NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, AUGUST 18, 2016 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey

3. Special Presentation
- **Fortnightly Club**

4. Citizens Comments

CONSENT AGENDA

5. 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.

5-a. Minutes from the June 16, 2016 and July 14, 2016 Regular City Council Meetings **Pages 1 - 17**

5-b. Ordinance No. O-16-017 on Its Second Reading Granting a Specific Use Permit to Krissie Zorn to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory to Use on Property Located at 2600 N. Park Street in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Reserve A, Block 1 of the Scenic Estates Subdivision in Brenham, Washington County, Texas **Pages 18 - 19**

5-c. Ordinance No. O-16-018 on Its Second Reading Amending Section 8(b) of the Cable Television Franchise Granted by the "Brenham Community Antenna Television Ordinance," as Amended, Regarding the Maintenance of an Office by Suddenlink Communications in the City of Brenham, and Associated Provisions **Pages 20 - 22**

PUBLIC HEARING

6. Proposed Tax Rate of $0.5070 per $100 Valuation for Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017 **Pages 23 - 24**

WORK SESSION

7. Presentation of the 2015 Municipal Court Statistics **Pages 25 - 26**

REGULAR SESSION

8. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Current FY2015-16 Adopted Budget **Pages 27 - 30**

9. Discuss and Possibly Act Upon Resolution No. R-16-022 Expressing Official Intent to Reimburse Certain Costs Related to the Furnishing and Equipping of the Expanded and Renovated City Library **Pages 31 - 34**

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 21, Signs, of the Code of Ordinances of the City of Brenham Regarding the Regulation of Billboards **Pages 35 - 38**

11. Discuss and Possibly Act Upon a Facility Use Agreement Between the City of Brenham and the Brenham State Supported Living Center for Pool Use at the Blue Bell Aquatic Center and Authorize the Mayor to Execute Any Necessary Documentation **Pages 39 - 43**

12. Discuss and Possibly Act Upon Bid No. 3900.049 Related to the Repairs of the Walking Trail at Hohlt Park and Authorize the Mayor to Execute Any Necessary Documentation **Pages 44 - 48**

13 Discuss and Possibly Act Upon a Request for a Noise Variance from the Texas Arts and Music Festival Organization for a Festival to be Held on October 15, 2016 from 4:00 p.m. to 10:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation **Pages 49 - 51**

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 18, 2016 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 15, 2016 at **12:00** PM.

Jeana Bellinger, TRMC, CMC
City Secretary

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

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2016 at _____ AM PM.

_____ _____
Signature Title

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on June 16, 2016 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Mary E. Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members absent:

None

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Sara Parker, Director of Community Services Wende Ragonis, Crystal Locke, Andria Heiges, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Corporal Chris Jackson, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Kim Hodde, Stephen Draehn, Angela Hahn, Officer Andrew Adams, Officer Colin Godmintz, Officer Eddie Martinez, Officer Kejan Mehlhorn-Hock and Matthew Monfreda

Citizens present:

Grady Hardeman and Clint Kolby

Media Present:

Tara Dreyer, Brenham Banner Press; and Codi Rynn, KWHI

1. Call Meeting to Order

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

3. New Employee Introductions

- **Andrew Adams – Patrol Officer**
- **Colin Godmintz – Patrol Officer**
- **Eddie Martinez – Patrol Officer**
- **Kejan Mehlhorn-Hock – Patrol Officer**
- **Matthew Monfreda – Water Treatment Plant Manager**
- **Ryan Rapelye – Assistant City Manager – General Government**

4. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the May 2, 2016 Special Meeting and May 5, 2016 Regular City Council Meeting

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to approve the Statutory Consent Agenda Item 5-a. as presented.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

6. Discussion and Presentation of a Strategic Plan for the Nancy Carol Roberts Memorial Library

Director of Community Services Wende Ragonis and Librarian Andria Heiges presented this item. Heiges explained that the Nancy Carol Roberts Memorial Library (NCRML) is currently accredited through the Texas State Library and Archives Commission (TSLAC). Heiges stated that to comply with the State's accreditation standards, staff developed the 2016 – 2026 Library Strategic Plan.

Heiges advised that the planning process involved elected officials, Library Advisory Board members, industry experts, and the residents of Brenham and Washington County. Heiges explained that the goal of the plan was to create a document which represents the vision of the NCRML for the next ten years, utilize industry standards to benchmark performance to ensure State accreditation is met, and define objectives which meet the community's dynamic needs. Heiges noted that the plan is still in Draft form and if anyone has any questions or concerns to let her know.

REGULAR SESSION

7. Discuss and Possibly Act Upon the Purchase of Shelving Systems Using BuyBoard Contract No. 503-16, for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Director of Community Services Wende Ragonis presented this item. Ragonis stated that Komatsu Architecture, the architect for the Nancy Carol Roberts Memorial Library, has designed a plan for furniture and fixtures. Ragonis noted that it was discussed at the Council Budget Retreat that a capital lease will be utilized for this purchase.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the purchase of shelving systems to Cultural Surroundings in the amount of $125,293 for the Nancy Carol Roberts Memorial Library and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

8. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to Grady Hardeman, Jr. to Allow for a Church and Related Auxiliary Uses on Property Located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and Being Described as Part of Lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that Grady Hardeman has requested a special use permit (SUP) for Wilkins, J-West Blk, Lot 89 which is addressed as 515 Martin Luther King Jr. Parkway to allow him to have a church and auxiliary use including philanthropic and educational facility. Smith advised that the building is currently vacant. Smith stated that site plans and updates to the building will be submitted to Staff after the applicant knows if the use will be permitted or not.

Smith noted that the request for this property complies with the City's comprehensive plan and the thoroughfare plan. Smith stated that there were two residents who voiced concern about this request at the Planning and Zoning Commission public hearing.

Mayor Tate questioned if there was adequate parking available. Mr. Hardeman stated that he had purchased the building and two lots near it so there should be enough land for parking.

Councilmember Goss asked if the neighbors living nearby had been contacted. Mr. Hardeman stated that he had met everyone in the area and they were fine with his plans.

Councilmember Herring questioned if there was a time frame on the completion of the building and if there could be wording added to the ordinance regarding the building being completed in a timely manner. Smith stated that wording would be added to the ordinance on the second reading that everything be completed within a one year time frame.

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve an Ordinance on its first reading granting a Specific Use Permit to Grady Hardeman, Jr. to allow for a church and related auxiliary uses on property located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and being described as part of lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas with a one-year time frame to be added to the ordinance wording prior to second reading and approval by the Council.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon the Ratification of a Contract Related to the Emergency Purchase of a Generator for the Lake Somerville Pump Station and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on May 17th, during the biannual inspection by Loftin Equipment Company, it was determined that the generator at the Lake Pump Station was malfunctioning. Ogle stated that the generator is approximately 22 years old and it exists to ensure the continued operation of the pump station in case of an emergency and/or loss of power.

Ogle explained that due to the nature of the situation, an emergency purchase order was issued to Moeller Electric Co. on June 10, 2016.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the ratification of a contract related to the purchase of a generator from Moeller Electric in the amount of $123,250 for the Lake Somerville pump station and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon Bid No. IFB 16-008 for the Purchase of a Mechanical Bar Screen for the Wastewater Treatment Plant and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on May 24, 2016, the Public Utilities Staff along with the Purchasing Department opened bids for the replacement of one bar screen for the Wastewater Treatment Plant. Ogle stated there were five bids received and that Franklin Miller, Inc. submitted the low bid. Ogle advised that the screen purchase was budgeted in FY2015-16

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to award Bid No. IFB 16-008 to Franklin Miller, Inc. in the amount of $49,900 for the purchase of a mechanical bar screen for the Wastewater Treatment Plant and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	Yes
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon an Audit Engagement Letter from Seidel Schroeder to Perform an Audit for the Fiscal Year Ending September 30, 2016 and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller stated that the audit fee estimate is the same as the prior year when there was an increase related to the GASB Statement No. 68 pension reporting requirements. Miller advised that with the continued growth and complexity of the City's financial activities, it is reasonable to maintain the current fee structure.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the audit engagement letter from Seidel Schroeder to perform an audit for the fiscal year ending September 30, 2016 and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	**Abstain**
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon a Request for a Noise Variance from Washington County Bar Association for the Reading of the Declaration of Independence at the Washington County Courthouse to be Held on July 1, 2016 from 7:30 a.m. – 8:30 a.m. and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that the Washington County Bar Association would like to do a reading of the Declaration of Independence at the Washington County Courthouse. Weiss stated that they would be using sound amplification equipment.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve a request for a noise variance from Washington County Bar Association for the reading of the Declaration of Independence at the Washington County Courthouse to be held on July 1, 2016 from 7:30 a.m. – 8:30 a.m. and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon a Request for a Noise Variance from Don and Margarett Davis for a Birthday Party at 800 Pleasantview to be Held on June 18, 2016 from 10:00 a.m. – 9:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that Mrs. Davis contacted her office regarding the date being moved to June 19th due to a conflict with the DJ. The DJ will be using sound amplification equipment at the event.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve a request for a noise variance from Don and Margarett Davis for a birthday party at 800 Pleasantview to be held on June 19, 2016 from 10:00 a.m. – 9:00 p.m. and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

14. Administrative/Elected Officials Report

- **Update on Storm Assessment and Recovery**

Public Works Director Dane Rau, City Engineer Lori Lakatos and Assistant City Manager of Public Utilities Lowell Ogle addressed Council regarding the storm assessment and recovery. They presented slides showing the damages that occurred in the city. Rau stated that Staff is doing the emergency repairs as quickly as possible and if issues arise that Staff is not comfortable doing, then those damages will be completed by a contractor.

City Manager Terry Roberts reported on the following:

- The July Council meeting will be July 14th
- Budget Workshops will be July 20th-22nd beginning at 8:30 a.m.
- Council will be participating in the Juneteenth Parade on June 18th
- Belle Towers Ribbon Cutting and Grand Opening will be June 23rd from 2:00 p.m. – 4:00 p.m.
- There will not be a Walk With a Doc this month due to damages at the park

Fire Chief Ricky Boeker reported on the following:

- FEMA is in town to access damages to homes and businesses

The meeting was adjourned.

_____
Milton Y. Tate, Jr.
Mayor

_____
Kacey A. Weiss
Deputy City Secretary

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on July 14, 2016 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Members absent:

Councilmember Mary E. Barnes-Tilley

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Susan Nienstedt, Director of Community Services Wende Ragonis, Crystal Locke, Andria Heiges, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Trey Gully, Amanda Carker, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Kim Hodde, Lori Lakatos, Kevin Boggus, Janie Mehrens, Kelvin Raven, Joseph Merkley, Angela Hahn, Judson Hall and Terrence Johnson

Citizens present:

Grady Hardeman, Jr., Jeannette Parry, Perry Thomas, Jennifer Cox, John Schroeter, Glenn Schroeter, Drue Banta, Howard Tomlinson and Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press; and Mark Whitehead, KWHI

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts

3. Special Presentation

- **American Red Cross Life Saving Award Presented to Blue Bell Aquatic Center Employee**

4. Service Recognition

- **Kelvin C. Raven, Police Department 20 Years**

5. Special Recognition

- **Andria Heiges, Attainment of Masters in Information Science**

6. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

7. Statutory Consent Agenda

7-a. Minutes from the May 19, 2016 and June 2, 2016 Regular City Council Meetings

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 7-a. as amended.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

PUBLIC HEARING

8. Public Hearing Considering an Amendment of Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Alma Carrillo to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use on Property Located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas

Mayor Tate opened the Public Hearing.

Development Services Manager Erik Smith presented this item. Smith explained that Alma Carrillo, Owner of Tuchi's Furniture and Party Rental, has requested to place a "Bounce House" outside of the strip center business located at 1002 E. Blue Bell Road. Smith advised that Mrs. Carrillo is a tenant of the building and has provided Staff with a letter from the property manager giving their permission to place the bounce house outside in the grassy area at the front of the center on a limited basis.

Smith noted that Staff's recommendation to the Planning and Zoning Commission was to give approval to the applicant for a period of 30 days from the date of City Council approval, after which time the applicant would no longer be allowed to place the bounce house in front of the premise. Smith stated that the Planning and Zoning Commission recommended unanimous approval of their request with the condition that a 30 day time period be placed on the granting of the specific use permit after which time the specific use permit will expire. Smith noted that once the specific use permit expires the applicant will no longer be able to display the bounce house outside of the business.

Smith also stated the Comprehensive Plan lists this property as being Commercial/Retail District and the zoning ordinance lists this as B-1 Local Business/Residential Mixed Use District. Smith explained that open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District are within the allowed requests for special use permits in the B-1 Local Business/Residential Mixed Use District. Smith stated that Staff has not received any public concerns at this time.

WORK SESSION

9. Discussion and Presentation Related to Chapter 5, Animals and Fowl, of the Code of Ordinances of the City of Brenham

City Secretary Jeana Bellinger presented this item. Bellinger explained that during the past 2 years she has been working with various staff members on rewriting all of Chapter 5, Animals and Fowl, in the City's Code of Ordinances. Bellinger stated the current Chapter 5 was codified into our Code in October, 1998 and has only had one minor revision since then. Bellinger presented a brief overview of the new ordinance and discussed some of staff's recommendations for new sections to the ordinance. She explained that the first reading of the ordinance would be coming back to Council at a future meeting in September.

Councilmember Goss asked how the new changes would affect the children that have 4-H and FFA projects. Bellinger stated that there is an exemption for those projects and the owners would need to contact animal control.

REGULAR SESSION

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to Alma Carrillo to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use on Property Located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve an Ordinance on its first reading granting a specific use permit to Alma Carrillo to allow for open (outdoor) display or storage of retail merchandise as an accessory use on property located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and being described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas for thirty days.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon Ordinance No. O-16-015 on Its Second Reading Granting a Specific Use Permit to Grady Hardeman, Jr. to Allow for a Church and Related Auxiliary Uses on Property Located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and Being Described as Part of Lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that Grady Hardeman has requested a special use permit (SUP) for Wilkins, J-West Blk, Lot 89 which is addressed as 515 Martin Luther King Jr. Parkway to allow him to have a church and auxiliary use including philanthropic and educational facility. Smith stated the building is currently vacant. Smith advised that site plans and updates to the building will be submitted to staff after the applicant knows if the use will be permitted or not. Smith explained that there is an amendment from the ordinance submitted to Council for first reading that indicates the applicant will have one year to begin the use or the specific use permit will expire.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Ordinance No. O-16-015 on its second reading granting a specific use permit to Grady Hardeman, Jr. to allow for a church and related auxiliary uses on property located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and being described as part of lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon Resolution No. R-16-018 Adopting the 2016-2026 Long Range Strategic Plan for the Nancy Carol Roberts Memorial Library

Community Services Specialist Crystal Locke presented this item. Locke explained that the Texas State Library and Archives Commission requires an approved Long Range Strategic Plan for library services accreditation.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve Resolution No. R-16-018 adopting the 2016-2026 Long Range Strategic Plan for the Nancy Carol Roberts Memorial Library.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Resolution No. R-16-019 Authorizing the Acceptance of a Grant in the Amount of $35,000 from the Texas Parks and Wildlife Department for the Expansion of the Skateboard Park Located in Fireman's Park

Community Services Specialist Crystal Locke presented this item. Locke explained that at the Council meeting on September 17, 2015, Community Services Director Wende Ragonis presented a funding opportunity through the Texas Parks and Wildlife Department (TPWD) Community Grant Program for an expansion of the Brenham Skate Park facility. Locke advised that on June 4, 2015, the Brenham Community Development Board (BCDC) approved $35,000 for a skate park expansion project. Locke noted these funds were used as a match to apply for additional funding through TPWD which would have a total impact of $70,000.00 for a skate park expansion project. Locked stated the City of Brenham was notified of the grant award on March 24, 2016.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Resolution No. R-16-019 authorizing the acceptance of a grant in the amount of $35,000 from the Texas Parks and Wildlife Department for the expansion of the Skateboard Park located in Fireman's Park.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon the Approval of a Professional Services Agreement with Gunda Corporation, LLC for Engineering Services Related to Burleson Road Culvert Replacement and Authorize the Mayor to Execute Any Necessary Documentation

City Engineer Lori Lakatos presented this item. Lakatos explained that the Burleson Street crossing, at an unnamed tributary to Sandy Creek, was washed out in the April 2016 storm event. Lakatos stated that the road was almost repaired when the May 2016 storm event washed out the road and most of the base repairs that were made. Lakatos advised that due to the potential of no access or limited access to the citizens that live along Burleson Street during a storm event, it is recommended to design and construct a crossing that is more reliable. Lakatos noted the waterline will also be redesigned for the new road section.

Lakatos stated that the FEMA reimbursement will be 75% of the repairs and the City will be responsible for 25%.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve a Professional Services Agreement with Gunda Corporation, LLC in the amount of $73,232.00 for engineering services related to Burleson Road Culvert Replacement and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon Bid No. IFB 16-009 for Bulk Water Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on June 10, 2016 Staff opened bids related to bulk water treatment chemicals. Ogle stated that 6 bids were received. Ogle noted that the contract would be for one (1) year with firm bid pricing allowing two (2) one-year renewals.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to award Bid No. IFB 16-009 to Brenntag Southwest for Liquid Aluminum Sulfate in the amount of $192.80 per ton for a total of $67,480 and DXI Industries for Chlorine in the amount of $0.2915 per pound for a total of $47,223 and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon a Consulting Services Contract with Public Management, Inc. for Grant Management Services Related to a Texas Department of Agriculture Grant for the Rehabilitation of the Church Street Water Tower and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that in February 2015, Resolution No. R-15-005 was passed authorizing Public Management, Inc. to submit a grant to the Texas Department of Agriculture for potential funding to be used for the Church Street Water Tower Rehabilitation Project.

Ogle stated that on June 2, 2016, the city solicited proposals for qualified professional administrators or service providers to administer the rehabilitation contract. Ogle noted that the only proposal received was from Public Management, Inc. Ogle advised that Public Management assisted the City of Brenham in obtaining the grant and upon execution of this agreement, Public Management will provide administrative assistance in all areas of grant management, including financial management, record keeping, environmental clearance procedures, contract close-out assistance, etc. Ogle stated the fee for this grant management is $25,000.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve a consulting services contract with Public Management, Inc. in the amount of $25,000 for grant management services related to a Texas Department of Agriculture Grant for the rehabilitation of the Church Street Water Tower, with amended changes, and authorize the Mayor to execute any necessary documentation

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley `	**Absent**
Councilmember Weldon Williams	Yes

17. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Budget Workshops will be July 20th-22nd at 8:30 a.m.
- Photos of the storm damages will be shown to service clubs and organizations
- Washington County Forum will be August 3rd at Blinn College
- Fireman's Fiesta will be August 13th

Director of Community Services Wende Ragonis reported on the following:

- Hot Nights Cool Tunes started last Saturday
- Walk with a Doc will be held at Jackson Street Park

The meeting was adjourned.

_____

Milton Y. Tate, Jr.
Mayor

_____

Jeana Bellinger, TRMC, CMC
City Secretary

ORDINANCE NO. O-16-017

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR THE OPEN (OUTDOOR) DISLAY, SALE OR STORAGE OF RETAIL MERCHANDISE AS AN ACCESSORY USE TO A RETAIL STORE BY SPECIFIC USE PERMIT IN A B-1 LOCAL BUSINESS/RESIDENTIAL MIXED USE ZONING DISTRICT, AT 2600 NORTH PARK STREET AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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 to grant specific use permits for specific uses within the various zoning districts; and

WHEREAS, this amendment was recommended for conditional approval by the Brenham Planning and Zoning Commission during its regular meeting on July 25, 2016; and

WHEREAS, the Planning and Zoning Commission recommended the outdoor display be allowed for a period of one (1) calendar year from the date of City Council approval of this Ordinance on second reading; and

WHEREAS, the City Council determined that it is not necessary to include as a condition of the Specific Use Permit the Planning and Zoning Commission's recommendation that the outdoor display be limited to a period of one (1) calendar year from the date of City Council approval of this Ordinance on second reading;

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to allow for the open (outdoor) display, sale or storage of retail merchandise as an accessory use to a retail store, by specific use permit in a B-1 Local Business/Residential Mixed Use Zoning District at 2600 North Park Street.

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

SECTION 3. The Specific Use Permit granted by this Ordinance shall prohibit and does not authorize the open (outdoor) display, sale or storage of storage buildings as retail merchandise.

PASSED and APPROVED on its first reading this the 4th day of August, 2016.

PASSED and APPROVED on its second reading this the 18th day of August, 2016.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

ORDINANCE NO. O-16-018

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING SECTION 8(B) OF THE CABLE TELEVISION FRANCHISE GRANTED BY THE "BRENHAM COMMUNITY ANTENNA TELEVISION ORDINANCE," AS AMENDED, REGARDING THE MAINTENANCE OF AN OFFICE BY SUDDENLINK COMMUNICATIONS IN THE CITY OF BRENHAM, AND ASSOCIATED PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETINGS

WHEREAS, The City of Brenham ("City") is a Texas home-rule municipality; and

WHEREAS, in 1969 the City enacted the "Brenham Community Antenna Television Ordinance" granting a cable television franchise to a cable television system operator ("Franchise Ordinance"); and

WHEREAS, the Franchise Ordinance has been amended and assigned to different cable television operators multiple times since 1969; and

WHEREAS, the cable television franchise is currently held by Suddenlink Communications; and

WHEREAS, Suddenlink Communications has requested that the Franchise Ordinance be amended to eliminate the requirement in Section 8(b) that Suddenlink Communications maintain an office in the City and include certain other provisions in Section 8(b) of the Franchise Ordinance; and

WHEREAS, the City Council desires to grant Suddenlink Communications' request;

NOW, THEREFORE, be it ordained by the City Council of the City of Brenham, Texas that:

SECTION 1.
FINDINGS

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

That Section 8(b) of the "Brenham Community Antenna Television Ordinance" shall be amended to read as follows:

> (b) The grantee shall maintain a location in the City at which its customers may pay their bills for grantee's services in person, which shall be open during normal business hours, and shall have a listed telephone number. The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week and/or some weekend hours. In addition to the customer service standards set forth herein, the grantee shall comply with all customer service standards provided for in applicable federal, state and local laws and/or regulations, including but not limited to Title 47 C.F.R. § 76.309, as may be amended from time to time.

SECTION 3.
SAVINGS CLAUSE

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

SECTION 4.
SEVERABILITY

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 5.
REPEALER

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 6.
EFFECTIVE DATE

This Ordinance shall become effective upon adoption and publication as required by law.

SECTION 7.
PROPER NOTICE AND MEETINGS

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 4th day of August, 2016.

PASSED AND APPROVED on its second reading this the 18th day of August, 2016.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Signed and accepted by SUDDENLINK COMMUNICATIONS, this _____day of _____, 2016.

SUDDENLINK COMMUNICATIONS

By: _____

Printed Name:

Title

AGENDA ITEM 6

DATE OF MEETING: August 18, 2016 **DEPT. OF ORIGIN:** Finance	**DATE SUBMITTED:** August 12, 2016 **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 $0.5070 per $100 Valuation for Fiscal Year Beginning October 1, 2016 and Ending September 30, 2017

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: Memo from Assistant City Manager-Chief Financial Officer

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Receive citizen comments regarding proposed property tax rate.

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 2016 Tax Rate

Date: August 12, 2016

Council Budget Workshops were held during the week of July 18, 2016 to present the proposed FY2016-17 Budget. In these workshops, the FY2016-17 proposed budget was finalized. The proposed budget is on the City's website and on file with the City Secretary.

A property tax rate of $0.5070 per $100 valuation is proposed to fund the FY2016-17 Budget. Of this rate, $0.3150 will be for maintenance and operations (M&O). The balance of $0.1920 is for debt service (interest and sinking or I&S). Based on the certified taxable values of $1,198,049,873 the effective tax rate is $0.4710 and the rollback rate is $0.5132 per $100 valuation for the 2016 Tax Year.

The increase in property taxes will cover the addition of three new firefighters and provide resources for street paving.

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 12, 2016 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 15, 2016 at 1:00 p.m. at City Hall, located at 200 W. Vulcan Street.**

AGENDA ITEM 7

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED:** August 11, 2016
DEPT. OF ORIGIN: Municipal Court	**SUBMITTED BY:** Rhonda Kuehn

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

AGENDA ITEM DESCRIPTION: Presentation of the 2015 Municipal Court Statistics

SUMMARY STATEMENT: The Municipal Court statistics will be discussed and presented by Municipal Court Administrator Rhonda Kuehn.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Municipal Court Statistics

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Discussion only.

APPROVALS: Carolyn D. Miller

MUNICIPAL COURT STATISTICS					
	FY12	FY13	FY14	FY15	FY 16 (Oct-Jun)
Total Cases Filed	7906	4081	4401	6746	5305
Traffic Misdemeanors					
Non-Parking	4,544	2,091	2,544	4,527	3,539
Parking	44	39	105	159	38
Dispositions Prior to Court Appearance or Trial	2,425	1,991	1,838	2,357	2,106
Dispositions at Court Appearance or Trial	155	159	123	110	69
Cases Dismissed	706	1,241	781	1,583	1,471
Non-Traffic Misdemeanors					
Penal Code	240	243	219	240	224
State Law	2,973	1,535	1,376	1,687	1,371
City Ordinance	105	173	157	133	133
Dispositions Prior to Court Appearance or Trial	1,867	1,426	1,307	1,152	964
Dispositions at Court Appearance or Trial	201	370	372	218	160
Cases Dismissed	412	678	580	467	481
Juvenile Activity	213	160	101	127	75
Warrants Issued	963	2,042	1,428	1,624	1,361
Total Revenue Collected	$ 1,121,043	$ 799,954	$ 873,606	$ 1,176,006	$ 1,019,513
Total Remitted to State	$ 297,787	$ 220,994	$ 260,631	$ 392,958	$ 332,320
General Gov't Revenues	$ 823,256	$ 578,955	$ 612,969	$ 783,048	$ 687,193

AGENDA ITEM 8

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED:** August 12, 2016
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 FY2015-16 Adopted Budget

SUMMARY STATEMENT: Highlights of the amendment to the FY2015-16 budget include the following revenue increases: General Fund revenues for insurance proceeds and Parks Capital Improvements Fund revenue for a donation received for a planned park development project, along with advertising revenue for Fireman's Park outfield wall signage.

