

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, February 6, 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 Adonna Saunders
Councilmember Albert Wright

Members Absent:

Councilmember Paul LaRoche

City of Brenham Staff Present:

City Manager Carolyn Miller, Assistant City Attorney Joseph Halbery, City Secretary/Director of Administrative Services Jeana Bellinger, General Manager of Public Utilities William Bissette, Director of Water/Wastewater Bobby Keene, Director of Finance Stacy Hardy, 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, Assistant Police Chief Curtiss Schoen, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Robin Hutchens, Kyle Branham, Shawn Bolenbarr, Shauna Laauwe, Lauren Schulze, Carrie Derowski, Josh Sebastian, Brett Schroeder, James Knipstein, Steven Eilert, Kelvin Raven, James Catchings, Craig Reagan, Casey Redman, Stephen Draehn, Kevin Boggus, and Richard O'Malley.

Citizens/Others Present:

Sireta Cuerington, Gloria Williams, Robert Mabrey, Calvin Kossie, Dalia Vela, Randy Wells, Braxton Zella, Charlie Pyle, Sarah Doyle, Karmen Williams, and Lisa Williams.

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 - 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

Braxton Zella with Texas Disposal Systems addressed the council expressing interest in a partnership with the City in solid waste disposal in the future.

CONSENT AGENDA

7. Statutory Consent 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

A motion was made by Councilmember Cook and seconded by Councilmember

Wright to approve Consent Agenda Items 7.a. through 7.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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

WORK SESSION

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

Economic and Community Development Director Teresa Rosales presented this item. Rosales stated that the Joint Compliance Committee for Tax Phase-In made contact with the following companies that currently hold an abatement:

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

Rosales stated that after committee review it was determined that all businesses are in compliance with their respective Tax Phase-In agreements.

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

City Secretary/Director of Administrative Services Jeana Bellinger presented this

item. Bellinger explained that 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. Bellinger advised that 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.

Bellinger explained that 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. Bellinger explained that 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.

A motion was made by Councilmember Canales and seconded by Mayor Pro Tem Kolby to 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.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

La Secretaria de la Ciudad/Directora de Servicios Administrativos, Jeana Bellinger, presentó este tema. Bellinger explicó que este artículo 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 los Estatutos de la Ciudad.

Bellinger informó que en la reunión del 23 de enero, el Concejo Municipal solicitó que se agregara una Proposición a la Ordenanza que, de ser aprobada, requeriría que el Administrador Municipal residiera dentro del Condado de Washington.

Bellinger explicó que debido a la adición de la nueva Proposición relacionada con el requisito de residencia del Administrador Municipal, ahora hay doce (12) propuestas presentadas para consideración del Concejo Municipal. Bellinger explicó que las siguientes propuestas se presentarían a los votantes para su consideración en mayo:

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.
12. Proposición L: Requerir que el Administrador de la Ciudad resida dentro del Condado de Washington.

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.

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 Saunders, Concejal Wright

No: Ninguno

Ausente: Concejal LaRoche

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

Director of Development Services Stephanie Doland presented this item. Doland stated that Phases 1 through 5 of the civil construction development for Brenham Market Square 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. Doland advised that the first phase of the development included infrastructure to Academy and Chick-Fil-A and was accepted via Resolution R-23-032 by Council in August 2023.

Doland stated that TRW Contracting, LLC on behalf of Brenham Market Square has continued to develop the approximately 50-acre development. Doland advised that included in their construction is the extension of Ryan Street from S. Market Street to the US 290 Feeder Road. Doland stated that 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. Doland stated that 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.

Doland advised that 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.

A motion was made by Councilmember Saunders and seconded by Councilmember Wright to approve Resolution No. R-25-007 authorizing the acceptance of certain public infrastructure improvements in the Market Square Brenham Subdivision, Phase 4.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

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

City Planner Shauna Laauwe presented this item. Laauwe advised that Washington County Expo has requested approval for the replacement of their existing electronic message sign for the Washington County Expo Center located at 1305 East Blue Bell Road. Laauwe explained that the new signage would not increase the overall amount of signage of 76.5 square feet per sign face. Laauwe advised that 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.

Laauwe advised that the proposal conforms with all the requirements of the city and recommends the approval of the request.

A motion was made by Councilmember Canales and seconded by Councilmember Cook to 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.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

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

Director of Engineering Richard O'Malley presented this item. O'Malley stated that in November 2024, the City of Brenham purchasing services and BRW Architects

opened proposals for the construction of Brenham Fire Station No. 2. O'Malley advised there were a total of nine (9) proposals received, ranging from \$6,218,005.00 to \$7,123,625.00. O'Malley advised that a 5-member evaluation committee was put together, and each proposal was scored. O'Malley advised that after scores were totaled, it was determined that Collier Construction Company, had the lowest submitted proposal at \$6,218,005.00, and scored the highest.

O'Malley stated that Collier Constructions 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. O'Malley advised that City staff and BRW reached out to Collier for any value engineering options and have since had two meetings to discuss any potential savings. O'Malley stated that the new proposed total after value engineering, including allowances, is \$6,197,085.

A motion was made by Councilmember Cook and seconded by Councilmember Canales to 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.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

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

City Manager Carolyn Miller presented this item. Miller explained that 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.

Miller stated that all of these appointments expired on December 31, 2024, and is recommending to reappoint the same nine members for a term of 2-years, expiring on December 31, 2026.

A motion was made by Councilmember Wright and seconded by

Councilmember Saunders to approve the appointment of the Mayor and all Councilmembers (Wards 1 through 4 and At Large Places 5 and 6), 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.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

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

City Manager Carolyn Miller presented this item. Miller advised that Council will need to appoint a Chairman for the TIRZ Board to serve for calendar year 2025 and can appoint any member of the TIRZ Board to serve as the Chairman.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales to approve the appointment of Mayor Atwood C. Kenjura 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.

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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

15. Administrative/Elected Officials Report

City Manager Carolyn Miller reported on the following:

- February 8th - Brenham Activist Breakfast at the New Life Church of God
- February 10th - Rating Bond Sale
- February 10th - Black History Forum at The Cannery
- February 16th - Celebration for Dr. Harris and Sister Harris at Blinn College
- February 20th - Regular City Council meeting

Public Utilities Project Manager Shawn Bolendarr reported on the following:

- Water well project update - will begin drilling soon. Contractor has put up a wall to help lessen the amount of noise.
- Industrial Boulevard Life Station update - Public notice put out that a portion of Industrial Boulevard will be closed up to 60 days.

Council adjourned into Executive Session at 1:48 pm.

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**

Executive Session adjourned at 3:38 p.m.

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

A motion was made by Councilmember Canales and seconded by Councilmember Cook to approve the City of Brenham to retain Bart Frederick of the Moorman Tate, LLP Law Firm to represent the City in the following lawsuit: Randall Patterson v. City of Brenham, Texas, Cause No. 38495, 335th Judicial District Court, Washington County, TX, and authorize the City Manager 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 Saunders, Councilmember Wright

No: None

Absent: Councilmember LaRoche

ADJOURN

Atwood C. Kenjura
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary