDC, City, schools, work to a common goal so we have something we can be proud of. He has heard Brady hasn't changed but it doesn't have to be that way. We have the resources.

Rich Jolliff said he was speaking as an airport advisory member and aviation enthusiast. He wants to reinforce our airport and how important it is. It can be the 6th highway to Brady. People with aircraft have another avenue to get to Brady. It's a really good airport. It's 70 acres. We can expand if we want. It's huge for development of airport items. It has a new runway for jets, a grass runway for tail draggers and there are a lot of people looking for that. We have large hangars that can accommodate giant vintage warbirds which is sought after. We have space we can use for offices or classes. We have a bunch of pilots that are enthusiastic. They have a club to raise awareness about aviation. Brady is centrally located in the state and the nation. We are already a place for people to land who are going cross country. We have a paint shop and a mechanic shop already set up. We have a nationwide recognized painter. He has won awards at Oshkosh. He came from Colorado to Brady because his customer base was pretty much already from Texas. This kind of stuff is huge. The airport is an avenue for people from all over the world. We already have ranches that bring high profile people in. Jolliff said he wants to reinforce the gem we have in our airport. We should continue to bring good energy into it. With their airport master plan, we can address the nationwide t-hangar shortage. The airport is close to becoming self-sustaining with a few enhancements. Council Member Sutton asked if there would be an advantage to having more runway. Jolliff said yes, if we extend the runway it puts us in a different category for federal money. We already get a lot of federal money. A longer runway brings in bigger planes. Seth Sear said 1402 feet is exactly how much we need and we could get a substantial amount money from TxDOT. Council Member Elliston asked if the city owns the property. Jolliff said he believes it would require some land acquisition. Council Member Sutton asked if TxDOT still has grants. Jolliff said yes. City Manager Corbell said we do participate in grant funding every year. Jolliff said he appreciates this forum. Our airport is a crown jewel and a good representation of the city and he doesn't understand the talk about shutting it down. That shows the lack of understanding about what it does. The airport should be a top priority. Mayor Groves said we could tie the first comments with this as well. Mayor Groves said he talked to somebody who chased lightening bugs at the park. There are all kinds of things that occur in Brady. To go out and see the deer at Simpson Lake Club is phenomenal.

Shiela Hemphill – said she is happy to see this brought forth. She has watched the marketing for Brady and it has improved dramatically in 20 years. The logo and coloring is significant. She said in Mason all the trash cans on the square were the same color. They painted the curbs around the square then she had a wakeup call and it's about safety. She went door to door talking to people to help and found out

that there are resources to help people. She wants to give kudos to people who are helping rehab our properties. It's necessary for the city to see what people need to make these things happen. She did a lot of cleanups. Ms. Hemphill asked how long we have left on the landfill and City Manager Corbell said 7-10 years. Sheila said she has been doing a lot of cleanups and is concerned about our landfill. Tires are going into our type 4 pit. When our type 1 gets filled. The cost for a new landfill will be tremendous. Type 1 is our most essential. Mayor Groves said for years we had lots of people who wanted to do development like a Luv's station, housing. It always came to the point where we couldn't provide water to them. Now we can. A new wastewater plant gives us opportunities. How do we capitalize and make people understand we have that resource. Mayor Groves said he is amazed when he drives around and sees the number of construction efforts in houses. Good things are happening. We need to be thinking about something we take for granted that could be a real opportunity for outsiders to take advantage of. One day he saw a lady and her small dogs sitting at the electric vehicle charging station, so he stopped and talked to her. She was from Austin going to Lubbock and didn't know if she could make it all the way. There is a market in Brady for EV stations, regardless if we like EVs or not. There are ideas that the citizens have that could benefit Brady. The golf course, what if we put more greens and it was a par 3 golf course, what if we shared greens with different tee boxes so you don't need 9 more greens to play 18 holes, just as an example. Shiela Hemphill asked if we have dark sky designation for Brady. That brings in people to areas. Our lighting at night should be a certain hue. Mayor Groves said if you go out to the lake and see the sunset, there are pictures you can take from the dam or highway that are phenomenally beautiful.

Jim Lero – said he move here about a year ago. He has talked to people and everybody has great ideas. What really sticks in his head is why. Why would I come to Brady. To use the airport, to work remotely, what are the amenities to offer to people. In his background, they create restaurants that cause people to go there. People leave here to drive to San Saba to eat, people go to Llano to eat at Cooper's. We want to do things and do things great. BBQs are huge at bringing people to communities. He has been coming to Brady for 40 years and always wanted to live here. He has seen this place change both great things and things that we could improve on. Do the business owner have the mindset about how can I give back to the community? What can we do to encourage our businesses. He has talked to business owners; they ask if the city is standing behind them and are they transparent, are they accountable. They don't want to see people get away with stuff that other people won't get away with. They don't want a lot of discussion behind closed doors. Transparency needs to happen. The city is a business, and the citizens are the customers and the city needs to have their best interests at heart. Be so transparent that it is ridiculous so nobody can ever say there is something going on behind their back. Code enforcement – some business look really nice and others not so nice, then there are commercial properties that are not being taken care of. There are so many little projects we can do. We can put together a make Brady streets beautiful, where there is no tolerance on certain streets like Bridge Street and Hwy 87. Those people who want to work here come to check it out and see a bunch of garbage. There are little things we can be doing as a city and a community. The city can have committees to get it started so the city and citizens can come together. The people want to see things better. Golf course – he is working with ideas with the BGA, but he would like to see little things that could be done. Why are there weeds on the fairway. Shiela Hemphill said because there are 3 park employees. Lero said he has a background in chemical application. There is no reason why somebody can't keep it looking nice and work one fairway

a month. He and Council Member Terry Phillips started a land services business and if the city can't pay for it, they'll figure out how to do it. Council Member Phillips said he was approached about one RV in the long term parking at the lake that had been there for a while and there was drug activity, so he went to look at it. He called City Manager Corbell and told her about it and she sent a letter and they have to vacate by the end of the month. So yes, we can take one step at a time, but it will take time and effort. We have a great quality of life here but it's going to take everybody working together. And people need to let us know when they see something. Lero said people have become complacent or stagnant. He agrees there are a lot of little problems that can be fixed. He will do whatever he can to help. Shiela Hemphill said she titled it move the mountain when they were working on the tires at the Mexican colony, and they got it done.

Shiela Hemphill asked about the G. Rollie White facility. City Manager Corbell said what was holding up the Friends of G. Rollie White committee was the 10-year lease stipulation in our charter. They needed more like 50 years to get their loans. That has been removed from our charter now. But Corbell said she doesn't know the standing. Mayor Groves said they are still interested.

Shiela Hemphill asked about the shooting range. City Manager Corbell said we got a company to do our parks master plan and we're bringing it to council in July. Texas Parks and Wildlife does have some grant opportunities and she intends to pursue it after we get the parks master plan. We will start the series of public meetings after July.

Chris Martin said the question we need to be asking is should Brady be a waypoint or a destination and how do we go about doing that. Do we want to be a tourist town or destination. We have a sustained tax base and potential to regenerate that tax base. Tourism comes and goes. Also, it boils down to pride. Does Brady have pride in itself. There are people who have moved back to Brady to make Brady their home because Brady was something special to them. We can capture that emotion and define Brady as that emotion.

Larry Land – thanked council and Erin Corbell and staff and said they really do a great job. When they moved to Brady, they found they were welcomed by everybody. He did notice that Wikipedia said there were 5,200 people back then, and that hasn't changed much. He asked about growth at the time and was told there was no infrastructure. He is glad to see improvements where the old hospital was. Mr. Land said we are ahead of a lot of people but have a lot of room to grow. Mayor Groves said beyond pride, it's a passion. The G. Rollie White facility exists because G. Rollie White had a passion, but there was nobody to keep it. You have to find the passion and feed the passion. Some years ago, the social studies teacher asked him to talk to the classes about municipal government. Mayor Groves said he started with what does Brady need from the student standpoint more than anything. The kids in the first 3 classes said a bowling alley. The kids in the higher grades were the first classes. The reason they wanted a bowling alley was because it was a social center. Not because they wanted to bowl. We had planned in the master plan that we were going to rebuild the senior center and part of the day the center would be for seniors and part of the day for the kids. Those are the kind of things we need to try to look for. We are going to have to sort and find the things that have the highest payoff that we can deliver. Mike Whitworth said

there was a trailer in the park the other day and people were talking about it, and it had been there for a few weeks. He took a picture of it and ran the tags and it hadn't been registered for 2 years. Nobody phoned it in, but he tried to phone it in and tried to call the police but the buttons to press, it took 3 times to get the sheriff's office. Some things can work, but it's hard to turn it in. Council Member Elliston said they ask that you do call 9-1-1 because it records everything. Whitworth said it would help if the phone rang at the police station. Erin Corbell said there is a different number. They should call the 597-0639 number, not 9-1-1. Whitworth said if there is nobody at PD, they should forward calls to sheriff. On the cleanup, he hears the city doesn't have enough money. He talked to the appraisal district about collecting taxes. The appraisal district told him even if there was a city lien on a property, it wasn't filed properly so it was sold and the lien wasn't processed because it wasn't filed right. That big fine you have with the railroad needs to be filed weekly or biweekly. Corbell said the railroad paid the cleanup bill but are now being fined by municipal court. Corbell said the problem with the appraisal district is they don't disclose there is a lien on the property when it is sold for back taxes. We are filing liens on properties and utilities are not connected until lien is paid.

