Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Tuesday, January 7, 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, General Manager of Public Utilities William Bissette, Assistant General Manager of Public Utilities Alton Sommerfield, Director of Water/Wastewater Bobby Keene, Director of Public Works Dane Rau, Chief Financial Officer Julie Flagg, Fire Chief Mark Donovan, Assistant Fire Chief David Cella, Police Chief Lloyd Powell, Assistant Police Chief Curtiss Schoen, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Robin Hutchens, Kyle Branham, Shawn Bolenbarr, Jared Beckendorff, Josh Sebastian, Justin Schroeder, Carrie Derkowski, JoAnne Hynes, Dwayne Grayson, Mark Pierce, Tiwanna Brown, Jonas Lacina, Kevin Boggus, Stephen Draehn, and Steven Eilert.

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 - Councilmember Paul**

LaRoche

3. **Swearing-In Ceremony of Presiding Municipal Court Judge Jonas Lacina**

4. **Service Recognitions**

   - **Dwayne Grayson - Facility and Fleet Maintenance - 10 Years**
   - **Justin Schroeder - Fire Department - 15 Years**
   - **Josh Sebastian - Fire Department - 15 Years**

5. **Citizen Comments**

   No comments were heard.

CONSENT AGENDA

6. **Statutory Consent Agenda**

   6.a. Approve the Minutes from the December 19, 2024, Regular City Council Meeting

   6.b. Approve Resolution No. R-25-001 Approving the Texas Settlement Subdivision Participation and Release Forms Related to the Kroger Opioid Litigation Settlement

   6.c. Approve the Ratification of a Grant Payment to BK Stringer, Ltd. in the Amount of $86,610.32 as Outlined in the Chapter 380 Economic Development Agreement Between the City of Brenham and BK Stringer, Ltd. 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 6.a. through 6.c. 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

WORK SESSION

7. Presentation and Discussion on the FY2023-24 Financial Reports

Chief Financial Officer Julie Flagg presented this item. Flagg stated the financial performance of each fund for the fiscal year ending September 30, 2024 ended as follows:

- The General Fund posted FY 2023-24 net revenue of $98,121.00 compared to the amended budgeted net revenue of $1,913.00. As of September 30, 2024 there were 118 days of reserves in the General Fund.
- The Electric Distribution Fund posted net revenues of $281,212.00 which was $400,902.00 greater than the annual budgeted net loss of ($119,690.00).
- The Gas Distribution Fund posted actual net loss of ($38,954.00), which was favorable to the budgeted net loss of ($56,950.00) by $17,996.00.
- The Water Fund posted fiscal year net revenues of $359,994.00 which was $68,045.00 or 23.3% higher than budgeted net revenues of $291,949.00.
- The Wastewater Fund posted net loss of ($102,927.00), which was ($20,637.00) more than the annual budget loss of ($82,290.00).
- The Sanitation Fund posted net loss of ($113,845.00), which was favorable compared to the annual budget loss of ($162,635.00).
- The Drainage Fund posted net revenues of $135,954.00, compared to prior year net revenues of $287,801.00 and annual budget net revenues of $0.

REGULAR SESSION

8. Discuss and Possibly Act Upon Resolution No. R-25-002 Authorizing the Publication of Notice of Intention to Issue Certificates of Obligation, Series 2025

Chief Financial Officer Julie Flagg presented this item. Flagg stated that during the FY2024-25 City Council budget workshops held in May and July 2024, there was discussion about issuing certificates of obligation (COs) for water and wastewater system improvements and for general government capital purchases. Flagg explained that the water and wastewater projects total $26,760,000 and include $22,511,000 for the water plant expansion, $1,160,000 for main replacements in the water distribution system, and $3,089,000 for wastewater collection and lift stations. Flagg explained that the general government capital purchases are not to exceed $3,100,000.

Flagg stated that this Resolution is approving giving notice of the City's intention to issue Certificates of Obligation Series 2025 not to exceed $29,860,000 for these purposes including bond issuance costs.

A motion was made by Councilmember LaRoche and seconded by Councilmember Cook to approve Resolution No. R-25-002 authorizing the publication of Notice of Intention to Issue Certificates of Obligation, Series 2025.

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-25-003 Authorizing the Acceptance of a Grant through the Office of the Governor (OOG), Public Safety Office, Body-Worn Camera Grant Program, FY2025

Lieutenant Steven Eilert presented this item. Eilert explained that in February 2024, Council authorized the Police Department to apply for a grant from the Office of the Governor (OOG), Public Safety Office, Body-Worn Camera Grant Program, FY2025, for the purchase of V700 Body Worn Cameras. Eilert advised that the City has been notified of the grant award in the amount of $56,613.75. Eilert stated that the Resolution provided for Council's consideration is for acceptance of the grant award.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve Resolution No. R-25-003 authorizing the acceptance of a grant through the Office of the Governor (OOG), Public Safety Office, the Body-Worn Camera Grant Program, FY2025.

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 an Interlocal Agreement Between the City of

Brenham, Brenham Independent School District (BISD) and Blinn College for the May 3, 2025 General Election and Authorize the Mayor to Execute Any Necessary Documentation

Director of Administrative Services/City Secretary Jeana Bellinger presented this item. Bellinger explained that in previous years, the City, BISD and Blinn all contract with Washington County for election services and equipment. Bellinger advised that this Interlocal Agreement addresses various election related services and outlines what each entity will be responsible for during the May 3, 2025 General Election.

Bellinger advised that this Agreement is consistent with the terms outlined in the City's Election Services Agreement with Washington County that is also being considered on this agenda. Bellinger noted that both BISD and Blinn have their own individual agreements with the County, in addition, this Agreement will automatically terminate if either party cancels their election.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Saunders to approve an Interlocal Agreement between the City of Brenham, Brenham Independent School District (BISD) and Blinn College for the May 3, 2025 General Election 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

11. Discuss and Possibly Act Upon an Election Services Contract Between the City of Brenham, Washington County, and Carol Jackson, County Election Officer of Washington County, Texas Related to the May 3, 2025 Election and Authorize the Mayor to Execute Any Necessary Documentation

Director of Administrative Services/City Secretary Jeana Bellinger presented this item. Bellinger explained that in years past, the City has contracted with Washington County to provide various election services and election equipment; however, since the County has a designated Elections Administrator, state law allows for the City to contract with her directly. Bellinger explained that this year the election contract would be between the City, Washington County and Carol Jackson, County Election Officer for Washington County.

Bellinger advised that, as in year's past, the agreement still outlines what the City is responsible for and what the County and Ms. Jackson, individually, will be responsible for. Bellinger explained that due to the holidays, she and Ms. Jackson had not been able to finalize all the terms of the agreement and requested that City Council approve the agreement contingent upon final review and approval by the City Attorney.

A motion was made by Councilmember Canales and seconded by Mayor Pro Tem Kolby to approve an Election Services Contract between the City of Brenham, Washington County, and Carol Jackson, County Election Officer of Washington County, Texas related to the May 3, 2025 Election, as approved in final form by the City Attorney, 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. Discuss and Possibly Act Upon a Memorandum of Understanding Between the City of Brenham and AMG Technology Investment Group, LLC dba Nextlink Internet Related to Nextlink Conduit/Fiber Installation and Authorize the Mayor to Execute Any Necessary Documentation

General Manager of Public Utilities William Bissette presented this item. Bissette explained that the City will be working to locate existing utilities (water, wastewater, gas, and electric) so that Nextlink can install conduit and fiber along the City's right of way throughout the City for the next 18 to 36 months. Bissette explained that Nextlink will start with three crews and if they can maintain no utility line breaks over a one-month period, they will be allowed to increase their crew volume. Bissette also stated that Nextlink will:

- Not be allowed to work on the week-end and will have to follow the same work hours and City utility departments.
- Be responsible for all utility taps damaged from the main line to a customer’s home and for any damage to main lines that are hit within 24” of the City's locate.
- Provide $5,000 per month for one staff member to assist with the City's existing utility locate workload while working with Nextlink throughout the project
- Provide the City with a $50,000 non-refundable deposit to assist with reimbursement costs for damages.

- Be required to pothole all utility (water, wastewater, gas, and electric) mains when crossing them to verify their location and depth.

A motion was made by Councilmember Cook and seconded by Councilmember Saunders to approve a Memorandum of Understanding between the City of Brenham and AMG Technology Investment Group, LLC dba Nextlink Internet related to Nextlink Conduit/Fiber Installation 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

13. Discuss and Possibly Act Upon a Five-Year Software Renewal Between the City of Brenham and Carahsoft Technology Corporation for Online Planning and Permitting Software and Authorize the Mayor to Execute Any Necessary Documentation

Director of Development Services Stephanie Doland presented this item. Doland explained moving to an online permitting and plan review software was a necessary step to modernize the department, improve City Staff access and communication channels to our customers. Doland stated that not only does Accela plus DigEplan track and process permits, but Accela serves as the main Development Services software by distributing plan review across multiple departments, processing payments, serves as the inspection portal, process food establishment permits and fire department permits, and allows customers to check in real-time the status of their project. Doland stated that the quotation provides a fixed price for five years with a three percent annual increase on the software license, as compared to a three year quote with a five percent annual increase. Doland advised that the purchase of the annual license costs are budgeted in the current fiscal year 2024 - 2025 adopted budget.

Doland advised that staff is still working with the City Attorney on the renewal contract wording and asked that City Council approve the contract contingent upon final review and approval by the City Attorney.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve a five-year software renewal between the City of Brenham and Carahsoft Technology Corporation for Online Planning and Permitting

Software in the amount of $265,933.85, contingent upon final approval by the City Attorney, 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

14. Discuss and Possibly Act Upon a Utility Extension Agreement for Water, Wastewater, and Gas Services Between the City of Brenham and Texas Department of Transportation (TxDOT) for the Extension of Utility Services to 4350 TX-36, Brenham, Texas and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr explained that this agreement was presented and approved by Council on December 19, 2024 with the condition that TxDOT correct the total project cost of $8,323.14 shown in the agreement.

Bolenbarr stated that he requested TxDOT to review the total cost of the project to make sure that all aspects of the project were accounted for in the total cost. Bolenbarr stated that upon further review, TXDOT determined that the total cost of the project did need to be revised to include the cost of the sewer lift station that is to be constructed for this project which was a significant cost increase. The total amount of the contract changed from $8,323.14 to $744,241.12 and the project installation cost changed from $285,352.00 to $540,631.14. Due to the sizeable increase in costs, staff is requesting that City Council approve the agreement with TXDOT with the corrected amounts.

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve a Utility Extension Agreement for water, wastewater, and gas services between the City of Brenham and Texas Department of Transportation (TxDOT) for the extension of utility services to 4350 TX-36, Brenham, Texas 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

15. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- January 11th - General Sam Houston Reenactment at 4:00 p.m.
- January 15th - First day for candidate filing for the May 2025 General Election
- January 18th - Uptown Swirl 3:00 p.m. to 7:00 p.m.
- January 19th - Smithsonian Exhibit comes to a close
- January 23rd - Regular City Council meeting

Council adjourned into Executive Session at 2:02 p.m.

EXECUTIVE SESSION

16. Section §551.072 Texas Government Code - Deliberation Regarding Real Property - Discussion Regarding the Purchase, Exchange and/or Acquisition of Real Property for City of Brenham Sanitary Sewer Improvements and Facilities

Executive Session adjourned at 2:27 p.m.

RE-OPEN REGULAR SESSION

17. Discuss and Possibly Act Upon the Purchase, Exchange and/or Acquisition of Real Property for the City of Brenham Sanitary Sewer System Improvements and Facilities and Authorize the Mayor or City Manager to Execute Any Necessary Documentation

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember LaRoche that the City Manger be authorized to negotiate, approve and execute a contract to acquire real property for the construction of a lift station for the City's Wastewater System.

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

ADJOURN

Atwood C. Kenjura
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary