



**NOTICE OF A SPECIAL MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, APRIL 30, 2020 AT 1:00 P.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 Wright**
- 3. Citizens Comments**

REGULAR SESSION

- 4. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 11, Garbage and Trash, of the Code of Ordinances, City of Brenham, Texas**
Pages 1-17
- 5. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitation Rates**
Pages 18-24
- 6. Discuss and Possibly Act Upon Resolution No. R-20-019 Providing for the Continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic**
Pages 25-29
- 7. Discuss and Possibly Act Upon a Donation in the Amount of \$20,000.00 to the City of Brenham Community Projects Fund, Inc. for the COVID-19 Economic Response Fund and Authorize the Mayor to Execute Any Necessary Documentation**
Pages 30-39
- 8. Discussion and Update on the City of Brenham's COVID-19 (Coronavirus) Response and Recovery Efforts**
Page 40

9. Administrative/Elected Officials Report

Administrative/Elected Officials Reports: Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutory recognitions of public officials, public employees or other citizens; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that have arisen after the posting of the agenda.

EXECUTIVE SESSION

10. **Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding Pending Litigation: D. Guyton v. City of Brenham, Texas; Cause No. 1:20-CV-00412-RP; United States District Court, Western District of Texas, Austin Division** **Page 41**

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 Negotiation

WORK SESSION

11. **Discussion and Presentation on Fiscal Year 2019-20 Current Budget and 2020-21 Proposed Budget** **Page 42**

Adjourn

CERTIFICATION

I certify that a copy of the April 30, 2020 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 April 27, 2020 at 11:45 AM.

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 _____, 2020 at _____ AM PM.

Signature

Title



AGENDA ITEM 4

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 24, 2020	
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 an Ordinance on Its First Reading Amending Chapter 11, Garbage and Trash, of the Code of Ordinances, City of Brenham, Texas		
SUMMARY STATEMENT: In March and April 2020, the City Council approved a contract with Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling (BVR) for Residential and Commercial Sanitation and Recycling Services. As a result of the outsourcing of sanitation services, Chapter 11 of the Code of Ordinances needs to be amended to reflect the new provider and new methods of collection. The ordinance being presented for your approval is a complete rewrite of the existing Chapter 11. Some of the significant provisions of the ordinance are summarized below: • Exclusivity: BVR is to be the sole provider of regular residential and commercial sanitation and recycling services. Please note that roll-off services (temporary dumpsters) are not included. Companies wishing to provide roll-off service must obtain a franchise from the City. • Container assignment: Carts and dumpsters are owned by BVR and assigned to a physical address. They do not belong to the customer and cannot be replaced, transferred, or removed by the customer. They may not be vandalized or misused. Any damage caused by misuse or neglect may result in a customer being charged for a replacement. • Obstruction of containers prohibited: Parking within 3 feet of a cart, or in a way that prevents collection, is prohibited. • Unauthorized use: Trash may not be deposited in, or removed from, a cart or dumpster by anyone other than the customer to whom the container is assigned. • Rates: Sanitation rates will continue to be set by Council. • General Information about Residential Collection: ➤ Only residential trash may be placed in carts. Yard waste, construction debris, hazardous waste, etc. are prohibited. ➤ Only recyclable materials may be placed in the recycling cart. ➤ All trash must be in bags to prevent scattered debris from spills or wind.		

- Lids must be kept closed when cart is not in use. Carts may not be overloaded.
- Carts may not be stored curbside for routine use. They must be stored near the home.
- Carts may be placed at the curb no earlier than 8:00 pm on the night before collection and must be removed from the curb by 8:00 pm on the day of collection.
- To ensure collection, carts should be placed curbside no later than 8:00 am on collection day.
- Carts must be placed at least 3 feet from fixed objects. They may not be placed in the street or on a sidewalk and may not be placed under low-hanging tree limbs or electrical lines.
- Trash not contained in a cart will not be collected. Bags may not be placed on the side or top of a cart.
- **General Information about Commercial Collection:**
 - Rates will be based on container size and service level (frequency of service).
 - Lids and doors of containers must be kept closed when the container is not being filled.
 - Screening (camouflage of dumpsters) must comply with zoning regulations. The City may provide exceptions on a case-by-case basis.
 - Solid waste must be bagged before placement in dumpster.
 - Customers must provide safe and unobstructed access to dumpsters on collection days.
 - Recycling service is optional for commercial customers.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance for first reading

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Chapter 11, Garbage and Trash, of the Code of Ordinances, City of Brenham, Texas

APPROVALS: James Fisher

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING CHAPTER 11, GARBAGE AND TRASH, OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS PROVIDING FOR THE REGULATION OF RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES WITHIN THE CITY LIMITS; PROVIDING FOR THE REGULATION OF COMMERCIAL OR RESIDENTIAL ROLL-OFF SERVICES AND FANCHISE AGREEMENTS; PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETINGS

WHEREAS, the City of Brenham (“City”) is a Texas home-rule municipality; and

WHEREAS, as a home-rule municipality, Texas Local Government Code, Section 51.072 confirms that the City has the full power of local self-government; and

WHEREAS, pursuant to Texas Local Government Code, Section 51.001, the City has the authority to adopt ordinances and regulations that are for good government, peace and order of the City; and

WHEREAS, in order to enhance, promote and protect the health, safety and general welfare of the citizens of Brenham, Texas the City Council must from time to time amend and/or adopt new regulations; and

WHEREAS, the City Council finds the following regulations to be reasonable and beneficial to the general health, safety and welfare of the citizens of Brenham; and

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

SECTION 1.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

Chapter 11, Garbage and Trash, of the Code of Ordinances of the City of Brenham, Texas, is hereby amended in its entirety to read as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 11-1. - Definitions.

As used in this chapter, the following terms shall have the respective meanings ascribed to them in this section:

Brush shall mean cuttings or trimmings from trees, shrubs, or lawns and similar materials.

Bulky Waste shall mean non-hazardous, non-freon containing items too large to fit in a Residential Customer's garbage container. Bulky waste does not include tires. Collection and acceptance of these items will be determined case by case.

Cart shall mean a receptacle/container, equipped with wheels and a bar, with a capacity of approximately sixty-four (64) or ninety-six (96) gallons, designed to be mechanically dumped into collection equipment via a fully automated truck arm or semi-automated truck tipper.

City shall mean the City of Brenham, Texas and the City's officers, elected officials, employees, agents, volunteers, and representatives.

City Council shall mean the governing body of the City.

City Facility shall mean a City-owned or operated facility.

Collect or Collection shall mean the act of removing Solid Waste, Recyclables, or Yard Waste for transport to a disposal or recycling facility.

Commercial Refuse shall mean all Refuse, Garbage, Solid Waste, and other waste generated by, at, or within a Commercial Unit, but not including Construction Debris.

Commercial Unit shall mean all premises, locations or entities, public or private requiring Refuse, Garbage and/or Solid Waste collection within the corporate limits of the City that are not classified as a Residential Unit or City Facility.

Construction Debris shall mean waste building materials resulting from construction, remodeling, repair, or demolition operations, typically collected in roll-off bins without lids or accepted at a permitted disposal or permitted processing facility.

Container shall mean a weatherproof container easily identifiable and designated for solid waste or recycling collection.

Contaminated Materials shall mean Recyclable Materials and/or Yard Waste mixed with solid waste or altered in a way that results in materials being unrecyclable or non-compostable.

Curbside shall mean the location within three (3) feet of the curb of the street abutting Customer's property that provides primary access to the Service Unit unless such placement interferes with or endangers movement of vehicles or pedestrians in the public right-of-way.