Seth Sear talks to kids all the time. He has noticed nobody likes, especially college kids, don't like apartments or houses, so they're buying campers. If we had a nice place, that would be huge. San Angelo is building 3 new places for RVs. The kids also want a place to congregate. There are a lot of food truck parks in other cities where everyone can go and hang out. There are apps that are set up for food truck places. We have the area for that. It would be fairly inexpensive to create. Council Member Sutton asked about tiny homes. Sear said they're sold out all the time. You can go on amazon and buy a house. A lot of people are doing that. Council Member Gomez asked if Sear if he is talking about doing this at the airport. Sear said the world is going to aviation. With the kids out there, people want to hang out around the airfield. People fly there and drive there to eat at the airfield in Fredericksburg.

Jim Lero commented that what Seth Sear said is true. The younger generation are moving into these RV parks. You can buy a really nice RV for \$50,000 and you can set it up for almost nothing. Instead of sitting on the 400 acres at the lake, if we did something like that we would be ahead. We could put cabins, washeteria, showers, for people to park their campers, do family reunions. Seth Sear said also if you have EV charging stations at this food truck lot, people will buy food. Lero asked about the train station and how long has it been in disrepair, how long has it been that way, the warehouses. The railroad building. Why haven't we gone after that? City Manager Corbell said we have been actively working on that property for over a year. A citizen in the audience said the city needs to let people know we are doing that. Shiela Hemphill asked what about putting in the utility flyer about projects like that. Hemphill also asked if we are approaching salvage companies to come in and take some of the material from the torn down properties. Corbell said when we do demolitions, we are pulling streets crews off the streets to tear them down.

Candy Weatherman. Their son was on city council back when Mudualistic was here and said she wondered if that would be an area where people can come in and asked if the water got out there. Council Member Elliston said yes but City Manager Corbell said they're not functioning. Council Member Elliston said there was a group of people at that time that didn't want anything out there. Ms. Weatherman asked

if the water and electric could not be used to bring in RVs. Council Member Elliston said she doesn't know if the city needs to be running businesses with tax dollars.

A citizen said as we go through the master plan process, the question is, why stay in Brady - from younger families to senior citizens. Look at our community and have things in place to allow us to stay here. Medical facilities, working with the hospital. They have friends who have had to leave because we don't have dialysis. We need to look at what to do to keep citizens here.

Shiela Hemphill said she thought there was talk of a dialysis facility. Council Member Elliston said there was one, but it was discontinued several years ago. Another citizen said they just retired here. They drove through here for years. She feels like she is going to sit in her house and die because there is nothing here. There is nothing for seniors to do here either. She would like to see pickleball. The advertising in this town is terrible. They are thinking about moving because there is nothing here for them. It's frustrating. Also, the look of the city, the feral cats running around the square, they're coming into businesses on the square. They caught a cat and took it to the animal shelter and was shocked that there were cats running around everywhere. You can't house every wild feral cat. It's bad. She doesn't know if animal control doesn't euthanize. Annita Ellison said somebody used to come here years ago and euthanize. Seth Seer said pickleball is the newest craze. Erin Corbell said it was almost \$300,000 to professionally resurface the old tennis courts. We need that parks master plan. We have 11 lifeguards this year and we need 20. She would like to see us get some splash pads put in. The parks master plan will make some funding available that we wouldn't have.

A citizen asked if there is wiggle room with the "professionally surfaced" pickleball court. Corbell said parks and streets departments have been slowly working on doing it. Streets will go in and put pavement over it. It might not make pickleballers happy but it will be something. They do have it at Tractor Supply.

Daniel Mendoza said the Chamber will start promoting and create a calendar and do newsletters advertising more about what's going on in town but things take time. There are only 2 of them in the office. There are a lot of ins and outs that have to happen.

Mayor Groves said everything we do is complicated. It takes pride and passion. The household income in Brady is \$36,000 and over \$60,000 for the state of Texas. We are working on things. The city staff is phenomenal. They work their tails off. Everybody is trying. Some people like progress, some people don't like progress. There are challenges out there. We're working. We need citizen input, passion and effort. Mayor Groves thanked the citizens in attendance for being there and said he looks forward to another meeting that focuses on what are the threats for Brady - what do we need to look out for.

Council Member Gomez said it was his first year on council and Terry Phillips is also new. In the last year what he has seen is we're trying to create a positive culture in Brady so we can flourish. He has seen some amazing things. We've had an interlocal agreement with the county that we've been fighting on for years. That finally got done. Everybody is on board and trying to do the best we can. It is awesome to see all the people here. We can't do it without their help. Council Member Gomez said the council backs the

city manager and chief of police and fire chief to grow but sometimes it takes time. He is looking forward to our future. He has always said our gold mines are the parks, lake, airport, golf, GRW. Back our local business and we can make it work.

