

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, April 6, 2023, beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Clint Kolby
Councilmember Leah Cook
Councilmember Shannan Canales
Councilmember Atwood Kenjura
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

None

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jean Bellinger, General Manager of Public Utilities Debbie Gaffey, Deputy General Manager of Public Utilities Alton Sommerfield, Director of Public Works Dane Rau, Director of Development Services Stephanie Doland, Director of Finance Stacy Hardy, Strategic Budget Officer Tim McRoberts, Human Resources Director Susan Nienstedt, Kyle Branham, Robin Hutchens, Karen Stack, Cherry Cash Prewitt, Megan Gray, Shawn Bolenbarr, Shauna Laauwe, Debora Pinto, Cynthia Longhofer, Steven Eilert, Leigh Linden, Teresa Rosales, Nancy Stafford, Robin Hutchens, Kristi Jackson, Jerry Saldivar, and JoAnne Hynes.

Citizens/Others Present:

Ben Menjares, Paul LaRoche, III, Cynthia Timpa, Steve Sefcik, Jamie Pinner, and Keith Hofmann

Media Present:

Jason May, Brenham Banner-Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Carolyn Miller**

3. **Service Recognitions**
 - Robin Hutchens, Purchasing Department – 5 Years
4. **Special Recognitions**
 - Megan Gray, Animal Services Manager
5. **Proclamations**
 - Safe Digging Month
6. **Citizens Comments**

No citizen comments were heard.

CONSENT AGENDA

7. **Statutory Consent Agenda**
 - 7-a. **Approve the Minutes from February 16, 2023, and March 2, 2023 Regular Meetings**
 - 7-b. **Approve a Noise Variance Request from the Texas Church Leaders for a National Day of Prayer Event to be Held on May 4, 2023, at the Washington County Courthouse Gazebo from 6:00 p.m. to 7:15 p.m.**
 - 7-c. **Approve a Noise Variance Request from the City of Brenham and the Boys & Girls Club of Washington County for a Pop-up Play Day to be Held on May 20, 2023, at Jackson Street Park from 9:30 a.m. to 11:30 a.m.**
 - 7-d. **Approve the Use of Seized Narcotic Funds for the City of Brenham Police Department for the Purchase of Confidential Telecommunication Records from T-Mobile, In the Amount of \$200.00, and Authorize the Mayor to Execute Any Necessary Documentation**
 - 7-e. **Approve the Use of Seized Narcotic Funds for the City of Brenham Police Department for the Purchase of Confidential Telecommunication Records from AT&T, In the Amount of \$220.00, and Authorize the Mayor to Execute Any Necessary Documentation**
 - 7-f. **Approve the Use of Seized Narcotic Funds for the City of Brenham Police Department for the Purchase of a Mini Claw Kit-2nd Generation from ICOR Technology, In the Amount of \$4,890.00 and Authorize the Mayor to Execute Any Necessary Documentation**
 - 7-g. **Approve the Use of Seized Narcotic Funds for the City of Brenham Police Department for the Purchase of 1-TCCC/TECC Training Module 2-IFAKS from North American Rescue in the Amount of \$3,611.53 and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve the Statutory Consent Agenda Items 7.a. through 7.g. as presented.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

WORK SESSION

8. Presentation and Update on the City of Brenham's Housing Task Force

Director of Development Services Stephanie Doland presented this item and presented the following information to Council:

- Establishment of the Housing Task Force (HTF)
 - July 21, 2022
 - 24 members
- HSF Meeting Topics:
 - Housing pipeline
 - 2021 ResIntel Report
 - Kountry Containers
 - Low Income Housing Tax Credit (LIHTC) Program and Public Facilities Corporations (PFC)
 - Texas Economic Development Council's webinar "Groundbreaking Strategies to Solve the Housing Shortage in Your Community"
- Defined Middle-Income Workforce
- HTF Recommendations:
 - Adopt Duplex/Twin Home Standards
 - Revise Accessory Dwelling Unit Standards
 - Promote Apartments in Downtown
 - Brenham Housing Authority Sub-Committee
 - Low Income Housing Tax Credit
 - Develop a Planned Development District Outline
 - Special Utility Districts
 - Public Private Partnerships

