



**NOTICE OF A SPECIAL MEETING
THE BRENHAM CITY COUNCIL
MONDAY, OCTOBER 3, 2022 AT 08:30 AM
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN STREET
BRENHAM, TEXAS**

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

REGULAR SESSION

- 4. Discuss and Possibly Act Upon Resolution No. R-22-031 Determining that Soliciting Competitive Sealed Proposals for Aviation Fuel Supply and Associated Services at the Brenham Municipal Airport Is the Method of Procurement that Provides the Best Value for the City of Brenham**

EXECUTIVE SESSION

- 5. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Legal Issues Concerning the City of Brenham Lake Somerville Raw Water Lake Intake Structure, the Federal Emergency Management Agency, and Associated Matters**
- 6. Section 551.086 - Texas Government Code - Utility Competitive Matters - City of Brenham Gas Utility System - Gas Supply and Transportation Arrangements and Agreements, and Associated Matters**
- 7. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas**

RE-OPEN REGULAR SESSION

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 October 03, 2022 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan St., Brenham, TX on Thursday, September 29, 2022 at 6:00 p.m.

Jeana Bellinger, TRMC, CMC

City Secretary

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ day of _____, 2022 at _____ AM PM.

Signature

Title



Regular City Council **AGENDA ITEM 4.**

Agenda Item: Discuss and Possibly Act Upon Resolution No. R-22-031 Determining that Soliciting Competitive Sealed Proposals for Aviation Fuel Supply and Associated Services at the Brenham Municipal Airport Is the Method of Procurement that Provides the Best Value for the City of Brenham

Meeting Type: Special Meeting-October 03, 2022

Department: Development Services

Staff Contact: Stephanie Doland

SUMMARY STATEMENT:

During the January 24, 2022 the Brenham City Council authorized staff to proceed with the purchase, delivery and installation of the former Marathon Oil fuel farm and associated equipment (pumping, filtration, motors, etc.) from Alberth Aviation. The fuel farm includes two 12,000-gallon fuel tanks formerly used for the storage and refueling of Jet A. The fuel farm and associated equipment was purchased and relocated to the Brenham Municipal Airport on March 15, 2022. On May 19, 2022 the Brenham City Council unanimously approved a Professional Services Agreement with BASSCO Services, Inc for the rebuild of the Brenham Fuel Farm. The initial contract amount with BASSCO was for \$232,012.38 and included three phases of the project, design, construction and installation. Since approval of the contract BASSCO has completed the design phase of the project and is currently in the construction phase of the project. A change order was approved by Council on September 29, 2022 in the amount of \$43,070 for additional fuel farm equipment and for the installation of three canopies to provide shade and additional lighting on the RAMP while customers are fueling. Installation of the new fuel system is scheduled for November 2022.

In anticipation of the new fuel system being operational in November of 2022, staff is preparing to conduct a competitive sealed proposal process for a branded Aviation Fuel Provider at the Brenham Municipal Airport. The fuel provider will be expected to furnish and deliver 100 Low Lead (100LL) Av Gas and Jet-A Fuel with additive. Annual quantities are not known at this time and will vary from year to year. Additionally, the fuel provider is asked to provide the following:

- Credit Card and point of sale ("POS") equipment to be used by the City of Brenham
- FBO Software
- Lease to Purchase equipment – QTPod M4000
- Fuel cost guarantee
- Fuel Quality Control
- Liability Insurance

- Training and Professional Fuel Handling
- Refueler Trucks – one (1) 3,000-gallon truck for Jet-A, and one (1) minimum capacity 750-gallon truck (or as available) for 100LL Av Gas
- Branding Partnership, other marketing, sales aids, or assistance
- Co-Op Programs
- Signage

Section 252.021(c) of the Texas Local Government Code provides that the governing body of a municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality. City staff has evaluated its available options with regard to the procurement of aviation fuel and associated services at the Brenham Municipal Airport, and has determined that soliciting competitive sealed proposals from interested parties provides the best value for the City of Brenham. Accordingly, City staff recommends that the City Council approved Resolution No. R-22-031 determining that that soliciting competitive sealed proposals for aviation fuel supply and associated services at the Brenham Municipal Airport is the method of procurement that provides the best value for the City of Brenham.

