



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, SEPTEMBER 17, 2015 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
- 3. Proclamation**
 - **Lone Star Water Forum Day** **Page 1**
- 4. a. Service Recognitions**
 - **Kenneth C. “Chris” Jackson, Police Department** **15 Years**
 - **Linda Q. Mooney, Utility Billing** **20 Years**
 - **Lionel Moore, Transfer Station** **30 Years****b. Recognition of Service**
 - **Patrick “Todd” Jacobs, Police Department** **25 Years**
- 5. Swearing-In Ceremony of Police Chief Craig Goodman**
- 6. Citizens Comments**

WORK SESSION

- 7. Presentation of the Third Quarter Report by the Washington County Convention and Visitors Bureau** **Pages 2-3**
- 8. Presentation and Discussion on Firearms and Recent Legislation Related to Open Carry of Handguns** **Pages 4-8**

9. **Presentation and Discussion Related to Renovations in the City of Brenham Fire Department Living Quarters** **Pages 9-10**

PUBLIC HEARING

10. **Public Hearing Considering an Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to True Believers Christian Fellowship Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Lots 1-3 and 30-32 of the College Heights Addition and the Portion of Porter Street Adjacent to These Lots in Brenham, Washington County, Texas** **Pages 11-23**

REGULAR SESSION

11. **Discuss and Possibly Act Upon Ordinance No. O-15-26 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016** **Pages 24-27**
12. **Discuss and Possibly Act Upon Ordinance No. O-15-027 on Its Second Reading Levying Taxes for the Tax Year 2015 for the City of Brenham at \$0.4731 per \$100 Valuation** **Pages 28-30**
13. **Discuss and Possibly Act Upon Resolution No. R-15-023 for the Purpose of Participating in the Texas Parks & Wildlife Local Park Grant Program for Fireman’s Park** **Pages 31-33**
14. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to True Believers Christian Fellowship Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Lots 1-3 and 30-32 of the College Heights Addition and the Portion of Porter Street Adjacent to These Lots in Brenham, Washington County, Texas** **Pages 34-37**
15. **Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Abandonment of Porter Street** **Pages 38-52**
16. **Discuss and Possibly Act Upon Change Order No. 4 (Reconciliation) and Authorize Final Payment to Collier Construction, LLC for the Chappell Hill Street Extension Project and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 53-80**
17. **Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1617BRENM with TxDOT for FY2016 and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 81-94**

18. **Discuss and Possibly Act Upon a Request for a Noise Variance from Jesus Christ is the Answer #9 for a Church Gathering on September 25, 2015 from 6:00 p.m. – 11:00 p.m. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 95-96**
19. **Discuss and Possibly Act Upon Compensation Correction Related to Police Overtime** **Pages 97-98**

EXECUTIVE SESSION

20. **Section 551.086 – Texas Government Code – Utility Competitive Matters – Deliberation Regarding the City of Brenham’s Gas Supply Contract** **Page 99**
21. **Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding an Agreement with Roy Burger (dba RB Film Productions) for the Lease of Approximately 108.9 Acres of the Old Landfill Property** **Page 100**

RE –OPEN REGULAR AGENDA

22. **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 salutory 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 September 17, 2015 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 14, 2015 at **11:25 AM**.

Jeana Bellinger, TRMC

City Secretary

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.
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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 _____, 2015 at _____ AM PM.

Signature

Title

PROCLAMATION

WHEREAS, The Lone Star Water Forum encourages community understanding and involvement in finding solutions for the problems created by diminishing fresh water supplies as the state's population increases; and

WHEREAS, The Lone Star Water Forum, a group of volunteers who have been bringing outstanding speakers and exhibitors to the Washington County area since 2009, will present "Desalination in Texas: The Ultimate Solution?" on Saturday, October 3, 2015 starting at 8:30 am; and

WHEREAS, After a welcome and speaker introduction experts in their field will present including Kyle Fraser, Executive Director, Texas Desal Association and Jim Murphy, Executive Manager for Blanco River Authority. After lunch (included in the price of admission), Darrell Peckham, P.G., Sr. Consulting Hydrologist, Water Quest, Inc. and Charles Porter, Professor at St. Edwards University, historian and author will continue the discussion of the question as to if desalination is the ultimate solution to the problem of water shorter in the state of Texas. The forum will close after questions from the audience; and

WHEREAS, For the first time in the seven year history of the Lone Star Water Forum, the public can attend in person at the Washington County Fair Grounds Event Center or by watching a live video stream on their smart phones, tablets, or computers; and

WHEREAS, This endeavor has the joint sponsorship and support of the AgriLife Extension Service, Texas Parks & Wildlife, Washington County Wildlife Society, Texas Wildlife Association, Gideon Lincecum Texas Master Naturalists, Bluebonnet Master Gardeners, St. Edward's University, City of Brenham, Brenham Independent School District, ATS Irrigation, and the Lower Colorado River Authority.

WHEREAS, The Lone Star Water Forum is donating its net proceeds to the B.I.S.D. Outdoor Classroom Project; and

WHEREAS, Justice commands recognition from the City Council and residents of Brenham who join together to applaud the volunteers with the Lone Star Water Forum for their dedication to service and their commitment to encouraging an adequate supply of fresh water for all Texans;

Now, THEREFORE I, Milton Y. Tate, Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim October 3, 2015 as

Lone Star Water Forum Day

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

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



AGENDA ITEM 7

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 10, 2015
DEPT. OF ORIGIN: Convention and Visitors Bureau	SUBMITTED BY: Lu Hollander
MEETING TYPE: CLASSIFICATION: ORDINANCE: ☒ REGULAR ☐ PUBLIC HEARING ☐ 1ST READING ☐ SPECIAL ☐ CONSENT ☐ 2ND READING ☐ EXECUTIVE SESSION ☐ REGULAR ☐ RESOLUTION ☒ WORK SESSION	
AGENDA ITEM DESCRIPTION: Presentation of the Third Quarter Report by the Washington County Convention and Visitors Bureau	
SUMMARY STATEMENT: In an effort to be more cost efficient, a copy of the Washington County Convention and Visitors Bureau Second Quarter Report is not included in the agenda packet. However, a compact disc of this report will be distributed to Mayor and City Council Members. A complete copy of the Washington County Convention and Visitors Bureau Second Quarter Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the Washington County Chamber of Commerce website at www.brenhamtexas.com. If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference): N/A	
ATTACHMENTS: (1) 3rd Quarter Report – Convention and Visitors Bureau	
FUNDING SOURCE (Where Applicable): N/A	
RECOMMENDED ACTION: Discussion only	
APPROVALS: Terry K. Roberts	

WCCC Convention & Visitors Bureau

Third Quarter Report: April-June 2015

APRIL

MAJOR TOURISM EVENTS:

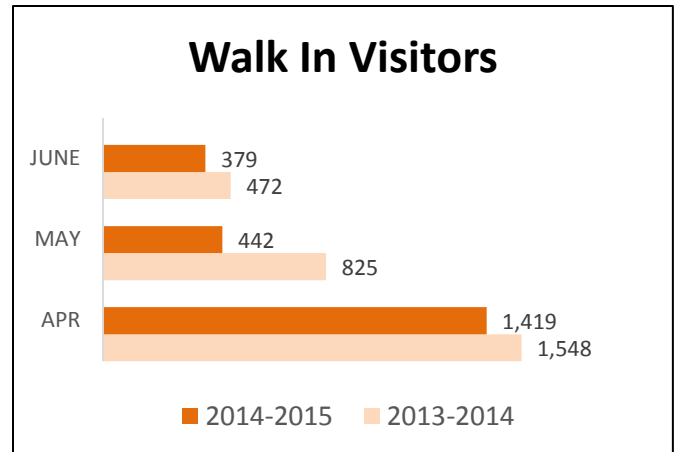
- Chappell Hill Bluebonnet Festival
- Burton Cotton Gin Festival
- Heritage Homes Tours, Brenham & Independence

ADVERTISING PLACEMENTS:

- *See Texas First* – travel insert in 27 regional newspapers
- *Texas Highways* magazine – full page co-op
- *True West* magazine – 1/3 page ad/Leander McNelly

EDITORIAL COVERAGE:

- *Houston Chronicle* – feature about bluebonnets
- *True West* magazine – feature about Texas Rangers mentions Leander McNelly



MAY

MAJOR TOURISM EVENTS:

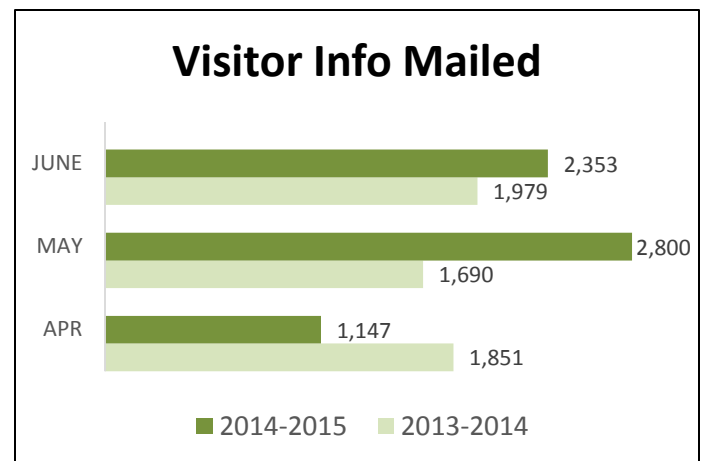
- Unity Theatre presents "Chapter Two"
- Round Top Music Festival

ADVERTISING PLACEMENTS:

- *Austin Monthly* – 1/4 page
- *San Antonio* – 1/4 page
- *Group Travel Leader* magazine – 1/6 page

EDITORIAL COVERAGE:

- *Where Women Create* magazine – feature about the owners of Leftovers
- *Texas Highways* magazine – features about Lake Somerville, Shakespeare at Winedale
- *Texas Meetings & Events* magazine – feature about Brenham/Washington County



JUNE

MAJOR TOURISM EVENTS:

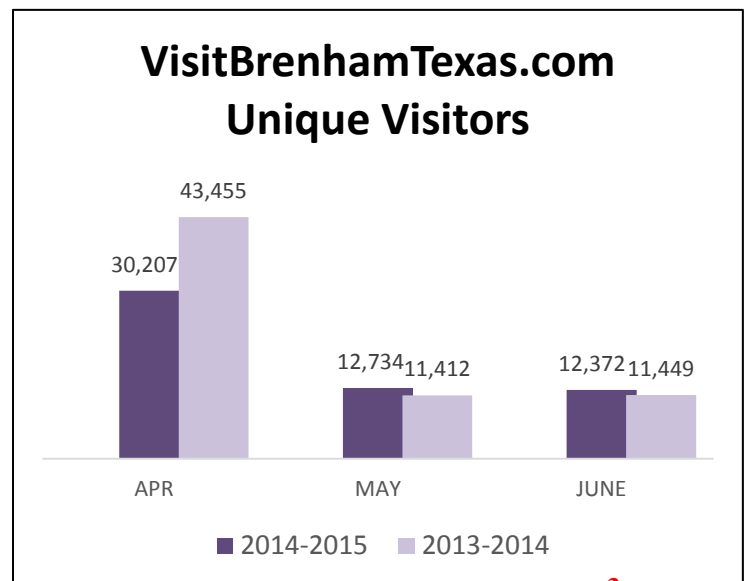
- Juneteenth parade and celebration
- Rob Landes in concert

ADVERTISING PLACEMENTS:

- *Dallas Drive Guide* magazine – 1/2 page
- *Houston House & Home* magazine – full page Summer Fun series

EDITORIAL COVERAGE:

- *Winston-SalemJournal.com* – feature about Washington County (Geiger writer)
- *Houston Chronicle* – feature about Festival Hill
- *Small Market Meetings* magazine – feature about Brenham/Washington County





AGENDA ITEM 8

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 9, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☐ REGULAR ☒ WORK SESSION	ORDINANCE: ☐ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Presentation and Discussion on Firearms and Recent Legislation Related to Open Carry of Handguns		
SUMMARY STATEMENT: During the 2015 Legislative Session, the Texas Legislature passed House Bill 910 which allows a concealed handgun license holder to “open carry” in a belt or shoulder holster beginning on January 1, 2016. As a part of this new legislation, the concealed and/or open carry of a firearm into a meeting that is subject to the Open Meetings Act must be prohibited by the Council by the enactment of a Resolution. The work session discussion item will inform Council of the new handgun law and explain how the new law affects City buildings and various activities.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Firearms Open Carry Regulations and Notes; and (2) Chart of Open Carry Laws		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: No action - discussion only.		
APPROVALS: Terry K. Roberts		

Firearms “Open Carry” Regulations & Notes

Due to the recent changes in the concealed handgun laws related to open carry, the following information was prepared for the Brenham City Council.

Handguns

During the 2015 Legislative Session, the Texas Legislature passed House Bill 910 which allows a concealed handgun license holder to “open carry” in a belt or shoulder holster beginning on January 1, 2016.

In what places is a license holder *prohibited* from carrying a firearm?

A person commits a third degree felony if the person intentionally, knowingly, or recklessly possesses or goes with **any firearm**, regardless of whether the person holds a license to carry a handgun.

1. On the physical premises of a **school or educational institution**, any grounds or building on which a school sponsored activity is being conducted or on a transportation vehicle of a school or educational institution;
2. On the premises of a **polling place** on the day of an election or while early voting is in progress;
3. On the premises of any **government court or offices utilized by the court**, unless pursuant to written regulations or written authorization of the court;
4. On the premises of a **racetrack**;
5. In or into a secured area of an **airport**; or
6. Within 1,000 feet of a location designated by the Texas Department of Criminal Justice as a **place of execution**.

“Premises” generally means a building or a portion of a building, but not including any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

Handgun license holders are subject to further restrictions relating to the concealed or open carry of a handgun. They may not conceal or open carry:

1. On the premises of a business that is licensed by the **Texas Alcoholic Beverage Commission***;
2. On the premises where a **high school, collegiate, or professional sporting event** is taking place*;
3. On the premises of a **correctional facility**;
4. On the premises of a state-licensed **hospital or nursing home***;
5. On the premises of an **amusement park**;
6. On the premises of a **church, synagogue, or other established place of religious worship***;
7. Anytime the handgun is not **properly holstered** or the license holder is **intoxicated**
8. Into any **meeting of a governmental entity** that is subject to the Open Meetings Act*;
or
9. On the **premises of employment** if prohibited by the license holder’s employer.

** Items 1, 2, 4, 6 and 8 have specific notification requirements pursuant to
Penal Code Section 30.06 and/or 30.07*

Can the City prohibit firearms in our buildings?

The City has very limited authority to prohibit a license holder from carrying in city facilities to which the general public has access. As outlined above, State law prohibits a license holder from carrying a handgun on the premises: (1) of a **polling place** on the day of an election or while early voting is in progress; and (2) any **government court or offices utilized by the court**, unless pursuant to written regulations or written authorization of the court.

The City does, however, have the option of posting a specific notice to prohibit a license holder from carrying in the room or rooms where a **meeting of a governmental entity** is held if the meeting is subject to the Open Meetings Act. [Note: Texas Penal Code § 30.06(c)(3)(A) & 30.07(c)(3)(A)].

A city employee could ask a license holder who is carrying to leave a meeting, even if the written notice is not posted, if the city council has enacted a prohibition and given the employee the authority to act.

Required notice wording

The law also allows a person to receive notice from the owner of the property (i.e., the city) or someone with apparent authority to act for the owner (i.e., an employee) by oral or written communication (signage). In accordance with the Texas Penal Code, the notice and/or signage prohibiting concealed carry and open carry must read as follows [*Texas Penal Code § 30.06(c)(3)(A) & 30.07(c)(3)(A)*]:

- “Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun”.
- “Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly”.

TML has suggested another method of providing notice could be the printing of the language from the Penal Code on the actual agenda.

“Notice” means oral or written communication by the owner or someone with apparent authority to act for the owner.

Firearms in General

If the City wants to prohibit, except where allowed by law, the concealed or open carry of handguns, the City must provide notice that firearms are prohibited and the City Council should enacted a prohibition and give employees the authority to act, when necessary.

A “**No Firearms Allowed**” sign would have NO effect on a license holder’s (concealed or open-carry) ability to carry a handgun on property in which he is lawfully authorized to carry. Also, City councilmembers or other city officials who hold a handgun license have no special right to carry a handgun into a meeting.

GENERAL OVERVIEW OF PRIVATE TEXAS CITIZEN FIREARM CARRY LAWS

ACTIVITY/LOCATION	ALLOWED?	LEGAL BASIS
	<i>Any firearm</i>	
Premises of a polling place on the day of an election or while early voting is in progress	No	Penal Code 46.03(a)(2)
Premises that house court or court offices	No, unless authorized by court rules	Penal Code 46.03(a)(3). No sign required but 30.06 and 30.07 signs recommended
	<i>Handgun Concealed Carry (with license)</i>	
Government meeting	Yes, unless 30.06 sign posted	Penal Code 30.06; 46.035(c)&(i)
Premises of a polling place on the day of an election or while early voting is in progress	No	Penal Code 46.032(2)
Premises that house court or court offices	No, unless authorized by court rules	Penal Code 46.03(a)(3)&(f). No sign required but 30.06 sign recommended
	<i>Handgun Open Carry in Belt of Shoulder Holster (with license)</i>	
Government meeting	Yes, unless 30.07 sign is posted	Penal Code 30.07; 46.035(c)&(i)
Premises of a polling place on the day of an election or while early voting is in progress	No	Penal Code 46.03(a)(2)
Premises that house court or court offices	No, unless authorized by court rules	Penal Code 46.03(a)(3)&(f). No sign required but 30.07 sign recommended
	<i>Rifle/Shotgun Carry</i>	
Any place a “No Firearms Allowed” poster is posted by owner, including city owned facilities	No <i>Note: A “no firearms” sign would have no effect as to a handgun carried openly or concealed. Only a 30.06 and/or 30.07 sign is effective to handguns.</i>	Penal Code 30.05
Premises of a polling place on the day of an election or while early voting is in progress	No	Penal Code 46.03(2)
Premises that house court or court offices	No, unless authorized by court rules	Penal Code 46.03(a)(3)&(f). No sign required but 30.06 and 30.07 signs recommended



AGENDA ITEM 9

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 9, 2015															
DEPT. OF ORIGIN: Fire Department	SUBMITTED BY: Ricky Boeker															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☐ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☒ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION		☒ WORK SESSION	
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☐ SPECIAL	☐ CONSENT	☐ 2 ND READING														
☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION														
	☒ WORK SESSION															
AGENDA ITEM DESCRIPTION: Presentation and Discussion Related to Renovations at the City of Brenham Fire Department Living Quarters																
SUMMARY STATEMENT: The fire station renovation project is well on its way with most of the demo work complete. We are in the process of getting quotes on the plumbing, AC system, and other items. When we were getting quotes on the asbestos abatement it was suggested that we also get a quote on getting the asbestos removed in the engine bay as well so that all of the asbestos would be removed from the fire station except for the walls if they were to be taken down but there are no plans for that to happen. The quotes have come back less than we had estimated and we could have both living quarters and the engine bay asbestos removed for the amount we budgeted. After some additional code research it was discovered that the living quarters of the fire station would require a fire sprinkler system. It was originally thought that we did not need a sprinkler system but after more research and according to the fire and building codes it is required. This was not a budgeted item that we had included in the original estimate for the cost of the remodeling that was presented at the Council Retreat in April of this year. We are asking for direction if we should include the asbestos removal in the engine bays or use that money to pay for the fire sprinkler system that the codes require us to have. We feel that both items are important to accomplish but the cost is something that must be considered. The additional cost if we fund all of the asbestos removal and the additional fire sprinkler system would be \$8,000 in additional funds. If we do not remove the asbestos in the engine bays we would be able to fund the asbestos removal in the living quarters and the additional fire sprinkler system within our budget. We feel that it is important to let you know about these options because we could have an asbestos free building that is going to last us another 15-20 years but that will call for additional funds.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Sprinkler system is a code requirement Engine Bay asbestos removal – Fire Station would not have any more remediation needs B. CONS: Remodeling budget shortfall																
ALTERNATIVES (In Suggested Order of Staff Preference):																

ATTACHMENTS: None
FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: Discussion only
APPROVALS: Terry K. Roberts



AGENDA ITEM 10

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 10, 2015
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith

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

AGENDA ITEM DESCRIPTION: Public Hearing Considering an Amendment of Appendix A – “Zoning” of The Code of Ordinances of the City of Brenham Granting a Specific Use Permit to True Believers Christian Fellowship Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Lots 1-3 and 30-32 of the College Heights Addition and the Portion of Porter Street adjacent to These Lots in Brenham, Washington County, Texas

SUMMARY STATEMENT: True Believer Christian Fellowship has requested a special use permit (SUP) for lots 1-3 & 30-32 of the College Heights Addition subdivision. There is currently city right-of-way that runs through the property that is going through the process of being abandoned with staff support. Zoning amendments, which is what a SUP is, run to the middle of the right of way. If City Council chooses to abandon the right-of-way the sup will apply to that portion of Porter Street. The plan for the six lots is to be replatted in the future to one individual lot for True Believers Christian Fellowship Church.

Comprehensive Plan Compliance
 The City of Brenham Envision 20/20 Comprehensive Plan lists this property as being a single family residential district. The zoning ordinance lists this as R-2 Mixed Residential. Churches and auxiliary uses are within the allowed requests for special use permits in the R-2 Mixed Residential District.

Thoroughfare Plan Compliance
 The proposed church could have access from both Clay Street and/or Sabine Street. The Church has indicated they will likely access from Sabine St. Both roads are classified as local residential.

Public Concerns
 Staff received a concern from an individual at the Planning and Zoning Commission. That concern was related to excess parking from potential events and where the overflow parking would take place. Staff explained that there is a parking ordinance the church would have to abide by. They also had a concern that overflow parking would end up in the road. Staff advised that if it is legal to park on the road that is public domain and anyone has the right to utilize that space.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Allow for orderly development. B. CONS: Potential for increased traffic. Potential for additional street parking.
ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Cover Letter from True Believers Church; (2) General Application; (3) Owner Authorization Letter; (4) Church Board Authorization Letter; (5) Plat; (6) Land Use Map Exhibit; (7) Envision 20/20 Comprehensive Plan Exhibit; (8) Thoroughfare Plan; and (9) Neighborhood Support Sheet
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: None – Public Hearing Only
APPROVALS: Terry K. Roberts

TRUE BELIEVERS CHRISTIAN FELLOWSHIP CHURCH

P.O. Box 404

Washington, Texas 77880-0407

Cell: 713-376-1693

August 4, 2015

Planning and Zoning Commission
Brenham, Texas

RE: Property ID No. R22307

To Whom It May Concern:

True Believers Christian Fellowship Church is in the process of purchasing three lots, measuring a total of 186 x 257.60. This land is located at 800 Sabine St. in Brenham, Texas, and will be used to build a church in the future.

Your consideration of this matter is appreciated

Sincerely,

Leonard Charles Davis
Church Deacon



For office use only

APPLICATION NO. _____

MEETING DATE: 9-8-15

DATE SUBMITTED: 8-3-15

CITY OF BRENHAM
GENERAL APPLICATION

Type of Application

- | | |
|---|--|
| ☐ Variance from Appendix A: Zoning | ☐ Zone Change |
| ☒ Specific Use Permit | ☐ Plan Review |
| ☐ Preliminary Plat | ☐ Final Plat/Replat/Amending Plat |
| ☐ Variance from Chapter 21: Signs | ☐ Other: _____ |

Property Owners Information

Name Donald Boecker

Principal Officers (If Corporation) President _____

Secretary _____

Address 500 north Berline Rd.

Telephone Number 979-830-5853 E-mail Address _____

Applicant Information

Name True Believer Christian Fellowship

Address P.O. Box 407 Washington TX 77880-0407

Telephone Number 713-376-1693 E-mail Address leonarddavis5178@gmail.com

Agent or Engineer Information

Name _____

Address _____

Telephone Number _____ E-mail Address _____

Location of Property

Street Address: S2450 College High

Legal Description (attach metes and bounds description if not subdivided):

Subdivision: N 2nd Mount Olive Block(s): _____ Lot(s): 1, 2, 3, 30, 31, 32

Zoning Information

Existing Zoning: R-2

Proposed Zoning: R-2

Reasons for requesting zone change:* _____

Variance Information

Section of Code from which variance is described:* _____

Describe variance requested:* _____

Reasons for requesting variance:* _____

Proposed Property Use

Describe in detail the proposed operation at this location:*

churches and related auxiliary uses including educational or philanthropic uses.

Construction Value \$ _____

Site plans are required for variance, special use, and plan review requests; please see Ordinance No. 0-05-007 for minimum site plan requirements.

I, _____, being the owner (or authorized agent) of the above described property, do hereby certify the information set forth above is true and correct. I further request that the Planning & Zoning Commission/Board of Adjustments/Plan Review Committee review this matter and take appropriate action.

Leonard C. Davis (Deacon)
Owner

Leonard C. Davis (Deacon)
Agent

8-19-15

City of Brenham
Planning and Zoning Comm.

I am giving True Believers Christian Fellowship
Church permission to request a specific use
permit for lots 1 2 3 30 31 32 of College
Heights addition, City of Brenham to allow
for Church type use

Don Jaeger

TRUE BELIEVERS CHRISTIAN FELLOWSHIP CHURCH

P. O. Box 404

Washington, Texas 77880-0407

Cell: 713-376-1693

August 4, 2015

To Whom It May Concern

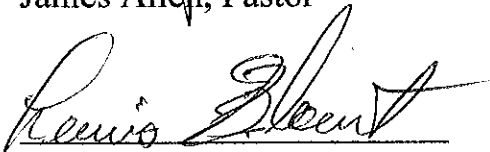
RE: Purchase of land

We, the pastor and members of the board of True Believers Christian Fellowship Church, hereby authorize Leonard Charles Davis to make any decisions regarding the purchase of land for said church.

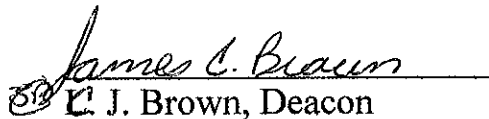
Sincerely,



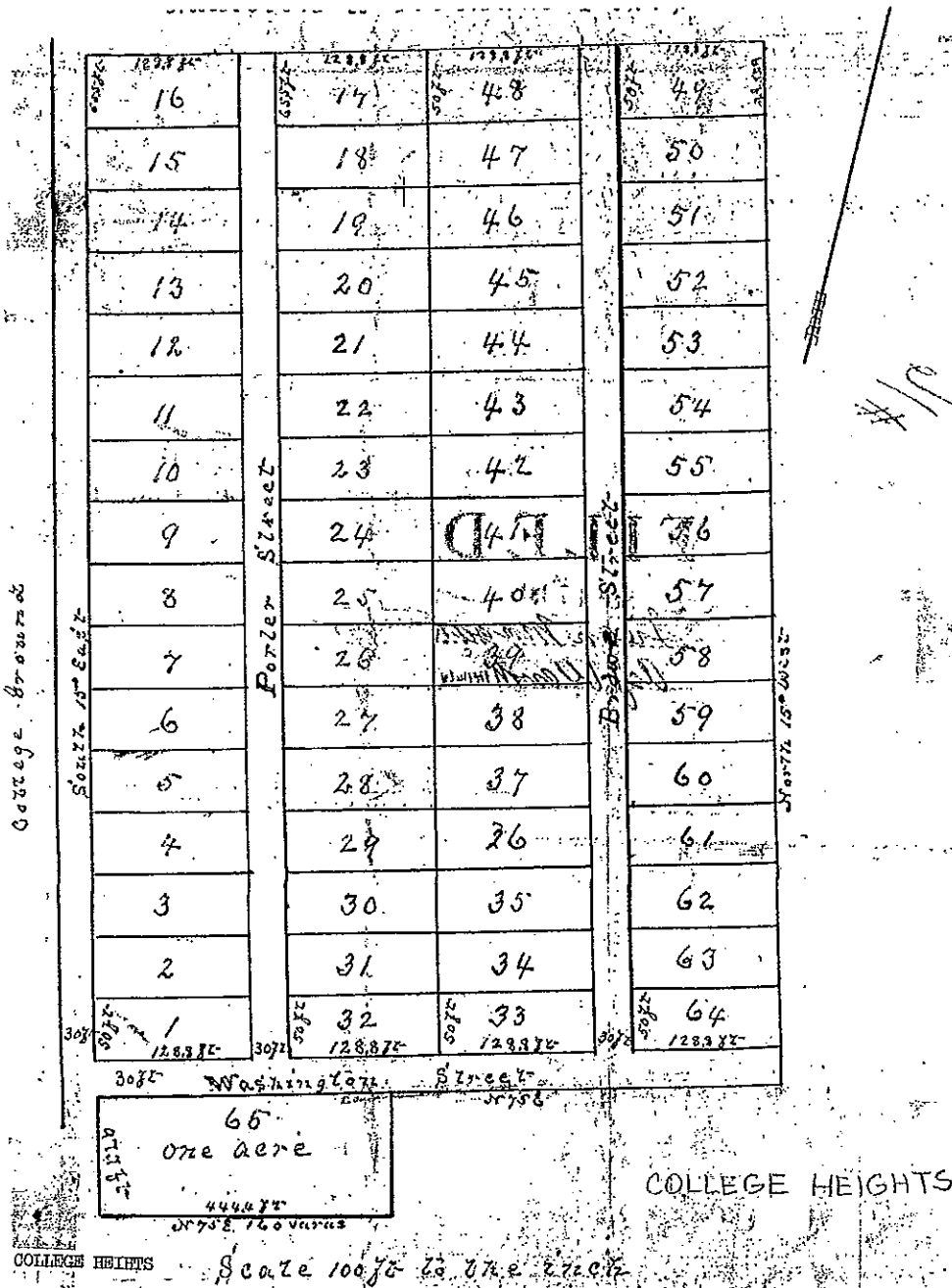
James Allen, Pastor



Lewis Blount, Deacon



E. J. Brown, Deacon



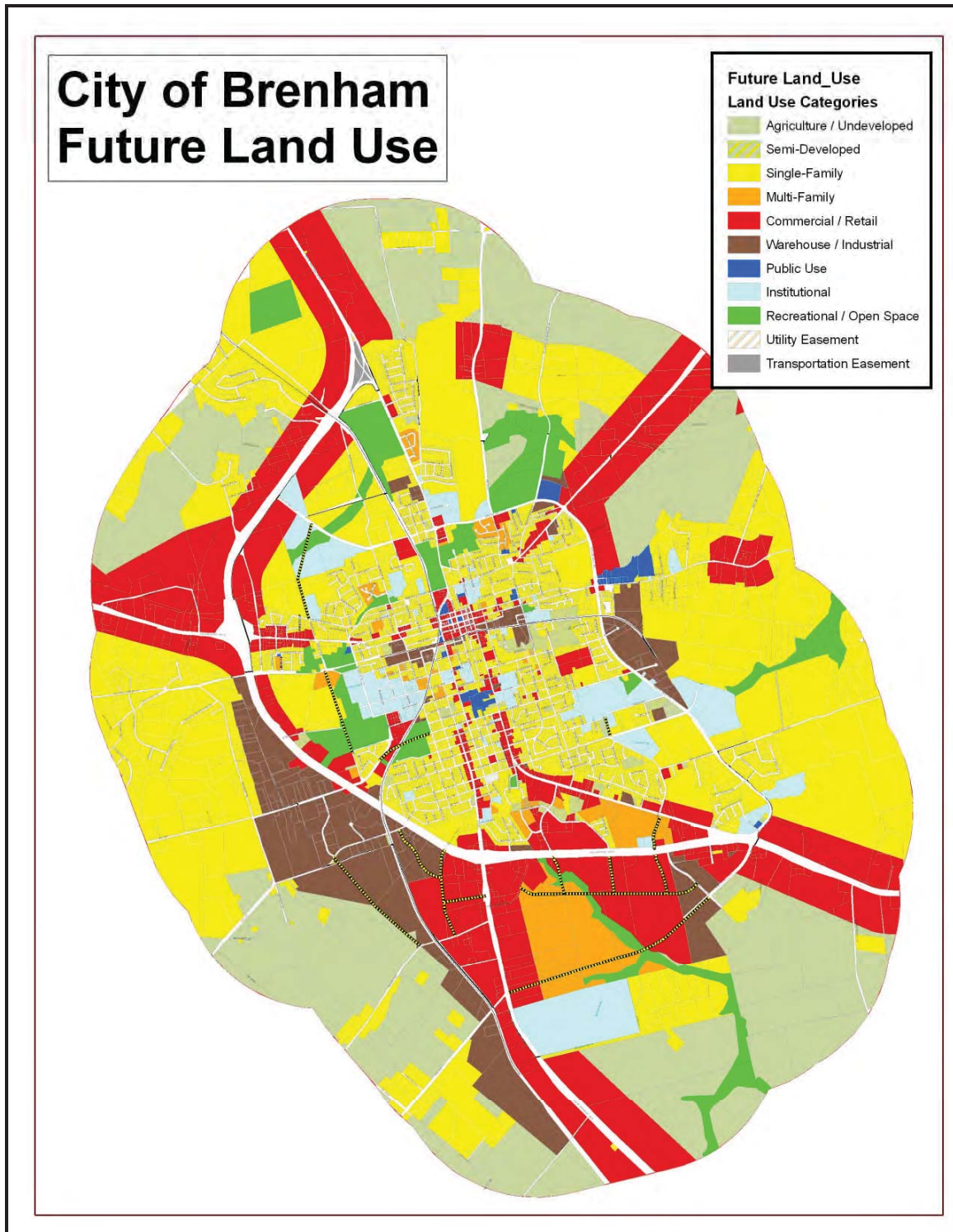


Illustration 6-5: The Future Land Use map for the City of Brenham illustrates desired growth patterns over the next 15 to twenty years.



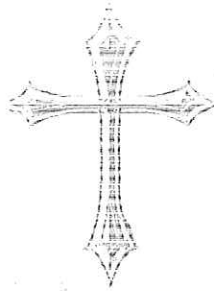
Legend

1 inch = 4,583 feet



- | | |
|--------------------------|-----------------|
| Network Extension | Minor Collector |
| Minor Collector Proposed | Major Collector |
| Minor Arterial Proposed | Minor Arterial |
| Major Collector Proposed | Freeway |





True Believers Christian Fellowship
PO.Box 407 Washington Tx 77880-0
407 Phone 713-376-1693

I CAN DO ALL THINGS THROUGH CHRIST WHO STRENGTHENS ME!

To Whom It May Concern:

Community notification of specific use permit and zone change for the construction of True Believers Christian Fellowship in the area of Brenham, TX off 577 Blue Bell Road. In the community area of Clay Street and Sabine Street, hereby notifying the community of (sec.2.03) specific uses: Churches and related auxiliary uses, including educational or philanthropic uses. That there are no objections of this notification.

Names	Street	Address
Ella Lockett	705 Sabine Street	Brenham
Bessie Jones	1511 Clay	Brenham TX 77833
Byron Moore	1505 Clay St.	Brenham TX
Butler Joe Jackson	1500 Clay Street	Brenham, Tex 77833
Tony Maberry	1406 Clay	Brenham TX 77833
Joseph Chabert	1407 Clay St	
Maria Diamantis	1309 Clay St	
Senora Harris	1513 Clay	
Josiah Taylor	140000	601 Longline, Brenham, TX
James Miller	1511 Taylor	
Edward Jackson	1500 Clay St.	Brenham TX 77833
Elizabeth	702 Sabine St	Brenham TX 77833
SABINE		
Th Louise Rogers	97937 1410	Brenham TX
Jessie Spawrs	715 Sabine St	Brenham TX
Yolanda Gordon	803 Sabine St	Brenham TX



AGENDA ITEM 11

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	ORDINANCE: ☐ 1 ST READING ☒ 2 ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Ordinance No. O-15-026 on its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016		
SUMMARY STATEMENT: The Fiscal Year 2015-16 Proposed Budget has been developed in compliance with the Property Tax Code, Local Government Code and the City Charter. A property tax rate of \$0.4731 per \$100 valuation is necessary to fund the proposed budget, which is on the City's website, on file with the City Secretary, and at the Nancy Carol Roberts Memorial Library. Local Government Code requires the city council's vote to adopt a budget be a record vote. COUNCIL MUST TAKE A RECORD VOTE ON THIS ITEM		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance No. O-15-026 with Exhibit A		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve Ordinance No. O-15-026 on its second reading adopting the budget for fiscal year beginning October 1, 2015 and ending September 30, 2016		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. O-15-026

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF BRENHAM, TEXAS FOR THE FISCAL YEAR 2015-16; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Brenham, Texas, has prepared a budget for the fiscal year October 1, 2015 through September 30, 2016 and has filed same with the City Secretary and has held public hearings on same, all after due notice as required by statute.