Customer(s) shall mean an occupant of a Residential Unit or Commercial Unit that has a City utility account that is billed for Solid Waste and/or Recyclable Materials service on a monthly basis.

Dead Animal (Small) shall mean an animal or part of an animal equal to or greater than ten (10) pounds in weight, but less than one hundred fifty pounds (150) pounds in weight, that has expired from any cause except those slaughtered or killed for human use.

Dead Animal (Large) shall mean an animal or part of an animal equal to or greater than one hundred fifty (150) pounds in weight, that has expired from any cause except those slaughtered or killed for human use.

Disposal shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste (whether containerized or non-containerized) into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater, as defined in 30 Texas Administrative Code § 330.3(44).

Disposal Site or Facility shall mean all contiguous land, structures, other appurtenances, and improvements on the land that is licensed and permitted, as required by all governmental bodies having jurisdiction, for disposing of Solid Waste. A Disposal Site may be publicly or privately owned and may consist of several Disposal operational units.

Dumpster shall mean a watertight receptacle, with a capacity of approximately two (2) cubic yards up to approximately eight (8) cubic yards, equipped with a tight-fitting lid and designed to be mechanically dumped into a loader-packer type truck.

Excluded Waste means Hazardous Waste, Special Waste, and Construction Debris.

Facility means all contiguous lands and structures, other appurtenances, and improvements on the land used for the storage, processing or disposal of Solid Waste or Recyclable Materials.

Garbage shall mean solid waste consisting of non-hazardous refuse, dead animals (small), putrescible animal and vegetable waste materials resulting from the handling, preparation, cooking, and consumption of food, including waste materials from markets, storage facilities, handling, and sale of produce and other food products, as defined in 30 Texas Administrative Code §330.3(56).

Generator shall mean any person or entity that produces Solid Waste.

Hazardous Waste shall mean any solid waste identified or listed as a Hazardous Waste by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, 42 United States Code, §6901 et seq., as amended and defined in 30 Texas Administrative Code §330.3(62).

Heavy Trash shall mean refuse that is of such size and weight that it cannot be placed in a sixty-four (64) or ninety-six (96) gallon container. Heavy trash shall include tree limbs less than four feet (4') in length and loose lumber less than five feet (5') in length.

Landfill shall mean a permitted municipal solid waste landfill.

Municipal Solid Waste (MSW) shall mean solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste, as defined in 30 Texas Administrative Code §330.3(88).

Non-Compacted Waste means Solid Waste not easily containerized in a Cart such as, but not limited to, appliances, furniture, etc.

Recyclables or Recyclable Materials shall mean materials, recovered from the solid waste stream for the purpose of reuse or reclamation, a substantial portion of which are consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials. Recyclable materials are not solid waste unless they are abandoned or disposed of as garbage rather than reprocessed into another product.

Recycling service shall mean the Collection of Recyclables for transport to a recycling facility for the purpose of reuse or reclamation.

Refuse or Rubbish shall mean non-putrescible solid waste (excluding ashes), consisting of both combustible and noncombustible waste materials, combustible rubbish, including paper, rags, cardboard, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; noncombustible rubbish, including glass, crockery, tin cans, aluminum cans, metal furniture and like materials which will not burn at ordinary incinerator temperatures (1600° F to 1800° F), as defined in 30 Texas Administrative Code §330.3(130).

Resident shall mean a person who resides in a Residential Unit.

Residential Unit(s) shall mean an improved property which is used, or capable of being used, for a dwelling, including but not limited to a single-family dwelling, duplex, four-plex, townhouse, apartment, condominium unit and similar dwellings. A Residential Unit shall be deemed occupied when either water or electric services are being supplied thereto.

Residential Service shall mean Solid Waste Services, Yard Waste Services, and Recycling Services for Residential Units.

Residue shall mean the material regularly associated with and attached to Recyclable Materials as a part of the original packaging or usage of that material that is not recyclable.

Roll-off shall mean an open top receptacle, having a minimum capacity of approximately ten (10) cubic yards up to approximately forty (40) cubic yards, intended to be loaded onto a motor vehicle.

Roll-off Compactor shall mean an enclosed, watertight Roll-off with a Compactor.

Roll-off Service shall mean the temporary placement of a roll-off or roll-off compactor for use other than regularly scheduled sanitation service, or collection/servicing of the same.

Solid Waste shall be defined in accordance with 30 Texas Administrative Code §330.3(145), as garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. The term does not include:

- 1) Solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued under Texas Water Code, Chapter 26;
- 2) Soil, dirt, rock, sand, and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or
- 3) Waste materials that result from activities associated with the exploration, development, or production of oil or gas or geothermal resources and other substance or material regulated by the Railroad Commission of Texas under Natural Resources Code, §91.101, unless the waste, substance, or material results from activities associated with gasoline plants, natural gas liquids processing plants, pressure maintenance plants, or re-pressurizing plants and is Hazardous Waste as defined by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 United States Code, §6901 *et seq.*).

Solid Waste Services shall mean the collection of Solid Waste and Disposal of Solid Waste at a Disposal Site.

Special Waste shall be defined in accordance with 30 Texas Administrative Code §330.3(148), as any solid waste or combination of solid wastes that because of its quantity, concentration, physical or chemical characteristics, or biological properties requires special handling and Disposal to protect the human health or environment. If improperly handled, transported, stored, processed, or disposed of or otherwise managed, it may pose a present or potential danger to the human health or the environment. Special wastes are:

- 1) Hazardous Waste from conditionally exempt small-quantity generators that may be exempt from full controls under Chapter 335, Subchapter N of Title 30 TAC (relating to household materials which could be classified as hazardous wastes);
- 2) Class 1 industrial nonhazardous waste;
- 3) Untreated medical waste;
- 4) Municipal wastewater treatment plant sludges, other types of domestic sewage treatment plant sludges, and water-supply treatment plant sludges;
- 5) Septic tank pumpings;
- 6) Grease and grit trap wastes;
- 7) Wastes from commercial or industrial wastewater treatment plants; air pollution control facilities; and tanks, drums, or containers used for shipping or storing any material that has been listed as a hazardous constituent in 40 Code of Federal Regulations (CFR) Part 261, Appendix VII but has not been listed as a commercial chemical product in 40 CFR §261.33(e) or (f);
- 8) Slaughterhouse wastes;
- 9) Dead animals (large);
- 10) Drugs, contaminated foods, or contaminated beverages, other than those contained in normal household waste;
- 11) Pesticide (insecticide, herbicide, fungicide, or rodenticide);
- 12) Discarded materials containing asbestos;
- 13) Incinerator ash;
- 14) Soil contaminated by petroleum products, crude oils, or chemicals in concentration of greater than 1,500 milligrams per kilogram total petroleum hydrocarbons; or contaminated by constituents of concern that exceed the concentrations listed in Table 1 of § 335.521(a)(1) of Title 30 TAC (relating to Appendices);
- 15) Used oil;
- 16) Waste from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas when those wastes are to be processed, treated, or disposed of at a solid waste management facility authorized under this chapter;
- 17) Waste generated outside the boundaries of Texas that contains;
 - a. Any industrial waste;
 - b. Any waste associated with oil, gas, and geothermal exploration production, or development activities; or
 - c. Any item listed as a special waste in this paragraph;
- 18) Lead acid storage batteries; and,
- 19) Used oil filters from International combustible engines.

TAC shall mean the Texas Administrative Code now and as amended.

Unit shall mean Residential and Commercial Units that qualify for services.