Council Member Phillips said when he moved here, he retired. They moved from Midland for a simpler life. He doesn't like to sit. He has to be doing something, so he started coming to city council meetings. It was very eye opening. One thing he said when he ran is he wants to be the voice for the people in Brady. Also, he wants to bring his experience, time and resources to help do something good and positive in Brady. He bought building on S. Bridge and he and his neighbor Jim started doing work on a ranch he bought and he realized there are people buying land who didn't have equipment to do on their land what they needed to do. So he invested over \$300,000 in cash into this community. We need to give Brady people the first chance. They are going to be doing land clearing and land services for people who need help. As they grow, they will hire people. They want to use those resources to help get Brady cleaned up. Have a community wide city cleanup every quarter and bring together resources. Help the people to get their property cleaned up so it looks better. We can't expect people in their 80's and 90's to clean their yard. Council Member Phillips asked the citizen in the audience if they know people who need help cleaning up, people who just can't do it on their own, they will help. The most beautiful thing in Brady is the people.

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:

July 2	Regular City Council Meeting, 6:00 p.m.
July 4	Independence Day Holiday, City offices closed, altered trash schedule
July 16	Budget Work Session
July 16	Regular City Council Meeting, 6:00 p.m.
July 18	Budget Work Session
July 23	Budget Work Session
July 25	Budget Work Session

9. ANNOUNCEMENTS

City Manager Corbell said they had some issues with the lighting at the pool so the employee pool party was rescheduled for July 23rd.

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 Station / 480 acres at Brady Lake

Regular Session was recessed at 8:05 p.m. Executive Session opened at 8:20 p.m. and closed at 8:27 p.m. Regular Session resumed at 8:28.

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

Council Member Elliston moved to give the city manager the authority to proceed with the closing of the lake property as agreed. Seconded by Council Member Gomez. Three Council Members voted “aye” and one council member, Sutton voting “nay”. Motion passed with a 3 – 1 vote.

12. ADJOURNMENT

There being no further business, Mayor Groves adjourned the meeting at 8:29 p.m.

Anthony Groves, Mayor

Attest: _____
Tina Keys, City Secretary

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	007/02/2024	AGENDA ITEM	4.B
AGENDA SUBJECT:	Discussion, consideration, and possible action regarding the temporary closure of W. 3 rd Street between Bridge Street and S. Church Street on July 5, 2024 from 12:00 noon to 9:00 a.m. July 6, 2024 for a block party as requested by Heather Jo Ashton and St. Patrick's Church		
PREPARED BY:	T. Keys	Date Submitted:	06/28/2024
EXHIBITS:	Request email		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			
SUMMARY:			
St. Patrick's Church is holding their annual Block Party on July 5, 2024 and are requesting street closure from 12:00 noon. to 9:00 a.m. on July 6th as they are expecting heavy pedestrian traffic around the church.			
RECOMMENDED ACTION:			
Move to approve street closure			

Tina Keys

From: Heather Jo Ashton <hj4pres@yahoo.com>
Sent: Friday, June 28, 2024 10:56 AM
To: Tina Keys
Subject: Road Closure Request St. Patrick Church

Tina,

Please submit the request to close 3rd street between Bridge and Church street for July 5th, 2024 to the city council. We are requesting 12 noon on the 5th for closure and reopen anytime after 9am July 6th.

Thank you,

Heather Jo

Heather Jo Ashton

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

AGENDA DATE:	7-2-2024	AGENDA ITEM	7.A
AGENDA SUBJECT:	Discussion, consideration and possible action to approve Resolution 2024-012 authorizing publication of notice of intent to issue City of Brady, Texas combination tax and surplus waterworks and sewer system revenue certificates of obligation 2024 in an amount not to exceed \$680,000.		
PREPARED BY:	Lisa McElrath	Date Submitted:	6-27-24
EXHIBITS:	Resolution 2024-012 with Notice of Publication Proposed and TWDB accepted Debt Service Schedule		
BUDGETARY IMPACT:	Required Expenditure:	\$0.00	
	Budget Amount Available:	\$0.00	
	Appropriation Required:	\$0.00	
CITY MANAGER APPROVAL:			
SUMMARY:			
It is required that the City Council direct staff through resolution to put notice in a local public newspaper that the Council intends to issue debt in the form of Combination Tax and Surplus Waterworks and Sewer Revenue Certificates of Obligation (COs). This type of debt is in compliance with the City's Debt Management Policy. COs are a commonly used debt instrument that allows Council to issue debt for a critical public need on a shorter timeline rather than waiting for the next uniform election date on the calendar. The law requires that the notice must be published twice, each on the same day of the week, the first publication being at least 30 days before a city can pass an ordinance to issue certificates, which is scheduled for Council vote on September 3, 2024. The Texas Water Development Board (TWDB) has given the City of Brady a financial commitment to fund a loan in the amount not to exceed \$680,000 at a discounted interest rate, currently projected at 3.17%, through the Drinking Water State Revolving Fund program because of the City's strong AA- credit rating. The loan proceeds along with \$1,585,500 (70%) in EDAP (Economically Distressed Areas Program) Grant proceeds from the TWBD will be used to fund the estimated \$2,265,500 cost of replacing 11,000 feet of under-sized water distribution line to customers in the Luhr addition. This project was approved in the FY 24 Budget cycle along with the approval to apply up to \$1,000,000 in excess fund balance towards the cost of the project. Since the city was successful in obtaining grant funding, approximately \$698,000 will be needed to pay off the debt in 2 years which includes minimal interest cost of \$17,000.			