General Fund expenditures are being increased due to expenses related to a state softball tournament and for unanticipated expenses from the repair of an airport runway light. Other expenditure increases include: additional materials for the Belle Towers drainage project, allocation of funds for the advertising and promotion for the Simon Conference Center, BCDC Fund payment to Economic Development Foundation for local match of grant, purchase of a replacement police vehicle in the Equipment Fund, and Parks Capital Improvement Fund expenditures related to a planned park development project connecting Fireman's Park and the Nancy Carol Roberts Memorial Library. Expenditures are being decreased in the City Hotel Occupancy Tax Fund due to the transfer of contingency funds to the General Fund for the state softball tournament.

Other budget amendment items include the following transfers between funds: insurance proceeds to cover the cost of a replacement police vehicle from the General Fund to the Streets and Equipment Fund, additional funding approved for the state softball tournament from the City Hotel Occupancy Tax Fund to the General Fund, additional materials and City in-kind labor and equipment for the Belle Towers drainage project from the General Fund to the Streets and Drainage Fund, and the allocation of HOT funds for the marketing and promotion of the Simon Conference Center from the City Hotel Occupancy Tax Fund to the new Simon Conference Center Fund.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance with Exhibit A

FUNDING SOURCE (Where Applicable):
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the FY2015-16 Budget
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING THE FY2015-16 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, 2016, 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 FY2015-16 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, 2016, 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 _____, 2016.

PASSED and APPROVED on its second reading this the ____ day of _____, 2016.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

CITY OF BRENHAM
EXHIBIT A
AMENDMENT NUMBER 1
FISCAL YEAR 09-30-16

	General Fund	Streets & Drainage Fund	Hotel Occupancy Tax Fund	Simon Conference Center	BCDC	Equipment Fund	Parks Capital Improvements Fund	TOTAL
REVENUES (INC) DEC								
Insurance Proceeds - Police Dept. Vehicles	(20,800)							(20,800)
Insurance Proceeds - Airport Runway Light	(7,335)							(7,335)
Michael Mansfield Owsley Playground & Park Improvement Donations							(777,205)	(777,205)
Fireman's Park Baseball Field Wall Advertising Revenue							(22,000)	(22,000)
TOTAL BUDGETED REVENUES	**(28,135)**	**-**	**-**	**-**	**-**	**-**	**(799,205)**	**(827,340)**
EXPENDITURES INC (DEC)								
Police Department Vehicles						20,800		20,800
Airport Runway Light	7,335							7,335
Michael Mansfield Owsley Playground & Park Improvements							777,205	777,205
Additional HOT Funding for State Softball Tournament	6,500		(6,500)					-
Additional Materials for Belle Towers Drainage Project		52,669						52,669
Simon Conference Center Advertising & Promotion				20,000				20,000
Contribution to EDF for EDA Grant Local Match					100,000			100,000
TOTAL BUDGETED EXPENDITURES	**13,835**	**52,669**	**(6,500)**	**20,000**	**100,000**	**20,800**	**777,205**	**978,009**
BUDGETED TRANSFERS								
Transfer from General Fund to Equipment Fund	20,800					(20,800)		-
Additional HOT funding for State Softball Tournament	(6,500)		6,500					-
Transfer from General Fund to Streets & Drainage Fund	52,669	(52,669)						-
Additional HOT Funding for Simon Conference Center Marketing			81,000	(81,000)				-
TOTAL BUDGETED TRANSFERS	**66,969**	**(52,669)**	**87,500**	**(81,000)**	**-**	**(20,800)**	**-**	**-**
CHANGE IN BUDGETED FUND BALANCE (INC) DEC	**$ 52,669**	**$ -**	**$ 81,000**	**$ (61,000)**	**$ 100,000**	**$ -**	**$ (22,000)**	**$ 150,669**

AGENDA ITEM 9

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED**: August 15, 2016
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 Resolution No. R-16-022 Expressing Official Intent to Reimburse Certain Costs Related to the Furnishing and Equipping of the Expanded and Renovated City Library.

SUMMARY STATEMENT: As the expansion/renovation project at the Nancy Carol Roberts Memorial Library nears completion, Council has approved the purchase of shelving systems and furnishings from several vendors using numerous purchasing cooperatives and award of competitive bids. We have talked about securing a capital lease for financing these capital purchases.

Under a traditional capital lease arrangement, the leasing company pays the vendor directly for the equipment, places a lien on the equipment and the City provides insurance.

Rather than pursue a traditional lease option, we are working with Bank of Brenham, our depository bank, to secure financing. We are proposing this financing structure due to several factors:

- There are multiple vendors and multiple invoices for the library furnishings;
- There are multiple pieces of shelving systems and furnishings, rather than a single capital asset (i.e. asphalt zipper);
- There are various shipment dates over several months; and
- The multiple transactions that a leasing company would need to process provide opportunities for confusion and errors.

Our city attorney has been working with Bank of Brenham to review the financing arrangement and the legal documents. We are asking Council to approve the *Reimbursement Resolution* today to give us time to finalize this financing option to bring back to Council for formal approval at the September 1st Council meeting. Approval of the *Reimbursement Resolution* will allow the City to pay any vendor invoices that might come due before the financing arrangement is approved by Council, and reimburse ourselves from the loan proceeds.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Resolution authorizes the Council to provide resources necessary to pay for library furnishings from loan proceeds after careful review of loan documents.

B. CONS: Delay in payment of vendor invoices or non-reimbursement of amounts expended.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: Resolution No. R-16-022

FUNDING SOURCE (Where Applicable): Financing from Bank of Brenham

RECOMMENDED ACTION: Approval of Resolution No. R-16-022 expressing official intent to reimburse certain costs related to the furnishing and equipping of the expanded and renovated city library.

APPROVALS: Terry K. Roberts

RESOLUTION NO. R-16-022

A RESOLUTION OF THE CITY OF BRENHAM, TEXAS EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN COSTS RELATED TO THE FURNISHING AND EQUIPPING OF THE EXPANDED AND RENOVATED CITY LIBRARY

WHEREAS, the City of Brenham, Texas (the "City") is a political subdivision of the State of Texas; and

WHEREAS, the City expects to pay, or have paid on its behalf, expenditures in connection with the projects on Exhibit "A" hereto (the "Projects") prior to the issuance of tax-exempt obligations for which a prior expression of intent to finance or refinance is required by Federal or state law (collectively and individually, the "Obligations") to finance the Projects; and

WHEREAS, the City finds, considers, and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Projects;

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

Section 1: The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount equal to $450,000 for the purpose of paying the costs of the Projects.

Section 2: All costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3: The foregoing notwithstanding, no Obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

Section 4: This Resolution shall be effective immediately upon its passage and approval.

PASSED AND APPROVED this 18th day of August, 2016.

_____
Milton Y. Tate, Jr.
Mayor

_____
Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit "A"

Project Description

The furnishing and equipping of the expanded and renovated City library and also including any legal, fiscal and other fees relating thereto.

AGENDA ITEM 10

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED:** August 12, 2016
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 An Ordinance on Its First Reading Amending Chapter 21, Signs, of the Code of Ordinances of the City of Brenham

SUMMARY STATEMENT: City Staff was approached by SignAD Outdoor who made a presentation to City Council on April 28, 2016 to ask about possibly amending the billboard ordinance to be more favorable to their business. City staff also held a workshop meeting with our Board of Adjustments to give ample opportunity for public information opportunities. We did receive some concern from a couple of individuals about allowing new digital or non-digital billboards within the city limits. We also received some concern from individuals at the Board of Adjustment meeting about digital signs in general. Staff explained to them at that time this was regarding digital billboards. City staff also received interest from three other billboard companies after the presentation by SignAD Outdoor's presentation to City Council.

Staff explained to all the parties interested in the billboard ordinance that we would include them in the process of any amendments that took place. We informed them that a committee was formed and once a draft of the ordinance was ready for review we would send out the committee's proposed ordinance to anyone that showed interest in the process to give them an opportunity to add any comments. We did finalize the proposed ordinance and did send this out to all of the parties interested in the amendments. We did not receive any comments back from the billboard sign companies. We did receive a comment back from one person that was not in favor of allowing billboards but was more for a clarification on one section and a vote of approval from them on what the committee was intending to present to City Council.

The proposed ordinance itself is actually giving staff more enforcement power over signs that are not maintained and have discontinued actually advertising for a time period of 120 consecutive days to allow us to have the billboards removed all together. There is also an additional provision that allows for staff to pursue removing the sign is repair or reconstruction exceeds 60 percent of the actual cost of erecting a new sign.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items): **A. PROS:** Strengthen ability to remove billboards signs that are not being utilized properly. **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 Chapter 21, Signs, of the Code of Ordinances of the City of Brenham
APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 21, "SIGNS", OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS PROVIDING FOR THE REGULATION OF BILLBOARDS WITHIN THE CITY OF BRENHAM CITY LIMITS AND THE CITY OF BRENHAM'S EXTRATERITORIAL JURISDICTION.

WHEREAS, the City of Brenham, Texas ("City") is a home rule municipality; and

WHEREAS, Texas Local Government Code, Chapter 216, provides that a municipality may regulate signs within the city's limits and the extraterritorial jurisdiction of the City; and

WHEREAS, it is in the interest of the health, safety, welfare, convenience and enjoyment of the general public to regulate signs in the City of Brenham city limits and in the City's extraterritorial jurisdiction; and

WHEREAS, the City has previously adopted sign regulations as codified in Chapter 21, Code of Ordinances, City of Brenham, Texas, and the City Council desires to hereby amend the sign regulations provided for therein; and

NOW THEREFORE, be it ordained by the City Council of the City of Brenham, Texas:

I.

That Section 21-13, Chapter 21, Code of Ordinances, City of Brenham, Texas is added to read as follows:

Section 21-13. – Billboards.

(a) Billboards shall not be permitted within the city limits or the extraterritorial jurisdiction of the city.

(b) Existing billboards maintained as nonconforming uses.

(1) Sign face replacement shall be allowed on nonconforming billboards without a permit to the extent that no structural modifications are required.

(2) In the event a nonconforming billboard or a substantial part of it is damaged by any means or cause or dismantled for any purpose other than maintenance operations or for changing the sign face and the repair or reconstruction cost, whichever is applicable, exceeds sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, it must be removed.

(c) Any billboard lawfully erected and maintained as a nonconforming use that does not display any copy, transcript, reproduction, model, likeness, image, advertisement or written material for a period of 120 consecutive days or more is hereby declared to be a violation of this section and as such shall be restored to use or removed by the owner or permittee within 30 days after notice by the City Manager or City Manager's designee of such violation.

PASSED and APPROVED on its first reading this the ____ day of _____, 2016.

PASSED and APPROVED on its second reading this the _____ day of _____, 2016.

_____
Milton Y. Tate, Jr.
Mayor

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

AGENDA ITEM 11

DATE OF MEETING: September 1, 2016 **DEPT. OF ORIGIN:** Aquatics	**DATE SUBMITTED:** August 29, 2016 **SUBMITTED BY:** Tammy Jaster

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 a Facility Use Agreement Between the City of Brenham and the Brenham State Supported Living Center for Pool Use at the Blue Bell Aquatic Center and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: The City of Brenham and the Brenham State Supported Living Center have a longstanding agreement for recreational aquatic services. The most recent agreement was reviewed by each agency's legal representative in the fall of 2012 and was executed December 18, 2012. This agreement had three (3) automatic annual renewal options which were exercised extending the term of the agreement to September 30, 2016. Staff met with the Brenham State Supported Living Center representative, Chez Strickland, to review the agreement and discussed the logistics of BSSLC outings to the Blue Bell Aquatic Center (BBAC). BBAC staff recommends that Council authorizes the agreement for aquatic facility services with the Brenham State Supported Living Center.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Facility Use Agreement

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve a Facility Use Agreement between the City of Brenham and the Brenham State Supported Living Center for pool use at the Blue Bell Aquatic Center and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts

FACILITY USE AGREEMENT BETWEEN THE CITY OF BRENHAM AND BRENHAM STATE SUPPORTED LIVING CENTER FOR POOL USE AT THE BLUE BELL ACQUATIC CENTER

WHEREAS, the City of Brenham, hereafter referred to as "City," has agreed to provide the Brenham State Supported Living Center, hereafter referred to as "Living Center," recreational aquatic services for residents of the Living Center at the Blue Bell Aquatics Center, hereafter referred to as "BBAC"; and

WHEREAS, the recreational aquatic services shall include, but not be limited to, swimming; and

NOW, THEREFORE, in consideration of the mutual covenants expressed in this Agreement, the receipt and sufficiency of which are hereby acknowledged, the City and the Living Center agree as follows**:**

1.0 Recreational Services

The City agrees to provide use of the BBAC to the Living Center residents for recreational aquatic services. All Living Center residents shall observe all City rules and regulations for the use of the pools at the BBAC.

All recreational aquatic services being provided by the City must be scheduled, in advance, by the Living Center with the Aquatic Supervisor.

2.0 Purpose

The purpose of this Agreement is to provide recreational aquatic services to all Living Center residents.

3.0 Breach

The failure of either party to comply with the terms and conditions of this Agreement shall constitute a breach of this Agreement. If either Party commits a breach in the performance of any obligation or covenant herein, the non-breaching party may enforce the performance of this Agreement in any manner provided by law.

4.0 Waiver

The waiver by either party of a breach of this Agreement shall not constitute a continuing waiver of the breach or of a subsequent breach of the same or a different provision, unless so stipulated in writing by the Party not in breach of this Agreement.

5.0 Term, Renewal

This Agreement shall be effective beginning October 1, 2016, or the date signed by both parties, whichever is later, and shall remain in effect until September 30, 2017 ("Initial Term"). This Agreement shall automatically renew for three (3) additional one (1) year periods ("Renewal Terms"). Either Party may terminate this Agreement at any time, without cause, by giving notice in the manner provided herein to the other Party at least thirty (30) days prior to the intended date of termination. Notice shall be provided pursuant to the terms set forth in Section 10.0.

6.0 Reporting

The City shall maintain a record of usage for the Living Center for a period of seven (7) years. The City shall maintain a log in which the Living Center staff will enter the name of the staff members and residents using the pools. The City shall be responsible for preparing a written monthly summary of visits and will mail this summary to the Living Center on or before the fifth (5^{th}) day of the month for the preceding month's visits.

7.0 Payment

The Living Center shall pay the City a per visit fee of three dollars ($3.00) per resident. Each use of the BBAC by a resident will count as one (1) visit. The amount expended under this Agreement shall not exceed $ 2,500.00 per one-year term. The Living Center shall cease its use of the BBAC under this Agreement at such time during any one-year term that the Living Center has reached its maximum available funding amount of $2,500.00 per one-year term.

The Living Center shall pay the City for each month's usage within thirty (30) days after receiving the monthly summary of visits. The Living Center shall make the payments out of current revenue.

8.0 Texas Law to Apply

This Agreement shall be construed under and in accordance with the laws of the State of Texas. Exclusive venue for any claim, cause of action, lawsuit, or other legal proceeding arising out of this Agreement shall be in Washington County, Texas.

9.0 Invalid Provisions

Any clause, sentence, paragraph, or section of this Agreement which is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect shall not be deemed to impair, invalidate, or nullify the remainder of this Agreement to the extent that the Agreement can be given effect without the invalid portion.

10.0 Notice

All notices sent pursuant to this Agreement shall be in writing and shall be hand delivered, or sent by registered or certified mail, postage prepaid, return receipt requested. Notices sent pursuant to this Agreement shall be delivered or sent to the City Manager at the following address:

City of Brenham
P. O. Box 1059
Brenham, Texas 77834-1059

Notices sent pursuant to this Agreement shall be in writing and shall be hand delivered, or sent by registered or certified mail, postage prepaid, return receipt requested. Notices sent pursuant to this Agreement shall be delivered or sent to the Assistant Director of Administration at the following address:

Brenham State Supported Living Center
4001 Highway 36
Brenham, Texas 77833

When notices are hand-delivered, notice shall be deemed effective upon delivery. When notices are mailed by registered or certified mail, notice shall be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. post office. Either Party may change its address for notice under this Agreement by providing a notice of the change in compliance with this paragraph to all other parties.

11.0 Entire Agreement

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof and contains all of the covenants and agreements between the Parties with respect to this matter. Each Party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by any party or anyone acting on behalf of any parties with respect to the subject matter hereof which are not embodied herein and that no other agreements, statements, or promises with respect to the subject matter hereof not contained in this Agreement shall be valid or binding. No modification concerning this instrument shall be of any force or effect, excepting a subsequent amendment in writing signed by the Parties.

12.0 Parties Bound

This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective legal representatives, successors and assigns.

13.0 Assignment

Neither this Agreement nor any duties or obligations under it shall be assignable by either party without the prior written acknowledgment and authorization of both parties to this Agreement.

14.0 Gender

Words of gender used in this Agreement shall be held and construed to include any other gender or words in the singular number shall be held to include the plural and vice versa unless this Agreement requires otherwise.

IN WITNESS WHEREOF, City and the Living Center have hereby entered into this Agreement on this the _____day of _____, 2016.

CITY OF BRENHAM

_____
Milton Y. Tate, Jr.
Mayor

BRENHAM STATE SUPPORTED LIVING CENTER

_____
Printed Name: _____
Title: _____

ATTEST:

_____
Jeana Bellinger, TRMC, CMC
City Secretary

_____
Printed Name: _____
Title: _____

AGENDA ITEM 12

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED:** August 12, 2016
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: Discuss and Possibly Act Upon Bid #3900.049 Related to the Repairs of the Walking Trail at Hohlt Park Trail and Authorize the Mayor to Execute any Necessary Documentation

SUMMARY STATEMENT: On August 11, 2016 the Purchasing Dept. along with O'Malley Strand opened bids related to the Hohlt Park Trail Reconstruction project. There were 4 bids received.

The work bid out consisted of the reconstruction of the walking trail which included demolition of the old trail remints, addition of new crushed granite, galvanized hot-dipped metal edging, erosion control and a SWPP plan. All these items will be accomplished with the overall goal of bringing the original trail back to its 6' wide surface with also accomplishing the ADA regulations. Based off of the bids, Collier Construction submitted the lowest bid for the proposed work.

The base bid submitted by Collier was $144,200.00. This was not budgeted for but has been documented in the FEMA report and it is estimated that 75% of the cost will be covered through the disaster funds. The remaining 25% will come from general fund reserves over the 95 days.

The bid documents call for the work to be substantially complete within 60 calendar days after the date when the contract times commence. It is expected that work will begin around September 1st and be completed by November of 2016.

Staff recommends awarding the project to Collier Construction in the amount of $144,200.00

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Will receive a new trail with a heavy duty edging allowing the trail to be brought back to its original state.

B. CONS: Will most likely be responsible for 25% of the costs. Also, an inconvenience for walkers and joggers for approximately 6 months.

ALTERNATIVES (In Suggested Order of Staff Preference):
ATTACHMENTS: (1) Bid Tabulation
FUNDING SOURCE (Where Applicable): General Fund Reserves
RECOMMENDED ACTION: Award Bid No. 3900.049 to Collier Construction in the amount of $144,200.00 for repairs of the walking trail at Hohlt Park and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts

STRAND ASSOCIATES®

O'Malley Strand Associates, Inc.®
203 South Jackson Street
Brenham, Texas 77833
(P) 979-836-7937
(F) 979-836-7936

August 12, 2016

Dane Rau, Director of Public Works
City of Brenham
200 West Vulcan
Brenham, Texas 77833

Re: City of Brenham
Hohlt Park Trail Reconstruction
Strand Project No. 3900.044
RECOMMENDATION OF AWARD

Dear Dane:

We have reviewed the bids received on August 11, 2016 for the referenced project (see bid tabulation attached) and have listed the bids below in order from the lowest to the highest base bid:

		Base Bid
1.	Collier General Contractors; Brenham, Texas	$144,200.00
2.	Coons Construction, Inc.; Lufkin, Texas	$176,594.64
3.	Boretex, L.L.C.; Spicewood, Texas	$277,975.00
4.	Jimmy Evans; Austin, Texas	$292,130.00
5.	Geonix Environmental Services, L.P.; Bryan, Texas	No Bid

The low bidder, Collier General Contractors, is qualified and experienced in this type of work. Therefore, based upon review of the above bids, we recommend award to the lowest bidder, Collier General Contractors, of Brenham, Texas, for their Base Bid in the amount of $144,200.00.

Sincerely,

Jason Reimer, P.E.
Project Manager

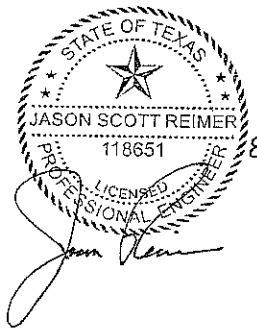
JSR:mds

mds\S:\BRE\3900--3999\3900\049\Wrd\Letter\Recommendation of Award.docx

CITY OF BRENHAM
HOHLT PARK TRAIL RECONSTRUCTION
STRAND PROJECT NO. 3900.044
BIDS OPENED: AUGUST 11, 2016 AT 2:00 P.M.

			Collier General Contractors 1601 Highway 290 West Brenham, TX 77833		Coons Construction, Inc. 5036 Champions Dr. Lufkin, TX 75901		Boretex, L.L.C. 22608 State Hwy 71 West Spicewood, TX 78669		Jimmy Evans P.O. Box 9749 Austin, TX 78766		Geonix Environmental Services, L.P. 6949 Coyote Run Bryan, TX 77808	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
BASE BID												
1	Furnish all labor, materials, and equipment necessary to construct 6-foot decomposed granite trail improvements, including, but not limited to, demolition, erosion control, excavation, embankment, drainage, and decomposed granite trail	3,160 SY	$ 21.00	$ 66,360.00	$ 24.16	$ 76,345.60	$ 40.00	$ 126,400.00	$ 55.00	$ 173,800.00	$ -	$ -
2	Furnish and install 4" tall x 3/16" min. thickness hot-dipped galvanized edging along decomposed granite trail	9,390 LF	$ 6.00	$ 56,340.00	$ 8.31	$ 78,030.90	$ 9.25	$ 86,857.50	$ 7.00	$ 65,730.00	$ -	$ -
3	Furnish all labor, materials, and equipment necessary to clean and remove debris (sedimentation, tree branches, etc.) from all existing drainage structures along length of trail, including, but not limited to, bridges, drainage inlets, storm pipes, and safety end treatments	1 LS	$ 6,000.00	$ 6,000.00	$ 7,289.80	$ 7,289.80	$ 31,217.50	$ 31,217.50	$ 600.00	$ 600.00	$ -	$ -
4	Perform seeding in all disturbed ground areas outside of the 6-foot trail	1 LS	$ 2,500.00	$ 2,500.00	$ 2,339.34	$ 2,339.34	$ 28,000.00	$ 28,000.00	$22,000.00	$ 22,000.00	$ -	$ -

			Collier General Contractors 1601 Highway 290 West Brenham, TX 77833		Coons Construction, Inc. 5036 Champions Dr. Lufkin, TX 75901		Boretex, L.L.C. 22608 State Hwy 71 West Spicewood, TX 78669		Jimmy Evans P.O. Box 9749 Austin, TX 78766		Geonix Environmental Services, L.P. 6949 Coyote Run Bryan, TX 77808	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
5	Prepare SWPPP and furnish and install all erosion control measures and obtain all associated permits for the construction of the improvements, included with these plans	1 LS	$ 13,000.00	$ 13,000.00	$ 12,589.00	$ 12,589.00	$ 5,500.00	$ 5,500.00	$30,000.00	$ 30,000.00	$ -	$ -
TOTAL BASE BID				$ 144,200.00		$ 176,594.64		$ 277,975.00		$ 292,130.00		No Bid



8/12/14

O'Malley Strand Associates, Inc.
TBPE No. F-8405
Brenham, Texas

Jason Reimer, P.E.

AGENDA ITEM 13

DATE OF MEETING: August 18, 2016	**DATE SUBMITTED:** August 9, 2016
DEPT. OF ORIGIN: Main Street	**SUBMITTED BY:** Jennifer Eckermann

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 a Request for a Noise Variance from the Texas Arts and Music Festival Organization for a Festival to be Held on October 15, 2016 from 4:00 p.m. – 10:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: Earlier this year, an organization was formed to offer an arts-related event – Texas Arts and Music Festival – that has been planned in conjunction with Main Street's Texas Brew Step on October 15. The group has worked closely with Main Street to cross-promote the two events, and we're excited to be working with them as they bring a variety of cultural arts programing to Brenham for what should prove to be a great weekend of entertainment, education and fun. Brad Stufflebeam, owner of Home Sweet Farm Market and Biergarten, is the chairman of the organization, and representing the organization, has submitted a Noise Variance Request for their event to be held at and around the Ant Street Inn. The public music portion of the event will be from 4:00 p.m. – 10:00 p.m. They will have two bands setting up behind the Ant Street Inn. The Brenham Police Department and the Brenham Fire Department have approved the noise variance request; therefore, I ask the City Council to approve the request. Stufflebeam and some of the others involved with the event will be at the meeting to answer any questions.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Noise Variance Request form

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve a request for a noise variance from the Texas Arts and Music Festival Organization for a festival to be held on October 15, 2016 from 4:00 p.m. – 10:00 p.m. in Downtown Brenham and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts

Paid 08/04/16
Cash
KW

NOISE VARIANCE REQUEST

Application Fee $10.00

1. Name of sponsoring organization: Texas Arts & Music Festival (a 501(c)(3))

2. Name and address of individual making application on behalf of sponsoring organization:
Brad Stufflebeam, Chairman
307 So Park St

3. Purpose of the Event: Arts & Music Festival

4. Location of Event: _____

5. Date of the event: Oct ~~14~~ ~~16~~ 15

6. Time of Event: 11am - 10pm music 4:00PM - 10:00PM

7. Event Set-up: From: 8 am To: 10:30
Event Clean-up: From: 10pm To: 11pm

8. You are required to describe the following:

a) Types of Activities Planned and any additional information specific to this event:
music, art vendors, food trucks

b) Bands/Musical Instruments: two full bands (set up behind Art Street)

c) Sound amplification equipment: yes.

d) Cleanup provisions: volunteers

Brad Stufflebeam
Name of Applicant (Printed or Typed)

Date: 8/4/16

Applicant or Authorized Person's Signature

Phone: 9795307993

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