



**NOTICE OF A SPECIAL MEETING
THE BRENHAM CITY COUNCIL
TUESDAY, MAY 7, 2019 AT 8:30 A.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN ST.
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Herring**
- 3. Discuss and Possibly Act Upon Resolution No. R-19-012 Canvassing the Returns and Declaring the Results of the General Election Held on May 4, 2019 for the Purpose of Electing One Mayor; One Council Member for Place 2 – Ward 2; and One Council Member for Place 4 – Ward 4 to the City Council of the City of Brenham, Texas Each for a Four Year Term** **Pages 1-3**
- 4. Discuss and Possibly Act Upon Resolution No. R-19-013, in Accordance with House Bill 347, Directing the City Manager to Prepare the Necessary Service Plans for Areas in the City of Brenham Extraterritorial Jurisdiction to be Considered for Annexation into the Corporate Limits of the City of Brenham** **Pages 4-12**

Adjourn

Executive Sessions: The City Council for the City of Brenham reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiations.

CERTIFICATION

I certify that a copy of the May 7, 2019 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on May 3, 2019 at **4:00 PM.**

Kacey A. Weiss, TRMC
Deputy City Secretary I

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2019 at _____ AM PM.

Signature

Title



AGENDA ITEM 3

DATE OF MEETING: May 7, 2019		DATE SUBMITTED: May 3, 2019
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Jeana Bellinger
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☐ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING
☒ SPECIAL	☐ CONSENT	☐ 2 ND READING
☐ EXECUTIVE SESSION	☒ REGULAR	☒ RESOLUTION
	☐ WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-19-012 Canvassing the Returns and Declaring the Results of the General Election Held on May 4, 2019 for the Purpose of Electing One Mayor; One Council Member for Place 2 – Ward 2; and One Council Member for Place 4 – Ward 4 to the City Council of the City of Brenham, Texas Each for a Four Year Term		
SUMMARY STATEMENT: This Resolution is to canvass the results of the General Election held on May 4, 2019.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Resolution No. R-19-012		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve Resolution No. R-19-012 canvassing the returns and declaring the results of the General Election held on May 4, 2019 for the purpose of electing one Mayor; one Council Member for Place 2 – Ward 2; and one Council Member for Place 4 – Ward 4 to the City Council of the City of Brenham, Texas each for a four year term		
APPROVALS: James Fisher		

RESOLUTION NO. R-19-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 4, 2019 FOR THE PURPOSE OF ELECTING ONE MAYOR – AT LARGE; ONE COUNCIL MEMBER FOR PLACE 2 – WARD 2; AND ONE COUNCIL MEMBER FOR PLACE 4 – WARD 4 TO THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS EACH FOR A FOUR YEAR TERM

WHEREAS, at a special meeting of the City Council of the City of Brenham, Texas, held at the regular meeting place in City Hall located at 200 West Vulcan Street, Brenham, Texas on the 7th day of May, A.D., 2019, a quorum being present, there came on to be considered the returns of the general election held on May 4, 2019 for the purpose of electing one mayor – at large; one council member for Place 2 – Ward 2; and one council member for Place 4 – Ward 4 to the City Council of the City of Brenham, Texas, each for a four year term ending May, 2023; and

WHEREAS, under and by virtue of the general election order duly enacted and approved by the City Council of said City on the 10th day of January, 2019, and thereafter duly published as required by law and for the time and in the manner provided by State statute and the City Charter, said general election was duly and legally held and conducted in the said City on the 4th day of May, A.D., 2019;

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

Section 1. The official canvass of the returns of the general election held on May 4, 2019 reflects that there were _____ ballots cast at said election with the voting results as follows:

Mayor – At Large

	Ward 1	Ward 2	Ward 3	Ward 4	Early Voting	Total Votes	Percent
Dorothy Morgan							
Milton Y. Tate, Jr.							

