



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, FEBRUARY 5, 2015 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
- 3. Service Recognitions**
 - **Darlene Konieczny, Purchasing Department** **30 Years**
- 4. Citizens Comments**

CONSENT AGENDA

- 5. Statutory Consent Agenda**

The Statutory Consent Agenda includes non-controversial and routine items that Council may act on with one single vote. A councilmember may pull any item from the Consent Agenda in order that the Council discuss and act upon it individually as part of the Regular Agenda.

 - 5-a. Ordinance No. O-15-004 on Its Second Reading Abandoning and Closing a Portion of City Right-of-Way and Authorizing the Sale of Approximately 0.045 Acres Abutting the Property Located at 2211 Old Chappell Hill Road**
Pages 1 - 3

WORK SESSION

- 6. Discussion and Presentation Regarding the Brenham Municipal Airport Including an Update on Current Capital Project(s) and Possible Future Airport Improvements Such as Constructing Additional T-Hangars, Runway Improvements, Hangar and Access Taxiway Improvements, Hangar Homes, Entrance Road Improvements, Existing and Proposed Water and Sewer System Improvements, and Matters Related to the Foregoing**
Pages 4 - 8

PUBLIC HEARING

7. **Public Hearing Considering an Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow for Carpentry/Upholstering Related to Furniture Manufacturing on a Site in a Business/Residential Mixed Use (B1) Zoning District and Being Located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella Harrington Survey of the City of Brenham, Washington County, Texas (Said Property Located at 1000 E. Blue Bell Road)**
Pages 9 - 20
8. **Public Hearing Considering Amendments to Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development District**
Page 21

REGULAR AGENDA

9. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to New Beginnings Life Ministries for Carpentry/Upholstering Related to Furniture Manufacturing on a Site in a Business/Residential Mixed Use (B1) Zoning District and Being Located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella-Harrington Survey of the City of Brenham, Washington County, Texas (Said Property Located at 1000 E. Blue Bell Road)**
Pages 22 - 25
10. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development District**
Pages 26 - 32
11. **Discuss and Possibly Act Upon a Joint Exercise of Powers Agreement Between the City of Brenham and the National Joint Powers Alliance (NJPA) for Cooperative Purchasing Services and Authorize the Mayor to Execute Any Necessary Documentation**
Pages 33 - 35
12. **Discuss and Possibly Act Upon the Purchase of a 2016 International 4300 Truck with a 4x2 Altec for the City of Brenham’s Electric Department from the National Joint Powers Alliance (NJPA) Cooperative and Authorize the Mayor to Execute Any Necessary Documentation**
Pages 36 - 49
13. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas**
Pages 50 - 100

14. 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.

Adjourn

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

CERTIFICATION

I certify that a copy of the February 5, 2015 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 February 2, 2015 at **12:30** PM.

Jeana Bellinger, TRMC
City Secretary

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 _____, 2015 at _____ AM PM.

Signature

Title

ORDINANCE NO. O-15-004

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF CITY OF BRENHAM RIGHT-OF-WAY ADJACENT TO THE CITY COLLECTION STATION PROPERTY

WHEREAS, the City of Brenham owns certain right-of-way adjacent to the City's Collection Station property, Texas; and

WHEREAS, said right-of-way is unimproved and not used for public street purposes; and

WHEREAS, the adjoining property owners have requested the abandonment and closing of an approximate 0.045 acre portion of said right-of-way as shown in Exhibit "A" attached hereto and incorporated herein for all purposes pertinent; and

WHEREAS, the abandonment and closing of said 0.045 acre portion of said right-of-way will not create an undue burden on traffic; and

WHEREAS, the City of Brenham has no need or use for the 0.045 acre portion of said right-of-way as shown on Exhibit "A"; and

WHEREAS, the City Council of the City of Brenham desires to abandon and close the 0.045 acre portion of said right-of-way as shown on Exhibit "A" as a public thoroughfare, and sale and convey said 0.045 acre portion of said right-of-way to the adjoining property owner(s).

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

SECTION I.

That the 0.045 acre portion of the City right-of-way as shown on the attached Exhibit "A" is hereby abandoned and closed as a public thoroughfare.

SECTION II.

That the 0.045 acre right-of-way is currently unimproved and any existing and/or future maintenance by the City of Brenham will cease.

SECTION III.

That the Mayor of the City of Brenham is hereby authorized to execute any documents necessary for the sale and conveyance of the 0.045 acre portion of said right-of-way as shown on the attached Exhibit "A" and incorporated herein for all purposes pertinent, to the adjoining property owner(s).

SECTION IV.

This Ordinance shall take full force and effect from and after its passage and approval on second reading and publication as may be required by the Charter of the City of Brenham.

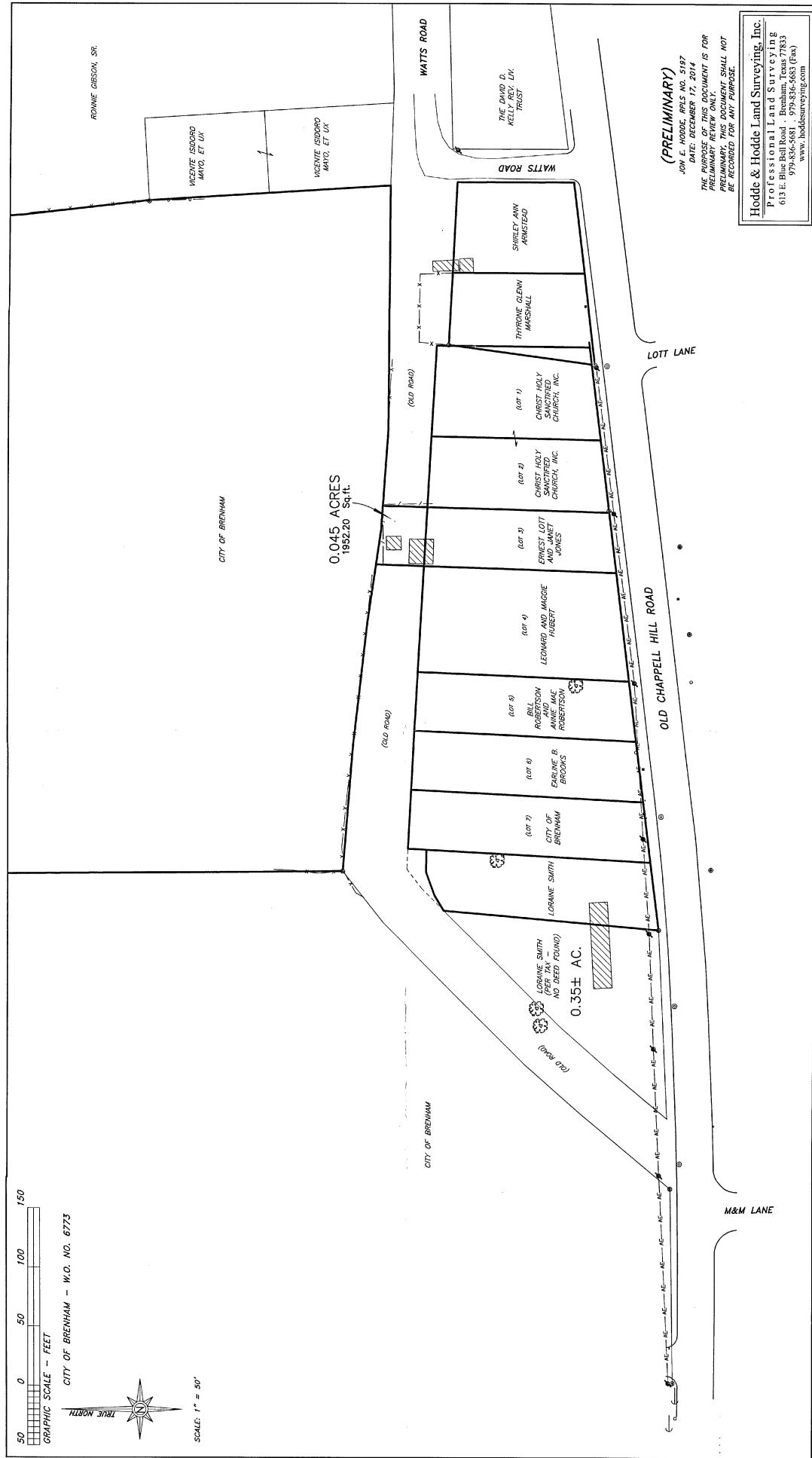
PASSED and APPROVED on its first reading this the ____ day of _____, 2015

PASSED and APPROVED on its second reading this the ____ day of _____,
2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

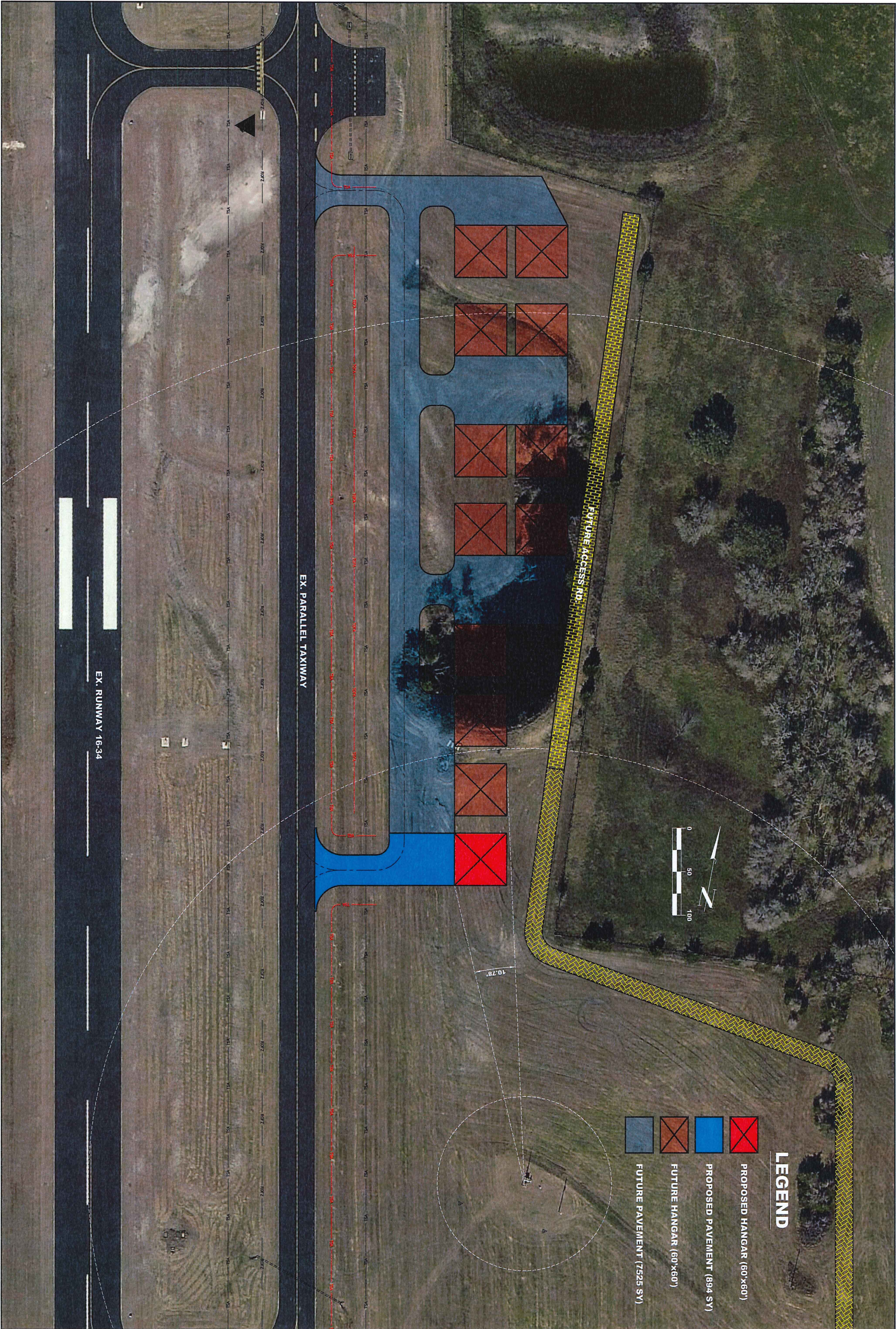




AGENDA ITEM 6

DATE OF MEETING: February 5, 2015		DATE SUBMITTED: February 2, 2015	
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Grant Lischka	
MEETING TYPE:		CLASSIFICATION:	
☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION		☐ PUBLIC HEARING ☐ CONSENT ☐ REGULAR ☒ WORK SESSION	
ORDINANCE:			
☐ 1ST READING ☐ 2ND READING ☐ RESOLUTION			
AGENDA ITEM DESCRIPTION: Discussion and Presentation Regarding the Brenham Municipal Airport Including an Update on Current Capital Project(s) and Possible Future Airport Improvements Such as Constructing Additional T-Hangars, Runway Improvements, Hangar and Access Taxiway Improvements, Hangar Homes, Entrance Road Improvements, Existing and Proposed Water and Sewer System Improvements, and Matters Related to the Foregoing			
SUMMARY STATEMENT: Staff has identified several airport improvement projects that it would like to pursue. In the past, the City has utilized non primary entitlement (NPE) funds from the FAA and funds from TxDOT Aviation's capital improvement projects (CIP) fund. The funds provide 90% of the funding with the City providing the remaining 10% funding. The current CIP project at the airport, which included the construction of a new t-hangar and hangar access taxiways, was funded in this manner. After discussions with our fixed base operator and our airport engineer, staff believes the most important project at this time is an asphalt overlay of the existing runway. The airport is currently seeing more large planes and an overlay would strengthen runway and lessen the chance of damage to the runway during landing operations. Additional projects staff has looked at include runway widening, lengthening and lighting improvements, hangar access taxiway to currently undeveloped areas of the airport, construction of an additional t-hangar building, ramp expansion, entrance road improvements and relocation and water and sewer system improvements. Another item that has been requested recently is the allowance of "hangar homes". These hangars would serve as permanent residences as well as hangars. As of now, hangar homes have not been allowed at the airport. In the past the City has planned on selling hangar home lots on the tract north of the airport, however; this location is far from any other infrastructure and would be cost prohibitive at this time. Staff has located other areas that are closer to existing infrastructure that may be suitable for the hangar homes. Exhibits are attached.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:			

ALTERNATIVES (In Suggested Order of Staff Preference): N/A
ATTACHMENTS: (1) North Box Hangar Development Map; (2) Map
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Discussion only
APPROVALS: Terry K. Roberts



LEGEND

-  PROPOSED HANGAR (60'x60')
-  PROPOSED PAVEMENT (894 SY)
-  FUTURE HANGAR (60'x60')
-  FUTURE PAVEMENT (7525 SY)



CITY OF BRENHAM
FUTURE HANGAR AND
PAVEMENT IMPROVEMENTS



O'Malley Strand
Associates, Inc.
203 S. Jackson
Brenham, Texas 77833
(979) 836-7937
TBPE No. F-8405
TBPLS No. 10030000

NO.	REVISION	BY	DATE
Drawing Name: P:\01006\1006.081ab\Exhibits\Future Hangars to the North\North Hangars.dwg			
VERIFY SCALE			
BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE.			

Field Book:	
Date:	2/2015
Project Number:	1006.081 AB/AC
Design By:	JSR
Drawn By:	BAG

Sheet Title:	OPTION 1
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AGENDA ITEM 7

DATE OF MEETING: February 5, 2015		DATE SUBMITTED: February 2, 2015	
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Erik Smith	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION		CLASSIFICATION: ☒ PUBLIC HEARING ☐ CONSENT ☐ REGULAR ☐ WORK SESSION	
ORDINANCE: ☐ 1ST READING ☐ 2ND READING ☐ RESOLUTION			
AGENDA ITEM DESCRIPTION: Public Hearing Considering an Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow for Carpentry/Upholstering Related to Furniture Manufacturing on a Site in a Business/Residential Mixed Use (B1) Zoning District and Being Located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella Harrington Survey of the City of Brenham, Washington County, Texas (Said Property Located at 1000 E. Blue Bell Road)			
SUMMARY STATEMENT: New Beginnings Life Ministries has a tenant, Red Fern Woodwork and Renovations, that is interested in starting a new business that is not allowed by right within the Business/Residential Mixed Use (B1). The proposed use would require a specific use permit for the tenant to operate. The business will provide services including assembling custom cabinets, furniture and other wood products. The tenant will use tools and equipment to cut, trim, and alter materials and parts for assembling. The ordinance for the B1 district allows “Upholstering shops, not involving furniture manufacturing”. The proposed specific use permit would be classified as “Carpentry/Upholstering related to furniture manufacturing”. Staff has notified all of the property owners within 200 feet as required by ordinance. Staff has not received any concern from any of the property owners that were notified. Staff has also received multiple letters from neighboring property owners (included in packet) that state they are not opposed to the use. Staff’s main concern with the proposed use is noise created from this type of use. Staff would also like to point out if Council does recommend approval there is a noise ordinance and performance standards ordinance that would allow the City to address noise concerns in the event noise complaints are received.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: New business. Occupying tenant space. B. CONS: Possible noise nuisance. Use not allowed by right.			

ALTERNATIVES (In Suggested Order of Staff Preference): N/A
ATTACHMENTS: (1) Application; (2) Aerial of site; (3) Sound test letter; (4) Letter from property owner describing the use; and (5) Letters from neighboring property owners
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: None – Public Hearing only.
APPROVALS: Terry K. Roberts



For office use only

APPLICATION NO. _____

MEETING DATE: _____

DATE SUBMITTED: _____

CITY OF BRENHAM

GENERAL APPLICATION

Type of Application

- | | |
|---|--|
| ☐ Variance from Appendix A: Zoning | ☐ Zone Change |
| ☒ Specific Use Permit | ☐ Plan Review |
| ☐ Preliminary Plat | ☐ Final Plat/Replat/Amending Plat |
| ☐ Variance from Chapter 21: Signs | ☐ Other: _____ |

Property Owners Information

Name NEW BEGINNINGS LIFE MINISTRIES
Principal Officers (If Corporation) President BILL BROOKS
Secretary SHARON RIDGEWAY
Address 1016 E. BLUE BELL RD, BRENHAM, TX
Telephone Number (713) 823-6528 E-mail Address RPM8038@YAHOO.COM
CELL - PROPERTY MGR.

Applicant Information

Name RED FERN WOODWORK & RENOVATION
Address 1000 E. BLUE BELL RR.
Telephone Number (979) 551-2544 E-mail Address JEFFREYD BURKHART@YAHOO.COM
JEFF BURKHART

Agent or Engineer Information

Name DELWIN RETTIG (BOARD MEMBER, N.B.L.M. / PROP. MGR.)
Address P.O. BOX 308 BELLVILLE, TX 77418
Telephone Number (713) 823-6528 E-mail Address RPM8038@YAHOO.COM

Location of Property

Street Address: 1000 E. Blue Bell Road

Legal Description (attach metes and bounds description if not subdivided):

A. HARRINGTON SURVEY, ABST. #55, TRACT 70, 2.476 ACRES

Subdivision: _____

Block(s): _____

Lot(s): _____

WCAD. # R 14382

Zoning Information

Existing Zoning : B-1

Proposed Zoning: _____

Reasons for requesting zone change:*

Variance Information

Section of Code from which variance is described:* SEC. 3.02 PERMITTED USES (B-1)

Describe variance requested:* CABINETRY CONSTRUCTION ON-SITE

Reasons for requesting variance:* TENANT USE OF PROPERTY INCLUDES WOODWORKING THAT APPEARS TO TECHNICALLY NOT BE A PERMITTED USE IN B-1 ZONE.

Proposed Property Use

Describe in detail the proposed operation at this location:*

SEE ATTACHED APPLICANT LETTER (RED FERN)
AND PROPERTY OWNER'S COVER LETTER.

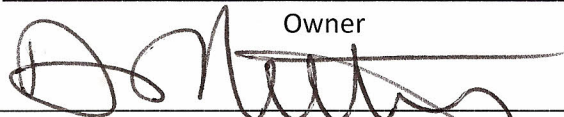
Construction Value \$ 20,000

Site plans are required for variance, special use, and plan review requests; please see Ordinance No. 0-05-007 for minimum site plan requirements. ON FILE AND APPROVED;

#1412035

I, DELWIN RETTIG, being the owner (or authorized agent) of the above described property, do hereby certify the information set forth above is true and correct. I further request that the Planning & Zoning Commission/Board of Adjustments/Plan Review Committee review this matter and take appropriate action.

