NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, JANUARY 4, 2018 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. Special Recognitions

3-a. Retirement

- **Terry Roberts, Administration** **17 Years**

3-b. Service Recognitions

- **David Andras, Police Department** **5 Years**
- **David Doelitsch, Development Services** **10 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. Minutes from the December 4, 2017 Special City Council Meeting

5-b. Ordinance No. O-18-001 on Its Second Reading Authorizing a Variance to Building Setback Requirements, as Outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, on a Tract of Land Being Described as Residue of Lot 1, Block 1, of the Post Oak Grove Addition, Located at 1303 Simon Avenue in Brenham, Washington County, Texas **Pages 1 - 4**

REGULAR SESSION

6. **Discuss and Possibly Act Upon a One Year Contract Extension, in Accordance with Bid No. 17-005, for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 5 - 6**

7. **Discuss and Possibly Act Upon Bid No. 18-001 Related to Annual Concrete Work for the City of Brenham and Authorize the Mayor to Execute any Necessary Documentation** **Pages 7 - 10**

8. **Discuss and Possibly Act Upon the Purchase of a Software Upgrade for the Advanced Metering Infrastructure (AMI) System for the City of Brenham's Public Utility Department and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 11 - 14**

9. **Discuss and Possibly Act Upon a One Year Contract Extension, in Accordance with Bid No. 14-010, for Bulk Water Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation** **Page 15**

10. **Discuss and Possibly Act Upon the Conveyance of Approximately 0.750 Acres of Land Described as Part of the P. H. Coe Survey, A-31, Being the Same Property Described in a Deed Dated November 29, 1984 from John S. Garnett to the City of Brenham, Recorded in Volume 492, Page 732 of Deed Records of Washington County, Texas to the Brenham Fire Department, a Texas Non-Profit Corporation, and Authorize the Mayor to Execute Any Necessary Documentation**
Pages 16 - 22

EXECUTIVE SESSION

11. **Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding the Construction Contract Between the City of Brenham and GCP Contractors, LLC, Including But Not Limited to the Termination of Said Contract and Other Available Remedies** **Page 23**

RE-OPEN REGULAR SESSION

12. **Discuss and Possibly Act Upon the Termination of the Construction Contract Between the City of Brenham and GCP Contractors, LLC and Other Available Remedies, and Authorize the Mayor to Execute Any Necessary Documentation**
Page 24

13. 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 salutary 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 Negotiation

CERTIFICATION

I certify that a copy of the January 4, 2018 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 December 29, 2017 at **12:00** PM.

Jeana Bellinger, TRMC, CMC
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 _____, 2018 at _____ AM PM.

_____ _____
Signature Title

Brenham City Council Minutes

A special meeting of the Brenham City Council was held on December 4, 2017 beginning at 8:00 a.m. in the Brenham City Hall, Conference Room 2A, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Andrew Ebel
Councilmember Susan Cantey
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Members absent:

None

Others present:

Mike Tanner with Strategic Government Resources

Citizens present:

None

Media Present:

None

1. Call Meeting to Order

Council adjourned into Executive Session at 8:01a.m.

EXECUTIVE SESSION

2. Section 551.074 – Texas Government Code – Personnel Matters – Discussion Regarding the Evaluation and Interviews of the Final Candidates for the Position of City Manager

DRAFT

AT 8:30 A.M. THE BRENHAM CITY COUNCIL WILL RECESS THIS SPECIAL CITY COUNCIL MEETING TO GO INTO SMALL WORK GROUPS, OF NO MORE THAN THREE (3) COUNCIL MEMBERS, FOR CITY MANAGER CANDIDATE INTERVIEWS. THE SMALL WORK GROUPS WILL BE HELD SIMULTANOUSLY AT CITY HALL IN CONFERENCE ROOM 2A, CONFERENCE ROOM 2C AND SUITE 206

AT 10:30 A.M. THE BRENHAM CITY COUNCIL WILL RECONVENE IN EXECUTIVE SESSION IN COUNCIL CHAMBERS FOR CITY MANAGER CANDIDATE INTERVIEWS WITH THE FULL CITY COUNCIL

AT 1:00 P.M. THE BRENHAM CITY COUNCIL WILL TEMPORARILY RECESS THIS SPECIAL CITY COUNCIL MEETING AND RECONVENE IN EXECUTIVE SESSION IN CONFERENCE ROOM 2A FOR THE REMAINDER OF THE MEETING

Executive Session adjourned at 1:51p.m.

RE-OPEN REGULAR SESSION

The meeting was adjourned.

_____
Milton Y. Tate, Jr.
Mayor

_____
Jeana Bellinger, TRMC, CMC
City Secretary

DRAFT

ORDINANCE NO. O-18-001

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 23-22(1) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 23, SUBDIVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, provides for standards and regulations regarding subdivisions within the corporate boundaries of the City of Brenham; and

WHEREAS, Chapter 23, Section 23-22(1) states that building setback lines on collector and arterial streets shall not be less than twenty-five (25) feet, as follows:

All residential lots within the city and its extraterritorial jurisdiction shall conform to the general provisions provided below:

(1) Lots on arterial and collector streets. The building setback line shall not be closer than twenty-five (25) feet from the side of a lot which abuts a collector or an arterial street.

WHEREAS, in accordance with City of Brenham Code of Ordinances, Chapter 23, Subdivisions, Section 23-34, as the legislative body of the City of Brenham, the City Council of the City of Brenham, Texas has the authority to grant variances from the terms of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions; and

WHEREAS, the owner of the property described as Residue of Lot 1, Block 1, Post Oak Grove Addition has requested a variance from City of Brenham Code of Ordinances, Chapter 23, Subdivisions, Section 23-22(1); and

WHEREAS, the requested variance was recommended for approval by the City of Brenham Planning and Zoning Commission during its regular meeting on December 18, 2017; and

WHEREAS, Independence Street is classified as a Minor Collector Road according to the City Thoroughfare Plan; and

WHEREAS, the property is in compliance with the City of Brenham Comprehensive Plan; and

WHEREAS, the City Council finds that by granting the variance, the spirit of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions is observed; and

WHEREAS, the City Council further finds that granting the variance is not contrary to the public interest;

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

1. **Findings of Fact:** All of the above premises are hereby found to be true and correct findings of the City Council of the City of Brenham and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

2. **Variance Granted**: The City Council, for the property described as the Residue of Lot 1, Block 1, Post Oak Grove Addition, hereby grants the request for a variance from the provisions of the City of Brenham Code of Ordinances, Chapter 23, Section 23-22(1) to allow a fifteen (15) feet building line setback where a building line setback shall not be closer than twenty-five (25) feet from the side of a lot which abuts a collector or an arterial street; and

3. **Conflict with Prior Ordinances:** In the case of a conflict between this Ordinance and any provision or clause of previous Ordinances adopted by the City of Brenham, the provisions of this Ordinance shall prevail.

4. **Severability**: Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.

5. **Effective Date:** This Ordinance shall become effective immediately upon and after its passage and publication as may be required by governing law.

6. **Proper Notice and Meeting**: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED and APPROVED on its first reading this the 21st day of December, 2017.

PASSED and APPROVED on its second reading this the 4th day of January, 2018.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Kacey Weiss, TRMC
Deputy City Secretary

AGENDA ITEM 6

DATE OF MEETING: January 4, 2018	**DATE SUBMITTED:** December 23, 2017
DEPT. OF ORIGIN: Public Works	**SUBMITTED BY:** Dane Rau

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a One Year Contract Extension, in Accordance with Bid No. 17-005, for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: In March of 2017, Bid #17-005 was awarded to Houston Poly Bag for the purchase of 14,000 refuse bags at a cost of $5.97/roll. It is that time of the year to order again and Houston Poly Bag has indicated that they would honor their price of $5.97/roll to the City of Brenham under the one-year contract extension language.

We feel that this is a fair price based on the stability of the past bids over the last several years, (2017/$5.97, 2016/$6.70, 2015/$6.70, 2014/$6.52, 2013/ $7.10, 2012/ $6.95). We would like to extend the contract and purchase from Houston Poly Bag as we did last year rather than re-bid. We have budgeted $91,000 in the 2017-18 budget for this purchase and these amounts fall under that budget by $7,420. Annual budget for refuse bags is $91,000.