Place 2 – Ward 2

	Ward 1	Ward 2	Ward 3	Ward 4	Early Voting	Total Votes	Percent
Albert Wright							

Place 4 – Ward 4

	Ward 1	Ward 2	Ward 3	Ward 4	Early Voting	Total Votes	Percent
Adonna Saunders							
Daniel H. “Danny” Goss							

Section 2. The above returns of said general election be and are hereby approved and declared to be in due form as required by law, and that the following candidates, having received a majority of all votes cast for their respective positions in said general election, are hereby declared to have been elected in the May 4, 2019 general election to the following positions of the City Council of the City of Brenham, Texas, each for terms ending May 2023, and that persons are hereby directed to qualify as such officer in the manner provided in said Charter and the laws of the State of Texas:

Mayor – At Large

Place 2 – Ward 2

Albert Wright

Place 4 – Ward 4

Section 3. The report of early voting results by wards is attached hereto as Exhibit “A” and incorporated herein for all purposes.

Section 4. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this the 7th day of May, 2019.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



AGENDA ITEM 4

DATE OF MEETING: May 7, 2019		DATE SUBMITTED: May 3, 2019	
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	
☐ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	
☒ SPECIAL	☐ CONSENT	☐ 2 ND READING	
☐ EXECUTIVE SESSION	☒ REGULAR	☒ RESOLUTION	
	☐ WORK SESSION		
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-19-013, in Accordance with House Bill 347, Directing the City Manager to Prepare the Necessary Service Plans for Areas in the City of Brenham Extraterritorial Jurisdiction to be Considered for Annexation into the Corporate Limits of the City of Brenham			
SUMMARY STATEMENT: Currently pending in the Texas Legislature is House Bill 347 ("HB 347"). HB 347 is a bill that significantly limits the authority of a Texas city to unilaterally annex property into the city limits. HB 347, as originally filed, had an effective date of September 1, 2019 which would have provided sufficient time for the City Council to determine whether to annex certain areas prior to the September 1, 2019 effective date. However, HB 347 was recently amended to provide that it would become effective immediately upon passage if it receives 2/3 vote of the members of the House and Senate (and action by the Governor, which could take up to 10 days), but annexations that are in progress are grandfathered if the City Council has adopted a resolution before the effective date directing the City Manager to prepare service plans for the annexations. HB 347 has been passed by the House, sent to the Senate State Affairs Committee, and has been passed favorably out of the Senate State Affairs committee. The next step would be for HB 347 to be acted on by the Senate. The reason this issue is on the agenda for Tuesday, May 7 is to provide the City Council with an opportunity to enact a Resolution prior to the effective date of HB 347 directing the City Manager to prepare service plans for any contemplated annexations. This action would allow the City Council to preserve the City's ability to annex the property referenced in the Resolution in accordance with the law as it existed on January 1, 2019. Please note, that even if the City Council enacts the Resolution on May 7, 2019, the City Council is not obligated to annex any of the property referenced in the Resolution.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:			

ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Resolution No. R-19-013 with Exhibits
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Approve Resolution No. R-19-013, in accordance with House Bill 347, directing the City Manager to prepare the necessary Service Plans for areas in the City of Brenham Extraterritorial Jurisdiction to be considered for annexation into the corporate limits of the City of Brenham
APPROVALS: James Fisher

RESOLUTION NO. R-19-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS DIRECTING THE CITY MANAGER TO PREPARE THE NECESSARY SERVICE PLANS FOR AREAS IN THE CITY OF BRENHAM EXTRATERRITORIAL JURISDICTION (“ETJ”) TO BE CONSIDERED FOR ANNEXATION INTO THE CORPORATE LIMITS OF THE CITY OF BRENHAM.

WHEREAS, the Brenham City Council has the authority to annex property into the corporate limits of the City of Brenham in accordance with applicable state law and the Brenham City Charter; and

WHEREAS, House Bill 347, currently pending in the Regular Session of the 86th Texas Legislature, if enacted into law, will have a significant impact on future annexation by the City of Brenham; and

WHEREAS, House Bill 347 contains a transition provision allowing Texas municipalities to preserve the right to conduct annexation proceedings in accordance with the applicable law as it existed on January 1, 2019 if the governing body of a municipality has adopted a resolution to direct the municipality's city manager to prepare a service plan for the area on or before the effective date of House Bill 347; and

WHEREAS, the City Council of the City of Brenham desires to preserve the right to conduct annexation proceedings in accordance with the applicable law as it existed on January 1, 2019 and to direct the City Manager of the City of Brenham to prepare the necessary service plans as required by applicable state law for certain areas under consideration for annexation;

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

Section I. The facts, findings and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

Section II. In accordance with House Bill 347, the Brenham City Council hereby directs the City Manager to prepare the necessary service plans as required by applicable state law for the areas in the City's ETJ under consideration for annexation, said areas being further described in Exhibit "A" attached hereto and incorporated herein for all purposes pertinent.