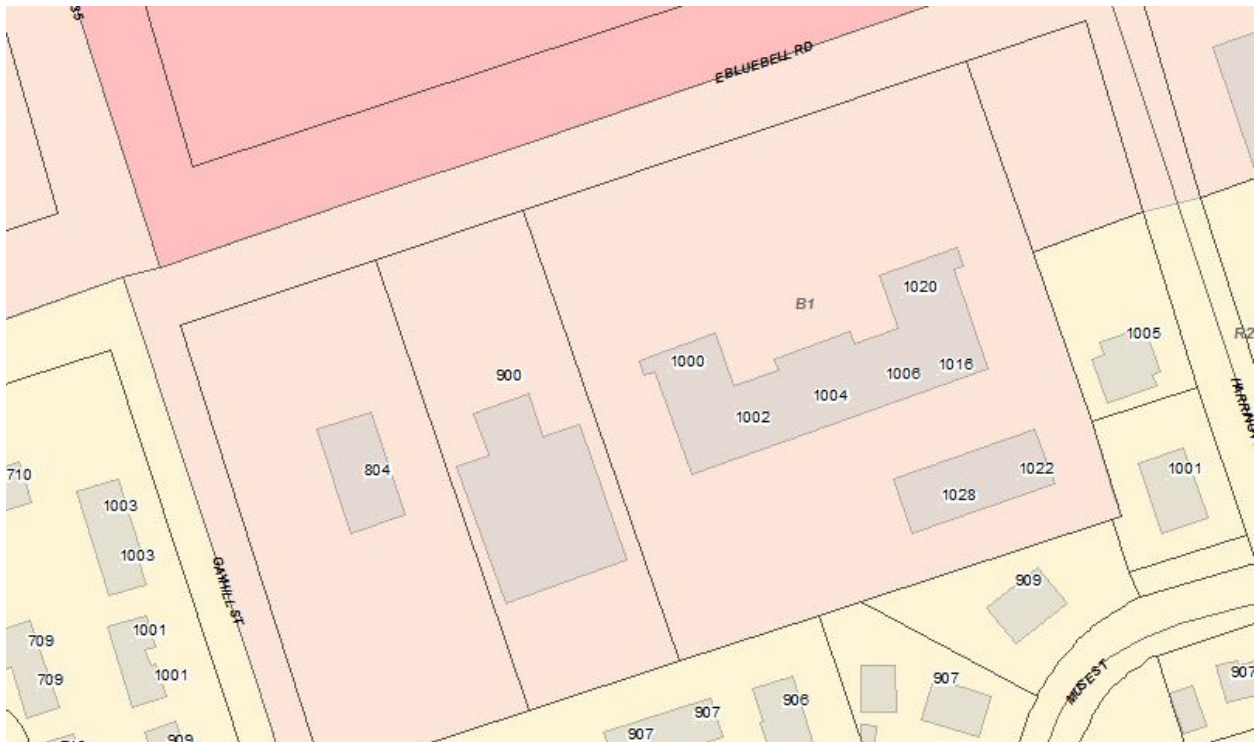
Owner



Agent

BOARD MEMBER, PROP. MGR.

1-8-2015



Thursday, January 08, 2015

Sound Test: DeWalt Thickness Planer 120v 15 amps

Location: 1000 & 1006 Bluebell Rd, Brenham TX 77833

Parties: Red Fern woodwork & renovation, Sam Kuver Allstate Insurance

A sound check was done to determine whether the usage of a planer was within reasonable tolerances to the closest of Red Fern woodwork & renovation's neighbors, Sam Kuver Allstate Agency. This planer is the loudest piece of equipment periodically used by Red Fern. Upon completion of the test it has been determined that the noise levels were reasonable and tolerable. Business at Sam Kuver Allstate would not be disrupted by work proceeding at Red Fern.

A handwritten signature in black ink, appearing to read 'Sam Kuver', written over a horizontal line.

Sam Kuver Allstate Ins. Representative

A handwritten signature in black ink, appearing to read 'Red Fern', written over a horizontal line.

Red Fern Representative

January 9, 2015

*Board
of Directors*

Ken Bevers
Bill Brooks
Dougal Cameron
Sharon Gaddy
Helen Harris
Gina Haywood
Jon Hill
Delwin Rettig
Sharon Ridgway
Lloyd VanHorn

*Executive
Director*

Melinda
VanOstrand

*Administrative
Staff*

Delores Brady
Vanessa Ortiz
Rayna Reimer

Counties Served

Austin County
Burleson County
Fayette County
Grimes County
Lee County
Waller County
Washington County

City of Brenham
Planning and Zoning Commission
200 W. Vulcan St.
Brenham, TX 77834

Re: Specific Use Permit request by Red Fern Woodwork & Renovations
1000 E. Blue Bell Rd., Brenham, Tx

To whom it may concern:

As the owner of the referenced property, we would like to encourage the City of Brenham to issue a specific use permit to our tenant Red Fern Woodwork & Renovations. The lease space at issue is the former Country Inn II restaurant.

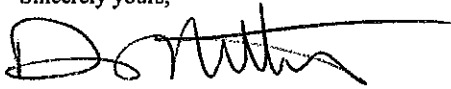
When New Beginnings Life Ministries (Crisis Pregnancy and Pregnancy Support Center providing free services for the citizens of Brenham and the surrounding counties) purchased the Emerald Plaza property last spring, the Country Inn had already vacated the space and the facility was in terrible condition. We proceeded with demolition and clean up and the replacement of the roof on the entire building. Last fall, we were approached by the Burkharts with their plan to expand their business to include a retail store front for cabinetry and a space large enough to both build and store custom woodwork product prior to installation. This location would also serve as their base of operations for renovation projects in the Brenham area. Their proposed business and the Country Inn space were a perfect fit.

We enlisted the help of contractor Larry Rapsilver to address the issue of noise that would be generated by the various power tools used to build custom wood cabinets. These are the same tools found in most residential garages/workshops, including my own personal workshop (please refer to Red Fern's cover letter detailing each tool used in their business). All activities would be inside the building, so noise would only be an issue that could affect the adjoining lease space. The solution was to completely replace the interior division wall with a new wall consisting of a fully insulated metal stud wall, covered by 5/8 fire-rated sheetrock, then affixing sound-deadening fins at each stud on both sides of the wall with an additional layer of 5/8 rock applied to the fins. This creates not only a sound deadening wall but also provides a 2-hour fire rating! It is also important to note that this entire space has insulated, sheetrocked exterior walls which also contribute to the reduction of any sound transmission outside the building.

We obviously have a vested interest in this business being a "non-nuisance" as we have two additional spaces to lease. We are confident that this is a quality business that will be an asset to both our complex and the City of Brenham. This is a business that promotes the improvement of Brenham in its most basic sense, and is a far cleaner and quieter operation than the restaurant use (three commercial exhaust fans running continuously, delivery trucks arriving daily, a separate dumpster of restaurant garbage with associated smells and rodents, etc.).

I have personally spoken to each neighboring business in the 200 foot range (and beyond) and they have all expressed support for this proposed business operation (letters are attached). I will be present at your February 2, 2015 meeting to answer any questions or concerns you may have.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Delwin Rettig", with a long horizontal flourish extending to the right.

Delwin Rettig
Board Member & Property Manager
(713)823-6528 cell

TIME WELL SPENT

**Texas State Licensed
Infants, Toddlers, Pre-K, After School and Summer Daycare & Event Center
Accepting CCMS**

January 11, 2015

**City of Brenham
Planning and Zoning Commission
200 W. Vulcan St.
Brenham, TX 77834**

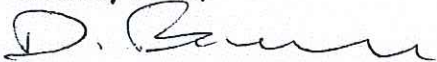
**Re: Specific Use Permit request by Red Fern Woodwork & Renovations
1000 E. Blue Bell Rd., Brenham, TX**

To whom it may concern:

Time Well Spent has been at 900 East Blue Bell for the last 12 years. We have no objection to the proposed use of a custom cabinet/woodworking shop and showroom, and support the application of Red Fern Woodwork & Renovations for a Specific Use Permit to allow their operation at the 1000 E. Blue Bell address.

If you should have any questions, or if additional comment would assist the applicant in obtaining this permit, please do not hesitate to contact me.

Sincerely Yours,



Dennis M. Barron

Director / Co-owner

“Unlock Your Child’s Potential”

900 East Bluebell Road * Brenham, Texas 77833 * (979) 836-0505

Fax: (979) 836-0554

website: www.timespentwell.com



Allstate

January 13, 2015

City of Brenham
Planning and Zoning Commission
200 W. Vulcan St.
Brenham, TX 77834

Re: Specific Use Permit request by Red Fern Woodwork & Renovations
1000 E. Blue Bell Rd., Brenham, Tx

To whom it may concern:

I write this letter as a neighbor to 1000 E. Blue Bell Road. I have no objection to the proposed use of this location as a custom cabinet/woodworking shop and showroom, and support the application of Red Fern Woodwork & Renovations for a Specific Use Permit to allow their operation at this address.

If you should have any questions, or if additional comment would assist the applicant in obtaining this permit, please do not hesitate to contact me.

Kind Regards,



Sam Kuver

Owner

T 379-744-2001

F 379-764-6035

12901 WELLBORN STE 110
COLLEGE STATION, TX 77845



Allstate

You're in good hands.

Call me for the protection you need and the service you want.

Brenham Office:
1006 E Blue Bell Rd
Brenham, TX 77833

ZITHER MUSIC COMPANY
1022 E. Blue Bell
Brenham, Texas 77833
979-820-7010

January 11, 2015

City of Brenham
Planning and Zoning Commission
200 W. Vulcan St.
Brenham, TX 77834

Re: Specific Use Permit request by Red Fern Woodwork & Renovations
1000 E. Blue Bell Rd., Brenham, TX

To whom it may concern:

Zither Music Company has been at 1022 E. Blue Bell for the last six years. We would welcome and have no objection to the proposed use of a custom cabinet/woodworking shop and showroom, and support the application of Red Fern Woodwork & Renovations for a Specific Use Permit to allow their operation at the 1000 E. Blue Bell address.

Regards,

Tony Meeks
Owner, Zither Music Company



January 9, 2015

City of Brenham
Planning and Zoning Commission
200 W. Vulcan St.
Brenham, TX 77834

*Board
of Directors*

Ken Bevers
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*Executive
Director*

Melinda
VanOstrand

Kind Regards,


Melinda VanOstrand
Executive Director

*Administrative
Staff*

Delores Brady
Vanessa Ortiz
Rayna Reimer

Counties Served

Austin County
Burlison County
Fayette County
Grimes County
Lee County
Waller County
Washington County



AGENDA ITEM 8

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: February 2, 2015															
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☒ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☐ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☒ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Public Hearing Considering Amendments to Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development District																
SUMMARY STATEMENT: This is a request for an amendment to the Planned Development District (PDD) Ordinance for Ralston Creek Estates, Phase II. The changes being recommended are: (1) clarification of front street building lines; and (2) building size requirements. This request does not add any square footage to the overall development. The changes will result in there being an additional three (3) lots.																
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: None-Public Hearing Only																
APPROVALS: Terry K. Roberts																



AGENDA ITEM 9

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: February 2, 2015
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith

MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	☒ 1ST READING ☐ 2ND READING ☐ RESOLUTION

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to New Beginnings Life Ministries for Carpentry/Upholstering Related to Furniture Manufacturing on a Site in a Business/Residential Mixed Use (B1) Zoning District and Being Located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella-Harrington Survey of the City of Brenham, Washington County, Texas (Said Property Located at 1000 E. Blue Bell Road)

SUMMARY STATEMENT: New Beginnings Life Ministries has a tenant, Red Fern Woodwork and Renovations, that is interested in starting a new business that is not allowed by right within the Business/Residential Mixed Use (B1). The proposed use would require a specific use permit for the tenant to operate. The business will provide services including assembling custom cabinets, furniture and other wood products. The tenant will use tools and equipment to cut, trim, and alter materials and parts for assembling.

The ordinance for the B1 district allows upholstering shops, not involving furniture manufacturing. The proposed specific use permit would be classified as: Carpentry/Upholstering related to furniture manufacturing.

Staff has notified all of the property owners within 200 feet as required by ordinance. Staff has not received any concern from any of the property owners that were notified. Staff has also received multiple letters from neighboring property owners (included in packet) that state they are not opposed to the use.

Staff's main concern with the proposed use is noise created from this type of use. Staff would also like to point out if Council does recommend approval there is a noise ordinance and performance standards ordinance that would allow the City to address noise concerns in the event noise complaints are received.

Staff will advise the Council of any recommendations from Planning & Zoning at the Council meeting.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: New business. Occupying tenant space. B. CONS: Possible noise nuisance. Use not allowed by right.
ALTERNATIVES (In Suggested Order of Staff Preference): N/A
ATTACHMENTS: (1) Draft of Ordinance
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Approve an Ordinance on its first reading granting a Specific Use Permit to New Beginnings Life Ministries for carpentry/upholstering related to furniture manufacturing on a site in a Business/Residential Mixed Use (B1) Zoning District and being located on approximately 1.238 acres, being a part of Tract 70 in the Arrabella-Harrington Survey of the City of Brenham, Washington County, Texas (said property located at 1000 E. Blue Bell Road)
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO GRANT A SPECIFIC USE PERMIT FOR CARPENTRY/UPHOLSTERING RELATED TO FURNITURE MANUFACTURING USES LOCATED WITHIN THE EXISTING BUILDING AT 1000 E. BLUE BELL ROAD AND SPECIFICALLY BEING LOCATED ON APPROXIMATELY 1.238 ACRES, BEING A PART OF TRACT 70 IN THE ARRABELLA HARRINGTON SURVEY OF THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts;

WHEREAS, Appendix A – “Zoning” of the City of Brenham Code of Ordinance authorizes the City Council to grant specific use permits for specific uses within the various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on February 2nd, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to grant a specific use permit for Carpentry/Upholstering Related to Furniture Manufacturing uses located within the existing building at 1000 E. Blue Bell Road and specifically located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella Harrington Survey of the City of Brenham, Washington County, Texas.

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

SECTION 3. The use of Carpentry/Upholstering Related to Furniture Manufacturing shall expire at the time the business is no longer in operation or if the tenant Red Fern Woodwork and Renovations is no longer the leasing tenant of the space.

PASSED and APPROVED on its first reading this the 5th day of February, 2015.

PASSED and APPROVED on its second reading this the 19th day of February, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 10

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: February 2, 2015															
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☒ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☒ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development																
SUMMARY STATEMENT: This is a request for an amendment to the Planned Development District (PDD) Ordinance for Ralston Creek Estates, Phase II. The changes related to the front street building lines and building size requirements are shown on the attached redlined ordinance.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):																
A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference): N/A																
ATTACHMENTS: (1) Redlined version of Ordinance No. O-12-020; and (2) Draft of new ordinance with changes.																
FUNDING SOURCE (Where Applicable): N/A																
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Ordinance No. O-12-020, Section 1, to revise certain regulations applicable to the Ralston Creek Estates Planned Development																
APPROVALS: Terry K. Roberts																

ORDINANCE O-12-020

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO CHANGE PROPERTY CURRENTLY ZONED AS A RESIDENTIAL SINGLE FAMILY (R-1) DISTRICT TO A COMBINATION OF A PLANNED DEVELOPMENT (PD) DISTRICT AND LOCAL BUSINESS/RESIDENTIAL MIXED USE (B-1) DISTRICT, SPECIFICALLY BEING APPROXIMATELY 60.4 ACRES ON LAND GENERALLY BOUNDED BY EAST STONE STREET TO THE NORTH, SOUTH BLUE BELL ROAD TO THE EAST, AND GUN AND ROD ROAD TO THE SOUTH BEING ALL OR PORTIONS OF TRACT 191 OUT OF THE JAMES WALKER SURVEY IN BRENHAM, TEXAS.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on ~~August 6, 2012~~ February 2, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to change property currently zoned as ~~Planned Development (PD) Residential Single Family (R-1) District~~ to amend text within the existing ~~establish~~ a Planned Development (PD) District for single-family residential uses on approximately 57.32 acres and generally bounded by East Stone Street to the north, South Blue Bell Road to the east and Gun and Rod Road to the south as well as request to change the zoning from a Residential Singe Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on Approximately 3.07 acres located at the southwest corner of East Stone Street and South Blue Bell Road with both parcels being a part of Tract 191 out of the James Walker Survey in Brenham, Texas in accordance with the master development plan shown on Exhibit A and specifically including the following regulations:

1. Subdivision of land should conform to the master development plan shown in Exhibit A, including road layout and common area dedication;

2. Minimum lot widths are 55 feet at the front street building line or a minimum 55 feet as an average of the front street building line and rear property line;
3. ~~Minimum lot depths are 125 feet~~ No building shall be constructed on any lot of less than six thousand, eight hundred and seventy-five (6,875) square feet;
4. Minimum side setbacks are 7.5 feet and measured from the slab with no more than a 2-foot overhang;
5. Ralston Creek green space and perimeter landscaping are to be dedicated common areas owned and maintained by a homeowners association as shown on the master development plan;
6. A minimum of 1,500 linear feet of all-weather trail shall be constructed in the Ralston Creek green space as depicted on the master development plan;
7. A homeowners association shall be established with their governing documents approved by the City to ensure adequate maintenance of the common areas as shown on the master development plan;
8. Unless otherwise listed above the property located within the Planned Development District shall conform to the regulations found in the Single-Family Residential zoning district of the zoning ordinance and subdivision ordinance;
9. The property shown on the master development plan as commercial shall be zoned B-1 and all applicable regulations and ordinances of the B-1 zoning district shall apply; and
10. All adopted building codes shall apply.

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the 30th day of August, 2012.

PASSED and APPROVED on its second reading this the 6th day of September, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO CHANGE PROPERTY CURRENTLY ZONED AS A RESIDENTIAL SINGLE FAMILY (R-1) DISTRICT TO A COMBINATION OF A PLANNED DEVELOPMENT (PD) DISTRICT AND LOCAL BUSINESS/RESIDENTIAL MIXED USE (B-1) DISTRICT, SPECIFICALLY BEING APPROXIMATELY 60.4 ACRES ON LAND GENERALLY BOUNDED BY EAST STONE STREET TO THE NORTH, SOUTH BLUE BELL ROAD TO THE EAST, AND GUN AND ROD ROAD TO THE SOUTH BEING ALL OR PORTIONS OF TRACT 191 OUT OF THE JAMES WALKER SURVEY IN BRENHAM, TEXAS.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on February 2, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to change property currently zoned as Planned Development (PD) District to amend text within the existing Planned Development (PD) District for single-family residential uses on approximately 57.32 acres and generally bounded by East Stone Street to the north, South Blue Bell Road to the east and Gun and Rod Road to the south as well as request to change the zoning from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on Approximately 3.07 acres located at the southwest corner of East Stone Street and South Blue Bell Road with both parcels being a part of Tract 191 out of the James Walker Survey in Brenham, Texas in accordance with the master development plan shown on Exhibit A and specifically including the following regulations:

2. Minimum lot widths are 55 feet at the front street building line or a minimum 55 feet as an average of the front street building line and rear property line;
3. No building shall be constructed on any lot of less than Six Thousand Eight Hundred and Seventy Five (6,875) square feet;

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED AND APPROVED on its first reading this the _____ day of _____, 2015.

PASSED AND APPROVED on its second reading this the _____ day of _____, 2015.

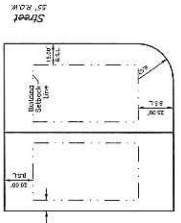
Milton Y. Tate, Jr.
Mayor

ATTEST:

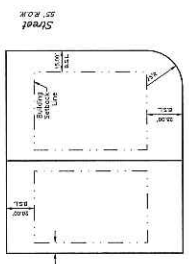
Jeana Bellinger, TRMC
City Secretary

E Shaw St

~8 ACRES
(Shaded Area)



TYPICAL LOTS IN YELLOW SHADED AREA



TYPICAL LOTS IN BLUE SHADED AREA

- ADDITIONAL NOTES:**
1. Proposed Zoning: Re-zoned Developmental Residential (DR-1) zoning.
 2. Proposed Lot Size: 1/2 Acre Commercial (B-1) zoning.
 3. All lots are to be developed for residential use.
 4. All lots are to be developed for residential use.
 5. All lots are to be developed for residential use.
 6. All lots are to be developed for residential use.
 7. All lots are to be developed for residential use.
 8. All lots are to be developed for residential use.
 9. All lots are to be developed for residential use.
 10. All lots are to be developed for residential use.

REZONING EXHIBIT



REZONING EXHIBIT
Ralston Creek Estates

60.39 Ac

BRENNHAM, WASHINGTON COUNTY, TEXAS
 PREPARED BY:
 SCALE: 1" = 200'

Surveyed by: **McGraw-Hill Construction Information Group**
 Surveyed on: **10/1/98**
 Surveyed by: **McGraw-Hill Construction Information Group**
 Surveyed on: **10/1/98**
 Surveyed by: **McGraw-Hill Construction Information Group**
 Surveyed on: **10/1/98**



AGENDA ITEM 11

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: January 30, 2015															
DEPT. OF ORIGIN: Purchasing Services	SUBMITTED BY: Sara Parker															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☒ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☒ RESOLUTION		☐ WORK SESSION	
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AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Joint Exercise of Powers Agreement Between the City of Brenham and the National Joint Powers Alliance (NJPA) for Cooperative Purchasing Services and Authorize the Mayor to Execute Any Necessary Documentation																
SUMMARY STATEMENT: Chapter 271 of the Texas Local Government Code allows municipalities to enter into interlocal agreements with cooperative purchasing associations such as NJPA. The cooperative awards contracts for goods and services through a competitive bidding process which meets the standards of State of Texas purchasing statutes. These contracts are made available to participating entities. The advantages of a cooperative contact are lower administrative costs, improved response from vendors, and the potential for lower costs through increased volume. The City has the option on any individual purchase or project to utilize a cooperative contract or to pursue other qualifying means, including the full bid process. Thus, the purchasing cooperative provides another tool to achieve best value for the City.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Joint Exercise of Powers (Interlocal) Agreement																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION: Approve a Joint Exercise of Powers Agreement between the City of Brenham and the National Joint Powers Alliance (NJPA) for Cooperative Purchasing Services and authorize the Mayor to execute any necessary documentation.																
APPROVALS: Terry K. Roberts																

JOINT EXERCISE OF POWERS AGREEMENT



This Agreement is Between the National Joint Powers Alliance® (NJPA) and

City of Brenham, Texas

(participating governmental agency)

Agreement. The participants in this Joint Exercise of Powers Agreement, hereinafter referred to as the Agreement, agree to jointly or cooperatively exercise certain powers common to them for the procurement of various goods and services by the participants. The term "governmental agency" as defined and used in this Agreement, includes any city, county, town, school district, education agency, post-secondary institution, governmental agency or other political subdivision of any agency of any state of the United States or any other country that allows for the Joint Exercise of Powers, and includes any instrumentality of a governmental agency. For the purpose of this section, an instrumentality of a governmental agency means an instrumentality having independent policy making and appropriating authority.

Purpose. The purpose of this Agreement is to allow for the cooperative efforts to provide for contract and vendor relationships to purchase supplies, materials, equipment or services (hereinafter referred to as goods and services,) as a result of the current and active competitive bidding process exercised by a legal qualifying bidding agency on behalf of governmental and other qualifying agencies. Qualified customers may forgo the competitive bidding process as a result of this action and process provided on the agencies behalf. Reference the Uniform Municipal Contracting Law MN Statute 471.345 subd 15. This provision is made possible as a result of the purchasing contract development through a national governmental agency association's purchasing alliance.

Whereas, parties to this Agreement are defined as governmental agencies in their respective states;

and Whereas, this Agreement is intended to be made pursuant to the various Joint Exercise of Powers Acts of the states or nations of the respective participating governmental agencies which authorizes two or more governmental agencies to exercise jointly or cooperatively powers which they possess in common;

and Whereas, the undersigned Participating Governmental Agency asserts it is authorized by Intergovernmental Cooperation Statutes to enter into an agreement with NJPA to cooperate in procurement of goods and services; and Whereas, NJPA asserts it is a Minnesota Service Cooperative created and governed under Minnesota Statute §123A.21 authorized by Minnesota Statute §471.59 to "jointly or cooperatively exercise any power common to the contracting parties";

and Whereas, the undersigned Participating Governmental Agency and NJPA desire to enter into a "Joint Exercise of Powers Agreement" for the purpose of accessing available purchasing contracts for goods and services from each other which can be most advantageously done on a cooperative basis;

Now Therefore, it is mutually agreed as follows:

1. The Parties to this agreement shall provide in a cooperative manner access to each other's purchasing efforts to procure supplies, equipment, materials and services hereinafter referred to as "goods and services",
 2. The Parties to this Agreement will adhere to any and all applicable laws pertaining to the purchasing of goods and services as they pertain to the laws of their state or nation,
 3. Either Party to this Agreement may terminate their participation in this Agreement upon thirty (30) days written notice,
 4. Neither Party to this Agreement claims any proprietary interest of any nature whatsoever in any of the other participants in this Agreement
 5. Each party agrees that it will be responsible for its own acts and the result thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. NJPA's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section §3.736, and other applicable law;
- The City of Brenham, Texas is a political subdivision of the State of Texas and enjoys governmental immunity. By entering into this agreement, the City of Brenham does not consent to suit, waive its governmental immunity or the limitations as to damages under the Texas Tort Claims Act or other applicable law;**

JOINT EXERCISE OF POWERS AGREEMENT



6. Both Parties to this Agreement agree to abide by all of the general rules and regulations and policies of the participating agencies that they are receiving goods and services from;
7. Both Parties to this Agreement agree to strict accountability of all public funds disbursed in connection with this joint exercise of powers;
8. Both Parties to this Agreement agree to provide for the disposition of any property or surplus moneys (as defined by the participant) acquired as a result of this joint exercise of powers in proportion to the contributions of the governing bodies and;
9. Both Parties to this Agreement acknowledge their individual responsibility to gain ratification of this agreement through their governing body.

This Agreement allows for the NJPA to provide procurement contracts on behalf of all qualified participating agencies pursuant to the Uniform Municipal Contracting law, MN Statute §471.345 Subd 15.

ORGANIZATION INFORMATION (** Required Fields)

Applicant Name: ** City of Brenham
Address: ** P. O. Box 1059
City, State, Zip ** Brenham, Texas 77834-1059
Federal ID Number: 74-6000404
Contact Person: ** Sara Parker
Title: ** Purchasing Supervisor
E-mail: ** sparker@cityofbrenham.org
Phone: 979/337-7247
Website: www.cityofbrenham.org

Reference:
Minnesota Joint Exercise of Powers
M.S. 471.59

Participating Agency
Joint Exercise of Powers Authority
granted under State Statute

§791.025
Texas Local Gov. Code

THE UNDERSIGNED PARTIES HAVE AGREED THIS DAY TO THE ABOVE CONDITIONS.

Member Name:

National Joint Powers Alliance®

By

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

Its

City Manager

TITLE

TITLE

DATE

DATE

Completed applications may be returned to:

National Joint Powers Alliance ®

202 12TH Street NE

Staples, MN 56479

Duff Erholtz

Phone: 218-894-5490

Fax: 218-894-3045

E-mail: duff.erholtz@njpacoop.org

5/29/2012



AGENDA ITEM 12

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: January 30, 2015															
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle, Jr.															
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	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Purchase of a 2016 International 4300 Truck with a 4 x 2 Altec for the City of Brenham's Electric Department from the National Joint Powers Alliance (NJPA) Cooperative and Authorize the Mayor to Execute Any Necessary Documentation.																
SUMMARY STATEMENT: During the budget process Council approved the purchase of a new bucket truck. This truck will be used to maintain our electric distribution system. This unit will replace a 1999 model that has begun to have many maintenance issues. The old unit will be sold on GOVdeals. The unit was budgeted at \$235,000 and is coming in at \$187,715.31. This unit will be purchased using the NJPA Cooperative Purchasing Process (see attached NJPA Contract #31014 pricing worksheet).																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Replace unreliable unit and increase efficiency. B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Altec NJPA Contract #31014; and (2) Quote #268004-4																
FUNDING SOURCE (Where Applicable): Electric Fund																
RECOMMENDED ACTION: Approve the purchase of a 2016 International 4300 Truck with a 4 x 2 Altec for the City of Brenham's Electric Department from the National Joint Powers Alliance in the amount of \$187,715.21 and authorize the Mayor to execute any necessary documentation.																
APPROVALS: Terry K. Roberts																



Opportunity Number: 53592
 Quotation Number: 268004
 NJPA Contract #: 31014
 Date: 1/9/2015

Quoted for: City of Brenham
 Customer Contact: Alton Sommerfield
 Phone: /Fax: /Email:
 Quoted by: Scott Kamler
 Phone: /Fax: /Email: 816-236-1360 / 816-236-1393 / scott.kamler@altec.com
 Altec Account Manager: Ross Doga

REFERENCE ALTEC MODEL

AM55	Overcenter Aerial Device with Material Handling (Insulated)	174,411.00
------	---	------------

Per NJPA Specifications plus Options below

(A.) NJPA OPTIONS ON CONTRACT (Unit)

1			
2			
3			
4			
5			

(A1.) NJPA OPTIONS ON CONTRACT (General)

1	ch	Cone Holder Ring style	235.62
2	ch	Cone holder Post style	235.62
3	bk	WATER CASK (Includes Bracket)	175.44
4	spot3	FOUR (4) POINT STROBE SYSTEM (Recessed, LED)	477.36
5			
6			
7			
8			

NJPA OPTIONS TOTAL: 175,535.04

(B.) OPEN MARKET ITEMS (Customer Requested)

1	UNIT		
2	UNIT & HYDRAULIC ACC	TRUCK SAFETY BARRIER KIT;WITH 4' ARMS;	438.52
		IMPACT WRENCH ASSEMBLY;GREENLEE HW1;W/ RED 8.00 FT HOSES;QD'S ATTACHED;;	1,359.00
		HUBBELL, HOIST;CAPSTAN GAS	2,837.57
		HUBBELL, UNIVERSAL BRACKET;FOR 1000 LB GAS HOIST;	202.19
3	BODY		
4	BODY & CHASSIS ACC	Add rear access steps and grab handles on both CS and SS	831.00
5	ELECTRICAL	Add Grounding reel, ground lug, spot lights, pto hour meter, upgrade main breaker	1,806.48
6	FINISHING		
7	CHASSIS	Custom Chassis in lieu NJPA base model	3,008.48
8	OTHER		

OPEN MARKET OPTIONS TOTAL: 10,483.24

SUB-TOTAL FOR UNIT/BODY/CHASSIS: 186,018.28

Delivery to Customer: 1,697.03

TOTAL FOR UNIT/BODY/CHASSIS: 187,715.31

(C.) ADDITIONAL ITEMS (Items are not included in total above)

1			
2			
3			

Pricing valid for 45 days

NOTES

PAINT COLOR: White to match chassis, unless otherwise specified

WARRANTY: Standard Altec Warranty - One (1) year parts warranty One (1) year labor warranty Ninety (90) days warranty for travel charges (Mobile Service) Limited Lifetime Structural Warranty. Chassis to include standard warranty, per the manufacturer. (Parts only warranty on mounted equipment for overseas customers)

TO ORDER: To order, please contact the Altec Inside Sales Representative listed above.

CHASSIS: Per Altec Commercial Standard

DELIVERY: No later than 270-300 days ARO, FOB Customer Location

TERMS: Net 30 days

BEST VALUE: Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection, Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry (Domestic and Overseas), Altec SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every Order.

TRADE-IN: Equipment trades must be received in operational condition (as initial inspection) and DOT compliant at the time of pick-up. Failure to comply with these requirements, may result in customer bill-back repairs.

BUILD LOCATION: St. Joseph, MO



Quote Number: 268004 - 4
Altec, Inc.

January 9, 2015
Our 86th Year

Ship To:

CITY OF BRENHAM
PO BOX 1059
210 NORTH PARK STREET
BRENHAM, TX 77834-1059
US

Bill To:

CITY OF BRENHAM
PO BOX 1059
210 NORTH PARK STREET
BRENHAM, TX 77834-1059
United States

Attn: Alton Sommerfield Jr
Phone: 979-337-7422
Email: asommerfield@ci.brenham.tx.us

Altec Quotation Number: 268004 - 4
Account Manager: Walter Ross Doga
Technical Sales & Support: Scott Kamler

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	<u>Unit</u>		
1.	204 Altec Model AM55 articulating overcenter aerial device with an insulated lower boom, insulated upper boom and an insulated ISO-Grip (U.S. Patent No. 7,416,053) system at the boom tip, for installation over rear axle, built in accordance to AltecS standard specifications and to include the following features: A. Ground to Bottom of Platform Height: 55.3 feet at 4.0 feet from centerline of rotation (16.9 m at 1.2 m) B. Working Height: 60.3 feet (18.4 m) C. Maximum Reach to Edge of Platform with Upper Boom Overcenter: 47.7 feet (14.5 m) D. Maximum Reach to Edge of Platform with Upper Boom Non-overcenter and Lower Boom at 100 degrees: 34.4 feet at 29.3 foot platform height (10.5 m at 8.9 m) E. Pedestal and Turntable: Box structure design with large service openings, 1.55 inch (32 mm) top plate of pedestal and stiffened . inch (32 mm) bottom plate of turntable machined after welding to provide a rigid, flat mounting surface for the rotation bearing. This extends the life of the bearing and reduces life cycle cost. F. Rotation: Continuous rotation provided by worm gear drive, equipped with extended shaft for manual rotation, driving a shear ball bearing rotation gear. The fully adjustable rotation drive assembly includes an external eccentric ring adjustment of the gearbox pinion gear to the main rotation bearing, permitting the ability to easily adjust backlash, reduce boom side play and ensure proper tooth contact over the life of the unit. This reduces life cycle cost. G. Lift Cylinders: The rod eye is both thread and weld fastened to the rod while the blind end of the cylinder is of cast steel, one piece design, which houses internal (unexposed), cartridge-type, bi-directional counter-balance holding valves. Self-aligning, spherical ball-type bushings are used at each end of the cylinder. H. Lower Boom: Constructed of two fixture-welded, (80,000 PSI [551,580 kPa] yield) high strength low alloy steel side plates. Insulator provides 24 inches (610 mm) of isolation in the lower boom. The inner surface of the fiberglass insulator has a	1	

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UTILITY EQUIPMENT AND BODIES SINCE 1929

Page 1 of 12

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	wax coating molded in during manufacture to provide a dry, smooth inner surface which will cause moisture to bead. The outer surface has a smooth gelcoat finish. The AM55 lower boom articulation is 0 degrees to 100 degrees.		
I.	Lower Boom Stow Protection: To help prevent excessive down pressure by boom structures when stowing.		
J.	Lower Boom Pivot Pin: high strength chrome plated steel with self-lubricating, replaceable, non-metallic bearing.		
K.	Upper Boom: Utilizes a fixture welded, high strength low alloy steel structure designed to accept Altec fiberglass upper boom section. Steel/glass attachment is bolted and bonded. The fiberglass section provides a minimum of 150 inches (3810 mm) of isolation in the upper boom. The inner surface of the fiberglass boom has a wax coating molded in during manufacture to provide a dry, smooth inner surface which will cause moisture to bead. The outer surface has a smooth gelcoat finish. Upper boom articulation is 0 degrees to 210 degrees		
L.	Boom Linkage, Altec Patented Walking Link: This design features uniform speed of upper boom, and provides smooth, continuous, self-adjusting, low maintenance operation.		
M.	Side-by-Side Boom Stow: This design offers low travel height, low center of gravity and provides easy platform access		
N.	Upper Boom Hold Down Device: Manual locking system.		
O.	Platform Leveling System: The platform is leveled by a single leveling chain with fiberglass rods in upper and lower boom, designed to maintain the dielectric integrity of the aerial device. Controls for tilting the platform are located at the platform. The mechanism for tilting the platform includes one dual acting cylinder incorporating counterbalance load holding valves to lock the platform in the event of hydraulic line failure.		
P.	Platform: Totally enclosed, fiberglass.		
Q.	ISO-GripSystem: The Altec ISO-Grip (U.S. Patent No. 7,416,053) System includes the following boom tip components that can provide an additional layer of secondary electrical contact protection. This is not a primary protection system. 1. Control Handle: An insulated single handle controller that is dielectrically tested to 40 kV AC with no more than 400 microampers of leakage. The control handle is green in color to differentiate it from other non-tested controllers. The handle also includes an interlock guard that reduces the potential for inadvertent boom operation. 2. Auxiliary Control Covers: Non-tested blue silicon covers for auxiliary controls. 3. Control Console: Non-tested non-metallic control console plate. 4. Boom Tip Covers: Non-tested non-metallic boom tip covers. The covers are not dielectrically tested, but they may provide some protection against electrical hazards.		
R.	Outrigger/Boom Interlock System: Helps prevent operator from using unit until all outriggers are lowered.		
S.	Outrigger/Unit Selector Control: Located near the outrigger controls, allows operator to divert hydraulic oil from machine circuit for outrigger operation. This reduces the potential for inadvertent outrigger movement during machine operation if outrigger controls are bumped.		
T.	Outrigger Motion Alarm: Provides audible alarm when any of the outriggers are in motion.		
U.	Back-up Alarm, installed		
V.	Preventative Maintenance: Unit owner can select means of tracking maintenance intervals by calendar time or PTO hours. If the owner selects calendar driven cycles, preventative maintenance is required no more frequently than every 6 months. If the owner selects PTO hour driven cycles, preventative maintenance interval is likely to be greater than 6 months. Both programs allow the equipment		

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Item	Description	Qty	Price
	owner to lower life cycle costs through higher product uptime and lower maintenance costs.		
W.	ISO 9001: This aerial device is designed and manufactured in a facility that is certified to meet ISO 9001 requirements.		
X.	Manuals: Two (2) Operators and two (2) Maintenance/ Parts manuals		
Y.	Paint: Altec Powder Coat Paint Process which provides a finish-painted surface that is highly resistant to chipping, scratching, abrasion and corrosion. Paint is electro-statically applied to the inside as well as outside of fabricated parts then high temperature cured prior to assembly ensuring maximum coverage and protection		
2.	375 - Automatic Upper Boom Latch	1	
3.	217 - Single, Two-Man Side-Mounted Platform - 24 X 48 X 42 Inches (610 X 1219 X 1067 Mm); Platform Is Rated Up To 800 Pounds (363 Kg). Platform Rotates 90 Degrees To End Of Boom With Altec Patented Rotator. Includes Two Sets Of Quick Disconnects And Controls For Hydraulic Tools.	1	
4.	Soft Platform Cover For Two Man Platform (24x48)	1	
5.	259 - Polyethylene Platform Liner For Two Man Platform, 50 Kv Rating (Minimum)	1	
6.	238 - Platform Capacity Rating Of 350 Lbs. Per Operator, 350 Lbs. For Single Man Platform, 700 Lbs. For Two Man Platform	1	
A.	All Capacities Are Based On Bare Platforms, Liner Weight Is Not Included		
7.	297 - Hydraulic Tool Circuit, With One Set Of Quick Disconnect Couplings And Control Valve, Installed At Tailshelf To Supply 8.0 Gpm And 2,000 Psi To Operate Either Open Or Closed Center Tools	1	
8.	338 - Pilot Pressure - System Operates At 350 To 3,000 Psi (24 To 207 Bar), And 17 Gpm (64.4 Lpm). System Is Closed Center, Pressure Compensating.	1	
9.	Tiller Style Single Handle Controller. The controller is positioned so that when you are standing in the platform with the platform in the stowed position facing the controller the handle points towards the elbow of the unit and the head of the controller points toward rear of the truck. Unit rotation is driven by a tiller action of the control handle. This style of controller is available with a pilot pressure or full pressure control systems.	1	
10.	219 - Hydraulic Extend Jib - Material Handling, Hydraulically Articulated Jib, -30 Degrees To +90 Degrees Tilt Angle (Relative To The Upper Boom). Jib Can Be Hydraulically Extended To 54.4 Inches (1382 Mm) From Mounting Shaft To Load Line. The Jib Is Hydraulically Extended And Retracted In Two 18 Inch (457 Mm) Increments For A Total Of 36 Inches (914 Mm) Under Full Load.	1	
A.	Capacities Up To 2000 Pounds (907 Kg) Based On Boom Position		
B.	Load Chart Based On Platform Configuration		
C.	Hydraulically Articulated Jib With -30 Degrees To 90 Degrees Tilt Angle Relative To The Upper Boom. Jib Is One Piece, 4 Inches Square X 63 Inches Long (102 X 1600 Mm)		
D.	Hydraulically Extendible Jib Telescopes In And Out 18 Inches (457 Mm). Jib May Be Manually Re-Pinned Under Load And Telescoped An Additional 18 Inches For A Total Movement Of 36 Inches (914 Mm) Under Load		

