



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, MAY 19, 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 – Councilmember Goss**
- 3. Citizens Comments**

CONSENT AGENDA

4. Statutory Consent Agenda

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

4-a. Minutes from the March 24, 2016, April 7, 2016 and April 21, 2016 Regular City Council Meetings

Pages 1-33

4-b. Ordinance No. O-16-013 on Its Second Reading Authorizing a Variance to Residential Lot Requirements, as Outlined in Section 23-22(5)(a) of the City of Brenham's Code of Ordinances, on a Tract of Land Being Described as Tract 95, 19.94 Acres, Out of the Phillip Coe Survey, A-31, Located at 940 Farmers Road, in Brenham, Washington County, Texas

Pages 34-35

WORK SESSION

- 5. Presentation of the Second Quarter Report by the Washington County Convention and Visitors Bureau**

Pages 36-37

REGULAR SESSION

6. **Discuss and Possibly Act Upon Change Order No. 002 for the Nancy Carol Roberts Memorial Library Expansion, Modernization and Renovation Project and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 38-44**
7. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Section 21-3, Definitions and Section 21-7, Variances, of the Code of Ordinances of the City of Brenham** **Pages 45-48**
8. **Discuss and Possibly Act Upon Bid No. 3900.038 Related to the M. M. Owsley Memorial Serenity Garden and Park Improvements and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 49-53**
9. **Discuss and Possibly Act Upon a Request for a Noise Variance from St. Mary's Immaculate Conception Catholic Church for an Annual Church Summer Festival to be Held on May 22, 2016 from 9:00 a.m. – 5:00 p.m. at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 54-55**

EXECUTIVE SESSION

10. **Section 551.071 – Consultation with Attorney – Consultation with City Attorney Regarding a Substandard Building Located at 209 South Market Street, Brenham, Texas, said Property also Described as Noel's Addition, Lot 1C in a Deed Recorded in Volume 1167, Page 717 of the Official Records of Washington County, Texas** **Page 56**
11. **Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Compensation of the City Prosecutor and an Update on the Brenham Municipal Court Judge and Associate Judge** **Page 57**

RE-OPEN REGULAR AGENDA

12. **Discuss and Possibly Act Upon the Compensation of the City Prosecutor for the Brenham Municipal Court** **Page 58**
13. **Administrative/Elected Officials Report**

Administrative/Elected Officials Reports: Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutory recognitions of public officials, public employees or other citizens; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that have arisen after the posting of the agenda.
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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 May 19, 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 May 16, 2016 at **12:20 PM**.

Kacey A. Weiss

Deputy 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 March 24, 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 Rex Phelps, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Susan Nienstedt, Jennifer Eckermann, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Captain Trey Gully, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Debbie Gaffey, Development Services Manager Erik Smith, Lori Lakatos, Sergeant Judson Hall, Darrell Zwahr, Kevin Boggus and Kelsey Toy

Citizens present:

Steve Jasinski, Wayne Winkelmann, Martha Jacob, Elmer Marburger, Fernie Walker, Lori Walker, Barbara Ross, Danny Ross, Wes Hohlt, Page Michel, Clint Kolby and Kirk Hanath

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Codi Rynn, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Terry Roberts**
3. **Special Presentation**
 - **2015 Texas Association of Public Pool Council Awards**
4. **Citizens Comments**

Barbara Ross stated some concerns about the possible drilling at Lake Somerville affecting the city water supply. She spoke with Assistant City Manager of Public Utilities Lowell Ogle and understands that the issue will be discussed at a future Council meeting.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from February 18, 2016 Regular City Council Meeting

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring 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

REGULAR SESSION

16. Discuss and Possibly Act Upon Concurrent Change Order No. 1, Change Order No. 2, Change Order No. 3 (Reconciliation) and Authorize Final Payment to Mercer Construction Company for the 2015 Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that Mercer Construction Company has completed work replacing approximately 4,400 linear feet of water lines along LJ, Shepard, Carolyn, Janet, and Jefferson streets. Ogle stated that total construction cost was \$340,128.60 and the project is complete.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Goss to approve Change Order No. 1, Change Order No. 2, Change Order No. 3 (Reconciliation) and authorize final payment to Mercer Construction Company in the amount of \$113,026.73 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

17. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 6, Buildings and Structures, Article VI, International Plumbing Code, of the Code of Ordinances of the City of Brenham

Utility Compliance Manager Debbie Gaffey presented this item. Gaffey explained that Staff is amending Chapter 6, Section 6-62, Cross Connection Control Program, subsections 6-62(c)(3)d, of the code of Ordinances so that the lead limitation is consistent with federal and state statutes and TCEQ regulations for public water systems. Gaffey noted that the amendment reduces the lead content of pipes, pipe fittings, and plumbing fittings and fixtures from 8.0% to 0.25%. Gaffey noted that plumbing fixtures procured by the City have been in compliance with the new standard since January 4, 2014.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending Chapter 6, Buildings and Structures, Article IV, International Plumbing Code, of the Code of Ordinances of the City of Brenham.

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

PUBLIC HEARING

Mayor Tate excused himself from these items due to a conflict of interest.

Mayor Pro Tem Nix proceeded with the agenda.