- Additional HTF Discussion Items
 - Regulations regarding short-term rentals
 - Grants or subsidies to mitigate the cost of land
 - Restrictions regarding use of new technologies or new materials
- Possible Next Steps
 - Short-term implementation
 - Adopt duplex and twin home standards.
 - Revise ADU standards.
 - Recognize additional LIHTC units are not a priority.
 - Utilize Chapter 380 and 381 agreements for desired projects.
 - Items for further research
 - Adopt life safety improvement grant for downtown
 - Develop a Planned Development District Outline
 - Consider Public Facilities Corporation model with BHA
 - Research special districts (MUDs, SUDs, PIDs)

REGULAR SESSION

9. City Secretary's Certification of Unopposed Candidate for the City of Brenham's May 6, 2023 Special Election

Certificación del Secretario de la Ciudad del candidato sin oposición para la elección especial de la ciudad de Brenham del 6 de mayo de 2023

City Secretary Jeana Bellinger presented the Certification of Unopposed Candidate for the City's May 6, 2023 Special Election. Bellinger explained that as outlined in Section 2.052 of the Election Code, the authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed. This certification shall be delivered to the governing body as soon as possible after the filing deadline.

A motion was made by Councilmember Canales and seconded by Councilmember Kenjura to accept the City Secretary's Certification of Unopposed Candidate for the City of Brenham's May 6, 2023 Special Election.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon an Order Declaring an Unopposed Candidate for the Position of Councilmember Place 3 – Ward 3 Elected to Office and Canceling the City of Brenham’s May 6, 2023 Special Election

Discutir y Posiblemente Actuar Sobre Una Orden que Declara a un Candidato sin Oposicion para el Puesto de Concejal Lugar 3 – Distrito 3 Elegido para el Cargo y Cancela la Eleccion Especial de la Ciudad de Brenham del 6 de mayo de 2023

City Secretary Jeana Bellinger presented this item. Bellinger explained that upon receipt of the City Secretary's Certification of Unopposed Candidate, the City Council must by order or ordinance declare the unopposed candidate elected to office.

Bellinger stated that the Elections Division of the Secretary of State's office interprets the unopposed candidate as being elected when they are issued the certificate of election after the prescribed election day (May 6, 2023). Unopposed candidates declared elected to office cannot take office until the regular canvassing of the election would have taken place. Therefore, the unopposed candidate, Paul F. LaRoche, III, will not take office and begin his official duty as Councilmember until he is sworn into office at the May 18, 2023 Council meeting.

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve an Order declaring Paul F. LaRoche, III an unopposed candidate for the position of Councilmember Place 3 – Ward 3 and elected to office therefore canceling the City of Brenham’s May 6, 2023 Special Election.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

11. Discuss and Possibly Act to:

- a. Rescind the March 2, 2023 Approval by the City Council to Purchase a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham’s Wastewater Construction Department from Essential Equipment Through Sourcewell Contract No. 120721-RVL, in the Amount of \$181,807.73; and**
- b. Approve the Purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham’s Wastewater Construction Department from Essential Equipment Through Sourcewell Contract No. 120721-RVL, in the Amount of \$209,681.93; and**

Authorize the Mayor to Execute Any Necessary Documentation

Water/Wastewater Director Bobby Keene presented this item. Keene explained that Council approved the purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System from Essential Equipment through Sourcewell contract No. 120721RVL on March 2, 2023. Keene advised that two (2) proposals had been received; and the incorrect quote was inadvertently submitted to Council; therefore, Council must rescind the purchase approved on March 2, 2023 in the amount of \$181,807.73 and approve the corrected purchase amount of \$209,681.93.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to rescind the March 2, 2023 approval by the City Council to purchase a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department from Essential Equipment through Sourcewell Contract No. 120721-RVL, in the amount of \$181,807.73; and approve the purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department from Essential Equipment through Sourcewell Contract No. 120721-RVL, in the amount of \$209,681.93; and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

12. Discuss and Possibly Act to:

- a. Rescind the March 2, 2023 Approval by the City Council of an Equipment Financing Proposal from the Bank of Brenham with a Five (5) Year Note at an Interest Rate of 4.95 Percent, for the Purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department in the Amount of \$181,807.73; and**
- b. Approve an Equipment Financing Proposal from the Bank of Brenham with a Five (5) Year Note at an Interest Rate of 4.95 Percent, for the Purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department in the Amount of \$209,681.93; and**

Authorize the Mayor to Execute Any Necessary Documentation

Finance Director Stacy Hardy presented this item. Hardy explained this was a companion action to Item 11 and requested that Council rescind the approval of the financing proposal from the Bank of Brenham for the purchase of the RapidView IBAK Trailer Mounted Pipeline Inspection System in the amount of \$181,807.73 and approve the revised financing proposal with the Bank of Brenham for the purchase of the RapidView IBAK Trailer Mounted Pipeline Inspection System in the with a five (5) year note at an interest rate of 4.95 percent in the amount of \$209,681.93.

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders rescind the March 2, 2023 approval by the City Council of an equipment financing proposal from the Bank of Brenham with a five (5) year note at an interest rate of 4.95 percent, for the purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department in the amount of \$181,807.73; and approve an equipment financing proposal from the Bank of Brenham with a five (5) year note at an interest rate of 4.95 percent, for the purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Wastewater Construction Department in the amount of \$209,681.93; and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

13. Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Strand Associates, Inc. for Engineering Services Related to the 2023 Brenham Business Center Sanitary Sewer Extension and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr stated that Public Utilities is seeking to secure a Professional Service Agreement (PSA) with Strand Associates, LLC for the land surveying, project design, and preparation of construction documents to extend the sanitary sewer along James Nutt Boulevard towards Blue Bell Road and construct a new grinder pump lift station, all within the Brenham Business Center. Bolenbarr stated the cost of the PSA would not exceed \$140,000.00, and costs will be only for actual services provided. Bolenbarr further stated the funding for this project would be provided by BCDC.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve a Professional Services Agreement between the City of Brenham and Strand Associates, Inc. for engineering services related to the 2023 Brenham Business Center Sanitary Sewer Extension, in an amount not to exceed \$140,000.00 and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

14. Discuss and Possibly Act Upon the Approval of an Airport Project Participation Agreement (APPA) (Grant No. 2317BRENM) for the Construction Phase of an Airfield Lighting Project for the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation

Airport Manager Debora Pinto presented this item. Pinto stated on November 9, 2021, an Airport Project Participation Agreement (APPA) was executed for the design phase of the replacement of the Medium Intensity Runway Lights (MIRL's) at Runway 16/34, replace and relocate the supplemental wind cone, replace the rotating beacon, lighting systems and electrical vault modifications; and replace airfield signage for Runway 16/34 and Taxiways at the Brenham Municipal Airport.

Pinto explained that the City's 10% local match for the design phase (\$10,000) was funded using the American Rescue Plan Act (ARPA) Federal funds and on November 17, 2022, TxDOT billed the City for 10% of the estimated construction costs (\$70,000). Pinto stated the City's share of the estimated construction cost for this project is now \$86,667; the City has already submitted \$70,000 for this project, and TxDOT has invoiced the City for the additional \$16,667 and requested execution of the APPA.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve the Airport Project Participation Agreement (APPA) (Grant No. 2317BRENM) for the construction phase of the Airfield Lighting Project for the Brenham Municipal Airport and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

15. Administrative/Elected Officials Report

- **Nextlink Fiber Installation Project**
 - General Manager of Public Utilities Debbie Gaffey advised Council that Nextlink will be installing underground fiber for highspeed internet connectivity throughout the City. Gaffey advised that her staff is working with Nextlink on utility locations and that installation will begin with 1,000 feet per day, gradually increasing to 10,000 feet per day.
- **City Manager Carolyn Miller announced:**
 - City offices will be closed on Friday, April 7th for Good Friday
 - Candidate Forum, 2 Mayoral candidates and 2 Blinn College Board candidate, on Thursday, April 13th at 5:30 p.m. at the Brenham National Bank
 - Wednesday, April 12th Paul LaRoche, III, the new City Councilmember for Ward 3, will be in City Hall all day for orientation.
 - TX Coop magazine features our own LJs Bar-B-Que this month

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor



Jeana Bellinger, TRMC, CMC
City Secretary