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	E. Hydraulically Powered Winch That Is Rated To 2,000 Pounds (907 Kg) Full Drum, Mounted On End Of Upper Boom And Includes 80 Feet (24 M) Of 1/2 Inch (13 Mm) Double-Braided Synthetic Rope		
	F. Auxiliary Winch Line Control Valve At Turntable		
11.	236 - Maximum Jib Rating - Applied To All AM Series Machines, This Rating Provides The Maximum Jib Capacity At All Lower Boom Positions.	1	
12.	393 - 12 VDC Electrical System Voltage	1	
13.	Engine Start/Stop with Secondary Stowage System, 12 VDC electric powered. Includes pump and motor, operates from chassis battery. Control is captive air operated from the platform and momentary switch operated from the lower controls. This option allows the operator to start and stop the operation of the units as well as completely stow the booms and platform in a situation wherein the primary hydraulic source fails.	1	
14.	450 - Primary Outrigger, A-Frame With Fold-Up Shoe - Provides 153 (3886 Mm) Maximum Spread And Weighs 1,350 Pounds (612 Kg)	1	
15.	241S - Outrigger, A-Frame with Swivel-Shoe - 135.6 Inch Max Spread	1	
16.	319 - Category C, 46 kV And below	1	
17.	Powder coat unit Altec White.	1	
<u>Unit & Hydraulic Acc.</u>			
18.	AM50/50E/55/55E/60/60E Series Unit Installation Components	1	
19.	AM50/55/60/50E/55E/60E Subbase	1	
20.	Subbase Storage With Drop Down Door (Paddle Latch) At Rear	1	
21.	Standard 1" Space between Subbase and frame for hose routing and ease of maintenance.	1	
22.	Reservoir, 30 Gallon, Triangular, Mounted in Cargo Area	1	
	A. Internal return filter, 10 micron absolute, fiberglass media		
	B. Ball valves in suction and return lines.		
	C. Magnetic suction strainer.		
	D. Filler/breather cap with dipstick.		
23.	HVI-22 Hydraulic Oil (Standard).	35	
24.	Standard Pump For PTO	1	
25.	Hot shift PTO for automatic transmission	1	
26.	Muncie PTO (Altec Standard)	1	
27.	Standard PTO/Transmission Functionality for Automatic Transmissions - If chassis is in gear, and PTO switch is activated, PTO will not engage. Chassis will remain in gear. If chassis is already in neutral with PTO engaged and operator tries to	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	shift into gear, PTO will disengage and transmission will shift into gear.		
28.	Custom Hydraulic Tool IMPACT WRENCH ASSEMBLY;GREENLEE MODEL HW1;WITH RED 8.00 FT TOOL HOSES;QD'S ATTACHED;; 970331734	1	
29.	Hook, Material Handling, 1-Ton With Latch, Installed On End Of Aerial Winch Line	1	
30.	Additional Unit/Hydraulic Accessory HOIST;CAPSTAN GAS, 970106090	1	
31.	Additional Unit/Hydraulic Accessory UNIVERSAL BRACKET;FOR 1000 LB GAS HOIST;FITS OTHER 1000 LB 90 SERIES;AND EARLIER 750LB CHANCE HOIST;C308-0925;970026860	1	

Body

- | | | | |
|-----|---|---|--|
| 32. | 170 inch Large Universal Aerial Body with outrigger housings, suitable for installing on any 4x2 chassis with an appropriate CA dimension of 120 inches, built in accordance with the following specifications: | 1 | |
|-----|---|---|--|
- A. Basic body fabricated from A40 grade 100% zinc alloy steel.
 - B. All doors are full, double paneled, self-sealed with built-in drainage for maximum weather-tightness. Stainless steel hinge rods extend full length of door.
 - C. All doors are to contain stainless steel flush type, single point, two-stage rotary paddle latches with recessed handles, including keyed locks and strikers. door latches are bolted to the outer door panel.
 - D. Heavy-gauge welded steel frame construction with structural channel crossmembers and tread plate floor.
 - E. All edges are either rolled or folded for strength and safety.
 - F. Integrated door header drip rail at top for maximum weather protection.
 - G. Fender panels are either roll formed or have neoprene fenderettes mechanically fastened.
 - H. Steel treated for improved primer bond and rust resistance.
 - I. Automotive underseal applied to entire underside of body.
 - J. Automotive type non-porous door seals mechanically fastened to the door facing.
 - K. 170 inch overall body length.
 - L. 94 inch overall body width.
 - M. 46 inch overall body height.
 - N. 18 inch body compartment depth.
 - O. Body finish paint color - Altec White.
 - P. Finish paint body at body manufacturer.
 - Q. 2 inch x 6 inch drop-in wood cargo retaining board at rear of body.
 - R. 2 inch x 6 inch drop-in wood cargo retaining board at top of side access step.
 - S. Gas shock type rigid door holders for vertical doors.
 - T. Standard master body locking system.
 - U. One (1) wheel chock holder installed in fender panel on each side of body.
 - V. Hotstick shelf extending from rear of first vertical to rear of body on streetside.
 - W. Two (2) hotstick brackets installed on street side.
 - X. Large side hinged hotstick door for multiple shelves on streetside.
 - Y. 1st vertical street side (LH) - Three (3) adjustable shelves with removable dividers on 4 inch centers.
 - Z. 2nd vertical street side (LH) - Six (6) locking swivel hooks on adjustable rails.

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	1-4-1 configuration.		
AA.	3rd vertical street side (LH) - Six (6) locking swivel hooks on adjustable rails.		
	1-4-1 configuration.		
AB.	1st horizontal street side (LH) - One (1) fixed shelf extending through rear vertical.		
AC.	Rear vertical street side (LH) - Outrigger housing.		
AD.	1st vertical curb side (RH) - Three (3) adjustable shelves with removable dividers on 4 inch centers.		
AE.	2nd vertical curb side (RH) - Six (6) locking swivel hooks on adjustable rails. 1-4-1 configuration.		
AF.	3rd vertical curb side (RH) - Gripstrut access steps with two (2) sloped grab handles.		
AG.	1st horizontal curb side (RH) - Two (2) fixed shelves with removable dividers on 8 inch centers.		
AH.	Rear Vertical curb side (RH) - Outrigger housing.		
AI.	Curbside compartment top access step installed in the cargo area 7 inches behind side access step.		
AJ.	24 inch long x 94 inch wide steel tailshelf with 3 inch high retainer rail around sides and rear, installed at rear of body.		
33.	Manually actuated outrigger control valve mounting provisions located under rear corners of body/tail shelf. Control boxes protected by eyebrows and lower handle guards.	1	
<u>Body and Chassis Accessories</u>			
34.	24" L Steel Tailshelf, Width To Match Body	1	
35.	3" Fixed Retaining Rail On Sides And 4" Removable Wood At Rear	1	
36.	Cable Step Installed At Rear, Single Step	2	
37.	Rigid Step Mounted Beneath Side Access Steps (Installed To Extend Approx. 2" Outward)	1	
38.	Compartment Top Access Step from Body Floor	1	
39.	Platform Access Step From Top of Body Compartment	1	
40.	U-Shaped Grab Handle	2	
41.	ICC (Underride Protection) Bumper Installed At Rear	1	
42.	T-125 Style Pintle Hitch (30,000 LB MGTW with 6,000 LB MVL)	1	
43.	Set Of D-Rings for Trailer Safety Chain, installed one each side of towing device mount.	1	
44.	Glad Hands At Rear, Straight Type	1	
45.	Post Style Cone Holder Installed centered on the front bumper.	1	
46.	Ring Style Cone Holder For Installation On A Front Bumper Installed under the tailshelf, curbside.	1	
47.	Platform Rest, Rigid with Rubber Tube	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
48.	Lower Boom Rest Weldment	1	
49.	Mounting Brackets for Lights, Located on Lower Boom Rest	1	
50.	Outrigger Pad Holder, 25" L x 25" W x 5" H, Fits 24.5" x 24.5" x 4" And Smaller Pads, Bolt-On, Bottom Washout Holes, 3/4" Lip Retainer	4	
51.	Pendulum Retainers For Outrigger Pad Holders	4	
52.	Wheel Chocks, Rubber with Metal Hairpin Style Handle, 9.75" L X 7.75" W X 5.00" H (Pair)	1	
53.	Water Cask 5 Gallon (Plastic)	1	
54.	Water Cask Bracket Only, For 3 or 5 Gallon (Sheet Metal) Mount on front curb side outrigger leg.	1	
55.	Mud Flap Without Altec Logo (Pair)	1	
56.	Safety Harness & 4.5 FT Lanyard (Medium To X-large)	2	
57.	5 LB Fire Extinguisher With Light Duty Bracket, Installed Per DEPS 042 (In Cab or Inside Compartment Only) Install 1st Vertical SS.	1	
58.	Triangular Reflector Kit, Installed	1	
59.	Slope Indicator Assembly For Machine With Outriggers	1	
60.	Barricade Holders (Set Of Four Flag Holders One Mounted At Each Corner Of Truck) TRUCK SAFETY BARRIER KIT; WITH 4' ARMS, Altec pn 814000372.	1	
61.	Vinyl manual pouch for storage of all operator and parts manuals	1	
<u>Electrical Accessories</u>			
62.	Altec Standard Multi-Point Grounding System	6	
63.	Grounding Reel, Automatic Retracting, Hannay - Holds #2 GA, #1/0 GA (Max 75'), Or #2/0 GA Cable (Max 65') Located on the streetside of the tailshelf paying out rear.	1	
64.	Grounding Cable, 1/0 GA Yellow Jacketed Cable	50	
65.	Grounding Clamp, Aluminum C-Clamp Style With Smooth Jaws (Includes Ferrule and Heat Shrink Tubing)	1	
66.	Straight Stainless Steel Grounding Lug Grounding lug under tailshelf, on streetside same as grounding reel.	1	
67.	Lights and reflectors in accordance with FMVSS #108 lighting package. (Complete LED, including LED reverse lights)	1	
68.	Altec Standard Amber LED Strobe Light with Brush Guard Mount on lower boom rest light mounting tubes, one each side.	2	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
69.	4-Corner Strobe Lighting, Amber LED, Two (2) Surface Mounted Lights in Front Bumper and Two (2) Round Grommet Mounted Lights at Rear	1	
70.	Remote Spot Light, LED, Permanent Mount with Programmable Wireless Remote Mount on lower boom rest, one each side and to inside of strobe lights.	2	
71.	Dual Tone Back-Up With Outrigger Motion Alarm	1	
72.	PTO Hour Meter, Rectangular With 10,000 Hour Display	1	
73.	6-Way Trailer Receptacle (Pin Type) Installed At Rear	1	
74.	7-Way Trailer Receptacle (Pin Type) Installed At Rear	1	
75.	Altec Modular Panel System (AMPS) - Includes Mounting Panel and Accessory Switches	1	
76.	Power Distribution Module Is A Compact Self-Contained Electronic System That Provides A Standardized Interface With The Chassis Electrical System. (Includes Operator's Manual)	1	
77.	Additional Electrical Accessory Provide 120 Amp Main Circuit Breaker in lieu of 100 Amp.	1	
<u>Finishing Details</u>			
78.	Focus Factory Build	1	
79.	Delivery Of Completed Unit	1	
80.	AM55 FA Installation	1	
81.	Powder Coat Unit Altec White	1	
82.	Finish Paint Body Accessories Above Body Floor Altec White	1	
83.	Altec Standard; Components mounted below frame rail shall be coated black by Altec. i.e. step bumpers, steps, frame extension, pintle hook mount, dock bumper mounts, D-rings, receiver tubes, accessory mounts, light brackets, under-ride protection, etc. Components mounted to under side of body shall be coated black by Altec. i.e. Wheel chock holders, mud flap brackets, pad carriers, boxes, lighting brackets, steps, and ladders.	1	
84.	Apply Non-Skid Paint to all walking surfaces	1	
85.	English Safety And Instructional Decals	1	
86.	Vehicle Height Placard - Installed In Cab	1	
87.	Dielectric test unit according to ANSI requirements.	1	
88.	Stability test unit according to ANSI requirements.	1	
89.	Placard, HVI-22 Hydraulic Oil	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
<u>Chassis</u>			
90.	Chassis	1	
91.	Altec Supplied Chassis	1	
92.	2016 Model Year	1	
93.	International 4300	1	
94.	4x2	1	
95.	Other Clear Cab To Axle Length 132" Clear (effective) CA	1	
96.	Regular Cab	1	
97.	Set Back Axle	1	
98.	Chassis Color - White NAV9036	1	
99.	Other Chassis Wheelbase Length -	1	
100.	Maxxforce DT	1	
101.	Other HP Rating 300 HP	1	
102.	Allison 3500 RDS Automatic Transmission	1	
103.	GVWR 33,000 LBS	1	
104.	13,000 LBs Front Axle Rating	1	
105.	20,000 LBs Rear Axle Rating	1	
106.	11R22.5 Front Tire	1	
107.	11R22.5 Rear Tire	1	
108.	Air Brakes	1	
109.	07BEJ - International Recommended Exhaust (Right-Horizontal-Undercab-Vertical)	1	
110.	12VZA - International PTO Throttle Wiring	1	
111.	International Heavy Duty Tail Light Wiring (08HAB)	1	
112.	International Transmission Dipstick Relocated to RH Side Of Transmission (13WGH)	1	
113.	No Prewire Chassis	1	
114.	No Idle Engine Shut-Down Required	1	
115.	No California Emission Requirements	1	
116.	120,000 Yield Strength (PSI)	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
117.	Air Conditioning	1	
118.	AM/FM Radio	1	
119.	Driver Controlled Locking Differential	1	
120.	Air Ride Drivers Seat	1	
121.	Other Seat Options Passenger seat to be vinyl bench.	1	
122.	Additional Chassis Option 70MPH Gear Speed	1	
Chassis Total:			71,303.00

Additional Pricing

123.	Third Party Titling	1	
124.	Standard Altec Warranty: One (1) year parts warranty, one (1) year labor warranty, ninety (90) days warranty for travel charges, limited lifetime structural warranty	1	

Unit / Body / Chassis Total	187,715.31
FET Total	0.00
Total	187,715.31

Altec Industries, Inc.

BY _____

Scott Kamler

Notes:

- 1 Altec Standard Warranty:
- One (1) year parts warranty.
- One (1) year labor warranty.

Ninety (90) days warranty for travel charges.

Warranty on structural integrity of the following major components is to be warranted for so long as the initial purchaser owns the product: Booms, boom articulation links, hydraulic cylinder structures, outrigger weldments, pedestals, subbases and turntables.

Bidder is to supply a self-directed, computer based training (CBT) program. This program will provide basic instruction in the safe operation of this aerial device. This program will also include and explain ANSI

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and OSHA requirements related to the proper use and operation of this unit.

Altec offers its standard limited warranty with the Altec supplied components which make up the Altec Unit and its installation, but expressly disclaims any and all warranties, liabilities, and responsibilities, including any implied warranties of fitness for a particular purpose and merchantability, for any customer supplied parts

Altec designs and manufactures to applicable Federal Motor Vehicle Safety and DOT standards

- 2 Altec takes pride in offering solutions that provide a safer work environment for our customers. In an effort to focus on safety, we would like to ensure that the following items are offered to you as part of the attached quotation package:

Outrigger pads (When Applicable)
Fall Protection System
Fire extinguisher/DOT kit
Platform Liner (When Applicable)
Back up alarm
Wheel Chocks

The aforementioned equipment is traditionally offered in our new equipment quotations, unless requested otherwise by the customer. If you find that any of these items have not been listed as priced options in the body of your quotation and are required by your company, we would encourage you to contact your Altec Account Manager and have an updated quotation developed for you. These options must be listed as individual options in the body of the quotation for them to be supplied by Altec.

- 3 Unless otherwise noted, all measurements used in this quote are based on a 40 inch (1016mm) chassis frame height and standard cab height for standard configurations.

- 4 F.O.B. - Customer Site

- 5 Changes made to this order may affect whether or not this vehicle is subject to F.E.T. A review will be made at the time of invoicing and any applicable F.E.T. will be added to the invoice amount.

- 6 Price does not reflect any local, state or Federal Excise Taxes (F.E.T). The quote also does not reflect any local title or licensing fees. All appropriate taxes will be added to the final price in accordance with regulations in effect at time of invoicing.

- 7 Interest charge of 1/2% per month to be added for late payment.

- 8 Delivery: 240-270 ARO days after receipt of order PROVIDING:
A. Order is received within 14 days from the date of the quote. If initial timeframe expires, please contact your Altec representative for an updated delivery commitment.
B. Chassis is received a minimum of sixty (60) days before scheduled delivery.
C. Customer approval drawings are returned by requested date.
D. Customer supplied accessories are received by date necessary for compliance with scheduled delivery.
E. Customer expectations are accurately captured prior to releasing the order. Unexpected additions or changes made at a customer inspection will delay the delivery of the vehicle.

Altec reserves the right to change suppliers in order to meet customer delivery requirements, unless specifically identified, by the customer, during the quote and or ordering process.

- 9 Trade-in offer is contingent upon equipment being maintained to DOT (Department of Transportation) operating and safety standards. This will include, but not limited to tires, lights, brakes, glass, etc. If a trade-in is not maintained to DOT standards, additional transportation expenses will apply and could be

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And Opportunity of Serving You

invoiced separately.

All equipment, i.e., jibs, winches, pintle hooks, trailer connectors, etc., are to remain with the vehicle unless otherwise agreed upon in writing by both parties. Altec Industries reserves the right to re-negotiate its trade-in offer if these conditions are not met.

Customer may exercise the option to rescind this agreement in writing within sixty (60) days after receipt of purchase order. After that time Altec Industries will expect receipt of trade-in vehicle upon delivery of new equipment as part of the terms of the purchase order.

Titles for trade-in equipment should be given to the appropriate Altec Sales associate or forwarded to Altec Nueco at address 1730 Vanderbilt Road, Birmingham, AL 35234.

- 10 This quotation is valid until FEB 06, 2015. After this date, please contact Altec Industries, Inc. for a possible extension.
- 11 After the initial warranty period, Altec Industries, Inc. offers mobile service units, in-shop service and same day parts shipments on most parts from service locations nationwide at an additional competitive labor and parts rate. Call 877-GO-ALTEC for all of your Parts and Service needs.
- 12 Please email Altec Capital at finance@altec.com or call 888-408-8148 for a lease quote today.
- 13 Please direct all questions to Walter Ross Doga at (816) 364-2244



AGENDA ITEM 13

DATE OF MEETING: February 5, 2015	DATE SUBMITTED: February 2, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	ORDINANCE: ☒ 1ST READING ☐ 2ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas		
SUMMARY STATEMENT: As discussed with you several times over the past year, we will be holding a Special Election in May to amend the City's Charter. There will be 23 propositions submitted to the voters for approval. As required by the Texas Local Government Code, a charter amendment election must be ordered by ordinance. The attached ordinance specifically defines each measure to be voted on.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance ordering the Special Election		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its first reading ordering a Special Election on May 9, 2015 for the purpose of submitting to the qualified voters of Brenham certain proposed amendments to the existing charter of the City of Brenham, Texas		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY OF BRENHAM REGULAR GENERAL ELECTION ON MAY 9, 2015, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO THE QUALIFIED VOTERS OF BRENHAM, TEXAS FOR CERTAIN PROPOSED AMENDMENTS TO THE EXISTING HOME RULE CHARTER OF THE CITY; STATING PROPOSED AMENDMENTS TO BE VOTED UPON AT SAID ELECTION; DESIGNATION OF EARLY VOTING DATES AND TIMES AND POLLING PLACES OF SAID ELECTION; PROVIDING THE FORM OF THE BALLOT AND DIRECTING THAT THE NOTICE OF ELECTION BE GIVEN; PROVIDING FOR FISCAL IMPACT ESTIMATES; CONTAINING OTHER PROVISIONS REQUIRED BY THE TEXAS ELECTION CODE; DIRECTING PUBLICATION AS REQUIRED BY LAW; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Texas Local Government Code, Section 9.004(b) provides that he ordinance ordering a charter amendment election shall provide for the special election to be held on the first authorized uniform election date prescribed by the Texas Election Code or on the earlier of the date of the next municipal general election of presidential general election; and

WHEREAS, May 9, 2015 is the date provided for in the Texas Election Code for the next regular general election in the City of Brenham, Texas, therefore the City is authorized to order a charter amendment special election to be held on May 9, 2015; and

WHEREAS, Article VII, Section 4 of the Home Rule Charter of the City of Brenham provides for amending the Charter and having the amendments submitted to the voters; and

WHEREAS, the Home Rule Charter election shall be held and conducted in accordance with Sections 9.001, 9.004 and 9.005 of the Texas Local Government Code and all other applicable election laws; and

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

SECTION 1.
GENERAL PROVISIONS

That a Special Election shall be held on May 9, 2015 for the purpose of submitting ballot propositions to the qualified voters of the City of Brenham, Texas for proposed amendments to the existing Home Rule Charter.

