



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, FEBRUARY 6, 2025 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 - Mayor Atwood C. Kenjura**
- 3. Proclamations**
 - ◆ **Reverend Dr. John D. Harris Day**
 - ◆ **Sister Helen Harris Day**
- 4. Police Department Promotion**
 - ◆ **James Catchings, Corporal**
- 5. Service Recognitions**
 - ◆ **James Knipstein, Fire Department - 5 Years**
 - ◆ **Steven Eilert, Police Department - 15 Years**
 - ◆ **Craig Reagan, Aquatics - 20 Years**
- 6. Citizen Comments**

CONSENT AGENDA

7. 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.

- 7.a. Approve the Minutes from the January 23, 2025 Regular City Council Meeting**
- 7.b. Approve a Software Renewal Between the City of Brenham and CDW Government LLC (CDWG) for Cybersecurity Software in the Amount of \$76,590.60 Through Texas Department of Information Resources Contract No. DIR-CPO-5303 and Authorize the Mayor to Execute Any Necessary Documentation**
- 7.c. Approve the Use of Seized Narcotic Funds in the Amount of \$4,950.00 for the Purchase of ERAD FCIS Solution Bundle Renewal from ERAD Group, Inc. and Authorize the Mayor to Execute Any Necessary Documentation**

WORK SESSION

- 8. Presentation and Discussion on the Tax Phase-In Compliance Review Committee**

REGULAR SESSION

- 9. Discuss and Possibly Act Upon Ordinance No. O-25-001 on Its Second Reading Ordering a Special Election on May 3, 2025 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas**

Discutir y posiblemente actuar sobre la Ordenanza No. O-25-001 en su segunda lectura ordenando una elección especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas enmiendas propuestas a la carta constitutiva existente de la ciudad de Brenham, Texas

- 10. Discuss and Possibly Act Upon Resolution No. R-25-007 Authorizing the Acceptance of Certain Public Infrastructure Improvements in the Market Square Brenham Subdivision, Phase 4**
- 11. Discuss and Possibly Act Upon Resolution No. R-25-008 for a Variance to Allow the Replacement of a Changeable Electronic Variable Message Sign (CEVMS) for the Washington County Expo Center Located at 1305 E. Blue Bell Road, Brenham, Texas**
- 12. Discuss and Possibly Act Upon RFP No. 25-007 for the Construction of the Brenham Fire Station No. 2 and Authorize the Mayor to Execute Any Necessary Documentation**
- 13. Discuss and Possibly Act Upon the Appointment of Nine Members (Places 1**

Through 9) to Serve on the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of Two Years Beginning January 1, 2025 and Authorize the Mayor to Execute Any Necessary Documentation

- 14. Discuss and Possibly Act Upon the Appointment of a Board Member to Serve as Chairman of the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of One Year Beginning January 1, 2025 and Authorize the Mayor to Execute Any Necessary Documentation**

15. 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

- 16. Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding Legal Matters and Possible Acquisition of Real Property Related to the Texas Department of Transportation U.S. Highway 290/State Highway 36 Interchange Project, and Associated Matters**
- 17. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Concerning City of Brenham's Police Department Operations, Personnel, and Associated Matters**
- 18. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Demand Letter Received by City of Brenham, and Associated Matters**
- 19. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Randall Patterson v. City of Brenham, Texas; Cause No. 38495; 335th Judicial District Court, Washington County, Texas**

RE-OPEN REGULAR SESSION

- 20. Discuss and Possibly Act Upon Matters Related to Randall Patterson v. City of Brenham, Texas; Cause No. 38495; 335th Judicial District Court;**

Washington County, Texas and Associated Issues, Including But Not Limited to Retaining Litigation Counsel

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 3, 2025 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 _____, 2025 at _____ a.m./p.m.

Signature

Title

PROCLAMATION

WHEREAS, Reverend Dr. John D. Harris is a native of Brenham, Texas and is the Senior Pastor of the Mt. Rose Missionary Baptist Church in Brenham, Texas; and

WHEREAS, Reverend Dr. Harris graduated from Hamilton Park High School, Richardson ISD in 1966. He attended Henderson County Junior College in Athens, Texas, graduating in 1968 with an associate in arts degree in Music Education. He attended East Texas State University, graduating in 1970 with a B.A. Degree in Music Education. In 1971 he received an M.S. Degree in Student Personnel and Guidance from East Texas State University. Several years later he earned a Doctorate in Education from East Texas State, at Commerce Texas, and

WHEREAS, Reverend Dr. Harris' professional career spans fifty years including employment with Towson State University where he was the first African American to serve as a Professional Counselor, and

WHEREAS, In 1995, Reverend Dr. Harris became the first African American to serve in a Vice President position at Blinn College. During his seventeen-year tenure as Vice President, the college experienced significant growth in student enrollment, built or renovated major student services buildings and expanded the student services mission and programs, and

WHEREAS, Reverend Dr. Harris is currently an Academic Advisor with Blinn College, where he has served thirty-five years in student services administration; the last seventeen years as Vice President of Student Services; and

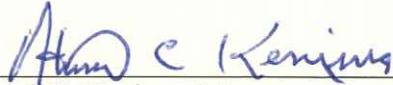
WHEREAS, In 1990, Reverend Dr. Harris accepted the call to the Gospel Ministry. He studied at the Houston College of Biblical Studies, earning a Certificate in Ministry; and

WHEREAS, In 1991, Reverend Dr. Harris became the Pastor of Mercy Seat Baptist Church in Washington, Texas, and since 2001 he has been the Senior Pastor of the historic Mt. Rose Missionary Baptist Church in Brenham, Texas, and

WHEREAS, Reverend Dr. Harris and his wife Helen are owners of the Golden Years Home Health Agency in Brenham, Texas and Reverend Dr. Harris continues to serve on numerous boards and in several professional organizations. He is not only a community leader, but also a proud father, and grandfather and

NOW, THEREFORE, I, Atwood C. Kenjura, Mayor of the City of Brenham, do hereby proclaim February 16th as

REVEREND DR. JOHN D. HARRIS DAY


Atwood C. Kenjura, Mayor

PROCLAMATION

WHEREAS, Helen Harris is a native of Wills Point, Texas but has spent most of her adult life in Brenham, Texas; and

WHEREAS, Sister Harris credits her mother for introducing her to the Lord. She is a woman of God, a natural born leader, and a woman with the gift of giving. She has served in countless community organizations, church auxiliaries and ministries and she identified early in her life that her purpose here on earth, is to be of service to others; and

WHEREAS, Sister Helen Harris has served her community as a member of the Democratic Club of Brenham, TX (Secretary) and the Sigma Chi Chi Professional Women's Club (President 1998-2020); and

WHEREAS, Sister Harris has been a dedicated role model and mentor to countless students over the years. She was the best college mathematics instructor ever to do the job, and she maintained the roll of educator for 40 years, until her retirement in August of 2011. She has cultivated the minds of countless students over the years and she is still the epitome of hard work; and

WHEREAS, Sister Harris has been a member of Mount Rose Missionary Baptist Church for 25 years where she has served as Program Committee Chair, Sunday School Superintendent, Sunday School and Bible Study Teacher, and numerous other roles; and

WHEREAS, Sister Harris has been married to Reverend Dr. John Harris for 52 years. She raised two daughters and has helped to raise her three grandchildren; and

WHEREAS, Her presence and commitment to others has left an indelible mark on her family, her church family, and her community, and

NOW, THEREFORE, I, Atwood C. Kenjura, Mayor of Brenham, do hereby proclaim February 16th as

SISTER HELEN HARRIS DAY



Atwood C. Kenjura, Mayor

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, January 23, 2025 beginning at 1:00 PM 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 Attorney Cary Bovey, City Secretary/Director of Administrative Services Jeana Bellinger, Assistant General Manager of Public Utilities Alton Sommerfield, Director of Water/Wastewater Bobby Keene, Director of Finance Stacy Hardy, Director of Public Works Dane Rau, Chief Financial Officer Julie Flagg, Director of HR and Risk Management Susan Nienstedt, Fire Chief Mark Donovan, Assistant Fire Chief David Cella, Police Chief Lloyd Powell, Economic & Community Development Director Teresa Rosales, Kyle Branham, Shawn Bolenbarr, and Richard O'Malley.

Citizens/Others Present:

None

Media Present:

Joshua Blaschke with KWHI, and Sarah Forsythe with Brenham Banner Press.

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags - City Manager Carolyn Miller**
- 3. Police Department Promotion**

- ◆ **Grayson Marburger, Corporal**

4. Citizen Comments

No citizen comments were heard.

CONSENT AGENDA

5. Statutory Consent Agenda

- 5.a. Approve the Minutes from the January 7, 2025 Regular City Council Meeting**
- 5.b. Approve the Purchase of One (1) Chevrolet Silverado 2500 Pickup Truck for the City of Brenham's Wastewater Treatment Department from Lake Country Chevrolet Through The Interlocal Purchasing System (TIPS) in the Amount of \$55,070.25 and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve Consent Agenda Items 5.a through 5.b. as presented.

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

- Yes:** Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright
- No:** None
- Absent:** None

REGULAR SESSION

- 6. Discuss and Possibly Act Upon an Order Calling a General Election to be Held on May 3, 2025 for the Purpose of Electing One Councilmember for Place 1 – Ward 1; One Councilmember for Place 3 – Ward 3; One Councilmember for Place 5 – At Large; and One Councilmember for Place 6 – At Large, Each for Four (4) Year Terms.**

Discutir y posiblemente actuar sobre una orden que convoca a una elección general que se llevará a cabo el 3 de mayo de 2025 con el propósito de elegir

a un concejal para el Lugar 1 - Distrito 1; Un concejal por el Lugar 3 – Distrito 3; un concejal por el Lugar 5 – En general; y un Concejal para el Lugar 6 – En general, cada uno por periodos de cuatro (4) años

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger explained that in accordance with the Texas Election Law and the City's Charter, the City must hold a General Election on Saturday, May 3, 2025 to elect one Councilmember for Place 1 – Ward 1; one Councilmember for Place 3 – Ward 3; one Councilmember for Place 5 – At Large; and one Councilmember for Place 6 – At Large. Each position will be for a four (4) year term.

A motion was made by Councilmember Canales and seconded by Councilmember Wright to approve an Order calling a General Election to be held on May 3, 2025 for the purpose of electing One Councilmember for Place 1 – Ward 1; One Councilmember for Place 3 – Ward 3; One Councilmember for Place 5 – At Large; and One Councilmember for Place 6 – At Large, each for four (4) year terms.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

La Secretaria de la Ciudad/Directora de Servicios Administrativos, Jeana Bellinger, presentó este tema. Bellinger explicó que de acuerdo con la Ley Electoral de Texas y la Carta Constitucional de la Ciudad, la Ciudad debe celebrar una Elección General el sábado 3 de mayo de 2025 para elegir a un Concejal para el Lugar 1 – Distrito 1; un Concejal por el Lugar 3 – Distrito 3; un Concejal por el Lugar 5 – En general; y un concejal por el Lugar 6 – En general. Cada cargo será por un período de cuatro (4) años.

El Concejal Canales presentó una moción y fue secundada por el Concejal Wright para aprobar una Orden que convoca a una Elección General que se llevará a cabo el 3 de mayo de 2025 con el propósito de elegir un Concejal para el Lugar 1 - Distrito 1; Un concejal por el Lugar 3 – Distrito 3; un concejal por el Lugar 5 – En general; y un Concejal por el Lugar 6 – En general, cada uno por periodos de cuatro (4) años.

El alcalde Kenjura convocó a una votación. La moción fue aprobada con el voto del Concejo de la siguiente manera:

Si: Alcalde Kenjura, Alcalde Interino Kolby, Concejal Canales, Concejal Cook, Concejal LaRoche, Concejal Saunders, Concejal Wright

No: Ninguno

Ausente: Ninguno

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Ordering a Special Election on May 3, 2025 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas

Discutir y posiblemente actuar sobre una ordenanza en su primera lectura que ordena una elección especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas enmiendas propuestas a la carta constitutiva existente de la ciudad de Brenham, Texas

City Secretary/Director of Administrative Services Jeana Bellinger presented this item. Bellinger stated that the City will be holding a Special Election on May 3, 2025 to submit to the voters proposed amendments to the City's Charter. Bellinger explained that staff is recommending eleven (11) propositions be submitted to the voters for consideration:

1. Proposition A: Grammar, punctuation and spelling corrections, deletion of reserved sections, renumbering, and vocabulary changes.
2. Proposition B: Indicate that the city's boundaries will be determined in accordance with applicable state, federal or other laws.
3. Proposition C: Three-year term limit for the Mayor and City Councilmembers; term limits will not begin until after May 3, 2025.
4. Proposition D: Mayor and City Councilmember qualifications and move conflicts of interest provisions to another section of the Charter.
5. Proposition E: City Council's determination concerning the clarification of its members.
6. Proposition F: Indicate uniform election day instead of a specific day.
7. Proposition G: Indicate that runoff elections will be held in accordance with applicable law.
8. Proposition H: Clarify when City Council should meet after an election.
9. Proposition I: Increase salaries for Mayor and City Councilmembers.
10. Proposition J: Add conflicts of interest provision (companion to Proposition D).
11. Proposition K: Reflect current procedures related to bonds for elected officials and certain city employees.

Mayor Pro Tem Kolby inquired about the residency requirements of the City Manager. Bellinger explained that the residency requirements of the City Manager are found in Article IV, Section 1, and it currently states that the City Manager may or may

not be a resident of the City of Brenham when appointed, but shall establish his residence within the City as directed by the City Council. After further discussion, the City Council instructed Bellinger to add another Proposition that would permit the City Manager to live within Washington County. Bellinger stated that she and the City Attorney would work on the added Proposition and bring it back as part of the second reading of the Ordinance to call the Special Election.

La Secretaria de la Ciudad/Directora de Servicios Administrativos, Jeana Bellinger, presentó este tema. Bellinger declaró que la Ciudad llevará a cabo una Elección Especial el 3 de mayo de 2025 para presentar a los votantes las enmiendas propuestas a la Carta Constitucional de la Ciudad. Bellinger explicó que el personal recomienda que once (11) propuestas se presenten a los votantes para su consideración:

1. Proposición A: Correcciones gramaticales, de puntuación y ortografía, eliminación de secciones reservadas, renumeración y cambios de vocabulario.
2. Propuesta B: Indica que los límites de la ciudad se determinarán de acuerdo con las leyes estatales, federales u otras leyes aplicables.
3. Proposición C: Límite de mandato de tres años para el alcalde y los concejales de la ciudad; Los límites de mandato no comenzarán hasta después del 3 de mayo de 2025.
4. Propuesta D: Requisitos para el alcalde y los concejales y trasladar las disposiciones sobre conflictos de intereses a otra sección de la Constitución.
5. Proposición E: Determinación del Concejo Municipal sobre la aclaración de sus miembros.
6. Proposición F: Indicar un día de elección uniforme en lugar de un día específico.
7. Propuesta G: Indicar que las elecciones de segunda vuelta se llevarán a cabo de acuerdo con la ley aplicable.
8. Propuesta H: Aclarar cuándo debe reunirse el Concejo Municipal después de una elección.
9. Proposición I: Aumentar los salarios de los alcaldes y concejales.
10. Proposición J: Agregue la provisión de conflictos de intereses (complementaria a la Proposición D).
11. Propuesta K: Refleja los procedimientos actuales relacionados con los bonos para funcionarios electos y ciertos empleados de la ciudad.

El alcalde interino Kolby preguntó sobre los requisitos de residencia del administrador de la ciudad. Bellinger explicó que los requisitos de residencia del Administrador de la Ciudad se encuentran en el Artículo IV, Sección 1, y actualmente establece que el Administrador de la Ciudad puede o no ser residente de la Ciudad de Brenham cuando sea nombrado, pero deberá establecer su residencia dentro de la Ciudad según lo indique el Concejo Municipal. Después de una mayor discusión, el Concejo Municipal instruyó a Bellinger a agregar otra Proposición que permitiría al Administrador de la Ciudad vivir dentro del Condado de Washington. Bellinger declaró que ella y el Fiscal de la Ciudad trabajarían en la Proposición adicional y la devolverían como parte de la segunda lectura de la Ordenanza para convocar la Elección Especial.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve an Ordinance on its first reading ordering a Special Election on May 3, 2025 for the purpose of submitting to the qualified voters of Brenham certain proposed Amendments to the existing Charter of the City of Brenham, Texas, with the addition of one additional Proposition to require the City Managers residence be within Washington County, Texas.

El Alcalde Pro Tem Kolby y secundado por el Concejal Saunders para aprobar una Ordenanza en su primera lectura que ordena una Elección Especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas Enmiendas propuestas a la Carta Constitucional existente de la Ciudad de Brenham, Texas, con la adición de una Proposición adicional para requerir que la residencia de los Administradores de la Ciudad esté dentro del Condado de Washington, Texas.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

El alcalde Kenjura convocó a una votación. La moción fue aprobada con el voto del Concejo de la siguiente manera:

Si: Alcalde Kenjura, Alcalde Interino Kolby, Concejal Canales, Concejal Cook, Concejal LaRoche, Concejal Saunders, Concejal Wright

No: Ninguno

Ausente: Ninguno

8. Discuss and Possibly Act Upon Resolution No. R-25-004 Authorizing the Submission of a Grant Through the Community Development Partnership Program (CDPP) Offered by the Lower Colorado River Authority (LCRA) for the Purchase of Six (6) Thermal Imaging Cameras for the City of Brenham Fire Department

Fire Chief Mark Donovan presented this item. Donovan explained that the fire department's current thermal imaging cameras are aging and that makes finding replacement parts harder which increases the time a thermal imaging camera is out of

service, causing the fire department's life saving capabilities to decrease. Donovan stated that with decreased capabilities, the time it takes for fire department personnel to search a smoke-filled building for potential victims is increased, reducing the survivability of any potential victims. Donovan advised that by purchasing new thermal imaging cameras, the time a camera will be out of service will be limited which will make the fire department's capabilities increase exponentially which will result in shorter times to search a smoke-filled building for victims, increasing the survivability potential. Donovan stated that the Brenham Volunteer Firefighters Association is covering the 20% match cost for this project so there will be no impact to the Fire Department's operating budget.

A motion was made by Councilmember Cook and seconded by Councilmember Canales to approve Resolution No. R-25-004 authorizing the submission of a grant through the Community Development Partnership Program (CDPP) offered by the Lower Colorado River Authority (LCRA), for the purchase of six (6) thermal imaging cameras for the City of Brenham Fire Department.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

9. Discuss and Possibly Act Upon Resolution No. R-25-005 Authorizing the Submission of a Grant Application to the Office of the Governor (OOG), State Homeland Security Program - Regular Projects (SHSP- R) FY24 for the Purchase of Three (3) 5-Gas Monitors with Three (3) Year Maintenance Service Contracts for the City of Brenham Fire Department

Assistant Fire Chief David Cella presented this item. Cella stated that the Fire Department has six (6) multi gas monitors in service with only one (1) monitor having Photo Ionization Potential (PID) capabilities. Cella advised that all the monitors are reaching their life expectancy. Cella explained that as the area continues to grow and develop, the call volume that requires a multi gas monitor will only increase. Cella advised that such calls include CO alarms, gas leaks, unknown odor investigations, and hazardous material releases.

Cella stated that no match is required for this grant and there will be no impact to the Fire Department's operating budget; however, there will be annual maintenance costs of \$7,471.70 for the six units that will be built into the Fire Department's annual budget.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-25-005 authorizing the submission of a grant application to the Office of the Governor (OOG), State Homeland Security Program - Regular Projects (SHSP- R) FY24 for the purchase of three (3) 5-gas monitors with a three (3) year maintenance service contract for the City of Brenham Fire Department.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

10. Discuss and Possibly Act Upon Resolution No. R-25-006 Authorizing the Acceptance of a Grant from the Texas Parks and Wildlife Department to Participate in the Local Parks Grant Program Related to Phase I of the Brenham Family Park

Director of Public Works Dane Rau presented this item. Rau explained that the grant application for the Brenham Family Park was approved by Council in 2018 and the City received the Notification to Proceed in October of 2024. Rau advised that this Resolution is officially accepting the \$750,000.00 grant from Texas Parks and Wildlife so that the City can move forward with the final design and bid out Phase I of the park.

Rau explained that Phase I will include amenity/retention pond, parking, signage, utility extensions, a restroom facility, 1-mile walking/biking trail, lighting, benches, pedestrian bridge, and wildflower areas.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve Resolution No. R-25-006 authorizing the acceptance of a grant from the Texas Parks and Wildlife Department to participate in the Local Parks Grant Program related to Phase I of the Brenham Family Park.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

11. Discuss and Possibly Act Upon the Saeger Street Construction Cost Participation Agreement Between the City of Brenham and Southern Land of Texas, LLC Related to the Extension of Saeger Street and Authorize the Mayor to Execute Any Necessary Documentation

Director of Public Works Dane Rau presented this item. Rau explained that as development is occurring on N. Saeger St and Jefferson St with the Wilkens Valley Subdivision a new section of N. Saeger St will be built and extended by the developer, Southern Land of Texas, LLC (formerly Collier Construction LLC). Rau advised that part of the development obligation is that the developer be responsible for building 31' concrete curb and gutter roadways throughout the subdivision. Rau explained that that Saeger Street is categorized as a future Minor-Collector roadway, therefore, the City is interested in expanding this section to 41' which will match up to S. Saeger Street on the south side of Main Street by Grace Fellowship. Rau explained that by expanding this roadway and knowing that one day it will eventually extend to Blue Bell Road it is important for future growth of the City that we proactively expand this roadway now while it is being built.

