**NOTICE OF A REGULAR MEETING**
**THE BRENHAM CITY COUNCIL**
**THURSDAY, NOVEMBER 17, 2016 AT 1:00 P.M.**
**SECOND FLOOR CITY HALL**
**COUNCIL CHAMBERS**
**200 W. VULCAN**
**BRENHAM, TEXAS**

**1. Call Meeting to Order**

**2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts**

**3. Citizens Comments**

**4. Proclamation**

- **50th Anniversary of Blinn College Theater Arts Program** **Page 1**

**CONSENT AGENDA**

**5. Statutory Consent Agenda**

The Statutory Consent Agenda includes non-controversial and routine items that Council may act on with one single vote. A councilmember may pull any item from the Consent Agenda in order that the Council discuss and act upon it individually as part of the Regular Agenda.

**5-a. Minutes from the September 15, 2016 and October 13, 2016 Regular City Council Meetings** **Pages 2-23**

**5-b. Ordinance No. O-16-030 on Its Second Reading Authorizing a Variance to Residential Lot Requirements, as Outlined in Section 23-22(5)(a) of the City of Brenham's Code of Ordinances, on a Tract of Land Being Described as Tract 126, 11.55 Acres of Land, Out of the John Carrington Survey, A0120, Located off Industrial Boulevard, in Brenham, Washington County, Texas** **Pages 24-25**

**5-c. Ordinance No. O-16-031 on Its Second Reading Amending Part 1, Section 5.02 (Definitions), (53) Dwelling, Detached, of Appendix A: Zoning of the City of Brenham's Code of Ordinances, Establishing 750 Square Feet as the Minimum Square Footage Allowed for Single Family Detached Dwellings on Individual Lots** **Pages 26-30**

**WORK SESSION**

**6. Presentation of the Fourth Quarter Report by the Washington County Convention and Visitors Bureau** **Pages 31-32**

**REGULAR SESSION**

**7. Discuss and Possibly Act Upon the Purchase of Six (6) Vehicles, Using BuyBoard Contract No. 430-13, for the City of Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 33-39**

**8. Discuss and Possibly Act Upon Resolution No. R-16-032 Nominating Valmont Industries, Inc. to the Office of the Governor, Economic Development and Tourism for Designation as an Enterprise Project Under the Texas Enterprise Zone Program** **Pages 40-43**

**EXECUTIVE SESSION**

**9. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Concerning the Value and Possible Conveyance of a 3,329 Square Foot Tract of Land Being Described as Part of the A. Harrington Survey, A-55, Being Part of Block 8 of the Keys 1st Addition in Brenham, Washington County, Texas to Brenham Wholesale Grocery Co., Inc.** **Page 44**

**RE-OPEN REGULAR SESSION**

**10. Discuss and Possibly Act Upon the Conveyance of a 3,329 Square Foot Tract of Land Being Described as Part of the A. Harrington Survey, A-55, Being Part of Block 8 of the Keys 1st Addition in Brenham, Washington County, Texas to Brenham Wholesale Grocery Co., Inc. and Authorize the Mayor to Execute Any Necessary Documentation** **Page 45**

## 11. Administrative/Elected Officials Report

**Administrative/Elected Officials Reports:** Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutary recognitions of public officials, public employees or other citizens; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that have arisen after the posting of the agenda.

## 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 November 17, 2016 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on November 14, 2016 at **12:15 PM**.

*Kacey A. Weiss*
Deputy 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 _____, 2016 at _____ AM PM.

_____ _____
Signature Title

# *PROCLAMATION*

**WHEREAS,** The Theatre Arts Program at Blinn College in Brenham began in 1967; and

**WHEREAS,** The mission of the Blinn College Theatre Arts Program (Brenham and Bryan) is to provide a quality education through study, application, and experience, and is committed to engaging the college and area communities with a diverse offering of venues, interactions, and performances; and

**WHEREAS,** The Blinn College Theatre Arts Program has been recognized both regionally and nationally with numerous awards; and

**WHEREAS,** The Blinn College Theatre Arts Program expanded to the Bryan Campus in 2010; and

**WHEREAS,** The Blinn College Theatre Arts Program is active in community outreach and enhancement. Each year, hundreds of K-12 students have the opportunity to take part in live theatre performances; and

**WHEREAS,** The Blinn College Theatre Arts Program is celebrating 50 years of excellence;

**NOW, THEREFORE I,** Milton Y. Tate, Jr., Mayor of the City of Brenham, Texas do hereby proclaim November 19 and 20, 2016 as

## The 50 Year Anniversary of the Blinn College Theatre Arts Program

In Witness, Whereof, I have set my hand and affixed the Seal of Brenham.

_____

Milton Y. Tate, Jr., Mayor
City of Brenham

# Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on September 15, 2016 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Mary E. Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members absent:

Councilmember Keith Herring

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Sara Parker, Director of Community Services Wende Ragonis, Fire Chief Ricky Boeker, Fire Marshal Brent Sauble, Police Chief Craig Goodman, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Kim Hodde, Lori Lakatos, Judson Hall, Angela Hahn, Ashley Burns, Seth Klehm, Hunter Andras, Mark Pierce and Chris Jackson

Citizens present:

Tiffany Morisak

Media Present:

Arthur Hahn, Brenham Banner Press; and Noelle Buffam, KWHI

**1. Call Meeting to Order**

**2. Invocation and Pledges to the US and Texas Flags – Councilmember Goss**

**3. Proclamation**

- **K9 Sammy**
- **Constitution Week**

**4. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**5. Statutory Consent Agenda**

**5-a. Minutes from the August 4, 2016 Public Hearing and Regular City Council Meeting**

**5-b. Ordinance No. O-16-021 on Its Second Reading Approving Financing for the Purchase of Furnishings and Equipment for the Expanded and Renovated Nancy Carol Roberts Memorial Library**

**5-c. Ordinance No. O-16-022 on Its Second Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas, Part V, Section 3.03, Relating to the Number of Alternate Members of the Board of Adjustment**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Items 5-a., 5-b. and 5-c. as presented.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**WORK SESSION**

**6. Presentation of the Third Quarter Report by the Washington County Convention and Visitors Bureau**

Jenny Mills, with the Washington County Convention and Visitors Bureau, presented this item. Mills focused on the highlights featured in the *Third Quarter Report – April – June 2016*, pointing out the visitor statistics, major tourism events, advertising placements and editorial coverage.

**REGULAR SESSION**

**7. Discuss and Possibly Act Upon Ordinance No. O-16-023 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that the Fiscal Year 2016-17 Proposed Budget has been developed in compliance with the Property Tax Code, Local Government Code and the City Charter.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve Ordinance No. O-16-023 on its second reading adopting the budget for fiscal year beginning October 1, 2016 and ending September 30, 2017.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**8. Discuss and Possibly Act Upon Ordinance No. O-16-024 on Its Second Reading Levying Taxes for the Tax Year 2016 for the City of Brenham at $0.5070 per $100 Valuation**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised the FY2016-17 Proposed Budget includes a tax rate of $0.5070 per $100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S).

Miller explained that the proposed tax rate of $0.5070 will allocate $0.3150 to the General Fund for M&O expenditures and the balance of $0.1920 will be allocated to the Debt Service Fund for principal and interest obligations. Miller also stated the proposed tax rate of $0.5070 is above the effective rate of $0.4710, but below the rollback rate of $0.5132.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel that the property tax rate be increased by the adoption of a tax rate of $0.5070 per $100 valuation, which is effectively a 7.64% increase in the tax rate.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**9. An Ordinance of the City Council of the City of Brenham, Texas, Authorizing the Issuance and Sale of City of Brenham, Texas Combination Tax and Revenue Certificates of Obligation, Series 2016; Levying a Tax In Payment Thereof; Authorizing the Execution and Delivery of a Purchase Agreement and a Paying Agent/Registrar Agreement; Approving the Official Statement; and Enacting Other Provisions Relating Thereto**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item and introduced the City's Financial Advisor, Garry Kimball of Specialized Public Finance, and Bond Counsel, Glenn Opel of Bracewell, LLP. Miller explained that the proceeds from the sale of these Certificates of Obligation will be used for the following purposes: (i) the construction and equipping of a new City animal shelter; (ii) the expansion, renovation and equipping of the City library; (iii) the construction and improvements of the City's electric utility system (collectively, the "Project"); and (iv) to pay professional services of attorneys, engineers, financial advisors and other professionals in connection with the Project; and to pay the costs associated with the issuance of the Certificates.

Mr. Kimball gave a presentation summarizing the official bids for the sale of the bonds and Mr. Opel presented the Ordinance complete with pricing.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve an Ordinance of the City of Brenham, Texas, authorizing the issuance and sale of City of Brenham, Texas, Certificates of Obligation, Series 2016.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**10. An Ordinance of the City Council of the City of Brenham, Texas, Authorizing the Issuance and Sale of City of Brenham, Texas General Obligation Refunding Bonds, Series 2016; Levying a Tax In Payment Thereof; Authorizing the Execution and Delivery of a Purchase Agreement, A Paying Agent/Registrar Agreement and an Escrow Agreement; Calling Certain Outstanding Obligations for Redemption; Approving the Official Statement; and Enacting Other Provisions Relating Thereto**

The City's Financial Advisor, Garry Kimball of Specialized Public Finance, presented this item. Kimball presented information related to the opportunity to advance refund a portion of the City's 2008 Certificates of Obligation Bonds, which were used to construct a south side elevated water tower and for expansion/improvements to the water utility system.

Kimball explained that the City would issue approximately $4,985,000 in Series 2016 General Obligation Refunding Bonds and would recognize a net savings of over $557,000. Kimball noted that the savings would be realized over a 17 year period at approximately $40,000 per year or over 9% net present value benefit compared with the face amount being refinanced.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve an Ordinance of the City of Brenham, Texas authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2016.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**11. Discuss and Possibly Act Upon Renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2016-17 and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained the renewal of property and liability coverages with TML Intergovernmental Risk Pool for FY2016-17.

- General Liability Coverage
  Overall, liability rates for the coming year will change by about 1.7%, but the auto liability continues to experience greater than expected losses. The overall rate increase for auto liability is 5.9%.

- Property Rates and Coverage Changes
  Due to several significant weather events and the increase in losses, there is a 5% increase in property rates for the 2016/17 fund year.

  Effective October 1, 2016, the Pool will expand its cyber liability and data breach coverage. This coverage will be provided for no additional contribution.

- Workers' Compensation Rate Changes
  For the current year, rates were increased for individual classification codes based on loss experience. The City received notification of our workers' comp rates in early June, and the new rates have been included in the proposed FY16-17 personnel budget.

- Impact to City of Brenham
  Although liability, property, and workers' compensation rates did increase across the Pool's entire membership, the individual member contributions are affected not only by rates, but also the member's loss experience (experience modifier) and/or changes in exposure. The overall budget impact is a decrease of over $51,826. Based on our renewal, the City will experience the following percent changes:
    - 22.25% decrease in general liability
    - 20.35% increase in property coverage
    - 16.86% decrease in workers' compensation rates

  Miller stated that the increase in property coverage is due in part to an increase of over $10 million in new property added for FY2016-17.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation coverage for the City of Brenham for Fiscal Year 2016-17 and authorize the Mayor to execute any necessary documentation

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**12. Discuss and Possibly Act Upon the Renewal of City of Brenham Group Health Plan with TML Multistate Intergovernmental Employee Benefits Pool and Establishment of Funding Rates for Calendar Year 2017 and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained the renewal of fully-funded group medical plan with TML MultiState Intergovernmental Employee Benefits Pool and approval of funding rates for calendar year 2017. Miller advised that in developing the FY16-17 personnel budget, a key priority was holding the City's portion of insurance costs at the current level. Miller noted this would be achieved by: (1) identifying changes to our group medical plan to mitigate any premium increases for the City; (2) continue the transition to equalize the City contribution for dependent coverage by shifting the cost share percentage from 70/30 to 65/35 (65% City and 35% employee); and (3) hopefully with plan changes, our employees would not be impacted by the shift in cost share for dependent premiums.

Miller explained that last year employees were facing a 3% increase in total premiums before any plan changes, and with plan modifications, employees experienced a 5% decrease. Miller advised that knowing that the City was facing a 4% increase in premiums, Staff asked TML IEBP for plan change options that could be considered this year to circumvent any increase; TML IEBP recommended increases in office visit co-pays and out of pocket costs for employees.

Miller stated that after careful review, Staff is recommending the adoption of the proposed group medical plan with a $35 office visit copay, $1,200 individual/$2,400 family deductible and $3,500 individual/$7,000 family out of pocket maximum plan effective January 1, 2017.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the renewal for City of Brenham Group Health Plan with TML Multistate Intergovernmental Employee Benefits Pool, establish funding rates for calendar year 2017 and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**13. Discuss and Possibly Act Upon a Canine Transfer Agreement Between the City of Brenham and Mark Pierce for the Transfer of K9 Sammy and Authorize the Mayor to Execute Any Necessary Documentation**

Police Chief Craig Goodman presented this item. Goodman explained that the City has owned 9-year-old K9 Sammy since 2010 and wishes to retire him. Mark Pierce has been the designated handler of K9 Sammy from March 5, 2010 to September 15, 2016. During this timeframe, Officer Pierce has participated in a substantial amount of training with K9 Sammy and has developed a strong bond with him.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve a Canine Transfer Agreement between the City of Brenham and Mark Pierce for the transfer of K9 Sammy and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**14. Discuss and Possibly Act Upon Resolution No. R-16-025 Authorizing the Acceptance of TxDOT's Selective Traffic Enforcement Program (STEP) Grant for Speed Enforcement During the Specific Period of October 1, 2016 through September 30, 2017**

Police Chief Craig Goodman presented this item. Goodman explained that this grant provides funding for officers to work overtime to enforce the speed limits at selected sites within the City limits. Goodman advised the total amount the City will be reimbursed for is $15,000. Goodman stated that Corporal Kurie and Sergeant Raven are the two primary officers that are part of this program.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to approve Resolution No. R-16-025 authorizing the acceptance of TxDOT's Selective Traffic Enforcement Program (STEP) Grant for speed enforcement during the specific period of October 1, 2016 through September 30, 2017.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**15. Discuss and Possibly Act Upon a Recommendation for the Appointment of Alternate Members to the Board of Adjustment**

Development Services Manager Erik Smith presented this item. Smith explained that he would like to have two (2) additional alternate positions for the Board of Adjustment. The two additional members will help to assure that this board always has a quorum so that can act on City business. Smith recommended that Lynette Sheffield and John Pledger be appointed as the alternate board members.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the appointment of Lynette Sheffield and John Pledger as alternates to the Board of Adjustment.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**16. Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1717BRENM with TxDOT for FY2017 and Authorize the Mayor to Execute Any Necessary Documentation**

Planning Technician/Airport Coordinator Kim Hodde presented this item. Hodde explained that this grant agreement with TxDOT is for participation in the Routine Airport Maintenance Program (RAMP) for September 1, 2016 through August 31, 2017. Hodde advised that as in prior years, this agreement allows Staff to be reimbursed for 50% of the cost of the monthly AWOS Maintenance Contract, as well as 50% of the replacement lamps for the airport lighting system, herbicides, general maintenance, and a contingency for emergency repairs. Hodde noted that the maximum for this grant is $100,000 (50/50 match); however, Staff has budgeted funds of $30,000. Hodde explained that with TxDOT's match of $30,000, Staff will have a total of $60,000 for this fiscal year.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the Routine Airport Maintenance Program (RAMP) Grant, Agreement No. M1717BRENM with TxDOT for FY2017 and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**17. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 8, Fire Protection and Prevention, Sec. 8-3, Possession, Selling, Etc. of Fireworks, of the Code of Ordinances of the City of Brenham, Texas, Regarding the Sale of Fireworks**

Fire Marshal Brent Sauble presented this item. Sauble explained that looking back through the 2015 Legislative changes, Staff noticed that nothing was ever done to update the City's ordinance based on the passage of Senate Bill 1593 that states "a home rule city may not define and prohibit as a nuisance the sale of fireworks or similar materials within the 5,000 foot nuisance zone outside the city limits".

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve an Ordinance on its first reading amending Chapter 8, Fire Protection and Prevention, Sec. 8-3, Possession, Selling, Etc. of Fireworks, of the Code of Ordinances of the City of Brenham, Texas, regarding the sale of fireworks.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**18. Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Abandonment of a Portion of Day Street Right–Of-Way**

City Engineer Lori Lakatos presented this item. Lakatos explained that Matt Stolz has requested that a portion of the unimproved Day Street right-of-way (ROW) be abandoned. Lakatos advised that he submitted a ROW abandonment application in July 2016 and the adjacent property owners have agreed to the abandonment. Lakatos stated that once the City abandons the ROW, the property owners will convey the ROW as they have agreed.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve an Ordinance on its first reading abandoning a portion of Day Street right-of-way.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**19. Discuss and Possibly Act Upon Resolution No. R-16-026 Authorizing the Acceptance of a Grant from the Texas Department of Agriculture for the 2016 Community Development Fund (CD) Grant In The Amount of $275,000 for the Rehabilitation of the Church Street Water Tower**

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that the City obtained a $275,000 grant from the Texas Department of Agriculture for the rehabilitation of the tower. The matching funds contribution by the City will be a minimum of 20% of the grant amount or $55,000.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve Resolution No. R-16-026 authorizing the acceptance of a grant from the Texas Department of Agriculture for the 2016 Community Development Fund (CD) Grant in the amount of $275,000 for the rehabilitation of the Church Street water tower.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**20. Discuss and Possibly Act Upon a Request for a Noise Variance from St. Mary's Immaculate Conception Catholic Church for a Fundraiser to be Held on September 18, 2016 from 8:00 a.m. – 4:00 p.m. at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that the fundraiser will be held on September 18th at the church. Weiss advised that they will be using a sound amplification system.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to approve a request for a noise variance from St. Mary's Immaculate Conception Catholic Church for a fundraiser to be held on September 18, 2016 from 8:00 a.m. – 4:00 p.m. at 701 Church Street and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| **Councilmember Keith Herring** | **Absent** |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**21. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- Thanked the Council for their work on the budget
- The next Council meeting will be October 13th

The meeting was adjourned.

_____

Milton Y. Tate, Jr.
Mayor

_____

Jeana Bellinger, TRMC, CMC
City Secretary

# Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 13, 2016 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Mary E. Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members absent:

None

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Stacy Hardy, Sara Parker, Cynthia Longhofer, Rhonda Kuehn, Director of Community Services Wende Ragonis, Crystal Locke, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Chris Jackson, Public Works Director Dane Rau, Bobby Branham, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Debbie Gaffey, Development Services Manager Erik Smith, Lori Lakatos, Kenneth McGehee, Norma Rodriguez, Tiwanna Brown, Mark Pierce, Ginger Bishop, Ande Bostain, Angela Hahn, Joe Moore and Paula Shields

Citizens present:

Doris Koehne, Rev. George Nelson, Jr., Theresa Nelson, Angela Chatman, Page Michel, Judith Finke, Karen Morgan, Tara Lancaster, Doug French, Matt Childers and Randy French

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Noelle Buffam, KWHI

**1. Call Meeting to Order**

**2. Invocation and Pledges to the US and Texas Flags – Councilmember Ebel**

**3. Service Recognitions**

- **Paula Shields, Administration 5 Years**
- **Angela Hahn, Police Department 20 Years**
- **Joe H. Moore, Gas Department 20 Years**
- **Rhonda Kuehn, Municipal Court 20 Years**

**4. Special Recognition**

- **GFOA Certificate of Achievement for Excellence in Financial Reporting**
  - *Eighth Consecutive Year*

**5. Proclamations**

- **Overseer Dr. George Nelson, Jr. Day**
- **Breast Cancer Awareness Month**
- **Pilots Club of Brenham**

**6. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**7. Statutory Consent Agenda**

**7-a. Minutes from the August 18, 2016, September 1, 2016 Regular City Council Meetings and September 12, 2016 Special Meeting**

**7-b. Ordinance No. O-16-027 on Its Second Reading Amending Chapter 8, Fire Protection and Prevention, Sec. 8-3, Possession, Selling, Etc. of Fireworks, of the Code of Ordinances of the City of Brenham, Texas, Regarding the Sale of Fireworks**

**7-c. Ordinance No. O-16-028 on Its Second Reading for the Abandonment of a Portion of Day Street Right–Of-Way**

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Items 7-a., 7-b. and 7-c. as presented.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**WORK SESSION**

**8. Discussion and Presentation on the Current Zoning Ordinance and Possible Future Planned Development District Projects**

Development Services Manager Erik Smith presented this item. Smith explained that Staff has been working with Stylecraft Builders for the past few months on a possible future project for a tract of land that is currently in the City's Extra Territorial Jurisdiction "E.T.J." Smith stated that upon annexation, the property's initial zoning designation would be R-1 Single Family Residential.

