NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, FEBRUARY 15, 2024 AT 1:00 PM
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN STREET
BRENHAM, TEXAS

1. **Call Meeting to Order**

2. **Invocation and Pledges to the US and Texas Flags - Councilmember Adonna Saunders**

3. **Citizen Comments**

CONSENT AGENDA

4. **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.

   4.a. Approve the Minutes from the January 29, 2024, Special Council Meeting

   4.b. Approve the Purchase of One (1) Vermeer Hydro-Vac Unit for the City of Brenham Central Fleet from Vermeer of Texas-Louisiana through Buyboard Contract No. 684-22 in the Amount of $65,900.00 and Authorize the Mayor to Execute Any Necessary Documentation

WORK SESSION

5. **Discussion and Presentation on City of Brenham Water Rate Study by NewGen Strategies and Solutions, LLC**

REGULAR SESSION

6. **Discuss and Possibly Act Upon the Purchase of Two (2) Ford F-150**

Responder Trucks for the City of Brenham Police Department through The Interlocal Purchasing System (TIPS) and Authorize the Mayor to Execute Any Necessary Documentation

7. **Discuss and Possibly Act Upon the Purchase of Four (4) Dodge Durangos for the City of Brenham Police Department through The Interlocal Purchasing System (TIPS) and Authorize the Mayor to Execute Any Necessary Documentation**

8. **Discuss and Possibly Act Upon Bid No. 24-002 for Chlorine and Sulfur Dioxide Chemicals and Authorize the Mayor to Execute Any Necessary Documentation**

9. **Discuss and Possibly Act Upon the Rejection of All Bids Submitted in Response to RFP No. 23-010 Related to the Jackson Street Substation Underground Feeder Exit Relocation, Phase 1, and Authorize the Mayor to Execute Any Necessary Documentation**

10. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Adopting Chapter 28, Impact Fees, of the Code of Ordinances of the City of Brenham, Texas**

11. **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.

EXECUTIVE SESSION

12. **Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Commonwealth Development, Inc. v. City of Brenham, Texas; Fair Housing Case No. 06-22-3294-8**

13. **Section 551.074, Texas Government Code - Personnel Matters - Discussion Concerning the Employment and Duties of the City Manager, and Associated Matters**

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 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 St., Brenham, TX on Monday, February 12th at 12:30 p.m.

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 _____, 2024 at _____ a.m./p.m.

_____ _____
Signature Title

Brenham City Council Minutes

A Special Meeting of the Brenham City Council was held on Monday, January 29, 2024 beginning at 9:00 AM in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Atwood Kenjura
Mayor Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Paul LaRoche
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

None

City of Brenham Staff Present:

City Manager Carolyn Miller, City Secretary/Director of Administrative Services Jeana Bellinger, and Director of HR and Risk Management Susan Nienstedt.

Citizens/Others Present:

None

Media Present:

None

DRAFT

1. Call Meeting to Order

Council adjourned into Executive Session at 9:05 a.m.

EXECUTIVE SESSION

2. Section 551.074, Texas Government Code - Personnel Matters - Discussion Concerning the Appointment, Employment, Evaluation, and Duties of a New City Manager, Including But Not Limited To the Review of Applicants for the City Manager Position, and Associated Issues

Executive Session adjourned at 12:23 p.m.

ADJOURN

_____
Atwood C. Kenjura
Mayor

_____
Jeana Bellinger, TRMC, CMC
City Secretary

DRAFT

City Council Regular Meeting

AGENDA ITEM 4.b

Agenda Item: **Approve the Purchase of One (1) Vermeer Hydro-Vac Unit for the City of Brenham Central Fleet from Vermeer of Texas-Louisiana through Buyboard Contract No. 684-22 in the Amount of $65,900.00 and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 15, 2024

Department: Maintenance

Staff Contact: Stephen Draehn, Maintenance Supervisor

SUMMARY STATEMENT:

The Maintenance Department is seeking the Mayor and Council's approval to order one (1) Vermeer Hydro-Vac Unit for the City of Brenham Central Fleet for fiscal year 2024. This piece of equipment was not originally requested in the FY24 but is needed to replace an aging vacuum unit that is used daily by multiple departments. The current unit we are requesting to be replaced is a 2012 model that is routinely in the Maintenance Shop for repairs and is rapidly deteriorating to a point that repairs will cost more than the unit is worth.

The Maintenance Staff were able to obtain quotes on the Vermeer Hydro-Vac Unit from Vermeer of Texas-Louisiana on BuyBoard contract #684-22. The purchase will be with BuyBoard vendor Vermeer of Texas-Louisiana for the purchase price of $65,900.00. This unit is currently in stock and available for purchase.

Although this equipment is unbudgeted, it will be covered by unreserved funds in the Central Fleet Fund.

ATTACHMENTS:

1. Vermeer Hydro-Vac BuyBoard Quote

RECOMMENDATION:

Approve the purchase of one (1) Vermeer Hydro-Vac Unit for City of Brenham Central Fleet from Vermeer of Texas-Louisiana through the BuyBoard Contract No. 684-22 in the amount of $65,900.00 and authorize the Mayor to execute any necessary documentation.

BUYBOARD

PRODUCT PRICING SUMMARY BASED ON CONTRACT

VENDOR: Vermeer Texas-Louisiana

End User: City of Brenham
Vendor Rep: Patrick Rothrock
Contact: STEPHEN DRAEHAN
Phone/email: 713-898-3656 / patrickr@vermeertexas.com
Phone/email: SDRAEHN@CITYOFBRENHAM.ORG
Date: Wednesday, January 31, 2024
Product Description: VERMEER LP573XDT HYDROVAC

A. Bid Series: _____ **A. Base Price:**

B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
	2024 LP573XDT w/ 24 hp Kohler diesel	$ 65,200.00			
	engie, 580 CFM vacuum pump, trailer				
	mounted unit				

Total of B. Published Options: $ 65,200.00

C. Unpublished Options [Itemize each below, not to exceed 25%] $= 0 %

Options	Bid Price	Options	Bid Price

Total of C. Unpublished Options: $ -

D.	**Pre-delivery Inspection:**	$ 300.00
E.	**Texas State Inspection:**	
F.	**Manufacturer Destination/Delivery:**	
G.	**Floor Plan Interest (for in-stock and/or equipped vehicles):**	$ -
H	**Lot Insurance (for in-stock and/or equipped vehicles):**	$ -
I.	**Contract Price Adjustment:** _____	
J.	**Additional Delivery Charge:** 0 **miles**	$ -
K.	**Subtotal:**	$ 65,500.00
L.	**Quantity Ordered** 1 **x K =**	$ 65,500.00
M.	**Equipment:** _____	
N.	**BUYBOARD Administrative Fee ($400 per purchase order)**	$ 400.00
O.	**TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE**	$ 65,900.00

City Council Regular Meeting

AGENDA ITEM 5

Agenda Item: **Discussion and Presentation on City of Brenham Water Rate Study by NewGen Strategies and Solutions, LLC**

Meeting Date: February 15, 2024

Department: Public Utilities

Staff Contact: Debbie Gaffey, General Manager of Public Utilities

SUMMARY STATEMENT:

Presentation will be given by Chris Ekrut of NewGren Strategies and Solutions, LLC.

ATTACHMENTS:

None

RECOMMENDATION:

No action.

City Council Regular Meeting

AGENDA ITEM 6

Agenda Item: **Discuss and Possibly Act Upon the Purchase of Two (2) Ford F-150 Responder Trucks for the City of Brenham Police Department through The Interlocal Purchasing System (TIPS) and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 15, 2024

Department: Maintenance

Staff Contact: Stephen Draehn, Maintenance Supervisor

SUMMARY STATEMENT:

The Maintenance Department is seeking the Mayor and Council's approval to order two (2) Ford F-150 Responder Trucks for fiscal year 2024 for use by the Police Department. These vehicles were approved in the FY24 adopted budget. Staff has obtained quotes for these vehicles from Silsbee Fleet Group on TIPS contract 210907 for Automobiles. The Interlocal Purchasing System (TIPS) is a National Cooperative Purchasing Program for use by member schools, colleges, universities, cities, counties, and other government entities in all 50 states as authorized by each entity's jurisdictional legal requirements.

The purchase will be with TIPS vendor Silsbee Fleet Group – Silsbee Ford. The purchase price of the (2) Ford F-150 Responder Trucks from Silsbee Ford is $107,922.50, which does not include equipment installation for the vehicles. The additional equipment will be purchased on a separate purchase order and installed in-house by City Maintenance personnel.

ATTACHMENTS:

1. Silsbee Ford F-150 Responder Trucks TIPS Quote

RECOMMENDATION:

Approve the purchase of two (2) Ford F-150 Responder trucks for the City of Brenham Police Department from Silsbee Ford through The Interlocal Purchasing System (TIPS) in the amount of $107,922.50 and authorize the Mayor to execute any necessary documentation.

PRODUCT PRICING SUMMARY

TIPS USA 210907 Automobiles

VENDOR- Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF BRENHAM
Prepared by: SETH GAMBLIN
Contact:
Phone: 512.436.1313
Email:
Email: SGAMBLIN.SILSBEEFLEET@GMAIL.COM
Product Description: FORD F150 RESPONDER
Date: February 6, 2024

A. **Bid Item:** **A. Base Price:** **$ 50,875.00**

B. **Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
W1P	FORD 2024 RESPONDER 4X4 SHORT BED				
998	3.5L V6 ECOBOOST	$ -	19A	INTERIOR UPGRAGE PACKAGE	$ 610.00
44G	10 SPEED TRANS AUTO			Color-Coordinated Carpet w/Carpeted Floor M	INC
18B	BLACK PLATFORM RUNNING BOARDS	$ 250.00			
53A	TRAILER TOW PACKAGE	$ 1,325.00			
67P	REMOTE KEYLESS ENTRY KEY FOBS	$ 340.00			

Total of B. Published Options: **$ 2,525.00**

Published Option Discount (5%) **$ (126.25)**

C. **Unpublished Options** **$=** 0.0 **%**

Description	Bid Price	Options	Bid Price
		EXTERIOR-M7 CARBONOZED GRAY	
		INTERIOR- PG MEDIUM EARTH GRAY	
		HD Police-Grade Cloth 40/Console/40 Front-Seats	
		150A- EQUIPMENT GROUP	
		UNITS ON ORDER **	

Total of C. Unpublished Options: **$ -**

D. **Floor Plan Interest (for in-stock and/or equipped vehicles):** **$ 250.00**

E. **Lot Insurance (for in-stock and/or equipped vehicles):** **$ -**

F. **Contract Price Adjustment:**

G. **Additional Delivery Charge:** 250 **$ 437.50**

H. **Subtotal:** **$ 53,961.25**

I. **Quantity Ordered** 2 **x H =** **$ 107,922.50**

J. **Trade in:** **$ -**

K.

L. **Total Purchase Price** **$ 107,922.50**

City Council Regular Meeting

AGENDA ITEM 7

Agenda Item: **Discuss and Possibly Act Upon the Purchase of Four (4) Dodge Durangos for the City of Brenham Police Department through The Interlocal Purchasing System (TIPS) and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 15, 2024

Department: Maintenance

Staff Contact: Stephen Draehn, Maintenance Supervisor

SUMMARY STATEMENT:

The Maintenance Department is seeking the Mayor and Council's approval to order four (4) Dodge Durango Police Package Vehicles for fiscal year 2024 for use by the Police Department. These vehicles were approved in the FY24 adopted budget. Staff obtained quotes for these vehicles from Silsbee Fleet Group on TIPS contract 210907 for Automobiles. The Interlocal Purchasing System (TIPS) is a National Cooperative Purchasing Program for use by member schools, colleges, universities, cities, counties, and other government entities in all 50 states as authorized by each entity's jurisdictional legal requirements.

The purchase will be with TIPS vendor Silsbee Fleet Group – Donalson CDJR, LLC. The purchase price of the four (4) Dodge Durango Police Package Vehicles from Donalson CDJR, LLC is $203,415.00, which does not include equipment installation for the vehicles. The additional equipment will be purchased on a separate purchase order and installed in-house by City Maintenance personnel.

ATTACHMENTS:

1. Donalson CDJR Dodge Durango TIPS Quote

RECOMMENDATION:

Approve the purchase of four (4) Dodge Durangos for the City of Brenham Police Department from Donalson CDJR through The Interlocal Purchasing System (TIPS) in the amount of $203,415.00 and authorize the Mayor to execute any necessary documentation.

PRODUCT PRICING SUMMARY

TIPS USA 210907 AUTOMOBILES

VENDORDONALSON CDJR, LLC, 1305 Hwy 96 BYPASS , Silsbee TX 77656

End User: CITY OF BRENHAM
Prepared by: SETH GAMBLIN
Contact:
Phone: 512.436.1313
Email:
Email: SGAMBLIN.SILSBEEFLEET@GMA
Product Description: DODGE DURANGO POLICE V8
Date: January 22, 2024

A. **Bid Item:** **A. Base Price:** **$ 45,997.00**

B. **Factory Options**

Code	Description	Bid Price	Code	Description	Bid Price
WDEE75	2024 DODGE DURANGO POLICE	$ -		POLICE GROUP	$ -
EZH	5.7L V8 HEMI MDS VVT ENGINE AWD	$ 3,117.00		ABS 4-WHEEL HD DISC BRAKES	
DFD	8 SPEED AUTO TRANS	$ -		255/60R18 BSW ON/OFF ROAD TIRES	
CKD	CARPET	$ 150.00		POLICE TUNED SUSPENSION	
A7	CLOTH BUCKET / REAR VINYL	$ 135.00		I/P MOUNTING ELEC SHIFTER	
GXA	4 EXTRA KEY FOBS	$ 350.00		130 MPH MAXIMUM SPEED CALIBRATI	
				AUX SWITCHES	
WP1	18X8.0 Painted Aluminum Wheels	$ 410.00	CUF	FULL LENGTH FLOOR CONSOLE	$ 350.00

Total of B. Published Options: **$ 4,512.00**

Published Option Discount (5%) **$ (342.75)**

C. **Unpublished Options** **$=** 0.0 **%**

Description	Bid Price	Options	Bid Price
		EXTERIOR COLOR-	
		2- PDN DESTROYER GREY	
		1- VAPOR GRAY	
		1- OCTANE RED	

$ -

D. **Floor Plan Interest (for in-stock and/or equipped vehicles):** **$ -**

E. **Lot Insurance (for in-stock and/or equipped vehicles):** **$ 250.00**

F. **Contract Price Adjustment:**

G. **Additional Delivery Charge:** 250 **miles** **$ 437.50**

H. **Subtotal:** **$ 50,853.75**

I. **Quantity Ordered** 4 **x H =** **$ 203,415.00**

J. **Trade in:**

K.

L. **Total Purchase Price** **$ 203,415.00**

City Council Regular Meeting

AGENDA ITEM 8

Agenda Item: **Discuss and Possibly Act Upon Bid No. 24-002 for Chlorine and Sulfur Dioxide Chemicals and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 15, 2024

Department: Purchasing

Staff Contact: Kyle Branham, Purchasing/Public Works Project Manager

SUMMARY STATEMENT:

For the last year, the city has been requesting quotes on a quarterly basis for Chlorine and Sulfur Dioxide due to the volatility of the market. With the market beginning to stabilize, an annual quote was requested. On January 31, 2024, the City received and opened bids for Chlorine and Sulfur Dioxide chemicals used at the Water and Wastewater treatment plants. There were 3 bids received with Univar being a no-bid and Brenntag only bidding on Chlorine. PVS DX, Inc submitted the lowest annual bid at $2,208.00/ton for Chlorine and $2,008.00/ton for Sulfur Dioxide. PVS DX, Inc's bid also includes a $10.80 excise tax on orders and a $50.00 monthly rental per cylinder.