RECOMMENDED ACTION:
It is recommended that the Council approve Resolution 2024-012 authorizing publication of notice of intent to issue Combination Tax and Surplus Waterworks and Sewer System Revenue Certificates of Obligation, Series 2024, the total not to exceed \$680,000.

RESOLUTION NO. 2024-012

**RESOLUTION AUTHORIZING PUBLICATION
OF NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND SURPLUS WATERWORKS AND SEWER SYSTEM
REVENUE CERTIFICATES OF OBLIGATION**

**THE STATE OF TEXAS §
COUNTY OF MCCULLOCH §
CITY OF BRADY §**

WHEREAS, this City Council of the City of Brady, Texas deems it advisable to give notice of intention to issue combination tax and surplus waterworks and sewer system revenue certificates of obligation of said City, as hereinafter provided; and

WHEREAS, it is officially found and determined that the meeting at which this Resolution has been considered and acted upon was open to the public and public notice of the time, place and subject of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. FORM OF NOTICE. Attached hereto and marked Exhibit "A" is a form of Notice of Intention to Issue Combination Tax and Surplus Waterworks and Sewer System Revenue Certificates of Obligation, the form and substance of which is hereby adopted and approved.

Section 2. PUBLICATION OF NOTICE. Said Notice shall be published, in substantially the form attached hereto, in a newspaper, as defined in Subchapter C of Chapter 2051, Texas Government Code, of general circulation in said City once a week for two consecutive weeks, the date of the first publication thereof to be at least forty-five (45) days prior to the date tentatively set for passage of the ordinance authorizing the issuance of such certificates.

Section 3. POSTING OF NOTICE ON WEBSITE. Further, said Notice shall be posted in substantially the form attached hereto continuously on the City's website for at least forty-five (45) days prior to the date tentatively set for passage of the ordinance authorizing the issuance of such certificates.

PASSED AND APPROVED THIS 2ND DAY OF JULY 2024.

Mayor Anthony Groves

ATTEST:

City Secretary Tina Keys

[CITY SEAL]

Exhibit "A"

NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND SURPLUS
WATERWORKS AND SEWER SYSTEM REVENUE
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Brady, Texas, will convene at its regular meeting place of said City Council located in the City of Brady Municipal Court Building, 207 S. Elm Street, Brady, Texas for a regular meeting called at 6:00 p.m. on September 3, 2024, and, during such meeting, the City Council will consider passage of an ordinance and take such other actions as may be deemed necessary to authorize the issuance of a series of combination tax and surplus waterworks and sewer system revenue certificates of obligation in a principal amount not to exceed \$680,000.00. The purpose of the certificates to be authorized is to pay contractual obligations of the City to be incurred for planning, design and construction for the replacement of a water line, including the restoration of residential service connections and the addition of new fire hydrants and related asphalt repair, such improvements being identified as Texas Water Development Board Project No. 10466, and the payment of professional services and costs of issuance related thereto. The certificates of obligation will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and a pledge of the surplus net revenues from the City's waterworks and sewer system. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Local Government Code, Section 271.041, et seq.

As further required by Local Government Code Section 271.049(b)(4)-(6), the following additional information is provided:

- (A) The current principal of all outstanding debt obligations of the City is \$23,080,000.
- (B) The current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$23,835,717.
- (C) The maximum principal amount of the certificates to be authorized is \$680,000.
- (D) The estimated combined principal and interest required to pay the certificates to be authorized on time and in full is approximately \$697,304.
- (E) The estimated interest rate for the certificates to be authorized is 3.17%.
- (F) The maximum maturity date of the certificates to be authorized is September 1, 2035.

Pursuant to Texas Local Government Code Section 271.049, an election on the question of the issuance of the certificates will be called if before the time tentatively set for the authorization and issuance or if before the authorization of the certificates, the City Secretary receives a petition signed by at least five percent of the qualified voters of the City protesting the issuance of the certificates, the City may not issue the certificates unless the issuance is approved at an election ordered, held and conducted in the manner provided for bond elections.