Subsection A: That a Special Election shall be held in the City of Brenham, Texas on the 9th day of May, 2015 at which election ballot propositions for proposed amendments to the City of Brenham Home Rule Charter shall be voted upon by the resident qualified voters of the City of Brenham.

Subsection B: That early voting by personal appearance in said election shall be conducted every weekday at the **Washington County Annex Building**, 100 S. Park Street, Brenham, Texas, as follows:

**Monday, April 27, 2015 through Tuesday, May 5, 2015
from 8:00 a.m. to 5:00 p.m., provided, however that
Early Voting shall be conducted for twelve (12) hours
on the following weekdays:**

**Monday, May 4, 2015 and Tuesday, May 5, 2015
8:00 a.m. to 8:00 p.m.**

Subsection C: That all applications for ballots by mail shall be mailed to:

**Jeana Bellinger, TRMC
Early Voting Clerk & City Secretary
City of Brenham
P.O. Box 1059
Brenham, Texas 77834-1059**

All applications for ballots by mail must be received no later than the close of business at 5:00 p.m. on Thursday, April 30, 2015.

Subsection D: That said election shall be held at the following designated voting places in the City of Brenham, Texas, for voters of the particular Wards:

Ward 1: American Legion Post 48
 903 N. Park Street
 Brenham, Texas

Ward 2: City of Brenham City Hall
 200 W. Vulcan Street
 Brenham, Texas

Ward 3: Brenham Junior High Band Hall
1200 Carlee Drive
Brenham, Texas

Ward 4: Blinn Jr. College Student Center
1007 Walter Schwartz Way
Brenham, Texas

Subsection E: That said election shall be held in accordance with the provisions of the Constitution and Laws of the State of Texas, and only duly qualified residents of the City of Brenham shall be allowed to vote.

Subsection F: Notice of said election shall be given as provided by in the Texas Election Law and the Texas Local Government Code.

Subsection G: The City Secretary is hereby authorized and instructed to publish notice of said election as required by law.

Subsection H: There shall be placed on the official ballot the following proposed amendments to the City Charter for the City of Brenham, Texas, and the ballot shall provide that the voter may approve or disapprove the propositions which are stated individually as follows:

AMENDMENT NO. 1

SHALL ARTICLE II, SECTIONS 7 AND 10; ARTICLE III, SECTIONS 7, 10A AND 13; ARTICLE IV, SECTIONS 1, 5, 6, 7 AND 9; ARTICLE V, SECTION 3; ARTICLE VI, SECTIONS 2 AND 5-17; AND ARTICLE VII, SECTIONS 7, 9, 10 AND 20G OF THE BRENHAM CITY CHARTER REGARDING GRAMMAR CORRECTIONS, SPELLING CORRECTIONS, PUNCTUATION CORRECTIONS, DELETION OF RESERVED SECTIONS AND RENUMBERING, AND VOCABULARY CHANGES BE AMENDED AS FOLLOWS?

ARTICLE II. POWERS

Sec. 7. Ownership of public utilities.

Said City shall have the power to buy, own, construct, and to maintain and operate, within or without the City limits the following public utilities: water systems, gas systems, electric systems, telephone, radio or television systems, street railways, sewer systems, sewage plants, fertilizing plants, municipal bus or railway terminals, or garbage systems, and to demand and receive compensation for service furnished by the City for private purposes and otherwise, and to have the power to regulate, by ordinance, the collection of compensation for such service. That said City shall have the power to acquire by lease, purchase or condemnation, the property of any person, firm or corporation, now or hereafter conducting any such business, for the purpose of distributing such service throughout the City, or any portion thereof; provided the City shall never purchase or sell any such public utility without first submitting the same to a vote of ~~a~~the qualified voters of the City and further provided that no vote shall be required where the City leases the operation of a public utility to a private party.

Sec. 10. Powers of local self~~_-~~government.

It is contemplated and intended by the adoption of this Charter to confer, and is hereby conferred, upon the City of Brenham, the full power of local self~~_-~~government and the enumeration of and reference to the powers hereinabove made, or that hereinafter may be made, shall never be construed to preclude, by implication or otherwise, the said City of Brenham from exercising any and all powers incident to the full enjoyment of local self~~_-~~government provided that such powers shall not be ~~inhabited~~inhibited by the Constitution of the State of Texas.

ARTICLE III. THE CITY COUNCIL

Sec. 7. Elective positions.

The elective officers of the City shall consist of the seven (7) Councilmembers as follows: The Mayor and the two (2) other Councilmembers elected from the City at large (these two (2) other Councilmembers' positions being designated as Councilmember, Place Five-at-Large, and Councilmember, Place Six-at-Large); and a Councilmember elected from each of the four (4) wards of the City as hereinafter established (these Councilmembers to be designated as Councilmember, Place One-Ward One, Councilmember, Place Two-Ward Two, Councilmember, Place Three-Ward Three, and Councilmember, Place Four-Ward Four) each of whom shall be elected to the office for which he is a candidate by the qualified voters of that particular ward.

Sec. 10A. Runoff elections.

In the event any candidate for the Council (including the Mayor) fails to receive a majority of all votes cast for his particular office, at any regular or special election, the Mayor or, if he fails to do so, the Council shall on the first day following the completion of the official count of ballots cast the first election order a runoff election to be held within thirty (30) days following the preceding election, at which election the two (2) candidates ~~that received~~receiving the highest number of votes cast for such particular office in the first election, at which no one was elected to such office by receiving a majority of all votes cast for all candidates for such particular office, shall be voted on again. ~~The, and the~~ candidate who receives the majority of the votes cast for the particular office in the runoff election shall be elected to such office and shall take office as soon thereafter as he is qualified. In runoffs for the office of Mayor or Councilmembers elected at large, the registered voters of the city as a whole shall vote. In runoffs of Councilmembers for single wards, being any of the Councilmembers from Ward One, Ward Two, Ward Three or Ward Four, only those registered voters in the particular ward shall vote in the runoff election for that particular position.

Sec. 13. Organizational meeting; holding other meetings.

Within fourteen (14) days after the election of the Councilmembers, the City Council shall meet in the Council Chamber of the City Hall, at which time the Councilmembers-elect shall qualify and assume the duties of their offices. Thereafter the ~~Councilmembers~~ City Council shall meet at such time as prescribed by ordinance or resolution, but they shall meet at least once each month.

ARTICLE IV. THE CITY MANAGER; FINANCES

Sec. 1. Appointment; position; qualifications; removal.

The City Council shall appoint a City Manager, who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. He shall be chosen upon qualification and fitness for the exercise of his duties. He may or may not be a resident of the City of Brenham when appointed, but shall establish his residence within the City as directed by the City Council. The City Council may engage a City Manager by agreement for a term not to exceed one year; however, the City Manager is subject to removal ~~shall be removable at any time, with or without cause, by City Council.~~

Sec. 5. Keeping of accounts and financial records~~books~~.

The City's accounts shall be kept in such a manner as to show fully at all times the financial condition of the City, and the financial records~~books~~ shall at all times be available~~open~~ to the public for inspection.

Sec. 6. Accounting procedure.

Accounting procedure shall be devised and maintained for the City, adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of the City's assets~~anything of value~~, including cash receipts, credit transactions and disbursements; and the recorded facts shall be presented periodically to the City Council~~officials~~ and to the public in such summaries and analytical schedules in detailed support thereof as shall be necessary to show the full effect of such transactions for each fiscal year upon the finances of the City and in relation to each department of the City government, including distinct summaries and schedules for each public utility owned and operated.

Sec. 7. Audit.

The City Council shall cause an audit of the books of account, and of all records and transactions of the administration of the affairs of the City; such audit shall be made annually embracing each fiscal year and shall be made by an accountant to be selected by the Council. The duty of the accountant shall include the certification of all statements required in section 56 herein; summaries of income and expenditures and also comparison, on proper classification, with the last previous audit; such summaries shall be filed with the City Secretary for public inspection within ten (10) days after the completion of such audit.

Sec. 9. Issuance of checks for payroll and other claims.

No check for the payment of payroll or of any claim shall be issued by the City unless such claims shall be evidenced by an itemized account, in accordance with approved City Budget including amendments, approved by the signature of the City Manager or his designee, and all checks shall be signed by any two of the following: Mayor, City Secretary, City Manager and the Chief Financial Officer.

ARTICLE V. IMPROVEMENT BONDS

Sec. 3. Maximum period; signing; specifying places and times of payment; approval by state officials; issuance.

Said bonds shall be issued for a period of time not to exceed forty (40) years; shall be signed by the Mayor, countersigned by the person acting in the capacity of City Secretary, and both principal and interest shall be payable at such places and times as may be fixed by the ordinance of the governing authority. All such bonds shall be submitted to the Attorney-General of the State for his approval and the Comptroller for ~~resignation~~ registration, as provided by the State law; provided, that any such bonds, after approved, may be issued by the City, either optional or serial, or otherwise, as may be deemed advisable by the governing authority.

ARTICLE VI. TAXATION

Sec. 2. Ordinance raising tax rate; election.

The City Council shall have the power and is hereby authorized at any time to propose an ordinance for the levy and collection of taxes on the assessed valuation of all property within the corporate limits of the City not exempt from taxation by the Constitution and laws of this State at a greater rate on the one hundred dollar (\$100.00) valuation than that provided in section 1 hereof not to exceed the rate allowed by the Constitution and laws of this State, which proposed ordinance shall be submitted to a vote of the qualified property tax-paying voters of the City for adoption or rejection.

If any election is to be held at a date not more than thirty (30) days nor less than ten (10) days after such ordinance has been proposed, such proposed ordinance shall be submitted by the Council to a vote of the qualified property tax-paying electors at such election, but if no such election is to be held within such time, then the Council shall provide for submitting such proposed ordinance for adoption or rejection to such electors at a special election to be held not less than twenty (20) nor more than forty (40) days thereafter. The form of ballot for use in an election held for adoption of such proposed ordinance shall state the title of the ordinance and contain a succinct statement of its nature and purpose and below such statement on separate lines there shall be printed the words:

FOR THE ORDINANCE

AGAINST THE ORDINANCE

If a majority of such ~~voter~~selectors voting in such election shall vote in favor thereof it shall thereupon become an ordinance of the City.

Sec. 35. Occupation tax.

The City shall have the power to levy and collect occupation taxes consonant with the Constitution and laws of the State of Texas, and shall authorize the granting and issuance of licenses and shall direct the manner of issuing and registering the same and fix the fees thereafter, but no license shall be issued for a longer period than one year and shall not be assignable except by permission of the governing authority of the City.

Sec. 46. Franchise tax; corporation tax.

The City shall have the power, annually, to levy and collect a franchise tax against any corporation using and occupying the public streets or grounds of the City, separately from the tangible property of such corporation, and to levy and collect, annually, upon the property and shares of corporations, companies and corporate institutions, as the same are now or may be assessed by the State laws and shall have full power to enforce the collection of such taxes.

Sec. 57. Tax lists, inventories, appraisements, rendition.

The City shall have the power to regulate the manner and mode of making out tax lists, inventories and appraisements of property therein, and to prescribe the oath that shall be administered to each person rendering property for taxation and to prescribe how, when and where property shall be rendered, and to prescribe the number and form of assessment rolls and to adopt such measures as may be deemed advisable to secure the assessment of all property within the City limits and to collect taxes thereon and may provide a fine upon all persons failing, neglecting or refusing to render their property for taxation, and to do any and all things necessary or proper to render effectual the collection of moneys for taxation.

Sec. 6-8. Rendition, etc., as to omitted property.

The City shall have the power to provide for the rendition of unrendered property for taxation, and levy and assess taxes thereon annually, and to provide for the rendition, levy and assessment of taxes for previous years on the property omitted from taxation in the manner provided by State law of this State.

Sec. 79. Property subject to taxation; lien generally.

All real, personal or mixed property held, owned or situated in the City of Brenham shall be liable for all municipal taxes, due by the owner thereof, including taxes on real estate, franchises, personal and mixed property taxes, and all other municipal taxes of whatsoever character, provided that no delinquent poll tax shall ever be a lien against real estate. Such municipal taxes are hereby declared to be a lien, charge and encumbrance upon the property so that taxes and special assessments shall be a prior lien to all other claims, sales, assignments, transfers, gifts and judicial writs. Said lien shall exist from the first day of January of each year until all such taxes have been paid; and such lien against any real estate which, for any cause, has failed to be assessed for one or more years shall be good and effective for every year for which assessment has so failed.

Sec. 84. Liability of personal property.

Personal property of all persons, firms or corporations owing any taxes to the City of Brenham is hereby made liable for all such taxes and subject to seizure and sale, whether the same be upon personal or real property or upon both.

Sec. 94. Time of levying.

The governing authority of the City, at its first meeting in September of each year, or as soon thereafter as practicable, shall levy the annual tax for such year, but special taxes or assessments allowed by this Charter may be levied, assessed and collected at such times as the governing authority may provide; provided, that should the governing authority fail or neglect to levy the annual tax herein provided for any one year the annual tax levy for the preceding year last made by said governing authority shall and will be considered in force and effect as the tax levy for the year for which no annual tax was made.

Sec. 102. Providing for collection.

The City shall have full power to provide for the prompt collection, by suit or otherwise, of taxes assessed, levied and imposed, and is hereby authorized, and to that end shall have full power and authority to sell, or cause to be sold, all kinds of property, real and personal, and shall make such rules and regulations and enact all such ordinances as are deemed necessary for the collection of any taxes provided in this Charter.

Sec. 113. City not required to give bond; payments to city to be in legal currency.

It shall not be necessary in any action, suit or proceeding, in which the City shall be a party, for any bond, undertaking, or security to be executed in behalf of the City. Nothing of value nor anything save money current of the United States shall be received in payment of taxes, fines, forfeitures, penalties and debts due and owing to said City.

Sec. 124. Control of finances.

The City Council shall have the power to control and manage the finances of the City, to provide its fiscal year arrangements.

Sec. 135. Disposition of tax money collected.

All moneys arising from the collection of taxes by the City shall be divided into such funds and be designated as such funds as the Council may deem proper.

Sec. 146. Effect of irregularities in assessment rolls.

No irregularities in the time or manner of making or returning the City assessment rolls or the approval of such rolls shall invalidate any assessment.

Secs. 157 - 20—19. Reserved.

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 7. Same—Purpose.

The City is divided and established into wards for the purpose of securing a more equal distribution of representation on the City Council by the people of the whole City. Newly annexed territory shall be added to the adjacent Ward as City Council may provide. No person shall be a candidate for Councilmember from any ward of the City unless he shall have been, for twelve (12) months preceding the date of the election at which he is a candidate, a resident of the ward represented by the office to which he aspires, and must possess the other qualifications as prescribed in this Charter; provided, however, that the qualifications as to residence in any one ward shall not apply to the Mayor or at-large Councilmembers. Any candidate, Mayor or Councilmember who during his candidacy or term of office moves his place of residence from the city or the ward in which he represents ipso facto forfeits his right to such office.

Sec. 9. Official bonds.

The person exercising the duties of the City Tax Collector shall give an official bond in such sum as may be prescribed by the City Councilmembers from time to time; such bond shall be payable to the City of Brenham and shall, in each instance, be conditioned for the faithful discharge of the duties of such officer, and for the faithful accounting of all moneys, claims and things of value coming into the hands of such officer. Such bond shall be procured from some regular accredited surety company authorized to do business under the laws of the State of Texas, and the premiums to such surety company shall be paid by the City of Brenham, provided that the City Council may by ordinance, require official bonds from any other appointive officers of the City in such amounts and conditioned as they may deem best for the efficiency of the public service. All official bonds shall be surety company bonds and shall be approved by the City Council and filed and recorded with the person exercising the duties of City Secretary.

Sec. 10. Official oaths.

Every officer of the City shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas for County officials.

Sec. 20G. Power of recall.

The people of the city reserve the power to recall any elected official, including the Mayor or other Councilmembers, of the City of Brenham, and may exercise such power by filing with the City Secretary a petition, signed by qualified voters of the City equal in number to at least thirty (30) per cent of the qualified voters of the city, demanding the removal of such elective officer or officers in case of the Mayor and other ~~Commissioners~~ City Councilmembers voted on at large. In case of ~~Commissioners~~ City Councilmembers elected from particular wards, the petition shall be signed by the qualified voters of the particular ward in number equal to at least thirty (30) per cent of the qualified voters of the particular ward, demanding the removal of such elected Councilmember. The petition shall be signed and verified in the manner required for an initiative petition, shall contain a general statement of the grounds for which the removal is sought, and one of the signers of each petition paper shall make an affidavit that the statements therein made are true.

AMENDMENT NO. 1 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 1

☐ YES

☐ NO

Shall the Brenham City Charter be amended by 1) making corrections to grammar, spelling and punctuation errors throughout all Articles of the Charter; 2) deleting reserved sections of the Charter throughout all Articles of the Charter and renumbering the sections due to deletions and other revisions as necessitated by other propositions on this ballot that are approved by the voters; and 3) making nonsubstantive vocabulary changes throughout all Articles of the Charter in order to use modern and consistent terminology, titles, and labels, which shall include but not be limited to, changing the references to members of the governing body from “Commissioners” to “City Councilmembers,” as well as applying such consistent and modern terminology, titles, and labels to other propositions on this ballot that are approved by the voters?

AMENDMENT NO. 2

SHALL ARTICLE III, SECTION 6; ARTICLE V, SECTION 4; ARTICLE VI, SECTIONS 2, 9 AND 20; AND ARTICLE VII, SECTIONS 4, 10, 16, 18, 19, AND 20C OF THE BRENHAM CITY CHARTER REGARDING UPDATING REFERENCES TO LAWS, DELETION OF PROVISIONS THAT ARE INCONSISTENT WITH OR PREEMPTED BY CURRENT LAW, AND DELETION OF REFERENCES TO OBSOLETE LAWS, BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 6. Qualifications to hold office of Mayor, Councilmembers and other officers and employees; conflict of interests.

The Mayor and each Councilmember shall be resident citizens of the City of Brenham, have the qualifications of electors therein, be of a minimum age of twenty-one (21) when elected, and shall have been resident citizens of the City of Brenham and any ward they may represent for a period of twelve (12) months immediately preceding such election. The Mayor, Councilmembers and other officers and employees shall not be indebted to the City, and shall not be interested in the profits or emoluments of any contract, job, work or service for the municipality, or interested in the sale to the City of any supplies, equipment, material, or articles purchased. Any officer or employee of the City who shall cease to possess any of the qualifications herein required shall forthwith and ipso facto forfeit his office, and any such contract in which any officer or employee is or may become interested may be declared void by the City Council.

ARTICLE V. THE CITY COUNCIL

Sec. 4. Submitting to referendum.

Before the issuance of any bonds the same shall be submitted to a vote of the qualified property tax paying voters of the City as required by the General Laws of the State.

ARTICLE VI. TAXATION

Sec. 2. Ordinance raising tax rate; election.

The City Council shall have the power and is hereby authorized at any time to propose an ordinance for the levy and collection of taxes on the assessed valuation of all property within the corporate limits of the City not exempt from taxation by the Constitution and laws of this State at a greater rate on the one hundred dollar (\$100.00) valuation than that provided in section 1 hereof not to exceed the rate allowed by the Constitution and laws of this State, which proposed ordinance shall be submitted to a vote of the qualified property tax paying voters of the City for adoption or rejection.

If any election is to be held at a date not more than thirty (30) days nor less than ten (10) days after such ordinance has been proposed, such proposed ordinance shall be submitted by the Council to a vote of the qualified property tax-paying electors at such election, but if no such election is to be held within such time, then the Council shall provide for submitting such proposed ordinance for adoption or rejection to such electors at a special election to be held not less than twenty (20) nor more than forty (40) days thereafter. The form of ballot for use in an election held for adoption of such proposed ordinance shall state the title of the ordinance and contain a succinct statement of its nature and purpose and below such statement on separate lines there shall be printed the words:

FOR THE ORDINANCE

AGAINST THE ORDINANCE

If a majority of such electors voting in such election shall vote in favor thereof it shall thereupon become an ordinance of the City.

Sec. 9. Property subject to taxation; lien generally.