Section III. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED and ADOPTED on this the 7th day of May, 2019.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

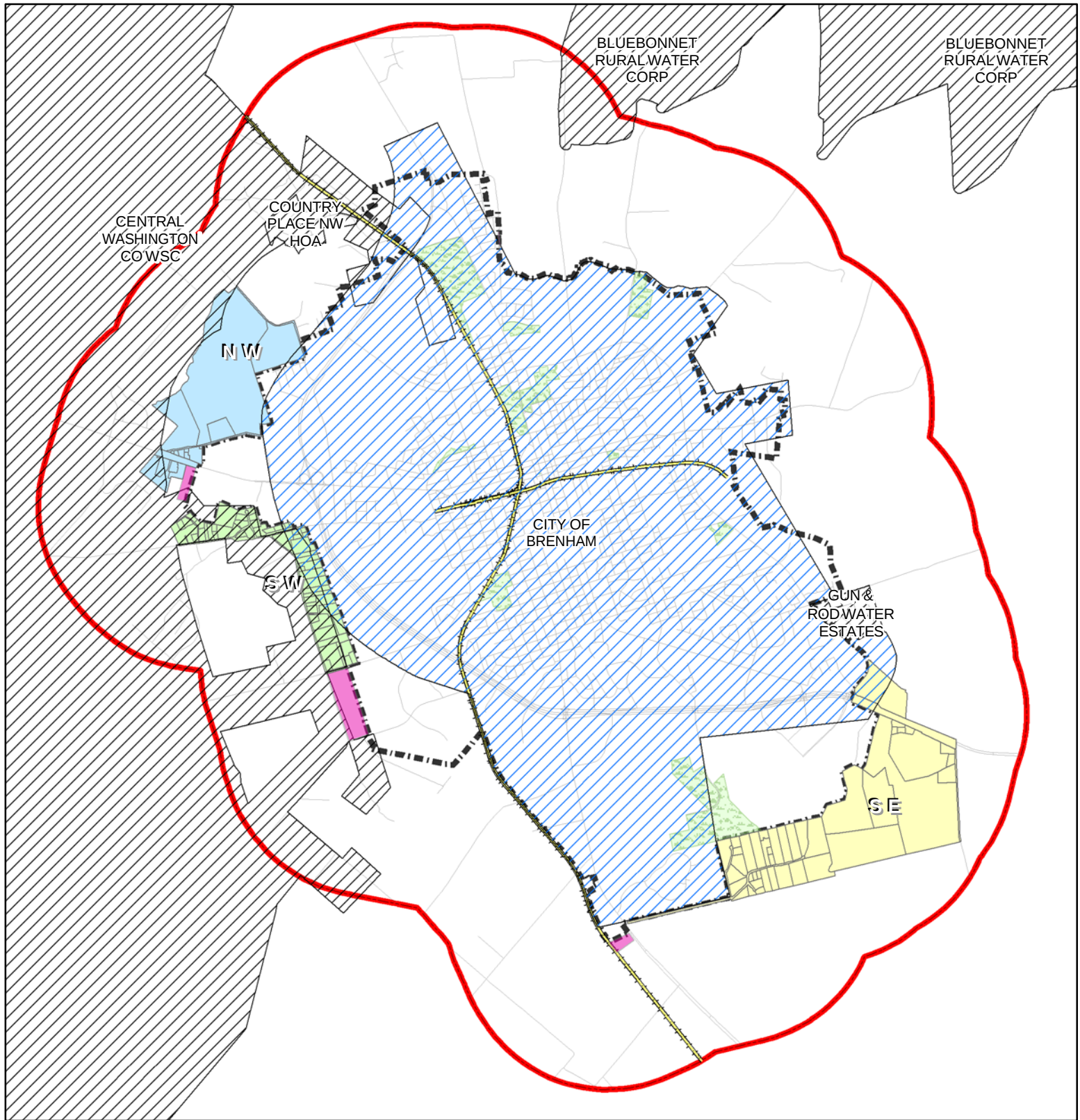


EXHIBIT "A" - Page 1 of 5

Annexation 16.04%

1 inch = 4,800 feet



- Volunteer Annexation
- NW Annexations
- SE Annexation
- SW Annexation
- ETJ
- City Limits

Water CCN

- BLUEBONNET RURAL WATER CORP
- CENTRAL WASHINGTON CO WSC
- CITY OF BRENHAM
- COUNTRY PLACE NW HOA
- GUN & ROD WATER ESTATES

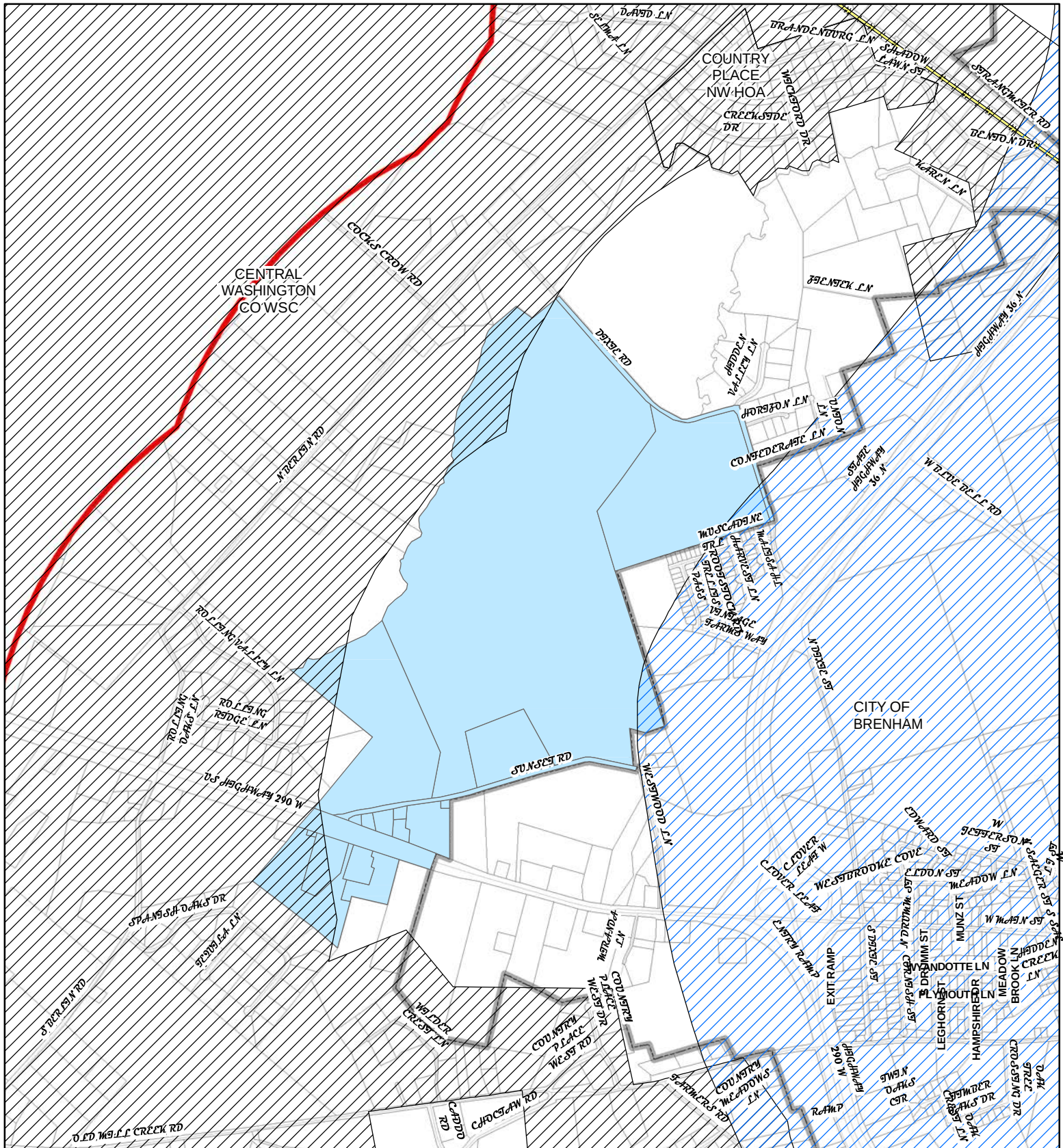


EXHIBIT "A" - Page 2 of 5

NW Annexation 5.06%

Water CCN

-  BLUEBONNET RURAL WATER CORP
-  CENTRAL WASHINGTON CO WSC
-  CITY OF BRENHAM
-  COUNTRY PLACE NW HOA
-  GUN & ROD WATER ESTATES

