NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, AUGUST 27, 2015 AT 4:00 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 – Councilmember Barnes-Tilley

3. Citizens Comments

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Ordinance No. O-15-021 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, from a Local Business/Residential Mixed Use (B-1) District to a Residential (R-1) District on 9.873 Acres of Land Out of the Phillip H. Coe Survey A-31 in Brenham, Washington County, Texas (Said Property Being Known as Timber Oaks Subdivision, Section III) **Pages 1-4**

4-b. Ordinance No. O-15-022 on Its Second Reading Authorizing the Placement of Stop Signs on Bruce Street at Its Intersection with Ledbetter Lane and Woodson Lane **Page 5**

PUBLIC HEARING

5. Proposed Tax Rate of $0.4731 per $100 Valuation for Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016 **Pages 6-7**

WORK SESSION

6. Presentation and Discussion on the Possible Creation of a Non-Profit Charitable Organization for the City of Brenham **Pages 8-9**

7. Presentation and Discussion of Collection Station Capital Needs and Rates, Including Brush Rates, at the City of Brenham Citizen's Collection Station **Pages 10-12**

REGULAR SESSION

8. Discuss and Possibly Act Upon Ordinance No. O-15-023 on its Second Reading for the Abandonment of Live Oak Street **Pages 13-21**

9. Discuss and Possibly Act Upon an Ordinance on its First Reading Authorizing the Placement of a Stop Sign on Cantey Street at Its Intersection with U.S. Highway 290 West Frontage Road and Authorize the Mayor to Execute any Necessary Documentation **Pages 22-25**

10. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending the FY2014-15 Adopted Budget and Authorize the Mayor to Execute Any Necessary Documentation **Pages 26-29**

11. Discuss and Possibly Act Upon RFP No. 15-009 for Bank Depository Services and Authorize the Mayor to Execute any Necessary Documentation **Pages 30-39**

12. Discuss and Possibly Act Upon the Acceptance of the GED Program Grant from the Texas State Library and Archives Commission and the Institute of Museum and Library Science in the Total Amount of $8,800 for the Purchase of Five (5) Laptops and Ten (10) Licenses of GED Software for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation **Pages 40-51**

13. Discuss and Possibly Act Upon Resolution No. R-15-021 In Support of Jefferson Square Housing, Ltd.'s Submission of an Application to the Texas Department of Housing and Community Affairs Requesting 2015 Low Income Housing Tax Credits for Jefferson Square Apartments **Pages 52-53**

14. Administrative/Elected Officials Report

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

Adjourn

Executive Sessions: The City Council for the City of Brenham reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiation

CERTIFICATION

I certify that a copy of the August 27, 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 August 24, 2015 at **12:55 PM.**

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.

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

ORDINANCE NO. O-15-021

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF 9.873 ACRES OF LAND OUT OF THE PHILIP H. COE SURVEY A-31 IN BRENHAM, WASHINGTON COUNTY, TEXAS FROM A LOCAL BUSINESS/RESIDENTIAL MIXED USE (B-1) DISTRICT TO A RESIDENTIAL (R-1) DISTRICT; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR PROPER NOTICE AND OPEN MEETINGS

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; and

WHEREAS, Appendix A – "Zoning" of the City of Brenham Code of Ordinance authorizes the City Council of the City of Brenham ("City Council") to grant zoning amendments within the various zoning districts; and

WHEREAS, on August 3, 2015 the City of Brenham Planning and Zoning Commission held a public hearing on this amendment; and

WHEREAS, this amendment was recommended for approval by the City of Brenham Planning and Zoning Commission during its regular meeting on August 3, 2015; and

WHEREAS, on August 6, 2015 the City Council held a public hearing on this amendment; and

WHEREAS, the City Council finds that all notice requirements have been met; and

WHEREAS, this amendment is in compliance with the City of Brenham's "Envision 2020" Comprehensive Plan;

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

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 by changing the zoning classification of 9.873 acres of land out of the Philip H. Coe survey A-31 in Brenham, Washington County, Texas, being more fully described and depicted in Exhibit "A" which is attached hereto and incorporated herein for all purposes pertinent, from a Local Business/Residential (B-1) District to a Residential (R–1) District.

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

SECTION 3. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 4. It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED and APPROVED on its first reading this the _____ day of August, 2015.

PASSED and APPROVED on its second reading this the _____ day of August, 2015.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

FINAL PLAT
TIMBER OAKS SUBDIVISION
SECTION III

A SUBDIVISION OF 9.873 ACRES OF LAND
OUT OF THE
PHILIP H. COE SURVEY A-31
CITY OF BRENHAM
WASHINGTON COUNTY, TEXAS

JUNE 2015

OWNER:

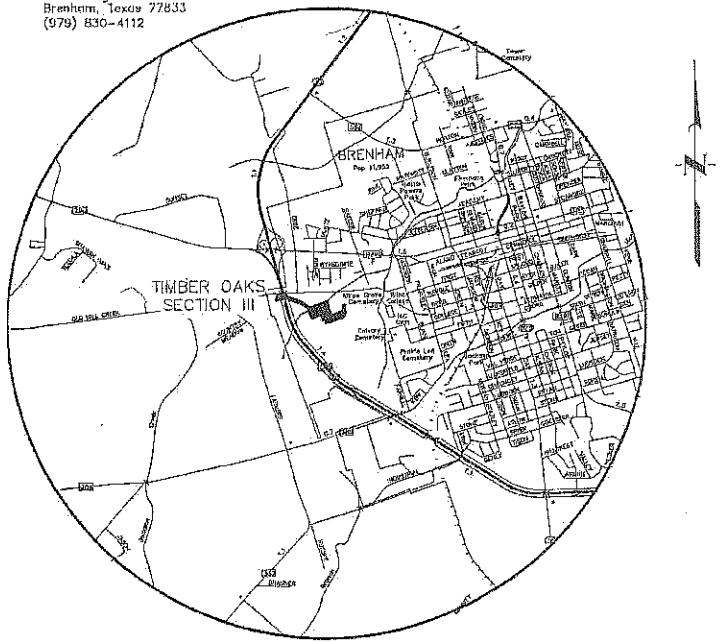
Gregory E. Appel and John J. Appel
Rental Partnership
2502 Cheri Lane
Brenham, Texas 77833
(979) 451-0136
(979) 383-4133

OWNER:

Blinn College
902 College Avenue
Brenham, Texas 77833
(979) 830-4112

SURVEYOR:

JONES & CARTER, Inc.
ENGINEERS • PLANNERS • SURVEYORS
1509 South Day Street
Brenham, Texas 77833-4569
(979)830-0531 www.jonescarter.com
Texas Board of Professional Land Surveying
Firm Registration No. 10064402



VICINITY MAP (NOT TO SCALE)

Owner Acknowledgement

STATE OF TEXAS
COUNTY OF WASHINGTON

Gregory E. Appel and John J. Appel Rental Partnership, the owner of the land described hereon, whose name is subscribed hereto, do hereby offer, adopt and acknowledge the subdivision of said property in accordance with the plat shown hereon.

Gregory E. Appel and John J. Appel Rental Partnership

Gregory E. Appel, Partner John J. Appel, Partner

This instrument was acknowledged before me on the _____ day of _____, 2015 by Gregory E. Appel and John J. Appel Rental Partnership

Notary Public Notary's Name (Printed):
State of Texas Notary's Commission Expires:

Owner Acknowledgement

STATE OF TEXAS
COUNTY OF WASHINGTON

We, The Junior College District of Washington County, Texas (more commonly and also known as Blinn College), the owner of the land described hereon, whose name is subscribed hereto, do hereby offer, adopt and acknowledge the subdivision of said property in accordance with the plat shown hereon.

Douglas Gershwitz, Board President of
The Junior College District of Washington
County, Texas (more commonly and also known
as Blinn College)

This instrument was acknowledged before me on the _____ day of _____, 2015 by The Junior College District of Washington County, Texas (more commonly and also known as Blinn College)

Notary Public Notary's Name (Printed):
State of Texas Notary's Commission Expires:

CITY OF BRENHAM APPROVAL

Approved this _____ day of _____, 2015, as a Minor Plat, by the City Manager of the City of Brenham, Texas, as authorized by section 23-11 of the City of Brenham Code of Ordinances and section 212.0065 of the Texas Local Government Code.

City Manager

COUNTY CLERK CERTIFICATE

THE STATE OF TEXAS

COUNTY OF WASHINGTON

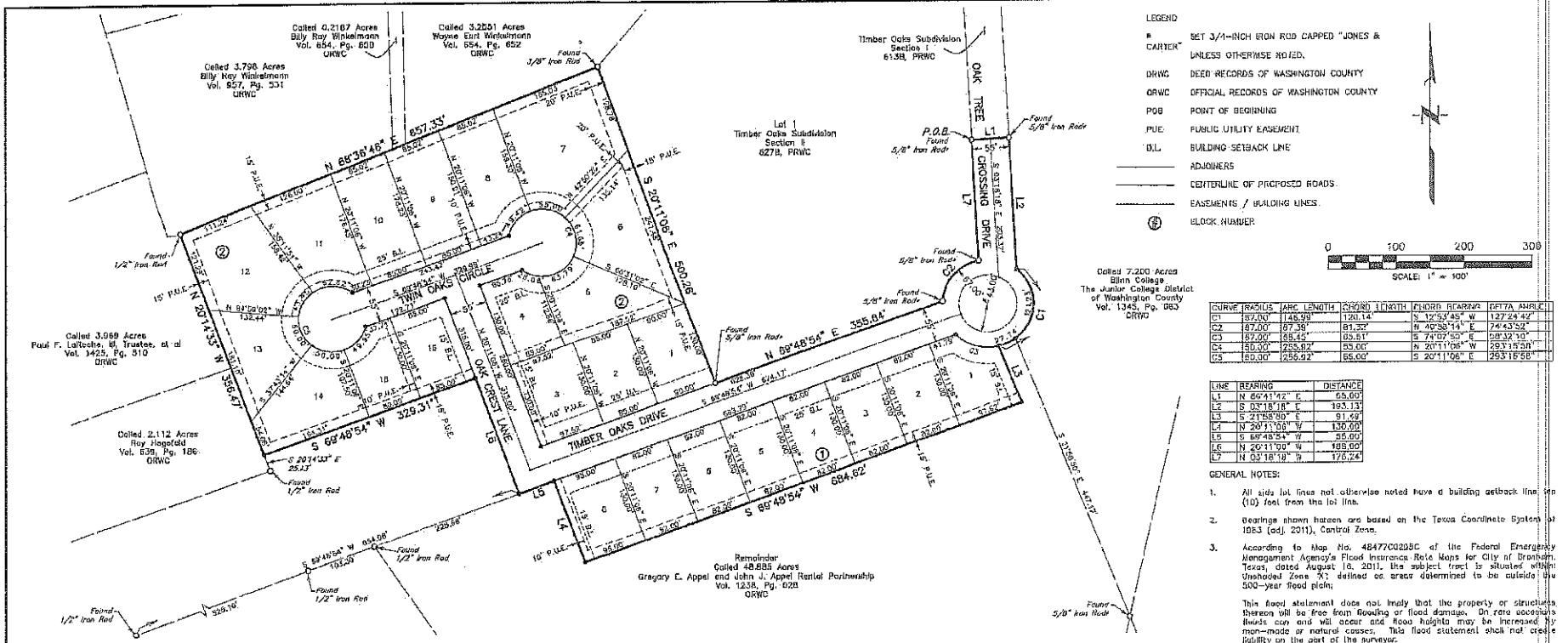
I, Beth Rothermel, County Clerk in and for said County, hereby certify that the foregoing instrument with its Certificate of Authentication was filed in my office the _____ day of _____, 2015, A.D. at _____ o'clock ____M., and duly recorded the _____ day of _____, 2015, A.D. at _____ o'clock ____M., in the Plat Records in Slide No. _____. Witnessed by hand and seal of the County Court of the said County, at office in Brenham, Texas.

By: _____ Beth Rothermel
Deputy County Clerk
Washington County,
Texas

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

William R. Krueger, RPLS 2835 22 June, 2015

STATE OF TEXAS
REGISTERED
WILLIAM R. KRUEGER
2835
PROFESSIONAL
LAND SURVEYOR



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	67.00'	148.99'	120.14'	S 12°53'45" W	127°24'42"
C2	67.00'	87.38'	81.32'	N 40°58'14" E	74°43'52"
C3	67.00'	88.45'	82.51'	S 74°07'50" E	98°32'10"
C4	180.00'	255.92'	55.00'	N 20°11'06" W	293°15'58"
C5	180.00'	256.92'	65.00'	S 20°11'06" E	293°15'58"

LINE	BEARING	DISTANCE
L1	N 66°41'42" E	65.00'
L2	S 03°18'18" E	193.13'
L3	S 21°58'50" E	91.49'
L4	N 20°11'06" W	130.00'
L5	S 69°48'54" W	55.00'
L6	N 20°11'06" W	185.00'
L7	N 03°18'18" W	176.24'

GENERAL NOTES:

1. All side lot lines not otherwise noted have a building setback line of ten (10) feet from the lot line.
2. Bearings shown hereon are based on the Texas Coordinate System of 1983 (adj. 2011), Central Zone.
3. According to Map No. 48477C0205C of the Federal Emergency Management Agency's Flood Insurance Rate Maps for City of Brenham, Texas, dated August 18, 2011, the subject tract is situated within Unshaded Zone "X" defined as areas determined to be outside the 500-year flood plain;

   This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
4. All lot corners are marked with a 5/8-inch iron rod capped "Jones & Carter" unless otherwise note.
5. The Blinn College 7.200 acre tract was created in the Exchange Deed recorded in Volume 1345, Page 663 of the Official Records of Washington County, and included geometry designed to allow for the creation of a 50' radius cul-de-sac. To resolve the differences between the 50' cul-de-sac and the 52' round about right-of-way dedicated by this plat there is included herein two small portions of the Blinn College 7.200 acre tract. This leaves a small remainder of the Appel Rental Partnership tract between the dedicated right-of-way and the remainder of the Blinn College 7.200 acre tract. This small remainder tract is to be conveyed to Blinn College by a separate instrument.

Gregory E. Appel and
John J. Appel Rental Partnership
&
Blinn College, The Junior College
District of Washington County
9.873 Acres

Philip Coe Survey
Abstract No. 31

STATE OF TEXAS §

COUNTY OF WASHINGTON §

A METES & BOUNDS description of a 9.873 acre tract out of the Philip Coe Survey, Abstract No. 31, in the City of Brenham, Washington County, Texas, being part of the remainder of a called 48.885 acre tract described in a Warranty Deed to Gregory E. Appel and John J. Appel Rental Partnership recorded in Volume 1238, Page 828 of the Official Records of Washington County also being a part of a called 7.200 acre tract described in an Exchange Deed to Blinn College, The Junior College District of Washington County recorded in Volume 1345 Page 663 of the Official Records of Washington County; said 9.873 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983 (adj. 2011), Central Zone;

BEGINNING at a found 5/8-inch iron rod (with cap stamped "Jones & Carter") marking the southwest corner of a right-of-way dedicated as Oak Tree Crossing Drive on Slide No. 613B of the Plat Records of Washington County;

THENCE, North 66°41'42" East, along the south line of said right-of-way 65.00 feet to a found 5/8-inch iron rod (with cap stamped "Jones & Carter") marking the southeast corner thereof in the west line of said Blinn College 7.200 acre tract;

THENCE, South 03°18'18" East, with the west line of said Blinn College 7.200 acre tract 193.13 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter") in said west line marking the beginning of a curve to the right;

THENCE, severing said Blinn College 7.200 acre tract and the said Appel Rental Partnership remainder tract along the arc of said curve to the right having a radius of 67.00 feet, through a central angle of 127°24'42", an arc length of 148.99 feet, and having a long chord bearing South 12°53'45" West a distance of 120.14 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter");

THENCE, continuing to sever the said Appel Rental Partnership remainder tract the following courses and distances:

1. South 21°58'50" East, 91.49 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter");
2. South 69°48'54" West, 684.62 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter");
3. North 20°11'06" West, 130.00 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter");
4. South 69°48'54" West, 55.00 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter");
5. North 20°11'06" West, 185.00 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter"); and,

South 69°48'54" West, 329.31 feet to a set 3/4-inch iron rod (with cap stamped "Jones & Carter") in the east line of a called 2.112 acre tract described in an Affidavit of Heirship to Roy Hegefeld, et al, as recorded in Volume 639, Page 186 of the Official Records of Washington County;

THENCE, North 20°14'33" West, with the east line of said Hegefeld 2.112 acre tract and an east line of a called 3.069 acre tract (Tract Two) to Paul F. Laroche III, Trustee, et al, as recorded in Volume 1425, Page 510 of the Official Records of Washington County, 358.47 feet to a found 1/2-inch iron rod marking a southerly corner of a called 3.798 acre tract to Billy Ray Winkelmann in an Agreed Final Decree of Divorce as recorded in Volume 957, Page 531 of the Official Records of Washington County;

THENCE, North 89°36'46" East, with the southeast line of said Winkelmann 3.798 acre tract and the southeast lines of a called 0.2167 acre tract to Billy Ray Winkelmann in a Gift Deed as recorded in Volume 654, Page 650 of the Official Records of Washington County and a called 3.2551 acre tract to Wayne Earl Winkelmann in a Warranty Deed as recorded in Volume 654, Page 652 of the Official Records of Washington County 657.33 feet to a found 3/8-inch iron rod marking the southeast corner of said Wayne Earl Winkelmann 3.2551 acre tract and the westerly northwest corner of Lot 1 of Timber Oaks Subdivision Section Two as recorded on Slide No. 827B of the Plat Records of Washington County;

THENCE, South 20°11'06" East, with the west line of said Lot 1 of Timber Oaks Subdivision Section Two 500.26 feet to a found 5/8-inch iron rod (with cap stamped "Jones & Carter");

THENCE, North 69°48'54" East, with the south line of said Lot 1 of Timber Oaks Subdivision Section Two 355.84 feet to a found 5/8-inch iron rod (with cap stamped "Jones & Carter") marking the beginning of a curve to the right;

THENCE, with the southeast line of said Lot 1 of Timber Oaks Subdivision Section Two along the arc of said curve to the right having a radius of 67.00 feet, a central angle of 74°43'52", an arc length of 87.38 feet, and a long chord bearing North 40°58'14" East, 81.32 feet, to a found 5/8-inch iron rod (with cap stamped "Jones & Carter")

THENCE, North 03°18'18" West, with the east line of said Lot 1 of Timber Oaks Subdivision Section Two 176.24 feet to the POINT OF BEGINNING, CONTAINING 9.873 acres of land in the City of Brenham, Washington County, Texas.

OWNER:

Gregory E. Appel and John J. Appel
Rental Partnership
2502 Cheri Lane
Brenham, Texas 77833
(979) 451-0136
(979) 383-4133

OWNER:

Blinn College
902 College Avenue
Brenham, Texas 77833
(979) 830-4412

FINAL PLAT
TIMBER OAKS SUBDIVISION SECTION III

A SUBDIVISION OF 9.873 ACRES OF LAND OUT OF THE PHILIP H. COE SURVEY A-31 CITY OF BRENHAM WASHINGTON COUNTY, TEXAS

JUNE 2015

SURVEYOR:

JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
1500 South Day Street
Brenham, Texas 77833-4580
(979)836-6031 www.jonescarter.com
Texas Board of Professional Land Surveying
Firm Registration No. 10015102

P:\PROJECTS\80095 Appel Rental Partnership\0003 Timber Oaks 3\Survey\Dwg Files\Timber Oaks 3 Final Plat.dwg Jun 22,2015 - 11:40pm cp

WinRK/bas/frat JOB No. 80095-0003-00

ORDINANCE NO. O-15-022

AN ORDINANCE AUTHORIZING THE PLACEMENT OF STOP SIGNS IN THE CITY OF BRENHAM, TEXAS, SETTING THE LOCATION OF SAID STOP SIGNS, REGULATING THE TRAFFIC AT SAID STOP SIGNS, AND PROVIDING FOR PENALTY FOR VIOLATION THEREOF.

WHEREAS, it is necessary to provide stop signs at certain locations in the City of Brenham to prevent accidents, collisions and damages; to promote the flow of traffic along and into such streets; and to regulate the same:

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

Section 1. That there shall be established and installed two (2) stop signs on Bruce Street, one (1) stop sign regulating eastbound vehicular traffic at its intersection with Woodson Lane, and one (1) stop sign regulating westbound vehicular traffic at its intersection with Ledbetter Lane.

The stop signs shall be erected at the top of a standard pole, installed in the ground on the right hand side of the streets identified herein.

Section 2. That every person, firm or corporation, operating a motor vehicle or other vehicle of any kind, in, on, along and into the streets or street intersections designated in Section 1 hereof, upon reaching a stop sign at the location so designated, shall bring said vehicle to a full and complete stop in compliance with the provisions of applicable state law, before proceeding further along said street or into or on said street intersection.

Section3. That any person, firm or corporation, violating Section 2 hereof, shall be fined a sum of not less than $1.00 and not more than $200.00, plus applicable court costs.

Section 4. This Ordinance shall take full force and effect from and after its passage, approval and publication as required by applicable law.

PASSED and APPROVED on its first reading this the _____ day of August, 2015.

PASSED and APPROVED on its second reading this the _____ day of August, 2015.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

AGENDA ITEM 5

DATE OF MEETING: August 27, 2015 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** August 21, 2015 **SUBMITTED BY:** Carolyn D. Miller

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

AGENDA ITEM DESCRIPTION: Proposed Tax Rate of $0.4731 per $100 Valuation for Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016

SUMMARY STATEMENT: See separate memo from Chief Financial Officer on this item.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Memo from Chief Financial Officer

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: None – Public Hearing Only

APPROVALS: Terry K. Roberts

MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Assistant City Manager - Chief Financial Officer

Subject: Public Hearing on Proposed 2015 Tax Rate

Date: August 21, 2015

Council Budget Workshops were held during the week of July 20, 2015 to present the proposed FY2015-16 Budget. In these workshops and during the work session of the August 6, 2015 City Council meeting, the FY2015-16 proposed budget was finalized. The proposed budget is on the City's website, on file with the City Secretary and at the Nancy Carol Roberts Memorial Library.

A property tax rate of $0.4731 per $100 valuation is proposed to fund the FY2015-16 Budget. Of this rate, $0.2950 will be for maintenance and operations (M&O). The balance of $0.1781 is for debt service (interest and sinking or I&S). Based on the certified taxable values of $1,188,742,237 the effective tax rate is $0.4632 and the rollback rate is $0.4766 per $100 valuation for the 2015 Tax Year.

In compliance with the Property Tax Code, a governing body must hold two public hearings to receive citizen comments on a proposed property tax rate. The governing body may not adopt the tax rate at either of these hearings. At each hearing, the governing body must announce the date, time, and place of the meeting at which it will vote on the tax rate. After receiving citizen comments, the following announcement should be made:

> **The first reading of the Ordinance to adopt the tax rate will be during a Special Council meeting on Monday, September 14, 2015 at 8:00 a.m. at City Hall, located at 200 W. Vulcan Street. The second reading of the Ordinance and adoption of the tax rate is scheduled for a Regular Council meeting on Thursday, September 17, 2015 at 1:00 p.m. at City Hall, located at 200 W. Vulcan Street.**

AGENDA ITEM 6

DATE OF MEETING: August 27, 2015	**DATE SUBMITTED:** August 13, 2015
DEPT. OF ORIGIN: Community Services	**SUBMITTED BY:** Wende L. Ragonis

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

AGENDA ITEM DESCRIPTION: Presentation and Discussion on the Possible Creation of a Non-Profit Charitable Organization for the City of Brenham.

SUMMARY STATEMENT: Staff would like to present an opportunity to form a 501(c)(3) non-profit Charitable Foundation to provide funding for quality of life enrichment for recreation, literacy and community philanthropy and development. A City of Brenham Community Services Foundation would provide a 501(c)(3) tax identification number which could meet the requirements of certain donor and granting entities concerning which the City of Brenham is not currently eligible. These additional funding opportunities could be applied to large capital projects augmenting local governmental funds which would further enhance services provided to community residents by the City of Brenham. The activities of the non-profit Charitable Foundation would be managed by a Council-appointed board of directors.

Staff has consulted the City Attorney to determine the process for creation of the non-profit Charitable Foundation and filing an application for tax exempt status with the Internal Revenue Service (IRS). The estimated cost for the creation of the Charitable Foundation and the application to the IRS including the attorney fees is approximately $2,500 which includes the $850 application fee to the IRS. If Council is agreeable to forming a 501(c)(3) Foundation, the City Attorney and staff will complete the necessary documentation including the certificate of formation and by-laws for the Foundation and present the documents at a future Council meeting.

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: Discussion only
APPROVALS: Terry K. Roberts

AGENDA ITEM 7

DATE OF MEETING: 8/27/2015	**DATE SUBMITTED:** 8/20/2015
DEPT. OF ORIGIN: Public Works	**SUBMITTED BY:** Dane Rau

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

AGENDA ITEM DESCRIPTION: Presentation and Discussion of Collection Station Capital Needs and Rates, Including Brush Rates, at the City of Brenham Citizen's Collection Station

SUMMARY STATEMENT: Staff has actively been evaluating the Citizen's Collection Station capital needs and usage over the last year. As you know, the Collection Station serves our entire community related to non-compactible waste disposal, proper tire disposal, and most notably brush collection and mulching operations. This facility continues to grow in volume but remains the same size related to our facility setup. Rates have been established in the past for all different classes of waste and how they are handled with a heavy emphasis on the operation and capital needs in order to keep this facility moving forward. In 2002 the Diamond Z Tub Grinder was purchased and provided a means of minimizing the bulky brush that was brought to our facility. It also opened the door to market double ground mulch to residents and businesses throughout the region. This was a large commitment and was lease purchased at the time for 7 years with a price tag of $350,000. This grinder has been truly awesome for our community and our facility.

Over the years the tub grinder has performed well and allowed the City to deal with large amounts of brush from local storms, city projects and the past droughts. With these conditions and the workload the tub grinder will eventually need to be replaced and upgraded. With this known factor staff has evaluated the capital needs on a 10 year basis for the Collection Station encompassing all future needs in mind. When evaluating the capital needs of the future items such as a replacement grinder topped the list but other items such as major ramp and driveway improvements, facility/fence improvements, drainage improvements, miscellaneous equipment replacements, and scale replacements were also considered and applied to the master list of capital needs in order to maintain the Collection Station operations. With this list, staff felt it was a good time to start looking at ways where excess working capital could be established in order to match the needs for planned capital items within this department. The average capital needs over a 10 year period is right at the $115,000 per year range. Currently the Collection Station operation has been operating at a deficit the last two years by roughly $55,000 (without any capital), even though the Sanitation Fund has a fund balance of $962,000. In our 5 year capital plan we have the tub grinder scheduled to be replaced in 2017-18 at a price tag of $650,000. Even though this replacement will most likely be lease purchased in the future this is a considerable amount to impact working capital and we would prefer to look at the usage and rates of the Collection Station to offset these capital needs from the customers who utilize this portion of our operations.

In April of 2015 the City Council approved an increase for commercial brush customers an additional $7.50/ton, which would increase revenues by a projected $33,000. We also increased the disposal of used tires slightly. With capital needs averaging $115,000 over the next 10 years and a slight increase in commercial brush we are needing to look at other options in order to meet the future capital needs.

Over the past several years we have been overloaded with brush and have seen decreased revenues from the resale of double ground mulch. This has caused a hardship on our facility and brush grinding operations. We have excess brush that continually fills up the Collection Station area and with single ground, we are having to give a lot of the single ground away just to prevent a fire hazard from occurring. This has been a constant battle. We would like to discuss with Council a couple options that would allow the Collection Station to meet its future capital needs by charging customers of both the City and County a nominal fee for those who utilize the service we provide.

Keep in mind that with the commercial brush increases in April it is expected that an additional $33,000 would be generated. This leaves a difference of $82,000 for our average capital needs for the next 10 years pertaining to the Collection Station.

In the attachment you will see a couple options that can be discussed with some statistical information related to our brush operations.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Looking at future capital needs and revenues

B. CONS: Will need to look at other sources of revenues to fund future capital needs.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Brush Stats

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Discussion only.

APPROVALS: Terry Roberts

City of Brenham Brush Grinding Operation

Currently:

	18.0%	*11.5%*	*55.0%*	*4.5%*	*5.5%*	*5.5%*
Entity	City Residents	County Residents	Commercial Customers	Wash. Co. Work Crew	Wash Co. Road & Bridge	Other (City Depts., etc.)
# Tickets	7782	1970	2294	304	184	911
Tons	1190	543	4294	438	252	693
Rate Charged	no charge	no charge	$22.50/ton	no charge	no charge	no charge

What has changed?

- Increased brush due to drought.
- Increased maintenance expenses due to aging equipment
- Declining mulch sales because of increased supply throughout marketplace (i.e. Bastrop fires, drought in all areas)
- Capital replacement needs in next 10 years (Grinder replacement estimated at $650,000)
- FY14: $183,000 in expenditures vs. $126,000 in revenues

Option #1 - Charge $5 per brush load to COB and WC Residents along with increasing NCPT waste rate additional $10 per ton. This will generate $81,870 in revenue for Collection Station.

	18.0%	*11.5%*	*55.0%*	*4.5%*	*5.5%*	*5.5%*
Entity	City Residents	County Residents	Commercial Customers	Wash. Co. Work Crew	Wash Co. Road & Bridge	Other (City Depts., etc.)
# Tickets	7782	1970	2294	304	184	911
Rate Charged	$5 per load	$5 per load	$22.50/ton	No charge	No Charge	No charge
Addnl. Revenue	$38,910	$9,850	$0	$0	$0	$0

* NCPT waste is 3311 tons per yr. with $10 increase equates to $33,110 in additional revenue.
Currently $80/ton

Option #2 - Charge $7 per brush load to COB and WC Residents along with increasing NCPT waste rate additional $5 per ton. This will generate $84,819 in revenue for Collection Station.

	18.0%	*11.5%*	*55.0%*	*4.5%*	*5.5%*	*5.5%*
Entity	City Residents	County Residents	Commercial Customers	Wash. Co. Work Crew	Wash Co. Road & Bridge	Other (City Depts., etc.)
# Tickets	7782	1970	2294	304	184	911
Rate Charged	$7 per load	$7 per load	$22.50/ton	No charge	No Charge	No charge
Addnl. Revenue	$54,474	$13,790	$0	$0	$0	$0

NCPT waste is 3311 tons per year with $5 per ton increase equates to $16,555 in additional revenue.

AGENDA ITEM 8

DATE OF MEETING: August 27, 2015	**DATE SUBMITTED:** August 21, 2015
DEPT. OF ORIGIN: Development Services	**SUBMITTED BY:** Erik Smith

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Ordinance No. O-15-023 on Its Second Reading for the Abandonment of Live Oak Street

SUMMARY STATEMENT: Tommie Wellmann, Lot 2, 4 & 6 of Beckers Subdivision of Lot 22 Davidson Addition or referred to as 903 E. Main St. and Main Street Baptist Church located J.W. Scott tract of Beckers Subdivision of Lot 22 Davidson Addition or 905 E. Main St. own property that abuts an unimproved right-of-way named Live Oak St. on the Beckers Subdivision of Lot 22 Davidson Addition plat filed on April 4, 1914. 903 E. Main St. will have frontage on E. Main, Sycamore St and N. Chappell Hill St even with the abandonment of Live Oak St. 903 E. Main St. will have access on E. Main St. after the abandonment of Live Oak St. Adequate access will still be available for the property owners. Tommie Wellmann has submitted a request to abandon this unimproved right-of-way, as depicted on Exhibit "A" of the attached ordinance. Main Street Baptist Church board has submitted a letter stating they have no opposition to the abandonment of Live Oak Street. Half of the right of way will go to each property owner. Staff recommends approving this abandonment subject to a replat being filed to include the abandoned right-of-way remaining lots being platted into one lot. 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) Redline copy of Ordinance showing changes from first reading; and (2) Ordinance No. O-15-23

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve Ordinnace No. O-15-23 on its second reading for the abandonment of Live Oak Street.
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF LIVE OAK STREET RIGHT-OF-WAY AS SHOWN ON THE PLAT FOR THE BECKER'S SUBDIVISION OF LOT 22 OF THE DAVIDSON ADDITION FILED FOR RECORD ON APRIL 4, 1914.

WHEREAS, the City of Brenham has ownership of the portion of the Live Oak Street right-of-way as shown on the Plat for the Becker's Subdivision of Lot 22 of the Davidson Addition filed for record on April 4, 1914 in the official records of Washington County, Texas; and

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

WHEREAS, the adjoining property owner requesting the abandonment of a portion of the Live Oak Street right-of-way owns lots 2, 4 and 6 of Becker's Subdivision of Lot 22 of the Davidson Addition; and

WHEREAS, the abandonment and closing of the portion of the Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson Addition as a public thoroughfare, and said portion of the Live Oak 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson Addition as a public thoroughfare, said closure and abandonment being in the best interest of the citizens of Brenham; and

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

SECTION I.

That the portion of the Live Oak Street right-of-way as shown on the plat for Becker's Subdivision of Lot 22 of the Davidson 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson 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 replat of the abandoned right-of-way parcels into one lot.

PASSED and **APPROVED** on its first reading this the _____ day of August, 2015

PASSED and **APPROVED** on its second reading this the _____ day of August, 2015.

_____
Milton Y. Tate
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

ORDINANCE NO. O-15-023

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF LIVE OAK STREET RIGHT-OF-WAY AS SHOWN ON THE PLAT FOR THE BECKER'S SUBDIVISION OF LOT 22 OF THE DAVIDSON ADDITION FILED FOR RECORD ON APRIL 4, 1914.

WHEREAS, the City of Brenham has ownership of the portion of the Live Oak Street right-of-way as shown on the Plat for the Becker's Subdivision of Lot 22 of the Davidson Addition filed for record on April 4, 1914 in the official records of Washington County, Texas; and

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

WHEREAS, the adjoining property owner requesting the abandonment of a portion of the Live Oak Street right-of-way owns lots 2, 4 and 6 of Becker's Subdivision of Lot 22 of the Davidson Addition; and

WHEREAS, the abandonment and closing of the portion of the Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson Addition as a public thoroughfare, and said portion of the Live Oak 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson Addition as a public thoroughfare, said closure and abandonment being in the best interest of the citizens of Brenham; and

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

SECTION I.

That the portion of the Live Oak Street right-of-way as shown on the plat for Becker's Subdivision of Lot 22 of the Davidson 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 Live Oak Street right-of-way as shown on the plat for the Becker's Subdivision of Lot 22 of the Davidson 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 replat of the abandoned right-of-way parcels into one lot.

PASSED and **APPROVED** on its first reading this the _____ day of August, 2015

PASSED and **APPROVED** on its second reading this the _____ day of August, 2015.

_____
Milton Y. Tate
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

LAMPE SURVEYING, INC
PROFESSIONAL LAND SURVEYORS
P. O. Box 2037 - 1408 West Main Street
Brenham, Texas 77833
(979) 836-6677 - Fax (979) 836-1177
Texas Licensed Surveying Firm No. 10040700

Exhibit A

THE STATE OF TEXAS

COUNTY OF WASHINGTON

SURVEYOR'S DESCRIPTION
TRACT 1- WEST HALF
0.036 ACRE

CITY OF BRENHAM, TEXAS

All that certain tract or parcel of land, lying and being situated in the City of Brenham, Washington County, Texas, part of the A. Harrington Survey, A-55, being a southerly portion of Live Oak Street (unimproved) shown on the plat of Beckers Subdivision of Lot 22 of the Davidson Addition, plat being recorded in Plat Cabinet File Slide 5-A, Plat Records of Washington County, Texas, being bounded on the south by East Main Street and on the north by Lot 7 of the L. D. Brown Subdivision, plat being recorded in Plat Cabinet File Slide 182A, Plat Records of Washington County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2" iron rod found for the southwest corner of said Lot 7 of the L. D. Brown Subdivision, being an angle in the east line of a Tommie Wellmann tract called 0.912 acre (1462/282, O.R.W.C.,Tx.), being the northwest corner of this tract and of said southerly portion of unimproved Live Oak Street;

THENCE along a portion of the south line of said Lot 7, North 72 degrees 34 minutes 12 seconds East, 12.31 feet to a 1/2" iron rod set for the northeast corner hereof and for the northwest corner of a 0.036 acre tract referred to as Tract 2-East Half of unimproved Live Oak Street;

THENCE through said unimproved Live Oak Street, South 17 degrees 18 minutes 48 seconds East, 127.23 feet to a 1/2" iron rod set on the north margin of East Main Street for the southeast corner hereof and for the southwest corner of said Tract 2-East Half;

THENCE along the north margin of East Main Street, South 73 degrees 54 minutes 12 seconds West, 12.31 feet to a 1/2" iron rod set on the north margin of East Main Street for the southwest corner of this tract and of said southerly portion of unimproved Live Oak Street, being the southeast corner of a Tommie Wellmann tract called 5,436 Sq. Ft. (1466/476, O.R.W.C.,Tx.);

THENCE along the east line of last said Wellmann tract and said Wellman tract called 0.912 acre, North 17 degrees 18 minutes 48 seconds West, 126.95 feet to the PLACE OF BEGINNING and containing 0.036 acre of land, more or less.

Reference is hereby made to a separate survey plat bearing even date herewith.
Bearings are based on the Texas Coordinate System of 1983-Central Zone as obtained by GPS observations.

I, Matt D. Lampe, Registered Professional Land Surveyor No. 5429 of the State of Texas, do hereby certify that this description accurately represents the results of an on the ground survey made under my direction.

Dated this the 29th day of December, 2014.

Matt D. Lampe
R.P.L.S. No. 5429
Lampe Surveying, Inc

2770-14.1
2770ST.1

LAMPE SURVEYING, INC
PROFESSIONAL LAND SURVEYORS
P. O. Box 2037 - 1408 West Main Street
Brenham, Texas 77833
(979) 836-6677 - Fax (979) 836-1177
Texas Licensed Surveying Firm No. 10040700

THE STATE OF TEXAS

COUNTY OF WASHINGTON

SURVEYOR'S DESCRIPTION
TRACT 2- EAST HALF
0.036 ACRE

CITY OF BRENHAM, TEXAS

All that certain tract or parcel of land, lying and being situated in the City of Brenham, Washington County, Texas, part of the A. Harrington Survey, A-55, being a southerly portion of Live Oak Street (unimproved) shown on the plat of Beckers Subdivision of Lot 22 of the Davidson Addition, plat being recorded in Plat Cabinet File Slide 5-A, Plat Records of Washington County, Texas, being bounded on the south by East Main Street and on the north by Lot 7 of the L. D. Brown Subdivision, plat being recorded in Plat Cabinet File Slide 182A, Plat Records of Washington County, Texas, and being more fully described by metes and bounds as follows, to-wit:

BEGINNING at a "X" chiseled in a concrete sidewalk on the north margin of East Main Street for the southwest corner of the Main Street Baptist Church tract (86/473), being the southeast corner of this tract and of said southerly portion of unimproved Live Oak Street, a found 1/2" iron rod bears North 17 degrees 18 minutes 48 seconds West, 0.57 feet;

THENCE along the north margin of East Main Street, South 73 degrees 54 minutes 12 seconds West, 12.31 feet to a 1/2" iron rod set on the north margin of East Main Street for the southwest corner of this tract and for the southeast corner of a 0.036 acre tract referred to as Tract 1-West Half of unimproved Live Oak Street;

THENCE through said unimproved Live Oak Street, North 17 degrees 18 minutes 48 seconds West, 127.23 feet to a 1/2" iron rod set on the south line of Lot 7 of said L. D. Brown Subdivision for the northwest corner of this tract and for the northeast corner of said Tract 1-West Half;

THENCE along a portion of the south line of said Lot 7, North 72 degrees 34 minutes 12 seconds East, 12.31 feet to a 1/2" iron rod set for the northwest corner of said Main Street Baptist Church tract, being the northeast corner of this tract;

THENCE along the west line of said Main Street Baptist Church tract, South 17 degrees 18 minutes 48 seconds East, 127.52 feet to the PLACE OF BEGINNING and containing 0.036 acre of land, more or less.

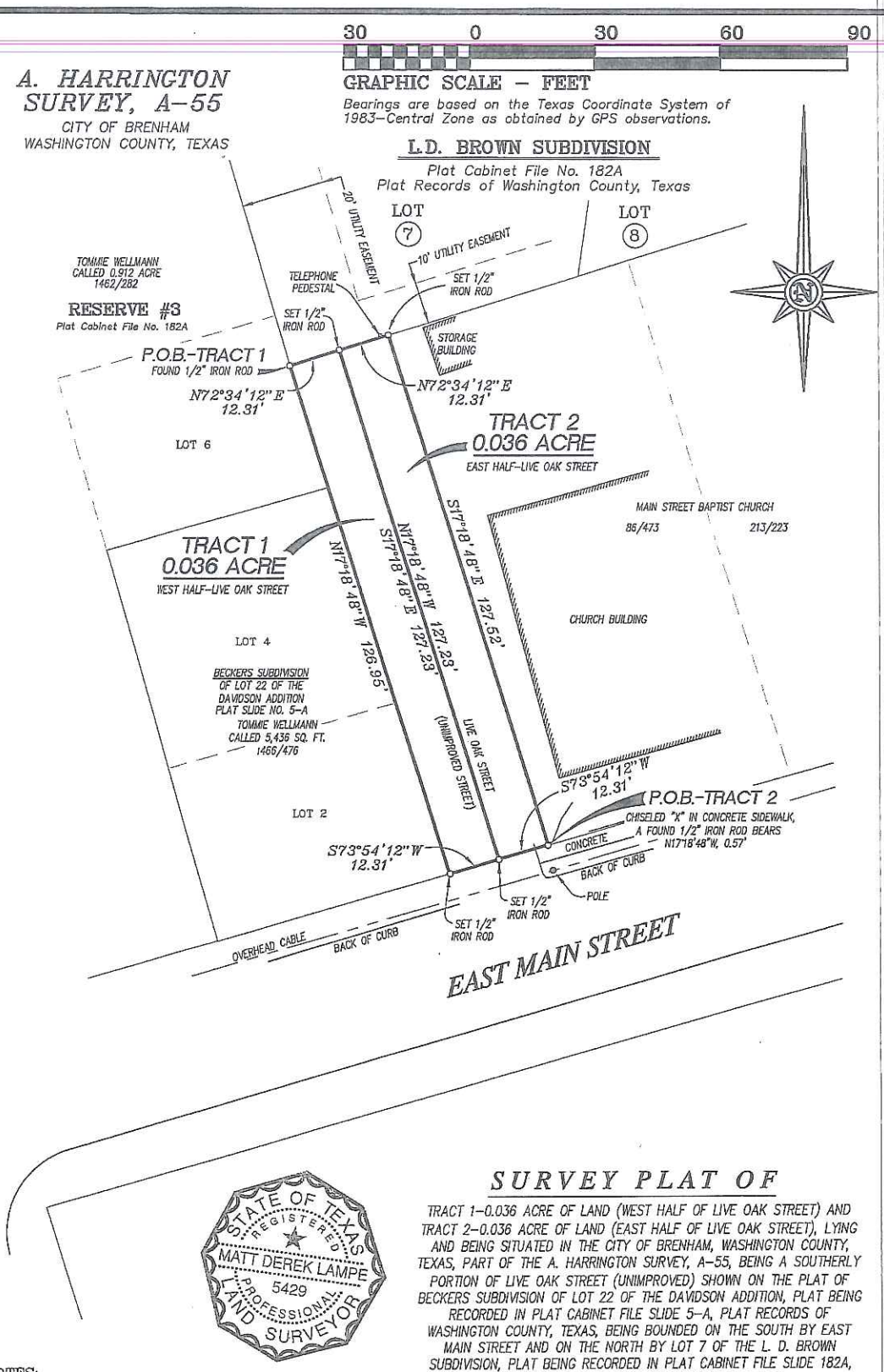
Reference is hereby made to a separate survey plat bearing even date herewith.
Bearings are based on the Texas Coordinate System of 1983-Central Zone as obtained by GPS observations.