Rau explained that Southern Land of Texas has provided a cost breakdown of the City's portion for the extension of the additional 10' all the way through to the northern property line. Rau stated that the total participation cost from the City would be \$285,112.15 with the total project cost being \$1,295,229.87. Rau stated that Saeger Street along with all the other streets in the subdivision will be dedicated to the City after construction and the one-year warranty period ends.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve the Saeger Street Construction Cost Participation Agreement between the City of Brenham and Southern Land of Texas, LLC related to the extension of Saeger Street in the amount of \$285,112.15 and authorize the Mayor to execute any necessary documentation.

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

Yes: Mayor Kenjura, Mayor Pro Tem Kolby, Councilmember Canales, Councilmember Cook, Councilmember LaRoche, Councilmember Saunders, Councilmember Wright

No: None

Absent: None

12. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- January 30th - Chamber of Commerce Banquet
- February 6th - TIRZ Board Meeting
- February 6th - Regular City Council Meeting

Council adjourned into Executive Session at 2:13 p.m.

EXECUTIVE SESSION

- 13. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Concerning the Brenham Municipal Airport, Its Operations and Services, and Associated Matters**
- 14. Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Settlement Demand Received by City of Brenham, and Associated Matters**
- 15. Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding Legal Matters and Possible Acquisition of Real Property Related to the Texas Department of Transportation U.S. Highway 290/State Highway 36 Interchange Project, and Associated Matters**

Executive Session adjourned at 3:34 p.m.

ADJOURN

Atwood C. Kenjura
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary



City Council Regular Meeting
AGENDA ITEM 7.b

Agenda Item: **Approve a Software Renewal Between the City of Brenham and CDW Government LLC (CDWG) for Cybersecurity Software in the Amount of \$76,590.60 Through Texas Department of Information Resources Contract No. DIR-CPO-5303 and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 6, 2025

Department: Information Technology

Staff Contact: Kevin Schmidt, IT Manager

SUMMARY STATEMENT:

Renewal of critical software infrastructure related to cybersecurity threats, risks, and associated issues.

ATTACHMENTS:

None

RECOMMENDATION:

Approve a software renewal between the City of Brenham and CDWG for information technology cybersecurity software in the amount of \$76,590.60 through Texas Department of Resources Contract No. DIR-CPO-5303 and authorize the Mayor to execute any necessary documentation.



City Council Regular Meeting
AGENDA ITEM 7.c

Agenda Item: **Approve the Use of Seized Narcotic Funds in the Amount of \$4,950.00 for the Purchase of ERAD FCIS Solution Bundle Renewal from ERAD Group, Inc. and Authorize the Mayor to Execute Any Necessary Documentation**

Meeting Date: February 6, 2025

Department: Police

Staff Contact: Steven Eilert, Police Lieutenant

SUMMARY STATEMENT:

On December 21, 2023 Council approved the purchase of ERAD FCIS Solution Bundle from ERAD Group, Inc. Brenham Police Department is requesting Council's approval for the use of seized narcotics funds for the renewal of the annual subscription fee for ERAD FCIS Level 1.

ATTACHMENTS:

None

RECOMMENDATION:

Approve the use of seized narcotic funds in the amount of \$4,950.00 for the Purchase of ERAD FCIS Solution Bundle Renewal from ERAD Group, Inc. and authorize the Mayor to execute any necessary documentation.



City Council Regular Meeting
AGENDA ITEM 8

Agenda Item: **Presentation and Discussion on the Tax Phase-In Compliance Review Committee**

Meeting Date: February 6, 2025

Department: Economic and Community Development

Staff Contact: Teresa Rosales, Director of Community & Economic Development

SUMMARY STATEMENT:

The Tax Phase-In Compliance Review Committee met to review compliance from companies who received tax abatement in 2024. The attached memo is a report of their findings.

ATTACHMENTS:

1. BWCoED Memo to city

RECOMMENDATION:

No action - discussion only.

Brenham | Washington County

Economic Development

MEMORANDUM

To: City of Brenham Mayor and City Council

From: Teresa Rosales, Economic & Community Development Director

Subject: 2024 Tax Phase-In Compliance

Date: February 6, 2025

The Joint Compliance Committee for Tax Phase-In, comprised of representatives appointed by both the City of Brenham and Washington County, convened on January 23, 2025 to review compliance on each company that has an active tax phase-in agreement.

Committee members are Roger Chambers, Sharlie Douglass, Myron Dippel and Tieman Dippel. Tieman Dippel was absent. I was present at this meeting along with Julie Flagg, CFO and Washington County Chief Appraiser Dyann White.

The following companies applied for abatement in 2024:

- Blue Bell Creameries
- D Bar B Sausage
- Del Sol
- Double R Brand Foods
- Quest Specialty
- 209 S. Market

Contact was made with each company to provide documentation evidencing employment numbers and salary. In addition, companies were all required to complete, sign and notarize an Affidavit Supporting Employment and Certificate of Compliance form. This documentation was provided to the Compliance Committee and deemed acceptable.

In addition, Dyann White explained her process for verifying capital investment dollars, in order to calculate the annual tax abatement percentage.

It was determined that all companies listed above are in compliance with their respective Tax Phase-In Agreements.



City Council Regular Meeting **AGENDA ITEM 9**

Agenda Item: Discuss and Possibly Act Upon Ordinance No. O-25-001 on Its Second Reading Ordering a Special Election on May 3, 2025 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas

Discutir y posiblemente actuar sobre la Ordenanza No. O-25-001 en su segunda lectura ordenando una elección especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas enmiendas propuestas a la carta constitutiva existente de la ciudad de Brenham, Texas

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Jeana Bellinger, City Secretary

SUMMARY STATEMENT:

This item is the second reading of an Ordinance to call a Special Election on May 3, 2025 to submit to the voters proposed amendments to the City's Charter. At the January 23rd meeting, the City Council requested that a Proposition be added to the Ordinance that, if approved, would require the City Manager to reside within Washington County.

Due to the addition of the new Proposition related to the City Manager residency requirement, there are now twelve (12) propositions being presented for consideration by the City Council. If this Ordinance is approved on its second reading, the following Propositions would be submitted to the voters for consideration in May:

1. Proposition A: Grammar, punctuation and spelling corrections, deletion of reserved sections, renumbering, and vocabulary changes.
2. Proposition B: Indicate that the city's boundaries will be determined in accordance with applicable state, federal or other laws.
3. Proposition C: Three-year term limit for the Mayor and City Councilmembers; term limits will not begin until after May 3, 2025.
4. Proposition D: Mayor and City Councilmember qualifications and move conflicts of interest provisions to another section of the Charter.
5. Proposition E: City Council's determination concerning the clarification of its members.
6. Proposition F: Indicate uniform election day instead of a specific day.
7. Proposition G: Indicate that runoff elections will be held in accordance with applicable law.
8. Proposition H: Clarify when City Council should meet after an election.
9. Proposition I: Increase salaries for Mayor and City Councilmembers.
10. Proposition J: Add conflicts of interest provision (companion to Proposition D).
11. Proposition K: Reflect current procedures related to bonds for elected officials and certain city employees.

12. Proposition L: Require that the City Manager reside within Washington County.

Este punto es la segunda lectura de una Ordenanza para convocar a una Elección Especial el 3 de mayo de 2025 para presentar a los votantes las enmiendas propuestas a la Carta Constitucional de la Ciudad. En la reunión del 23 de enero, el Concejo Municipal solicitó que se agregara una Proposición a la Ordenanza que, si se aprueba, requeriría que el Administrador de la Ciudad resida dentro del Condado de Washington.

Debido a la adición de la nueva Proposición relacionada con el requisito de residencia del Administrador de la Ciudad, ahora hay doce (12) proposiciones que se presentan para su consideración por el Concejo Municipal. Si esta Ordenanza es aprobada en su segunda lectura, las siguientes Proposiciones se presentarían a los votantes para su consideración en mayo:

1. Proposición A: Correcciones gramaticales, de puntuación y ortografía, eliminación de secciones reservadas, reenumeración y cambios de vocabulario.
2. Propuesta B: Indica que los límites de la ciudad se determinarán de acuerdo con las leyes estatales, federales u otras leyes aplicables.
3. Proposición C: Límite de mandato de tres años para el alcalde y los concejales de la ciudad; Los límites de mandato no comenzarán hasta después del 3 de mayo de 2025.
4. Propuesta D: Requisitos para el alcalde y los concejales y trasladar las disposiciones sobre conflictos de intereses a otra sección de la Constitución.
5. Proposición E: Determinación del Concejo Municipal sobre la aclaración de sus miembros.
6. Proposición F: Indicar un día de elección uniforme en lugar de un día específico.
7. Propuesta G: Indicar que las elecciones de segunda vuelta se llevarán a cabo de acuerdo con la ley aplicable.
8. Propuesta H: Aclarar cuándo debe reunirse el Concejo Municipal después de una elección.
9. Proposición I: Aumentar los salarios de los alcaldes y concejales.
10. Proposición J: Agregue la provisión de conflictos de intereses (complementaria a la Proposición D).
11. Propuesta K: Refleja los procedimientos actuales relacionados con los bonos para funcionarios electos y ciertos empleados de la ciudad.
12. Proposición L: Requerir que el Administrador de la Ciudad resida dentro del Condado de Washington.

ATTACHMENTS:

- | |
|---|
| <ol style="list-style-type: none">1. Ordinance No. O-25-001 (English)2. Ordinance No. O-25-001 (Spanish) |
|---|

RECOMMENDATION:

Approve Ordinance No. O-25-001 on its second reading ordering a Special Election on May 3, 2025 for the purpose of submitting to the qualified voters of Brenham certain proposed Amendments to the existing Charter of the City of Brenham, Texas.

Aprobar la Ordenanza No. O-25-001 en su segunda lectura ordenando una Elección Especial el 3 de mayo de 2025 con el propósito de presentar a los votantes calificados de Brenham ciertas Enmiendas propuestas a la Carta Constitutiva existente de la Ciudad de Brenham, Texas.

ORDINANCE NO. O-25-001

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE CITY OF BRENHAM REGULAR GENERAL ELECTION ON MAY 3, 2025, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO THE QUALIFIED VOTERS OF BRENHAM, TEXAS FOR CERTAIN PROPOSED AMENDMENTS TO THE EXISTING HOME RULE CHARTER OF THE CITY; STATING PROPOSED AMENDMENTS TO BE VOTED UPON AT SAID ELECTION; DESIGNATION OF EARLY VOTING DATES AND TIMES AND POLLING PLACES OF SAID ELECTION; PROVIDING THE FORM OF THE BALLOT AND DIRECTING THAT THE NOTICE OF ELECTION BE GIVEN; PROVIDING FOR FISCAL IMPACT ESTIMATES; CONTAINING OTHER PROVISIONS REQUIRED BY THE TEXAS ELECTION CODE; DIRECTING PUBLICATION AS REQUIRED BY LAW; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, May 3, 2025 is the date provided for in the Texas Election Code for the next regular general election in the City of Brenham, Texas, therefore the City is authorized to order a special charter amendment election to be held on May 3, 2025; and

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

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

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

SECTION 1.
GENERAL PROVISIONS

That a Special Election shall be held on May 3, 2025 for the purpose of submitting ballot propositions to the qualified voters of the City of Brenham, Texas for proposed amendments to the existing Home Rule Charter.

Subsection A: That a Special Election shall be held in the City of Brenham, Texas on the 6th day of May, 2025 at which election ballot propositions for proposed amendments to the City of Brenham Home Rule Charter shall be voted upon by the resident qualified voters of the City of Brenham.

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

**Monday, April 21, 2025 through Tuesday, April 29, 2025 from 8:00
a.m. to 5:00 p.m.:**

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

**Carol Jackson, REO, EA
Early Voting Clerk
Washington County Elections Office
100 E. Main Street, Suite 105
Brenham, Texas 77833**

All applications for ballots by mail must be received no later than the close of business at 5:00 p.m. on Tuesday, April 22, 2025.

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

- Ward 1: Nancy Carol Roberts Memorial Library
 100 W. Martin Luther King, Jr. Pkwy.
 Brenham, Texas
- Ward 2: Washington County Event Center
 1305 E. Blue Bell Road
 Brenham, Texas
- Ward 3: Brenham VFW Hall
 1200 E. Tom Green Street
 Brenham, Texas
- Ward 4: Blinn Jr. College Student Center
 1007 Walter Schwartz Way
 Brenham, Texas

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

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

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

Subsection H: There are a total of twelve (12) amendment propositions on the ballot for the May 3, 2025 special charter amendment election. It is estimated that eleven (11) of the proposed amendments are anticipated to have no fiscal impact to the City of Brenham if the 11 proposed amendments are approved at the special election. Only Proposition I is anticipated to have any fiscal impact on the City of Brenham. If Proposition I is approved at the special election, it is estimated that the City of Brenham will have a budget impact of nineteen thousand, five hundred and no/100 dollars (\$19,500.00) per fiscal year for an increase in the Mayor and City Councilmember's monthly salaries.

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

AMENDMENT A

SHALL ARTICLE I, SECTION 2; ARTICLE II, SECTIONS 1, 2 AND 8; ARTICLE III, SECTIONS 8, 15, 17, 18, 19, 21 AND 23, 24; ARTICLE IV, SECTIONS 1, 2, 3 AND 8; ARTICLE V, SECTIONS 1, 2, 3 AND 4; ARTICLE VI, SECTIONS 3, 6, 9, 11 AND 15-19; AND ARTICLE VII, SECTIONS 6, 12, 14, 15, 19 AND 24 OF THE BRENHAM CITY CHARTER REGARDING GRAMMAR CORRECTIONS, SPELLING CORRECTIONS, PUNCTUATION CORRECTIONS, DELETION OF RESERVED SECTIONS AND RENUMBERING, AND VOCABULARY CHANGES BE AMENDED AS FOLLOWS?

ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES

Sec. 2. - Boundaries

The City Council shall have the power by ordinance to establish the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory to the City and the detachment or disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, detached or disannexed. The boundaries of the City shall be those established by ordinance of the City Council enacted in accordance with the procedures provided for in applicable federal, state or other law. The City Secretary shall keep a correct and complete description of the City boundaries, indicating all annexations, detachments and disannexations.

ARTICLE II. POWERS

Sec. 1. – Powers generally.

The said City of Brenham shall have power to ordain and establish such acts, laws, rules, regulations, resolutions, and ordinances, not inconsistent with the Constitution and laws of Texas and of this Charter, as shall be needful for the government, interests, health, welfare and good order of said City and its inhabitants. Under the name of the City of Brenham it shall be known in law and have succession and be capable of contracting and being contracted with, suing and being sued, impleading and being impleaded, answering and being answered unto, in all courts and tribunals, and in all amounts whatsoever, subject to the laws of the State of Texas, or which shall hereafter be passed.

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

Sec. 2. – Rights reserved.

All suits, taxes, penalties, fines, forfeiture, and all other rights, claims and demands, of every kind and character, which have accrued under the laws in favor of said City, heretofore in force governing the same, shall belong to and vest in said eCity and shall not abate by reason of the adoption or amendment of this Charter, and shall be prosecuted and collected for the use and benefit of said City of Brenham and shall not be in any manner affected by the taking effect of this Charter; but as to all of such rights, the laws under which they shall have accrued shall be deemed to be in full force and effect.

Sec. 8. – Manufacture of electricity, gas, etc.; purchase and sale of gas, water, electricity, etc.

Said City shall have the authority to manufacture its own electricity, gas or anything else that may be needed or used by it or the public; to make contracts with any person, firm or corporation for the purchase of gas, water, electricity or any other commodity or articles used by it or the public, and to sell same to the public as may be determined by the ~~governing authority~~ City Council.

ARTICLE III. THE CITY COUNCIL

Sec. 8. - Canvassing returns and declaring results of election; judges of its own election and qualification.

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

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

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

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

Sec. 17. - Introduction and passage of ordinances and resolutions.

Each proposed ordinance or resolution shall be introduced in written or printed form, shall not contain more than one subject, which shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. No ordinance, unless it shall be declared to be an emergency measure, and passed by a unanimous vote ~~to~~of the City Council, shall be passed on the day on which it shall be introduced. All ordinances, save and except emergency ordinances, shall be finally passed on the second reading. Ordinances not required to be published shall take effect and be in force from and after the passage thereof, unless otherwise provided.

Sec. 18. - Emergency measures.

An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health, or safety, or providing for the usual daily operation of a municipal department, in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money and ordinances for the payment of salaries and wages may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise, or other special privilege or regulating the rate to be charged for ~~its~~services by any utility, shall ever be passed as an emergency measure.

Sec. 19. - Publication of penal ordinances.

The City Secretary shall publish, in a newspaper of general circulation within the City, any ordinances required by state or federal law to be published. The City Secretary may abbreviate the text of any ordinance for publication purposes. Such ordinances shall take effect upon the date of publication unless otherwise required by law or stated in the ordinance. Ordinances related to, ~~provided that~~ emergency measures shall take effect according to their terms.

Sec. 21. - Recording and authenticating documents.

The City Council shall appoint a City Secretary who shall be responsible for the original documentation of all laws, notices, minutes, resolutions, ordinances, and related official records of the governing body; all deeds, easements, leases, titles and related documents of ownership of City property; and the municipal charter and seal. Every ordinance or resolution, upon its becoming effective, shall be kept in the permanent files of the City and shall be authenticated by the signature of the Mayor and the City Secretary, or in their absence, the person exercising their duties as appointed by the City Council.

Secs. ~~23~~, 24. - Reserved.

ARTICLE IV. THE CITY MANAGER; FINANCES

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

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

Sec. 2. - Duties generally.

Except as provided in Article III, section 1 of the Charter or other applicable law, the City Manager or the City Manager's designee shall appoint all officers and employees of the City. The City Manager shall exercise control and supervision over all departments and offices that may be created by the City Council or City Manager and all officers and employees appointed by him. He shall attend all meetings of the City Council with the right to take part in the discussion; but having no vote. He shall recommend in writing to the City Council such measures as he may deem necessary or expedient. He shall keep the City Council fully advised as to the financial condition and needs of the City and perform such other duties as may be prescribed by this Charter or which may be required of him by ordinance or resolution of the City Council.

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

Sec. 3. - Annual budget.

The annual budget of the City shall be prepared by the City Manager based on the estimates of each department. These departmental estimates shall include the expenses of the department for the preceding year and indicate where increases or reductions ~~diminutions~~ are recommended for the ensuing year. The City Manager shall submit the budget to the City Council for approval.

Sec. 8. - Issuance of checks for payroll and other claims.

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

ARTICLE V. IMPROVEMENT BONDS

Sec. 1. - Purpose.

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

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

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

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

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

Sec. 4. - Submitting to referendum.

Before the issuance of any bonds the same shall be submitted to a vote of the qualified voters of the City as required by state law~~the General Laws of the State~~.

ARTICLE VI. TAXATION

Sec. 3. - Occupation tax.

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

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

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

Sec. 9. - Time of levying.

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

Sec. 11. - City not required to give bond; payments to city to be in legal currency.

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

Secs. 15—19. - Reserved.

ARTICLE VII. MISCELLANEOUS PROVISIONS

Sec. 6. - Establishment of wards; purpose.

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

Sec. 12. - Liability and notice of injury or damage claims.

Before the City of Brenham shall be liable for damages of any kind, the person injured or the owner of the damaged property, or someone on~~in~~ his behalf shall give the Mayor or City Councilmembers notice in writing of such injury or damage within ninety (90) days, or within six (6) months for good cause shown, after the same has been received stating specifically in such notice when, where and how the injury or damage occurred and the extent thereof. Failure to notify the Mayor or City Councilmember within the time and manner specified herein shall exonerate, excuse and exempt the City from any liability whatsoever. Further, this section shall not apply to the taking, damaging or destruction of property as guaranteed and covered by Section 17 of Article I of the Constitution of Texas.

Sec. 14. - Court.

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

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

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

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

Sec. 15. - Council investigations.

The City Council may investigate the financial transactions of any office or department of the City government, and the acts and conduct of any official or employee. In conducting such investigation, the City Council may compel the attendance of witnesses, the production of checks and papers, and other evidence and for that purpose may issue subpoenas or attachments which shall be signed by the Mayor, and which may be served and executed by any officer authorized by law to serve subpoenas or other process, or by any peace officer of the City. If any witness shall refuse to appear to testify to ~~any~~^{and} facts within his knowledge, or to produce any papers or books in his possession, or under his control, relating to the matter under investigation before the City Council, the City Council shall have the power to cause the witness to be punished as for contempt, not exceeding a fine of one hundred dollars (\$100.00). No witness shall be excused from testifying to ~~any fact without touching~~ his knowledge of the matter under investigation in any such inquiry, but such testimony shall not be used against him in any criminal prosecution except for perjury committed upon such inquiry.

Sec. 19. - Filing, examination and certification of petitions.

Within thirty (30) days after an initiative or referendum petition is filed, the City Secretary shall determine whether the same is signed by the requisite number of qualified voters. The City Secretary shall declare void any petition paper which does not have an affidavit attached thereto as required in Section ~~18~~²⁰C of this Article. In examining the petition the Secretary shall write the letters "DV" (declared void) in red ink opposite the names of signatures found not qualified to vote. After completing examination of the petition, the Secretary shall certify the result thereof to the Council at its next regular meeting, stating the number of the persons found on the petition who are qualified to vote and the number of persons found on the petition who ~~are~~^{are} not qualified to vote. If the Certificate of the City Secretary shall show an initiative or referendum petition to be insufficient, the Secretary shall notify the persons filing the petition, and it may be amended within ten (10) days from the date of such notice by filing a supplementary petition upon additional papers signed and filed as provided for in the original petition. Within ten (10) days after such amendment is filed, the Secretary shall examine the amended petition and certify as to its sufficiency. If the amended petition is found to be insufficient, the Secretary shall return the petition to the person filing the same, without prejudice to the filing of a new petition for the same purpose.

Sec. 24. - Recall ballot.

Ballots used at recall elections shall conform to the following requirements: (1)"1". With respect to each person whose removal is sought the question shall be submitted "shall (show name of officer) be removed from the office of (name of office)?"; and (2)"2". Immediately below each such question there shall be printed the two (2) following propositions, one above the other, in the order indicated: "For the recall of (name of officer)". "Against the recall of (name of officer)."