All real, personal or mixed property held, owned or situated in the City of Brenham shall be liable for all municipal taxes, due by the owner thereof, including taxes on real estate, franchises, personal and mixed property taxes, and all other municipal taxes of whatsoever character, ~~provided that no delinquent poll tax shall ever be a lien against real estate.~~ Such municipal taxes are hereby declared to be a lien, charge and encumbrance upon the property so that taxes and special assessments shall be a prior lien to all other claims, sales, assignments, transfers, gifts and judicial writs. Said lien shall exist from the first day of January of each year until all such taxes have been paid; and such lien against any real estate which, for any cause, has failed to be assessed for one or more years shall be good and effective for every year for which assessment has so failed.

~~Sec. 20. Sale and use tax increase.~~

~~The sales and use tax [is hereby increased] within the City for the development and operation of park facilities and the promotion and development of new and expanded business enterprises at the rate of three eighths of one percent under the Development Corporation Act, section 4B. The [increase in the] sales and use tax within the City at a rate of one eighth of one percent [will] be used to reduce the property tax rate.~~

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 4. Amending Charter.

This Charter, after adoption, may be amended in accordance with the provisions of ~~an Act of the Thirty Third Legislature of the State of Texas, entitled, "AN ACT AUTHORIZING CITIES HAVING MORE THAN FIVE THOUSAND INHABITANTS, BY A MAJORITY VOTE OF THE QUALIFIED VOTERS OF SAID CITY, AT AN ELECTION HELD FOR THAT PURPOSE, TO ADOPT AND AMEND THEIR CHARTERS", etc., approved April 7, 1913, and any acts amendatory thereto applicable state law, as amended.~~

Sec. 10. Official oaths.

All elected and appointed ~~Every~~ officers of the City shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas ~~for County officials.~~

Sec. 16. Public schools.

~~All laws in force pertaining to public free schools of the City of Brenham are hereby rendered in full force and effect and said schools shall be continued, managed and controlled as heretofore, and the Trustees of said public free schools shall be appointed according to the provisions of the above mentioned laws.~~

~~Means for the support and maintenance of the public free schools and for the purpose of procuring grounds and constructing and improving buildings for such public free schools shall be obtained according to the laws now in effect relating thereto.~~

Sec. 18. Council investigations.

The City Council may investigate the financial transactions of any office or department of the City government, and the acts and conduct of any official or employee. In conducting such investigation, the City Council may compel the attendance of witnesses, the production of checks and papers, and other evidence and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor, and which may be served and executed by any officer authorized by law to serve subpoenas or other process, or by any peace officer of the City. If any witness shall refuse to appear to testify to and facts within his knowledge, or to produce any papers or books in his possession, or under his control, relating to the matter under investigation before the City Council, the City Council shall have the power to cause the witness to be punished as for contempt, not exceeding a fine of one hundred dollars (\$100.00) ~~and three days in the City prison.~~ No witness shall be excused from testifying touching his knowledge of the matter under investigation in any such inquiry, but such testimony shall not be used against him in any criminal prosecution except for perjury committed upon such inquiry.

Sec. 19. ~~Vote on proposed charter.~~

~~This Charter shall be submitted to the qualified voters of the City of Brenham, for adoption or rejection, on the 7th day of September, A.D. 1920, at which election if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter then it shall become the Charter of the City of Brenham, until amended or repealed. It being impracticable to submit this Charter by sections, it is hereby prescribed that the form of ballot for use in such election shall be as follows, to-wit:~~

~~FOR THE ADOPTION OF THE CHARTER~~

~~AGAINST THE ADOPTION OF THE CHARTER~~

~~The present City Council of Brenham shall call such election and the same shall be conducted and returns made, and results declared as provided by the laws of the State of Texas governing municipal elections, and in case a majority of the votes cast at such election shall be in favor of the adoption of the Charter, then an official order shall be entered upon the records of said City, by the City Council of Brenham, declaring the same adopted, and the City Secretary shall record, at length, upon the records of the City, in a separate book to be kept in his office, for such purposes such Charter adopted, and such Secretary shall furnish to the Mayor a copy of such Charter so adopted, authenticated by his signature and the seal of the City, which copy of the Charter shall be forwarded by the Mayor of the City of Brenham to the Secretary of State, and shall show approval of such Charter by a majority vote of the qualified voters of the City of Brenham.~~

~~If such Charter shall be adopted, then it shall be the duty of the City Council, within ten (10) days after such election for the adoption of the Charter shall have been held, to call an election for the election of a Mayor and four (4) other Councilmembers, which election shall be ordered for the date provided by section 10 of Article III of this Charter, and to be held under the direction of the City Council, according to the laws of the State of Texas regulating municipal elections.~~

~~Within five (5) days after the election of all the City Councilmembers, they shall each take the oath of office and qualify as such Mayor and City Councilmembers and shall hold their respective offices until the first Tuesday in April, A.D. 1922, and until their successors are elected and qualified.~~

~~This the 26th day of July, A.D. 1920.~~

Sec. 20C. Form of petitions.

Initiative petition papers shall contain the full text of the proposed legislation in the form of an ordinance including a descriptive caption. Referendum petition papers shall contain a sufficient description of the ordinance sought to be referred to identify it, or if the ordinance has been passed by the Council, the full text of the ordinance sought to be referred shall be included in such petition papers. The signatures to the initiative or referendum petitions need not all be appended to one paper, but each signer shall sign his name in ink or indelible pencil, and shall add to his signature his place of residence by street and number ~~and the Serial Number that appears on his Poll Tax Receipt or Exemption Certificate~~ or such other document as may be prescribed by the laws of the State of Texas to identify qualified voters under any future legislation. One of the signers of each separate petition shall make an affidavit that he, and he only, personally circulated such petition and that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be.

AMENDMENT NO. 2 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 2

☐

YES

☐

NO

Shall the Brenham City Charter be amended by updating and correcting references to current state laws, deleting provisions of the Charter that are inconsistent with or preempted by current law, and deleting references to obsolete laws?

AMENDMENT NO. 3

SHALL ARTICLE I, SECTIONS 2, 3 AND 4 OF THE BRENHAM CITY CHARTER REGARDING BOUNDARIES AND ANNEXATION BE AMENDED AS FOLLOWS?

ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES

Sec. 2. Boundaries.

The City Council shall have the power by ordinance to establish the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory to the City, and the detachment or disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, detached or disannexed. The boundaries of the City shall be those established by ordinance~~The boundaries and limits of the City of Brenham, until changed as hereinafter provided, shall be as follows:~~

Situated in Washington County, Texas, and situated mostly on the A. Harrington League, a small strip of the west portion being of the Philip D. Coe League and a part in the northeast corner being in P & A Hope One Half League.

Beginning at a point in the middle of the north boundary one mile distant N 13 from center of the Court House Square which is the center of the City of Brenham. Thence S 77 W crossing the GC & SFR.R. at one mile to the northwest corner also crossing the line between the A. Harrington & Philip D. Coe Leagues. Thence with the west line of the City S 13 E crossing the H. & T.C.R.R. 3,800 vrs. or two miles to the southwest corner. Thence N 77 E crossing the aforesaid league line, also crossing the GC & SFR.R. at 3,800 vrs. or two miles to the southeast corner. Thence N 13 W crossing the H & TCR.R. and the P. & A. Hope One Half League Line at 3,800 vrs. or two miles distant to the northeast corner. Thence S 77 W crossing P. & A. Hope One Half League Line at 1,900 vrs. or one mile to the beginning corner comprising an area of 2,560 acres of land.

of the City Council enacted in accordance with the procedures provided for in applicable federal, state or other law. The City Secretary shall keep a correct and complete description of the city boundaries, indicating all annexations and disannexations.

Secs. 3 – 4. Reserved.

Sec. 3. Extension of boundaries.

The City Council shall have the power by ordinance to fix the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory adjacent to the City, and the detachment or disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, detached or disannexed. That upon the introduction of any such ordinance in the City Council, it shall be published in the form in which it may be finally passed, in a newspaper published in the City of Brenham at least one time, and said ordinance shall not thereafter be finally acted upon until at least ten (10) days have elapsed after the first publication thereof; and upon the final passage of any such ordinance, the boundary limits of the City shall thereafter be fixed in such ordinance; and when any additional territory has been so annexed, the same shall be part of the City of Brenham, and the property situated therein shall bear a pro rata part of the taxes levied by the City, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the City. Upon the final passage of any ordinance detaching or disannexing territory from the City, the corporate limits of the City shall be reduced by the territories so detached or disannexed. All of the annexing, detachment, or disannexing of any territory as provided for hereinabove shall be carried out in a manner not inconsistent with the procedural rules prescribed by Article 970 A, Chapter 1, Title 28, of the Revised Civil Statutes of the State of Texas, as heretofore or hereafter amended, the same being the "Municipal Annexation."

Sec. 4. [Platting and filing map of added territory].

~~Any territory added as authorized by section 3 of this article shall be platted into blocks and lots and the same shall be so laid off as to conform to the streets and alleys abutting on the same insofar as may be, and a correct map thereof shall be filed with the City Secretary or other lawful custodian of the City Papers and also with the County Clerk of Washington County. In no case shall the City of Brenham be required to pay for any streets or alleys when such territory is added, platted and opened. Upon the platting and filing of such map, all streets and alleys indicated thereon shall become the property of the City of Brenham for use as public highways.~~

AMENDMENT NO. 3 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 3

☐ YES

☐ NO

Shall Article I, Sections 2, 3 and 4 of the Brenham City Charter be amended by deleting the outdated description of the boundaries of the City of Brenham, deleting certain procedures and timelines for annexation and instead require that annexations be conducted in accordance with applicable law, and by deleting provisions concerning platting of annexed property as unnecessary due to existing state laws providing for and regulating municipal platting requirements and procedures?

AMENDMENT NO. 4

SHALL ARTICLE II, SECTIONS 1-6 OF THE BRENHAM CITY CHARTER REGARDING THE POWERS OF THE CITY OF BRENHAM BE AMENDED AS FOLLOWS?

ARTICLE II. POWERS

Sec. 1. Powers~~[Statutory powers generally].~~

~~All the powers conferred upon cities and towns by Title 22 of the Revised Civil Statutes of 1911, except as may hereafter be denied or limited, are hereby conferred upon the City of Brenham as fully and completely as if such powers were herein separately enumerated.~~The said City of Brenham shall have power to ordain and establish such act, laws, rules, regulations, resolutions, and ordinances, not inconsistent with the Constitution and laws of Texas and of this Charter, as shall be needful for the government, interests, health, welfare and good order of said City and its inhabitants. Under the name of the City of Brenham it shall be known in law and have succession and be capable of contracting and being contracted with, suing and being sued, impleading and being impleaded, answering and being answered unto, in all courts and tribunals, and in all amounts whatsoever, subject to the laws of the State of Texas, or which shall hereafter be passed.

The City of Brenham shall have the power to take, hold, lease, grant, purchase and convey such real property or mixed property or estate, situated within, or without, the limits thereof, as the purpose of said corporation may require and shall have and use a corporate seal, and change and renew the same at pleasure.

Sec. 2. Rights Reserved~~[Statutory powers as to Charter].~~

~~All the powers mentioned in and under section 4 of the Act of the Thirty Third Legislature of the State of Texas, pages 310 to 316 entitled: "AN ACT AUTHORIZING CITIES HAVING MORE THAN FIVE THOUSAND INHABITANTS BY A MAJORITY VOTE OF THE QUALIFIED VOTERS OF SAID CITY AT AN ELECTION HELD FOR THAT PURPOSE TO ADOPT AND AMEND THEIR CHARTERS," etc., and Chapter 17, Articles 1096a to 1096i, both inclusive, Title 22, Vernon Sayles Texas Civil Statutes 1914, are hereby conferred upon the City of Brenham as fully and completely as if each of said mentioned powers were herein separately enumerated.~~

If in any instance there should arise or be a conflict as to the powers mentioned in and conferred by sections 1 and 2 hereof the in such instance, the power or powers mentioned in and conferred by section 2 hereof shall control. All suits, taxes, penalties, fines, forfeiture, and all other rights, claims and demands, of every kind and character, which have accrued under the laws in favor of said city, heretofore in force governing the same, shall belong to and vest in said city and shall not abate by reason of the adoption or amendment of this Charter, and shall be prosecuted and collected for the use and benefit of said City of Brenham and shall not be in any manner affected by the taking effect of this Charter; but as to all of such rights, the laws under which they shall have accrued shall be deemed to be in full force and effect.

Sec. 3. Local self-government~~[Opening, etc., streets]~~.

~~Said City shall have the power to open, extend, straighten and widen any public street, avenue or alley and for such purpose to acquire the necessary land, by purchase or condemnation.~~The City of Brenham shall possess and may exercise the full power of local self-government. It may hold, by gift, deed, devise, or otherwise, any character of property, including any charitable or trust fund, and subject to and within the limits of superior law may act in perpetual succession as a body politic.

Sec. 4. ~~[Dominion, control and jurisdiction over streets, avenues, alleys and highways; sidewalk construction]~~Enumerated powers.

~~The City of Brenham shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys and highways of the City and to provide for the improvement thereof by paving, raising, grading, draining or otherwise, and to charge the cost of making such improvements against the abutting property, by fixing a lien against the same and a personal charge against the owner thereof, according to an assessment specially levied therefor; provided that in no event shall more than one-third (1/3) of the cost of such improvement be charged to the owner and made a lien against said abutting property; it being further provided that all street railways, steam railways and other railways shall pay the entire cost of improving said streets, avenues, alleys and highways between the rails and tracks of any such railway companies, and for a distance of two (2) feet on each side thereof.~~

~~Said city shall have the power to provide for the construction and building of sidewalks, and to charge the entire cost of the construction of said sidewalks, including the curb, against the owner of the abutting property and to make a special charge against the owner for such cost, and to provide by special assessments, a lien against such property for such cost.~~

~~Said City shall have the power to provide for the construction, improvement or repair of any such sidewalk, or the construction of any such curb, by penal ordinance, and to declare defective sidewalks to be a public nuisance. For greater certainty, the following are hereby especially enumerated and referred to as being among the other powers which are hereby conferred upon and which may be exercised by the City of Brenham, to-wit:~~

- A. All of the powers conferred upon cities and towns by Title 22 of the Revised Civil Statutes of Texas, 1911, except as may hereafter be denied, limited or extended, are hereby conferred upon the City of Brenham as fully and completely as if such powers were herein separately enumerated.

B. All powers, privileges and immunities conferred upon cities of more than five thousand inhabitants, by Section 4 of Chapter 147, Acts of the 33rd Legislature, General Laws Regular Session, at Page 310 to 316, entitled “An Act Authorizing Cities Having More Than Five Thousand Inhabitants, by a Majority Vote of the Qualified Voters of said City, at an Election Held for the Purpose to Adopt and Amend their Charters”, etc.; and such powers are hereby conferred upon the City of Brenham as fully and completely as if each of said mentioned powers were herein separately enumerated; but enumeration of special powers herein, or in the Statutes referred to, shall not be held or construed to preclude the city from exercising all powers of local government not inhibited by the Constitution and Laws of the State of Texas, or by special limitation in this Charter contained, the purpose of this Charter being to enlarge upon the power extended by the general laws of cities incorporated thereunder, and to secure the City of Brenham, all the powers conferred by the Constitution and Laws of this State upon cities having more than five thousand inhabitants.

Secs. 5 - 6. Reserved~~[Control over parks and playgrounds].~~

~~Said City shall have exclusive control over all City parks, and playgrounds and to control, regulate and remove all obstructions and prevent all encroachments thereupon; and to provide for raising, grading, filling, terracing, landscape gardening, temporary leasing thereof, erecting buildings, providing amusements therein, for establishing walks and paving drive ways around, in and through said parks, playgrounds and other public grounds.~~

Sec. 6. [Enumeration of specific powers].

Said City shall have the power:

~~To define all nuisances, prohibit the same within the City and within the City's extraterritorial jurisdiction.~~

~~To police all parks, grounds, speed ways, streets, avenues and alleys owned by said City, within or without the City limits.~~

~~To prohibit the pollution of all sources of water supply of said City, and to provide for the protection of water sheds.~~

~~To provide for the inspection of dairies, cows and dairy herds, slaughter pens and slaughter houses and abattoirs, within or without the City limits, from which meat, milk, butter, or eggs from same are furnished to the inhabitants of said City, and to provide for the inspection of meat markets, grocery stores, drug stores, confectioneries, fruit stands, ice cream factories, laundries, bottling plants, hotels, restaurants and bakeries; the source, storage and distribution of water, and all other places where food or drinks for human consumption are manufactured, handled, sold or exposed for sale, and to regulate and inspect the character and standard of such articles of food and drink so sold or offered for sale.~~

~~To provide for the inspection and regulation of the sanitary condition of all premises and vacant lots within the City limits; for the removal of garbage, night soil, refuse and unsanitary vegetation; to provide for establishing a lien against the property for any expenses incurred by the City in enforcing this provision and further to provide for the making and enforcing of all proper and reasonable regulations, for the health and sanitation of said City and its inhabitants.~~

~~To require property owners, their agents and lessees to remove, within a reasonable time, ice, slush and other debris from sidewalks fronting on property owned, occupied or controlled by such owners, agents or lessees and to require such owners, agents or lessees to remove all low hanging limbs from trees adjacent to sidewalks in said City.~~

~~To prohibit the driving of herds of horses, mules, cattle, hogs, sheep, goats and all herds of domestic animals, along or upon the streets, avenues or alleys of said City.~~

~~To establish and regulate public pounds and to regulate, restrain and prohibit the running at large of horses, mules, cattle, sheep, swine, goats, geese, chickens, pigeons, ducks and all other domesticated animals and fowls and to authorize the restraining, impounding and sale of the same for the cost of the proceedings and the penalty incurred, and to order their destruction when they cannot be sold and to impose penalties upon the owner thereof for the violation of any ordinance regulating or prohibiting the same, and to tax, regulate, restrain and prohibit the running at large of dogs and to authorize their destruction and impose penalties on the owners or keepers thereof.~~

~~To prohibit the inhumane treatment of animals and provide punishment therefor.~~

~~To prohibit and restrain the flying of kites, firing fire-arms, fire-crackers, rolling of hoops and the use of velocipedes, bicycles and skates, or the use and practice of any amusements on the streets or sidewalks to the annoyance of pedestrians or persons using such streets or sidewalks, and to restrain, regulate and prohibit the ringing of bells, or blowing of horns, bugles and whistles, crying of goods and all other noises, practices and performances tending to the collection of persons in the streets or tending, unnecessarily, to interfere with the peace and quietude of the inhabitants of the said City; and to suppress and regulate all unnecessary noises.~~

~~To license, tax and regulate or suppress and prevent hawkers, peddlers and pawnbrokers.~~

~~To regulate the operation of railway trains and street cars operated on, along or across the streets, avenues or alleys of said City; to license and control the operation of automobiles, motorcycles, taxicabs, buses, cabs and carriages, and all character of vehicles using the public streets, and to regulate the use and occupancy of the streets by any such vehicles.~~

~~To provide for the regulation and control of plumbers and plumbing works and to secure efficiency in the same.~~

~~To provide for the inspection of weights, measures and meters and fix a standard of such weights, measures and meters and require conformity to such standards and provide penalties for failure to use or conform to the same, and to provide for inspection fees.~~

~~To provide for the issuance of permits for erecting all buildings; for the inspection of the construction of all buildings in respect to proper wiring for electric lights and other electric appliances; piping for gas; flues, chimneys, plumbing and sewer connections, and to enforce proper regulations in regard thereto.~~

~~To provide for establishing and maintaining a public library.~~

~~To enact and enforce all ordinances and resolutions, necessary to regulate the safety of all office buildings, hotels, apartment houses, rooming houses, hospitals, theatres, store buildings and all public buildings.~~

~~To require the construction of fire escapes in connection with public buildings, and to determine the sufficiency and regulate the safety of all exits and fire escapes provided on public buildings of every kind and character.~~

~~To restrain and punish vagrants, mendicants, beggars and prostitutes; to regulate, control or prohibit the sale, gift, barter or exchange of cocaine, opium, morphine and the salts thereof.~~

~~To prohibit and punish keepers and inmates of bawdy, assignation and disorderly houses, and to prevent and suppress such bawdy, assignation and disorderly houses, and to punish such keepers, inmates and owners, or agents of such owners of such houses, knowingly permitting such houses to be occupied as such bawdy, assignation or disorderly houses and to determine such inmates and keepers to be vagrants.~~

~~To require waterworks corporations, gas companies, street car companies, telephone companies, electric light and power companies or other companies or individuals, exercising franchises, now or hereafter, from the City, to make and furnish extensions of their service to such territory as may reasonably be required.~~

~~To provide for the enforcement of all ordinances enacted by the City provided that no ordinance shall provide a greater penalty than is prescribed for a like offense by the laws of the State.~~

~~To provide for the commutation of fines imposed, by labor in a workhouse, on the public streets and public ways of the City; and for the collection of any fine imposed, execution may be enforced, as executions issued in civil cases.~~

~~To establish, maintain and regulate the City prison, workhouses and other means of punishment for vagrants, City convicts and disorderly persons, and such hospitals, orphanages and charitable institutions as may be deemed expedient by the governing authority.~~

AMENDMENT NO. 4 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 4

☐ YES

☐ NO

Shall Article II, Sections 1 through 6 of the Brenham City Charter be amended by updating language related to the general powers of the City of Brenham, deleting certain specific powers of the City of Brenham currently listed in the Brenham City Charter that are also enumerated in state law or regarding which state law has preempted the Charter provisions, clarifying the City of Brenham's power of local self-government, and updating language related to the powers of the City of Brenham enumerated in state law?