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

SECTION I.

That the City Council of the City of Brenham, Texas does hereby adopt the Budget for the City of Brenham, Texas, for the fiscal year October 1, 2015 through September 30, 2016 as shown in the attached Exhibit "A", which is incorporated herein as though copied herein verbatim.

SECTION II.

That authority is hereby given to the City Manager to approve transfers of portions of any item of appropriation within the same department and transfers from one department to another department within the same fund.

SECTION III.

This Ordinance shall become effective as provided by the Charter of the City of Brenham, Texas.

PASSED AND APPROVED on its first reading this the 14th day of September, 2015.

PASSED AND ADOPTED on its second reading this the 17th day of September, 2015.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

Cary Bovey, City Attorney

**CITY OF BRENHAM
COMBINED FUND SUMMARY
FY15-16 BUDGET**

EXHIBIT A

	GENERAL FUND									COMPONENT UNIT		SPECIAL REVENUE FUNDS			
	GENERAL	EMER MGMT	POLICE DEPT GRANTS	MOTOR/ PD EQUIP	PUBLIC SAFETY	DONA- TIONS	FIRE DEPT GRANTS	EQUIP- MENT	DEBT	BCDC	BCDC CAP PROJ	HOTEL/ MOTEL	HOTEL/ TAX CNTY	CRIM LAW ENFORCE	COURTS TECH
BEGINNING BALANCE	\$3,818,833	\$7,702	\$0	\$0	\$768	\$56,832	\$0	\$523,500	\$399,733	\$1,272,047	\$367,519	\$393,998	\$9,036	\$6,979	\$103,276
REVENUES															
AD VALOREM TAX	3,475,654								2,117,150						
SALES TAX	4,528,266									1,509,422					
FRANCHISE TAX	2,486,582														
OTHER TAX	372,000											597,000	95,000		
LICENSES AND PERMITS	94,000														
INTERGOVERNMENTAL (1)	332,712								161,700						
CHARGES FOR SERVICES	295,050														48,300
FINES AND FORFEITURES	835,452														
INTEREST/PENALTY	1,300								16,600	500		100		5	
CONTRIBUTIONS AND DONATIONS		1,000				111,500	1,000								
MISCELLANEOUS REVENUE	556,357		15,000	3,985	3,800					3,232				3,000	
TRANSFERS IN	3,269,626							150,000	3,141,886						
DEBT/LEASE PROCEEDS															
TOTAL OPERATING RESOURCES	\$16,246,999	\$1,000	\$15,000	\$3,985	\$3,800	\$111,500	\$1,000	\$150,000	\$5,437,336	\$1,513,154	\$0	\$597,100	\$95,000	\$3,005	\$48,300
DEPARTMENT EXPENDITURES															
ADMINISTRATION	879,847														
DEVELOPMENT SERVICES	423,526														
HUMAN RESOURCES	205,153														
MAIN STREET	114,125														
ENGINEERING SERVICES	197,636														
MAINTENANCE	714,846														
FINANCE	922,506														
PURCHASING/WAREHOUSE	265,441														
STREETS	1,274,548														
PARKS (1)	1,149,081														
LIBRARY (1)	426,568														
AIRPORT	82,950														
COMM PROGRAMS & MKTING	302,842														
AQUATIC CENTER	796,266														
CITY COMMUNICATIONS (1)	298,013														
POLICE (1)	3,908,195														
FIRE	1,721,321														
ANIMAL SHELTER/CONTROL	347,600														
MUNICIPAL COURT	450,224														
GENERAL GOVERNMENT SERVICES	294,479														
INFORMATION TECHNOLOGY (1)	669,137														
EMERGENCY MANAGEMENT		5,700													
POLICE DEPARTMENT GRANTS			15,000												
MOTORCYCLE/PD EQUIPMENT				3,985											
PUBLIC SAFETY TRAINING					3,300										
DONATIONS						32,350									
FIRE DEPARTMENT GRANTS							1,000								
EQUIPMENT								673,500							
BCDC										476,643					
BCDC CAPITAL PROJECT											297,000				
HOTEL/MOTEL												517,750	95,000		
CRIMINAL LAW ENFORCEMENT														0	
COURTS TECHNOLOGY/SECURITY															55,900
AIRPORT															
CAPITAL LEASES															
2014 CAPITAL PROJECTS															
PARKS SPECIAL REVENUE															
STREETS AND DRAINAGE															
US 290 PASS THRU FINANCE															
UTILITY CUSTOMER SERVICE															
PUBLIC UTILITIES															
ELECTRIC															
GAS															
WATER TREATMENT															
WATER CONSTRUCTION															
WATER BOND PROJECTS															
AMR METERS															
WASTEWATER CONSTRUCTION															
WASTEWATER TREATMENT															
TRANSFER STATION															
COLLECTION STATION															
RECYCLING CENTER															
RESIDENTIAL COLLECTION															
CENTRAL FLEET															
WORKERS' COMPENSATION															
MEDICAL INSURANCE															
SUBTOTAL DEPARTMENT	15,444,304	5,700	15,000	3,985	3,300	32,350	1,000	673,500	0	476,643	297,000	517,750	95,000	0	55,900
OTHER EXPENDITURES															
SOURCE COST															
FRANCHISE TAX									5,623,015						
DEBT SERVICE															
NON-DEPT AND MISC	802,695														
SUBTOTAL OTHER	802,695	0	0	0	0	0	0	0	5,623,015	0	0	0	0	0	0
TRANSFERS OUT	0	0	0	0	0	70,000	0	0	0	1,036,511	0	229,350	0	0	18,000
TOTAL EXPENDITURES	\$16,246,999	\$5,700	\$15,000	\$3,985	\$3,300	\$102,350	\$1,000	\$673,500	\$5,623,015	\$1,513,154	\$297,000	\$747,100	\$95,000	\$0	\$73,900
CHANGE IN FUND BALANCE	0	(4,700)	0	0	500	9,150	0	(523,500)	(185,679)	0	(297,000)	(150,000)	0	3,005	(25,600)
ENDING FUND BALANCE	\$3,818,833	\$3,002	\$0	\$0	\$1,268	\$75,982	\$0	\$0	\$214,054	\$1,272,047	\$70,519	\$243,998	\$9,036	\$9,984	\$77,676

(1) Intergovernmental includes inter-local agreements that are budgeted as contra-expenses in departments.

**CITY OF BRENHAM
COMBINED FUND SUMMARY
FY15-16 BUDGET**

EXHIBIT A

	CAPITAL PROJECT FUNDS						ENTERPRISE FUNDS					INTERNAL SERVICE FUNDS			TOTAL
	AIRPORT CAPITAL	CAPITAL LEASES	2014 CAP PROJ	PARKS CAP IMPROV	STREET DRAINAGE	290 PASS THRU	ELECTRIC	GAS	WATER	WASTE- WATER	SANI- TATION	CENTRAL FLEET	WORKERS' COMP	MEDICAL INS	
BEGINNING BALANCE	\$4,185	\$0	\$3,396,174	\$15,041	\$328,213	\$4,398,735	\$5,927,293	\$1,570,731	\$1,890,421	\$392,128	\$962,520	\$307,949	\$149,810	\$0	\$25,308,424
REVENUES															
AD VALOREM TAX															5,592,804
SALES TAX															6,037,688
FRANCHISE TAX															2,486,582
OTHER TAX															1,064,000
LICENSES AND PERMITS															94,000
INTERGOVERNMENTAL (1)															494,412
CHARGES FOR SERVICES							23,843,283	2,934,243	4,219,774	3,434,005	2,544,828	115,000	222,982		37,657,465
FINES AND FORFEITURES															835,452
INTEREST/PENALTY			1,000		400	3,002,400	12,477	600	1,100	1,617	400		100		3,038,599
CONTRIBUTIONS AND DONATIONS				6,100											119,600
MISCELLANEOUS REVENUE	0	0													585,374
TRANSFERS IN			70,000	337,025			588,277								7,556,814
DEBT/LEASE PROCEEDS		0													0
TOTAL OPERATING RESOURCES	\$0	\$0	\$71,000	\$343,125	\$400	\$3,002,400	\$24,444,037	\$2,934,843	\$4,220,874	\$3,435,622	\$2,545,228	\$115,000	\$223,082	\$0	\$65,562,790
DEPARTMENT EXPENDITURES															
ADMINISTRATION															879,847
DEVELOPMENT SERVICES															423,526
HUMAN RESOURCES															205,153
MAIN STREET															114,125
ENGINEERING SERVICES															197,636
MAINTENANCE															714,846
FINANCE															922,506
PURCHASING/WAREHOUSE															265,441
STREETS															1,274,548
PARKS (1)															1,149,081
LIBRARY (1)															426,568
AIRPORT															82,950
COMM PROGRAMS & MKTING															302,842
AQUATIC CENTER															796,266
CITY COMMUNICATIONS (1)															298,013
POLICE (1)															3,908,195
FIRE															1,721,321
ANIMAL SHELTER/CONTROL															347,600
MUNICIPAL COURT															450,224
GENERAL GOVERNMENT SERVICES															294,479
INFORMATION TECHNOLOGY (1)															669,137
EMERGENCY MANAGEMENT															5,700
POLICE DEPARTMENT GRANTS															15,000
MOTORCYCLE/PD EQUIPMENT															3,985
PUBLIC SAFETY TRAINING															3,300
DONATIONS															32,350
FIRE DEPARTMENT GRANTS															1,000
EQUIPMENT															673,500
BCDC															476,643
BCDC CAPITAL PROJECT															297,000
HOTEL/MOTEL															612,750
CRIMINAL LAW ENFORCEMENT															0
COURTS TECHNOLOGY/SECURITY															55,900
AIRPORT	0														0
CAPITAL LEASES		0													0
2014 CAPITAL PROJECTS			3,180,845												3,180,845
PARKS SPECIAL REVENUE				343,125											343,125
STREETS AND DRAINAGE					328,613										328,613
US 290 PASS THRU FINANCE						0									0
UTILITY CUSTOMER SERVICE							496,354								496,354
PUBLIC UTILITIES							904,408								904,408
ELECTRIC							2,110,047								2,110,047
GAS								730,719							730,719
WATER TREATMENT									1,792,415						1,792,415
WATER CONSTRUCTION									1,057,528						1,057,528
WATER BOND PROJECTS									0						0
AMR METERS															0
WASTEWATER CONSTRUCTION										307,889					307,889
WASTEWATER TREATMENT										1,184,104					1,184,104
TRANSFER STATION											843,425				843,425
COLLECTION STATION											424,484				424,484
RECYCLING CENTER											200,205				200,205
RESIDENTIAL COLLECTION											737,248				737,248
CENTRAL FLEET												63,350			63,350
WORKERS' COMPENSATION													166,000		166,000
MEDICAL INSURANCE														0	0
SUBTOTAL DEPARTMENT	0	0	3,180,845	343,125	328,613	0	3,510,809	730,719	2,849,943	1,491,993	2,205,362	63,350	166,000	0	32,492,191
OTHER EXPENDITURES															
SOURCE COST							17,449,025	1,443,399	296,100						19,188,524
FRANCHISE TAX							1,632,510	204,471	286,983	232,362	59,150				2,415,476
DEBT SERVICE							9,564	2,034	818,886	1,344,297	3,550				7,801,346
NON-DEPT AND MISC							107,400	6,000	13,000	9,000	7,800				945,895
SUBTOTAL OTHER	0	0	0	0	0	0	19,198,499	1,655,904	1,414,969	1,585,659	70,500	0	0	0	30,351,241
TRANSFERS OUT						2,575,000	1,730,857	537,553	603,854	362,206	393,483		0	0	7,556,814
TOTAL EXPENDITURES	\$0	\$0	\$3,180,845	\$343,125	\$328,613	\$2,575,000	\$24,440,165	\$2,924,176	\$4,868,766	\$3,439,858	\$2,669,345	\$63,350	\$166,000	\$0	\$70,400,245
CHANGE IN FUND BALANCE	0	0	(\$1,09,845)	0	(\$28,213)	427,400	3,872	10,667	(\$47,892)	(\$4,236)	(\$124,117)	\$1,650	\$7,082	0	(\$4,837,456)
ENDING FUND BALANCE	\$4,185	\$0	\$286,329	\$15,041	\$0	\$4,826,135	\$5,926,165	\$1,581,398	\$1,242,529	\$387,892	\$838,403	\$359,599	\$206,892	\$0	\$21,470,968



AGENDA ITEM 12

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Ordinance No. O-15-027 on its Second Reading Levying Taxes for the Tax Year 2015 for the City of Brenham at \$0.4731 per \$100 Valuation

SUMMARY STATEMENT: The FY2015-16 Proposed Budget includes a tax rate of \$0.4731 per \$100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). The proposed tax rate of \$0.4731 will allocate \$0.2950 to the General Fund for M&O expenditures and the balance of \$0.1781 will be allocated to the Debt Service Fund for principal and interest obligations. The proposed tax rate of \$0.4731 is above the effective rate of \$0.4632, but below the rollback rate of \$0.4766.

The City has complied with all of the notices, publications, and public hearings as required by the Tax Code. The Tax Code does specify that the **motion** to adopt the tax rate be made in the following form:

“I move that the property tax rate be increased by the adoption of a tax rate of \$0.4731 per \$100 valuation, which is effectively a 2.14% increase in the tax rate.”

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance No. O-15-027

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve the property tax rate be increased by the adoption of a tax rate of \$0.4731 per \$100 valuation, which is effectively a 2.14% increase in the tax rate.

APPROVALS: Terry K. Roberts

ORDINANCE NO. O-15-027

AN ORDINANCE LEVYING TAXES FOR THE TAX YEAR 2015 FOR THE CITY OF BRENHAM, TEXAS AND PROVIDING AN EFFECTIVE DATE.

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

SECTION I.

That there be and is hereby levied an ad valorem tax of \$0.2950 on each one hundred dollars worth of property owned and situated within the City Limits of the City of Brenham, Texas, both real and personal and mixed, for General Fund maintenance and operating purposes for the Tax Year 2015.

SECTION II.

That there be and is hereby levied for the use of the City of Brenham, for the Tax Year 2015, an ad valorem tax of \$0.1781 on each one hundred dollars worth of real, personal and mixed property owned and situated in the City Limits of the City of Brenham, Texas, for the payment of principal and interest on all outstanding bonds and lease payments, not otherwise provided for, of the City of Brenham.

SECTION III.

Wherefore, the combined tax rate in accordance with V.T.C.A. Tax Code Section 26.05 shall be \$0.4731 on each one hundred dollars worth of real, personal, and mixed property of owned and situated within the City Limits of the City of Brenham, Texas.

SECTION IV.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

SECTION V.

This Ordinance shall become effective as provided by the Charter of the City of Brenham, Texas.

PASSED AND APPROVED on its first reading this the 14th day of September, 2015.

PASSED AND ADOPTED on its second reading this the 17th day of September, 2015.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

Cary Bovey, City Attorney



AGENDA ITEM 13

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015
DEPT. OF ORIGIN: Community Services	SUBMITTED BY: Wende Ragonis

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No.R-15-023 for the Purpose of Participating in the Texas Parks & Wildlife Local Park Grant Program for Fireman's Park

SUMMARY STATEMENT: Council adopted the 2015-2025 Parks, Recreation and Open Spaces Master Plan (Plan) with Resolution R-15-009 at their March 5, 2015 Council meeting. Staff then submitted the adopted Plan to Texas Parks and Wildlife for that agency's review. On July 21, 2015 staff was notified by Texas Parks and Wildlife that the Plan met all standard requirements as identified by the agency and will now qualify for points in their *Local Park Grant Project Priority Scoring System*. The City of Brenham is now eligible for grants issued by Texas Parks and Wildlife (TPW).

Grants issued by TPW must be defined as independent projects and those projects must align with the goals and objectives in the Plan. Staff has reviewed grant opportunities within TPW and at this time recommends the City apply for the Local Parks Small Community Grant. This grant is a reimbursement grant and requires a fifty (50) percent match. Staff presented this new grant opportunity to the Parks Advisory Board (PAB) at their August 19, 2015 meeting. At that meeting, the PAB reviewed the FY16 recommended park projects to determine if any could easily be expanded with this new grant opportunity. The PAB selected the skate park project which is located in Fireman's Park for the grant application.

The initial skate park project cost of \$35,000 was approved by the BCDC Board of Directors at their June 4, 2015 meeting. If awarded grant funds of \$35,000, this project would have a total impact of \$70,000 for skate park improvements. If grant funding is not awarded, then the City would not move forward with the expanded skate park project and would implement the original skate park project as presented to the BCDC Board at a cost of \$35,000.

TPW requires the governing body to adopt a resolution to show support of the grant application. Staff asks the Council approves the Resolution, so the grant application can be submitted to TPW by the October 1, 2015 deadline.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):
A. PROS: There is a potential for a \$75,000 investment in an expanded skate park with an award of \$35,000 from TWP grant funds.
B. CONS: The project would provide for a \$35,000 investment in skate park improvements.
ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Resolution No. R-15-023
FUNDING SOURCE (Where Applicable): BCDC and any Awarded Grant Funds.
RECOMMENDED ACTION: Approve Resolution No. R-15-023 for the purpose of participating in the Texas Parks & Wildlife Local Park Grant Program for Fireman's Park
APPROVALS: Terry K. Roberts



**Local Park Grant Program
Resolution Authorizing Application**

RESOLUTION NO. R-15-023

A Resolution of the City of Brenham as hereinafter referred to as “Applicant”, designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Park & Wildlife Department, hereinafter referred to as “department” for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the “Program”; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the Community Services Specialist to act for the Applicant in dealing with the Department for the purposes of the Program, and that Crystal Locke is hereby officially designated as the representative in this regard.

SECTION 4: That the Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Fireman’s Park in the City of Brenham or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative core of the “applicant” in this 17th day of September, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 14

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 10, 2015
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to True Believers Christian Fellowship Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Lots 1-3 and 30-32 of the College Heights Addition and the Portion of Porter Street Adjacent to These Lots in Brenham, Washington County, Texas

SUMMARY STATEMENT: True Believer Christian Fellowship has requested a special use permit (SUP) for lots 1-3 & 30-32 of the College Heights Addition subdivision. There is currently city right-of-way that runs through the property that is going through the process of being abandoned with staff support. Zoning amendments, which is what a SUP is, run to the middle of the right of way. If City Council chooses to abandon the right-of-way the sup will apply to that portion of Porter Street. The plan for the six lots is to be replatted in the future to one individual lot for True Believers Christian Fellowship Church.

Comprehensive Plan Compliance
 The City of Brenham Envision 20/20 Comprehensive Plan lists this property as being a single family residential district. The zoning ordinance lists this as R-2 Mixed Residential. Churches and auxiliary uses are within the allowed requests for special use permits in the R-2 Mixed Residential District.

Thoroughfare Plan Compliance
 The proposed church could have access from both Clay Street and/or Sabine Street. The Church has indicated they will likely access from Sabine St. Both roads are classified as local residential.

Public Concerns
 Staff received a concern from an individual at the Planning and Zoning Commission. That concern was related to excess parking from potential events and where the overflow parking would take place. Staff explained that there is a parking ordinance the church would have to abide by. They also had a concern that overflow parking would end up in the road. Staff advised that if it is legal to park on the road that is public domain and anyone has the right to utilize that space.

The Planning and Zoning Commission voted unanimously in favor of this item. However, since that meeting staff has come up with a condition they did not present to the Planning and Zoning Commission. Staff recommends approval of the SUP request with the condition that a replat with lots 1-3 & 30-32 be replatted into one lot, the replat be approved by the Planning and Zoning Commission and filed at Washington County before the SUP takes effect.
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Allow for orderly development. B. CONS: Potential for increased traffic. Potential for additional street parking.
ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Ordinance
FUNDING SOURCE (Where Applicable): N/A
RECOMMENDED ACTION: Approve an Ordinance on its first reading granting a specific use permit to True Believers Christian Fellowship Church to allow for a church and related auxiliary uses on property located on Clay Street in an R-2, Mixed Residential Zoning District, and being described as lots 1-3 and 30-32 of the College Heights Addition and the portion of Porter Street adjacent to these lots in Brenham, Washington County, Texas
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO GRANT A SPECIFIC USE PERMIT TO TRUE BELIEVER CHRISTIAN FELLOWSHIP ON BEHALF OF DONALD BOECKER, LAND OWNER, OF BRENHAM FOR A CHURCH AND RELATED AUXILIARY USES, INCLUDING EDUCATIONAL AND PHILANTHROPIC USES IN AN R-2 (MIXED RESIDENTIAL) ZONING DISTRICT AND BEING LOCATED ON LOTS 1-3 AND 30-32 OF THE COLLEGE HEIGHTS ADDITION IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts;

WHEREAS, Appendix A – “Zoning” of the City of Brenham Code of Ordinance authorizes the City Council to grant specific use permits for specific uses within the various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on September 8, 2015;

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to grant a specific use permit to True Believer Christian Fellowship, its successors and assigns, on behalf of Donald Boeker, land owner, of Brenham for a church and related auxiliary uses, including educational and philanthropic uses in an R-2 (Mixed Residential) zoning district and being located on lots 1-3 and 30-32 of the College Heights Addition in the City of Brenham, Washington County, Texas.

SECTION 2. This Ordinance shall take effect immediately upon the occurrence of all of the following: 1) compliance with the requirements of the Charter of the City of Brenham, Texas; and 2) the City of Brenham Planning and Zoning Commission’s approval of a replat of Lots 1, 2, 3, 30, 31, and 32 of the College Heights Addition into one (1) single lot, and the recording of said replat in the official records of Washington County, Texas.

SECTION 3. Upon holding a properly notified public hearing, the City Council may amend, change, or rescind the Specific Use Permit granted by this Ordinance if:

- a. There is a violation and conviction of any of the provisions of this Ordinance, or any ordinance of the City of Brenham, that occurs on the Property;
- b. The building, premises, or Property used pursuant to the Specific Use Permit granted by this Ordinance are enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration, or change;
- c. There is a violation of any provision of the terms and conditions of the Specific Use Permit granted by this Ordinance; or
- d. As otherwise permitted by law and/or Brenham's Zoning Ordinance, as it exists or may be amended.

PASSED and APPROVED on its first reading this the 17th day of September, 2015.

PASSED and APPROVED on its second reading this the 1st day of October, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 15

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 10, 2015															
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☒ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☒ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:														
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	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Abandonment of Porter Street																
SUMMARY STATEMENT: Don Boecker is requesting the right of way that is platted as Porter Street on the College Heights Addition plat be abandoned. The properties with frontage on what is now Porter Street include lots 1-32 of the College Heights Addition. All of the property is owned by Donald Boecker which would be affected by the abandonment of Porter Street. Mr. Boecker is planning to have lots 1-3 & 30-32 platted as one lot, divide up the lots to the north of lots 1-3 & 30-32 to individual lots that will remain single family and have some of the currently existing single family lots near HWY 290 replatted into one commercial lot. Once this is done all of the properties will have frontage on right of way and no property will be land locked or negatively impacted from an access point. All of this land is currently undeveloped. Staff recommends approving this abandonment subject to a replat being filed to include the abandoned right-of-way remaining lots being platted into legally conforming lots. The ordinance will take effect once a subdivision replat meeting this criterion is approved by the Planning and Zoning Commission.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):																
A. PROS: Removes City maintenance responsibilities for this unimproved right-of-way. B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference): 1. Approve request, 2. Deny request																
ATTACHMENTS: (1) Ordinance; (2) Information Sheet and Application from Donald Boecker; (3) Survey; (4) Metes & Bounds; (5) Aerial photograph showing property; and (6) Copy of College Heights Addition plat																
FUNDING SOURCE (Where Applicable): N/A																
RECOMMENDED ACTION: Approve an ordinance on its first reading for the abandonment of Porter Street																
APPROVALS: Terry K. Roberts																

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF PORTER STREET RIGHT-OF-WAY AS SHOWN ON THE PLAT FOR THE COLLEGE HEIGHTS ADDITION SUBDIVISION FILED FOR RECORD ON SEPTEMBER 21, 1915.

WHEREAS, the City of Brenham has ownership of Porter Street right-of-way as shown on the Plat for the College Heights Addition Subdivision filed for record on September 21, 1915 in the official records of Washington County, Texas; and

WHEREAS, an adjoining property owner has requested the abandonment and closing of a Street right-of-way; and

WHEREAS, the adjoining property owner requesting the abandonment of Porter Street right-of-way owns lots 1-32 of the College Heights Addition; and

WHEREAS, the abandonment and closing of the portion of the Porter Street right-of-way as shown on the plat for the College Heights Addition will not create an undue burden on traffic; and

WHEREAS, the City of Brenham has no need or use for the portion of the Porter Street right-of-way as shown on the plat for the College Heights Addition as a public thoroughfare, and said portion of the Porter Street right-of-way remains undeveloped, unimproved and unused; and

WHEREAS, the City Council of the City of Brenham desires to abandon and close the portion of the Porter Street right-of-way as shown on the plat for the College Heights Addition as a public thoroughfare, said closure and abandonment being in the best interest of the citizens of Brenham;

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

SECTION I.

That the portion of the Porter Street right-of-way as shown on the plat for College Heights Addition is hereby abandoned and closed as a public thoroughfare.

SECTION II.

This street right-of-way to be closed and abandoned is currently undeveloped and unimproved, and any existing or future maintenance by the City of Brenham will cease.

SECTION III.

The Mayor of the City of Brenham is hereby authorized to execute any documents necessary for the conveyance of the portion of Porter Street right-of-way as shown on the plat for the College Heights Addition, attached hereto as Exhibit "A" and incorporated herein for all purposes, to the adjoining property owners.

SECTION IV.

This Ordinance shall take full force and effect immediately from and after its passage and approval on second reading and approval by the Planning and Zoning Commission of a re-plat of the abandoned right-of-way parcels into conforming lots.

PASSED and **APPROVED** on its first reading this the 17th day of September, 2015

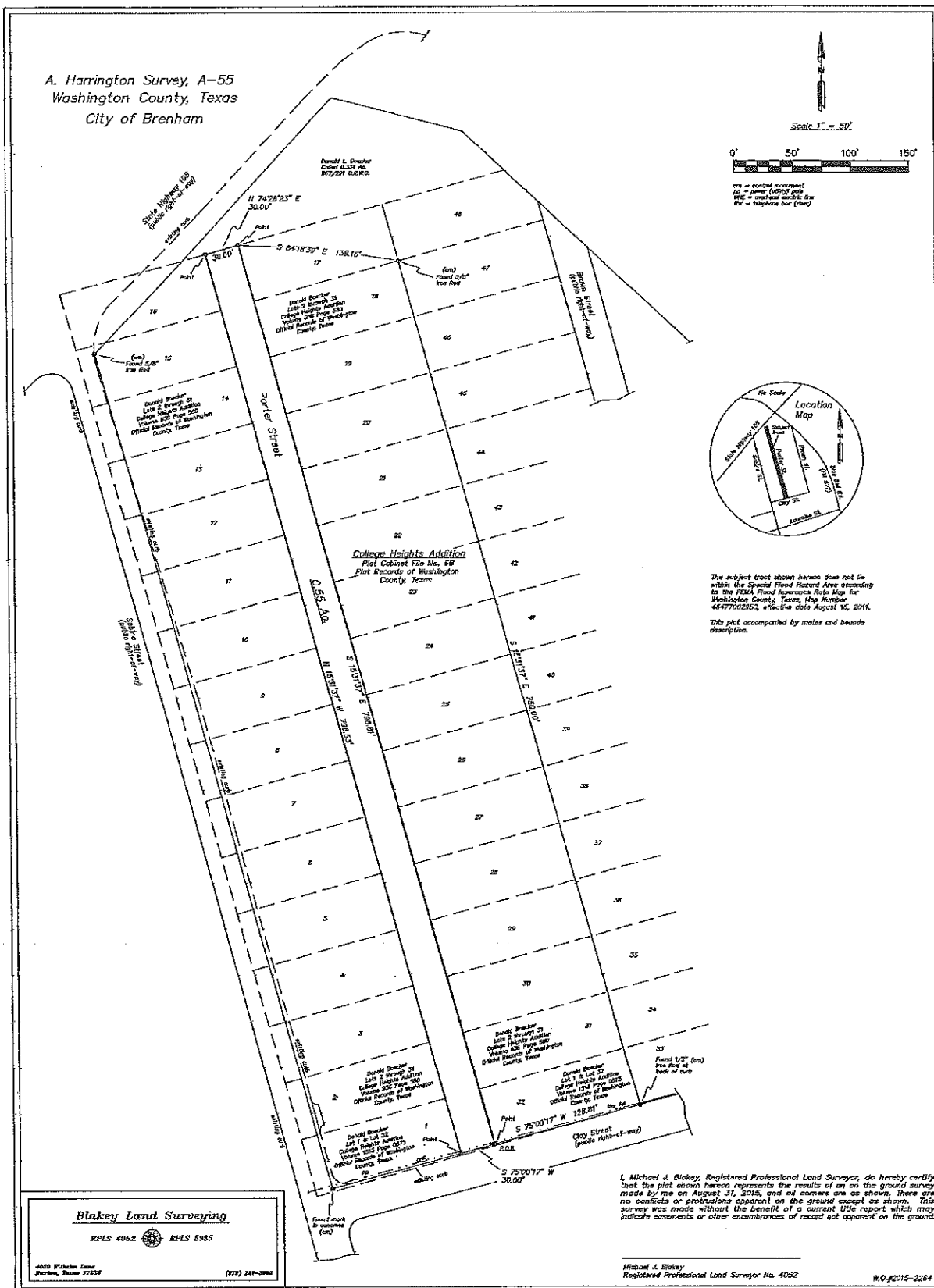
PASSED and **APPROVED** on its second reading this the 1st day of October, 2015.

Milton Y. Tate
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

EXHIBIT A



INFORMATION SHEET

Procedure for Vacating and Abandoning Public Rights-of-Way

It has been determined by the City Council of the City of Brenham that citizens who desire the vacation and abandonment of Public Rights-of-Way by the City of Brenham, Texas, should follow the procedure described below in order to expedite the processing of their request. The applicant must comply with all stipulations and instructions outlined herein prior to submission of the final application for action by the City Council of the City of Brenham.

1. Attached to this information sheet is a copy of the appropriate application forms for the abandonment of Public Rights-of-Way. The forms must be completely filled out (preferably typed) and returned to this office.
2. The application must be completed and delivered to the Department of Public Works at least three weeks prior to the date that it is to be considered by the City Council. Because the vacation and abandonment of any Public right-of-way ("ROW") must be enacted by an ordinance, a public hearing will be called and advertised and the ordinance considered at two Council meetings. The applicant may be present at the Council meetings or may contact the City Secretary to ascertain the results of the City Council consideration.
3. On the first page of the application, please provide the name of the subdivision or addition in which the Public ROW is located. If the application is for the abandonment of a street, the street name must appear in the heading. Please enter the date the application is prepared in the appropriate space. You must include the names and addresses of the abutting property owners who have not consented to the vacation and abandonment which you seek. You must state why their consent was not obtained. You should include: (1) if you were unable to locate the abutting property owner, what steps you took to attempt to locate and contact them, and the reason you were unable to contact them; or, (2) if the abutting property owner refused to give his or her consent, the reason for the refusal, setting out briefly the reason for the objection to the abandonment. Additional sheets may be used if necessary to fully explain.
4. On the second page of the application, provide a brief statement of the reason for the abandonment and relate briefly the history of the use of the Public ROW sought to be abandoned. It is very important that the name and full address of the applicant be shown in the space provided. The applicant's signature must appear immediately above the typed name and the notary acknowledgement must be completed.
5. Exhibit 1 requires that you obtain a legal description (*metes and bounds*) of the Public ROW to be abandoned. It is desirable that you have a licensed land surveyor provide this information for you. The staff of the Department of Public Works is not authorized to prepare legal descriptions for you and, therefore, we respectfully request you do not ask for this service.
6. Exhibit 2 provides space for a 8.5 by 11 inch plat or detailed sketch of the Public ROW proposed for abandonment. Again, this item is most easily furnished by a licensed land surveyor as it should clearly show all of the information outlined in the heading of the form.
7. Exhibit 3 must be executed by the various utility companies shown. The applicant is responsible for circulating the application and securing the signatures of the authorized representatives. The Department of Public Works portion of the application will be reviewed and signed at the time the final application form is returned.

8. Exhibit 4 constitutes the consent of the abutting property owners (including the applicant) to the vacation and abandonment. The full names, addresses, and signatures are required for all who consent to the requested abandonment. The names and addresses of those who cannot be contacted should appear with the appropriate explanations.
9. Exhibit 5 is a copy of recorded deeds or a title check performed by a title company showing current ownership of all property contiguous to the area proposed to be abandoned.

In the preparation of your application, should you encounter any problems or have questions, the answers to which you are unable to find in this information sheet, please do not hesitate to contact the Department of Public Works for assistance.

All APPLICATION TO VACATE
A PORTION OF Porter St,
A PUBLIC STREET/RIGHT-OF-WAY IN THE CITY OF Brenham, TEXAS
WITHIN College Heights Addition SUBDIVISION
Date: 9-9-15

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF Brenham, TEXAS:

1. The undersigned hereby make(s) application for the vacation and abandonment of that portion of the above named street or public ROW more particularly described in Exhibit 1 attached.
2. The undersigned will hold the City of Brenham, Texas, harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.
3. Attached, marked Exhibit 2, is a plat or sketch of the street sought to be vacated, the surrounding area, the nearest streets in all directions, the abutting lots and blocks, and the addition in which the above described portion of such street or public ROW is situated, together with the record owners of such lots.
4. Attached, marked Exhibit 3, is the consent of the public utilities to such vacation.
5. Attached, marked Exhibit 4, is the consent to such vacation of all the abutting property owners, except the following; (if none, so state).

(a) Name: NONE

Address: _____

Why consent not obtained:

(b) Name:

Address:

Why consent not obtained:

(c) Name:

Address:

Why consent not obtained:

(d) Name:

Address:

Why consent not obtained:

6. Attached, marked Exhibit 5, are copies of recorded deeds or a title check performed by a title company showing current ownership of all property contiguous to the area proposed to be abandoned.
7. Such street or public ROW should be vacated because:
8. Such street or public ROW has been and is being used as follows:

Don Boecker

Applicant

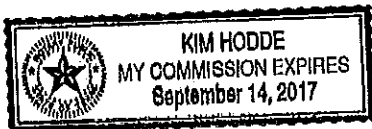
Address:

500 N Berlin Rd
Brenham Tx 77833

THE STATE OF TEXAS §

COUNTY OF Washington §

This instrument was acknowledged before me this 9th day of September, 2015
by Don Boecker.



Kim Hodde
Notary Public, State of Texas

Exhibit 2

Plat or sketch of the street sought to be vacated, including the surrounding area, the nearest streets in all directions, the abutting lots and blocks, and the addition in which the above described portion of such street or public ROW is situated, together with the record owners of such lots,

Exhibit 4

Consent of abutting property owners

1. Name: DON BOECKEE
Address: 500 N. Berlin RD - Brenham Tx
2. Name: _____
Address: _____
3. Name: _____
Address: _____
4. Name: _____
Address: _____
5. Name: _____
Address: _____
6. Name: _____
Address: _____
7. Name: _____
Address: _____
8. Name: _____
Address: _____
9. Name: _____
Address: _____
10. Name: _____
Address: _____

Request for Abandonment of Public Easements or Rights-of-Way

Applicant:

Name: Don Boecker

Address: 500 N Berlin Rd

BRENHAM TX 77833

Telephone: (979) 830 5853

Signature: Don Boecker

Submission Date: 9-8-2015

General Location or Description of Property to be Abandoned:

The following information must accompany the application:

1. Copies of recorded deeds showing current ownership of all property contiguous to the area proposed to be abandoned.
2. Written concurrence of all persons who own property contiguous to the area proposed to be abandoned.
3. Legal description of property to be abandoned.
4. Map showing location.
5. Application fee of _____ Dollars (\$).

I, Michael J. Blokey, Registered Professional Land Surveyor, do hereby certify that the plat shown hereon represents the results of an on the ground survey made by me on August 31, 2015, and all corners are as shown. There are no conflicts or probations apparent on the ground except as shown. This survey was made without the benefit of a current title report which may indicate easements or other encumbrances of record not apparent on the ground.

Michael J. Blakey
Registered Professional Land Surveyor No. 4052

W.O. #2015-2264

Blakey Land Surveying

4650 Wilhelm Lane
Burton, Texas 77835-5794

Telephone/Fax 979-289-3900

PORTER STREET
0.55 ACRE TRACT

ALL THAT TRACT OR PARCEL OF LAND containing 0.55 acres, situated in Washington County, Texas, being out of the A. Harrington Survey, Abstract No. 55, in the City of Brenham, and being all or a portion of Porter Street as shown on the recorded plat of College Heights Addition to the City of Brenham (plat recorded in Plat Cabinet File No. 6B of the Plat Records of Washington County, Texas), said 0.55 acre tract being more particularly described as follows:

COMMENCING at a found $\frac{1}{2}$ inch iron rod (at back of existing concrete curb), lying in the North margin of Clay Street (public right-of-way), marking the Southwest corner of Lot 33 of College Heights Addition, and the Southeast corner of Lot 32 of College Heights Addition;

THENCE along the North margin of said Clay Street, with the occupied South line of said Lot 32, S 75deg 00min 17sec W, 128.81 ft., to a point for corner, lying at the intersection of the North margin of Clay Street with the East margin of Porter Street, marking the occupied Southwest corner of said Lot 32, and the Southeast corner and **PLACE OF BEGINNING** of the herein described tract;

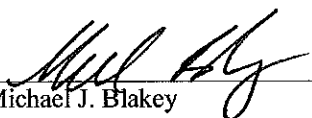
THENCE with the North margin of Clay Street, along the South line of the herein described tract, S 75deg 00min 17sec W, 30.00 ft., to a point for corner, lying at the intersection of the North margin of Clay Street with the West margin of Porter Street, marking the occupied Southeast corner of Lot 1 of College Heights Addition, and the Southwest corner of the herein described tract (a found mark in concrete bears S 75deg 00min 17sec W, 114.34 ft. from this point for reference);

THENCE departing the North margin of said Clay Street, with the West margin of said Porter Street, also along the East line of Lots 1 through 16 of College Heights Addition, N 15deg 31min 37sec W, 798.53 ft., to a point for corner, marking the apparent Northeast corner of Lot 16 of College Heights Addition, and the Northwest corner of the herein described tract;

THENCE with the North line of the herein described tract, N 74deg 28min 23sec E, 30.00 ft., to a point for corner, marking the Northwest corner of Lot 17 of College Heights Addition, and the Northeast corner of the herein described tract (a found $\frac{5}{8}$ inch iron rod, marking the Southeast corner of said Lot 17, bears S 84deg 18min 39sec E, 138.16 ft. from this point for reference);

THENCE along the West line of Lots 17 through 32 of College Heights Addition, with the East margin of Porter Street, S 15deg 31min 37sec E, 798.81 ft., to the **PLACE OF BEGINNING** and containing 0.55 acres of land.

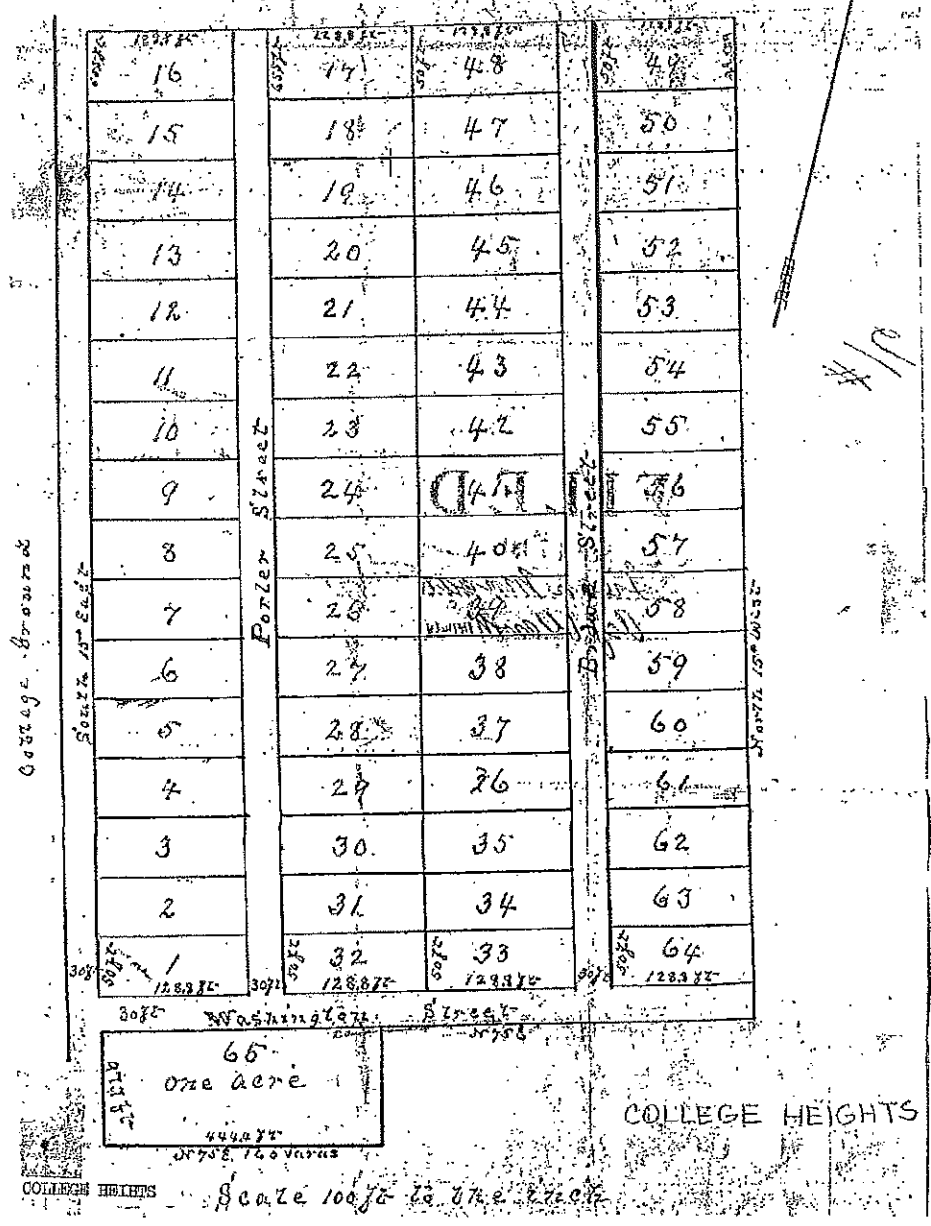
August 31, 2015
W.O.#2015-2264



Michael J. Blakey
Registered Professional Land Surveyor No. 5935

Plat prepared and made a part of this description.







AGENDA ITEM 16

DATE OF MEETING: 9/17/2015	DATE SUBMITTED: 9/11/2015
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Change Order No. 4 (Reconciliation) and Authorize Final Payment to Collier Construction, LLC for the Chappell Hill Street Extension Project and Authorize the Mayor to Execute any Necessary Documentation

SUMMARY STATEMENT: Collier Construction has completed the extension of Chappell Hill St. The work involved two extensions and one major realignment, Below is a brief description of the areas of work:

1. Lawndale – S. Market St. (*Realignment/Widening*)
2. S. Market St-S. Chappell Hill St./Old Stringer St. (*New Construction*)
3. 290 Feeder Rd-Cul-d-sac (*New Construction*)

The project consisted of a realignment of S. Chappell Hill St at Market St, new traffic light installation, re-striping and resurfacing of roadway, newly constructed roadway sections and tie-ins to existing roadway along with curb and gutter work. This project involved many resources from the City of Brenham, Collier Construction, local business owners and TxDOT. It is fully functional and has proven to be very useful in moving local traffic from the north side of town to the south side.

In order to complete the project we ask council to accept and approve Change Order #4 which is a reconciliation of quantities used in the field after the project was finalized. Change order #4 totaled \$24,025.40. The quantities and description can be found on the attachment labeled “*Change Order #4 Reconciliation*”. This amount for Change Order #4 (reconciliation) is included in the final payment which totaled \$125,056.97.

Collier has completed the work satisfactory and we recommend approval of the reconciliation Change Order #4 and Final Payment in the amount of \$125,056.97.

The total project was estimated at \$2,059,477.25 and the revised final contract amount was \$2,061,820.42, which was an increase of \$2,243.17 (0.11%)

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: A very tenuous project is now completed and the public is now seeing the benefit of the extension. B. CONS:
ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Progress Payment No. 10 (Final); (2) Pro Rata Shares Pay Estimate No. 10 (Final); (3) Change Order No. 4 (Reconciliation); (4) Certificate of Substantial Completion; (5) Consent of Surety to Final Payment; (6) Affidavit of Bills Paid; and (7) Affidavit of Guarantee
FUNDING SOURCE (Where Applicable): 2012 Certificates of Obligation and BCDC (Southside)
RECOMMENDED ACTION: Approve Change Order #4 (Reconciliation) and approve final payment to Collier Construction, LLC in the amount of \$125,056.97 for the Chappell Hill Extension Project and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)											
CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)											
OWNERS: City of Brenham, P.O. Box 1059, Brenham, Texas 77834											
PROJECT: Chappell Hill Street Extension											
JC JOB NOS.: B0039-0026-00 and B0123-0002-00											
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889											
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
	BASE BID										
	City of Brenham										
1.	Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$59,000.00	0%	\$0.00	100%	\$59,000.00	100%	\$59,000.00	100.0%
2.	Prepare a Storm Water Pollution Prevention Plan, issue and/or post all required notices; pay all required permit fees; perform all required inspections; maintain all required records; install, maintain and remove all necessary erosion control measures; reestablish vegetation on all disturbed areas.	L.S.	1	\$17,785.00	0%	\$0.00	100%	\$17,785.00	100%	\$17,785.00	100.0%
3.	Furnish, erect, maintain, and remove all barricades, sign and traffic control devices.	Mo.	6	\$1,808.00	0.5	\$904.00	5.5	\$9,944.00	6.0	\$10,848.00	100.0%
4.	Perform all site preparation, perform all required clearing and grubbing; perform all required demolition; dispose of all cleared and/or demolished materials.	Sta.	17.78	\$1,185.00	0.00	\$0.00	17.78	\$21,069.30	17.78	\$21,069.30	100.0%
5.	Remove and dispose of existing headwall, toewall, rip rap, and other miscellaneous concrete.	Ea.	2	\$1,780.00	0	\$0.00	2	\$3,560.00	2	\$3,560.00	100.0%
6.	Remove existing curb and gutter.	L.F.	379	\$2.40	0	\$0.00	379	\$909.60	379	\$909.60	100.0%
7.	Saw cut existing concrete pavement to produce a straight line along the perimeter of the pavement to remain in place.	L.F.	87	\$8.30	0	\$0.00	87	\$722.10	87	\$722.10	100.0%
8.	Saw cut existing asphalt pavement to produce a straight line along the perimeter of the pavement to remain in place.	L.F.	748	\$8.30	0	\$0.00	748	\$6,208.40	748	\$6,208.40	100.0%
9.	Remove existing reinforced concrete pavement.	S.Y.	348	\$5.30	0	\$0.00	348	\$1,844.40	348	\$1,844.40	100.0%

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)												
CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)												
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834												
PROJECT: Chappell Hill Street Extension												
JC JOB NOS.: B0039-0026-00 and B0123-0002-00												
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889												
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS	
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT		
10.	Remove existing asphalt pavement, cement stabilized base by milling and stockpile for reuse.	S.Y.	3,103	\$2.50	0	\$0.00	3,103	\$7,757.50	3,103	\$7,757.50	100.0%	
11.	Remove and dispose of existing landscape bed. ***Change Order No. 4	L.S.	0	\$590.00	0%	\$0.00	0%	\$0.00	0%	\$0.00	0.0%	
12.	Remove and dispose of existing traffic control sign assembly.	Ea.	1	\$60.00	0	\$0.00	1	\$60.00	1	\$60.00	100.0%	
13.	Furnish materials and adjust the elevation of an existing manhole ring and cover to match the finished grade complete in place and water tight.	Ea.	3	\$593.00	0	\$0.00	3	\$1,779.00	3	\$1,779.00	100.0%	
14.	Furnish materials and adjust the elevation of an existing valve box to match the finished grade complete in place and water tight.	Ea.	3	\$237.00	0	\$0.00	3	\$711.00	3	\$711.00	100.0%	
15.	Remove existing raised pavement markings (Type II-A-A or Type 1-C).	Ea.	485	\$1.80	0	\$0.00	485	\$873.00	485	\$873.00	100.0%	
16.	Remove existing Type I reflectorized pavement markings (lines - all widths and colors).	L.F.	92	\$5.50	0	\$0.00	92	\$506.00	92	\$506.00	100.0%	
17.	Remove existing Type I reflectorized pavement markings (words and symbols - all widths and colors).	Ea.	2	\$89.00	0	\$0.00	2	\$178.00	2	\$178.00	100.0%	
18.	Perform all specified excavation.	L.S.	1	\$21,340.00	0%	\$0.00	100%	\$21,340.00	100%	\$21,340.00	100.0%	
19.	Perform all specified embankment work, including moisture adjustment and compaction.	L.S.	1	\$5,930.00	0%	\$0.00	100%	\$5,930.00	100%	\$5,930.00	100.0%	
20.	Construct double 5' x 6' cast-in-place box culverts.	L.F.	7.50	\$1,210.00	0.00	\$0.00	7.50	\$9,075.00	7.50	\$9,075.00	100.0%	
21.	Construct 52' headwall.	Ea.	2	\$14,580.00	0	\$0.00	2	\$29,160.00	2	\$29,160.00	100.0%	

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22.	Construct TxDOT standard traffic rail on cast-in-place reinforced concrete headwall to include reinforced concrete intermediate wall, reinforced concrete terminal connection, elliptical hand rail and all necessary appurtenances.	Ea.	2	\$5,395.00	0	\$0.00	2	\$10,790.00	2	\$10,790.00
23.	Construct metal beam guard fence, including all posts and necessary brackets.	L.F.	74	\$97.00	0	\$0.00	74	\$7,178.00	74	\$7,178.00
24.	Construct 5" minimum thickness reinforced concrete rip rap.	S.Y.	90	\$11.90	90	\$1,071.00	0	\$0.00	90	\$1,071.00
25.	Construct 30" reinforced concrete pipe through wall of cast-in-place box culvert.	Ea.	1	\$1,185.00	0	\$0.00	1	\$1,185.00	1	\$1,185.00
26.	Furnish and install 18" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut. ***Change Order No. 2	L.F.	110	\$57.96	0	\$0.00	110	\$6,375.60	110	\$6,375.60
27.	Furnish and install 18" ASTM F679 SDR-26 PVC pipe encased in 30" steel by bore.	L.F.	99	\$515.00	0	\$0.00	99	\$50,985.00	99	\$50,985.00
28.	Furnish and install 24" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut. ***Change Order No. 2	L.F.	427	\$68.45	0	\$0.00	427	\$29,228.15	427	\$29,228.15
29.	Furnish and install 30" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut. ***Change Order No. 2	L.F.	18	\$101.46	0	\$0.00	18	\$1,826.28	18	\$1,826.28
30.	Construct 10' recessed curb inlet.	Ea.	4	\$4,960.00	0	\$0.00	4	\$19,840.00	4	\$19,840.00

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31.	Construct Type X Inlet.	Ea.	2	\$4,260.00	0	\$0.00	2	\$8,520.00	2	\$8,520.00	100.0%
32.	Construct 5' x 5' junction box.	Ea.	2	\$3,580.00	0	\$0.00	2	\$7,160.00	2	\$7,160.00	100.0%
33.	Adjust existing curb inlet lid to match proposed grades. ***Change Order No. 4	Ea.	0	\$1,710.00	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
34.	Furnish all labor and equipment as required to stabilize the existing soil to a minimum depth of 8", adjust the moisture content, compact the stabilized material to the specified density and finish the subgrade course according to plan lines and grades. ***Change Order No. 4	S.Y.	8,942	\$2.75	322	\$885.50	8,620	\$23,705.00	8,942	\$24,590.50	100.0%
35.	Furnish and spread lime (Type A, B or C) for soil stabilization purposes.	Ton	150.9	\$172.00	0.0	\$0.00	150.9	\$25,954.80	150.9	\$25,954.80	100.0%
36.	Furnish and install a minimum of 8" (compacted thickness) of Type A, Grade 2 crushed limestone base material, including moisture adjustment and compaction. ***Change Order No. 4	S.Y.	5,794	\$10.70	343	\$3,670.10	5,451	\$58,325.70	5,794	\$61,995.80	100.0%
37.	Furnish and install a minimum of 8" (compacted thickness) of salvaged asphalt pavement and crushed limestone base material, including moisture adjustment and compaction.	S.Y.	1,940	\$4.90	0	\$0.00	1,940	\$9,506.00	1,940	\$9,506.00	100.0%
38.	Furnish and install a minimum of 6" (compacted thickness) of 1½" screened gravel base material, including moisture adjustment and compaction.	S.Y.	30	\$83.00	0	\$0.00	30	\$2,490.00	30	\$2,490.00	100.0%
39.	Construct reinforced concrete curb and gutter. ***Change Order Nos. 3 and 4	L.F.	4,423	\$9.50	-40	-\$380.00	4,463	\$42,398.50	4,423	\$42,018.50	100.0%
40.	Construct standard driveway approach slab. ***Change Order Nos. 3 and 4	Ea.	16	\$712.00	1	\$712.00	15	\$10,680.00	16	\$11,392.00	100.0%