Upon approval by Council, the RFP is scheduled to be published on Tuesday, October 4, 2022 and all RFP Submittals to be received by the City on October 18, 2022.

ATTACHMENTS:

(1) Resolution No. R-22-031

RECOMMENDED ACTION:

Approve Resolution No. R-22-031 determining that soliciting Competitive Sealed Proposals for aviation fuel supply and associated services at the Brenham Municipal Airport is the method of procurement that provides the best value for the City of Brenham.

RESOLUTION NO. R-22-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS DETERMINING THAT SOLICITING COMPETITIVE SEALED PROPOSALS FOR AVIATION FUEL SUPPLY AND ASSOCIATED SERVICES AT THE BRENHAM MUNICIPAL AIRPORT IS THE METHOD OF PROCUREMENT THAT PROVIDES THE BEST VALUE FOR THE CITY OF BRENHAM; DELEGATING TO THE CITY MANAGER, FOR FUTURE PROCUREMENTS, ITS AUTHORITY TO DETERMINE BEFORE NOTICE IS GIVEN THE METHOD OF PURCHASE THAT PROVIDES THE BEST VALUE FOR THE MUNICIPALITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 252.021(c) of the Texas Local Government Code provides that the governing body of a municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality; and

WHEREAS, Section 252.021(c) of the Texas Local Government Code also provides the governing body may delegate, as appropriate, its authority under this subsection to a designated representative; and

WHEREAS, the City desires to procure aviation fuel supply and associated services for the Brenham Municipal Airport; and

WHEREAS, City staff has evaluated the City's available options with regard to the procurement of aviation fuel and associated services for the Brenham Municipal Airport, and has determined that soliciting competitive sealed proposals from interested parties provides the best value for the City; and

WHEREAS, City staff recommends that the City Council approve this Resolution determining that that soliciting competitive sealed proposals for aviation fuel supply and associated services at the Brenham Municipal Airport is the method of procurement that provides the best value for the City of Brenham; and

WHEREAS, the City Council, pursuant to Section 252.021(c) of the Texas Local Government Code, also desires to delegate, for future procurements, its authority under said subsection to the City Manager to determine before notice is given the method of purchase that provides the best value for the municipality;

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

- SECTION 1.** The findings set forth hereinabove are incorporated into the body of this Resolution as if fully set forth herein.
- SECTION 2.** The City Council hereby determines that soliciting competitive sealed proposals for aviation fuel supply and associated services at the Brenham Municipal Airport is the method of procurement that provides the best value for the City of Brenham.
- SECTION 3.** The City Council also delegates to the City Manager, for future procurements, its authority under Section 252.021(c) of the Texas Local Government Code to determine before notice is given the method of purchase that provides the best value for the municipality.
- SECTION 4.** The Mayor and/or the City Manager, or designee, is hereby authorized to take any action and to execute any documentation necessary or appropriate to carry out the intent of this Resolution.
- SECTION 5.** This Resolution shall become effective immediately upon its passage and approval.

PASSED, APPROVED AND ADOPTED THIS THE 3rd DAY OF OCTOBER, 2022.

Milton Y. Tate, Jr
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



Regular City Council
AGENDA ITEM 5.

Agenda Item: Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Legal Issues Concerning the City of Brenham Lake Somerville Raw Water Lake Intake Structure, the Federal Emergency Management Agency, and Associated Matters

Meeting Type: Special Meeting-October 03, 2022

Department: Administration

Staff Contact: Carolyn Miller

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDED ACTION:

No action - Executive Session discussion only.



Regular City Council
AGENDA ITEM 6.

Agenda Item: **Section 551.086 - Texas Government Code - Utility Competitive Matters - City of Brenham Gas Utility System - Gas Supply and Transportation Arrangements and Agreements, and Associated Matters**

Meeting Type: Special Meeting-October 03, 2022

Department: Public Utilities

Staff Contact: Debbie Gaffey

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDED ACTION:

No action - Executive Session discussion only.



Regular City Council
AGENDA ITEM 7.

Agenda Item: Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas

Meeting Type: Special Meeting-October 03, 2022

Department: Administration

Staff Contact: Carolyn Miller

SUMMARY STATEMENT:

To be discussed in Executive Session.

ATTACHMENTS:

None

RECOMMENDED ACTION:

No action - Executive Session discussion only.