



**CITY OF BRADY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
MONDAY, NOVEMBER 4, 2024, 6:00 PM**

NOTICE is hereby given of a meeting of the City Council of City of Brady, McCulloch County, State of Texas, to be held at 6:00 p.m. November 4, 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 Session Meeting on October 15, 2024 and Special Meetings on October 19, 28, and 29, 2024.

Tony Groves,  
Mayor

Terry Phillips  
Council Member Place 1

Missi Elliston  
Mayor Pro Tem  
Council Member Place 2

Jeffrey Sutton  
Council Member Place 3

Felix Gomez, Jr.  
Council Member Place 4

Gabe Moreno  
Council Member Place 5

Erin Corbell  
City Manager

Tina Keys  
City Secretary

Lloyd Newton  
City Attorney

**MISSION**

The City of Brady strives to share its history and encourage the development of diverse housing, employment, infrastructure, and opportunity through transparent management and financing for all residents and employees.

**5. PRESENTATIONS:**

None

**6. PUBLIC HEARING:**

None

## 7. INDIVIDUAL CONCERNS

**City Council Members are to deliberate the following items.** Staff will present the item and are prepared to answer City Council Member questions. The Mayor will recognize Council Members as the council discuss the item so everyone is heard. Once the City Council Members finish discussion, the Mayor will recognize attendees who have comments. Attendees and council members need to direct comments to the Mayor as they are recognized. When all comments are complete, the Mayor will call for a motion.

- A. Discussion, consideration and possible action regarding the **second and final reading of Ordinance 1390** of the City of Brady, Texas, to amend FY 2025 Budget transferring unfinished FY 2024 projects to the FY 2025 Budget Cycle.
- B. Discussion, consideration and possible action regarding approval of **Resolution 2024-021** ratifying and approving the appointment of a substitute trustee to the Deed of Trust dated May 28, 2024, and granted to the City of Brady by Linda Medrano.
- C. Discussion, consideration and possible action regarding approval of **Resolution 2024-022** adopting a model “TikTok” policy in compliance with the 88<sup>th</sup> Legislature passed Senate Bill 1893 prohibiting the use of covered applications on governmental entity devices.
- D. Discussion, consideration and possible action approving agreement for consulting services with Eikon Consulting Group, LLC for the Brady Public Safety Facility Schematic Design.
- E. Discussion, consideration and possible action regarding City board appointments to fill vacancies. Applicants for consideration – Aaron Garcia.

## 8. STAFF REPORTS

### A. Upcoming Special Events/Meetings:

Nov. 11	<b>Veteran's Day Holiday – City Offices Closed, Altered Trash Schedule</b> <i>Monday route on Tuesday / Tuesday route on Wednesday, Thursday and Friday route – no change</i>
Nov. 19	Regular City Council Meeting, 6:00 p.m.
Nov. 23	<b>HAPPY BIRTHDAY JEFFREY SUTTON</b>
Nov. 28	<b>Thanksgiving Holiday, City Offices Closed, Altered Trash Schedule –</b> <i>Thursday and Friday route picked up on Wednesday</i>
Nov. 29	<b>Day After Thanksgiving, City Offices Closed, Altered Trash Schedule –</b> <i>Thursday and Friday route picked up on Wednesday</i>
Dec. 3	Regular City Council Meeting, 6:00 p.m.
Dec. 17	Regular City Council Meeting, 6:00 p.m.
Dec. 25	<b>Christmas Holiday, City Offices Closed, Altered Trash Schedule – see below</b>
Dec. 26	<b>Floating December Holiday, City Offices Closed, Altered Trash Schedule –</b> <i>Thursday and Friday route picked up on Friday</i>
Jan. 1, 2025	<b>New Year's Day, City Offices Closed – NO altered trash schedule</b>

## 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 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager
- Pursuant to Section 551.072 (Deliberations about Real Property), the City Council will deliberate the purchase, exchange, lease, or value of real properties of the City as the deliberation in an open meeting will have the detrimental effect on the position of the City in negotiations with a third person: G. Rollie White

## 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](mailto:tkeys@bradytx.us)

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

The City Council of the City of Brady reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding prospective Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices), 551.086 (Deliberate, vote or take final action on competitive matters of the public power utility), and 551.087 (Deliberation regarding Economic Development).

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes written interpretation of the Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.104(c) and the meeting is conducted by all participants in reliance on this opinion.

STATE OF TEXAS

COUNTY OF McCULLOCH

CITY OF BRADY

The City Council of the City of Brady, Texas met in a Regular Meeting on Tuesday, October 15, 2024 at 6:00 p.m. with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Terry Phillips, Jeffrey Sutton, Felix Gomez and Gabe Moreno. City staff present were City Manager Erin Corbell, Public Works Director Steven Miller, Finance Director Lisa McElrath, Electric Superintendent Joe Solis, Airport Manager Scott Griffin, Human Resources Clerk Kristie Martin, Golf Course Superintendent R. S. Bush, Police Chief Randy Batten, City Attorney Lloyd Newton, and Municipal Court Clerk Valerie Gonzalez. Also in attendance were Daniel Mendoza, James Griffin and Leigh Fraga. Minutes were compiled by Court Clerk Valerie Gonzalez.

#### **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 Philips gave the invocation, and the Pledge of Allegiance was recited

#### **3. PUBLIC COMMENTS**

There were no public comments

City Manager Corbell requested council adjourn into Executive Session before regular session. Regular Session was recessed at 6:05 p.m. Executive Session was opened at 6:05 p.m. and adjourned at 7:02 p.m. Regular Session resumed at that time.

#### **4. CONSENT AGENDA**

- A. Approval of Minutes for Regular Meeting on October 1, 2024.

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

#### **5. PRESENTATIONS:**

There were no presentations

#### **6. PUBLIC HEARINGS AND INDIVIDUAL CONCERNS ON PUBLIC HEARING**

There were no public hearings

#### **7. INDIVIDUAL CONCERNS**

- A. Discussion, consideration and possible action regarding the **first reading of Ordinance 1390** of the City of Brady, Texas to amend FY 2025 Budget transferring unfinished FY 2024 projects to the FY 2025 Budget cycle. Lisa McElrath presented. Council Member Elliston moved to approve the first reading of Ordinance 1390 with Exhibit A attached. Seconded by Council Member Sutton. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

- B. Discussion, consideration and possible action regarding **Resolution 2024-019** approving the City's Investment Policy and appoint a Council Member to the FY 25 Investment Committee. Lisa McElrath presented. Mayor Groves nominated Council Member Moreno. Council Member Elliston moved to approve Resolution 2024-019 approving the City's Investment Policy and appointing Council Member Moreno to serve on the Investment Committee for the FY 25 term. Seconded by Council Member Phillips. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote
- C. Discussion, consideration and possible action on approval of **Resolution 2024-020** to request grant funds from the Concho Valley Council of Governments (CVCOG) under the Regional Solid Waste Grants Program, Grant FY2024/2025 for purchase of recycling trailer configured for cardboard and aluminum products. Steven Miller presented. Council Member Phillips moved to approve Resolution 2024-020 authorizing the City Manager as a signatory authority to execute a grant application with the CVCOG – San Angelo program in an amount not to exceed \$18,000.00. Seconded by Council Member Moreno. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- D. Discussion, consideration and possible action consideration and possible action approving Memorandum of Understanding with Brady Independent School District for the use of the Ed Davenport Civic Center for a Shelter/Reunification Site. Erin Corbell presented. Council Member Moreno moved to approve the Memorandum of Understanding between the Brady Independent School District and the City of Brady for the use of the Ed Davenport Civic Center for a shelter/reunification site and authorize the city manager to execute said MOU. Seconded by Council Member Gomez. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- E. Discussion, consideration, and possible action authorizing the city manager to execute a contract amendment with Pepper Lawson Waterworks, LLC (Construction Manager-at-Risk or CMAR) for the radium reduction project to include a cost increase to the guarantee maximum price (GMP) contract and a revised completion time. Steven Miller presented. Council Member Elliston moved to authorize the city manager to execute CMAR Contract Amendment No. 5 with Pepper Lawson Waterworks, LLC, describing a change to contract time and associated increase to the GMP in the amount of \$69,705.93. Seconded by Council Member Sutton. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- F. Discussion, consideration and possible action regarding the donation of property located at 600 W. Walker from Janice Enix. Erin Corbell presented. Council Member Moreno moved to accept the property donation from Janice Enix, authorizing staff to execute necessary documents for deed transfer and proceeding with demolition. Seconded by Council Member Gomez. All Council Members voted "aye" and none "nay". Motion passed with a 5 – 0 vote.
- G. Discussion, consideration and possible action to nominate members for the McCulloch County Appraisal District Board of Directors. Erin Corbell presented. Council Member Elliston moved to nominate Board Members Booker and Raybion for the McCulloch County Appraisal District Board of Directors. Seconded

by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 – 0 vote.

