NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, OCTOBER 3, 2019 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN ST.
BRENHAM, TEXAS

1. Call Meeting to Order

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

3. Service Recognitions
- **Kenneth McGehee, Courts** — **5 Years**
- **Sierra Newell, Police** — **5 Years**
- **Mason Patranella, Public Utilities** — **5 Years**
- **Seth Klehm, Police** — **10 Years**

4. Proclamations
- **Fire Prevention Week**
- **Think Pink Thursday** **Pages 1-2**

5. Citizens Comments

CONSENT AGENDA

6. 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.

6-a. Minutes from the August 1, 2019 Regular City Council Meeting, August 14, 2019 Special City Council Meeting and August 15, 2019 Regular City Council Meeting

6-b. Approve a Noise Variance for St. Mary's Immaculate Conception Catholic Church for a Street Dance to be Held from 6:00 p.m. to 10:00 p.m. on October 19, 2019 at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation

6-c. Approve a Noise Variance for Mt. Rose Missionary Baptist Church for a Fall Fun Festival to be Held from 4:00 p.m. to 9:30 p.m. on October 30, 2019 in the Blinn College Student Parking Lot (First Street) and Authorize the Mayor to Execute Any Necessary Documentation

6-d. Approve a Contract Between the City of Brenham Electric Department and the Lower Colorado River Authority (LCRA) for Substation Relay and Breaker Inspection and Authorize the Mayor to Execute Any Necessary Documentation

6-e. Resolution No. R-19-026 Reauthorizing an Investment Policy for the City of Brenham

Pages 3-51

WORK SESSION

7. Discuss and Review the FY2018-19 Third Quarter Financial Report

Pages 52-66

REGULAR SESSION

8. Discuss and Possibly Act Upon the Approval of a Request from the Washington County Appraisal District to Utilize Prior Years' Accumulated Funds for the Purchase of a New Fleet Vehicle **Pages 67-68**

9. Discuss and Possibly Act Upon Resolution No. R-19-027 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors

Pages 69-73

10. Discuss and Possibly Act Upon Resolution No. R-19-028 Authorizing the Acceptance of Public Infrastructure Improvements in the Heritage Oaks Subdivision, Section 1

Pages 74-88

11. Discuss and Possibly Act Upon Resolution No. R-19-029 Amending the Human Resources Policy Manual **Pages 89-96**

12. Discuss and Possibly Act Upon Bid No. E2016-03 Related to Burleson Street Culvert Replacement and Authorize the Mayor to Execute Any Necessary Documentation

Pages 97-110

13. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitary Sewer Rates for Industrial Surcharges **Pages 111-114**

14. 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 October 3, 2019 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 September 30, 2019 at **12:45 PM**.

Kacey A. Weiss, TRMC
Deputy City Secretary I

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 ___________________, 2019 at __________ AM PM.

___________________________________ ___________________________________
Signature Title

PROCLAMATION

WHEREAS, The City of Brenham, Texas is committed to ensuring the safety and security of all those living in and visiting Brenham; and

WHEREAS, U.S. fire departments responded to 357,000 home fires in 2017, according to the National Fire Protection Association and those home fires resulted in 2,630 civilian deaths; and

WHEREAS, A home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

WHEREAS, Brenham's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Residents should practice the home fire escape drill at least twice a year, during the day and at night; and

WHEREAS, Brenham's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention, protection and education; and

WHEREAS, The 2019 Fire Prevention Week theme, "Not Every Hero Wears a Cape. Plan and Practice Your Escape!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and to remind residents they need to take personal steps to increase their safety from fire;

NOW, THEREFORE I, Andrew Ebel, Mayor Pro Tem of the City of Brenham, do hereby proclaim October 6-12, 2019 as

FIRE PREVENTION WEEK

Andrew Ebel, Mayor Pro Tem
City of Brenham

PROCLAMATION

WHEREAS, One in eight women will be diagnosed with breast cancer in their lifetime; and

WHEREAS, 268,600 new cases of invasive breast cancer will be diagnosed in 2019 along with 62,930 new cases of non-invasive breast cancer; and

WHEREAS, Breast cancer is the 2nd leading cause of cancer death in women, exceeded only by lung cancer; and

WHEREAS, The risk of developing breast cancer doubles for women whose parent, sibling or child have had the disease; and

WHEREAS, 85% of all breast cancer diagnosed have no family history; and

WHEREAS, In 2019 there are over 2.8 million breast cancer survivors living in the U.S.; and

WHEREAS, 41,760 women will lose their life to breast cancer this year. The risk of breast cancer increases as women grow older; and

WHEREAS, 30% of all new cancers diagnosed in women this year will be breast; and

WHEREAS, The best available method to detect breast cancer early to increase survival rates is a mammography screening. The color pink elevates the awareness that ***"the best protection is early detection"***; and

WHEREAS, Baylor Scott & White - The Brenham Clinic calls upon all citizens to observe this day by wearing the color pink along with participating in appropriate programs, activities and ceremonies;

NOW, THEREFORE, I, Andrew Ebel, Mayor Pro Tem of The City of Brenham, do hereby proclaim Thursday, October 24, 2019, as

THINK PINK THURSDAY

____

Andrew Ebel, Mayor Pro Tem
City of Brenham

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on August 1, 2019 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 Andrew Ebel
Councilmember Susan Cantey
Councilmember Adonna Saunders
Councilmember Keith Herring
Councilmember Albert Wright
Councilmember Clint Kolby

Members absent:

None

Others present:

City Manager James Fisher, City Attorney Cary Bovey, City Secretary – Director of Administrative Services Jeana Bellinger, Deputy City Secretary I Kacey Weiss, Deputy City Secretary II Karen Stack, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Strategic Budget Officer Debbie Gaffey, Melinda Gordon, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Todd Ashorn, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Stephanie Doland, Economic Development Director Susan Cates, Kevin Schmidt, Jack Evans, Pam Ruemke, Rolando Arroyo and Tony Tavary

Citizens present:

Beverly Love, Amy Ging, Cindy Boettcher, Cynthia Miler, Glenn Fuller, Dwayne Gajewski and Barbara Ross

Media Present:

Arthur Hahn, Brenham Banner Press; and Josh Blaschke, KWHI

1. Call Meeting to Order

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

3. **Service Recognitions**
   - **Kevin Schmidt, Information Technology 10 Years**

4. **Special Recognition**
   - **GFOA Distinguished Budget Presentation Award**
     - *Ninth Consecutive Year*

5. **Citizens Comments**

Citizen Barbara Ross addressed Council regarding a survey that is being passed out regarding a rehabilitation program in which released prisoners would come to Brenham to live and obtain job training skills. Ross stated that she does not think this is a good idea for our community and asked whether Council had discussed or taken a position on the issue. Councilmembers indicated they were not aware of the survey. Josh Blaschke with KWHI stated that it is a partnership with Faith Mission. City Manager James Fisher advised that he knew the survey was being conducted, but thought it was a class exercise being done through Prairie View A&M University. Fisher stated that he would get more information about it and brief Council and put the matter on a future agenda if necessary.

CONSENT AGENDA

6. **Statutory Consent Agenda**

6-a. Approve a Noise Variance for Royalty Tax Service for a Back to School Event to be Held on August 11, 2019 from 3:00 p.m. – 7:00 p.m. at 612 Alamo Street and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Cantey and seconded by Councilmember Saunders to approve the Statutory Consent Agenda Item 6-a. 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

WORK SESSION

7. Discussion and Presentation Related to Adopting a Debt Management Policy for the City of Brenham

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller stated that the Government Finance Officers Association (GFOA) recommends that state and local governments adopt a comprehensive, written Debt Management Policy. Miller advised that adherence to a debt management policy signals to rating agencies and the capital markets that a government is well managed. Miller explained that debt management policies should be approved by the issuer's government body to provide credibility, transparency and to ensure that there is a common understanding among elected officials and staff regarding the issuer's approach to debt financing. Miller noted that the policy was reviewed by the Audit Committee on March 7, 2019 and the City's Investment Advisor on July 12, 2019.

PUBLIC HEARING

8. Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas by Amending Part II, Division 1, Section 12 – Landscaping and Buffering to Revise the Minimum Landscape Requirements for Parking Areas, and Section 16 – Off-Street Parking Requirements to Revise the Minimum Parking Space Stall Dimensions and Establish a Minimum Parking Space Size for Spaces Designated as Compact Parking (Case Number P-19-023)

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland explained that City staff was recently asked to consider an amendment to the Code of Ordinances, Appendix A – Zoning, to reduce the standard parking space dimensions. Doland advised that in the coming twelve to eighteen months, the city is expecting to see an increase in the number of building permits for residential and commercial development.

Doland stated that parking standards are not only considered for new, greenfield development, but are also considered when an existing site re-develops or when a new tenant requests electricity for a new use in an existing building. Doland noted that often times retrofitting existing sites to meet the city's minimum parking standards is challenging. Doland explained that therefore, staff recommends a reduction to the minimum parking space size for 45°, 60°, and 90° spaces and proposes a minimum parking space size for compact parking spaces.

Doland explained that in addition to revising the standard parking space dimensions, staff proposes to consider parking lot standards in general and consider an amendment to increase landscaping requirements in parking areas. Doland advised that currently landscaping is required to be provided at 5% of the parking areas with no tree or shrub requirements. Doland stated that staff recommends approval of an ordinance to increase the minimum landscaping to 15% of the developed area (8% for redeveloping property) and establish tree and screening requirements.

Doland advised that on Monday, July 22, 2019, the Planning and Zoning Commission met to consider the proposed text amendment. Doland noted that no comments were made during the public hearing portion of the proposed amendment. Doland explained that following the public hearing, the Commission voted unanimously to recommend approval of the proposed text amendment with the recommendation that the minimum parking space size be 9’x20’ as opposed to the staff recommendation of 9’x19’.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

17. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas by Amending Part II, Division 1, Section 12 – Landscaping and Buffering to Revise the Minimum Landscape Requirements for Parking Areas, and Section 16 – Off-Street Parking Requirements to Revise the Minimum Parking Space Stall Dimensions and Establish a Minimum Parking Space Size for Spaces Designated as Compact Parking (Case Number P-19-023)

A motion was made by Councilmember Cantey and seconded by Councilmember Wright to approve an Ordinance on its first reading, as presented, amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas by amending Part II, Division 1, Section 12 – Landscaping and Buffering to Revise the Minimum Landscape Requirements for Parking Areas, and Section 16 – Off-Street Parking Requirements to Revise the Minimum Parking Space Stall Dimensions and Establish a Minimum Parking Space Size for Spaces Designated as Compact Parking (Case Number P-19-023).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

PUBLIC HEARING

9. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the Following Tracts of Land (Case Number P-19-026):

- **a) 1.416 Acres Addressed as 1701 State Highway 105, and Further Described as Part of Lots 23-27 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;**
- **b) 0.262 Acres Addressed as 1711 State Highway 105 (f/k/a 1703 State Highway 105), and Further Described as Part of Lots 28 and 29 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;**
- **c) 3.160 Acres Addressed as 1801 and 1803 State Highway 105, and Further Described as Tract 86 of the Arrabella Harrington Survey in Brenham, Washington County, Texas; and**
- **d) A Portion of the Called 0.9765 Acre Tract, out of the A. Harrington Survey, A-55, the James Walker Survey, A-106, and the Post Oak Grove Addition in Brenham, Washington County, Texas (WCAD R#19194)**

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland explained that on June 11, 2019, the City of Brenham received a rezoning request application by Circle K, to rezone their property at the eastern corner of the intersection of FM-577 and State Highway 105 from a Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology Use District (B-2). Doland stated that the reason for the rezoning request by Circle K is to allow the demolition of the current property improvements and reconstruction of a Convenience Store/Fuel Station (Automobile Service Station) at the existing location.

Doland advised that when examining the proposed rezoning request by Circle K, city staff found that adjacent properties in the vicinity of Circle K are also zoned B-1 and are also developed with legally non-conforming uses. Doland noted that furthermore, it was identified that rezoning the Circle K property alone would be considered "spot zoning" as adjacent properties on all sides of the Circle K property are currently zoned B-1. Doland stated that the proposed city-initiated rezoning includes four properties with four different owners. Doland explained that each of the four properties are currently zoned as B-1, Local Business/Residential Mixed Use District and suggested to be rezoned to B-2, Commercial Research and Technology District.

Doland explained that no public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

Doland noted that on Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommend approval of this rezoning request.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

18. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the tracts of Land described in said Ordinance (Case Number P-19-026)

A motion was made by Councilmember Kolby and seconded by Councilmember Herring to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the tracts of Land described in said Ordinance (Case Number P-19-026).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

PUBLIC HEARING

10. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on a 1.056 Acre Tract of Land Addressed as 1708 State Highway 105, and Further Described as Lot 1 of the Southeast Portion of Post Oak Grove Addition in Brenham, Washington County, Texas (Case Number P-19-024)

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland explained that Circle K is the property owner of a 1.056-acre tract of land located at the southeast corner of the intersection of State Highway 105 and N. Blue Bell Road. Doland advised that this property is developed with an existing convenience store, car wash, and gas pumps. Doland stated that the applicant is requesting that the property be rezoned from a Local Business Residential Mixed Use District (B-1) to a Commercial Research and Technology District (B-2) to demolish the current property improvements and redevelop the site with a convenience store / fuel station.

Doland advised that no public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing. Doland noted that on Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

19. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on a 1.056 Acre Tract of Land Addressed as 1708 State Highway 105, and Further Described as Lot 1 of the Southeast Portion of Post Oak Grove Addition in Brenham, Washington County, Texas (Case Number P-19-024)

A motion was made by Councilmember Cantey and seconded by Councilmember Saunders to approve an Ordinance on its first reading amending the Official Zoning Map of the Code of Ordinances to Change the Zoning from a Local Business Residential Mixed Use District (B-1) to a Commercial Research and Technology District (B-2) on a 1.056-acre Tract of Land Located at the Southeast Corner of the Intersection of State Highway 105 and N. Blue Bell Road in Brenham, Washington County, Texas. (Case No. P-19-024).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

PUBLIC HEARING

11. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 1106 High Street, and Further Described as Lots 1, 2A and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas (Case Number P-19-025)

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland explained that the subject property was acquired by Blinn College in the early 1990's and is zoned as R-2, Mixed Residential Use Zoning District. Doland stated that Blinn College, the property owner/applicant, would like to develop the property in the short term with an entry monument sign and with College/higher education uses at a later date. Doland noted that Blinn College has requested that the property be rezoned to B-2, which allows for College and University uses by-right.

Doland stated that no public comments concerning this proposed rezoning were received prior to the Planning and Zoning Commission meeting or during the Public Hearing.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

20. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 1106 High Street, and Further Described as Lots 1, 2A and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas (Case Number P-19-025)

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 1106 High Street, and Further Described as Lots 1, 2A and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas (Case Number P-19-025).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

PUBLIC HEARING

12. Public Hearing to Consider Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

Mayor Tate opened the Public Hearing.

Development Services Director Stephanie Doland presented this item. Doland advised that Texas Plumbing Supply (applicant) together with the Boettcher Family (current property owners) are requesting approval of a Specific Use Permit. Doland explained that the subject property is currently zoned as B-1, Local Business/Residential Mixed Use Zoning District. Doland stated that the current B-1 zoning designation allows for a mixture of retail, office and residential uses by-right. Doland noted that in addition, open (outdoor) storage of retail merchandise as an accessory use is permitted in the B-1 district with prior approval of a Specific Use Permit (SUP).

Doland advised that the applicant, Glenn Fuller on behalf of Texas Plumbing Supply, has requested a SUP in order to relocate the plumbing supply business to the subject property with limited outdoor storage. Doland stated that Mr. Fuller proposes to completely screen from view by adjacent right-of-way and property owners any outdoor storage located on the property.

Doland explained that two public comments in support of the proposed SUP were received prior to the Planning and Zoning Commission meeting. Doland noted that on Monday, July 22, 2019, after conducting a Public Hearing, the Planning and Zoning Commission voted unanimously to recommend approval of the SUP request, with the condition that all outdoor storage be completely screened from view by adjacent right-of-way and residential property.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

21. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

A motion was made by Councilmember Herring and seconded by Councilmember Wright to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027).

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

PUBLIC HEARING

13. Public Hearing, Discussion and Receipt of Input Related to the Proposed Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In

Mayor Tate opened the Public Hearing.

Director of Economic Development Susan Cates presented this item. Cates explained that prior to considering the creation of a Reinvestment Zone for implementing a Tax Phase-In incentive for Del Sol Food Company, Inc. the City Council is required to hold a Public Hearing to receive input regarding the proposal.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

16. Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading for the creation of Reinvestment Zone Number 47 requested by Del Sol Foods, Inc. for Commercial Tax Phase-In Incentive on that certain 29.137 acres of land, generally located at 3015 – 3151 South Blue Bell Road, being more fully described in Exhibit "A" of the Ordinance creating Reinvestment Zone 47, and designating this property as qualifying for Tax Phase-In.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

14. Discuss and Possibly Act Upon Resolution No. R-19-019 Adopting a Debt Management Policy for the City of Brenham

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that the Government Finance Officers Association (GFOA) recommends that state and local governments adopt a comprehensive, written Debt Management Policy. Miller stated that debt management policies are written guidelines, allowances, and restrictions that guide the debt issuance practices of state or local governments, including issuance process, management of a debt portfolio, and adherence to various laws and regulations. Miller advised that adherence to a debt management policy signals to rating agencies and the capital markets that a government is well managed. Miller noted that finally, debt management policies should be approved by the issuer's government body to provide credibility, transparency and to ensure that there is a common understanding among elected officials and staff regarding the issuer's approach to debt financing. Miller explained that the policy was reviewed by the Audit Committee on March 7, 2019 and the City's Investment Advisor on July 12, 2019.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Saunders to approve Resolution No. R-19-019 Adopting a Debt Management Policy for the City of Brenham.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

15. Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of $0.5140 per $100 Valuation for the 2019 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised Council that the City would be maintaining the current operations & maintenance (O&M) property tax rate of $0.3200 per $100 valuation, and to lower the interest and sinking (I&S) rate from $.1970 to $.1940 per $100 valuation. Miller stated that the City would adopt a total tax rate (O&M and I&S) of $.5140 for FY2019-20.

Miller explained The Washington County Appraisal District has certified taxable values of $1,454,612,209 for the 2019 Tax Year, which is a net increase of $135,736,650 above the 2018 (adjusted) taxable values of $1,318,875,559. Miller advised that in accordance with the Tax Code, Council must now take a Record Vote to place a proposal to adopt the proposed property tax rate on the agendas of future meetings.

A motion was made by Councilmember Kolby and seconded by Mayor Pro Tem Ebel that the property tax rate be increased by the adoption of a tax rate of $0.5140 per $100 valuation, which is effectively a 8.26% increase in the tax rate, to be considered by the governing body on the agendas of the September 16, 2019 and September 19, 2019 meetings and to schedule public hearings on the proposed tax rate for August 14, 2019 and September 5, 2019 in accordance with state law.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

22. Discuss and Possibly Act Upon Resolution No. R-19-020 Authorizing the Acceptance of Infrastructure Improvements in the Oak Alley Phase I and Phase II Subdivision

Development Services Director Stephanie Doland presented this item. Doland explained that Washington County Oak Alley LLC has completed infrastructure improvements (water and sanitary sewer) related to the development of Phase 1 and 2 of the Oak Alley Subdivision. Doland stated that infrastructure related to streets and drainage shall be retained for ownership and maintenance by the Oak Alley Subdivision Homeowners Association. Doland advised that the infrastructure improvements have been constructed and inspected according to the City of Brenham ordinances and regulations and are ready for acceptance by the City.

A motion was made by Councilmember Cantey and seconded by Councilmember Saunders to approve Resolution No. R-19-020 authorizing the acceptance of infrastructure improvements in the Oak Alley Phase I and Phase II Subdivision.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

23. Discuss and Possibly Act Upon a Bid for Contract No. 2018-04-R Related to the 2018 Louanna Estates Drainage Project Rebid and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on July 17, 2019 Strand Associates and City of Brenham personnel opened bids regarding budgeted drainage work in the Lou Anna Estates Subdivision. Ogle noted that six bids were received. Ogle stated that based off the bids and when considering the alternate, the lowest overall bidder was Solid Bridge Construction from Huntsville. Ogle advised that Solid Bridge is currently doing work for the City and has done a great job.

A motion was made by Councilmember Kolby and seconded by Councilmember Saunders to award a bid for Contract No. 2018-04-R to Solid Bridge Construction, in the amount of $292,633.00 including the alternate bid, related to the 2018 Louanna Estates Drainage Project Rebid 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

24. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- The Fireman's Fiesta will be August 10th from 5:30 to 7:30 p.m.
- The Washington County Chamber of Commerce will be hosting a Legislative Wrap Up on August 13th
- First day of school for BISD will be August 14th
- The first public hearing on the city's budget will be August 14th at 12:00 p.m.
- A reception honoring Lowell Ogle's retirement will be September 26th

The meeting was adjourned.

____

Andrew Ebel
Mayor Pro Tem

____

Jeana Bellinger, TRMC, CMC
City Secretary

Brenham City Council Minutes

A special meeting of the Brenham City Council was held on August 14, 2019 beginning at 12:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Pro Tem Andrew Ebel
Councilmember Susan Cantey
Councilmember Adonna Saunders
Councilmember Keith Herring
Councilmember Albert Wright
Councilmember Clint Kolby

Members absent:

Mayor Milton Y. Tate, Jr.

Others present:

City Manager James Fisher, City Secretary – Director of Administrative Services Jeana Bellinger, Deputy City Secretary I Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Strategic Budget Officer Debbie Gaffey, Budget Manager Kaci Konieczny, Director of Tourism and Marketing Jennifer Eckermann, Melinda Gordon, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Development Services Director Stephanie Doland and Economic Development Director Susan Cates

Citizens present:

None

Media Present:

Arthur Hahn, Brenham Banner Press

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – City Manager James Fisher

PUBLIC HEARING

3. Proposed Tax Rate of $0.5140 per $100 Valuation for Fiscal Year Beginning October 1, 2019 and Ending September 30, 2020

Mayor Pro Tem Ebel opened the Public Hearing.

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised that a property tax rate of $0.5140 per $100 valuation is proposed to fund the FY2019-20 Budget. Miller stated that $0.3200 will be for maintenance and operations and the balance of $0.1940 will be for debt service. Miller explained that the increase in property taxes will be used for the purpose of public safety and infrastructure maintenance and improvements.

Miller advised that to be in compliance with the Property Tax Code, the Council must hold two public hearings to receive citizen comments on the proposed property tax rate. Miller noted that at each hearing, the Council must announce the date, time, and place of the meeting at which it will vote on the tax rate.

Mayor Pro Tem Ebel announced that the first reading of the Ordinance to adopt the tax rate will be during a Special Council meeting on Monday, September 16, 2019 at 8:30 a.m. at City Hall, located at 200 W. Vulcan Street. The second reading of the Ordinance and adoption of the tax rate is scheduled for a Regular Council meeting on Thursday, September 19, 2019 at 1:00 p.m. at City Hall, located at 200 W. Vulcan Street.

Mayor Pro Tem Ebel closed the Public Hearing.

The meeting was adjourned.

____
Andrew Ebel
Mayor Pro Tem

____
Jeana Bellinger, TRMC, CMC
City Secretary

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on August 15, 2019 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 Andrew Ebel
Councilmember Susan Cantey
Councilmember Keith Herring
Councilmember Clint Kolby

Members absent:

Councilmember Adonna Saunders
Councilmember Albert Wright

Others present:

City Manager James Fisher, City Attorney Cary Bovey, City Secretary – Director of Administrative Services Jeana Bellinger, Deputy City Secretary I Kacey Weiss, Deputy City Secretary II Karen Stack, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Strategic Budget Officer Debbie Gaffey, Andria Heiges, Cynthia Longhofer, Melinda Gordon, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Dant Lange, Todd Ashorn, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Stephanie Doland, David Doelitsch, Allen Jacobs, Economic Development Director Susan Cates and Michael McDaniel

Citizens present:

Perry Thomas and Cynthia Miler

Media Present:

Arthur Hahn, Brenham Banner Press; and Josh Blaschke, KWHI

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Tate

3. **Special Recognition**

- **State Accreditation for Nancy Carol Roberts Memorial Library**

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

5-a. Minutes from the June 20, 2019 Special City Council Meeting, June 20, 2019 Regular City Council Meeting, July 11, 2019 Special Joint City Council Meeting, July 11, 2019 Special City Council Meeting and July 11, 2019 Regular City Council Meeting

5-b. Ordinance No. O-19-024 on Its Second Reading for the Creation of Reinvestment Zone Number 47 Requested by Del Sol Foods, Inc. for the Commercial Tax Phase-In Incentive on That Certain 29.137 Acres of Land, Generally Located at 3015 – 3151 South Blue Bell Road, Being More Fully Described in Exhibit "A" of the Ordinance Creating Reinvestment Zone 47, and Designating This Property as Qualifying for Tax Phase-In

5-c. Ordinance No. O-19-025 on Its Second Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas by Amending Part II, Division 1, Section 12 – Landscaping and Buffering to Revise the Minimum Landscape Requirements for Parking Areas, and Section 16 – Off-Street Parking Requirements to Revise the Minimum Parking Space Stall Dimensions and Establish a Minimum Parking Space Size for Spaces Designated as Compact Parking (Case Number P-19-023)

5-d. Ordinance No. O-19-026 Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on the Following Tracts of Land (Case Number P-19-026):

a) 1.416 Acres Addressed as 1701 State Highway 105, and Further Described as Part of Lots 23-27 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;

b) 0.262 Acres Addressed as 1711 State Highway 105 (f/k/a 1703 State Highway 105), and Further Described as Part of Lots 28 and 29 in Block 1 of the Post Oak Grove Addition in Brenham, Washington County, Texas;

c) **3.160 Acres Addressed as 1801 and 1803 State Highway 105, and Further Described as Tract 86 of the Arrabella Harrington Survey in Brenham, Washington County, Texas; and**

d) **A Portion of the Called 0.9765 Acre Tract, out of the A. Harrington Survey, A-55, the James Walker Survey, A-106, and the Post Oak Grove Addition in Brenham, Washington County, Texas (WCAD R#19194)**

5-e. Ordinance No. O-19-027 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Local Business/Residential Mixed Use District (B-1) to Commercial, Research and Technology District (B-2) on a 1.056 Acre Tract of Land Addressed as 1708 State Highway 105, and Further Described as Lot 1 of the Southeast Portion of Post Oak Grove Addition in Brenham, Washington County, Texas (Case Number P-19-024)

5-f. Ordinance No. O-19-028 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from Mixed Residential District (R-2) to Commercial, Research and Technology District (B-2) on Approximately 2.29 Acres of Land Addressed as 901, 905, 909, 911 and 913 W. Fifth Street and 1104 and 1106 High Street, and Further Described as Lots 1, 2A and 4 in Block 21 of the Key's First Addition, in Brenham, Washington County, Texas (Case Number P-19-025)

5-g. Ordinance No. O-19-029 on Its Second Reading Amending the Official Zoning Map of the City of Brenham Granting a Specific Use Permit to Texas Plumbing Supply to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use to Uses Permitted in the Local Business/Residential Mixed Use (B-1) Zoning District on Approximately 2.190 Acres of Land Located at 1608 and 1702 S. Market Street, and Further Described as Part of Lots 1 and 2, and Lots 3-7 in Block L of the Stone Subdivision, in Brenham, Washington County, Texas (Case Number P-19-027)

5-h. Approve a Noise Variance from Ethan Lawhon for a Prayer Vigil Honoring Fallen El Paso, Texas and Dayton, Ohio Lives Lost to be Held on August 15, 2019 from 7:00 p.m. – 8:00 p.m. at the Courthouse Gazebo and Authorize the Mayor to Execute Any Necessary Documentation

5-i. Approve a Noise Variance from St. Mary's Immaculate Conception Catholic Church for a Fundraiser to be Held on September 1, 2019 from 8:00 a.m. – 5:00 p.m. at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation

5-j. Approve Brenham Community Development Corporation's Conveyance of Approximately 1.1717 Acres of Land to Del Sol Food Company, Inc.

Mayor Tate noted that Council would not be voting on item 5-h. as the application had been withdrawn by the requestor. A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Items 5-a. through 5-g., 5-i., and 5-j. 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

WORK SESSION

6. Discussion and Update on Possible Annexation of Various Tracts of Land into the City Limits of the City of Brenham

City Manager James Fisher presented this item. Fisher explained that at the May 7, 2019 meeting, the City Council adopted Resolution No. R-19-013 authorizing the City Manager to review and identify various tracts for possible annexation in 2019.

Fisher stated that after review of various tracts and the "gateways" to the City, staff has finalized the tracts for annexation. Fisher advised that several of these tracts are currently appraised with an agricultural exemption so the City is required to offer these property owners Development Agreements that guarantees the continuation of ETJ status for an extended period not to exceed 45 years. Fisher noted that the City will offer these Agreements with a time period of 10 years.

Fisher explained that under the provisions of the Resolution, the City does not have to annex all of this land at one time, the City can choose sections and/or tracts to be annexed at different times. Fisher noted that staff is still discussing a timeline for all of these annexations and will advise the Council of the recommended schedule once it is finalized.

7. Discussion and Presentation Related to the Possible Amendment of Chapter 6, Buildings and Structures, Code of Ordinances, City of Brenham, Texas to Adopt the 2015 Version of the International Building Codes with Local Amendments

Building Official Allen Jacobs presented this item. Jacobs explained that City Staff recommends updating the adopted building codes from the 2012 International Building Code suite to the 2015 International Building Code suite. The suite of the International Codes includes the following:

- 2015 International Building Code (IBC)
- 2015 International Residential Code (IRC)
- 2015 International Fire Code (IFC)
- 2015 International Plumbing Code (IPC)
- 2015 International Mechanical Code (IMC)
- 2015 International Fuel Gas Code (IFGC)
- 2015 International Energy Conservation Code (IECC)
- 2015 International Existing Building Code (IEBC)
- 2015 International Property Maintenance Code (IPMC)
- 2015 International Swimming Pool and Spa Code (ISPSC)

Jacobs stated that the purpose of maintaining the current International Building Codes is to safeguard health, safety, property and public welfare. Jacobs stated that the adoption of the newer codes also maintains a more favorable ISO rating for the City of Brenham. Jacobs noted that the ISO rating is the Insurance Services Office, which sets the property insurance ratings for municipalities that insurance companies comply with.

Jacobs explained that the developer of the International Codes, the International Code Council (ICC), publishes new versions of the codes every three (3) years. Jacobs stated that the City of Brenham, similar to other municipalities, historically has adopted the International Codes from the previous cycle of the newest released codes; this being the 2015 version of the International Codes.

Jacobs advised that in addition to the 2015 International Codes, the City of Brenham also adopts local amendments to these codes. Jacobs explained that the local amendments accommodate the City of Brenham code of ordinances, and also allow the City of Brenham to enforce code requirements that are beneficial to our municipality. Jacobs noted that in addition, these local amendments are necessary as they reflect local construction practices and laws.

8. Discussion and Presentation Related to the Possible Amendment of Chapter 27, Vehicles for Hire, Code of Ordinances, City of Brenham, Texas

Deputy City Secretary II Karen Stack presented this item. Stack stated that this work session was being held to discuss two proposed changes to the City's Vehicles for Hire ordinance. Stack advised that the first change staff are suggesting is to clarify that limousine and other charter services are not regulated by this ordinance and therefore limousines do not need a permit to operate in the City of Brenham. Stack also discussed the Police Department's recommendation that three (3) or more Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) charges disqualify an applicant for a City Chauffeur's Permit.

Councilmember Cantey asked whether the ordinance could be written so that an applicant could be disqualified for fewer than three DWI convictions. Sergeant Todd Ashorn of the

Brenham Police Department replied that it could, but he felt that because everyone makes mistakes the ordinance should allow at least one.

Councilmember Herring stated that he was concerned about the use of the word "director" throughout the ordinance and requested that it be clarified so that it would be clear to citizens who was responsible for each part of the permitting process.

REGULAR SESSION

9. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 27, Vehicles for Hire, Code of Ordinances, City of Brenham, Texas

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve an ordinance on its first reading amending Chapter 27, Vehicles for Hire, Code of Ordinances, City of Brenham, Texas, subject to the changes discussed in work session.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

10. Discuss and Possibly Act Upon Resolution No. R-19-021 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Del Sol Food Company, Inc. in Reinvestment Zone Number 47

Economic Development Director Susan Cates presented this item. Cates explained that Del Sol Food Company, Inc. will invest $7.7M for an expansion project. Cates stated that of this, $2.85M would be for improvements to existing and newly acquired property that would increase the value an estimated $1.38M. Cates noted that in addition, Del Sol is estimating adding 10 new full-time equivalent positions related to this expansion.

Cates explained that she has revised the Tax Phase-In Calculation to include the total number of jobs, both created and retained, rather than only jobs created. Cates noted that the original calculation was based on jobs created by Del Sol for this expansion. Cates advised that the original calculations were presented at a Work Session on July 11th.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Resolution No. R-19-021 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Del Sol Food Company, Inc. in Reinvestment Zone Number 47.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

11. Discuss and Possibly Act Upon the Approval of the FY2019-20 Proposed Budget for the Washington County Appraisal District

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item and introduced Willy Dilworth, Chief Appraiser with the Washington County Appraisal District (WCAD). Dilworth explained that the WCAD proposed budget shows an increase of $80,758 over the prior year's budget mainly due to salary and benefit increases. Dilworth stated that professional and contracted services also increased over the prior year along with several smaller line items in other categories. Dilworth noted that the impact for the City of Brenham is an increase of $8,430 for FY19-20, which was included in the General Fund proposed budget already reviewed with Council.

A motion was made by Councilmember Herring and seconded by Councilmember Kolby to approve the FY2019-20 Proposed Budget for the Washington County Appraisal District.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

12. Discuss and Possibly Act Upon the Approval of a Request from the <u>Washington County Appraisal District</u> to Retain the Accumulated Funds of $39,275 from FY2017-18 Budget Savings, the City of Brenham's Portion Being $4,281.66

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item and introduced Willy Dilworth, Chief Appraiser with the Washington County Appraisal District (WCAD). Dilworth stated that the Washington County Appraisal District's audited financial statement for the fiscal year ending August 31, 2018 showed budget savings of $39,275. Dilworth advised that WCAD is requesting to retain the savings to use for the 2020 Pictometry flight. Miller explained that, if approved, the City of Brenham's portion of the funds to be retained would be $4,281.66. Miller stated that if the $39,275 is not retained by the WCAD, $4,281.66 would be returned to the City.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Cantey to approve a request from the Washington County Appraisal District to retain the accumulated funds of $39,275, from FY2017-18 budget savings, with the City of Brenham's portion being $4,281.66, for the 2020 Pictometry flight.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

13. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 24, Taxation, Code of Ordinances, City of Brenham, Texas to Provide for the Creation of a Municipal Sales and Use Tax for the City of Brenham

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that Cities that adopted local sales and use tax <u>prior to</u> October 1, 1979, may, in accordance with the provisions in Tax Code 321.105(l), choose to repeal the exemption for residential use of natural gas and electricity. Miller stated that the City of Brenham adopted a local sales and use tax on April 1, 1969. Miller advised that the current local sales and use tax rate is $0.015 and a portion of this rate, $0.00375 (25%) is 4B sales tax and goes to the Brenham Community Development Corporation (BCDC). Miller noted that reimposing local sales and use tax on the residential use of electric and gas should generate an estimated $97,000 to the General Fund for supporting basic city services and $32,000 to BCDC.

Miller stated that staff is asking Council to designate 100% of the BCDC amount to support economic development initiatives, rather than the current 35/65 split between economic development and parks and recreation. Miller explained that if approved, the reimposition of local sales and use tax on the residential use of electric and gas would be effective with utility billing occurring on and after October 1, 2019.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending Chapter 24, Taxation, Code of Ordinances, City of Brenham, Texas to Provide for the Creation of a Municipal Sales and Use Tax for the City of Brenham.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

14. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Water Rates

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that the City's water rates are designed to cover the cost of water services, in an equitable manner, among rate classes. Ogle noted that the last rate adjustment was in 2008. Ogle stated that in December 2018, NewGen Strategies & Solutions, LLC (NewGen) was engaged to update the City's water rate model and recommend water rate changes based on new cost of service projections and consumption estimates. Ogle advised that NewGen initially recommended a 1.3% increase in water rates, but increased their recommendation to 4% after consumption estimates were lowered to reflect the City's true historical experience.

Ogle stated that currently, the average monthly residential water bill on 5,000 consumption gallons is $24.79. Ogle noted that under the proposed new rate structure, the monthly bill would increase to $25.78, a +$0.99 difference. Ogle advised that the proposed new rates would be effective with utility billing occurring on and after October 1, 2019.

A motion was made by Councilmember Cantey and seconded by Councilmember Kolby to approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for the City of Brenham Water Rates.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

15. Discuss and Possibly Act Upon the Purchase of Equipment for the Electric Department from Techline, Inc. Through the Lower Colorado River Authority (LCRA) Material Program and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that Blue Bell Creameries requested new 4000 amp service for its new milk bay relocation project. Ogle stated that the project is scheduled to begin this summer and would require the purchase of (4) 1250 KVA transformers.

Ogle advised that three (3) of the 1250 KVA transformers are needed to supply the load capacity they requested. Ogle noted that the unit cost for these transformers is $30,500 for a total for the three of $91,500. Ogle stated that one (1) 1250 KVA transformer is requested as an emergency spare in case of a transformer failure. Ogle explained that this unit requires special engineering and will be designed to a more compact size in order to fit inside the existing vault that serves the production area. Ogle noted that the cost of this transformer is $60,421.05. Ogle advised that the cost of these transformers has been budgeted in the FY20 budget and would not be delivered prior to October 1, 2019.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Cantey to Approve the purchase of equipment for the Electric Department from Techline, Inc., in the amount of $151,921.05, through the Lower Colorado River Authority (LCRA) Material Program 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

16. Discuss and Possibly Act Upon Bid No. E2017-01 Related to the Higgins Branch Creek Channel Restoration and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on July 30, 2018, Gunda Engineering and staff opened bids regarding the Higgins Branch Creek Restoration Improvements. Rau stated that two bids were received, and they were very close. Rau noted that Lindsey Construction, Inc. was the low bidder.

Rau explained that staff has had success receiving funding through the Natural Resources Conservation Service (NRCS) and U.S. Department of Agriculture (USDA) related to this project. Rau stated that NRCS has allocated roughly $604,000 towards the restoration of this creek channel. Rau noted that this would be a 90/10 match in which the City would be responsible for roughly $55,000-$65,000 of the costs to restore the channel. Rau explained that the City's portion of the restoration costs is currently budgeted in the FEMA Fund that was established in the FY2018-19 budget. Rau stated that the repairs have to be completed by December.

A motion was made by Councilmember Kolby and seconded by Councilmember Cantey to approve Bid No. E2017-01 to Lindsey Construction. Inc., in the amount of $664,176.65, related to the Higgins Branch Creek Channel Restoration 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Adonna Saunders	**Absent**
Councilmember Keith Herring	Yes
Councilmember Albert Wright	**Absent**
Councilmember Clint Kolby	Yes

17. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- A letter from a citizen was read complimenting the electric department
- Washington County Chamber Tailgate Event is August 22nd from 6:00 to 10:00 p.m. at Silver Wings Ballroom
- Planning and Zoning Board meeting is August 26th
- Fire Department presentation "Blink of the Eye" is August 27th at the Fireman's Training Center

The meeting was adjourned.

____

Andrew Ebel
Mayor Pro Tem

____

Jeana Bellinger, TRMC, CMC
City Secretary

NOISE VARIANCE REQUEST

Application Fee $10.00

1. Name of sponsoring organization: ST. MARY'S CATHOLIC CHURCH

2. Name and address of individual making application on behalf of sponsoring organization: Katie Alford 2608 Daisy Drive Brenham TX 77833

3. Purpose of the Event: Street dance, food, fellowship

4. Location of Event: 701 Church St. Brenham

5. Date of the event: 10/19/19

6. Time of Event: Street dance for the community/ 6-10 pm

7. Event Set-up: From: 4pm To: 6pm

   Event Clean-up: From: 10 pm To: 11:30pm

8. You are required to describe the following:

   a) Types of Activities Planned and any additional information specific to this event: Live music, dancing, food, beverages, family friendly.

   b) Bands/Musical Instruments: Anthony Moreno Music

   c) Sound amplification equipment: yes

   d) Cleanup provisions: Basic removal of trash, tables & Chairs

Katie Alford
Name of Applicant (Printed or Typed)

Date: 8/14/19

Katie Alford
Applicant or Authorized Person's Signature

Phone: 512-924-7226

Have you ever been found guilty of a criminal offense involving crimes against property, moral turpitude, and/or a felony by any Court? ______Yes __X__ No. If "Yes", please identify the offense, State of conviction and penalty imposed (attach additional sheets if necessary):

Paid 08/19/19
Check #9543 KW

NOISE VARIANCE REQUEST

Application Fee $10.00

1. Name of sponsoring organization: Mt. Rose Missionary Baptist Church

2. Name and address of individual making application on behalf of sponsoring organization:
Cheryl DaBera
PO Box 214 Chappell Hill, TX 77426

3. Purpose of the Event: Fall Fun Festival

4. Location of Event: Blinn Student parking lot section immediately across from 1006 First St.

5. Date of the event: October 30, 2019

6. Time of Event: 4:00 - 9:30

7. Event Set-up: From: 4:00 To: 5:00

   Event Clean-up: From: 8:30 To: 9:30

8. You are required to describe the following:

   a) Types of Activities Planned and any additional information specific to this event: Music, Games, Food + Drinks, Vendors (jewelry, clothing, etc.)

   b) Bands/Musical Instruments: Music electronically presented; vocal performers

   c) Sound amplification equipment: Speakers/Amps

   d) Cleanup provisions: Church membership/Community helpers

Cheryl DaBera
Name of Applicant (Printed or Typed)

Date: 9/25/19

Cheryl DaBera
Applicant or Authorized Person's Signature

Phone: 979-661-0782

Have you ever been found guilty of a criminal offense involving crimes against property, moral turpitude, and/or a felony by any Court? ______Yes ✓ No. If "Yes", please identify the offense, State of conviction and penalty imposed (attach additional sheets if necessary):

Paid 09/24/19
cash $10.00 KW

Memo

To: Jeana Bellinger

From: Lowell Ogle

Date: September 26, 2019

Re: Consent Agenda
LCRA Customer Services Contract
Substation Inspection, Maintenance and Testing

Attached is a Customer Services Contract between the City of Brenham and the LCRA. This Agreement will provide substation breaker internal/external inspections and trip/close check, including relay testing, and any other maintenance (routine or emergency) requested, of the City's substations. This contract is for a total amount of $20,800. This is a five-year contract with the first billing to start October 1, 2019 and the last payment to be September 1, 2024. Cost per month is $346.67 and will be added to the city's power billing.

Please have Mayor Pro Tem, Andrew Ebel sign all three (3) originals and return to Public Utilities. Once it has been signed by LCRA, I will return an original, fully executed contract to you.

Thank you.

LCRA CUSTOMER SERVICES CONTRACT

(Form TS400 rev.12-21-07)

CUSTOMER: City of Brenham
P.O. Box 1059
Brenham, TX 77834
Lowell Ogle

PROJECT: **Substation Breaker Internal and External Testing** **DATE SUBMITTED:** July 22, 2019

SCOPE OF SERVICES:

Provide Substation Breaker Internal and External Testing per the attached Scope. The monthly amount added to the City's power bill will be $346.67. The first billing will start October 1, 2019. The last payment of the initial term will be September 1, 2024 (60 payments).

SCHEDULE:

Targeted Completion Date: Sunday, March 01, 2020

Begins: Starts October 1, 2019

Completion: Ends September 1, 2024.

CONTRACT TYPE & PRICE:

Monthly Amount: $346.67

Type: Independent Contract **Cost: $20,800** **Billing Method:** Power Billing

Note: rates are subject to change based on prevailing LCRA rates.

Customer and the Lower Colorado River Authority agree that the work described above shall be performed in accordance with the terms and conditions in this contract.

City of Brenham	**Lower Colorado River Authority**
By: ______	By: ______ Jonathan Greene
Title: Mayor Pro Tem	Title: Sr VP, Transmission Ops
Date:	Date:

OFFICE USE ONLY

Job Description:

Account: 0

Approved By: ______

LCRA Work Order: ______

Actual Completion Date: ______

Assigned Contract Agent: Matt Holland

Assigned Contract Administrator: Bill Jerram

5-Year Substation Braker Internal and External Inspection
Scope of Work

This agreement shall cover the internal/external inspection every 5 years and any other maintenance requested by the City.

In addition, if needed at a later date, inspections and maintenance (routine or emergency) of City owned substation equipment as requested by the City can be performed. All inspections and maintenance shall be performed in accordance with the equipment manufacturer's guidelines **LCRA Standards for Inspection and Maintenance of LCRA Transmission Services Corporation Equipment and Facilities, Revision 5.7, Effective Date: January 1, 2017,** unless otherwise noted by City personnel. LCRA Transmission Services shall provide copies of all applicable inspection reports to the City.

Each additional task shall be approved by a separate task (e-mail or task order) associated to this contract. Each service work requested shall be invoiced separately. LCRA Transmission Services Substation Maintenance personnel will also be available for routine and emergency repair work at Customer Service prevailing rates. These services will be invoiced each time they are required after the work is performed and all charges are identified.

For any parts or components that have to be replaced we will notify you of the situation and get your approval to invoice at that time.

5-Year Substation Breaker Internal and External Inspection

BRENHAM

Internal/External Inspection - 1 time over 5 years (includes relay testing)	
	AMOUNT
BRENHAM - 2 breakers per day - 8 breakers total	$12,800.00
BRENHAM NORTH - 2 breakers per day - 5 breakers total	$8,000.00
	$20,800.00
MONTHS	60
Price/Mo.	**$346.67**

CONTRACT TERMS AND CONDITIONS
(Construction Services Firm Rate / Fixed Fee Billing Method)

This Customer Services Contract (Form TS400CS) is subject to the following terms and conditions:

1. LCRA shall perform construction services as described in the attached Scope of Services.

2. LCRA will perform the work for a firm, fixed fee amount. LCRA may invoice the Customer for the entire fixed fee amount during the first month of work or for portions of the fixed fee amount over several months, but in no case shall the aggregate invoicing be for more than the fixed fee amount. All monetary payments under this Contract shall be due and payable within thirty (30) days after receipt of invoice. If payment is not timely made, interest shall accrue on the unpaid balance at the lesser of the maximum lawful rate, or one percent per month, from the due date until paid.

3. Changes in the Scope of Services may be made only by a written change order signed by representatives of Customer and LCRA. Verbal change orders shall not be given nor accepted, except in case of an emergency which endangers people or property and such order shall be followed up with a written confirmation as soon as practicable.

4. The term of this Contract shall be the duration of the work. The Contract may be terminated at any time by either party upon written notice to the other party. When the Contract is terminated by either party, the Customer shall pay for services rendered under this Contract up to the date of termination.

5. There are no third party beneficiaries to this Contract and the provisions of this Contract shall not create any legal or equitable right, remedy or claim enforceable by any person, firm, or organization other than the parties and their permitted successors and permitted assigns.

6. Limited Warranty.
   (a) LCRA shall perform all services in accordance with acceptable industry practice, in a good and workmanlike manner, and in accordance with installation instructions and requirements of any applicable equipment manufacturer and supplier. During a period of thirty (30) days after acceptance of the work by Customer, LCRA shall correct any work not conforming to the foregoing warranties by reperforming the services.

   (b) LCRA shall assign to Customer, as the end-user, any applicable equipment or supply warranties provided by LCRA's vendors. All warranty documentation shall be furnished to the Customer.

   (c) **THE WARRANTIES CONTAINED IN THIS SECTION 6 ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MECHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND CUSTOMER'S REMEDIES ARE LIMITED TO LCRA'S OBLIGATIONS AS EXPRESSLY STATED IN THIS SECTION 6.**

7. **THE TOTAL LIABILITY OF LCRA ARISING OUT OF THIS CONTRACT AND THE WORK PERFORMED HEREUNDER WILL NOT EXCEED AN AMOUNT EQUAL TO THE FEES PAID TO LCRA UNDER THIS CONTRACT, AND LCRA WILL NOT BE LIABLE FOR INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS. IN NO EVENT SHALL ANY OFFICER, DIRECTOR, EMPLOYEE OR AFFILIATE (OR AFFILIATE'S OFFICER, DIRECTOR OR EMPLOYEE) OF LCRA BE LIABLE TO CUSTOMER UNDER THIS CONTRACT, AND CUSTOMER'S SOLE RECOURSE UNDER THIS CONTRACT SHALL BE AGAINST LCRA AND NOT AGAINST SUCH OTHER PERSONS. THE LIMITATIONS ON LIABILITY AND REMEDIES IN THIS PARAGRAPH WILL APPLY REGARDLESS OF WHETHER THE LIABILITY OR CAUSE OF ACTION ARISES IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILTY OR OTHERWISE. NOTHING IN THIS CONTRACT SHALL BE CONSTRUED TO WAIVE LCRA'S GOVERNMENTAL IMMUNITY.**

8. This Contract together represents and contains the entire agreement and understanding between the parties with respect to the subject matter of this Contract and supersedes any and all prior or contemporaneous oral and/or written agreements and understandings. No representations, warranty, condition, understanding or agreement of any kind with respect to the subject matter of this Contract shall be relied upon by the parties unless incorporated into this Contract. This Contract may not be amended or modified except by a writing executed both by an authorized representative of LCRA and by an authorized representative of the Customer.

LCRA LEGAL

RESOLUTION NO. R-19-026

A RESOLUTION REAUTHORIZING AN INVESTMENT POLICY FOR THE CITY OF BRENHAM

WHEREAS, in the 1987 session the Texas Legislature adopted the Public Funds Investment Act, “the Act”, which established guidelines for local government investments; and

WHEREAS, the Act requires that a local government adopt a written investment policy; and

WHEREAS, the Act requires the governing body of a local government to reauthorize the written investment policy annually; and

WHEREAS, the policy dated October 3, 2019 complies with the provision of the Act; and

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

Section 1: The City of Brenham Investment Policy attached hereto as “Exhibit A” is hereby reauthorized as the investment policy of the City of Brenham effective October 3, 2019.

Section 2: This Resolution shall take effect immediately upon its passage.

APPROVED on this 3rd day of October, 2019.

____
Andrew Ebel
Mayor Pro Tem

ATTEST:

____
Jeana Bellinger, TRMC
City Secretary

INVESTMENT POLICY

I. POLICY

It is the policy of the City of Brenham that all available funds shall be invested in conformance with these legal and administrative guidelines with consideration for anticipated cash flow requirements and consideration of the safety and risk of investments. The City shall seek to optimize interest earnings to the extent possible based on these risk parameters.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue to City of Brenham funds. The City of Brenham's investment portfolio shall be designed and managed in a manner designed to obtain the highest reasonable earnings from this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- **Safety** and preservation of principal
- Maintenance of sufficient **liquidity** to meet operating needs
- Diversification to avoid concentrated risk
- **Public trust** from prudent investment activities
- Optimization of **interest earnings** on the portfolio

The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City of Brenham's funds. This Policy serves to satisfy the statutory requirements of the Public Funds Investment Act, the "Act", (Texas Government Code, Chapter 2256) in defining and adopting a formal investment policy and strategy. The policy and strategy shall be reviewed by the Audit / Investment Committee and adopted by resolution of the City Council no less than annually. Any modifications to the Policy will be noted in the written resolution.

II. SCOPE

This Investment Policy shall govern the investment of all financial assets of the City of Brenham. These funds are accounted for in the City of Brenham's Comprehensive Annual Financial Report (CAFR) and include:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds
- Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately
- Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
- Brenham Community Development Corporation Funds
- Internal Service Funds
- Self-Insurance Funds
- Any new fund created by the City of Brenham, unless specifically exempted from this Policy by the City Council or by law.

The City of Brenham may consolidate cash balances from all funds for investment purposes and efficiencies. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. The consolidated portfolio will address the varying needs, goals, and objectives of each fund.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds. However, this Policy does not apply to the assets administered for the benefit of the City of Brenham by outside agencies or under deferred compensation programs.

III. INVESTMENT OBJECTIVES

The City of Brenham shall manage and invest its cash with five primary objectives, listed in order of priority: **safety, liquidity, diversification, public trust, and yield**. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The City of Brenham shall maintain a comprehensive cash management program, which includes timely collection of account receivables, vendor payments in accordance with invoice terms, and prudent investment of funds. Cash management is defined as the process of managing monies in order to ensure cash availability and reasonable market earnings on the City's assets.

INVESTMENT POLICY

SAFETY

Safety of principal is the foremost objective of the investment program. Investments of the City of Brenham shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Competitive bidding and perfected ownership of investments will be in place at all times. The objective will be to mitigate credit and interest rate risk. Each investment transaction shall be conducted in a manner to control the risk of capital loss by investing in high credit quality securities.

- Credit Risk – The Entity will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
  - Limiting investments to the highest credit quality investments
  - Pre-qualifying the financial institutions and broker/dealers with which the City of Brenham transacts business
  - Perfecting City ownership by delivery versus payment settlement, and
  - Diversifying the investment portfolio so that potential credit or market risk is minimized.
- Market Risk – the City will minimize the risk from interest rate volatility by:
  - Structuring the investment portfolio to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
  - Investing operating funds in laddered securities and maintaining a liquidity portion to cover unanticipated expenses.

LIQUIDITY

The City of Brenham investment portfolio shall be structured in a ladder of maturities to match expected liabilities along with a liquidity portion to meet unanticipated liabilities. Securities will have active secondary markets.

PUBLIC TRUST

All participants in the City of Brenham's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City of Brenham's ability to govern effectively.

DIVERSIFICATION

The portfolio will be diversified by market sector and maturity based on the cash flow and risk tolerances of the City.

YIELD

The City of Brenham investment portfolio shall be designed with the objective of attaining a reasonable market yield throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. Yield is secondary to the safety and liquidity objectives described above.

Based upon the cash flow of the City the maximum dollar-weighted average maturity of the consolidated portfolio shall be six months. The benchmark used to determine whether reasonable yields are being achieved shall be the six month U.S. Treasury Bill.

IV. INVESTMENT STRATEGY

The City of Brenham maintains a consolidated portfolio which is designed to address the unique characteristics of the fund groups represented in the portfolio.

Operating Funds: The primary objective for operating funds is to assure anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure which will experience minimal volatility during economic cycles. This may be accomplished by purchasing high credit quality, short to medium term securities in a laddered structure. The maximum dollar weighted average maturity of six months reflects the expenditure cash flow of operating funds and will be calculated using the stated final maturity dates of each security.

Capital Project Funds: Funds for capital projects or special purposes should be invested based on anticipated cash flows and allow for flexibility and unanticipated project outlays. At no time will the stated final maturity dates of investments exceed the estimated project completion date on capital project funds.

Debt Service Funds: Debt service funds shall be invested with the primary objective of funding debt service obligations on the required payment date. Priority will be given to funding the next debt service due before any extensions are made in the funds.

Debt Service Reserve Funds: Debt Service Reserves should be invested to generate a dependable revenue stream from securities with a low degree of volatility. Securities should be short to medium term maturities and of high credit quality.

The City primarily utilizes a passive "buy and hold" portfolio strategy. Maturity dates are primarily matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- Cash flow needs require that the investment be liquidated.
- Market conditions present an opportunity to benefit from the trade.

V. RESPONSIBILITY AND CONTROL

CITY COUNCIL RESPONSIBILITIES

The City Council, in accordance with the Act, shall:

- Designate Investment Officers by resolution
- Receive and review quarterly investment reports
- Annually review and approve the City's broker/financial institution certification list – *As noted in Section VIII, the governing body has designated this responsibility to the Audit & Investment Committee*
- Review and adopt the investment policy and strategy at least annually
- Provide for investment training for investment officers

INVESTMENT OFFICERS

The Chief Financial Officer and the City Manager are hereby designated as "Investment Officers" pursuant to the Act. Investment Officers are delegated authority to invest the funds on behalf of the City and such authorization shall remain in effect until rescinded by the City Council or until the Officer resigns or is terminated. The Investment Officers are authorized to execute investment transactions on behalf of the City. No person may engage in an investment transaction or the management of City of Brenham funds except as provided under the terms of this Investment Policy as approved by the City Council.

Investment Officers shall:

- Obtain training as defined by the Act and this Policy
- Prepare, sign, and submit quarterly investment reports to Council
- Maintain compliance files on all counter-parties (brokers) and provide the list for Council approval at least annually
- Provide for competitive bidding
- Disclose personal business relationships in accordance with policy
- Maintain full and complete records of the City's portfolio and transactions.

QUALITY AND CAPABILITY OF INVESTMENT MANAGEMENT

The Investment Officers shall obtain training in investments. The seminars should be offered by professional organizations, associations, and other independent sources approved by Council. The training is to insure the quality and capability of investment management in compliance with the Act.

In accordance with the Act, the designated Investment Officers shall attend 10 hours of investment training session within 12 months of their designation and every successive two fiscal years shall attend eight hours of training. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the officer took office or assumed the officer's duties. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City of Brenham may engage in an investment transaction.

INTERNAL CONTROLS

The Chief Financial Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

The Chief Financial Officer shall establish a process for a compliance audit on policies and procedures. The internal controls shall address the following points at a minimum.

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for all transactions for investments and wire transfers.
- Review of wire transfer agreements with the depository bank or third party custodian.
- Review of compliance with the Act and this Policy.

The Chief Financial Officer shall monitor, on no less than a monthly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer shall notify the City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available, within three days after notification of the loss of the required rating.

PRUDENCE

The standard of prudence to be applied to all transactions shall be the “prudent person rule". This rule states that “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.”

In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the City’s control, over which the Officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved Investment Policy of the City.

INDEMNIFICATION

The Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally liable for a specific investment's credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

ETHICS AND CONFLICTS OF INTEREST

All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively. Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions.

Council members, employees and Investment Officers shall disclose to the Texas Ethics Commission and the City Manager, and the City Manager discloses to the City Council if:

a) The officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City; or
b) The officer is related within the second degree by affinity of consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the City; or
c) The officer has any material interests in financial institutions with which they conduct business; or
d) The officer has any personal financial/investment positions that could be related to the performance of the investment portfolio.

Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City of Brenham.

VI. SUITABLE AND AUTHORIZED INVESTMENTS

City funds may be invested only in the instruments described below, all of which are authorized and further defined by the Act. The City will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

I. AUTHORIZED INVESTMENTS

1. Obligations of the United States of America, its agencies and instrumentalities with stated maturities not to exceed three (3) excluding mortgage backed securities.

2. Obligations of the this State or any State or agency thereof including political subdivisions having been rated as investment quality by two nationally recognized investment rating firm, and having received a rating of not less that "AA" or its equivalent with maturities not to exceed three (3) years.

3. Fully insured or collateralized Certificates of Deposit issued by a bank doing business in Texas insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner provided for by this Policy and state law with maturities not to exceed 12 months.

4. Constant dollar, local government investment pools, which 1) are created under and conform to the requirements of the Act, 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, 3) seek to maintain a $1.00 net asset value, and 4) are authorized by resolution or ordinance by the City Council.

5. Fully insured or collateralized interest bearing or money market account in any bank in Texas.

6. AAA rated money market funds which strive to maintain a $1 net asset value and comply with SEC Rule 2a-7.

II. UN-AUTHORIZED INVESTMENTS

The Act and this Policy prohibits investment in the following investment instruments:

- Obligations whose payment represents the coupon payments of the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal (Interest Only mortgage backed securities);
- Obligations whose payment represents the principal stream of cash flow from underlying mortgage-backed security collateral and bear no interest (Principal only mortgage backed securities);
- Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years;
- Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index; and

The practice of "leveraging" whereby funds are borrowed for the sole purpose of investing is prohibited.

VII. INVESTMENT PARAMETERS

MAXIMUM MATURITIES

The longer the maturity of investments, the greater their price volatility; therefore, it is the City's policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risk caused by changes in interest rates.

The City shall attempt to match its investments with anticipated cash flow requirements. The City will not directly invest in securities maturing more than three (3) years from the date of purchase; however, the above described obligations, certificates, or agreements may be collateralized using longer dated investments.

The consolidated portfolio will have a maximum dollar-weighted average maturity of six months. This dollar-weighted average will be calculated using the stated final maturity dates of each security.

DIVERSIFICATION

The City of Brenham recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid over concentration in investments from a specific issuer or business,
- Limiting investment in investments that have higher credit risks
- Investing in investments with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), or money market funds to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

VIII. SELECTION OF BANKS AND DEALERS

DEPOSITORY

As required by the City of Brenham Charter, every five (5) years a banking services depository shall be selected through a competitive process, which shall include a formal request for proposal (RFP) and be consistent with state law. The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state law.
- The ability to provide required services.
- The ability to meet all requirements in the banking RFP.
- The lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

All banks will execute a written depository agreement in accordance with FIRREA[1] designating authorized collateral.

AUTHORIZED BROKERS/DEALERS

The City Audit/Investment Committee shall, at least annually, review, revise, and adopt a list of qualified broker/dealers and financial institutions (banks and pools) authorized to engage in securities transactions with the City. Those firms that request to become qualified bidders for securities transactions will be required to provide information for the City's questionnaire that provides information regarding creditworthiness, contact information, and experience; and 2) the City's certification stating the firm has

[1] The Financial Institutions Resource and Recover Enforcement Act governs the actions of the FDIC in cases of bank default.

received, read and understood the City of Brenham's Investment Policy and have in place controls to prohibit selling the City any security not authorized by that Policy.

The City shall have a minimum of three broker/dealers to assure competitive bidding. Authorized firms may include primary dealers or regional dealers and qualified depositories. All investment providers, including financial institutions, banks, and local government investment pools, must sign the City's certification.

COMPETITIVE BIDS

All transactions will be made on a competitive basis. The Chief Financial Officer shall develop and maintain procedures for ensuring a competition in the investment of the City funds.

DELIVERY VS. PAYMENT

Securities shall be purchased only using the **delivery vs. payment** method with the exception of investment pools and mutual funds. Funds will be released after notification that the purchased security has been received by the custodian.

IX. SAFEKEEPING OF SECURITIES AND COLLATERAL

SAFEKEEPING AND CUSTODIAN AGREEMENTS

The City of Brenham shall contract with a depository for the safekeeping of securities owned by the City of Brenham as part of its investment portfolio or approve the custodial agreement for collateral to secure demand or time deposits. Securities owned by the City of Brenham shall be held in the City's name as evidenced by safekeeping receipts of the institution holding the securities.

Collateral for deposits will be held by an independent third party custodian outside of the pledging bank and evidenced by original safekeeping receipts of the pledging institution with which the collateral is deposited. Original safekeeping receipts and monthly collateral reports shall be delivered to the City.

COLLATERAL POLICY

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require collateralization of City funds in time and demand deposit with any depository bank. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. At its discretion, the City of Brenham may require a higher level of collateralization for certain investment securities.

Securities pledged as collateral shall be held by an independent third party outside the holding company of the pledging bank with whom the City has a current custodial agreement. The Chief Financial Officer is responsible for entering into or approving collateralization agreements with custodians. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to and retained by the City. Collateral shall be priced weekly at a minimum and to assure that the market value of the pledged securities is adequate.

Any substitution of collateral shall require prior City approval. The substituted security's market value will be equal to or greater than the required security value. Written notification of the substitution must be provided to the bank or safekeeping agent prior to any security release.

COLLATERAL DEFINED

The Entity shall accept only the following types of collateral:

- Obligations of the United States or its agencies and instrumentalities including mortgage backed securities
- Direct obligations of the state of Texas or its agencies and instrumentalities rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent
- Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent

SUBJECT TO AUDIT

All collateral shall be subject to inspection and audit by the Chief Financial Officer or the City of Brenham's independent auditors.

X. PERFORMANCE

PERFORMANCE STANDARDS

The City of Brenham's investment portfolio will be managed in accordance with the parameters specified within this Policy. The portfolio shall be designed with the objective of obtaining a reasonable yield throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the City.

PERFORMANCE BENCHMARK

It is the policy of the City of Brenham to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, the City shall seek to optimize interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a monthly basis on all securities owned and compared to current book value. The City of Brenham's portfolio shall be designed with the objective of regularly meeting or exceeding the period average yield on the six month

U.S. Treasury Bill which is comparable to the City's maximum weighted average maturity in days based on its cash flow analysis.

XI. REPORTING

METHODS

The Investment Officer shall prepare an internal investment report on a monthly basis and on a quarterly basis for Council that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities including the yield for the quarter.

The quarterly investment report shall be in compliance with the Act and include a summary statement of investment activity prepared in compliance with generally accepted accounting principles. This summary will be prepared in a manner that will allow the City Audit/Investment Committee to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Council for review. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses as calculated on the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield of portfolio as compared to the City's benchmark.
- Listing of investments by maturity date.
- Fully accrued interest and earnings for the reporting period
- The percentage of the total portfolio that each type of investment represents.
- Any additional reporting information as required by the Act.
- Statement of compliance of the City of Brenham's Investment Policy and the Act.

Month-end market prices on each security are to be obtained from nationally recognized security databases (e.g., The Wall Street Journal, Bloomberg, etc.).

An independent auditor will perform an annual formal review of the quarterly reports with the results reported to the governing body.

MONITORING MARKET VALUE

Market value of all securities in the portfolio will be determined on a monthly basis. These values will be obtained from a reputable and independent source reported in the quarterly report.

XII. INVESTMENT POLICY ADOPTION

The City of Brenham's Investment Policy shall be adopted no less than annually by resolution of the City Council. The City of Brenham's Investment Policy shall be subject to revisions consistent with changing laws, regulations, and needs of the City but any such changes must be adopted by the Council before use. The resolution adopting the policy and strategies must include any changes or modifications to the Policy.

AUTHORITY/DATE ISSUED:

City Council Resolution # R-07-026	November 15, 2007
City Council Resolution # R-08-037	October 16, 2008
City Council Resolution # R-09-024	October 15, 2009
City Council Resolution # R-10-025	November 4, 2010
City Council Resolution # R-11-020	November 3, 2011
City Council Resolution # R-12-021	November 29, 2012
City Council Resolution # R-13-017	November 7, 2013
City Council Resolution # R-14-022	October 9, 2014
City Council Resolution # R-15-024	October 1, 2015
City Council Resolution # R-16-014	April 7, 2016
City Council Resolution # R-16-027	October 13, 2016
City Council Resolution # R-17-018	October 12, 2017
City Council Resolution #R-18-015	October 4, 2018
City Council Resolution #R-19-026	October 3, 2019

AGENDA ITEM 7

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** September 20, 2019 **SUBMITTED BY:** Carolyn D. Miller

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

AGENDA ITEM DESCRIPTION: Discuss and Review the FY2018-19 Third Quarter Financial Report

SUMMARY STATEMENT: See attached Financial Performance Summary Report and Financial Statements for General Fund and Five Utility Funds.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) FY2018-19 Third Quarter Financial Report from ACM-CFO; and (2) Financial Performance Reports for General Fund and Five Utility Funds

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION:

APPROVALS: James Fisher

MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller, Assistant City Manager – Chief Financial Officer
Debra D. Gaffey, Strategic Budget Officer

Subject: FY2018-19 Third Quarter Financial Report

Date: September 18, 2019

The Finance Division is pleased to provide financial performance reports for the period ending June 30, 2019. The General Fund (excluding sub-funds) and the five major utility funds are presented. Electric and Gas Funds are presented without the impact of wholesale power and gas commodity costs which are recovered by pass-thru revenue.

We have prepared a new bar chart format for ease in reviewing period-to-date revenues, expenditures and net revenues (losses). Amounts are shown for the FY18 actuals, FY19 budget, FY19 actuals, and the FY19 annual budget. A narrative is also shown for each section. By the end of June, we have completed 75% of our fiscal year, and we have noted the percentage completion for revenues and expenditures.

FINANCIAL PERFORMANCE SUMMARY

	For Period Ending June 30, 2019 (Amounts in thousands)				
Fund	YTD Revenues & Other Sources	YTD Expenditures & Other Uses	Actual Net Revenues (Loss)	Budgeted Net Revenues (Loss)	Actual to Budget Comparison Fav/(Unfav)
General	$12, 918	$13,164	($236)	($200)	($36)
Electric Distribution	$5,031	$5,245	($214)	($508)	$294
Gas Distribution	$1,219	$1,174	$45	($6)	$51
Water	$2,605	$3,189	($584)	($557)	($26)
Wastewater	$2,978	$2,978	$0	($291)	$291
Sanitation	$2,679	$2,558	$121	$144	($23)

- **General Fund** - unfavorable by $35,774; fines and forfeitures were slightly behind budget but overall a strong third quarter;
- **Electric Fund** – favorable by 293,772; savings in capital outlays due to timing differences in work being performed by outside contractors and transformer installations;

- **Gas Fund** – favorable by $50,930; lower departmental expenditures;

- **Water Fund** – unfavorable by $26,312; water consumption lower than budget projections;

- **Wastewater Fund** – favorable by $291,721; budgeted for a loss of ($291,036) but the Fund had break-even performance due to deferral of the infrastructure master plan and impact fee study;

- **Sanitation Fund** – unfavorable by $23,143; disposal fees (contractual services) were higher due to increased loads to Bryan landfill.

CONCLUSION

The Electric, Gas and Wastewater Funds all experienced favorable performance through June 30, 2019. The General, Water and Sanitation Funds showed small unfavorable performance as compared to budget ($36,000 or less), and we consider our overall position for the third quarter to be strong with no unusual trends or concerns noted.

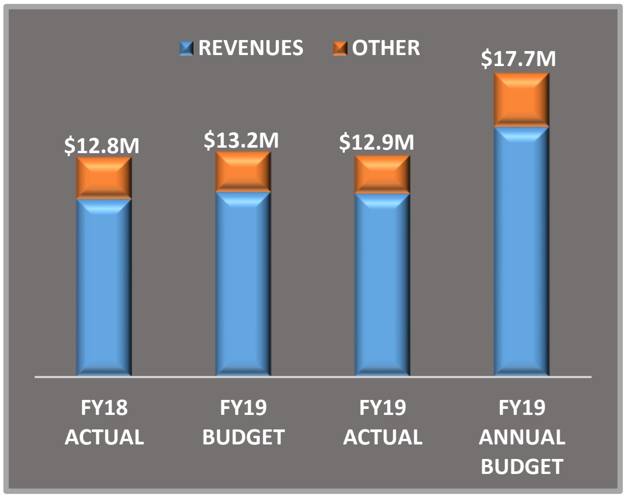
After you have reviewed this quarterly financial performance report, should you have any questions or comments prior to the council meeting, please do not hesitate to contact Debbie Gaffey or me directly.

NOTE: The financial performance reports for the General Fund and five utility funds are attached to this memorandum, and are an integral part of the quarterly financial performance report.

CITY OF BRENHAM
PERFORMANCE SUMMARY JUNE 30, 2019

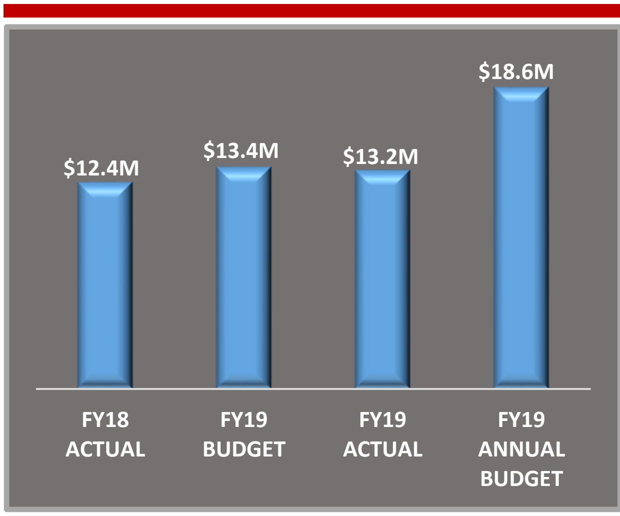
YTD 6/30/19

REVENUES AND OTHER (NET) FINANCING SOURCES



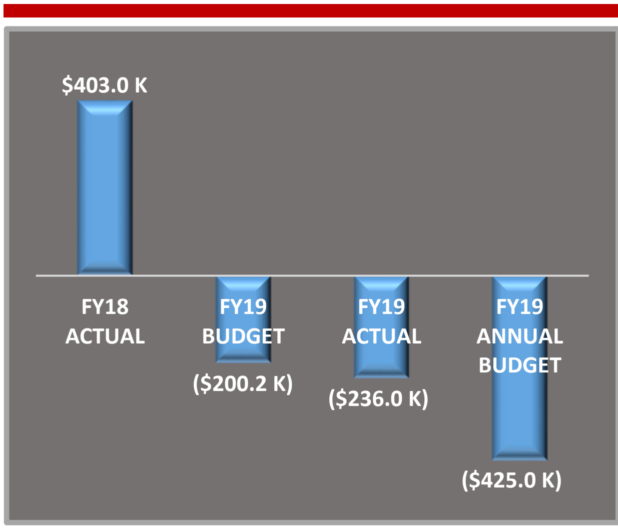
At $12.9 million for the year, revenues and (net) other financing sources are ***unfavorable*** *to budget by ($229,146) or -1.7% but* ***favorable*** *to prior year actuals by $96,746 or 0.8%. Revenues are ($105,562)* ***unfavorable*** *to budget. Revenues from taxes (property tax, sales tax, and franchise fees), charges for services, investment income, and miscellaneous revenues are* ***favorable*** *to budget by $217,328. Revenues from licenses and permits, intergovernmental, fines and forfeitures, and BCDC are* ***unfavorable*** *to budget by ($322,891). Other (net) financing sources are ($123,584)* ***unfavorable*** *to budget. Total revenues and (net) other financing sources are at 73.0% of the annual budget.*

EXPENDITURES



At $13.2 million, expenditures are ***favorable*** *to budget by $193,373 or 1.4%. Expenditures are higher than prior year, creating an* ***unfavorable*** *variance of ($735,686) or -5.9%. Expenditures for personnel, maintenance, non-capital items, capital items, and sundries were lower than budget creating a* ***favorable*** *variance of $435,049. Budget savings were reduced by overages in supplies and services resulting in an* ***unfavorable*** *variance of ($241,676). Expenditures are at 72.5% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



The net loss of ($235,979) is ***unfavorable*** *to budget by ($35,774) and* ***unfavorable*** *to prior year actuals by ($638,940). The variance to prior year was created by a $425,000 budget amendment for the purchase of police vehicles. The City has budgeted for a net loss or use of reserves of this amount. Net losses are at 53.1% of the annual budget.*

GENERAL FUND - FINANCIAL RESULTS

FUND 101

CITY OF BRENHAM

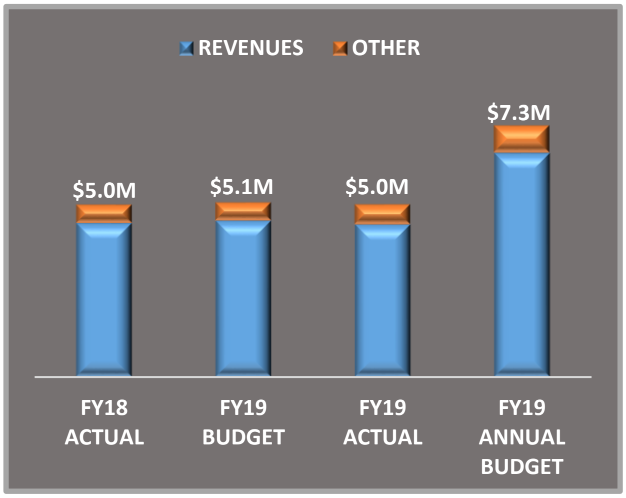
FY19 3RD QUARTER RESULTS **(BUDGETARY BASIS)**

FUND 101 - GENERAL FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	**FY18 ACT**	**FY19 BUD**	**FY19 ACT**	**FY18ACT**	**FY19 BUD**	**ORIGINAL**	**AMENDED**	**BUDGET (O)**	**BUDGET (A)**
REVENUES									
TAXES (2)	8,832,910	9,043,909	9,136,159	303,249	92,250	12,270,841	12,270,841	74.5%	74.5%
LICENSES AND PERMITS	105,766	122,127	111,778	6,012	(10,349)	152,241	152,241	73.4%	73.4%
INTERGOVERNMENTAL	207,677	258,678	205,002	(2,675)	(53,676)	337,176	337,176	60.8%	60.8%
CHARGES FOR SERVICES	356,775	413,092	454,275	97,501	41,183	573,308	573,308	79.2%	79.2%
FINES AND FORFEITURES	516,551	584,971	447,596	(68,955)	(137,375)	779,963	779,963	57.4%	57.4%
INVESTMENT INCOME	90,896	84,080	143,987	53,091	59,907	81,000	81,000	177.8%	177.8%
PAYMENT FROM COMPONENT UNIT	95,550	166,500	45,009	(50,541)	(121,491)	166,500	166,500	27.0%	27.0%
CONTRIBUTIONS AND DONATIONS	-	-	-	-	-	-	-	0.0%	0.0%
MISCELLANEOUS	161,685	114,040	138,028	(23,657)	23,988	217,266	217,266	63.5%	63.5%
TOTAL REVENUES	10,367,810	10,787,397	10,681,835	314,025	(105,562)	14,578,295	14,578,295	73.3%	73.3%
EXPENDITURES									
CURRENT:									
CULTURE AND RECREATION	2,174,822	2,385,882	2,399,397	(224,575)	(13,515)	3,449,104	3,417,104	69.6%	70.2%
GENERAL GOVERNMENT	4,349,945	4,649,296	4,620,845	(270,900)	28,452	6,198,186	6,198,186	74.6%	74.6%
HEALTH AND WELFARE	395,460	428,135	443,632	(48,172)	(15,497)	588,089	588,089	75.4%	75.4%
HIGHWAYS AND STREETS	825,056	1,029,646	862,114	(37,058)	167,533	1,281,645	1,281,645	67.3%	67.3%
PUBLIC SAFETY	4,521,870	4,641,032	4,645,165	(123,295)	(4,133)	6,434,073	6,434,073	72.2%	72.2%
DEBT SERVICE:					-				
INTEREST & FISCAL CHARGES	-	-	-	-	-	-	-	0.0%	0.0%
PRINCIPAL RETIREMENT	-	-	-	-	-	-	-	0.0%	0.0%
ISSUANCE COSTS	-	-	-	-	-	-	-	0.0%	0.0%
CAPITAL OUTLAY	160,517	222,737	192,203	(31,686)	30,534	202,700	234,700	94.8%	81.9%
TOTAL EXPENDITURES	12,427,670	13,356,729	13,163,356	(735,686)	193,373	18,153,797	18,153,797	72.5%	72.5%
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	(2,059,860)	(2,569,331)	(2,481,521)	(421,661)	87,811	(3,575,502)	(3,575,502)	69.4%	69.4%
OTHER FINANCING SOURCES (USES)									
TRANSFERS IN	2,480,825	2,752,876	2,670,091	189,266	(82,785)	3,578,079	3,578,079	74.6%	74.6%
TRANSFERS OUT	-	(425,000)	(437,284)	(437,284)	(12,284)	(57,577)	(482,577)	759.5%	90.6%
ISSUANCE OF DEBT	-	-	-	-	-	-	-	0.0%	0.0%
ISSUANCE OF CAPITAL LEASES	-	-	-	-	-	-	-	0.0%	0.0%
PREMIUM ON DEBT ISSUED	-	-	-	-	-	-	-	0.0%	0.0%
INSURANCE PROCEEDS	(18,005)	41,250	12,734	30,739	(28,516)	55,000	55,000	23.2%	23.2%
TOTAL OTHER SOURCES/(USES)	2,462,820	2,369,126	2,245,542	(217,279)	(123,584)	3,575,502	3,150,502	62.8%	71.3%
NET CHANGE IN FUND BALANCE	**402,961**	**(200,205)**	**(235,979)**	**(638,940)**	**(35,774)**	**-**	**(425,000)**	**0.0%**	**55.5%**
FUND BALANCES - BEGINNING	4,519,591	4,922,552	4,922,552	402,961	-	4,922,552	4,922,552	100.0%	100.0%
FUND BAL - ENDING (INCLUDES ACCRUAL ADJ)	4,922,552	4,722,347	4,686,573	(235,979)	(35,774)	4,922,552	4,497,552	95.2%	104.2%
(1) ACTUALS EXCLUDE ACCRUED COMP TIN	-	-	-	-	-	-	-	0.0%	0.0%
NET CHANGE IN FUND BALANCE ADJUST	402,961	(200,205)	(235,979)	(638,940)	(35,774)	-	(425,000)	0.0%	55.5%
(2) TAXES DETAIL									
TAX RECEIPTS-GENERAL FUND	4,043,638	4,131,800	4,172,792	129,155	40,993	4,164,701	4,164,701	100.2%	100.2%
DEFERRAL - SPREAD EVEN FOR YEAR	(986,913)	(1,008,274)	(1,018,435)	(31,522)	(10,161)	-	-		
PENALTY AND INTEREST/TAX	36,035	33,784	28,098	(7,936)	(5,686)	39,662	39,662	70.8%	70.8%
PENALTY FOR LATE RENDITION	3,864	4,262	3,301	(563)	(961)	4,486	4,486	73.6%	73.6%
CITY SALES TAX	2,772,902	2,954,810	3,000,210	227,309	45,400	5,117,104	5,117,104	58.6%	58.6%
ACCRUAL FOR JUL AND AUG	846,789	855,579	928,248	81,459	72,669	-	-		
UTIL FRANCHISE TAXES	1,784,339	1,739,151	1,692,737	(91,602)	(46,414)	2,518,564	2,518,564	67.2%	67.2%
GROSS RECPTS/FRANCHISE TAX	244,193	244,960	245,449	1,256	490	262,410	262,410	93.5%	93.5%
SANITATION FRANCHISE TAX	19,721	20,041	18,249	(1,472)	(1,792)	31,314	31,314	58.3%	58.3%
MIXED BEVERAGES TAX RECPT	22,699	22,372	27,861	5,162	5,489	47,600	47,600	58.5%	58.5%
PHONE ACCESS LINE FEES	45,644	45,424	37,648	(7,996)	(7,776)	85,000	85,000	44.3%	44.3%
TOTAL	8,832,910	9,043,909	9,136,159	303,249	92,250	12,270,841	12,270,841	74.5%	74.5%

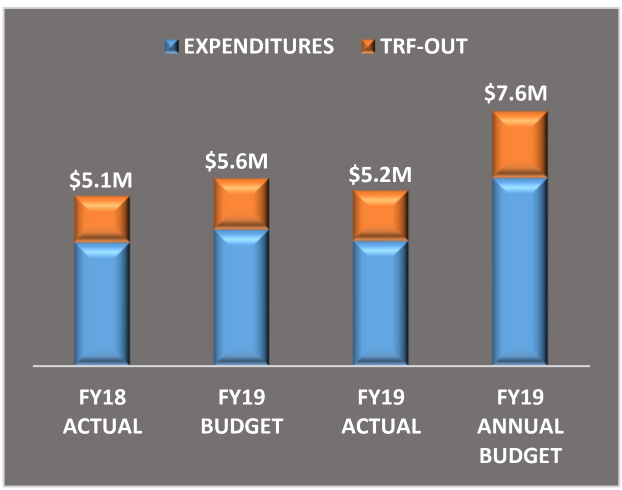
CITY OF BRENHAM
PERFORMANCE SUMMARY JUNE 30, 2019

REVENUES AND OTHER SOURCES (TRANSFERS-IN, INVESTMENT & MISC REVENUES)



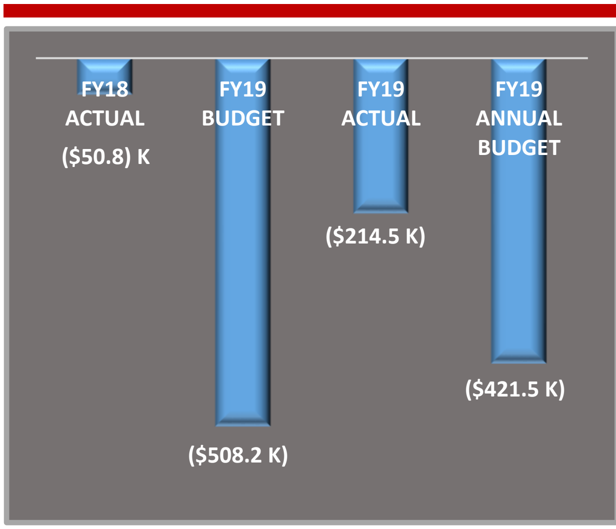
*At $5.0 million for the year, revenues, including other sources, are **unfavorable** to budget by ($61,476) or -1.2% but **favorable** to prior year actuals by $3,796. kWh consumption of 187,991,422 is lower than budget projections of 194,792,667, resulting in lower rate revenues. Other sources are $53,243 **favorable** to budget, primarily due to higher investment income. Total revenues and other sources are at 68.7% of the annual budget.*

EXPENDITURES AND TRANSFERS-OUT



*At $5.2 million, expenditures are **favorable** to budget by $355,247 or 6.3%. Expenditures are higher than prior year, creating an **unfavorable** variance of ($167,457) or -3.3%. Expenditures for every category but contractual services were lower than budget. Over half (53.3%) of budget savings was in capital outlay due to timing variances in work being performed by outside contractors and transformer installations. Lower rate revenues generated lower franchise fee expense. Expenditures are at 68.9% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



*The net loss of ($214,475) is **favorable** to budget by $293,772 and **unfavorable** to prior year actuals by ($163,661). Net losses are at 50.9% of the annual budget net loss of ($421,484).*

YTD 6/30/19

ELECTRIC FUND - FINANCIAL RESULTS

FUND 102

CITY OF BRENHAM

FY19 3RD QUARTER RESULTS (BUDGETARY BASIS)

FUND 102 - ELECTRIC DISTRIBUTION FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	**FY18 ACT**	**FY19 BUD**	**FY19 ACT**	**FY18ACT**	**FY19 BUD**	**ORIGINAL**	**AMENDED**	**BUDGET (O)**	**BUDGET (A)**
OPERATING REVENUES									
CHARGES FOR SERVICES	4,493,812	4,570,993	4,456,274	(37,539)	(114,719)	6,538,385	6,538,385	68.2%	68.2%
TOTAL REVENUES	4,493,812	4,570,993	4,456,274	(37,539)	(114,719)	6,538,385	6,538,385	68.2%	68.2%
OPERATING EXPENDITURES									
SALARIES	1,501,941	1,493,736	1,460,968	40,973	32,768	2,056,833	2,056,833	71.0%	71.0%
SUPPLIES	136,242	173,961	152,247	(16,005)	21,714	210,579	210,579	72.3%	72.3%
MAINTENANCE	50,805	59,142	58,603	(7,798)	539	112,950	112,950	51.9%	51.9%
CONTRACTUAL SERVICES	195,044	378,717	385,060	(190,016)	(6,343)	480,204	480,204	80.2%	80.2%
CAPITAL OUTLAY (INSTEAD OF DEP)	497,291	617,700	428,381	68,911	189,319	972,000	972,000	44.1%	44.1%
GROSS REVENUE TAX	1,107,189	1,117,442	1,037,046	70,143	80,396	1,616,023	1,616,023	64.2%	64.2%
MISCELLANEOUS	94,451	120,353	104,441	(9,990)	15,912	165,279	165,279	63.2%	63.2%
TOTAL OPERATING EXP	3,582,962	3,961,050	3,626,744	(43,782)	334,306	5,613,868	5,613,868	64.6%	64.6%
OPERATING INCOME (LOSS)	910,850	609,943	829,530	(81,320)	219,587	924,517	924,517	89.7%	89.7%
NONOPERATING REV (EXP)									
DEBT SERVICE:									
INTEREST & FISCAL CHARGES	(52,050)	(50,496)	(50,496)	1,554	(0)	(67,328)	(67,328)	75.0%	75.0%
PRINCIPAL RETIREMENT	(51,791)	(54,146)	(54,146)	(2,354)	-	(72,194)	(72,194)	75.0%	75.0%
ISSUANCE COSTS	-	-	-	-	-	-	-	0.0%	0.0%
INTERGOVERNMENTAL	13,771	-	11,144	(2,627)	11,144	-	-	0.0%	0.0%
INVESTMENT INCOME	58,510	40,643	71,045	12,535	30,402	153,741	153,741	46.2%	46.2%
GAIN ON SALE OF CAPITAL ASSETS	-	-	-	-	-	-	-	0.0%	0.0%
MISCELLANEOUS, NET	5,329	19,763	27,493	22,163	7,730	29,288	29,288	93.9%	93.9%
TOTAL NONOP REV (EXP)	(26,231)	(44,236)	5,040	31,271	49,275	43,507	43,507	11.6%	11.6%
INCOME (LOSS) BEFORE CONTRIBUTIONS & TRFS	884,619	565,707	834,570	(50,049)	268,862	968,024	968,024	86.2%	86.2%
TRANSFERS IN	455,579	460,874	464,842	9,263	3,968	604,065	604,065	77.0%	77.0%
TRANSFERS OUT	(1,391,012)	(1,534,829)	(1,513,887)	(122,875)	20,942	(1,993,573)	(1,993,573)	75.9%	75.9%
TOTAL TRANSFERS IN/(OUT)	(935,433)	(1,073,954)	(1,049,045)	(113,612)	24,909	(1,389,508)	(1,389,508)	75.5%	75.5%
CHANGE IN NET POSITION	(50,814)	(508,247)	(214,475)	(163,661)	293,772	(421,484)	(421,484)	50.9%	50.9%

FUND 122 - ELECTRIC POWER FUND FINANCIAL STATEMENT

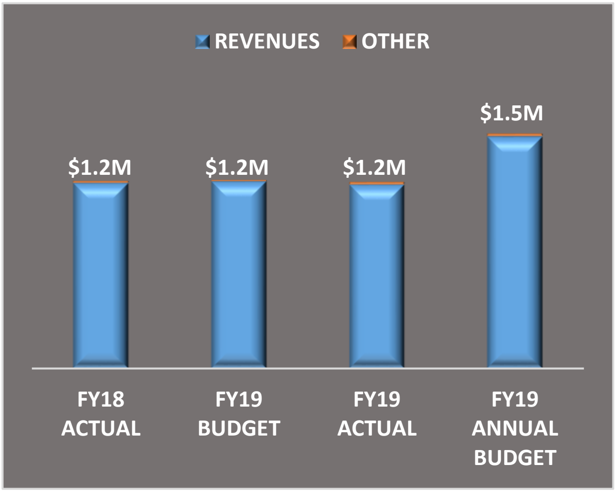
	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	**FY18 ACT**	**FY19 BUD**	**FY19 ACT**	**FY18ACT**	**FY19 BUD**	**ORIGINAL**	**AMENDED**	**BUDGET (O)**	**BUDGET (A)**
OPERATING REVENUES									
CHARGES FOR SERVICES	11,643,746	11,386,813	10,778,161	(865,586)	(608,652)	16,706,225	16,706,225	64.5%	64.5%
TOTAL REVENUES	11,643,746	11,386,813	10,778,161	(865,586)	(608,652)	16,706,225	16,706,225	64.5%	64.5%
OPERATING EXPENDITURES									
COST OF SALES AND SERVICES	11,637,811	11,718,834	10,858,972	(778,838)	(859,862)	16,666,449	16,666,449	65.2%	65.2%
TOTAL OPERATING EXP	11,637,811	11,718,834	10,858,972	(778,838)	(859,862)	16,666,449	16,666,449	65.2%	65.2%
OPERATING INCOME (LOSS)	5,936	(332,021)	(80,812)	(86,747)	251,210	39,776	39,776	-203.2%	-203.2%
CHANGE IN NET POSITION	5,936	(332,021)	(80,812)	(86,747)	251,210	39,776	39,776	-203.2%	-203.2%

CITY OF BRENHAM

PERFORMANCE SUMMARY JUNE 30, 2019

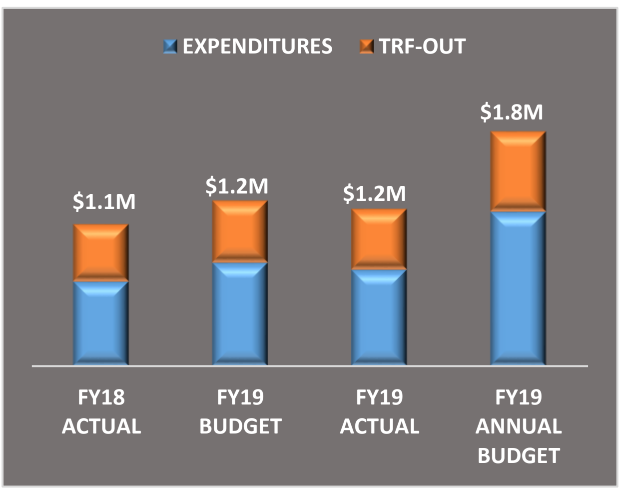
YTD 6/30/19

REVENUES AND OTHER SOURCES (TRANSFERS-IN, INVESTMENT & MISC REVENUES)



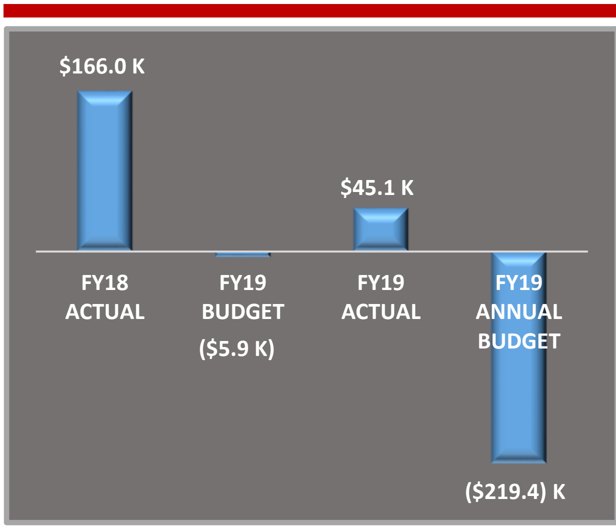
At $1.2 million for the year, revenues, including other sources, are ***unfavorable*** *to budget by ($12,688) or -1.0% and* ***unfavorable*** *to prior year actuals by ($6,045). Mcf consumption of 394,914 is lower than budget projections of 412,191, resulting in lower rate revenues. Other sources are $8,878* ***favorable*** *to budget, primarily due to higher investment income. Total revenues and other sources are at 79.5% of the annual budget.*

EXPENDITURES AND TRANSFERS-OUT



At $1.2 million, expenditures and transfers-out are ***favorable*** *to budget by $63,618 or 5.1%. Expenditures and transfers-out are higher than prior year, creating an* ***unfavorable*** *variance of ($114,852) or -10.8%. Expenditures for supplies, maintenance, contractual services, and capital were lower than budget. Expenditures for salaries, franchise fees, and miscellaneious were higher than budget, offsetting some of the budget savings. Although rate revenues were less than budget, commodity pass-through costs were higher than budget, resulting in higher franchise fees. Expenditures are at 67.0% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



The net revenue of $45,068 is ***favorable*** *to budget by $50,930 and* ***unfavorable*** *to prior year actuals by ($120,898). Net revenues are at -20.5% of the annual budget net loss of ($219,432).*

GAS FUND - FINANCIAL RESULTS

FUND 103

CITY OF BRENHAM
FY19 3RD QUARTER RESULTS (BUDGETARY BASIS)

FUND 103 - GAS DISTRIBUTION FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	FY18 ACT	FY19 BUD	FY19 ACT	FY18ACT	FY19 BUD	ORIGINAL	AMENDED	BUDGET (O)	BUDGET (A)
OPERATING REVENUES									
CHARGES FOR SERVICES	1,214,549	1,225,233	1,203,667	(10,881)	(21,566)	1,518,363	1,518,363	79.3%	79.3%
TOTAL REVENUES	1,214,549	1,225,233	1,203,667	(10,881)	(21,566)	1,518,363	1,518,363	79.3%	79.3%
OPERATING EXPENDITURES									
SALARIES	290,320	299,441	300,408	(10,088)	(967)	408,969	408,969	73.5%	73.5%
SUPPLIES	37,628	51,775	43,608	(5,980)	8,167	67,919	67,919	64.2%	64.2%
MAINTENANCE	14,065	29,498	15,376	(1,311)	14,122	34,052	34,052	45.2%	45.2%
CONTRACTUAL SERVICES	22,977	51,225	32,453	(9,476)	18,772	216,380	216,380	15.0%	15.0%
CAPITAL OUTLAY (INSTEAD OF DEP)	66,803	142,753	121,037	(54,234)	21,716	182,300	182,300	66.4%	66.4%
GROSS REVENUE TAX	185,706	187,519	193,803	(8,097)	(6,284)	224,926	224,926	86.2%	86.2%
MISCELLANEOUS	14,952	11,004	14,722	230	(3,718)	17,397	17,397	84.6%	84.6%
TOTAL OPERATING EXP	632,451	773,215	721,406	(88,955)	51,809	1,151,943	1,151,943	62.6%	62.6%
OPERATING INCOME (LOSS)	582,098	452,018	482,261	(99,837)	30,243	366,420	366,420	131.6%	131.6%
NONOPERATING REV (EXP)									
DEBT SERVICE:									
INTEREST & FISCAL CHARGES	-	-	-	-	-	-	-	0.0%	0.0%
PRINCIPAL RETIREMENT	-	-	-	-	-	-	-	0.0%	0.0%
ISSUANCE COSTS	-	-	-	-	-	-	-	0.0%	0.0%
INTERGOVERNMENTAL	-	-	-	-	-	-	-	0.0%	0.0%
INVESTMENT INCOME	7,345	6,300	15,178	7,834	8,878	8,400	8,400	180.7%	180.7%
GAIN ON SALE OF CAPITAL ASSETS	-	-	-	-	-	-	-	0.0%	0.0%
MISCELLANEOUS, NET	2,998	-	-	(2,998)	-	7,000	7,000	0.0%	0.0%
TOTAL NONOP REV (EXP)	10,342	6,300	15,178	4,836	8,878	15,400	15,400	98.6%	98.6%
INCOME (LOSS) BEFORE CONTRIBUTIONS & TRFS	592,440	458,318	497,439	(95,001)	39,122	381,820	381,820	130.3%	130.3%
TRANSFERS IN	-	-	-	-	-	-	-	0.0%	0.0%
TRANSFERS OUT	(426,474)	(464,180)	(452,371)	(25,897)	11,809	(601,252)	(601,252)	75.2%	75.2%
TOTAL TRANSFERS IN/(OUT)	(426,474)	(464,180)	(452,371)	(25,897)	11,809	(601,252)	(601,252)	75.2%	75.2%
CHANGE IN NET POSITION	165,966	(5,862)	45,068	(120,898)	50,930	(219,432)	(219,432)	-20.5%	-20.5%

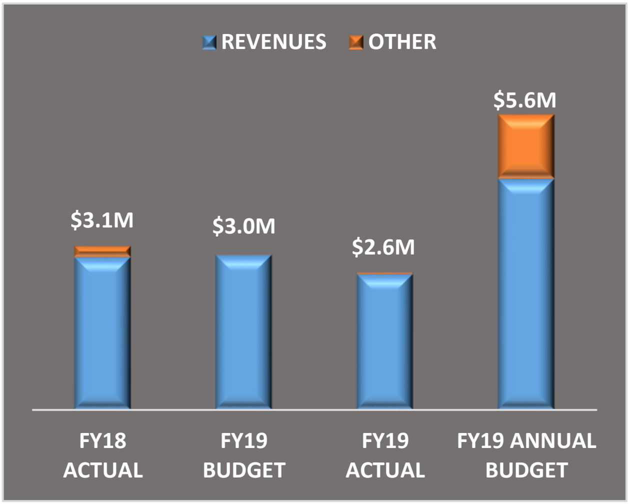
FUND 123 - GAS COMMODITY FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	FY18 ACT	FY19 BUD	FY19 ACT	FY18ACT	FY19 BUD	ORIGINAL	AMENDED	BUDGET (O)	BUDGET (A)
OPERATING REVENUES									
CHARGES FOR SERVICES	1,452,685	1,469,842	1,576,906	124,220	107,064	1,712,480	1,712,480	92.1%	92.1%
TOTAL REVENUES	1,452,685	1,469,842	1,576,906	124,220	107,064	1,712,480	1,712,480	92.1%	92.1%
OPERATING EXPENDITURES									
COST OF SALES AND SERVICES	1,390,236	1,417,370	1,527,236	(137,000)	(109,866)	1,694,878	1,694,878	90.1%	90.1%
TOTAL OPERATING EXP	1,390,236	1,417,370	1,527,236	(137,000)	(109,866)	1,694,878	1,694,878	90.1%	90.1%
OPERATING INCOME (LOSS)	62,449	52,472	49,670	(12,779)	(102,142)	17,602	17,602	282.2%	282.2%
CHANGE IN NET POSITION	62,449	52,472	49,670	(12,779)	(102,142)	17,602	17,602	282.2%	282.2%

CITY OF BRENHAM
PERFORMANCE SUMMARY JUNE 30, 2019

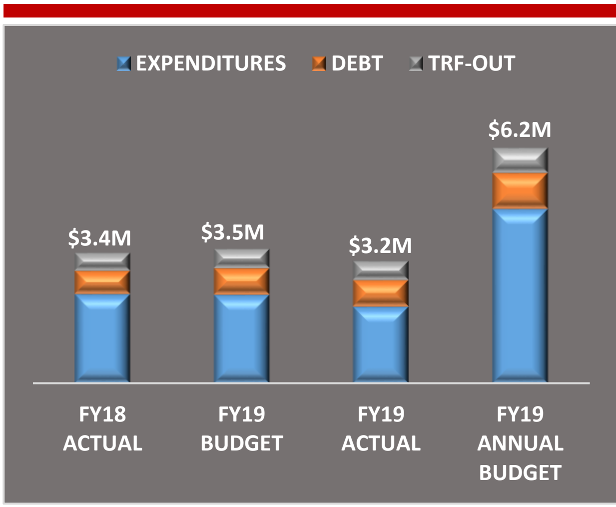
YTD
6/30/19

REVENUES AND OTHER SOURCES (TRANSFERS-IN, INVESTMENT & MISC REVENUES)



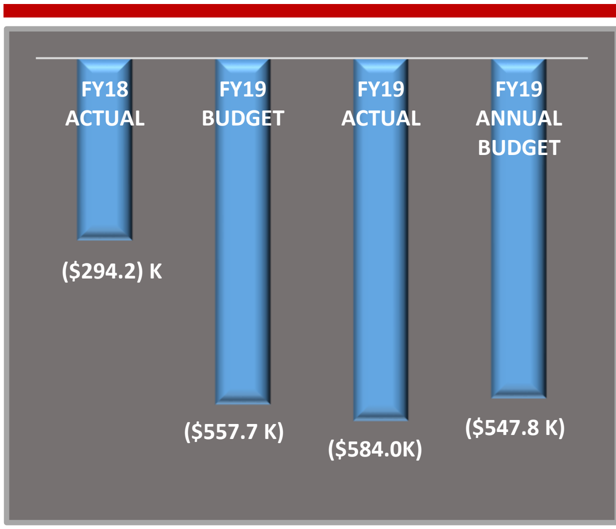
*At $2.6 million for the year, revenues, including other sources, are **unfavorable** to budget by ($345,784) or -11.7% and **unfavorable** to prior year actuals by ($504,880). Water consumption of 473,954,900 gallons is lower than budget projections of 555,097,145, resulting in lower rate revenues. Other sources are $16,411 **favorable** to budget, primarily due to higher investment income. The annual budget includes $1.2 million in FEMA reimbursements (in "Other") for water intake and lake line lowering repairs which won't be completed until FY20. As a result, total revenues and other sources are at 50.4% of the annual budget.*

EXPENDITURES, DEBT AND TRANSFERS-OUT



*At $3.2 million, expenditures are **favorable** to budget by $319,472 or 9.1%. Expenditures are lower than prior year, creating an **favorable** variance of $215,098 or 6.3%. Expenditures for every category but cost of sales and services, supplies, miscellaneous, and issuance costs, were lower than budget. Some of the budget savings was in deferral of infrastructure master plan and impact fee study. Capital savings is from delays on (FEMA) water intake and lake line lowering projects which will be completed in FY20. This is why expenditures are at 51.8% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



*The net loss of ($584,012) is **unfavorable** to budget by ($26,312) and **unfavorable** to prior year actuals by ($289,782). Net losses are at 106.6% of the annual budget net loss of ($547,813).*

WATER FUND - FINANCIAL RESULTS

FUND 104

CITY OF BRENHAM

FY19 3RD QUARTER RESULTS (BUDGETARY BASIS)

FUND 104 - WATER FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	FY18 ACT	FY19 BUD	FY19 ACT	FY18ACT	FY19 BUD	ORIGINAL	AMENDED	BUDGET (O)	BUDGET (A)
OPERATING REVENUES									
CHARGES FOR SERVICES	2,904,194	2,945,088	2,582,893	(321,301)	(362,195)	4,383,323	4,383,323	58.9%	58.9%
TOTAL REVENUES	2,904,194	2,945,088	2,582,893	(321,301)	(362,195)	4,383,323	4,383,323	58.9%	58.9%
OPERATING EXPENDITURES									
COST OF SALES AND SERVICES	233,100	239,925	240,975	(7,875)	(1,050)	319,900	319,900	75.3%	75.3%
SALARIES	519,911	564,770	544,920	(25,009)	19,850	771,841	771,841	70.6%	70.6%
SUPPLIES	258,970	305,946	342,722	(83,752)	(36,776)	507,162	507,162	67.6%	67.6%
MAINTENANCE	169,661	136,895	121,363	48,298	15,532	183,250	183,250	66.2%	66.2%
CONTRACTUAL SERVICES	173,427	438,424	202,418	(28,991)	236,006	658,103	658,103	30.8%	30.8%
CAPITAL OUTLAY (INSTEAD OF DEP)	741,492	393,306	306,548	434,944	86,759	1,773,009	1,773,009	17.3%	17.3%
GROSS REVENUE TAX	197,362	199,249	173,658	23,704	25,591	297,966	297,966	58.3%	58.3%
MISCELLANEOUS	17,997	17,315	21,760	(3,764)	(4,446)	26,678	26,678	81.6%	81.6%
TOTAL OPERATING EXPENDITURES	2,311,919	2,295,830	1,954,364	357,555	341,466	4,537,909	4,537,909	43.1%	43.1%
OPERATING INCOME (LOSS)	592,274	649,258	628,529	36,254	(20,730)	(154,586)	(154,586)	-406.6%	-406.6%
NONOPERATING REV (EXP)									
DEBT SERVICE:									
INTEREST & FISCAL CHARGES	(174,796)	(176,670)	(176,670)	(1,874)	-	(266,025)	(266,025)	66.4%	66.4%
PRINCIPAL RETIREMENT	(439,031)	(519,057)	(519,057)	(80,026)	-	(681,754)	(681,754)	76.1%	76.1%
ISSUANCE COSTS	(13,994)	(14,000)	(45,381)	(31,386)	(31,381)	(14,000)	(14,000)	324.1%	324.1%
INTERGOVERNMENTAL	181,231	-	-	(181,231)	-	1,207,500	1,207,500	0.0%	0.0%
INVESTMENT INCOME	7,051	5,250	21,661	14,610	16,411	8,000	8,000	270.8%	270.8%
GAIN ON SALE OF CAPITAL ASSETS	-	-	-	-	-	-	-	-	-
MISCELLANEOUS, NET	16,958	-	-	(16,958)	-	6,000	6,000	0.0%	0.0%
TOTAL NONOPERATING REV (EXP)	(422,581)	(704,477)	(719,446)	(296,865)	(14,969)	259,721	259,721	-277.0%	-277.0%
INCOME (LOSS) BEFORE CONTRIBUTIONS AND TRANSFERS	169,693	(55,219)	(90,918)	(260,611)	(35,699)	105,135	105,135	-86.5%	-86.5%
TRANSFERS IN	-	-	-						
TRANSFERS OUT	(463,923)	(502,481)	(493,094)	(29,171)	9,387	(652,948)	(652,948)	75.5%	75.5%
TOTAL TRANSFERS IN/(OUT)	(463,923)	(502,481)	(493,094)	(29,171)	9,387	(652,948)	(652,948)	75.5%	75.5%
CHANGE IN NET POSITION	(294,230)	(557,700)	(584,012)	(289,782)	(26,312)	(547,813)	(547,813)	106.6%	106.6%

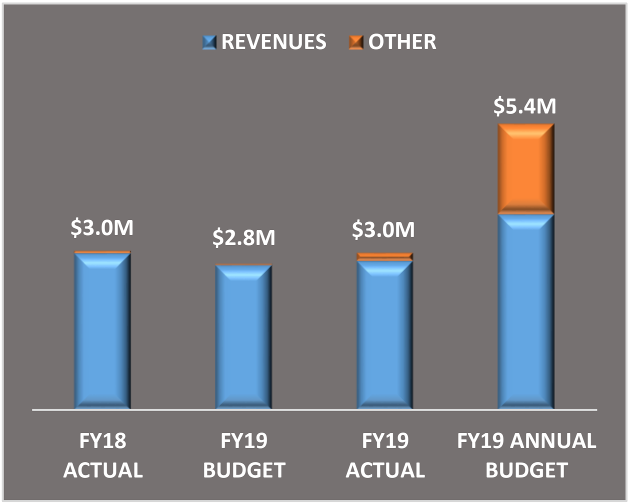
CITY OF BRENHAM
PERFORMANCE SUMMARY JUNE 30, 2019

YTD 6/30/19

WASTEWATER FUND - FINANCIAL RESULTS

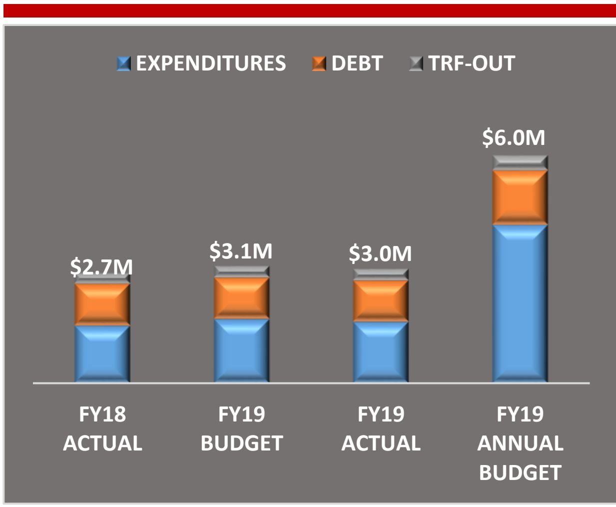
FUND 105

REVENUES AND OTHER SOURCES (TRANSFERS-IN, INVESTMENT & MISC REVENUES)