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41.	Construct extra width for driveway approach slab. ***Change Order Nos. 3 and 4	L.F.	223	\$28.50	20	\$570.00	203	\$5,785.50	223	\$6,355.50
42.	Construct 5½" minimum thickness reinforced concrete driveway. ***Change Order No. 4	S.Y.	54	\$43.00	20	\$860.00	34	\$1,462.00	54	\$2,322.00
43.	Furnish and install MC-30 prime oil.	Gal.	1,068	\$9.00	0	\$0.00	1,068	\$9,612.00	1,068	\$9,612.00
44.	Furnish and install RC-250 asphalt and Type B or PB Grade 5 Cover Stone Prime Course.	S.Y.	3,120	\$6.00	0	\$0.00	3,120	\$18,720.00	3,120	\$18,720.00
45.	Construct a single course surface treatment pavement course (Market Street).	S.Y.	18,778	\$5.95	0	\$0.00	18,778	\$111,729.10	18,778	\$111,729.10
46.	Furnish and install hot mix asphaltic concrete overlay (2") (Type D). ***Change Order No. 4	S.Y.	7,734	\$14.50	343	\$4,973.50	7,391	\$107,169.50	7,734	\$112,143.00
47.	Furnish and install hot mix asphaltic concrete level-up (Type D). ***Change Order No. 4	Ton	25	\$130.50	0	\$0.00	25	\$3,262.50	25	\$3,262.50
48.	Furnish and install standard bollard.	Ea.	3	\$600.00	0	\$0.00	3	\$1,800.00	3	\$1,800.00
49.	Furnish and install a minimum of 6" of topsoil.	S.Y.	202	\$60.00	0	\$0.00	202	\$12,120.00	202	\$12,120.00
50.	Furnish and install erosion control mat.	S.Y.	1,247	\$2.25	0	\$0.00	1,247	\$2,805.75	1,247	\$2,805.75
51.	Furnish and install temporary flexible-reflective road marker tabs (Y). ***Change Order No. 4	Ea.	337	\$4.00	0	\$0.00	337	\$1,348.00	337	\$1,348.00
52.	Furnish and install temporary flexible-reflective road marker tabs (W).	Ea.	300	\$3.80	0	\$0.00	300	\$1,140.00	300	\$1,140.00
53.	Furnish and install Type II reflectorized pavement markings (Y) (4") (Solid) with Type III drop-on glass beads.	L.F.	6,842	\$0.95	0	\$0.00	6,842	\$6,499.90	6,842	\$6,499.90
54.	Furnish and install Type II reflectorized pavement markings (W) (4") (Solid) with Type III drop-on glass beads.	L.F.	6,417	\$0.90	0	\$0.00	6,417	\$5,775.30	6,417	\$5,775.30

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55.	Furnish and install Type II reflectorized pavement markings (V) (4") (Broken) with Type III drop-on glass beads.	L.F.	3,383	\$0.90	0	\$0.00	3,383	\$3,044.70	3,383	\$3,044.70	100.0%
56.	Furnish and install Type II reflectorized pavement markings (W) (8") (Solid) with Type III drop-on glass beads.	L.F.	442	\$1.50	0	\$0.00	442	\$663.00	442	\$663.00	100.0%
57.	Furnish and install Type II reflectorized pavement markings (W) (12") (Solid) with Type III drop-on glass beads.	L.F.	509	\$2.60	0	\$0.00	509	\$1,323.40	509	\$1,323.40	100.0%
58.	Furnish and install Type I reflectorized pavement markings (W) (12") (Solid) with Type III drop-on glass beads.	L.F.	509	\$10.00	0	\$0.00	509	\$5,090.00	509	\$5,090.00	100.0%
59.	Furnish and install Type II reflectorized pavement markings (W) (24") (Solid) with Type III drop-on glass beads.	L.F.	163	\$5.00	0	\$0.00	163	\$815.00	163	\$815.00	100.0%
60.	Furnish and install Type I reflectorized pavement markings (W) (24") (Solid) with Type III drop-on glass beads.	L.F.	163	\$14.00	0	\$0.00	163	\$2,282.00	163	\$2,282.00	100.0%
61.	Furnish and install Type II reflectorized pavement markings (V) (24") (Solid) with Type III drop-on glass beads.	L.F.	252	\$5.00	0	\$0.00	252	\$1,260.00	252	\$1,260.00	100.0%
62.	Furnish and install Type I reflectorized pavement markings (V) (24") (Solid) with Type III drop-on glass beads.	L.F.	252	\$14.00	0	\$0.00	252	\$3,528.00	252	\$3,528.00	100.0%
63.	Furnish and install Type II reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	17	\$95.00	3	\$285.00	14	\$1,330.00	17	\$1,615.00	100.0%
***Change Order No. 4											
64.	Furnish and install Type I reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	17	\$300.00	2	\$600.00	15	\$4,500.00	17	\$5,100.00	100.0%
***Change Order No. 4											

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65.	Furnish and install Type II reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads. ***Change Order No. 4	Ea.	5	\$100.00	0	\$0.00	5	\$500.00	5	\$500.00
66.	Furnish and install Type I reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads. ***Change Order No. 4	Ea.	6	\$400.00	0	\$0.00	6	\$2,400.00	6	\$2,400.00
67.	Furnish and install Type II reflectorized pavement markings (W) (right turn and straight arrow) (Solid) with Type III drop-on glass beads. ***Change Order No. 4	Ea.	2	\$120.00	0	\$0.00	2	\$240.00	2	\$240.00
68.	Furnish and install Type I reflectorized pavement markings (W) (left turn and straight arrow) (Solid) with Type III drop-on glass beads. ***Change Order No. 4	Ea.	0	\$390.00	-1	-\$390.00	1	\$390.00	0	\$0.00
69.	Furnish and install Type II-A raised reflectorized pavement markers.	Ea.	337	\$6.50	0	\$0.00	337	\$2,190.50	337	\$2,190.50
70.	Furnish and install Type I-C raised reflectorized pavement markers.	Ea.	33	\$8.30	0	\$0.00	33	\$273.90	33	\$273.90
71.	Furnish and install small roadside sign, supports, and assemblies.	Ea.	5	\$680.00	0	\$0.00	5	\$3,400.00	5	\$3,400.00
72.	Furnish and install drill shaft (traffic signal pole) (36").	L.F.	52	\$400.00	0	\$0.00	52	\$20,800.00	52	\$20,800.00
73.	Construct curb ramps (Type 5).	Ea.	4	\$2,500.00	0	\$0.00	4	\$10,000.00	4	\$10,000.00
74.	Furnish and install 2" Schedule 40 PVC conduit.	L.F.	175	\$9.40	0	\$0.00	175	\$1,645.00	175	\$1,645.00
75.	Furnish and install 2" Schedule 40 PVC conduit by bore.	L.F.	295	\$22.50	0	\$0.00	295	\$6,637.50	295	\$6,637.50

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76.	Furnish and install 4" Schedule 40 PVC conduit.	L.F.	55	\$20.00	0	\$0.00	55	\$1,100.00	55	\$1,100.00
77.	Furnish and install 4" Schedule 40 PVC conduit by bore.	L.F.	295	\$29.00	0	\$0.00	295	\$8,555.00	295	\$8,555.00
78.	Furnish and install No. 6 bare electrical conductor.	L.F.	80	\$2.70	0	\$0.00	80	\$216.00	80	\$216.00
79.	Furnish and install No. 6 insulated electrical conductor.	L.F.	40	\$2.70	0	\$0.00	40	\$108.00	40	\$108.00
80.	Furnish and install No. 8 bare electrical conductor.	L.F.	790	\$2.00	0	\$0.00	790	\$1,580.00	790	\$1,580.00
81.	Furnish and install No. 8 insulated electrical conductor.	L.F.	830	\$2.00	0	\$0.00	830	\$1,660.00	830	\$1,660.00
82.	Furnish and install Type D 9162922 ground box with apron.	L.F.	5	\$1,000.00	0	\$0.00	5	\$5,000.00	5	\$5,000.00
83.	Furnish and install Type D 120/240 070 (NS) AL (E) SP (0) electrical service.	Ea.	1	\$6,700.00	0	\$0.00	1	\$6,700.00	1	\$6,700.00
84.	Furnish and install highway traffic sign (isolated).	Ea.	1	\$26,700.00	0	\$0.00	1	\$26,700.00	1	\$26,700.00
85.	Furnish and install 12" 3-section back plate.	Ea.	8	\$200.00	0	\$0.00	8	\$1,600.00	8	\$1,600.00
86.	Furnish and install 12" 4-section back plate.	Ea.	4	\$233.00	0	\$0.00	4	\$932.00	4	\$932.00
87.	Furnish and install 12" LED green arrow vehicle signal section.	Ea.	4	\$333.00	0	\$0.00	4	\$1,332.00	4	\$1,332.00
88.	Furnish and install 12" LED green vehicle signal section.	Ea.	8	\$333.00	0	\$0.00	8	\$2,664.00	8	\$2,664.00
89.	Furnish and install 12" LED yellow arrow vehicle signal section.	Ea.	8	\$333.00	0	\$0.00	8	\$2,664.00	8	\$2,664.00
90.	Furnish and install 12" LED yellow vehicle signal section.	Ea.	8	\$333.00	0	\$0.00	8	\$2,664.00	8	\$2,664.00
91.	Furnish and install 12" LED red arrow vehicle signal section.	Ea.	4	\$333.00	0	\$0.00	4	\$1,332.00	4	\$1,332.00
92.	Furnish and install 12" LED red vehicle signal section.	Ea.	8	\$333.00	0	\$0.00	8	\$2,664.00	8	\$2,664.00

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93.	Furnish and install 12" LED countdown pedestrian signal section.	Ea.	8	\$1,600.00	0	\$0.00	8	\$12,800.00	8	\$12,800.00
94.	Furnish and install traffic signal pole assembly (S) 1 arm (32') luminaire.	Ea.	2	\$10,000.00	0	\$0.00	2	\$20,000.00	2	\$20,000.00
95.	Furnish and install traffic signal pole assembly (S) 1 arm (48') luminaire.	Ea.	2	\$11,600.00	0	\$0.00	2	\$23,200.00	2	\$23,200.00
96.	Furnish and install traffic signal cable (Type A) (12 AWG) (5 conductor).	L.F.	1,090	\$3.30	0	\$0.00	1,090	\$3,597.00	1,090	\$3,597.00
97.	Furnish and install traffic signal cable (Type A) (12 AWG) (7 conductor).	L.F.	920	\$4.70	0	\$0.00	920	\$4,324.00	920	\$4,324.00
98.	Furnish and install pedestrian pole assembly.	Ea.	4	\$2,000.00	0	\$0.00	4	\$8,000.00	4	\$8,000.00
99.	Remove traffic signals.	Ea.	1	\$3,335.00	0	\$0.00	1	\$3,335.00	1	\$3,335.00
100.	Furnish and install a Video Imaging Vehicle Detection System processor system.	Ea.	1	\$11,400.00	0	\$0.00	1	\$11,400.00	1	\$11,400.00
101.	Furnish and install a Video Imaging Vehicle Detection System camera assembly.	Ea.	4	\$1,600.00	0	\$0.00	4	\$6,400.00	4	\$6,400.00
102.	Furnish and install a Video Imaging Vehicle Detection System set up system.	Ea.	1	\$670.00	0	\$0.00	1	\$670.00	1	\$670.00
103.	Furnish and install Video Imaging Vehicle Detection System communication cable (coaxial).	L.F.	740	\$2.70	0	\$0.00	740	\$1,998.00	740	\$1,998.00
104.	Furnish and install battery back-up system (external battery cabinet).	Ea.	1	\$11,400.00	0	\$0.00	1	\$11,400.00	1	\$11,400.00
105.	Furnish and install accessible pedestrian signal units.	Ea.	8	\$1,600.00	0	\$0.00	8	\$12,800.00	8	\$12,800.00
147.	Construct reinforced concrete valley gutter. ***Change Order No. 3	L.F.	236	\$50.00	0	\$0.00	236	\$11,800.00	236	\$11,800.00
148.	Demolish and replace damaged metal guard rail and posts. ***Change Order No. 4	L.S.	1	\$3,069.00	100%	\$3,069.00	0%	\$0.00	100%	\$3,069.00

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)									
CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)									
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834									
PROJECT: Chappell Hill Street Extension									
JC JOB NOS.: B0039-0026-00 and B0123-0002-00									
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889									
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	
149.	Additional detour signage. ***Change Order No. 4	L.S.	1	\$459.00	100%	\$459.00	0%	\$0.00	100.0%
150.	Adjust existing curb inlet throat to match proposed grades. ***Change Order No. 4	Ea.	1	\$900.00	1	\$900.00	0	\$0.00	100.0%
SUBTOTAL - CITY OF BRENNHAM (ITEM NOS. 1-105, AND 147-150)						\$18,189.10		\$1,075,297.88	
106.	Kruse Subdivision Mobilization, including bonds, insurance, move-in, move-out and related work. ***Change Order No. 1	L.S.	0	\$53,650.00	0%	\$0.00	0%	\$0.00	0.0%
106A.	Mobilization, including bonds, insurance, move-in, move-out and related work. ***Change Order No. 1	L.S.	1	\$64,550.00	0%	\$0.00	100%	\$64,550.00	100.0%
107.	Storm Water Pollution Prevention Plan including, but not limited to, preparation of the SWPPP, acting as the owner/operator of the site, issuing all required notices; paying all applicable fees and fines; conducting periodic inspections and maintaining all required records.	L.S.	1	\$14,230.00	0%	\$0.00	100%	\$14,230.00	100.0%
108.	Perform all site preparation, including erection, maintenance and removal of barricades, signs and traffic control devices; perform all required clearing and demolition; paving headers; and all required miscellaneous items of work not specified in any other bid item.	Sta.	20.80	\$2,310.00	0.00	\$0.00	20.80	\$48,048.00	100.0%
109.	Perform all specified excavation work. ***Change Order No. 1	L.S.	0	\$83,000.00	0%	\$0.00	0%	\$0.00	0.0%
109A.	Perform all specified excavation work. ***Change Order No. 1	L.S.	1	\$92,400.00	0%	\$0.00	100%	\$92,400.00	100.0%
								\$1,093,486.98	

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)											
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834				CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)							
PROJECT: Chappell Hill Street Extension				ORIGINAL				TO			
JC JOB NOS.: B0039-0026-00 and B0123-0002-00				REVISED				03/19/15			
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889				THIS EST.				07/15/15			
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
110.	Perform all specified embankment work, including moisture adjustment and compaction. ***Change Order No. 1	L.S.	0	\$95,000.00	0%	\$0.00	0%	\$0.00	0%	\$0.00	0.0%
110A.	Perform all specified embankment work, including moisture adjustment and compaction. ***Change Order No. 1	L.S.	1	\$98,950.00	0%	\$0.00	100%	\$98,950.00	100%	\$98,950.00	100.0%
111.	Furnish all labor and equipment as required to stabilize the existing soil to a minimum depth of 8", adjust the moisture content, compact the stabilized material to the specified density and finish the subgrade course according to plan lines and grades.	S.Y.	10,154	\$2.40	0	\$0.00	10,154	\$24,369.60	10,154	\$24,369.60	100.0%
112.	Furnish and spread lime (Type A or C) (7% by weight) for soil stabilization purposes.	Ton	178	\$172.00	0	\$0.00	178	\$30,616.00	178	\$30,616.00	100.0%
113.	Furnish and install a minimum of 8" (compacted thickness) of Type A, Grade 2 crushed limestone base material, including moisture adjustment and compaction. ***Change Order No. 1	S.Y.	0	\$11.00	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
114.	Furnish and install MC-30 prime oil. ***Change Order No. 1	Gal.	0	\$6.00	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
115.	Construct hot mix asphaltic concrete overlay (2") (Type D). ***Change Order No. 1	S.Y.	0	\$14.50	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
116.	Construct reinforced concrete curb and gutter. ***Change Order No. 1	L.F.	0	\$9.50	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
117.	Furnish and install 24" white stop bar.	L.F.	33	\$18.00	0	\$0.00	33	\$594.00	33	\$594.00	100.0%
118.	Furnish and install 30" x 30" STOP sign (R1-1) assembly.	Ea.	1	\$1,190.00	0	\$0.00	1	\$1,190.00	1	\$1,190.00	100.0%

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)											
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834				CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)							
PROJECT: Chappell Hill Street Extension				FROM		TO		USED			
JC JOB NOS.: B0039-0026-00 and B0123-0002-00				ORIGINAL		03/19/15		278 Calendar Days			
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889				REVISED		07/15/15		15 Calendar Days			
				THIS EST.		07/01/15					
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
119.	Furnish and install "STOP AHEAD" sign (W3-1) assembly.	Ea.	1	\$1,190.00	0	\$0.00	1	\$1,190.00	1	\$1,190.00	100.0%
120.	Furnish and install thermoplastic thru and right turn arrow.	Ea.	1	\$760.00	0	\$0.00	1	\$760.00	1	\$760.00	100.0%
121.	Furnish and install Type III barricade.	Ea.	2	\$1,640.00	1	\$1,640.00	1	\$1,640.00	2	\$3,280.00	100.0%
122.	Furnish and install 4" solid yellow pavement striping.	L.F.	424	\$1.50	0	\$0.00	424	\$636.00	424	\$636.00	100.0%
123.	Furnish and install 24" solid yellow pavement striping.	L.F.	70	\$18.00	0	\$0.00	70	\$1,260.00	70	\$1,260.00	100.0%
124.	Furnish and install Type II-A-A raised reflectorized pavement markers.	Ea.	24	\$14.50	0	\$0.00	24	\$348.00	24	\$348.00	100.0%
125.	Construct erosion control mat.	S.Y.	2,949	\$1.20	0	\$0.00	2,949	\$3,538.80	2,949	\$3,538.80	100.0%
126.	Construct 5' recessed curb inlet.	Ea.	1	\$3,630.00	0	\$0.00	1	\$3,630.00	1	\$3,630.00	100.0%
127.	Construct 10' recessed curb inlet.	Ea.	4	\$4,950.00	0	\$0.00	4	\$19,800.00	4	\$19,800.00	100.0%
128.	Construct 10' recessed curb inlet with 5' extension.	Ea.	5	\$5,335.00	0	\$0.00	5	26,675.0	5	\$26,675.00	100.0%
129.	Construct 10' recessed curb inlet with two (2) 5' extensions.	Ea.	2	\$5,690.00	0.0	\$0.00	2.0	\$11,380.00	2.0	\$11,380.00	100.0%
130.	Furnish and install 18" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe.	L.F.	587	\$57.46	0	\$0.00	587	\$33,729.02	587	\$33,729.02	100.0%
Change Order No. 2***											
131.	Furnish and install 24" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe.	L.F.	956	\$68.43	0	\$0.00	956	\$65,419.08	956	\$65,419.08	100.0%
Change Order No. 2***											

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)									
CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)									
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834									
PROJECT: Chappell Hill Street Extension									
JC JOB NOS.: B0039-0026-00 and B0123-0002-00									
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889									
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	
132.	Furnish and install 30" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe. From CS 1+00 at inlet C-7 to the outfall at CS 7+10 (Sheets 11 of 16 and 12 of 16), compacted bank sand bedding and backfill may be used in lieu of cement stabilized sand.	L.F.	345	\$99.46	0.0	\$0.00	345.0	\$34,313.70	100.0%
	Change Order No. 2***								
133.	Furnish and install 24" Class III reinforced concrete pipe 45° bend.	Ea.	1	\$1,225.00	0	\$0.00	1	\$1,225.00	100.0%
134.	Furnish and install 24" precast 6:1 safety end treatment.	Ea.	2	\$1,990.00	0	\$0.00	2	\$3,980.00	100.0%
135.	Furnish and install 30" corrugated galvanized metal pipe.	L.F.	60	\$91.00	0	\$0.00	60	\$5,460.00	100.0%
136.	Construct 4' x 4' junction box.	Ea.	2	\$3,575.00	0	\$0.00	2	\$7,150.00	100.0%
137.	Construct Timber "H" pipe support.	Ea.	1	\$2,975.00	0	\$0.00	1	\$2,975.00	100.0%
138.	Construct 12" to 18" rip rap.	S.Y.	16	\$60.00	0	\$0.00	16	\$960.00	100.0%
139.	Demolish and remove existing fence, cattle pens, and vegetation.	L.S.	1	\$1,185.00	0%	\$0.00	100%	\$1,185.00	100.0%
140.	Furnish and install standard street light assembly.	Ea.	0	\$5,350.00	0	\$0.00	0	\$0.00	0.0%
	***Change Order No. 1								
141.	Furnish and install specified electrical conduit with wire.	L.S.	0	\$57,400.00	0%	\$0.00	0%	\$0.00	0.0%
	***Change Order No. 1								
142.	Purchase electrical service, pole, and disconnect from Bluebonnet Electric.	Ea.	0	\$6,000.00	0	\$0.00	0	\$0.00	0.0%
	***Change Order No. 1								
143.	Furnish and install 8" ASTM D2241 Class 160 PVC pipe.	L.F.	0	\$32.00	0	\$0.00	0	\$0.00	0.0%
	***Change Order No. 4								

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)											
OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834				CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)							
PROJECT: Chappell Hill Street Extension				FROM				TO			
JC JOB NOS.: B0039-0026-00 and B0123-0002-00				ORIGINAL		REVISED		03/19/15		278 Calendar Days	
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889				THIS EST.		10/10/14		07/15/15		15 Calendar Days	
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
144.	Furnish and install 8" PVC caps. ***Change Order No. 4	Ea.	0	\$102.50	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
145.	Construct 6" minimum thickness reinforced concrete pavement. Reduce the width of sawed contraction joints from 3/8" to 1/8"; eliminate sealant at contraction joints; delete burlap bag finish; allow 1/8" sawed contraction joints without sealant at 1/2 span in lieu of deformed metal strip contraction joints; and allow the use of #3 bars at 12" O.C.E.W. in lieu of #4 bars at 18" O.C.E.W. ***Change Order Nos. 1 and 2	S.Y.	9,622	\$33.42	0	\$0.00	9,622	\$321,567.24	9,622	\$321,567.24	100.0%
146.	Construct 6" reinforced concrete curb dowelled onto reinforced concrete pavement. ***Change Order No. 1	L.F.	3,901	\$10.00	0	\$0.00	3,901	\$39,010.00	3,901	\$39,010.00	100.0%
151.	Furnish the City with 390 L.F. of 8" Class 160 PVC pipe and 10 each 8" PVC caps. ***Change Order No. 4	L.S.	1	\$3,914.00	100%	\$3,914.00	0%	\$0.00	100%	\$3,914.00	100.0%
SUBTOTAL - KRUSE SUBDIVISION (ITEM NOS. 106-146 AND 151)						\$5,554.00		\$962,779.44		\$968,333.44	
TOTALS - CITY OF BRENNHAM AND KRUSE SUBDIVISION						\$23,743.10		\$2,038,077.32		\$2,061,820.42	
Kruse Subdivision - Deduct for Gessner Engineering's in-place nuclear density retests on 10/28/14, 10/31/14, 11/11/14, 11/12/14, 11/14/14, 11/24/14, 11/25/14, 3/4/15, and 3/6/15. This deduct does not affect the contract amount and is not included in the change order. It is deducted from the "Due this Estimate."											

JONES & CARTER, INC.
1500 SOUTH DAY ST.
BRENNHAM, TEXAS 77833
TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 10 (FINAL)

OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834
PROJECT: Chappell Hill Street Extension
JC JOB NOS.: B0039-0026-00 and B0123-0002-00
CONTRACTOR: Collier Construction, LLC, P.O. Box 1889, Brenham, Texas 77834-1889

CONTRACT TIME - 150 CALENDAR DAYS (REVISED TO 278 IN CHANGE ORDER NO. 4)
FROM 10/10/14 TO 03/19/15
REVISSED 10/10/14 TO 07/15/15
THIS EST. 07/01/15 TO 07/15/15
278 Calendar Days
15 Calendar Days

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
CHANGE ORDER PLUS/MINUS											
	Change Order No. 1									\$20,109.00	
	Change Order No. 2									(\$21,440.93)	
	Change Order No. 3									\$27,700.50	
	Change Order No. 4									(\$24,025.40)	
TOTAL CONTRACT MODIFICATIONS											
	Subtotal (Line Items)					\$23,743.10			\$2,038,077.32	\$2,061,820.42	
	Materials on Hand					\$0.00			\$0.00	\$0.00	
	Subtotal (Materials on Hand/Line Items)					\$23,743.10			\$2,038,077.32	\$2,061,820.42	
	Less Retainage (0%)					(\$101,903.87)			\$101,903.87	\$0.00	
	Total					\$125,646.97			\$1,936,173.45	\$2,061,820.42	
	Less Previous Estimates									\$1,936,173.45	
	Due this Estimate									\$125,646.97	
	Less Gessner Engineering's Retests on Kruse Subdivision									(\$590.00)	
	Total Amount Due									\$125,056.97	
100%	Complete by Time					\$2,059,477.25					
100%	Complete by Value					\$2,343.17					
						\$2,061,820.42					
						\$0.00					
						\$125,056.97					

CERTIFIED AS CORRECT PAYMENT DUE CONTRACTOR

Jones & Carter, Inc.



Grant L. Lischka, PE, Department Manager
Date: September 10, 2015

APPROVED BY CONTRACTOR

Collier Construction, LLC



Mike Collier, President
Date: September 10, 2015

APPROVED BY OWNER

City of Brenham

Milton Y. Tate, Jr., Mayor
Date: September 10, 2015

**PRO RATA SHARES
PAY ESTIMATE NO. 10 (FINAL)
CHAPPELL HILL STREET EXTENSION
JC NOS. B0032-0026-00 AND B0123-0002-00**

CITY OF BRENHAM			
Item Description	THIS ESTIMATE AMOUNT	PREVIOUS ESTIMATE AMOUNT	TOTAL TO DATE AMOUNT
Construction Complete	\$18,189.10	\$1,075,297.88	\$1,093,486.98
Materials on Hand	\$0.00	\$0.00	\$0.00
Subtotal (Materials on Hand & Line Items)	\$18,189.10	\$1,075,297.88	\$1,093,486.98
Less Retainage (0%)	(\$53,764.89)	\$53,764.89	\$0.00
Total	\$71,953.99	\$1,021,532.99	\$1,093,486.98
Less Previous Estimates			\$1,021,532.99
Due this Estimate From the City of Brenham			\$71,953.99
Orig. Contract Amount	\$1,081,634.85		
Contract Modifications	\$11,852.13		
Total Contract Amount	\$1,093,486.98		
Construction Remaining	\$0.00		
Amount Approved	\$71,953.99		
KRUSE SUBDIVISION			
Item Description	THIS ESTIMATE AMOUNT	PREVIOUS ESTIMATE AMOUNT	TOTAL TO DATE AMOUNT
Construction Complete	\$5,554.00	\$962,779.44	\$968,333.44
Materials on Hand	\$0.00	\$0.00	\$0.00
Subtotal (Materials on Hand & Line Items)	\$5,554.00	\$962,779.44	\$968,333.44
Less Retainage (0%)	(\$48,138.97)	\$48,138.97	\$0.00
Total	\$53,692.97	\$914,640.46	\$968,333.44
Less Previous Estimates			\$914,640.46
Due this Estimate			\$53,692.98
Orig. Contract Amount	\$977,842.40		
Contract Modifications	(\$9,508.96)		
Total Contract Amount	\$968,333.44		
Construction Remaining	\$0.00		
Amount Due This Estimate	\$53,692.98		
Less Gessner Engineering Retests	(\$590.00)		
Total Amount Approved	\$53,102.98		
Kruse Share - 75%	\$39,827.23		
BCDC Share - 25 %	\$13,275.75		

TOTALS - CITY OF BRENHAM AND KRUSE SUBDIVISION			
Item Description	THIS ESTIMATE AMOUNT	PREVIOUS ESTIMATE AMOUNT	TOTAL TO DATE AMOUNT
Construction Complete	\$23,743.10	\$2,038,077.32	\$2,061,820.42
Materials on Hand	\$0.00	\$0.00	\$0.00
Subtotal (Materials on Hand & Line Items)	\$23,743.10	\$2,038,077.32	\$2,061,820.42
Less Retainage (0%)	(\$101,903.87)	\$101,903.87	\$0.00
Total	\$125,646.97	\$1,936,173.45	\$2,061,820.42
Less Previous Estimates			\$1,936,173.45
Due this Estimate			\$125,646.97
Orig. Contract Amount	\$2,059,477.25		
Change Order Nos. 1-4	\$2,343.17		
Total Contract Amount	\$2,061,820.42		
Construction Remaining	\$0.00		
Amount Due This Estimate	\$125,646.97		
Less Gessner Engineering Retests	(\$590.00)		
Total Amount Approved	\$125,056.97		



1500 South Day Street
Brenham, Texas 77833-4569
Tel: 979.836.6631
Fax: 979.836.6686
www.jonescarter.com

CHANGE ORDER NO. 4 (RECONCILIATION)

DATE: SEPTEMBER 10, 2015

Project: Chappell Hill Street Extension

JC Job No.: B0039-0026-00

Owner: City of Brenham

P.O. Box 1059, Brenham, TX 77834

Contractor: Collier Construction, L.L.C.

P.O. Box 1889, Brenham, TX 77834

Description of Changes: Quantities were adjusted to actual quantities in the field.

Reason for Changes: To reconcile to final contract quantities and time.

Change in Contract price and time summary:

	<u>COST</u>	<u>TIME</u>
Original Contract:	\$2,059,477.25	150 Calendar Days
Net previous change(s):	\$26,368.57	45 Calendar Days
Contract prior to this change order:	\$2,085,845.82	195 Calendar Days
Net decrease from this change order:	-\$24,025.40	83 Calendar Days
Revised Contract Amount:	\$2,061,820.42	278 Calendar Days
Cumulative % Change in Contract:	0.11 %	85 %

RECOMMENDED BY:

Jones & Carter, Inc.

Grant L. Lischka, PE, Department Manager

9/10/2015

Date



ACCEPTED BY:

Contractor: Collier Construction, L.L.C.

Mike Collier, President

9/10/2015

Date

APPROVED BY:

Owner: City of Brenham

Milton Y. Tate, Jr., Mayor

9/10/2015

Date

Enclosure: Attachment Nos. 1 and 2

Construction of the City of Brenham
Chappell Hill Street Extension
JC Nos. B0039-0026-00 and B0123-0002-00

To implement payment for this work, the following revisions are made to the Item/Quantity Sheets:

ITEM NO.	DESCRIPTION	Unit	Unit Price	Revised Unit Price	Bid Quantity	Previous Change Order Quantity	Revised Quantity	Previous Amount	Previous Change Order Amount	Revised Amount	Net Change
CITY OF BRENHAM											
11.	Remove and dispose of existing landscape bed.	L.S.	\$590.00	\$590.00	1	1	0	\$590.00	\$590.00	\$0.00	-\$590.00
33.	Adjust existing curb inlet lid to match proposed grades.	Ea.	\$1,710.00	\$1,710.00	2	2	0	\$3,420.00	\$3,420.00	\$0.00	-\$3,420.00
34.	Furnish all labor and equipment as required to stabilize the existing soil to a minimum depth of 8", adjust the moisture content, compact the stabilized material to the specified density and finish the subgrade course according to plan lines and grades.	S.Y.	\$2.75	\$2.75	8,620	8,620	8,942	\$23,705.00	\$23,705.00	\$24,590.50	\$885.50
36.	Furnish and install a minimum of 8" (compacted thickness) of Type A, Grade 2 crushed limestone base material, including moisture adjustment and compaction.	S.Y.	\$10.70	\$10.70	5,451	5,451	5,794	\$58,325.70	\$58,325.70	\$61,995.80	\$3,670.10
39.	Construct reinforced concrete curb and gutter.	L.F.	\$9.50	\$9.50	4,463	4,463	4,423	\$42,398.50	\$42,398.50	\$42,018.50	-\$380.00
40.	Construct standard driveway approach slab.	Ea.	\$712.00	\$712.00	0	15	16	\$0.00	\$10,680.00	\$11,392.00	\$712.00
41.	Construct extra width for driveway approach slab.	L.F.	\$28.50	\$28.50	34	203	223	\$0.00	\$5,785.50	\$6,355.50	\$570.00
42.	Construct 5 1/2 inch reinforced concrete driveway.	S.Y.	\$43.00	\$43.00	34	34	54	\$1,462.00	\$1,462.00	\$2,322.00	\$860.00
46.	Furnish and install hot mix asphaltic concrete overlay (2") (Type D).	S.Y.	\$14.50	\$14.50	7,391	7,391	7,734	\$107,169.50	\$107,169.50	\$112,143.00	\$4,973.50
47.	Furnish and install hot mix asphaltic concrete level-up (Type D).	Ton	\$130.50	\$130.50	40	40	25	\$5,220.00	\$5,220.00	\$3,262.50	-\$1,957.50
51.	Furnish and install temporary flexible-reflective road marker tabs (Y).	Ea.	\$4.00	\$4.00	5,586	5,586	337	\$22,344.00	\$22,344.00	\$1,348.00	-\$20,996.00
63.	Furnish and install Type II reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	\$95.00	\$95.00	19	19	17	\$1,805.00	\$1,805.00	\$1,615.00	-\$190.00
64.	Furnish and install Type I reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	\$300.00	\$300.00	19	19	17	\$5,700.00	\$5,700.00	\$5,100.00	-\$600.00
65.	Furnish and install Type II reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads.	Ea.	\$100.00	\$100.00	7	7	5	\$700.00	\$700.00	\$500.00	-\$200.00
66.	Furnish and install Type I reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads.	Ea.	\$400.00	\$400.00	7	7	6	\$2,800.00	\$2,800.00	\$2,400.00	-\$400.00

ITEM NO.	DESCRIPTION	Unit	Unit Price	Revised Unit Price	Bid Quantity	Previous Change Order Quantity	Revised Quantity	Previous Amount	Previous Change Order Amount	Revised Amount	Net Change
67.	Furnish and install Type II reflectorized pavement markings (W) (right turn and straight arrow) (Solid) with Type III drop-on glass beads.	Ea.	\$120.00	\$120.00	4	4	4	\$480.00	\$480.00	\$240.00	-\$240.00
68.	Furnish and install Type I reflectorized pavement markings (W) (left turn and straight arrow) (Solid) with Type III drop-on glass beads.	Ea.	\$390.00	\$390.00	4	4	0	\$1,560.00	\$1,560.00	\$0.00	-\$1,560.00
148.	Demolish and replace damaged metal beam guard rail and posts.	L.S.	\$0.00	\$3,069.00	0	0	1	\$0.00	\$0.00	\$3,069.00	\$3,069.00
149.	Additional detour signage.	L.S.	\$0.00	\$459.00	0	0	1	\$0.00	\$0.00	\$459.00	\$459.00
150.	Adjust existing curb inlet throat to match proposed grades.	Ea.	\$0.00	\$900.00	0	0	1	\$0.00	\$0.00	\$900.00	\$900.00
Net Change to City of Brenham Portion of the Project											
KRUSE SUBDIVISION											
143.	Furnish and install 8" ASTM D2241 Class 160 PVC pipe.	L.F.	\$32.00	\$32.00	390	390	0	\$12,480.00	\$12,480.00	\$0.00	-\$12,480.00
144.	Furnish and install 8" PVC caps.	Ea.	\$102.50	\$102.50	10	10	0	\$1,025.00	\$1,025.00	\$0.00	-\$1,025.00
151.	Furnish the City with 390 L.F. of 8" Class 160 PVC pipe and 10 each 8" PVC caps.	L.S.	\$0.00	\$3,914.00	0	0	1	\$0.00	\$0.00	\$3,914.00	\$3,914.00
Net Change to Kruse Portion of the Project											
TOTAL NET CHANGE											
-\$9,591.00											
-\$24,025.40											

Construction of the City of Brenham
Chappell Hill Street Extension
JC Nos. B0039-0026-00 and B0123-0002-00

	City of Brenham Project Costs	Kruse Subdivision Project Costs	Total Costs
Original Contract:	\$1,081,634.85	\$977,842.40	\$2,059,477.25
Previous change(s):			
Change Order No. 1	\$0.00	\$20,109.00	\$20,109.00
Change Order No. 2	(\$1,413.97)	(\$20,026.96)	(\$21,440.93)
Change Order No. 3	\$27,700.50	\$0.00	\$27,700.50
Contract prior to this change order:	\$1,107,921.38	\$977,924.44	\$2,085,845.82
Change Order No. 4	(\$14,434.40)	(\$9,591.00)	(\$24,025.40)
Revised Contract Amount:	\$1,093,486.98	\$968,333.44	\$2,061,820.42
Ed F. Kruse's Share of Kruse Subdivision Project Costs (75%)		\$726,250.08	
Brenham Community Development Corporation's Share of the Kruse Subdivision Project Costs (25%)		\$242,083.36	

City of Brenham Project Costs = The cost of the improvements to Chappell Hill Street from Lawndale Street to Stringer Street.

