

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, January 19, 2023 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

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

Members Absent:

None

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jeana Bellinger, General Manager of Public Utilities Debbie Gaffey, Deputy General Manager of Public Utilities Alton Sommerfield, Human Resources Director Susan Nienstedt, Fire Chief Roger Williams, Police Chief Ron Parker, Director of Public Works Dane Rau, Director of Development Services Stephanie Doland, Director of Economic Development Susan Cates, Karen Stack, Kelvin Raven, Kyle Branham, Cherry Cash Prewitt, Shawn Bolenbarr, Shauna Laauwe, and Debra Pinto

Citizens/Others Present:

Paige Keaton, Keith Hofmann, Dayna Heine, Margie Young, Michael Fogel, Cynthia Timpa, Cindy Wells, Doug Peck, Sherry Harber, Rusty Summar, Gail Peck, Spencer Peck, Tiffany Howard, Tyler Howard, Jeny Nguyen, Jared Anderson, Clarissa Bass, David Nowowiejski, Donna Corbett, James Corbett, Leigh Linden, Paul LaRoche, Lindsay Bilbry, Terri Harris, Mark Feldhale, Kasia Chovanec, Jeff Chovanec, Pete Simpson, Jennifer Simpson, Kathleen Matthews, Coleen Broussard, Steve Suders, Randy Hodge, Katie Burch, Lisa Maysler, Elizabeth Price, Melinda Faubion, and Tiffany Morisak

Media Present:

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

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

No citizen comments were heard.

CONSENT AGENDA

4. **Statutory Consent Agenda**
 - 4-a. **Approve Ordinance No. O-23-003 on Its Second Reading Amending Appendix A-Zoning of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Chris and Deanna Marek Deanna Marek to Allow an Accessory Dwelling Unit (ADU) as an Accessory Use to Uses Permitted in a Mixed Residential Use Zoning District (R-2) on Approximately 0.386 Acres of Land Located at 604 S. Baylor Street, and Further Described as Lot E Part 3A, E Part 4A, Block 91, of the Original Town Addition in Brenham, Washington County, Texas (Case No. P-22-027)**
 - 4-b. **Approve Ordinance No. O-23-004 on Its Second Reading Amending Appendix A - 'Zoning' of the Code of Ordinances of the City of Brenham for an Amendment to the City of Brenham's Official Zoning Map to Change the Zoning District From a Local Business Residential Mixed Use District (B-1) to an Industrial Use District (I) on Approximately 3.77 Acres, Which is a Portion of a 6.899 Acre Tract of Land, Currently Addressed as 1150 Dixie Road and Being Further Described as Tract 51 (WCAD) Out of the Phillip Coe Survey, A-0031 in Brenham, Washington County, Texas (Case No. P-22-026)**
 - 4-c. **Approve a Multi-Year Contract Between the City of Brenham and Pitney Bowes Global Financial Services, LLC Related to the Lease of the Postage Machine in the Amount of \$81,557.40 and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve the Statutory Consent Agenda Items 4.a. and 4.b. and amend Item 4-c. to correct the amount of the multi-year contract price with Pitney Bowes Global Financial Services, LLC from \$81,557.40 to \$96,873.60.

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

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

WORK SESSION

5. Discussion and Presentation Related to An Application with the Texas Department of Housing and Community Affairs (TDHCA) by Trinity Housing Development for the Housing Tax Credit Program and The Multifamily Direct Loan Program

Economic Development Director Susan Cates introduced this item. Cates explained that Trinity Housing Development is making an application for the Low Income Housing Tax Credit (LIHTC) Program and possibly the Multifamily Direct Loan Program with the Texas Department of Housing and Community Affairs (TDHCA) to be located on the North side of US Hwy 290, west of Westwood Lane. Cates stated that the development will include 48, non-age restricted, units with half of the units at full market rate.

Cates then introduced Michael Fogel, Vice President of Trinity Housing Development. Fogel explained that this Work Session was to provide information to the City Council so they would have time to consider the merits of the project before being asked to approve a Resolution in support of the project in early March.