/s/ Anthony Groves
Mayor, City of Brady, Texas

ISSUE BEING EVALUATED
FOR ILLUSTRATION PURPOSES ONLY

City of Brady

\$680,000 City of Brady, TX Combination Tax and Surplus Waterworks and Sewer System Revenue Certificates of Obligation, Proposed Series 2024

Dated Date: 9/1/2024	Source: EDAP
Delivery Date: 9/1/2024	Rate: 3.17%
First Interest: 6/15/2025	IUP Year: 2022
First Principal: 6/15/2025	Case: Tax and Revenue
Last Principal: 6/15/2026	Admin.Fee: \$0
Fiscal Year End: 09/30	Admin. Fee Payment Date: N/A
Required Coverage: 1.1	

							\$2,535,000	\$30,000		
							PROPOSED SERIES 2024	PROPOSED SERIES 2024		
							PID 62992 ⁽¹⁾	PID 62992 ⁽¹⁾		
FISCAL	PROJECTED	CURRENT	\$680,000 ISSUE			TOTAL	TOTAL	TOTAL	TOTAL DEBT	
YEAR	NET SYSTEM	DEBT	PRINCIPAL	INTEREST	INTEREST	PAYMENT	PAYMENT	PAYMENT	SERVICE	COVERAGE
	REVENUES	SERVICE	PAYMENT	RATE	PAYMENT					
2025	\$2,379,192	\$1,045,859	\$670,000	3.17%	\$16,997	\$686,997	\$406,225	\$5,000	\$2,144,081	1.11
2026	\$2,379,192	1,045,859	10,000	3.07%	307	10,307	102,301	5,000	\$1,163,467	2.04
		\$2,091,718	\$680,000		\$17,304	\$697,304			\$3,307,548	

AVERAGE (MATURITY) LIFE	0.8 YEARS
NET INTEREST RATE	3.167%
COST SAVINGS	\$2,051
AVERAGE ANNUAL REQUIREMENT	\$348,652

Disclaimer: This is a working document and is provided as a courtesy. All information contained herein, including the proposed interest rate, is subject to change upon further review of the TWDB in accordance with 31 Texas Administrative Code Chapters 363, 371, 375, or 384, as applicable. The TWDB does not function as a financial advisor to anyone in connection with this financing. The information contained in this document is used by TWDB staff to analyze the application for financing is illustrative only and does not constitute any guaranty of future rates. The TWDB makes no claim regarding the applicability of the information at closing, at which time actual rates will be set.

(1) Projected debt service figures for proposed simultaneous LSLR debt

CERTIFICATE OF CITY SECRETARY

THE STATE OF TEXAS §
COUNTY OF McCULLOCH §
CITY OF BRADY §

I, the undersigned City Secretary of said City, hereby certify as follows:

1. The City Council of said City convened in a Regular Session on July 2, 2024, at the Municipal Court Building, 207 S. Elm Street, Brady, Texas; and the roll was called of the duly constituted officers and members of said City Council, to-wit:

	Anthony Groves	Mayor
	Missi Elliston	Mayor Pro-Tem/ Councilmember Place
2	Terry Phillips	Councilmember Place 1
	Jeffrey Sutton	Councilmember Place 3
	Felix Gomez, Jr.	Councilmember Place 4
	Gabe Moreno	Councilmember Place 5

and all of said persons were present, except for the following: _____;
thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting:

Discussion, consideration and possible action regarding the Resolution authorizing
publication of Notice of Intention to issue Combination Tax and Surplus
Waterworks and Sewer System Revenue Certificates of Obligation

was duly introduced for consideration of said City Council and read in full. It was then duly moved and seconded that said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried by the following vote:

AYES: ___

NOES: ___

ABSTENTIONS: ___

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and

purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this _____ of July, 2024.

City Secretary
City of Brady, Texas

[CITY SEAL]

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	7/2/2024	AGENDA ITEM	7.B.
AGENDA SUBJECT:	Discussion, consideration and possible action approving interlocal agreement with McCulloch County for EMS services.		
PREPARED BY:	E. Corbell	Date Submitted:	6/28/24
EXHIBITS:	Draft Interlocal Agreement		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

SUMMARY:
At a joint workshop on July 17, 2023, members of the City Council met with County Officials, including the County Judge, Commissioners and Attorney. Through discussion, both groups arrived at a mutually agreeable interlocal agreement for EMS services that will be updated annually for both groups to approve. This year's interlocal agreement is for \$294,055.36, representing 19.2% of the net expenditures for the 2022-2023 fiscal year's operations. This agreement and updated numbers were provided to County Judge Frank Trull on March 15, 2024. This agreement ensures EMS services for the county from October 1, 2024, until September 30, 2025, with an updated interlocal agreement to be presented to the county in March of 2025 for their consideration for the following fiscal year.

RECOMMENDED ACTION:
Approve interlocal agreement with McCulloch County.

EMS Statistics

Call Volume

Total	City	Other	County	County %
1094	849	35	210	19.20%

Billable Status

	Billable	Non-Billable	Total Calls
County	74	136	210
City/Other	598	286	884
	672	422	

% of County Calls that are billable	35.24%	% to Total Billable Calls	11.01%
% of County Calls that are non-billable	64.76%	% to Total Non-Billable Calls	32.23%

Financial Breakdown

	Billed Amount for Calls	Contractual Reduction	Net Charge	Payment	Balance
Total	1,135,055.20	458,711.34	676,343.86	313,904.98	154,503.00
County	275,423.00	78,985.27	\$ 196,500.73	80,889.89	43,044.26
%	24.27%	17.22%	29.05%	25.77%	27.86%

Write-off

Total	207,935.90
County	71,979.81
%	34.62%

Judge's Formula

EMS Revenues (Including Service Collections)	320,433.98
EMS Expenses (Excluding Fire)	<u>1,851,972.31</u>
Net Revenue Over/(Under) Expenditures	(1,531,538.33)
 If percentage of calls is applied	 294,055.36

Percent of total expenses	355,578.68
County payments from Ins and private pay	80,889.89
County percent of RAC grant	<u>2,987.90</u>
	271,700.89

INTERLOCAL COOPERATION AGREEMENT

between

THE CITY OF BRADY, TEXAS AND THE COUNTY OF MCCULLOCH

This Agreement is entered into by and between the City of Brady, Texas (herein “City”) a home rule municipality duly incorporated under the laws of the State of Texas and the County of McCulloch, a body corporate and politic acting herein through its Commissioners Court, (herein “County”) to be effective on the 1st day of October, 2024 (the “Effective Date”).

WHEREAS, the State of Texas, in the Interlocal Cooperation Act, has provided in Chapter 791 of the Texas Government Code, has authorized the City and the County to contract, to the greatest possible extent, with one another to jointly exercise services to increase the efficiency and effectiveness of their respective local governments; and

WHEREAS, the City and the County find it is in the public interest for the City to provide Emergency Medical Services to the residents of the City and the County.

NOW, THEREFORE, THE CITY AND THE COUNTY HEREBY AGREE AS FOLLOWS:

SECTION I **PURPOSE**

The purpose of this Agreement is to ensure that the Parties hereto provide Emergency Medical Services in a cooperative manner to the citizens of both the City and the County, other than City of Melvin which is not a part of this Interlocal Agreement between the City and the County.

SECTION II **DUTIES AND RESPONSIBILITIES OF THE PARTIES AND AGREED FUNDING**

2.1 EMS Services.

- a. The City agrees to provide Emergency Medical Service (“EMS”) services to the residents of the County who reside outside Brady’s city limits in unincorporated areas. EMS services for the purposes of this Agreement shall be defined as

emergency ambulance services and shall include prehospital transportation of persons in need of emergency medical care by trained and specially equipped personnel for that purpose.

- b. For EMS services, the County will pay the City two-hundred ninety-four thousand and fifty-five dollars and thirty-six cents (\$294,055.36) as follows:
 - 1) A fee of seventy-three thousand dollars (\$73,000.00) shall be paid to the City on or before November 15, 2024.
 - 2) The remainder shall be paid by March 1, 2025.
 - 3) The \$294,055.36 is for the services provided from October 1, 2022 through September 30, 2023.
- c. Separately, the City will bill the County for EMS calls for service to the Jail in accordance with the standard billing service fee schedule determined by the level of EMS services rendered.
- d. Future Terms and Service Years. Not later than March 1, of each successive year, the City shall provide the County with itemized statement of EMS expenses for the prior fiscal year to determine the fee for the term to begin on October 1, 2024 and thereafter but for the then next service year. Should the parties not be able to agree on the future term fee, the parties can agree that the fee will not be less than the fee paid for the prior term or the City may choose to discontinue EMS service in the County. The decision to continue service shall be made on or before June 30, of each successive year.
- e. Fee Calculation Formula—Nineteen point two (19.2%) applied to the net expenditures of EMS for services provided October 1, 2022 –September 30, 2023 of \$1,531,538.33.

SECTION III

INDEPENDENT CONTRACTOR/LIABILITY

3.1 At all times during the performance of this Agreement and in connection with any services rendered under this Agreement, both Parties shall be considered as independent contractors. No relationship of employer-employee is created by this Agreement or by the

City's or County's service. The County acknowledges that City is not obligated to provide Workers' Compensation Insurance or any other of the City's employee related insurance or benefits for County personnel. The City acknowledges the County is not obligated to provide Workers' Compensation Insurance or any other of the County's employee related insurance or benefits for City personnel.

3.2 Pursuant to Tex. Gov't Code Chapter 791, Section 791.006(a) County shall be responsible for any civil liability that arises from the furnishing of training, fire suppression, fire fighting, ambulance services, hazardous materials response services, fire and rescue services, or paramedic services by City if such service is provided outside the City limits of City, in the unincorporated portions of the County.

