

BRADY
THE CITY OF
TEXAS

CITY OF BRADY COUNCIL AGENDA
SPECIAL CITY COUNCIL MEETING
AND WORK SESSION
NOVEMBER 30, 2015 AT 1:00 PM

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00pm on November 30, 2015, at the City of Brady Service Center, located at 1405 N. Bridge Street, Brady, Texas, for the purpose of considering the following items. The City Council of the City of Brady, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Tony Groves
Mayor

Latricia Doyal
Mayor Pro Tem

Kathy Gloria
Council Member

Shelly Perkins
Council Member

Marilyn Gendusa
Council Member

Jack Turk
Council Member

Kim Lenoir
City Manager

Shannon Kackley
City Attorney

Tina Keys
City Secretary

Platinum
Level



Texas Comptroller
Leadership Circle

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

2. WORK SESSION ITEMS

- A. Discussion of proposed FY 2016 Budget Amendments
- B. Discussion of Municipal Court Management and Process

3. EXECUTIVE SESSION

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

- A. Pursuant to Section 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), the City Council will deliberate, vote, or take final action on a competitive matter regarding its electric utility – proposed contract with LCRA.
- B. Pursuant to Section 551.087 (Economic Development), the City Council will deliberate the offer of a financial or other incentive or to discuss or deliberate regarding commercial or financial information that the City Council has received from a prospective cement plant (US Cement), retail, and other development projects that the City Council seeks to have locate in or near the City and/or with which the City Council is conducting economic development negotiations.
- C. Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange lease, or value of real property as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person.
- D. Pursuant to Section 551.074 (Personnel Matters) the City Council will deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – City Manager.

- E. Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice related to the City's and City Council's obligations, duties, and authority pursuant to the Texas Open Meetings Act.

11. Open Session Action on Any Executive Session Item listed above, if needed.

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 1:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Tina Keys, City Secretary


In compliance with the American with Disabilities Act, the City of Brady will provide for reasonable accommodations for persons attending public meetings at City Facilities. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 325-597-2152 or citysec@bradytx.us.

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. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such 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 about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (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 a written interpretation of 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 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

City Council
City of Brady, Texas
Special City Council Meeting and Work Session

AGENDA DATE:	11-30-2015	AGENDA ITEM	2.A
AGENDA SUBJECT:	Discussion of proposed FY 2016 Budget Amendments.		
PREPARED BY:	Lisa Remini	Date Submitted:	11-24-2015
EXHIBITS:	Ordinance #1187 Proposed Budget Amendments Projected Fund Balance Compliance		
BUDGETARY IMPACT:	Required Expenditure:		\$31,448,877.00
	Amount Budgeted:		\$30,284,788.00
	Appropriation Required:		\$1,164,089.00
CITY MANAGER APPROVAL:			

SUMMARY:	<p>Staff recommends that the FY 16 Budget be amended to provide for the various items listed on the attached "Proposed Budget Amendment" report.</p> <p>The "Projected Fund Balance Compliance" report supports all recommended amendments.</p>
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RECOMMENDED ACTION:	<p>For discussion only, no action recommended.</p>
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ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE FISCAL YEAR 2015-2016 BUDGET

An ordinance amending the 2015-2016 Fiscal Year Budget as follows:

Increasing total expenditures by \$1,164,089 for an expenditure budget of \$31,448,877 as per attached summary, made a part of this ordinance.

These amendments will allow for the completion of the fiscal year operations for the City of Brady.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADY TEXAS that the FY 2015-2016 budget be amended accordingly.

APPROVED UPON FIRST READING THIS THE ____ DAY OF _____ 2015,

APPROVED AND PASSED UPON SECOND READING THIS THE ____ DAY OF _____ 2015.

Anthony Groves, Mayor

ATTEST: _____
Tina Keys, City Secretary

CITY OF BRADY
FY 16 PROPOSED BUDGET AMENDMENTS 12-1-2015

FUND:	DIVISION:	ACCOUNT DESCRIPTION	CURRENT BUDGET	AMENDMENT INC / (DEC)	PROPOSED BUDGET
GENERAL REVENUES					
10-4-13-815.01	Civic Center	EDC Contribution	\$ -	\$ 700,000	\$ 700,000
10-4-01-910.23	Administration	Administrative Fee from Sewer Fund	\$ 479,842	\$ (437,957)	\$ 41,885
10-4-01-910.30	Administration	Administrative Fee from Water Fund	\$ 475,585	\$ (67,504)	\$ 408,081
Net change in Revenues				\$ 194,539	
EXPENDITURES					
10-5-07-203.00	Fire	Professional fees	\$ -	\$ 19,000	\$ 19,000
10-5-03-401.00	Public Property	Capital Projects	\$ 75,000	\$ 50,000	\$ 125,000
10-5-12-325.00	Streets	Materials	\$ 65,000	\$ 112,700	\$ 177,700
10-5-13-401.00	Civic Center	Capital Projects	\$ 1,100,000	\$ 736,100	\$ 1,836,100
10-5-17-401.00	Municipal Court	Capital Projects	\$ -	\$ 120,000	\$ 120,000
10-5-24-402.00	Repair Shop	Capital Equipment	\$ -	\$ 750	\$ 750
10-5-34-312.00	GRWhite Complex	General Repairs	\$ 50,000	\$ 32,000	\$ 82,000
Net change in Expenditures				\$ 1,070,550	
Net impact on General Fund Balance				\$ (876,011)	
ELEC/WWTP EXPENDITURES					
20-5-23-312.00	WWTP	Emergency Repairs / Replacement	\$ 22,000	\$ 499,000	\$ 521,000
20-5-23-910.10	WWTP	Administrative Fee to General Fund	\$ 479,842	\$ (437,957)	\$ 41,885
Net change in Expenditures				\$ 61,043	
Net Impact on Elec/WWTP Fund Balance				\$ (61,043)	
WATER EXPENDITURES					
30-5-31-910.30	Water	Administrative Fee to General Fund	\$ 475,585	\$ (67,504)	\$ 408,081
Net change in Expenditures				\$ (67,504)	
Net impact on Water Fund Balance				\$ 67,504	

CITY OF BRADY
 FY 16 PROPOSED BUDGET AMENDMENTS 12-1-2015

FUND:	DIVISION:	ACCOUNT DESCRIPTION	CURRENT BUDGET	AMENDMENT INC / (DEC)	PROPOSED BUDGET
GAS EXPENDITURES					
40-5-42-910.80	Gas	Transfer to Special Revenue Fund	\$ 390,247	\$ 50,000	\$ 440,247
		Net change in Expenditures		\$ 50,000	
		Net impact on Gas Fund Balance		\$ (50,000)	
SPECIAL REVENUE REVENUES					
80-4-43-910.40	Community Dev	Transfers in from Gas Fund	\$ 390,247	\$ 50,000	\$ 440,247
EXPENDITURES					
80-5-43-278.01	Community Dev	Local Cost - Brady Trails	\$ 41,550	\$ 50,000	\$ 91,550
		Net impact on Special Rev Fund Balance		\$ -	

CITY OF BRADY
 FY 16 BUDGET AMENDMENT REQUESTS
 12/01/2015

DIVISION	ACCOUNT DESCRIPTION	AMOUNT	REASON FOR AMENDMENT
REVENUES			
Civic Center	EDC Contribution	\$ 700,000	Contribution from EDC for Civic Center construction per Resolution 2015-028R
Admin	Transfer	\$ (437,957)	Not required to meet General Fund needs
Admin	Transfer	\$ (67,504)	Not required to meet General Fund needs
	TOTAL	\$ 194,539	
EXPENDITURES			
Fire	Professional Fees	\$ 19,000	Concept plans for new Fire / EMS station
PPM	Capital Projects	\$ 50,000	Acquire Activity Center and improvements
Streets	Materials	\$ 112,700	Increase street maintenance work
Civic Center	Capital Projects	\$ 36,100	Finish engineering work for Civic Center
Civic Center	Capital Projects	\$ 700,000	Construction for Civic Center
Muni Court	Capital Projects	\$ 120,000	New Municipal Court building improvements
Repair Shop	Capital Equipment	\$ 750	Complete installation of Repair Shop lift
GRW Complex	General Repairs	\$ 32,000	Continue GRW Complex improvements
	TOTAL	\$ 1,070,550	
WWTP	Emergency Repairs	\$ 499,000	Repairs needed to keep current WWTP running
WWTP	Administrative Fee	\$ (437,957)	Retain funds for unexpected WWTP repairs
		\$ 61,043	
Water	Administrative Fee	\$ (67,504)	Retain funds to meet fund balance level requirements
Gas	Transfer out	\$ 50,000	To provide for 8 foot wide trails with the Brady Trails project
Comm Dev	Transfer in	\$ 50,000	To provide for 8 foot wide trails with the Brady Trails project
	Local Cost - Brady Trails	\$ 50,000	To provide for 8 foot wide trails with the Brady Trails project

CITY OF BRADY

FY 16 ADJ PROJECTED FUND BALANCES - COMPLIANCE

	TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
GENERAL FUND - 10			
BEGINNING GENERAL FUND BALANCE 10-1-2015			\$3,098,568
Budget FY16	\$4,093,735	\$8,555,500	(\$4,461,765)
Amendments 12-1-2015	\$700,000	\$1,070,550	(\$370,550)
Transfer in lieu of taxes from Electric Fund	\$2,574,430		\$2,574,430
Transfer in lieu of taxes from Gas Fund	\$345,634		\$345,634
Administrative fee from Sewer Fund	\$41,885		\$41,885
Administrative fee from Water Fund	\$408,081	\$0.00	\$408,081
Transfer excess reserve funds from Utility Support	\$10,640		\$10,640
Transfer excess reserve funds from Solid Waste	\$200,712		\$200,712
Restricted - Projected			(\$78,575)
ENDING GENERAL FUND BALANCE - Unrestricted 9-30-2016			\$1,769,060
Number of days to operating expenditures			90
Excess funds available			\$9,635
Total budgeted expenditures FY16	\$9,626,050		
Less budgeted capital expenditures	(\$2,490,605)		
Net Operating Expenditures	\$7,135,445		
Mimimum level Fund Balance required	\$1,759,425	90 days	
ELECTRIC & SEWER FUND - 20			
BEGINNING ELECTRIC & SEWER FUND BALANCE 10-1-15			\$6,618,643
Budget FY 16	\$9,172,862	\$8,291,489	\$881,373
Amendment 12-1-2015		\$499,000	(\$499,000)
Transfer in lieu of taxes from Electric to General Fund		\$2,574,430	(\$2,574,430)
Administrative fee from Sewer to General Fund	\$0	\$41,885	(\$41,885)
Restricted			(\$11,750)
ENDING ELECTRIC & SEWER FUND BALANCE - Unrestricted 9-30-16			\$4,372,951
Number of days to operating expenditures			183
Excess funds available			\$216,203
Total budgeted expenditures FY 16	\$11,406,804		
Less budgeted capital expenditures	(\$2,977,842)		
Operating Expenditures	\$8,428,962		
Mimimum level Fund Balance required	\$4,156,748	180 days	
WATER FUND - 30			
BEGINNING WATER FUND BALANCE 10-1-2015			\$3,149,934
Budget FY16	\$1,929,672	\$3,394,587	(\$1,464,915)
Administrative fee to General Fund		\$408,081	(\$408,081)
Transfer to Utility Support Fund		\$0	\$0
Restricted			(\$320,000)
ENDING WATER FUND BALANCE - Unrestricted 9-30-2016			\$956,938
Number of days to operating expenditures			186
Excess funds available			\$33,290
Total budgeted expenditures FY 16	\$3,802,668		
Less budgeted capital expenditures	(\$1,929,715)		
Operating Expenditures	\$1,872,953		
Mimimum level Fund Balance required	\$923,648	180 days	

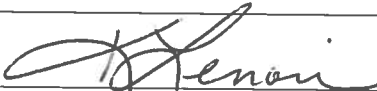
CITY OF BRADY			
FY 16 ADJ PROJECTED FUND BALANCES - COMPLIANCE	TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
GAS FUND - 40			
BEGINNING GAS FUND BALANCE 10-1-2015			\$1,431,618
Budget FY16	\$1,531,122	\$1,251,142	\$279,980
Transfer in lieu of taxes to General Fund		\$345,634	(\$345,634)
Transfer to Utility Support Fund		\$0	\$0
Transfer to Special Revenue Fund		\$440,247	(\$440,247)
Restricted			\$0
ENDING GAS FUND BALANCE - Unrestricted 9-30-2016			\$925,717
Number of days to operating expenditures			187
Excess funds available			\$34,195
Total budgeted expenditures FY16	\$2,037,023		
Less budgeted capital expenditures	(\$229,215)		
Operating Expenditures	\$1,807,808		
Mimimum level Fund Balance required	\$891,522	180 days	
UTILITY SUPPORT FUND -50			
BEGINNING UTILITY SUPPORT FUND BALANCE 10-1-2015			\$374,843
Budget FY 16	\$271,300	\$506,760	(\$235,460)
Transfer to General Fund excess reserves		\$10,640	(\$10,640)
Transfer from Water Fund	\$0		\$0
Transfer from Gas Fund	\$0		\$0
ENDING UTILITY SUPPORT FUND BALANCE - Unrestricted 9-30-2016			\$128,743
Number of days to operating expenditures			106
Excess funds available			\$19,048
Total budgeted expenditures FY 16	\$517,400		
Less budgeted capital expenditures	(\$72,524)		
Operating Expenditures	\$444,876		
Mimimum level Fund Balance required	\$109,695	90 days	
SOLID WASTE FUND - 60			
BEGINNING SOLID WASTE FUND BALANCE 10-1-2015			\$913,072
Budget FY16	\$1,180,000	\$1,223,748	(\$43,748)
Transfer excess funds to General Fund		\$200,712	(\$200,712)
Restricted			(\$391,000)
ENDING SOLID WASTE FUND BALANCE - Unrestricted 9-30-2016			\$277,612
Number of days to operating expenditures			110
Excess funds available			\$50,396
Total budgeted expenditures FY16	\$1,424,460		
Less budgeted capital expenditures and Street Sanitation exps	(\$502,972)		
Operating Expenditures	\$921,488		
Mimimum level Fund Balance required	\$227,216	90 days	
Total Ending Fund Balances - Unrestricted			\$8,431,021
Number of days to Total Operating Expenditures			149

CITY OF BRADY			
FY 16 ADJ PROJECTED FUND BALANCES - COMPLIANCE	TOTAL REVENUES	TOTAL EXPENSES	FUND BALANCE
SPECIAL REVENUE FUND - 80			
BEGINNING SPECIAL REVENUE FUND BALANCE 10-1-2015			\$361,464
Budget FY 16	\$2,048,682	\$2,584,472	(\$535,790)
Amendment 12-1-2015		\$50,000	(\$50,000)
Transfer from Gas Fund	\$440,247		\$440,247
ENDING SPECIAL REVENUE FUND BALANCE - RESTRICTED 9-30-15			\$215,921
TOTAL BUDGET AFTER TRANSFERS	\$24,949,002	\$31,448,877	(\$6,499,875)

City Council

City of Brady, Texas

Agenda Action Form

AGENDA DATE:	11-30-2015	AGENDA ITEM	Z.B.
AGENDA SUBJECT:	Discussion of reorganizing General State Law Division and City Code Enforcement Division and processes for Municipal Court.		
PREPARED BY:	Kim Lenoir	Date Submitted:	11-17-2015
EXHIBITS:	Current Ordinance establishing two Municipal Court Divisions		
BUDGETARY IMPACT:	Required Expenditure:		\$0
	Amount Budgeted:		\$0
	Appropriation Required:		\$0
CITY MANAGER APPROVAL:			

SUMMARY:	<p>The city added in February a monthly code enforcement division court to address in a timely manner our city code issues in an effort to hold any violators in compliance with our code of ordinances. Case attention has improved, but we need to do more.</p> <p>Issues to discuss:</p> <ol style="list-style-type: none"> 1) Hire Municipal Judge, two associates with one being a city employee. Pay rate per hour. 2) Currently it appears that 25% of tickets are paid; 25% go to court, and 50% ignore the ticket. Start a quarterly warrant round-up day with OT officers. 3) Have a Judge available 2 days a week – TT 9:00am to 11:00am (4 hours per week). Hire or get a volunteer to work receptionist duties during those hours, so Jessica could dedicate that time to Court paperwork. 4) Keep Code Court monthly on Wednesday after 2nd Tuesday City Council Meeting and add “Show Cause Court” to maintain a follow-up time to make sure people are paying or doing what was required. City Attorney would be available, if needed. 5) Review Court Fines and compare to JP Court fines. Include a Dismissal Fee, Court Cost Fee, etc. 6) Update Community Service Program and utilize in parks and streets on a regular bases. 7) Develop standard orders 8) Analysis backlog of Court Cases and hire staff to clear-up the backlog. 9) Review new Municipal Court concept plan. 10) Other Municipal Court issues to discuss or consider.
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RECOMMENDED ACTION:	Discussion item only
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ORDINANCE NO. 1168

AN ORDINANCE ADDING ARTICLE 7.300 (“MUNICIPAL COURT DIVISIONS”) TO THE CITY OF BRADY, TEXAS CODE OF ORDINANCES; DIVIDING THE BRADY MUNICIPAL COURT INTO TWO DIVISIONS

WHEREAS, Texas Government Code 29.007 a home-rule municipality, by either charter or ordinance, to divide its municipal court into two or more panels or divisions; and

WHEREAS, Government Code 29.007(a) provides that one division shall be presided over by the presiding judge and that each additional division shall be presided over by an associate judge; and

WHEREAS, Section 4.05 of the City of Brady Home Rule Charter authorizes the City Council to review the operation of the municipal court at the discretion of the Council; now therefore

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

Section 1. The Code of Ordinances of the City of Brady, Texas, is hereby amended by adding a new section, Article 7.300 (“Municipal Court Divisions”) to read in its entirety:

“ARTICLE 7.300 MUNICIPAL COURT DIVISIONS”

Sec. 7.301 Popular name

This article shall be cited as the Municipal Court Division ordinance.

Sec. 7.302 Purpose

This ordinance is adopted so that the City of Brady may promote the public health, safety, morals, and general welfare within the City through the enforcement of the City’s ordinances and applicable state laws in Municipal Court.

Sec. 7.303 Creation of Municipal Court Divisions

The Brady Municipal Court is hereby divided into the following divisions:

(1) General State Law Division. Cases involving any state law offenses, including but not limited to transportation code, penal code and health and safety code violations, shall be adjudicated by the General State Law Division of the Brady Municipal Court.

(2) City Code Enforcement Division. Cases involving any City ordinance violation shall be adjudicated the City Code Enforcement Division of the Brady Municipal Court.

Sec. 7.304 Qualifications for Appointment as a Judge

As established by the City of Brady Home Rule Charter, the presiding judge and associate judges are appointed by City Council and the presiding judge shall be an eligible voter of the City of Brady. An associate judge appointed to preside over the City Code division shall be a magistrate with the same powers as the presiding judge.

Sec. 7.305 Operations of Municipal Court Divisions

- (a) Unless specifically altered by resolution of the City Council, the General State Law division of the Brady Municipal Court shall be presided over by the presiding judge and the City Code Enforcement Division shall be presided over by an associate judge.
- (b) Judges are not authorized to transfer cases, exchange benches, or preside over any division other than the one as appointed by council, unless expressly authorized by resolution of the City Council.
- (c) Judges may temporarily be reassigned divisions by the Municipal Court Clerk in cases of sickness, absence, or vacation to avoid the court date itself from being rescheduled.

Section 2. This ordinance shall become effective ten (10) days after publication as required by Section 3.16 of the City of Brady Home Rule Charter.

Section 3. If any section or part of this ordinance is held by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance but shall be confined in its operation to the specific section or sections that are held unconstitutional or invalid.

Passed and Approved on FIRST READING this 6th day of January, 2015.

Passed and Approved on SECOND READING this 20th day of January, 2015.

Anthony Groves, Mayor

ATTEST:

Christy Badilla, City Secretary

APPROVED AS TO FORM:

City Attorney