Kruse Subdivision Project Costs = The cost of the construction of that portion of Chappell Hill Street south of the U.S. Highway 290 Eastbound Frontage Road.

**CERTIFICATE OF SUBSTANTIAL COMPLETION FOR
CONSTRUCTION OF THE
CITY OF BRENHAM
CHAPPELL HILL STREET EXTENSION**

September 10, 2015

OWNER: The Honorable Milton Y. Tate, Jr.
Mayor
City of Brenham
P.O. Box 1059
Brenham, Texas 77834-1059

CONTRACTOR: Mr. Mike Collier
President
Collier Construction, LLC
P.O. Box 1889
Brenham, Texas 77834-1889

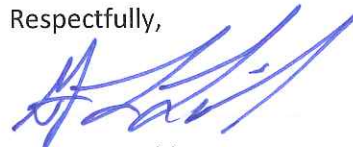
CONTRACT: City of Brenham
Chappell Hill Street Extension
JC Nos. B0039-0026-00 and B0123-0002-00

Dear Mayor Tate and Mr. Collier:

Jones & Carter, Inc. (JC) has observed the subject project constructed by the **CONTRACTOR** and finds it to be substantially complete in accordance with the approved plans and specifications.

JC recommends that the **OWNER** issue the **CONTRACTOR** a Certificate of Acceptance of the Work. JC also recommends that the Contractor's guarantee period of one (1) year begin on July 15, 2015 (date of final inspection).

Respectfully,



Grant L. Lischka, PE
Department Manager
Municipal and District Services

GLL/ebr

P:\PROJECTS\B0039-Brenham\026 Chappell Hill St Ext\Construction\Contract Docs\Final Documents.doc



Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveying Registration No. 10046102

1500 South Day Street, Brenham, Texas 77833-4569
Telephone 979.836.6631 Fax 979.836.5686

**CONSENT OF SURETY
TO FINAL PAYMENT**

AIA Document G707

Bond No. 58S206817

OWNER	☐
ARCHITECT	☐
CONTRACTOR	☐
SURETY	☐
OTHER	☐

TO OWNER:
(Name and address)

City of Brenham
200 W. Vulcan
Brenham, TX 77833

PROJECT:
(Name and address)

City of Brenham Chappell Hill Street Extension, J&C Nos. B0039-0026-00 and B0123-0002-00

ARCHITECT'S PROJECT NO.:

CONTRACT FOR: General Construction

CONTRACT DATED: September 22, 2014

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Liberty Mutual Insurance Company
13201 Northwest Freeway, Suite 810
Houston, TX 77040-6080

, SURETY,

on bond of
(Insert name and address of Contractor)

Collier Construction, LLC
P. O. Box 1889
Brenham, TX 77834-1889

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of
any of its obligations to
(Insert name and address of Owner)

City of Brenham
200 W. Vulcan
Brenham, TX 77833

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: August 28, 2015
(Insert in writing the month followed by the numeric date and year.)

Liberty Mutual Insurance Company

(Surety)

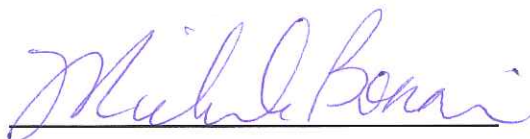

(Signature of authorized representative)

Erica A. Cox

Attorney-in-Fact

(Printed name and title)

Attest:
(Seal):



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

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. 6621453

American Fire and Casualty Company
The Ohio Casualty Insurance Company

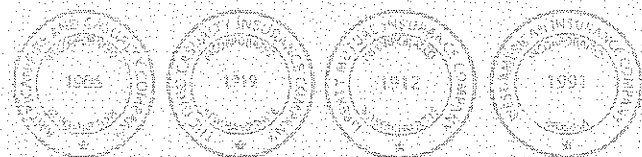
Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOW 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 New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, 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; Erica A. Cox; Jillian McKenzie; 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 8th day of April, 2014.



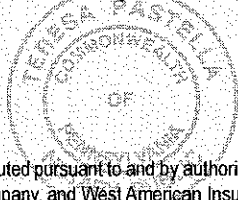
American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 8th day of April, 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty 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 Plymouth Meeting, Pennsylvania, on the day and year first above written.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, 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, and West American 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.

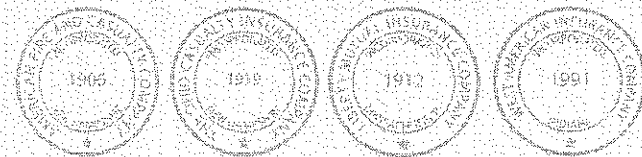
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as 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 David M. Carey, Assistant Secretary to appoint such attorneys-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 binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American 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 28th day of August, 2015.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, 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.

AFFIDAVIT
OF
BILLS PAID

STATE OF TEXAS §

COUNTY OF WASHINGTON §

Before me, a Notary Public in and for the State of Texas, on this day personally appeared Mike Collier, President of Collier Construction, LLC, well known to me to be the person making this affidavit, who, being by me first duly sworn and deposed did say:

I am Mike Collier, President of Collier Construction, LLC and have personal knowledge of the matter stated in this affidavit. Collier Construction, LLC has paid all of the **due** labor and material costs in connection with construction for City of Brenham known as Chappell Hill Street Extension, J&C No. B0039-0026-00, and as of this date, there are no unpaid bills for labor performed upon or materials or supplies delivered to or used in connection with such job.

This affidavit is made in connection with Progress Payment No. 10 (Final) under the contract between the City of Brenham and Collier Construction, LLC and with the knowledge that it will be relied upon in making such payment and that such payment would not be made except upon the truth of the matter contained in this affidavit.

DATE: 9/11/15

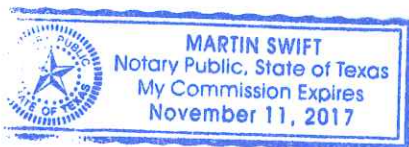
By: Mike Collier, president
Mike Collier, President

STATE OF TEXAS §

COUNTY OF WASHINGTON §

BEFORE ME, the undersigned, a Notary Public, in and for the State of Texas, on this day personally appeared Mike Collier known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11 day of September, A.D., 2015.



Martin J. Smith
Notary Public Signature

(Notary Seal)

P:\PROJECTS\B0039-Brenham\026 Chappell Hill St Ext\Construction\Letters\abp.doc

AFFIDAVIT
OF
GUARANTEE

STATE OF TEXAS §

COUNTY OF WASHINGTON §

Before me, a Notary Public in and for the State of Texas, on this day personally appeared Mike Collier, President, well known to me to be the person making this affidavit, who, being by me first duly sworn and deposed did say:

I am Mike Collier, President and have personal knowledge of the matter stated in this affidavit. Collier Construction, LLC does hereby give notice to the Owner, the City of Brenham, that work for the Owner, known as the Chappell Hill Street Extension, JC Nos. B0039-0026-00 and B0123-0002-00 has been substantially completed. In accordance with the provisions of General Condition 5.07, Guarantee, of the General Conditions, Collier Construction, LLC, does hereby guarantee all of the work under the contract for a period of one (1) year to be free from faulty materials and improper workmanship in every particular, and against injury from proper and usual wear; and agrees to replace or re-execute without cost to the Owner such work as may be found to be improper or imperfect, and to make good all damage caused to other work or materials due to such required replacement or recompletion of all work under this contract, as evidenced by the Engineer's Certificate of Substantial Completion.

This affidavit is made in connection with the final payment under the contract between the City of Brenham and Collier Construction, LLC and with the knowledge that it will be relied upon in making such payment and that such payment would not be made except upon the truth of the matter contained in this affidavit.

DATE: _____

9/11/15

By: _____

Mike Collier, President

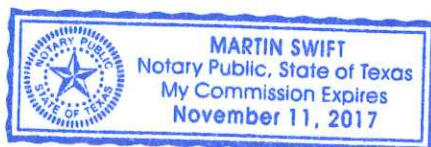
Mike Collier, President

STATE OF TEXAS §

COUNTY OF WASHINGTON §

BEFORE ME, the undersigned, a Notary Public, in and for the State of Texas, on this day personally appeared, Mike Collier known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11 day of September, A.D., 2015.



(Notary Seal)

Notary Public Signature

Martin Swift



AGENDA ITEM 17

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 9, 2015															
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Kim Hodde															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:														
☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING														
☐ SPECIAL	☐ CONSENT	☐ 2 ND READING														
☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION														
	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1617BRENH with TxDOT for FY2016 and Authorize the Mayor to Execute Any Necessary Documentation																
SUMMARY STATEMENT: Included on the Agenda for Thursday's Council meeting is consideration of a grant agreement with TxDOT for participation in the Routine Airport Maintenance Program (RAMP) for September 1, 2015 through August 31, 2016. As in the prior years, this agreement allows us to be reimbursed for 50% of the cost of our monthly AWOS monitoring (AviMet Data Link connection fees and continued scheduled maintenance), annual AWOS Maintenance Contract, as well as 50% of our replacement lamps for the airport lighting system, herbicides, general maintenance, and a contingency for emergency repairs. Since the game fence has been installed (we are still working on the design of the cattle guard type entry), we have lowered our grant amount from the maximum \$100,00 (50/50 match) to \$60,000 (50/50 match) for this fiscal year. We have budgeted funds of \$30,000 and with TxDOT's match of \$30,000, this will enable us to do \$60,000 worth of maintenance and fencing at half the cost.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: 50% of the routine maintenance items up to \$60,000 would be reimbursed by TxDOT B. CONS: The City of Brenham would pay 100% of all maintenance costs																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) 2016 RAMP agreement																
FUNDING SOURCE (Where Applicable): Budgeted funds																

RECOMMENDED ACTION: Approve the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1617BRENM with TxDOT for FY2016 and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts

**TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1617BREN

Part I - Identification of the Project

TO: The City of Brenham, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Brenham, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Brenham Municipal Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or \$50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2016, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.
5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:
 - a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and
 - b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and
 - c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and
 - d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and
 - e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and
 - f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and
 - g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and
 - h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and
 - i. an Airport Fund shall be established by resolution, order or ordinance in the

treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

- j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
 - k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.
 - l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.
2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.
3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.
5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.
6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.
7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
 - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
 - b. enter into contracts as necessary for execution of scope of services;
 - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an

irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

- d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
- e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

- 1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.
- 2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
- 3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
 - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or

orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

- b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
- 4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
- 5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
- 6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Brenham, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20__.

The City of Brenham, Texas
Sponsor

Witness Signature

Sponsor Signature Milton Y. Tate, Jr.
Mayor

Witness Title

Sponsor Title

Certificate of Attorney

I, Cary Bovey, acting as attorney for the City of Brenham, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20__.

Witness Signature

Attorney's Signature

Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

Attachment A
Scope of Services
TxDOT CSJ No.:M1617BREN

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	\$60,000.00	\$30,000.00	\$30,000.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
TOTAL	\$60,000.00	\$30,000.00	\$30,000.00

Accepted by: The City of Brenham, Texas

Signature

Title: Mayor

Date: _____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1617BREN

The City of Brenham does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Brenham, Texas
(Sponsor)

By: _____
Carolyn D. Miller

Title: Chief Financial Officer

Date: _____

Certification of State Single Audit Requirements

I, Carolyn D. Miller, do certify that the City of Brenham will comply with all
(Designated Representative)

requirements of the State of Texas Single Audit Act if the City of Brenham spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Brenham will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

Signature

Chief Financial Officer

Title

Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1617BREN

The City of Brenham designates, Kim Hodde, Airport Coordinator
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Brenham, Texas
(Sponsor)

By: Milton Y. Tate, Jr.

Title: Mayor

Date: _____

DESIGNATED REPRESENTATIVE

Mailing Address: P.O. Box 1059

Brenham, Texas 77834-1059

Overnight Mailing Address: 200 W. Vulcan Street

Brenham, Texas 77833

Telephone/Fax Number: (979) 337-7212

(979) 337-7218 - FAX

Email address: khodde@cityofbrenham.org



AGENDA ITEM 18

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 4, 2015															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Kacey Weiss															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Request for a Noise Variance from Jesus Christ is the Answer #9 for a Church Gathering on September 25, 2015 from 6:00 p.m. – 11:00 p.m. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation																
SUMMARY STATEMENT: Martha Villasana from Jesus Christ is the Answer #9 has requested a noise variance to hold a church gathering on September 25, 2015 from 6:00 p.m. – 11:00 p.m. at Fireman’s Park. Their church band will be there performing. They will be using sound amplification equipment. Both the Police Department and the Fire Department have approved the noise variance request.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Noise Variance Request																
FUNDING SOURCE (Where Applicable): N/A																
RECOMMENDED ACTION: Approve a request for a noise variance from Jesus Christ is the Answer #9 for a church gathering to be held on September 25, 2015 from 6:00 p.m. – 11:00 p.m. at Fireman’s Park and authorize the Mayor to execute any necessary documentation																
APPROVALS: Terry K. Roberts																

NOISE VARIANCE REQUEST

Application Fee \$10.00

1. Name of sponsoring organization: Jesus Christ is the Answer #9
2. Name and address of individual making application on behalf of sponsoring organization: Martha Villasana
1606 Oil Field Rd., Bellville Tx. 77418
3. Purpose of the Event: Church gathering-worship service
4. Location of Event: Fireman's Park
5. Date of the event: Sept. 18th *new date Sept. 25*
6. Time of Event: 6:00 pm
7. Event Set-up: From: _____ To: _____
Event Clean-up: From: 10:00 pm To: 11:00 pm
8. You are required to describe the following:
 - a) Types of Activities Planned and any additional information specific to this event: live music and BBQ cook out
 - b) Bands/Musical Instruments: Church Band / acordion, bass, keyboard, drums, guitar,
 - c) Sound amplification equipment: Small speakers
 - d) Cleanup provisions: church members

Martha Villasana

Name of Applicant (Printed or Typed)

Martha Villasana

Applicant or Authorized Person's Signature

Date: 8-22-15

Phone: 979-877-5292

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):

Mrs. Villasana called 09/02 - @ 12:30 - she said the band that is coming would prefer to come on 09/25. She would like to move the event to 09/25 instead of 09/18.

*paid 08/31/15
check #771*



AGENDA ITEM 19

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Rex Phelps															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☐ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☐ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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	☐ WORK SESSION															
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Compensation Correction Related to Police Overtime																
SUMMARY STATEMENT: Brenham police officers work 12 hour shifts on a 28 day pay period cycle as it relates to the accumulation of overtime. The overtime rate has been paid after the 168th hour in accordance with the federal Fair Labor Standards Act (FLSA). However, staff has recently learned there is a conflicting state labor law that specifically applies to police officers only who serve in cities with a population of over 10,000. The state law mandates that police officers on the 12 hour shifts with a 28 day pay cycle have to be paid the overtime rate after the 160th hour of actual hours worked. According to legal counsel the conflicting state law supersedes the federal law in this situation. This has been an unintentional administrative oversight and has already been corrected from this time forward with our payroll system. Our legal counsel has advised us the judicial system has addressed these types of situations and the legal, appropriate and reasonable statute of limitations for back pay is 4 years. It should also be noted that we have discussed this with the police officers and they were understanding and know that this was an unintentional oversight. Staff recommends paying 4 years back pay of half time for the 8 hours over the 160th hour. The officers were already paid straight time for the 8 hours between 160 and 168.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):																
A. PROS: Correct error B. CONS: None Identified – it is owed																
ALTERNATIVES (In Suggested Order of Staff Preference): None Recommended																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable): General Fund Reserve																

RECOMMENDED ACTION: Authorize back pay owed for the entire 4 year period at approximately \$100,000.

APPROVALS: Terry K. Roberts



AGENDA ITEM 20

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015															
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☐ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☒ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☐ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☒ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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AGENDA ITEM DESCRIPTION: Section 551.086 – Texas Government Code – Utility Competitive Matters – Deliberation Regarding the City of Brenham’s Gas Supply Contract																
SUMMARY STATEMENT: To be discussed in Executive Session.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION:																
APPROVALS: Terry K. Roberts																



AGENDA ITEM 21

DATE OF MEETING: September 17, 2015	DATE SUBMITTED: September 11, 2015															
DEPT. OF ORIGIN: Community Services	SUBMITTED BY: Wende Ragonis															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☐ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☒ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☐ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☒ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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AGENDA ITEM DESCRIPTION: Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding an Agreement with Roy Burger (dba RB Film Productions) for the Lease of Approximately 108.9 Acres of the Old Landfill Property																
SUMMARY STATEMENT: To be discussed in Executive Session.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION:																
APPROVALS: Terry K. Roberts																