

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, March 2, 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 Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Atwood Kenjura
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

Mayor Milton Y. Tate, Jr.
Councilmember Leah Cook

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, Deputy City Secretary Karen Stack, General Manager of Public Utilities Debbie Gaffey, Deputy General Manager of Public Utilities Alton Sommerfield, Director of Development Services Stephanie Doland, Director of Finance Stacy Hardy, Strategic Budget Officer Tim Roberts, Economic Director Susan Cates, Human Resources Director Susan Nienstedt, Kyle Branham, Cherry Prewitt, Shauna Laauwe, Kim Hodde, Cynthia Longhofer, Shawn Bolenbarr, Jerry Salvidar, Alex Saenz, Daniel Turner, Teresa Howell, Cindy Boyd, Nancy Stafford, JoAnne Hynes, Terry Fielder, and Angeline Howard

Citizens/Others Present:

Carol Collins, John Dowling, Michael & Candy Arth, Suseela Mamioi, Jon Davies, Ann McCulloch, Jerry McLennan, Tim Webb, John Gajeske, Shanan Gajeske, Cynthia Timpa, Cindy Wells, Eric Kolby, Deborah Kolber, Keith Hoffman, Bob Davis, William Grubbs, and Susanna Leonard

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 – Councilmember Shannan Canales**

3. Service Recognitions

- Terry Fielder, Water Construction Department – 35 years
- Angeline Howard – 10 years

4. Citizens Comments

Carol Collins, Pastor John Dowling, Candy Arth, and Pastor Jon Davies addressed City Council voicing their concern with an event held at Floyd's Wine Lounge on Saturday, February 18, 2023.

Corporal Alex Saenz introduced new Police Officer Daniel Turner.

CONSENT AGENDA

5. Statutory Consent Agenda

- 5-a. Approve the Minutes from January 19, 2023 and February 2, 2023 Regular City Council Meetings**
- 5-b. Approve a Noise Variance Request from the City of Brenham and Boys & Girls Club of Washington County for Pop-up Play Day to be Held on March 11, 2023, at Jerry Wilson Park from 10:00 a.m. – 12:00 p.m.**
- 5-c. Approve the Purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the City of Brenham's Sewer Construction Department from Essential Equipment Through Sourcewell Contract No. 120721-RVL, in the Amount of \$181,807.73, and Authorize the Mayor to Execute Any Necessary Documentation**
- 5-d. Approve an Equipment Financing Proposal from the Bank of Brenham with a Five-Year Note and an Interest Rate of 4.95 Percent, for the Purchase of a RapidView IBAK Trailer Mounted Pipeline Inspection System for the Brenham Wastewater Construction Department in the Amount of \$181,807.73, and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve the Statutory Consent Agenda Items 5.a. thru 5.d. as presented.

Mayor Pro Tem Kolby called for a vote. The motion passed with Council voting as follows:

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

WORK SESSION

6. Discussion and Presentation of the FY2022-2023 First Quarter Financial Report

Strategic Budget Officer Tim McRoberts presented this item. McRoberts explained this item provides an update of the City's financial performance for the first quarter ending December 31, 2022 and advised Council that the General Fund, the Electric Fund, the Gas Fund, the Water Fund, the Wastewater Fund, the Sanitation Fund, and the Drainage Fund all experienced favorable actual to budget net revenues for the first quarter of FY22-23. McRoberts provided a brief update on each fund as follows:

- General Fund: First quarter net revenues were \$3,615,440, which exceeded the budgeted net revenue of \$0.00. In addition, first quarter operating expenditures were lower than budget appropriations by \$633,048.
- Electric Fund: The Electric Fund posted an actual net first quarter income of \$194,761 which was \$222,459 favorable to the budgeted net loss of \$27,698.
- Gas Fund: The Gas Fund posted actual net revenues of \$8,767, which was favorable by \$13,146 to a budgeted net loss of \$4,379.
- Water Fund: The Water Fund posted first quarter net revenue of \$635,692 which was favorable to projected net loss of \$24,904 by \$660,596.
- Wastewater Fund: The first quarter net revenue for the Wastewater Fund was \$380,586.
- Sanitation Fund: The Sanitation Fund posted actual first quarter net increase of \$157,617, compared to budget net loss of \$32,884, a favorable variance of \$190,500.
- Drainage Fund: The Drainage Fund posted actual first quarter net income of \$113,456, which was a favorable to a budgeted net neutral position.