I, Matt D. Lampe, Registered Professional Land Surveyor No. 5429 of the State of Texas, do hereby certify that this description accurately represents the results of an on the ground survey made under my direction.

Dated this the 29th day of December, 2014.

Matt D. Lampe
R.P.L.S. No. 5429
Lampe Surveying, Inc

2770-14.2
2770ST.2



SURVEY PLAT OF

TRACT 1–0.036 ACRE OF LAND (WEST HALF OF LIVE OAK STREET) AND TRACT 2–0.036 ACRE OF LAND (EAST HALF OF LIVE OAK STREET), LYING AND BEING SITUATED IN THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS, PART OF THE A. HARRINGTON SURVEY, A–55, BEING A SOUTHERLY PORTION OF LIVE OAK STREET (UNIMPROVED) SHOWN ON THE PLAT OF BECKERS SUBDIVISION OF LOT 22 OF THE DAVIDSON ADDITION, PLAT BEING RECORDED IN PLAT CABINET FILE SLIDE 5–A, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS, BEING BOUNDED ON THE SOUTH BY EAST MAIN STREET AND ON THE NORTH BY LOT 7 OF THE L. D. BROWN SUBDIVISION, PLAT BEING RECORDED IN PLAT CABINET FILE SLIDE 182A, PLAT RECORDS OF WASHINGTON COUNTY, TEXAS.

STATE OF TEXAS
REGISTERED
MATT DEREK LAMPE
5429
PROFESSIONAL
LAND SURVEYOR

NOTES:

– Reference is hereby made to separate descriptions of the subject tracts.

– Iron rods set are fitted with plastic cap stamped Lampe Surveying.

I, Matt D. Lampe, Registered Professional Land Surveyor No. 5429 of the State of Texas, do hereby certify that this plat accurately represents the results of an on the ground survey made under my direction.

Dated this the 29th day of December, 2014.

Matt D. Lampe
R.P.L.S. No. 5429
Lampe Surveying, Inc

LAMPE SURVEYING, INC
PROFESSIONAL LAND SURVEYORS
1408 WEST MAIN STREET
P. O. BOX 2037
BRENHAM, TEXAS 77834
(979) 836–6677 * FAX (979) 836–1177
TEXAS LICENSED SURVEYING FIRM NO. 10040700
W.O. 2770 2770S4.DWG 2770WELLMANN.CRD

AGENDA ITEM 9

DATE OF MEETING: 8/27/2015 **DEPT. OF ORIGIN:** Public Works	**DATE SUBMITTED:** 8/20/2015 **SUBMITTED BY:** Dane Rau

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on its First Reading Authorizing the Placement of a Stop Sign on Cantey Stree at Its Intersection with U. S. Highway 290 West Frontage Road and Authorize the Mayor to Execute any Necessary Documentation

SUMMARY STATEMENT: Due to the recent extension of Cantey St a stop sign will be required at the intersection of Cantey and the 290 W feeder road. This project allows Cantey to extend southward and traffic will have to yield to the 290 W feeder road traffic. In order to place the sign and enforce it in the future an ordinance is needed for the stop sign. Construction work is nearing completion and before traffic is allowed on the roadway this ordinance will need to be passed and a stop sign will be need to be erected.

Attached in the packet is a map and picture of the area for your reference.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

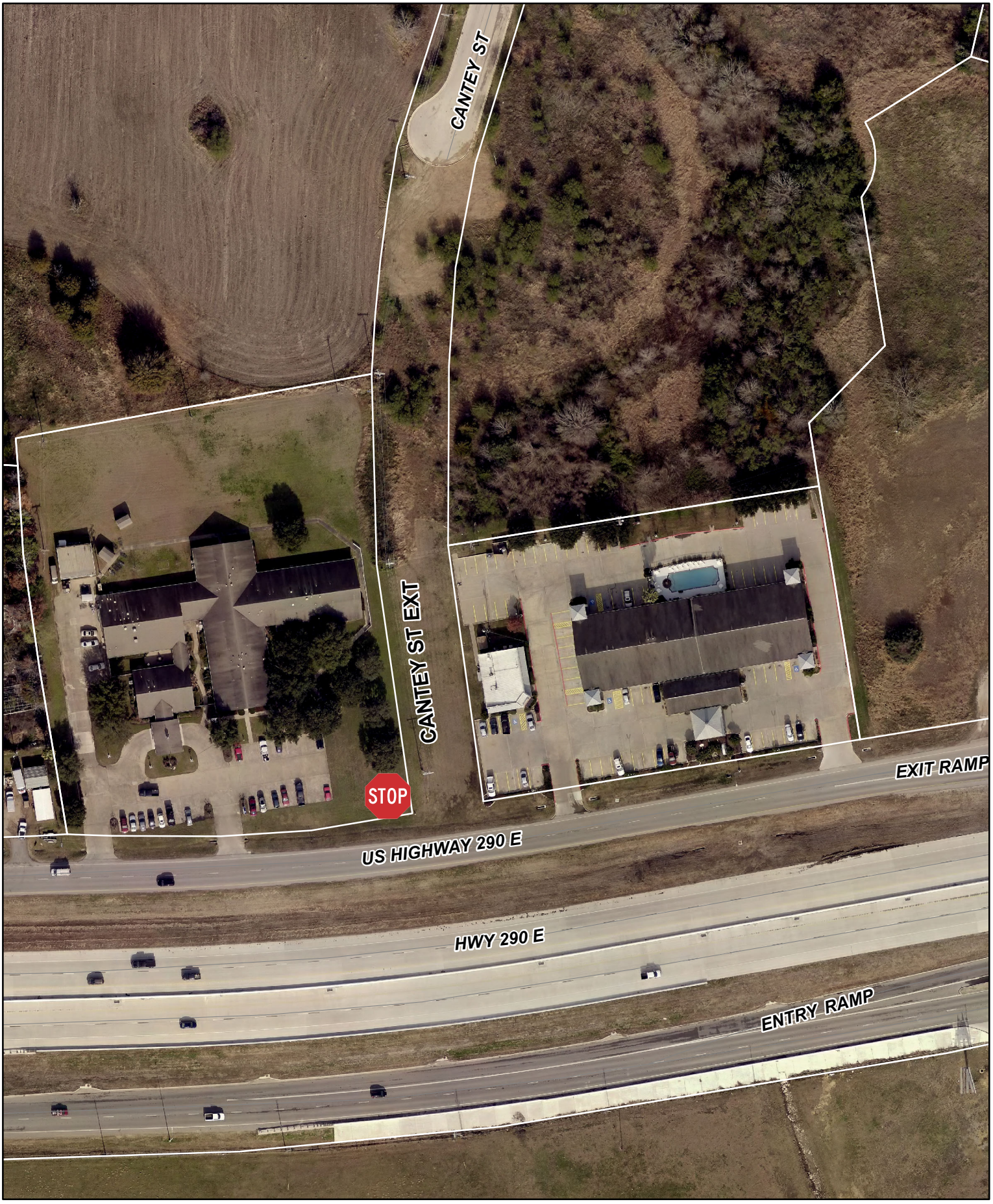
ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Map; (2) Picture; and (3) Ordinance

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading authorizing the placement of a stop sign on Cantey Street at its intersection with U. S. Highway 290 Frontage Road and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry Roberts



1 inch = 117 feet

ORDINANCE NO. _____

AN ORDINANCE REQUIRING THE PLACING OF CERTAIN STOP SIGNS IN THE CITY OF BRENHAM, TEXAS, SETTING THE LOCATION OF SAID STOP SIGNS, REGULATING THE TRAFFIC AT SAID STOP SIGNS, AND PROVIDING FOR PENALTY FOR VIOLATION THEREOF.

WHEREAS, it is necessary to provide stop signs at certain locations in the City of Brenham to prevent accidents, collisions and damages; to promote the flow of traffic along and into such streets; and to regulate the same:

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

Section 1. That there shall be established and installed one (1) stop signs on Cantey Street, regulating southbound vehicular traffic, at its intersection with the U.S. Highway 290 Frontage Road.

The stop sign shall be erected at the top of a standard pole, installed in the ground on the right hand side of the streets identified herein.

Section 2. That every person, firm or corporation, operating a motor vehicle or other vehicle of any kind, in, on, along and into the streets or street intersections designated in Section 1 hereof, upon reaching a stop sign at the location so designated, shall bring said vehicle to a full and complete stop in compliance with the provisions of applicable state law, before proceeding further along said street or into or on said street intersection.

Section3. That any person, firm or corporation, violating Section 2 hereof, shall be fined a sum of not less than $1.00 and not more than $200.00, plus applicable court costs.

Section 4. This Ordinance shall take full force and effect from and after its passage, approval and publication as required by applicable law.

PASSED and APPROVED on its first reading this the 27th day of August, 2015.

PASSED and APPROVED on its second reading this the 3rd day of September, 2015.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

AGENDA ITEM 10

DATE OF MEETING: August 27, 2015	**DATE SUBMITTED:** August 21, 2015
DEPT. OF ORIGIN: Finance	**SUBMITTED BY:** Carolyn D. Miller

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on its First Reading Amending the FY2014-15 Adopted Budget and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: Highlights of the amendment to the FY2014-15 budget include the following revenue increases: General Fund revenues for sale of property and library grant proceeds, City and County HOT taxes for increased collections, Debt Service Fund revenues for the proceeds of the 2015 GO Refunding Bonds, Sanitation Fund revenues for the sale of the Chappell Hill landfill property, and Donations Fund revenue for a contribution received for downtown improvements.

General Fund expenditures are being increased due to unanticipated expenses from the repair of the Ralston Creek street crossing, a donation to the Volunteer Fire Department, expenses related to a state softball tournament and for library technology equipment purchased through a grant. Other expense increases include: payments associated with the 2015 GO Refunding Bonds, Wastewater Fund expenses related to utility plant repairs, purchase of software in the PD Law Enforcement Fund, Donations Fund expenditures related to the Wayfinding Signage Program and Police Department body cameras, and the purchase of fire trucks in the 2014 Capital Projects Fund which were originally budgeted in FY14 but not received until FY15. City and County Hotel Occupancy Tax Funds are being amended for additional expenditures approved by the HOT Board during the current fiscal year. Expenditures are being decreased in the Streets and Drainage Fund due to the temporary freeze of the street reconstruction program.

Other budget amendment items include transfers between funds, the largest of which, is the transfer of the sales proceeds from the Chappell Hill landfill property from the Sanitation Fund to the General Fund and then its subsequent allocation to the 2014 Capital Projects Fund to be used for the library and animal shelter construction projects and to the Equipment Fund to be used for the remodel of the Fire Station living quarters.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance
FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the FY2014-15 adopted budget and authorize the Mayor to execute any necessary documentation.
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING THE FY2014-15 ADOPTED BUDGET; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Brenham, Texas has previously approved a budget for the fiscal year ending September 30, 2015, after having filed the same with the City Secretary and after holding public hearings on same, all after due notice as required by statute; and

WHEREAS, due to unforeseen circumstances and/or conditions, the City Council finds it is necessary to amend the FY2014-15 Budget for municipal purposes;

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

SECTION 1.

That the City Council of the City of Brenham, Texas, does hereby amend the budget for the City of Brenham, Texas for the fiscal year ending September 30, 2015, as shown on Exhibit A.

SECTION II.

This Ordinance shall take effect as provided by State Law and the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the ____ day of _____, 2015.

PASSED and APPROVED on its second reading this the ____ day of _____, 2015.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary

EXHIBIT A
AMENDMENT NUMBER 1
FISCAL YEAR 09-30-15

		General Fund	Sanitation Fund	Debt Service Fund	Streets & Drainage Fund	Wastewater Fund	Hotel Occupancy Tax Fund	Hotel Occupancy Tax Fund-County	Equipment Fund	PD Law Enforcement Fund	Donations	2014 Capital Projects	Hwy 290 PTT Fund	TOTAL
REVENUES (INC) DEC														
Proceeds for the Sale of Chappell Hill Landfill Property	A		(1,429,114)											(1,429,114)
Washington County Hotel Occupancy Tax Revenue	D							(45,126)						(45,126)
Proceeds from Sale of Fire Department Equipment	G	(24,000)												(24,000)
Proceeds from the Sale of Fire Pumper Truck	K	(23,500)												(23,500)
Downtown Improvements Donation Revenue	M										(28,000)			(28,000)
Proceeds for 2015 General Obligation Refunding Bonds	N			(4,169,994)										(4,169,994)
City HOT Fund Revenues	O						(27,000)							(27,000)
Grant Revenues	P	5,000												5,000
														-
														-
TOTAL BUDGETED REVENUES		**(42,500)**	**(1,429,114)**	**(4,169,994)**	**-**	**-**	**(27,000)**	**(45,126)**	**-**	**-**	**(28,000)**	**-**	**-**	**(5,741,734)**
EXPENDITURES INC (DEC)														
Budgeted expenses for Street Reconstruction Projects	C				(225,000)									(225,000)
Additional HOT funding for Washington County CVB - 2nd Geiger trip	D							40,000						40,000
State Softball Tournament Expenses	E	5,500												5,500
Additional HOT funding for Washington County CVB Adv. & Promo	F						21,500							21,500
Donation of Sales Proceeds from Fire Equipment to Volunteer Fire Department	G	24,000												24,000
Emergency Repair of Ralston Creek Crossing	H	75,700												75,700
Fire Department Vehicles	I											1,319,022		1,319,022
Police Department Body Camera Systems	J										34,585			34,585
Police Department Software	L									4,999				4,999
Wayfinding Signage Program	M								28,000					28,000
Issuance Costs for 2014 General Obligation Refunding Bonds	N			98,497										98,497
Payment to Refunding Agent for 2015 General Obligation Refunding Bonds	N			4,071,497										4,071,497
Payment of Available Resources to Refunding Agent for 2015 General Obligation Ref. Bonds	N			1,267,294										1,267,294
Library Computer Equipment	P	5,000												5,000
Utility Plant Repairs	Q					25,000								25,000
														-
														-
														-
TOTAL BUDGETED EXPENDITURES		**110,200**	**-**	**5,437,288**	**(225,000)**	**25,000**	**21,500**	**40,000**	**28,000**	**4,999**	**34,585**	**1,319,022**	**-**	**6,795,594**
BUDGETED TRANSFERS														
Sanitation Fund Transfer to General Fund	B	(1,429,114)	1,429,114											-
General Fund Transfer to 2014 Capital Projects Fund & Equipment Fund	C	1,429,114							(169,114)			(1,260,000)		-
Additional HOT funding for State Softball Tournament	E	(5,500)					5,500							-
Donation Fund Transfer to Equipment Fund for Wayfinding Signage Program	M								(28,000)		28,000			-
Hwy 290 Fund Transfer to Debt Service Fund - Cash for 2015 GO Refunding	N			(1,267,294)									1,267,294	-
														-
														-
														-
TOTAL BUDGETED TRANSFERS		**(5,500)**	**1,429,114**	**(1,267,294)**	**-**	**-**	**5,500**	**-**	**(197,114)**	**-**	**28,000**	**(1,260,000)**	**1,267,294**	**-**
CHANGE IN BUDGETED FUND BALANCE (INC) DEC		**$ 62,200**	**$ -**	**$ -**	**$ (225,000)**	**$ 25,000**	**$ -**	**$ (5,126)**	**$ (169,114)**	**$ 4,999**	**$ 34,585**	**$ 59,022**	**$ 1,267,294**	**$ 1,053,860**

NOTES

A - At the July 26, 2014 special meeting, Council approved the sale of 204.925 acres of land (Chappell Hill Landfill Property). The sale was completed on Oct. 10, 2014.
B - At the FY15 Budget Workshops, Council approved the transfer of the sales proceeds from the Chappell Hill Landfill property from the Sanitation Fund to the General Fund to be used for one-time capital purchases.
C - At the FY16 Budget Workshops, Council approved the re-allocation of the sales proceeds from the Chappell Hill Landfill property from Street Reconstruction projects to be used for the Library ($438,000) & Animal Shelter ($822,000) construction projects and for the Fire Station remodel ($169,114).
D - At the November 12, 2014 HOT Board meeting, additional 2013 Washington County HOT funds to be received in FY15 were allocated to the Washington County CVB for a 2nd Geiger trip.
E - At the November 12, 2014 HOT Board meeting, additional funding was approved for the IFA/VTD State Softball Tournament.
F - At the February 11, 2015 HOT Board meeting, $12,500 in additional funding was approved for the Washington Co. CVB to fund special television promotion and advertising. At the May 13, 2015 HOT Board meeting, additional funding of $9,000 was approved for the Washington Co. CVB to fund media and marketing research.
G - At the August 21, 2014 meeting, Council approved the sale of the Fire Department's Jaws of Life tools and power units and designated the proceeds as matching funds for new Jaws of Life tools to be purchased by the Volunteer Fire Department.
H - At the December 4, 2015 special emergency meeting, Council approved emergency repairs to Gun & Rod Road at Ralston Creek. Costs were estimated to be around $80,000.
I - Budgeted expenses for the Fire Department's new rescue and pumper trucks were originally budgeted in FY14 but were not incurred until FY15.
J - At the May 21, 2015 meeting, Council approved the purchase of body camera systems for the Police Department.
K - At the October 9, 2014 meeting, Council approved the sale of a 1986 Pierce Arrow Pumper Fire Truck to the City of Columbus for $23,500.
L - At the January 8, 2015 meeting, Council approved the acceptance of a grant for the purchase of a Mobile Forensics Software Unit with the City's cost of $4,999 to be paid for from Law Enforcement Seizure funds.
M - At the December 18, 2014 meeting, Council accepted a $28,000 donation from Brenham Main Street Historical Preservation, Inc. to be used for the Wayfinding Signage Program included in the FY15 budget of the Equipment Fund.
N - At the February 19, 2015 meeting, the Council approved the issuance of the 2015 General Obligation Refunding Bonds (refunding a portion of the 2010 Hwy 290 Pass Thru Toll Bonds).
O - Amend HOT Fund revenues for increased collections.
P - At the March 5, 2015 meeting, City council accepted a Library grant through the Edge Implementation Reimbursement Program for the purchase of new technology items.
Q - Emergency Repairs were needed on the blowers at the Wastewater Treatment Plant.

AGENDA ITEM 11

DATE OF MEETING: August 27, 2015 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** August 17, 2015 **SUBMITTED BY:** Carolyn D. Miller

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon RFP No. 15-009 for Bank Depository Services and Authorize the Mayor to Execute any Necessary Documentation

SUMMARY STATEMENT: See separate memo from ACM-CFO.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Memo from ACM-CFO; and (2) Patterson & Associates Analysis of Bank Depository Services Proposals

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Award RFP No. 15-009 for Bank Depository Services to Bank of Brenham for a period to begin September 1, 2015 and extend through August 31, 2020 with the condition that marketable securities will be pledged as collateral for demand deposits and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts

MEMORANDUM

To: Mayor and Council

From: Carolyn D. Miller
Assistant City Manager - Chief Financial Officer

Subject: Bank Depository Services RFP No. 15-009

Date: August 17, 2015

In June 2015, the City issued RFP No. 15-009 soliciting proposals for bank depository services. We have been soliciting proposals on a two (2) year cycle because our City Charter required that timetable. However, the Charter was amended in May 2015, and we are now on a five (5) year cycle.

The City received three proposals from the following financial institutions: Bank of Brenham, BBVA Compass who is our current depository bank, and Brenham National Bank. Linda Patterson, of Patterson & Associates, performed an analysis of the bank depository services proposals. Her complete analysis is included as an attachment to this memo. On August 10, 2015, the Audit Committee met to review the analysis and discussed major components. A summary of the recommendation is provided below.

Evaluation from Patterson & Associates

- Automated Banking Services – even though BBVA Compass has more automated services, Bank of Brenham and Brenham National Bank both have solid automated banking systems providing all basic services now being used.

- Monthly Fees – the individual service fees and the volume of services used are components of calculating the monthly fees and required compensating balances. Bank of Brenham proposed a "no fee" structure over the five year contract. Fees are adjusted for transition incentives offered by the bank.

Depository	Gross Monthly Fees	Adjusted Avg. Monthly Fees
Bank of Brenham	$ 00	$ 00
BBVA Compass	$ 1,840	$ 1,814
Brenham National	$ 1,533	$ 1,357

- Compensating Balance – when a compensating balance basis is used to pay bank fees, the interest rate used to generate funds to pay the bank fees is called the ECR (Earnings Credit Rate). The higher the ECR the higher the earnings and the lower the target balances required.

Depository	ECR	Balance Requirement
Bank of Brenham	.29%	$ 00
BBVA Compass	.48%	$ 4.5 million
Brenham National	no quote	Full Sweep into ICS

- Interest Bearing Accounts – Over the last two years, the City has maintained approximately $3.8 million in compensating balances with BBVA Compass which has an ECR of .90%. In looking at the overall yield, the City should also consider interest rates for other types of accounts as potential earnings on the $3.8 million balance minus banking fees. Bank of Brenham is proposing an interest bearing checking which will earn 1% with no bank fees.

	Adjusted Avg. Monthly Fees	Interest Bearing Rate	Estimated Earning/Mo
Bank of Brenham	$ 00	1.00%	$ 3,166
BBVA Compass	$ 1,814	0.03%	$ 380
Brenham National	$ 1,357	0.15%	$ 475

Recommendation from Patterson & Associates

The purpose of this analysis was to find the most cost effective and efficient banking situation for the City which provided all the necessary services. Initially the evaluation looked at service levels. Basic services and good, usable technology are available from all the banks without material differences in service capabilities.

On a fee basis Bank of Brenham with its "no fee" proposal was without a doubt the best option. And, the high interest rate of 1% (although set and not established as floor if rates should rise) gives the bank the best package available to the City.

It is recommended therefore that the City award the banking services contract to Bank of Brenham. **It is further recommended that the City receive assurance before award of the contract that marketable securities will be pledged as opposed to a letter of credit for collateral.**

The Audit Committee supported Patterson & Associates' recommendation in full. I have spoken to Lee Gaskamp, Bank of Brenham President, and they will honor the condition that marketable securities be pledged as collateral for demand deposits.

CITY OF BRENHAM, TEXAS

Analysis of Bank Depository Service Proposals
August 2015

The City of Brenham solicited proposals for banking services to serve the City with efficient and cost effective banking services. The City intended for its banking partner to continue to provide state-of-the-art technology to assure that its current banking needs would be met and that it will be able to incorporate technological changes and improvements into its operations over the period of the contract. The contract is to be for a five year period.

The City received three proposals for banking services in response to the Request for Proposal (RFP). The proposals were made by Bank of Brenham, BBVA Compass (the incumbent depository), and Brenham National Bank. All the banks have facilities and basic services within the City and are solid financial institutions which can provide the basic services.

The evaluation was guided by the City's guiding objectives in the RFP:

banking services costs and earnings potential,
responsiveness and ability to provide services and reports required,
collateral capacity,
earnings potential, and
creditworthiness and stability of the bank.

Since banks bundle services and price services differently, the evaluation of the proposals was made on several different levels to capture and evaluate those differences equitably.

(1) All **services** offered and recommended have been evaluated as to the level of service offered compared to the required specifics. The bank was also evaluated to determine its adaptability and capability to grow into new technologies as they become available.
(2) The **cost** of specific and overall services has been compared based on actual historical volumes.
(3) The potential for **earnings** has been compared based on various account structures and based on historical data incorporating any floor rates offered.
(4) The proposals have been evaluated combining all these factors and **netting earnings and costs** to create a final, unbiased assessment of net impact to the City.

These four levels of analysis have been completed through a detailed compilation of findings. The worksheets which were used to make these analyses are attached. The following report summarizes those findings highlighting only key areas to identify differences between banks. Comments are not all-inclusive but are made to highlight specific differences by way of explanation and illustration of the recommendation.

REQUIRED SERVICES EVALUATION

The City's RFP outlined and requested detailed information on all the services which would be required under the contract to perform its current banking services and to meet its projected needs. The goal is to assure that the bank performs those duties in the most cost effective/cost efficient manner.

The analysis evaluated all services which will be used initially or added during the term of the contract. Specific functional areas of required services are discussed briefly here noting significant differences in service levels or capabilities between banks. Neither the analysis nor recommendations automatically

include all services available through the banks if the costs were prohibitive or if their use by the City was unlikely. It is imperative, however, that the bank be capable of providing the service should it be needed.

The banks were ranked on services by (a) weighting each question in the RFP by its relative importance to the City and to the performance of the service and (b) scoring each proposal's response. The total points received by each bank for service provisions are:

Bank of Brenham	477
BBVA Compass	506
Brenham National	391

BBVA Compass, as might be expected, has more automated services available and has incorporated technology into their proposed service base with extensions into integrated payables and receivables since they have a larger customer base over which to spread development costs. Bank of Brenham and Brenham National are both state chartered banks but both have solid automated systems providing all basic services now being used.

Account Structure

The three banks have very different approaches to the bank account structures being offered. The RFP required the ability to automatically sweep daily into an SEC regulated money market fund as an option when rates rise. When rates are higher the best rates should be available outside the bank in money market funds to which funds are swept each day. The RFP also allowed for sweeps to an interest bearing account or stand-alone accounts to accommodate the current low rate environment. In addition, use of a sweep will reduce FDIC pass-through fees but no one of the three banks is pass-through those fees. Only BBVA has an outside money fund sweep mechanism.

The rise in rates to utilize a fund may require a year or perhaps two. Therefore the ECR rate (the rate at which target funds are earning for the City) become important. The three approaches by the banks along with the anticipated changes in interest rates as well as the structures being offered require a look at the three different structures:

a. Bank of Brenham has offered the City a <u>set</u> 1% interest rate on deposits for the life of the contract. This rate would apply to all interest bearing accounts. If the City wished to use money market accounts these would be at the bank's published rate at the time. This rate would not rise with any change in the rates. The bank has no sweep mechanism. A benefit at Bank of Brenham is application of interest at the account level which is not applicable at either of the other two banks.
b. BBVA Compass has offered a sweep to Goldman Sachs funds when the rates apply (which may be about 2 years at a minimum). Before that period the bank is offering four deposit options. They have tiered rates on interest bearing checking and money market accounts but the best potential structure for the City would be an analyzed account which earns at the ECR rate on the required (target) balance but then switches automatically to earn at the interest bearing rate above the target. For all intents this creates an internal bank sweep. The bank is offering a good ECR rate which currently stands at 0.48% but its interest bearing rate is below that of the pools (0.03%).
c. Brenham National has offered utilizing the Insured Cash Sweep product through the Promontory Network (the same network as CDARS) which would sweep funds out of the bank as a money market account. The rates on ICS are competitive but the restriction of 6 withdrawals a month may prove problematic to the City in planning cash movements. Cash remaining in the bank would be in the interest bearing accounts which the bank has set at 0.15% currently. The sweep to ICS is also done before 9am each day which could result in an under-collateralization situation.

The actual earnings impact of the rates will be discussed later in this report but the structures are quite different between all three and must be considered carefully as far as service options are concerned. The 1% offered at Bank of Brenham is anticipated to be the best alternative for funds in the banks for approximately two years. Since this is a set rate this may fall below other alternatives for a portion of the contract but the City will have access to the money market account published rates as well as outside investments at that point.

Automation and Online Transactions

All the banks have the basic reporting and transactional services needed which are available through a single portal. Security administration at three banks is controlled by the City's designated control person. All the banks utilize automated services which reduce time and effort required of City staff for standard banking functions (balance reporting, wires, ACH, stop pays, positive pay, etc.). BBVA has a higher level of customization to provide report detail and information. All systems are available prior to 8:00am for information processing and have intra-day reporting. The ability to assign interest at the account level at Bank of Brenham is helpful.

Deposit/Collection Services

In the area of basic deposit and collection services all the banks are essentially the same with local deposit sites. All the banks are actively recommending remotely captured checks for deposit. BBVA has already provided a scanner to the City and Bank of Brenham is offering a scanner in its proposal. Bank of Brenham is offering free checks and deposit slips for the deposit process throughout the contract.

All the banks remote systems are web based. BBVA can link their remote deposit to additional receivables services. Deposit times at BBVA and Brenham National is 3:00pm. Bank of Brenham will be extending deposit times this fall to 5:30pm. However the remote deposit cut-off at Bank of Brenham is 3pm versus 6pm at Brenham National and 9pm at BBVA.

Bank of Brenham using zippered or locked bags (free throughout the contract) whereas BBVA and Brenham National use poly-seal bags and Brenham National has offered these free bags for the life of the contract. The banks were asked to price a sample deposit which shows fee application at the various banks. There is no fee at Bank of Brenham, at Brenham National the deposit processing cost $47.38 and at BBVA $50.93.

Only BBVA has the RCK service, or re-presentment of checks through ACH. BBVA uses CheckTrack in addition to RCK as a collection system but the City is not currently using this service.

Disbursing Services

The provision of standard disbursing services is basically the same at all the banks. Each was asked whether they would cash City employee payroll checks if the employee was not a bank account-holder. Bank of Brenham has agreed to the condition. BBVA will also agree but has reserved the right to charge $10 each should the volume of checks increases above current levels. Brenham National will also agree to the condition when an ID is shown.