SECTION IV
NO PARTNERSHIP
NO WAIVER OF SOVEREIGN IMMUNITY

It is agreed that nothing herein contained is intended or should be construed as creating or establishing a partnership relationship between the parties, or as creating or establishing the relationship by either party as an agent, representative, or employee of the other party for any purpose or in any manner, whatsoever. No third party shall have the authority to seek to enforce, modify or bring action relating to the terms contained herein.

Nothing in this Agreement shall be construed as waiving either party's sovereign or governmental immunity as granted by the State of Texas.

SECTION V
MISCELLANEOUS

5.1 Each party shall approve participation in this Agreement by the appropriate governmental body or authorized public officer.

5.2 The County and the City may not assign or amend all or any part of this Agreement without the prior written consent of each party.

5.3 The annual renewal and, if necessary, renegotiation of this Agreement shall be contingent upon the availability of current revenue funds. If sufficient funds are not allocated by the City or the County as provided for in this Agreement, either Party may terminate this Agreement on ninety (90) days' notice to the other Party.

5.4 This Agreement may be terminated or renegotiated in the event of changed state regulations that affect the parties' performance under this Agreement.

5.5 All notices under this Agreement shall be in writing and may be either hand delivered or sent by certified mail, postage prepaid, return receipt requested, to the following addresses:

CITY: Honorable Anthony Groves
Mayor of the City of Brady
201 E. Main St.
Brady, Texas 76825

COUNTY: Honorable Judge Frank Trull
McCulloch County Judge
199 Courthouse Square Room 302
Brady, Texas 76825

5.6 The waiver by any party of a breach of the Agreement shall not constitute a continuing waiver of such breach or of a subsequent breach of the same or different provision.

5.7 Each party shall be excused from any breach of this Agreement that is proximately caused by action by the Legislature of the State of Texas, war, strike, acts of God, or other similar circumstances or events normally deemed outside the control of the non-performing party, but will not eliminate the right to terminate for failure to perform under this Agreement.

5.8 The City and the County shall not discriminate based on creed, age, race, religion, disability, or gender and shall abide by all local state, and federal laws prohibiting discrimination.

SECTION VI **SEVERABILITY**

The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held to be invalid or contrary to the law by a court of competent jurisdiction or contrary to any rule or regulation in the remaining portions of the Agreement, it shall not affect, impair or invalidate this Agreement as a whole or any provision hereof not declared to be invalid or contrary to law. However, upon the occurrence of such event, either party may terminate this Agreement forthwith upon the delivery of written notice of termination to the other party.

SECTION VII **ENTIRE AGREEMENT: REQUIREMENT OF AUTHORITY IN WRITING**

It is understood and agreed that the entire Agreement of the parties is contained herein and that this Agreement supersedes all oral or written Agreements and negotiations between the parties relating to the subject matter hereof as well as any previous Agreement presently in effect between the parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this Agreement shall be valid only when expressed in writing and duly signed by the parties. **NO OFFICIAL, AGENT, EMPLOYEE, OR REPRESENTATIVE OF THE CITY OR COUNTY HAS ANY AUTHORITY TO ALTER, AMEND, OR MODIFY THE TERMS OF THIS CONTRACT, EXCEPT IN ACCORDANCE WITH SUCH EXPRESS WRITTEN AUTHORITY AS MAY BE GRANTED BY THE CITY COUNCIL AND COUNTY COMMISSIONERS COURT.**

SECTION VIII **VENUE**

The parties agree that this Agreement is fully performable in McCulloch County, Texas, and further agree that venue for any litigation arising out of or relating to this Agreement must be filed in a court of competent jurisdiction located in McCulloch County, Texas.

SECTION IX
TERM

Expressly subject to the provisions of Section II, 2.1 D, this Agreement will become effective October 1, 2024 and will expire on September 30, 2025, unless sooner terminated by failure to pay fees due hereunder. This Agreement, whether in a primary or renewal term shall without further notice, automatically terminate ninety (90) days after a payment is due but not made by the County. The terms of this Agreement shall thereafter be reconsidered by the Parties for inclusion in a new Interlocal Agreement for a new one year term or as may be modified by the Parties. No automatic renewal shall occur. Either party may terminate, with or without cause, by giving at least ninety (90) days written notice to the other party but said notice of termination shall not relieve the County of paying sums already incurred.

SIGNATURE PAGE FOLLOWS

SECTION X
EXECUTION

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed as noted below, with an effective date of October 1, 2024.

FOR THE CITY OF BRADY:

*by:*_____

Mayor Anthony Groves

Date:_____

FOR THE COUNTY OF MCCULLOCH:

*by:*_____

Judge Frank Trull

Date:_____