AMENDMENT NO. 5

SHALL ARTICLE II, SECTIONS 11A, 11B AND 11C OF THE BRENHAM CITY CHARTER REGARDING A BOARD THAT IS NO LONGER IN EXISTENCE AND IS NO LONGER FUNCTIONING BE AMENDED AS FOLLOWS?

ARTICLE II. POWERS

~~Sec. 11A. Board of City Development—[Establishing; purposes; etc.].~~

~~The City Council shall appoint what shall be known and designated as a Board of City Development, which may be composed of five (5) members, and shall serve without compensation, and may prescribe the qualifications and duties of such board, which board shall be devoted to the growth, advertisement, development, improvement and increase of the taxable values of such City. In the event the City Council does not appoint members to the Board of City Development, the City Council shall act to carry forth the objectives and purposes of the Board of City Development. There may annually be appropriated by the City Council up to one mill on the dollar (\$1.00) valuation on the taxable property in the City of Brenham from the general fund of said City to support the work of such board.~~

~~Sec. 11B. [Same]—Membership; term; vacancies; appointment.~~

~~The members of the aforesaid board shall hold office for a period of three (3) years; all of said members to hold said office until their successors have been qualified. In case of a vacancy on the board by resignation or otherwise the City Council shall fill said vacancy by appointment.~~

~~Sec. 11C. [Same]—Appropriation for board.~~

~~The appropriation for support of said Board of City Development may be paid to said board each month in payments of one-twelfth (1/12) as nearly as practicable.~~

Sec. 11. Reserved.

AMENDMENT NO. 5 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 5

☐

YES

☐

NO

Shall Article II, Sections 11A, 11B and 11C of the Brenham City Charter be amended by deleting said Sections related to a board of the City of Brenham that is not operative and no longer exists?

AMENDMENT NO. 6

SHALL ARTICLE III, SECTION 1 OF THE BRENHAM CITY CHARTER REGARDING WHICH CITY OFFICERS AND EMPLOYEES ARE APPOINTED BY THE CITY COUNCIL BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 1. Appointive offices.

All officers and employees of the City except City Council shall be appointive, be employed at-will, and subject to employment contract or personnel policies as Council may provide for each office or position. The City Council shall appoint the City Manager, City Secretary, Deputy City Secretary(ies), Municipal Court Judge, Associate Municipal Court Judge(s), and City Attorney, Municipal Court Prosecutor, and any other officer or employee whose appointment must be made by the City Council in accordance with this Charter, City ordinance, or other applicable law. The City Manager or the City Manager's designee shall appoint all other officers and employees of the City.

AMENDMENT NO. 6 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 6

☐

YES

☐

NO

Shall Article III, Section 1 of the Brenham City Charter be amended to expressly state the City of Brenham officers and employees that are subject to appointment by the City Council?

AMENDMENT NO. 7

SHALL ARTICLE III, SECTIONS 4, 10 AND 11 OF THE BRENHAM CITY CHARTER REGARDING CITY COUNCIL TERMS OF OFFICE BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 4. Terms of office.

The Mayor and ~~each other~~ Councilmembers shall serve for a term of four (4) years, beginning with the first meeting of the City Council following their election, ~~and ending with until the later of the first meeting of the City Council following the regular election four (4) years later or until their successor has been elected and duly qualified.~~ successive terms of office until their successors have been elected and duly qualified. The Mayor shall serve for two (2) years until the first election after adoption of this amendment and, thereafter, shall serve for a term of three (3) years. Councilmembers shall serve for two (2) years, and, thereafter, Councilmembers for Ward 1, Ward 2, Ward 4, and At Large Position 5 shall qualify for a term of office of three (3) years upon their first election following the adoption of this amendment and Councilmembers for Ward 3 and At Large Position 6 shall qualify for a term of office of three (3) years upon their second election following the adoption of this amendment.

Sec. ~~910~~. Regular election days.

The regular municipal elections of the City of Brenham shall be held on the ~~second~~first Saturday in May in odd-numbered years or any other date as authorized by law~~every year.~~

Sec. 11. Special elections; state election laws control elections.

All elections provided for in this Charter, except the regular election of Councilmembers held on the ~~second~~first Saturday in May of odd-numbered years or on any other date as authorized by law~~every year~~, shall be called special elections, and all elections shall be conducted and results canvassed and announced by the election authorities as prescribed by the general election laws of the State of Texas relating to cities and towns, and said general election laws shall control in all municipal elections, except as otherwise herein provided.

AMENDMENT NO. 7 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 7

☐ YES

☐ NO

Shall Article III, Sections 4, 10 and 11 of the Brenham City Charter be amended in accordance with Resolution No. R-11-104 of the Brenham City Council adopted on September 29, 2011 pursuant to Section 52, Senate Bill 100, 82nd Texas Legislature, effective September 1, 2011, to change the regular election schedule to odd-numbered year elections and the length of terms of office of the position of Mayor and the members of the City Council from three (3) years to four (4) years?

AMENDMENT NO. 8

SHALL ARTICLE III, SECTION 5 OF THE BRENHAM CITY CHARTER REGARDING FILLING VACANCIES ON THE CITY COUNCIL BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 5. ~~{Appointment of Councilmembers to fill vacancies}~~Filling City Council vacancies.

Vacancies in the City Council arising from resignation, forfeiture, removal, recall, death or any cause shall be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur. If any such vacancy shall occur within one hundred and twenty (120) days preceding a general regular election, then no special election shall be called; provided, however, that the unexpired term shall be filled at the next general regular election. Additionally, if the remaining unexpired term of the vacant Council position is twelve (12) months or less, the vacant Council position shall be filled by appointment by the remaining Councilmembers, and the appointed Councilmember shall serve until the next regular City election. If the unexpired term of the vacant Council position extends beyond twelve (12) months, except as provided herein, the next regular City election, such unexpired term shall be filled at that time by election of the voters of the City, and candidates may file for the unexpired term. Appointed Councilmembers shall have the same qualifications as an elected Councilmember.

AMENDMENT NO. 8 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 8

☐ YES

☐ NO

Shall Article III, Section 5 of the Brenham City Charter be amended to provide that vacancies on the City Council shall be filled by special election to be held within one hundred twenty (120) days of the vacancy unless the vacancy occurs not more than 120 days prior to the next regular election, in which case the vacancy shall be filled at the next regular election; providing further that if the remaining unexpired term of any vacant Council position is twelve (12) months or less, the vacant Council position shall be filled by appointment by the remaining Councilmembers, and the appointed Councilmember shall serve until the next regular City election?

AMENDMENT NO. 9

SHALL ARTICLE III, SECTIONS 8, 9, 10, 10A, AND 11; ARTICLE VI, SECTION 2; AND ARTICLE VII, SECTION 8 OF THE BRENHAM CITY CHARTER REGARDING THE DEFINITION OF SPECIAL ELECTION, CANVASSING OF ELECTIONS, RUN OFF ELECTION PROCESS, VOTING PLACES, REGULAR ELECTION DATE, AND CONDUCTING CITY ELECTIONS IN ACCORDANCE WITH STATE AND FEDERAL LAWS BE AMENDED AS FOLLOWS?

ARTICLE II. POWERS

Sec. 8. Canvassing returns and declaring results of election; ~~{Judges of its own election and qualification}~~.

The returns of every municipal election shall be delivered forthwith by the Election Judges to the City Secretary. The Council shall canvass the returns; investigate the qualifications of the candidates, and declare the official results of the election in accordance with applicable state and federal laws. The returns of every municipal election shall be recorded in the minutes of the Council by Ward totals, when applicable. At each election the qualified person receiving a majority of all votes cast for the office that person seeks shall thereon be declared elected by said Council-elected.

The City Council shall be judges of the election and the Council's qualification of its members shall be conclusive and final for all purposes.

Sec. 9. ~~{Canvassing returns and declaring results of election}~~.

~~The City Council shall, within ten (10) days after each regular and special election, or as soon thereafter as practicable, canvass the returns and declare the result of such election.~~

Sec. 910. ~~{Regular election days}~~.

The regular municipal elections of the City of Brenham shall be held on the first second Saturday in May in odd-numbered years or any other date as authorized by law every year.

Sec. 10A. Runoff elections.

In the event any candidate for the Council (including the Mayor) fails to receive, at any regular or special election, a majority of all votes cast for his particular office, the Mayor, or, if he at any regular or special election, the Mayor or, if he fails to do so, the Council, shall no later than the fifth day following the official canvass of the election order a runoff election to be held within thirty (30) days of said canvass.

~~At said runoff election, the two on the first day following the completion of the official count of ballots cast the first election order a runoff election to be held within thirty (30) days following the preceding election, at which election the two (2) candidates that received the highest number of votes cast for such particular office in the first election, at which no one was elected to such office by receiving a majority of all votes cast for all candidates for such particular office, shall be voted on again. The, and the candidate who receives the majority of the votes cast for the particular office in the runoff election shall be elected to such office and shall take office as soon thereafter as he is qualified.~~

-In runoffs for the office of Mayor or Councilmembers elected at large, the registered voters of the city as a whole shall vote. In runoffs of Councilmembers for single wards, being any of the Councilmembers from Ward One, Ward Two, Ward Three or Ward Four, only those registered voters in the particular ward shall vote in the runoff election for that particular position.

Sec. 11. ~~{Special elections; state election laws control elections}.~~

All elections provided for in this Charter, except the regular election of Councilmembers held on the secondfirst Saturday in May of odd-numbered years or on any other date as authorized by law, every year, shall be called special elections, and all elections shall be conducted and results canvassed and announced by the election authorities as prescribed by the general election laws of the State of Texas relating to cities and towns, and said general election laws shall control in all municipal elections, except as otherwise herein provided.

ARTICLE VI. TAXATION

Sec. 2. Ordinance raising tax rate; election.

The City Council shall have the power and is hereby authorized at any time to propose an ordinance for the levy and collection of taxes on the assessed valuation of all property within the corporate limits of the City not exempt from taxation by the Constitution and laws of this State at a greater rate on the one hundred dollar (\$100.00) valuation than that provided in section 1 hereof not to exceed the rate allowed by the Constitution and laws of this State, which proposed ordinance shall be submitted to a vote of the qualified ~~property tax-paying~~ voters of the City for adoption or rejection at an election held for that purpose. Said election shall be held on the next authorized election date that allows the City sufficient time to comply with all applicable election laws.

~~If any election is to be held at a date not more than thirty (30) days nor less than ten (10) days after such ordinance has been proposed, such proposed ordinance shall be submitted by the Council to a vote of the qualified property tax paying electors at such election, but if no such election is to be held within such time, then the Council shall provide for submitting such proposed ordinance for adoption or rejection to such electors at a special election to be held not less than twenty (20) nor more than forty (40) days thereafter. The form of ballot for use in an election held for adoption of such proposed ordinance shall state the title of the ordinance and contain a succinct statement of its nature and purpose and to the left of below such statement on separate lines there shall be printed the words:~~

FOR THE ORDINANCE

AGAINST THE ORDINANCE

If a majority of such electors voting in such election shall vote in favor thereof it shall thereupon become an ordinance of the City.

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 8. Voting places.

~~The City Council shall establish and arrange such voting places in the City as may be deemed necessary, so located as to be most convenient to the voters, and at which all elections, general or special, shall be held.~~

AMENDMENT NO. 9 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 9

☐ YES

☐ NO

Shall Article III, Sections 8, 9, 10, 10A and 11; Article VI, Section 2; and Article VII, Section 8 of the Brenham City Charter be amended to clarify the definition of special election and revising other provisions related to elections, including but not limited to the canvassing of elections, the runoff election process, voting places, and the regular election date, to require City elections to be conducted in accordance with applicable state law?

AMENDMENT NO. 10

SHALL ARTICLE III, SECTION 12 OF THE BRENHAM CITY CHARTER REGARDING THE ELECTION OF THE MAYOR PRO TEMPORE BY THE CITY COUNCIL BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 12. ~~{General powers and duties of Mayor; Mayor pro tempore}.~~

The Mayor of the City shall be the presiding officer of the City Council. He shall vote as a member of the City Council on all matters coming before the body; sign all bonds, warrants and other official documents; be the official head of the City, and exercise all powers and perform all duties imposed upon him by this Charter and by the ordinances of the City, and resolutions of the City Council.

The City Council shall elect one of their number as Mayor pro tempore as soon as practicable after each regular election of Councilmembers, who in the absence or inability of the Mayor to act, may exercise all the powers and authority appertaining to the office of Mayor.

AMENDMENT NO. 10 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 10

☐

YES

☐

NO

Shall Article III, Section 12 of the Brenham City Charter be amended to provide that the City Council shall elect the Mayor pro tempore as soon as practicable after each regular election of Councilmembers?

AMENDMENT NO. 11

SHALL ARTICLE III, SECTION 15 OF THE BRENHAM CITY CHARTER REGARDING CONFLICT OF INTEREST PROVISIONS FOR THE CITY COUNCIL BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 15. {Calling special meetings; determining rules and order of business; journal; quorum; voting on measures}.

The Mayor or any three (3) Councilmembers may call special meetings of the City Council at any time deemed advisable. The City Council shall determine its own rules and order of business, and shall keep a journal of the proceedings in a permanently bound book and any citizen shall have access to the minutes and record thereof at all reasonable times. Any four (4) members of the City Council shall constitute a quorum for the transaction of any business, and the affirmative vote of the four (4) members of the City Council shall be sufficient and necessary to adopt or repeal any ordinance or resolution. The vote upon the passage or repeal of any ordinance or resolution shall be taken by "yea" or "nay" vote, and entered upon the journal. Except when required by law to abstain from voting on a matter before the City Council, each All members of the City Council present at the meeting shall vote upon every question, ordinance or resolution which shall be entered upon the journal. Any Councilmember refusing to vote except when required by law to abstain shall be entered on the journal as voting in the affirmative.

AMENDMENT NO. 11 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 11

☐ YES

☐ NO

Shall Article III, Section 15 of the Brenham City Charter be amended to provide for the abstention of City Councilmembers as required by law when voting on a question, ordinance or resolution being considered by the City Council?

AMENDMENT NO. 12

SHALL ARTICLE III, SECTIONS 19 AND 22 OF THE BRENHAM CITY CHARTER REGARDING ORDINANCE PUBLICATION REQUIREMENTS BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 19. ~~{Publication of penal ordinances}.~~

~~The City Secretary shall publish, in a newspaper of general circulation within the eCity, any ordinances. Every ordinance imposing any penalty, fine, imprisonment or forfeiture shall, after the passage thereof, be published in some newspaper published in the City of Brenham. The City Secretary may abbreviate the text of any ordinance, including traffic control ordinances, for publication. No such ordinance shall become effective until ten (10) days after the date of its publication, provided that emergency measures shall take effect according to their terms. required by state or federal law to be published. The City Secretary may abbreviate the text of any ordinance for publication purposes.~~

Sec. 22. ~~[Revising, digesting and publishing of ordinances].~~

~~The first City Council elected under this Charter shall, as soon as practicable, provide for revising, digesting and publishing all City ordinances. A like revision, digest and publication of such ordinances may be made at such times thereafter as the City Council may ordain.~~

AMENDMENT NO. 12 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 12

☐ YES

☐ NO

Shall Article III, Sections 19 and 22 of the Brenham City Charter be amended to require that ordinances be published as required by state or federal law, and deleting obsolete provisions relating to revising, digesting and publishing ordinance?

AMENDMENT NO. 13

SHALL ARTICLE III, SECTION 23 AND ARTICLE IV, SECTIONS 2 AND 8 OF THE BRENHAM CITY CHARTER REGARDING THE CITY MANAGER'S AUTHORITY TO APPOINT AND DETERMINE COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 23. ~~[Administrative offices and departments].~~

~~The City Council shall create and consolidate such appointive offices and may divide the administration of the City's affairs into such departments as they may deem advisable and may discontinue any such appointive office or department at their discretion, except office of City Manager.~~

ARTICLE IV. THE CITY MANAGER; FINANCES

Sec. 2. Duties generally.

Except as provided in Article III, section 1 of this Charter or other applicable law, the City Manager or the City Manager's designee shall appoint all officers and employees of the City. The City Manager shall recommend all appointive officers or employees of the City, to the City Council, but all appointments shall be made by the Council and should those so recommended or any of them not be appointed by the Council, then the Council shall appoint without recommendation. The City Manager shall exercise control and supervision over all departments and offices that may be created by the City Council or City Manager and all officers and employees appointed by him~~it~~. He shall attend all meetings of the City Council with the right to take part in the discussion, but having no vote. He shall recommend in writing to the City Council such measures as he may deem necessary or expedient. He shall keep the City Council fully advised as to the financial condition and needs of the City, and perform such other duties as may be prescribed by this Charter or which may be required of him by ordinance or resolution of the City Council.

The City Manager may create and consolidate appointive officers and positions, may divide the administration of the City's affairs into such departments as he may deem advisable, and may discontinue any such appointive officer, position or department at his discretion, except the office of the City Manager, City Secretary, Deputy City Secretary(ies), Municipal Court Judge, Associate Municipal Court Judge(s), City Attorney, and Municipal Court Prosecutor.

Sec. 78. Fixing and determining salaries and wages.

The City ~~Council~~ Manager shall fix and determine the salaries and wages of all appointive officers and employees of the City, unless otherwise provided in this Charter, and shall provide for the payment thereof.

AMENDMENT NO. 13 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 13

☐ YES

☐ NO

Shall Article III, Section 23 and Article IV, Sections 2 and 8 of the Brenham City Charter be amended to provide that the City Manager or the City Manager's designee shall appoint and determine the compensation of all officers and employees of the City, except for the officers and employees whose appointment and compensation are determined by the City Council?

AMENDMENT NO. 14

SHALL ARTICLE IV, SECTION 2 OF THE BRENHAM CITY CHARTER REGARDING THE CITY MANAGER'S AUTHORITY TO CREATE, CONSOLIDATE, AND DISCONTINUE APPOINTIVE POSITIONS AND DEPARTMENTS, AS NEEDED, WITHIN THE CITY BE AMENDED AS FOLLOWS?

ARTICLE IV. THE CITY MANAGER; FINANCES

Sec. 2. Duties generally.

Except as provided in Article III, section 1 of this Charter or other applicable law, the City Manager or the City Manager's designee shall appoint all officers and employees of the City. The City Manager shall recommend all appointive officers or employees of the City, to the City Council, but all appointments shall be made by the Council and should those so recommended or any of them not be appointed by the Council, then the Council shall appoint without recommendation. The City Manager shall exercise control and supervision over all departments and offices that may be created by the City Council or City Manager and all officers and employees appointed by him~~it~~. He shall attend all meetings of the City Council with the right to take part in the discussion, but having no vote. He shall recommend in writing to the City Council such measures as he may deem necessary or expedient. He shall keep the City Council fully advised as to the financial condition and needs of the City, and perform such other duties as may be prescribed by this Charter or which may be required of him by ordinance or resolution of the City Council.

The City Manager may create and consolidate appointive officers and positions, may divide the administration of the City's affairs into such departments as he may deem advisable, and may discontinue any such appointive officer, position or department at his discretion, except the office of the City Manager, City Secretary, Municipal Court Judge, Associate Municipal Court Judge(s) and City Attorney.

AMENDMENT NO. 14 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 14

☐ YES

☐ NO

Shall Article IV, Section 2 of the Brenham City Charter be amended to authorize the City Manager to create and consolidate appointive officers and positions, divide the administration of the City's affairs into such departments as the City Manager may deem advisable, and discontinue any such appointive officer, position or department, except the offices and positions appointed by the City Council?