All the banks have positive pay services for safety. In the area of positive pay an important consideration is the time available to City staff to review the check exceptions. All these banks have relatively short time periods which impact staff time:

Bank of Brenham	6:00am – 11:00	3.0 hours (assuming 8:00 start)
BBVA Compass	9:30am – 12:00	2.5 hours
Brenham National	8:00am – 10:30	2.5 hours

In addition, the tellers' systems are updated in real-time with positive pay information at Bank of Brenham and Brenham National.

Payment management has become an important service from the banks over the past several years which could be used but is not used by the City for efficient and cost effective payment handling in the future. BBVA offers this through their Integrated Payables. The other two banks do not appear to have comparable services.

Wires and Internal Transfers

In the area of wires and internal account BBVA and Brenham National both offer online wire transfers and require a two-layer originate and release security system. Bank of Brenham does not have online service and requires an in-person delivery of instructions at the bank. All three can email the alert of incoming wires and BBVA also allows for online alerts.

Future dating of wires is available only at BBVA (out one year).

ACH Services

ACH banking services are of paramount and growing importance as it represents the most cost efficient payment transfer system available. Its use is undoubtedly going to increase in importance in the future as new services develop and use this mechanism. All the banks must utilize the NACHA[1] formats and services and function through SWACHA so there is little difference in the basic service.

All of the banks have ACH services and the City could transmit or manually enter transactions although this appears to be easier on Bank of Brenham and BBVA. Bank of Brenham and Brenham National reference their ability to filter transactions by originator but only BBVA actually defined the filters available. All the banks can block transactions. BBVA appears to have more extensive return reporting from the filters. The addenda accompanying ACH transactions are critical for the staff to identify transactions. BBVA provides the entire addendum information.

Investment Safekeeping

The City does not currently invest in securities for its portfolio so safekeeping is a required but not currently critical service. BBVA does its own safekeeping whereas Bank of Brenham uses Texas Independent Bank (TIB) and Brenham National uses FHLB Dallas. None has online capability for inquiry on positions. Bank of Brenham requires a prior day notification of trade tickets whereas the other two can accept same day trades.

BBVA and Brenham National can both allow for pricing through the account analysis. (Bank of Brenham has no fees for the service.)

Collateral Conditions

The RFP outlined specific conditions for the provision and safekeeping of required collateral which were directed to maximum safety of the City's funds and listed authorized collateral. The requirements included the 102% margin level for collateral, authorized collateral types, and the provision for independent third party safe-keeping and reporting. The RFP specifically stated that pledged securities were preferred over a letter of credit (LOC). The banks were required to accept the conditions as stated.

[1] National Association of Automated Clearing House Association

None of the banks confirmed all the conditions without exceptions. Bank of Brenham prefers to propose the use of a LOC but will agree to pledged securities if they are held at TIB. BBVA Compass is also requesting the use of a letter of credit from the FHLB but has also offered securities if they are held at the FHLB. Brenham National is agreeing to pledge and hold securities at FHLB. The City has required a monthly collateral report sent by the custodian but FHLB will not send a report. The report will be sent by the bank pledging the securities which allows for no custodial third party verification. No collateral fees are being charged by any of the banks.

Statements and Account Analyses

All the banks provide monthly statements online next day and make them available for downloads. Paper statements are available at all the banks but Brenham National will charge a fee for the paper version.

The account analysis which provides critical information on the services used and a check on service volumes is provided by BBVA and Brenham National in 7 and 10 days respectively.

Stop Pays

The ability to stop checks is available at all the banks. Bank of Brenham sets their stop pays at 180 days, BBVA for two years and Brenham National for 6 months. Renewals, versus recreation of stops, are only available at BBVA. All allow for online entry and all have existing stops information online but that information is more extensive at Bank of Brenham and BBVA. BBVA and Bank of Brenham have much later same day deadlines (9pm and 5pm respectively) than Brenham National (noon).

Overdraft Protection

Although the City does not anticipate any overdrafts the potential exists. All the banks view overdrafts as an extension of credit and review each occurrence. BBVA views overdrafts on an account basis whereas the other banks see the entire relationship and aggregate account balances for overdraft calculation purposes. All will address on a case-by-case basis with relationship managers. BBVA and Brenham National charge for overdrafts which Bank of Brenham does not.

Company Banking

As an optional service the City asked the banks whether they had company banking programs to offer service to direct deposit employees, at no cost to the City. Bank of Brenham and BBVA have a program of this type. Brenham National does not have such a program.

Additional Services

The banks were encouraged to address any other services which may be of interest to the City. Only BBVA described additional services including pay cards, integrated payables, image cash letters, and merchant services.

BANKING COSTS EVALUATION

In its RFP the City has reserved the right to pay for services on either a fee or compensating balance basis dependent upon the interest rate environment[2]. Regardless of the method of compensation used, the total cost of the contract starts with the individual service fees in each bank. Both fees and compensating

[2] In very low interest rate environments the ECR may exceed the interest paid in accounts or money funds. Rates rise however the ECR usually earns half of Fed Funds (i.e. overnight rates).

balances are based on these fees and the volumes of those services used. A detailed RFP Attachment form was used to capture unit costs for each services and levels of service. And, banks were alerted to the need to include all fees associated with the provision of a service if that fee was to be charged during the contract period.

Bank of Brenham has proposed a "no fee" contract with a set rate of 1% on interest on interest bearing accounts. Should the City chose to use a money market account it will be available at the then published rate.

	Gross Fees
Bank of Brenham	$ 00
BBVA Compass	$ 1,840
Brenham National	$ 1,533

Transition Incentives

The cost of the contract is directly impacted by the transition incentives being offered by the banks. In the RFP, the banks were asked if they were offering the City any transition incentive to reduce the cost of changing banks or as an incentive to maintain the account.

- **Bank of Brenham is offering a "no fees" contract with a set 1% on interest bearing accounts. In addition, the bank is offering one safe deposit box, a remote check scanner, and free checks and deposit slips for the life of the contract.**
- **BBVA Compass, the incumbent, is offering the City $1,500 in cash for purchase of supplies.**
- **Brenham National is offering check stock and deposit slips at no cost and has offered to waive the first two months of fees. The bank is also offering free deposit polyseal bags free for the life of the contract.**

Using each bank's estimated gross cost per month these incentives have been included to measure the impact on the monthly cost of service. The average adjusted monthly charges over a five year contract period are shown below. The fees for Bank of Brenham are zero.

	Gross Fees	Adjusted 5 Yrs
BBVA Compass	$ 1,840	$ 1,814
Brenham National	$ 1,533	$ 1,357

There are some material fee differences on high volume items between banks which create these differences as shown below:

Compensating Balance Calculations

When a compensating balance basis is used to pay bank fees, which could be estimated to continue another year (conservatively), a target balance sufficient to generate interest equal to the fees must be maintained in the bank. The interest rate used to generate funds to pay the fees is called the ECR (Earnings Credit Rate). It is a unique managed bank rate applied only for this purpose. The higher the ECR the higher the earnings and the lower the target balances required. As a result, the City then has more funds to be used to invest otherwise or does not have to keep more funds in the bank. The target balance is set by the bank.

The Bank of Brenham has quoted an ECR rate but it would not come into effect because they are bidding a no fee basis. The rate quoted was 0.29%. The ECR rate offered by BBVA is 0.48% which would require a

compensating balance of $4.5 million which is slightly above the average balance maintained by the City. Brenham National has not quoted an ECR rate apparently because they anticipate a full sweep to the ICS. However, with that sweep occurring in the morning and potential later deposits it is likely that an ECR would be needed. In all cases, it is likely that the rates will increase and the City could switch to a fee compensation basis but this is not likely for two to three years if rates continue to climb.

The City has maintained approximately $3.8 million in bank balances with comp balances. The investment pools are yielding approximately 0.06-0.09% so investment in the higher ECR position is a benefit to the City and the 0.48% offered by BBVA is higher than the other banks but will not be materially high after two or more rate hikes by the Federal Reserve.

The interest rates in other type accounts is critical to compare (on the $3.8 million balance minus fees):

	Avg Monthly Fees (adjusted)	IB Rate	Est.Earning/Mo
Bank of Brenham	$ 00	1.00%	$ 3,166
BBVA Compass	$ 1,814	0.03%	$ 380
Brenham National	$ 1,357	0.15%	$ 475

RECOMMENDATION

The purpose of this analysis was to find the most cost effective and efficient banking situation for the City which provided all the necessary services. Initially the evaluation looked at service levels. Basic services and good, usable technology are available from all the banks without material differences in service capabilities.

On a fee basis Bank of Brenham with its “no fee” proposal was without a doubt the best option. And, the high interest rate of 1% (although set and not established as floor if rates should rise) gives the bank the best package available to the City.

It is recommended therefore that the City award the banking services contract to Bank of Brenham. It is further recommended that the City receive assurance before award of the contract that marketable securities will be pledged as opposed to a letter of credit for collateral.

Patterson & Associates
Austin, TX

AGENDA ITEM 12

DATE OF MEETING: 8-12-15	**DATE SUBMITTED:** 8-20-15
DEPT. OF ORIGIN: Library Services	**SUBMITTED BY:** Wende Ragonis

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Acceptance of the Library Cooperation Grant offered by the Texas State Library and Archives Commission and funded by the Institute of Museum and Library Services in the Amount of $8,800 for Five (5) Laptops with Accessories, and Ten (10) Licenses of GED Software for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation.

SUMMARY STATEMENT: The Texas State Library and Archives Commission (TSLAC) offered a competitive FY16 Library Cooperation Grant with funds from the Institute of Museum and Library Services (IMLS). This grant provides funding for programs that establish or enhance cooperative services among Texas library communities. Funded programs are required to develop partnerships with community-based organizations. Library staff met with Brenham ISD and Region 6 Adult Education representatives to discuss the benefit and impact of this grant opportunity. Statistics from the Brenham Independent School District show an increase in the high school dropout rate from .4% in 2013 to 1.3% in 2014, and the 2010 census data reflects 5,400 people in Washington County under the age of 24 are without high school or GED credentials. These statistics prove that there is a need for further adult education opportunities in our community. The Library as a provider of free and easy access to technology is eager to fill this gap and expand educational opportunities in the community by developing a partnership with Brenham ISD and Region 6 Adult Education.

The Nancy Carol Roberts Memorial Library applied for the Texas State Library and Archives Commission grant. To meet the requirement of partnership development for the grant, a Memorandum of Understanding between Region 6 Adult Education and the Nancy Carol Roberts Memorial Library was drafted. This document has been reviewed by the City Attorney and is attached.

The Nancy Carol Roberts Memorial Library was notified by email of the grant award August 3, 2015. Staff attended a *Next Steps* webinar hosted by the Texas State Library and Archives Commission on August 5, 2015. Erica McCormick of TSLAC reviewed the grant requirements as 71 agencies within the State were awarded some type of TSLAC grant. The grant amount awarded to the NCRML was the Library Cooperation Grant in the amount of **$8,800.** This is a reimbursement grant which would purchase new technology and GED software to be held and owned by the NCRML. Once notified of the award, Library staff collaborated with representatives of Brenham ISD and Region 6 Adult Education to determine the resources which would best align with adult education needs.

Those resources are as follows:

1) ***Five laptops with accessories at an estimated cost of $1,260 each for a total cost of $6,300.*** Each laptop would have integrated camera and audio capabilities necessary for a planned GED distance learning course. Accessories would include a mouse and set of headphones. Staff will use the laptops to offer weekly online adult GED test prep courses with the assistance of a volunteer Region 6 Adult Education staff member.

2) ***Ten licenses of Aztec GED software at an estimated cost of $250 for a total cost of $2,500.*** Each license will allow for an unlimited number of access logins and the 10 licenses will allow 10 patrons to use the software simultaneously.

Staff respectfully requests that Council accepts this grant opportunity and the memorandum of understanding between NCRML and Region 6 Adult Education, so those seeking their GED credentials in the community can be successful in accomplishing that goal.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Provides essential adult education within the community.

B. CONS: Students willing to seek out GED credentials will continue to be limited by the lack of access to the state approved GED software. This impacts success for these students as there is a requirement for study hours to earn a GED.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) MOU with Region 6; and (2) TSLAC Library Cooperation Grant Program Contract (Grant #: 479-16007)

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve the acceptance of the Library Cooperation Grant offered by the Texas State Library and Archives Commission and funded by the Institute of Museum and Library Services in the amount of $8,800 for five (5) laptops with accessories, and ten (10) licenses of GED software for the Nancy Carol Roberts Memorial Library and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts

Memorandum of Understanding

WHEREAS, **Nancy Carol Roberts Memorial Library** and **Region 6 Education Service Center** have come together to collaborate and to make an application for the **Texas State Library and Archives Commission- Library Cooperation** grant; and

WHEREAS, the partners listed below have agreed to enter into a collaborative agreement in which **Nancy Carol Roberts Memorial Library** will be the lead agency and named applicant and **Region 6 Education Service Center** will be partners in this application; and

WHEREAS, the partner herein desires to enter into a Memorandum of Understanding setting forth the services to be provided by the collaborative; and

WHEREAS, the application prepared and approved by the collaborative through its partner is to be submitted to the Texas State Library and Archives Commission on or before **March 11, 2015**;

I) Description of Partner Agencies

The Adult Education Program offered by Region 6 is a partnership of Brenham ISD and Region 6 Education Service Center and is housed in the Brenham Community Education building. Currently there are over 250 adult students enrolled in an adult education program including: 156 ESL students, 32 Pre-GED students, 56 GED students and 12 Distance Learning students.

II) History of Relationship

The Region 6 adult education program is provided by a grant with the Brazos Valley Workforce and the Region 6 Education Service Center. Region 6 has provided adult education in Brenham for over 30 years. The Nancy Carol Roberts Memorial Library has offered adult education programming in the past and works to inform patrons of the adult education programs offered by Region 6.

The critical goal of this collaboration is to develop a public partnership with a commitment to education in order to provide GED students with the knowledge, tools, techniques, and resources needed to achieve success on the GED exam.

III) Development of Application

The library recently began working with the Region 6 adult education program in order to reach out to GED students and bring awareness to current library resources. The library supervisor then met with the Region 6 Community Education programs coordinator to determine program and resource needs. A partnership was formed and an agreement was made that the Library Cooperation grant could assist with meeting the needs of a collaborative GED program.

IV) Roles and Responsibilities

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

1) **Nancy Carol Roberts Memorial Library** will provide **educational assistance and resources** to participants of the GED test prep program including:
    a. Computers with wifi and high speed internet
    b. Quiet study space
    c. State approved distance learning (online) software (Aztec)
    d. Staff assistance with computers and online resources

2) **Region 6 Education Service Center** will provide **educational assistance and resources** to participants of the GED test prep program including:
    a. Instructor led GED test prep classes for enrolled students
    b. Support staff at a prescribed time to administer a pre assessment test for placement and post assessment test to measure effectiveness.
    c. Development of personalized student learning plan to use during GED test prep program.

3) **Nancy Carol Roberts Memorial Library** and **Region 6 Education Service Center** will collaborate in the following manner:
    a. Partners will develop a program presentation and promote resources to community groups
    b. Partners will provide an orientation for first time GED test prep participants.
    c. Partners will assist program participants with computer and software use, and help students to follow a personalized learning plan.
    d. Partners will track and report program outcomes.

V) Timeline

The roles and responsibilities described above are contingent on **Nancy Carol Roberts Memorial Library** receiving funds requested for the project described in the Library Cooperation grant application. Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be **09/01/2015** through **08/31/2016**.

VI) Certifications

1) **Region 6 Education Service Center** understands that acceptance of funds from **Nancy Carol Roberts Memorial Library** under this Memorandum of Understanding acts as acceptance of duly authorized representatives of TSLAC, IMLS, the Comptroller General of the United States, and the Texas State Auditor's Office, or any successor agencies, to conduct an audit or investigation in connection with those funds. **Region 6 Education Service Center** further agrees to cooperate fully with said representatives in the conduct of the audit or investigation and agrees to provide access to all books, documents, papers, examinations, excerpts, transcripts, copies, and any other records necessary to conduct the audit and/or investigation.

2) **Region 6 Education Service Center** certifies by this Memorandum of Understanding that no Federal appropriated funds have been paid or will be paid, by or on behalf of **Region 6 Education Service Center**, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid for such purpose, **Region 6 Education Service Center** shall complete and submit OMB form SF-LLL, Disclosure of Lobbying Activities, in accordance with its instructions. **Region 6 Education Service Center** shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly, as specified in Title 31 U.S. Code, Sec. 1352.

VII) Commitment to Partnership

1) The collaboration service area includes **Washington County, TX and surrounding communities.**

2) The partners agree to collaborate and provide **educational assistance and resources** to participants of the **GED Test Prep Program** pursuant to the program narrative of the grant application attached to this agreement.

3) We, the undersigned have read and agree with this MOU. Further, we have reviewed the proposed project and approve it.

By: _____
Mayor, **City of Brenham, Nancy Carol Roberts Memorial Library**

Date: _____

_____
Director**, Region 6 Adult Education**

Date: _____

TEXAS STATE LIBRARY & ARCHIVES COMMISSION
LIBRARY COOPERATION GRANT PROGRAM

Grant Number: 479-16007

I. CONTRACTING PARTIES

Grantor: Texas State Library and Archives Commission (TSLAC)

Subrecipient: City of Brenham, Nancy Carol Roberts Memorial Library
PO Box 1059
Brenham, TX 77834
DUNS No.: 939864294

II. TERM OF GRANT

September 1, 2015, through August 31, 2016 (SFY 2016)

III. STATEMENT OF SERVICES TO BE PERFORMED

Subrecipient shall provide services as outlined in the approved grant application (Library Cooperation Grant for State FY16) as approved by TSLAC. Grant funds must be used to meet TSLAC and Federal goals. The Subrecipient must report information relating to best practices and performance outcomes and will comply during the period of this contract. The approved grant application submitted by Subrecipient is incorporated into this contract as if fully set forth herein. In the event of any conflict between the grant application and this contract, this contract shall prevail.

IV. GRANT AMOUNTS AND DISBURSEMENT REQUIREMENTS

A. The total amount of the grant shall not exceed: $8,800.00. Indirect costs, as included in the total amount awarded, shall not exceed 0% or $0.00 as indicated in the budget below.

B. Source of funds:

Institute of Museum and Library Services (IMLS)

CFDA Name: LSTA State Grants CFDA #: 45.310

Federal Award Identifiication #: LS-00-15-0044-15; Federal Award Date: January 28, 2015

C. The Subrecipient is restricted to one of two methods for requesting funds from TSLAC. The Subrecipient may request reimbursement of actual expenditures for the Subrecipient's normal billing cycle, or advance payment for estimated expenditures to be incurred in the 30-day period following the request. Only Subrecipients providing documentation to demonstrate a lack of sufficient working capital and the ability to minimize the time elapsing between transfer of funds from TSLAC and disbursement of grant funds will be allowed to request advance payments.

D. The Subrecipient must request payments from TSLAC using TSLAC's Request for Funds form (RFF) via TSLAC's online Grant Management System (GMS), located at https://gms.tsl.texas.gov. Requests may be submitted to TSLAC no more often than once per month, and no less often than once per quarter. Funds will be processed and paid to the Subrecipient provided TSLAC has received a fully executed contract, and Subrecipient has fulfilled all reporting and training requirements for current and preceding contracts and submitted supporting documentation with the RFF.

E. When submitting an RFF for reimbursement, the Subrecipient must provide TSLAC with documentation, such as invoices, time sheets, and/or pay stubs, and Attachment A (RFF Supporting Documentation Summary) to support the amount requested before payment will be processed. Subrecipient must submit the final request for reimbursement no later than **September 30, 2016**.

F. The Subrecipient may not obligate or encumber grant funds after **August 31, 2016**. All obligations and encumbrances must be liquidated or paid no later than **October 15, 2016.**

G. Interest earned in excess of $500 on advanced funds, must be returned to TSLAC, per requirements in the State of Texas Uniform Grant Management Standards (UGMS). All unexpended grant funds must be returned to TSLAC with the Final Financial Status Report (FSR) per requirements in UGMS. See Section VII. C. of this contract for FSR due dates. As part of the Section VII reporting requirements, the Subrecipient will notify TSLAC of the amount of projected unexpended funds with each FSR submitted. If the Subrecipient does not expend funds on a regular basis and/or provide notice relating to unexpended funds, TSLAC reserves the right to act as necessary to reduce any unexpended balances, including reducing the amount specified in Section IV. A. above.

H. Per the approved grant application, funds are authorized according to the following budget:

Personnel	$0.00
Fringe Benefits	$0.00
Travel	$0.00
Equipment/Property	$0.00
Supplies	$0.00
Supplies-Equipment	$6,300.00
Services	$2,500.00
Consultant Fees	$0.00
Indirect Costs	$0.00
Total	$8,800.00

V. REQUEST FOR FISCAL AND PROGRAMMATIC CHANGES

The Subrecipient must request a Budget and/or Program Revision for fiscal and/or programmatic changes as outlined in this Section. Subrecipient must submit a request for Budget and/or Program Revision electronically on TSLAC'S GMS. Under no condition may a Subrecipient request to exceed the total grant amount. TSLAC must receive all change requests on or before **July 15, 2016**. Requests received after this date will generally be declined, but may be considered on a case-by-case basis if extenuating circumstances exist. **Subrecipient must submit a Budget and/or Program Revision to TSLAC before obligating or expending grant funds under any of the following conditions:**

A. Fiscal changes require an approved Budget Revision under any of the following conditions:

1. Making cumulative transfers among budget cost categories or projects that are expected to exceed ten (10) percent of the total grant; and/or,
2. Transferring any funds into a budget cost category that currently equals zero ($0); and/or,
3. Expending any program income earned through the utilization of resources funded by this grant; and/or,
4. Changing the items listed in the approved budget categories if an item's cost or features are substantially different from what the approved grant application specifies, or from a previously approved fiscal or program revision.

B. Programmatic changes to the approved grant application require an approved Program Revision under any of the following conditions:

1. Obtaining the services of a third party to perform activities that are central to the purposes of the grant; and/or,
2. Changing the scope or objectives of the approved program, regardless of whether there is an associated budget revision. A change in scope is a substantive difference in the approach or method used to reach program objectives.

VI. EQUIPMENT AND PROPERTY REQUIREMENTS

A. If conditions described in Section V.A.1. are met, fiscal changes to items listed in the Equipment/Property Budget category specified in Section IV. H of this contract require a pre-approved Budget Revision. This is defined as the cost of the equipment and/or property, including any cost necessary to put the item into service, such as the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make the item usable for the purpose for which it is acquired. Ancillary charges such as taxes, duty, protective in-transit insurance, freight, and installation may be included in or excluded from the expenditure cost in accordance with the Subrecipient's regular accounting practices and Generally Accepted Accounting Practices (GAAP).

B. The Subrecipient will comply with UGMS requiring certain items of equipment to be maintained on inventory if the item's cost is between $500 and $1000.

C. Equipment costing $5,000 or more per unit requires approval before purchase. In those instances, TSLAC will secure approval from IMLS on behalf of the Subrecipient, and inform Subrecipient of approval once received.

D. The Subrecipient agrees to submit the most current TSLAC Equipment/Property Report electronically via TSLAC'S GMS after the Final FSR is submitted, but no later than **October 31, 2016,** for all equipment/property purchased with grant funds during the SFY16 grant year. This list must balance with the equipment/property purchased under the approved grant application and all subsequently approved budget and/or program revisions.

E. Subrecipient must furnish a statement to TSLAC certifying the governing entity's capitalization level with the signed grant contract. Subrecipient agrees to maintain records on all equipment/property with an acquisition cost above governing entity's capitalization level.

F. Subject to the obligations and conditions set forth in the UGMS, title to equipment acquired under a grant will vest in the Subrecipient upon acquisition. Subrecipient must include any equipment/property acquired with grant funds in the required biennial property inventory, and follow the UGMS requirement that the Subrecipient reconcile the equipment/property records with a physical inventory of the equipment/property every two years. This biennial inventory does not need to be submitted to TSLAC, but must be maintained by the Subrecipient and will be subject to review and/or audit by TSLAC. When property is vested in the Subrecipient, Subrecipient will dispose of equipment/property in accordance with UGMS. When the Subrecipient has been given federally or state-owned equipment/property, Subrecipient will follow the guidance as set forth in UGMS.

VII. REPORTING REQUIREMENTS

The State Legislature has charged TSLAC with submitting performance measurement reports that specify the level of services provided by its programs and services. In accepting these grant funds, the Subrecipient acknowledges responsibility for performing certain services on behalf of TSLAC, as outlined in the approved grant application. Therefore, the Subrecipient is responsible for submitting periodic reports that reflect the Subrecipient's level of performance on these services to TSLAC. To comply with these requirements, the Subrecipient agrees to submit reports that are timely, accurate, auditable, and consistent with definitions.

A. The Subrecipient agrees to develop or revise, as necessary, any specific written documentation of its current procedures for (1) collecting and reporting performance measures; (2) conducting a fixed asset inventory; and/or, (3) any other issues identified in Subrecipient's internal audit report or grant activities. Drafts of this procedural documentation will be submitted to TSLAC by dates established mutually between TSLAC and Subrecipient. TSLAC will provide review and guidance to enable final versions to be approved on or before established deadlines.

B. The Subrecipient agrees to submit quarterly performance reports detailing grant-funded activities via TSLAC'S GMS on or before due dates listed in the following schedule. In the event that a due date falls on a weekend or state holiday, the respective report will be due on the next business day. Subrecipient agrees to submit Legislative Budget Board (LBB) measures, as defined by TSLAC, in the reports, and to work with agency staff in the development and reporting of Project outcomes.

LBB measures may include the numbers of: a) books and other materials purchased with grant funds; b) persons provided grant-sponsored services; and/or c) library staff trained or assisted in order to carry out the grant-funded activities.

Reporting Period	Due Date
Q1 (September 1, 2015–November 30, 2015)	**December 7, 2015**
Q2 (December 1, 2015–February 29, 2016)	**March 7, 2016**
Q3 (March 1, 2016–May 31, 2016)	**June 7, 2016**
Q4 (June 1, 2016–August 31, 2016)	**September 7, 2016**

C. The Subrecipient agrees to submit quarterly Financial Status Reports via TSLAC'S GMS on or before the due dates listed in the following schedule. In the event that a due date falls on a weekend or state holiday, the respective report will be due on the next business day. Subrecipient should submit a Final FSR once all grant funds have been expended and reimbursed.

Reporting Period	Due Date
Q1 (September 1, 2015–November 30, 2015)	**December 31, 2015**
Q2 (December 1, 2015–February 29, 2016)	**March 31, 2016**
Q3 (March 1, 2016–May 31, 2016)	**June 30, 2016**
Q4 (June 1, 2016–August 31, 2016)	**September 30, 2016**

In the event the Subrecipient has not received the final reimbursement by August 31, 2016, a fifth and final FSR must be submitted no later than **October 31, 2016**, to report any funds received after August 31, 2016.

D. The Subrecipient will assure that all fiscal reports or vouchers requesting payment under this agreement will include a certification, signed by an official who is authorized to legally bind the Subrecipient, that the reports are true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the award. The Subrecipient acknowledges that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject the official to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. (2 CFR §200.415(a))

E. The Subrecipient agrees to submit the final Grant Contract Checklists to TSLAC no later than **October 31, 2016.**

F. The Subrecipient agrees to submit an audit certification form for the auditable period encompassing August 31, 2016, to TSLAC no later than **December 31, 2016.**

G. If a single audit is required, the Subrecipient will omply with the Supercircular (2 CFR §200.512 Report Submission). The audit shall be completed and the required data collection form submitted to the Federal Audit Clearinghouse (FAC) within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a longer period is agreed to in advance by the state agency that provided the funding or a different period is specified in a program-specific audit guide.

H. TSLAC reserves the right to withhold final payment on this Grant until all required reports and forms are received.

VIII. GENERAL TERMS AND CONDITIONS

A. The Subrecipient will comply with the Library Cooperation Grant Program Guidelines for SFY 2016.

B. The Subrecipient will comply with the Rules for Administering the Library Cooperation Grant, Texas Administrative Code (TAC), Title 13, Part 1, Chapter 2, Subchapter C, Division 3, Rules 2.310–2.312; and Title 13, Part 1, Chapter 2, Subchapter C, Division 1, Rules 2.110–2.119 regarding General Grant Guidelines.

C. The Subrecipient will comply with the following rules and guidance as applicable:

1. Texas Uniform Grants Management Standards (UGMS) *(comptroller.texas.gov/procurement/catrad/ugms.pdf);* and
2. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Parts 200 and 3187 (Supercircular)) *(www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#h-4).*

D. The Subrecipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. IMLS and TSLAC reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal or state government purposes. (2 CFR Part 200.315)

E. Subrecipient understands that the federal awarding agency, IMLS, and TSLAC have the right to:

1) obtain, reproduce, publish or otherwise use, the data produced under a Federal award; and

2) authorize others to receive, reproduce, publish or otherwise use such data for Federal or state government purposes.

