

Brenham City Council Minutes

A special meeting of the Brenham City Council was held on September 29, 2022 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 Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Atwood Kenjura

Members Absent:

Councilmember Adonna Saunders
Councilmember Albert Wright

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Cary Bovey, City Secretary Jeana Bellinger, General Manager of Public Utilities Debbie Gaffey, Deputy General Manager of Public Utilities Alton Sommerfield, Director of Development Services Stephanie Doland, Director of Finance Stacy Hardy, Police Chief Ron Parker, Fire Chief Roger Williams, Human Resources Director Susan Nienstedt, Strategic Budget Officer Tim McRoberts, Purchasing Supervisor Kyle Branham, Shawn Bolenbarr, Cherry Prewitt and Karen Stack

Citizens/Others Present:

Derek Walton

Media Present:

Lucas Banda, Brenham Banner-Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Atwood Kenjura**

3. Citizens Comments

No comments were heard.

CONSENT AGENDA

4. Statutory Consent Agenda

- 4-a. Approve the Minutes from September 1, 2022 Regular Meeting, the September 12, 2022 Special Meeting, and the September 15, 2022 Regular Meeting
- 4-b. Approve Ordinance No. O-22-022 on Its Second Reading Amending the Rate Tariff Schedule for the City of Brenham Gas Rates
- 4-c. Approve Resolution No. R-22-029 Reauthorizing the Investment Policy and Strategy for the City of Brenham

A motion was made by Councilmember Cook and seconded by Councilmember Canales to approve the Statutory Consent Agenda Items 4.a. thru 4.c. as presented.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

REGULAR SESSION

5. Discuss and Possibly Act Upon Ordinance No. O-22-023 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023

Budget Officer Timothy McRoberts presented this item. McRoberts explained that the proposed FY2022-23 budget has been developed in compliance with the Property Tax Code, Local Government Code, and City Charter. The proposed budget includes appropriations of operating resources for 33 separate funds and authorizes \$91.8 million in expenditures. The proposed budget is on the City's website and on file with the City Secretary.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales to approve Ordinance No. O-22-023 on its second reading adopting the budget for Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

6. Discuss and Possibly Act Upon Ordinance No. O-22-024 on Its Second Reading Levying Property Taxes for the Tax Year 2022 for the City of Brenham at \$0.4737 per \$100 Valuation

Budget Officer Timothy McRoberts presented this item. McRoberts explained that the proposed FY2022-23 budget includes a tax rate of \$0.4737 per \$100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). The proposed tax rate of \$0.4737 will allocate \$0.3297 to the General Fund for maintenance and operations, and the balance of \$0.1440 to the Debt Service Fund for interest and sinking.

A motion was made by Councilmember Canales and seconded by Mayor Pro Tem Kolby to approve Ordinance No. O-22-024 on its second reading levying property taxes for the Tax Year 2022 for the City of Brenham at \$0.4737 per \$100 valuation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

7. Discuss and Possibly Act Upon Resolution No. R-22-030 Authorizing the Acceptance of Public Improvements in the Liberty Village Subdivision, Phase 2A

Director of Development Services Stephanie Doland presented this item. Doland explained that DR Horton began construction of the Liberty Village Subdivision in 2020 which at build out will include the development of 321 single-family home lots, a neighborhood park and two detention ponds. Doland stated that Phase 1 of the Subdivision includes 122 single-family home lots, and the infrastructure was completed and accepted by the City Council in May 2021.

Doland stated that the second phase of construction began in March of 2021 for the construction of multiple residential streets, sidewalks, a lift station, detention pond and an additional 96 lots. Phase two consists of approximately 23.317 acres of land in which the infrastructure has been divided into Phase 2A and Phase 2B. In Phase 2A, DR Horton has completed infrastructure improvements (water, sanitary sewer, streets, sidewalks, and storm drainage) for the 96-lots, including sidewalks; therefore, these improvements are ready for acceptance by the City of Brenham.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Kenjura to approve Resolution No. R-22-030 authorizing the acceptance of public improvements in the Liberty Village Subdivision, Phase 2A.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

8. Discuss and Possibly Act Upon Change Order No. 1 to the Service Agreement with Bassco Services, Inc. Related to the Design, Construction and Installation of the Fuel Farm at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation

Director of Development Services Stephanie Doland presented this item. Doland explained that on January 24, 2022 Council authorized staff to proceed with the purchase, delivery and installation of the former Marathon Oil fuel farm and associated equipment (pumping, filtration, motors, etc.) from Alberth Aviation. Doland stated that on May 19, 2022 the City Council approved a Professional Services Agreement with BASSCO Services, Inc for the rebuild of the Brenham Fuel Farm with an initial contract amount of \$232,012.38 which included three phases: design, construction and installation.

Doland explained that during the design phase of the project it was determined that additional materials, not originally included in the scope, are necessary for the desired performance of the fuel farm and that this material change results in approximately a \$12,170 change order. Doland also explained that three canopies are needed over the point-of-sale system to provide shade during the day and lighting at night to allow patrons operating the self-serve facility the visibility required to fuel and that the cost of the three canopies is \$30,900.

Doland stated that staff is requesting approval of this change order in the amount of \$43,070 for the additional tank equipment and the three canopies.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales to approve Change Order No. 1 to the Service Agreement with Bassco Services, Inc. related to the design, construction and installation of the fuel farm at the Brenham Municipal Airport, in the amount of \$43,070.00, and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

9. Administrative/Elected Officials Report

City Manager Carolyn Miller advised the City Council of the following:

- Special City Council meeting on Monday, October 3rd at 8:30 a.m. for consideration of the fuel supply contract for the Brenham Municipal Airport
- Next regular City Council meeting will be on Thursday, October 13th
- Texas Municipal League's Annual Conference is next week Tuesday through Friday

Council adjourned into Executive Session at 1:14 p.m.

EXECUTIVE SESSION

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

11. **Section 551.086 - Texas Government Code - Utility Competitive Matters - City of Brenham Gas Utility System - Gas Supply and Transportation Arrangements and Agreements, and Associated Matters**
12. **Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas**

Executive Session adjourned at 1:25 p.m.

13. **Discuss and Possibly Take Action Regarding the Purchase, Exchange and/or Acquisition of Real Property for City of Brenham Sanitary Sewer System Improvements and Facilities**

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales that the City Manager be authorized to negotiate the purchase, exchange and/or acquisition of real property for City of Brenham sanitary sewer system improvements and facilities, and 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 Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Atwood Kenjura	Yes
Councilmember Adonna Saunders	ABSENT
Councilmember Albert Wright	ABSENT

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor



Jeana Bellinger, TRMC, CMC
City Secretary