Fogel provided the Council with the following information about the housing development:

- Site location off Highway 290 West
 - Location is currently zoned B2 (Commercial, Research and Technology District) and in an area to score well for tax credits.
- Photos of other Trinity tax-credit properties; including Brenham Trails at Market Square.
- Explained how housing tax credits work
 - Funding mechanism that provides equity for residential development
 - Credits awarded annually by the Texas Department of Housing & Community Affairs in a competitive process
 - Tenants subject to criminal background screening and credit checks
 - Not public housing or Section 8
 - Not a property tax exemption
 - A Resolution of support from the City is required to apply for tax credit housing – deadline is March 1, 2023

- Project specifics
 - 48 units; 1, 2 and 3 bedrooms
 - Non-senior property – open to all ages
 - Mix of units bound to tax credit rent and income restrictions, and market rate units
 - Targeting 24 tax credit units and 24 market rate units
- Income and rent limits of the units
- Unit mix – 50% of units at market rate
- Other Trinity Development projects within the State

PUBLIC HEARING AND ASSOCIATED ACTION ITEM

6. Public Hearing, Discussion and Possible Action to Approve an Ordinance on Its First Reading Amending the Thoroughfare Plan 2022, a Supplement of the City of Brenham’s Comprehensive Plan “Historic Past, Bold Future: Plan 2022 (Case No. P-22-031

Mayor Tate opened the Public Hearing.

City Planner, Shauna Laauwe, presented this item. Laauwe stated the property owner, Mr. David Klingler, owns 140-acres of land outside of the city limits, but within the City’s Extraterritorial Jurisdiction (ETJ). Laauwe explained the location of the subject tract of land is located near the northeast city limits of Brenham, abutting the city limits line along the east side of Old Masonic Road, and being north of Brookside Drive and west of FM 2935.

Laauwe explained that Klingler wishes to plat a 10.60-acre portion of his tract for the development of four (4) residential lots and with the property being within the ETJ, the proposed plat would be approved through the Planning and Zoning Commission. Laauwe further stated, during a preliminary review, it was found that the City’s 2022 Thoroughfare Plan Map shows a proposed collector street going through the tract and Klingler is requesting that the proposed collector street be removed from the Thoroughfare Map as adopted in February 2022, as he believes it could potentially reduce the property’s value of the proposed platted lots.

Laauwe advised that the Planning and Zoning Commission held a public hearing and discussed this item at their meeting on December 19, 2022 and that they were unanimously in support of Klingler’s request. Laauwe also advised that staff is in support of this change.

Mayor Tate called for citizen comments; there were no citizen comments heard. Mayor Tate closed the public hearing.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve the Ordinance on its first reading amending the Thoroughfare Plan 2022, a supplement to the City of Brenham's Comprehensive Plan "Historic Past, Bold Future: Plan 2040" (Case No. P-22-031).

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

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

REGULAR SESSION

11. Discuss and Possibly Act Upon A License Agreement Between the City of Brenham and Mescalito Coffee LTD Co. Related to the Construction of a Downtown Parklet Adjacent to 100 E. Alamo Street, Brenham, Texas and Authorize the Mayor to Execute Any Necessary Documentation

Director of Economic Development Susan Cates presented this item. Cates explained that on June 16, 2022 City Council adopted the Downtown Parklet Manual, regulating parklets within the Downtown Brenham District. Cates confirmed following the approval of the Parklet Manual, the initial window for parklet applications was July 1st - August 30th. Cates stated the window was allowed for all businesses meeting the criteria set by City Council in the manual and wishing to install a parklet adjacent to their business would have time to apply and have a fair and even chance to seek approval. Cates noted during this initial application period only one (1) application was received from the owners of Mescalito Coffee, Jared Anderson and Kathleen Matthews.

Cates stated the application was reviewed by staff, all questions were researched and answered appropriately by Anderson, and staff agrees the application meets all criteria as established by the Parklet Manual. Cates explained that if approved, the parklet will be open for public use anytime and will not be limited to Mescalito customers. Mescalito will also be responsible for the cleaning the parklet and performing any needed maintenance as outlined in the Parklet License Agreement.

Cates stated that a petition opposing the removal of public parking for the construction of parklets was submitted to by downtown business owner, Sherry Harber. The petition contained twenty-three signatures. Harber explained that her opposition to this parklet is due to the following:

- Parklets take away parking from other businesses and parking is critical to the success of retail businesses.
- Allowing parklets shows favoritism for one business at the expense of others.
- Mescalito currently has outdoor seating available for their customers.

Several citizens addressed the City Council in support of the parklet mentioning the following:

- Parklets benefit the entire community and make downtown more welcoming.
- Allowing food trucks to occupy parking spaces is not any different than allowing the construction of a parklet in parking spaces.
- This parklet will be open to the public at all times and the City will not be responsible for the cleaning and/or maintenance of the parklet.

A motion was made by Councilmember Cook and seconded by Mayor Tate to approve a License Agreement between the City of Brenham and Mescalito Coffee LTD Co. related to the construction of a downtown parklet adjacent to 100 E. Alamo Street, Brenham, Texas and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion failed 5-2 with City Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	No
Councilmember Shannan Canales	No
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	No
Councilmember Adonna Saunders	No
Councilmember Albert Wright	No

7. Discuss and Possibly Act Upon a Noise Variance Request from Tara Royer Steele Related to Live Outdoor Music at Fireman's Park Pavilion on Various Dates Between January 21, 2023 and June 30, 2023 and Authorize the Mayor to Execute Any Necessary Documentation

Legal and Legislative Services Manager Karen Stack presented this item. Stack explained that Gather n Grace will be hosting family dinners every Monday, beginning January 16, 2023 through Monday, June 30, 2023 at Fireman's Park Pavilion from 6:00 p.m. – 8:00 p.m. and it is anticipated there will be approximately 100 attendees with music playing during the meal. Stack explained that due to the length of time of the request, and the use of amplified sound a Noise Variance was required.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve a Noise Variance for music to be held every Monday through June 30, 2023, beginning January 16th, at the Fireman's Park Pavilion from 6:00 p.m. to 8:00 p.m.

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

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

8. Discuss and Possibly Act Upon a Noise Variance Request from Brazos Valley Brewing Company Related to Live Outdoor Music at 206 S. Jackson Street, Brenham, Texas on Various Dates Between January 20, 2023 and June 30, 2023 and Authorize the Mayor to Execute Any Necessary Documentation

Legal and Legislative Services Manager Karen Stack presented this item. Stack stated a request from Joshua Bass, owner of the Brazos Valley Brewing Company (BVBC) was received for a Noise Variance allowing BVBC to hold live outdoor music at their business location, 206 S. Jackson Street, beginning January 20, 2023 and lasting through June 30, 2023. Stack noted the music will be provided by various bands and will take place from 6:00 p.m. to 9:00 p.m. on Fridays and Saturdays, and that BVBC is located in an Industrial Zone where live music is an allowed used.

Stack advised that a petition opposing live music at BVBC was submitted to by citizen Steve Sudors, who lives at 801 W. Main Street. The petition contained eleven signatures. Sudors addressed the City Council and explained that due to BVBC's live music he is unable to enjoy his back yard and porch because the music is so loud and can be clearly heard at his residence. Another citizen addressed Council and explained that he lives a block from BVBC and the music is not bothersome to him at all and the few times he has been able to hear it, he sits on his porch and enjoys it.

The owner of BVBC, David Nowowiejski, advised that in order to be a good neighbor BVBC has done several things to help mitigate the noise from their live music events. Nowowiejski explained that they have relocated their stage to an area on their property furthest from residential homes and have installed some barriers to help block the sound. Nowowiejski stated that Brenham is a music friendly city and that live music is imperative to the success of BVBC's business.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve a Noise Variance request from Brazos Valley Brewing Company (BVBC) for live outdoor music at 206 S. Jackson Street, for various dates between January 20, 2023 through June 30, 2023, and authorize the Mayor to execute any necessary documentation.

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

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

9. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham, Brenham Independent School District (BISD) and Blinn College for the May 6, 2023 Election and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger explained that both Brenham Independent School District (BISD) and Blinn College are required by law to have joint elections and share common polling places with the City.

Bellinger stated that as in previous years the City, BISD and Blinn will all contract with Washington County for election services and equipment; this Interlocal Agreement (ILA) addresses various election-related issues and outlines what each entity will be responsible for during the May 6, 2023 Election.

Bellinger advised the word “Deputy” in Item 6 of the ILA needs to be removed as the County now has an Elections Administrator (EA) and the EA will serve as the Early Voting Clerk. Bellinger requested that the ILA be approved with the amendment to Item 6 as discussed.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve an Interlocal Agreement between the City of Brenham, Brenham Independent School District (BISD) and Blinn College for the May 6, 2023 Election, with the removal of the word “Deputy” in Item 6, and authorize the Mayor to execute any necessary documentation.

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

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

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

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger explained that the City will be contracting with Washington County to provide various election services and election equipment for the May 6, 2023 election.

Bellinger advised the word “Deputy” in Section 4 the ILA needs to be removed as the County now has an Elections Administrator (EA) and the EA will serve as the Early Voting Clerk. Bellinger requested that the ILA be approved with the amendment to Section 4 as discussed.

A motion was made by Councilmember Kenjura and seconded by Councilmember Saunders to approve the Election Services Contract between the City of Brenham and Washington County related to election responsibilities for the May 6, 2023 election, with the removal of the word “Deputy” in Section 4, and authorize the Mayor to execute any necessary documentation.

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

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

12. Discuss and Possibly Act Upon the Termination of the License Agreement Between the City of Brenham and Country Sunshine Related to the Mobile Kitchen Located Adjacent to 110 West Main Street and Authorize the Mayor to Execute Any Necessary Documentation

Economic Development Director Susan Cates presented this item. Cates explained that Country Sunshine had relocated their mobile kitchen to the Brazos Valley Brewing Company (BVBC) property on August 17, 2022. Cates advised Country Sunshine is now requesting the City allow another mobile kitchen, La Jefe, to utilize their previous location at 110 West Main Street. Cates explained that after a meeting with the Economic Development Sub-committee it was determined that allowing the transfer would not be in the spirit of the original agreement; therefore, La Jefe would locate wholly on a site which is zoned for mobile kitchens, subject to applicable permitting.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve the termination of the License Agreement between the City of Brenham and Country Sunshine related to the mobile kitchen located adjacent to 110 West Main Street and authorize the Mayor to execute any necessary documentation.

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

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

13. Discuss and Possibly Act Upon the Award of RFP No. 23-001 for the Supply of Aviation Fuel and Associated Services at the Brenham Municipal Airport, Including Approval of Associated Contract(s), and Authorize the Mayor to Execute Any Necessary Documentation

Development Services Director Stephanie Doland presented this item. Doland stated that a Request for Proposals (RFP) had been issued on October 4, 2022 for a provider to supply aviation fuel to the Brenham Municipal Airport. The RFP was opened on October 18, 2022 and three (3) proposals were received. All of the proposals were reviewed and evaluated by a RFP Selection Committee based on weighted criterion.

Doland advised that Titan Aviation Fuels scored the highest of the three (3) proposals received will provide competitive fuel pricing and will be an excellent partner in fuel sales at the Airport due to their numerous support services.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to award of RFP No. 23-001 for the supply of aviation fuel and associated services at the Brenham Municipal Airport to Titan Aviation Fuels, upon acceptance of a final fuel agreement and refueler lease agreement by the City Attorney, and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed contingent on the City Attorney's approval on the final format of the agreement with Council voting as follows:

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

14. Discuss and Possibly Act Upon Resolution No. R-23-002 Related to the Installation of a Changeable Electronic Variable Message Sign (CEVMS) to be Located at 1007 Walter Schwartz Way, Brenham, Texas

City Planner Shauna Laauwe presented this item. Laauwe stated that Blinn College had formally requested to replace their existing electronic message signage for the Student Center located at 1007 Walter Schwartz Way. Laauwe explained that the City's sign ordinance regulates Changeable Electronic Variable Message Signs (CEVMS) and requires approval by City Council. Laauwe stated that Blinn's request meets all the required criteria and would not be against the spirit and intention of the sign ordinance.

A motion was made by Councilmember Canales and seconded by Councilmember Kenjura to approve Resolution No. R-23-002 related to the installation of a Changeable Electronic Variable Message sign (CEVMS) to be located at 1007 Walter Schwartz Way, Brenham, Texas.

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

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

15. Discuss and Possibly Act Upon the Submission of a Grant Application Through the Community Development Partnership Program (CDPP) Offered by the Lower Colorado River Authority (LCRA) for the Purchase of Two (2) Electronic Message Boards for the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau explained the Lower Colorado River Authority (LCRA) offers a competitive Community Development Partnership Program (CDPP) Grant up to \$50,000.00 to communities for capital improvement projects. Rau went on to say grants greater than \$5,000.00 require a minimum match of twenty percent of the total cost of the project. Rau advised that Public Works is seeking Council's permission to submit for a CDPP grant in the amount of \$25,000.00 to purchase two (2) electronic message boards for usage with the Street Department, Fire Department, Police Department, and for use during special events in downtown and around the City.

Rau stated the total project cost is estimated to be \$33,840.00, \$25,000 from CDPP grant and the remaining amount, \$8,840.00, would be considered the city's match.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve the submission of a grant application through the Community Development Partnership Program (CDPP) offered by the Lower Colorado River Authority (LCRA) for the purchase of two (2) electronic message boards for the City of Brenham and authorize the Mayor to execute any necessary documentation.

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

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

16. Discuss and Possibly Act Upon an Addendum to the Contract for Participation in the City of Brenham's Rotation Log for Non-Consent Tows and Authorize the City Manager to Execute Any Necessary Documentation

Police Chief Ron Parker presented this item. Parker stated in December 2022 staff met with the Non-Consent Tow Task Force to review and discuss the Non-Consent Tow Contract. Parker explained that these contracts are an annual agreement between the City and various tow companies that provide non-consent tow services.

Parker stated that the Task Force is only recommending two changes to the contract:

1. Slight increase in permissible charges for towing:
 - Regular Tows: From \$225.00 to \$255.00
 - Medium Tows: From \$275.00 to \$350.00
 - Heavy Tows: From \$550.00 to \$600.00
2. Require that the tow company and/or the operator have been in service in Washington County for at least twelve (12) months prior to applying to be added to the non-consent tow rotation

A motion was made by Councilmember Kenjura and seconded by Councilmember Cook to approve an addendum to the contract for participation in the City of Brenham's rotation log for non-consent tow, as presented, and authorize the Mayor to execute any necessary documentation.

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

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

17. Discuss and Possibly Act Upon the Appointment of Nine Members (Places 1 Through 9) to Serve on the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of Two Years Beginning January 1, 2023 and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Carolyn Miller presented this item. Miller explained that in 2019 the full City Council was appointed to serve on the TIRZ Board in Places 1-7, BCDC Board member Gary Crocker was appointed to Place 8 and Main Street Board member Tom Whitehead was appointed to Place 9. Miller stated that all of these appointments expired on December 31, 2022 and that this item is to reappoint the same nine members for a term of 2 years, expiring on December 31, 2024.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve the appointment of the Mayor and all Councilmembers (Wards 1 through 4 and At Large Places 5 and 6) to Places 1-7, and Gary Crocker to Place 8 and Tom Whitehead to Place 9 of the Tax Increment Reinvestment Zone No. 1 Board for a period of two (2) years beginning on January 1, 2023 and authorize the Mayor to execute any necessary documentation.

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

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

18. Discuss and Possibly Act Upon the Appointment of a Board Member to Serve as Chairman of the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of One Year Beginning January 1, 2023 and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Carolyn Miller presented this item. Miller explained that when the TIRZ Board was created in 2018 it allowed for the appointment of nine members with the member appointed to Place 1 also being appointed as Chairman of the TIRZ Board, for a term of one year. Miller stated that at that time, Mayor Tate was appointed by Council to Place 1, and has served as Chairman of the Board ever since.

Miller advised that this agenda item is to appoint a Chairman for the TIRZ Board to serve for calendar year 2024.

A motion was made by Councilmember Kenjura and seconded by Councilmember Cook to appoint Clint Kolby as Chairman of the Tax Increment Reinvestment Zone No. 1 Board of Directors for a period of one (1) year beginning January 1, 2023 and ending on December 31, 2023 and authorize the Mayor to execute any necessary documentation.

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

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

19. Administrative/Elected Officials Report

There were no administrative/elected officials reports given.

Council adjourned into Executive Session at 3:23 p.m.

EXECUTIVE SESSION

- 20. Section 551.071 Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding City of Brenham v. WTG Gas Marketing, Inc.; Cause No. 37573; 335th Judicial District Court, Washington County, Texas**
- 21. Section 551.071 Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas**
- 22. Section 551.071 Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding Legal Issues Concerning the City of Brenham Lake Somerville Raw Water Intake Structure, the Federal Emergency Management Agency, and Associated Matters**
- 23. Section 551.074 Texas Government Code – Personnel Matters – Annual Evaluation of the City Manager and Associated Matters**

Executive Session adjourned at 5:10 p.m.

RE-OPEN REGULAR SESSION

- 24. Discuss and Possibly Act Upon the Annual Evaluation of the City Manager and Associated Matters and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders that City Manager Carolyn Miller's annual salary be increased to \$180,000.00, effective immediately.

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

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

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor



Jeana Bellinger, TRMC, CMC
City Secretary