AMENDMENT NO. 15

SHALL ARTICLE IV, SECTIONS 3 AND 4 OF THE BRENHAM CITY CHARTER REGARDING THE CITY MANAGER'S DUTIES AND RESPONSIBILITIES RELATED TO THE ANNUAL BUDGET BE AMENDED AS FOLLOWS?

ARTICLE IV. THE CITY MANAGER; FINANCES

~~Sec. 3. Preparing and submitting budget; recommendations on administrative matters.~~

~~The City Manager shall prepare and submit the annual budget on the basis of the estimates of the department. He shall make recommendations to the City Council on all matters concerning the administration of the City.~~

Sec. 34. Annual Estimates for budget; publication; digest.

The annual budget of the City shall be prepared by the City Manager based on the basis of estimates of each departments. These departmental estimates shall include, showing the expenses of the department for the preceding year, and indicating wherein increases or diminutions are recommended for the ensuing year, shall be published one time in the official organ of the City of Brenham. The City Manager shall submit make up the budget and submit it to the City Council for approval.

AMENDMENT NO. 15 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 15

☐ YES

☐ NO

Shall Article IV, Sections 3 and 4 of the Brenham City Charter be amended to clarify the City Manager's duties and responsibilities related to the annual budget process?

AMENDMENT NO. 16

SHALL ARTICLE V, SECTIONS 1 AND 2 OF THE BRENHAM CITY CHARTER REGARDING BOND ISSUANCE AND THE INVESTMENT OF BOND PROCEEDS BE AMENDED AS FOLLOWS?

ARTICLE V. IMPROVEMENT BONDS

Sec. 1. Purpose.

The City shall have the right and power to borrow money upon the credit of the City and to issue bonds of the City therefor, in such sum or sums as may be deemed expedient, for the purpose of improving the streets, purchasing or constructing sewers, erecting and maintaining public buildings of every kind and for purchasing or constructing waterworks and gas plants and systems and for the purpose of purchasing, erecting, maintaining and operating an electric light and power plant and such other public utilities as the governing authority may, from time to time, deem expedient, and for any other purpose authorized by State law.

Sec. 2. Specifying purpose; sale; interest and sinking fund.

All bonds shall specify for what purpose they are issued, and shall be sold for cash. When any bonds are issued by the City a fund shall be provided to pay the interest on those bonds and create a sinking fund to redeem said bonds. Said fund shall not be diverted or drawn upon for any other purpose, and the custodian of the funds of the City shall honor no drafts upon said fund except to pay interest upon or redeem the bonds for which it was provided. The City shall have the power to invest said sinking funds in securities secured by the pledge of United States Bonds or Federal Agency Bonds, Texas State or County Bonds, or Bonds of the City of Brenham, or other municipality, or any school district, or any other investment authorized by State law.

AMENDMENT NO. 16 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 16

- ☐ YES Shall Article V, Sections 1 and 2 of the Brenham City Charter be amended to allow bonds to be issued by the City for any purpose as authorized by state law, and to authorize the City to invest bond proceeds as allowed by state law?
- ☐ NO

AMENDMENT NO. 17

SHALL ARTICLE VI, SECTION 6 OF THE BRENHAM CITY CHARTER REGARDING THE CITY'S AUTHORITY TO LEVY AND COLLECT FRANCHISE TAXES BE AMENDED AS FOLLOWS?

ARTICLE VI. TAXATION

Sec. 46. Franchise tax; corporation tax.

The City shall have the power, annually, to levy and collect a franchise tax against any corporation or other legal entity using and occupying the public streets or grounds of the City, separately from the tangible property of such corporation or other legal entity, and to levy and collect, annually, upon the property and shares of corporations, companies and corporate institutions, as the same are now or may be assessed by the State laws and shall have full power to enforce the collection of such taxes.

AMENDMENT NO. 17 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 17

- ☐ YES Shall Article VI, Section 6 of the Brenham City Charter be amended to clarify that in addition to corporations, as is currently provided in Section 6, that the City of Brenham may levy and collect a franchise tax against any other legal entity using and occupying the public streets or grounds of the City?
- ☐ NO

AMENDMENT NO. 18

SHALL ARTICLE VII, SECTION 4 OF THE BRENHAM CITY CHARTER REGARDING PERIODIC REVIEW OF THE CHARTER BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 4. Amending Charter.

This Charter, after adoption, may be amended in accordance with the provisions of ~~an Act of the Thirty Third Legislature of the State of Texas, entitled, "AN ACT AUTHORIZING CITIES HAVING MORE THAN FIVE THOUSAND INHABITANTS, BY A MAJORITY VOTE OF THE QUALIFIED VOTERS OF SAID CITY, AT AN ELECTION HELD FOR THAT PURPOSE, TO ADOPT AND AMEND THEIR CHARTERS", etc., approved April 7, 1913, and any acts amendatory thereto applicable state law, as amended.~~

Amendments to this Charter shall be framed and submitted to the voters of the city in the manner provided by Chapter 13 of Title 28 of the Revised Civil Statutes of Texas, 1925, as now or hereafter amended. This Charter shall be reviewed not less than two (2) years, nor more than five (5) years, from the date of the previous charter amendment election.

The City Council may, without approval of the voters, adopt an ordinance that makes the following non-substantive formatting and correcting revisions to the Charter:

1. Renumbering, revising titles, and rearranging parts thereof.
2. Correcting errors in spelling, grammar, cross-references and punctuation. ~~Revising language to reflect modern usage and styl.~~

A formatting or correcting revision adopted by ordinance under this Section is not intended to and is not to be interpreted as making any substantive changes in any Charter provision.

AMENDMENT NO. 18 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 18

☐ YES

☐ NO

Shall Article VII, Section 4 of the Brenham City Charter be amended by requiring periodic review of the Charter by the City Council or its designee and allowing the City Council, by ordinance, to make non-substantive changes to the Charter limited to renumbering, revising titles, rearranging parts thereof, and correcting errors in spelling, grammar, cross-references and punctuation?

AMENDMENT NO. 19

SHALL ARTICLE VII, SECTIONS 6 AND 7 OF THE BRENHAM CITY CHARTER REGARDING WARD BOUNDARIES AND DESCRIPTIONS BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

~~Sec. 6. Wards Described.~~

~~The City of Brenham, Texas, shall and is hereby divided into four (4) wards and boundaries established and described as follows:~~

~~*First Ward:* All that territory within the corporate limits of the City of Brenham lying west of F.M. 2935 to intersection with Horton Street; north of Horton from F.M. 2935 to intersection with North Park Street; west of North Park Street from Horton Street to intersection with West Academy Street; north of West Academy Street from North Park Street to intersection with Rippetoe Street; east of Rippetoe Street from West Academy Street to line even with Pleasant View Avenue; north of line even with Pleasant View Avenue to intersection with Burleson Street; east of Burleson Street from Pleasant View Avenue to intersection with Floral Street; north of Floral Street from Burleson Street to intersection with Rivers Street; east of Rivers Street from Floral Street to intersection with Matchett Street; north of Matchett Street from Rivers Street to intersection with Hillside Drive; west of Hillside Drive from Matchett Street to intersection with Hillside Drive South; west of Hillside Drive South from Hillside Drive to intersection with Jefferson Street; south of Jefferson Street from Hillside Drive South to intersection with Baber Street; East of Baber Street from Jefferson Street to intersection with Jefferson Street; south of Jefferson Street from Baber Street to intersection with North Austin Street; west of North Austin Street from Jefferson Street to intersection with Vulcan Street; south of Vulcan Street from North Austin Street to intersection with North Baylor Street; west of North Baylor Street from Vulcan Street to intersection with East Alamo Street; south of East Alamo Street from South Baylor Street to intersection with Market Street; west of Market Street from East Alamo Street to intersection with Germania Street; north of Germania Street from Market Street to intersection with Austin Street; east of Austin Street from Germania Street to intersection with Third Street; north of Third Street from Austin Street to intersection with Key Street; east of Key Street from Third Street to intersection with Southern Pacific Railroad tracks, running east and west; north of Southern Pacific Railroad tracks, running east and west from Key Street to city limit line.~~

Second Ward: All that territory within the corporate limits of the City of Brenham lying east of F.M. 2935 from the corporate limits to intersection with Horton Street; south of Horton Street from F.M. 2935 to intersection with North Park Street; east of North Park Street from Horton Street to intersection with West Academy Street; south of West Academy Street from North Park Street to intersection with Rippetoe Street; west of Rippetoe Street from West Academy Street to line even with Pleasant View Avenue; south of line even with Pleasant View Avenue to intersection with Burleson Street; west of Burleson Street from Pleasant View Avenue to intersection with Floral Street; south of Floral Street from Burleson Street to intersection with Rivers Street; west of Rivers Street from Floral Street to intersection with Matchett Street; south of Matchett Street from Rivers Street to intersection with Hillside Drive; east of Hillside Drive from Matchett Street to intersection with Hillside Drive South; east of Hillside Drive South from Hillside Drive to intersection with Jefferson Street; north of Jefferson Street from Hillside Drive South to intersection with Baber Street; west of Baber Street from Jefferson Street to intersection with Jefferson Street; north of Jefferson Street from Baber Street to intersection with North Austin Street; east of North Austin Street from Jefferson Street to intersection with Vulcan Street; north of Vulcan Street from North Austin Street to intersection with North Baylor Street; east of North Baylor Street from Vulcan Street to intersection with East Alamo Street; north of East Alamo Street from South Baylor Street to intersection with Market Street; east of Market Street from East Alamo Street to intersection with Southern Pacific Railroad tracks, running east and west; north of Southern Pacific Railroad tracks running east and west, to city limit line.

Third Ward: All that territory within the corporate limits of the City of Brenham, lying east of State Highway 36 and South Day Street from city limit line to intersection with Bryan Street; south of Bryan Street from South Day Street to intersection with Baylor Street; east of Baylor Street from Bryan Street to intersection with Lubbock Street; south of Lubbock Street from Baylor Street to intersection with Market Street; east of Market Street from Lubbock Street to intersection with Southern Pacific Railroad tracks, running east and west; south of Southern Pacific Railroad tracks, running east and west, to city limit line. (Also included is area south from Highway 290 Loop South on Highway 36 to the Brenham State School and including the boundaries of the state school that are within the city limits of the City of Brenham.)

~~*Fourth Ward:* All that territory within the corporate limits of the City of Brenham lying west of South Day Street from its intersection with Highway 290 Loop, being the corporate limit at that point, to intersection with Bryan Street; north of Bryan Street from South Day Street to intersection with Baylor Street; west of Baylor Street from Bryan Street to intersection with Lubbock Street; north of Lubbock Street from Baylor Street to intersection with Market Street; west of Market Street from Lubbock Street to intersection with Germania Street; south of Germania Street from Market Street to intersection with Austin Street; west of Austin Street from Germania Street to intersection with Third Street; south of Third Street from Austin Street to intersection with Key Street; west of Key Street from Third Street to intersection with Southern Pacific Railroad tracks, running east and west, south of Southern Pacific Railroad tracks, running east and west, from Key Street to city limit line.~~

Sec. 67. Establishment of Wards: Same—P Purpose.

The City ~~shall be~~ is divided and established into four (4) wards, having boundaries described by ordinance for the purpose of securing a more equal distribution of representation on the City Council by the people of the whole City. Newly annexed territory shall be added to the adjacent Ward as City Council may provide. No person shall be a candidate for Councilmember from any ward of the City unless he shall have been, for twelve (12) months preceding the date of the election at which he is a candidate, a resident of the ward represented by the office to which he aspires, and must possess the other qualifications as prescribed in this Charter; provided, however, that the qualifications as to residence in any one ward shall not apply to the Mayor or at-large Councilmembers. Any candidate, Mayor or Councilmember who during his candidacy or term of office moves his place of residence from the city or the ward ~~in~~ which he represents ipso facto forfeits his right to such office.

AMENDMENT NO. 19 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 19

☐

YES

☐

NO

Shall Article VII, Sections 6 and 7 of the Brenham City Charter be amended by the deletion of the obsolete and inaccurate City Council ward boundary descriptions, and clarifying that the four (4) ward boundaries shall be established by ordinance?

AMENDMENT NO. 20

SHALL ARTICLE VII, SECTION 14 OF THE BRENHAM CITY CHARTER REGARDING LIABILITY AND NOTICE OF CLAIMS BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 124. Liability to damage claims.

Before the City of Brenham shall be liable for damages of any kind, the person injured or the owner of the damaged property, or someone in his behalf shall give the Mayor or City Councilmembers notice in writing of such injury or damage within ninety (90) days, or within six (6) months for good cause shown, after the same has been received, -stating specifically in such notice when, where and how the injury or damage occurred and the extent thereof. Failure to notify the Mayor or City Councilmembers within the time and manner specified herein shall exonerate, excuse and exempt the City from any liability whatsoever. Further, this section shall not apply to the taking, damaging or destruction of property as guaranteed and covered by Section 17 of Article 1 of the Constitution of Texas. The City of Brenham shall never be liable on account of any damage or injury to person or property arising from or occasioned by any defect in any public street, highway or grounds, or any public work of the City unless the specified defect causing damage or injury shall have been actually known to the Mayor or some other member of the City Council by personal inspection for a period of at least twenty-four (24) hours prior to the occurrence of the injury or damage, or unless the attention of the Mayor or [or] a member of the City Council shall have been called thereto by notice thereof in writing at least twenty-four (24) hours prior to the occurrence of the injury or damage, nor further unless in either case proper diligence has not been used to rectify the defect after it is actually known by or called to the attention of the Mayor or a member of the City Council, as aforesaid.

AMENDMENT NO. 20 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 20

☐ YES

☐ NO

Shall Article VII, Section 14 of the Brenham City Charter be amended by revising the liability and notice of claim provisions to clarify procedures regarding notifying the City of Brenham of claims for damages, and making said provisions consistent with current law?

AMENDMENT NO. 21

SHALL ARTICLE VII, SECTION 15 OF THE BRENHAM CITY CHARTER REGARDING THE CITY'S DEPOSITORY BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 135. City depository; ~~City Treasurer.~~

The City Council shall designate a bank in the City of Brenham as the City depository, which shall be selected for a period not to exceed of two five (5) (2) years; and the bank in the City of Brenham which shall bid the highest rate of interest on the average daily balance shall be selected. ~~The City depository herein provided for shall appoint one of its officials who shall perform the duties of City Treasurer without pay. Said Treasurer shall give such bond as may be required by the City Council from time to time; and such bond shall be procured from some regularly accredited surety company, the premiums to be paid by the City of Brenham. The City Council shall have the right to reject any and all bids~~applications offered as City depository. ~~In case the City Council should reject any and all bids offered and no other bids should be submitted, then in that event, the City Council shall designate some appointive officer of the City who shall perform the duties of City Treasurer without extra compensation.~~

AMENDMENT NO. 21 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 21

☐ YES

☐ NO

Shall Article VII, Section 15 of the Brenham City Charter be amended by providing that the City of Brenham may designate a bank or other financial institution as the City depository in accordance with applicable state law, allowing the City to enter into a depository contract for a term of up to five (5) years, and deleting obsolete provisions related to the City Treasurer position?

AMENDMENT NO. 22

SHALL ARTICLE VII, SECTION 17 OF THE BRENHAM CITY CHARTER REGARDING MUNICIPAL COURT BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 147. Court.

~~The City Council shall establish and provide for a court for the trial of misdemeanor offenses, known as the "Corporation [Municipal] Court" with such powers and duties as are defined and prescribed in an Act of the Legislature of the State of Texas and any acts amendatory thereof, entitled, "AN ACT TO ESTABLISH AND CREATE IN EACH OF THE CITIES, TOWNS AND VILLAGES OF THIS STATE A COURT TO BE KNOWN AS THE CORPORATION COURT, IN EACH CITY, TOWN AND VILLAGE, AND TO PRESCRIBE THE JURISDICTION AND ORGANIZATION THEREOF AND TO ABOLISH MUNICIPAL COURTS," said Act being Title 22, Chapter 5, Articles 903 to 922 inclusive. Vernon Sayles Texas Civil Statutes 1914.~~

~~The City Council shall provide for the qualifications and term of office of the Municipal Judge and any Associate Municipal Judge(s), and the Mayor may serve as a municipal judge in the absence or unavailability of the appointed Municipal Judge.~~

~~The City Council shall establish and provide for a court, designated as the "Municipal eCourt" for the trial of misdemeanor offenses, with all such jurisdiction, powers and duties as are now, or may hereafter be prescribed by laws of the State of Texas relative to municipal courts.~~

~~The Municipal Court shall be presided over by a Magistrate who shall be known as the Judge of the Municipal Court. The City Council shall provide for the qualifications of the Judge and any Associate Municipal Judge(s). The Judge and any Associate Judge(s) of said court shall be appointed by the City Council to serve at the discretion of the Council for a term of office of two (2) years; however, they shall be removable at any time, with or without cause, by a majority vote of the City Council. Any such judge shall be an attorney licensed by the State of Texas and shall receive such salary compensation as may be fixed determined by the City Council. In the event thea judge is temporarily unable to act for any reason, the Mayor shall appoint a qualified person to temporarily act in the judge's place. In the event a vacancy exists in the office of Judge or Associate Judge for any reason, the City Council, by majority vote, shall appoint a qualified person fill such vacancy for the remainder of the unexpired term of office.~~

There shall be a Municipal Clerk of said court appointed by the City Manager. The Clerk of said Court shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto, and generally do and perform any and all acts necessary in issuing process of said Court and conducting the business thereof. There may be such Deputy Clerks of the Municipal Court as may be authorized and appointed by the City Manager, which Deputy Clerks shall have authority to act for and on behalf of the Clerk of the Municipal Court. Said Municipal Court Clerk and Deputy Clerks shall receive such compensation as may be determined by the City Manager.

There shall also be an attorney appointed by the City Council to serve as the prosecutor in Municipal Court, and said prosecutor shall receive such compensation as may be determined by the City Council.

AMENDMENT NO. 22 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 22

☐ YES

☐ NO

Shall Article VII, Section 17 be amended by clarifying the establishment, jurisdiction and operations of the City of Brenham Municipal Court, and providing for the appointment, qualifications, terms of office, powers, duties and compensation of Municipal Court officials and personnel?

AMENDMENT NO. 23

SHALL ARTICLE VII, SECTION 21 OF THE BRENHAM CITY CHARTER REGARDING PURCHASING BE AMENDED AS FOLLOWS?

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 217. ~~{Purchasing requirementspower; competitive bids; competitive proposals.}~~

- ~~—— (a) *Purchasing power.* The City Manager or his designee shall obtain sealed written competitive bids or competitive proposals for contractual purchases exceeding ten thousand dollars (\$10,000.00), except for exempted procurements as provided by State law. Newspaper advertisement of the bid or proposal shall be provided to the public at least fourteen (14) days prior to award of contract.~~
- ~~—— (b) *Competitive bids.* The award of a sealed bid must be made according to the terms of the bid by City Council to the lowest responsible bidder. The City Council may waive any irregularities or omissions in any bid and may reject any and all bids.~~

~~—— (c) *Competitive proposals.* The City Council may solicit competitive proposals for high technology procurements, conduct discussions with vendors, and allow modifications of proposals with equal treatment for all vendors.~~

The City shall observe and comply with all applicable purchasing and procurement laws when expending City funds.

AMENDMENT NO. 23 SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION NO. 23

☐ YES

Shall Article VII, Section 21 be amended by requiring the City of Brenham to comply with applicable purchasing and procurement laws when expending City funds?

☐ NO

SECTION 2.
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 3.
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 4.
REPEALER

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

SECTION 5.
EFFECTIVE DATE

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

SECTION 6.
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.

READ, PASSED AND APPROVED on its first reading as outlined below at the meeting of the City Council of the City of Brenham, Texas, held on the ____ day of _____, 2015.

Mayor Milton Y. Tate, Jr	_____
Mayor Pro Tem Gloria Nix	_____
Councilmember Andrew Ebel	_____
Councilmember Danny Goss	_____
Councilmember Keith Herring	_____
Councilmember Mary Barnes-Tilley	_____
Councilmember Weldon Williams	_____

SECOND READING:

READ, PASSED AND APPROVED on its second reading as outlined below at the meeting of the City Council of the City of Brenham, Texas, held on the ____ day of _____, 2015.

Mayor Milton Y. Tate, Jr	_____
Mayor Pro Tem Gloria Nix	_____
Councilmember Andrew Ebel	_____
Councilmember Danny Goss	_____
Councilmember Keith Herring	_____
Councilmember Mary Barnes-Tilley	_____
Councilmember Weldon Williams	_____

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary