

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on Thursday, July 13, 2023 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members Present:

Mayor Atwood C. Kenjura
Mayor Pro Tem Clint Kolby
Councilmember Shannan Canales
Councilmember Leah Cook
Councilmember Dr. Paul F. LaRoche, III
Councilmember Adonna Saunders
Councilmember Albert Wright

Members Absent:

None

City of Brenham Staff present:

City Manager Carolyn Miller, City Attorney Luke Cochran, City Secretary Jeana Bellinger, General Manager of Public Utilities Debby Gaffey, Director of Finance Stacy Hardy, Strategic Budget Officer Tim McRoberts, Human Resource Director Susan Nienstedt, Asst. Police Chief Lloyd Powell, Public Works Director Dane Rau, Development Services Director Stephanie Doland, Economic & Community Development Director Teresa Rosales, Director of Water/Wastewater Bobby Keene, Department General Manager Public Utilities Alton Sommerfield, Jessica Perez, Steven Eilert, Alex Saenz, Crystal Buckner, Tammy Jaster, Kelsey Toy, Karen Stack, Cherry Cash Prewitt, Shawn Bolenbarr, Jerry Saldivar, JoAnne Hynes, and Daniel McCracken

Citizens/Others Present:

Ryan D. Tinsley, Brian Hackman, James S. Brown, Kevin Strudthoff, and Mike Eickhoff

Media Present:

Jason May, Brenham Banner-Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Carolyn Miller**
- 3. Special Recognitions**
 - Brenham Police Department Promotion - Crystal Buckner, Corporal
- 4. Proclamation**
 - National Parks and Recreation Month
- 5. Citizen Comments**

There were no citizen comments.

CONSENT AGENDA

- 6. Statutory Consent Agenda**
 - 6-a. Approve Ordinance No. O-23-008 on Its Second Reading for the Creation of Reinvestment Zone Number 49 Requested by Valmont Industries, Inc. for Commercial Tax Phase-In Incentive on That Certain 80.088 Acres of Land, Generally Located at 2551 Valmont Dr., Brenham, Texas, Being More Fully Described in Exhibit “A” of the Ordinance Creating Reinvestment Zone 49, and Designating This Property as Qualifying for Tax Phase-In**
 - 6-b. Approve Ordinance No. O-23-009 on Its Second Reading for the Creation of Reinvestment Zone Number 50 Requested by North Park Development, LLC for Commercial Tax Phase-In Incentive on That Certain 2.998 Acres of Land, Generally Located at 1809 N. Park Street, Brenham, Texas, Being More Fully Described in Exhibit “A” of the Ordinance Creating Reinvestment Zone 50, and Designating This Property as Qualifying for Tax Phase-In**
 - 6-c. Approve a Noise Variance Request from Outreach Ministries for a Back-to-School Celebration to be Held on August 5, 2023, in Fireman's Park from 11:00 a.m. to 5:00 p.m.**
 - 6-d. Approve a Noise Variance Request from Gather n Grace for Monday Family Dinners to be Held Every Monday Through December 18, 2023, Beginning July 17, 2023 at Fireman's Park Pavilion from 5:30 p.m. to 7:30 p.m.**

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve the Statutory Consent Agenda Items 6.a. thru 6.d. as presented.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

REGULAR SESSION

7. Discuss and Possibly Act Upon Resolution No. R-23-026 Adopting a Commercial Tax Phase-In Agreement Between the City of Brenham and Valmont Industries, Inc.

Economic & Community Development Director Teresa Rosales presented this item. Rosales stated Valmont Industries, Inc. is a manufacturing company operating under two (2) main business segments: infrastructure and agriculture. Rosales explained Valmont desires to expand its Brenham, Texas production operation with an investment of more than \$38 million in expansion of its existing structure, investment in new equipment increasing manufacturing production by 50% , and an increase in employees by 2025 from 258 to 398 at the Brenham location. Rosales noted that Kevin Strudthoff, Senior Director for Business Processes and Mike Eickhoff, Managing Director were in the audience.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Canales to approve Resolution No. R-23-026 adopting a Commercial Tax Phase-In Agreement between the City of Brenham and Valmont Industries, Inc.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

8. Discuss and Possibly Act Upon Resolution No. R-23-027 Adopting a Commercial Tax Phase-In Agreement Between the City of Brenham and North Park Development, LLC.

Economic & Community Development Director Teresa Rosales presented this item. Rosales stated PlanNorth LLC dba PlanNorth Architectural Co. was established in 2010 and currently has 12 employees at their 107 S. Baylor Street location; however, with their continued growth it is necessary for the company to move to a new location and construct a new headquarters, 7600 square foot brick building, to be located at 1809 N. Park Street.

A motion was made by Councilmember Saunders and seconded by Mayor Pro Tem Kolby to approve Resolution No. R-23-027 adopting a Commercial Tax Phase-In Agreement between the City of Brenham and North Park Development, LLC.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Discuss and Possibly Act Upon the Appointment of Members to Serve on the Capital Improvements Advisory Committee and Authorize the Mayor to Execute Any Necessary Documentation

Director of Development Services Stephanie Doland presented this item. Doland recapped at the May 4, 2023 City Council meeting a Professional Service Agreement with Strand Associates, Inc. was approved to perform an Impact Fee Study in accordance with Chapter 395 of the Texas Local Government Code. Doland stated per Chapter 395 the formation of a Capital Improvements Advisory Committee (CIAC) is required to review, advise, and recommend adoption of assessing impact fees following the results of the study. Doland proposed the CIAC be comprised of the seven (7) member Planning and Zoning Commission; a Council representative, Dr. Paul LaRoche, III; a representative of the extraterritorial jurisdiction (ETJ), Blake Brannon; and two (2) real estate representatives, Lindi Braddock and Randy Hodde.

A motion was made by Mayor Pro Tem Kolby and seconded by Councilmember Wright to approve the appointment of members to serve on the Capital Improvements Advisory Committee as presented noting should Randy Hodde be unable to serve the Mayor is authorized to appoint a new member to serve in place of Mr. Hodde and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

10. Discuss and Possibly Act Upon the Appointment of a City of Brenham Representative to Serve on the Governing Board of the Brazos Valley Wide Area Communications System (BVWACS) and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary and Director of Administrative Services Jeana Bellinger presented this item. Bellinger stated as a member of the Brazos Valley Wide Area Communication System (BVWACS), providing public safety radio interoperability to various entities throughout Brazos Valley Region, the City is responsible for appointing one (1) member to serve on the BVWACS Governing Board. Bellinger explained the Interlocal Agreement for the operation of the BCWACS states the Governing Board directs and approves operating policies for BCWACS, adopts an annual budget, and any other tasks necessary for the BVWACS to function properly.

Bellinger advised former Mayor Milton J. Tate, Jr. had been serving on the Governing Board since its inception in 2008 as the City's representative; however, with the May, 2023 election of a new Mayor the City Council must appoint one (1) of their members to serve on the BVWACS Governing Board.

A motion was made by Councilmember Saunders and seconded by Councilmember Canales to approve the appointment of Mayor Atwood C. Kenjura to serve on the Governing Board of the Brazos Valley Wide Area Communications System (BVWACS) and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

11. Discuss and Possibly Act Upon Resolution No. R-23-028 Authorizing the Submittal of an Advanced Funding Agreement with TxDOT Pertaining to a Bridge Located at Hog Branch Creek and Pecan Street

Public Works Director Dane Rau presented this item. Rau stated in November 2022 Council approved a Resolution in support of a partnership with TxDOT related to federal funding through the Highway Bridge Project for the crossing on Pecan Street at the Hog Branch tributary. Rau explained the Resolution authorized an Advanced Funding Agreement (AFA) between the City of Brenham and TxDOT and provided for a City match of 10%, \$49,000.00.

Rau advised Council TxDOT has some additional funding through the Federal Infrastructure and Jobs Act as well as the Highway Bridge Replacement and Rehabilitation Program and with the funding of these two (2) new grant programs the City's 10% match, \$49,000.00, will be covered in full. Rau stated this Resolution is authorizing a new AFA with TxDOT to clarify the City will not be required to match any of the grant funds.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve Resolution No. R-23-028 authorizing the submittal of an Advanced Funding Agreement with TxDOT pertaining to a bridge located at Hog Branch Creek and Pecan Street.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

12. Discuss and Possibly Act Upon Bid No. 23-005 Related to the Purchase of Polyaluminum Chloride for the City of Brenham Water Utility System and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Water System Superintendent Jerry Saldivar presented this item. Saldivar stated on June 13, 2023 bids were opened for the ITB 23-005 Polyaluminum Chloride and three (3) bids were received. Saldivar explained Brenntag Southwest submitted the lowest bid and had been a proven supplier of Polyaluminum Chloride for the City since 2017. Saldivar stated the Brenntag's bid was for \$725.00 per liquid ton with two (2) optional one-year renewals and pricing would be subject to annual review prior to renewal.

A motion was made by Councilmember Canales and seconded by Councilmember LaRoche to award Bid No. ITB 23-005 related to the purchase of polyaluminum chloride for the City of Brenham water utility system to Brenntag Southwest at \$725.00 per liquid ton and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

13. Discuss and Possibly Act Upon a Lease Agreement Between the City of Brenham and Central Washington County Water Supply Corporation (CWCWSC) Related to the City's Water System Auto-Dialer Relay Station and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Compliance Manager Daniel McCracken presented this item. McCracken stated this lease is for the use of space on an elevated tower, designated as the West standpipe, and a 3-foot x 3-foot space and will include the right of ingress and egress on to the property and the tower where the equipment will be installed. McCracken continued the cost of the lease will not exceed \$1,200.00 and the annual rental fee shall increase by \$100.00 each year starting on the agreement's first anniversary with an auto-renewal each year.

A motion was made by Councilmember Canales and seconded by Councilmember Saunders to approve a lease agreement between the City of Brenham and Central Washington County Water Supply Corporation (CWCWSC) related to the city's water system auto-dialer relay station and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

14. Discuss and Possibly Act Upon Amendment No. 2 to the Professional Services Agreement Between the City of Brenham and Hodde & Hodde Land Surveying, Inc. Related to Project No. 62C-67 City of Brenham 6" Gas Main Loop NE and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Project Manager Shawn Bolenbarr presented this item. Bolenbarr explained the city entered into a Professional Services Agreement with Hodde & Hodde Land Surveying, Inc. in March of 2020 for engineering services related to the construction and installation of a six-inch gas line along the west side of FM 577 from East Alamo Street to Brown Street.

Bolenbarr explained due to the discovery of an additional easement and unanticipated additional topography survey work an amendment to the Professional Services Agreement is required, increasing the amount of the agreement from \$57,425.00 to an amount not to exceed \$61,925.00, which is an increase of \$4,500.00, to complete the engineering services for the six-inch gas line loop.

A motion was made by Councilmember Wright and seconded by Councilmember Saunders to approve Amendment No. 2 to the Professional Services Agreement between the City of Brenham and Hodde & Hodde Land Surveying Inc. related to Project No. 62-67 City of Brenham 6" gas main loop NE in the amount of \$4,500.00 and authorize the Mayor to execute any necessary documentation.

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

Mayor Atwood C. Kenjura	Yes
Mayor Pro Tem Clint Kolby	Yes
Councilmember Shannan Canales	Yes
Councilmember Leah Cook	Yes
Councilmember Dr. Paul F. LaRoche, III	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

15. Administrative/Elected Officials Report

➤ **City Manager Carolyn Miller reported on the following:**

- The City Council meeting scheduled for Thursday, July 20, 2023 has been cancelled.
- Production company will be filming in downtown today.
- Special City Council Meeting & Budget Workshop on Monday, July 24, 2023 beginning at 8:30 a.m.
- Budget Workshop on Tuesday, July 25, 2023 beginning at 8:30 a.m.
- The nature trail at Hohlt Park will have a ribbon cutting on Friday, July 14, 2023 at 10:00 a.m.

- **Strategic Budget Officer Tim McRoberts reported on the following:**
 - Introduced new Budget Analyst Jessica Perez
- **Public Works Director Dane Rau reported on the following:**
 - MLK will be open to all traffic on Friday, July 14, 2023.
 - BNSF will be doing maintenance work at Main/Alamo railway crossing on July 18th and 20th.
 - S. Chappell Hill St. will be completed in mid-August 2023
 - Blue Bell Road and TXDOT project should be complete on or before school starts on August 16th.

WORK SESSION

16. Discussion and Presentation on the Water Capacity Study for the City of Brenham

General Manager of Public Utilities Debbie Gaffey presented this item. Gaffey introduced representatives from Strand Associates, Inc., Ryan Tinsley, Director of Operations in Brenham and Brian Hackman, Director of Practice – Water Supply in Madison, Wisconsin.

Tinsley and Hackman presented the water source and water treatment plant expansion plan to the City Council:

- Evaluation Objectives
 - Purpose of the evaluation and 60-year demand projections
- Water Infrastructure Summary
 - Brazos River Authority and Lake Somerville Intake Facility
 - Raw water mains
 - Supply capacity
 - Surface water treatment plant
 - Total storage
 - Elevated storage
 - Service pumping
- Population Projections and Capacity Demands – 2023 to 2043
- Additional Preliminary Options Considered:
 - Regionalization, redundant raw water main, and intermediate booster pumping station
- Alternatives Studied:
 - **Alternative A:** Remote wells and treatment to be located at Loesch Street or Westside elevated storage tank, ties directly into the distribution system. Approximately 500 gpm, implies 1,250 connections.
 - **Alternative B:** Remote wells to be constructed at WTP and Jackson Street Park with treatment centralized at WTP. Approximately 500 gpm, implies 1,250 connections.

- **Alternative C**: Rehab and expansion by conventional surface water treatment. Approximately 948 gpm, implies 2,370 connections.
- **Alternative D**: Rehab and expansion by membrane filtration. Approximately 948 gpm, implies 2,370 connections.
- Recommendation:
 - Alternative A: \$11.7 million for 1,770 connections
 - Alternative C: \$24.3 million for 2,370 connections
 - Design start in September 2023 with construction completed in September 2027

Council adjourned into Executive Session at 2:56 p.m.

EXECUTIVE SESSION

17. Section 551.071 Texas Government Code - Consultation with Attorney - Consultation with City Attorney Regarding Aviators Plus, LLC v. City of Brenham, Texas; Cause No. 37896; 21st Judicial District Court, Washington County, Texas

Executive Session adjourned at 3:20 p.m.

RE-OPEN REGULAR SESSION

The meeting was adjourned.

Atwood C. Kenjura
Mayor



Jeana Bellinger, TRMC, CMC
City Secretary