Staff recommends awarding the bid to PVS DX, Inc in the amount $2,208.00/ton for Chlorine and $2,008.00/ton for Sulfur Dioxide with the other associated cost for the term of 12 months. This contract would be for one (1) year with the option for two (2) one-year renewals under the same terms.

ATTACHMENTS:

1. Bid Tabulation Form

RECOMMENDATION:

Award Bid No. 24-002 for Chlorine and Sulfur Dioxide to PVS DX, Inc. in the amount of $2,208.00/ton for Chlorine and $2,008.00/ton for Sulfur Dioxide and authorize the Mayor to execute any necessary documentation.

BID TABULATION FORM

BID OPENING DATE: 31-Jan-24 **BID OPENING TIME:** 2:00 PM

BID NAME/NO: ITB24-002 Chlorine & Sulphur Dioxide

WITNESSED BY: *Hector, Jerry, Greg, Cory, Kyle*

	BIDDERS		
ITEM	**Brenntag**	**PVS DX, Inc**	**Univar**
Chlorine	$2,800/ton	$2,208.00/ton, $50.00/month cylinder rental, Exicse tax $10.80	NB
Sulfur Dioxide	NB	$2,008.00/ton, $50.00/month cylinder rental	NB

City Council Regular Meeting

AGENDA ITEM 9

Agenda Item: **Discuss and Possibly Act Upon the Rejection of All Bids Submitted in Response to RFP No. 23-010 Related to the Jackson Street Substation Underground Feeder Exit Relocation, Phase 1, and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 15, 2024

Department: Public Utilities

Staff Contact: Alton Sommerfield, Deputy GM of Public Utilities

SUMMARY STATEMENT:

On January 9, 2024, the City of Brenham opened bids for RFP 23-010. We received 3 bids for this project; Boettcher Hlavinka Co, LLC, MP Technologies and TAKNEK. The low bid submitted was from Boettcher Hlavinka Co, for $481,488.10. The budgeted amount of the project was $144,000. Staff will reevaluate the size and scope of the project to work within our budget.

Public Utilities staff respectfully request that Council approve the rejection of all bids associated with RFP 23-010.

ATTACHMENTS:

1. Bid Price Units

RECOMMENDATION:

Approve the rejection of all bids submitted in response to RFP No. 23-010 related to the Jackson Street Substation Underground Feeder Exit Relocation, Phase 1, and authorize the Mayor to execute any necessary documentation.

Unit Price Schedule for

BM 130 Jackson Street Substation Underground Feeder Exit Relocation Phase 1

BID EVALUATION SUMMARY

	Boettcher Hlavinka Co., LLC	MP Technologies, LLC	TAKNEK
New Units - URD	$ 277,851.00	$ 278,961.00	$ 392,100.00
Miscellaneous Units	$ 132,622.00	$ 47,241.00	$ 292,100.00
TOTAL	**$ 410,473.00**	**$ 326,202.00**	**$ 684,200.00**
New Units - URD (Alternate Bid)	$ 71,015.10	$ 176,582.82	$ 688,050.00
TOTAL W/Alternate Bid	**$ 481,488.10**	**$ 502,784.82**	**$ 1,372,250.00**

Unit Price Schedule for

BM 130 Jackson Street Substation Underground Feeder Exit Relocation Phase 1

New Units Installed - UNDERGROUND

					Boettcher Hlavinka			MP Technologies			TAKNEK		
Item No.	**Unit No.**	**Description**	**Unit**	**UG/OH**	**QTY** #	**Unit Price Total** $	**Extended Price** $	**QTY** #	**Unit Price Total** $	**Extended Price** $	**QTY** #	**Unit Price Total** $	**Extended Price** $
1	UPVC 4 90	4" PVC ELBOW 48" RADIUS	EA	UG	21	$ 655.00	$ 13,755.00	21	$ 115.00	$ 2,415.00	21	$ 2,200.00	$ 46,200.00
2	UPVC 4	4" PVC CONDUIT INSTALLED	EA	UG	2,700	$ 26.20	$ 70,740.00	2,700	$ 1.80	$ 4,860.00	2,700	$ 15.00	$ 40,500.00
3	BORE-DIR-51	DIRECTIONAL BORE TO INCLUDE 3-4" SCHEDULE 40 CONDUITS	FT	UG	60	$ 72.05	$ 4,323.00	60	$ 242.81	$ 14,568.60	60	$ 170.00	$ 10,200.00
4	UM-TPB TRAFFIC RATED	LARGE PULLBOX 5X9 WITH A FOUNDATION 8" OF 1/2" CRUSHED ROCK. **TRAFFIC RATED**.	EA	UG	2	$ 32,750.00	$ 65,500.00	2	$ 6,147.40	$ 12,294.80	2	$ 10,000.00	$ 20,000.00
5	UM-PB NON TRAFFIC RATED	LARGE PULLBOX 5X8 WITH A FOUNDATION 8" OF 1/2" CRUSHED ROCK.	EA	UG	1	$ 32,750.00	$ 32,750.00	1	$ 6,147.40	$ 6,147.40	1	$ 10,000.00	$ 10,000.00
6	TRENCH 60	60" DEEP TRENCH 18" TO 32" WIDE	FT	UG	810	$ 39.30	$ 31,833.00	810	$ 293.92	$ 238,075.20	810	$ 320.00	$ 259,200.00
7	UM-GND	GROUNDING FOR PULL BOX	EA	UG	3	$ 19,650.00	$ 58,950.00	3	$ 200.00	$ 600.00	3	$ 2,000.00	$ 6,000.00
TOTAL FOR NEW UNITS - UNDERGROUND							**$ 277,851.00**			**$ 278,961.00**			**$ 392,100.00**

ALTERNATE BID

Item No.	**Unit No.**	**Description**	**Unit**	**UG/OH**	**QTY** #	**Unit Price Total** $	**Extended Price** $	**QTY** #	**Unit Price Total** $	**Extended Price** $	**QTY** #	**Unit Price Total** $	**Extended Price** $
3 (Alternate)	BORE-DIR-51	DIRECTIONAL BORE TO INCLUDE 3-4" SCHEDULE 40 CONDUITS	FT	UG	834	$ 85.15	$ 71,015.10	834	$ 211.73	$ 176,582.82	834	$ 825.00	$ 688,050.00
TOTAL FOR ALTERNATE BID							**$ 71,015.10**			**$ 176,582.82**			**$ 688,050.00**

Unit Price Schedule for

BM 130 Jackson Street Substation Underground Feeder Exit Relocation Phase 1

Miscellaneous Units

				Boettcher Hlavinka			MP Technologies			TAKNEK		
Item No.	Unit No.	Description	Unit	QTY #	Unit Price Total $	Extended Price $	QTY #	Unit Price Total $	Extended Price $	QTY #	Unit Price Total $	Extended Price $
1	TRENCH SAFETY	TRENCH SAFETY PLAN AND TRENCH SAFETY	LUMP SUM	1	$ 13,100.00	$ 13,100.00	1	$ 903.00	$ 903.00	1	$ 20,000.00	$ 20,000.00
2	ROW RESTORATION	ROW RESTORATION AND HYDRO-MULCH	LUMP SUM	1	$ 13,100.00	$ 13,100.00	1	$ 1,000.00	$ 1,000.00	1	$ 10,000.00	$ 10,000.00
3	MOBILIZATION	MOBILIZATION NOT TO EXCEED 5% OF TOTAL BID PRICE	LUMP SUM	1	$ 20,000.00	$ 20,000.00	1	$ 1,000.00	$ 1,000.00	1	$ 42,500.00	$ 42,500.00
4	TRAFFIC CONTROL	W. STONE, AUSTIN, AND W. LUBBOCK STREETS	LUMP SUM	1	$ 9,825.00	$ 9,825.00	1	$ 1,000.00	$ 1,000.00	1	$ 15,000.00	$ 15,000.00
5	ECP	EROSION AND SEDIMENT CONTROL	LUMP SUM	1	$ 3,930.00	$ 3,930.00	1	$ 500.00	$ 500.00	1	$ 10,000.00	$ 10,000.00
9	PAVEMENT REPAIR	W. STONE, AUSTIN, AND W. LUBBOCK STREETS	LUMP SUM	2460	$ 11.70	$ 28,782.00	2460	$ 10.00	$ 24,600.00	2460	$ 60.00	$ 147,600.00
10	GROUND REPAIR PULL BOX 2	W. STONE AND AUSTIN STREET INTERSECTION	LUMP SUM	1	$ 3,275.00	$ 3,275.00	1	$ 960.00	$ 960.00	1	$ 4,000.00	$ 4,000.00
11	PAVEMENT REPAIR PULL BOX 3	W. BRYAN AND AUSTIN STREET INTERSECTION	LUMP SUM	1	$ 5,895.00	$ 5,895.00	1	$ 2,664.00	$ 2,664.00	1	$ 4,000.00	$ 4,000.00
12	PAVEMENT REPAIR PULL BOX 4	W. LUBBOCK AND AUSTIN STREET INTERSECTION	LUMP SUM	1	$ 5,895.00	$ 5,895.00	1	$ 2,664.00	$ 2,664.00	1	$ 4,000.00	$ 4,000.00
13	PAVEMENT REPAIR BORE PIT	W. STONE AND AUSTIN STREET INTERSECTION	LUMP SUM	1	$ 5,895.00	$ 5,895.00	1	$ 3,840.00	$ 3,840.00	1	$ 10,000.00	$ 10,000.00
14	GROUND REPAIR BORE PIT	W. STONE AND AUSTIN STREET INTERSECTION	LUMP SUM	1	$ 3,275.00	$ 3,275.00	1	$ 960.00	$ 960.00	1	$ 10,000.00	$ 10,000.00
15	HYDRO-HOLE	FIELD VERIFICATION OF EXISTING UTILITIES AS REQUIRED	LUMP SUM	1	$ 19,650.00	$ 19,650.00	1	$ 7,150.00	$ 7,150.00	1	$ 15,000.00	$ 15,000.00
TOTAL FOR MISCELLANEOUS UNITS						**$ 132,622.00**			**$ 47,241.00**			**$ 292,100.00**

* Insert qty of 1 for Item 2 for bidding purposes. Item will be "as required"

City Council Regular Meeting

AGENDA ITEM 10

Agenda Item: **Discuss and Possibly Act Upon an Ordinance on Its First Reading Adopting Chapter 28, Impact Fees, of the Code of Ordinances of the City of Brenham, Texas**

Meeting Date: February 15, 2024

Department: Development Services

Staff Contact: Stephanie Doland, Director of Development Services

SUMMARY STATEMENT:

During their regular Council meeting on May 4, 2023 the Brenham City Council approved a Professional Services Agreement with Strand Associates, Inc. to perform an Impact Fee Study in accordance with Chapter 395 of the Texas Local Government Code. Impact fees for water, wastewater and roadways were evaluated to help finance infrastructure improvements needed in response to growth and new development. Impact fees reduce the economic burden on existing citizens by sharing development costs associated with new development. Following the Council's approval of the Capital Improvements and Land Use Assumptions on December 7th, 2023, a Public Hearing on the imposition of impact fees on new development was set held on February 1st, 2024.

In accordance with Texas Local Government Code 395.051, the approval of an Ordinance adopting impact fees shall be within 30-days of the date of the Public Hearing on the imposition of an impact fee. Therefore, the enclosed Ordinance outlines the proposed adoption of impact fees for water and wastewater as shown below and as recommended by the Capital Improvements Advisory Committee (CIAC) during their meeting on January 23, 2024.

The CIAC recommended to Council the assessment of the following:

- Impact Fees for Water at ninety percent (90%) the Maximum Assessable Rate;
- Impact Fees for Wastewater at twenty percent (20%) the Maximum Assessable Rate; and
- To accept the results of the Roadway Impact Fee Study and not to adopt an Impact Fee for Roadways.

For additional information, the written comments of the CIAC are available on the City of Brenham website and on file in the City Secretary's office.

Enclosed please find the Impact Fee Study as prepared by Strand Associates, Inc. and

the proposed draft ordinance adopting impact fees for water and wastewater with an effective date of July 1, 2024.

ATTACHMENTS:

1. Strand Impact Fee Study Report
2. Ordinance on its first reading for the Implementation of Impact Fees

RECOMMENDATION:

Approve an Ordinance on its first reading adopting Chapter 28, Impact Fees, of the Code of Ordinances of the City of Brenham, Texas.

Strand Associates, Inc.®
1906 Niebuhr Street
Brenham, TX 77833
(P) 979.836.7937
www.strand.com

February 9, 2024

Ms. Stephanie Doland, Director of Development Services
City of Brenham
200 West Vulcan Street
Brenham, TX 77833

Re: 2023 Impact Fee Study
City of Brenham, Texas

Dear Ms. Doland:

Enclosed is the final 2023 Impact Fee Study.

Please call me at 979-836-7937 should you have any questions.

Sincerely,

STRAND ASSOCIATES, INC.®

Ryan D. Tinsley, P.E., ENV SP

Enclosure: Report

Report for

City of Brenham, Texas

2023 Impact Fee Study

Prepared by:

STRAND ASSOCIATES, INC.®
TBPE No. F-8405
TBPLS No. 10030000
1906 Niebuhr Street
Brenham, TX 77833
www.strand.com

February 2024

STRAND ASSOCIATES®
Excellence in Engineering℠

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INTRODUCTION

This report documents the City of Brenham, Texas (City) 2023 Impact Fee Study (Study) for the development of maximum allowable impact fees for water, wastewater, and roadway facilities. Texas Local Government Code Chapter 395 (Chapter 395) authorizes political subdivisions, such as cities, to assess impact fees in Texas for water-, wastewater-, and roadway-related capital improvement plan (CIP) projects attributable to new development. Chapter 395 was followed to develop the maximum allowable impact fees for the Study.

TEXAS LOCAL GOVERNMENT CODE CHAPTER 395

Before an impact fee can be assessed, Chapter 395 requires that a CIP be prepared or updated by qualified professionals. See Texas Local Government Code Chapter 395 in Appendix A. Chapter 395 defines an impact fee as "a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development." An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to:

- Construction contract price.
- Surveying and engineering fees.
- Land acquisition costs, including land purchases, court awards, attorney's fees, and expert witness fees.
- Fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the CIP who is not an employee of the political subdivision (City).

Impact fees may not be adopted or used to pay for:

- Construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the CIP.
- Repair, operation, or maintenance of existing or new capital improvements or facility expansions.
- Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards.
- Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development.
- Administrative and operating costs of the political subdivision, as allowed.
- Principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012 of Chapter 395.

Impact fees allow cities to recover a portion of the cost associated with infrastructure constructed to serve future development; therefore, the cost is not fully borne by existing rate payers. Chapter 395 requires that impact fees collected are spent on projects listed on the CIPs developed by the Study and allows only the growth over a 10-year period to be attributable to the cost of each project.