Yard Waste shall be defined in accordance with 30 Texas Administrative Code § 330.3 (181) as leaves, grass clippings, yard and garden debris, and brush, including clean woody vegetative material not greater than six inches in diameter, that results from landscaping maintenance and land-clearing operations. This term does not include stumps, roots, or shrubs with intact root balls, as defined in 30 Texas Administrative Code § 330.3 (181). Brush, tree limbs and similar materials must be securely tied together forming an easily handled package not exceeding four (4) feet in length or fifty pounds (50 lbs.) in weight; tree limbs shall not exceed three (3) inches in diameter.

Yard Waste Services shall mean the Collection of Yard Waste and Disposal of Yard Waste at a Disposal Site.

Sec. 11-2. Exclusivity.

The City retains the exclusive right to provide solid waste services, disposal and recycling services for commercial and residential customers within the city limits. The City may provide such services directly or by granting a franchise to an independent contractor. It shall be unlawful for any other person, firm or corporation to provide solid waste services or recycling services without a franchise from the City.

Sec. 11 -3. Container Assignment

Solid waste and recycling containers are assigned and issued to the physical address of the customer. Containers shall not be removed, transferred, or replaced by the customer. This prohibition does not apply to City employees or an independent contractor with a franchise from the City.

Sec. 11-4. Unauthorized use of and or damage to residential or commercial containers.

It shall be unlawful for any person or business to place anything in a container, scavenge through or remove anything from a container, or relocate a container, or interfere with the servicing of a container that belongs to another customer or business.

It shall be unlawful to set fire to or burn any material in a container or paint or mark upon a container. Damage to a container caused by a customer's abuse, misuse, or neglect may result in additional charges equal to the cost of a new container. Sanitation service may also be discontinued until such fees for a replacement are paid in full. It is the customer's responsibility to file police reports for damaged, stolen or vandalized containers.

Sec. 11- 5. Obstruction of Containers Prohibited.

It shall be unlawful to park, place, allow, permit, or cause to be parked or placed any motor vehicle, trailer, boat, or similar obstruction within three (3) feet of a container, or in a way that obstructs the servicing of a container. If an obstruction prevents the servicing of a container, the City is authorized to remove the obstruction. Any and all costs associated with the removal of the obstruction shall be the responsibility of the customer.

Sec. 11- 6. Covering on vehicles to prevent scattering.

It shall be unlawful for any person to transport by vehicle or trailer any refuse, garbage, rubbish or junk within the City unless such refuse, garbage, rubbish or junk is covered in a manner sufficient to prevent any such from blowing out of or falling from said vehicle or trailer onto any public street or right-of-way.

Sec. 11- 7. Burning refuse.

It shall hereafter be unlawful for any person to burn any trash, waste, or rubbish within the corporate limits of the City. The fire marshal may adopt and promulgate rules necessary for the administration of this section consistent with the fire marshal's duties under Chapter 8 of this Code of Ordinances regarding the safety and welfare of the public.

Sec. 11-8. Rates for collection, removal and/or disposal of solid waste and recycling.

The charges for residential and commercial solid waste services, recycling services, and yard waste services from customers shall be established by the City Council.

Sec. 11-9. Failure to Pay.

Any customer who fails or refuses to pay the monthly charges established by the City Council when due shall no longer receive solid waste services, recycling services, or yard waste services until all related charges are paid in full.

Sec. 11-10. Holidays.

Thanksgiving, Christmas Day, and New Year's Day are designated as holidays. No solid waste services or recycling services shall be provided on these designated holidays. If a regularly scheduled pickup day falls on a holiday, collection shall take place within twenty-four (24) hours of the scheduled collection day unless a longer delay is approved by the City Manager.

Sec. 11- 11. Special programs.

The City Council may authorize special programs to assist eligible customers with the collection of solid waste and recyclable materials. Programs may include, but are not limited to, assistance moving containers to and from the curb, recycling opt-out programs, and reduced-size containers.

A customer's participation in any special program offered by the City shall be approved by the City Manager or his designee. The Customer will be responsible for any fees associated with a special program, change or reduction in service.

Sec. 11 - 12. Unlawful Dumping.

It shall be unlawful for any person, by his own action or that of his agent, employee or any person under his control, to cause any garbage, trash, refuse or other waste matter to be dumped, deposited or otherwise discharged or disposed of on any street, lot, park, public place or other area whether publicly or privately owned, except an area legally established as a dumping area. Waste matter includes, but is not limited to, tires, household furnishings, mattresses, appliances, household hazardous waste, vehicle parts, construction debris, solid waste, special waste, or brush.

Sec. 11 - 13. Special Sanitation Services.

When deemed necessary, in the best interests of the general public, the City may direct a special clean-up of unprepared waste, unbundled brush and limbs, and/or bulky waste in circumstances which constitute a health and sanitation or public safety concern. Rates for such special clean-up shall be set by City Council.

Sec. 11 - 14. Penalty.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction of any such violation such person shall be punished by a fine of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00). Each and every day, or portion thereof, during which any violation of any of the provisions of this chapter is committed, continued or permitted, shall be deemed a separate offense.

Secs. 11-15 – 11-19. - Reserved.

ARTICLE II. RESIDENTIAL WASTE COLLECTION

Sec. 11-20. Solid waste collection and prohibitions.

Only residential refuse is to be placed in the solid waste container. Yard waste, brush and limbs, construction debris, tires, special waste, large dead animals, hot ashes/coals and stable matter such as dirt, brick and rock will not be accepted. All solid waste shall be bagged prior to placement in a container to minimize wind-blown litter and scattered debris caused by spills or animals.

It shall be unlawful for any person to place any solid waste in or around a container that cannot be completely contained within the container. Any waste not placed in the container will not be collected and will remain the responsibility of the customer. Container lids shall be kept closed to prevent scattering of the contents thereof by the wind, and so that insects and vermin may not have access to the contents thereof.

Sec. 11-21. Container availability, placement and collection.

Customers shall be provided one (1) solid waste container per residential unit that has a City utility account that is billed for residential solid waste service on a weekly basis. Additional containers may be available upon request, for an additional fee as established by the City Council.

Residential containers will be collected once per week on a regularly scheduled day. Containers must be placed at the curb, or other approved collection point, no later than 8:00 a.m. on the customer's designated collection day. Containers shall not be placed at the curb for collection before 8:00 P.M. on the day prior to the scheduled collection day. Serviced containers shall be removed from the curb, or other approved collection point, and returned to a location near or adjacent to the dwelling structure no later than 8:00 P.M. on the day of collection.

Customers shall ensure that containers placed for collection are not blocked by a motor vehicle and are at least three (3) feet from other carts, mailboxes, vehicles, trees, telephone poles, water or gas meters, or other fixed objects. Containers shall be placed with arrows on the top of the cart facing the street. Carts shall not be placed on a sidewalk, over sprinkler heads, or under low-hanging tree limbs or cable/electrical wires.

Containers cannot be stored at the curb. All containers must be stored near or adjacent to (side or back) the residential dwelling occupied by the customer. Residential structures that do not have an area on the side or back may store containers in front of the residential dwelling as long as they are stored in manner that is not displeasing to neighbors or diminish the overall look of the neighborhood.

Sec. 11-22. Yard waste disposal and collection.

Customers needing collection of brush and yard waste must request a special pick-up by contacting the Collection/Transfer Station. Prior to collection, yard waste and brush must be cut into four-foot lengths or shorter and put in a separate pile for collection.

Secs. 11-23 – 11-29. Reserved.

ARTICLE III RESIDENTIAL RECYCLING SERVICES

Sec. 11-30. Residential curbside recycling collection.

Only recyclable materials shall be placed in the recycling container. Solid waste, yard waste, brush and limbs, construction debris, tires, special waste, large dead animals, hot ashes/coins and stable matter such as dirt, brick and rock will not be accepted. In the event a customer places garbage or any other item in the container designated for recycling, the customer shall be responsible for removing the garbage or other items from the container.

It shall be unlawful for any person to place any recyclable materials in or around a container that cannot be completely contained within the container. Any recyclable materials not placed in the container will not be collected and will remain the responsibility of the customer. Container lids shall be kept closed to prevent scattering of the contents. Shredded paper may be recycled but must be contained in a clear plastic bag before placement in the container.

Sec. 11-31. Container availability, placement and collection.

Customers shall be provided one (1) recycling container per residential unit that has a City utility account that is billed for residential solid waste service on a monthly basis. Additional containers may be available upon request, for an additional fee as established by the City Council.

Recycling containers will be collected bi-weekly on a regularly scheduled day. Containers must be placed at the curb, or other approved collection point, no later than 8:00 a.m. on the customer's designated collection day. Containers shall not be placed at the curb for collection before 8:00 P.M. on the day prior to the scheduled collection day. Serviced containers shall be removed from the curb, or other approved collection point, and returned to a location near or adjacent to the dwelling structure no later than 8:00 P.M. on the day of collection.

Customers shall ensure that containers placed for collection are not blocked by a motor vehicle and are at least three (3) feet from other carts, mailboxes, vehicles, trees, telephone poles, water or gas meters, or other fixed objects. Containers shall be placed with arrows on the top of the cart facing the street. Carts shall not be placed on a sidewalk, over sprinkler heads, or under low-hanging tree limbs or cable/electrical wires.

Containers cannot be stored at the curb. All containers must be stored near or adjacent to (side or back) the residential dwelling occupied by the customer. Residential structures that do not have an area on the side or back may store containers in front of the residential dwelling as long as they are stored in manner that is not displeasing to neighbors or diminish the overall look of the neighborhood.

Secs. 11-32 – 11-39. Reserved.

ARTICLE IV: COMMERCIAL WASTE COLLECTION

Sec. 11-40. Commercial solid waste disposal and collection.

Commercial solid waste service is available to commercial customers within the city limits. Commercial solid waste rates shall be based on container size and customer's requested service level. All commercial solid waste rates shall be set by the City Council.

Sec. 11-41. Container availability, placement and collection.

Commercial solid waste containers issued to customers shall remain the property of the entity providing the solid waste services. Customers shall only use the containers for their proper and intended purpose and shall not overload (by weight or volume) or alter the containers.

Containers must be set in a place and manner approved by the City. Lids and doors of all containers shall be kept closed at all times except when the container is being filled. Screening must comply with applicable zoning regulations. The City may provide exceptions to screening requirements on a case-by-case basis.

All solid waste shall be bagged prior to placement in a container to minimize wind-blown litter and scattered debris caused by spills or animals. The customer for whom a container has been furnished shall be responsible for keeping the area around the container clean and clear of all garbage and trash. Container lids shall be kept closed to prevent scattering of the contents thereof by the wind, and so that insects and vermin may not have access to the contents thereof.

Customers shall provide safe and unobstructed access to containers on their designated collection days. If a container is blocked or contains prohibited items, it will not be serviced. The customer may be charged for an additional pickup, at a rate to be established by City Council.

Secs. 11-42 – 11-49. Reserved.

ARTICLE V COMMERCIAL RECYCLING SERVICES

Sec. 11-50. Commercial recycling.

Commercial recycling service is available to commercial customers within the city limits. Commercial recycling rates shall be based on container size and customer's requested service level. All commercial recycling rates shall be set by the City Council.

Secs. 11-51 – 11-59. Reserved.

ARTICLE VI COLLECTION/TRANSFER STATION SERVICES

Sec. 11-60. Authorized users of the Collection/Transfer Station.

The City owns a collection/transfer station which acts as a receiving and transfer point for certain municipal solid waste. Persons authorized to utilize the facility are:

- (a) City of Brenham residents and commercial businesses; and
- (b) Washington County residents and commercial businesses.

Sec. 11-61. Rules and regulations for Collection/Transfer Station.

The collection/transfer station must operate in compliance with all applicable Texas Commission on Environmental Quality (“TCEQ”) rules, regulations, and the approved operating site plan. It shall be unlawful for the operator of the collection/transfer station to not comply with all applicable TCEQ rules, regulations, and the approved operating site plan.

Sec. 11-62. Hazardous and special waste.

The collection/transfer station is not permitted to receive hazardous waste or special waste. It shall be unlawful for any person, firm, or corporation to dispose of hazardous waste or special waste at the collection/transfer station.

Sec. 11-63. Operating hours.

The collection/transfer station shall be open during the hours set by the operator of the collection/transfer station. It shall be unlawful for any person to enter onto the premises or leave any waste on the premises when the collection/transfer station is not open.

Secs. 11-64 – 11-69. Reserved.

ARTICLE VII. COMMERCIAL OR RESIDENTIAL ROLL-OFF SERVICE; FRANCHISE REQUIRED.

Sec. 11-70. Roll-off container and commercial compactor services; franchise required.

Commercial and residential roll-off service shall be for the sole purpose of engaging in the business of collecting solid waste using roll-off container and commercial compactors from commercial, residential and industrial sites within the city limits, as approved by the City Council.

No person, firm or corporation shall use any city street, alley or other public right of way in any manner for commercial or residential roll-off or compactor service, unless such person, firm or corporation obtains a franchise from the City for such purpose. Franchise payments shall be made to the city upon acceptance and approval of a franchise agreement by the City Council.

Any person, firm or corporation that obtains a franchise from the City shall use a Type I permitted landfill for the disposal of all solid waste collected from within the corporate limits of the City.

SECTION 3. **SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

SECTION 4. **SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 5. **REPEALER**

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 6. **EFFECTIVE DATE**

This Ordinance shall become effective upon adoption and publication as required by law.

SECTION 7. **PROPER NOTICE AND MEETINGS**

It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED and APPROVED on its first reading this the ____ day of _____ 2020.

PASSED and APPROVED on its second reading this the ____ day of _____ 2020.

Hon. Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



AGENDA ITEM 5

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 24, 2020
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger
MEETING TYPE: ☐ REGULAR ☒ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION
ORDINANCE: ☒ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitation Rates	
SUMMARY STATEMENT: Due to the outsourcing of residential and commercial sanitation to Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling (BVR), the rate tariffs for sanitation needed to be updated to mirror the contract with BVR.	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference):	
ATTACHMENTS: (1) Ordinance for first reading	
FUNDING SOURCE (Where Applicable):	
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the rate tariff schedule for City of Brenham sanitation rates	
APPROVALS: James Fisher	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING THE RATE TARIFF SCHEDULES FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES, AND THE CITY'S COLLECTION AND TRANSFER STATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the rates for all residential and commercial solid waste collection, disposal and recycling services and the services that are provided at the City of Brenham's Collection and Transfer Station;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Brenham, Texas:

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Residential and Commercial Solid Waste Collection, Disposal and Recycling Services Rate Schedule and the Citizen's Collection and Transfer Station Rate Schedule for compacted waste that is disposed of at the City of Brenham's Collection and Transfer Station as set forth in the attached Exhibit "A", which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after May 7, 2020.

SECTION II

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibit "A" shall be effective with utility billing occurring on and after May 7, 2020.

PASSED and APPROVED on its first reading this the ____ day of _____ 2020.

PASSED and APPROVED on its second reading this the ____ day of _____ 2020.

ATTEST:

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary

CITY OF BRENHAM
200 WEST VULCAN STREET P. O. BOX 1059
BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	800	810
TARIFF	SECTION NO.	SHEET NO.
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES AND COLLECTION AND TRANSFER STATION RATE SCHEDULE	MAY 7, 2020	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective – January 1, 2016)

RATE SCHEDULE - RESIDENTIAL

Residential Collection:

Curbside Solid Waste Collection and Recycling Services
One Time Per Week Solid Waste Collection
Bi-Weekly Recycling Collection
\$15.00 per month/per household

Residential Collection: Senior/Disabled Persons (Age 65 or older):

Curbside Solid Waste Collection and Recycling Services
One Time Per Week Solid Waste Collection
Bi-Weekly Recycling Collection
\$12.00 per month/per household (application required for discounted rate)

Additional Container: \$8.00 per month, per container (sanitation customers only).

Curbside Brush Pick-up: Upon request only. \$15.00 per request.

- Curbside brush pick-up is limited to 12 bags per household.
- All limbs must be bundled and tied together. Each bundle shall be no larger than four (4) foot in length and six (6) inches in diameter.

RATE SCHEDULE - COMMERCIAL

Commercial Collection – Front Load Dumpster:

Size	Number of Pick-Ups Per Week						
	1X	2X	3X	4X	5X	6X	Extra
2 YD	70.01	126.69	183.36	241.15	297.82	305.60	25.00
4 YD	87.79	162.24	236.71	312.27	386.72	462.29	35.00
6YD	96.30	177.62	262.15	334.91	415.16	498.62	40.00
8 YD	114.46	206.69	300.05	383.39	475.63	568.97	45.00

CITY OF BRENHAM
200 WEST VULCAN STREET P. O. BOX 1059
BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	800	811
TARIFF	SECTION NO.	SHEET NO.
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES AND COLLECTION AND TRANSFER STATION RATE SCHEDULE	MAY 7, 2020	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective – January 1, 2016)

Commercial Collection – 96 Gallon Cart:

No. Of Carts	Monthly Fee
1	\$ 20.00
2	33.33
3	46.67
4	66.58
5	77.04
6	93.21

Commercial Recycling:

Choice of 2, 4, 6 or 8-Yard Dumpster
One Time Per Week Collection
\$ 40.00 per month, per dumpster

Any location where dumpster and/or cart is blocked and collection vehicle must return to provide service shall be an additional \$15.00, per occurrence.

Lock bar installed on sanitation dumpster shall be an additional \$45.00 per dumpster.

RATE SCHEDULE – COLLECTION/TRANSFER STATION

Transfer Station Services – Compactible Waste:

Receiving, hauling, packing and transporting to a Type 1 Landfill
In-City rate
\$ 48.00 per ton

Receiving, hauling, packing and transporting to a Type 1 Landfill
Out-of-City rate
Price shall be negotiable between exclusive franchise holder and transfer company
disposing of waste from outside the city limits.

CITY OF BRENHAM
 200 WEST VULCAN STREET P. O. BOX 1059
 BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	800	812
TARIFF	SECTION NO.	SHEET NO.
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES AND COLLECTION AND TRANSFER STATION RATE SCHEDULE	MAY 7, 2020	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective – January 1, 2016)

Transfer Station Services – Non-Compactible Waste:

Receiving, hauling, packing and transporting to a Type 1 Landfill
 \$ 90.00 per ton

Receiving, hauling, packing and transporting to a Type 1 Landfill
 City of Brenham Departments only
 \$ 45.00 per ton

Collection Station Services – Brush

Residential Brush, Per Pound	\$0.0125 (\$20.00 minimum)
Residential Brush, Per Ton	\$22.50 (\$2.00 minimum)
Commercial Brush, Per Pound	\$0.01625 (\$32.50 minimum)
Commercial Brush, Per Ton	\$32.50 (\$32.50 minimum)
Residential Brush Collected by City of Brenham Departments	\$22.50 per ton

Collection Station Services – Tires

15" or less	\$3.00 per tire
16" or greater	\$7.00 per tire
Tractor tires	\$45.00 per tire
Tire with rim	\$1.00 extra

Collection Station Services – Mulch

Double ground	\$22.50 per ton
Single ground	\$ 10.00 per ton
50 tons or more within 30 days	\$17.50 per ton
2 cu.ft. bag	\$2.50 per bag

Residential Garbage

\$2.00 per bag

CITY OF BRENHAM
200 WEST VULCAN STREET P. O. BOX 1059
BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	800	813
TARIFF	SECTION NO.	SHEET NO.
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES AND COLLECTION AND TRANSFER STATION RATE SCHEDULE	MAY 7, 2020	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective – January 1, 2016)

Collection Station Services – Rake-Off Fees

Brush	\$5.00 per occurrence
Debris	\$10.00 per occurrence
Shingles and other roofing materials	\$15.00 per occurrence

Collection Station Services – Recycling, Unlimited Drop-Offs

City of Brenham Resident	No Charge
Washington County (non-City resident)	\$45.00 per year
City of Brenham Commercial Business	\$45.00 per year*

*If the Commercial Business is participating in monthly recycling services, there will be no additional charge.

CITY OF BRENHAM
200 WEST VULCAN STREET P. O. BOX 1059
BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	800	814
TARIFF	SECTION NO.	SHEET NO.
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES AND COLLECTION AND TRANSFER STATION RATE SCHEDULE	MAY 7, 2020	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective – January 1, 2016)

**POLICIES FOR SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING
SERVICES – RESIDENTIAL AND COMMERCIAL**

1. A new customer or a change in service requires Form 7, Application of Service, be filled out at the Public Utilities Office. The form must be signed by the applicant. Copies will be disbursed to the following departments: Public Works and Utility Billing Department.
2. Any changes to the rates contained herein must be approved by the City Council and shall be effective on the date determined by the City Council. Utility Billing Department will adjust customer bills accordingly.
3. Any customer requesting to be included in any special sanitation program must complete the necessary paperwork.
4. Any customer who has residential utility service with the City shall be subject to charges for solid waste collection, disposal and recycling services and shall comply with all City health ordinances regarding the disposal of solid waste.
5. Residential solid waste service shall be collected once per week on a regularly scheduled day.. Residential recycling service shall be collected bi-weekly on a regularly scheduled day.
6. Services are available outside the city limits to residential customers presently residing on a current residential truck route that is adjacent to the city limits.
7. Solid waste and recycling containers must be at the curb by 8:00 A.M. on collection day and removed from the curb by 8:00 p.m. on collection day. Containers shall not be placed at the curb for collection prior to 8:00 p.m. the day prior to the scheduled collection day.
8. All solid waste and recycling containers must be placed within three feet of the curb or edge of pavement if there is no curb.
9. Residential collection trucks will not pick up tires, grass clippings, leaves, tree trimming, batteries, carpet, construction materials, furniture and heavy metal objects.
10. Disposal of hazardous waste, explosives, ammunition, used oil and filters, flammable liquids, radioactive waste and/or lead-acid batteries at the Collection/Transfer Station is strictly prohibited. Vehicle tires shall not be placed for curb-side collection, but will be accepted for disposal at the Collection/Transfer Station



AGENDA ITEM 6

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 24, 2020
DEPT. OF ORIGIN: Administration	SUBMITTED BY: James Fisher
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION
ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☒ RESOLUTION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-20-019 Providing for the Continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic	
SUMMARY STATEMENT: On Thursday, April 2, 2020 the City Council voted to extend the Mayoral Declaration of Local Disaster, related to the COVID-19 (Coronavirus), to 11:59 p.m. on April 30, 2020. Due to the expectation of a new Executive Order coming from Governor Greg Abbott in the next couple of days, the Mayor and City Manager have not yet prepared a Resolution extending or terminating the current Declaration (Resolution No. R-20-016) for City Council's consideration. If needed, an updated Declaration will be presented at the meeting.	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference): N/A	
ATTACHMENTS: (1) Resolution No. R-20-016	
FUNDING SOURCE (Where Applicable): N/A	
RECOMMENDED ACTION: Approve Resolution No. R-20-019 providing for the continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency related to the COVID-19 (Coronavirus) pandemic	
APPROVALS: James Fisher	

RESOLUTION NO. R-20-016

A RESOLUTION PROVIDING FOR CONTINUING THE MAYORAL DECLARATION OF LOCAL DISASTER, AS AMENDED BY THE CITY COUNCIL, DUE TO A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 (CORONAVIRUS) PANDEMIC

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying that COVID-19 poses an imminent threat of disaster for all counties in the state of Texas; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout Texas; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16th, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19th, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code; and

WHEREAS, the Mayor of the City of Brenham, Texas issued a declaration of a local state of disaster on March 19, 2020; and

WHEREAS, the City Council of the City of Brenham, Texas desires to continue the March 19, 2020 Mayoral declaration of a local state of disaster, said declaration being amended to read as provided herein below;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brenham, Texas:

- SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Brenham, Texas, pursuant to Section 418.108(a) of the Texas Government Code.
- SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue until 11:59 p.m. on April 30, 2020, from the date of this declaration, as approved by the City Council of the City of Brenham, Texas in this Resolution.
- SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Brenham, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.
- SECTION 5.** In accordance with guidance from the Texas Department of State Health Services (DSHS) Commissioner Dr. John Hellerstedt and Texas Government Code section 418.108(g), and to achieve the goals established by the President to reduce the spread of COVID-19, every person in the City of Brenham shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.
- SECTION 6.** “Essential services” shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in Governor Abbott’s Executive Order No. GA-14 and in any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices.
- SECTION 7.** In providing or obtaining essential services, and in accordance with Texas Government Code section 418.108(g), people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19.

- SECTION 8.** In accordance with the Guidelines from the President and the CDC, and Texas Government Code section 418.108(g), people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this declaration.
- SECTION 9.** This declaration does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household. However, public playgrounds, sports courts, and associated exercise equipment shall be closed.
- SECTION 10.** In accordance with the Guidelines from the President and the CDC, and Texas Government Code section 418.108(g), people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities, unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission.
- SECTION 11.** In accordance with the Guidelines from the President and the CDC, and Texas Government Code section 418.108(g), schools shall remain temporarily closed to in-person classroom attendance and shall not recommence before May 4, 2020.
- SECTION 12.** This declaration shall provide notice that the City of Brenham, Texas, will continue providing essential services; however, all services, excluding emergency responders (police and fire), will be offered by appointment only. All City-operated offices, buildings and workplaces are subject to limited physical access by the public, and the City will inform the public of any preferred communication methods and appointment-setting practices for the various City offices, departments and workplaces. The public is strongly encouraged to make all non-emergency requests for service from the City utilizing telecommunication devices or electronic mail (e-mail).
- SECTION 13.** In accordance with Texas Government Code 418.173, a person who knowingly or intentionally violates this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
- SECTION 14.** This Resolution continuing said Mayoral declaration, as amended, shall take effect immediately upon the approval of the City Council of the City of Brenham, Texas, and remain in effect and in full force until 11:59 p.m. on April 30, 2020, subject to being extended, modified, amended, rescinded, or superseded by the Mayor or City Council of the City of Brenham, Texas.

RESOLVED, DECLARED and APPROVED this the 2nd day of April 2020.



Milton Y. Tate, Jr.
Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeanne Bellinger
Jeanne Bellinger, TRMC, CMC
City Secretary



AGENDA ITEM 7

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 24, 2020
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger
MEETING TYPE: ☐ REGULAR ☒ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION
ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Donation in the Amount of \$20,000.00 to the City of Brenham Community Projects Fund, Inc. for the COVID-19 Economic Response Fund and Authorize the Mayor to Execute Any Necessary Documentation	
SUMMARY STATEMENT: In response to the COVID-19 Pandemic, the Director of Economic Development Susan Cates has been working to establish a Washington County COVID-19 Response Fund to provide financial assistance to our local small businesses. The Washington County COVID-19 Response Fund will provide grants to our most at-risk small businesses (those with fewer than 20-full time employees) and the amount of funds distributed will be determined by the number of employees and how long the business has been open. Also, any business requesting assistance will also be required to demonstrate how the COVID-19 emergency has affected their business. The City's donation of \$20,000.00 would come from the City Manager's contingency fund. Under Section 380.001, Texas Local Government Code, the City Council has the authority to make a donation of the City's funds to promote economic development and to stimulate business and commercial activity within the City.	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference):	
ATTACHMENTS: (1) Memo from Director of Economic Development, Susan Cates	
FUNDING SOURCE (Where Applicable):	

RECOMMENDED ACTION: Approve a donation in the amount of \$20,000.00, from the City Manager's contingency fund, to the City of Brenham Community Projects Fund, Inc. for the COVID-19 Economic Response Fund and authorize the Mayor to execute any necessary documentation.

APPROVALS: James Fisher



April 7, 2020

Dear Community Leader:

How a community responds to the health and economic crisis caused by the coronavirus pandemic may very well define who we are as a community for a very long time. Many of our small businesses are facing hardship, even permanent closure. According to a recent US Chamber of Commerce poll, 54% of US small businesses have either closed or expect to close temporarily within the next two weeks. Permanent closures are on the horizon too: 43% say they are 3-6 months away, 24% say two months or less, and 11% say they have resources for less than one month.

Congress has dedicated \$350 billion through the Coronavirus Aid, Relief, and Economic Security Act (CARES). We are encouraging every local small business in Washington County to apply for these funds through their bank and with the assistance of the Small Business Development Center at Blinn. But the program is struggling amid overwhelming demand and some small businesses are having trouble accessing these funds within the time necessary to save their business.

Small businesses are the backbone of our community and employ almost half of all Washington County's workforce. Loss of these businesses will be devastating to the long-term economy in our community. Small businesses are the ones that employ your neighbor, sponsor the baseball team, and give first jobs to our teenagers. Small businesses bring diversity to the types of restaurants available for a date night with your spouse, they support the Chamber of Commerce, and they are the first ones to step in when we have needed them during previous disasters. **Now, our small businesses need us.**

We have established the Washington County COVID-19 Response Fund to provide grants to our most at-risk small businesses, those with fewer than 20 full-time equivalent employees. The amount of funds available to each business will be determined based on the response to this request for support. Any Washington County Business is eligible to apply based on 1) number of employees, 2) must have been a for-profit business in good standing as of January 31, 2020, and 3) must demonstrate how the COVID-19 emergency has negatively impacted their business.

Please consider what you can donate to this fund which is tax deductible under the City of Brenham's 501(c)(3) status. Confirmation of your donation will be provided. For additional information, please contact me at SCates@CityofBrenham.org or 979-337-7231. We are truly **#InThisTogether**.

Stay Well,

A handwritten signature in blue ink that reads "Susan S. Cates". The signature is fluid and cursive, with the first and last names being more prominent.

Susan S. Cates
City of Brenham
Director of Economic Development



WASHINGTON COUNTY COVID-19 RESPONSE FUND

General Information

The Washington County COVID-19 Response Fund (Fund) is created through the support of community partners who recognize the financial stress our small businesses are experiencing as a result of the COVID-19 pandemic. We want to do what we can to provide some financial relief while businesses consider how to move forward through our current state of emergency. Our hope is that we can serve as a bridge to additional funding that may be received in the future from the government or through the Small Business Administration.