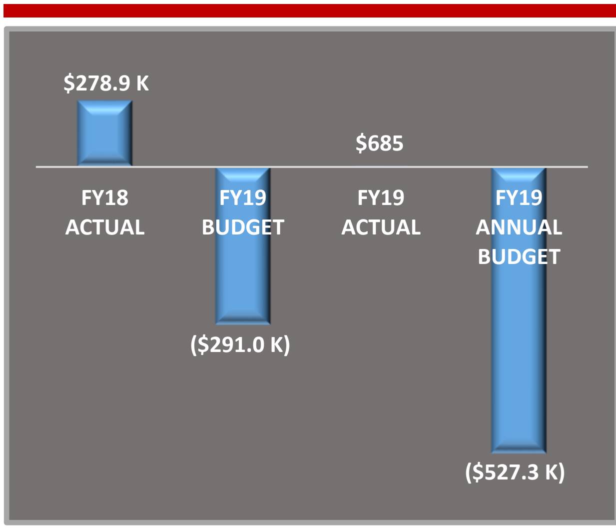
*At $3.0 million for the year, revenues, including other sources, are **favorable** to budget by $211,729 or 7.7% and **unfavorable** to prior year actuals by ($35,329). Other sources are $133,305 **favorable** to budget, primarily due to insurance proceeds for an destroyed excavator. The annual budget includes $1.7 million in FEMA reimbursements (in "Other") for plant repairs which won't be completed until FY20. As a result, total revenues and other sources are at 54.9% of the annual budget.*

EXPENDITURES, DEBT AND TRANSFERS-OUT



*At $3.0 million, expenditures are **favorable** to budget by $79,992 or 2.6%. Expenditures are higher than prior year, creating an **unfavorable** variance of ($104,376) or -3.6%. Expenditures for salaries, maintenance and contractual services were lower than budget. Some of the budget savings in contractual services was due to deferral of the infrastructure master plan and impact fee study. Expenditures for supplies, capital outlay, franchise fees, and miscellaneous were higher than budget. The capital outlay overage reflects a timing variance in FEMA project plant repairs. Expenditures are at 50.0% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



*The net revenues of $685 is **favorable** to budget by $291,721 and **unfavorable** to prior year actuals by ($121,305).*

CITY OF BRENHAM
FY19 3RD QUARTER RESULTS (BUDGETARY BASIS)

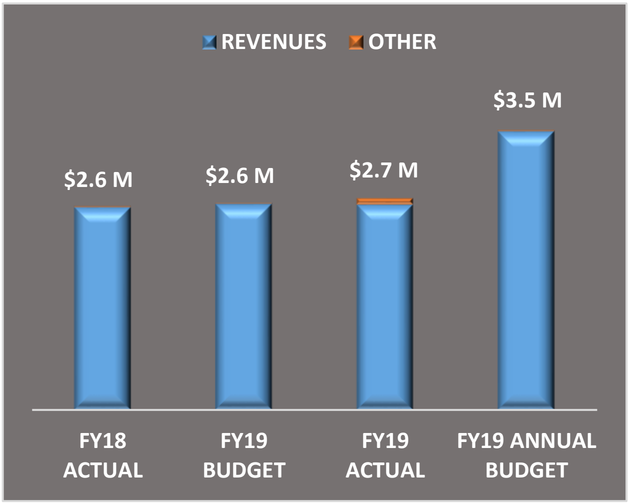
FUND 105 - WASTEWATER FUND FINANCIAL STATEMENT

	1ST QTR YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 ACT AS % OF	
IN $	**FY18 ACT**	**FY19 BUD**	**FY19 ACT**	**FY18ACT**	**FY19 BUD**	**ORIGINAL**	**AMENDED**	**BUDGET (O)**	**BUDGET (A)**
OPERATING REVENUES									
CHARGES FOR SERVICES	2,969,255	2,748,833	2,827,257	(141,998)	78,424	3,712,170	3,712,170	76.2%	76.2%
TOTAL REVENUES	2,969,255	2,748,833	2,827,257	(141,998)	78,424	3,712,170	3,712,170	76.2%	76.2%
OPERATING EXPENDITURES									
SALARIES	386,107	404,506	383,936	2,171	20,570	552,640	552,640	69.5%	69.5%
SUPPLIES	124,969	126,570	127,851	(2,882)	(1,281)	186,579	186,579	68.5%	68.5%
MAINTENANCE	163,056	149,977	143,518	19,538	6,459	237,100	237,100	60.5%	60.5%
CONTRACTUAL SERVICES	390,306	629,256	456,456	(66,150)	172,800	772,324	772,324	59.1%	59.1%
CAPITAL OUTLAY (INSTEAD OF DEP)	209,447	151,544	257,548	(48,101)	(106,004)	2,101,225	2,101,225	12.3%	12.3%
GROSS REVENUE TAX	198,554	183,126	190,746	7,808	(7,620)	247,952	247,952	76.9%	76.9%
MISCELLANEOUS	33,160	30,288	41,375	(8,215)	(11,087)	33,857	33,857	122.2%	122.2%
TOTAL OPERATING EXPENDITURES	1,505,598	1,675,266	1,601,430	(95,832)	73,836	4,131,677	4,131,677	38.8%	38.8%
OPERATING INCOME (LOSS)	1,463,656	1,073,567	1,225,827	(237,830)	152,260	(419,507)	(419,507)	-292.2%	-292.2%
NONOPERATING REV (EXP)									
DEBT SERVICE:									
INTEREST & FISCAL CHARGES (ACCRUAL)	(129,331)	(113,176)	(113,176)	16,155	-	(149,772)	(149,772)	75.6%	75.6%
PRINCIPAL RETIREMENT (ACCURAL)	(960,412)	(966,895)	(966,895)	(6,483)	-	(1,281,638)	(1,281,638)	75.4%	75.4%
ISSUANCE COSTS	(18,400)	-	-	18,400	-	-	-	NA	NA
INTERGOVERNMENTAL	10,293	-	-	(10,293)	-	1,692,207	1,692,207	0.0%	0.0%
INVESTMENT INCOME	16,989	12,300	23,105	6,116	10,805	16,400	16,400	140.9%	140.9%
GAIN ON SALE OF CAPITAL ASSETS	-	-	-	-	-	-	-	NA	NA
MISCELLANEOUS, NET	17,405	5,750	128,251	110,846	122,501	8,000	8,000	1603.1%	1603.1%
TOTAL NONOPERATING REV (EXP)	(1,063,457)	(1,062,022)	(928,717)	134,741	133,305	285,197	285,197	-325.6%	-325.6%
INCOME (LOSS) BEFORE CONTRIBUTIONS AND TRANSFERS	400,199	11,545	297,110	(103,089)	285,565	(134,310)	(134,310)	-221.2%	-221.2%
TRANSFERS IN	-		-	-		-	-	NA	NA
TRANSFERS OUT	(278,209)	(302,581)	(296,425)	(18,216)	6,156	(392,970)	(392,970)	75.4%	75.4%
TOTAL TRANSFERS IN/(OUT)	(278,209)	(302,581)	(296,425)	(18,216)	6,156	(392,970)	(392,970)	75.4%	75.4%
CHANGE IN NET POSITION	121,990	(291,036)	685	(121,305)	291,721	(527,280)	(527,280)	-0.1%	-0.1%

CITY OF BRENHAM

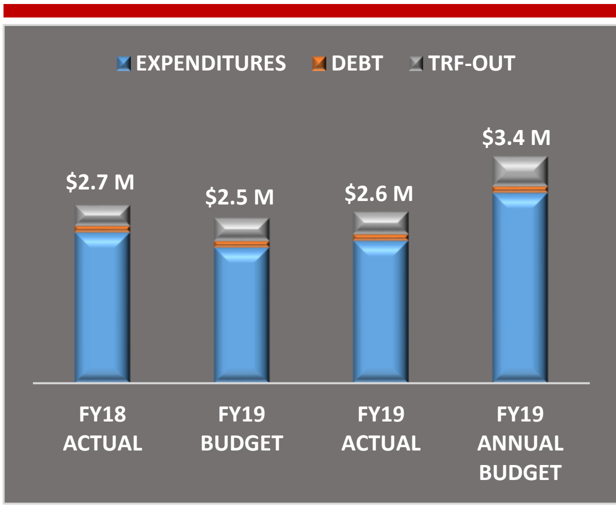
PERFORMANCE SUMMARY JUNE 30, 2019

REVENUES AND OTHER SOURCES (TRANSFERS-IN, INVESTMENT & MISC REVENUES)



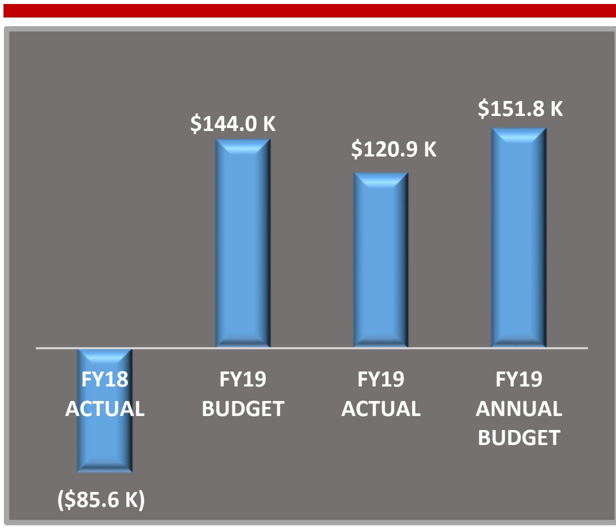
At $2.6 million for the year, revenues, including other sources, are ***favorable*** *to budget by $65,526 or 2.5% and* ***favorable*** *to prior year actuals by $104,768. Other sources are $73,751* ***favorable*** *to budget, primarily due to insurance proceeds for a destroyed excavator and storm lightning damage at the Collection Station and the sale proceeds from a garbage truck and refuse trailer. Total revenues and other sources are at 75.8% of the annual budget.*

EXPENDITURES, DEBT AND TRANSFERS-OUT



At $2.6 million, expenditures are ***unfavorable*** *to budget by ($88,668) or -3.6%. Expenditures are lower than prior year, creating an* ***favorable*** *variance of $101,742 or 3.8%. Expenditures for contractual services, capital outlay, and miscellaneous are higher than budget. Disposal fees in contractual services were higher than budget because of increased loads to Bryan landfill. Capital outlay was higher because of the replacement of an excavator that was destroyed in a fire. Expenditures are at 75.6% of the annual budget.*

NET REVENUES (LOSSES) - INCREASE/(DECREASE) OF CASH RESERVES



The net revenues of $120,889 are ***unfavorable*** *to budget by ($23,143) and* ***favorable*** *to prior year actuals by $206,510.*

YTD 6/30/19

SANITATION FUND - FINANCIAL RESULTS

FUND 106

CITY OF BRENHAM
FY19 3RD QUARTER RESULTS (BUDGETARY BASIS)

FUND 106 - SANITATION FUND FINANCIAL STATEMENT

	YTD			FY19 ACT FAV/(UNFAV) TO		ANNUAL FY19 BUDGET		FY19 YTD ACT AS % OF	
IN $	FY18 ACT	FY19 BUD	FY19 ACT	FY18ACT	FY19 BUD	ORIGINAL	AMENDED	BUDGET (O)	BUDGET (A)
OPERATING REVENUES									
CHARGES FOR SERVICES	2,565,994	2,610,166	2,601,941	35,947	(8,225)	3,526,813	3,526,813	73.8%	73.8%
TOTAL REVENUES	2,565,994	2,610,166	2,601,941	35,947	(8,225)	3,526,813	3,526,813	73.8%	73.8%
OPERATING EXPENDITURES									
SALARIES	502,442	538,522	504,481	(2,039)	34,041	735,978	735,978	68.5%	68.5%
SUPPLIES	180,404	184,033	179,309	1,095	4,724	260,550	260,550	68.8%	68.8%
MAINTENANCE	122,462	99,478	91,633	30,828	7,845	137,650	137,650	66.6%	66.6%
CONTRACTUAL SERVICES	1,070,889	1,133,498	1,175,462	(104,573)	(41,964)	1,622,434	1,622,434	72.5%	72.5%
CAPITAL OUTLAY (INSTEAD OF DEP)	302,796	-	102,500	200,296	(102,500)	-	-	0.0%	0.0%
GROSS REVENUE TAX	51,083	51,816	51,385	(302)	431	60,764	60,764	84.6%	84.6%
MISCELLANEOUS	21,379	22,103	23,872	(2,493)	(1,769)	25,053	25,053	95.3%	95.3%
TOTAL OPERATING EXP	2,251,455	2,029,451	2,128,643	122,812	(99,192)	2,842,429	2,842,429	74.9%	74.9%
OPERATING INCOME (LOSS)	314,539	580,716	473,298	158,759	(107,417)	684,384	684,384	69.2%	69.2%
NONOPERATING REV (EXP)									
DEBT SERVICE:									
INTEREST & FISCAL CHARGES	(14,280)	(12,379)	(12,379)	1,901	(0)	(12,379)	(12,379)	100.0%	100.0%
PRINCIPAL RETIREMENT	(80,877)	(82,777)	(82,777)	(1,901)	(0)	(82,777)	(82,777)	100.0%	100.0%
ISSUANCE COSTS	-	-	-	-	-	-	-	0.0%	0.0%
INTERGOVERNMENTAL	-	-	-	-	-	-	-	0.0%	0.0%
INVESTMENT INCOME	4,577	3,150	7,202	2,625	4,052	8,200	8,200	87.8%	87.8%
GAIN ON SALE OF CAPITAL ASSETS	-	-	-	-	-	-	-	0.0%	0.0%
MISCELLANEOUS, NET	3,505	2	69,701	66,196	69,699	2	2	NA	NA
TOTAL NONOP REV (EXP)	(87,074)	(92,004)	(18,253)	68,821	73,751	(86,954)	(86,954)	21.0%	21.0%
INCOME (LOSS) BEFORE CONTRIBUTIONS & TRFS	227,465	488,712	455,045	227,580	(33,666)	597,430	597,430	76.2%	76.2%
TRANSFERS IN	-	-	-	-	-	-	-	0.0%	0.0%
TRANSFERS OUT	(313,086)	(344,680)	(334,156)	(21,070)	10,524	(445,601)	(445,601)	75.0%	75.0%
TOTAL TRANSFERS IN/(OUT)	(313,086)	(344,680)	(334,156)	(21,070)	10,524	(445,601)	(445,601)	75.0%	75.0%
CHANGE IN NET POSITION	(85,621)	144,032	120,889	206,510	(23,143)	151,829	151,829	79.6%	79.6%

AGENDA ITEM 8

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** September 27, 2019 **SUBMITTED BY:** Carolyn D. Miller

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 Approval of a Request from the Washington County Appraisal District to Utilize Prior Years' Accumulated Funds for the Purchase of a New Fleet Vehicle

SUMMARY STATEMENT: The City has received a request from the Washington County Appraisal District (WCAD) to utilize $25,290 of prior years' accumulated funds which were set aside for the purchase of a new fleet vehicle. This vehicle will replace a 2004 Chevrolet truck currently being used by WCAD.

I have attached the transmittal letter from Mr. Willy Dilworth and he will be attending the Council meeting to present the information and to answer any questions that may arise.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Letter from Willy Dilworth, Chief Appraiser

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve a request from the Washington County Appraisal District to utilize $25,290 of prior years' accumulated funds for the purchase of a new fleet vehicle

APPROVALS: James Fisher

RECEIVED
SEP 09 2019
James Fisher
City Manager

WASHINGTON COUNTY APPRAISAL DISTRICT

1301 NIEBUHR
P. O. BOX 681
BRENHAM, TX 77834-0681
(979) 277-3740

September 1, 2019

City of Brenham
Mr. James Fisher
PO Box 1059
Brenham, TX 77834-1059

Dear Mr. Fisher,

The Washington County Appraisal District Board of Directors approved the purchase of a new fleet vehicle at our board meeting on August 27, 2019. The purchase of this truck would be made out of the $25,290 set aside for this purpose. We are replacing a 2004 Chevrolet truck that has become totally unreliable because of a number of maintenance issues.

We are asking you to approve the purchase of a new truck with said reserved monies.

Thank you for your consideration in this matter.

Sincerely;

Willy Dilworth
Chief Appraiser

AGENDA ITEM 9

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Administration	**DATE SUBMITTED:** September 27, 2019 **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 Resolution No. R-19-027 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors

SUMMARY STATEMENT: The governing body of the Washington County Appraisal District is nominated and appointed by the governing bodies that levy and collect a property tax. A ballot will be prepared for one of your November meetings based on the nominations received from the governmental entities. Attached is a letter from Chief Appraiser Willy Dilworth outlining the process and reporting on the status of the five current board members. The current five members are: John Schaer, Charles Gaskamp, Johanna Fatheree, Leslie Boehnemann, Jr., and Joe Antkowiak.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Resolution No. R-19-027; and (2) Letter from Willy Dilworth, Chief Appraiser

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve Resolution No. R-19-027 nominating the five individuals to serve on the Washington County Appraisal District Board of Directors

APPROVALS: James Fisher

RESOLUTION NO. R-19-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS NOMINATING CANDIDATES FOR ELECTION TO THE WASHINGTON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

WHEREAS, the Washington County Tax Appraisal District has been established with the responsibility to fairly and equitably appraise taxable property in Washington County; and

WHEREAS, the Washington County Tax Appraisal District is governed by a Board of five directors, serving two-year terms beginning on January 1, of even-numbered years; and

WHEREAS, the governing boards of the participating taxing entities may nominate from one to five candidates to serve as directors of this appraisal district;

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

The following people are nominated as candidates for membership on the Board of Directors for the Washington County Tax Appraisal District:

John Schaer
Charles Gaskamp
Johanna Fatheree
Leslie Boehnemann, Jr.
Joe Antkowiak

BE IT FURTHER RESOLVED that this Resolution be adopted and entered upon the pages of the minutes of the City Council of Brenham, Texas, and that a copy of this Resolution be presented to the Chief Appraiser of the Washington County Tax Appraisal District office at 1302 Niebuhr Street, Brenham, Texas.

APPROVED this the 3rd day of October, 2019.

____
Andrew Ebel, Mayor Pro Tem

ATTEST:

____
Jeana Bellinger, TRMC, CMC
City Secretary

WASHINGTON COUNTY APPRAISAL DISTRICT

P. O. BOX 681
BRENHAM, TEXAS 77834-0681
(979) 277-3740

August 26, 2019

City of Brenham
Mr. James Fisher
PO Box 1059
Brenham TX 77834-1059

Re: Nomination and Election of Washington County Appraisal
District Board Members

Dear Mr. Fisher,

It is again time to elect the board members of the Washington County Appraisal District. As in years past, each voting taxing entity may nominate from one to five candidates to serve on the Washington County Board. **All nominations must be by written resolution and must be received in my office before October 15, 2019.**

The calculation of the number of votes your entity will receive is illustrated below. Please examine this calculation and contact me with any questions you may have.

ENTITY	2020 ELECTION - 2018 TAX LEVY	% of TOTAL VOTING MEMBERS LEVY	VOTES
Washington County	$17,486,633	27.7783%	1,389
City of Burton	$125,883	0.2000%	10
City of Brenham	$6,854,458	10.8886%	544
Burton I.S.D.	$5,239,152	8.3226%	416
Brenham I.S.D.	$30,944,243	49.1564%	2,458
Giddings ISD	$232,945	.3700%	19
Blinn College	$2,067,336	3.2841%	164
Total Levy	$62,950,650	100.0000%	5,000

To arrive at your taxing unit's votes, please use the following formula:

(UNIT'S 2018 LEVY / TOTAL OF ALL LEVIES) X 5,000 = # OF VOTES

After all nominations have been received, the official ballot will be prepared and delivered to the presiding officer of each voting taxing entity. The entity will then cast their votes for whichever candidate(s) they choose and submit the ballot to this office before December 15, 2019.

For those of you who are interested, the current members of the Board of Directors of our appraisal district are as follows:

John Schaer
Charles Gaskamp
Johanna Fatheree
Leslie Boehnemann, Jr.
Joe Antkowiak

Each of these board members has indicated a willingness to serve an additional two-year term if it is your desire. I have enclosed a copy of the qualifications for serving on the board of directors. I trust you will call (277-3749) if you have any questions concerning these qualifications or the election process.

Again, please remember that all nominations must be received by written resolution before October 15, 2019 to be included on the ballot.

Sincerely,

Willy Dilworth
Chief Appraiser

ELIGIBILITY REQUIREMENTS

Board of Directors

To be eligible to serve on the board, a person must have resided in the appraisal district for at least two years immediately proceeding the date of taking office.

Persons who meet the basic residence test could still be disqualified from serving. These reasons for disqualification ensure directors are not exposed to conflicts of interest.

An employee of a taxing unit that participates in the appraisal district may not serve. However, an elected official or member of the governing body of a participating taxing unit may serve.

Effective January 1, 1999, the Tax code provides that the county tax assessor-collector will serve on the appraisal district board of directors. The county tax assessor automatically will serve as a nonvoting district director, if the county tax assessor is not appointed to the board of directors under the regular process. If a taxing unit, such as the county commissioner's court, appoints the county tax assessor to the appraisal district board, then the county tax assessor serves as a voting member.

The county tax assessor does not have to meet the residency requirements for serving as a nonvoting director.

The county tax assessor-collector is ineligible to serve as a nonvoting or voting director if the county tax assessor also serves as the CAD's chief appraiser. The county tax assessor is ineligible to serve as a nonvoting director if the county has contracted for the assessment and collection of county taxes with another taxing unit or with the CAD. In Washington County the county contracts with the Brenham ISD for the assessment and collection services.

A person may not be appointed or continue to serve on the board, if related within the second degree of consanguinity or affinity to the following persons:

- An appraiser who appraises property for use in the appraisal district's appraisal review board proceeding, or;
- A tax representative who represents taxpayers for compensation before the appraisal district's appraisal review board.

A director who is related to an appraisal district employee within the second degree by affinity or within the third degree by consanguinity may not serve as long as the relative remains employed by the appraisal district. This provision went into effect September 1, 1989, so a director related to an appraisal district employee must either resign or the employee must resign.

Members of the board of directors serve two-year terms beginning on January 1 of even-numbered years.

City of BRENHAM

AGENDA ITEM 10

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Development Services	**DATE SUBMITTED:** September 26, 2019 **SUBMITTED BY:** Stephanie Doland

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-19-028 Authorizing the Acceptance of Public Infrastructure Improvements in the Heritage Oaks Subdivision, Section 1

SUMMARY STATEMENT: Thielemann Development Company, LP has completed infrastructure improvements (water, sanitary sewer, storm water and street construction) related to the development of Section 1 of the Heritage Oaks Subdivision, an approximately 32 lot residential subdivision located northeast of the intersection of Cantey Street and Gun and Rod Road. The detention pond developed for the subdivision shall be retained for ownership and maintenance by the Heritage Oaks Subdivision Homeowners Association. The infrastructure improvements have been constructed and inspected according to the City of Brenham ordinances and regulations and are ready for acceptance by the City of Brenham.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Resolution No. R-19-028; (2) Acceptance of Street and Storm Water – Heritage Oaks Subdivision, Section 1; (3) Acceptance of Water and Wastewater– Heritage Oaks Subdivision, Section 1; (4) Final Plat Heritage Oaks Subdivision, Section 1; and (5) Performance & Payment Bonds

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve Resolution No. R-19-028 authorizing the acceptance of public infrastructure improvements in the Heritage Oaks Subdivision, Section 1

APPROVALS: James Fisher

RESOLUTION NO. R-19-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE ACCEPTANCE OF CERTAIN PUBLIC IMPROVEMENTS IN THE HERITAGE OAKS SUBDIVISION, SECTION 1; AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTATION.

WHEREAS, Heritage Oaks Subdivision, Section 1, consists of 32 residential Lots, Restricted Reserve "A" and Reserve "D", and Unrestricted Reserve "B", Reserve "C" and Reserve "E", being an approximately 23.82 acre subdivision developed by Thielemann Development Company, LP ("Developer"); and

WHEREAS, certain water, sewer, street and storm water drainage improvements were constructed by the Developer in the Heritage Oaks Subdivision, Section 1; and

WHEREAS, the water, sewer, street and storm water drainage improvements have been inspected by the City and found to be constructed in accordance with the City's Standards and Specifications; and

WHEREAS, the City of Brenham desires to formally accept the water, sewer, street and storm water drainage improvements within the Heritage Oaks Subdivision, Section 1;

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

The City of Brenham hereby accepts the water, sewer, street and storm water drainage improvements within the Heritage Oaks Subdivision, Section 1, in the City of Brenham, Texas and authorizes the Mayor to execute any necessary documentation.

RESOLVED this 3rd day of October, 2019.

____
Andrew Ebel
Mayor Pro Tem

ATTEST:

____
Jeana Bellinger, TRMC, CMC
City Secretary

City of Brenham
Engineering Division
200 W. Vulcan St.
Brenham, Texas 77833
P.O. Box 1059
Brenham, Texas 77834-1059

September 26, 2019

Thielemann Development Company, L.P.
2310 S. Market Street
Brenham, Texas 77833

ATTN: Arlen Thielemann

RE: ACCEPTANCE OF STREETS AND STORM SEWER LINES
Heritage Oaks Subdivision, Section 1

Dear Mr. Thielemann:

Please be advised that the streets and storm sewer in Heritage Oaks Subdivision, Section 1 have been accepted by the City of Brenham as shown below:

Streets

Associated Street	Traveling Direction	Beginning		Ending		Length (ft.)	Pavement Width (ft.)	Pavement SF	Dollar Value
		Lat.	Long.	Lat.	Long.				
Oak Hollow Lane	E & N	N030.148420	W096.373987	N030.151608	W096.371221	2025	31	62,775	$481,080.63
Oak View Lane	N	N030.148452	W096.372619	N030.148879	W096.372637	154	31	4,774	$36,210.37

Storm Sewers

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft.)	Pipe Size (in.)	Dollar Value
		Lat.	Long.	Lat.	Long.			
Oak Hollow Lane-Drain A	Across	N030.148369	W096.373909	N030.148447	W096.373894	31	24	$2,171.24
Oak Hollow Lane-Drain A	N	N030.148447	W096.373894	N030.148529	W096.373910	30	30	$1,830.00
(Private DE/Drain A)	N	N030.148529	W096.373910	N030.148942	W096.373815	172	30	$10,492.00
Oak Hollow Lane-Drain B	Across	N030.148532	W096.371256	N030.148599	W096.371304	31	24	$2,171.24
Oak Hollow Lane-Drain B	N	N030.148599	W096.371304	N030.148532	W096.371608	101	30	$6,161.00
(Private DE/Drain B)	N	N030.148532	W096.371608	N030.150207	W096.371721	713	30	$43,493.00
Oak Hollow Lane-Drain C	Across	N030.150728	W096.371032	N030.150735	W096.371122	31	24	$2,171.24

Oak Hollow Lane-Drain C	N	N030.150735	W096.371122	N030.150723	W096.371197	25	30	$1,525.00
(Private DE/Drain C)	W	N030.150723	W096.371197	N030.150574	W096.371855	215	30	$13,115.00
Oak Hollow Lane-Drain D	Across	N030.151614	W096.371087	N030.151557	W096.371332	80	24	$5,603.20
(Private DE/Pond A Outfall)	N/A	N030.150600	W096.372247	N030.151238	W096.372594	285	30(Dual)	$36,332.00

Date of Acceptance: August 30, 2019

The above described improvements were reviewed by the City of Brenham Engineering Consultant, Grant Lischka, PE and approved for acceptance on August 30, 2019. The one year warranty period begins on **August 30, 2019** and ends on **August 30, 2020** for the infrastructure listed above.