F. All publicity relating to the grant award must include acknowledgment of the Institute of Museum and Library Services (*www.imls.gov/recipients/imls_acknowledgement.aspx)* and the Texas State Library and Archives Commission. Publicity includes, but is not limited to press releases, media events, public events, displays in the benefiting library, announcements on the Subrecipient's website, and materials distributed through the grant project. The Subrecipient will provide TSLAC with one set of all public relations materials produced under this grant with the final quarterly performance report.

G. The Subrecipient understands that acceptance of funds under this contract acts as acceptance of the authority of duly authorized representatives of TSLAC, IMLS, the Comptroller General of the United States, and the Texas State Auditor's Office, or any successor agencies, to conduct an audit or investigation in connection with those funds. Subrecipient further agrees to cooperate fully with said representatives in the conduct of the audit or investigation and agrees to provide access to all books, documents, papers, examinations, excerpts, transcripts, copies, and any other records necessary to conduct the audit and/or investigation.

Subrecipient will ensure that this clause concerning the authority to audit funds received indirectly by Sub-subrecipients through Subrecipient, and the requirement to cooperate, is included in the contract for any sub-grant awarded.

H. The Subrecipient agrees to maintain all financial and programmatic records, supporting documents, statistical records, and other records relating to this grant award for three years after the last State Program Report for the Texas LSTA 5-Year Plan 2013-2017 is submitted on December 31, 2018. **The Subrecipient must maintain all grant-related records through December 31, 2021. Subrecipients that operate as state agencies must comply with S.B. 20 (Section 441.1855) relating to state agency contracting and the retention of all contract-related documents.**

In the event the Subrecipient or receiving entity no longer exists, the Subrecipient will notify TSLAC in writing providing the name of the legal entity that will maintain the records and the location of said records.

I. This grant may be terminated by written notice and mutual agreement of both parties. The termination notice must be given no less than 30 days prior to the termination date. Where notice of termination is given, the Subrecipient shall:

1. Take immediate steps to bring the work or grant activities to a close in a prompt and orderly manner. Subrecipient will complete reporting requirements outlined in Section VII of this document and in a manner mutually agreed upon by both parties as part of the closeout process.
2. Reduce expenses to a minimum and not undertake any forward commitment. All contracted funds that are not spent, encumbered or obligated at the time of notice of termination shall revert back to TSLAC according to processes established in Section IV of this document and according to a timeline mutually agreed upon by both parties.

In the event the Subrecipient loses all staff prior to the end of the grant period or the termination date, whichever is earlier, the Subrecipient is obligated to fulfill all terms and conditions of the grant with regard to reporting requirements, retention of records and requirements for disposition of equipment and supplies.

IX. ENFORCEMENT

A. Remedies for noncompliance. If a Subrecipient materially fails to comply with any term of the contract, whether stated in a state or federal statute or regulation, an assurance in a state plan or application, a notice of award, or elsewhere, TSLAC may take one or more of the following actions or impose other sanctions as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the Subrecipient, or more severe enforcement action by TSLAC;
2. Disallow (that is, deny both use of funds and matching credit for) all or part of the cost of the activity or action not in compliance;
3. Wholly or partly suspend or terminate the current contract for the Subrecipient's program;
4. Withhold further awards for the program; or
5. Take other remedies that may be legally available.

B. Hearings, appeals. In taking an enforcement action, TSLAC will provide the Subrecipient an opportunity for such hearing, appeal, or other administrative proceeding to which the Subrecipient is entitled under any statute or regulation applicable to the action involved. Appeal/protest procedures are outlined in the Texas Administrative Code (TAC), Title 13, Part 1, Chapter 2, Subschapter A, Rule 2.55.

C. Effects of suspension and termination. Costs to Subrecipient resulting from obligations incurred by the Subrecipient during a suspension or after termination of an award are not allowable unless TSLAC expressly authorizes them. Other Subrecipient costs incurred during suspension or after termination that are necessary and not reasonably avoidable are allowable if:

1. The costs resulting from obligations that were properly incurred by the Subrecipient before the effective date of suspension or termination are not in anticipation of it and, in the case of a termination, are noncancelable; and,
2. The costs would be allowable if the award were not suspended or expired normally at the end of the funding period in which the termination takes effect.

D. Relationship to Debarment and Suspension — The enforcement remedies identified in this section, including suspension and termination, do not preclude Subrecipient from being subject to "Debarment and Suspension" under Executive Order 12549 and state law.

X. CONTACTS AT TSLAC

Questions or concerns about programmatic issues, budget and/or program revisions, performance reports, and equipment/property should be directed to:

Erica McCormick, Grants Administrator
Phone: 512-463-5527/ Fax: 512- 936-2306
E-mail: emccormick@tsl.texas.gov

Questions or documentation relating to requests for funds and financial status reports should be directed to:

Tamra Lavin, Grants Accountant
Phone: 512-463-5472 / Fax: 512-475-0185
E-mail: tlavin@tsl.texas.gov or grants.accounting@tsl.texas.gov

Questions or concerns about advance payments and other financial issues should be directed to:

Rebecca Cannon, Manager, Accounting and Grants
Phone: 512-463-6626 / Fax: 512-475-0185
E-mail: rcannon@tsl.texas.gov

Payments from Subrecipient to TSLAC, such as refunds and those for excess advanced funds or interest earned on advanced funds, should be mailed to the following address with a revised FSR, an explanation of the purpose of the payment, and the grant number:

Grants Accountant
Accounting and Grants Department
Texas State Library and Archives Commission
PO Box 12516
Austin, TX 78711-2516

XI. APPLICABLE AND GOVERNING LAW

A. The laws of the State of Texas shall govern this grant.

B. All duties of either party shall be legally performable in Texas. The applicable law for any legal disputes arising out of this contract shall be the law of (and all actions hereunder shall be brought in) the State of Texas, and the forum and venue for such disputes shall be Travis County, District Court.

C. This grant contract is subject to the availability of funds. TSLAC may reduce or terminate this grant contract when the availability of funding is reduced or eliminated.

XII. GRANT CERTIFICATIONS

A. TSLAC certifies that: (1) the services specified in the approved grant application and this contract are necessary and essential for activities that are properly within the statutory functions and programs of the affected organizations; (2) the services, supplies or materials contracted for are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under contract given to the lowest bidder; and, (3) the grant is in compliance with Texas Government Code §441.006, Texas Government Code §441.135; Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter C, Division 3, Rules 2.310–2.312 regarding the Library Cooperation Grant Program; Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter C, Division 1, Rules 2.110–2.119 regarding General Grant Guidelines; the Library Services and Technology Act (LSTA); the State Plan for the LSTA in Texas; and UGMS.

B. The Subrecipient certifies that all costs included in this grant award are properly allocable to federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocatred in accordance with applicable requirements.

C. The Subrecipient certifies that the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently, and the negotiating agency will be notified of any accounting changes that would affect the predetermined rate.

D. The Subrecipient affirms that it has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with this contract. The Subrecipient further affirms that its employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to any sub-agreements.

E. The Subrecipient certifies by this contract that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid for such purpose, the Subrecipient shall complete and submit OMB form SF-LLL, Disclosure of Lobbying Activities, in accordance with its instructions. The Subrecipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly, as specified in Title 31 U.S. Code, Sec. 1352.

F. Subrecipient has provided to TSLAC the mandatory Internet Safety Certification (Certification) that it is in compliance with requirements of the Children's Internet Protection Act (CIPA) for any Federal funds under this grant that will be used to purchase computers used to access the Internet or pay for the direct costs of accessing the Internet. Subrecipient agrees to collect, as required and appropriate, Certification forms from all libraries receiving benefits of Federal funds expended under this contract.

G. Subrecipient certifies by this contract that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this program by any Federal department or agency, as required by the regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participant's responsibilities, 2 CFR Part 180 Subchapter C. 180.335. Where the Subrecipient is unable to certify to any of the statements in this certification, the Subrecipient shall attach an explanation to this contract.

H. Subrecipient certifies that neither subrecipient nor any of its principals (a) are presently excluded or disqualified; (b) have been convicted within the preceding three years of any of the offenses listed in 2 CFR Part 180.800(a) or had a civil judgment rendered against it or them for one of those offenses within that time period; (c) are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in 2 CFR Part 180.800(a); or (d) have had one or more public transactions (Federal, State, or local) terminated within the

preceding three years for cause or default. Where the Subrecipient is unable to certify to any of the statements in this certification, the Subrecipient shall attach an explanation to these Certifications.

I. The Subrecipient certifies that no Federal funds from this grant award will be made available for a public library, or public elementary or secondary school library that does not currently receive E-rate services, to purchase computers used to access the Internet or pay for the direct costs of accessing the Internet, unless the library has certified compliance with the applicable CIPA requirements. Should Federal funds awarded as part of this grant be used to purchase computers for a public library, or public elementary or secondary school library that does not currently receive E-rate services, to be used to access the Internet or pay for the direct costs of accessing the Internet, Subrecipient will ensure Certification forms are received from all libraries receiving benefits of federal funds expended under this contract.

J. The Subrecipient, *if a private entity*, will comply with Federal law pertaining to trafficking in persons. Subrecipient and its employees may not:

a. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

b. Procure a commercial sex act during the period of time that the award is in effect; or

c. Use forced labor in the performance of the award or subawards under the award.

K. The Subrecipient certifies all applicable activities related to this grant will be in compliance with the Copyright Law of the United States (Title 17, U.S. Code).

L. In addition to Federal requirements, state law requires a number of assurances from applicants for Federal pass-through or other state-appropriated funds:

1. A Subrecipient must comply with Texas Government Code, Chapter 573, Vernon's 1994, by ensuring that no officer, employee, or member of the applicant's governing body or of the applicant's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person, who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.

2. A Subrecipient must ensure that all information collected, assembled or maintained by the applicant relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, Vernon's 1994, unless otherwise expressly prohibited by law.

3. A Subrecipient must comply with Texas Government Code, Chapter 551, that requires all regular, special or called meetings of governmental bodies to be open to the public, except as otherwise provided by law.

4. A Subrecipient must comply with the Texas Family Code, Section 261.101 that requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Subrecipients shall also ensure that all program personnel are properly trained and aware of this requirement.

5. The Subrecipient will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) that prohibits discrimination on the basis of race, color, religion or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), that prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), that prohibits discrimination on the basis of disability and the Americans With Disabilities Act of 1990; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), that prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) that may apply to the application.

6. Subrecipients will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §§276c and 18 U.S.C. §§874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.

7. Subrecipients will comply with the provisions of the Hatch Political Activity Act (5 U.S.C. §7321-29) that limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

8. Subrecipients will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

9. Subrecipients will ensure that the facilities under its ownership, lease or supervision that shall be utilized in the accomplishment of the project are not listed on the Environmental Protections Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA. (EO 11738).

10. Subrecipients will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

11. Subrecipients will comply with Public Law 103-277, also known as the Pro-Children Act of 1994 (Act), that prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.
12. Subrecipients will comply with all Federal tax laws and are solely responsible for filing all required state and federal tax forms.
13. Subrecipients will comply with all applicable requirements of all other Federal and state laws, executive orders, regulations and policies governing this program.
14. Subrecipients must adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.

XIII. SIGNATURES

GRANTOR

Texas State Library and Archives Commission

Mark Smith, Director and Librarian

Date

Donna Osborne

Donna Osborne, Chief Financial Officer

8/13/15

Date

Deborah Littrell

Deborah Littrell, Library Development and Networking Director

8/13/15

Date

Erica McCormick

Erica McCormick, Grants Administrator

8/13/15

Date

SUBRECIPIENT

City of Brenham, Nancy Carol Roberts Memorial Library

Signature (official empowered to enter into contracts)

Typewritten or Printed Name

Title

Date

AGENDA ITEM 13

DATE OF MEETING: August 27, 2015	**DATE SUBMITTED:** August 21, 2015
DEPT. OF ORIGIN: Administration	**SUBMITTED BY:** Rex Phelps

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-15-021 In Support of Jefferson Square Housing, Ltd.'s Submission of an Application to the Texas Department of Housing and Community Affairs Requesting 2015 Low Income Housing Tax Credits for Jefferson Square Apartments

SUMMARY STATEMENT: Jefferson Square Housing, Ltd. has submitted a housing tax credits grant application to perform a $1.2 million rehabilitation of the Jefferson Square Housing Apartments (housing for seniors) located at 801 W. Jefferson Street. Earlier this year Jeff Washburn of LCJ Management, Inc. requested the city council to support the grant application. One of the grant requirements was for the city to assist with providing at least $17,364 in financial support of the project. This support will be made in the form of street improvements in front of and adjacent to the Jefferson Square Apartments. This improvement will make a positive impact in the area and specifically to the rehabilitation project. The city recognizes the importance and encourages economic activity and affordable quality housing for seniors.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Update and property improvement for the community

B. CONS: None Identified

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Resolution No. R-15-021

FUNDING SOURCE (Where Applicable): In kind services - street repair

RECOMMENDED ACTION: Approve Resolution No. R-15-021 in support of Jefferson Square Housing, Ltd.'s submission of an application to the Texas Department of Housing and Community Affairs requesting 2015 Low Income Housing Tax Credits for Jefferson Square Apartments

APPROVALS: Terry K. Roberts

RESOLUTION NO. R-15-021

A RESOLUTION OF THE CITY OF BRENHAM, TEXAS PROVIDING FINANCIAL SUPPORT FOR JEFFERSON SQUARE HOUSING, LTD.'S GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNTY AFFAIRS FOR THE ACQUISITION AND REHABILITATION OF THE JEFFERSON SQUARE APARTMENTS

WHEREAS, Jefferson Square Housing, Ltd. proposed the acquisition and rehabilitation of the Jefferson Square Apartments located at 801 W. Jefferson St. for the development of affordable rental housing in the City of Brenham, Washington County, Texas; and

WHEREAS, Jefferson Square Housing, Ltd. has advised that it has submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2015 Housing Tax Credits for the Jefferson Square Apartments; and

WHEREAS, the proposed apartment community will provide affordable rental housing to the citizens of Brenham and is in conformance with the City's Comprehensive Plan "Envision 2020"; and

WHEREAS, the City Council recognizes the need for affordable rental housing affected to assist in promoting and encouraging economic activity in the City of Brenham;

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

The City Council hereby confirms its support of the acquisition and rehabilitation of the Jefferson Square Apartments located at 801 W. Jefferson St., said project being the subject of a TDHCA Application for 2015 Housing Tax Credits, and the City Council further shows its support by committing $17,364.00 in financial support to the Jefferson Square Apartments Project in the form of street improvements in front of the Project, including driveway access points; and that for and on behalf of the City Council, Milton Y. Tate, Jr, Mayor of the City of Brenham is hereby authorized, empowered, and directed to certify this Resolution to the Texas Department of Housing and Community Affairs.

PASSED and **APPROVED** on this _____ day of August, 2015.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC
City Secretary