Smith advised that Stylecraft has inquired about a couple of different possible options for their project to make it feasible. Smith noted that one of those options is looking at creating a Planned Development District which is a possibility for them, but they would have to go through the zoning amendment process to accomplish this goal. Smith noted the second option is looking at zoning classifications in general. Smith stated that looking through records, 1995 was the last time a zoning ordinance amendment of significance had taken place and this ordinance is what Staff uses currently.

Randy French, co-owner of Stylecraft Builders, addressed Council. French explained that side set backs are most crucial and that is what they look at. City Manager Terry Roberts stated that the City's design standards are from the late 1990's and Staff may need to look at other communities to see what their ordinances state.

Mr. French stated that his company does not want to "GAP" out between building Ralston Creek and the new subdivision. French stated that he would like to use this project as a Planned Development while Staff looks at the ordinances.

The Council requested that staff work with Stylecraft on their plans for the new subdivision and bring back a Planned Development ordinance for consideration.

**REGULAR SESSION**

**9. Discuss and Possibly Act Upon the Purchase of a Haul Truck Using BuyBoard Contract No. 430-13, for the City of Brenham's Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation**

Sanitation Supervisor Bobby Branham presented this item. Branham explained that during the 2016-17 budget process, the Sanitation Department requested a replacement haul truck for their fleet. Branham stated that this truck will replace a 1995 haul truck that has been a part of the fleet for 21 years and has made an estimated 10,000+ trips to the landfill. Branham noted that Staff evaluated three different types of trucks and have all agreed that the Kenworth T880 will be suitable for the rough conditions in which the trucks will operate.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the purchase of a 2017 Kenworth Haul Truck from Performance Truck – Bryan, using BuyBoard Contract No. 430-13, in the amount of $119,875.00 and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**10. Discuss and Possibly Act Upon the Purchase of Three (3) Mowers Using BuyBoard Contract No. 447-14, for the City of Brenham's Parks Department and Authorize the Mayor to Execute Any Necessary Documentation**

Parks Superintendent Casey Redman presented this item. Redman explained that during the 2016-17 budget process the Parks Department requested the replacement of three mowers, these being a 10' rotary mower, a 6' rotary mower, and an 8' reel mower. Redman advised that these mowers will replace similar units which are approaching 20 years old with the exception of the reel mower which is 10 years old and currently has 3310 hours on it. Redman stated the rotary mowers are used weekly and the reel mowers are used daily.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the purchase of three (3) mowers from Professional Turf Products, L.P., using BuyBoard Contract No. 447-14, in the amount of $151,122.47 and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**11. Discuss and Possibly Act Upon the Purchase of a Scoreboard Using BuyBoard Contract No. 423-13, for the Baseball Field Located in Fireman's Park and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that during the 2016-17 Brenham Community Development Corporation budget process, the Parks Department asked BCDC to support the purchase of a new scoreboard for Fireman's Park. Rau stated the current scoreboard was put into place in 2004. Rau noted that parts of the scoreboard have faded causing it to become unsightly and the components have begun to fail when it comes to consistently operating.

Rau advised that this purchase will be split between the BCDC and the money that was raised over the last two years with the Fireman's Park Advertising Program.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the purchase of a scoreboard from Nevco, Inc., using BuyBoard Contract No. 423-13, in the amount of $60,983 and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**12. Discuss and Possibly Act Upon the Acceptance of a Donation in the Amount of $25,000.00 to the Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation**

Police Chief Craig Goodman presented this item. Goodman advised that The Pegasus Foundation has offered a donation to the police department for $25,000 to assist in needed training and equipment costs.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to accept a donation in the amount of $25,000.00 from the Pegasus Foundation to the Brenham Police Department for training and equipment costs and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**13. Discuss and Possibly Act Upon Resolution No. R-16-027 Reauthorizing an Investment Policy for the City of Brenham**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that in April 2016, the Council approved changes to the Investment Policy. Miller stated that no additional changes are being proposed at this time, just the annual reauthorization of the Policy which is required by the Public Funds Investment Act.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-16-027 Reauthorizing an Investment Policy for the City of Brenham dated October 13, 2016.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

**14. Discuss and Possibly Act Upon Resolution No. R-16-028 Approving the Brenham Community Development Corporation's Acquisition of Industrial Park Land and Approving a Promissory Note with the Brenham Community Development Corporation (BCDC) for a Portion of the Cost to Purchase Said Industrial Park Land and Authorize the Mayor to Execute Any Necessary Documentation**

City Manager Terry Roberts presented this item. Roberts explained that at the September 22, 2016 meeting, the BCDC board authorized him to enter into an earnest money contract for the purchase of approximately 44.9 acres for industrial park purposes. Roberts stated that the land purchase will be financed by a $500,000 promissory note to the City and by utilizing $400,000 in BCDC fund balance reserves. Roberts noted the terms of the borrowing that Staff recommended to the BCDC was a 10 year note at a 3.25% interest rate with the first two years of payments being interest only.

Councilmember Goss inquired if BCDC acquires the property will it be annexed into the city. Roberts stated that is the intention.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Resolution No. R-16-028 approving the Brenham Community Development Corporation's acquisition of industrial park land and approving a promissory note with the Brenham Community Development Corporation (BCDC) for a portion of the cost to purchase said industrial park land and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**15. Discuss and Possibly Act Upon a Request for a Noise Variance from Christ Lutheran Church and Day School for a Carnival and Fundraiser to be Held on October 15, 2016 from 2:00 p.m. – 6:00 p.m. at Christ Lutheran Church and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that Shelley Scheffer with Christ Lutheran Church and Day School has requested a noise variance to hold a fall carnival and fundraiser. Weiss stated that they will be using sound amplification equipment to play music for the games.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve a request for a noise variance from Christ Lutheran Church and Day School for a carnival and fundraiser to be held on October 15, 2016 from 2:00 p.m. – 6:00 p.m. at Christ Lutheran Church and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley | Yes |
| Councilmember Weldon Williams | Yes |

**19. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- The Cubs Hall of Honor Program will be held October 14th at Blinn College
- The new Brenham Pet Adoption Center's ribbon cutting will be November 7th at 2:00 p.m. and an open house is scheduled for November 13th.
- The library located here at City Hall will close on October 15th and will re-open at the new facility on November 14th with a ribbon cutting and open house from 2:00-4:00 p.m.
- The Texas Arts and Music Festival will be held this weekend in conjunction with the Brew Step
- Walk with a Doc is October 22nd
- The Christmas Stroll and Lighted Parade will be held December 2-3rd

Council adjourned into Executive Session at 3:01 p.m.

**EXECUTIVE SESSION**

**16. Section 551.086 – Texas Government Code – Utility Competitive Matters – Discuss and Possibly Act Upon the Awarding of the City of Brenham's Gas Supply and Gas Transportation Contracts and Authorize the Mayor to Execute Any Necessary Documentation Once Approved by the City Attorney**

**17. Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider City Manager's Employment Agreement and Related Issues**

Executive Session adjourned at 3:52 p.m.

**RE-OPEN REGULAR SESSION**

**18. Discuss and Possibly Act Upon City Manager's Employment Agreement and Related Issues**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to renew the City Manager's contract for one year beginning February 1, 2017 and to include a 4% pay increase with half (2% of the 4%) being effective immediately and the remaining half (2% of the 4%) being effective at mid-budget year (April 1, 2017) and authorize the Mayor to execute any necessary documentation.

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

| | |
|---|---|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Mary E. Barnes-Tilley ` | Yes |
| Councilmember Weldon Williams | Yes |

The meeting was adjourned.

_____
Milton Y. Tate, Jr.
Mayor

_____
Jeana Bellinger, TRMC, CMC
City Secretary

# ORDINANCE NO. O-16-030

## AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 23-22(5)(a) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 23, REGULATING SUBDIVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

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

**WHEREAS,** Chapter 23, Section 23-22(5)(a) *Street Frontage* states that "[e]ach lot shall be provided with adequate access to an existing or proposed public street by frontage on such street;" and

**WHEREAS,** the Planning and Zoning Commission recommended approval of this variance request at the October 24th, 2016 Planning and Zoning Commission meeting with a vote of six in favor and one abstention; and

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

**WHEREAS,** the property described as A0120 Carrington, John, Tract 126 being a tract of 11.55 acres of land, as further described in a deed recorded in Volume 1104, Page 657, Official Records of Washington County, Texas (hereinafter "Property") is currently accessed by private access easement; and

**WHEREAS,** the Property is in designated as Agriculture/Undeveloped in the City of Brenham Comprehensive Plan; and

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

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

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

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

2. **Variance Granted**: The City Council hereby grants the request for a variance from the provisions of the City of Brenham Code of Ordinances, Chapter 23, Section 22(5)(a)which requires each lot be provided with adequate access to an existing or proposed public street by frontage on such street, and the City Council hereby finds: 1) that such variance is in accord with the City of Brenham Comprehensive Plan; and 2) that the probable effect of such variance will not create adverse impacts in the vicinity. The variance granted by this Ordinance is for the purpose of allowing the subdivision of the Property into not more than two (2) separate tracts of 5.775 acres each. Any future subdivision of the Property, or any portion thereof, will be required to comply with the then-current City of Brenham ordinances and regulations governing subdivisions.

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

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

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

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

**PASSED and APPROVED** on its first reading this the 3rd day of November, 2016.

**PASSED and APPROVED** on its second reading this the 17th day of November, 2016.

_____
Milton Y. Tate, Jr.
Mayor

**ATTEST:**

_____
Jeana Bellinger, TRMC, CMC
City Secretary

# AGENDA ITEM 5c

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED**: November 8, 2016 |
| **DEPT. OF ORIGIN:** Administration | **SUBMITTED BY:** Jeana Bellinger |

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

**AGENDA ITEM DESCRIPTION**: Ordinance No. O-16-031 on Its Second Reading Amending Part 1, Section 5.02 (Definitions), (53) Dwelling, Detached, of Appendix A: Zoning of the City of Brenham's Code of Ordinances, Establishing 750 Square Feet as the Minimum Square Footage Allowed for Single Family Detached Dwellings on Individual Lots

**SUMMARY STATEMENT**: Last week while researching the minimum square footage allowed for single family detached dwellings on individual lots with Kim Hodde, it was discovered that this ordinance was never presented to Council for 2nd reading.

The ordinance was originally presented to Council on the August 1, 2013 as "***Discuss and Possibly Act Upon a Text Amendment to Part 1, Section 5.02 (Definitions), (53) Dwelling, Detached, of Appendix A: Zoning of the City of Brenham's Code of Ordinances, Establishing 750 Square Feet as the Minimum Square Footage Allowed for Single Family Detached Dwelling on Individual Lots***". There was also a Public Hearing held at this meeting related to this item. As part of the packet materials, our former Development Services Director Julie Fulgam provided the ordinance and notes from the P&Z Board. The "text amendment" was passed unanimously by Council; however, it should have been brought back to Council at the following meeting for 2nd reading but it was not.

The City Attorney recommended that since it was approved unanimously by Council in 2013, it could simply be placed on this Consent agenda for your approval. I have attached a copy of the Council Agenda Form that was provided to you by Julie Fulgham back in 2013 that will hopefully answer any questions you may have. If needed, this item can be pulled from the Consent Agenda for additional discussion if any of the Councilmembers would like to do that.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:**

**B. CONS:**

| |
|---|
| **ALTERNATIVES (In Suggested Order of Staff Preference):** |
| **ATTACHMENTS**: (1) Ordinance No. O-16-031; and (2) Council Agenda Form prepared by Julie Fulgham from the August 1, 2013 council meeting. |
| **FUNDING SOURCE (Where Applicable):** |
| **RECOMMENDED ACTION:** Approve this Ordinance on second reading along with the other Consent Agenda items. |
| **APPROVALS:** Terry K. Roberts |

# ORDINANCE NO. O-16-031

## AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING SECTION 5.02, DEFINITION NUMBER 53, PROVIDING FOR THE ESTABLISHMENT OF A 750 SQUARE FEET MINIMUM SQUARE FOOTAGE FOR DETACHED DWELLINGS.

**BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:**

*SECTION 1.* That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map are hereby amended as follows: (53) Dwelling, detached: A detached dwelling is one containing only one single-family dwelling unit per building lot and does not meet the requirements for a party wall or walls pertaining to a single family attached (townhouse) dwelling unit. All single-family detached dwellings shall be a minimum of seven hundred fifty (750) square feet.

*SECTION 2.* This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

**PASSED and APPROVED** on its first reading this the 1st day of August, 2013.

**PASSED and APPROVED** on its second reading this the 17th day of November, 2016.

_____
Milton Y. Tate, Jr.
Mayor

**ATTEST:**

_____
Jeana Bellinger, TRMC, CMC
City Secretary

City of BRENHAM

**ATTACHMENT TO CONSENT ITEM 4C**

# AGENDA ITEM 9

| | |
|---|---|
| **DATE OF MEETING:** August 1, 2013 | **DATE SUBMITTED:** July 25, 2013 |
| **DEPT. OF ORIGIN:** Development Services | **SUBMITTED BY:** Julie Fulgham |

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

**AGENDA ITEM DESCRIPTION:** Discuss and Possibly Act Upon a Text Amendment to Part 1, Section 5.02 (Definitions), (53) Dwelling, Detached, of Appendix A: Zoning of the City of Brenham's Code of Ordinances, Establishing 750 Square Feet as the Minimum Square Footage Allowed for Single Family Detached Dwellings on Individual Lots

**SUMMARY STATEMENT:** Staff believes minimum square footage requirements for single family detached dwellings should be adopted to ensure new residences built within the City are compatible with the character and development patterns that currently exist. Staff recommends a text amendment to the detached dwelling definition in the zoning ordinance to establish this minimum requirement. This text amendment will define single-family detached dwellings as: (53) Dwelling, detached: A detached dwelling is one containing only one single-family dwelling unit per building lot and does not meet the requirements for a party wall or walls pertaining to a single family attached (townhouse) dwelling unit. All single-family detached dwellings shall be a minimum of seven hundred fifty (750) square feet.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

A. **PROS:** establishing a minimum square footage requirement for single-family detached dwellings ensures new residences meet the character of Brenham's existing neighborhoods

B. **CONS:** any minimum square footage requirement could potentially constrict design options and increase overall building cost

**ALTERNATIVES (In Suggested Order of Staff Preference):** 1. Approve the proposed text amendment to Appendix A – "Zoning" as recommend by the P&Z Commission at their July 1st Regular Meeting; 2. Deny the proposed text amendment

**ATTACHMENTS:** (1.) Ordinance; (2.) Memo From Julie Fulgham to Planning & Zoning Commission; and (3.) Excerpt from the Draft Minutes of the Planning & Zoning Commission July 1, 2013 Meeting

| |
|---|
| **FUNDING SOURCE (Where Applicable):** N/A |
| **RECOMMENDED ACTION:** Approve a Text Amendment to Part 1, Section 5.02 (Definitions), (53) Dwelling, Detached, of Appendix A: Zoning of the City of Brenham's Code of Ordinances, Establishing 750 Square Feet as the Minimum Square Footage Allowed for Single Family Detached Dwellings on Individual Lots. |
| **APPROVALS:** Terry K. Roberts |

# AGENDA ITEM 6

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED:** November 10, 2016 |
| **DEPT. OF ORIGIN:** Convention and Visitors Bureau | **SUBMITTED BY:** Lu Hollander |

**MEETING TYPE: CLASSIFICATION: ORDINANCE:**

| | | |
|---|---|---|
| ☒ **REGULAR** | ☐ **PUBLIC HEARING** | ☐ **1ST READING** |
| ☐ **SPECIAL** | ☐ **CONSENT** | ☐ **2ND READING** |
| ☐ **EXECUTIVE SESSION** | ☐ **REGULAR** | ☐ **RESOLUTION** |
| | ☒ **WORK SESSION** | |

**AGENDA ITEM DESCRIPTION:** Presentation of the Fourth Quarter Report by the Washington County Convention and Visitors Bureau

**SUMMARY STATEMENT:** A copy of the Washington County Convention and Visitors Bureau Fourth Quarter Report is included in the agenda packet.

A complete copy of the Washington County Convention and Visitors Bureau Fourth Quarter Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the Washington County Chamber of Commerce website at www.brenhamtexas.com.

If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

A. **PROS:**

B. **CONS:**

**ALTERNATIVES (In Suggested Order of Staff Preference):** N/A

**ATTACHMENTS:** (1) 4th Quarter Report – Convention and Visitors Bureau

**FUNDING SOURCE (Where Applicable):** N/A

**RECOMMENDED ACTION:** Discussion only

**APPROVALS:** Terry K. Roberts

# WCCC Convention & Visitors Bureau

**Fourth Quarter Report: July - September 2016**

## JULY

**MAJOR TOURISM EVENTS:**

- Hot Nights, Cool Tunes Concerts
- Weekend Grape Stomps
- Fireworks on the Brazos

**Walk In Visitors**:
**2016 - 670**
2015 – 569

**ADVERTISING PLACEMENTS:**

- *Texas Highways* magazine – 1 & 1/3-page co-op
- *AAA Texas Journey* magagine – 3" travel ad
- *Texas Meetings & Events* magazine – 1/6 page

**Website Visitors:**
**2016 – 15,695**
2015 – 19,763

**Info Requests:**
**2016 – 197**
2015 – 2,049

**EDITORIAL COVERAGE:**

- *Austin Monthly* magazine – feature about attractions in Washington County
- *KAGS.com* – interview about Fireworks on the Brazos
- *wideopencountry.com* –feature about 10 beautiful historic downtowns includes Brenham

## AUGUST

**MAJOR TOURISM EVENTS:**

- Chappell Hill Lavender & Wine Fest
- Vaudeville at the Simon
- Big Star Texas Night

**Walk In Visitors**:
**2016 - 605**
2015 - 431

**ADVERTISING PLACEMENTS:**

- *Houston Chronicle Fall Festivals tab co-op*
- *Texas Monthly* magagine – 1/6 page
- *Southern Living* magazine-*1/6* page

**Website Visitors:**
**2016 – 14,731**
2015 – 14,900

**Info Requests:**
**2016 – 530**
2015 – 1,741

**EDITORIAL COVERAGE:**

- *prweb.com* – feature about Washington on the Brazos
- *houstonreader.com* – feature about Inn at Dos Brisas

## SEPTEMBER

**MAJOR TOURISM EVENTS:**

- Washington County Fair
- Round Top Antiques Fair
- "Blithe Spirit" at Unity Theatre

**Walk In Visitors**:
**2016 – 482**
2015 - 411

**ADVERTISING PLACEMENTS:**

- *See Texas First travel insert* in 27 newspapers
- *Texas Events Calendar* – full page co-op with Texas Independence Trail Region

**Website Visitors:**
**2016 – 13,820**
2015 – 11,122

**Info Requests:**
**2016 – 1,840**
2015 – 1,913

**EDITORIAL COVERAGE:**

- *San Antonio* magazine –Foodie Road Trips feature incl. Brenham
- *TheDaytripper.com* – features about Washington County Fair

# AGENDA ITEM 7

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED**: November 10, 2016 |
| **DEPT. OF ORIGIN:** Police | **SUBMITTED BY:** Craig U. Goodman |

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

**AGENDA ITEM DESCRIPTION:** Discuss and Possibly Act Upon the Purchase of Six (6) Vehicles, Using BuyBoard Contract No. 430.13, for the City of Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation

**SUMMARY STATEMENT**: The police department is seeking the Mayor and Council's approval to order the approved budgeted police vehicles. The department rotates older (high mileage and worn) vehicles from time to time for replacement to equip the patrol, investigative, and administrative divisions. In order to maintain the current service level with fleet, the department is requesting to purchase (3) three patrol and (3) three administrative vehicles this year. The total for the three marked and three administrative vehicles is $217,328. All six vehicles will be purchased off the state contract.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:** Maintain current service levels, enhance officer safety, benefit from new vehicle warranties, and avoid repair costs of older worn-out vehicles. Also, guards against having to incur catch up costs in the future.

**B. CONS:** None identified - costs are going to occur whether it is in repairs of old vehicles or the purchase of new vehicles.

**ALTERNATIVES (In Suggested Order of Staff Preference):** None suggested

**ATTACHMENTS:** (1) Pricing Summaries

**FUNDING SOURCE (Where Applicable):** FY 16-17 Budget

**RECOMMENDED ACTION:** Approve the purchase of six (6) new vehicles, using BuBoard Contract No. 430.13, in the amount of $217,328, for the City of Brenham Police Department and authorize the Mayor to execute any necessary documentation.

**APPROVALS:** Terry K. Roberts

**QUOTE# ECO-CAPQ12362-3X** **CONTRACT PRICING WORKSHEET**

| | |
|---|---|
| End User: CITY OF BRENHAM | Contractor: CALDWELL COUNTRY |
| Contact Name: CPL. CHRIS JACKSON | CALDWELL COUNTRY |
| Email: CJACKSON@CITYOFBRENHAM.ORG | Prepared By: Averyt Knapp |
| Phone #: 979-337-7324 | Email: aknapp@caldwellcountry.com |
| Fax #: | Phone #: 979-567-6116 |
| Location City & State: BRENHAM, TX | Fax #: 979-567-0853 |
| Date Prepared: NOVEMBER 10, 2016 | Address: P. O. Box 27, Caldwell, TX 77836 |
| Contract Number: BUY BOARD #430-13 | Tax ID # 27-3037856 |
| Product Description: 2017 FORD EXPLORER K7B | |

| | |
|---|---|
| A Base Price: | $25,181 |

B Fleet Quote Option:

| Code | Description | Cost | Code | Description | Cost |
|---|---|---|---|---|---|
| | AWD-PPV, LH (LED) SPOTLIGHT, HEADLAMP PREP PACKAGE, TAILLAMP PREP PACKAGE, REAR VISION CAMERA, REAR AIR CONDITION, KEYLESS ENTRY KEY FOBS, 3.5L-V6 ECOBOOST, CLOTH BUCKET/VINYL REAR BENCH, FULL RUBBER FLOOR, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, HOOD & ROOF PAINTED WHITE, SYNC, THREE KEYS TOTAL | $4767 | | | |
| | FORD WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C | INCL | | CALDWELL COUNTRY<br>PO BOX 27<br>CALDWELL, TEXAS 77836 | |
| | 3-N FORCE SINGLE DECK GRILL MOUNT LIGHT, SAE CLASS 1, 10-16V, BLACK HOUSING, 12 LED, DUAL COLOR RED/WHITE, 3-NFORCE SINGLE DECK GRILL MOUNT LIGHT, SAE CLASS 1, 10-16V, BLACK HOUSING 12 LED DUAL COLOR BLUE/WHITE, 100N SERIES COMPOSITE SPEAKER W/UNIVERSAL BAIL BRACKE4T -100 WATT, CHARCOAL GREY ABS STANDARD TRNASPORT SEAT WITH ¼" POLY WINDOW CARGO BARRIER AND SEAT | $8624 | | | |

| | | | | | |
|---|---|---|---|---|---|
| | MOUNT KIT, PARTITION 10VS RECESSED PANEL COATED POLYCARBONATE, PAIR STEEL WINDOW BARRIER, CONSOLE 16" FP -12" TOP 4" BOTTOM, DUAL ABS CUPHOLDER (INTERNALLY MOUNTED), ARMREST ADJUSTABLE, RAM-VB-187-SW1, NFORCE FIT SINGLE SURFACE MOUNT LIGHT SAE CLASS 1, 10-16V BLACK HOUSING 6 LED DUAL COLOR RED/WHITE, NFORCE FIT SINGLE SURFACE MOUNT LIGHT SAE CLASS 1, 10-16V, BLACK HOUSING 6 LED DUAL COLOR BLUE/WHITE, PB400 VS STEEL BUMPER, HORIZ MT LICNESE PLATE BRACKET, 2-INTERSECTOR SURFACE MOUNT LIGHT, BLACK HOUSING 9 LEDS-SOLID COLOR WHITE, ALUM DOUBLE DRAWER AND 2 WEAPON STORAGE CABINET WF-EXPL-FORD-PC, CUSTOMER ONSITE DECALS, CAP FLEET WIRING HARNESS, TOTAL INSTALL, PUSH BUMPER | | | | |
| | LOGISTICS | $418 | | | |
| | | | | | |
| | | | | | |

| | |
|---|---|
| Subtotal B | $13,809 |
| | |

C Unpublished Options

| Code | Description | Cost | Code | Description | Cost |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| | |
|---|---|
| Subtotal C | |
| | |

D Other Price Adjustments (Installation, Delivery, Etc…)

| | |
|---|---|
| Subtotal D | INCL |
| | |
| E Unit Cost Before Fee & Non-Equipment Charges(A+B+C+D) | $38,990 |
| Quantity Ordered | 3 |
| Subtotal E | $116,970 |
| | |

| | | |
|---|---|---|
| **F** | **Non-Equipment Charges (Trade-In, Warranty, Etc…)** | |
| | **BUY BOARD** | **$400** |
| | | |
| **G.** | **Color of Vehicle: BLACK & WHITE (ROOF & HOOD)** | |
| | | |
| **H.** | **Total Purchase Price (E+F)** | **$117,370** |
| | | |
| | **Estimated Delivery Date:** | **120 DAYS APPX** |

**QUOTE# 002-CAPQ12408-2X** **CONTRACT PRICING WORKSHEET**

| | |
|---|---|
| End User: CITY OF BRENHAM | Contractor: CALDWELL COUNTRY |
| Contact Name: CPL. CHRIS JACKSON | CALDWELL COUNTRY |
| Email: CJACKSON@CITYOFBRENHAM.ORG | Prepared By: Averyt Knapp |
| Phone #: 979-337-7324 | Email: aknapp@caldwellcountry.com |
| Fax #: | Phone #: 979-567-6116 |
| Location City & State: BRENHAM, TX | Fax #: 979-567-0853 |
| Date Prepared: NOVEMBER 10, 2016 | Address: P. O. Box 27, Caldwell, TX 77836 |
| Contract Number: BUY BOARD #430-13 | Tax ID # 27-3037856 |
| Product Description: 2017 FORD EXPLORER K7B | |

| | |
|---|---|
| A Base Price: | $25,181 |

B Fleet Quote Option:

| Code | Description | Cost | Code | Description | Cost |
|---|---|---|---|---|---|
| | AWD-PPV, LH SPOTLIGHT, HEADLAMP PREP PACKAGE, TAILLAMP PREP PACKAGE, REAR VISION CAMERA, REAR AIR CONDITION, KEYLESS ENTRY KEY FOBS, 3.7L-V6, CLOTH BUCKET/VINYL REAR BENCH, FULL RUBBER FLOOR, POWER WINDOWS, POWER LOCKS, POWER MIRRORS | $2177 | | | |
| | FORD WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C | INCL | | CALDWELL COUNTRY<br>PO BOX 27<br>CALDWELL, TEXAS 77836 | |
| | SOUNDOFF NFORCE INTERIOR LIGHTBAR CONFIGURED, NFORCE 6 MODULE INTERIOR TRAFFIC CONTROLLER W/MOUNTING BRACKET, 18 LED'S-TRI COLOR COMBINATION IN AMBER/BLUE/RED/WHITE 3-NFORCE SINGLE DECK/GRILLE MOUNT LIGHTS, SAE CLASS 1, 10-16V, BLACK HOUSING, 12 LED, DUAL COLOR RED/WHITE, 3-NFORCE SINGLE DECK/GRILLE MOUNT LIGHT, SAE CLASS 1, 10-16V BLACK HOUSING 12 LED DUAL COLOR BLUE/WHITE, 1-NFORCE FIT SINGLE SURFACE MOUNT LIGHT, SAE | $5410 | | | |