DEVELOPMENT OF IMPACT FEES

An initial step in the impact fee development process is the formation of the City's Capital Improvements Advisory Committee (CIAC). Chapter 395 Section 395.058 discusses the cross section of individuals the CIAC is required to be composed of, with one alternative being that the Planning and Zoning Commission (P&Z) may act as the CIAC "if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission." Chapter 395 also requires that one member reside in the City's ETJ if the City intends to assess impact fees within the extraterritorial jurisdiction (ETJ), which the City desired. The City Council appointed several ad hoc members to the existing P&Z to form the CIAC. The CIAC members are as follows:

Dr. Paul LaRoche, III, Councilmember, Ward 3
Lindi Braddock, Real Estate Representative*
M. Keith Behrens, P&Z Chair (CIAC Chair)
Calvin Kossie, P&Z, Secretary
Darren Heine, P&Z Commissioner (CIAC Vice-Chair)
Cyndee Smith, P&Z Commissioner
Blake Brannon, ETJ Representative
Randy Hodde, Real Estate Representative
Dr. Deanna Alfred, P&Z Vice-Chair
Christopher Cangelosi, P&Z Commissioner
Cayte Neil, P&Z Commissioner

*Following being appointed to the CIAC, Lindi Braddock was unable to serve.

Many of the subsequent steps outlined in Chapter 395 for the development of impact fees were included in the *Service Areas, Land Use Assumptions, and Population Projections Technical Memorandum* (Tech Memo), dated August 18, 2023. The Tech Memo establishes the service areas, land use assumptions, and population projections developed with the assistance of City staff and the City's CIAC. The Future Land Use Map (Appendix B) was adopted by the City Council on December 7, 2023, in accordance with Chapter 395.

WATER AND WASTEWATER SERVICE AREAS

Existing water and wastewater service areas can generally be determined from the location of the respective mains. Chapter 395 allows the City limits, as well as the City's ETJ, to be considered the service area for water and wastewater facilities. Strand Associates, Inc.® (Strand) understands that the City prefers to include the City's ETJ within the water and wastewater service area. The dashed outer boundary in the Future Land Use Map in Appendices C and D show the City's ETJ and the limits of the water and wastewater service areas, respectively. The service units for water and wastewater improvements will be assessed in terms of residential equivalent connections (REC), or the volume of water used by a standard 1-inch water meter during a 1-day period. Single-family residential units are equivalent to one REC. Multifamily residential, commercial, and industrial units will be adjusted to reflect their respective demand on the water and wastewater distribution and collection systems, and in accordance with their ratio to a 1-inch water meter as established by the American Water Works Association (AWWA).

ROADWAY FACILITY SERVICE AREAS

Chapter 395 defines roadway service areas differently than water and wastewater service areas. Roadway service areas can be no more than 6 miles and are confined to the existing City limits. The Roadway Impact Fee Service Area Map in Appendix E shows that one roadway service area encompassing the entirety of the City limits is being evaluated for the Study.

The service units for roadway improvements will be assessed as the number of vehicle-miles. A vehicle-mile is the capacity consumed in a single lane in the PM peak hour by a vehicle making a trip 1 mile in length. The PM peak hour is used as a basis for transportation planning and the estimation of trips caused by new development.

EXISTING AND FUTURE LAND USE ASSUMPTIONS

The Future Land Use Map in Appendix B was created using the City's Existing and Future Land Use Maps from the 2019 Comprehensive Plan as a foundation. Before updating the land uses to match what has been developed since 2019, the current City limits and ETJ were updated to reflect tracts of land that have been annexed since the 2019 land use maps were created. The parcels in the 2019 Future Land Use Map were reviewed and updated based on their current land uses as of June 2023. Parcels that were found to be developed as of June 2023 had their land use updated to be consistent with their use. The properties that are undeveloped or currently being developed are hatched to show future land uses (such as residential, commercial, or industrial). See Appendix B for the Future Land Use Map.

POPULATION PROJECTIONS

From 1970 through 2020, the City averaged a modest population growth rate of approximately 1.35 percent, according to the United States Census Bureau. Looking forward, the City's 2019 Comprehensive Plan considered a variety of population projection methodologies to predict the City's future population growth. The five lower 20-year population projections shown in Figure 1 were modeled using the same methodologies that were used in the City's 2019 Comprehensive Plan. The 2019 Comprehensive Plan models were recalculated to reflect more recent rates and were updated appropriately.

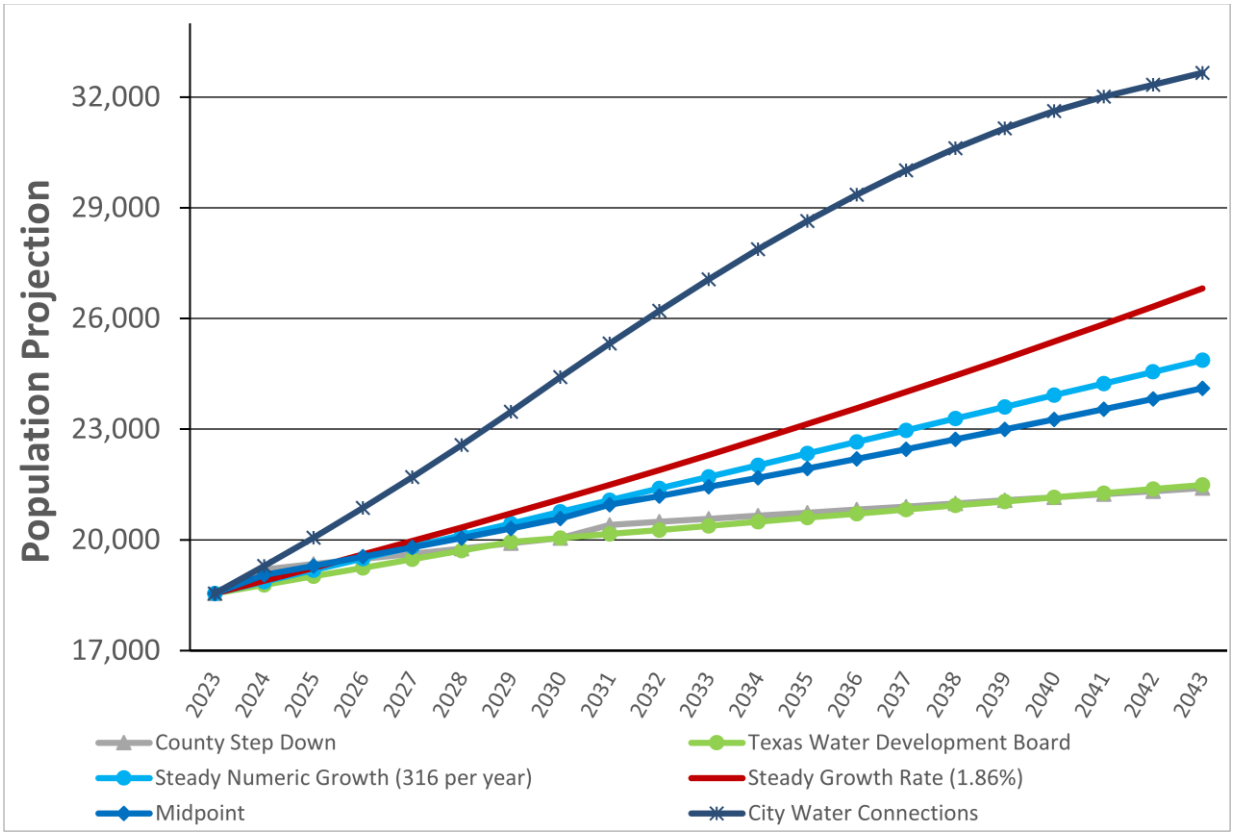


Figure 1 Population Projections

- County Step Down–This method assumed the population of the City reflects a percentage of the projected population of Washington County, Texas (County) in a given year. The graph in Figure 1 assumes that the City accounts for approximately 52.5 percent of the total population of the County. This percentage comes from the Texas Water Development Board (TWDB) projections for the City and County.

- TWDB–This government organization creates its own projections for cities at the beginning of every decade (i.e., 2020, 2030, 2040, and continuing) based on the number of projected water connections across the state of Texas. TWDB projections have been updated since the development of the 2019 Comprehensive Plan and updates are reflected in Figure 1.

- Steady Numeric Growth–This linear model assumes that the population will increase by approximately 316 people each year. This was the average growth per year from 2018 to 2023.

- Steady Growth Rate–This exponential model is based on the 1.86 percent compound annual growth rate (CAGR) the City had from 2018 to 2023.

- Midpoint–This model takes the average population from the lower County Step Down projection and the higher Steady Growth Rate projection.

The five methodologies evaluated in the City's 2019 Comprehensive Plan did not anticipate the City's current population (18,549, as of June 2023) would be achieved until between 2027 and 2034, depending on the methodology used. Because of this, it was decided that a higher population projection was needed based on known and anticipated future developments.

Strand recently worked with the City to evaluate its water system and, in doing so, prepared an additional population projection based on the number of projected water connections that the City anticipates adding to the water distribution system over the next 20 years. The City reviewed these new projections and accepted them for the purposes of planning for future growth as it relates to its water expansion study and the Study.

CIPs

As part of this Study, and as required by Chapter 395, water, wastewater, and roadway CIPs were developed. The CIPs were presented during a public hearing and adopted by the City Council on December 7, 2023. The adopted water, wastewater, and roadway CIPs are shown in Tables 1, 2, and 3, respectively. The associated service area maps with project IDs are included in Appendices C, D, and E.

Water CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
WT1	Surface Water Treatment Plant Improvements	$4,021,076
WT2	Loesch Street Water Plant	$11,700,000
WT3	Westside Water Plant	$15,616,875
WS1	Highway 36 South Elevated Storage Tank	$3,348,768
WS2	Gun and Rod Road Elevated Storage Tank	$2,705,078
WM1	Highway 36 South Water Main Extension	$486,375
WM2	Old Masonic Road Water Main Replacement and Extension	$639,229
WM3	Dixie Road Water Main Extension	$677,244
WM4	Mustang Road Water Main Extension	$294,977
WM5	FM 2935 Water Main Extension	$1,696,114
WM6	Highway 290 West Water Main Replacement	$323,517
WM7	FM 332 Water Main Extension	$866,999
WM8	Highway 290 East–Phase 1 Water Main Extension	$625,352
WM9	Highway 105 Water Main Replacement and Extension	$479,959
WM10	Small Area Plan Water Main Extension	$1,257,507
WM11	Highway 290 East–Phase 2 Water Main Extension	$327,504
Study	Water Impact Fee Study	$65,000
	Total 10-Year Escalated Water CIP Costs:	**$45,131,575**

FM = Farm-to-Market

Table 1 Water CIP Summary

Wastewater CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
WWT1	Wastewater Treatment Plant Expansion Study	$31,620
WWP1	Stone Hollow Lift Station, Force Main, and Gravity Sewer Replacement	$301,509
WWP2	Business Center Lift Station–Phase 1, Force Main, and Gravity Sewer Replacement	$1,439,074
WWP3	Industrial Boulevard Lift Station, Force Main, and Gravity Sewer Replacement	$692,137
WWP4	Highway 105 Lift Station, Force Main, and Gravity Sewer Replacement	$3,346,378
WWP5	TxDOT Lift Station and Force Main	$548,385
WWP6	Old Masonic Road Lift Station, Force Main, and Gravity Sewer	$1,468,627
WWP7	Henderson Park Lift Station (Pump Replacement), Force Main, and Gravity Sewer Replacement	$313,212
WWP8	Munz Lift Station, Force Main, and Gravity Sewer Replacement	$4,668,392
WWP9	Liberty Village Lift Station (Pump Replacement) and Gravity Sewer Replacement	$384,439
WWP10	Mustang Road Lift Station, Force Main, and Gravity Sewer	$1,237,439
WWP11	Business Center Lift Station–Phase 2 Force Main Replacement	$561,451
WWP12	Ralston Creek Lift Station (Pump Replacement) and Force Main Replacement	$1,050,765
WWP13	Highway 290 East Lift Station–Phase 1, Force Main, and Gravity Sewer	$402,598
WWP14	K of C Hall Lift Station and Force Main	$1,276,449
WWP15	Baker Katz Lift Station, Force Main, and Gravity Sewer Replacement	$2,630,696
WWP16	Highway 36 South No. 2 Lift Station and Force Main	$1,622,276
WWC1	Dixie Road Gravity Sewer Extension	$191,552
WWC2	FM 2935 Gravity Sewer Extension	$864,801
WWC3	FM 332 Gravity Sewer Extension	$342,679
WWC4	Highway 105 Gravity Sewer Extension	$396,058
WWC5	Highway 290 East Gravity Sewer Extension–Phase 2	$95,111
WWC6	Highway 36 North Gravity Sewer Extension	$615,288
Study	Wastewater Impact Fee Study	$110,000
	Total 10-Year Escalated Wastewater CIP Costs:	**$24,590,935**

K of C = Knights of Columbus

Table 2 Wastewater CIP Summary

Roadway CIP Projects		Opinion of Probable Costs
ID	Project Name	10-Year Costs (Escalated)
R1	Tom Green Street	$6,318,265
R2	Schulte Boulevard Extension	$2,479,225
R3	East Stone Street	$6,832,797
R4	West Gun and Rod Road	$2,827,324
R5	East Gun and Rod Road	$2,798,166
R6	South Saeger Street	$5,874,096
R7	Old Mill Creek Road	$4,695,907
R8	Burleson Street	$6,382,390
R9	North Dixie Street	$5,079,093
R10	North Saeger Street	$3,518,071
R11	Dixie Road Extension	$4,470,477
R12	North Dixie Street	$2,684,716
R13	South Blue Bell Road Extension	$22,403,793
R14	Small Area Plan Collector	$7,321,226
R15	Independence Road	$3,769,669
R16	Salem Road	$1,194,895
R17	Old Chappell Hill Road	$655,382
R18	South Chappell Hill Street	$995,746
I1	Academy–Austin Intersection	$4,596
Study	Roadway Impact Fee Study	$75,000
Total 10-Year Escalated Roadway CIP Costs:		**$90,380,835**

Table 3 Roadway CIP Summary

PUBLIC INPUT AND FEEDBACK

At the time of this Study there have been eight public meetings. Minutes from the meetings are available on the City's Web site or at City Hall. A brief summary of the public meeting dates, public comments, meeting topics, and CIAC action items are as follows:

1. CIAC Meeting No. 1, July 24, 2023–Seven CIAC Members were present along with City staff and representatives from Strand. The meeting was called to order and there were no public comments. The Regular Session included a presentation by Strand titled *Draft Land Use Assumptions Fulfill Important Steps in the Impact Fee Development Process.* No formal action was taken by the CIAC. The meeting lasted approximately 2 hours.

2. CIAC Meeting No. 2A, September 12, 2023–Seven CIAC Members were present along with City staff and representatives from Strand. The meeting was called to order and there were no public comments. The Regular Session included a presentation by Strand titled *Roadway Impact Fees Provide Supplemental Funding Source for Needed Roadway Capacity Improvements.* The following CIAC consensus items were supported by all CIAC members:

- Water Study's population projections.
- Single service area for Roadway Impact Fees.
- Roadway CIP to include all 18 projects presented.
- Proposed prioritization of Roadway CIP's projects.

The meeting lasted approximately 1.5 hours.

3. CIAC Meeting No. 2B, October 24, 2023–Six CIAC Members were present along with City staff and representatives from Strand. The meeting was called to order and there were no public comments. The Regular Session included a presentation by Strand titled *Water and Wastewater Impact Fees Provide Funds Needed to Support Future Capacity Improvements.* The following CIAC consensus items were supported by all CIAC members:

   - Water and Wastewater CIPs will include all proposed projects.
   - Proposed prioritization of CIP projects.

   The meeting lasted approximately 1.5 hours.

4. Public Hearing No. 1, December 7, 2023–The Mayor and all City Council members were present at Public Hearing No. 1 in addition to City staff, representatives from Strand, and other citizens. Approximately four citizens were in attendance. Strand gave a presentation titled *Land Use Assumptions and Capital Improvement Plans Fulfill Important Steps in the Impact Fee Development Process*, which was followed by several questions and answers from the City Council and other citizens. The Regular Session included Resolution No. R-23-044 Adopting Land Assumptions and Water, Wastewater, and Roadway Capital Improvement Plans for the Possible Implementation of Impact Fees in the City of Brenham, Texas. Resolution No. R-23-044 passed unanimously. The public hearing lasted approximately 2 hours.

5. CIAC Meeting No. 3, December 19, 2023–Nine CIAC Members were present along with City staff and representatives from Strand. The meeting was called to order and there were no public comments. The Regular Session included a presentation by Strand titled *Impact Fees Fund Improvements Needed to Serve New Development while Maintaining Regulatory Compliance and Quality of Service.* No formal action was taken by the CIAC. The meeting lasted less than 2 hours.

6. Developer's Workshop, January 11, 2024–The developer's workshop was well attended by local developers, local business owners, the Economic Development Foundation, City staff, and representatives from Strand. A total of 38 individuals were in attendance. Strand gave a presentation titled *Impact Fees Fund Improvements Needed to Serve New Development while Maintaining Regulatory Compliance and Quality of Service.* Following the presentation, City staff and Strand fielded numerous questions from those in attendance. The workshop lasted approximately 2 hours.

7. CIAC Meeting No. 4, January 23, 2024–Eight CIAC Members were present along with City Staff and representatives from Strand. The meeting was called to order and there were numerous public comments. The Regular Session included a presentation by City Staff and Strand regarding the current state of the City's water, wastewater, and roadway infrastructure. The CIAC voted to recommend impact fee rates that are 90 percent, 20 percent, and 0 percent of the maximum assessable impact fees for water, wastewater, and roadway, respectively. The meeting lasted approximately 4 hours.

8. Public Hearing No. 2, February 1, 2024–The Mayor and all City Council members were present at Public Hearing No. 2 in addition to City staff, representatives from Strand, and other citizens. Strand gave a presentation titled *Impact Fees Fund Improvements Needed to Serve New Development while Maintaining Regulatory Compliance and Quality of Service*, which was followed by several questions and answers from City Council and other citizens. No action was taken as a result of the public hearing. The public hearing lasted approximately 1.5 hours.

WATER, WASTEWATER, AND ROADWAY IMPACT FEES

Impact fee analysis for water, wastewater and roadway impact fees considers the percentage of each project cost within the CIPs that is attributable to new development over the next 10-year period within the defined service area. For this Study, anticipated development between 2023 and 2033 was considered. Existing water, wastewater, and roadway capacities, and additional capacities serving development beyond 2033, are not eligible according to Chapter 395; therefore, these costs were not included in the impact fee development.

MAXIMUM ALLOWABLE IMPACT FEE CALCULATION

Chapter 395 states the impact fee per service unit may not exceed the amount determined by subtracting a credit from the cost of the capital improvements and dividing that amount by the total number of projected service units determined. Chapter 395 provides the following two methods to choose from for determining the credit:

1. A credit for the potion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the CIP.

2. A credit equal to 50 percent of the total projected cost of implementing the CIP.

The CIAC elected to calculate the credit based on the 50 percent method previously described. Chapter 395 also requires the consideration of project financing costs (added), existing fund balances (subtracted), and interest earned on impact fee fund balances (subtracted). These elements are either added or subtracted from the 10-year escalated CIP costs to determine a pre-credit recoverable cost.

In developing the components of the financial model several assumptions were made, including:

1. Financing

   a. Projects funded by debt minus what has already been collected in previous impact fees.

   b. 20-year debt terms at 5 percent interest.

2. Debt taken out is spent over a 3-year time frame.

3. Interest earned on deposits–1.28 percent, based on the TexPool rate of monthly performance as of April 6, 2023.

4. Average inflation of CIP costs–4 percent, based on Engineering News Record Construction Cost Index (2003 through 2023).

MAXIMUM ALLOWABLE WATER IMPACT FEE

The maximum allowable water impact fee per service unit is summarized in Table 4. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

Water Impact Fee	
10-Year Escalated CIP Costs:	$45,131,575
Financing Cost (+):	$8,874,838
Existing Fund Balance (-):	--
Interest Earnings (-):	($2,121,935)
Pre-Credit Recoverable Costs:	**$51,884,478**
Pre-Credit Recoverable Costs:	$51,884,478
50% Credit:	($25,942,239)
Maximum Recoverable Costs:	$25,942,239
Service Units:	4,870
Maximum Allowable Impact Fee Per Service Unit:	**$5,327**

Table 4 Maximum Allowable Water Impact Fee

MAXIMUM ALLOWABLE WASTEWATER IMPACT FEE

The maximum allowable wastewater impact fee per service unit is summarized in Table 5. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

Wastewater Impact Fee	
10-Year Escalated CIP Costs:	$24,590,935
Financing Cost (+):	$7,312,484
Existing Fund Balance (-):	--
Interest Earnings (-):	($1,687,373)
Pre-Credit Recoverable Costs:	**$30,216,047**
Pre-Credit Recoverable Costs:	$30,216,047
50% Credit:	($15,108,023)
Maximum Recoverable Costs:	$15,108,023
Service Units:	4,870
Maximum Allowable Impact Fee Per Service Unit:	**$3,102**

Table 5 Maximum Allowable Wastewater Impact Fee

MAXIMUM ALLOWABLE ROADWAY IMPACT FEE

The maximum allowable roadway impact fee per service unit is summarized in Table 6. The maximum allowable impact fee includes the CIP costs to serve development during the next 10 years, financing costs, existing fund balance, interest, and credit in accordance with Chapter 395.

Roadway Impact Fee	
10-Year Escalated CIP Costs:	$90,380,835
Financing Cost (+):	$27,486,907
Existing Fund Balance (-):	--
Interest Earnings (-):	($5,761,522)
Pre-Credit Recoverable Costs:	**$112,106,220**
Pre-Credit Recoverable Costs:	$112,106,220
50% Credit:	($56,053,110)
Maximum Recoverable Costs:	$56,053,110
Service Units:	52,435
Maximum Allowable Impact Fee Per Service Unit:	**$1,069**

Table 6 Maximum Allowable Roadway Impact Fee

MAXIMUM ALLOWABLE WATER AND WASTEWATER IMPACT FEE BY WATER METER SIZE

The American Water Works Association (AWWA) publishes equivalency tables that equate the maximum continuous duty flow for a standard residential water meter to larger meters. The associating water and wastewater impact fees are then scaled up based on the ratio of the standard residential water meter to that of a larger water meter. See Table 7 for the water and wastewater impact fees for various water meter types and sizes.

Meter Size (inch)	Meter Type	Continuous Duty Maximum Flow Rate (gpm)	Ratio to 1-Inch Meter	Maximum Allowable Impact Fees	
				Water	Wastewater
1	Displacement Type	25	1	$5,327	$3,102
1.5	Displacement Type	50	2	$10,654	$6,204
2	Displacement Type	80	3.2	$17,046	$9,926
2	Compound	80	3.2	$17,046	$9,926
3	Compound	175	7	$37,289	$21,714
3	Turbine Vertical Shaft	220	8.8	$46,878	$27,298
3	Turbine High Velocity	350	14	$74,578	$43,428
4	Compound	300	12	$63,924	$37,224
4	Turbine Vertical Shaft	420	16.8	$89,494	$52,114
4	Turbine High Velocity	650	26	$138,502	$80,652
6	Compound	675	27	$143,829	$83,754
6	Turbine Vertical Shaft	865	34.6	$184,314	$107,329
6	Turbine High Velocity	1,400	56	$298,312	$173,712
8	Compound	900	36	$191,772	$111,672
8	Turbine High Velocity	2,400	96	$511,392	$297,792
10	Turbine High Velocity	3,500	140	$745,780	$434,280
12	Turbine High Velocity	4,400	176	$937,552	$545,952

Table 7 Water and Wastewater Impact Fees for Various Water Meter Types and Sizes

MAXIMUM ALLOWABLE ROADWAY IMPACT FEE BY VEHICLE–MILES CONSUMED

The Institute of Transportation Engineers (ITE) publishes a Trip Generation Manual. The ITE Trip Generation Manual includes the number of vehicle miles consumed by various land use categories per development unit (DU). Development units vary between categories but are often based on number of dwelling units or gross floor area (GFA). The maximum roadway impact fees for various categories can be found in Table 8.

Land Use Category	DU	Vehicle Miles	Impact Fee per DU
Residential			
Assisted Living	Beds	1.19	$1,274
Mobile Home Park	DU	2.88	$3,078
Multifamily (Low-Rise)	DU	2.53	$2,707
Multifamily (Mid-Rise)	DU	1.94	$2,070
Senior Adult Housing–Attached	DU	1.24	$1,327
Senior Adult Housing–Detached	DU	1.49	$1,592
Single-Family (Detached)	DU	4.67	$4,989
Industrial			
General Light Industrial–Default	1,000 sf GFA	3.88	$4,152
Industrial Park	1,000 sf GFA	2.03	$2,172
Manufacturing	1,000 sf GFA	4.42	$4,727
Mini-Warehouse	1,000 sf GFA	0.90	$958
Utility	1,000 sf GFA	12.91	$13,797
Warehousing	1,000 sf GFA	1.08	$1,150
Lodging			
Hotel	Room	2.93	$3,131
Motel/Other Lodging Facilities	Room	1.79	$1,911
Office			
Corporate Headquarters Building	1,000 sf GFA	7.80	$8,338
General Office Building–Default	1,000 sf GFA	8.63	$9,221
Government Office Building	1,000 sf GFA	10.26	$10,968
Medical-Dental Office Building	1,000 sf GFA	23.58	$25,207
Single Tenant Office Building	1,000 sf GFA	10.56	$11,289
United States Post Office	1,000 sf GFA	67.26	$71,901
Recreational			
Multiplex Movie Theater	1,000 sf GFA	37.02	$39,574
Recreational Community Center	1,000 sf GFA	15.00	$16,035
Institutional			
Church	1,000 sf GFA	2.28	$2,433
Day Care Center	1,000 sf GFA	28.93	$30,921
Elementary School	Students	0.74	$794
Fire and Rescue Station (Private)	1,000 sf GFA	2.88	$3,079
High School	Students	0.65	$695
Junior/Community College	Students	0.51	$546
Library	1,000 sf GFA	48.96	$52,338
Middle School/High School	Students	0.70	$745
Private School (K-8)	Students	1.21	$1,291
Private School (K-12)	Students	0.79	$844
Medical			
Animal–Veterinary Clinic	1,000 sf GFA	14.75	$15,770
Clinic	1,000 sf GFA	22.03	$23,549
Hospital	1,000 sf GFA	5.13	$5,488
Nursing Home	Beds	0.84	$893
Dining			
Coffee/Donut Shop with Drive-Thru	1,000 sf GFA	38.83	$41,514
Coffee/Donut Shop without Drive-Thru	1,000 sf GFA	32.16	$34,380
Drinking Place	1,000 sf GFA	28.29	$30,238
Fast Food with Drive-Thru	1,000 sf GFA	49.35	$52,752
Fast Food without Drive-Thru	1,000 sf GFA	44.10	$47,146
Fine Dining Restaurant	1,000 sf GFA	14.50	$15,502
High Turnover Restaurant (Sit Down)	1,000 sf GFA	17.13	$18,308
Services			
Bank (Walk-In)	1,000 sf GFA	20.20	$21,594
Bank (Drive-In)	Drive-In Lanes	48.83	$52,199
Hair Salon	1,000 sf GFA	2.82	$3,015
Automobile			
Automated Car Wash	1,000 sf GFA	23.64	$25,274
Automobile Care Center	1,000 sf GFA	5.61	$5,997
Automobile Parts/Service Center	1,000 sf GFA	3.72	$3,972
Automobile Parts Sales	1,000 sf GFA	7.75	$8,285
Automobile Sales (New)	1,000 sf GFA	5.04	$5,384
Automobile Sales (Used)	1,000 sf GFA	7.80	$8,343
Convenience Store/Gas Station	Fuel Positions	22.49	$24,043
Gasoline/Service Station	Fuel Positions	16.60	$17,743
Quick Lubrication Vehicle Stop	1,000 sf GFA	15.69	$16,775
Self-Service Car Wash	Wash Stalls	9.22	$9,861
Tire Store	1,000 sf GFA	7.80	$8,343
Other Retail			
Building Materials and Lumber Store	1,000 sf GFA	3.75	$4,005
Department Store	1,000 sf GFA	3.79	$4,049
Discount Store	1,000 sf GFA	7.67	$8,203
Free-Standing Discount Store	1,000 sf GFA	10.79	$11,534
Furniture Store	1,000 sf GFA	0.68	$725
Hardware/Paint Store	1,000 sf GFA	6.12	$6,542
Home Improvement Superstore	1,000 sf GFA	3.69	$3,940
Liquor Store	1,000 sf GFA	30.90	$33,033
Nursery (Garden Center)	1,000 sf GFA	13.48	$14,411
Drugstore with Drive-Thru	1,000 sf GFA	14.51	$15,507
Drugstore without Drive-Thru	1,000 sf GFA	11.10	$11,865
Shopping Center–Default	1,000 sf GFA	6.70	$7,161
Sporting Goods Superstore	1,000 sf GFA	4.16	$4,444
Supermarket	1,000 sf GFA	18.88	$20,178
Tractor Supply Store	1,000 sf GFA	2.53	$2,699

sf = square feet

Table 8 Roadway Fee per DU

WATER, WASTEWATER, AND ROADWAY IMPACT FEES ADOPTED BY NEIGHBORING COMMUNITIES

A “waterfall” chart of water, wastewater, and roadway impact fees that have been adopted by neighboring communities can be found in Figure 2, along with the year in which the impact fees were adopted. The chart shows the City relative to neighboring communities if the City were to adopt the maximum allowable impact fees for water, wastewater, and roadways. The CIAC’s formal recommendation for initially setting the impact fees (i.e., 90 percent, 20 percent, and 0 percent of the maximum allowable impact fees for water, wastewater, and roadway, respectively) is also included in Figure 2. It should be noted that not all of the impact fees adopted by neighboring communities are the maximum allowable for that city.

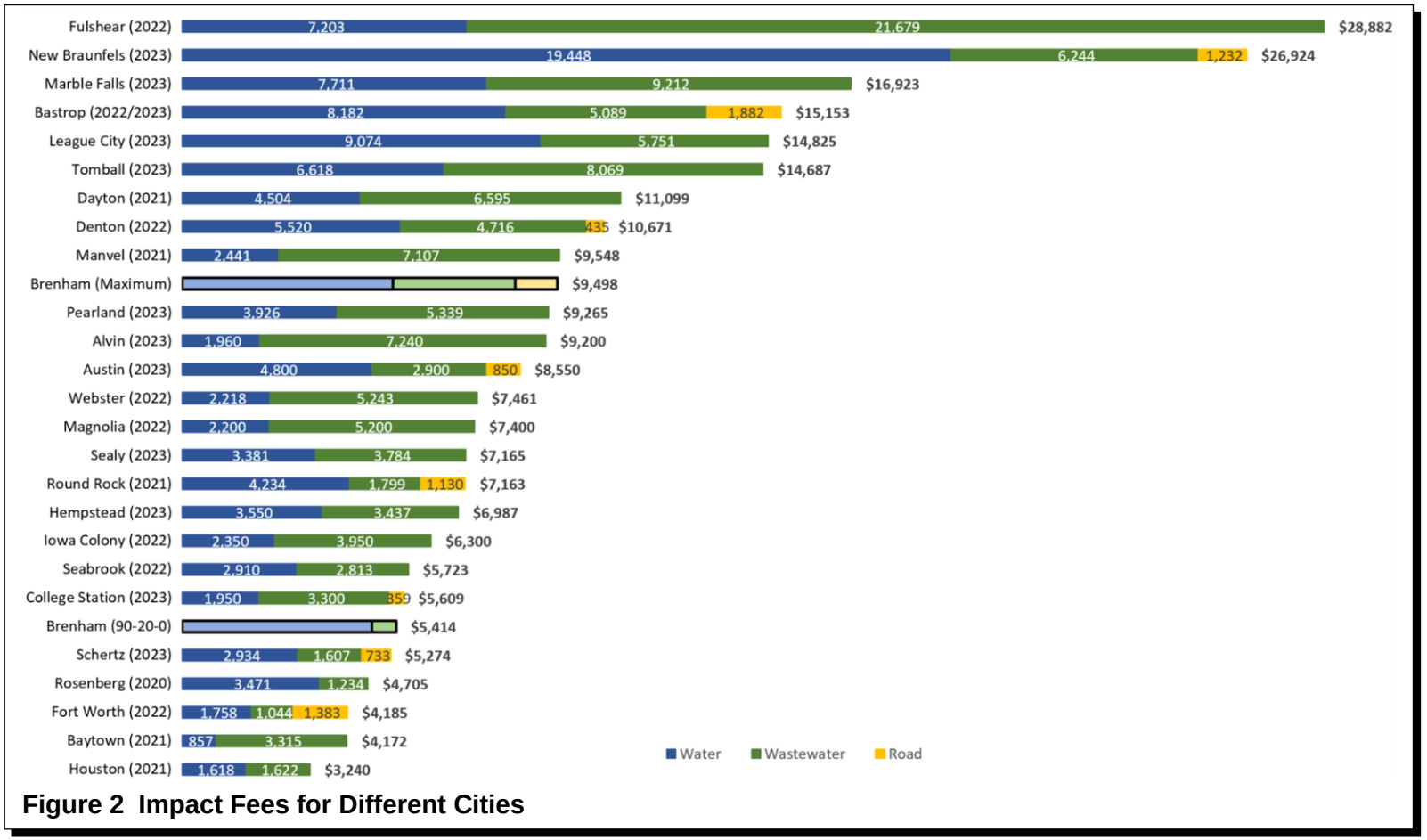


Figure 2 Impact Fees for Different Cities

CIAC RECOMMENDED IMPACT FEES

The CIAC provided a memorandum to the Mayor and City Council providing written comments and a formal recommendation of impact fee amounts for water, wastewater, and roadway impact fees. See Appendix F in which the CIAC recommends impact fees (per service unit) of $4,794, $620, and $0 for water, wastewater, and roadway, respectively.

CONCLUSION

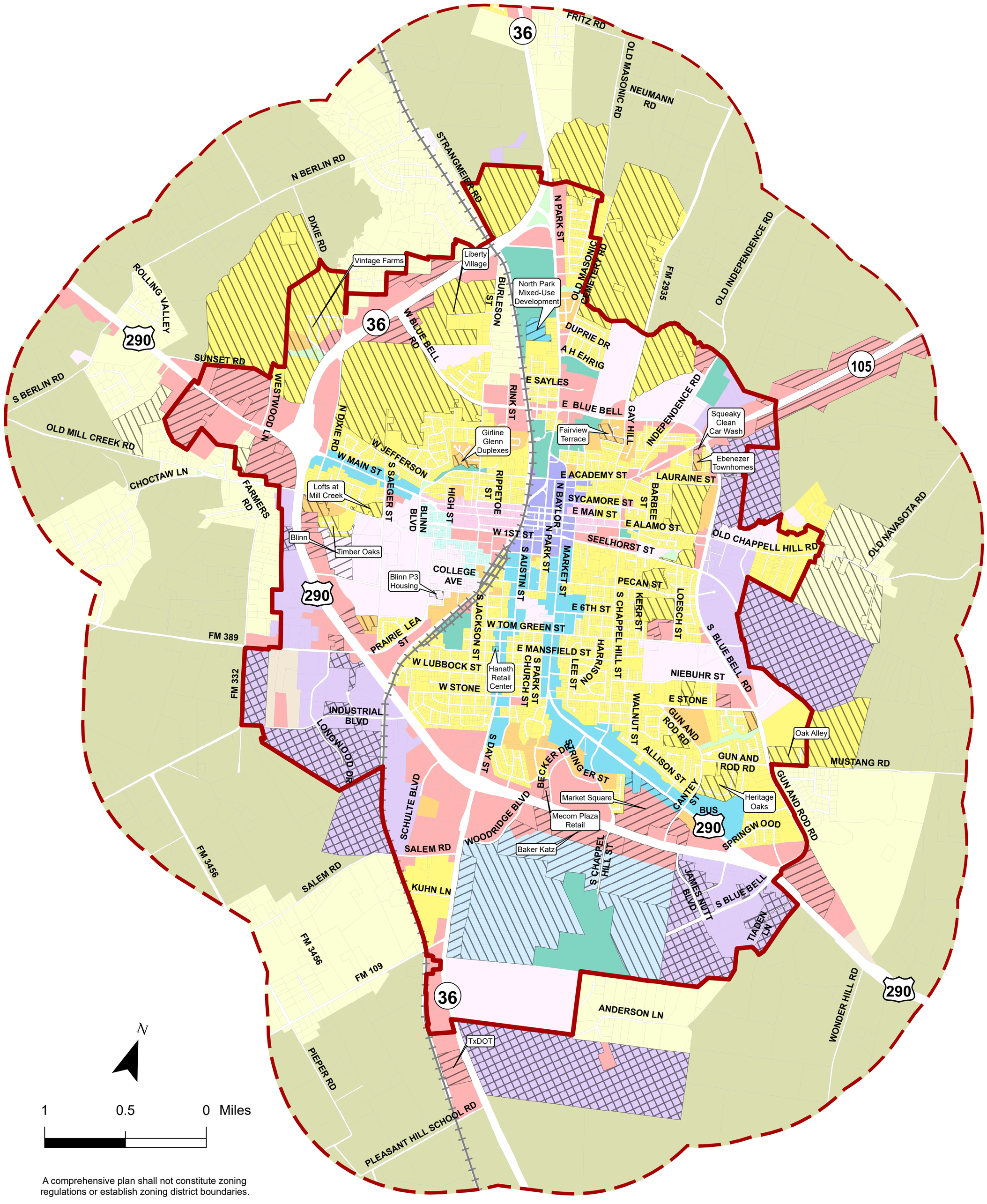
This report has documented the City's Study. The development of these impact fees has been in accordance with Chapter 395 for the compilation of maximum allowable impact fees for water, wastewater, and roadway facilities, building off the Tech Memo previously provided.

Available upon request in the Development Services Department.

APPENDIX A
TEXAS LOCAL GOVERNMENT CODE CHAPTER 395

APPENDIX B
FUTURE LAND USE MAP

Brenham, TX
Future Land Use



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

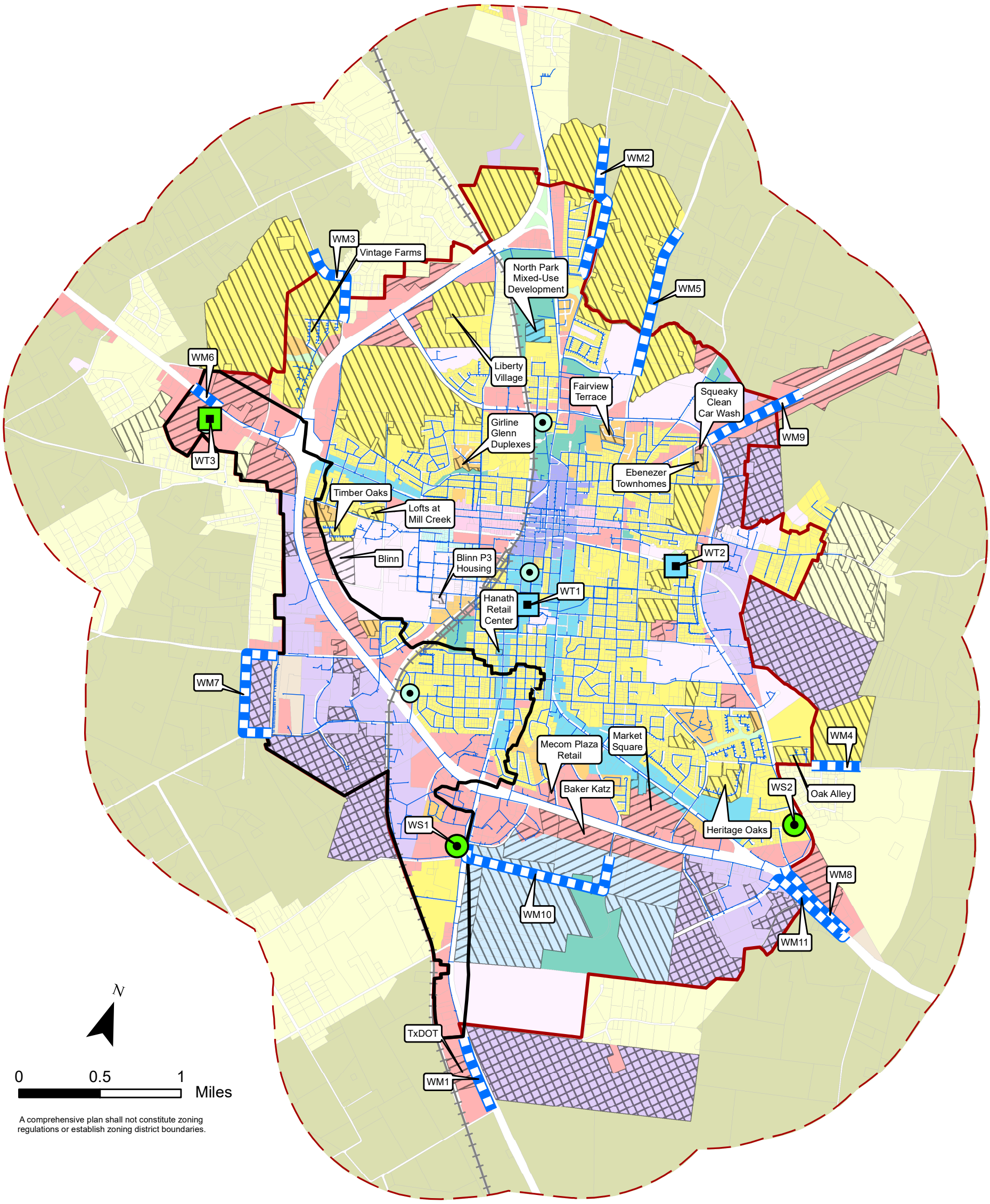
Legend

Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- **City Limits**
- **ETJ**
- **Railroad**
- **Future Commercial**
- **Future Industrial**
- **Future Residential**

APPENDIX C
WATER IMPACT FEE SERVICE AREA AND CIP



Brenham, TX
Water Impact Fee Service Area

Legend

Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- City Limits
- Extraterritorial Jurisdiction Boundary
- Railroad
- Future Commercial
- Future Industrial
- Future Residential
- Pressure Zone Boundary

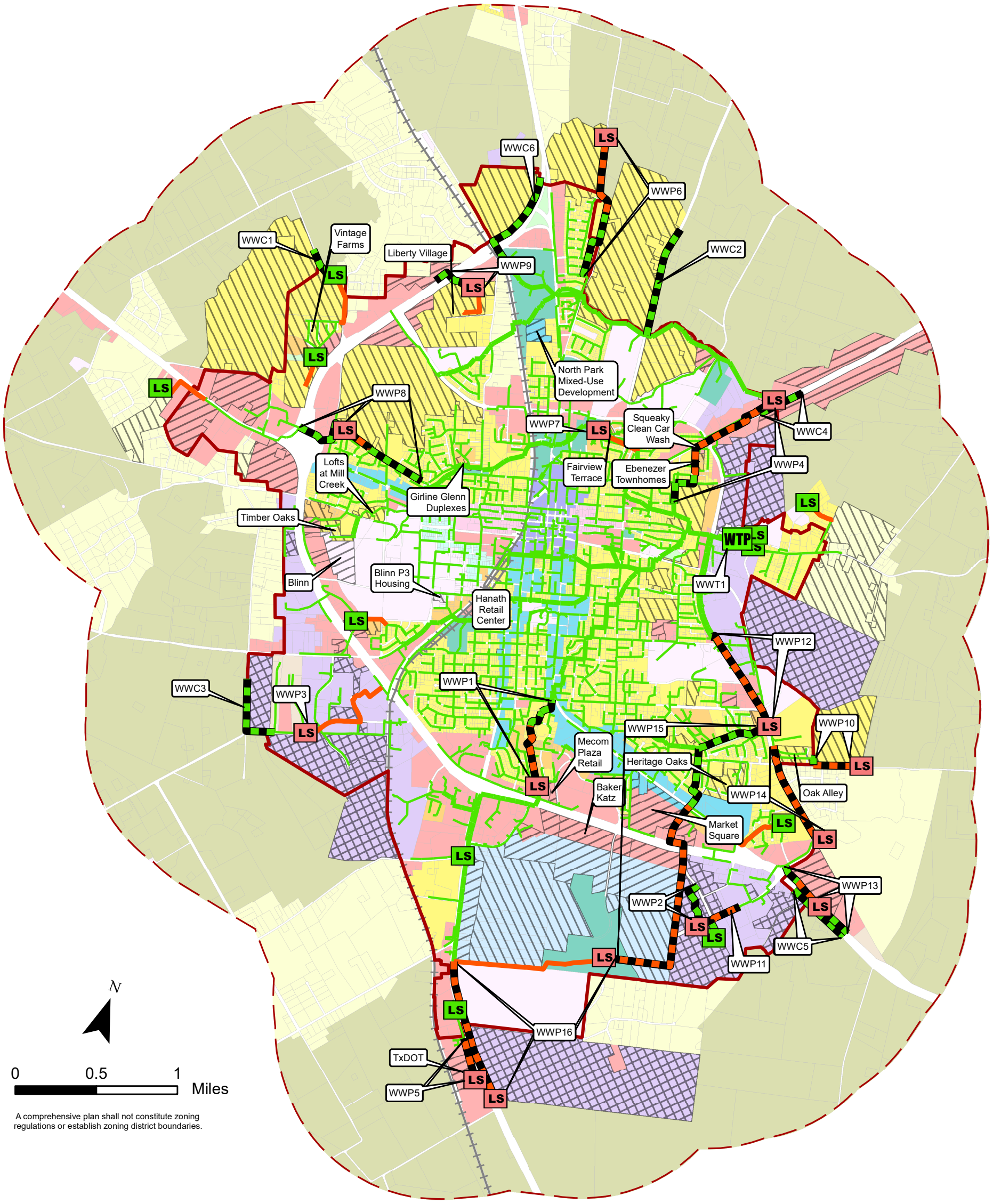
Existing Infrastructure

- Water Main
- Elevated Storage Tank
- Water Treatment Plant

Proposed Improvements

- Water Main
- Elevated Storage Tank
- Water Treatment Plant

APPENDIX D
WASTEWATER IMPACT FEE SERVICE AREA AND CIP



Brenham, TX
Wastewater Impact Fee Service Area

Legend

Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- City Limits
- Extraterritorial Jurisdiction Boundary
- Railroad
- Future Commercial
- Future Industrial
- Future Residential

Existing Infrastructure

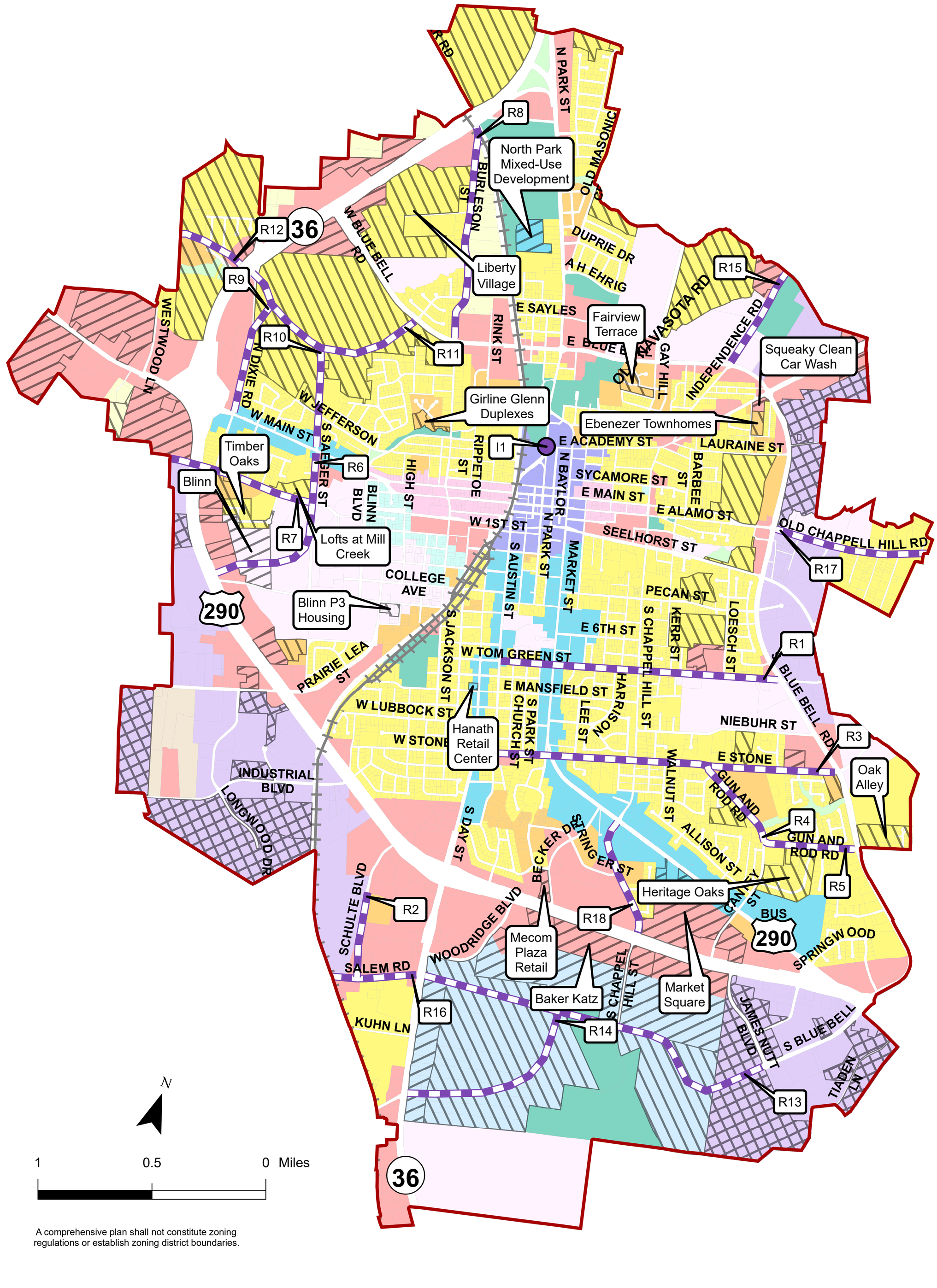
- Gravity Sewer >12"
- Gravity Sewer <12"
- Force Main
- WTP — Wastewater Treatment Plant
- LS — Lift Station

Proposed Improvements

- Gravity Sewer
- Force Main
- LS — Lift Station

APPENDIX E
ROADWAY IMPACT FEE SERVICE AREA AND CIP

Brenham, TX
Roadway Impact Fee Service Area



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Legend

Future Land Use Plan

- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- **City Limits**
- **Railroad**
- **Future Commercial**
- **Future Industrial**
- **Future Residential**
- **Roadway CIP Projects**
- **Intersection CIP Projects**

APPENDIX F
WRITTEN COMMENTS, CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

MEMORANDUM

To: Mayor Atwood Kenjura and Brenham City Council

From: Capital Improvements Advisory Committee
Stephanie Doland, Director of Development Services

CC: Carolyn Miller, City Manager
Debbie Gaffey, General Manager of Public Utilities
Dane Rau, Public Works Director
Timothy McRoberts, Strategic Budget Officer
Daniel McCracken, Utility Compliance Manager

Subject: Written Comments, Capital Improvements Advisory Committee

Date: January 24, 2024

During their regular Council meeting on May 4, 2023 the Brenham City Council approved a Professional Services Agreement with Strand Associates to perform an Impact Fee Study in accordance with Chapter 395 of the Texas Local Government Code. Impact fees for water, wastewater and roadways have since been evaluated to help finance infrastructure improvements needed in response to growth and new development. Impact fees reduce the economic burden on existing rate payers by imposing a fee with new development for capital improvements necessitated and attributable to the new development.

As per Local Government Code Chapter 395, the formation of a Capital Improvements Advisory Committee (CIAC) is required to review, advise, and recommend adoption of assessing impact fees following the results of the study. The CIAC was appointed by Council on July 13, 2023 and is comprised of the seven (7) member Planning and Zoning Commission as well as a Council representative – Dr. Paul LaRoche, III, a representative of the extraterritorial jurisdiction (ETJ) – Blake Brannon, and two real estate representatives – Lindi Braddock and Randy Hodde.

Following the appointment of the Committee, City Staff, Strand Associates and the CIAC began the steps outlined in Chapter 395 of the Texas Local Government Code to fully review and consider necessary infrastructure improvements for a twenty-year period. To summarize, the work of the CIAC was spread across five workshop-like meetings which included consideration of the following:

- Review of the City of Brenham Comprehensive Plan and associated Future Land Use Map.

- Review of population projections as outlined in the Comprehensive Plan and Water Study.
- Prepared Land Use Assumptions in conjunction with 10-year development projections and population growth models.
- Reviewed planned development projects in conjunction with anticipated infrastructure needs for water, wastewater and roadway facilities.
- Developed a Capital Improvement Plan for Water amounting to three (3) Water Treatment Projects, two (2) Water Storage Projects, 11 Water Main Projects and one (1) Water Impact Fee Study with a total cost (in 2023 dollars) of $65,490,1000 and a 10 year escalated cost (inflation adjustment) of $45,131,575.
- Developed a Capital Improvement Plan for Wastewater amounting to one (1) Wastewater Treatment project, 16 Wastewater Pumping Projects, six (6) Wastewater Collection Projects and one (1) Wastewater Impact Fee Study with a total cost (in 2023 dollars) of $34,264,000 and a 10 year escalated cost (inflation adjustment) of $24,590,935.
- Developed a Capital Improvement Plan for Roadways which includes 18 Roadway Capacity Increase projects and one (1) Intersection Capacity Increase project with a total cost (in 2023 dollars) of $78,099,000 and a 10 year escalated cost (inflation adjustment) of $90,380,835.

In accordance with the procedures outlined by Texas Local Government Code Chapter 395 and to present the work of the CIAC, a Public Hearing at a Special City Council meeting was held on December 7, 2023. During the meeting, Strand Associates presented the aforementioned Land Use Assumptions and the Capital Improvement Plans for water, wastewater and roadways. Following the Public Hearing portion of the meeting, the City Council accepted the recommendation of the CIAC and adopted via Resolution (R-23-044) the Land Use Assumptions and Capital Improvement Plans attached hereto as Exhibit A.

Following the Public Hearing and adoption of the Land Use Assumptions and Capital Improvement Plans, the CIAC met again to review the final calculations prepared by Strand Associates and consider the Maximum Assessable Impact Fees as included below (Table 1).

On January 23, 2024 the CIAC met to deliberate and determine a recommendation to City Council concerning the rate of Impact Fees to be assessed on water, wastewater and roadways. The committee received feedback during a Developer Workshop hosted on January 10, 2024 and additional Citizen Comments during the final CIAC meeting. Over the more than four (4) hours the CIAC met, the Committee carefully deliberated the findings of the Impact Fee Study and feedback received from the community. Following presentations by City Staff and Strand Associates, the **CIAC recommended to Council the assessment of the following:**

- **Impact Fees for Water at ninety percent (90%) the Maximum Assessable Rate;**
- **Impact Fees for Wastewater at twenty percent (20%) the Maximum Assessable Rate;**
- **To accept the results of the Roadway Impact Fee Study and adopt an Impact Fee of $0 for Roadways.**

The motion to adopt the above-stated Impact Fee percentages received a passing vote of 5-2 with Committee Members Dr. Paul LaRoche, III and Ms. Cayte Neil in opposition in general due to a desire for an increased percentage in the water and roadway impact fees.

Included below is a summary of the findings and deliberations of the Committee:

- The City of Brenham, specifically in the past five (5) years, has seen an increase in the number of annual single-family home permits and construction in general.
- Due to increased development in all areas of the Community without the shared cost of necessary improvements to infrastructure between the development community and existing City of Brenham rate payers, the City is required to "catch-up" in terms of funding projects such as the expansion of the water treatment plant.
- The Committee further discussed that Impact Fees to the Water Utility were a top priority due to the requirement to expand the Water Treatment plant within the next five (5) years and remain in good standing with TCEQ without adopting a moratorium on development. For these reasons, the Committee determined that the rate associated with the Water Impact Fee should be set at the largest amount when compared to wastewater and roadways.
- If Impact Fees were previously implemented prior to the addition of the 600+ single-family homes that have be permitted over the course of the previous five-years, the Impact Fee study would have resulted in a lesser Maximum Assessable Impact Fee and more balanced approach to cost sharing between developers and existing rate payers.
- Even with the addition of Impact Fees, rate payers are expected to experience an increase in the water utility rate, the percentage of which will depend on the amount of Impact Fees collected.
- As further detailed in the work of the Housing Task Force and the 2021 ResIntel Housing Study, the need for additional housing options throughout Brenham remains a top priority of the community. Therefore, the Committee was cognizant of the balance between setting an Impact Fee that would assist in the costs associated with the Capital Improvement Plans identified, while remaining competitive against area cities to not stifle or slow growth within Brenham.
- Additionally, the committee considered the need for development to contribute revenue to pay off debt on the multi-year bond issuance already underway to fund the water infrastructure improvements outlined in the adopted Capital Improvement List.
- Following a 'City Finance 101' discussion and understanding that sales tax revenue and ad valorum tax do not contribute to the Utility Funds, the Committee understood that the while the Water Impact Fee was the prevailing priority, the need to begin to contribute to the Wastewater fund is essential to avoid a situation similar to the water system in the next five to ten years.
- Again, the CIAC weighed the cost of adopting an Impact Fee that would increase revenues to fund necessary improvements against the added cost to developers in an economy with increasing interest rates and significant inflation. Therefore, the Committee determined that Roadway Impact Fees, while a priority, would be reconsidered in future years. In conjunction with deliberations on the Roadway Impact Fee, the CIAC urged City Staff to re-evaluate additional funding sources and development standards associated with the construction and expansion of roadways adopted on the Thoroughfare Plan.
- Finally, the Committee reviewed the proposed Impact Fees adopted by area cities and to remain competitive desired a total Impact Fee amount that would remain in the bottom third of neighboring communities.

In conclusion, the CIAC accepted all findings of the Impact Fee Study and determined that the Maximum Assessable Rate for water, wastewater and roadways was a significant expense. The Committee was united in the determination to prioritize assessing Impact Fees on water and

wastewater to spread the cost of required infrastructure improvements between existing City of Brenham rate payers and future development. The CIAC carefully considered the roadway Impact Fee and ultimately determined that adopting too costly of an Impact Fee may deter growth in both residential and commercial development. Texas Local Government Code 395 requires the CIAC to meet on an annual basis and the Committee determined that additional consideration of adopting a roadway impact fee would be re-evaluated at that time.

Next Steps:

- Thursday February 1, 2024: Public Hearing Considering the Adoption of Impact Fees
- Thursday February 15, 2024: First Reading of an Ordinance Considering the Adoption of Impact Fees
- Thursday March 7, 2024: Second and Final Reading of an Ordinance Considering the Adoption of Impact Fees

Exhibits:

- Resolution (R-23-044)

	Water	Wastewater	Roadway
10-Year Escalated CIP Costs:	$ 45,131,575	$ 24,590,935	$ 90,380,835
Financing Cost (+):	$ 8,874,838	$ 7,312,484	$ 27,486,907
Existing Fund Balance (-):	-	-	-
Interest Earnings (-):	(2,121, 935)	$ (1,687,373)	$ (5,761,522)
Pre-Credit Recoverable Costs:	**$ 51,884,478**	**$ 30,216,047**	**$ 112,106,220**
Pre-Credit Recoverable Costs:	$ 51,884,478	$ 30,216,047	$ 112,106,220
50% Credit:	$ (25,942,239)	$ (15,108,023)	$ (56,053,110)
Maximum Recoverable Costs:	$ 25,942,239	$ 15,108,023	$ 56,053,110
Service Units	$ 4,870	$ 4,870	$ 52,435
Maximum Assessable Impact Fee per Service Unit:	**$ 5,327**	**$ 3,102**	**$ 1,069**
CIAC Recommended Impact Fee per Service Unit:	**$ 4,794**	**$ 620**	**-**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, ADOPTING CHAPTER 28, IMPACT FEES, OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS PROVIDING FOR THE IMPOSITION OF IMPACT FEES WITHIN THE CITY LIMITS AND THE BRENHAM EXTRA-TERRITORIAL JURISDICTION (ETJ) IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 395 of the Texas Local Government Code ("the Statute") authorizes the City to enact impact fees as charges or assessments imposed against new development in order to generate revenue for recouping the costs of capital improvements necessitated by the new development; and

WHEREAS, on May 4, 2023 the City Council authorized the preparation of an Impact Fee Study ("Study") by a qualified engineer, Strand Associates, Inc. which is on file and available in the City Secretary's Office; and

WHEREAS, on July 13, 2023 the City Council appointed the Capital Improvements Advisory Committee pursuant to the Statute to review, advise and recommend the adoption of assessing impact fees in conjunction with the Study as conducted by Strand Associates, Inc.; and

WHEREAS, on December 7, 2023 the City Council, following procedures outlined in the Statute, passed Resolution R-23-044 adopting Land Use Assumptions and Water, Wastewater and Roadway Capital Improvement Plans for the designated service areas under which an impact fee may be imposed; and

WHEREAS, the Capital Improvements Advisory Committee ("CIAC") filed its written comments and made its positive recommendation of the adoption of the proposed water, wastewater and roadway impact fees on January 24, 2024, before the date of the public hearing on the adoption of water, wastewater and roadway impact fees; and

WHEREAS, the recommendation of the CIAC and the adoption of water, wastewater and roadway impact fees were considered by the City of Brenham City Council during a public hearing held on February 1, 2024 at which all persons desiring to be heard were heard; and

WHEREAS, the City Council finds that in all things the City has complied with the Statute in the notice, adoption, promulgation and methodology necessary to adopt Impact Fees;

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

SECTION 1

Chapter 28 – Impact Fees, of the Code of Ordinances of the City of Brenham, Texas, is hereby adopted in its entirety to read as follows:

Sec. 28-1. Short Title.

This Chapter shall be known and cited as the "City of Brenham Impact Fee Ordinance."

Sec. 28-2. Purpose and scope.

The purpose of this Chapter is to assure the provision of adequate public facilities to serve new development in the City and its extraterritorial jurisdiction by requiring each such development to pay its share of the costs of such improvements necessitated and attributable to such new development. This Chapter is intended to impose water and wastewater impact fees, as established by this Chapter in order to finance public facility capital improvement plans generated by new development within the service area.

Sec. 28-3. Authority.

The City is authorized to enact this Chapter and adopt impact fees by Chapter 395 of the Texas Local Government Code ("Statute"), which authorizes home rule cities to enact or impose impact fees on land within their corporate boundaries and in their extraterritorial jurisdictions, as charges or assessments imposed against new development in order to generate revenue for funding capital improvements or facility expansions necessitated by and attributable to such new development. The provisions of this Chapter shall not be construed to limit the power of the City to adopt such Chapter pursuant to any other source of local authority, nor to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this Chapter. Guidelines may be developed by resolution or otherwise to implement and administer this Chapter.

Sec. 28-4. Definitions.

As used in this Chapter, unless the context otherwise indicates, the following words are defined as follows. Words and terms not expressly defined in this section have their ordinary meanings based on the latest edition of Merriam-Webster's unabridged dictionary.

Assessment. The determination of the amount of the maximum impact fee per service unit which can be imposed on new development pursuant to this Chapter.

Building Permit. Written permission issued by the City of Brenham Development Services Department for the construction, repair, or alteration of or addition to a structure.

Capital Improvement. Shall mean any of the following facilities that have a life expectancy of three (3) or more years and are owned and operated by the City of Brenham: water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and roadway facilities.

Capital Improvement Plan. Shall mean a plan required by this Chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

City. Shall mean the City of Brenham, Texas.

Effective Date. Shall mean July 1, 2024.

Final Plat. The map, drawing or chart on which is provided a subdivider's plan of a subdivision, which has received final approval by the Planning and Zoning Commission or City Manager, in accordance with Chapter 23 – Subdivisions, of the City of Brenham Code of Ordinances, and which is recorded with the office of the county clerk. For the purposes of this Chapter, a final plat shall include a replat.

Impact Fee. Shall mean a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;
(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or
(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

Land Use Assumptions. Shall mean a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a ten (10) year period upon which the capital improvement plans are based and approved by City Council.

New Development. Shall mean the subdivision of land, the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the City's subdivision regulations, the issuance of a building permit or connection to the City's water or wastewater system, and which has not been exempted from these regulations by provisions herein. Installation of a larger water meter shall constitute new development.

Service Area. For purposes of water and wastewater (see Sec. 28-15(2) and Sec. 28-15(4)) the area within the corporate boundaries of the City and Extraterritorial Jurisdiction to be served by the capital improvements or facilities expansions specified in the capital improvement plans.

Service Unit. Shall mean a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous ten (10) years.

Sec. 28-5. Land Use Assumptions.

Land use assumptions used in the development of the impact fees are described in Sec. 28-15(1). These assumptions may be revised by the City Council according to the procedures set forth in the Statute.

Sec. 28-6. Applicability.

1. This Chapter shall be uniformly applicable to new development which occurs within the corporate boundaries and extraterritorial jurisdiction of the City of Brenham.
2. The water and wastewater service areas and capital improvement plans are established in Sec. 28-15.
3. Revisions or additions to the above-described service areas may be designated by the City Council consistent with the procedures set forth in the Statute.

Sec. 28-7. Study Adopted.

The 2023 Impact Fee Study ("Study"), prepared by Strand Associates, Inc. in accordance with the Statute for the adoption of water, wastewater and roadway impact fees is hereby accepted and adopted for all purposes consistent with this Chapter. The Study is on file and available upon request in the Development Services Department and the City Secretary's Office.

Sec. 28-8. Impact Fees Per Service Unit Methodology.

The maximum impact fee per service unit for each service area shall be computed by utilizing the fifty percent (50%) credit method which assumes a credit equal to fifty percent (50%) of the total projected cost of implementing the capital improvement plan for each category of capital improvements. In accordance with the Statute, a credit equal to fifty percent (50%) of the total adopted capital improvement plans, as outlined in Sec. 28-15,, was applied to such projected costs prior to calculation of the maximum and effective impact fees as shown in Table 1 and Table 2.

Sec. 28-9. Impact Fees Adopted.

The service units for water and wastewater improvements shall be assessed in terms of residential equivalent connections (REC), or the volume of water used by a standard one inch (1") water meter during a one (1) day period. Single-family residential units are equivalent to one (1) REC. Multiple-family residential, commercial, and industrial units shall be adjusted to reflect their respective demand on the water and wastewater distribution and collection systems, and in accordance with their ratio to a one inch (1") water meter as established by the American Water Works Association (AWWA).

Consistent with the procedures set forth in the Statute, the effective impact fees per service unit may be amended from time to time by the City Council, following the review and recommendation of the Capital Improvements Advisory Committee, through an ordinance amendment, to any amount equal to or less than the maximum impact fees set forth in Table 1 and Table 2.

1. A water impact fee of $4,794.00 per service unit shall be assessed and charged against new development in the service area (see Sec. 28-15(2)) as set forth in Table 1. In accordance with Section 395.016(c) of the Statute, Table 1 shall apply to final plats recorded before the effective date which obtain a permit following the one (1) year grandfather period and on final plats approved and recorded after the effective date.

Table 1 – Water Impact Fee Determined for Varying Water Meter Types and Sizes Using AWWA Equivalency Table

Meter Size (Inch)	Meter Type	Continuous Duty Maximum Flow Rate (gpm)	Ratio to 1-inch Meter	Impact Fees (Maximum Assessable)	Impact Fees (CIAC Recommendation) 90%
1	Displacement Type	25	1	$5,327	$4,794
1.5	Displacement Type	50	2	$10,654	$9,589
2	Displacement Type	80	3.2	$17,046	$15,341
2	Compound	80	3.2	$17,046	$15,341
3	Compound	175	7	$37,289	$33,560
3	Turbine Vertical Shaft	220	8.8	$46,878	$42,190
3	Turbine High Velocity	350	14	$74,578	$67,120
4	Compound	300	12	$63,924	$57,563
4	Turbine Vertical Shaft	420	16.8	$89,494	$80,545
4	Turbine High Velocity	650	26	$138,502	$124,652
6	Compound	675	27	$143,829	$129,446
6	Turbine Vertical Shaft	865	34.6	$184,314	$165,883
6	Turbine High Velocity	1,400	56	$298,312	$268,481
8	Compound	900	36	$191,772	$172,595
8	Turbine High Velocity	2,400	96	$511,392	$460,253
10	Turbine High Velocity	3,500	140	$745,780	$671,202
12	Turbine High Velocity	4,400	176	$937,552	$843,797

2. A wastewater impact fee of $620.00 per service unit shall be assessed and charged against new development in the service area (see Sec. 28-15(4)) as set forth in Table 2. In accordance with Section 395.016(c) of the Statute, Table 2 shall apply to final plats recorded before the effective date which obtain a permit following the one (1) year grandfather period and on final plats approved and recorded after the effective date.

Table 2 – Wastewater Impact Fee Determined for Varying Water Meter Types and Sizes Using AWWA Equivalency Table

Meter Size (Inch)	Meter Type	Continuous Duty Maximum Flow Rate (gpm)	Ration to 1-Inch Meter	Impact Fees Maximum Assessable	Impact Fees Adopted – 20%
1	Displacement Type	25	1	$3,102	$620
1.5	Displacement Type	50	2	$6,204	$1,241
2	Displacement Type	80	3.2	$9,926	$1,985
2	Compound	80	3.2	$9,926	$1,985
3	Compound	175	7	$21,714	$4,343
3	Turbine Vertical Shaft	220	8.8	$27,298	$5,460
3	Turbine High Velocity	350	14	$43,428	$8,686
4	Compound	300	12	$37,224	$7,445
4	Turbine Vertical Shaft	420	16.8	$52,114	$10,423
4	Turbine High Velocity	650	26	$80,652	$16,130
6	Compound	675	27	$83,754	$16,751
6	Turbine Vertical Shaft	865	34.6	$107,329	$21,466
6	Turbine High Velocity	1,400	56	$173,712	$34,742
8	Compound	900	36	$111,672	$22,334
8	Turbine High Velocity	2,400	96	$297,792	$59,558
10	Turbine High Velocity	3,500	140	$434,280	$86,856
11	Turbine High Velocity	4,400	176	$545,952	$109,190

3. The results and findings of the Study concerning roadway impact fees are accepted as provided for in Section 28-7. The maximum and effective impact fee value per service unit for roadway facilities are not adopted. The impact fee values per service unit for roadway facilities may be adopted in the future and amended in accordance with the Statute.

Sec. 28-10. Assessment of Impact Fees.

1. No final plat for new development shall be released for recordation, and no building permit and/or plumbing permit shall be issued, without the assessment of applicable impact fees pursuant to this Chapter. Except as otherwise provided in this Chapter, no building permit and/or plumbing permit shall be issued until the owner has paid the applicable impact fees.
2. For a new development which has received final plat approval before the effective date, assessment of impact fees shall occur on the effective date of this Chapter.
3. For a new development which has received final plat approval on or after the effective date, assessment of impact fees shall occur at the time of recordation of the final plat.
4. After assessment of the impact fees attributable to a new development, and/or in conjunction with the expansion or enlargement of a development in existence as of the effective date of this Chapter, additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Sec.28-11. Collection of Impact Fees.

1. Impact fees shall be collected at the time of issuance of a building permit.
2. For a new development that received final plat approval before the effective date, impact fees may not be collected on any service unit for which a valid building permit is issued within one (1) year after the effective date of this Chapter; provided, however, such a service unit shall be subject to the collection of impact fees upon the submission of a subsequent application for a building permit if the subsequent building permit application is not issued within one (1) year after the effective date.

Sec. 28-12. Impact Fees as Additional and Supplemental Regulation.

1. Impact fees established by this Chapter are additional and supplemental to, and not in substitution of any other requirements imposed by the City on development of land or the issuance of building permits or the sale of water or wastewater taps or the issuance of certificates of occupancy. Such impact fees are intended to be consistent with and to further the policies of the adopted comprehensive plan, capital improvement plans, zoning ordinance, subdivision regulations and other City policies, ordinances, and resolutions by which the City seeks to ensure the provision of adequate public facilities in conjunction with the development of land.
2. This Chapter shall not affect, in any manner, the permissible use of property, density of development, design, and improvement standards and requirements, or any other aspect of the development of land or provision of public improvements subject to zoning and subdivision regulations or other regulations of the City, which shall be operative and remain in full force and effect without limitation with the respect to such development.

Sec. 28-13. Functions of the Capital Improvements Advisory Committee (CIAC)

In accordance with the procedures set forth in the Statute, the Capital Improvements Advisory Committee (CIAC) shall be appointed by the City Council to assist with the impact fee adoption, implementation, and semiannual review of impact fees. The functions of the CIAC are those set forth in the Statute or any successor statute and shall include the following:

1. Advise and assist the City in adopting land use assumptions;
2. Review and file written comments on the City's capital improvement plans;
3. Monitor and evaluate implementation of the City's capital improvement plans;
4. File semiannual reports evaluating the progress of the City in achieving the capital improvement plans and identifying any problems in implementing the plans or administering the impact fees, and any perceived inequities in administration of the fee; and
5. Advise the City of the need to update or revise the land use assumptions, capital improvement plans and/or impact fees.

In accordance with the procedures set forth in the Statute, the CIAC shall review the land use assumptions and capital improvement plans for water, wastewater and roadway facilities at least every five (5) years. The first five (5) year period shall commence from the date of adoption of the land use assumption and capital improvement plans. Following the review of the CIAC, the City shall make a determination of whether changes to the land use assumptions, capital improvement plan or impact fees are needed and shall, in accordance with the procedures set forth in the Statute, or any successor statute, either update the fees or make a determination that no update is necessary.

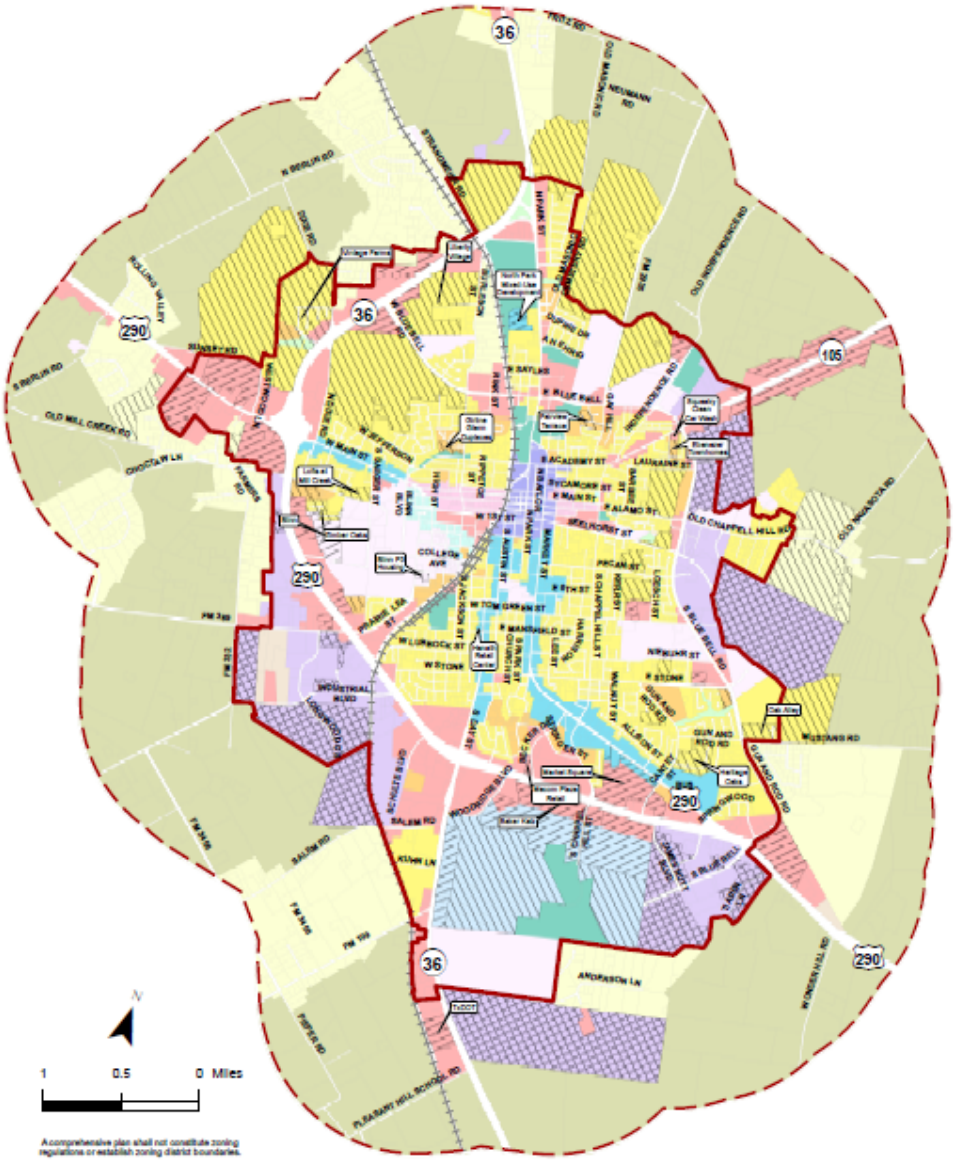
Sec. 28-14. Accounting for Fees and Interest.

1. The City shall deposit all funds collected through the adoption of an impact fee in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.
2. Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of impact fees under the Statute.
3. The City shall establish adequate financing and accounting controls to ensure that the impact fees disbursed from the account are utilized for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by the Statute.
4. The City shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended within the service area. The records of the account into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Sec. 28-15. Related Maps and Listings of Capital Improvement Projects.

1. Map A – Land Use Assumptions.
2. Map B – Water Impact Fee Service Area
3. Impact Fee Capital Improvement Plan; Water Capital Improvement Plan Projects
4. Map C – Wastewater Service Area
5. Impact Fee Capital Improvement Plan; Wastewater Capital Improvement Plan Projects

Sec. 28-15(1). Map A – Land Use Assumptions.



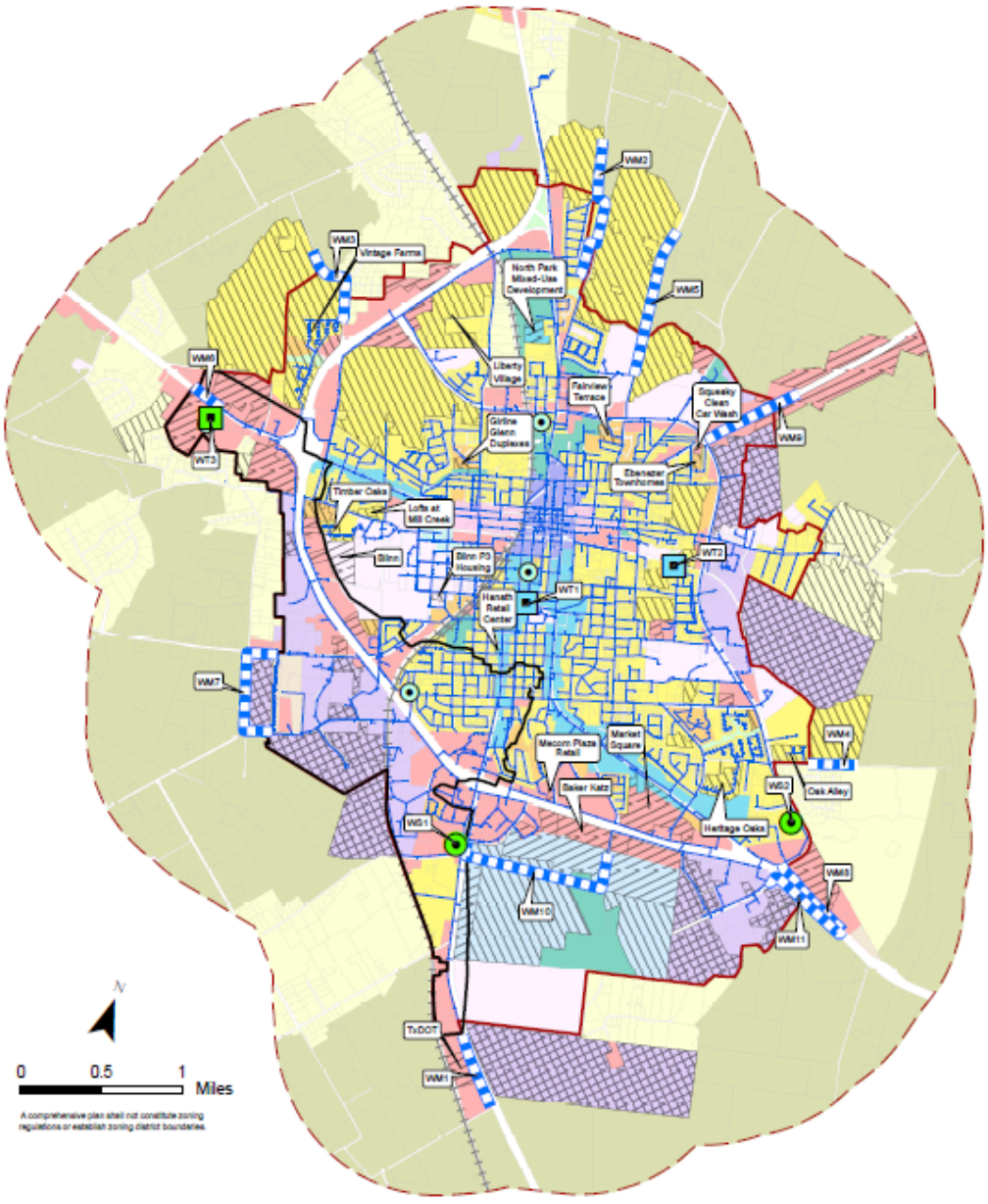
Brenham, TX
Future Land Use

Legend

Future Land Use Plan
- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- **City Limits**
- **ETJ**
- **Railroad**
- **Future Commercial**
- **Future Industrial**
- **Future Residential**

Sec. 28-15(2). Map B - Water Impact Fee Service Area.



Brenham, TX
Water Impact Fee Service Area

Legend

Future Land Use Plan
- Rural
- Open Space
- Park
- Estate Residential
- Single Family Residential
- Manufactured Homes
- Multi-Family Residential
- Mixed Use Blinn Adjacent
- Mixed Use Downtown Adjacent
- Corridor Mixed Use
- Planned Development
- Downtown
- Local Public Facilities
- Commercial
- Industrial

- City Limits
- Extraterritorial Jurisdiction Boundary
- Railroad
- Future Commercial
- Future Industrial
- Future Residential
- Pressure Zone Boundary

Existing Infrastructure
- Water Main
- Elevated Storage Tank
- Water Treatment Plant

Proposed Improvements
- Water Main
- Elevated Storage Tank
- Water Treatment Plant

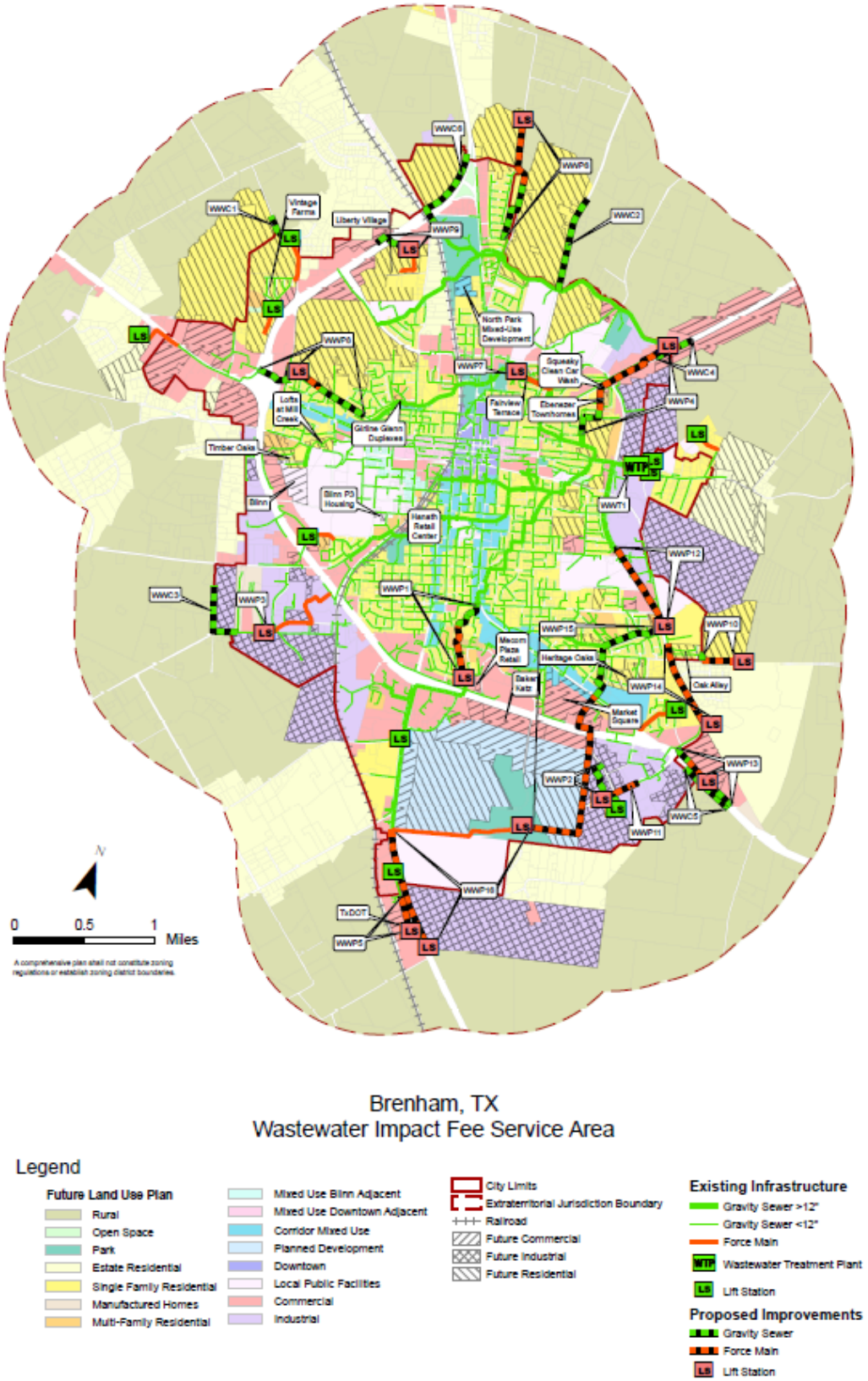
Sec. 28-15(3). Impact Fee Capital Improvement Plan; Water Capital Improvement Plan Projects.

ID	PROJECT NAME	COST
WT1	Surface Water Treatment Plant Improvements	$ 24,300,000.00
WT2	Loesch Street Water Plan	$ 11,700,000.00
WT3	Westside Water Plant	$ 12,700,000.00
WS1	Highway 36 South Elevated Storage Tank	$ 3,036,000.00
WS2	Gun and Rod Road Elevated Storage Tank	$ 3,036,000.00
WM1	Highway 36 South Water Main Extension	$ 741,250.00
WM2	Old Masonic Road Water Main Replacement and Extension	$ 1,289,900.00
WM3	Dixie Road Water Main Extension	$ 805,000.00
WM4	Mustang Road Water Main Extension	$ 378,900.00
WM5	Farm-to-Market (FM) 2935 Water Main Extension	$ 1,366,450.00
WM6	Highway 290 West Water Main Replacement	$ 496,700.00
WM7	FM 332 Water Main Extension	$ 1,287,800.00
WM8	Highway 290 East – Phase 1 Water Main Extension	$ 847,250.00
WM9	Highway 105 Water Main Replacement and Extension	$ 1,006,200.00
WM10	Small Area Plan Water Main Extension	$ 1,576,250.00
WM11	Highway 290 East – Phase 2 Water Main Extension	$ 857,400.00
Study	Water Impact Fee Study	$ 65,000.00
	WATER CAPITAL IMPROVEMENT PLAN PROJECTS – TOTAL COST:	**$ 65,490,100.00**

Assumptions:

1. Costs are listed in 2023 dollars.

Sec. 28-15(4). Map C - Wastewater Service Area.



Sec. 28-15(5). Impact Fee Capital Improvement Plan; Wastewater Capital Improvement Plan Projects.

ID	PROJECT NAME	COST
WWT1	Wastewater Treatment Plant Expansion Study	$ 150,000.00
WWP1	Stone Hollow Lift Station, Force Main, and Gravity Sewer Replacement	$ 2,115,000.00
WWP2	Business Center Lift Station-Phase 1, Force Main, and Gravity Sewer Replacement	$ 1,413,000.00
WWP3	Industrial Boulevard Lift Station, Force Main, and Gravity Sewer Replacement	$ 1,762,000.00
WWP4	Highway 105 Lift Station, Force Main, and Gravity Sewer Replacement	$ 5,126,000.00
WWP5	TxDOT Lift Station and Force Main	$ 942,000.00
WWP6	Old Masonic Road Lift Station, Force Main, and Gravity Sewer	$ 1,707,000.00
WWP7	Henderson Park Lift Station (Pump Replacement), Force Main and Gravity Sewer Replacement	$ 456,000.00
WWP8	Munz Lift Station, Force Main, and Gravity Sewer Replacement	$ 5,104,000.00
WWP9	Liberty Village Lift Station (Pump Replacement) and Gravity Sewer Replacement	$ 764,000.00
WWP10	Mustang Road Lift Station, Force Main, and Gravity Sewer	$ 1,122,000.00
WWP11	Business Center Lift Station-Phase 2, Force Main Replacement	$ 611,000.00
WWP12	Ralston Creek Lift Station (Pump Replacement) and Force Main Replacement	$ 1,504,000.00
WWP13	Highway 290 East Lift Station – Phase 1, Force Main, and Gravity Sewer	$ 1,008,000.00
WWP14	K of C Hall Lift Station and Force Main	$ 1,806,000.00
WWP15	Baker Katz Lift Station, Force Main, and Gravity Sewer Replacement	$ 3,525,000.00
WWP16	Highway 36 South No. 2 Lift Station and Force Main	$ 2,074,000.00
WWC1	Dixie Road Gravity Sewer Extension	$ 223,000.00
WWC2	Farm-to-Market (FM) 2935 Gravity Sewer Extension	$ 697,000.00
WWC3	FM 332 Gravity Sewer Extension	$ 509,000.00
WWC4	Highway 105 Gravity Sewer Extension	$ 515,000.00
WWC5	Highway 290 East Gravity Sewer Extension – Phase 2	$ 249,000.00
WWC6	Highway 36 North Gravity Sewer Extension	$ 772,000.00
Study	Wastewater Impact Fee Study	$ 110,000.00
WASTEWATER CAPITAL IMPROVEMENT PLAN PROJECTS – TOTAL COST:		**$ 34,264,000.00**

Assumptions:

1. Costs are listed in 2023 dollars.

SECTION 3.

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 4.

Should any section, subsection, sentence or 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, clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 5.

This Ordinance, upon passage, approval and publication as required by law, shall take effect on July 1, 2024.

PASSED and APPROVED on its first reading this the ___ day of _____ 2024.

PASSED and APPROVED on its second reading this the ___ day of _____ 2024.

_____
Atwood C. Kenjura
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

City Council Regular Meeting

AGENDA ITEM 12

Agenda Item: **Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Commonwealth Development, Inc. v. City of Brenham, Texas; Fair Housing Case No. 06-22-3294-8**

Meeting Date: February 15, 2024

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action will be taken.

City Council Regular Meeting

AGENDA ITEM 13

Agenda Item: **Section 551.074, Texas Government Code - Personnel Matters - Discussion Concerning the Employment and Duties of the City Manager, and Associated Matters**

Meeting Date: February 15, 2024

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action will be taken.