



CITY OF BRADY COUNCIL AGENDA REGULAR CITY COUNCIL MEETING AUGUST 6, 2024, 6:00 P.M.

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. on August 6, 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 July 17, 2024 and Budget Work Session Meetings on July 16, 18 and 23, 2024
- B. Approval of a noise variance for TinMan Memorial Motorcycle Rally to be held at Brady Lake Gun Range on October 18th and 19th until 1:00 a.m. both days as requested by Philip Cruts and the Iron Horse Motorcycle Club.
- C. Approval of a noise variance for a graduation/18th birthday party to be held on August 10, 2024 at Willie Washington Park until 1:00 a.m. as requested by Guadalupe Banda.

5. PRESENTATIONS

- FY25 Proposed Budget – Lisa McElrath

6. PUBLIC HEARING:

Public Hearing to receive comments for a request for a zoning change from Commercial District to Single Family Residential for property located at 1304 S. High Street, Jones Subdivision, Block 7, Lots 1 - 6

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.

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 the **first reading of Ordinance 1381** of the City of Brady, Texas granting a zoning change from Commercial District to Single Family Residential for property located at 1304 S. High Street, Jones Subdivision, Block 7, Lots 1 – 6.
- B. Discuss and conduct a record vote FOR or AGAINST the proposed 2024 tax rate.
- C. Discussion, consideration and possible action allowing Lone Star Flattrack Association to use G. Rollie White Downs October 29 – 30, 2024 for flattrack motorcycle race series.
- D. Discussion, consideration and possible action directing staff regarding an Interlocal Agreement with the City of Melvin for EMS services.
- E. Discussion, consideration and possible action regarding potential amendment to FY25 budget as requested by Mayor Groves.
- F. Discussion regarding landfill closure

8. STAFF REPORTS

A. Upcoming Special Events/Meetings:

| | |
|-----------|---|
| August 20 | Regular City Council Meeting, 6:00 p.m. |
| August 20 | Happy Birthday Terry Phillips |
| August 21 | Happy Birthday Tony Groves |
| August 29 | Annual Employee Appreciation Goat Cook-off Luncheon – Richards Park |
| Sept 2 | Labor Day Holiday, City offices closed, altered trash schedule |
| Sept 3 | Regular City Council Meeting, 6:00 p.m. |
| Sept 17 | 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:
- 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 / Golf Cart Sheds
- 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: Fire Chief

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 Rescheduled Regular Meeting on Tuesday, July 16, 2024 at 6:00 p.m. with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, Terry Phillips and Gabe Moreno. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Police Chief Randy Batten, Fire Chief Lloyd Perrin, City Attorney Sharon Hicks and City Secretary Tina Keys. Also in attendance were Daniel Mendoza, Russ McElrath, Lloyd Newton, Anita Ellison, Shiela Hemphill, Charles Bush, R.S. Bush, James Griffin and Charles Hodges.

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 Phillips gave the invocation, and the Pledge of Allegiance was recited

3. PUBLIC COMMENTS

Sheila Hemphill – asked council not to approve awarding the contract for the comprehensive plan and allow a report to be processed of the last comprehensive plan. Also, regarding the old hospital lot, public notice for P & Z hearings was not posted and said she received her notice yesterday and it's not dated. It doesn't tell her how she is to oppose anything happening at the meeting. She asked Letha to provide her with language from Ordinance 10.6 section D which discusses vaguely the Planning and Zoning Process. Shiela referred council to her handout regarding notice to property owner and cited state code much of which was not in notice she received. Notification of how to file objections would be helpful too. The meeting was not posted on the website, and she didn't receive the notice in time to attend the meeting originally scheduled for the 16th. Hemphill asked how anyone can have an objection when we don't really know anything. Her concern right now is they want to put 6 houses in one block, and this is a historical area. Attorney Hicks said the zoning ordinance would say how many houses can be put on a block.

4. CONSENT AGENDA

- A. Approval of Minutes for Rescheduled Regular Session Meeting on July 10, 2024.
- B. Discussion, consideration and possible action to authorize the sale of alcoholic beverages at Richards Park for the 50th World Championship BBQ Goat Cook-off on August 30, 2024 through August 31, 2024.
- C. Discussion, consideration and possible action regarding the temporary closure of Memory Lane as well as Sixth Street at Parkview and 11th Street where it intersects with 6th Street on Friday, August 30, 2024 and ending Sunday, September 1, 2024 and a noise variance starting at 8:00 p.m. on Friday August 30, 2024 until midnight on Saturday, August 31, 2024 for the concerts that will go along with the 50th Annual World Championship BBQ Goat Cook-off.

Council Member Moreno asked what alcohol will be served. Daniel Mendoza said Daquiris To Go will sell wine based daquiris and TapVille will be selling beer. Council Member Sutton asked if attendees can bring their own alcohol. Daniel said yes.

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

5. PRESENTATIONS:

- Comprehensive Plan – Verdunity – AJ Fawver and Maddie Capshaw presented to Council
- Third Quarter Financial Report – FY 24 – Lisa McElrath presented to Council

6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING

There were no public hearings

7. INDIVIDUAL CONCERNS

- A. Discussion, consideration and possible action regarding awarding contract for Comprehensive Plan and Parks Master Plan to Verdunity, Inc. Erin Corbell said we received proposals from three companies and ranked them and chose Verdunity. Staff recommends moving forward. Council Member Elliston moved to approve the proposal package from Verdunity for the Comprehensive and Parks Master Plan update in the amount of \$95,733. 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 directing staff regarding Interlocal Agreement with the City of Melvin for EMS services. Erin Corbell said the City of Melvin indicated they do not intend to sign agreement and they do not intend to pay. Corbell said if we hold them the same as the county, then we will cease service. Council Member Phillips asked why Melvin will not sign agreement or pay. Corbell said finances are a major concern but they also state that we can't cease to provide service so they don't believe that will happen. Council Member Phillips said we can refuse service. Erin Corbell said that is correct, we are not required to travel 18 miles out of town to provide EMS services. Council Member Phillips asked if the hospital has ambulances. Corbell said yes, but they are for transfers and are not a primary 911 provider. Shiela Hemphill asked if the county has EMS services and Corbell said yes as of now they do. Mayor Groves said the county said they are not paying EMS service in Melvin. Shiela Hemphill asked if they could pay for calls for services on an individual basis. Erin reviewed the numbers. Attorney Hicks said pay as you go is not a viable solution. Council Member Gomez said we have had a workshop with the county and Melvin. We offered communication with all parties. Council Member Moreno said they've known the amount for a while and have had time to work it out. The \$14,700 would be the bill sent to them if there was an agreement. Council Member Phillips said Brady taxpayers cannot pay for EMS services for county residents. Shiela Hemphill said Brady receives sales tax. Council Member Moreno said the county used to pay Melvin's portion, but they won't continue to pay because Melvin is incorporated. He agrees with Erin that we need to do with one entity with what we're doing with the other. Mayor Groves said we would have to decide at what point do we discontinue service. The county is paid for until the end of the fiscal year. If somebody calls for service and they're outside Melvin it would be on the county's dime. Council Member Elliston said we agree what we do for one entity, we do for the other. Erin Corbell said we can put it on the agenda for the 6th for formal action. The first week of October she reviews all the fire EMS call sheets and breaks them down and takes out those in the city limits and verifies on the appraisal district and then maps it to get location distance. Council Member Elliston said we have discussed and agreed to continue moving forward with the City Manager's formula. Charlie Bush asked what if somebody who lived in the city is out at Jacoby's eating and gets hurt or sick, would we not respond? Mayor Groves said there are parts of the state of Texas that have no ambulance service. We provide service in the county under a contract. There will be publications that you won't get ambulance service after the 30th of September from Brady EMS. They can get that service from somewhere else. It is the council's obligation not to spend city money on a county expense. Council Member Elliston moved to table until August 6th. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

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:**

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|-----------|---|
| July 18 | Budget Work Session |
| July 23 | Budget Work Session |
| July 23 | Employee Pool Party, 6:00 p.m. |
| July 25 | Budget Work Session (if needed) |
| 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

Erin Corbell said the old railroad building on N Bridge St. is set for demolition by the railroad, the security fencing is up, that is scheduled with completion by August 16th.

Council Member Phillips said Erin Corbell and Attorney Hicks have been tenacious. We put down stringent fines that they're going to have to pay. They've done a great job. It was a frustrating thing.

Charles Hodges asked if the fines go into the general fund. Corbell said some will go into court security fund and some into general fund.

Shiela Hemphill asked about fire service in Melvin. Erin Corbell said fire is not included. It's EMS service only. Council Member Elliston said they don't include any fire costs in what is billed to the county because the volunteer fire departments assist us.

10. EXECUTIVE SESSION

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

- Pursuant to Section 551.071 (Consultation with Attorney), the City Council will consult with the City Attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act;
- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Police Chief
- 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

Regular Session recessed at 7:09 p.m. Executive Session opened at 7:22 p.m. and closed at 9:23 p.m. Regular Session resumed at 9:24.

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

No action was taken as a result of Executive Session

12. ADJOURNMENT

There being no further business, Mayor Groves adjourned the meeting at 9:25 p.m.

Anthony Groves, Mayor

Attest: _____
Tina Keys, City Secretary

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Budget Work Session Meeting on July 16, 18, 23 and 25, 2024 at 10:00 a.m. with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, Terry Phillips and Gabe Moreno. City staff present were City Manager Erin Corbell, Finance Director Lisa McElrath, Public Works Director Steven Miller, Police Chief Randy Batten, Fire Chief Lloyd Perrin and City Secretary Tina Keys. Also in attendance was Aaron Garcia and James Griffin. Zane Brandenburger entered the meeting at 11:15 a.m.

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

July 16, 2024 - Mayor Groves called the meeting to order at 10:01 a.m. Council quorum was certified.

2. Review / Discuss

Erin Corbell said in March the finance team asks staff to review performance with the current year budget and in April ends out packets to each division to start preparations for the FY 25 budget book. Staff requests adjustments needed to complete the current FY. In May, staff meets with the city manager and Lisa to review the requested FY 25 budget. There are supplemental sheets for any increase / decrease to the divisional budget compared to the FY 24 original budget. Lisa McElrath said those sheets are located at the last page of each division in the budget book. The Finance Director and City Manager meets with each division and review their supplementals and increase decrease sheets. Lisa said base supplemental items in the budget are those items that are needed. Most of them are replacing a truck or equipment that they use every day. We made the decision that those items need to be in the budget, however those items can be discussed further. Supplementals would be items that if we did not get those, the programs could still continue but might not be absolutely necessary. We don't have all the money for all of the supplementals. The city manager prioritized what she thinks is important but they're asking for council input. Council Member Sutton asked if money rolls over. Lisa said we are creating a balanced budget. We are identifying revenues and expenditures. And it's balanced. We believe we are going to spend all the available funds. Then we start that fiscal year in October and we go through the year and things are going to happen. At the end of the year, you look and see what actually did and did not happen and she will come back in October 2025 for a budget amendment if needed to roll over approved budget FY 25 funding to the new FY 26 year.