Houston Poly Bag has been awarded this contract in the past and they have provided a very durable bag that has proven to hold up to the conditions in which we use them.

We respectfully ask council to approve this purchase of 14,000 refuse bags to Houston Poly Bag. The next bag pass out will be January 24th and January 31st this year

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Same company, same price, good bags and no bid process

B. CONS: None

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: None

FUNDING SOURCE (Where Applicable): 106-5-142-219.00
RECOMMENDED ACTION: Approve a one (1) year contract extension, in accordance with Bid No. 17-005, for the purchase of 14,000 refuse bags from Houston Poly Bag for $5.97/roll and authorize the Mayor to execute any necessary documentation
APPROVALS: Ryan Rapelye

AGENDA ITEM 7

DATE OF MEETING: January 4, 2018	**DATE SUBMITTED:** December 22, 2017
DEPT. OF ORIGIN: Public Works	**SUBMITTED BY:** Dane Rau

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 18-001 Related to Annual Concrete Work for the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY: On December 21, 2017, the purchasing department opened bids regarding annual concrete work, which is requested by the City of Brenham throughout the year. There were 6 bids mailed out with only two of those bids being received on December 21st.

Legacy Concrete Works submitted the lowest bid on each item listed. Bid amounts are shown on the attached bid tabulation. In the past few years, staff has not had an annual contract and has gone through the quote process when concrete work was needed. After evaluating the process and based off of the total amount being spent each year we have decided to go back to an annual contract

Based on the bids, staff is recommending awarding the annual concrete work to Legacy Concrete Works. By awarding this bid, it will allow all city departments to coordinate work through Legacy and obtain quick professional service.

The current amount budgeted in the Street Department related to concrete work is $80,000. This amount is used for curb replacement, valley gutter repair, sidewalk replacement and other concrete work as needed throughout the year.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Quality business who we have used in the past and has a good history.

B. CONS: None

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Bid Information Sheet: and (2) Bid Tabulation Sheet

FUNDING SOURCE (Where Applicable): Numerous City Departments
RECOMMENDED ACTION: Award Bid No. 18-001 to Legacy Concrete Works for annual concrete work for the City of Brenham and authorize the Mayor to execute any necessary documentation
APPROVALS: Ryan Rapelye

Bid Information Sheet

December 21, 2017

IFB No. 18-001 (Rebid)

For: Rebid-Annual Contract for Concrete Work

Purchase not to exceed budgeted funds.

Number of completed bids returned to Purchasing: 2

City of BRENHAM

BID TABULATION
IFB 18-001 REBID ANNUAL CONTRACT FOR CONCRETE WORK

ITEM	BIDDER Legacy Concrete Works Brenham, TX	BIDDER Myers Concrete Construction Wimberly, TX
1. Furnish labor and materials for the placement of standard curb and gutter per linear foot.	**$20.00**	$29.50
2. Furnish labor and materials for the placement of historical curb and gutter per cubic foot.	**$17.00**	$19.70
3. Furnish labor and materials for the placement of 4" thick reinforced concrete flatw ork per square foot.	**$5.25**	$8.70
4. Furnish labor and materials for the placement of 6" thick reinforced concrete flatw ork per square foot.	**$6.50**	$9.90
5. Furnish labor and materials for the placement of 6" thick reinforced concrete drivew ay per square foot.	**$6.50**	$10.90
6. Furnish labor and materials for the placement of reinforced concrete valley gutters per square foot.	**$6.50**	$9.50
7. Furnish labor and materials for the placement of reinforced concrete inlets (0-2' height) include ring and cover (supplied by City), per cubic foot.	**$53.00**	$55.00
8. Furnish labor and materials for the placement of reinforced concrete inlets (0-4' height) include ring and cover (supplied by City), per cubic foot.	**$42.00**	$60.00
9. Furnish labor and materials for the placement of reinforced concrete linets (0-6' height) include ring and cover (supplied by City), per cubic foot.	**$46.00**	$60.00
10. Furnish labor and materials for the placement of reinforced concrete manholes (0-2' height) include ring & cover (supplied by City) per cubic foot.	**$51.00**	$55.00
11. Furnish labor and materials for the placement of reinforced concrete manholes (0-4' height) include ring and cover (supplied by City), per cubic foot.	**$40.00**	$50.00
12. Furnish labor and materials for the placement of reinforced concrete manholes (0-6' height) include ring and cover (supplied by City), per cubic foot.	**$42.00**	$55.00
13. Furnish labor and materials for the placement of reinforced concrete w alls and footings (4' max heigh/depth of beam footings), per cubic foot.	**$41.00**	$55.00

AGENDA ITEM 8

DATE OF MEETING: January 4, 2018	**DATE SUBMITTED:** December 28, 2017
DEPT. OF ORIGIN: Public Utilities	**SUBMITTED BY:** Lowell Ogle

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Purchase of a Software Upgrade for the Advanced Metering Infrastructure (AMI) System for the City of Brenham's Public Utility Department and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: In 2008, the City of Brenham began a pilot project of an Advanced Metering Infrastructure (AMI) system. This system would allow meters to communicate wirelessly back to our billing and other systems. This information can help to proactively identify issues with meters, customer leaks, power outages, meter tampering etc. The pilot proved to be a success and in 2010, the City received RFP's for a citywide deployment of the AMI system. The system that we purchased was the Sensus Flexnet System and included software, a basic Meter Data Management (MDM) program, communications base station and servers.

During the 2017-2018 budget process Council approved $90,000 in the Utility Billing budget to upgrade the AMI system with newer software, a more robust MDM, and a customer portal. The newer software and MDM provide more analytical information and options to the staff and can help increase productivity and customer service. The customer portal will allow customers more access to their usage and information and they can receive alerts based on parameters they can set etc. This upgrade will also move the servers to an offsite-hosted facility.

The quotes we have received total $90,773.32, this is $773.32 over our budget and we will try to reduce the cost or reduce other expenses within our budget.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Increase productivity, customer service and allow customers access to their usage information.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Quotes received from Aqua Metric

FUNDING SOURCE (Where Applicable): 5-102-132-424.00
RECOMMENDED ACTION: Approve the purchase of a software upgrade for the Advanced Metering Infrastructure (AMI) System for the City of Brenham's Public Utility Department from Aqua Metric at a cost of $90,773.32 and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts

Aqua Metric

SENSUS FlexNet

Kristy Segarra - Manager, Bids & Proposals
6700 Guada Coma Drive • Schertz, TX 78154
Phone: (210) 967-6300 • Fax: (210) 967-6305
Email: kristy.segarra@aqua-metric.com
www.aqua-metric.com

December 7, 2017

Quote for City of Brenham, Texas
Attention Lowell Ogle
Address 200 W Vulcan Street
City, State, ZIP Brenham, Texas 77833
Phone: (979) 337-7200
Email

Quantity	Description	Unit Price	Extended
1	RNI Setup Fee	$6,180.00	$6,180.00
1	RNI Core Education	$5,176.00	$5,176.00
1	Sensus Analytics Setup Fee	$3,000.00	$3,000.00
1	Sensus Analytics Basic Integration to CIS[6]	$3,200.00	$3,200.00
1	Sensus Analytics On-Site Training	$2,353.00	$2,353.00
1	MultiSpeak Setup and Integration for Outage Management System, Estimated Price[6]	$6,118.00	$6,118.00
1	Project Management	$12,500.00	$12,500.00
1	Annual RNI SaaS Fee - Water, Gas, and Electric	$2,823.16	$2,823.16
1	Annual Sensus Analytics Enhanced SaaS Fee - Water, Gas,and Electric	$2,823.16	$2,823.16
1	Aqua Metric Annual Maintenance and Support	$10,000.00	$10,000.00
		Total:	$54,173.32
	Year Two Costs		
1	Annual RNI SaaS Fee	$3,528.95	$3,528.95
1	Annual Sensus Analytics Enhanced SaaS Fee - Water, Gas,and Electric	$3,528.95	$3,528.95
1	Aqua Metric Annual Maintenance and Support	$10,300.00	$10,300.00
		Total:	$17,357.90
	Year Three Costs		
1	Annual RNI SaaS Fee	$4,411.20	$4,411.20
1	Annual Sensus Analytics Enhanced SaaS Fee - Water, Gas,and Electric	$4,411.20	$4,411.20
1	Aqua Metric Annual Maintenance and Support	$10,609.01	$10,609.01
		Total:	$19,431.41
	Year Four Costs		
1	Annual RNI SaaS Fee	$5,513.99	$5,513.99
1	Annual Sensus Analytics Enhanced SaaS Fee - Water, Gas,and Electric	$5,513.99	$5,513.99
1	Aqua Metric Annual Maintenance and Support	$10,927.26	$10,927.26
		Total:	$21,955.24
	Year Five Costs		
1	Annual RNI SaaS Fee	$6,892.49	$6,892.49
1	Annual Sensus Analytics Enhanced SaaS Fee - Water, Gas,and Electric	$6,892.49	$6,892.49
1	Aqua Metric Annual Maintenance and Support	$11,255.07	$11,255.07
		Total:	$25,040.05

This quotation on the product and services named, may be subject to the conditions noted below:

1. Net 30 Days to Pay
2. Freight Allow on orders over $7,500.00
3. All quotes are valid for 90 days from date of quotation
4. Return product may be subject to 25% restocking fee
5. Minimum 5 Year Term; 3% Increase on All Annual Services
6. Basic Integration for Sensus side only. Billing provider may have additional costs associated with integration
7. Pricing based on 7,174 Electric; 4,559 Gas; and 7,815 Water Endpoints
8. City to provide static IP address and monthly data/SIM card.

Aqua Metric

Kristy Segarra - Manager, Bids & Proposals
6700 Guada Coma Drive • Schertz, TX 78154
Phone: (210) 967-6300 • Fax: (210) 967-6305
Email: kristy.segarra@aqua-metric.com
www.aqua-metric.com

Sensus FlexNet

December 7, 2017

Quote for	City of Brenham, Texas
Attention	Lowell Ogle
Address	200 W Vulcan Street
City, State, ZIP	Brenham, Texas 77833
Phone:	(979) 337-7200
Email	

Quantity	Description	Unit Price	Extended
	Customer Portal Option		
1	Annual Customer Portal Core - Annual Minimum User Fee for 1,500 Accounts	$9,375.00	$9,375.00
TBD	Annual Customer Portal Core Additional User Fee - Price Per Account Over 1,500 Minimum	$3.00	To be Determined
1	Customer Portal Setup	$6,250.00	$6,250.00
1	Customer Portal CIS System Integration Fee[6]	$12,500.00	$12,500.00
1	Customer Portal Training	$2,250.00	$2,250.00
1	Customer Portal Text Message Block for 1,500 Users	$225.00	$225.00
1	Project Management	$6,000.00	$6,000.00
		Total:	$36,600.00
	Year Two Costs		
1	Annual Customer Portal Core - Annual Minimum User Fee for 1,500 Accounts	$9,656.25	$9,656.25
TBD	Annual Customer Portal Core Additional User Fee - Price Per Account Over 1,500 Minimum	$3.09	To be Determined
		Total:	$9,656.25
	Year Three Costs		
1	Annual Customer Portal Core - Annual Minimum User Fee for 1,500 Accounts	$9,945.94	$9,945.94
TBD	Annual Customer Portal Core Additional User Fee - Price Per Account Over 1,500 Minimum	$3.19	To be Determined
		Total:	$9,945.94
	Year Four Costs		
1	Annual Customer Portal Core - Annual Minimum User Fee for 1,500 Accounts	$10,244.31	$10,244.31
TBD	Annual Customer Portal Core Additional User Fee - Price Per Account Over 1,500 Minimum	$3.29	To be Determined
		Total:	$10,244.31
	Year Five Costs		
1	Annual Customer Portal Core - Annual Minimum User Fee for 1,500 Accounts	$10,551.65	$10,551.65
TBD	Annual Customer Portal Core Additional User Fee - Price Per Account Over 1,500 Minimum	$3.39	To be Determined
		Total:	$10,551.65

This quotation on the product and services named, may be subject to the conditions noted below:

1. Net 30 Days to Pay
2. Freight Allow on orders over $7,500.00
3. All quotes are valid for 90 days from date of quotation
4. Return product may be subject to 25% restocking fee
5. Minimum 5 Year Term; Increase on All Annual Services Shown; Years 6 - 10 To be Determined
6. Basic Integration for Sensus side only. Billing provider may have additional costs associated with integration
7. Pricing based on 7,174 Electric; 4,559 Gas; and 7,815 Water Endpoints
8. Pricing does not include bonding
9. Annual overage fee to be calculated at the years end and invoiced to the City.
10. Text message block based on actual number of users. Average price per account is $0.20.

AGENDA ITEM 9

DATE OF MEETING: January 4, 2018	**DATE SUBMITTED:** December 28, 2017
DEPT. OF ORIGIN: Public Utilities	**SUBMITTED BY:** Lowell Ogle

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a One Year Contract Extension, in Accordance with Bid No. 14-010, for Bulk Water Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation.

SUMMARY STATEMENT: On December 4, 2014, City Council approved a contract with Evoqua Water Technologies for the purchase of Sodium Chlorite at $0.74/lb. The contract was a one (1) year contract with four (4) additional one (1) year terms (5 years total). All renewals to have the same terms and conditions as the original contract. This one (1) year renewal would be the third renewal of this contract with one (1) year renewal remaining.

Sodium Chlorite is used to generate Chlorine Dioxide that is used as our primary disinfectant at Lake Somerville, it is also used to treat for Iron and Manganese and to help with taste and odor control.

Evoqua has consistently provided good service to the city. Staff is recommending that Council approve this extension to Evoqua Water Technologies. Pricing for the Sodium Chlorite will remain at $0.74/lb.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: No price increase.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: None

FUNDING SOURCE (Where Applicable): 104-5-163-201.00

RECOMMENDED ACTION: Approve a one-year contract extension, in accordance with Bid No. 14-010, with Evoqua Water Technologies for bulk water treatment chemicals at a price of $0.74 per pound and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts

AGENDA ITEM 10

DATE OF MEETING: January 4, 2018	**DATE SUBMITTED:** December 27, 2017
DEPT. OF ORIGIN: Administration	**SUBMITTED BY:** Jeana Bellinger

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Conveyance of Approximately 0.750 Acres of Land Described as Part of the P. H. Coe Survey, A-31, Being the Same Property Described in a Deed Dated November 29, 1984 from John S. Garnett to the City of Brenham, Recorded in Volume 492, Page 732 of Deed Records of Washington County, Texas to the Brenham Fire Department, a Texas Non-Profit Corporation, and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: In November, 1983 John Garnett donated approximately 4 acres of land to the Brenham Fire Department (non-profit group) for the construction of the Fireman's Training Center. Shortly after the donation of the 4-acre tract, Mr. Garnett donated the abutting 0.75-acre tract (located at the corner of U.S. Highway 290 West and Industrial Blvd.) to the City. In reviewing our records, I have not been able to determine why Mr. Garnett did not donate his entire tract of land to the Brenham Fire Department.

Earlier this year, the Brenham Fire Department asked if the City would consider deeding the .75-acre tract over to them so that they could use this land when planning for future improvements to the Fireman's Training Center. According to the Texas Constitution, the City cannot deed or give away anything of value that could possibly benefit a private individual or private company. However, in reviewing Section 253.011 of the Local Government Code, the City can give real property to a non-profit organization for public use as long as the non-profit uses the property "*…in a manner that primarily promotes a public purpose of the municipality*." The law does require that the property revert back to the municipality if for any reason the non-profit organization fails to use the property for a public purpose.

If the City Council agrees to convey this land to the non-profit group the deed will be prepared with a clause stating that if the use of property ever ceases to not provide a public purpose, ownership of the land will revert back to the City.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Special Warranty Deed; and (2) Aerial map of the property
FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: Approve the conveyance of approximately 0.750 acres of land described as part of the P. H. Coe Survey, A-31, being the same property described in a deed dated November 29, 1984 from John S. Garnett to the City of Brenham, recorded in Volume 492, Page 732 of Deed Records of Washington County, Texas to the Brenham Fire Department, a Texas Non-Profit Corporation, and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts

Special Warranty Deed

Date: _____, 2014

Grantor: City of Brenham, a Texas home-rule municipal corporation.

Grantor's Mailing Address:

City of Brenham
P.O. Box 1059
Brenham, TX 77834

Grantee: Brenham Fire Department, a Texas nonprofit corporation

Grantee's Mailing Address:

Brenham Fire Department
101 N. Chappell Hill Street
Brenham, TX 77833

Consideration:

TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Property (including any improvements):

All that 0.750 acre tract or parcel of land situated in Washington County, Texas out of the P.H. Coe Survey A-31, being the same property described in a deed dated November 29, 1984 from John S. Garnett to the City of Brenham, Texas, recorded in Volume 492, Page 732 of the Deed Records of Washington County, Texas.

Reservations from Conveyance:

For Grantor and Grantor's successors, heirs, and assigns forever, a reservation of the free, uninterrupted, and perpetual use of, a twenty-foot (20') wide right-of-way easement parallel to and beginning at the existing boundary line abutting the Industrial Boulevard and U.S. Highway Frontage Road right-of-ways for the purpose of laying, constructing, maintaining, operating, replacing and removing utilities with necessary fittings and appliances, for the transportation of said utilities and in connection therewith, for the purpose of erecting, maintaining, operating and removing the utilities, which right-of-way easement is more fully described in Exhibit "A", attached hereto and made a part hereof for all purposes.

Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of the official records of Washington County, Texas.

Fee Simple Determinable Condition: To be used for fire-fighting and emergency services training, fund-raising functions and events, and all other associated activities and purposes, for the benefit of the Brenham Fire Department.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, gives, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns for as long as the Fee Simple Determinable Condition is satisfied, and if the Fee Simple Determinable Condition is not satisfied, the Property will automatically revert to and be owned by Grantor without the necessity of any further act on the part of Grantor, it being Grantor's intent to convey a fee simple determinable estate to Grantee. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

City of Brenham, a Texas home-rule municipal corporation

_____

Hon. Milton Y. Tate, Jr., Mayor

Brenham Fire Department, a Texas nonprofit corporation

_____

Ricky Boeker, President

STATE OF TEXAS)
)
COUNTY OF WASHINGTON)

Before me, the undersigned authority, on this day personally appeared **Milton Y. Tate, Jr.,** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the City of Brenham, a Texas home-rule municipal corporation, as its Mayor, for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 2014.

_____
Notary Public, State of Texas
My commission expires:

_____

STATE OF TEXAS)
)
COUNTY OF WASHINGTON)

This instrument was acknowledged before me on _____, 2014, by **Ricky Boeker**, President of the Brenham Fire Department, a Texas nonprofit corporation, on behalf of said nonprofit corporation.

_____
Notary Public, State of Texas
My commission expires:

_____

AFTER RECORDING RETURN TO:

Brenham Fire Department
101 N. Chappell Hill Street
Brenham, TX 77833

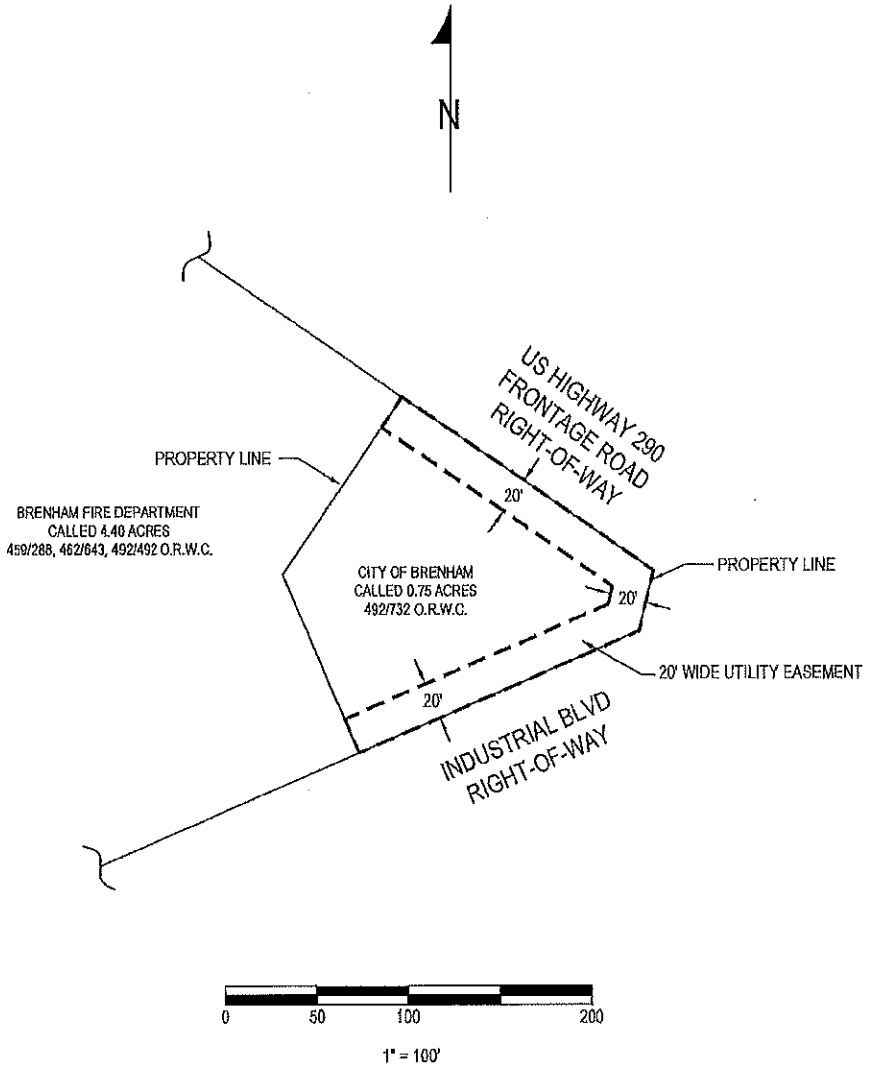
N
US HIGHWAY 290
FRONTAGE ROAD
RIGHT-OF-WAY
PROPERTY LINE
BRENHAM FIRE DEPARTMENT
CALLED 4.40 ACRES
459/288, 462/643, 492/492 O.R.W.C.
20'
CITY OF BRENHAM
CALLED 0.75 ACRES
492/732 O.R.W.C.
PROPERTY LINE
20'
20' WIDE UTILITY EASEMENT
20'
INDUSTRIAL BLVD
RIGHT-OF-WAY
0
50
100
200
1" = 100'

EXHIBIT A

TRAINING Center

Brenham Fireman's Training Center and City own Parcel

1 inch = 113 feet

City of BRENHAM

AGENDA ITEM 11

DATE OF MEETING: January 4, 2018 **DEPT. OF ORIGIN:** Administration	**DATE SUBMITTED:** December 27, 2017 **SUBMITTED BY:** Terry Roberts

MEETING TYPE:	**CLASSIFICATION:**	**ORDINANCE:**
☐ **REGULAR**	☐ **PUBLIC HEARING**	☐ **1ST READING**
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☒ **EXECUTIVE SESSION**	☒ **REGULAR**	☐ **RESOLUTION**
	☐ **WORK SESSION**	

AGENDA ITEM DESCRIPTION: Section 551.071 – Texas Government Code – Consultation with Attorney – Deliberation Regarding the Possible Termination of a Construction Contract Between the City of Brenham and GCP Contractors, LLC

SUMMARY STATEMENT: To be discussed in Executive Session.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: None

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION:

APPROVALS: Milton Y. Tate, Jr.

AGENDA ITEM 12

DATE OF MEETING: January 4, 2018 **DEPT. OF ORIGIN:** Administration	**DATE SUBMITTED:** December 27, 2017 **SUBMITTED BY:** Terry Roberts

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Termination of the Construction Contract Between the City of Brenham and GCP Contractors, LLC. and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: As discussed in Executive Session

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS:

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: As discussed in Executive Session

APPROVALS: Terry K. Roberts