AMENDMENT A SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION A

☐ YES

☐ NO

Shall Article I, Section 2; Article II, Sections 1, 2 and 8; Article III, Sections 8, 15, 17, 18, 19, 21, 23 and 24; Article IV, Sections 1, 2, 3 and 8; Article V, Sections 1, 2, 3 and 4; Article VI, Sections 3, 6, 9, 11 and 15-19; and Article VII, Sections 6, 12, 14, 15, 19 and 24 of the Brenham City Charter be amended by 1) making corrections to grammar, spelling and punctuation errors; 2) deleting reserved sections of the Charter throughout all Articles of the Charter and renumbering the sections due to deletions and other revisions as necessitated by other propositions on this ballot that are approved by the voters; and 3) making non-substantive vocabulary changes in order to use modern and consistent terminology, titles, and labels, which shall include but not be limited to, changing the references to members of the governing body from "governing authority" to "City Council"?

AMENDMENT B

SHALL ARTICLE I, SECTION 2 OF THE BRENHAM CITY CHARTER REGARDING THE BOUNDARIES OF THE CITY BE AMENDED AS FOLLOWS?

ARTICLE I. INCORPORATION; FORM OF GOVERNMENT; BOUNDARIES

Sec. 2. - Boundaries.

The City Council shall have the power by ordinance to establish the boundary limits of the City of Brenham; and to provide for the alterations and extension of said boundary limits, the annexation of additional territory to the City and ~~the detachment or~~ disannexation of territory, with or without the consent of the owners and inhabitants of the territory annexed, ~~detached or~~ disannexed, in accordance with applicable federal, state or other law. ~~The boundaries of the City shall be those established by ordinance of the City Council enacted in accordance with the procedures provided for in applicable federal, state or other law.~~ The City Secretary shall keep a correct and complete description of the City boundaries, indicating all annexations, ~~detachments~~ and disannexations.

AMENDMENT B SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION B

☐ YES

☐ NO

Shall Article I, Section 2 of the Brenham City Charter be amended by clarifying the authority, procedures and terminology concerning annexation and disannexation of territory to be consistent with applicable federal, state or other law?

AMENDMENT C

SHALL ARTICLE III, SECTION 4 OF THE BRENHAM CITY CHARTER REGARDING CITY COUNCIL TERMS OF OFFICE BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 4. - Terms of office; term limits.

The Mayor and each Councilmember shall serve for a term of four (4) years, beginning with the first meeting of the City Council following their election until the later of the first meeting of the City Council following the regular election four (4) years later or their successor has been elected and duly qualified.

A person shall not serve as Mayor more than three (3) consecutive elected four (4) year terms of office. Time served by appointment or by election to fill a vacancy in the office of Mayor for an unexpired term shall not count toward the term limit. After completing three (3) consecutive elected terms of office, a person may again serve in the office of Mayor after one (1) entire year of not holding the office of Mayor. Non-consecutive terms of office shall not be limited.

A person shall not serve as a Councilmember, either in a ward or at-large, more than three (3) consecutive elected four (4) year terms of office, or twelve (12) consecutive years. Time served by appointment or by election to fill a vacancy in the office of Councilmember for an unexpired term shall not count toward the twelve (12) year term limit. After completing three (3) consecutive elected terms of office, or twelve (12) consecutive years, a person may again serve in the office of Councilmember after one (1) entire year of not holding the office of Councilmember. Non-consecutive terms of office shall not be limited.

Terms of office, or partial terms of office, served prior to May 3, 2025 shall not be considered for the purpose of term limits.

AMENDMENT C SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION C

☐ YES

☐ NO

Shall Article III, Section 4 of the Brenham City Charter be amended by providing that a person may not serve as Mayor more than three (3) consecutive elected four (4) year terms of office; providing that after completing three (3) consecutive elected terms of office, a person may again serve in the office of Mayor after one (1) entire year of not holding the office of Mayor; providing that a person shall not serve as a Councilmember, either in a ward or at-large, more than three (3) consecutive elected four (4) year terms of office, or twelve (12) consecutive years; providing that after completing three (3) consecutive elected terms of office, or twelve (12) consecutive years, a person may again serve in the office of Councilmember after one (1) entire year of not holding the office of Councilmember; providing that time served by appointment or by election to fill a vacancy in the office of Mayor or Councilmember for an unexpired term shall not count toward the term limit; and providing that terms of office, or partial terms of office, served as Mayor or Councilmember prior to May 3, 2025 shall not be considered for the purpose of term limits?

AMENDMENT D

SHALL ARTICLE III, SECTION 6 OF THE BRENHAM CITY CHARTER REGARDING THE QUALIFICATIONS TO HOLD OFFICE OF MAYOR, COUNCILMEMBERS AND OTHER OFFICERS AND EMPLOYEES, AND CONFLICTS OF INTEREST BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 6. – Qualifications to hold office of mayor and councilmembers ~~and other officers and employees; conflict of interests.~~

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

AMENDMENT D SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION D

☐ YES

☐ NO

Shall Article III, Section 6 of the Brenham City Charter be amended by clarifying the qualifications necessary to hold the office of Mayor and Councilmember; clarifying that any Mayor or Councilmember that ceases to possess any of the required qualifications shall automatically forfeit his office; and deleting provisions related to conflicts of interest?

AMENDMENT E

SHALL ARTICLE III, SECTION 8 OF THE BRENHAM CITY CHARTER REGARDING CANVASSING RETURNS AND DECLARING RESULTS OF ELECTION AND JUDGES OF ITS OWN ELECTION AND QUALIFICATIONS BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 8. - Canvassing returns and declaring results of election; judges of its own election and qualification.

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

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

AMENDMENT E SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION E

- | | | |
|--------------------------|-----|---|
| ☐ | YES | Shall Article III, Section 8 of the Brenham City Charter be amended by clarifying that members of the City Council do not serve as Election Judges, as that position is defined in Chapter 32 of the Texas Election Code, in any election held by the City? |
| ☐ | NO | |

AMENDMENT F

SHALL ARTICLE III, SECTIONS 9 AND 11 OF THE BRENHAM CITY CHARTER REGARDING REGULAR ELECTION DAYS BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 9. - Regular election days.

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

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

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

AMENDMENT F SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION F

- | | | |
|--------------------------|-----|---|
| ☐ | YES | Shall Article III, Sections 9 and 11 of the Brenham City Charter be amended by providing that the regular municipal elections of the City shall be held on the uniform election date in May of odd-numbered years, or on any other uniform election date authorized by law? |
| ☐ | NO | |

AMENDMENT G

SHALL ARTICLE III, SECTION 10 OF THE BRENHAM CITY CHARTER REGARDING RUNOFF ELECTIONS BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 10. – Runoff elections.

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

At said runoff election the two (2) candidates that received the highest number of votes cast for such particular office in the first election, at which no one was elected to such office by receiving a majority of all votes cast for all candidates for such particular office, shall be voted on again.

The candidate who receives the majority of the votes cast for the particular office in the runoff election shall be elected to such office and shall take office as soon thereafter as he is qualified.

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

AMENDMENT G SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION G

- ☐ YES Shall Article III, Section 10 of the Brenham City Charter be amended by providing that all City Council runoff elections shall be held in accordance with applicable law?
- ☐ NO

AMENDMENT H

SHALL ARTICLE III, SECTION 13 OF THE BRENHAM CITY CHARTER REGARDING ORGANIZATIONAL MEETINGS AND HOLDING OTHER MEETINGS BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 13. - Organizational meeting; holding other meetings.

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

AMENDMENT H SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION H

- ☐ YES Shall Article III, Section 13 of the Brenham City Charter be amended by providing that the City Council shall meet within fourteen (14) days after an election, whether a regular election or runoff election, at which time Councilmembers-elect shall qualify and assume the duties of their offices?
- ☐ NO

AMENDMENT I

SHALL ARTICLE III, SECTION 14 OF THE BRENHAM CITY CHARTER REGARDING MAYOR AND CITY COUNCILMEMBER SALARIES BE AMENDED AS FOLLOWS?

ARTICLE III. THE CITY COUNCIL

Sec. 14. - Salaries.

The Mayor shall receive a salary of five hundred fifty ~~two hundred seventy-five~~ dollars ~~(\$550.00)~~~~(\$275.00)~~ per month and each Councilmember shall receive a salary of four hundred ~~fifty two hundred twenty-five~~ dollars ~~(\$450.00)~~~~(\$225.00)~~ per month.

AMENDMENT I SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION I

☐

YES

☐

NO

Shall Article III, Section 14 of the Brenham City Charter be amended by providing that the Mayor's salary shall be changed from two hundred seventy-five dollars (\$275.00) per month to five hundred fifty dollars (\$550.00) per month, and each Councilmember's salary shall be changed from two hundred twenty-five dollars (\$225.00) per month to four hundred fifty dollars (\$450.00) per month?

AMENDMENT J

SHALL ARTICLE III, SECTION 23 OF THE BRENHAM CITY CHARTER BE AMENDED TO ADD PROVISIONS GOVERNING CONFLICTS OF INTEREST AS FOLLOWS?

Secs. 23, 24. – Reserved Conflicts of Interest.

The Mayor, Councilmembers and other officers and employees, with regard to any contract or other matter authorized by the City, shall comply with the Texas Local Government Code and all other applicable laws governing conflicts of interest of local public officials.

AMENDMENT J SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION J

☐ YES

☐ NO

Shall Article III, Section 23 of the Brenham City Charter be amended by requiring the Mayor, City Councilmembers and other officers and employees of the City, with regard to any contract or other matter authorized by the City, to comply with the Texas Local Government Code and all other applicable laws governing conflicts of interest of local public officials?

AMENDMENT K

SHALL ARTICLE VII, SECTION 7 OF THE BRENHAM CITY CHARTER BE AMENDED TO REFLECT CURRENT PROCEDURES RELATED TO OFFICIAL BONDS AS FOLLOWS?

Sec. 7. - Official bonds.

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

AMENDMENT K SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION K

☐ YES

☐ NO

Shall Article VII, Section 7 of the Brenham City Charter be amended by providing that with regard to official bonds of certain officers of the City, the City Manager, rather than the City Council, shall determine the amounts of and approve said bonds?

AMENDMENT L

SHALL ARTICLE IV, SECTION 1 OF THE BRENHAM CITY CHARTER REGARDING THE CITY MANAGER'S RESIDENCY REQUIREMENT BE AMENDED AS FOLLOWS?

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

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

AMENDMENT L SHALL BE PLACED ON THE BALLOT IN THE FORM OF THE FOLLOWING PROPOSITION:

PROPOSITION L

- | | | |
|--------------------------|-----|--|
| ☐ | YES | Shall Article IV, Section 1 of the Brenham City Charter be amended by providing that the City Manager shall establish his residence within Washington County, Texas as directed by the City Council? |
| ☐ | NO | |

SECTION 2. **SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

SECTION 3. **SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 4.
REPEALER

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

SECTION 5.
EFFECTIVE DATE

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

SECTION 6.
PROPER NOTICE AND MEETINGS

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

PASSED AND APPROVED on its first reading the 23rd day of January, 2025.

PASSED AND APPROVED on its second reading the 6th day of February, 2025.

Atwood C. Kenjura
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

ORDENANZA NO. O-25-001

UNA ORDENANZA DE LA CIUDAD DE BRENHAM, TEXAS, QUE ORDENA QUE SE CELEBRE UNA ELECCIÓN ESPECIAL JUNTO CON LA ELECCIÓN GENERAL REGULAR DE LA CIUDAD DE BRENHAM EL 3 DE MAYO DE 2025, CON EL PROPÓSITO DE PRESENTAR PROPUESTAS A LOS VOTANTES CALIFICADOS DE BRENHAM, TEXAS, PARA CIERTAS ENMIENDAS PROPUESTAS A LA CARTA DE AUTONOMÍA EXISTENTE DE LA CIUDAD; EXPONER LAS ENMIENDAS PROPUESTAS PARA SER VOTADAS EN DICHA ELECCIÓN; DESIGNACIÓN DE FECHAS Y HORAS DE VOTACIÓN ANTICIPADA Y LUGARES DE VOTACIÓN DE DICHA ELECCIÓN; PROPORCIONAR LA FORMA DE LA BOLETA Y ORDENAR QUE SE DÉ EL AVISO DE ELECCIÓN; PROPORCIONAR ESTIMACIONES DE IMPACTO FISCAL; QUE CONTENGA OTRAS DISPOSICIONES REQUERIDAS POR EL CÓDIGO ELECTORAL DE TEXAS; DIRIGIR LA PUBLICACIÓN SEGÚN LO REQUIERA LA LEY; DETERMINAR QUE LAS REUNIONES EN LAS QUE SE CONSIDERA ESTA ORDENANZA ESTÁN ABIERTAS AL PÚBLICO COMO LO EXIGE LA LEY; ESTABLECER LA DIVISIBILIDAD Y LA DEROGACIÓN DE LAS ORDENANZAS CONFLICTIVAS; Y PROPORCIONAR UNA FECHA DE ENTRADA EN VIGOR.

CONSIDERANDO QUE, la Sección 9.004(b) del Código de Gobierno Local de Texas establece que la ordenanza que ordena una elección de enmienda a los estatutos deberá disponer que la elección especial se lleve a cabo en la primera fecha de elección uniforme autorizada prescrita por el Código Electoral de Texas o en la fecha de la próxima elección general municipal o elección general presidencial, lo que ocurra primero; y

CONSIDERANDO QUE, el 3 de mayo de 2025 es la fecha prevista en el Código Electoral de Texas para la próxima elección general regular en la Ciudad de Brenham, Texas, por lo tanto, la Ciudad está autorizada a ordenar una elección especial de enmienda a la carta constitucional que se llevará a cabo el 3 de mayo de 2025; y

CONSIDERANDO QUE, el Artículo VII, Sección 4 de la Carta de Autonomía de la Ciudad de Brenham prevé la enmienda de la Carta y la presentación de las enmiendas a los votantes; y

CONSIDERANDO QUE, la elección de enmienda a la Carta Autónoma se llevará a cabo y llevará a cabo de acuerdo con las Secciones 9.001, 9.004 y 9.005 del Código de Gobierno Local de Texas y todas las demás leyes electorales aplicables; y

AHORA, POR LO TANTO, SEA ORDENADO POR EL CONCEJO MUNICIPAL DE LA CIUDAD DE BRENHAM, TEXAS:

SECCIÓN 1.
DISPOSICIONES GENERALES

Que se llevará a cabo una Elección Especial el 3 de mayo de 2025 con el propósito de presentar propuestas de boleta electoral a los votantes calificados de la Ciudad de Brenham, Texas para las enmiendas propuestas a la Carta de Autonomía existente.

Subsección A: Que se llevará a cabo una Elección Especial en la Ciudad de Brenham, Texas, el día 6 de mayo de 2025 en la que las propuestas de votación para las enmiendas propuestas a la Carta de Autonomía de la Ciudad de Brenham serán votadas por los votantes calificados residentes de la Ciudad de Brenham.

Subsección B: Que la votación anticipada por comparecencia personal en dicha elección se llevará a cabo todos los días de la semana en el **Edificio Anexo del Condado de Washington**, 100 S. Park Street, Brenham, Texas, de la siguiente manera:

**Del lunes 21 de abril de 2025 al martes 29 de abril de 2025 de 8:00
a.m. a 5:00 p.m.:**

Subsección C: Que todas las solicitudes de boletas por correo se enviarán a:

**Carol Jackson, REO, EA
Secretario de Votación Anticipada
Oficina de Elecciones del Condado de Washington
100 E. Calle Principal, Suite 105
Brenham, Texas 77833**

Todas las solicitudes de boletas por correo deben recibirse a más tardar al cierre de operaciones a las 5:00 p.m. del martes 22 de abril de 2025.

Subsección D: Que dicha elección se llevará a cabo en los siguientes lugares de votación designados en la Ciudad de Brenham, Texas, para los votantes de los Distritos en particular:

- Distrito 1: Biblioteca Conmemorativa Nancy Carol Roberts
100 W. Martin Luther King, Jr. Pkwy.
Brenham, Texas
- Distrito 2: Centro de Eventos del Condado de Washington
1305 E. Blue Bell Road
Brenham, Texas
- Distrito 3: Salón Brenham VFW
1200 E. Calle Tom Green
Brenham, Texas

Distrito 4: Centro de Estudiantes Universitarios Blinn Jr.
1007 Walter Schwartz Way
Brenham, Texas

Subsección E: Que dicha elección se llevará a cabo de acuerdo con las disposiciones de la Constitución y las Leyes del Estado de Texas, y solo se permitirá votar a los votantes residentes debidamente calificados de la Ciudad de Brenham.

Subsección F: La notificación de dicha elección se dará según lo dispuesto en el Código Electoral de Texas y el Código de Gobierno Local de Texas.

Subsección G: Por la presente, se autoriza e instruye al Secretario de la Ciudad a publicar un aviso de dicha elección según lo requiera la ley.

Subsección H: Hay un total de doce (12) propuestas de enmienda en la boleta electoral para la elección especial de enmienda a la carta constitutiva del 3 de mayo de 2025. Se estima que once (11) de las enmiendas propuestas no tendrán impacto fiscal para la Ciudad de Brenham si las 11 enmiendas propuestas se aprueban en la elección especial. Solo se anticipa que la Proposición I tendrá algún impacto fiscal en la ciudad de Brenham. Si la Proposición I es aprobada en la elección especial, se estima que la Ciudad de Brenham tendrá un impacto presupuestario de diecinueve mil, quinientos no/100 dólares (\$19,500.00) por año fiscal para un aumento en los salarios mensuales del Alcalde y el Concejel de la Ciudad.

Subsección I: Se colocarán en la boleta oficial las siguientes enmiendas propuestas a la Carta Constitucional de la Ciudad de Brenham, Texas, y la boleta dispondrá que el votante puede aprobar o desaprobado las proposiciones que se expresan individualmente de la siguiente manera:

ENMIENDA A

EL ARTÍCULO I, SECCIÓN 2; ARTÍCULO II, SECCIONES 1, 2 Y 8; ARTÍCULO III, SECCIONES 8, 15, 17, 18, 19, 21 Y 23 Y 24; ARTÍCULO IV, SECCIONES 1, 2, 3 Y 8; ARTÍCULO V, SECCIONES 1, 2, 3 Y 4; ARTÍCULO VI, SECCIONES 3, 6, 9, 11 Y 15 A 19; Y EL ARTÍCULO VII, SECCIONES 6, 12, 14, 15, 19 Y 24 DE LA CARTA DE BRENHAM CITY CON RESPECTO A LAS CORRECCIONES GRAMATICALES, CORRECCIONES ORTOGRÁFICAS, CORRECCIONES DE PUNTUACIÓN, ELIMINACIÓN DE SECCIONES RESERVADAS Y RENUMERACIÓN, Y CAMBIOS DE VOCABULARIO SE ENMIENDEN DE LA SIGUIENTE MANERA?

ARTÍCULO I. CONSTITUCIÓN; FORMA DE GOBIERNO; LÍMITES

Artículo 2. -Límites

El Concejo Municipal tendrá el poder por ordenanza para establecer los límites de la Ciudad de Brenham; y disponer la alteración y ampliación de dichos límites limítrofes, la anexión de territorio adicional a la Ciudad y el desprendimiento o desanexión de territorio, con o sin el consentimiento de los propietarios y habitantes del territorio anexionado, separado o desanexado. Los límites de la Ciudad serán los establecidos por ordenanza del Concejo Municipal promulgada de acuerdo con los procedimientos previstos en las leyes federales, estatales u otras leyes aplicables. El Secretario de la Ciudad mantendrá una descripción correcta y completa de los límites de la Ciudad, indicando todas las anexiones, destacamentos y desanexiones.

ARTICULO II. PODERES

Artículo 1. – Poderes en general.

La mencionada Ciudad de Brenham tendrá el poder de ordenar y establecer los actos, leyes, reglas, reglamentos, resoluciones y ordenanzas, que no sean incompatibles con la Constitución y las leyes de Texas y de esta Carta, según sean necesarios para el gobierno, los intereses, la salud, el bienestar y el buen orden de dicha Ciudad y sus habitantes. Bajo el nombre de la Ciudad de Brenham será conocida en la ley y tendrá sucesión y será capaz de contratar y ser contratada, demandar y ser demandada, implorar y ser alegada, responder y ser respondida, en todos los tribunales y cortes, y en todas las cantidades, sujeto a las leyes del Estado de Texas, o que se apruebe en lo sucesivo.

La Ciudad de Brenham tendrá el poder de tomar, mantener, arrendar, otorgar, comprar y transmitir dicha propiedad inmueble o propiedad mixta o patrimonio, situado dentro o fuera de los límites de los mismos, según lo requiera el propósito de dicha corporación y tendrá y utilizará un sello corporativo, y cambiará y renovará el mismo a su gusto.

Artículo 2. – Derechos reservados.

Todos los pleitos, impuestos, sanciones, multas, confiscaciones y todos los demás derechos, reclamaciones y demandas, de cualquier tipo y carácter, que se hayan acumulado en virtud de las leyes a favor de dicha Ciudad, hasta ahora vigentes que rigen la misma, pertenecerán y se conferirán a dicha Ciudad ~~y no se extinguirán por razón de la adopción o enmienda de esta Carta. y será procesado y recogido para el uso y beneficio de dicha Ciudad de Brenham y no se verá afectado de ninguna manera por la entrada en vigor de esta Carta; pero en cuanto a todos estos derechos, se considerará que las leyes en virtud de las cuales se hayan devengado están en pleno vigor y efecto.~~

Artículo 8. – Fabricación de energía eléctrica, gas, etc.; Compra y venta de gas, agua, electricidad, etc.

Dicha Ciudad tendrá la autoridad para fabricar su propia electricidad, gas o cualquier otra cosa que pueda ser necesaria o utilizada por ella o por el público; para hacer contratos con cualquier persona, empresa o corporación para la compra de gas, agua, electricidad o cualquier otro producto o artículos utilizados por ella o el público, y para venderlos al público según lo determine ~~la autoridad gubernamental~~ del Ayuntamiento.

ARTICULO III. EL AYUNTAMIENTO

Artículo 8. - Escrutinio de los resultados y declaración de los resultados de las elecciones; jueces de su propia elección y calificación.

Los resultados de cada elección municipal serán entregados inmediatamente por los Jueces Electorales al Secretario de la Ciudad. El Consejo examinará los resultados; investigar las calificaciones de los candidatos y declarar los resultados oficiales de la elección de acuerdo con las leyes estatales y federales aplicables. Los resultados de cada elección municipal se registrarán en las actas del Concejo por Distritos, cuando corresponda. En cada elección, la persona calificada que reciba la mayoría de todos los votos emitidos para el cargo que esa persona aspira será declarada electa por dicho Consejo.

El Concejo Municipal será juez de la elección y la calificación de sus miembros por parte del Concejo será concluyente y definitiva para todos los propósitos.

Artículo 15. - Convocar a reuniones extraordinarias; determinar las reglas y el orden del día; diario; quórum; votación de medidas.

El Alcalde o tres (3) Concejales pueden convocar reuniones extraordinarias del Concejo Municipal en cualquier momento que consideren conveniente. El Concejo Municipal determinará sus propias reglas y orden del día; y mantendrá un diario de los procedimientos en un libro encuadernado permanentemente y cualquier ciudadano tendrá acceso a las actas y registros de los mismos en todo momento razonable. Los cuatro (4) miembros del Concejo Municipal constituirán quórum para la transacción de cualquier negocio, y el voto afirmativo de los cuatro (4) miembros del Concejo Municipal será suficiente y necesario para adoptar o derogar cualquier ordenanza o resolución. La votación sobre la aprobación o derogación de cualquier ordenanza o resolución se tomará por "sí" o "no" y se anotará en el diario. Excepto cuando la ley requiera abstenerse de votar sobre un asunto ante el Concejo Municipal, cada miembro del Concejo Municipal presente en la reunión votará sobre cada pregunta, ordenanza o resolución que se ingrese en el diario. Cualquier miembro del Concejo que se niegue a votar, excepto cuando la ley lo exija, se inscribirá en el diario como votando afirmativamente.

Artículo 17. - Presentación y aprobación de ordenanzas y resoluciones.

Cada ordenanza o resolución propuesta se presentará en forma escrita o impresa, no contendrá más de un tema, lo cual se indicará claramente en el título; pero las ordenanzas generales de asignación podrán contener los diversos temas y cuentas para los cuales se asignarán fondos. Ninguna ordenanza, a menos que sea declarada como una medida de emergencia y aprobada por unanimidad del Concejo Municipal, será aprobada el día en que se introduzca. Todas las ordenanzas, excepto las de emergencia, se aprobarán definitivamente en segunda lectura. Las ordenanzas que no deban publicarse entrarán en vigor y entrarán en vigor a partir de su aprobación, a menos que se disponga lo contrario.

Artículo 18. - Medidas de emergencia.

Una medida de emergencia es una ordenanza o resolución para la preservación inmediata de la paz, la propiedad, la salud o la seguridad públicas, o que proporciona el funcionamiento diario habitual de un departamento municipal, en la que la emergencia se establece y define en un preámbulo de la misma. Las ordenanzas que asignen dinero y las ordenanzas para el pago de sueldos y salarios pueden aprobarse como medidas de emergencia, pero ninguna medida que haga una concesión, renovación o extensión de una franquicia, u otro privilegio especial o que regule la tarifa que se cobrará por ~~sus~~ servicios por cualquier empresa de servicios públicos, se aprobará nunca como una medida de emergencia.

Artículo 19. - Publicación de ordenanzas penales.

El Secretario de la Ciudad publicará, en un periódico de circulación general dentro de la Ciudad, cualquier ordenanza que la ley estatal o federal requiera que se publique. El Secretario de la Ciudad puede abreviar el texto de cualquier ordenanza para fines de publicación. Dichas ordenanzas entrarán en vigor a partir de la fecha de publicación, a menos que la ley exija lo contrario o se indique en la ordenanza. Las ordenanzas conexas, ~~siempre que~~ las medidas de emergencia surtan efecto en sus términos.

Artículo 21. - Registro y autenticación de documentos.

El Concejo Municipal nombrará a un Secretario Municipal que será responsable de la documentación original de todas las leyes, avisos, minutas, resoluciones, ordenanzas y registros oficiales relacionados del cuerpo gobernante; todas las escrituras, servidumbres, arrendamientos, títulos y documentos relacionados de propiedad de la propiedad de la Ciudad; y la carta y sello municipal. Toda ordenanza o resolución, al entrar en vigor, se mantendrá en los archivos permanentes de la Ciudad y será autenticada por la firma del Alcalde y del Secretario de la Ciudad, o en su ausencia, la persona que ejerza sus funciones según lo designado por el Concejo Municipal.

Segundos. ~~23,~~24. - Reservado.

ARTICULO IV. EL ADMINISTRADOR DE LA CIUDAD; FINANZA

Artículo 1. -Cita; posición; Calificaciones; eliminación.

El Concejo Municipal nombrará un Administrador de la Ciudad, quien será el jefe administrativo del gobierno municipal y será responsable de la administración eficiente de todos los departamentos. Será elegido sobre la base de la calificación e idoneidad para el ejercicio de sus funciones. Puede o no ser residente de la Ciudad de Brenham cuando sea designado; pero establecerá su residencia dentro de la Ciudad según lo indique el Concejo Municipal. El Concejo Municipal puede contratar a un Administrador de la Ciudad por acuerdo por un término que no exceda de un año; sin embargo, el Administrador de la Ciudad está sujeto a la remoción en cualquier momento, con o sin causa, por parte del Ayuntamiento.

Artículo 2. - Deberes en general.

Salvo lo dispuesto en el Artículo III, sección 1 de la Carta Constitutiva u otra ley aplicable, el Administrador de la Ciudad o la persona designada por el Administrador de la Ciudad nombrará a todos los funcionarios y empleados de la Ciudad. El Administrador de la Ciudad ejercerá control y supervisión sobre todos los departamentos y oficinas que puedan ser creados por el Concejo Municipal o el Administrador de la Ciudad y todos los funcionarios y empleados nombrados por él. Asistirá a todas las reuniones del Concejo Municipal con derecho a tomar parte en la discusión; pero sin voto. Recomendará por escrito al Ayuntamiento las medidas que estime necesarias o convenientes. Mantendrá al Concejo Municipal completamente informado en cuanto a la condición financiera y las necesidades de la Ciudad y realizará los demás deberes que puedan ser prescritos por esta Carta o que se le requieran por ordenanza o resolución del Concejo Municipal.

El Administrador de la Ciudad puede crear y consolidar oficinas y puestos de nombramiento, puede dividir la administración de los asuntos de la Ciudad en los departamentos que considere convenientes, y puede discontinuar cualquier oficina, posición o departamento de nombramiento a su discreción, excepto la oficina del Administrador de la Ciudad, el Secretario de la Ciudad, el Secretario (s) Adjunto de la Ciudad, el Juez del Tribunal Municipal, Juez (s) Asociado (s) de la Corte Municipal, Abogado de la Ciudad y Fiscal de la Corte Municipal.

Artículo 3. - Presupuesto anual.

El presupuesto anual de la Ciudad será preparado por el Administrador de la Ciudad en base a las estimaciones de cada departamento. Estas estimaciones departamentales incluirán los gastos del departamento para el año anterior e indicarán dónde se recomiendan aumentos o disminuciones para el año siguiente. El Administrador de la Ciudad presentará el presupuesto al Concejo Municipal para su aprobación.

Artículo 8. - Emisión de cheques por nómina y otros siniestros.

La Ciudad no emitirá ningún cheque para el pago de nómina o cualquier reclamo a menos que dichos reclamos se evidencien mediante una cuenta detallada, de acuerdo con el Presupuesto de la Ciudad aprobado, incluidas las enmiendas, aprobado por la firma del Administrador de la Ciudad o su designado, y todos los cheques deberán estar firmados por dos de los siguientes: Alcalde, Secretario de la Ciudad, Administrador de la Ciudad o y el Director de Finanzas.

ARTÍCULO V. BONOS DE MEJORA

Artículo 1. -Propósito.

La Ciudad tendrá el derecho y el poder de pedir dinero prestado sobre el crédito de la Ciudad y de emitir bonos de la Ciudad por ello, en la suma o sumas que se consideren convenientes, con el propósito de mejorar las calles, comprar o construir alcantarillado, erigir y mantener edificios públicos de todo tipo y para comprar o construir obras hidráulicas y plantas y sistemas de gas y con el propósito de comprar, erigir, mantener y operar una planta de luz eléctrica y energía y otros servicios públicos que la autoridad de gobierno ~~del Concejo Municipal~~ pueda, de vez en cuando, considerar conveniente, y para cualquier otro propósito autorizado por la ley estatal.

Artículo 2. - Especificar el propósito; venta; Fondo de intereses y amortización.

Todos los bonos especificarán con qué propósito se emiten y se venderán por dinero en efectivo. Cuando la Ciudad emita bonos, se proporcionará un fondo para pagar los intereses de esos bonos y crear un fondo de amortización para redimir dichos bonos. Dicho fondo no será desviado ni utilizado para ningún otro propósito, y el custodio de los fondos de la Ciudad no aceptará giros sobre dicho fondo, excepto para pagar intereses o redimir los bonos para los que se proporcionó. La Ciudad tendrá el poder de invertir dichos fondos de amortización en valores garantizados por la prenda de Bonos de los Estados Unidos o Bonos de Agencias Federales, Bonos del Estado o del Condado de Texas, o Bonos de la Ciudad de Brenham, u otro municipio, o cualquier distrito escolar, o cualquier otra inversión autorizada por la ley estatal.

Artículo 3. - Plazo máximo; fichaje; especificando los lugares y tiempos de pago; aprobación por parte de los funcionarios estatales; Emisión.

Dichos bonos se emitirán por un período de tiempo que no excederá de cuarenta (40) años; serán firmados por el Alcalde, refrendados por la persona que actúe en calidad de Secretario de la Ciudad, y tanto el capital como los intereses serán pagaderos en los lugares y tiempos que determine la ordenanza de la autoridad de gobierno del Concejo Municipal. Todos estos bonos se presentarán al Procurador General del Estado para su aprobación y al Contralor para su registro, según lo dispuesto por la ~~ley estatal; siempre que dichos bonos, después de aprobados, puedan ser emitidos por la Ciudad, ya sea opcional o en serie, o de otra manera, según lo considere aconsejable la~~ autoridad de gobierno del Concejo Municipal.

Artículo 4. - Someter a referéndum.

Antes de la emisión de cualquier bono, el mismo se someterá a votación de los votantes calificados de la Ciudad, según lo requiera la ley estatal, las Leyes Generales del Estado.

ARTICULO VI. TRIBUTACIÓN

Artículo 3. - Impuesto sobre la ocupación.

La Ciudad tendrá el poder de imponer y recaudar impuestos de ocupación de acuerdo con la Constitución y las leyes del Estado de Texas, y autorizará la concesión y emisión de licencias y dirigirá la forma de emitir y registrar las mismas y fijará las tarifas a partir de entonces, pero ninguna licencia se emitirá por un período más largo de un año y no será asignable excepto con el permiso de la autoridad gubernamental del Concejo Municipal ~~de la Ciudad~~.

Artículo 6. - Entrega, etc., en cuanto a la propiedad omitida.

La Ciudad tendrá la facultad de disponer la rendición de la propiedad no entregada para su imposición, y de recaudar y evaluar impuestos sobre la misma anualmente, y de disponer la rendición, recaudación y evaluación de impuestos de años anteriores sobre la propiedad omitida de impuestos en la forma prevista por la ~~ley estatal de este Estado~~.

Artículo 9. - Momento de la expropiación.

La autoridad de gobierno del Concejo Municipal de la Ciudad, en su primera reunión en septiembre de cada año, o tan pronto como sea posible, impondrá el impuesto anual para dicho año, pero los impuestos o gravámenes especiales permitidos por esta Carta pueden imponerse, evaluarse y recaudarse en los momentos que la autoridad de gobierno del Concejo Municipal pueda disponer; siempre que, que en caso de que la autoridad de gobierno del Concejo Municipal omita o se niegue a recaudar el impuesto anual aquí previsto para cualquier año, la recaudación fiscal anual del último año anterior realizada por dicha autoridad gubernamental se considerará y se considerará en vigor y efecto como la recaudación fiscal para el año para el cual no se realizó ningún impuesto anual.

Artículo 11. - La ciudad no está obligada a dar una fianza; Los pagos a la ciudad deben estar en moneda legal.

No será necesario en ninguna acción, demanda o procedimiento, en el que la Ciudad sea parte, para que cualquier bono, compromiso o garantía se ejecute en nombre de la Ciudad. Nada de valor ni nada que no sea la moneda oficial corriente de los Estados Unidos se recibirá en pago de impuestos, multas, confiscaciones, sanciones y deudas vencidas y adeudadas a dicha Ciudad.

Secs. 15 —19. - Reservado.

ARTICULO VII. DISPOSICIONES MISCELÁNEAS

Artículo 6. - Establecimiento de salas; propósito.

La Ciudad se dividirá y establecerá en cuatro (4) distritos, con límites descritos por ordenanza, con el propósito de asegurar una distribución más equitativa de la representación en el Concejo Municipal por parte de la gente de toda la Ciudad. El territorio recién anexado se agregará al distrito adyacente según lo disponga el Ayuntamiento. Ninguna persona podrá ser candidata a Concejal de ningún distrito de la Ciudad a menos que haya sido, durante los doce (12) meses anteriores a la fecha de la elección en la que es candidato, residente del distrito representado por el cargo al que aspira, y debe poseer las demás calificaciones prescritas en esta Carta; siempre que, sin embargo, los requisitos para residir en cualquier distrito no se apliquen al Alcalde o a los Concejales en general. Todo candidato, alcalde o concejal que durante su candidatura o mandato traslade su lugar de residencia de la Ciudad o del distrito que represente, pierde automáticamente ipso facto su derecho a dicho cargo.

Artículo 12. - Responsabilidad y notificación de reclamaciones por lesiones o daños.

Antes de que la Ciudad de Brenham sea responsable de los daños de cualquier tipo, la persona lesionada o el propietario de la propiedad dañada, o alguien en su nombre deberá notificar al Alcalde o a los Concejales de la Ciudad por escrito de dicha lesión o daño dentro de los noventa (90) días, o dentro de los seis (6) meses por una buena causa demostrada, después de que se haya recibido la misma, indicando específicamente en dicha notificación cuándo, dónde y cómo ocurrió la lesión o daño y el alcance de la misma. La falta de notificación al Alcalde o al Concejal dentro del tiempo y la forma especificados en este documento exonerará, excusará y eximirá a la Ciudad de cualquier responsabilidad. Además, esta sección no se aplicará a la toma, daño o destrucción de propiedad garantizada y cubierta por la Sección 17 del Artículo I de la Constitución de Texas.

Artículo 14. -Tribunal.

El Concejo Municipal establecerá y proveerá un tribunal, designado como el "Tribunal Municipal" para el juicio de delitos menores, con toda la jurisdicción, poderes y deberes que sean ahora o puedan ser prescritos en el futuro por las leyes del Estado de Texas relativas a los tribunales municipales.

El Tribunal Municipal será presidido por un Magistrado que se denominará Juez del Tribunal Municipal. El Concejo Municipal proveerá las calificaciones del Juez y de cualquier Juez Municipal Asociado. El Juez y cualquier Juez Asociado de dicho tribunal serán nombrados por el Concejo Municipal para servir un mandato de dos (2) años; sin embargo, serán removibles en cualquier momento, con o sin causa, por mayoría de votos del Concejo Municipal. Cualquiera de estos jueces recibirá la compensación que determine el Concejo Municipal. En el caso de que un juez no pueda actuar temporalmente por cualquier motivo, el alcalde nombrará a una persona calificada para actuar temporalmente en lugar del juez. En caso de que exista una vacante en el cargo de Juez o Juez Asociado por cualquier motivo, el Concejo Municipal, por mayoría de votos, nombrará a una persona calificada para llenar dicha vacante por el resto del mandato no vencido.

Habrá un Secretario Municipal de dicho tribunal nombrado por el Administrador de la Ciudad. El Secretario de dicho Tribunal tendrá el poder de administrar juramentos y declaraciones juradas, hacer certificados, colocar el sello de dicho tribunal en ellos y, en general, hacer y realizar todos y cada uno de los actos necesarios para emitir el proceso de dicho Tribunal y llevar a cabo los negocios del mismo. Puede haber Secretarios Adjuntos del Tribunal Municipal que puedan ser autorizados y nombrados por el Administrador de la Ciudad, los cuales Secretarios Adjuntos tendrán autoridad para actuar en nombre y representación del Secretario del Tribunal Municipal. Dicho Secretario del Tribunal Municipal y Secretarios Adjuntos recibirán la compensación que determine el Administrador de la Ciudad.

También habrá un abogado designado por el Concejo Municipal para que actúe como fiscal en el Tribunal Municipal y dicho fiscal recibirá la compensación que determine el Concejo Municipal.

Artículo 15. - Investigaciones del Consejo.

El Concejo Municipal puede investigar las transacciones financieras de cualquier oficina o departamento del gobierno de la Ciudad, y los actos y conductas de cualquier funcionario o empleado. Al llevar a cabo dicha investigación, el Concejo Municipal puede obligar a la comparecencia de testigos, la presentación de cheques y papeles, y otras pruebas y para ese propósito puede emitir citaciones o adjuntos que serán firmados por el Alcalde, y que pueden ser entregados y ejecutados por cualquier funcionario autorizado por la ley para entregar citaciones u otro proceso. o por cualquier oficial de paz de la Ciudad. Si algún testigo se niega a comparecer para testificar sobre cualquier hecho de su conocimiento, o a presentar cualquier documento o libro en su poder, o bajo su control, relacionado con el asunto bajo investigación ante el Ayuntamiento, el Ayuntamiento tendrá la facultad de hacer que el testigo sea castigado como por desacato. sin exceder una multa de cien dólares (\$100.00). Ningún testigo será excusado de testificar sobre ningún hecho que se refiera a su conocimiento del asunto que se está investigando en dicha investigación, pero dicho testimonio no se utilizará en su contra en ningún proceso penal, excepto por perjurio cometido en dicha investigación.

Artículo 19. - Presentación, examen y certificación de peticiones.

Dentro de los treinta (30) días posteriores a la presentación de una iniciativa o petición de referéndum, el Secretario de la Ciudad determinará si la misma está firmada por el número requerido de votantes calificados. El Secretario de la Ciudad declarará nulo cualquier documento de petición que no tenga una declaración jurada adjunta al mismo como se requiere en la Sección 1820C de este Artículo. Al examinar la petición, el Secretario escribirá las letras "DV" (declarada nula) en tinta roja junto a los nombres de las firmas que se consideren no calificadas para votar. Después de completar el examen de la petición, el Secretario certificará el resultado de la misma al Concejo en su próxima reunión ordinaria, indicando el número de personas que se encuentran en la petición que están calificadas para votar y el número de personas que se encuentran en la petición que no están calificadas para votar. Si el Certificado del Secretario de la Ciudad muestra que una iniciativa o petición de referéndum es insuficiente, el Secretario notificará a las personas que presentan la petición, y puede ser enmendada dentro de los diez (10) días a partir de la fecha de dicha notificación mediante la presentación de una petición complementaria sobre documentos adicionales firmados y presentados según lo dispuesto en el petición original. Dentro de los diez (10) días posteriores a la presentación de dicha enmienda, el Secretario examinará la petición enmendada y certificará su suficiencia. Si se determina que la petición enmendada es insuficiente, el Secretario devolverá la petición a la persona que la presenta, sin perjuicio de la presentación de una nueva petición con el mismo propósito.

Artículo 24. - Boleta de destitución.

Las boletas utilizadas en las elecciones revocatorias deberán cumplir con los siguientes requisitos: (1)"1". Con respecto a cada persona cuya destitución se solicita, se formulará la pregunta: "¿(mostrar el nombre del funcionario) será destituido del cargo de (nombre de la oficina)?" y (2)"2". Inmediatamente debajo de cada una de estas preguntas se imprimirán las dos (2) proposiciones siguientes, una encima de la otra, en el orden indicado: "Para la revocación de (nombre del oficial)". "Contra la destitución de (nombre del oficial)".

LA ENMIENDA A SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN A

☐ SÍ

☐ NO

El Artículo I, Sección 2; Artículo II, Secciones 1, 2 y 8; Artículo III, Secciones 8, 15, 17, 18, 19, 21, 23 y 24; Artículo IV, Secciones 1, 2, 3 y 8; Artículo V, Secciones 1, 2, 3 y 4; Artículo VI, Secciones 3, 6, 9, 11 y 15-19; y el Artículo VII, Secciones 6, 12, 14, 15, 19 y 24 de la Carta de Brenham City se enmienda de la siguiente manera: 1) hacer correcciones a los errores gramaticales, ortográficos y de puntuación; 2) eliminar las secciones reservadas de la Carta en todos los artículos de la Carta y volver a numerar las secciones debido a las supresiones y otras revisiones según lo requieran otras proposiciones en esta boleta electoral que sean aprobadas por los votantes; y 3) hacer cambios no sustantivos en el vocabulario para usar terminología, títulos y etiquetas modernos y consistentes, que incluirán, pero no se limitarán a, cambiar las referencias a los miembros del cuerpo gobernante de "autoridad de gobierno" a "Concejo Municipal"?

ENMIENDA B

¿SE DEBE ENMENDAR EL ARTÍCULO I, SECCIÓN 2 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LOS LÍMITES DE LA CIUDAD DE LA SIGUIENTE MANERA?

ARTÍCULO I. CONSTITUCIÓN; FORMA DE GOBIERNO; LÍMITES

Artículo 2. -Límites.

El Concejo Municipal tendrá el poder por ordenanza para establecer los límites de la Ciudad de Brenham; y para proveer las alteraciones y extensión de dichos límites de fronteras, la anexión de territorio adicional a la Ciudad y ~~la separación o desanexión~~ de territorio, con o sin el consentimiento de los propietarios y habitantes del territorio anexado. ~~separados o desanexados,~~ de acuerdo con las leyes federales, estatales u otras leyes aplicables. Los límites de la Ciudad serán los establecidos por ordenanza del Concejo Municipal promulgada de acuerdo con los procedimientos previstos en las leyes federales, estatales u otras leyes aplicables. El Secretario de la Ciudad mantendrá una descripción correcta y completa de los límites de la Ciudad, indicando todas las anexiones, ~~destacamentos~~ y desanexiones.

LA ENMIENDA B SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN B

☐ SÍ

☐ NO

¿Se debe enmendar el Artículo I, Sección 2 de la Carta Constitucional de Brenham City aclarando la autoridad, los procedimientos y la terminología relacionados con la anexión y desanexión de territorio para que sea consistente con las leyes federales, estatales u otras leyes federales, estatales u otras leyes aplicables?

ENMIENDA C

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 4 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LOS TÉRMINOS DEL MANDATO DEL CONCEJO MUNICIPAL DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 4.- Duración del mandato; Límites de mandato.

El Alcalde y cada Concejal servirán por un término de cuatro (4) años, comenzando con la primera reunión del Concejo Municipal después de su elección hasta la última de las primeras reuniones del Concejo Municipal después de la elección regular cuatro (4) años después o su sucesor haya sido elegido y debidamente calificado.

Una persona no podrá servir como Alcalde por más de tres (3) períodos consecutivos elegidos de cuatro (4) años en el cargo. El tiempo servido por nombramiento o por elección para llenar una vacante en el cargo de Alcalde por un período no vencido no contará para el límite del mandato. Después de completar tres (3) mandatos electos consecutivos, una persona puede volver a ocupar el cargo de Alcalde después de un (1) año completo de no ocupar el cargo de Alcalde. Los mandatos no consecutivos no serán limitados.

Una persona no servirá como miembro del Consejo, ya sea en un distrito o en general, más de tres (3) períodos consecutivos elegidos de cuatro (4) años de mandato, o doce (12) años consecutivos. El tiempo servido por nombramiento o por elección para llenar una vacante en el cargo de Concejal por un período no vencido no contará para el límite de mandato de doce (12) años. Después de completar tres (3) mandatos electos consecutivos, o doce (12) años consecutivos, una persona puede volver a servir en el cargo de Concejal después de un (1) año completo de no ocupar el cargo de Concejal. Los mandatos no consecutivos no serán limitados.

Los mandatos, o los mandatos parciales, servidos antes del 3 de mayo de 2025 no se considerarán a efectos de los límites de mandato.

LA ENMIENDA C SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN C

☐ SÍ

☐ NO

¿Se enmendará el Artículo III, Sección 4 de la Carta Constitucional de Brenham City disponiendo que una persona no puede servir como Alcalde más de tres (3) períodos consecutivos elegidos de cuatro (4) años para el cargo; disponiendo que después de completar tres (3) períodos consecutivos de mandato elegido, una persona puede volver a servir en el cargo de Alcalde después de un (1) año completo de no ocupar el cargo de Alcalde; disponiendo que una persona no podrá servir como un Concejal, ya sea en un distrito o en general, más de tres (3) mandatos consecutivos elegidos de cuatro (4) años, o doce (12) años consecutivos; disponiendo que después de completar tres (3) mandatos electos consecutivos, o doce (12) años consecutivos, una persona puede volver a servir en el cargo de Concejal después de un (1) año completo de no ocupar el cargo de Concejal; disponiendo que el tiempo servido por nombramiento o por elección para llenar una vacante en el cargo de Alcalde o Concejal por un período no vencido no contará para el límite de mandato; y disponiendo que los mandatos, o los mandatos parciales, prestados como alcalde o concejal antes del 3 de mayo de 2025 no se considerarán a los efectos de los límites de mandato?

ENMIENDA D

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 6 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LOS REQUISITOS PARA OCUPAR EL CARGO DE ALCALDE, CONCEJALES Y OTROS FUNCIONARIOS Y EMPLEADOS, Y LOS CONFLICTOS DE INTERESES DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 6.- Requisitos para ocupar cargos de alcalde y concejales y demás funcionarios y empleados; conflicto de intereses.

El Alcalde y cada Concejal deberán ser ciudadanos residentes de la Ciudad de Brenham, ser un votante calificado, tener las calificaciones de los electores en la misma, tener una edad mínima de veintiún (21) años cuando sean elegidos, y deberán haber sido ciudadanos residentes de la Ciudad de Brenham y cualquier distrito que puedan representar durante un período de doce (12) meses inmediatamente anteriores a dicha elección. Cualquier funcionario de la Ciudad que deje de poseer cualquiera de las calificaciones aquí requeridas perderá automáticamente su cargo. ~~El Alcalde, los Concejales y otros funcionarios y empleados no estarán interesados en las ganancias o emolumentos de ningún contrato, trabajo, trabajo o servicio para el municipio, ni interesados en la venta a la Ciudad de cualquier suministro, equipo, material o artículos comprados. Cualquier funcionario o empleado de la Ciudad que deje de poseer cualquiera de las calificaciones aquí requeridas perderá inmediatamente e ipso facto su cargo, y cualquier contrato~~

~~en el que cualquier funcionario o empleado esté o pueda estar interesado puede ser declarado nulo por el Ayuntamiento.~~

LA ENMIENDA D SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN D

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NO

¿Se enmendará el Artículo III, Sección 6 de la Carta Constitucional de Brenham City aclarando los requisitos necesarios para ocupar el cargo de Alcalde y Concejal? aclarando que cualquier Alcalde o Concejal que deje de poseer alguna de las calificaciones requeridas perderá automáticamente su cargo; ¿Y la supresión de las disposiciones relativas a los conflictos de intereses?

ENMIENDA E

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 8 DE LA CARTA DE BRENHAM CITY CON RESPECTO A LAS DEVOLUCIONES DE ESCRUTINIO Y LA DECLARACIÓN DE LOS RESULTADOS DE LA ELECCIÓN Y LOS JUECES DE SU PROPIA ELECCIÓN Y CALIFICACIONES DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 8.- El escrutinio de las actas y la declaración de los resultados de la elección; juzgará de su propia elección y calificación.

Los resultados de cada elección municipal serán entregados inmediatamente por los Jueces Electorales al Secretario de la Ciudad. El Consejo examinará los resultados; investigar las calificaciones de los candidatos y declarar los resultados oficiales de la elección de acuerdo con las leyes estatales y federales aplicables. Los resultados de cada elección municipal se registrarán en las actas del Concejo por Distritos, cuando corresponda. En cada elección, la persona calificada que reciba la mayoría de todos los votos emitidos para el cargo que esa persona aspira será declarada electa por dicho Consejo.

El Concejo Municipal será juez de la ~~elección y de las calificaciones del Concejo de sus miembros, y la determinación del Concejo~~ será concluyente y final para todos los propósitos.

LA ENMIENDA E SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN Y

☐ SÍ

☐ NO

¿Se debe enmendar el Artículo III, Sección 8 de la Carta Constitucional de Brenham City aclarando que los miembros del Concejo Municipal no sirven como Jueces Electorales, tal como se define esa posición en el Capítulo 32 del Código Electoral de Texas, en cualquier elección celebrada por la Ciudad?

ENMIENDA F

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIONES 9 Y 11 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LOS DÍAS DE ELECCIONES REGULARES DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 9. - Días regulares de elecciones.

Las elecciones municipales regulares de la Ciudad de Brenham se llevarán a cabo el ~~segundo sábado de~~ mayo en los años impares o cualquier otra fecha de elección uniforme según lo autorice la ley.

Artículo 11. - Elecciones especiales; Las leyes electorales estatales controlan las elecciones.

Todas las elecciones previstas en esta Carta, excepto la elección regular de los Concejales que se lleva a cabo en la fecha uniforme de la elección el ~~segundo sábado de~~ mayo de los años impares o en cualquier otra fecha autorizada por la ley, se llamarán elecciones especiales, y todas las elecciones serán conducidas y los resultados escrutados y anunciados por las autoridades electorales según lo prescrito por las leyes electorales generales del Estado de Texas relacionadas con ciudades y pueblos. y dichas leyes electorales generales regirán en todas las elecciones municipales, salvo que se disponga lo contrario en este documento.

LA ENMIENDA F SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN F

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☐ NO

¿Se debe enmendar el Artículo III, Secciones 9 y 11 de la Carta Constitucional de Brenham City disponiendo que las elecciones municipales regulares de la Ciudad se llevarán a cabo en la fecha de elección uniforme en mayo de los años impares, o en cualquier otra fecha de elección uniforme autorizada por la ley?

ENMIENDA G

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 10 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LAS ELECCIONES DE SEGUNDA VUELTA DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 10. – Segunda vuelta electoral.

En el caso de que algún candidato al Concejo (incluido el Alcalde) no reciba, en cualquier elección regular o especial, la mayoría de todos los votos emitidos para su cargo en particular, el Alcalde o, si no lo hace, el Concejo deberá, a más tardar el quinto día después del escrutinio oficial de la elección, ordenar una elección de segunda vuelta que se llevará a cabo ~~dentro de los treinta (30) días posteriores a dicho escrutinio~~ de acuerdo con la ley aplicable.

En dicha segunda vuelta, los dos (2) candidatos que recibieron el mayor número de votos emitidos para dicho cargo en particular en la primera elección, en la que nadie fue elegido para dicho cargo al recibir la mayoría de todos los votos emitidos por todos los candidatos para dicho cargo en particular, se votarán nuevamente.

El candidato que reciba la mayoría de los votos emitidos para el cargo en particular en la segunda vuelta de las elecciones será elegido para dicho cargo y asumirá el cargo tan pronto como esté calificado.

En las segundas vueltas para el cargo de Alcalde o Concejales electos en general, votarán los votantes registrados de la Ciudad en su conjunto. En las segundas vueltas de los concejales de un solo distrito, ya sea cualquiera de los concejales del distrito uno, el distrito dos, el distrito tres o el distrito cuatro, solo los votantes registrados en el distrito en particular votarán en la elección de desempate para ese puesto en particular.

LA ENMIENDA G SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN G

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NO

¿Se debe enmendar el Artículo III, Sección 10 de la Carta Constitucional de Brenham City al establecer que todas las elecciones de segunda vuelta del Concejo Municipal se llevarán a cabo de acuerdo con la ley aplicable?

ENMIENDA H

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 13 DE LOS ESTATUTOS DE BRENHAM CITY CON RESPECTO A LAS REUNIONES ORGANIZATIVAS Y LA CELEBRACIÓN DE OTRAS REUNIONES DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 13. - Reunión de organización; la celebración de otras reuniones.

Dentro de los catorce (14) días posteriores a la elección de los Concejales, ya sea una elección regular o una elección de segunda vuelta, el Concejo Municipal se reunirá en la Cámara del Concejo del Ayuntamiento, momento en el cual los Concejales electos calificarán y asumirán las funciones de sus cargos. A partir de entonces, el Concejo Municipal se reunirá en el momento prescrito por ordenanza o resolución, pero se reunirá por lo menos una vez al mes.

LA ENMIENDA H SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN H

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NO

¿Se debe enmendar el Artículo III, Sección 13 de la Carta Constitucional de la Ciudad de Brenham disponiendo que el Concejo Municipal se reunirá dentro de los catorce (14) días posteriores a una elección, ya sea una elección regular o una elección de segunda vuelta, momento en el cual los Concejales electos calificarán y asumirán los deberes de sus cargos?

ENMIENDA I

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 14 DE LA CARTA CONSTITUCIONAL DE BRENHAM CITY CON RESPECTO A LOS SALARIOS DE LOS ALCALDES Y CONCEJALES DE LA CIUDAD DE LA SIGUIENTE MANERA?

ARTICULO III. EL AYUNTAMIENTO

Artículo 14. -Salarios.

El Alcalde recibirá un salario de quinientos cincuenta dólares ~~quinientos cincuenta dólares~~ ~~doscientos setenta y cinco dólares (\$550.00)~~ ~~(\$275.00)~~ por mes y cada Concejál recibirá un salario de cuatrocientos cincuenta dólares ~~cuatrocientos cincuenta dólares~~ ~~doscientos veinticinco dólares (\$450.00)~~ ~~(\$225.00)~~ por mes.

LA ENMIENDA I SE COLOCARÁ EN LA BOLETA ELECTORAL CON LA SIGUIENTE PROPOSICIÓN:

PROPUESTA I

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NO

¿Se debe enmendar el Artículo III, Sección 14 de la Carta Constitucional de Brenham City disponiendo que el salario del Alcalde se cambiará de doscientos setenta y cinco dólares (\$275.00) por mes a quinientos cincuenta dólares (\$550.00) por mes, y el salario de cada Concejal se cambiará de doscientos veinticinco dólares (\$225.00) por mes a cuatrocientos cincuenta dólares (\$450.00) por mes?

ENMIENDA J

¿SE DEBE ENMENDAR EL ARTÍCULO III, SECCIÓN 23 DE LA CARTA CONSTITUTIVA DE BRENHAM CITY PARA AGREGAR DISPOSICIONES QUE RIGEN LOS CONFLICTOS DE INTERESES DE LA SIGUIENTE MANERA?

Secs. 23, 24.- Conflictos de interés reservados.

El Alcalde, los Concejales y otros funcionarios y empleados, con respecto a cualquier contrato u otro asunto autorizado por la Ciudad, deberán cumplir con el Código de Gobierno Local de Texas y todas las demás leyes aplicables que rigen los conflictos de intereses de los funcionarios públicos locales.

LA ENMIENDA J SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN DE DESARROLLAR

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NO

¿Se debe enmendar el Artículo III, Sección 23 de la Carta Constitucional de Brenham City requiriendo que el Alcalde, los Concejales y otros funcionarios y empleados de la Ciudad, con respecto a cualquier contrato u otro asunto autorizado por la Ciudad, cumplan con el Código de Gobierno Local de Texas y todas las demás leyes aplicables que rigen los conflictos de intereses de los funcionarios públicos locales?

ENMIENDA K

¿SE DEBE ENMENDAR EL ARTÍCULO VII, SECCIÓN 7 DE LA CARTA DE BRENHAM CITY PARA REFLEJAR LOS PROCEDIMIENTOS ACTUALES RELACIONADOS CON LOS BONOS OFICIALES DE LA SIGUIENTE MANERA?

Artículo 7. - Bonos oficiales.

La persona que ejerza los deberes del Recaudador de Impuestos de la Ciudad dará una fianza oficial en la suma que pueda ser prescrita por el Concejo Administrador de la Ciudad de vez en cuando; dicha fianza será pagadera a la Ciudad de Brenham y, en cada caso, estará condicionada al fiel cumplimiento de los deberes de dicho funcionario. y para la fiel contabilidad de todos los dineros, reclamaciones y cosas de valor que lleguen a manos de dicho funcionario. Dicha fianza se obtendrá de alguna compañía de fianzas regular acreditada autorizada para hacer negocios bajo las leyes del Estado de Texas, y las primas a dicha compañía de fianzas serán pagadas por la Ciudad de Brenham, siempre que el Concejo Municipal pueda, por ordenanza, exigir fianzas oficiales de cualquier otro funcionario designado de la Ciudad en las cantidades y condiciones que consideren mejores para la eficiencia del servicio público. Todas las fianzas oficiales serán fianzas de la compañía y deberán ser aprobadas por el Concejo Municipal y archivadas y registradas con la persona que ejerza las funciones de Secretario de la Ciudad.

LA ENMIENDA K SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN K

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NO

¿Se debe enmendar el Artículo VII, Sección 7 de la Carta Constitucional de Brenham City disponiendo que con respecto a los bonos oficiales de ciertos funcionarios de la Ciudad, el Administrador de la Ciudad, en lugar del Concejo Municipal, determinará los montos y aprobará dichos bonos?

ENMIENDA L

¿SE DEBE ENMENDAR EL ARTÍCULO IV, SECCIÓN 1 DE LA CARTA DE BRENHAM CITY CON RESPECTO AL REQUISITO DE RESIDENCIA DEL ADMINISTRADOR DE LA CIUDAD DE LA SIGUIENTE MANERA?

Artículo 1. -Cita; posición; Calificaciones; eliminación.

El Concejo Municipal nombrará un Administrador de la Ciudad, quien será el jefe administrativo del gobierno municipal y será responsable de la administración eficiente de todos los departamentos. Será elegido sobre la base de la calificación e idoneidad para el ejercicio de sus funciones. Puede o no ser residente de la Ciudad de Brenham cuando sea designado, pero establecerá su residencia dentro del Condado de Washington, Texas, la Ciudad según lo indique el Concejo Municipal. El Concejo Municipal puede contratar a un Administrador de la Ciudad por acuerdo por un término que no exceda de un año; sin embargo, el Administrador de la Ciudad está sujeto a la remoción en cualquier momento, con o sin causa, por parte del Ayuntamiento.

LA ENMIENDA L SE COLOCARÁ EN LA BOLETA ELECTORAL EN LA FORMA DE LA SIGUIENTE PROPOSICIÓN:

PROPOSICIÓN L

- | | | |
|--------------------------|----|---|
| ☐ | SÍ | ¿Se debe enmendar el Artículo IV, Sección 1 de la Carta Constitucional de Brenham City disponiendo que el Administrador de la Ciudad establecerá su residencia dentro del Condado de Washington, Texas según lo indique el Concejo Municipal? |
| ☐ | NO | |

SECCIÓN 2. **CLÁUSULA DE AHORRO**

Todas las disposiciones de cualquier ordenanza, resolución u otra acción de la Ciudad en conflicto con esta Ordenanza quedan derogadas en la medida en que estén en conflicto. Cualquier parte restante de dichas ordenanzas, resoluciones u otras acciones permanecerán en pleno vigor y efecto.

SECCIÓN 3. **DIVISIBILIDAD**

En caso de que cualquier sección, subsección, oración, cláusula o frase de esta Ordenanza sea declarada inconstitucional o inválida por un tribunal de jurisdicción competente, se establece expresamente que todas y cada una de las partes restantes de esta Ordenanza permanecerán en pleno vigor y efecto. El Concejo Municipal declara por la presente que habría aprobado esta Ordenanza, y cada sección, subsección, oraciones y cláusulas y frases restantes en caso de que alguna disposición sea declarada inconstitucional o inválida.

SECCIÓN 4. **DEROGADOR**

Cualquier otra ordenanza o partes de ordenanzas que entren en conflicto con esta Ordenanza quedan expresamente derogadas por la presente.

SECCIÓN 5. **FECHA DE ENTRADA EN VIGOR**

La presente Ordenanza entrará en vigor a partir de su adopción y publicación, según lo dispuesto por la ley.

SECCIÓN 6. **AVISO Y REUNIONES ADECUADAS**

Por la presente se determina oficialmente que las reuniones en las que se aprobó esta Ordenanza estuvieron abiertas al público como se requiere y que se dio aviso público de la hora, lugar y propósito de dichas reuniones como lo requiere la Ley de Reuniones Abiertas, Capítulo 551 del Código de Gobierno de Texas.

APROBADO Y APROBADO en primera lectura el día 23 de enero de 2025.

APROBADO Y APROBADO en segunda lectura el día 6 de febrero de 2025.

Atwood C. Kenjura
Alcalde

ATESTIGUAR:

Jeana Bellinger, TRMC, CMC
Secretaria Municipal



City Council Regular Meeting **AGENDA ITEM 10**

Agenda Item: Discuss and Possibly Act Upon Resolution No. R-25-007 Authorizing the Acceptance of Certain Public Infrastructure Improvements in the Market Square Brenham Subdivision, Phase 4

Meeting Date: February 6, 2025

Department: Development Services

Staff Contact: Stephanie Doland, Director of Development Services

SUMMARY STATEMENT:

Brenham Market Square is a 50+ acre multiple use development located at the intersections of South Market Street, Cantey Street and the US 290 Feeder Road. Phases 1 through 5 of the civil construction development are complete and includes the creation of commercial lots, the development of two public streets, Nolan Street and Ryan Street and associated utility improvements, a regional detention and drainage system with three ponds, public storm sewer, and sidewalks. The first Phase of the Development included infrastructure to Academy and Chick-Fil-A and was accepted via Resolution R-23-032 by Council on August 29, 2023.

TRW Contracting, LLC on behalf of Brenham Market Square has continued to develop the approximately 50-acre development. Included in their construction is the extension of Ryan Street from S Market Street to the US 290 Feeder Road. In conjunction with the Ryan Street physical street, TRW also completed water, sewer and storm drainage utility extensions along Ryan Street to serve the new development. The subject infrastructure has been completed for more than a year, however the infrastructure could not be accepted until all repairs were made and punch list items completed. The recommended infrastructure acceptance is inclusive of storm water improvements that serve the public street system, however, all private storm drainage improvements serving private development shall remain the responsibility of the Brenham Market Square Property Owners Association.

The public infrastructure improvements valued at approximately \$868,200 have been constructed and inspected according to the City of Brenham development ordinances and regulations and are ready for acceptance by the City of Brenham.

ATTACHMENTS:

1. R-25-007 - Subdivision Improvements - Market Square Brenham Ph 4
2. Resized Rotated Replat File
3. Acceptance Street and Storm
4. Acceptance Water and Wastewater

RECOMMENDATION:

Approve Resolution No. R-25-007 authorizing the acceptance of certain public infrastructure improvements in the Market Square Brenham Subdivision, Phase 4.

RESOLUTION NO. R-25-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE ACCEPTANCE OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE MARKET SQUARE BRENHAM SUBDIVISION, PHASE 4; AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, the Market Square Brenham Subdivision, Phase 4 (Brenham Market Square Development), consists of approximately 48.893 acres of land comprised of developed and vacant commercial lots, common areas and 2.7 acres of dedicated right of way known as Nolan Street and Ryan Street as developed by Brenham Market Square, L.P.; and

WHEREAS, water, sewer, street, public and private storm sewer (drainage) improvements, and sidewalk improvements were constructed by the developer; and

WHEREAS, the private storm sewer improvements shall remain the responsibility of the Property Owners Association; and

WHEREAS, the public infrastructure improvements have been inspected by the City and found to be constructed in accordance with the City's Standards and Specifications; and

WHEREAS, the City of Brenham desires to formally accept the water, sewer, street, public storm sewer improvements and sidewalk improvements within the Brenham Market Square Subdivision, Phase 4, depicted on Exhibit "A" and incorporated herein for all pertinent purposes.

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

That the City of Brenham hereby accepts the water, sewer, street, and public storm sewer improvements and sidewalks in the Brenham Market Square Subdivision, Phase 4, in the City of Brenham, Texas and authorizes the Mayor to execute any necessary documentation.

RESOLVED this 6th day of February 2024.

Atwood C. Kenjura
Mayor

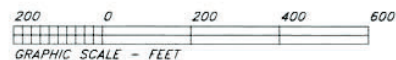
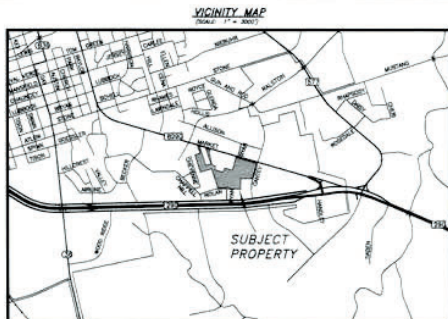
ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

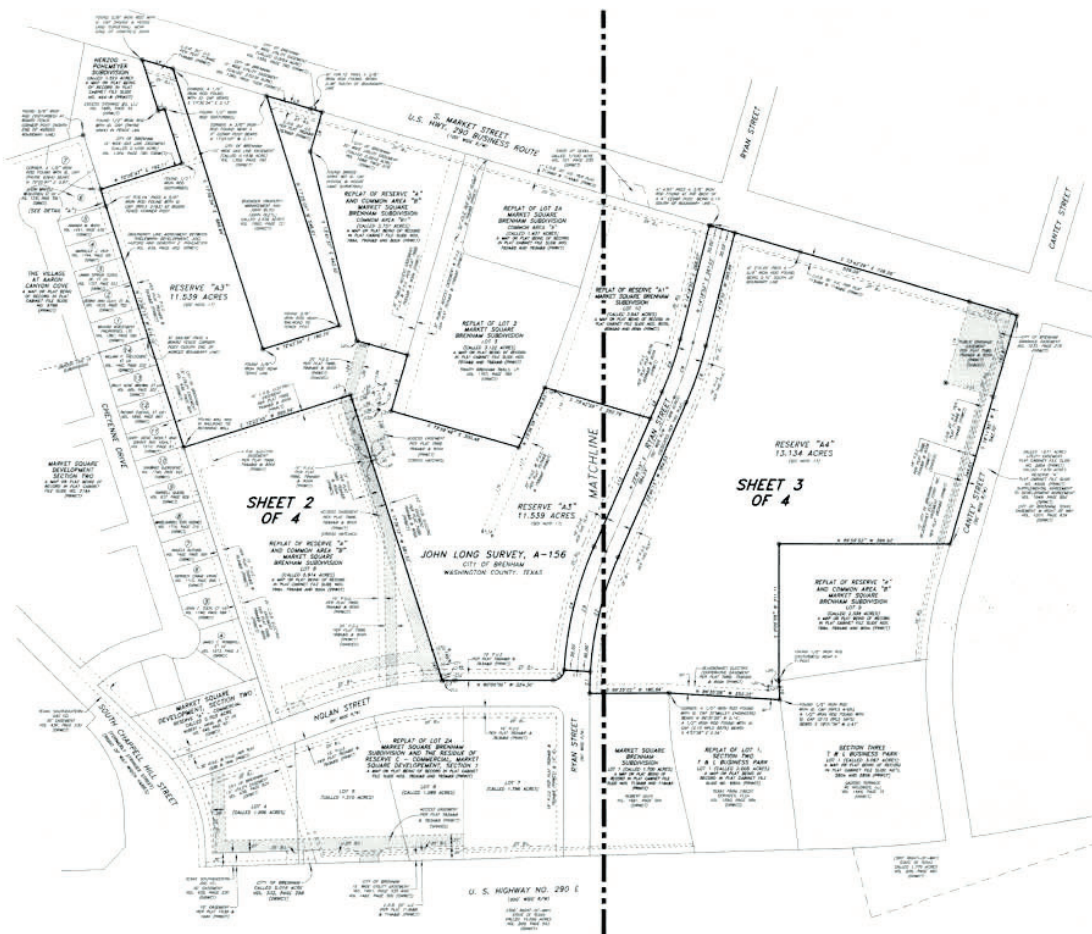
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SCALE: 1" = 200'



OVERALL LAYOUT

LEGEND

FOUND 5/8" IRON ROD WITH ID CAP
(HODDE & HODDE LAND SURVEYING)
UNLESS OTHERWISE NOTED.

BOUNDARY LINES
EASEMENT LINES
BUILDING LINES

LINE TABLE

NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE
L1	N 17°32'49" W	130.06'	L26	S 16°00'12" W	135.74'
L2	S 74°47'56" W	14.92'	L27	S 73°59'48" E	4.16'
L3	N 17°12'25" W	121.35'	L28	S 72°23'45" E	81.70'
L4	S 73°42'59" E	72.12'	L29	S 16°00'12" W	120.01'
L5	S 73°42'59" E	130.79'	L30	S 72°23'45" E	75.05'
L6	S 16°17'31" W	84.27'	L31	S 16°00'12" W	31.70'
L7	S 73°59'48" E	118.62'	L32	S 16°00'12" W	16.10'
L8	S 16°00'12" W	132.51'	L33	S 67°36'53" E	3.91'
L9	N 23°46'15" E	65.94'	L34	S 72°23'45" W	52.16'
L10	S 3°08'24" E	43.41'	L35	N 17°36'15" W	15.00'
L11	N 86°18'43" W	60.00'	L36	S 72°23'45" E	57.50'
L12	N 23°46'15" E	318.59'	L37	S 67°36'53" E	26.53'
L13	N 73°46'05" W	112.43'	L38	S 72°23'45" E	51.67'
L14	N 16°17'25" E	193.05'	L39	S 17°36'15" E	149.05'
L15	S 73°42'29" E	25.05'	L40	S 72°23'45" W	51.67'
L16	S 19°49'44" W	2.37'	L41	N 17°36'15" W	2.00'
L17	S 23°36'58" W	358.42'	L42	N 17°36'15" W	10.00'
L18	N 66°23'02" W	25.00'	L43	S 72°23'45" E	10.00'
L19	N 23°36'58" E	208.76'	L44	S 17°36'15" E	10.00'
L20	S 3°08'24" E	13.22'	L45	S 72°23'45" W	10.00'
L21	N 86°18'43" W	24.75'	L46	N 17°36'15" W	95.65'
L22	S 32°42'52" W	10.00'	L47	N 17°36'15" W	72.99'
L23	S 72°23'45" W	19.70'	L48	S 0°45'19" E	26.23'
L24	S 16°00'12" E	133.72'	L49	S 17°36'15" E	4.19'
L25	S 73°59'48" E	25.00'			

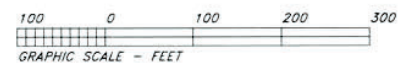
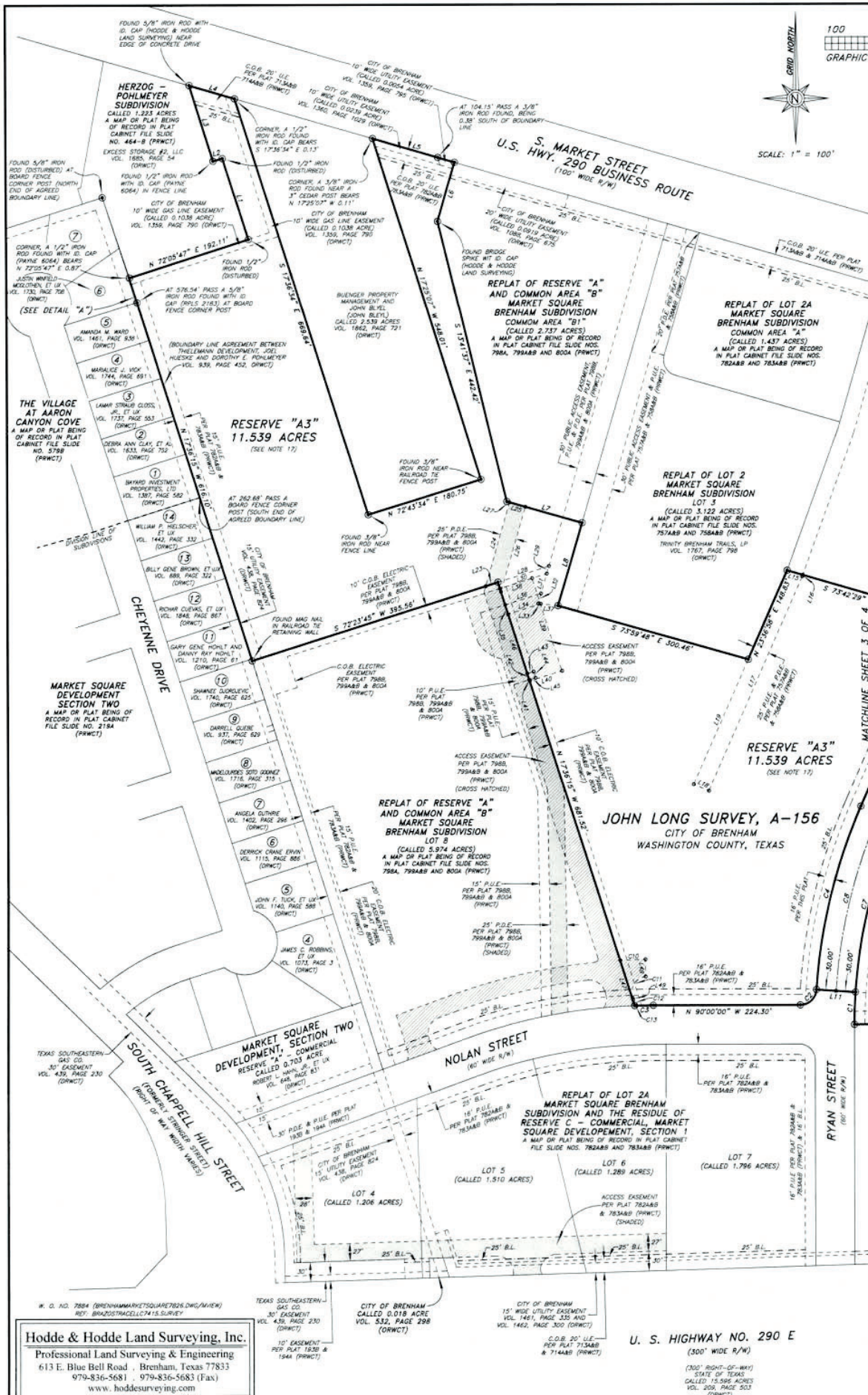
CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	74°17'18"	48.57'	770.00'	N 130°59' E	48.56'
C2	86°18'42"	37.66'	25.00'	S 46°50'59" W	34.20'
C3	15°19'16"	28.31'	830.00'	S 89°01'22" W	28.31'
C4	20°04'58"	290.92'	830.00'	N 13°43'46" E	289.44'
C5	9°27'23"	127.08'	770.00'	N 19°02'54" E	126.94'
C6	9°27'23"	136.90'	830.00'	S 19°02'54" W	136.83'
C7	20°04'58"	269.89'	770.00'	S 13°43'46" W	268.51'
C8	20°04'58"	280.41'	800.00'	N 13°43'46" E	278.98'
C9	9°27'23"	132.04'	800.00'	N 19°02'54" E	131.89'
C10	9°27'23"	38.54'	900.00'	N 88°01'03" E	38.54'
C11	89°13'48"	43.30'	25.00'	S 32°00'39" W	38.09'
C12	21°49'41"	9.52'	25.00'	S 28°51'06" E	9.47'
C13	0°09'52"	2.58'	830.00'	S 88°07'39" W	2.38'

REPLAT OF RESERVE "A2" MARKET SQUARE BRENHAM SUBDIVISION

FORMING RESERVE "A3" (11.539 ACRES),
RESERVE "A4" (13.134 ACRES)
AND DEDICATING 1.466 ACRES OF RIGHT
OF WAY FOR RYAN STREET
CONTAINING 26.139 ACRES TOTAL
JOHN LONG SURVEY, A-156
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying & Engineering
613 E. Blue Bell Road, Brenham, Texas 77833
979-836-5681 979-836-5683 (Fax)
www.hoddesurveying.com



LEGEND

- FOUND 5/8" IRON ROD WITH ID. CAP (HODDE & HODDE LAND SURVEYING) UNLESS OTHERWISE NOTED
- BOUNDARY LINES
- EASEMENT LINES
- BUILDING LINES

LINE TABLE

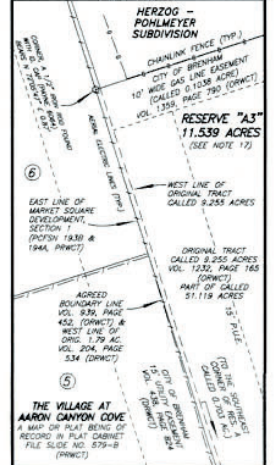
NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE
L1	N 17°32'49" W	130.06'	L26	S 16°00'12" W	135.74'
L2	S 74°47'58" W	14.92'	L27	S 73°59'40" E	4.18'
L3	N 17°12'55" W	121.55'	L28	N 72°23'45" E	81.70'
L4	S 75°42'29" E	72.12'	L29	S 16°00'12" W	12.01'
L5	S 75°42'29" E	130.75'	L30	S 72°23'45" W	75.05'
L6	S 16°17'31" W	84.27'	L31	S 16°00'12" W	31.70'
L7	S 75°59'40" E	118.62'	L32	S 16°00'12" W	16.10'
L8	S 16°00'12" W	132.33'	L33	S 85°36'53" E	3.91'
L9	N 25°46'15" E	65.94'	L34	S 72°23'45" W	52.16'
L10	S 3°08'24" E	43.41'	L35	N 17°36'15" W	15.00'
L11	N 86°12'43" W	40.30'	L36	N 72°23'45" E	57.50'
L12	N 25°46'15" E	318.59'	L37	S 85°36'53" E	26.53'
L13	N 73°48'05" W	112.43'	L38	N 72°23'45" E	51.67'
L14	N 16°17'25" E	193.05'	L39	S 17°36'15" E	149.05'
L15	S 75°42'29" E	25.05'	L40	S 72°23'45" W	51.67'
L16	S 19°49'44" W	2.37'	L41	N 17°36'15" W	2.00'
L17	S 23°36'58" W	358.42'	L42	N 17°36'15" W	10.00'
L18	N 86°23'02" W	25.00'	L43	N 72°23'45" E	10.00'
L19	N 25°46'15" E	208.76'	L44	S 17°36'15" E	10.00'
L20	S 5°08'24" E	13.22'	L45	S 72°23'45" W	10.00'
L21	N 86°35'38" W	24.73'	L46	N 17°36'15" W	95.65'
L22	S 5°24'32" W	10.00'	L47	N 17°36'15" W	72.99'
L23	S 72°23'45" W	19.70'	L48	S 0°45'19" E	26.25'
L24	N 16°00'12" E	133.72'	L49	S 17°36'15" E	4.19'
L25	S 25°59'48" E	25.00'			

CURVE TABLE

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	9°41'18"	49.57'	770.00'	N 17°36'15" E	49.56'
C2	86°18'42"	37.66'	25.00'	S 46°50'39" W	34.20'
C3	1°57'16"	28.31'	830.00'	S 89°01'22" W	28.31'
C4	20°04'58"	290.82'	830.00'	N 15°43'46" E	289.44'
C5	9°27'31"	127.08'	770.00'	N 19°02'54" E	126.94'
C6	9°27'31"	136.99'	830.00'	S 19°02'54" W	136.83'
C7	20°04'58"	269.89'	770.00'	S 15°43'46" W	268.51'
C8	20°04'58"	280.41'	800.00'	N 15°43'46" E	278.98'
C9	9°27'31"	132.04'	800.00'	N 19°02'54" E	131.89'
C10	20°04'58"	35.54'	900.50'	N 88°01'07" E	35.54'
C11	99°13'48"	43.30'	25.00'	S 32°00'59" W	38.09'
C12	21°49'41"	9.52'	25.00'	S 28°31'06" E	9.47'
C13	0°09'52"	2.58'	830.00'	S 86°07'39" W	2.58'

DETAIL "A"

SCALE: 1" = 20'

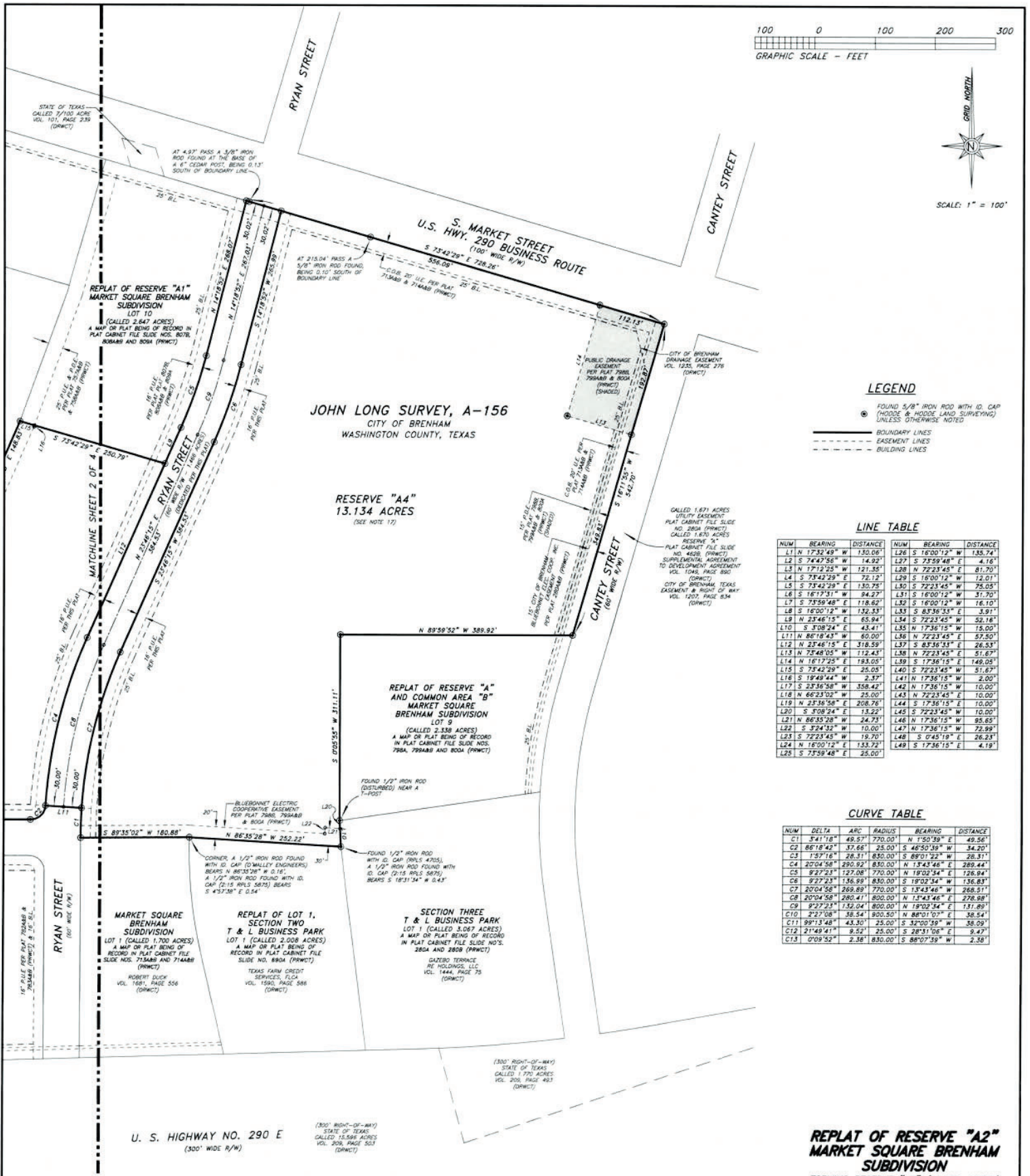


REPLAT OF RESERVE "A2" MARKET SQUARE BRENHAM SUBDIVISION

FORMING RESERVE "A3" (11.539 ACRES), RESERVE "A4" (13.134 ACRES) AND DEDICATING 1.466 ACRES OF RIGHT OF WAY FOR RYAN STREET CONTAINING 26.139 ACRES TOTAL JOHN LONG SURVEY, A-156 CITY OF BRENHAM WASHINGTON COUNTY, TEXAS

Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying & Engineering
613 E. Blue Bell Road, Brenham, Texas 77833
979-836-5681, 979-836-5683 (Fax)
www.hoddesurveying.com

U. S. HIGHWAY NO. 290 E
(300' WIDE R/W)
(300' RIGHT-OF-WAY)
STATE OF TEXAS
CALLED 15.586 ACRES
VOL. 208, PAGE 303 (ORWCT)



W. G. NO. 7884 (BRENNHAMMARKET SQUARE 7825.DWG/MVIEW)
REF: BRAZOSTRACKCELL7415.SURVEY

Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying & Engineering
613 E. Blue Bell Road • Brenham, Texas 77833
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www.hoddesurveying.com

REPLAT OF RESERVE "A2"
MARKET SQUARE BRENHAM SUBDIVISION

FORMING RESERVE "A3" (11.539 ACRES),
RESERVE "A4" (13.134 ACRES)
AND DEDICATING 1.466 ACRES OF RIGHT
OF WAY FOR RYAN STREET
CONTAINING 26.139 ACRES TOTAL

JOHN LONG SURVEY, A-156
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

NOTES:

1. THE BEARINGS SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE GRID SYSTEM, NAD-83 [2011], CENTRAL ZONE 4203. CONVERGENCE ANGLE AT N: 10037905.626" - E: 3544925.146" IS 2'-02"-04.23". COMBINED SCALE FACTOR IS 0.99998033. U.S. SURVEY FEET, UTILIZING TxDOT CONTROL MONUMENTS FOR U.S. HWY. 290. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBERS 48477C0295C AND 48477C0315C, EFFECTIVE DATE AUGUST 16, 2011, CITY OF BRENNHAM, WASHINGTON COUNTY, TEXAS.
3. THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH WASHINGTON COUNTY ABSTRACT COMPANY, TITLE REPORT FILE NUMBER WCTP2200434, DATED NOVEMBER 28, 2022, AT 8:00 AM.
4. SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND BUILDING LINES APPLICABLE TO T&L BUSINESS PARK, AS RECORDED IN PLAT CABINET FILE SLIDE NO. 462B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, POHLMETER SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NO. 463A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, MARKET SQUARE BRENNHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 713A, 713B, 714A & 714B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF LOT 2, MARKET SQUARE BRENNHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 757A, 757B, 758A & 758B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF LOT 2A, MARKET SQUARE BRENNHAM SUBDIVISION AND THE RESERVE OF RESERVE C COMMERCIAL, MARKET SQUARE DEVELOPMENT, SECTION 1, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 782A, 782B, 783A & 783B, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, REPLAT OF RESERVE "A" AND COMMON AREA "B", MARKET SQUARE BRENNHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 798B, 799A, 799B & 800A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS AND REPLAT OF RESERVE "A1", MARKET SQUARE BRENNHAM SUBDIVISION, AS RECORDED IN PLAT CABINET FILE SLIDE NOS. 807B, 808A, 808B & 809A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
5. SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND ACCESS RIGHTS OF MARKET SQUARE BRENNHAM, AS RECORDED IN VOLUME 1681, PAGE 469, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
6. SUBJECT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND ACCESS RIGHTS OF MARKET SQUARE BRENNHAM SUBDIVISION, BRENNHAM, WASHINGTON COUNTY, TEXAS, AS RECORDED IN VOLUME 1803, PAGE 694, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
7. SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND ACCESS RIGHTS OF MARKET SQUARE BRENNHAM SUBDIVISION, BRENNHAM, WASHINGTON COUNTY, TEXAS, AS RECORDED IN VOLUME 1867, PAGE 650, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
8. SUBJECT TO RIGHT OF WAY DEED DATED FEBRUARY 11, 1929, EXECUTED BY WILL KOLWES TO M&M PIPE LINE COMPANY, AS RECORDED IN VOLUME 95, PAGE 6, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. [NOT DETERMINABLE FROM DESCRIPTION PROVIDED]
9. SUBJECT TO RIGHT OF WAY GRANT DATED FEBRUARY 23, 1954, EXECUTED BY WILL KOLWES, SR. TO TEXAS SOUTHEASTERN GAS COMPANY, AS RECORDED IN VOLUME 197, PAGE 455, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. [NOT PLOTTABLE]
10. SUBJECT TO EASEMENT DATED AUGUST 13, 1946, EXECUTED BY WILL KOLWES TO L. HAUSMAN, AS RECORDED IN VOLUME 149, PAGE 222, IN THE DEED RECORDS OF WASHINGTON COUNTY, TEXAS. [NOT PLOTTABLE]
11. THERE IS ALSO DEDICATED FOR UTILITIES AN UNOBSTRUCTED AERIAL EASEMENT FIVE (5) FEET WIDE FROM A PLANE TWENTY (20) FEET ABOVE THE GROUND UPWARD, LOCATED ADJACENT TO THE EASEMENTS SHOWN HEREON.
12. ALL OIL/GAS PIPELINES OR PIPELINE EASEMENTS WITH OWNERSHIP THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND TITLE REPORT DATED NOVEMBER 28, 2022.
13. ALL OIL/GAS WELLS WITH OWNERSHIP (PLUGGED, ABANDONED, AND/OR ACTIVE) THROUGH THE SUBDIVISION HAVE BEEN SHOWN BASED ON ABOVE GROUND EVIDENCE, TEXAS RAILROAD COMMISSION DATA AND TITLE REPORT DATED NOVEMBER 28, 2022.
14. NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACK LINES WILL BE REQUIRED ADJACENT TO OIL/GAS PIPELINES. THE SETBACKS AT A MINIMUM SHOULD BE 15 FEET OFF CENTERLINE OF LOW PRESSURE GAS LINES, AND 30 FEET OFF CENTERLINE OF HIGH PRESSURE GAS LINES.
15. THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
16. THE BUILDING LINES SHOWN ON THIS PLAT SHALL BE IN ADDITION TO, AND SHALL NOT LIMIT OR REPLACE, ANY BUILDING LINES REQUIRED BY THE CITY OF BRENNHAM CODE OF ORDINANCES AT THE TIME OF THE DEVELOPMENT OF THE PROPERTY.
17. BEFORE DEVELOPMENT OF RESERVE "A3" (11.539 ACRES) OR RESERVE "A4" (13.134 ACRES), A PLAT OF THE TRACT SHALL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL ACCORDING TO THE DEVELOPMENT CODE OF THE CITY OF BRENNHAM.
18. (DRWCT) DENOTES DEED RECORDS OF WASHINGTON COUNTY, TEXAS.
(ORWCT) DENOTES OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.
(PRWCT) DENOTES PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.
(PCFSN) DENOTES PLAT CABINET FILE SLIDE NO.
B.L. DENOTES BUILDING LINE
U.E. DENOTES UTILITY EASEMENT
P.U.E. DENOTES PUBLIC UTILITY EASEMENT
D.E. DENOTES DRAINAGE EASEMENT
P.D.E. DENOTES PUBLIC DRAINAGE EASEMENT
C.O.B. DENOTES CITY OF BRENNHAM

SURVEY MAP

SHOWING A SURVEY AND REPLAT FORMING RESERVE "A3" (11.539 ACRES), RESERVE "A4" (13.134 ACRES) AND DEDICATING 1.466 ACRES OF RIGHT OF WAY FOR RYAN STREET, LYING AND BEING SITUATED IN THE CITY OF BRENNHAM, WASHINGTON COUNTY, TEXAS, PART OF THE JOHN LONG SURVEY, A-156, BEING PART OF RESERVE "A2" (CALLED 26.139 ACRES) OF THE REPLAT OF RESERVE "A1", MARKET SQUARE BRENNHAM SUBDIVISION, A MAP OR PLAT OF SAID SUBDIVISION BEING OF RECORD IN PLAT CABINET FILE SLIDE NOS. 807B, 808A, 808B & 809A, IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, SAID RESERVE "A3" (11.539 ACRES) BEING PART OF THE SAME LAND DESCRIBED AS 51.119 ACRES IN THE DEED FROM THE FIRST BAPTIST CHURCH OF BRENNHAM, TEXAS TO BRENNHAM MARKET SQUARE, LP, DATED AUGUST 27, 2018, AS RECORDED IN VOLUME 1644, PAGE 324, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, BEING CORRECTED IN INSTRUMENT DATED AUGUST 31, 2018, AS RECORDED IN VOLUME 1645, PAGE 90, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, AND BEING PART OF THE SAME LAND DESCRIBED AS 1.071 ACRES IN DEED FROM RUSSELL SCHROEDER AND SPOUSE, BROCKE SCHROEDER TO BRENNHAM MARKET SQUARE, LP, DATED JUNE 25, 2020, AS RECORDED IN VOLUME 1727, PAGE 904, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, SAID RESERVE "A4" (13.134 ACRES) AND SAID 1.466 ACRES OF RIGHT OF WAY DEDICATED FOR RYAN STREET BEING PART OF THE SAME LAND DESCRIBED AS 51.119 ACRES IN THE DEED FROM THE FIRST BAPTIST CHURCH OF BRENNHAM, TEXAS TO BRENNHAM MARKET SQUARE, LP, DATED AUGUST 27, 2018, AS RECORDED IN VOLUME 1644, PAGE 324, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, BEING CORRECTED IN INSTRUMENT DATED AUGUST 31, 2018, AS RECORDED IN VOLUME 1645, PAGE 90, IN THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS.

CERTIFICATION

THE STATE OF TEXAS
COUNTY OF WASHINGTON

I, JON E. HODDE, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5197 OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS MAP SHOWING A SURVEY AND REPLAT OF 26.139 ACRES OF LAND IS TRUE AND CORRECT IN ACCORDANCE WITH AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY PERSONAL DIRECTION AND SUPERVISION.

DATED THIS 10TH DAY OF FEBRUARY, 2023, A.D.



JON E. HODDE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5197
HODDE & HODDE LAND SURVEYING, INC.
613 EAST BLUE BELL ROAD
BRENNHAM, TEXAS 77833
(979)-836-5681
TBP&L'S SURVEY FIRM REG. NO. 10018800

Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying & Engineering
613 E. Blue Bell Road, Brenham, Texas 77833
979-836-5681, 979-836-5681 (Fax)
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REPLAT OF RESERVE "A2"
MARKET SQUARE BRENNHAM SUBDIVISION
FORMING RESERVE "A3" (11.539 ACRES), RESERVE "A4" (13.134 ACRES)
AND DEDICATING 1.466 ACRES OF RIGHT OF WAY FOR RYAN STREET
CONTAINING 26.139 ACRES TOTAL
JOHN LONG SURVEY, A-156
CITY OF BRENNHAM, WASHINGTON COUNTY, TEXAS

OWNER/DEVELOPER
BRENNHAM MARKET SQUARE, LP
1722 BROADMOOR DRIVE, SUITE 212
BRYAN, TEXAS 77802
PHN. 979-774-2900

OWNER ACKNOWLEDGMENT

WE, BRENNHAM MARKET SQUARE, LP, THE OWNERS OF THE LAND DESCRIBED HEREON AND WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY ACKNOWLEDGE THE CHANGES TO SAID PROPERTY IN ACCORDANCE WITH THE PLAT SHOWN HEREON. THE PLATTED PROPERTY REMAINS SUBJECT TO EXISTING DEDICATIONS, COVENANTS, RESTRICTIONS AND EASEMENTS EXCEPT AS SHOWN OR STATED HEREON.

BY: Paul J. Loranis
(SIGNATURE)
Paul J. Loranis, Resident
(PRINTED NAME & TITLE)
BY: Brenham Market Square, LP, LLC,
a Texas limited liability company
ITS: General Partner
NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF Brazos

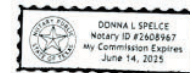
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 10th

DAY OF June, 2024, BY Paul J. Loranis

Donna L. Spelce

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)



LIENHOLDERS' ACKNOWLEDGMENT AND SUBORDINATION STATEMENT

WE, EXTRACO BANKS, N.A., THE OWNERS AND HOLDERS OF A LIEN AGAINST THE PROPERTY DESCRIBED HEREON, DO HEREBY IN ALL THING SUBORDINATE TO SAID PLAT OF WASHINGTON COUNTY, TEXAS. SAID LIEN AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: Steve Mobley
(SIGNATURE)
Steve Mobley City President
(PRINTED NAME & TITLE)

NOTARY PUBLIC ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF Brazos

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 10th

DAY OF June, 2024, BY Steve Mobley

City President of Extraco Banks N.A.

Candy Feldon

NOTARY PUBLIC, STATE OF TEXAS

(SEAL)



PLANNING AND ZONING COMMISSION APPROVAL

APPROVED THIS 27th DAY OF February, 2023 BY
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BRENNHAM, TEXAS.

WLB

CHAIRMAN

William K. Kasper

SECRETARY

COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

THE STATE OF TEXAS
COUNTY OF WASHINGTON

I, Beth Rothmund, CLERK OF THE COUNTY COURT OF WASHINGTON COUNTY, TEXAS DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON THE 14th DAY OF June, 2024, AT 10:50 O'CLOCK, A.M., AND DULY RECORDED ON THE 14th DAY OF June, 2024, AT 10:50 O'CLOCK, A.M. IN CABINET 850 A+B SHEET 850 A+B OF RECORD IN THE PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE, AT BRENNHAM, WASHINGTON COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

William Schulte
CLERK OF THE COUNTY COURT
WASHINGTON COUNTY, TEXAS



Development Services and Engineering Division

200 W. Vulcan St.
Brenham, Texas 77833

P.O. Box 1059
Brenham, Texas 77834-1059

January 17, 2025

Brenham Market Square, LP
1722 Broadmoor Dr, Suite 212
Bryan, Texas 77802

ATTN: Paul Leventis

RE: ACCEPTANCE OF STREETS AND STORM SEWER LINES
Brenham Market Square, Phases 3 & 4

Dear Mr. Leventis:

Please be advised that the streets and storm sewer in Brenham Market Square, Phases 3 & 4 have been accepted by the City of Brenham as shown below:

Streets

Street	Traveling Direction	Beginning		Ending		Length (ft)	Pavement Width (ft)	Pavement (sf)	Dollar Value
		Lat	Long	Lat	Long				
Ryan Street (BMS PH 4)	N	N30° 08' 38.64"	W96° 22' 41.60"	N30° 8'48.62"	W96°22'37.34"	1083	41	44,403	\$528,625.00

Storm Sewers

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft)	Pipe Size (in)	Dollar Value
		Lat	Long	Lat	Long			
Ryan St (BMS PH 3)	Academy PUE	30° 8'38.91"N	96°22'46.40"W	30° 8'41.23"N	96°22'46.34"W	237	36" HDPE (x2)	\$ 73,227.54
Ryan St (BMS PH 3)	Academy PUE	30° 8'41.23"N	96°22'46.34"W	30° 8'41.86"N	96°22'46.33"W	61	36" HDPE (x2)	\$ 18,847.60
Ryan St (BMS PH 3)	Academy PUE	30° 8'41.86"N	96°22'46.33"W	30° 8'43.13"N	96°22'46.79"W	140	36" HDPE (x2)	\$ 43,256.78
Ryan St (BMS PH 3)	Academy PUE	30° 8'43.13"N	96°22'46.79"W	30° 8'44.77"N	96°22'47.31"W	173	36" HDPE (x2)	\$ 53,453.02
Ryan St (BMS PH 3)	Academy PUE	30° 8'44.77"N	96°22'47.31"W	30° 8'46.37"N	96°22'46.72"W	171	36" HDPE (x2)	\$ 52,835.06
Ryan St (BMS PH 4)	E	30° 8' 38.62" N	96° 22' 41.31" W	30° 8' 39.27" N	96° 22' 41.24" W	34	24" RCP	\$ 5,419.42
Ryan St (BMS PH 4)	E	30° 8' 39.27" N	96° 22' 41.24" W	30° 8' 40.88" N	96° 22' 40.66" W	175	24" HDPE	\$ 24,919.06
Ryan St (BMS PH 4)	Across	30° 8' 40.88" N	96° 22' 40.66" W	30° 8' 41.07" N	96° 22' 41.11" W	44	24" HDPE	\$ 6,265.36

Ryan St (BMS PH 4)	E	30° 8' 40.88" N	96° 22' 40.66" W	30° 8' 43.24" N	96° 22' 39.35" W	261	30" HDPE	\$ 39,514.00
Ryan St (BMS PH 4)	Across	30° 8' 43.24" N	96° 22' 39.35" W	30° 8' 43.41" N	96° 22' 39.80" W	44	24" HDPE	\$ 6,265.36
Ryan St (BMS PH 4)	E	30° 8' 43.24" N	96° 22' 9.35" W	30° 8' 45.48" N	96° 22' 38.17" W	252	30" HDPE	\$ 38,151.45
Ryan St (BMS PH 4)	Across	30° 8' 45.48" N	96° 22' 38.17" W	30° 8' 45.62" N	96° 22' 38.66" W	44	24" HDPE	\$ 6,265.36
Ryan St (BMS PH 4)	E	30° 8' 45.48" N	96° 22' 38.17" W	30° 8' 48.24" N	96° 22' 37.24" W	292	48" HDPE	\$ 50,047.23
Ryan St (BMS PH 4)	Across	30° 8' 48.24" N	96° 22' 37.24" W	30° 8' 48.38" N	96° 22' 37.72" W	45	48" HDPE	\$ 7,712.76
Market Street PUE (BMS PH 4)	S	30° 8' 48.38" N	96° 22' 37.72" W	30° 8' 48.89" N	96° 22' 39.51" W	171	48" HDPE	\$ 29,308.48
Market Street PUE (BMS PH 4)	S	30° 8' 48.89" N	96° 22' 39.51" W	30° 8' 49.14" N	96° 22' 40.31" W	71	48" HDPE	\$ 12,169.02
PUE (BMS PH 4)	n/a	30° 8' 49.14" N	96° 22' 40.31" W	30° 8' 48.83" N	96° 22' 40.45" W	36	24" HDPE	\$ 5,126.21
PUE (BMS PH 4)	n/a	30° 8' 48.83" N	96° 22' 40.45" W	30° 8' 47.06" N	96° 22' 41.13" W	186	24" HDPE	\$ 26,485.40
PUE (BMS PH 4)	n/a	30° 8' 47.06" N	96° 22' 41.13" W	30° 8' 44.84" N	96° 22' 42.08" W	243	24" HDPE	\$ 34,601.89

Date of Acceptance: February 6, 2025

One year warranty period begins on **February 6, 2025** and ends on **February 6, 2026** for the infrastructure listed above. One year surface correction warranty period begins on that end date and extends the warranty for surface corrections to streets one additional year.

Sincerely,

Stephanie Doland
Director of Development Services
City of Brenham

Cc: Tim Wolff, P.E., Bleyl Engineering, TWolff@bleylengineering.com
Austin Love, ALove@BuiltByTRW.com



Development Services and Engineering Division

200 W. Vulcan St.
Brenham, Texas 77833

P.O. Box 1059
Brenham, Texas 77834-1059

January 17, 2025

Brenham Market Square, LP
1722 Broadmoor Dr, Suite 212
Bryan, Texas 77802

ATTN: Paul Leventis

RE: ACCEPTANCE OF WATER AND WASTEWATER LINES
Brenham Market Square, Phase 3 & 4

Dear Mr. Leventis,

Please be advised that the water and wastewater lines in Brenham Market Square, Phases 3 and 4 have been accepted by the City of Brenham as shown below:

Wastewater Lines

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft)	Pipe Size (in)	Dollar Value
		Lat	Long	Lat	Long			
Market St. PUE (BMS PH 4)	S	N030° 08' 50.07"	W096° 22' 43.69"	30° 8' 49.37"N	96°22' 41.48"W	164	8	\$ 12,889.65
Market St. PUE (BMS PH 4)	S	30° 8' 49.37"N	96°22' 41.48"W	30° 8' 49.06"N	96°22' 40.21"W	156	8	\$ 12,260.88
Market St. PUE (BMS PH 4)	S	30° 8' 49.06"N	96°22' 40.21"W	30° 8' 48.47"N	96°22' 37.93"W	221	8	\$ 17,369.58
Market St. PUE (BMS PH 4)	Across	30° 8' 48.47"N	96°22' 37.93"W	30° 8' 48.06"N	96°22' 37.14"W	84	8	\$ 6,602.01
Market St. PUE (BMS PH 4)	W	30° 8' 48.47"N	96°22' 37.93"W	30° 8' 45.44"N	96°22' 38.88"W	312	8	\$ 24,521.76
Market St. PUE (BMS PH 4)	W	30° 8' 45.44"N	96°22' 38.88"W	30° 8' 41.79"N	96°22' 40.90"W	410	8	\$ 32,224.11

Water

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft)	Pipe Size (in)	Dollar Value
		Lat	Long	Lat	Long			
BMS PH 3	Academy PUE	30° 8'38.45"N	96°22'46.64"W	30° 8'44.89"N	96°22'46.21"W	731	10	\$ 72,492.00
Ryan St. (BMS PH 4)	E	N030° 08' 38.57"	W096° 22' 41.25"	30° 8'48.29"N	96°22'37.09"W	1076	8	\$113,150.00

Date of Acceptance: February 6, 2025

One year warranty period begins on **February 6, 2025** and ends on **February 6, 2026** for the infrastructure listed above.

Sincerely,

Stephanie Doland
Director of Development Services
City of Brenham

Cc: Tim Wolff, P.E., Bleyl Engineering, TWolff@bleylengineering.com
Austin Love, ALove@BuiltByTRW.com



City Council Regular Meeting
AGENDA ITEM 11

Agenda Item: Discuss and Possibly Act Upon Resolution No. R-25-008 for a Variance to Allow the Replacement of a Changeable Electronic Variable Message Sign (CEVMS) for the Washington County Expo Center Located at 1305 E. Blue Bell Road, Brenham, Texas

Meeting Date: February 6, 2025

Department: Development Services

Staff Contact: Shauna Laauwe, City Planner

SUMMARY STATEMENT:

Please see attached staff report.

ATTACHMENTS:

1. Staff Report - Washington County Expo CEVMS Sign
2. R-25-008 - Washington County Expo CEVMS

RECOMMENDATION:

Approve Resolution No. R-25-008 for a variance to allow the replacement of a Changeable Electronic Variable Message Sign (CEVMS) for the Washington County Expo Center located at 1305 E. Blue Bell Road, Brenham, Texas.

WASHINGTON COUNTY EXPO REQUEST FOR A CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN

REQUEST:

Washington County Expo has formally requested approval by the Brenham City Council for the replacement of their existing electronic message signage for the Washington County Expo Center located at 1305 East Blue Bell Road. The sign ordinance is found in Chapter 21 of the City of Brenham Code of Ordinances and was adopted by Ordinance O-19-020 in June 2019. Section 21-9 of the Sign Ordinance regulates Changeable Electronic Variable Message Signs (CEVMS). This section regulates the location, operation, size, and fuel/gas price electronic signs. Section 21-9(1) stipulates the locations of CEVMS and permits them only on property adjacent to US Hwy 290 East and West (not business US 290) and US State Hwy 36 North and South (not business SH 36). Section 21-9(1)(c) does allow CEVMS to be permitted on properties not adjacent to the aforementioned thoroughfares upon application to, and approval, by City Council. The following criteria must be met:

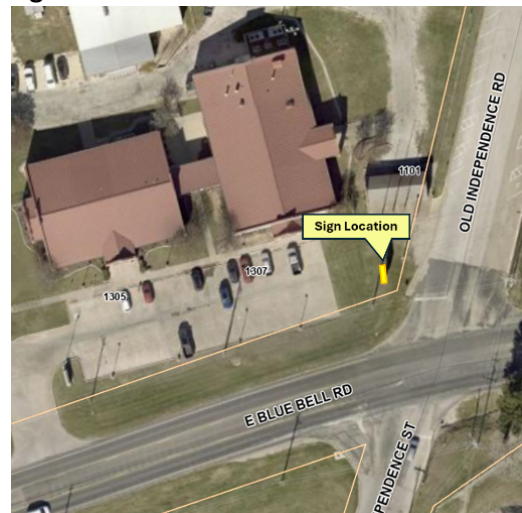
- i. Granting the request would not be materially detrimental to property in the general vicinity;
- ii. Granting the request would not be contrary to the general objectives of this (the Sign) chapter;
- iii. Granting the request would not increase the total signage allotment allowed by this chapter on the subject property.

The existing CEVM sign for the Washington County Expo is located at 1305 E Blue Bell Road, which is not adjacent to either US Hwy 290 or SH 36. The existing sign is legally nonconforming as it was constructed before the current sign ordinance with Changeable Electronic Variable Message Signs (CEVMS) provisions were adopted on June 20, 2019. In the written request for the sign variance (Exhibit C), Mr. Harrison Williams, Director of the Washington County Expo states that the intent is to improve quality, efficiency, and visibility with an updated digital display that will provide better clarity and enhance communication with the community. Therefore, Washington County Expo is requesting City Council approval to allow for the replacement of the CEVMS, to be placed at 1305 E. Blue Bell Road.

BACKGROUND and ANALYSIS:

As shown on the map in Figure 1, the Washington County Expo office site is generally located on the northwest corner of E. Blue Bell Street and Old Independence Road, with the building orientation facing E. Blue Bell Road and the existing/proposed sign at the eastern edge of the property at the intersection. The existing pole sign was constructed in 2003 and is legally nonconforming in overall sign height with a height of 16.5 feet when the current regulations restrict the sign height to a maximum of 15 feet where road speeds are 40-50 mph, and for having a CEVMS sign that is not adjacent to US 290 or SH 36. As shown in Figure 2, is 16.5-foot in overall height and is a double-faced ground sign that is comprised of 3 separate panels on each sign face. The

Figure 1



top sign panel identifies Washington County Fairgrounds & Event Center and is 42.5" x 108" (3.54' x 9') for 31.875 square feet, the middle panel is the existing CEVMS that is 29.5" x 108" (2.458' x 9') for 22.12 square feet and the bottom panel advertising Bud Light and being 30" x 108" (2.5' x 9') for 22.5 square feet, with the overall sign face on each side being 76.5 square feet. The proposed new signage is shown in Figure 3. The applicant proposes to revise the sign panels, but to keep the foundation, overall sign height and total sign face area of 76.5 square feet. The proposed revisions include removing the bottom "Bud Light" panel and increasing the size of the top identifying sign panel to 52" x 108" (4.33' x 9') for 39 square feet and increasing the existing electronic signage to a 50" x 108" (4.167' x 9') for a 37.5 square foot fully colored and LED CEVMS. The proposed new signage would not increase the overall amount of signage of 76.5 square feet per sign face. The static signage located above the CEVMS would slightly increase from 31.875 square feet to 39 square feet, while the CEVMS portion would also increase from 22.12 square feet to a sign area of 37.5 square feet.

Figure 2: Existing signage

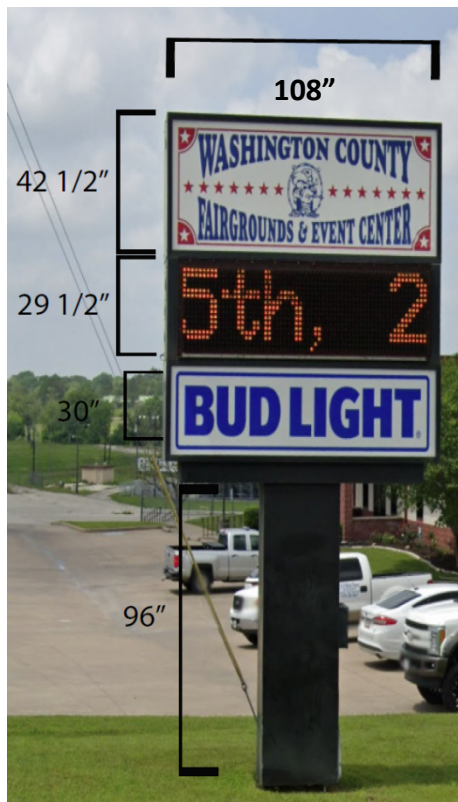
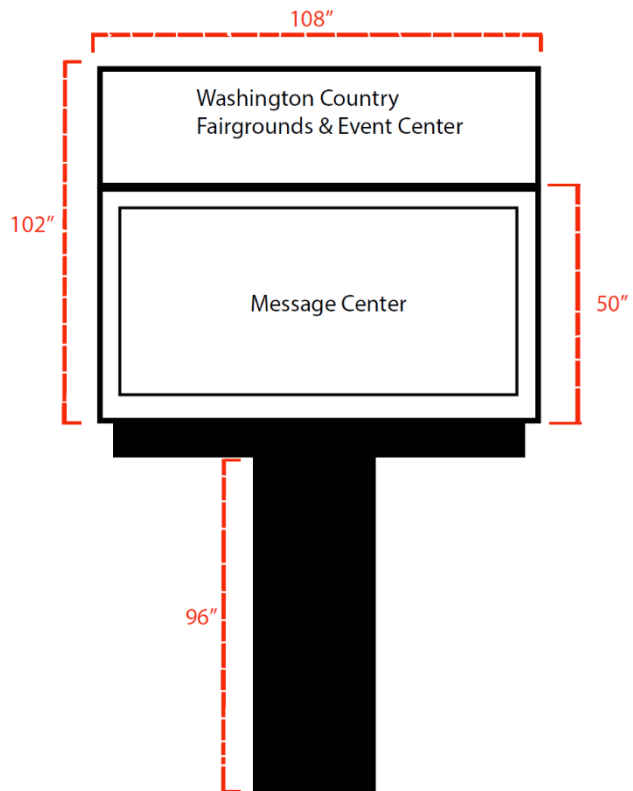


Figure 3: Proposed signage



PROPOSED AMENDMENTS:

Sign Area: CEVMS: 22.12 SF
Overall (3 panels): 76.50 SF

Sign Area: CEVMS: 37.50 SF
Overall: 76.50 SF

As stated previously, Section 21-9(1)(c) does allow CEVMS to be permitted on properties not adjacent to either US Highway 290 or SH 36 upon application to, and approval, by city council. With the following criteria must be met:

1. Granting the request would not be materially detrimental to property in the general vicinity.

The subject property is a large 56-acre site with nearby properties being predominately public use facilities owned by Washington County, City of Brenham and Brenham ISD entities. In addition, the existing/proposed location of the sign will not be visible to any residential neighborhoods.

2. Granting the request would not be contrary to the general objectives of this chapter.

The general limitations on CEVMS locations and operation are intended to improve traffic safety by reducing distractions to drivers and to provide a pleasing visually attractive environment by reducing sign clutter and of signs that have continuous messaging. The proposed signage is intended to provide timely and immediate information to members of the community regarding local Washington County events and, if necessary, emergency messaging. As the signage is located on the large 56-acre fairground site and is in an area of predominantly public uses; staff find that the proposed sign is not contrary to the general objectives of the sign ordinance.

3. Granting the request would not increase the total signage allotment allowed by this chapter on the subject property.

Properties that are permitted to have CEVMS along US HWY 290 and SH 36, are limited to one (1) sign structure with two (2) sign faces not to exceed 64 square feet per sign face. While the proposed CEVMS portion of the sign is requested to increase by 15 square feet to 37.5 square feet per sign face, the request is approximately 59 percent of the maximum amount. The existing sign is legally nonconforming because the sign was constructed before City Council approval of the sign ordinance and exceeds the current height and size allotment of the ordinance. The amount of sign area and height for ground signs is determined by the posted speed limit on the adjacent right-of-way. At the proposed sign location, East Blue Bell Road has a posted speed limit of 45mph, which allows a maximum sign face of 128 square feet and overall height of 15 feet. The existing and proposed sign conforms with 76.5 square feet per sign face, but nonconforming with an overall height of 16.5 feet. As the proposed sign will retain the main ground sign foundation, the overall height will remain at 16.5 feet. The overall proposed sign area will not increase and will redistribute the existing 76.5 square foot sign face area from three sign panels to two. The sign regulations for ground signs are largely intended for commercial (nonresidential uses). Given that the Washington County Fairgrounds and Expo Center is a public facility and that the CEVMS is approximately 60 percent the maximum allotted sign face area of 64 square feet, Staff finds that the propose CEVMS would not be against the spirit and intentions of the sign ordinance.

STAFF RECOMMENDATION:

Staff recommends **approval** of a Resolution to allow the Washington County Fairgrounds and Expo Center a Changeable Electronic Variable Message Sign (CEVM) to be located at the Washington County fairground site located at 1305 E. Blue Bell Road.

Attachment:

1. Exhibit "A": Request Letter from Washington County Expo
2. Exhibit "B": Sign Details

EXHIBIT "A"
REQUEST LETTER FROM WASHINGTON COUNTY EXPO

Request for Sign Variance for Replacement of Existing Digital Sign

Dear Members of the Brenham City Council,

I am writing to formally request a variance for the replacement of an existing digital sign located at 1305 East Blue Bell Rd, Brenham TX. The proposed replacement will result in a marginal increase in the Changeable Electronic Variable Message Sign (CEVMS) component but will not impact the total square footage of the existing sign structure.

The intent of this replacement is to improve the quality, efficiency, and visibility of the digital display while complying with the spirit of the city's overall signage regulations. The updated sign will enhance communication with the community and provide better clarity for messaging without altering the current footprint or creating any additional visual or environmental impact.

I understand the importance of maintaining the aesthetic and safety standards set forth by the City of Brenham, and I assure you that the proposed sign upgrade will be designed to align with these principles. Additionally, we are committed to adhering to all applicable operational guidelines, including brightness controls and message transition requirements, to minimize any potential concerns.

I respectfully request the Council's consideration of this variance and would appreciate the opportunity to discuss this matter further. Please let me know if any additional documentation or information is required. I am happy to provide details and work with the city to ensure a smooth approval process.

Thank you for your time and consideration. I look forward to your response.

Sincerely,

Harrison Williams |

Director of the Washington County Expo

EXHIBIT "B"
SIGN DETAILS



RESOLUTION NO. R-25-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, APPROVING A REPLACEMENT CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN (CEVMS) TO BE LOCATED AT THE WASHINGTON COUNTY EXPO CENTER BASED ON CRITERIA LISTED IN THE CITY OF BRENHAM SIGN ORDINANCE; AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, the Washington County Expo Center, located at 1305 East Blue Bell Road, has an existing nonconforming Changeable Electronic Variable Message Sign (CEVMS) that needs replacement and updating; and

WHEREAS, the Washington County Expo Center is the headquarters and site of the Washington County Fairgrounds that encompasses approximately 52.35 acres of land, and is also the main Washington County event center which requires the timely display of events and announcements; and

WHEREAS, the City of Brenham Code of Ordinances, Chapter 21 - Signs, Section 21-9 – Changeable Electronic Variable Message Signs (CEVMS) are only permitted on property adjacent to U.S. HWY 290 or State Highway 36 unless another location for a CEVMS is approved by the City Council; and

WHEREAS, the City Council finds the proposed CEVMS sign replacement meets the criteria for approval described by Section 21-9 (1) (c) of the City of Brenham Sign Ordinance, as follows:

1. Granting the request would not be materially detrimental to property in the general vicinity as the sign is not within the view of a residential neighborhood, with nearby properties being predominately public use facilities owned by Washington County, City of Brenham and Brenham ISD entities; and
2. granting the request would not be contrary to the general objectives of the City of Brenham Sign Ordinance; and
3. granting the request would not increase the total signage allotment allowed on the subject property by the City of Brenham Sign Ordinance.

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

The City of Brenham hereby approves a replacement Changeable Electronic Variable Message Sign (CEVMS) to be located at 1305 East Blue Bell Road, as depicted on Exhibit “A” and Exhibit “B” attached hereto and incorporated herein for all purposes pertinent, in the City of Brenham, Texas and authorizes the Mayor to execute any necessary documentation.

RESOLVED this 6th day of February 2025.

Atwood C. Kenjura
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit "A"
Replacement CEVM Sign and Specifications



Exhibit "B" Location Map



**Washington County Expo Center
1305 East Blue Bell Road
Changeable Electronic Variable Message Sign Request**





City Council Regular Meeting **AGENDA ITEM 12**

Agenda Item: Discuss and Possibly Act Upon RFP No. 25-007 for the Construction of the Brenham Fire Station No. 2 and Authorize the Mayor to Execute Any Necessary Documentation

Meeting Date: February 6, 2025

Department: Purchasing

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

SUMMARY STATEMENT:

On November 20, 2024, the City of Brenham purchasing services and BRW Architects opened proposals for the construction of Brenham Fire Station No. 2. There was a total of nine (9) proposals received, ranging from \$6,218,005.00 to \$7,123,625.00. After the proposal opening, a 5-member evaluation committee was put together and each proposal was scored based on the following scoring factors; Cost= 50 points, firm's qualifications, relevant experience, & references = 20 points, relevant experience and qualifications of key personnel = 15 points, and subcontractor support and experience = 15 points. Scores were totaled and Collier Construction Company, who had the lowest submitted proposal at \$6,218,005.00, scored the highest with 404.835 points.

Collier's total proposal is broken down into 3 parts: total Base Proposal of \$5,843,300.00, allowance No. 1- cost to include temporary casing of drilled concrete piers, \$124,705.00, and allowance No. 2- Owners Contingency allowance \$250,000.00. City staff and BRW have reached out to Collier for any value engineering options and have since had two meetings to discuss any potential savings. The new proposed total after VE, including allowances, is \$6,197,085.

Collier Construction Company has completed other projects for the city, such as the Modernization of the Nancy Carol Roberts Memorial Library and the construction of the Brenham Pet Adoption and Animal Care Facility, both of which were awarded in 2015, and most recently, Collier Construction completed the Crossover Nature Trail located at Hohlt Park. Collier has been a great contractor for the city, and we look forward to getting this project started.

ATTACHMENTS:

1. Bid Tabulation - Brenham Fire Station No. 2
2. Evaluation Totals
3. Voluntary Alternates
4. Proposed Fire Station No. 2 Photos

RECOMMENDATION:

Approve the award of RFP No. 25-007 for the construction of the Brenham Fire Station No. 2 to Collier Construction Company in an amount not to exceed \$6,197,085.00 and authorize the Mayor to execute any necessary documentation.



BID TABULATION SHEET

Project: RFP 25-007- BRENHAM FIRE STATION #2
Location: Conference Room 2a, Brenham City Hall

November 20, 2024
2:00PM

FIRM NAME

Collier Construction Inc.	Construction LTD	LDF Construction	Chappell Hill Construction Company
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BASE PROPOSAL

Total Base Proposal	\$5,843,300.00	\$6,253,000.00	\$6,255,000.00	\$6,300,000.00
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ALLOWANCES

Allowance No. 1	\$124,705.00	\$51,962.00	\$58,445.00	\$53,340.00
Allowance No. 2	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00

TOTAL BASE PROPOSAL + ALLOWANCES	\$6,218,005.00	\$6,554,962.00	\$6,563,445.00	\$6,603,340.00
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FIRM NAME

Dudley Construction	SCI Construction	Tegrity Contractors	CA Walker
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BASE PROPOSAL

Total Base Proposal	\$6,367,000.00	\$6,518,585.00	\$6,577,777.00	\$6,620,000.00
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ALLOWANCES

Allowance No. 1	\$88,900.00	\$48,195.00	\$48,265.00	\$71,700.00
Allowance No. 2	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00

TOTAL BASE PROPOSAL + ALLOWANCES	\$6,705,900.00	\$6,816,780.00	\$6,876,042.00	\$6,941,700.00
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FIRM NAME

SpawGlass			
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BASE PROPOSAL

Total Base Proposal	\$6,820,000.00			
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ALLOWANCES

Allowance No. 1	\$53,625.00			
Allowance No. 2	\$250,000.00			

TOTAL BASE PROPOSAL + ALLOWANCES	\$7,123,625.00			
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RFP- 25-007 Brenham Fire Station #2 Rating Sheet Totals

	CA Walker	Chappell Hill	Collier	Const. LTD	Dudley	LDF Const.	SCI Const.	Spaw Glass	Tegrity Const.
Committee Member 1	48.75	60.5	95	78.75	54.25	74.75	41.875	46.875	39.125
Committee Member 2	32.75	51.5	84	83.75	37.75	70.75	33.875	40.875	18.125
Committee Member 3	19.04	31.125	61.835	73.115	42.25	62.535	28.75	16.435	9.542
Committee Member 3	45.75	54.5	83	77.75	28.85	72.75	34.11	46.875	27.58
Committee Member 5	33.75	53.5	81	81.75	40.25	68.75	32.875	29.875	25.125
TOTALS	180.04	251.125	404.835	395.115	203.35	349.535	171.485	180.935	119.497



Date: 01/08/2025

All items below are subject to Architect and/or Engineer approval

Bid Amount	Accepted	Declined	Pending
Voluntary Alternates	(\$20,920)	(\$167,554)	(\$49,700)
Summary of Voluntary & Bid Alternates			
Base Bid:			\$6,218,005
Bid Alternates:			
Voluntary Alternates:			(\$20,920)
Total Contract			\$ 6,197,085

FRONT



SIDE



City Council Regular Meeting
AGENDA ITEM 13

Agenda Item: Discuss and Possibly Act Upon the Appointment of Nine Members (Places 1 Through 9) to Serve on the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of Two Years Beginning January 1, 2025 and Authorize the Mayor to Execute Any Necessary Documentation

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

In 2023, the full City Council was appointed to serve on the TIRZ Board in Places 1-7, BCDC Board member Gary Crocker was appointed to Place 8 and Tom Whitehead was appointed to Place 9.

All of these appointments expired on December 31, 2024. This item is to reappoint the same nine members for a term of 2-years, expiring on December 31, 2026.

ATTACHMENTS:

None

RECOMMENDATION:

Approve the appointment of the Mayor and all Councilmembers (Wards 1 through 4 and At Large Places 5 and 6), and Gary Crocker to Place 8, and Tom Whitehead to Place 9 of to serve on the Tax Increment Reinvestment Zone No. 1 Board of Directors for a period of two years beginning January 1, 2025 and authorize the Mayor to execute any necessary documentation.



City Council Regular Meeting
AGENDA ITEM 14

Agenda Item: Discuss and Possibly Act Upon the Appointment of a Board Member to Serve as Chairman of the Tax Increment Reinvestment Zone No. 1 Board of Directors for a Period of One Year Beginning January 1, 2025 and Authorize the Mayor to Execute Any Necessary Documentation

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

This agenda item is to appoint a Chairman for the TIRZ Board to serve for calendar year 2025. The Council can appoint any member of the TIRZ Board to serve as the Chairman.

ATTACHMENTS:

None

RECOMMENDATION:

Approve the appointment of a Board Member to serve as Chairman of the Tax Increment Reinvestment Zone No. 1 Board of Directors for a period of one year beginning January 1, 2025, and authorize the Mayor to execute any necessary documentation.



City Council Regular Meeting
AGENDA ITEM 16

Agenda Item: **Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding Legal Matters and Possible Acquisition of Real Property Related to the Texas Department of Transportation U.S. Highway 290/State Highway 36 Interchange Project, and Associated Matters**

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action - Executive Session discussion only.



City Council Regular Meeting
AGENDA ITEM 17

Agenda Item: **Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Concerning City of Brenham's Police Department Operations, Personnel, and Associated Matters**

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action - Executive Session discussion only.



City Council Regular Meeting
AGENDA ITEM 18

Agenda Item: **Section 551.071, Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Demand Letter Received by City of Brenham, and Associated Matters**

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action - Executive Session discussion only.



City Council Regular Meeting
AGENDA ITEM 19

Agenda Item: **Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Randall Patterson v. City of Brenham, Texas; Cause No. 38495; 335th Judicial District Court, Washington County, Texas**

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

No action - Executive Session discussion only.



City Council Regular Meeting
AGENDA ITEM 20

Agenda Item: Discuss and Possibly Act Upon Matters Related to Randall Patterson v. City of Brenham, Texas; Cause No. 38495; 335th Judicial District Court; Washington County, Texas and Associated Issues, Including But Not Limited to Retaining Litigation Counsel

Meeting Date: February 6, 2025

Department: Administration

Staff Contact: Carolyn Miller, City Manager

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDATION:

As discussed in Executive Session.