| | | | | | |
|---|---|---|---|---|---|
| | CLASS 1, 10-16V BLACK HOUSING, 6 LED DUAL COLOR RED/WHITE, 1-NFORCE FIT SINGLE SURFACE MOUNT LIGHT, SAE CLASS 1, 10-16V BLACK HOUSING 6 LED DUAL COLOR BLUE/WHITE, BLUE PRINT 100 AMP CONTROLLER, BLUEPRINT 480 SERIES SIREN PA HI-AMP OUTPUTS 100W, BLUE PRINT CONTROL PANEL, BLUE PRINT CENTRAL HARNESS KIT, 100N SERIES COMPOSITE SPEAKER W/UNIVERSAL BAIL BRACKET-100 WATT, CONSOLE W/DUAL ABS CUP HOLDER INTERNALLY MOUNTED, ADJUSTABLE ARMREST, CAP FLEET WIRING HARNESS, TOTAL INSALL (ONE UNIT ONLY OF THE THREE UNITS INCLUDES LH LED SPOTLIGHT & PUSH BUMPER) | | | | |
| | LOGISTICS | $418 | | | |
| | | | | | |
| | | | | | |

| | |
|---|---|
| Subtotal B | $8,005 |
| | |
| C Unpublished Options | |

| Code | Description | Cost | Code | Description | Cost |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| | |
|---|---|
| Subtotal C | |
| | |
| D Other Price Adjustments (Installation, Delivery, Etc…) | |
| Subtotal D | INCL |
| | |
| E Unit Cost Before Fee & Non-Equipment Charges(A+B+C+D) | $33,186 |
| Quantity Ordered | 3 |
| Subtotal E | $99,558 |
| | |
| F Non-Equipment Charges (Trade-In, Warranty, Etc…) | |
| BUY BOARD | $400 |
| | |
| G. Color of Vehicle: BLACK | |
| | |

| | | |
|---|---|---|
| **H. Total Purchase Price (E+F)** | | **$99,958** |
| | | |
| | **Estimated Delivery Date:** | **120 DAYS APPX** |

# AGENDA ITEM 8

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED:** November 8, 2016 |
| **DEPT. OF ORIGIN:** Administration | **SUBMITTED BY:** Clint Kolby |

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

**AGENDA ITEM DESCRIPTION:** Discuss and Possibly Act Upon Resolution No. R-16-032 Nominating Valmont Industries, Inc. to the Office of the Governor, Economic Development and Tourism for Designation as an Enterprise Project Under the Texas Enterprise Zone Program

**SUMMARY STATEMENT:** City Council is being asked to consider discussion and possible action on a resolution nominating Valmont Industries as an Enterprise Project to the State of Texas. Participation in the Texas Enterprise Zone Program is possible because of Valmont Industries' expansion of their Coatings Division at the Brenham facility.

In order for the application to be submitted, the City is required to consider the attached Resolution nominating Valmont Industries for the State of Texas Enterprise Zone program.

A company that qualifies as a State Enterprise Project qualifies for reimbursement of the State portion of sales and use tax paid as a part of the business expansion. No local sales tax is rebated to the Company. The designation is for a five year period.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:** The Council should favorably consider this ordinance to provide state economic development incentive benefits to a local business that qualifies

**B. CONS:**

**ALTERNATIVES (In Suggested Order of Staff Preference):**

**ATTACHMENTS:** (1) Resolution No. R-16-032

**FUNDING SOURCE (Where Applicable):**

| |
|---|
| **RECOMMENDED ACTION:** Approve Resolution No. R-16-032 nominating Valmont Industries, Inc. to the Office of the Governor, Economic Development and Tourism for Designation as an Enterprise Project under the Texas Enterprise Zone Program |
| **APPROVALS:** Terry K. Roberts |

# RESOLUTION NO. R-16-032

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, NOMINATING VALMONT INDUSTRIES, INC. ("VALMONT" OR THE "COMPANY"), TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE TEXAS ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS AN ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, TEXAS GOVERNMENT CODE, CHAPTER 2303; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, on February 18, 2010, the City of Brenham ("City") previously passed Ordinance No. O-10-002 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. O-10-002;

**WHEREAS**, the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Texas Economic Development Bank ("Bank") will consider Valmont as an Enterprise Project pursuant to a nomination and an application made by the City;

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones, to other economically disadvantaged individuals and veterans;

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), Valmont has applied to the City for designation as an Enterprise Project; and

**WHEREAS**, the City finds that, based upon representations of Valmont, that the Company is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located inside of an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or veterans; and

**WHEREAS,** the City finds that Valmont further meets the criteria for designation as an Enterprise Project under Chapter 2303, Subchapter F of the Act on the following grounds:

**(1)** There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

**(2)** The designation of Valmont as an Enterprise Project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**WHEREAS**, the City finds that Valmont meets the criteria for tax relief and other incentives adopted by the City and nominates the Company for enterprise project status on the grounds that it will be located at the qualified business site, will retain a high level of employment, economic activity and stability; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate Valmont as an Enterprise Project pursuant to the Act;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS** that the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

**Section I:** The City finds that Valmont is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an Enterprise Project, as set forth in Section 2303, Subchapter F of the Act.

**Section II:** The City nominates Valmont as an Enterprise Project.

**Section III:** The Enterprise Project shall take effect on the date of designation of the enterprise project by the Bank and terminate five (5) years after the date of designation.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS** this _____ day of _____, 2016.

_____
Milton Y. Tate, Jr.
Mayor

**ATTEST:**

_____
Jeana Bellinger, TRMC, CMC
City Secretary

**APPROVED AS TO FORM:**

_____
Cary Bovey
City Attorney

# AGENDA ITEM 9

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED:** November 10, 2016 |
| **DEPT. OF ORIGIN:** Administration | **SUBMITTED BY:** Jeana Bellinger |

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

**AGENDA ITEM DESCRIPTION:** Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Concerning the Value and Possible Conveyance of a 3,329 Square Foot Tract of Land Being Described as Part of the A. Harrington Survey, A-55, Being Part of Block 8 of the Keys 1st Addition in Brenham, Washington County, Texas to Brenham Wholesale Grocery Co., Inc.

**SUMMARY STATEMENT:** To be discussed in Executive Session.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:**

**B. CONS:**

**ALTERNATIVES (In Suggested Order of Staff Preference):**

**ATTACHMENTS:** None

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:**

**APPROVALS:** Terry K. Roberts

# AGENDA ITEM 10

| | |
|---|---|
| **DATE OF MEETING:** November 17, 2016 | **DATE SUBMITTED:** November 10, 2016 |
| **DEPT. OF ORIGIN:** Administration | **SUBMITTED BY:** Jeana Bellinger |

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

**AGENDA ITEM DESCRIPTION:** Discuss and Possibly Act Upon the Conveyance of a 3,329 Square Foot Tract of Land Being Described as Part of the A. Harrington Survey, A-55, Being Part of Block 8 of the Keys 1st Addition in Brenham, Washington County, Texas to Brenham Wholesale Grocery Co., Inc. and Authorize the Mayor to Execute Any Necessary Documentation

**SUMMARY STATEMENT:** To be discussed in Executive Session.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:**

**B. CONS:**

**ALTERNATIVES (In Suggested Order of Staff Preference):**

**ATTACHMENTS:** None

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** As discussed in Executive Session.

**APPROVALS:** Terry K. Roberts