This program can only disburse the funds as they are received. Therefore, we cannot guarantee when (or if) funds will be available for applicant requests. However, Washington County has shown itself to be a generous and resourceful community and our hope is that funds will be available to meet the needs of our most at-risk businesses.

Some of the items businesses will want to include in the application are monthly business expenses for: rent/mortgage, utilities, payroll, supplies & inventory, and debt related to equipment or materials. We also encourage each business to contact each entity to which they owe money. Many banks, landlords, suppliers, etc. are making payment accommodations during this COVID-19 crisis.

What is the Washington County COVID-19 Response Fund?

The Washington County COVID-19 Response Fund (Fund) is a fund designated under the City of Brenham Community Projects Fund, Inc. (BCPF), a 501(c)(3) organization managed by a board of directors appointed by the City Council of the City of Brenham. The Fund is managed and administered by a Fund Oversight Committee that will approve all Fund disbursements. All donations to the Fund will be disbursed to qualifying small businesses (except for a 3% fee charged by PayPal for online donations.) Donors will receive acknowledgement of donations for tax purposes. Donors may remain anonymous at their request.

Who may submit a funding request?

The Fund was created in response to the current state of emergency caused by the COVID-19 pandemic and in recognition that businesses are in distress and struggling to maintain their business and pay employees until the funds provided by the Federal CARES Act stimulus package are received. The Fund is open to all businesses in Washington County, Texas who:

1. Have fewer than 20 full-time equivalent employees as reported on the most recent TWC Form C-3 filing; and
2. Were a for-profit business in good standing as of January 31, 2020—no delinquent taxes and operating at normal capacity/hours as of that date; and
3. Is able to demonstrate how the COVID-19 emergency has negatively impacted the business; and
4. Has applied, or is in the process of applying, for federal funding from the CARES Act stimulus package approved by Congress.

Priority consideration will be given to businesses who:

1. Operate a 'brick and mortar' business rather than work from home;
2. Employ at least one person other than the business owner; and

3. Have attempted to make accommodations to stay in operation and keep employees on payroll through the COVID-19 crisis.

What can this funding be used for?

The primary goal of the Fund is to help our community's small businesses pay expenses until federal stimulus funds are received. Therefore, funds may be used for any necessary business expenditure: payroll, rent/mortgage, inventory and supplies, utilities, or monthly debt payment for equipment and materials. Other expenses may be submitted for consideration by the Fund Oversight Committee. Documentation of these expenses must be included.

How do I demonstrate financial impact?

Applicants will be asked to demonstrate how the business has been negatively impacted by the COVID-19 pandemic. This narrative should explain in what manner the business's revenue has been negatively impacted and how the business is making accommodations during the COVID-19 pandemic.

How will the funds be received?

Upon approval, the funds will be disbursed as a forgivable loan. Once a loan agreement is executed between the approved business and the BCPF, an ACH Direct Deposit will deliver funds to the business's preferred bank account. When the business expenses for which the funding was approved are paid by the business, the business will provide documentation (for example, receipts) showing payment, and the loan will be forgiven. Terms and conditions for loan amounts that are not forgiven by documentation of the expenditure will be contained in the loan agreement. It is the intention of the program that all funds donated are paid to qualifying small businesses and that all funds disbursed to small businesses, upon presentation of proper documentation, are forgiven and do not require any repayment.

The minimum amount of funding for which an application may be approved is \$500.00, and the maximum amount is \$3,000.00; however, upon recommendation of the Fund Oversight Committee, the BCPF board of directors may approve, on a case-by-case basis, funding amounts that differ from the minimum and maximum amounts as established. All distributions are contingent upon the availability of funds and the approval of the Fund Oversight Committee. All decisions of the Fund Oversight Committee are final; however, every effort will be made to work with applicants if the request is denied due to an incomplete application or insufficient documentation. At this time, only one application per business will be considered.

Application Process

Application forms are available at www.BrenhamED.com/covidresponsefund. Please complete the attached application form and include the requested documentation. Applications may be submitted as follows:

- Email to scates@cityofbrenham.org,
- In person delivered through the Utility drive-thru or Kiosk at 200 W. Vulcan (please label ATTN: Susan Cates), or
- Mail to Susan Cates, City of Brenham, PO Box 1059, Brenham, TX 77834-1059.



Washington County COVID-19 Response Fund Funding Application

Welcome to the application process for funding from the Washington County COVID-19 Response Fund.
Please contact the Economic Response and Recovery Team at (979) 337-7234 if you have any questions.

Business Name: _____

Business Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Name of Business Owners (Including all investors): _____

Business Category (Restaurant, Law Office, Clothing Store, etc.): _____

Does this business have multiple locations? ☐ Yes ☐ No

If you answered yes to the previous question, please list all locations with addresses:

Is this business a franchise? ☐ Yes ☐ No

How many full time equivalent (FTE) employees were employed by the business on January 31, 2020? (FTE: 40 hours of work, so two 20-hour part-time employees = one FTE): _____

Please submit your most recent Texas Workforce Commission Form C-3 with this application.

How many full time equivalent (FTE) employees are employed by the business as of the date of this application? (FTE: 40 hours of work, so two 20-hour part-time employees = one FTE): _____

Please submit your most recent Texas Workforce Commission Form C-3 with this application.

Please describe how COVID-19 recommendations/restrictions have impacted your business:

Please describe how you have made accommodations in your business to continue operations and/or keep employees on the payroll:

If approved, please list expenses for which you would apply Washington County COVID-19 Response Funds toward. Please include the expenses description, dollar amount, and due date for each line item. *Please submit copies of individual invoices with this application.*

Expense: _____

Expense: _____

Dollar Amount: _____

Dollar Amount: _____

Due Date: _____

Due Date: _____

Expense: _____

Expense: _____

Dollar Amount: _____

Dollar Amount: _____

Due Date: _____

Due Date: _____

Total Funding Requested: _____

Please indicate the assistance programs applied for, or in process of application:

- ☐ Economic Injury and Disaster Loan (EIDL): Date applied: _____ Date funded: _____ ☐ In process
- ☐ Paycheck Protection Program (PPP): Date applied: _____ Date funded: _____ ☐ In process
- ☐ Other: _____ Date applied: _____ Date funded: _____ ☐ In process
- ☐ Other: _____ Date applied: _____ Date funded: _____ ☐ In process

I certify that the information I have given is truthful and accurate to the best of my knowledge and ability. Financial information provided has not been manipulated to exaggerate the financial distress of this business. I understand that the information submitted in this application will be shared with a committee, comprised of individuals that will determine the allocation of funding to applicants. I understand that the decision to whom the funds will be disbursed is at the sole discretion of the Fund Oversight Committee. I understand that if my business is selected to receive funding, it is in the form of a forgivable loan and I will be required to sign a loan agreement. It is further my understanding that once I have paid the bills for which the funding was given and submit proof of such payment, the full amount of the loan will be forgiven.

☐ I agree to the terms and conditions above.

Signature _____

Date _____

Printed Name _____

Applications may be submitted by:

Mail: Susan Cates, City of Brenham, PO Box 1059, Brenham, TX 77834-1059

Email: SCates@CityofBrenham.org

In Person: At the City of Brenham Utility Department Drive-thru, 200 W. Vulcan

Washington County COVID-19 Response Fund Promissory Note

Date: _____, 2020

Borrower: _____, a Texas _____

Borrower's Mailing Address: _____

Lender: City of Brenham Community Projects Fund, Inc., a Texas nonprofit corporation.

