

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on March 11, 2021 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 Andrew Ebel
Councilmember Susan Cantey
Councilmember Keith Herring
Councilmember Clint Kolby
Councilmember Adonna Saunders
Councilmember Albert Wright

Members absent:

None

Others present:

City Manager James Fisher, City Attorney Cary Bovey, Assistant City Manager – Public Services/Utilities Donald Reese, Assistant City Manager – Chief Financial Officer Carolyn Miller, City Secretary Jeana Bellinger, Fire Chief Ricky Boeker, Police Chief Ron Parker, Captain Lloyd Powell, Captain Dant Lange, Public Works Director Dane Rau, Public Utilities Director Alton Sommerfield, Development Services Director Stephanie Doland, Economic Development Director Susan Cates, Director of Tourism Jennifer Eckermann, Shauna Laauwe, Casey Redman, Kyle Branham, and Stephen Ehlert.

Citizens present:

No citizens were present.

Media Present:

Alyssa Faykus, Brenham Banner Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Adonna Saunders**

3. Citizens Comments

There were no citizen comments heard.

4. Service Recognitions

- **Larry Moreno, Jr. – Parks Department, 25 years**

5. Special Recognitions

- **Washington County Chamber of Commerce 2020 Woman of the Year – Jennifer Eckermann**
- **2020 Economic Excellence Award from the Texas Economic Development Council**

CONSENT AGENDA

6. Statutory Consent Agenda

- 6-a. Approve the Minutes from the February 4, 2021 Regular City Council Meeting and the February 17, 2021 Emergency Special City Council Meeting**
- 6-b. Approve Ordinance No. O-21-004 on Its Second Reading Amending the FY2020-21 Adopted Budget**
- 6-c. Approve Ordinance No. O-21-005 on Its Second Reading Amending the City of Brenham Code of Ordinances, Chapter 26 -Utilities, Article II - Industrial Wastewater and Discharge Standards and Pretreatment Program**
- 6-d. Approve Ordinance No. O-21-006 on Its Second Reading Amending the Rate Tariff Schedules for the City of Brenham Water Services**
- 6-e. Approve Ordinance No. O-21-007 on Its Second Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitary Sewer System**
- 6-f. Approve an Electrical Distribution Construction Agreement Between the City of Brenham and Techline Construction LLC. Through the Lower Colorado River Authority (LCRA), In An Amount Not to Exceed \$53,585.00, for the Annual Pole Changeout Program and Authorize the Mayor to Execute Any Necessary Documents**

A motion was made by Councilmember Cantey and seconded by Councilmember Wright to approve the Statutory Consent Agenda Items 6-a thru 6-f 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

WORK SESSION

7. Discussion and Presentation of the City of Brenham Police Department's: a. 2020 Annual Report b. 2020 Racial Profiling Report

Police Chief Ron Parker presented these items to Council. Parker explained that the Police Department had its share of challenges in 2020 with the most significant being COVID-19 and its impact on the department, the officers, and the community. Parker explained that 2020 was also the year that created growing concern over reforms for policing strategies and practices, nationwide. Parker explained that in response to the nationwide concerns, the department created a Citizens Advisory Board to assist with community input and interaction, updated their policies on use of force strategies and vehicular pursuits, began requiring mandatory reporting when officers witness inappropriate actions by fellow officers, initiated steps to certify several officers as mental health officers, and pursued additional training for all officers in crisis intervention and de-escalation techniques.

Parker presented the following highlights from the 2020 Annual Report:

- Overall crime rate is down 15%. Violent crimes are down 45%; while property crimes are down 14%.
- Answered 35,219 calls for service – increase of 1% from last year.
- Made over 600 arrests and over 6,600 traffic stops
- Processed 2,511 cases or offense reports.
- Reported no racial profiling complaints in 2020.

Chief Parker also advised the Council that he has suspended the K-9 Officer Program until he can properly evaluate the program's benefits to the department and the community. Parker stated that he added a Chief of Staff position in his office to assist him with various executive/confidential tasks and promoted Officer Marley Mayo to the position of Community Resource Officer.

Police Chief Ron Parker presented the following highlights from the 2020 Racial Profiling Report:

- Total traffic stops were 6,660
- Race or ethnicity was unknown in 96% of the stops
- Males are the higher gender at 60% of the stops involving males.
- Caucasians/whites were stopped the greatest number of times (48%) for law violations, moving traffic violations (55%), and vehicle traffic violations (39%).
- Searches were conducted on African Americans (48%) more than any other race; however, arrest incidents were the greatest with Caucasians/whites (67%).

City Manager James Fisher thanked Chief Parker for his leadership to the Police Department.

REGULAR SESSION

8. Discuss and Possibly Act Upon Resolution No. R-21-001 Related to the Mayoral Declaration of Local Disaster Due to A Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic

City Manager James Fisher advised Council that the City's current emergency declaration approved under Resolution No. R-21-001 is still accurate; however, Section 7 of the Resolution should be amended to now reference the new Executive Order (GA-34) issued by Governor Abbott on March 2, 2021.

Fisher advised that even though the mask mandate was lifted by the Governor, he feels it is still imperative to protect employees; therefore, masks will still be required within all city facilities. Fisher stated that hopefully in a few months as vaccines become more available, masks will not be required in city facilities.

City Attorney Cary Bovey advised Council that he agreed with Fisher's request to update the Executive Order information; Bovey also recommended a new Resolution number of R-21-010 be used.

A motion was made by Councilmember Kolby and seconded by Councilmember Saunders to approve Item 8 as presented with Section 7 of Resolution No. R-21-001 related to the Mayoral Declaration of Local Disaster due to a Public Health Emergency related to the COVID-19 (Coronavirus) Pandemic being amended to replace "*Executive Order GA-32 issued by Governor Greg Abbott on October 7, 2020*" with "*Executive Order GA-34 issued by Governor Greg Abbott on March 2, 2021*" and to change the Resolution number to R-021-010.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Discuss and Possibly Act Upon Bid No. 21-004 Related to the Annual Generator Maintenance and Inspection Contract for Various City Facilities and Authorize the Mayor to Execute Any Necessary Documentation

Purchasing and Fleet Supervisor Kyle Branham advised Council that on February 12, 2021, the Purchasing Department opened bids related to the annual generator maintenance and inspection contract for various City facilities. Branham explained that the previous contract was with Loftin Equipment and expired February 14, 2021.

Branham advised that there were nine (9) bids received. Branham explained that the bid submitted by Loftin Equipment in the amount of \$11,620 was not the lowest but is considered the best value due to Loftin not assessing a trip charge and having a lower labor rate of \$85.00 per hour on additional trips. Branham advised that if awarded to Loftin the term of the contract would be for three (3) years with the option to renew for an additional two (2) years. if both parties agree.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to award Bid No. 21.004 related to the annual generator maintenance and inspection contract to Loftin Equipment in the amount of \$11,620.00 per year with an \$85.00 per hour labor rate and no trip charges.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon Resolution No. R-21-008 Related to the Award of RFQ No. 21-005 for Grant Administration and/or Planning Services for Qualified Projects for the Community Development Block Grant (TxCDBG) Program for Rural Texas Through the Texas Department of Agriculture

Public Works Director Dane Rau presented this item to Council. Rau advised that the Community Development Block Grant (TxCDBG) for Rural Texas's primary objective is to develop viable communities by providing housing and suitable living environments and expanding economic opportunities for low-to-moderate income persons.

Rau explained that the Community Development Fund is the largest fund category in the TxCDBG Program. This fund is available through competition in each of the 24 state planning regions. Although most funds are used for Public Facilities (water/wastewater infrastructure, street, and drainage improvements, and housing activities), there are numerous other activities for which these funds may be used. Rau stated that the Max Award is \$350,000.00 and the application deadline is May 3, 2021.

Rau advised Council that staff requested proposals from qualified grant administration and/or planning service provider(s) to assist the City in preparing applications for and the overall administration or implementation of the proposed TxCDBG program project(s). A selection committee consisted of three members: Councilmember Andrew Ebel, Assistant City Manager Donald Reese, and Director of Public Works Dane Rau. The Committee reviewed and rated the four (4) proposals received. After evaluating and scoring the proposals it was decided that the Committee would recommend awarding RFQ No. 21-005 for grant administration services to Public Management.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-21-008 related to the award of RFQ No. 21-005 for grant administration and/or planning services for qualified projects for the Community Development Block Grant (TxCDBG) Program for Rural Texas through the Texas Department of Agriculture and naming Public Management as the service provider.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

11. Discuss and Possibly Act Upon Resolution No. R-21-009 Related to the Award of RFP No. 21-006 for Engineering/Architecture/Surveying Services for Qualified Projects for the Community Development Block Grant (TxCDBG) Program for Rural Texas Through the Texas Department of Agriculture

Public Works Director Dane Rau presented this item to Council. Rau advised Council that staff requested proposals from qualified engineering, architecture, and surveying service provider(s) to assist the City in preparing applications for and the overall administration or implementation of the proposed TxCDBG program project(s). A selection committee consisted of three members: Councilmember Andrew Ebel, Assistant City Manager Donald Reese, and Director of Public Works Dane Rau. The Committee reviewed and rated the five (5) proposals received. After evaluating and scoring the proposals it was decided that the Committee would recommend awarding RFP No. 21-006 for engineering, architecture, and surveying services to Strand Associates, Inc.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-21-009 related to the award of RFP No. 21-006 for engineering/architecture/surveying services for qualified projects for the Community Development Block Grant (TxCDBG) Program for Rural Texas through the Texas Department of Agriculture and naming Strand Associated, Inc. as the service provider.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

12. Discuss and Possibly Act Upon an Electronic Payment Processing Agreement Between the City of Brenham and VeriCheck, Inc. for Services Related to the Electronic Payment and Collection of Hotel Occupancy Taxes and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary Jeana Bellinger presented this item to Council. Bellinger explained that this agreement is the final step in the electronic collection of hotel occupancy taxes. Bellinger stated that the agreement with VeriCheck will allow for hotel occupancy tax payments to be automatically deposited into the City's bank account. Bellinger advised that this on-line payment method would allow hoteliers and B&B owners to pay their city HOT taxes from the comfort of their office – they would no longer be required to come to City Hall and make the payment in person.

Bellinger stated that Washington County is also a partner in this on-line payment program and both entities are looking forward to going live in May, 2021.

A motion was made by Councilmember Kolby and seconded by Councilmember Herring to approve an Electronic Payment Processing Agreement between the City of Brenham and VeriCheck, Inc. for services related to the electronic payment and collection of hotel occupancy taxes 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

13. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- Advised Council that the COVID set-up of Council Chambers will remain the same; however, more seating has been added.
- Employee picnic will be in April.

Council convened into Executive Session at 2:05 p.m.

EXECUTIVE SESSION

14. Section 551.086 Texas Government Code - Utility Competitive Matters - City of Brenham Gas Utility System - Gas Sales Contract Between WTG Gas Marketing, Inc. and City of Brenham, Texas and Associated Issues

Executive Session adjourned at 2:33 p.m.

REGULAR SESSION

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