Sincerely,

Stephanie Doland

Stephanie Doland
Development Services Director

c: Darren Huckert, P.E., Garza EMC, LLC
File

City of Brenham
Engineering Division
200 W. Vulcan St.
Brenham, Texas 77833
P.O. Box 1059
Brenham, Texas 77834-1059

September 26, 2019

Thielemann Development Company, L.P.
2310 S. Market Street
Brenham, Texas 77833

ATTN: Arlen Thielemann

RE: ACCEPTANCE OF WATER AND WASTEWATER LINES
Heritage Oaks, Section 1

Dear Mr. Thielemann:

Please be advised that the water and wastewater lines in Heritage Oaks, Section 1 have been accepted by the City of Brenham as shown below:

Water Lines

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft.)	Pipe Size (in.)	Dollar Value
		Lat.	Long.	Lat.	Long.			
Oak Hollow Lane	S&E	N030.148334	W096.374148	N030.151624	W096.371104	2162	8	$74,048.50
Gun & Rod Road	S	N030.151624	W096.371104	N030.151559	W096.371415	103	8	$3,527.75
Oak View Lane	E	N030.148338	W096.372524	N030.148882	W096.372547	200	8	$6,850.00

Wastewater Lines

Associated Street	Side of Street (N/S/E/W)	Beginning		Ending		Length (ft.)	Pipe Size (in.)	Dollar Value
		Lat.	Long.	Lat.	Long.			
Cantey Street	E	N030.150798	W096.374478	N030.148520	W096.373953	851	8	$28,083.00
Oak Hollow Lane (Line A)	N	N030.148520	W096.373953	N030.148498	W096.372741	385	8	$12,705.00
Oak Hollow Lane (Line B)	N/E	N030.148515.	W096.372231	N030.151555	W096.371287	1436	8	$47,388
Gun & Rod Road (Line B)	S	N030.151555	W096.371287	N030.151433	W096.371890	196	8	$6,468.00
Gun & Rod Road (Line B)	Across	N030.151433	W096.371890	N030.151545	W096.371944	33	8	$1,089.00
(PUE-Line C)	N/A	N030.150483	W096.371190	N030.150435	W096.371597	245	8	$8,085.00

Date of Acceptance: August 30, 2019

The above described improvements were reviewed by the City of Brenham Engineering Consultant, Grant Lischka, PE and approved for acceptance on August 30, 2019. The one year warranty period begins on **August 30, 2019** and ends on **August 30, 2020** for the infrastructure listed above.

Sincerely,

Stephanie Doland

Stephanie Doland
Development Services Director

c: Darren Huckert, P.E., Garza EMC, LLC
File

Thielemann Development Company, LP
23.822 Acres

Isaac Lee Survey
Abstract No. 77
John Long Survey
Abstract No. 156

STATE OF TEXAS §

COUNTY OF WASHINGTON §

A METES & BOUNDS description of a certain 23.822 acre tract situated in the Isaac Lee Survey, Abstract No. 77 and the John Long Survey, Abstract No. 156 in Washington County, Texas, being all of a called 23.823 acre tract conveyed by Special Warranty Deed to Thielemann Development Company, LP recorded in Volume 1546, Page 249 of the Official Records of Washington County; said 23.822 acre tract being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, Central Zone;

BEGINNING at a found 5/8-inch iron rod (with cap stamped 'Hodde') in the occupied east right-of-way of Cantey Street (unknown width) marking the southwest corner of said 23.823 acre tract being common with a westerly corner of a called 33.048 acre tract ('Tract 1') conveyed by Warranty Deed to The First Baptist Church of Brenham, Texas recorded in Volume 1469, Page 479 of the Official Records of Washington County;

THENCE along said occupied east right-of-way of Cantey Street the following three (3) courses and distances:

1. North 16°16'20" East, 61.39 feet to a found 5/8-inch iron rod (with cap stamped 'Hodde') marking the beginning of a curve to the left;
2. Along said curve to the left, having a radius of 830.00 feet, an arc length of 492.91 feet, a delta angle of 34°01'34", a chord bearing of North 00°44'41" West, 485.70 feet to a found 5/8-inch iron rod (with cap stamped 'Hodde');
3. North 17°43'54" West, 72.65 feet to a found 1/2-inch iron rod marking a westerly corner of aforementioned 23.823 acre tract being common with the southwest corner of a called 0.5760 acre tract conveyed by Special Warranty Deed to Eugene C. Supak, et ux recorded in Volume 888, Page 859 of the Official Records of Washington County and being in said occupied east right-of-way of Cantey Street;

THENCE North 73°49'31" East, along a common line of said 23.823 acre tract and said 0.5760 acre tract, 461.06 feet to a found 1/2-inch iron rod marking an interior corner of said 23.823 acre tract being common with the southeast corner of said 0.5760 acre tract;

THENCE North 17°29'19" West, along a common line of said 23.823 acre tract and said 0.5760 acre tract, passing at 53.89 feet the northeast corner of said 0.5760 acre tract being common with the southeast corner of a called 5.001 acre tract conveyed by General Warranty Deed to Eugene C. Supak recorded in Volume 716, Page 417 of the Official Records of Washington County, continuing in all a total distance of 471.20 feet to a found 1/2-inch iron rod marking a northerly corner of said 23.823 acre tract being common with the northeast corner of said 5.001 acre tract and being in the occupied south right-of-way of Gun and Rod Road (unknown width);

THENCE North 73°41'46" East, along said occupied south right-of-way of Gun and Rod Road, 34.88 feet to a found 1/2-inch iron rod marking a northerly corner of said 23.823 acre tract being common with the northwest corner of a called 1.135 acre tract conveyed by Special Warranty Deed to Angela R. Denny recorded in Volume 598, Page 377 of the Official Records of Washington County and being in said occupied south right-of-way of Gun and Rod Road;

THENCE along the common lines of said 23.823 acre tract and said 1.135 acre tract the following three (3) courses and distances:

1. South 17°29'35" East, 471.38 feet to a set 5/8-inch iron rod (with cap stamped 'Jones|Carter');
2. North 73°48'41" East, 118.79 feet to a found 1/2-inch iron rod;
3. North 17°25'06" West, 210.94 feet to a found 1/2-inch iron rod marking a northerly corner of said 23.823 acre tract being common with the southwest corner of a called 1 acre tract conveyed by Deed to Melvin Lee Dahse, et ux recorded in Volume 233, Page 133 of the Deed Records of Washington County and being in the east line of said 1.135 acre tract;

THENCE North 73°20'20" East, along the common line of said 23.823 acre tract and said 1 acre tract, 208.37 feet to a found 1/2-inch iron rod for angle being common with the east corner of said 1 acre tract and the south corner of a called 1.0 acre tract conveyed by Warranty Deed to Harriet Kubeczka Grebe recorded in Volume 853, Page 560 of the Official Records of Washington County;

THENCE along the common lines of said 23.823 acre tract and said Grebe tract the following two (2) courses and distances:

1. North 73°12'20" East, 208.36 feet to a found 1/2-inch iron rod;
2. North 17°23'49" West, 208.18 feet to a found 1/2-inch iron rod marking a northerly corner of said 23.823 acre tract being common with the north corner of said Grebe tract and being in aforementioned occupied southeast right-of-way of Gun and Rod Road;

THENCE North 73°12'41" East, along said occupied southeast right-of-way of Gun and Rod Road, 163.47 feet to a found 3/4-inch iron rod marking the northeast corner of said 23.823 acre tract being common with the northwest corner of Lot 1 of Gun and Rod Circle Subdivision recorded in Plat Cabinet File No. 329B of the Plat Records of Washington County;

THENCE South 12°38'38" East, along the common line of said 23.823 acre tract and said Gun and Rod Circle Subdivision, 1084.28 feet to a found 5/8-inch iron rod (with cap stamped 'Hodde') marking the most easterly southeast corner of said 23.823 acre tract being common with the south corner of Lot 8 of said Gun and Rod Circle Subdivision and a northerly corner of aforementioned 33.048 acre tract;

THENCE along the common lines of said 23.823 acre tract and said 33.048 acre tract the following two (2) courses and distances:

1. South 38°08'45" West, 343.45 feet to a found 5/8-inch iron rod (with cap stamped 'Hodde');
2. South 85°45'40" West, 1021.19 feet to the POINT OF BEGINNING, CONTAINING 23.822 acres of land in Washington County, Texas as shown on Dwg No. 1582 filed in the offices of Jones|Carter in College Station, Texas.

GENERAL NOTES:

1. Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
2. Determination of the ownership, location, or development of minerals related to the Subject Tract fall outside the scope of this survey. Such matters should be directed by the client to an expert consultant.
3. This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
4. Unless otherwise noted, all lot and reserve corners, points of intersection, points of curvature, points of reverse curvature, and points of tangency shown hereon are marked with a 5/8-inch diameter iron rod 2.5-feet in length with a plastic cap stamped "Jones|Carter".
5. According to Map No. 48477C0315C of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Washington County, dated August 16, 2011, the subject tract is situated within: Unshaded Zone 'X'; defined as areas determined to be outside the 500-year flood plain.

   This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
6. Reserve "A" and Reserve "D" are dedicated for detention pond use only.
7. Distances shown hereon along curves are arc lengths.
8. Building setbacks shown hereon are as follows unless otherwise noted:
   - Front Setback: 25 Feet
   - Side Setback: 10 Feet
   - Rear Setback: 25 Feet
   - Side Setback Along Street: 15 Feet
9. Variances pertaining to Lot 19 & Lot 20, Block I was approved at the August 14, 2017 City of Brenham Board of Adjustments meeting that granted the following:
   - Lot 19, Block I: 90 foot minimum lot depth and 15 foot rear setback
   - Lot 20, Block I: 15 foot rear setback
10. Subdivision Variances pertaining to Lot 1, Block 1, Lot 1, Block 2 and Lot 20, Block 1 were approved at the October 19, 2017 City of Brenham City Council Meeting that granted 15 foot side yard setback for the the corner lots within the Heritage Oaks Subdivision Section 1.

OWNER ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Arlen Thielemann the owner of the land described hereon, whose name is subscribed hereto, do hereby offer, adopt and acknowledge the subdivision of said property in accordance with the plat shown hereon.

Arlen Thielemann

This instrument was acknowledged before me on the 12th day of January 2018 by
Cassie Westerfeld

2/27/19 CASSIE WESTERFELD
Notary Public Notary's Name (Printed):
State of Texas Notary's Commission
Expires:

CASSIE WESTERFELD
MY COMMISSION EXPIRES
February 27, 2019

KNOW ALL MEN BY THESE PRESENTS: That I, Christopher Curtis, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Brenham, Texas.

Christopher E. Curtis, RPLS 6111 11 January 2018

STATE OF TEXAS
REGISTERED
CHRISTOPHER E. CURTIS
6111
PROFESSIONAL LAND SURVEYOR

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF WASHINGTON

I, Beth Rothemel, County Clerk in and for said County, hereby certify that the foregoing instrument with its Certificate of Authentication was filed in my office the 22nd day of January 2018, A.D. at 2:09 o'clock P M., and duly recorded the 22nd day of January, 2018, A.D. at 2:09 o'clock P M., in the Plat Records in Slide No. 684B + 685A, Witnessed by hand and seal of the County Court of the said County, at office in Brenham, Texas.

By: Samuth Nuttp
Beth Rothemel
Washington County, Texas
County Clerk

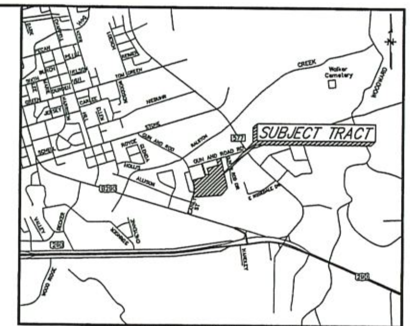
PLANNING COMMISSION APPROVAL

Approved this 23rd day of October, 2017, by the Planning and Zoning Commission of the City of Brenham, Texas.

Nancy Low
Nancy Low, Chairman

Attest:

Lynnette Sheffield
Lynnette Sheffield
Secretary to the Planning and Zoning Commission



VICINITY MAP (NOT TO SCALE)

FINAL PLAT
OF
HERITAGE OAKS SECTION 1
BEING
23.822 ACRES
OUT OF THE
ISAAC LEE SURVEY, A-77
AND THE
JOHN LONG SURVEY, A-156
BRENHAM, WASHINGTON COUNTY, TEXAS
JANUARY 2018
37 LOTS, 3 BLOCKS, 5 RESERVES

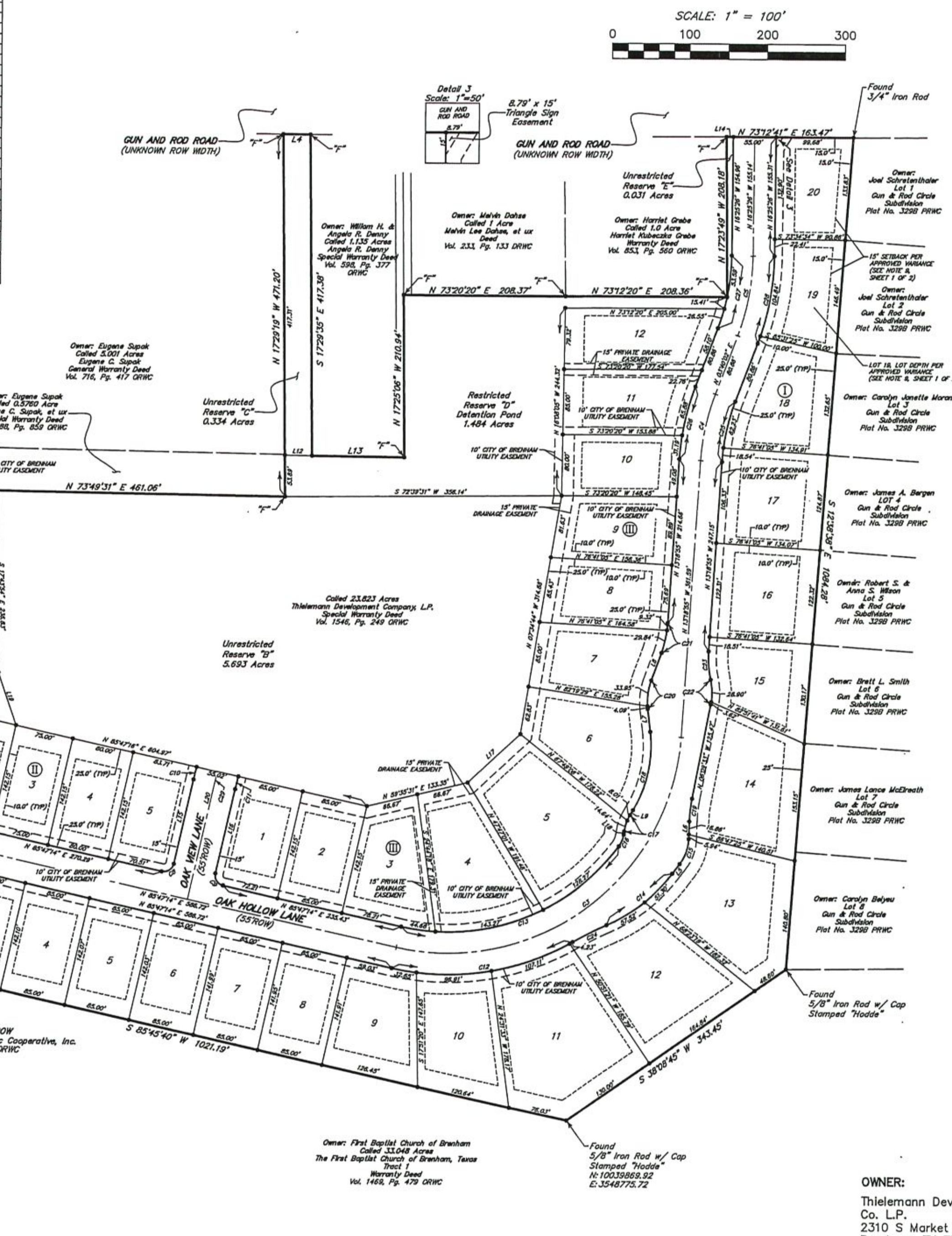
OWNER:
Thielemann Development Co. L.P.
2310 S Market St.
Brenham, TX 77833

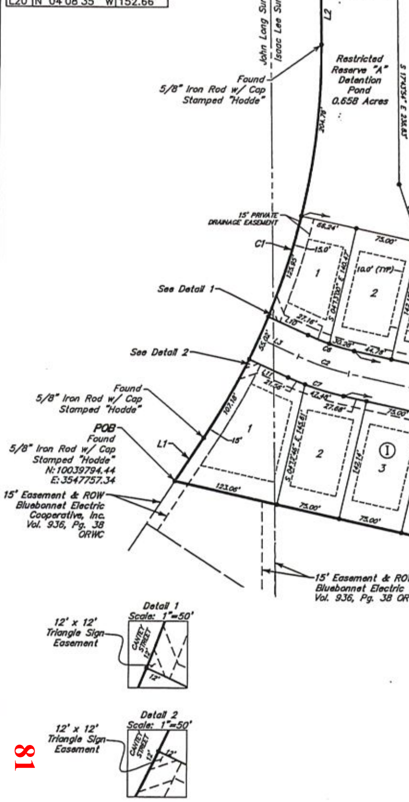
SURVEYOR:
JONES|CARTER
Texas Board of Professional Land Surveying Firm Registration No. 100461-07
150 Venture Drive, Suite 100 • College Station, Texas 77845 • 979.731.8000

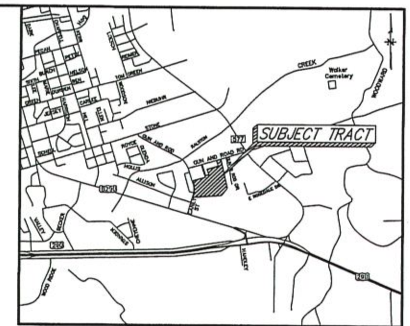
SHEET 1 OF 2
CEC/lmk JOB No. 14837-0001-01 DWG. No. 1582

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	492.91'	830.00'	34°01'34"	N 00°44'41" W	485.70'
C2	63.24'	300.00'	12°04'41"	S 88°10'26" E	63.12'
C3	518.90'	300.00'	99°06'08"	S 36°14'10" W	456.59'
C4	88.92'	300.00'	16°58'57"	N 04°49'26" W	88.59'
C5	105.20'	300.00'	20°05'28"	N 06°22'42" W	104.66'
C6	57.44'	272.50'	12°04'41"	S 88°10'26" E	57.34'
C7	69.04'	327.50'	12°04'41"	S 88°10'26" E	68.91'
C8	20.42'	13.00'	90°00'00"	S 40°47'14" W	18.38'
C9	20.42'	13.00'	90°00'00"	N 49°12'46" W	18.38'
C10	16.99'	727.50'	1°20'17"	S 03°32'38" E	16.99'
C11	16.99'	672.50'	1°26'51"	N 03°29'21" W	16.99'
C12	240.90'	327.50'	42°08'44"	N 64°42'52" E	235.51'
C13	316.22'	272.50'	66°29'19"	N 52°32'34" E	298.77'
C14	108.82'	212.00'	29°24'39"	N 34°39'58" E	107.63'
C15	34.96'	57.00'	35°08'18"	N 02°23'29" E	34.41'
C16	16.30'	33.00'	28°17'34"	S 05°09'08" W	16.13'
C17	22.65'	57.00'	22°46'18"	N 02°23'29" E	22.51'
C18	106.44'	163.00'	37°24'53"	N 04°55'48" W	104.56'
C19	29.59'	188.00'	9°01'07"	N 10°40'07" W	29.56'
C20	38.04'	82.00'	26°34'48"	N 10°20'51" W	37.70'
C21	39.16'	138.00'	16°15'28"	N 05°11'11" W	39.03'
C22	32.53'	82.00'	22°43'35"	N 17°31'21" W	32.31'
C23	37.50'	138.00'	15°34'13"	N 21°06'01" W	37.39'
C24	48.80'	488.00'	5°43'48"	N 46°30'24" E	48.78'
C25	80.77'	272.50'	16°58'57"	N 04°49'26" W	80.47'
C26	97.07'	327.50'	16°58'57"	N 04°49'26" W	96.72'
C27	95.55'	272.50'	20°05'28"	N 06°22'42" W	95.06'
C28	114.84'	327.50'	20°05'28"	N 06°22'42" W	114.25'
C29	16.99'	700.00'	1°23'27"	N 03°31'03" W	16.99'

LINE	BEARING	DISTANCE
L1	N 16°16'20" E	61.39'
L2	N 17°43'54" W	72.65'
L3	S 82°08'06" E	50.53'
L4	N 73°41'46" E	34.88'
L5	S 19°57'38" W	15.78'
L6	N 15°10'40" W	22.81'
L7	S 23°38'15" E	29.89'
L8	S 02°56'33" W	38.44'
L9	S 13°46'38" W	7.28'
L10	N 82°08'06" W	51.41'
L11	S 82°08'06" E	50.56'
L12	N 73°48'41" E	34.91'
L13	N 73°48'41" E	118.79'
L14	N 73°12'41" E	8.79'
L15	S 04°12'46" E	112.16'
L16	N 04°12'46" W	112.16'
L17	N 29°43'57" E	92.62'
L18	S 08°59'40" E	4.34'
L19	S 35°36'29" E	72.61'
L20	N 04°08'35" W	152.66'







VICINITY MAP (NOT TO SCALE)

LEGEND:

DRWC	DEED RECORDS OF WASHINGTON COUNTY
"F"	FOUND 1/2" IRON ROD
ORWC	OFFICIAL RECORDS OF WASHINGTON COUNTY
POB	POINT OF BEGINNING
PG	PAGE
PRWC	PLAT RECORDS OF WASHINGTON COUNTY
ROW	RIGHT-OF-WAY
VOL	VOLUME
•	SET 5/8" IRON ROD WITH CAP STAMPED "JONES|CARTER" (UNLESS OTHERWISE NOTED)
(1)	BLOCK NUMBER
1	LOT NUMBER
	ADJOINER LINE
	APPROXIMATE SURVEY LINE
	BUILDING SETBACK
	CENTERLINE ROAD
	EASEMENT LIMITS
	LOT LINE
	PLAT BOUNDARY
	ROW

FINAL PLAT
OF
HERITAGE OAKS
SECTION 1
BEING
23.822 ACRES
OUT OF THE
ISAAC LEE SURVEY, A-77
AND THE
JOHN LONG SURVEY, A-156
BRENHAM, WASHINGTON COUNTY, TEXAS
JANUARY 2018
37 LOTS, 3 BLOCKS, 5 RESERVES

OWNER:
Thielemann Development Co. L.P.
2310 S Market St.
Brenham, TX 77833

SURVEYOR:
JONES|CARTER
Texas Board of Professional Land Surveying Firm Registration No. 100461-07
150 Venture Drive, Suite 100 • College Station, Texas 77845 • 979.731.8000

SHEET 2 OF 2

CEC/lmk JOB No. 14837-0001-01 DWG. No. 1582

Bond No. 58S209872

PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS:

THAT Collier Construction, LLC as Principal, and hereinafter called "Principal," and Liberty Mutual Insurance Company, a corporation organized and existing under the laws of the State of Massachusetts, as Surety, hereinafter called "Surety," are held and firmly bound unto the Thielemann Development Company LP of Brenham, Texas, as Obligee, and hereinafter called "Owner," in the sum of One Million Four Hundred Fifty-One Thousand Four Hundred and Sixteen Dollars and No Cents ($1,451,416.00), lawful money of the United States of America, for the payment of which Principal and Surety bind themselves, their successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has entered into and agreed to perform a construction contract dated October 24, 2017 with Owner for the construction of Heritage Oaks Subdivision, Section 1 Street, Drainage, and Utility Improvements, J|C No. 14837-0001-01 on land of Owner located in Washington County, Texas, in accordance with such contract and the contract documents referred to therein, which contract is made a part hereof and incorporated herein by this reference and is hereinafter called the "Contract."

NOW, THEREFORE, the condition of this obligation is such that, if Principal shall well and truly perform all the undertakings, covenants, terms, conditions and agreements of the contract on its part, including all guarantees and warrantees provided therein, and fully indemnify and save harmless said Obligee from all cost and damage which they may suffer by reason of Principal's failure to do so, and fully reimburse and repay said Obligee all outlay and expense which it may incur in making good such default, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

There shall be no liability of the part of the Principal or Surety under this bond to the Obligee unless the Obligee shall make payments to the Principal, or to the Surety in case it arranges for completion of the Contract upon default of the Principal, strictly in accordance with the terms of said Contract as to payments, and shall perform all other obligations required to be performed under said Contract at the time and in the manner therein set forth.

SURETY does hereby consent to any and all alterations, modifications and revisions to the Contract secured by this bond, including, but not limited to, any extensions of time for performance which may be agreed upon by and between the Owner and the Principal. Surety does hereby waive notice of any such alterations, modifications and revisions.

Dated November 17, 2017.

Collier Construction, LLC [Name of Principal]	Liberty Mutual Insurance Company [Name of Surety]
By: Mike Collier	By: Michele M. Bonnin
Name: Mike Collier	Name: Michele M. Bonnin
Title: president	Title: Attorney-in-Fact
PRINCIPAL	SURETY

COLLIER CONSTRUCTION, LLC
LIMITED LIABILITY COMPANY
TEXAS

Agency Name: Technical Assurance, L.L.C.

Agent: Michele M. Bonnin

Address: 26623 Oak Ridge Drive

The Woodlands, Texas 77380

Telephone: (281) 296-9997

Bond No. 58S209872

PAYMENT BOND UNDER SECTIONS 53.201,

ET SEQ., TEXAS PROPERTY CODE

KNOW ALL PERSONS BY THESE PRESENTS:

THAT Collier Construction, LLC as Principal, and hereinafter called "Principal," and Liberty Mutual Insurance Company, a corporation organized and existing under the laws of the State of Massachusetts, as Surety, hereinafter called "Surety," are held and firmly bound unto the Thielemann Development Company LP of Brenham, Texas, as Obligee, and hereinafter called "Owner," in the sum of One Million Four Hundred Fifty-One Thousand Four Hundred and Sixteen Dollars and No Cents ($1,451,416.00), lawful money of the United States of America, for the payment of which Principal and Surety bind themselves, their successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has entered into and agreed to perform a construction contract dated October 24, 2017 with Owner for the construction of Heritage Oaks Subdivision, Section 1 Street, Drainage, and Utility Improvements, J|C No. 14837-0001-01 on land of Owner located in Brenham, Texas, in accordance with such contract and the contract documents referred to therein, which contract is made a part hereof and incorporated herein by this reference and is hereinafter called the "Contract."

NOW, THEREFORE, the condition of this obligation is such that, if Principal shall promptly pay for all claims for labor, subcontracts, materials, specially fabricated materials (all as defined in Section 53.001, Texas Property Code), and normal and usual extras not exceeding fifteen percent (15%) of the contract price provided in the Contract, then this obligation shall be void; otherwise it shall remain in full force and effect.

This bond is executed and made at the request of Owner and pursuant to Section 53.201 et seq. Of said Texas Property Code, and it shall inure solely to the benefit of all claimants giving and filing the applicable notices and claims or making claims as provided in said Section 53.201 et seq.

Dated November 17, 2017.

Collier Construction, LLC
[Name of Principal]

By: Mike Collier

Name: Mike Collier

Title: president

PRINCIPAL

COLLIER CONSTRUCTION, LIMITED LIABILITY COMPANY, LLC TEXAS

Liberty Mutual Insurance Company
[Name of Surety]

By: Michele M Bonnin

Name: Michele M. Bonnin

Title: Attorney-in-Fact

SURETY

The name, mailing address, physical address and telephone number, including the area code, of the Surety to which any notice of claim should be sent:

Liberty Mutual Insurance Company

Interchange Corporate Center, 450 Plymouth Road, Suite 400, Plymouth Meeting, PA 19462-8284

(610) 832-8240

Agency Name: Technical Assurance, L.L.C.

Agent: Michele M. Bonnin

Address: 26623 Oak Ridge Drive

The Woodlands, Texas 77380

Telephone: (281) 296-9997

Liberty Mutual.

Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA. 19462-1644
Ph. (610) 832-8240

RIDER ADDING ADDITIONAL OBLIGEE

This rider is to be attached to and form a part of surety bond number 58S209872, dated the 17th day of November, 2017 executed by Liberty Mutual Insurance Company, a Massachusetts stock insurance company, as surety (the "Surety"), on behalf of
Collier Construction, LLC
, as principal (the "Principal"),
in favor of
Thielemann Development Company, LP
, as obligee (the "Obligee").

WHEREAS, the Principal has by written agreement dated the 24th day of October, 2017 entered into a contract (the "Contract") with the Obligee for:

Heritage Oaks Subdivision, Section 1 Street, Drainage and Utility Improvements, J|C No. 14837-0001-01

WHEREAS, upon the request of the Principal and Obligee, the attached bond is hereby amended to add
City of Brenham
, as an additional obligee (the "Additional Obligee") to the bond, and the Obligee and Additional Obligee shall be joint and several beneficiaries of the bond and shall be jointly referred to as the "Bond Obligees".

PROVIDED, HOWEVER, there shall be no liability of the Surety under the attached bond to the Bond Obligees, either jointly or severally, unless and until the Bond Obligees, shall make payment to the Principal or to the Surety (should the Surety arrange for or undertake the completion of the Contract upon the default of the Principal), strictly in accordance with the terms of the Contract; and otherwise satisfy all terms and conditions and perform all of the other obligations to be performed under the Contract at the time and in the manner therein set forth; all of the acts of one Obligee being binding upon the other.

In no event shall the aggregate liability of the Surety to the Bond Obligees, either jointly or severally, exceed the penal sum of the attached bond, nor shall the Surety be liable except for a single payment for each single breach or default. At the Surety's election, any payment due to either Obligee may be made by its check issued jointly to both.

This change is effective the 17th day of November, 20 17.

The attached bond shall be subject to all of its terms, conditions and limitations except as herein modified.

IN WITNESS WHEREOF, said Principal, Surety, Obligee and Additional Obligee have caused these presents to be duly signed and sealed this 17th day of November, 20 17.

COLLIER CONSTRUCTION, LIMITED LIABILITY COMPANY, LLC, TEXAS

Collier Construction, LLC
Mike Collier
(Principal)

By: Mike Collier (Seal)
Title: pres. [illegible]
Date: 11/27/17

LIBERTY MUTUAL INSURANCE COMPANY
(Surety)

By: Michele M Bonnin (Seal)
Title: Attorney-In-Fact Michele M Bonnin
Date: November 17, 2017

Thielemann Development Company, LP
(Obligee)

By: (Seal)
Title:
Date:

City of Brenham
(Additional Obligee)

By: (Seal)
Title:
Date:

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND. 5533483

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. ______

American Fire and Casualty Company
The Ohio Casualty Insurance Company
West American Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, **EDWARD D. ARENS; MICHELE M. BONNIN; PHILIP W. BAKER**

all of the city of **THE WOODLANDS**, state of **TX** each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this **23rd** day of **August**, **2012**.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By:
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this **23rd** day of **August**, **2012**, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

K.D. RILEY COMM. EXP. NOTARY PUBLIC 12-09-2013 STATE OF WASHINGTON

By: KDRiley
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorney-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and biding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 17th day of November, 20 17.

By:
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

POA - AFCC, LMIC, OCIC, PIC & WAIC
LMS_12873_041012

Liberty Mutual.
SURETY

TEXAS
IMPORTANT NOTICE

To obtain information or make a complaint:

You may call toll-free for information or to make a complaint at
1-877-751-2640

You may also write to:

Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA 19462-1644

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at
1-800-252-3439

You may write the Texas Department of Insurance
Consumer Protection (111-1A)
P. O. Box 149091
Austin, TX 78714-9091
FAX: (512) 490-1007
Web: http://www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should first contact the agent or call 1-800-843-6446. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

TEXAS
AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis para informacion o para someter una queja al
1-877-751-2640

Usted tambien puede escribir a:

Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA 19462-1644

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al
1-800-252-3439

Puede escribir al Departamento de Seguros
de Texas Consumer Protection (111-1A)
P. O. Box 149091
Austin, TX 78714-9091
FAX # (512) 490-1007
Web: http://www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiena una disputa concerniente a su prima o a un reclamo, debe comunicarse con el agente o primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI)

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

AGENDA ITEM 11

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Human Resources	**DATE SUBMITTED:** September 26, 2019 **SUBMITTED BY:** Susan Nienstedt

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-19-029 Amending the Human Resources Policy Manual

SUMMARY STATEMENT: Our current policy manual was last revised on February 7, 2019. Several revisions and additions are necessary to be consistent with the administration of our compensation and benefits plan. The revisions to the Human Resource policy manual are presented today for approval by resolution on October 3, 2019.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Memo to City Council; (2) Resolution No. R-19-029; and (3) Exhibit "A" red-lined revised pages from the Human Resources Policy Manual

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve Resolution No. R-19-029 amending the Human Resources Policy Manual effective October 3, 2019

APPROVALS: James Fisher

MEMORANDUM

To: Mayor and Council

From: Susan Nienstedt
Human Resources Director

Subject: Revisions to the Human Resources Policy

Date: September 27, 2019

The current City of Brenham Human Resources Policy Manual was recently updated in January 2019. As we begin a new fiscal year and implement the new pay schedules according to the recommendations found in our compensation and benefits study, we need to update a few areas of the current policy.

Below you will find a list of proposed revisions to our current policy, as well as a red-lined version attached.

- Page 16 – changing the mid-point of the pay schedule from step 8 to step 10 allowing employees whose compensation falls between step 1 and 10 to be eligible for a step increase on an annual basis.
- Page 16 – Employees whose compensation falls within step 11 through 18 be eligible for a step increase on a biennial basis, i.e., the employee will be compensated at the same step for two years.
- Page 17 – Longevity Pay – remove the maximum of 25 years or $1,500 maximum per year
- Page 121 – Part time employees transitioning to a full time position may be given 50% of the regular vacation and sick leave accruals for a maximum of six months part-time employment prior to becoming full time.

The policy revisions and additions have been reviewed by City Attorney, Cary Bovey.

RESOLUTION NO. R-19-029

A RESOLUTION APPROVING AMENDMENTS TO THE CITY OF BRENHAM HUMAN RESOURCES POLICY MANUAL

WHEREAS, the Brenham City Council desires to establish certain policies and provide direction for certain matters affecting employment, employees, and related benefits; and

WHEREAS, the City of Brenham Human Resources Policy Manual was adopted by City Council on February 7, 2019 with the passage of Resolution No. R-19-003; and

WHEREAS, since that time, the need to revise several policies has arisen, and

WHEREAS, City staff has prepared revisions to the Human Resources Policy Manual which update the policies to reflect current law and practices; and

WHEREAS, it is in the best interest of the City of Brenham to adopt such revisions and amendments to the Human Resources Policy Manual; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Brenham, Texas as follows:

Section 1: That the recitals set forth above are incorporated herein for all purposes as if fully set forth in the body of this Resolution.

Section 2: That the City Council of the City of Brenham hereby adopts the revisions as set forth in the revised Human Resources Policy Manual for the City of Brenham attached hereto as "Exhibit A" and incorporated herein for all purposes.

Section 3: That this Resolution shall be in full force and effect after its passage and approval according to law.

PASSED and APPROVED this the 3rd day of October, 2019.

Andrew Ebel
Mayor Pro Tem

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

EXHIBIT A

COMPENSATION ADMINISTRATION

Basis

The City Manager shall administer the Compensation Plan for City employees subject to funds and positions approval by the City Council in the annual budgeting process. City employees shall be paid salaries or wages in accordance with the Compensation Plan, which shall include one (1) or more salary schedules. In positioning classes on salary schedules, consideration shall be given to prevailing rates of pay among public and private employers; the duties, responsibilities, and qualifications required of employees in the classes; and other relevant factors.

The Compensation Plan may be amended, as circumstances require, through submission of suggested changes to the Human Resources Director for review and with approval by the City Manager.

Administration Of Salary Schedules

All of the following procedures are subject to availability of funds approved in the budget by the City Council. Salary schedules shall be administered by the Human Resources Department in accordance with the following rules:

General Administrative Procedures

a. All compensation for classified positions shall be at a Pay Grade and Step on the approved current pay schedule. Certain unclassified positions such as City Manager, Municipal Court judges and the like are approved by City Council.

b. The Director, or Department Head with the approval of the Director, may recommend at the time of employment that a new employee be compensated at 5% below the base salary offered with an increase to the minimum step of the pay grade after successful completion of the probationary period.

c. At the request of the Department Head and with approval of the Director, the City Manager may authorize a temporary promotion to ensure the proper performance of City functions if a position is vacant or its regular incumbent is absent for an extended period of time. Employees so promoted may be additionally compensated for the duration of the temporary assignments and the amount of compensation, if any, is determined at the sole discretion of the City Manager. Temporary promotions shall not be used to circumvent normal selection procedures. The employees involved shall not acquire any status or rights in the pay grades to which temporarily promoted. If promoted to a vacant position, the anniversary date will be the date of the temporary promotion. The temporary promotion shall be reviewed every 90 days and can be extended up to 12 months.

d. A lateral transfer is the movement of an employee between positions in the same pay range within the city. An employee being laterally transferred shall ordinarily continue to receive the same salary and shall retain the same anniversary date for future pay increases.

e. A promotion is a change in the duty assignment of an employee from a position in one classification to a position in another classification in a higher pay range. A promotion recognizes advancement to a higher position requiring higher qualifications and involving greater responsibility. A newly-promoted employee shall ordinarily be compensated with a salary increase based upon a percentage of current base salary or the minimum of the new pay grade, whichever is higher, at the time of promotion. A typical promotional increase is either approximately 5% or movement to the minimum step of the new pay range, whichever is higher.

f. A demotion is a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower pay range. Demotions may be made for the purpose of voluntary assumption of a less responsible position, as a result of a reclassification of the employee’s position, or as a disciplinary measure. An employee voluntarily or involuntarily demoted for any reason shall be compensated on a step of the new range as administratively determined. Normally in the event an employee is demoted to a lower pay grade, the employee's salary will be reduced five percent (5%) of base pay or to the maximum of the new classification, whichever is the lower salary.

g. No employee shall be paid more than the rate established in the approved compensation plan, except that an employee whose job was down-graded by reclassification or changes in the labor market, through no fault of the employee, may continue to receive his or her former rate of pay until a rate on the new salary range equals or surpasses the old rate or the employee's job changes.

h. Other than pay schedule adjustments, increases to a higher step in the pay grade will be made in the first full pay period following the employee’s anniversary date.

i. An employee’s initial anniversary date is the date (month and day) of placement on a step in an approved pay grade, normally on the date of hire for a full time position. A new anniversary date is established upon promotion, demotion, or any other occasion in which an employee’s pay grade changes for reasons other than reclassification through a compensation study.

<u>General Government Pay Schedule</u>

a. A new employee shall normally be compensated at the minimum step of the approved pay grade. With approval of the City Manager, a new employee may be placed at a step higher than step 6 in the approved pay grade based on experience and qualifications or if approved at the time of hire. An employee may be placed at a higher step upon satisfactory evaluation after completion of the 6 month probationary period.

b. Providing that funds have been made available in the annual budget, an employee’s compensation will be moved to the next step in the pay grade on the anniversary date upon recommendation of the department head following a satisfactory performance evaluation.

c. Employees whose compensation falls within steps one through ~~seven~~ ten in the pay grade shall be eligible for movement to the next step on an annual basis. Employees whose compensation falls within steps ~~eight~~ eleven through eighteen ~~fourteen~~ shall be eligible for movement to the next step on a biennial basis, i.e., the employee will be compensated at the same step for two years.

Public Safety Pay Schedule

a. A new employee shall normally be compensated at the minimum step of the approved pay grade for the position. With approval of the City Manager, a new employee may be placed at a higher step in the approved pay grade based on experience and qualifications.

b. Employees who meet the departmental requirements for promotion to the next higher pay grade shall be compensated at the minimum step in the new pay grade.

c. Other than pay schedule adjustments, movement to the next higher step in the pay grade shall be in the first full pay period following the anniversary date according to time in grade and certification requirements of the pay grade.

Establishment Of New Positions Or Changes In Existing Positions

Department Heads who wish to establish a new position or alter the tasks in an existing classified position, will prepare a detailed job description for such new position, or an amended job description for an existing position, and submit the proposed changes to the Human Resources Department for job evaluation and pay grade allocation.

A revised job description includes additions to, deletions from or amendments to current duties and responsibilities but does not change the job so substantially as to require a reclassification or creation of a new job title and job description.

A reclassification is a reassignment of a position to a lower, higher or different class (job grouping) based on current duties and responsibilities of the position. An employee whose position is reclassified upward does not automatically receive a pay increase unless an increase occurs to place the employee at the entry level of the new pay range. Downward reclassifications will not result in a decrease in pay unless the reclassification is the result of a demotion for disciplinary reasons.

Reclassifications must be reviewed by the Human Resources Director and approved by the City Manager.

An entire class of positions may be reallocated to a new pay range based on market data. Reallocation may be to a lower or higher pay range and require review and recommendation by the Human Resources Director. The City Manager must approve all reallocations.

LONGEVITY PAY

The City provides regular full-time employees longevity pay, at the rate of $5.00 per month for each year of service, ~~up to a maximum of 25 years ($1,500 maximum per year),~~ paid in twenty-four (24) payments in a calendar year.

Longevity pay begins after a regular full-time employee has completed one (1) year of service.

Non-exempt employees designated on the Fire or Police pay schedule will be paid longevity as a part of their regular rate of pay.

OVERTIME, COMP TIME AND TIME MANAGEMENT

Overtime. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

Non-Exempt Employees. When the City's operating requirements or other needs cannot be met during regular working hours, non-exempt employees may be scheduled to work overtime, at the request of their supervisor. When possible, advance notification of mandatory overtime assignments will be provided. Overtime assignments will be distributed as equitably as practical to all non-exempt employees qualified to perform the required work. Refusal or other failure to work mandatory overtime may result in disciplinary action up to and including termination of employment. Overtime work is otherwise subject to the same attendance policies as straight time work.

All non-exempt employees must receive their supervisor's and Department Director's prior authorization before performing any overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, employees may not work through their lunch break without prior authorization from the appropriate supervisor. On the employee's time sheet, the appropriate supervisor must also approve any overtime before the time sheet is submitted for processing and payment. Non-exempt employees shall not remain on the work premises without authorization unless they are on duty or are scheduled to begin work within a short period of time. Non-exempt employees who work overtime without receiving proper authorization will likely be subject to disciplinary action, up to and including possible termination of employment.

Generally, except for Fire and Police Department shift employees, overtime pay for non-exempt employees is at the rate of 1-1/2 times the employee's regular hourly rate of pay for hours actually worked in excess of 40 in the City's workweek. (The City's workweek begins at 12.01 a.m. on Monday and ends at 12:00 midnight the following Sunday.) An employee's regular hourly rate includes all pay incentives, such as longevity, certification pay, stipends and other pay which the employee receives each pay period. Fire and Police personnel are paid overtime based on the work

VACATION LEAVE

Regular full-time employees accrue vacation leave each pay period.

Vacation leave accrues at the following rate according to number of years of service (see schedule). Regular full-time employees of the City, except for the Fire Department, shall earn paid vacation leave based on an 8-hour work day, 40 hours per week. Vacation accrual begins with the first day of employment; however vacation leave may not be taken until after six months of employment.

General Government and Police Vacation Leave Accrual Schedule:

0-5 years of employment	80 hours per year
6th year of service and thereafter	additional 8 hours per year up to the maximum accrual of 160 hours

Fire Department Vacation Leave Accrual Schedule:

0-5 years of employment	144 hours per year
6th year of service and thereafter	additional 14.4 hours per year up to the maximum accrual of 288 hours

Directors, as designated by the City Manager, will be entitled to an additional five (5) days of vacation leave each year.

An employee may not use any accrued vacation leave until he/she has successfully completed his/her initial employment probationary period. Employees may not "borrow" unearned vacation time; employees shall not receive payment of vacation in lieu of taking time off, except as provided below.

Regular part-time, temporary, and seasonal employees do not earn vacation leave. Employees promoting from a part-time position may be credited with fifty percent (50%) of the vacation and sick leave they would have earned in the prior six months (maximum of six months of credit) of part-time employment. This leave can be used during the first six months of full-time employment.

Official City-observed holidays occurring while an employee is on approved paid leave are considered paid holidays and do not affect vacation leave balances. Paid vacation leave is not considered hours worked for purposes of performing overtime calculations. Only scheduled working days taken off shall be counted as vacation days.

An exempt employee may be charged with the use of vacation or sick leave when disciplinary action of less than one full day is given. Additionally, deductions from an exempt employee's pay may be made for unpaid disciplinary suspensions of one or more full days for infractions of workplace conduct rules, safety rules of major significance, and as additionally authorized by

AGENDA ITEM 12

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Public Works	**DATE SUBMITTED:** September 26, 2019 **SUBMITTED BY:** Dane Rau

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 Bid No. E2016-03 Related to Burleson Street Culvert Replacement and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY: The City of Brenham of Brenham along with Gunda Corporation staff opened bids related to this project on September 10, 2019. There were 3 bids received. Two bids were accepted that met the bid requirements and the other bid was rejected due to not submitting addendums.

This project has been on the books for awhile and the scope of work contains adding a bridge structure to the crossing along Burleson Rd at Little Sandy Creek. It also includes protection of the channel by adding rip-rock to armor the sides, adding wing walls, demo of existing infrastructure, relocation of two water lines, addition of culverts in a minor tributary along Burleson Rd, and asphalt improvements to tie in the bridge structure. These improvements will dramatically improve this crossing which was replaced twice in 2016 and 2017 when the original culverts were washed out by the May 2016 flood and again by Hurricane Harvey.

The temporary culverts have held up until funding could be solidified for a long-term solution. This project was originally under FEMA and the City has applied for funding through the Hazardous Mitigation Grant Program. We have received approval in which 75% of the construction costs will be allocated by HMGP and the City of Brenham will be responsible for 25%. The original estimated costs submitted to HMGP was $895,000. This was obtained by Gunda in 2017.

The lowest bid received was from Angel Brothers Enterprises, LTD which came in at $1,075,216.80. All bids were close to each other but higher than the projected amount. We would like to award the bid to Angel Brothers Enterprises, LTD. We do plan on having some deductive change orders immediately and also look at some items that may get this project closer to the estimated amount.

These improvements will solidify this crossing and allow resident a safe and reliable route to enter and exit Burleson Rd especially when the low water crossing is inundated.
.
Once the contracts are executed by the City of Brenham and Angel Brothers, a 120 period will be given to complete the project. The 25% of the City's portion was budgeted in the FEMA Fund and will be reimbursed

through the 2017 bond proceeds once construction is complete.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Receiving federal funds to make a positive impact on a project that needs attention and will hold up for many years.

B. CONS: Over projected budget

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Tabulation of Bids Received and Engineer's Recommendation; (2) Agreement; and (3) Notice of Intent to Award

FUNDING SOURCE (Where Applicable): FEMA Fund

RECOMMENDED ACTION: Approve Bid No. E2016-03 to Angel Brothers Enterprises, LTD, in the amount of $1,075,216.80, related to the Burleson Street Culvert Replacement and authorize the Mayor to execute any necessary documentation

APPROVALS: James Fisher

GUNDA CORPORATION
Engineers, Planners & Managers

September 11, 2019

City of Brenham
200 W. Vulcan St., Suite 206
Brenham, Texas 77833

Attn: Dane Rau, Director of Public Works

Re: City of Brenham
Burleson Street Culvert Replacement
Project Bid No. E2016-03
GUNDA Project No. 16025-00

Tabulation of Bids Received and Engineer's Recommendation

Dear Mr. Rau:

On September 10, 2019, a total of two (2) bids were received and opened for the Burleson Street Culvert Replacement project in accordance with the Notice to Bidders. One bidder did not submit the addendums in accordance with bid procedures. The bids have been reviewed and tabulated, see enclosure.

Angel Brothers Enterprises, LTD. is the responsive low bidder in the amount $1,075,216.80. The bid included the five percent (5%) bid bond.

The bid submitted by Angel Brothers Enterprises, LTD. shows no signs of imbalance. Therefore, we pose no objection to the recommendation of awarding the construction contract for City of Brenham Burleson Street Culvert Replacement to Angel Brothers Enterprises, LTD.

Below is a summary of our full review of the bids received for the project.

The Total Bid Price was utilized to establish the order of the bids and identification of apparent low bidder.

Bidders and their Total Bids were:

	Contractor	Total Bid Price Submitted
1)	Angel Brothers Enterprises, LTD.	$1,075,216.80
2)	Larry Young Paving Inc.	$1,241,680.40

If you have any questions, please do not hesitate to call.

Sincerely,

Kyle A. Bertrand, P.E.
Branch Manager, Montgomery County Office

Enclosure: Project Bid Tabulation

11750 Katy Freeway, Suite 300 • Houston, Texas 77079
(P) 713.541.3530 • www.gundacorp.com

	Engineer's Estimate	BIDDER No. 1	BIDDER No. 2	BIDDER No. 3
		DID NOT SUBMIT ADDENDUM		
B1. BASE UNIT PRICE TABLE - SITE PREPARATION AND EARTHWORK ITEMS:	$113,523.46	$0.00	$136,608.00	$111,412.00
B2. BASE UNIT PRICE TABLE - PAVING ITEMS	$111,210.92	$0.00	$197,999.00	$144,375.85
B3. BASE UNIT PRICE TABLE -BRIDGE ITEMS	$342,856.13	$0.00	$403,540.00	$564,467.55
B.4 BASE UNIT PRICE TABLE - CHANNEL & DRAINAGE ITEMS	$108,290.50	$0.00	$157,316.00	$151,306.00
B.5 BASE UNIT PRICE TABLE - SWPPP ITEMS	$14,647.52	$0.00	$9,560.00	$13,402.00
B.6 BASE UNIT PRICE TABLE - MISCELLANEOUS ITEMS	$116,555.00	$0.00	$90,750.00	$108,435.00
C. EXTRA UNIT PRICES	$79,443.80	$0.00	$79,443.80	$148,270.00
TOTAL BID PRICE	**$ 886,527.34**	**$ -**	**$ 1,075,216.80**	**$ 1,241,668.40**

B1. BASE UNIT PRICE TABLE - SITE PREPARATION AND EARTHWORK ITEMS:					ENGINEER'S ESTIMATE		LINDSEY CONSTRUCTION, INC.		ANGEL BROTHERS ENTERPRISES, LTD		LARRY YOUNG PAVING INC.	
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
1	01502	Mobilization Including Performance and Payment Bonds, Insurance and Permits (Max. 2% of Total Base Bid).	LS	1	$ 17,000.00	$ 17,000.00		$ -	$15,000.00	$ 15,000.00	$15,000.00	$ 15,000.00
2	02200; 02120	Restoration of Site Improvements	LF	570	$ 1.20	$ 684.00		$ -	$ 10.00	$ 5,700.00	$ 15.00	$ 8,550.00
3	02221	Sawcut (Asphalt Paving), Including Disposal, Complete in Place	LF	208	$ 7.80	$ 1,622.40		$ -	$ 3.00	$ 624.00	$ 7.00	$ 1,456.00
4	02221	Remove Asphalt Paving, Including Disposal	SY	1,097	$ 30.00	$ 32,910.00		$ -	$ 10.00	$ 10,970.00	$ 7.00	$ 7,679.00
5	02221	Remove Exist Rip Rap, Including Disposal	SY	88	$ 12.00	$ 1,056.00		$ -	$ 25.00	$ 2,200.00	$ 15.00	$ 1,320.00
6	02221	Remove Existing Wingwall Structure, Including Disposal	EA	4	$ 1,050.00	$ 4,200.00		$ -	$ 1,500.00	$ 6,000.00	$ 800.00	$ 3,200.00
7	02221	Remove Existing Headwall Structure, Including Disposal	EA	2	$ 2,500.00	$ 5,000.00		$ -	$ 1,500.00	$ 3,000.00	$ 2,500.00	$ 5,000.00
8	02221	Remove Existing Pipes (36" & 72"), Including Disposal	LF	160	$ 40.00	$ 6,400.00		$ -	$ 75.00	$ 12,000.00	$ 35.00	$ 5,600.00
9	02221	Remove Existing Gravel Driveway	SY	103	$ 11.60	$ 1,194.80		$ -	$ 30.00	$ 3,090.00	$ 4.00	$ 412.00
10	02223; 02330	Embankment and Backfill (Compacted in Place), Complete in Place	CY	1,185	$ 21.00	$ 24,885.00		$ -	$ 40.00	$ 47,400.00	$ 23.00	$ 27,255.00
11	02233	Clearing and Grubbing, Complete in Place	LS	1	$ 4,000.00	$ 4,000.00		$ -	$20,000.00	$ 20,000.00	$15,000.00	$ 15,000.00
12	02314	Regrade Roadside Swales, Complete in Place	LF	820	$ 12.00	$ 9,840.00		$ -	$ 6.00	$ 4,920.00	$ 18.00	$ 14,760.00
13	DWGS	Remove and Relocate Existing Sign, Complete in Place	EA	2	$ 270.00	$ 540.00		$ -	$ 500.00	$ 1,000.00	$ 150.00	$ 300.00
14	02922	Block Sodding, Complete in Place	SY	1,176	$ 3.56	$ 4,191.26		$ -	$ 4.00	$ 4,704.00	$ 5.00	$ 5,880.00
TOTAL B.1 BASE UNIT PRICES - SITE PREPARATION AND EARTHWORK ITEMS:						**$ 113,523.46**		**$ -**		**$ 136,608.00**		**$ 111,412.00**

B2. BASE UNIT PRICE TABLE - PAVING ITEMS					Engineer's Estimate		BIDDER No. 1		BIDDER No. 2		BIDDER No. 3	
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
15	02223	Roadway Excavation	CY	45	$ 11.40	$ 513.00		$ -	$ 50.00	$ 2,250.00	$ 30.00	$ 1,350.00
16	TXDOT 247; 02510	Proposed 2" Asphalt Driveway (w/6" Flex Base)	SY	132	$ 75.00	$ 9,900.00		$ -	$ 60.00	$ 7,920.00	$ 38.75	$ 5,115.00
17	TXDOT 354	Plane Asphalt Concrete Pavement (2")	SY	172	$ 3.89	$ 668.74		$ -	$ 30.00	$ 5,160.00	$ 7.00	$ 1,204.00
18	02510	HMAC Pvmt - D-GR HMA TY-D SAC-B PG70-22	TON	121	$ 81.84	$ 9,902.64		$ -	$ 170.00	$ 20,570.00	$ 140.00	$ 16,940.00
19	02510	Asphalt Stabilized Base (GR 2)(PG 64)	TON	626	$ 77.86	$ 48,737.86		$ -	$ 110.00	$ 68,860.00	$ 97.50	$ 61,035.00
20	02510	Prime Coat - MC-30 (0.30 G/SY)	GAL	335	$ 2.00	$ 670.00		$ -	$ 10.00	$ 3,350.00	$ 6.50	$ 2,177.50
21	02510	Tack Coat - RC-250 OR SS-1 (0.10 G/SY)	GAL	112	$ 2.00	$ 224.00		$ -	$ 10.00	$ 1,120.00	$ 6.00	$ 672.00
22	TXDOT 666 & 677	Remove and Replace Existing 24" RR Stop Bar Pavement Marking	LF	22	$ 3.60	$ 79.20		$ -	$ 30.00	$ 660.00	$ 15.50	$ 341.00
23	TXDOT 666 & 677	Remove and Replace Existing RR Crossing Pavement Marking	LS	1	$ 1,500.00	$ 1,500.00		$ -	$ 2,000.00	$ 2,000.00	$ 605.00	$ 605.00
24	TXDOT 666	Thermoplastic Pavement Marking, Class II, 4" White, Solid	LF	1,100	$ 1.20	$ 1,320.00		$ -	$ 2.00	$ 2,200.00	$ 0.90	$ 990.00
25	TXDOT 666	Thermoplastic Pavement Marking, Class II, 4" Yellow, Solid	LF	875	$ 1.20	$ 1,050.00		$ -	$ 2.50	$ 2,187.50	$ 0.90	$ 787.50
26	TXDOT 666	Thermoplastic Pavement Marking, Class II, 4" Yellow, Dashed	LF	225	$ 1.20	$ 270.00		$ -	$ 2.50	$ 562.50	$ 1.15	$ 258.75
27	DWGS	Proposed 18 x 18 Warning Sign W13-1P (25MPH) on Exist Curve Warning Sign	EA	2	$ 600.00	$ 1,200.00		$ -	$ 200.00	$ 400.00	$ 475.00	$ 950.00
28	TXDOT 658	Proposed W1-8 Chevron Alignment Signs (Double Sided)	EA	8	$ 750.00	$ 6,000.00		$ -	$ 800.00	$ 6,400.00	$ 595.00	$ 4,760.00
29	TXDOT 540	Metal W-Beam Guard Fence (Timber Posts), including transitions, terminal ends and appurtenances, Complete In Place	LF	597	$ 25.92	$ 15,474.24		$ -	$ 97.00	$ 57,909.00	$ 63.30	$ 37,790.10
30	DWGS	Mow Strip (4-inch thick)	CY	24	$ 583.03	$ 13,701.25		$ -	$ 700.00	$ 16,450.00	$ 400.00	$ 9,400.00
TOTAL B.2 BASE UNIT PRICES -PAVING ITEMS						**$ 111,210.92**		**$ -**		**$ 197,999.00**		**$ 144,375.85**

					Engineer's Estimate		BIDDER No. 1		BIDDER No. 2		BIDDER No. 3	
B3. BASE UNIT PRICE TABLE -BRIDGE ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
31	TXDOT 416	DRILL SHAFT (24 IN)	LF	320	$ 141.95	$ 45,423.36		$ -	$ 210.00	$ 67,200.00	$ 104.00	$ 33,280.00
32	02240	Cement Stabilized Sand (1.5 Sack)	CY	43	$ 22.00	$ 946.00		$ -	$ 200.00	$ 8,600.00	$ 90.00	$ 3,870.00
33	-	Lime (8%)	TON	9	$ 193.00	$ 1,679.10		$ -	$ 300.00	$ 2,610.00	$ 380.00	$ 3,306.00
34	-	Fly Ash (4%)	TON	4	$ 90.00	$ 396.00		$ -	$ 300.00	$ 1,320.00	$ 350.00	$ 1,540.00
35	02244	Lime/Fly Ash Treatment (Subgrade)(6")	SY	408	$ 3.60	$ 1,468.80		$ -	$ 20.00	$ 8,160.00	$ 12.00	$ 4,896.00
36	TXDOT 420	CL C CONC (ABUT)(MOD)	CY	48	$ 1,087.13	$ 51,856.01		$ -	$ 1,500.00	$ 71,550.00	$ 1,120.00	$ 53,424.00
37	TXDOT 422	REINF CONC SLAB (8" - DECK)	SF	1,895	$ 16.97	$ 32,154.36		$ -	$ 30.00	$ 56,850.00	$ 24.29	$ 46,029.55
38	TXDOT 422	BRIDGE APPROACH SLAB (BAS-A)	CY	81	$ 528.31	$ 42,793.27		$ -	$ 550.00	$ 44,550.00	$ 1,050.00	$ 85,050.00
39	TXDOT 425	PRESTR CONC SLAB BEAM (4SB15)	LF	100	$ 120.00	$ 12,000.00		$ -	$ 230.00	$ 23,000.00	$ 950.00	$ 95,000.00
40	TXDOT 425	PRESTR CONC SLAB BEAM (5SB15)	LF	300	$ 140.00	$ 42,000.00		$ -	$ 230.00	$ 69,000.00	$ 620.00	$ 186,000.00
41	TXDOT 434	ELASTOMERIC BEARING PAD (SB 2)	EA	32	$ 360.00	$ 11,520.00		$ -	$ 25.00	$ 800.00	$ 1.00	$ 32.00
42	TXDOT 450	RAIL (TY C402)	LF	150	$ 145.13	$ 21,769.20		$ -	$ 250.00	$ 37,500.00	$ 156.00	$ 23,400.00
43	TXDOT 454	ARMOR JOINT (SEALED)	LF	76	$ 90.13	$ 6,850.03		$ -	$ 100.00	$ 7,600.00	$ 140.00	$ 10,640.00
44	TXDOT 466	WING WALL	EA	4	$ 18,000.00	$ 72,000.00		$ -	$ 1,200.00	$ 4,800.00	$ 4,500.00	$ 18,000.00
TOTAL B.3 BASE UNIT PRICES - BRIDGE ITEMS:						**$ 342,856.13**		**$ -**		**$ 403,540.00**		**$ 564,467.55**
B.4 BASE UNIT PRICE TABLE - CHANNEL & DRAINAGE ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
45	02314	Channel Excavation	CY	306	$ 11.40	$ 3,488.40		$ -	$ 30.00	$ 9,180.00	$ 25.00	$ 7,650.00
46	DWGS	6.5ft Height Vertical Concrete Channel Walls, including transitions, Complete in place	SF	734	$ 16.00	$ 11,744.00		$ -	$ 44.00	$ 32,296.00	$ 58.00	$ 42,572.00
47	02376	Concrete Channel Lining and Sloped Pavement (5-inch)	CY	104	$ 504.96	$ 52,515.84		$ -	$ 500.00	$ 52,000.00	$ 460.00	$ 47,840.00
48	02378	Riprap (Gradation 1) (18-IN)	CY	78	$ 139.19	$ 10,856.66		$ -	$ 180.00	$ 14,040.00	$ 164.00	$ 12,792.00
49	02720	SET (TY II) (36 IN) (RCP) (3:1) (C)	EA	6	$ 1,800.00	$ 10,800.00		$ -	$ 4,000.00	$ 24,000.00	$ 4,000.00	$ 24,000.00
50	02720	36" RCP Culvert	LF	90	$ 146.40	$ 13,176.00		$ -	$ 200.00	$ 18,000.00	$ 123.00	$ 11,070.00
51	02720	36" RCP Relief Culvert	LF	39	$ 146.40	$ 5,709.60		$ -	$ 200.00	$ 7,800.00	$ 138.00	$ 5,382.00
TOTAL B.4 BASE UNIT PRICES - CHANNEL & DRAINAGE ITEMS						**$ 108,290.50**		**$ -**		**$ 157,316.00**		**$ 151,306.00**

					Engineer's Estimate		BIDDER No. 1		BIDDER No. 2		BIDDER No. 3	
B.5 BASE UNIT PRICE TABLE - SWPPP ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
52	01570, 01410	Storm Water Pollution Prevention (Maintenance)	LS	1	$ 1,200.00	$ 1,200.00		$ -	$ 1,000.00	$ 1,000.00	$ 4,000.00	$ 4,000.00
53	DWGS	Concrete Truck Wash Area, Including Removal and Clean-up	EA	1	$ 1,350.00	$ 1,350.00		$ -	$ 500.00	$ 500.00	$ 1,200.00	$ 1,200.00
54	02361	Reinforced Filter Fabric Fence	LF	350	$ 10.00	$ 3,500.00		$ -	$ 1,400.00	$ 1,400.00	$ 3.00	$ 1,050.00
55	02364	Rock Filter Dam (Type 2)	LF	60	$ 32.29	$ 1,937.52		$ -	$ 37.00	$ 2,220.00	$ 60.00	$ 3,600.00
56	02365	Stabilized Construction Entrance	SY	222	$ 30.00	$ 6,660.00		$ -	$ 20.00	$ 4,440.00	$ 16.00	$ 3,552.00
TOTAL B.5 BASE UNIT PRICES - SWPPP ITEMS						**$ 14,647.52**		**$ -**		**$ 9,560.00**		**$ 13,402.00**
B.6 BASE UNIT PRICE TABLE - MISCELLANEOUS ITEMS												
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
57	DWGS	Remove & Relocate Exist Wood Rail Fence 6" outside of Future R.O.W. (not including gate)	LF	113	$ 25.00	$ 2,825.00		$ -	$ 20.00	$ 2,260.00	$ 30.00	$ 3,390.00
58	DWGS	Remove & Relocate Exist Steel Pipe Rail Fence 6" outside of Future R.O.W. (not including gate)	LF	58	$ 35.00	$ 2,030.00		$ -	$ 50.00	$ 2,900.00	$ 32.50	$ 1,885.00
59	02660; 02675; 02676	Cut, Plug and Abandon Existing 2" Water line, Complete in Place.	EA	2	$ 100.00	$ 200.00		$ -	$ 1,200.00	$ 2,400.00	$ 300.00	$ 600.00
60	02660; 02675; 02676	Cut, Plug and Abandon Existing 8" Water line, Complete in Place.	EA	2	$ 350.00	$ 700.00		$ -	$ 1,200.00	$ 2,400.00	$ 650.00	$ 1,300.00
61	02660; 02675; 02676	Furnish and Install 8- Inch AWWA Gate Valve with Box, Complete in Place.	EA	2	$ 1,500.00	$ 3,000.00		$ -	$ 1,500.00	$ 3,000.00	$ 1,250.00	$ 2,500.00
62	DWGS	Gas Valve Box Vertical Adjustments	EA	2	$ 120.00	$ 240.00		$ -	$ 750.00	$ 1,500.00	$ 150.00	$ 300.00
63	DWGS	Valve Concrete Blockouts	EA	4	$ 90.00	$ 360.00		$ -	$ 500.00	$ 2,000.00	$ 500.00	$ 2,000.00
64	02660; 02675; 02676	Wet Connection	EA	2	$ 500.00	$ 1,000.00		$ -	$ 2,500.00	$ 5,000.00	$ 2,500.00	$ 5,000.00
65	02660; 02675; 02676	2" Waterline, including restrained joints and appurtenances, Complete in Place	LF	535	$ 40.00	$ 21,400.00		$ -	$ 30.00	$ 16,050.00	$ 60.00	$ 32,100.00
66	02660; 02675; 02676	6" Steel Casing, including spacers and appurtenances, Complete in Place	LF	76	$ 150.00	$ 11,400.00		$ -	$ 90.00	$ 6,840.00	$ 90.00	$ 6,840.00
67	02660; 02675; 02676	8" PVC Waterline, including restrained joints and appurtenances, Complete in Place	LF	560	$ 95.00	$ 53,200.00		$ -	$ 50.00	$ 28,000.00	$ 60.00	$ 33,600.00
68	02660; 02675; 02676	12" Steel Casing, including spacers and appurtenances, Complete in Place	LF	76	$ 250.00	$ 19,000.00		$ -	$ 150.00	$ 11,400.00	$ 120.00	$ 9,120.00
69	02660; 02675; 02678	2" Air Release Valve on Proposed WL, Complete in Place	EA	2	$ 600.00	$ 1,200.00		$ -	$ 3,500.00	$ 7,000.00	$ 4,900.00	$ 9,800.00
TOTAL B.6 BASE UNIT PRICES - MISCELLANEOUS ITEMS						**$ 116,555.00**		**$ -**		**$ 90,750.00**		**$ 108,435.00**
TOTAL BASE UNIT PRICES						**$ 807,083.54**		**$ -**		**$ 995,773.00**		**$ 1,093,398.40**

C. EXTRA UNIT PRICES					Engineer's Estimate		BIDDER No. 1		BIDDER No. 2		BIDDER No. 3	
ITEM NO.	CONTROL NO.	ITEM DESCRIPTION	UNIT MEASURE	UNIT QUANTITY	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES	UNIT PRICE	TOTAL IN FIGURES
70	TXDOT 275	CEMENT TRT (SUBGRADE) (6-IN)	SY	408	$ 3.60	$ 1,468.80		$ -	$ 3.60	$ 1,468.80	$ 15.00	$ 6,120.00
71	DWGS	Well Points	LF	180	$ 50.00	$ 9,000.00		$ -	$ 50.00	$ 9,000.00	$ 100.00	$ 18,000.00
72	2222	Extra Backfill	CY	300	$ 5.00	$ 1,500.00		$ -	$ 5.00	$ 1,500.00	$ 15.00	$ 4,500.00
73	2222	Extra Hand Excavation	CY	250	$ 25.00	$ 6,250.00		$ -	$ 25.00	$ 6,250.00	$ 25.00	$ 6,250.00
74	2222	Extra Machine Excavation	CY	250	$ 30.00	$ 7,500.00		$ -	$ 30.00	$ 7,500.00	$ 30.00	$ 7,500.00
75	2222	Extra Bank Sand Backfill	CY	400	$ 18.00	$ 7,200.00		$ -	$ 18.00	$ 7,200.00	$ 18.00	$ 7,200.00
76	2240	Extra Cement Stabilized Sand (1.5 Sack)	CY	400	$ 22.00	$ 8,800.00		$ -	$ 22.00	$ 8,800.00	$ 65.00	$ 26,000.00
77	2376	4-Inch Nonstructural Concrete Seal Slab	SY	441	$ 25.00	$ 11,025.00		$ -	$ 25.00	$ 11,025.00	$ 40.00	$ 17,640.00
78	02660; 02675; 02676	12" PVC Waterline, including restrained joints and appurtenances, Complete in Place	LF	560	$ 37.50	$ 21,000.00		$ -	$ 37.50	$ 21,000.00	$ 80.00	$ 44,800.00
79	02660; 02675; 02676	18" Steel Casing, including spacers and appurtenances, Complete in Place	LF	76	$ 75.00	$ 5,700.00		$ -	$ 75.00	$ 5,700.00	$ 135.00	$ 10,260.00
TOTAL C. EXTRA UNIT PRICES						**$ 79,443.80**		**$ -**		**$ 79,443.80**		**$ 148,270.00**
						$ 886,527.34		**$ -**		**$ 1,075,216.80**		**$ 1,241,668.40**

Document 00520

AGREEMENT

Project: Burleson Street Culvert Replacement

Project Location: Burleson Street at Unnamed Tributary to Little Sandy Creek (Key Map No.)

Project Bid No:

E&P Project No: E2016-03

The City: The City of Brenham, County of Washington, Texas (the "City")

and

Contractor: Angel Brothers Enterprises, LTD.

(Address for Written Notice) 23990 State Highway 6, Navasota, TX 77868

Fax Number: Email Address: klewis@angelbrothers.com

City Engineer is: Consulting Engineer Representing the City – Gunda Corporation

(Address for Written Notice) 200 West Vulcan P.O. Box 1059, Brenham, TX. 77834

Fax Number:

THE CITY AND CONTRACTOR AGREE AS FOLLOWS:

ARTICLE 1

THE WORK OF THE CONTRACT

1.1 Contractor shall perform the Work in accordance with the Contract.

ARTICLE 2

CONTRACT TIME

2.1 Contractor shall achieve Date of Substantial Completion within 120 days after Date of Commencement of the Work, subject to adjustments of Contract Time as provided in the Contract. The Parties acknowledge and agree that the Contract Time is a reasonable time to achieve Substantial Completion of the Work.

2.2 The Parties recognize that time is of the essence for this Agreement and that the City will suffer financial loss if the Work is not completed within the Contract Time. Parties also recognize delays, expense, and difficulties involved in proving in a legal or arbitration proceeding actual loss suffered by the City if the Work is not completed on time. Accordingly, instead of requiring any such proof, the Parties agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay the City the amount of Two Hundred Fifty and No/100 Dollars ($250.00) for each and every calendar day beyond Contract Time. The Parties further agree that the above-described amount is a reasonable determination of the damages that the City will sustain per calendar day upon the failure of the Contractor to complete Work within the Contract Time, and this amount should in no way be construed as a penalty.

ARTICLE 3

CONTRACT PRICE

3.1 Subject to terms of the Contract, the City will pay Contractor in current funds for Contractor's performance of the Contract, Contract Price of $1,075,216.80 which includes Alternates, if any, accepted below.

3.2 The City accepts Alternates as follows:

Alternate No. 1 Not Applicable

ARTICLE 4
PAYMENTS

4.1 The City will make progress payments to Contractor as provided below and in the General Conditions.

4.2 The Period covered by each progress payment is one calendar month ending on the [___] 10th, [___] 20th, or [X] last day of the month.

4.3 The Schedule of Values established as provided in paragraph 2.07.A of the General Conditions will serve as the basis for progress payments and will be incorporated into a form of Application for Payment acceptable to Engineer. Progress payments on account of Unit Price Work will be based on the number of units completed. The City will make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as provided below in paragraphs 4.3.1 and 4.3.2.

4.3.1 Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or City may withhold, in accordance with paragraph 14.02 of the General Conditions:

a. For contracts under $400,000.00, 90% of Work completed (with the balance being retainage). For contracts over $400,000.00, 95% of Work completed (with the balance being retainage.)

b. For contracts under $400,000.00, 90% (with the balance being retainage) and for contracts over $400,000.00, 95% (with the balance being retainage) of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to the City as provided in paragraph 14.02 of the General Conditions).

4.3.2 Upon Substantial Completion, the City shall pay an amount sufficient to increase total payments to Contractor to 95% of the Work completed, less such amounts as Engineer shall determine in accordance with paragraph 14.02.B.5 of the General Conditions and less 100% of Engineer's estimate of the value of Work to be completed or corrected as shown on the tentative list of items to be completed or corrected attached to the Certificate of Substantial Completion.

4.4 Final payment, constituting entire unpaid balance of Contract Price, will be made by the City to Contractor as provided in the General Conditions.

ARTICLE 5

CONTRACTOR REPRESENTATIONS

5.1 Contractor represents:

5.1.1 Contractor has examined and carefully studied Contract documents and other related data identified in Bid Documents.

5.1.2 Contractor has visited the site and become familiar with and is satisfied as to general, local, and site conditions that may affect cost, progress, and performance of the Work.

5.1.3 Contractor is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the Work.

5.1.4 Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except Underground Facilities) which have been identified in Contract documents and (2) reports and drawings of a hazardous environmental condition, if any, at the site which has been identified in Contract documents.

5.1.5 Contractor has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including applying specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract to be employed by Contractor, and safety precautions and programs incident thereto

5.1.6 Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for performance of the Work at Contract Price, within Contract Time, and in accordance with the Contract.

5.1.7 Contractor is aware of general nature of work to be performed by the City and others at the site that relates to the Work as indicated in Contract documents.

5.1.8 Contractor has correlated information known to Contractor, information and observations obtained from visits to the site, reports and drawings identified in the Contract, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract.

5.1.9 Contractor has given City Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract, and written resolution thereof by City Engineer is acceptable to Contractor.

5.1.10 Contract documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 6

MISCELLANEOUS PROVISIONS

6.1 The Contract may be terminated by either Party as provided in Conditions of the Contract.

6.2 The Work may be suspended by the City as provided in Conditions of the Contract.

ARTICLE 7

ENUMERATION OF CONTRACT DOCUMENTS

7.1 The following documents are incorporated into this Agreement:

7.1.1 Document 00700 - General Conditions

7.1.2 Document 00800 - Supplementary Conditions

7.1.3 General Requirements.

7.1.4 Divisions 02 through 16 of Specifications attached hereto or incorporated by reference in Document 00010 - Table of Contents.

7.1.5 Drawings listed in Document 00015 - List of Drawings and bound separately.

7.1.6 Addenda which apply to the Contract, are as follows:

Addendum No. 1, dated [__________]

Addendum No. 2, dated [__________]

Addendum No. 3, dated [__________]

7.1.7 Other documents:

	Document No.	Title
[X]	00410B	Bid Form – Part B
[X]	00430	Bidder's Bond
[X]	00431	Prohibition on Boycotting Israel Verification
[X]	00432	Conflict of Interest Questionnaire
[X]	00433	Contracts with Governmental Entity SD 252 Chapter 2252
[X]	00434	Certificate of Interested Parties Form 1295
[X]	00453	Bidder's Statement of Residency
[X]	00455	Affidavit of Ownership or Control
[X]	00460A	HUB Subcontracting Plan
[X]	00470A	Contract Clauses
[X]	00480A	Equal Opportunity Clause
[X]	00500	Form of Business
[X]	00501	Resolution of Corporation (if a corporation)
[X]	00610	Performance Bond
[X]	00611	Statutory Payment Bond
[ ]	00612	One-year Maintenance Bond
[X]	00620	Affidavit of Insurance (with the Certificate of Insurance attached)

[X] 00800 Exhibit A, Wage Rates

[ ] 00821 Wage Rate for Building Construction

[ ] 00830 Trench Safety Geotechnical Information

ARTICLE 8

SIGNATURES

8.1 This Agreement is executed in two originals and is effective on ____________.

CONTRACTOR: ANGEL BROTHERS CONSTRUCTION, LTD.	(If Joint Venture)
By: ______________________	By: ______________________
Name: ______________________	Name: ______________________
Title: ______________________	Title: ______________________
Date: ______________________	Date: ______________________
Tax Identification Number: ____________	Tax Identification Number: ____________

ATTEST/SEAL:

[SEAL]

Attest: ______________________ Date: ______________________

CITY OF BRENHAM, TEXAS:

By: ______________________ Date: ______________________
Mayor

ATTEST/SEAL:

[SEAL]

Attest: ______________________ Date: ______________________
City Secretary

END OF DOCUMENT

GUNDA CORPORATION
Engineers, Planners & Managers

September 11, 2019

Angel Brothers Enterprises, LTD.
23990 State Highway 6
Navasota, Texas 77868

Attn: Kyle Lewis, Vice President

Re: City of Brenham
Burleson Street Culvert Replacement
Project Bid No. E2016-03
GUNDA Project No. 16025-00

NOTICE OF INTENT TO AWARD

Dear Mr. Childs:

Your Bid dated September 11, 2019 for the above referenced project has been considered and you are the apparent Low Bidder. Subject to the approval of City Council and your satisfactory compliance with requirements listed in the attached Document 00495 - Post-Bid Procedures, the City intends to award a construction contract to you for the City of Brenham Burleson Street Culvert Replacement Project.

The Contract Price is $1,075,216.80.

Deliver to the Gunda Corporation, 32731 Egypt Lane, Suite 501, Magnolia, Texas 77354 two executed copies of the enclosed Agreement and each document listed in Document 00495 within the specified number of days.

After complying with these conditions, and promptly after City Council has considered and approved this action, the City will return one fully executed Contract.

Should you, on receipt of this notice, fail to comply with the requirements of Document 00495, within the stated time, the City may declare the award in default and require forfeiture of the Security Deposit.

Direct questions regarding post-bid procedures or the contract award process to me at (713) 541-3530.

Sincerely,

Kyle A. Bertrand, P.E.
Branch Manager, Montgomery County Office

Enclosure: Agreement

AGENDA ITEM 13

DATE OF MEETING: October 3, 2019 **DEPT. OF ORIGIN:** Public Utilities	**DATE SUBMITTED:** September 27, 2019 **SUBMITTED BY:** Lowell Ogle

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 an Ordinance on Its First Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitary Sewer Rates for Industrial Surcharges

SUMMARY STATEMENT: For the past year we have been reviewing our rates and cost of service for all our utilities. While reviewing the wastewater rates we have determined a need to adjust the Industrial Surcharges. The surcharges are in place to adjust monthly billings to reflect changes in strengths and flows of Industrial customers who are part of our pretreatment program. We sample the customer twice per month to get an average of the Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS). It is then multiplied by the flow volume and the unit charge.

The intent of this rate is to recover actual cost increases or decreases for the treatment of these flows. They can have an effect on Dissolved Oxygen (DO), Solids treatment and handling, disinfection etc. The strengths and flows can vary significantly from month-to-month and seasonally, we have been monitoring the numbers very closely and have seen the rates over collect and under collect over time. This makes it very difficult for the City and the Industries to budget for ongoing expenses and operations. We have worked with our consultant to develop a minimum and maximum monthly charge to give some certainty to the rate to prevent substantial over or under collection. The intention is that the rate will float between the minimum and maximum charge based on strengths and volumes and we believe that this range will recover our expenses. We will continue to monitor the numbers and our expenses to make sure the rate is working in a fair and equitable manner.

Below are the recommended rates and the minimum and maximum range. While this may look like a reduction in the rate it will actually recover a substantial amount of revenue while also providing a minimum to make sure that fixed cost are covered.

The customer also pays volume charges based on their consumption and the surcharges are an additional charge. This change only applies to a limited number of customers in our program who meet the surcharge requirements (typically only one).

Below are the recommended rates and the minimum and maximum range. While this may look like a reduction in the rate it will actually recover a substantial amount of revenue while also providing a minimum to make sure that fixed cost are covered.

Calculated Wastewater Strength Surcharge Rates

	Current	Calculated	Variance
Unit Charge for BOD	$ 0.004454	$ 0.001536	($0.002918)
Unit Charge for TSS	$0.003559	$ 0.001457	($0.002102)

Recommended Range of Monthly Surcharge

	Minimum Level	Maximum Level
Total BOD Monthly Surcharge	$ 16,577	$ 25,540
Total TSS Monthly Surcharge	3,661	8,023
Total Monthly Surcharge	$ 20,238	$ 33,563

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Recover actual cost increases or decreases for changes in strengths and flows of Industrial customers.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance for first reading; and (2) Tariff Schedule with Exhibit A

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule for the City of Brenham Sanitary Sewer Rates for Industrial Surcharges

APPROVALS: James Fisher

ORDINANCE NO. ______

AN ORDINANCE AMENDING THE SANITARY SEWER RATE TARIFF SCHEDULES FOR INDUSTRIAL SURCHARGES FOR THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the rates charged for industrial surcharges to its industrial customers in order to recover actual cost increases or decreases for the treatment of flows.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Brenham, Texas:

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Sanitary Sewer Rate Schedule for Industrial Surcharges set forth in the attached Exhibit "A", which is made a part hereof for all purposes pertinent, to be effective November 1, 2019.

SECTION II.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as forth herein and on the attached Exhibit "A" shall be effective November 1, 2019.

PASSED AND APPROVED on its first reading this the ___day of _________, 2019.

PASSED AND APPROVED on its second reading this the ___ day of ________, 2019.

____
Milton Y. Tate, Jr., Mayor

ATTEST:

____
Jeana Bellinger, TRMC, CMC
City Secretary

"EXHIBIT A"

CITY OF BRENHAM

200 WEST VULCAN STREET P.O. BOX 1059
BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	700	782
TARIFF	**SECTION NO.**	**SHEET NO.**
SANITARY SEWER RATE SCHEDULE	~~OCTOBER 1, 2014~~ NOVEMBER 1, 2019	
SECTION TITLE	**EFFECTIVE DATE**	

(Supersedes Rate Change Effective ~~12/8/2006~~ 10.1.14)

BODs/TSS SURCHARGE

Each industrial customer shall pay a monthly surcharge if the customer's discharge of waste has a concentration of biochemical oxygen demand (BOD_5) in excess of 300 milligrams per liter and/or a concentration of total suspended solids (TSS) in excess of 300 milligrams per liter as measured periodically by the City. The monthly surcharge shall be calculated as follows:

$$Cu = Vu(Bu - 300)B + Vu(Su - 300)S$$

Where: Cu is the surcharge, in dollars, to be added to the customer's bill

Vu is the billing volume in thousands of gallons as determined under Determination of Volume

Bu is the measured BOD level in mg/l or 300 mg/l, whichever is greater

B is the unit charge per l000 gallons, as specified in Unit Charge B

Su is the measured TSS level in mg/l or 300 mg/l, whichever is greater

S is the unit charge per l000 gallons, as specified in Unit Charge S

l. Unit Charge B

The unit charge for treating one milligram per liter of BOD_5 gallons shall be $~~0.004454~~ 0.001536.

2. Unit Charge S

The unit charge for treating one milligram per liter of TSS gallons shall be $~~0.003559~~ 0.001457.