Place for Payment: City of Brenham Community Projects Fund, Inc., P.O. Box 1059, Brenham, Texas 77834-1059, or any other place that Lender may designate in writing.

Principal Amount: _____ and No/100 Dollars (\$_____.00)

Annual Interest Rate: Zero Percent (0%) for a period of one (1) year; thereafter, beginning on _____, 2021, the Annual Interest Rate is Three and One Quarter Percent (3.25%)

Maturity Date: _____, 2022

Annual Interest Rate on Matured, Unpaid Amounts: Ten Percent (10.0 %)

Terms of Payment (principal and interest):

This loan is forgivable up to and not exceeding the Principal Amount of this note, to the extent and in the amount for which the Borrower provides sufficient documentation (for example, paid receipts) to the Lender's designated officer demonstrating payment of Borrower's business expenses. Neither the loan nor any portion thereof shall be considered forgiven unless the Lender, through its designated officer, approves forgiving of the loan or applicable portion thereof in writing. The Lender's designated officer shall endeavor to consider and act upon the loan forgiveness within a reasonable time after the Borrower provides documentation to the Lender's designated officer demonstrating payment of Borrower's business expenses.

In the event the loan, or a portion thereof, is not forgiven in accordance with the provisions of this note as set forth herein above and is not repaid within one (1) year from the date of the loan, the Principal Amount, or remainder thereof, shall begin to accrue interest at the rate stated herein above. The Borrower shall then have one (1) year to repay the debt in installments agreed upon with the Lender's designated officer.

The loan, or a portion thereof, that is not forgiven in accordance with the provisions of this note as set forth herein, and accrued interest, if any, shall be due and payable in full, no later than two (2) years after the date of this note, said date being _____, 2022 (the "Maturity Date"). Payments will be applied first to accrued interest, if any, and the remainder to reduction of the Principal Amount.

Borrower promises to pay to the order of Lender the Principal Amount plus accrued interest, if any, at the Annual Interest Rate. This note is payable at the Place for Payment and according to the Terms of Payment. All unpaid amounts are due by the Maturity Date. After maturity, Borrower promises to pay any unpaid principal balance plus interest at the Annual Interest Rate on Matured, Unpaid Amounts.

Notwithstanding any other provision of this note, in the event of a default, before exercising any of Lender's remedies under this note, Lender will first give Borrower written notice of default and Borrower will have ten (10) days after notice is given in which to cure the default. If the default is not cured ten (10) days after notice, Borrower and each surety, endorser, and guarantor waive all demand for payment, presentation for payment, notice of intention to accelerate maturity, notice of acceleration of maturity, protest, and notice of protest, to the extent permitted by law. Upon default by Borrower, and after the expiration of the ten (10) day period to cure the default, the Lender may accelerate the note and declare the entire amount of principal and interest due and payable to Lender immediately.

Borrower also promises to pay court costs and other costs and attorney's fees assessed by a court if this note is placed in the hands of an attorney to collect or enforce the note. Borrower will pay Lender these expenses on demand at the Place for Payment. These expenses will become part of the debt evidenced by the note and will be secured by any security for payment.

Disbursement of Loan Proceeds: Borrower hereby acknowledges, agrees and requests that the loan proceeds be disbursed and deposited as an ACH Direct Deposit into the following account of the Borrower:

Name of Financial Institution: _____

Routing Number of Financial Institution: _____

Borrower's Account Number: _____

Name on Account: _____

Prepayment: Borrower may prepay this note in any amount at any time before the Maturity Date without penalty or premium.

Application of Prepayment: Prepayments will be applied to installments on the last maturing principal, and interest on that prepaid principal will immediately cease to accrue.

Interest on the debt evidenced by this note will not exceed the maximum rate or amount of nonusurious interest that may be contracted for, taken, reserved, charged, or received under law. Any interest in excess of that maximum amount will be credited on the Principal Amount or, if the Principal Amount has been paid, refunded. On any acceleration or permitted prepayment, any excess interest will be canceled automatically as of the acceleration or prepayment or, if the excess interest has already been paid, credited on the Principal Amount or, if the Principal Amount has been paid, refunded. This provision overrides any conflicting provisions in this note and all other instruments concerning the debt.

Each Borrower is responsible for all obligations represented by this note.

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

A default exists under this note if (1) (a) Borrower or (b) any other person liable on any part of this note (an "Other Obligated Party") fails to timely pay or perform any obligation or covenant in this note or any other written agreement between Lender and Borrower or any Other Obligated Party; (2) Borrower fails to timely pay any amount due to the Lender; (3) any warranty, covenant, or representation in this note or in any other written agreement between Lender and Borrower or any Other Obligated Party is materially false when made; (4) a receiver is appointed for Borrower or an Other Obligated Party; (5) a bankruptcy or insolvency proceeding is commenced by Borrower, a partnership of which Borrower is a general partner, or an Other Obligated Person; (6) (a) a bankruptcy or insolvency proceeding is commenced against Borrower, a partnership of which Borrower is a general partner, or an Other Obligated Party and (b) the proceeding continues without dismissal for sixty (60) days, the party against whom the proceeding is commenced admits the material allegations of the petition against it, or an order for relief is entered; and (7) any of the following parties is dissolved, begins to wind up its affairs, is authorized to dissolve or wind up its affairs by its governing body or persons, or any event occurs or condition exists that permits the dissolution or winding up of the affairs of any of the following parties: Borrower, a partnership of which Borrower is a general partner, or an Other Obligated Party.

This note will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction, and exclusive venue for any action, claim or lawsuit arising out of this note shall be in Washington County, Texas.

Borrower: _____

Printed Name: _____

Title: _____

STATE OF TEXAS)

COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020
by _____, _____, on behalf of
_____, a Texas _____.

Notary Public

My Commission expires: _____



AGENDA ITEM 8

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 20, 2020
DEPT. OF ORIGIN: Administration	SUBMITTED BY: James Fisher
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION
ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION	
AGENDA ITEM DESCRIPTION: Discussion and Update on the City of Brenham's COVID-19 (Coronavirus) Response and Recovery Efforts	
SUMMARY STATEMENT: City Manager James Fisher will provide the City Council with an update on the City's COVID-19 response and recovery efforts.	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference): N/A	
ATTACHMENTS: None	
FUNDING SOURCE (Where Applicable): N/A	
RECOMMENDED ACTION: No action needed – discussion and update only.	
APPROVALS: James Fisher	



AGENDA ITEM 10

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 22, 2020	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: James Fisher	
MEETING TYPE: ☐ REGULAR ☐ SPECIAL ☒ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding Pending Litigation: D. Guyton v. City of Brenham, Texas; Cause No. 1:20-CV-00412-RP; United States District Court, Western District of Texas, Austin Division		
SUMMARY STATEMENT: To be discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: None		
APPROVALS: Milton Y. Tate, Jr.		



AGENDA ITEM 11

DATE OF MEETING: April 30, 2020	DATE SUBMITTED: April 24, 2020
DEPT. OF ORIGIN: Administration	SUBMITTED BY: James Fisher
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☐ REGULAR ☒ WORK SESSION
ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION	
AGENDA ITEM DESCRIPTION: Discussion and Presentation on Fiscal Year 2019-20 Current Budget and 2020-21 Proposed Budget	
SUMMARY STATEMENT: Budget information will be provided to the Council at the meeting.	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference):	
ATTACHMENTS: None	
FUNDING SOURCE (Where Applicable):	
RECOMMENDED ACTION: No action – discussion only	
APPROVALS: James Fisher	