REGULAR SESSION

7. Discuss and Possibly Act Upon a Professional Services Agreement Between the City of Brenham and Kendig Keast Collaborative Related to the Development of a Brenham Family Park Small Area Plan and Authorize the Mayor to Execute Any Necessary Documentation

Development Services Director Stephanie Doland presented this item. Doland stated on June 24, 2022, the Tax Increment Reinvestment Zone Board (TIRZ) met and considered a special project and long-range planning document known as a Small Area Plan for a subject area around the Brenham Family Park, containing approximately 600 acres with various zoning classifications. Doland noted that the City of Brenham's Comprehensive Plan, produced by Kendig Keast Collaborative (KKC), recommended the completion of a Small Area Plan for this area, due to it being one of the last large developable tracts within the City.

Doland continued, during the summer of 2022 meeting of the TIRZ Board provided direction to staff to include the expense for a Small Area Plan in the fiscal Year 2022-2023 budget funded by TIRZ. The planning study is anticipated to be completed in seven months and is not to exceed \$70,000.00 and includes is a sub-contract with Strand Associates to complete the engineering services associated with the project, including the design and alignment of the proposed extension of Blue Bell Road, which is shown on the City's adopted Thoroughfare Plan.

Doland introduced Gary Mitchell of KKC. Mitchell said that housing and transportation would be a major focus of this project, and the goal of their work would be to protect public investment and the private donation of land in the area.

Councilmember Kenjura asked whether this would be a public-private partnership with landowners in the area, or whether it is the intent for the City to own all six hundred acres. Doland clarified that the City is not planning to do any land acquisition. Stakeholders, including landowners, the City, and TxDOT will discuss issues such as zoning and traffic management. Mitchell added that while it would be ideal to have a single entity planning the future of the entire six hundred acres, this doesn't always happen, so KKC and the City will work with the private landowners to coordinate development.

A motion was made by Councilmember Kenjura and seconded by Councilmember Wright to approve a Professional Services Agreement between the City of Brenham and Kendig Keast Collaborative in an amount not to exceed \$70,000.00 related to the development of a Brenham Family Park Small Area Plan and authorize the Mayor to execute any necessary documentation.

Mayor Pro Tem Kolby called for a vote. The motion passed with Council voting as follows:

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

8. Discuss and Possibly Act Upon an Amendment to the Election Services Contract Between the City of Brenham and Washington County Related to Election Responsibilities for the May 6, 2023 Election and Authorize the Mayor to Execute Any Necessary Documentation

Legal and Legislative Services Manager Karen Stack presented this item. Stack explained the Texas Election Code (Sec. 271.007) allows for the use of a single ballot in a joint election and that the Elections Administrator for Washington County has requested that there be only one, single, ballot for the May 6, 2023 election.

Stack stated that because the City is sharing a ballot with Blinn and BISD, the Election Services Contract between the City and Washington County needs to be amended. Stack advised Council that during a review of the Contract staff found a couple of minor errors that need to be corrected also.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an amendment to the Election Services Contract between the City of Brenham and Washington County related to election responsibilities for the May 6, 2023 Election and authorize the Mayor to execute any necessary documentation.

Mayor Pro Tem Kolby called for a vote. The motion passed with Council voting as follows:

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

9. Administrative/Elective Officials Report

City Manager Carolyn Miller reported on the following:

- Arts and Appetizers Fundraiser at the Ant Street Inn benefiting BISD Education Foundation being held today from 5:30 p.m. to 7:30 p.m..
- The City will celebrate the 100th Anniversary of the Brenham Fire Department's 1923 American LaFrance Chemical Engine, Samanthe, on Saturday, March 4th from 10:00 a.m. to 2:00 p.m..
- Monday, March 6th Blinn College will celebrate its 140th Anniversary of service to the community during the Board of Trustees meeting.

Mayor Pro Tem Kolby announced that the City Council would pass on Executive Session Item 10.

Council adjourned into Executive Session at 2:07 p.m.

EXECUTIVE SESSION

- 10. Section 551.071 Texas Government Code - Consultation with Attorney-Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas**
- 11. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Legal Issues Concerning the City of Brenham Lake Somerville Raw Water Intake Structure, the Federal Emergency Management Agency, and Associated Matters**

12. **Section 551.071 - Texas Government Code - Consultation with City Attorney and Section 551.072 - Texas Government Code - Deliberation Regarding Real Property - Consultation with City Attorney and Discussion Regarding the Barnhill Center at the Historic Simon Theatre, and Associated Matters**

Executive Session adjourned 2:57 p.m.

RE-OPEN REGULAR SESSION

13. **Discuss and Possibly Act Upon the Development, Operations, Funding and Possible Acquisition of the Barnhill Center at the Historic Simon Theatre and Associated Matters, and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to authorize the City Manager to negotiate and execute any and all documents related to the development, operation, funding and possible acquisition of the Barnhill Center at the Historic Simon Theatre.

Mayor Pro Tem Kolby called for a vote. The motion passed with Council voting as follows:

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

The meeting was adjourned.

Clint Kolby
Mayor Pro-Tem



Karen Stack
Deputy City Secretary