H. Discussion, consideration and possible action approving bids received from highest responsive bidders on sale of certain Dodge Heights lots. Erin Corbell presented. Council Member Phillips moved to approve the sale of the lots described in Agenda Action Form and authorize staff to issue Notices of Award and closing information to the successful bidders. Seconded by Council Member Elliston. 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:

Nov. 5	Regular City Council Meeting, 6:00 p.m.
Nov. 11	<b>Veteran's Day Holiday – City Offices Closed, Altered Trash Schedule</b> <i>Monday route on Tuesday / Tuesday route on Wednesday, Thursday and Friday route – no change</i>
Nov. 19	Regular City Council Meeting, 6:00 p.m.
Nov. 23	<b>HAPPY BIRTHDAY JEFFREY SUTTON</b>
Nov. 28	<b>Thanksgiving Holiday, City Offices Closed, Altered Trash Schedule – Thursday and Friday route picked up on Wednesday</b>
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Jan. 1, 2025	<b>New Year's Day, City Offices Closed – NO altered trash schedule</b>

## 9. ANNOUNCEMENTS

There were no announcements

## 10. EXECUTIVE SESSION

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

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

- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager

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

Council Member Elliston moved to approve the city manager resignation effective November 15, 2024. Seconded by Council Member Moreno. All Council Members voted “aye” and none “nay”. Motion passed with a 5 to 0 vote.

#### **12. ADJOURNMENT**

There being no further business, Mayor Groves adjourned the meeting at 7:41 p.m.

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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 Special Meeting on Saturday, October 19, 2024 at 10:00 a.m. with Mayor Anthony Groves presiding. Council Members present were Missi Elliston, Felix Gomez, Jeffrey Sutton and Gabe Moreno. City staff present was City Manager Erin Corbell.

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

Mayor Groves called the meeting to order at 10:00 a.m. Council quorum was certified.

#### **2. DISCUSSION**

There was no discussion

#### **3. EXECUTIVE SESSION**

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

- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager

Regular session was recessed at 10:04 a.m. and Executive Session was opened at that time. Executive Session was closed at 10:51 a.m. and Regular Session resumed.

#### **4. OPEN SESSION ACTION ON ANY ITEMS COMING OUT OF EXECUTIVE SESSION**

Council Member Elliston moved to hire TFG to enter into an agreement to provide three qualified applicants for interviews for interim city manager for a period of 3 months to begin as soon as possible and appoint Erin Corbell as point of contact. The motion was seconded by Council Member Gomez. All Council Members voted “aye” and none “nay”. Motion passed with a 4 – 0 vote.

#### **5. ADJOURNMENT**

There being no further business, Mayor Groves adjourned the meeting at 10:55 a.m.

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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 Special Meeting on Monday, October 28, 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 was Police Chief Randy Batten and City Secretary Tina Keys.

#### **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. Felix Gomez arrived after a quorum was certified.

#### **2. EXECUTIVE SESSION**

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

- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager

Council went directly into Executive Session at 6:02 p.m. Executive Session was closed at 6:31 p.m. and Regular Session resumed.

#### **4. OPEN SESSION ACTION ON ANY ITEMS COMING OUT OF EXECUTIVE SESSION**

No action was taken as a result of Executive Session

#### **5. ADJOURNMENT**

There being no further business, Mayor Groves adjourned the meeting at 6:32 p.m.

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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 Special Meeting on Tuesday, October 29, 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 was City Manager Erin Corbell, Public Works Director Steven Miller, Police Chief Randy Batten, Golf Superintendent R.S. Bush, and City Secretary Tina Keys. Also present was James Griffin.

#### **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. Council Member Gomez arrived after a quorum was certified.

#### **2. PRESENTATION**

- Verdunity – Concepts & Basics of Fiscal Sustainability – Maddie Capshaw with Verdunity was present via Zoom and introduced A.J. Fawver who also presented to council via Zoom.

#### **2. EXECUTIVE SESSION**

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

- Pursuant to Section 551.074 (Personnel Matters) City Council will meet to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager.

Regular session was recessed at 7:28 p.m. and Executive Session was opened at 7:31. Executive Session was closed at 7:37 p.m. and Regular Session resumed.

#### **4. OPEN SESSION ACTION ON ANY ITEMS COMING OUT OF EXECUTIVE SESSION**

There was no action taken as a result of Executive Session

#### **5. ADJOURNMENT**

There being no further business, Mayor Groves adjourned the meeting at 7:37 p.m.

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Anthony Groves, Mayor

Attest: \_\_\_\_\_  
Tina Keys, City Secretary

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

<b>AGENDA DATE:</b>	11-5-24	<b>AGENDA ITEM</b>	7.A.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding <b>second reading of Ordinance 1390</b> of the City of Brady, Texas, to amend FY 2025 Budget transferring unfinished FY 2024 projects to the FY 2025 Budget cycle.		
<b>PREPARED BY:</b>	Lisa McElrath	<b>Date Submitted:</b>	10-16-24
<b>EXHIBITS:</b>	Ordinance 1390 Exhibit A - Amendment Summary*		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$*	
	<b>Amount Budgeted:</b>		
	<b>Appropriation Required:</b>	\$*	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b>
Staff is requesting to roll-over projects or capital purchases that were approved and started or ordered in the FY 24 Budget cycle totaling \$3,155,279, due to timing to coordinate with various agencies and professionals, and delays in product delivery, these projects/ purchases could not be fully completed in the FY 24 budget cycle.
<b>Included with the current amendment is a request to transfer the net proceeds from the recent sale of lake property to the General Construction fund as discussed in a recent workshop with Council.</b>
The city budgets the total amount of funds available for the Drinking and Clean Water construction projects. The roll-over request of \$1,859,514 associated with the Drinking Water project reflects the budget funding that has not been spent as of fiscal year end 2024 and is available for spending in FY 2025. The Clean Water project reflects a balance of \$1,655,630 as of report date for roll-over. These two projects amount to 53% of the requested roll-over amount. Based on recent findings, the Lead Service Line Removal project at \$5,234,693, is no longer required and is being removed from the budget at this time.
Exhibit A provides a recap of amending items for Council review and approval.

<b>RECOMMENDED ACTION:</b>
<b>Mayor will ask:</b> <u>"Madam City Secretary please read the Ordinance Preamble for the record in accordance with the City Charter."</u> "Secretary reads preamble"
<b>Mayor calls for a motion:</b>
Move to approve the <b>second and final reading</b> of Ordinance 1390 with Exhibit A attached.

**ORDINANCE NO. 1390**

**AN ORDINANCE OF THE CITY OF BRADY, TEXAS AMENDING THE FISCAL  
YEAR 2024-2025 BUDGET FOR MUNICIPAL PURPOSES:**

An ordinance amending the 2024-2025 Fiscal Year Budget as follows:

Transferring unfinished FY 2024 operational, capital and grant projects totaling \$3,155,279 to the FY 2025 Budget for municipal purposes;

Increasing the Water system construction budget for system improvements by \$1,859,514 and increasing the Wastewater Treatment Plant construction budget by \$1,655,630, both funded by the Texas Water Development Board Drinking Water and Clean Water programs;

Removing the Lead Service Line Removal project in the amount of \$5,234,693;

All items by Fund and Division are detailed by Exhibit A, attached.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
BRADY TEXAS** that the FY 2024-2025 budget be amended accordingly.

**APPROVED UPON FIRST READING THIS THE 15th DAY OF October 2024,**

**APPROVED AND PASSED UPON SECOND READING THIS THE 5th DAY OF  
November 2024.**

**EFFECTIVE OCTOBER 1, 2024.**

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Anthony Groves, Mayor

ATTEST: \_\_\_\_\_  
Tina Keys, City Secretary

**CITY OF BRADY****Ordinance 1386 - EXHIBIT A****Budget - FY 25 Amendment to roll-over items from FY 24 Budget - Summary****first reading 10-15-24****second reading 11-5-24****REVENUES****EXPENDITURES**

<u>REQUEST</u>	<u>AMOUNT</u> INC/(DEC)	<u>BUDGET NUMBER</u>	<u>BUDGET DESCRIPTION</u>	<u>AMENDED BUDGET</u>
<b>GENERAL FUND -10</b>				
Pay-out program for Lucas Compression System	\$ 30,000	10-4-29-690.00	Loan Proceeds	\$ 74,000
Comprehensive Plan	\$ 84,550	10-5-01-203.00	Professional fees	\$ 105,550
Roof repair unused funds- Municipal Court	\$ 25,000	10-5-17-306.00	Building	\$ 26,000
Debt service - Lucas Chest Compression System	\$ 4,200	10-5-29-398.01	Principal Debt Requirements	\$ 60,000
Lucas Chest Compression System	\$ 30,000	10-5-29-402.00	Capital Outlay- Vehicles	\$ 74,000
Transfer net funds - 480 ac Lake RE sale	\$ 2,420,000	10-5-01-910.11	Transfer out to Fund 11	\$ 2,420,000
	<u><u>\$ 2,563,750</u></u>			
<hr/> <b>GENERAL CONSTRUCTION FUND - 11</b>				
Net funds - 480 acs Lake RE sale	\$ 2,420,000	11-4-28-910.10	Transfers in from Fund 10	\$ 2,420,000
Funding for architectural fees - EMS/Fire	\$ 256,000	11-5-28-400.00	New EMS/Fire Station	\$ 256,000
Funding for architectural fees - Police	\$ 5,955	11-5-28-401.00	New Police Station	\$ 5,955
	<u><u>\$ 261,955</u></u>			
<hr/> <b>ELECTRIC FUND -20</b>				
Engineer services for sale of south substation	\$ 10,000	20-5-22-203.00	Professional fees	\$ 185,000
Delivery of commercial electric meters	\$ 46,680	20-5-22-302.02	Meters	\$ 51,680
Construction phase of pole/cross arm replace	\$ 96,149	20-5-22-401.00	Capital Outlay- Projects	\$ 96,149
Transformer ordered but not delivered	\$ 49,000	20-5-22-302.01	Transformers	\$ 99,000
Remove duplicate expenditure	\$ (225,000)	20-5-22-402.00	Capital Outlay- Vehicles	\$ -
	<u><u>\$ (23,171)</u></u>			
<hr/> <b>WATER / SWER FUND - 30</b>				
Trade in 2 2016 utility trucks	\$ 20,000	30-4-31-899.00	Sale of Fixed Assets	\$ 20,000
Correct typo error with FY 25 budget	\$ 10,000	30-4-31-900.00	Loan Proceeds	\$ 110,000
	<u><u>\$ 30,000</u></u>			
Engineer services for TCEQ Permit at new WWTP	\$ 4,000	30-5-23-203.00	Professional fees	\$ 6,500
Replace automatic sampler	\$ 10,000	30-5-23-402.00	Capital Outlay -Equipment	\$ 10,000
Replace mower with utility trailer	\$ 15,000	30-5-23-402.00	Capital Outlay -Equipment	\$ 25,000
Irish Addition Water Main Improvement	\$ 254,845	30-5-31-401.00	Capital Outlay-Projects	\$ 254,845

## Ordinance 1386 - EXHIBIT A

## Budget - FY 25 Roll-over from FY 24 Amendment Requests

first reading 10-15-24

second reading 11-5-24

## REVENUES

## EXPENDITURES

<u>REQUEST</u>	<u>AMOUNT</u> INC/(DEC)	<u>BUDGET NUMBER</u>	<u>BUDGET DESCRIPTION</u>	<u>AMENDED BUDGET</u>
<b>WATER/SEWER FUND - 30 CONTINUED</b>				
Remove duplicate expenditure	\$ (100,000)	30-5-31-402.00	Capital Outlay-Vehicles	\$ -
Delivery of a Backhoe/Loader	\$ 128,595	30-5-31-402.00	Capital Outlay-Vehicles	\$ 128,595
Correct typo error with the FY 25 budget	\$ 30,000	30-5-31-901.00	Capital Outlay-Financed	\$ 130,000
	<b><u>\$ 342,440</u></b>			
<b>SPECIAL REVENUE - 80</b>				
Carry over budget opportunity	\$ 10,305	80-5-43-261.00	OPIOID Treatment program	\$ 10,305
	<b><u>\$ 10,305</u></b>			
<b>WATER CONSTRUCTION FUND -33</b>				
Remove LSLR project	\$ (30,000)	33-4-33-290.00	TWDB DW -L1001777	\$ -
Remove LSLR project	\$ (31,224)	33-4-33-290.01	TWDB DW -L1001778	\$ -
Remove LSLR project	\$ (2,535,000)	33-4-33-291.00	TWDB DW -L1001779	\$ -
Remove LSLR project	\$ (2,638,469)	33-4-33-291.01	TWDB DW -LF 1001780	\$ -
	<b><u>\$ (5,234,693)</u></b>			
Remove LSLR project	\$ (30,000)	33-5-33-290.00	TWDB DW -L1001777	\$ -
Remove LSLR project	\$ (31,224)	33-5-33-290.01	TWDB DW -L1001778	\$ -
Remove LSLR project	\$ (2,535,000)	33-5-33291.00	TWDB DW -L1001779	\$ -
Remove LSLR project	\$ (2,638,469)	33-5-33291.01	TWDB DW -LF 1001780	\$ -
	<b><u>\$ (5,234,693)</u></b>			
Roll-over remaining funding available	\$ 1,843,200	33-5-33-286.00	TWDB CO 2019 L1000917	\$ 1,843,200
Roll-over remaining funding available	\$ 14,314	33-5-33-287.00	EDAP 2019 G1000916	\$ 14,314
Roll-over remaining funding available	\$ 2,000	33-5-33-286.01	TWDB LF 2019 LF1000918	\$ 2,000
	<b><u>\$ 1,859,514</u></b>			
<b>WWTP CONSTRUCTION FUND -35</b>				
Roll-over remaining funding available	\$ 1,179,224	35-5-25-285.00	TWDB CO 2019A L1001004	\$ 1,179,224
Roll-over remaining funding available	\$ 369,125	35-5-25-285.01	TWDB CO 2019B L1001005	\$ 369,125
Roll-over remaining funding available	\$ 104,573	35-5-25-285.02	TWDB LF 2019 LF1001006	\$ 104,573
Roll-over remaining funding available	\$ 2,708	35-5-25-288.00	TWDB CO 2021 L1001180	\$ 2,708
	<b><u>\$ 1,655,630</u></b>			

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

AGENDA DATE:	11-5-24	AGENDA ITEM	7.B.
AGENDA SUBJECT:	Consideration and possible action regarding <b>Resolution 2024-021</b> ratifying and approving the appointment of a substitute trustee to the Deed of Trust dated May 28, 2024, and granted to the City of Brady by Linda Medrano.		
PREPARED BY:	L. McElrath / Tina Keys	Date Submitted:	10-22-24
EXHIBITS:	Resolution 2024-021 Demand Letter		
BUDGETARY IMPACT:	Required Expenditure:	\$00.00	
	Amount Budgeted:	\$00.00	
	Appropriation Required:	\$00.00	
CITY MANAGER APPROVAL:			

<b>SUMMARY:</b>	<p>It is required that the City Council direct staff through resolution to appoint a substitute trustee to the Deed of Trust dated May 28, 2024, granted to the City by Linda Medrano.</p> <p>Ms. Medrano has not performed on the promissory note since inception. She is currently 9 months past due, or \$868.14.</p> <p>Proper attempts to contact Ms. Medrano, including a demand letter, have been made with no response.</p>
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<b>RECOMMENDED ACTION:</b>	<p>Move to approve <b>Resolution 2024-021</b> ratifying and approving the appointment of a substitute trustee, _____, to the Deed of Trust dated May 28, 2024, and granted to the City of Brady by Linda Medrano.</p>
----------------------------	---

**RESOLUTION NO. 2024-021**

**A RESOLUTION OF THE CITY OF BRADY RATIFYING AND APPROVING  
THE APPOINTMENT OF A SUBSTITUTE TRUSTEE TO THE DEED OF TRUST  
DATED MAY 28, 2024 AND GRANTED TO THE CITY OF BRADY BY LINDA  
MEDRANO.**

**WHEREAS**, the City of Brady entered into a certain loan transaction with Linda Medrano for the sale of certain real property, the loan of which was evidenced by a Promissory Note dated May 28, 2024 and secured by a Deed of Trust of even date; and

**WHEREAS**, the Deed of Trust was recorded July 15, 2014, in Volume 510, Page 352 of the real property records of McCullough County, Texas (the “Deed of Trust”); and

**WHEREAS**, the Deed of Trust names Erin Corbell, City Manager, as Trustee with the power of sale; and

**WHEREAS**, the City of Brady finds that it is in the best interests of the City and for the administration of the loan to name a substitute trustee to the Deed of Trust;

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

- 1) The Brady City Council hereby ratifies and approves the appointment of a substitute trustee in the Deed of Trust described herein.
- 2) The Brady City Council hereby names \_\_\_\_\_ as substitute Trustee in the Deed of Trust with the power of sale.
- 3) That it is hereby found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Local Government Code.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Tony Groves, Mayor

ATTEST:

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Tina Keys, City Secretary, City of Brady



201 E. Main \* P.O. Box 351 \* Brady, TX 76825

325.597.2152 \* fax 325.597.2068 \* <http://bradytx.us>

November 5, 2024

**CERTIFIED MAIL #**  
**RETURN RECEIPT REQUESTED**

Linda Medrano  
301 W. 4<sup>th</sup> St.  
Brady, TX 76825

Re: Notice of Posting For Foreclosure – Dodge Heights Block 1 Lot 9

Dear Ms. Medrano:

The City of Brady, a Texas home-rule municipality, is the present owner and holder of a debt described in one certain Deed of Trust (the “Deed of Trust”) dated February 19, 2024, and executed on May 28, 2024, and delivered by Linda Medrano, to Erin Corbell, Trustee, for the benefit of the City of Brady, a home-rule municipality, recorded under Clerk’s File, File No. 59084, recorded in Volume 510, Page 352, in the Real Property Records of McCullough County, Texas, covering the real property described as:

**Lot No. Nine (9), Block No. One (1), Dodge Heights Subdivision of Brady Lake  
Addition, according to the map plat of said Addition now in general use and of record  
in Volume 27, Page 388 of the Deed Records of McCulloch County, Texas**

(the “Property”).

On September 24, 2024, a certified letter was sent to you notifying you that you are in default on the above-mentioned property. Specifically, Linda Medrano is in default under the terms of the Deed of Trust in that, in violation of the terms of the indebtedness that is secured by the Deed of Trust. A copy of this letter is included for your reference.

This current letter is to notify you that the Grantor is posting the Property for non-judicial foreclosure. The Property will be sold at public sale to the highest bidder **at 10 a.m.**, or not later than three hours after that time on **Tuesday, December 3, 2024**, in the area designated by the McCullough County Commissioner’s Court at the McCullough County, Texas, courthouse. Enclosed is a copy of the posted Notice of Substitute Trustee’s Sale for your information.

This letter does not waive any default not specifically listed above, or any rights, remedies or recourses available to the City of Brady under or in connection with the Deed of Trust. This letter is not an election of remedies resulting from the defaults listed above or any other defaults that may exist under the Deed of Trust or any other document executed in connection with the Deed of Trust.

**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active-duty military service to the sender of this notice immediately.**

You should contact Lisa McElrath, the Finance Director for the City of Brady at 325-597-2152, extension 1004 at your earliest convenience.

Thank you,

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\_\_\_\_\_,  
Substitute Trustee

**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.**

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**THE STATE OF TEXAS** §  
§  
**COUNTY OF MCCULLOUGH** §

**WHEREAS**, on May 28, 2024, by instrument recorded under County Clerk's File No. 59084, in the Real Property Records of McCullough County, Linda Medrano executed a Deed of Trust (the "Security Instrument") to Erin Corbell, Trustee, covering the hereinafter described property, which Security Instrument was executed for the purpose of securing the payment of a certain indebtedness, more particularly described in the Security Instrument:

**WHEREAS**, the City of Brady, as owner and holder of the indebtedness secured by the Security Instrument and beneficiary thereunder, did on the 4<sup>th</sup> day of November, 2024, appoint the undersigned, [REDACTED], as Substitute Trustee under the Security Instrument;

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**WHEREAS**, pursuant to the requirements of the Security Instrument and/or the laws of the State of Texas, written notice by certified mail, return receipt requested, stating that Linda Medrano (and all other persons liable on said indebtedness) was in default under the Security Instrument, was given before the notice of sale was given; and

**WHEREAS**, after default in the payment of the indebtedness described in the Security Instrument and pursuant to the specific provisions of the Security Instrument, Beneficiary has requested that the Security Instrument be enforced in accordance with the terms and provisions thereof;

**NOW, THEREFORE, NOTICE IS GIVEN** that I, the undersigned Substitute Trustee, will sell at public sale to the highest bidder or bidders for cash, at the area of the McCullough County Courthouse in the City of Brady, McCullough County, Texas, designated by the McCullough County Commissioners Court pursuant to the order recorded in the Real Property Records of McCullough County, Texas, at 10:00 a.m. or not later than three(3) hours after that time on Tuesday, December 3, 2024, the property described by the Security Instrument and more particularly described as follows:

**Lot No. Nine (9), Block No. One (1), Dodge Heights Subdivision of Brady Lake Addition, according to the map plat of said Addition now in general use and of record in Volume 27, Page 388 of the Deed Records of McCulloch County, Texas.**

The sale will be made subject to all matters which are prior to the Security Instrument, which affect title thereto, and which are a superior interest in and to the above-described property. The sale shall not cover any property that has been released from the lien of the Security Instrument. As provided by *Texas Property Code* Section 51.009, the real property is being sold and will be acquired "as is" without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk.

Prior to the foreclosure sale, Beneficiary may appoint another person as Substitute Trustee to conduct the sale. As provided by *Texas Property Code* Section 51.0076(a), the Substitute Trustee may set reasonable conditions for conducting the sale if the conditions are announced before the bidding is opened for the first sale of the day held by the Substitute Trustee.

As provided by *Texas Property Code* Section 51.0076(f), the purchase price for this sale will be due and payable without delay on acceptance of the bid or within such reasonable time as may be agreed upon by the purchaser and the Substitute Trustee if the purchaser makes such request for additional time to deliver the purchase price. In no event, however, will the additional time extend beyond 4:45 pm on the day of the sale. Since the terms of the sale will be for cash, on the day of sale, those desiring to purchase the property will need to demonstrate their ability to pay cash. The only cash equivalent that the Substitute Trustee will accept will be a cashier's check payable to the Beneficiary drawn on a reasonably acceptable federally insured financial institution having a physical presence in McCullough County, Texas.

The Security Instrument permits Beneficiary to postpone, withdraw, or reschedule the sale for another day. In such case, I need not appear at the date, time and place of the scheduled sale to announce the postponement, withdrawal or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

WITNESS MY HAND this \_\_\_\_\_ day of November, 2024

---

**Substitute Trustee**

Address:  
201 E. Main Street  
Brady, TX 76825

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

<b>AGENDA DATE:</b>	11-5-2024	<b>AGENDA ITEM</b>	7.C.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action regarding approval of Resolution 2024-022 approving a model “TikTok” policy in compliance with the 88 <sup>th</sup> Texas Legislature passed Senate Bill 1893 prohibiting the use of covered applications on governmental entity devices..		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	10/28/2024
<b>EXHIBITS:</b>	Resolution 2024-022 Model Policy		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$0.00	
	<b>Amount Budgeted:</b>	\$0.00	
	<b>Appropriation Required:</b>	\$0.00	
<b>CITY MANAGER APPROVAL:</b>			

<b>SUMMARY:</b> <p>The last session, Texas legislature passed S.B. 1893 which prohibits the use of TikTok and certain other social media applications and services on governmental devices. The bill specifically requires cities and other political subdivisions to adopt a policy (1) prohibiting the installation of TikTok or other covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices. The deadline to adopt this policy is November 20, 2024.</p>
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<b>RECOMMENDED ACTION:</b> <p>Move to approve Resolution 2024-022</p>
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**RESOLUTION NO. 2024-022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADY,  
TEXAS, TO ADOPT A PROHIBITED TECHNOLOGY POLICY AS  
REQUIRED BY CHAPTER 620 OF THE TEXAS GOVERNMENT CODE.**

**WHEREAS**, the 88<sup>th</sup> Texas Legislature passed Senate Bill 1893 to create Chapter 620 of the Texas Government Code, which requires all Texas municipalities to adopt a policy prohibiting the installation or use of certain applications on government-owned devices; and

**WHEREAS**, to comply with the applicable provisions of Chapter 620, Texas Government Code, the City Council of the City of Brady has determined that it is necessary and appropriate to adopt the policy set forth herein; and

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

**Section One:** The Brady City Council hereby adopts and finds to be true the recitals set out in the preamble to this resolution and they are incorporated for all purposes giving effect to this resolution.

**Section Two:** The Brady City Council hereby adopts the Covered Applications and Prohibited Technology Policy, as attached hereto as Exhibit “A” and incorporated herein by reference for all intents and purposes, which shall hereafter be incorporated into the City’s employment and personnel policies.

**Section Three:** Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution is hereby repealed and revoked.

**Section Four:** Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

**PASSED AND APPROVED on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.**

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Anthony Groves, Mayor

ATTEST:

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Tina Keys, City Secretary

# CITY OF BRADY

## Covered Applications and Prohibited Technology Policy

Date: October 28, 2024

Version: 1.0

## CONTENTS

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## 1.0 INTRODUCTION

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### 1.1 PURPOSE

On December 7, 2022, Governor Greg Abbott required all state agencies to ban the video-sharing application TikTok from all state-owned and state-issued devices and networks over the Chinese Communist Party's ability to use the application for surveilling Texans. Governor Abbott also directed the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR) to develop a plan providing state agencies guidance on managing personal devices used to conduct state business. Following the issuance of the Governor's directive, the 88<sup>th</sup> Texas Legislature passed [Senate Bill 1893](#), which prohibits the use of covered applications on governmental entity devices.

As required by the Governor's directive and Senate Bill 1893, this model policy establishes a template that entities subject to the directive or bill may mimic to prohibit the installation or use of covered applications or prohibited technologies on applicable devices.

### 1.2 SCOPE AND APPLICATION

Due to distinctions in requirements between the Governor's directive and SB 1893, Sections 2 and 3 apply to distinct organizations. Where appropriate, each section will identify the unique entities to whom the section applies and the appropriate definitions.

Governmental entities, including local governments, must adopt a covered applications policy as described by [Section 2.0](#).

## 2.0 COVERED APPLICATIONS POLICY FOR GOVERNMENTAL ENTITIES

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### 2.1 SCOPE AND DEFINITIONS

Pursuant to Senate Bill 1893, governmental entities, as defined below, must establish a covered applications policy:

- A department, commission, board, office, or other agency that is in the executive or legislative branch of state government and that was created by the constitution or

a statute, including an institution of higher education as defined by Education Code Section 61.003.

- The supreme court, the court of criminal appeals, a court of appeals, a district court, or the Texas Judicial Council or another agency in the judicial branch of state government.
- A political subdivision of this state, including a municipality, county, or special purpose district.

This policy applies to all City of Brady full- and part-time employees, contractors, paid or unpaid interns, and other users of government networks. All City of Brady employees are responsible for complying with this policy.

A covered application is:

- The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited.
- A social media application or service specified by proclamation of the governor under Government Code Section 620.005.

## **2.2 COVERED APPLICATIONS ON GOVERNMENT-OWNED OR LEASED DEVICES**

Except where approved exceptions apply, the use or installation of covered applications is prohibited on all government-owned or -leased devices, including cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The City of Brady will identify, track, and manage all government-owned or -leased devices including mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices to:

- a. Prohibit the installation of a covered application.
- b. Prohibit the use of a covered application.
- c. Remove a covered application from a government-owned or -leased device that was on the device prior to the passage of S.B. 1893 (88th Leg, R.S.).
- d. Remove an application from a government-owned or -leased device if the Governor issues a proclamation identifying it as a covered application.

The City of Brady will manage all government-owned or leased mobile devices by implementing the security measures listed below:

- a. [Restrict access to “app stores” or unauthorized software repositories to prevent the installation of unauthorized applications.]
- b. [Maintain the ability to remotely wipe non-compliant or compromised mobile devices.]
- c. [Maintain the ability to remotely uninstall unauthorized software from mobile devices.]
- d. [Other Governmental Entity-implemented security measures.]

## 2.3 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the government’s sensitive information and critical infrastructure, DPS and DIR will regularly monitor and evaluate additional social media applications or services that pose a risk to this state.

DIR will annually submit to the Governor a list of social media applications and services identified as posing a risk to Texas. The Governor may proclaim items on this list as covered applications that are subject to this policy.

If the Governor identifies an item on the DIR-posted list described by this section, then City of Brady will remove and prohibit the covered application.

The City of Brady may also prohibit social media applications or services in addition to those specified by proclamation of the Governor.

## 2.4 BRING YOUR OWN DEVICE POLICY

If the City of Brady has a “Bring Your Own Device” (BYOD) program, then the

City of Brady may consider prohibiting the installation or operation of covered applications on employee-owned devices that are used to conduct government business.

## 2.5 COVERED APPLICATION EXCEPTIONS

The City of Brady may permit exceptions authorizing the installation and use of a covered application on government-owned or -leased devices consistent with the authority provided by Government Code Chapter 620.

Government Code Section 620.004 only allows the City of Brady to install and use a covered application on an applicable device to the extent necessary for:

- (1) Providing law enforcement; or
- (2) Developing or implementing information security measures.

If the City of Brady authorizes an exception allowing for the installation and use of a covered application, the City of Brady must use measures to mitigate the risks posed to the state during the application's use .

The City of Brady must document whichever measures it took to mitigate the risks posed to the state during the use of the covered application.

## **3.0 POLICY COMPLIANCE**

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The City of Brady will verify compliance with this policy through various methods, including but not limited to, IT/security system reports and feedback to leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

## **4.0 POLICY REVIEW**

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This policy will be reviewed annually and updated as necessary to reflect changes in state law, additions to applications identified under Government Code Section 620.006, updates to the prohibited technology list posted to DIR's website, or to suit the needs of the City of Brady

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# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11/4/2024	<b>AGENDA ITEM</b>	7.D.
<b>AGENDA SUBJECT:</b>	Discussion, consideration and possible action approving agreement for consulting services with Eikon Consulting Group, LLC for the Brady Public Safety Facility Schematic Design.		
<b>PREPARED BY:</b>	E. Corbell	<b>Date Submitted:</b>	11/01/2024
<b>EXHIBITS:</b>	Agreement for services		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$88,000.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<p><b>SUMMARY:</b></p> <p>City Council has determined a location for a joint Fire/EMS/law enforcement facility in the 200 block of South Elm, where the current EMS bays, council chambers and Police Department building are located.</p> <p>Eikon has submitted the attached agreement to include:</p> <ul style="list-style-type: none"> <li>- Programming</li> <li>- Space Planning</li> <li>- Opinion of Probable Cost</li> <li>- Preliminary Code Review</li> <li>- Conceptual Floor Plans</li> <li>- Conceptual Elevations</li> <li>- Conceptual Wall Sections</li> </ul>			

<b>RECOMMENDED ACTION:</b>
It is recommended to approve the agreement for consulting services with Eikon Consulting Group, LLC for the Brady Public Safety Facility Schematic Design in an amount not to exceed \$88,000 and authorize staff to execute the agreement.



## AGREEMENT FOR CONSULTING SERVICES

**Date** October 31, 2024

**Client** City of Brady  
Attn: Erin Corbell  
201 E Main St  
Brady, Texas 76825  
325-597-2152 ext. 209  
[ecorbell@bradytx.us](mailto:ecorbell@bradytx.us)  
(Delivered via email)

**Project Name and Location** Brady Public Safety Facility Schematic Design  
Brady, Texas

As requested, EIKON Consulting Group, LLC (EIKON) is pleased to submit this proposal for professional consulting services related to the above-referenced project. Our proposed Scope of Services, Assumptions, Deliverables, Schedule, and Fee are outlined below.

### Detailed Project Description

We understand that the project includes the Schematic Design of a Public Safety Facility to be located at the existing Police Station and Council Chambers in Brady, TX. The existing Police Facility will be designed to renovate the spaces within for the Police and Fire Departments. The existing Council Chambers will be considered in the design process for renovation and use for the departments as well. The Apparatus Bays will be added to the site and connected to the existing buildings as determined most feasible, practical and cost effective. The entire block is owned by the City and EIKON will provide Schematic Design to layout the buildings on the site, connect to the existing buildings and develop floor plans for the existing building renovations and the new buildings. Elevations will be developed for the new buildings. EIKON will provide an opinion of cost for the approved Schematic Design.

### Scope of Services (Exhibit A)

#### Descriptions of Specific Services

##### Architectural – Schematic Design Services which may include the following:

- Programming
- Space Planning
- Opinion of Probable Cost
- Preliminary Code Review
- Conceptual Floor Plans
- Conceptual Elevations
- Conceptual Wall Sections

#### Assumptions

##### Typical Assumptions

- The client will provide necessary information for the timely completion of the project.

- EIKON's fee assumes that the project will progress in a continuous and orderly fashion and we will expedite the project as much as practical. Significant project delays through no fault of EIKON may be the basis for the negotiation of additional fees for professional services.
- If additional out of scope work is required in connection with this project, we will complete the work on an hourly basis at our current rates, whether directed by the Owner or required jurisdiction.

### **Deliverables**

- EIKON will submit PDF format electronic drawings

### **Schedule (Exhibit B)**

Due to many factors, it is difficult to put an exact schedule for this project. Every effort will be done to meet the desired schedule of the client while coordinating with EIKON's work load, personnel, city requirements and other factors.

### **Fee (Exhibit C)**

- Fee for all services to be hourly, with an anticipated fee of \$88,000.00. Should it be determined that this amount is not enough, EIKON will not proceed until authorization is given.
- Reimbursable expenses, including but not limited to, postage/shipping, printing/reproduction, mileage, and all travel expenses, shall be invoiced at cost +15%.

Invoices are processed monthly and are based on a percentage of completion or actual hours.

Fee to be paid within 30 days after the delivery of an invoice from EIKON. Any invoices that are over 30 days old will potentially cause EIKON to halt work on this project until paid.

### **2024 EIKON Consulting Group Rate Schedule**

Admin I	\$75.00
Admin III (Sr/Exec)	\$120.00
<u>Construction Admin III (Sr)</u>	\$150.00
Designer/Drafter III (Sr)	\$155.00
Engineer III (Sr)	\$200.00
Architectural Designer III (Sr)	\$245.00
Director/VP/Principal	\$275.00
CEO/COO/CAO	\$295.00

### **Notice to Proceed**

EIKON must receive (by fax, email, or regular mail) this signed services agreement. **This proposal will remain in effect for 30 days, after that it is subject to change.**

If this proposal meets with your approval, please sign the attached agreement authorizing our office to begin work. Note that references in the agreement to Exhibits A, B and C are those identified above.

Thank you for considering EIKON for your consulting services. We look forward to working with you and your staff on this project. Should you have any questions regarding this proposal, please do not hesitate to contact us.

**EIKON  
SHORT FORM AGREEMENT**

THIS AGREEMENT is made this 31<sup>st</sup> day of October, 2024 by and between EIKON Consulting Group, LLC (hereinafter "EIKON") and City of Brady (hereinafter "Client"). Client and EIKON, for the consideration hereinafter set forth, hereby agree as follows:

1. **Services of EIKON** - EIKON agrees to provide the professional services described in Exhibit A attached hereto (hereinafter the "Services").
2. **Schedule of Services** - EIKON shall use professionally reasonable efforts to complete the Services in a timely fashion to meet Client's requirements. If the parties have agreed to a specific project schedule and specific milestone dates, such information will be set forth in Exhibit B attached hereto.
3. **Responsibilities of Client** - Client shall furnish or make available to EIKON any and all of its records, maps, or other data which are pertinent to EIKON's work. Client shall authorize and assist EIKON in obtaining any such pertinent information from other public and private sources. EIKON may use such information, requirements, reports, data, surveys and instructions in performing the Services and is entitled to rely upon the accuracy and completeness thereof. EIKON shall not be held responsible for any errors or omissions that may arise as a result of erroneous or incomplete information provided by the Client or any member of Client Group. As used herein the term "Client Group" means individually or in any combination Client, its affiliates, any subcontractors of Client, and their respective officers, directors, employees, partners, members, managers, representatives, agents, licensees, invitees and assignees.
4. **Compensation** - As compensation for the performance of the Services, Client shall pay EIKON its fees and expenses in accordance with Exhibit C attached hereto. Payments from Client to EIKON are due at the address appearing on the applicable invoice within 30 days following the invoice date. Client agrees that all amounts owed to EIKON by Client shall be paid by Client to EIKON on the date due (as specified herein), regardless of whether Client shall have any received payment, remuneration or other compensation from any third party.
5. **Termination** - This Agreement may be terminated by either party upon not less than seven (7) days written notice delivered to the other party at the notice address set forth on the signature page hereto. Either party may change its address for notices hereunder upon seven (7) days written notice to the other party. EIKON shall be compensated for all Services performed until EIKON's receipt of a written notice from the Client, plus any fees and/or costs reasonably necessary to properly terminate the Services and any projects associated therewith.
6. **Relationship of Parties** - EIKON is and shall at all times during the term of this Agreement be an independent contractor of Client. This Agreement and the relationship of the parties shall not be deemed to create or be one of employment, agency, partnership, joint venture or any other association and, except as otherwise set forth in a separate written agreement between the parties, neither party shall have any right, power or authority to create any obligations, express or implied, on behalf of the other.
7. **Assignment** - This Agreement is binding on the heirs, successors, and permitted assigns of the parties hereto. This Agreement may not be assigned by Client or EIKON without the prior

written consent of the other. Any assignment without the prior written consent of the other party shall be null and void.

8. Standard of Care; Disclaimer of Warranties - The standard of care for all Services performed or furnished by EIKON under this Agreement will be the care and skill ordinarily used by the members of EIKON's profession practicing under similar conditions at the same time and in the same locality. **EIKON MAKES NO WARRANTIES, EXPRESS OR IMPLIED, UNDER THIS AGREEMENT OR OTHERWISE, IN CONNECTION WITH EIKON'S SERVICES.** EIKON HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, OF ANY NATURE WHATSOEVER, WHETHER EXPRESS, IMPLIED OR OTHERWISE ARISING BY OPERATION OF LAW, TRADE, USAGE OR COURSE OF DEALING, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND AS TO QUALITY OR FITNESS FOR A PARTICULAR PURPOSE, WHETHER PROVIDED FOR UNDER THE LAWS OF THE STATE OF TEXAS OR ANY OTHER JURISDICTION, AND CLIENT HEREBY AGREES AND ACKNOWLEDGES THE FOREGOING EXPRESS DISCLAIMER AND FURTHER UNDERSTANDS THAT CLIENT SHALL HAVE NO FURTHER RE COURSE AGAINST EIKON OR ANY MEMBER OF THE EIKON GROUP (AS HEREINAFTER DEFINED) HEREIN.

9. Insurance - EIKON shall procure and maintain worker's compensation and employer's liability insurance in accordance with requirements of the state in which the Services are being performed, comprehensive liability insurance (including contractual and contractor's protective liability coverage) with combined single limits of \$1,000,000 per occurrence for bodily injury and property damage; automobile liability coverage including owned and hired vehicles with a combined single limit of \$1,000,000 per occurrence for bodily injury and property damage and professional liability insurance in the amount of \$2,000,000 per claim/annual aggregate.

10. **INDEMNIFICATION** -

(A) CLIENT WILL INDEMNIFY, DEFEND AND HOLD EIKON AND EACH MEMBER OF EIKON GROUP HARMLESS ON A COMPARATIVE BASES FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, LEGALLY RECOVERABLE DAMAGES, LEGALLY RECOVERABLE COSTS AND EXPENSES, ACTIONS, PROCEEDINGS, LIABILITIES OR LOSSES, OF WHATSOEVER NATURE (INCLUDING REASONABLE ATTORNEY'S FEES), FOR ANY INJURY TO OR DEATH OF PERSONS, OR FOR DAMAGE OR LOSS TO PROPERTY OF EIKON, CLIENT OR A THIRD PARTY ARISING OUT OF ANY NEGLIGENCE OR WILLFUL MISCONDUCT OF CLIENT OR ANY MEMBER OF CLIENT GROUP. CLIENT WILL, ON EIKON'S REQUEST, DEFEND ANY ACTION, CLAIM OR SUIT ASSERTING A CLAIM COVERED BY THIS SECTION 10(A). AS USED HEREIN "EIKON GROUP" MEANS INDIVIDUALLY OR IN ANY COMBINATION EIKON, ITS AFFILIATES, ANY SUBCONTRACTORS OF EIKON, AND THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, PARTNERS, MEMBERS, MANAGERS, REPRESENTATIVES, AGENTS, LICENSEES, INVITEES AND ASSIGNEES.

(B) EIKON WILL INDEMNIFY, AND HOLD CLIENT AND EACH MEMBER OF CLIENT GROUP HARMLESS ON A COMPARATIVE BASES FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, LEGALLY RECOVERABLE DAMAGES, LEGALLY RECOVERABLE COSTS AND EXPENSES, ACTIONS, PROCEEDINGS, LIABILITIES OR LOSSES, OF WHATSOEVER NATURE (INCLUDING REASONABLE ATTORNEY'S FEES), FOR ANY INJURY TO OR DEATH OF PERSONS, OR FOR DAMAGE OR LOSS TO PROPERTY OF CLIENT, EIKON OR A THIRD PARTY ARISING OUT OF ANY NEGLIGENCE OR WILLFUL MISCONDUCT OF EIKON OR ANY MEMBER OF EIKON GROUP. EIKON WILL,

**ON CLIENT'S REQUEST, DEFEND ANY ACTION, CLAIM OR SUIT ASSERTING A CLAIM COVERED BY THIS SECTION 10(B).**

11. **LIMITATION ON LIABILITY** - IN RECOGNITION OF THE RELATIVE RISKS AND BENEFITS OF THE SERVICES TO BOTH THE CLIENT AND EIKON, THE RISKS HAVE BEEN ALLOCATED SUCH THAT THE CLIENT AGREES THAT THE TOTAL AGGREGATE LIABILITY OF EIKON GROUP TO CLIENT AND ANY MEMBER OF CLIENT GROUP FOR ANY AND ALL INJURIES, CLAIMS, LOSSES, EXPENSES OR DAMAGES WHATSOEVER ARISING OUT OF, OR IN ANY WAY RELATED TO, THE SERVICES OR THIS AGREEMENT FROM ANY CAUSE OR CAUSES WHATSOEVER INCLUDING, BUT NOT LIMITED TO, NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY OR BREACH OF CONTRACT SHALL NOT EXCEED THE GREATER OF (I) THE TOTAL COMPENSATION RECEIVED BY EIKON UNDER THIS AGREEMENT OR (II) AN AMOUNT EQUAL TWO TIMES (2X) THE TOTAL AGGREGATE FEES SET FORTH ON EXHIBIT C ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. IF FOR ANY REASON THIS CLAUSE IS DEEMED UNENFORCEABLE THEN LIABILITY SHALL NOT EXCEED THE AVAILABLE LIMITS OF INSURANCE PURSUANT TO PARAGRAPH (9).

12. **No Personal Liability** - Notwithstanding any other provision of this Agreement to the contrary, no member of the EIKON Group shall be personally liable to Client or any member of Client Group, regardless of the cause of action asserted, including, without limitation, breach of contract, warranty, guarantee, products liability, negligence, tort, strict liability, or any other cause pertaining to the Services or EIKON's performance or non-performance of the Agreement. Client for itself and on behalf of each member of Client Group, agrees that subject to the terms, conditions and limitations of this Agreement, it and each member of Client Group will look solely to EIKON for its remedy, subject to paragraph (11), for any claim arising out of or related to the Services or this Agreement

13. **Corporate Protection** - It is intended by the parties to this Agreement that EIKON's Services shall not subject EIKON's individual employees, officers, members, managers, agents or directors to any personal legal exposure for the risks associated with the Services or the project to which the Services are related. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees for and on behalf of itself and each member of Client Group that the sole and exclusive remedy of Client or any member of Client Group for any claim, demand or suit arising out of this Agreement or the Services shall be directed and/or asserted only against EIKON, and not against any of EIKON's individual employees, officers, members, managers, agents or directors.

14. **NO CONSEQUENTIAL DAMAGES** - IN NO EVENT SHALL EIKON BE LIABLE TO CLIENT OR ANY MEMBER OF CLIENT GROUP, WHETHER BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, PRODUCTS LIABILITY, WARRANTY, GUARANTY OR OTHERWISE, FOR ANY SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL LOSS OR DAMAGE OR OTHER SIMILAR DAMAGES (INCLUDING, BUT NOT LIMITED TO, LOST PROFITS, LOSS OF PROFITS OR REVENUE, LOSS OF USE OF EQUIPMENT, LOSS OF PRODUCTION, ADDITIONAL EXPENSES INCURRED IN THE USE OF THE EQUIPMENT AND FACILITIES AND CLAIMS OF CUSTOMERS OF THE CLIENT OR ANY MEMBER OF CLIENT GROUP) OF ANY NATURE ARISING AT ANY TIME OR FROM ANY CAUSE WHATSOEVER OR FOR ANY PUNITIVE OR EXEMPLARY DAMAGES OF CLIENT OR ANY MEMBER OF CLIENT GROUP.

15. Hazardous Materials: Suspension of Services - **BOTH PARTIES ACKNOWLEDGE THAT EIKON'S SCOPE OF SERVICES DOES NOT INCLUDE ANY SERVICES RELATED TO THE PRESENCE OF ANY HAZARDOUS MATERIALS (AS DEFINED BELOW). IN THE EVENT EIKON OR ANY MEMBER OF EIKON GROUP INVOLVED IN PROVIDING OR PERFORMING THE SERVICES ENCOUNTERS ANY HAZARDOUS MATERIALS, OR SHOULD IT BECOME KNOWN TO EIKON OR ANY MEMBER OF EIKON GROUP THAT HAZARDOUS MATERIALS MAY BE PRESENT ON OR ABOUT THE JOBSITE OR ANY ADJACENT AREAS THAT MAY AFFECT THE PERFORMANCE OF EIKON'S SERVICES, EIKON MAY, AT ITS SOLE OPTION AND WITHOUT LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, SPECIAL, PUNITIVE, EXEMPLARY OR ANY OTHER DAMAGES, SUSPEND PERFORMANCE OF ITS SERVICES UNDER THIS AGREEMENT UNTIL THE CLIENT RETAINS APPROPRIATE QUALIFIED CONSULTANTS AND/OR CONTRACTORS TO IDENTIFY AND ABATE OR REMOVE THE HAZARDOUS MATERIALS AND WARRANTS THAT THE JOBSITE IS IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.** The term "Hazardous Materials" means, without limitation, those substances or materials defined as "hazardous substances", "hazardous waste", "toxic substances", or "pollutant or contaminant" in any of the Environmental Laws (as defined below), as well as such other substances as are subsequently determined legislatively, judicially, or administratively, to be harmful or deleterious to the physical environment or the public health. The term "Environmental Laws" means all applicable local, state, and federal laws, including common law, that relate to (a) the prevention, abatement, or elimination of pollution, or the protection of the environment or natural resources; (b) the generation, handling, treatment, storage, disposal, release, or transportation of Hazardous Materials (as defined below), waste materials or hazardous or toxic substances; or (c) the regulation of, or exposure to, hazardous, toxic, or other substances alleged to be harmful, including, without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U. S. C. § 9601, et seq.; the Resource Conservation and Recovery Act, 42 U.S.C. §6901, et seq.; the Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. § 1251, et seq.; the Clean Air Act, 42 U.S.C. § 7401, et seq.; the Hazardous Materials Transportation Act, 49 U.S.C. § 1501, et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601, et seq.; the Oil Pollution Act, 33 U.S.C. § 2701, et seq.; the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. §11001, et seq.; the Safe Drinking Water Act, 42 U.S.C. §§ 300f through 300j; the Endangered Species Act, 16 U.S.C. §1531, et seq.; and all similar laws of any Governmental Authority having jurisdiction over the property in question. This term expressly includes the regulations of the Texas Railroad Commission relating to plugging and abandonment, equipment purging and removal, and bonding requirements respecting inactive wells, 16. T.A.C. § 3.15, as well as regulations and interpretations of the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality relating to air emissions, pollution control, and permitting that have been or may be, adopted.

16. Hazardous Materials Indemnity - **THE CLIENT AGREES, NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY, DEFEND AND HOLD HARMLESS ON A COMPARATIVE BASES EIKON AND EACH MEMBER OF EIKON GROUP FROM AND AGAINST ANY AND ALL CLAIMS, SUITS, DEMANDS, LIABILITIES, LOSSES, DAMAGES OR COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND DEFENSE COSTS ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE DETECTION, PRESENCE, HANDLING, REMOVAL, ABATEMENT, OR DISPOSAL OF ANY HAZARDOUS MATERIALS THAT EXIST ON, ABOUT OR ADJACENT TO THE SITE OR SITES WHERE THE SERVICES ARE PERFORMED OR ARE TO BE PERFORMED, WHETHER LIABILITY ARISES UNDER BREACH OF CONTRACT OR WARRANTY, TORT, INCLUDING NEGLIGENCE, STRICT LIABILITY OR STATUTORY**

**LIABILITY, REGULATORY OR ANY OTHER CAUSE OF ACTION, EXCEPT FOR THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF EIKON.**

17. Mediation – The parties, as a condition precedent to commencing litigation (other than for the non-payment of EIKON's fees), shall endeavor to resolve their claims by non-binding mediation which, shall be conducted in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect. Request for mediation shall be filed in writing with the other party to the contract and with the American Arbitration Association.

18. Other Agreements - (a) The Services to be performed by EIKON are intended solely for the benefit of Client and no benefit is conferred on, nor any contractual relationship established with any person or entity not a party to this Agreement; (b) any provision or part thereof of this Agreement held to be void or unenforceable under any law shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the parties; (c) this Agreement (including Exhibits A, B, and C as applicable, attached hereto) represents the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters; (d) this Agreement shall not be amended, modified, supplemented or rescinded in any manner except by written agreement executed by the parties; (e) this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to the conflict of law provisions thereof; (f) EIKON shall not be liable for any failure to perform or delay in the performance of the Services regardless of whether such delay results either directly or indirectly from: (i) accidents to, or breakdowns or mechanical failure of, EIKON's plant machinery or equipment; strikes or other labor troubles or labor shortages; fire; flood; wars; acts of the public enemy; acts of God; acts of terrorism; delays by any supplier; delays in transportation or lack of transportation facilities; embargoes; shortages of, or reductions in, energy sources; priorities, allocations, limitations, restrictions or other acts required or requested by federal, state, provincial or local governments, or any subdivision, bureau or agency thereof, or (ii) any other cause beyond the reasonable control of EIKON; (g) the failure of either party to insist in any one or more instances upon a strict performance of any of the terms, conditions and covenants hereof shall not affect or in any way impair the right of such party to require a strict performance of any such term, condition or covenant in the future; nor shall the waiver by either party of a breach of any term, condition, or covenant hereof in any instance be construed or held to be a waiver of such term, condition, or covenant, or of any succeeding breach of the same, or any other term, condition or covenant hereof; (h) all Exhibits attached to this Agreement are attached hereto and incorporated herein by reference for all purposes; and (i) this Agreement may be executed by the parties in counterparts and delivered by facsimile or electronic transmission, each of which so delivered shall be considered an original counterpart, and shall become a binding agreement when each party has executed one counterpart.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date set forth above.

**EIKON**

By: *Brad Isbell*  
Name: Brad Isbell  
Title: CEO  
Date 10/31/2024

**CLIENT**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

### INVOICING INFORMATION

*It is the policy of EIKON to email invoices, unless otherwise requested by the client.*

Bill to Name & Title	
Bill to Email	
Bill to Phone	
Bill to Address	

# City Council

## City of Brady, Texas

### Agenda Action Form

<b>AGENDA DATE:</b>	11/05/2024	<b>AGENDA ITEM</b>	7.E.
<b>AGENDA SUBJECT:</b>	Discussion, consideration, and possible action regarding City board appointments to fill vacancies. Applicants for consideration – Aaron Garcia		
<b>PREPARED BY:</b>	T. Keys	<b>Date Submitted:</b>	10/25/2024
<b>EXHIBITS:</b>	Board Roster		
<b>BUDGETARY IMPACT:</b>	<b>Required Expenditure:</b>	\$00.00	
	<b>Amount Budgeted:</b>	\$00.00	
	<b>Appropriation Required:</b>	\$00.00	
<b>CITY MANAGER APPROVAL:</b>			
<b>SUMMARY:</b>  The City of Brady has boards with vacancies that need to be filled. In accordance with the City of Brady Home Rule Charter 3.05, " <i>The Mayor or two City Council Members shall recommend to the Council appointees for the boards and commissions. The Council shall approve appointees for boards and commissions.</i> "			
<b>RECOMMENDED ACTION:</b>  Mayor will recommend appointees.			

# CITY OF BRADY

## FY 2025 Boards & Commissions

PLANNING AND ZONING COMMISSION (3 yr term)		
Erin Corbell, Liaison 325/597-2152 ext 1001 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Lisa Selensky	6/26
2	Ronnie Aston, Vice Chair	6/23
3	Amy Greer	6/23
4	Thomas Flanigan	6/25
5	Lauri Smith, Chair	6/24
6	Connie Easterwood	6/25
7	Tony Groves	6/26
* ALT	James Griffin	6/26

  

ZONING BOARD OF ADJUSTMENT (ZBA/BOA)		
Charter & Zoning Ord. Sec. 9.1 (2 yr term)		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	vacant	6/21
2	Rod Young, Vice Chair	6/22
3	vacant	6/20
4	Holly Groves	6/23
5	James Stewart	6/23
* Alt 1	Lauri Smith	6/23
* Alt 2	open	6/20
* Alt 3	open	6/20
* Alt 4	open	6/20

  

AIRPORT ADVISORY BOARD (Ord 1149 - 2 yr term)		
Vacant, Staff Liaison 325/597-2152 ext. 211 <a href="mailto:lperry@bradytx.us">lperry@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Clint Rejsek	6/23
2	Stan Amyett, Chair	6/23
3	Tony Groves	6/25
4	Richard Jolliff	6/24
5	Billie Roddie	6/24
6	Dale Scott	6/24
7	David Morton	6/25

  

MUNICIPAL COURT JUDGES (2yr term)		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
Judge	JT Owens	12/19

  

BRADY YOUTH SPORTS ASSOCIATION (1yr term)		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
Council	vacant	1/22
Concho Valley Council of Governments Annual Board (1yr term)		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
Council	Jeffrey Sutton	6/22

  

TOURISM ADVISORY BOARD (2yr term)		
Attraction	Heather Myles	6/2025
Citizen	VACANT	6/2025
City Council	VACANT	6/2021
EDC	VACANT	6/2021
Chamber	Lisa Moreno	6/2025
County	VACANT	6/2020
Tourism	Lisa Selensky	6/2025

CHARTER REVIEW COMMISSION (4 year term)		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	J. T. Owens	2023-2027
2	Jane Huffman	2023-2027
3	Erin Corbell	2023-2027
4	James Stewart	2023-2027
5	Chris Martin	2023-2027
6	Heath Evans	2023-2027
7	Missi Elliston	2023-2027

  

INVESTMENT COMMITTEE (1 yr term)		
Lisa McElrath Liaison 325/597-2152 ext. 1004 <a href="mailto:lmcelrath@bradytx.us">lmcelrath@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Finance Director	FY 2025
2	City Manager	FY 2025
3	Gabe Moreno	FY 2025

  

CITY COUNCIL (3 yr term) - transition to 4 year terms May 2019		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	MEMBER NAME	CURRENT TERM
MAYOR	Tony Groves	5/28
1	Terry Phillips	5/28
2	Missi Elliston	5/25
3	Jeffrey Sutton	5/25
4	Felix Gomez	5/27
5	Gabe Moreno	5/27

  

Brady Type B Economic Development Corporation		
2 year terms		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Lauri Smith	6/23
2	Michael Cook	6/24
3	Chuck Jividen	6/25
4	Jane Huffman	6/25
5	Terry Phillips	6/24
6	Chris Martin	6/24
7	Erin Betts	6/25

  

MCCULLOCH COUNTY SENIOR CITIZEN ASSOCIATION		
Sunset Center Advisory Board (2 year term)		
Rosie Aguirre, Staff Liaison 325/597-2946 <a href="mailto:raguirre@bradytx.us">raguirre@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Evelyn Pitcox - President	10/24
2	Rosie Smith - Secretary/Treasurer	10/24
3	Fae Lawler - Vice-President	10/24
4	Linda Pike	10/24
5	Alvin Bolton	10/24
6	Marcy Dunham	10/24
7	Lindell Smith	10/24
8	Rosie Smth	Director
9	Erin Corbell	City Manager
10	Frank Trull	County Judge

  

BUILDING STANDARDS BOARD		
Erin Corbell, Liaison 325/597-2152 ext 212 <a href="mailto:ecorbell@bradytx.us">ecorbell@bradytx.us</a>		
PLACE	BOARD MEMBER NAME	CURRENT TERM
1	Tonya Rankin	5/25
2	James Griffin	5/25
3	Tony Bucholz	5/25
4	Chad Walters	5/25
5	Curtis Owens	5/25
Alt	Tony Groves	5/25
Alt	vacant	5/25

\* Alternates serve 1 year terms and can serve on two boards