Revenue Sources – Sales Tax

Property Tax – Zane Brandenburger
Utility Fees

Lisa said we invited Zane Brandenburger who will come talk about tax rates. That is what funds a lot of what we need to do for our citizens. We are fortunate in that we sell electricity, so we are utilizing quite a bit of money from there to fund services for our citizens. We also have property tax and sales tax. Our general budget is 9 million. Our tax base is 1 million. That's something we need to be conscientious of. We also have utility dollars that we use. We try to apply for grants and have been very successful in our water system and we will continue to look for grant opportunities. Both police and fire have been able to get some grants.

Council Member Moreno asked how much the meter fees are. Lisa said we have one for electric, one for water, etc. so it adds up. Council Member Phillips said his house in Midland utilities are higher for a smaller

house that they don't even live in. Council Member Elliston said a lot of our houses here are older and not insulated as well. Lisa said we have kept our electric rate steady for several years. Lisa said we have our electric commodity rate and distribution rate. The distribution rate is what the city charges and those are the funds that we get to keep and pay for our operations. We collect our commodity rate and pay our bill with it. Mayor Groves said with the sale of the gas, how do we manage that budget? Lisa said we did budget for a full year because we don't know how long it will take. When we get further down the road, we will fully understand the financial impact. We take about \$140,000 from the gas system and it supports the general fund and utility support fund. When we sell, we will make some money, but we will have to make some decisions at that time. Lisa said within the operational budget, there is a \$140,000 budget paying for administration and service fees. Administration is not going to go away. We still have to manage utilities. Mayor Groves said right now there is no change for this year. We will know more when we go through the process.

Council took a break at 10:57 and resumed at 11:16 a.m.

Zane Brandenburger entered the meeting. Erin Corbell asked Zane to tell us about the estimated value of \$275,000,000 before any protests. Zane said as far to budget it's the value times the tax rate. He will calculate the no new revenue tax rate. It brings in the same amount of revenue as the year before. Then you have the voter approval rate. That is the rate that increases the tax revenues by 3.5 percent. The "no new revenue" rate will bring in the same amount of funds/taxes as the year before. The voter approval rate will be the maximum rate allowed without fear of a voter referendum. You can set the rate you want to but if you go over a certain threshold, you could have a rollback election that has to be approved by the voters. A certain number of voters would sign a petition and it would go to a vote. Lisa said voters would have to initiate the petition if the tax rate approved by council was beyond that threshold. If the taxpayer doesn't file a petition, you can adopt whatever tax rate you want. Zane said notices have to go in the newspaper if you go over the certain threshold. Aaron Garcia asked about doing away with property tax. Zane said if they do anything, they might do something with schools.

Lisa said when the new tax concept was introduced, they said if the council didn't approve the voter approval tax rate in year one, the calculation would allow us to roll over some of those monies. If the council chose, they could choose a larger voter approval rate. Does that continue every year? Zane said yes. Lisa said I understand that last thing we want to do is raise taxes but that's what funds our General Governmental services. Lisa asked if we can we get an approximate amount of money that a voter approval rate would generate? Zane said last year no new revenue rate was .34 and voter approval rate is .35. but you do have some carryover. Last year take 2021 tax rate and voter approval rate and subtract that, if you didn't adopt the voter approval rate you can carry it over. For 2022 you have .015. that you can add to the voter approval rate without voters coming back to petition. Zane said if you don't use it, you lose it after 3 years. Lisa said the sales tax the county gets goes against their property tax valuation. Zane said they're super conservative on their estimates.

Mayor Groves said there were years that the input from council was we're not going to raise taxes. Now that we know that's a vague statement, so what he's looking for is what's the feel of the council members, are you amiable to increasing the tax rate within the allowable amount if we're about the lose the opportunity to raise a certain amount, or do you want to be able to say we haven't raised your taxes in a long time. That's important so we can calculate how much money we have. Council Member Phillips said if we do decide to raise tax rate, we have to determine the proper way to explain to the taxpayers. Mayor Groves said we would need to be consistent.

Council took a break for lunch at 12:08 p.m. and resumed the work session at 12:37

Mayor Groves said Zane gave us some interesting information but it's a little confusing too. Do we want to take advantage of the percentage that we could raise our taxes or not. Lisa said maybe we could ask each individual council member; are you in favor of voter approval rate that would generate appx \$31,000 - \$35,000 more in tax dollars. Lisa thinks it would be a fiscally wise decision to go with the voter approval rate. Property and sales tax do not cover general fund expenditures as it is. We have more wants than we have money for. Council Member Moreno said if we need to try to increase our revenues and decrease expenses, he doesn't have a problem. This is one way to increase revenue and it doesn't cost that much money to the citizens. Council Member Elliston said that is where education is important, and Council Member Moreno agreed. Council Member Moreno said we have to be careful on what we're spending. Council Member Elliston said the citizens want so many things. The citizens need to understand with the wants comes the costs. Mayor Groves said you need to explain to the taxpayer that this is what we will spend the money on and explain what it will cost the individual taxpayer. Council Member Moreno asked if this something we want to do because we can or because we need to. Council Member Phillips said some people in town will say we are doing that to give raises to employees; not that he is against giving employees raises, but we have to formulate a response. Erin Corbell said we go to them and tell them the budget includes a 3% cost of living increase for all employees that doesn't include the \$31,000. Council Member Sutton said he would like to see where the money would go and if it makes a difference, then that will matter. Council Member Moreno said he does see the long-term effect. Council Member Gomez said it's being progressive. Lisa said if you do it gradually it doesn't impact the taxpayer as much. Mayor Groves said we had a town hall meeting that said beautification of the city was really important. We can put that \$31,000 wherever we want to, and we can start off with a plan to say that it's going to be applied to what the town hall meeting folks said was important, cleaning up the city.

3. Present: Budget Summaries

Draft Proposed Base Budget Summary
Fund Balance Adequacy

Lisa reviewed base budget summaries. Lisa said we budget a 3% COLA increase for all positions and a 10% increase on insurance. We don't have numbers for insurance yet.

Erin suggested that Council could adjust reserve levels if they chose to.

Lisa explained why she would not want to see reserves set any less than 90 days but said it's council's decision if they want to change it. She said we don't have hurricanes, but we could have tornadoes and if it takes out our electric system, we would have to be able to sustain. It could be a while before government funds come through, if any. We could decrease electric and water reserves after sale of substation and completion of water projects. We cannot use water/sewer funds for anything other than water and sewer. We cause use it for some capital improvements we need for our water system.

4. Discuss:

Base Budget Supplemental Decisions – APPENDIX - TAB F

Supplemental Decision Requests – APPENDIX Book
Utility Funds
General and Special Funds

Lisa explained these have already been put into the base budget. We are recommending to finance these capital items to take advantage of our high rate of interest compared to interest rate we would have to pay.

Lisa referred council to tab J to make sure they understand the city's current debt position and why we sometimes promote financing vs paying cash. Lisa said she looks at debt as a positive for when you have an entity who doesn't have all the money to pay for anything. The longer you wait to buy something the more expensive it will become. Sometimes if you wait until you can afford to buy something you may not be coming out ahead. We're still trying to recover from supply chain issues caused by covid. We adopted a debt policy and it is included for the council to review so she has something to go by when it comes to financing. In less than 10 years, our debt will be paid off, except for water project.

Council took a break at 2:08 p.m. and resumed at 2:21 p.m.

Fee Schedule - APPENDIX - TAB I

Lisa reviewed franchise fees and said the Texas Water Development Board will allow a franchise fee and administrative fee be paid out of the water fund.

Council Member Moreno said we should not charge the chamber to use the civic center. Erin Corbell said it used to be that the chamber would give the city a table at the chamber banquet and then the city would not charge the chamber, but that's not the case anymore. Council Member Moreno said he's sure they would be willing to do that. Most of us are there anyway and we're paying for council to attend. Council Member Elliston said maybe we can renegotiate. Lisa said in general, cities are not to give away services and the chamber is a for profit organization. Erin said they are not for profit. They are a 501c6. Erin asked do we get specific and say there is no fee for the banquet or for the chamber as a whole?

Council Member Sutton asked if we can give a break to people coming in to fix up houses. Erin said the intent next year is to do a deep dive into permitting cost. Tap fees are reasonable in comparison but permit for residential adds up fairly quickly.

Lisa asked council to review the fee schedule and let us know if there are any questions and we will bring back in September for an official vote.

Policies – APPENDIX – TABS U and V

Mobile Communication Device Allowance Policy – Lisa said a change requested would eliminate the need for finance approval, it would just be supervisor and city manager. Also used to have where we would give \$100 for someone to upgrade their phone. We would like to remove that but replace it with a potential allowance should the person damage their cell phone while on the job during performance of their duties. Previously there was \$15, \$25, \$50 and \$70 which only went to a few people, only like two and it's being changed to \$25 for staff and \$50 for superintendent. Lisa said they also have to stipulate why they need their cell phone for work. Lisa said we will bring back in September for approval if council is ok with it.

Lisa said there is potential new program. Citizens voted to take out language that allowed someone to check a box on their utility application saying I don't want an electric meter because it might harm myself and they had that option. They no longer have the option to request that. She is bringing forth the question would you like an opt out program to put in place for electric meters. Our meters are not true smart meters, they are advanced meters. It does collect data, but it sends via electric frequency. Erin Corbell said we had told council during charter meetings that we would bring forward a policy to address the concerns. Council Member Elliston said she does think we should offer an opt out policy. Lisa said she wrote something for

their review but the Texas Local Government Code which is referenced in the handout is not correct. It's the Texas Administrative Code. She used San Antonio and New Braunfels policies as a basis. There is a small fee because every city charges that fee which is \$50. We currently are not charging to read the meters. The PUC has acknowledged that if we put in a digital meter, we are taking time away from our meter tech to read those meters. We are asking for a \$15 fee for him to go out and read the meter every month. Council Member Moreno said if they switch back to advanced meter, he wouldn't charge a fee for that change. It should be zero to encourage people to come back. Lisa said we will bring back in September for approval to implement in October.

Meeting was adjourned at 3:18.

The City Council of the City of Brady, Texas met in a Budget Work Session Meeting on July 18, 2024 with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton, Terry Phillips and Gabe Moreno. City staff present were City Manager Erin Corbell, Finance Director Lisa McElrath, Public Works Director Steven Miller, Police Chief Randy Batten, Assistant Fire Chief Jeremy Ramon, Fire Administrator Ron Larson and City Secretary Tina Keys.

Mayor Pro Tem Elliston called the meeting to order at 10:02 a.m. Council quorum was certified.

Erin Corbell reviewed worksheets handed out. Tab H – voter approval tax rate calculation if adopted, would result in an approximate 3.5% increase to city's revenue base, or approximately \$31,000 and ranges from \$6 to \$24 per property owners for a year. Phones – we have 6 cell city phones and 20 cell phone stipends, mostly for division heads. The cost of providing stipend vs buying phones for everybody, we're probably paying maybe \$200-\$300 per year by providing stipend. It's a lot cleaner and easier to provide a stipend and they're taxed appropriately so IRS is happy.

Third sheet is base utility charges. Erin did a brief comparison with other municipalities who provide electric service. We fall in the middle with our base fee. Lisa said the city of Brady has way more services than a lot of other cities. Council Member Sutton said he is against the water base charge if there is an increase because he doesn't want to have a bunch of dead trees like San Angelo.

Supplemental requests –

Erin said we've been working on an interlocal agreement with the volunteer fire department about how those funds are being used. Lisa said that is required. Any time a municipality provides funds to a separate entity, there has to be an agreement. That should have been in place a long time ago. They've run into some issues. The delay is getting legal together with the city and VFD. They've gone through several versions of the agreement. The new city attorney will be taking the lead on that. Lisa said that agreement needs to be in place before the city hands over money to an entity. There is a great working relationship and a great appreciation for that organization. They're working on treating every entity the same with what is expected of everyone. Erin said we were getting copies of their bank statements and expenditure reports but that stopped. We just need to make sure those tax dollars are spent appropriately. Council Member Elliston asked if we can approve the funding in the budget but then not disperse funds until the agreement is set. Lisa said yes. Erin said we have been withholding those payments. Council Member Elliston asked how many months. Ron Larson said he thinks it is 2 months. Erin said we did communicate with the chief and now the new president about why the funds haven't been dispersed. Council Member Phillips asked if JT is the Chief, Ron said yes. JT has been president of the board and the chief. Now it's split out with James Stewart president and JT is chief. Ron said Karyna has the last 2 months bank statements. It's all contingent on this

agreement. Council Member Elliston asked if we will release all due funds once the agreement is reached. Erin said yes.

Utilities -

Electric – Steven Miller said the supplemental request is to pursue a federal grant. They've been trying to tract this infrastructure investment act. There are millions of dollars flowing into the electric system but we're not taking advantage of it. We may not get anything. This is complicated. The real message is we know there are infrastructure dollars out there. Miller said would like to not miss an opportunity. He believes we need to have professional services go after this money. We want to make a massive effort in our grid system, 150 poles. We know it's out there, but we don't have the staff resource. We've used McCord Engineering in the past. They're all electrical engineers and they would probably be the best candidate to help. Erin Corbell said what the state of Texas was distributing, they were giving a lot of favor to river authorities and very few municipalities. All were in favor.

Water and Sewer - Lisa said this request is coming from her after analyzing financials. Now that we have acquired debt with the water treatment plant, based on actual and projected collections of the sewer system, it looks like we're about \$100,000 short to cover debt service. She is asking for a slight increase to the sewer rate, \$2.00 a month to base fee and 20 cents per 1,000 gallons; close to 7% increase to user. Lisa referred council to the sheet with comparisons listed. Lisa said there are potential cost efficiencies once the plant is fully functional. Council Member Moreno asked if we can wait until next year to see how it's producing and then look at raising rates if necessary. Lisa said we are obligated to generate sufficient revenues. Lisa thinks we're going to have to start talking about doing the lead service line replacement project and that's going to be a lot of dollars. Erin Corbell said we do have the grant to help but it's still going to be a lot. Lisa said we might have to increase water rates next year to deal with that. Lisa said we can't measure efficiencies with the new water plant at this time but yes there has been some, but we are also dealing with interest revenues that won't last forever. Council Member Moreno said he's ok with raising rates if we have to but let's wait and see. Council Member Phillips said that system is extremely impressive out there. Miller said they are going to have a ribbon cutting in the fall and will invite the public. Miller said we're already stripping radium out of some of our water, and we are removing a lot of the iron out of the water too. We are delaying until next year, but Lisa said next year we may have to raise water and sewer at that time.

Water Construction Fund – Lead service line replacement project. Overall project cost is \$5,234,693. Miller said this is a mandate handed down from the EPA. Under their current rule we have a 10 year window to address galvanized lines. We made our first entry with TWDB to address our first phases – 400 service lines. We're going to approach this in steps. It's going to take several years. We have received loan forgiveness. Lisa McElrath said we were successful in going to TWDB for grants and low interest rate loans. This project they have provided both. If we are going to comply with the mandate, we should pursue this funding because we don't have any other resource. Debt service will not hit until 2026 so we would have to increase rates in 2025. We may have some cash. We show we have excess of 1.3 million. Do you want to use a million of that and apply to 2.5 million dollar loan? TWDB will probably allow a lump sum payment. But you're going to have to create a loan with them as well. A large payment would reduce the interest expense. There still will likely have to be a rate increase. We would need to decide if we want to do this mandated project then decide if we want to use the funds on hand. Miller said it's going to be hugely complicated going from house to house to see how the water goes from the tap to the house. Lisa said this is like phase one. This will not cover the whole project. Miller said the galvanized line that exists has to be replaced. Miller said it's a hugely complicated rule handed down by the EPA. Lisa said the water development board is offering quite a bit of grant money so we thought it would be beneficial to take advantage of that. All were in favor.

Council took a break at 11:18 p.m. and resumed at 11:29

Erin Corbell said we approached this budget year with the assumption that we will be operating the gas division for another year. They're requesting a gas check meter with corrector unit. Miller said we're relying on west Texas gas. We have no way to compare what we're receiving. The meter went obsolete. Mr. Galindo feels strongly that we should replace this meter. Council Member Elliston asked how soon we could get this meter. Miller said no time at all. We can get it within weeks. All were in favor.

Utility Support Fund – Lisa McElrath said our current software provider provides an application that would provide customers utility billing data giving our staff tools to resolve issues. Smart Meter Access is free to customers allowing them to tap into their activity that they currently cannot do. This would enhance the internal tools and give the customer more ability to answer their questions on their own. Council Member Phillips said there would be a savings also if people don't have to use our staff to answer every question. It's an efficiency issue. Council Member Moreno said it depends on how well we promote that too. Council Member Elliston asked if we find that it's not useable or our citizens are not using it, can we cancel. Lisa said she believes so, yes. We would lose the cost of implementation. Lisa will find out about cancelling and get back with council.

Solid Waste – Miller said this is about adequate staffing. We only have one person who is a laborer, but he gets pulled in a lot of different directions. Windblown trash is an issue. This increases our issue to have coverage when we need somebody to fill in. We've done a terrible job with wind-blown trash. We're trying to improve our service at the landfill. Council Member Moreno said we've had this conversation before. We do have a supervisor who can fill in. Miller said he fills in for the driver but looks to a laborer for the back of the truck. We still have to marshal our service in town. Mr. Kidd spends a lot of time finding poly carts and moving them back to where they belong. Poly carts get stolen or are missing. We track those numbers. Council Member Moreno said the landfill is not growing and we've had the same number of employees. We have hired extra employees and they're not utilized. Miller said public works is not fully staffed. We have a problem at the landfill, especially if there is a vacancy with an employee being on vacation or sick. Council Member Moreno said if it rains, the landfill is closed. We have employees sitting there when they could be cleaning that landfill and they're not. Miller said when it rains, we cannot allow ponding water. We have to get it switched to drainage. They spend a lot of time dragging pumps through the mud, they get stuck. They're spending a lot of their time getting that water out of those pits. To him this is about addressing the windblown trash. Council Member Elliston said she has received a lot of complaints about the blowing trash. About 5 years ago she asked us to look into fencing. Erin Corbell said it's 1 million dollars. Miller said these fences are 28' tall. Miller said we need to start thinking about landfill expansion. We have to address this early. Council Member Sutton said some cities are saying people can't use plastic. Miller said he's not sure how that would go over in Brady. He does recognize adding an employee is a huge decision. Council Member Moreno said they get that water out pretty quick but they're still waiting 2 – 3 days after a rain before the landfill is open. They could go clean up trash during that time. Miller said when it rains, there are all kinds of problems. Council Member Elliston said the road out there, the highway out there, where are we with that. Miller said to do that we need to have more of a management of vehicles. Your vehicle collects that clay. We could help clean vehicles before they enter the highway but that would take a lot. Council Member Elliston asked if we could use the street sweeper a few times a week. Miller said we would have to get TxDOT permission and haul our street sweeper out there. Council Member Elliston said there seems to be a lot of accidents in the area. Miller will bring back more information. Council Member Moreno said he thinks there's enough down time out there that they could be doing the cleaning. Miller said he would bring the superintendent in to meet. Council Member Moreno said any supervisor asking for a new employee should be in here talking to us.

Council took a break for lunch at 12:03 and resumed at 1:00 p.m.

Felix Gomez and Mayor Groves entered the meeting.

Daniel Mendoza and Jim Kidd entered the meeting.

Steven Miller introduced Superintendent Jim Kidd. Council Member Moreno said the landfill is closed after it rains, employees are still getting paid. Council Member Moreno said Steven Miller mentioned staff is busy pumping water but 2 days after it rains, landfill is closed. On those down times someone could pick up trash. Kidd said the pumps keep crashing on us. They have more water at the landfill than the lake. When it rains, we're trying to get the roads back up to shape, we're still getting residential trash trucks in; they're cleaning equipment trying to get roads back up. Kidd said when it rains, we're not picking up paper. We're short handed; we have two operators and one person fixing fences picking up paper. We have one person on each pit. When it rains the windblown paper isn't blowing because it's wet but when it's dry it's more than one person can handle. Council Member Moreno said one concern is the trash is going to the cemetery and asked why don't we build a net, Kidd said it was shot down by council. Council Member Moreno said that would eliminate having another employee. Kidd said we do have wind fences up. It was something like \$500.000 to put up what you see around a golf course to keep balls from hitting highway. That would be what we would be looking at. That only blocks it from that one area and the wind changes direction. The easiest way to control windblown paper is hand picking. Kidd said our landfill is red clay and it sticks to everything. We've had our dozer, compactor and scraper stuck in the mud. Council Member Moreno asked about purchasing a bigger pump that would give those guys time during down time to pick up debris. Jim said we have 3 -3 inch pumps and 1- 6 inch pump. The motor went out in the 6" pump. They're running 3" pumps 5 – 6 hours a day every day except for Sunday. He went to Brownwood last week to buy 2 motors for them. Miller asked if a new 6" pump would help eliminate the need for an additional employee. Jim Kidd said that employee would also be used to help cover when somebody in the crew is out. Kidd said he have one at the office, 2 heavy equipment operators, 3 on the truck, one that does maintenance and other items. Two operators at landfill, one has CDL other is working on his CDL. CDL is backup driver on commercial and residential truck. Jim said he is looking toward the future. Council Member Moreno asked about a part time employee. Kidd said that wouldn't really help. The guys on the trash truck usually run 50 hours a week. Kidd said it would help a little but wouldn't really solve the issue. Council Member Elliston said she would probably be ok with a part time to start and if it didn't meet the needs, maybe eventually move it into a full time. Council Member Moreno said they're making it work now with the employees they have. Council Member Phillips said he's trying to use a full-time person in multiple areas, a part time guy would have to have a specific place. Miller said it's easier to shed a part time than a full time. There is an advantage to starting with a part time and see how well it works and you don't have to invest in the benefit package. Council Member Elliston asked how much is a 6" pump. Miller said he guessed \$20,000. Missi said start with part time and get them the 6" pump and see how that goes. Council Member Phillips said he's leaning towards a part time person. Council Member Gomez asked if we have any other pumps laying around. Ron Larson said they just got one. Steven Miller said we have one at WWTP. That pump becomes available in the fall. Aaron Garcia asked if there is an issue with a full-time person doing over time that a part time can't. Council Member Phillips said if you cross a certain threshold with part time, there are issues. Erin Corbell said it's 30 – 32 hours a week that you can't cross without offering benefits. Corbell said the supplemental will be updated to reflect part time and bring back on Tuesday. All were in favor or part time.

Daniel Mendoza – asked council to look at packet he handed out and said he made a few changes. EDC incentive programs have kept at \$75,000 budget. They're starting to get business to utilize this and are

working on getting incentive package to realtors for new businesses. Word of mouth is the best form of marketing. They provide rent assistance program grant, building improvement and sign grants are up to \$10,000 grant.

Tourism budget – we estimated \$204,250 for this coming year, about the same as last year. They did make some changes. The salary base changed - \$75,000, prior to Daniel coming here so they thought it would be split between chamber and tourism but now it's split with EDC. They are hoping to get a part time person to help with marketing businesses. They also want to do a basket that would advertise local businesses to give to new homeowners moving to Brady. The new visitor guide should be in soon and costs about \$3,000 every year. Total community, they spent about \$43,000 on community promotions, Texas Highways, Texas State Travel Guide, Tour Texas.com, etc. They are also working with Smoke on the Hill and Tracy to promote their events. Council Member Moreno said they talked about putting a QR code on the monument coming into town that would link to brochures. Daniel said he's very picky with who does videography. Right now they're working on getting banners on light posts around the courthouse that promotes Brady for a total of 15 banners and 2 extras. They were supposed to get the Richards Park sign and golf course sign redone by July. They haven't received response from the guy they're working with so they're probably going to have to look for somebody else. Right now they've spent \$143,000 because of the \$150,000 the City let them keep. The funds help them maintain throughout the whole year. Erin Corbell said HOT taxes are remitted quarterly which is why it goes to the chamber a quarter behind. Corbell said we don't have anyone internally who can focus on spending those dollars. From a staff perspective they don't have a problem with the chamber keeping those dollars. Daniel said they are looking to do more sponsorships. They're trying to incentivize people having events and they would back them up. Daniel said tourtexas.com visitor guides go to 250 chambers in Texas. They've sent out about 1500 visitor guides, mostly out of state. Daniel said they're also looking at changing up their front office into a visitor center.

Council took a break at 2:15 and resumed at 2:30

General Fund –

Lisa McElrath said to determine what money is available for general fund supplementals, you look at fund balance adequacy report. Based on FY 24 budget, we look at our performance through March, April, and May and look at numbers to end the fiscal with for fund balance, 2.6 million dollars. They meet with staff, come up with expenditure, she projects revenues, then determines what transfers from electric company will be needed to meet 90-day fund balance and subtract capital expenditures. We are showing appx \$600,000 excess in the electric fund. We can keep those funds in the electric fund or transfer them to general fund to help with expenditures. The electric system is the only fund we can use.

Council Member Moreno asked about replacing the ambulance in the base budget and asked how many miles it has. Jeremy Ramon said 50,000. Council Member Moreno said he talked to two other cities and they are replacing their ambulances at 300,000 miles. Jeremy said during football games, the 3 ambulances are all out. Gabe said we have one that's 2 years old, one that's brand new and one with 50,000 miles. Gabe said this is the stuff the citizens question them about. He understands the fire department wants new equipment. Council Member Elliston said we have to meet their needs and determine what their needs are. Lisa said she's hearing let's go back and start talking about mileage vs. when we pay off an ambulance; she understands the life of an ambulance is 5 years. Gabe said we have one that we don't use frequently and if we need backup, we can call the hospital.

Lisa said research as far as when to replace ambulances is that it's typical to replace between 5 – 7 years of life or a certain mileage. She did not concentrate on the mileage as much as she concentrated on the years

of use. Vehicles that drive highway miles last a little longer, so while the mileage may be below, it has been starting and stopping and moving so it has harder miles on it. Council Member Moreno said our ambulances are maintained every month so it might be different from other vehicles. The lifespan of our vehicles should last longer. Lisa said she doesn't agree. Lisa said they learned a lesson with a trash truck, and we had to go to Brownwood and use the service of another company. We are going to have to spend the money eventually. Council Member Moreno said he agrees we will need something in the future. It's a reserve, not one we're counting on using on a daily basis. Ron Larson said if we wait a year, ambulances are going to cost more and trade in amount will be less. Council Member Elliston said prices are going to continue to go up.

Mayor Groves said we have the experts here now to set the replacement policy. Council Member Moreno had a really good point to wait one more year. There are pluses and minuses for everything. Mayor Groves said he doesn't think we need to have another when we are going to replace the ambulance meeting when we can do it now. We normally would ask the user, do you need a new ambulance and trust them to tell us based on their criteria. Jeremy Ramon said he thinks they should replace it. Council Member Moreno said he appreciates their advice. As a department head he's going to always ask for what's best for their department. Council Members Moreno, Elliston, Gomez and Phillips were in favor with Mayor Groves and Council Member Sutton were against.

Erin Corbell referred council to the front sheet of supplementals with staff priority. Council Member Elliston said she thinks the roof on the showbarn needs to be replaced but not for \$560,000.

Code Enforcement – Council Member Elliston said she would like to see more money for that. If we're not aggressive, we're not getting anywhere. Erin Corbell said she would like to explore having a rotating list of lawn cleanup people who can come clean up these properties. Council Member Phillips said he is trying to get a list of people to help people who don't have the money or health issues and can't do it for themselves. Mayor Groves said that would be great to do in addition to the programs that we have in place. Mayor Groves proposed we fund that program at \$31,500. Council Member Elliston said she guesses we can always change it if we need to but we need to be aggressive in this area. Mayor Groves asked if we want this program to demolish houses – all said yes. Mayor Groves asked how much do we want to spend? Council Member Moreno said he thinks we need more. \$75,000 – all were in favor. Erin said that is mainly for demolitions.

High Track Loader – all said yes.

Patch truck – Council Member Elliston asked if there are other options and would we pay cash. Erin Corbell said they're discussing financing some of these items so it wouldn't take such a big impact on the budget. Lisa said if we combine financing the track loader and patch truck, based on rates available to her today, on a 5-year payout, that would be roughly \$50,000 in year one, only 7 months worth of payments. It would take until February or March to get the loan in place. Moving forward the cost would be in the base budget. Council Member Phillips asked what interest rate is she figuring. Lisa is estimating 6.3. Council Member Gomez said it could be lower in February. Council Member Elliston said this equipment needs to be replaced. If we don't become more aggressive in fixing these things, we're going to stay in the same rut. She would support financing. Mayor Groves asked for a vote to finance track loader and patch truck. All were in favor.

Standby pay for PPM – they don't receive any kind of standby pay for this division. It's the only division that doesn't. All were in favor

Physio Control LifePak – Lisa said Stryker will allow us to pay out for 5 years at no interest. We've paid off 3 already. All were in favor

Golf cart sheds – Mayor Groves said he would consider replacing 10. Council Member Moreno said he agrees we don't need to do the whole \$250,000 but maybe \$160,000. To budget \$200,000 3 council members were in favor and 3 against. Council Member Moreno said Mayor Groves doesn't get a vote. Lisa said she brings back a budget to vote on and unfortunately, the mayor doesn't get a vote. She appreciates his opinion but when she brings it back, she needs to know if it will be supported, she has to look at those who will vote for it. 3 – 2 in favor. Mayor Groves said vote was 3 – 3, so let's discuss and come to an agreement. Lisa said this is not a vote. It's whether council will or will not support it. Council Member Elliston asked how much we charge. Corbell said it's \$200 a year for a member and \$260 for non-member. Council Member Sutton said he thinks the charge should be more. Erin said we will increase the cost once the new ones are built. Council Member Elliston asked for an audit of who is not paying.

Show barn at Richards Park – Council Member Elliston said we won't do the \$560,000 – Council Member Moreno said people have said they can fix it. We can look at this later if they don't. All voted against.

Full time employee to fire dept. – Council Member Moreno thinks council needs to look at the structuring between fire and EMS before we add any other employees. Council Member Elliston said if we don't set it and do it, it will be here again next year. Council Member Moreno said he's getting frustrated because we voted on stuff that should have been discussed before. IF they're going to start doing transfers, yes he would want another employee but now he's hearing no we're not going to do transfers. Council Member Moreno said the way it is right now, it's very hard to explain to citizens. Erin Corbell said 9% of the calls in 2023 were fires, 12% of the salary is allocated to fire. Council Member Moreno said we have to consider what if the county doesn't pay. That money is figured into the base budget. We're counting on it. We need to figure our base budget without it and if we get it, that's extra money we can do these things with. Lisa said council has to decide what level of EMS do we want. Do we want 24/7, do we want paramedics. At one time we did not have 24/7 service and that was a lesser cost. Jeremy Ramon said the only issue with EMS staff only, since we have fire certification roll into that, we roll into a different pay cycle. EMS only transfers to a 40-hour week. Council Member Moreno said he doesn't feel like we can count on the county. Consensus is we're going to stop EMS service so we don't need to incur those costs. Erin Corbell said EMS consultants start at \$50,000 minimum. They would come in and do an analysis of the way we're structured and provide recommendations. Council Member Moreno said he would rather put that in the budget.

Erin Corbell said if we go a consultant route, the consultant will lead you in the direction of the structure of the department that they work for and what they're familiar with. Council Member Moreno said they've had the same staff for years now and they're stressed but they're fine. Jeremy Ramon asked if the consultant says they need more staff will they approve hiring more staff. Council Member Moreno said absolutely yes. Council Member Elliston said rather than putting the \$88,320 for a full time employee, let's earmark \$90,000 for the consultant for this year. All were in favor.

Remodel City Hall – All were in favor.

Mayor Groves said our meeting was scheduled from 10:00 am to 4:00 pm., it's now 5:00.

Mayor Groves recessed the meeting at 5:12 p.m.

Moreno. City staff present were City Manager Erin Corbell, Finance Director Lisa McElrath, Public Works Director Steven Miller, Police Chief Randy Batten, Human Resources Clerk Kristie Martin and City Secretary Tina Keys. Also in attendance was Brett Bowers.

Mayor Groves called the meeting to order at 10:09 a.m. Council quorum was certified.

Lisa introduced Brett Bowers our insurance broker who said he is hired to find the best insurance product for the city. He has been partnered with the city for the last 6 years. The last two years the deductibles and out of pocket went up. They were able to reduce costs by 12.2% last year. Previously we were with Blue Cross Blue Shield for everything. They were able to give us a bundling credit but last year we didn't need that. Our claims are high and our premiums are low as of right now; 2021 loss ratio 79.6. target is under 85%. That's a good thing. We could get a rate increase. Year 2022-2023 – we started having a large catastrophic claim that impacted our loss ratio. We went out to bid in May, that claim had not hit yet which is one of the reasons we could secure competitive quotes. We have 155% loss ratio year to date. Claims are almost double our premiums. They gave a 26% increase. One individual counting for 50% of the claims and 3 other individuals adding into that. United came in at a 26% increase. Through negotiations they were able to get it down to 20%. If we bundle, we could save more. Target is 10% increase. If we renewed with same plan, it would be 16.4% increase. There are two alternate plans to consider; first would bring rate increase to 12.1% which is where we were last year, or alternate 2 gets us to 8.8%. All we are looking at changing is deductible from \$1,000 to \$2,000. Alt 2 has a \$3,000 deductible. Council Member Elliston said \$2,000 is almost unheard of. Theirs is \$5,500. Brett said the average deductible for the cities they service is \$1,700; out of pocket is typically \$4,400. We are higher. We're increasing costs but only increasing costs to the people who are making the claims. Only 8 people met their deductible. They are looking at bundling. Moving to UHC would be a 1 % increase on dental. Vision is a 4% increase. Co-pays are comparable. Council Member Moreno said life insurance is going up quite a bit. They need more than \$10,000 coverage. Council Member Moreno said we need to make sure to tell employees is that it's not transferable when they leave. Erin Corbell said in our base budget we budgeted for a 10% increase. Council Member Elliston asked if council goes to alternate 2, can the employees buy up for the renewal for \$58 a month? Brett said yes. Council Member Elliston asked Brett to confirm that only 8 people met deductible their last year. Brett said yes. Council Member Elliston said with that in mind, really the increase will only effect a few employees. Council Member Moreno said he's looking at the benchmark where the average is \$3,300. Brett said that's the high deductible plan. They don't offer that. We need to look at traditional which is \$1,700. Erin Corbell said on alternate 2, the cost to insure spouse and children is lower than renewal. Kristie Martin said we do not have a lot of employees who insure their families for medical; we do for vision and dental. Council Member Sutton asked which one is 8% more. Council Member Elliston said if we went with alternate 2 we would still be close to the average and if we save with what we have it would cost an additional \$140,000. Brett said yes, it's close to that. Lisa said Council Member Elliston is asking about the renewal plan. Council Member Elliston said on top of what we have now. Lisa said what we budgeted compared to what the rate would be would be closer to \$67,000 more. Erin Corbell said 10% of that is already counted for in base budget. Lisa said it would be \$870 a month per employee being a \$67,000 total increase to what we have in the budget. Council Member Moreno said he would recommend alternate 2.

Council took a break at 11:07 and resumed at 11:20

Lisa referred council to a handout and said we have 3 ambulances labeled Medic 1, 2 and 3. We purchased medic 1 in October and medic 2 in 2020, medic 3 that we were discussing replacing is an 8 year old vehicle purchased in April 2016. Next column is mileage – 9,000, 47,000 and 52,000. The average miles per year is between 6200-12,300. Units 1 and 2 are used regularly so they are getting more mileage. The maintenance

budget is consistent from year to year, about \$10,000. It's not escalating. Council Member Moreno said we need to see what it is now compared to next year to see how many miles we're actually using. Erin Corbell said we do get fleet maintenance reports on every city vehicle so we can track the mileage specifically. Council Member Elliston said Medic 3 hasn't been used much. Based on that information, she would call on a re-vote if we want to purchase or not. Lisa said we don't want to replace all 3 of them in the same budget year or overlapping budget years. We need to evaluate when we want to replace it. It makes sense to her to put off replacing medic 3. Medic 3 might be the first one to replace, but what is the right year for that. We're going to need to pay attention to when we do replace so we don't have 3 we need to replace in one year. We kept putting off purchasing police cars and all at once we had old cars that we had to replace. Council Member Gomez said he would have a hard time replacing it when it only has 57,000 miles. It's only going from the station to maybe a football game and maybe to the hospital. Mayor Groves proposed extending one year on it and get data and decide what the lifespan is for them, but for right now we put it off for a year. Council Member Gomez said he would like to see the service record for this ambulance to see what it's actually costing us. Lisa said it looks to her like the consensus is continue to monitor the data. Erin Corbell said it will be removed from this year's budget. All were in favor of removing.

Lisa said we're a little bit shy in meeting our fund balance requirements with that was approved last week. Erin said there is a shortfall of \$66,000 so we can go back through what was approved or there is excess reserves in electric fund so those numbers can be moved to general fund. Council Member Elliston said the things we already approved are important with the exception of cart sheds.

Ron Larson entered the meeting at 11:50.

Erin Corbell said there two other supplementals to consider and Council Member Gomez requested attention to restrooms at the lake. Council Member Gomez said he has received a lot of complaints and said he sees it too. Council Member Elliston asked if it's useable and Erin said barely. Council Member Gomez said if you rent the pavilion you have to go all the way to the other restrooms. Erin said we can take the money from the city hall improvements for the restrooms, or if we reduce expenditures on cart shed by \$40,000 we could use that.

Council took a break at 11:50 for lunch. Council Member Phillips joined the meeting at 12:32 p.m. Meeting resumed at 12:35.

Erin said the two remaining projects are requests in the special revenue fund. One of them is matching funds for a grant for \$140,000 and other is the air conditioner for senior center. Lisa pointed out that it does have a fund balance of \$246,000, so both requests could be funded leaving \$56,000 in reserves or about a 90 day reserve so there are available funds that could be used.

Steven Miller said the HVAC system, the majority of load is in the main portion of the civic center and Rosie's office does not have a ceiling and is quite loud so there is no privacy at all. Miller said a HVAC contractor is recommending a a/c unit rather than a mini split. There is a lot of heat generated. Council Member Moreno said a mini split would be a lot cheaper for that small area. Council Member Elliston said she has asked for this for several years; we've probably pushed it as far as we can, \$30,000 isn't a lot in the grand scheme. Council Member Gomez said if that's approved, he hopes this would be the last thing. Erin said she can't foresee anything additionally.

Erin said second request in that fund is \$140,000 a 10% match to a TxDOT grant to replace failing airfield lighting. It's easier for us to obtain the grant if we show we have the funds available. TxDOT is very good to

work with. Council Member Elliston asked if this ties us into another 20 years that we have to own and operate the airport. Erin said yes. All were in favor. Council Member Moreno asked what happens to the funds if we don't get the grant. Erin said it would remain in the special revenue fund.

For the restroom at the lake, Steven Miller said we have an aerobic system. We could put in a small lift station and pump into the aerobic system. Erin Corbell said there would be a little expense up front with lines and maintenance. Miller said it's very functional system. Council Member Elliston said that would be a better route. Council Member Gomez said he didn't want to have to pay a bunch of engineer fees. Council Member Elliston said we have \$112,000 remaining. Miller said it would be \$50,000-\$75,000 to tie into that system. Erin said once plumbing issues were satisfied, a paint job and new fixtures would go a long way. Council Member Gomez added that it needs doors too.

Erin said there's \$20,000 in the general fund for the lake. General fund base budget is \$22,500. Council Member Elliston said if those are excess funds we should utilize them to make better with what we have. Council Member Moreno said he really thinks city hall needs to be spruced up, especially the outside. Steven Miller said we need to work and learn more about that aerobic system. Council Member Moreno said we can look at the septic system also. Erin Corbell said maybe \$25,000 for paint, fixtures and doors? All were in favor.

Council Member Moreno wants to add more to city hall improvements. Council Member Elliston agreed. Council Member Gomez said he would be ok with moving city hall upgrade to \$100,000. Council Member Elliston said citizens are telling them it looks bad. Council Member Moreno suggested getting artificial grass. All were in favor of \$100,000 for city hall.

Erin said staff recommends stopping there. Lisa said we want to spend the money in a way that everybody gets benefit. Lisa said the reason we have this money is because this transfer is not being held accountable to the 150 reserves that this fund needs. If we have a tornado come through and we lost electric revenues, we would have to stop everything we just discussed. We would have to spend money on necessities but these are one-time costs they are approving and we still meet the 150 day reserve. Council Member Phillips asked if we've ever had to dip into reserves. Lisa said when our south substation had the issue with the transformers, we were able to continue to operate and carry that expense because of the reserves. It gave us the assurance that we could carry on. Also, when we lost our sand plants, that cost some income we were accustomed to, and those reserves helped the situation. It has helped us weather some of these market changes. Council Member Moreo said we have mentioned lowering the reserves when we talked about having to do the fire station but haven't had to.

Mike Probst entered the meeting.

Mayor Groves said the Friends of G Rollie White foundation is a 501c3 created to do something with G. Rollie White complex. As they made their plan, it was pointed out that the charter said you can't do long term rental to an entity. The last election on the charter removed that stipulation. There have been many discussions about what to do with G. Rollie White, including a covered arena for stock shows, office for county agent's facilities, shooting sports developed over the year of expansions to make a very good shooting sports arena. So, the idea was to get the city to do the long-term lease and the Friends of G. Rollie White would get the funds to develop that over the years. As we now have an appraisal of the land, Mayor Groves said he wanted the council to see the value. Mike Probst handed out proposed plans to pass around. He said they had some meetings but then got word about the lease restrictions. Since then they have been waiting. They still have their non-profit. They did not participate in any fund raising this year because they didn't

know where they were going with the lease situation. They do have some money but they're waiting to see where we're at now. Council Member Moreno asked about animal control. Mr. Provst said it would need to be part of negotiations. They had a list that they sent the city of what they were looking into. They put in a timeline of like 2 years for shooting sports. There have been some changes in shooting sports. At the last AgriLife meeting, they moved shooting sports part to San Angelo; they gave that up. The idea for the complex was a double covered arena, a part for stock show, an RV park, vendors, food court, AgriLife complex with offices and meeting rooms and breakout rooms. It did include stalls to rent for horses; not full time. Those stalls would be for competitions. Mr. Probst said it would all be done in phases. Right now, it's just a board of trustees. There are going to have to be committees for fundraising. Mayor Groves said they stopped meeting because they couldn't get the necessary long-term lease. Council Member Gomez said he would like to see it come back to life. Mr. Probst asked if there are deed restrictions. It's still in the flood plain. Erin Corbell said the city met the obligations that were in our deed restrictions when we purchased the property. Erin said a municipality can sell through sealed public bid, or public auction or list on the open market for 60 days and then we can sell. We can't just sell to the Friends of G. Rollie White. The only other way is to enter into a lease with them then we can give first right to lessor. Mayor Groves said he would recuse himself from anything with the council since he's on the board, but his whole thing is he would like to see something done with the facility.

Fire/EMS/PD Facility

Survey, appraisal and sale of G. Rollie White Facility

Animal Control Facility

Erin said we currently use G. Rollie White for our animal control facility and to store surplus equipment and street materials. Erin said there is potentially some room by the waste water treatment plant for animal control or by the service center to relocate the road materials. Council Member Moreno said now that we have the appraisal, we need to look at options in depth. EDC has funds, maybe the chamber has some funds, they could get funds then donate to G. Rollie White. The chamber talked about buying a stage. If we could fix our stands and have a permanent stage, there are so many ideas. Council Member Moreno said if we got together as a community, there's so much we can do. We just got the appraisal; we shouldn't rush into any decisions until we look at all the different options. Council Member Moreno said we need to have a workshop. Mayor Groves said one of things suggested was to take the infield of the racetrack and allow people to put their gardens out there. There are cities that have a community garden area. There are a lot of options. Mayor Groves said one of the things you do early is fix it so it doesn't look like a racetrack. Council Member Gomez said he feels like it would be really hard to get a racetrack going.

Erin Corbell said fire/EMS facility is next. The buyer of the lake property wants to wait until the property is officially rezoned so that has been pushed back to August 13th. Corbell said on budget summaries tab, general construction fund balance is showing \$2,001,377. That balance is more like \$2,281,000 million now. In the fall of 2020 council made designation to do a remodel of the old cafeteria on 11th Street and purchased land next to municipal court for the fire station. We haven't publicly discussed the purchase price but figure that minus the balance in the construction fund. There is the additional land sale coming up that can be added back in. All that has been done is the feasibility study that doesn't include any particulars based on square footage and estimated construction costs. Council Member Elliston said she would like to compare purchasing a new building vs. plan of renovating our own buildings over there and over here for fire and PD and see what the cost difference would be. Erin said if you look at PD and fire, 5.5 million for 2 facilities or 4.3 up there for one facility. We could temporarily reduce electric reserves for more funds. Council Member Moreno asked where we stand with the sale of the substation. Steven Miller said we agreed to a purchase agreement to bring to council soon that will set the stage for closing. Erin said they are only interested in one

substation at this time, the south substation. We will work on the north at another time. They declined interest in our north substation, but they are still willing to provide TO services if they own one substation. There will be a little bit of an influx of cash on that. Staff would not recommend a long-term adjustment to electric reserves until both substations are sold. Mayor Groves said the north substation is newer than the south substation. Steven Miller said we refurbished it.

Personnel – Council Member Moreno said he has no problem with 3% COLA for everyone. Erin Corbell said that's already built into the base budget except for the base budget supplemental request for senior center. The supervisor did a comparison of entry level costs for a cook and found our full-time cook is significantly under paid and she requested an 11% raise or \$3,000. We got rid of the part time hourly on seniors. We won't be filling that position. Council Member Elliston said she thought we raised everyone up to a minimum of \$13 an hour. All were in favor of the 3%.

Erin Corbell said we don't need the tax approval rate to make the budget work but that's an option. Council Member Moreno said if we don't need to raise the taxes, he doesn't want to do it. Council Member Elliston asked how does that affect us in the long run. Erin said as long as our utility revenues hang strong, we're in a good position but would not build electric reserves. Council Member Elliston said it's tremendous what we've been able to approve in this budget. Council Member Moreno said we'll be able to go down or up on the reserves when we sell the substations. We don't need to put any more burden on the taxpayers. Other entities are raising their taxes every year. Council Member Phillips said we are able to do more this year without raising taxes.

5. Plan:

Future work sessions and dates / topics -

6. Discuss Process and Announcements

There being no further business, Mayor Groves adjourned the meeting at 3:23.

Anthony Groves, Mayor

Attest: _____

Tina Keys, City Secretary

Tina Keys

Subject: FW: Reservation for Willy Washington Park.

From: Guadalupe Banda <banda9306@gmail.com>
Sent: Wednesday, July 31, 2024 11:44 AM
To: Tina Keys <tkeys@bradytx.us>
Subject: Re: Reservation for Willy Washington Park.

To Whom It May Concern,

Good Afternoon I Catarina Banda am requesting a Noise Variance from the city council members for the date of August 10th I am anticipating amplified music after the hour of 10 pm and no later than 1 am. Event is a graduation/18th birthday party. Thank you so much for your time.

Catarina Banda

**City Council
City of Brady, Texas**

Agenda Action Form for Ordinance

| | | | |
|--|------------|--------------------------------|------------|
| AGENDA DATE: | 08/06/2024 | AGENDA ITEM | 7.A. |
| AGENDA SUBJECT: Discussion, consideration, and possible action regarding the first reading of Ordinance 1381 of the City of Brady, Texas granting a zoning change from Commercial District to Single Family Residential District for property located at 1304 S. High Street, Jones Subdivision, Block 7, Lots 1 - 6 | | | |
| PREPARED BY: | T. Keys | Date Submitted: | 07/29/2024 |
| EXHIBITS: Ordinance 1381 Zoning Application and Packet | | | |
| BUDGETARY IMPACT: | | Required Expenditure: | 0.00 |
| | | Amount Budgeted: | 0.00 |
| | | Appropriation Required: | 0.00 |
| CITY MANAGER APPROVAL: | | | |
| SUMMARY: Zach Jones contacted the Code Office requesting a zoning change to Single Family Residential District for property located at 300 S. Pecan Street. This property is currently zoned as a Commercial District. The property to the West is Multi-Family Home District, property to the North is Single Family Residential and properties to the East and South are Commercial District. The zoning application was filed on May 31, 2024. The City published the proper notice for property located at 1304 S. High Street in the Jones Subdivision, Block 7, Lots 1 - 6, Brady Texas, for the purpose to rezone and gave proper notice to all property owners within 200 feet. | | | |

| |
|---|
| RECOMMENDED ACTION: |
| Mayor will ask: “Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter.” “Secretary reads preamble” |
| Mayor calls for a motion: Move to approve the first reading of Ordinance 1381. |

ORDINANCE NO. 1381

AN ORDINANCE OF THE CITY OF BRADY, TEXAS, GRANTING A ZONING CHANGE FROM COMMERCIAL DISTRICT TO SINGLE FAMILY RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT 1304 S. HIGH STREET IN THE JONES SUBDIVISION BLOCK 7, LOTS 1 - 6.

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, Zach Jones has requested a zoning change to Single Family Residential District, and

WHEREAS, the Planning and Zoning Commission of the City provided adequate notice and held a public hearing on July 30, 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 Commercial District to Single Family Residential District is granted for property located at 1304 S. High Street in the Jones Subdivision, Block No. 7, Lots 1- 6.

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

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

Anthony Groves, Mayor

ATTEST:

Tina Keys, City Secretary

Code Enforcement

in

325-597-2152 ext. 1000 (phone)
325-597-2068 (fax)**City of Brady
Zoning Application**City of Brady
201 E. Main St.
P.O. Box 351
Brady, TX 76825Owner: Brady Creek Yacht Club Phone No.: 325-792-6006
Cell No.:
Address: 1400 S Wall St Brady TX 76825 / P.O. Box 1341Email: Zones@CN13brady.comOwner Signature: Brady Jones

If the property owner is represented by an authorized agent, please complete the following:

Agent: _____ Phone No.: _____

Cell No.: _____ Email: _____

Address: _____

Agent Signature: _____

Existing Property Information:Lot: 1-6 No. of Lots: 6 Block: 7 Subdivision: JonesAddress: 1304 S High Brady TX 76825
(C) Commercial District

Current Zoning District (Please note chart below):

(A) Agriculture (BLR) Brady Lake Recreational (SF-5) Single Family Residential (2F) Two Family Residential
(MF) Multi-Family Residential (MH) Manufactured Home District (C) Commercial District (O) Office District
(R) Retail District (CBD) Central Business District (I) Industrial District (PD) Planning Development District
(SUP) Specific Use Provision**Application Request:** Zone Change Specific Use Provision

Use or Zoning Requested: _____

Reason for Request: Currently zoned (C) Commercial District

The Code Enforcement Division will only accept complete applications. This includes a completed application form, proof of ownership, non-refundable filing fee made payable to the City of Brady, legal description or surveyed plat drawn by a Licensed Surveyor, and a Comprehensive Site Plan (if applicable). Planning and Zoning Commission meetings are held on the 2nd Tuesday of each month at 5:30 p.m. Applications are due thirty (30) days prior to the meeting date.

Office Use Only:

- Complete Application
- \$200.00 Fee
- Proof of Ownership
- Surveyed Plat
- Comprehensive Site Plan (for PD or SUP)

Received by: Dominoe 5-22-2024

Filing Date: _____

P&Z Date: _____

1st City Council Date: _____

2nd City Council Date: _____



CITY OF BRADY

P.O. Box 351
Brady, TX 7682-0351
325-597-2152 FAX 325-597-2068

SUBDIVISION PERMIT

PERMIT #: 181977

DATE ISSUED: 5/22/2024

| | | | |
|------------------|------------------------|------------------|------------------------|
| JOB ADDRESS: | 1304 S HIGH | LOT #: | 1-6 |
| PARCEL ID: | | BLK #: | 7 |
| SUBDIVISION: | JONES | ZONING: | COMMERCIAL |
| ISSUED TO: | BRADY CREEK YACHT CLUB | CONTRACTOR: | BRADY CREEK YACHT CLUB |
| ADDRESS | PO BOX 1341 | ADDRESS: | PO BOX 1341 |
| CITY, STATE ZIP: | BRADY TX 76825 | CITY, STATE ZIP: | BRADY TX 76825 |
| PHONE: | | PHONE: | |
| WORK DESC: | ZONING CHANGE | SETBACKS: | |
| VALUATION: | \$ 0.00 | FRONT: | |
| SQ FT | 0.00 | LEFT SIDE: | |
| OCCP TYPE: | | RIGHT SIDE: | |
| CNST TYPE: | | REAR: | |

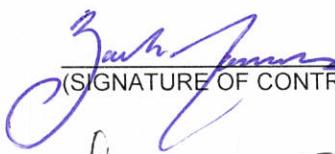
| FEE CODE | DESCRIPTION | AMOUNT |
|----------|-----------------------------|-----------|
| PZ005 | PLANNING/ZONING APPLICATION | \$ 200.00 |
| | TOTAL | \$ 200.00 |

NOTES:

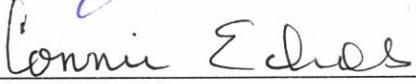
NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

05/31/24
DATE


(APPROVED BY)

5/30/2024
DATE

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Special Warranty Deed

AT 3:08 FILED
O'CLOCK P M
VOL 497 PG 857

Date: February 27, 2023

FEB 27 2023

Grantor: The City of Brady, a Texas home-rule municipality

[Signature]
COUNTY CLERK McCULLOCH CO.

Grantor's Mailing Address:

The City of Brady, a Texas home-rule municipality
201 E. Main Street
Brady, TX 76825

56861

Grantee: Brady Creek Yacht Club, LLC

Grantee's Mailing Address:

Brady Creek Yacht Club, LLC
105 E. 2nd St.
Brady, TX 76825

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Lots 1-6, Block 7, Jones Addition to the City of Brady, McCulloch County, Texas, as shown on the Plat recorded in Volume 2, Page 479, Deed Records, McCulloch County, Texas, being more particularly described in Volume 201, Page 494 of the Deed Records, McCulloch County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

1. Unrecorded easements for electric, telephone, gas and water utility lines.

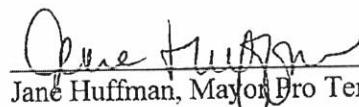
2. Rights of the public, the State of Texas and its political subdivisions, in and to the part of land, if any, taken or used for road purposes.
3. Taxes for 2023 and thereafter, which Grantee assumes and agrees to pay.

The acceptance by Grantee of this deed and the property herein conveyed shall not in any manner be construed as a ratification or acknowledgment by the Grantee, their heirs, successors or assigns of the validity of the easements, oil and gas leases, or any other exception from warranty identified herein.

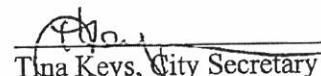
Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty warrants that it is well seized of the property and grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

The City of Brady, a Texas home-rule municipality


Jane Huffman, Mayor Pro Tem

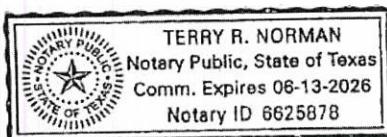
ATTEST:

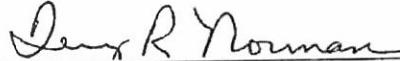

Tina Keys, City Secretary

STATE OF TEXAS)

COUNTY OF MCCULLOCH)

This instrument was acknowledged before me on February 27, 2023, by Jane Huffman, in her capacity as Mayor Pro Tem of The City of Brady.




Terry R. Norman
Notary Public, State of Texas

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|---|--|-----------------|---------|
| AGENDA DATE: | 8-6-24 | AGENDA ITEM | 7.B. |
| AGENDA SUBJECT: | Discuss and conduct a record vote FOR or AGAINST the proposed 2024 tax rate. | | |
| PREPARED BY: | Lisa McElrath | Date Submitted: | 7-31-24 |
| EXHIBITS: | Notice About Tax Rates Tax Calculation Worksheet | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |
| SUMMARY: <p>The FY 25 budget proposes property tax revenue collections under the assumption that the city will collect about the same amount in tax revenues compared to last year. The “no new revenue tax rate” will be required to produce the budgeted revenue based on the 2024 Taxable value. Attached is the tax calculation worksheet for council to review as required by Tax Code 26.04.</p> <p>Senate Bill 2 requires the council to vote FOR or AGAINST a <u>proposed</u> tax rate. The proposed tax rate will be adopted by ordinance in September. The proposed rate will also be posted in the local paper and city website for public consideration.</p> | | | |
| RECOMMENDED ACTION: <p>Staff requests a <u>record vote</u> FOR or AGAINST a proposed 2024 tax rate being the “no new revenue” tax rate calculated by MCAD Chief Appraiser Zane Brandenberger. as of 7-26-24 at \$0.342092 cents per \$100 of value.</p> | | | |

Notice About 2024 Tax Rates

(current year)

Property Tax Rates in City of Brady (taxing unit's name)

This notice concerns the 2024 (current year) property tax rates for City of Brady (taxing unit's name)

This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

Taxing units preferring to list the rates can expand this section to include an explanation of how these tax rates were calculated.

This year's no-new-revenue tax rate \$.342092 /\$100

This year's voter-approval tax rate \$.379233 /\$100

To see the full calculations, please visit www.bradytx.us (website address) for a copy of the Tax Rate Calculation Worksheet.

Unencumbered Fund Balances

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

| Type of Fund | Balance |
|--------------|--------------|
| General Fund | \$ 2,593,898 |
| | |
| | |
| | |
| | |
| | |

Current Year Debt Service

The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues (or additional sales tax revenues, if applicable).

| Description of Debt | Principal or Contract Payment to be Paid From Property Taxes | Interest to be Paid From Property Taxes | Other Amounts to be Paid | Total Payment |
|---|--|---|--------------------------|---------------|
| Certificate of Obligation 2000 | \$ | \$ | \$ | \$ |
| Certificate of Obligation 2019 | | | | |
| Certificate of Obligation 2019A | | | | |
| Certificate of Obligation 2019B | | | | |
| Certificate of Obligation 2021 | | | | |
| Each debt obligation is supported with utility revenues therefore the City does not levy a tax rate for debt service. | | | | |

(expand as needed)

2024 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

Taxing Unit Name

Phone (area code and number)

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

| Line | No-New-Revenue Tax Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 1. | Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹ | \$ _____ |
| 2. | Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ² | \$ _____ |
| 3. | Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1. | \$ _____ |
| 4. | Prior year total adopted tax rate. | \$ _____ /\$100 |
| 5. | Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ _____ B. Prior year values resulting from final court decisions: - \$ _____ C. Prior year value loss. Subtract B from A. ³ | \$ _____ |
| 6. | Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ _____ B. Prior year disputed value: - \$ _____ C. Prior year undisputed value. Subtract B from A. ⁴ | \$ _____ |
| 7. | Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C. | \$ _____ |

¹ Tex. Tax Code §26.012(14)

² Tex. Tax Code §26.012(14)

³ Tex. Tax Code §26.012(13)

⁴ Tex. Tax Code §26.012(13)

| Line | No-New-Revenue Tax Rate Worksheet | Amount/Rate |
|------|---|-------------|
| 8. | Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7. | \$ _____ |
| 9. | Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024. Enter the prior year value of property in deannexed territory. ⁵ | \$ _____ |
| 10. | Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. <ul style="list-style-type: none"> A. Absolute exemptions. Use prior year market value: \$ _____ B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ _____ C. Value loss. Add A and B.⁶ | \$ _____ |
| 11. | Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. <ul style="list-style-type: none"> A. Prior year market value: \$ _____ B. Current year productivity or special appraised value: - \$ _____ C. Value loss. Subtract B from A.⁷ | \$ _____ |
| 12. | Total adjustments for lost value. Add Lines 9, 10C and 11C. | \$ _____ |
| 13. | Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0. | \$ _____ |
| 14. | Prior year total value. Subtract Line 12 and Line 13 from Line 8. | \$ _____ |
| 15. | Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100. | \$ _____ |
| 16. | Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹ | \$ _____ |
| 17. | Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰ | \$ _____ |
| 18. | Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ <ul style="list-style-type: none"> A. Certified values: \$ _____ B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ _____ C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ _____ D. Tax increment financing: Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below.¹² - \$ _____ E. Total current year value. Add A and B, then subtract C and D. | \$ _____ |

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

| Line | No-New-Revenue Tax Rate Worksheet | Amount/Rate |
|------|---|-----------------|
| 19. | Total value of properties under protest or not included on certified appraisal roll. ¹³ A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ _____ B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ + \$ _____ C. Total value under protest or not certified. Add A and B. \$ _____ | |
| 20. | Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶ | \$ _____ |
| 21. | Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷ | \$ _____ |
| 22. | Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸ | \$ _____ |
| 23. | Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹ | \$ _____ |
| 24. | Total adjustments to the current year taxable value. Add Lines 22 and 23. | \$ _____ |
| 25. | Adjusted current year taxable value. Subtract Line 24 from Line 21. | \$ _____ |
| 26. | Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰ | \$ _____ /\$100 |
| 27. | COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹ | \$ _____ /\$100 |

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

| Line | Voter-Approval Tax Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 28. | Prior year M&O tax rate. Enter the prior year M&O tax rate. | \$ _____ /\$100 |
| 29. | Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §26.012(6)

¹⁸ Tex. Tax Code §26.012(17)

¹⁹ Tex. Tax Code §26.012(17)

²⁰ Tex. Tax Code §26.04(c)

²¹ Tex. Tax Code §26.04(d)

| Line | Voter-Approval Tax Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 30. | Total prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100 | \$ _____ |
| 31. | Adjusted prior year levy for calculating NNR M&O rate. | |
| | A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2023. This line applies only to tax years preceding the prior tax year..... + \$ _____ | |
| | B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0..... - \$ _____ | |
| | C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- \$ _____ | |
| | D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function..... \$ _____ | |
| | E. Add Line 30 to 31D. | \$ _____ |
| 32. | Adjusted current year taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 33. | Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100. | \$ _____ /\$100 |
| 34. | Rate adjustment for state criminal justice mandate. ²³ | |
| | A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ _____ | |
| | B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies..... - \$ _____ | |
| | C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ _____ /\$100 | |
| | D. Enter the rate calculated in C. If not applicable, enter 0. | \$ _____ /\$100 |
| 35. | Rate adjustment for indigent health care expenditures. ²⁴ | |
| | A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ _____ | |
| | B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose..... - \$ _____ | |
| | C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ _____ /\$100 | |
| | D. Enter the rate calculated in C. If not applicable, enter 0. | \$ _____ /\$100 |

²³ [Reserved for expansion]²⁴ Tex. Tax Code §26.044²⁴ Tex. Tax Code §26.0441

| Line | Voter-Approval Tax Rate Worksheet | Amount/Rate |
|--|---|-----------------|
| 36. Rate adjustment for county indigent defense compensation. ²⁵ | <p>A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose..... \$ _____</p> <p>B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose..... \$ _____</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ _____ /\$100</p> <p>D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ _____ /\$100</p> <p>E. Enter the lesser of C and D. If not applicable, enter 0.</p> | \$ _____ /\$100 |
| 37. Rate adjustment for county hospital expenditures. ²⁶ | <p>A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year..... \$ _____</p> <p>B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. \$ _____</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ _____ /\$100</p> <p>D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ _____ /\$100</p> <p>E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.</p> | \$ _____ /\$100 |
| 38. Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information. | <p>A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year</p> <p>B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p> | \$ _____ /\$100 |
| 39. Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D. | | \$ _____ /\$100 |
| 40. Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero. | <p>A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent</p> <p>B. Divide Line 40A by Line 32 and multiply by \$100</p> <p>C. Add Line 40B to Line 39.</p> | \$ _____ /\$100 |
| 41. Current year voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. | <p>Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08.</p> <p>- or -</p> <p>Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.</p> | \$ _____ /\$100 |

²⁵ Tex. Tax Code §26.0442²⁶ Tex. Tax Code §26.0443

| Line | Voter-Approval Tax Rate Worksheet | Amount/Rate |
|---|-----------------------------------|-----------------|
| D41. Disaster Line 41 (D41): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. ²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41). | | \$ _____ /\$100 |
| 42. Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ _____ B. Subtract unencumbered fund amount used to reduce total debt. – \$ _____ C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) – \$ _____ D. Subtract amount paid from other resources – \$ _____ E. Adjusted debt. Subtract B, C and D from A. | | \$ _____ |
| 43. Certified prior year excess debt collections. Enter the amount certified by the collector. ²⁹ | | \$ _____ |
| 44. Adjusted current year debt. Subtract Line 43 from Line 42E. | | \$ _____ |
| 45. Current year anticipated collection rate. A. Enter the current year anticipated collection rate certified by the collector. ³⁰ % B. Enter the prior year actual collection rate..... % C. Enter the 2022 actual collection rate. % D. Enter the 2021 actual collection rate. % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹ | | % |
| 46. Current year debt adjusted for collections. Divide Line 44 by Line 45E. | | \$ _____ |
| 47. Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | | \$ _____ |
| 48. Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100. | | \$ _____ /\$100 |
| 49. Current year voter-approval tax rate. Add Lines 41 and 48. | | \$ _____ /\$100 |
| D49. Disaster Line 49 (D49): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48. | | \$ _____ /\$100 |

²⁷ Tex. Tax Code §26.042(a)²⁸ Tex. Tax Code §26.012(7)²⁹ Tex. Tax Code §26.012(10) and 26.04(b)³⁰ Tex. Tax Code §26.04(b)³¹ Tex. Tax Code §§26.04(h), (h-1) and (h-2)

| Line | Voter-Approval Tax Rate Worksheet | Amount/Rate |
|------|---|-----------------|
| 50. | COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate. | \$ _____ /\$100 |

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

| Line | Additional Sales and Use Tax Worksheet | Amount/Rate |
|------|--|-----------------|
| 51. | Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0. | \$ _____ |
| 52. | Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95. | \$ _____ |
| 53. | Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 54. | Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100. | \$ _____ /\$100 |
| 55. | Current year NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ /\$100 |
| 56. | Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year. | \$ _____ /\$100 |
| 57. | Current year voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> . | \$ _____ /\$100 |
| 58. | Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57. | \$ _____ /\$100 |

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

| Line | Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet | Amount/Rate |
|------|--|-----------------|
| 59. | Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸ | \$ _____ |
| 60. | Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 61. | Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100. | \$ _____ /\$100 |

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(i)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(i)

| Line | Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet | Amount/Rate |
|------|---|-----------------|
| 62. | Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax). | \$ _____ /\$100 |

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁹ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate that was used must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴³

Individual components can be negative, but the overall rate will be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

| Line | Unused Increment Rate Worksheet | Amount/Rate |
|------|---|-----------------|
| 63. | Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value | |
| | A. Voter-approval tax rate (Line 67)..... | \$ _____ /\$100 |
| | B. Unused increment rate (Line 66)..... | \$ _____ /\$100 |
| | C. Subtract B from A..... | \$ _____ /\$100 |
| | D. Adopted Tax Rate | \$ _____ /\$100 |
| | E. Subtract D from C | \$ _____ /\$100 |
| | F. 2023 Total Taxable Value (Line 60)..... | \$ _____ /\$100 |
| | G. Multiply E by F and divide the results by \$100 | \$ _____ /\$100 |
| 64. | Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value | |
| | A. Voter-approval tax rate (Line 67)..... | \$ _____ /\$100 |
| | B. Unused increment rate (Line 66)..... | \$ _____ /\$100 |
| | C. Subtract B from A..... | \$ _____ /\$100 |
| | D. Adopted Tax Rate | \$ _____ /\$100 |
| | E. Subtract D from C | \$ _____ /\$100 |
| | F. 2022 Total Taxable Value (Line 60)..... | \$ _____ /\$100 |
| | G. Multiply E by F and divide the results by \$100 | \$ _____ /\$100 |
| 65. | Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value | |
| | A. Voter-approval tax rate (Line 67)..... | \$ _____ /\$100 |
| | B. Unused increment rate (Line 66)..... | \$ _____ /\$100 |
| | C. Subtract B from A..... | \$ _____ /\$100 |
| | D. Adopted Tax Rate | \$ _____ /\$100 |
| | E. Subtract D from C | \$ _____ /\$100 |
| | F. 2021 Total Taxable Value (Line 60)..... | \$ _____ /\$100 |
| | G. Multiply E by F and divide the results by \$100 | \$ _____ /\$100 |
| 66. | Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G | \$ _____ |
| 67. | 2024 Unused Increment Rate. Divide Line 66 by Line 21 of the No-New-Revenue Rate Worksheet. Multiply the result by 100 | \$ _____ /\$100 |
| 68. | Total 2024 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution) | \$ _____ /\$100 |

³⁹ Tex. Tax Code §26.013(b)

⁴⁰ Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)

⁴¹ Tex. Tax Code §§26.04(c)(2)(A) and 26.042(a)

⁴² Tex. Tax Code §§26.0501(a) and (c)

⁴³ Tex. Local Gov't Code §120.007(d)

⁴⁴ Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

| Line | De Minimis Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 69. | Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> . | |
| 70. | Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 71. | Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100. | \$ _____ /\$100 |
| 72. | Current year debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> . | \$ _____ /\$100 |
| 73. | De minimis rate. Add Lines 69, 71 and 72. | \$ _____ /\$100 |

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁹

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

| Line | Emergency Revenue Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 74. | 2023 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ /\$100 |
| 75. | Adjusted 2023 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2023 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2023, complete <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁵⁰ Enter the final adjusted 2023 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2023 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet. | \$ _____ /\$100 |
| 76. | Increase in 2023 tax rate due to disaster. Subtract Line 75 from Line 74. | \$ _____ /\$100 |
| 77. | Adjusted 2023 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 78. | Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100. | \$ _____ |
| 79. | Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> . | \$ _____ |
| 80. | Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁵¹ | \$ _____ /\$100 |

⁴⁴ Tex. Tax Code §26.04(c)(2)(B)

⁴⁵ Tex. Tax Code §26.012(8-a)

⁴⁶ Tex. Tax Code §26.063(a)(1)

⁴⁷ Tex. Tax Code §26.042(b)

⁴⁸ Tex. Tax Code §26.042(f)

⁴⁹ Tex. Tax Code §26.42(c)

⁵⁰ Tex. Tax Code §§26.42(c)

⁵¹ Tex. Tax Code §§26.42(b)

| Line | Emergency Revenue Rate Worksheet | Amount/Rate |
|------|--|-----------------|
| 81. | Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate). | \$ _____ /\$100 |

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ _____ /\$100

As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).

Indicate the line number used: _____

Voter-approval tax rate. \$ _____ /\$100

As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).

Indicate the line number used: _____

De minimis rate. \$ _____ /\$100

If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵²

print here 

Printed Name of Taxing Unit Representative

sign here 

Zane Brandenberger

Taxing Unit Representative

Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|--|---|------------------------|--------|
| AGENDA DATE: | 8/06/2024 | AGENDA ITEM | 7.C. |
| AGENDA SUBJECT: | Discussion, consideration and possible action authorizing use of G. Rollie White Downs for Lone Star Flattrack Association motorcycle races October 19 th and 20 th , 2024. | | |
| PREPARED BY: | E. Corbell | Date Submitted: | 8/1/24 |
| EXHIBITS: | | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |
| SUMMARY: <p>City staff was approached by representatives of the Lone Star Flattrack Association in efforts to bring flattrack motorcycle racing back to G. Rollie White. The unique length of the track makes it desirable amongst riders for racing purposes.</p> <p>Staff has shown event organizers the facility, and organizers believe that the course can host several successful races, with Association ability beginning October 19th and 20th, 2024.</p> <p>Staff believes that collaboration between the Association and the City can lead to the hosting of a successful event at the facility and spur future uses of the track.</p> | | | |
| RECOMMENDED ACTION: <p>Approve use of the track for flattrack motorcycle races on October 19th-20th, 2024.</p> | | | |

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|-------------------------------|--|------------------------|---------|
| AGENDA DATE: | 08/06/2024 | AGENDA ITEM | 7.D. |
| AGENDA SUBJECT: | Discussion, consideration and possible action directing staff regarding Interlocal Agreement with the City of Melvin for EMS services. | | |
| PREPARED BY: | E. Corbell | Date Submitted: | 6/28/24 |
| EXHIBITS: | Melvin EMS Spreadsheet Draft Interlocal Agreement | | |
| BUDGETARY IMPACT: | Required Expenditure: | \$00.00 | |
| | Amount Budgeted: | \$00.00 | |
| | Appropriation Required: | \$00.00 | |
| CITY MANAGER APPROVAL: | | | |

| |
|---|
| SUMMARY: City Council and staff have met with the City of Melvin regarding the need for an interlocal agreement for EMS services inside the city limits of Melvin and have presented the City of Melvin with the attached number to budget for future payment of services. The City of Melvin has declined at this time to pay for EMS services or enter into the provided interlocal agreement. |
|---|

| |
|---|
| RECOMMENDED ACTION: Direct staff, as desired. |
|---|

INTERLOCAL COOPERATION AGREEMENT

between

THE CITY OF BRADY, TEXAS AND THE CITY OF MELVIN, TEXAS

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 City of Melvin, Texas, a general law Type B municipality duly incorporated under the laws of the State of Texas, (herein "Melvin") on this the ____ day of _____, _____ (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 Melvin 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 Melvin find it is in the public interest for the City to provide Emergency Medical Services and fire protection services.

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

SECTION I **PURPOSE**

The purpose of this Agreement is to ensure that the Parties hereto provide Emergency Medical Services and fire protection services in a cooperative manner to the citizens of both the City and Melvin.

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

2.1 Fire and EMS Services.

- a. The City agrees to provide Fire Protection Services and Emergency Medical Service ("EMS") services to the residents of the City of Melvin, who live within the incorporated limits. 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 the term of _____, 202___ through _____, 202___, for the EMS services, Melvin will pay the City _____:
- c. Future Terms. Not later than May 1, of each successive year, the City shall provide Melvin with itemized statement of Fire and EMS expenses for the prior fiscal year to determine the fee for the term to begin on October 1, 202___ and thereafter. 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 City of Melvin. The decision to continue service shall be made on or before July 31, beginning in 202___ and continuing until this agreement is changed.

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

3.2 Pursuant to Chapter 791, Section 731.006(a) Melvin 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 inside the incorporated city limits of the City of Melvin.

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 Melvin 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 Melvin as provided for in this Agreement, either Party may terminate this Agreement on thirty (30) 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

MELVIN: Marelina Brown
Mayor

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.

5.8 The City and Melvin 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 MELVIN 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 RESPECTIVE CITY.**

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 _____, 202___ and will expire on _____, 202___. This Agreement shall thereafter automatically renew under the same terms and conditions for additional one year terms, unless terminated by either party. Either party may terminate, with or without cause, by giving at least thirty (30) days written notice to the other party.

SECTION X
EXECUTION

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed and effective on the ___ day of _____, 202___.

FOR THE CITY OF BRADY:

by: _____

Mayor Anthony Groves

Date: _____

FOR THE CITY OF MELVIN, TEXAS:

by: _____

Marelina Brown, Mayor

Date: _____

EMS Statistics

Call Volume

| Total | City | Other | Melvin | Melvin % |
|-------|------|-------|--------|----------|
| 1094 | 849 | 234 | 11 | 1.01% |

Billable Status

| | Billable | Non-Billable | Total Calls |
|------------|----------|--------------|-------------|
| County | 9 | 2 | 11 |
| City/Other | 663 | 420 | 1083 |
| | 672 | 422 | |

| | | | |
|---|--------|-------------------------------|-------|
| % of Melvin Calls that are billable | 81.82% | % to Total Billable Calls | 1.34% |
| % of Melvin Calls that are non-billable | 18.18% | % to Total Non-Billable Calls | 0.47% |

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 |
| Melvin | 18,290.00 | 8,131.97 | \$ 10,158.03 | 3,846.41 | 5,861.62 |
| % | 1.61% | 1.77% | 1.50% | 1.23% | 3.79% |

Write-off

| | |
|--------|------------|
| Total | 207,935.90 |
| County | 852.44 |
| % | 0.41% |

| | |
|--|----------------|
| EMS Revenues (Including Service Collections) | 320,433.98 |
| EMS Expenses (Excluding Fire) | 1,851,972.31 |
| Net Revenue Over/(Under) Expenditures | (1,531,538.33) |

If percentage of calls is applied 13,659.59

Alternate Formula

| | |
|--|-----------|
| Percent of total expenses | 18,704.92 |
| Melvin payments from Ins and private pay | 3,846.41 |
| County percent of RAC grant | 157.18 |
| | 14,701.33 |

City Council

City of Brady, Texas

Agenda Action Form

| | | | |
|-------------------------------|---|------------------------|--------|
| AGENDA DATE: | 8/06/2024 | AGENDA ITEM | 7.E. |
| AGENDA SUBJECT: | Discussion, consideration and possible action regarding potential amendment to FY25 budget as requested by Mayor Groves | | |
| PREPARED BY: | | Date Submitted: | 8/1/24 |
| 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 | | |