-  NW Annexations
-  ETJ
-  City Limits

1 inch = 1,500 feet



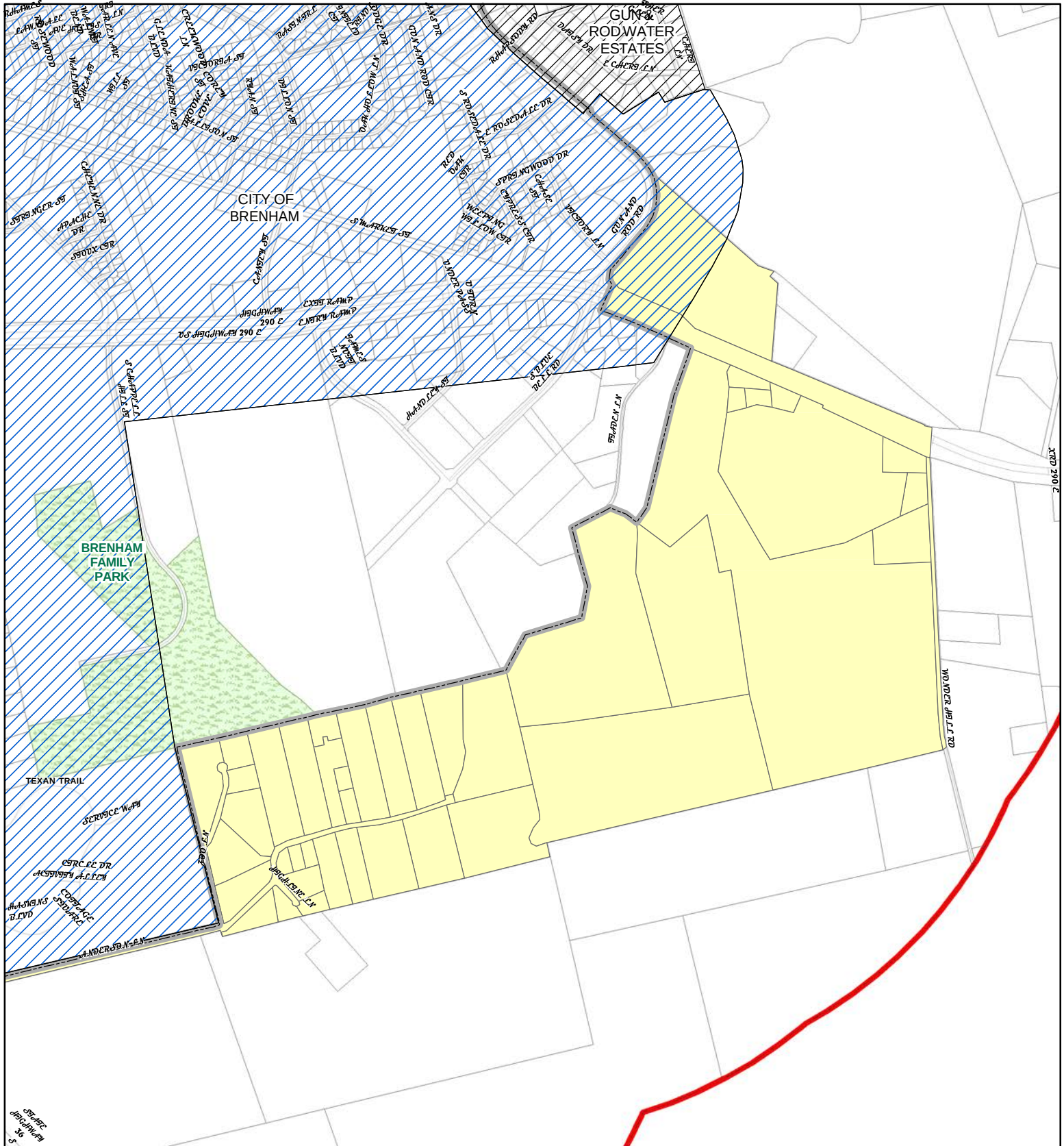


EXHIBIT "A" - Page 3 of 5

SE Annexation 8.44%

1 inch = 1,500 feet



Water CCN

-  BLUEBONNET RURAL WATER CORP
-  CENTRAL WASHINGTON CO WSC
-  CITY OF BRENHAM
-  COUNTRY PLACE NW HOA
-  GUN & ROD WATER ESTATES

 City Limits

 SE Annexation

 ETJ

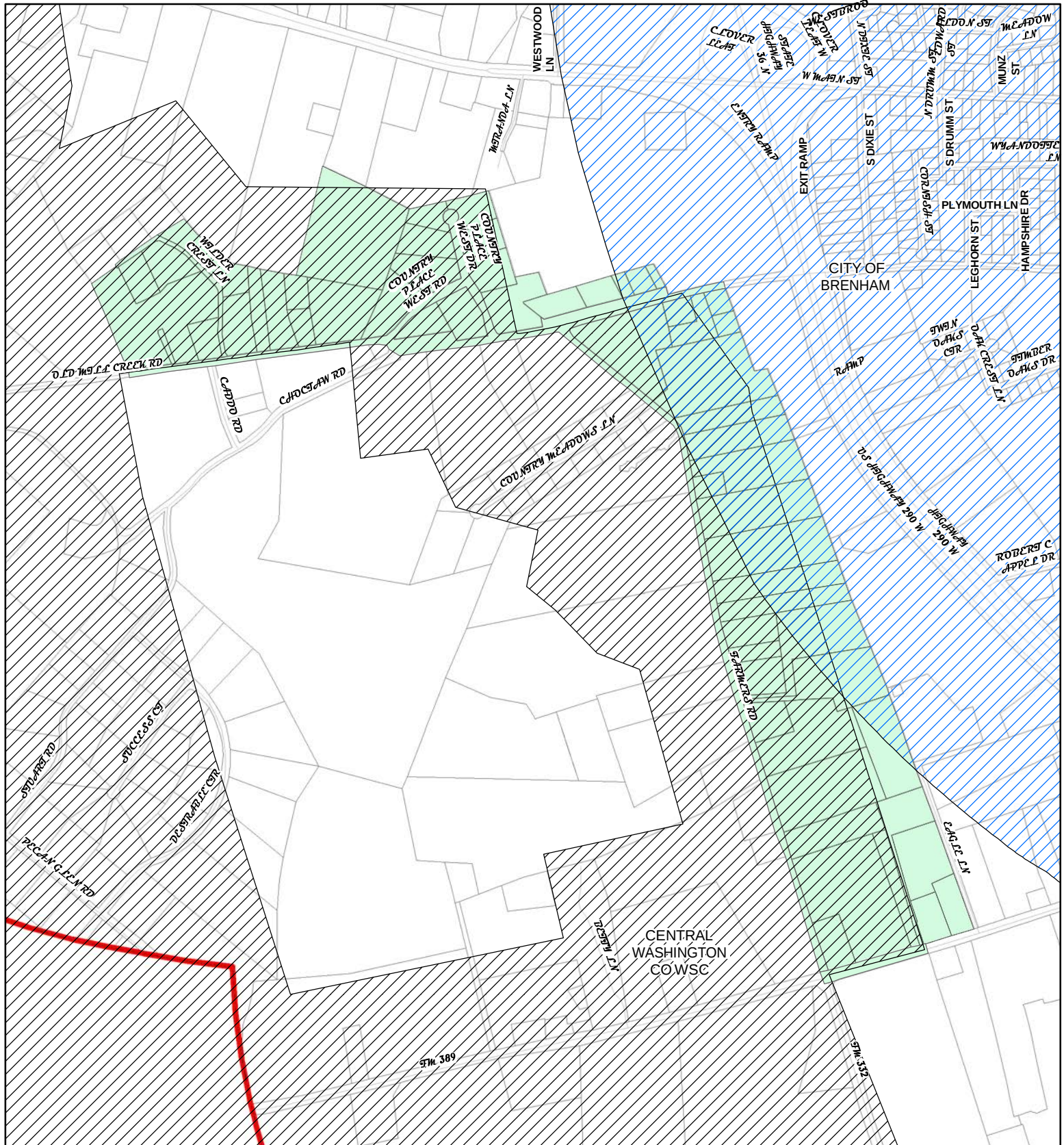


EXHIBIT "A" - Page 4 of 5

SW Annexation 2.53%

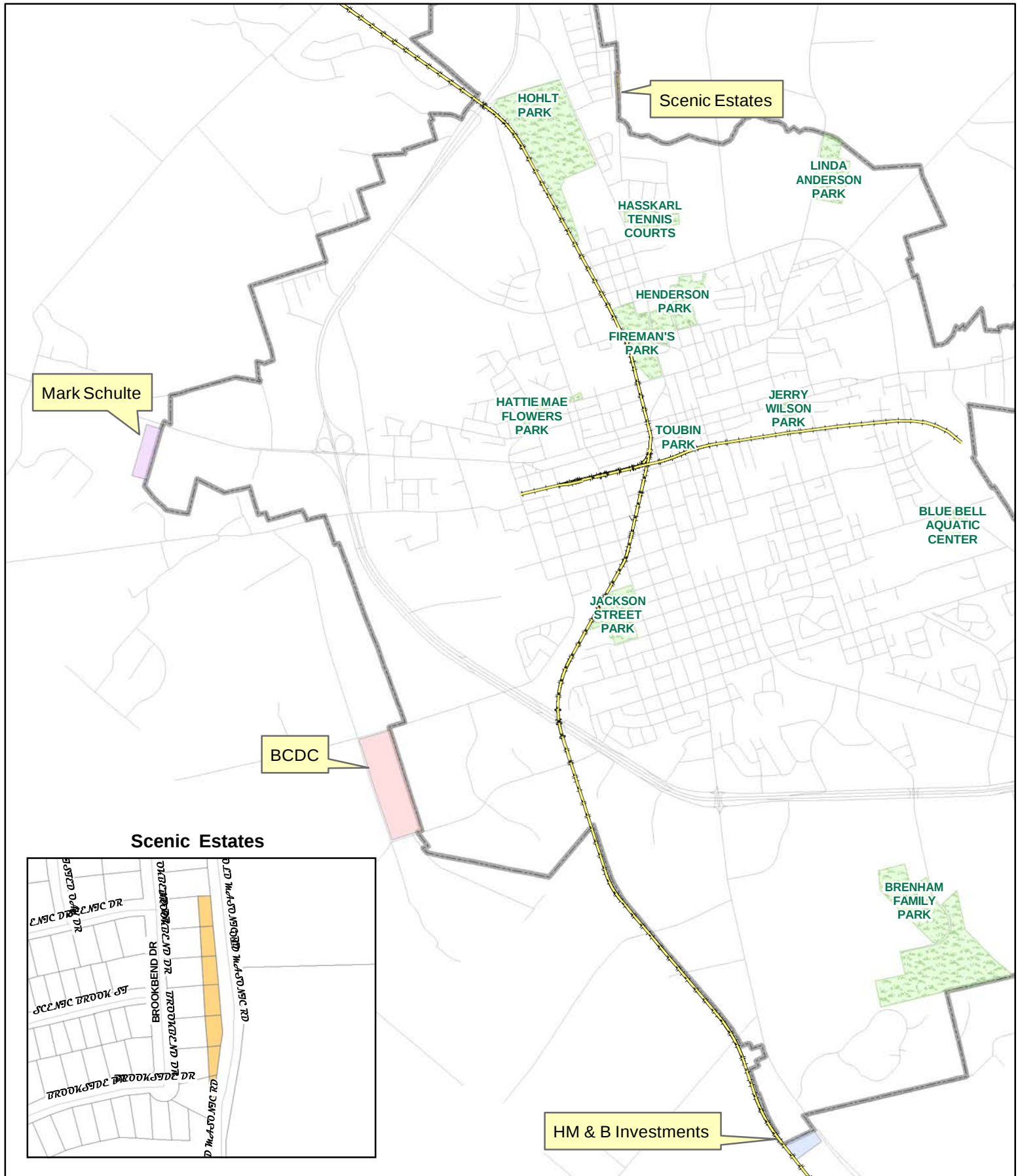
Water CCN

-  BLUEBONNET RURAL WATER CORP
-  CENTRAL WASHINGTON CO WSC
-  CITY OF BRENHAM
-  COUNTRY PLACE NW HOA
-  GUN & ROD WATER ESTATES

-  SW Annexation
-  ETJ
-  City Limits

1 inch = 1,000 feet





Volunteer Annexation

1 inch = 3,000 feet