Development Services Manager Erik Smith explained that the applicants would like to withdraw their request at this time.

City Attorney Cary Bovey explained that due to the applicant's withdrawal of the Old Mill Creek zoning requests, the public hearings and all action items related to the Mill Creek Saeger LLC Development should be tabled. Bovey clarified that any motion to table these zoning issues should include Agenda Items 6 through 15.

A citizen asked if this means that the items will be withdrawn. Smith stated that they will not be withdrawn, but will be postponed to a later date.

- 6. Public Hearing to Consider an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Multifamily District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
- 7. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
- 8. Public Hearing to Consider an Amendment of Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow a Multifamily Development on a Site of Two (2) or More Acres of Land Being Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
- 9. Public Hearing to Consider an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Commercial/Retail District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located at the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**

10. **Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located on the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**

REGULAR SESSION

11. **Discuss and Possibly Act Upon Resolution No. R-16-010 Providing for an Amendment to the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From Recreational/Open Space District to a Multifamily District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
12. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
13. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow a Multifamily Development on a Site of Two (2) or More Acres of Land Being Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
14. **Discuss and Possibly Act Upon Resolution No. R-16-011 Providing for an Amendment to the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Commercial/Retail District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located at the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**
15. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, Located on the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**

A motion was made by Councilmember Goss and seconded by Councilmember Herring to table Agenda Items 6 through 15.

Mayor Pro Tem Nix 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

RE-OPEN REGULAR SESSION

18. Discuss and Possibly Act Upon the Purchase of Two (2) Remote Tire Deflation Devices for the Police Department Using Seized Narcotic Funds and Authorize the Mayor to Execute Any Necessary Documentation

Captain Trey Gully presented this item. Gully explained that the proposed remote tire deflation system allows officers to remotely deploy and retract the stop sticks from a distance up to 100 feet away using a wireless remote control. Gully stated that this new device is fully contained and prevents debris from being scattered over the roadway.

Councilmember Goss wanted to know if Captain Gully had ever personally used it or seen it in action. Gully stated that he had not seen the devices used in action, but noted that the company will come and do a demonstration to show people how it is used.

Councilmember Herring stated he is in support of the devices since they will be purchased with seizure funds.

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve the purchase of two (2) remote tire deflation devices for the Police Department in the amount of \$7,089 using seized narcotic funds 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

19. Discuss and Possibly Act Upon a Two Percent (2%) Mid-Year Employee Pay Scale Adjustment

Assistant City Manager-Chief Financial Officer Carolyn Miller presented this item. Miller explained that a 2% mid-year Cost of Living Adjustment (COLA) was included in the FY15-16 adopted budget. Miller stated the COLA is conditional upon a mid-year assessment of economic conditions and must be approved by Council before initiated. Miller advised that the General Fund impact is \$61,964 and the Utility Funds combined is \$29,005. Miller noted that at the March 3, 2016 Audit Committee meeting, Staff discussed this matter in greater detail and the Audit Committee gave their full support to move ahead and present this item to City Council for consideration. Miller explained that when the City Council included the 2.0% mid-year pay scale adjustment for all City employees in the FY15-16 Adopted Budget, they recognized the importance of keeping our salaries competitive to recruit and retain the best qualified workforce. Miller stated that in support of this initiative, and based on the economic conditions and outlook for the City, the budget team is confident in certifying that economic conditions support the approval of this action.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a two percent (2.0%) mid-year employee pay scale adjustment as shown in the City of Brenham FY2015-16 Adopted Budget.

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

20. Discuss and Possibly Act Upon Resolution No. R-16-012 Approving Retail Development Incentive Guidelines for the City of Brenham

City Manager Terry Roberts introduced this item. President of the Economic Development Foundation Page Michel and Project Manager Clint Kolby presented this item. Kolby explained that the retail incentives policy is formally adopting a tool to aid in recruiting and attracting major retail development projects to our community. Kolby stated that the baseline criteria for consideration are a retailer with \$10 million in annual sales and a facility of 40,000 square feet.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-16-012 approving Retail Development Incentive Guidelines for the City of Brenham.

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

21. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- The next Council meeting will be at 10:00 a.m. on April 7th and the Audit Committee will meet that day at 1:00 p.m.

Public Works Director Dane Rau reported on the following:

- Spring Clean Up will be April 7th -9th for city residents and April 14th-16th for county residents
- Progress is being made on the Old Mill Creek lot development
- Playground equipment is being installed at the Michael Mansfield Owsley Park

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 April 7, 2016 beginning at 10:00 a.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 Keith Herring
Councilmember Mary E. Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members absent:

Councilmember Danny Goss

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Rex Phelps, City Attorney Cary Bovey, City Secretary Jeana Bellinger, 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, Jennifer Eckermann, Fire Chief Ricky Boeker, Assistant Fire Chief Brian Scheffer, Police Chief Craig Goodman, Public Works Director Dane Rau, Leslie Kelm, Assistant City Manager of Public Utilities Lowell Ogle, Debbie Gaffey, Development Services Manager Erik Smith, Lori Lakatos, Kyle Branham, Ginger Bishop, Carrie Derkowski, Angela Hahn, Judson Hall, Kevin Schmidt, Clint Kolby, Pam Ruemke, Josh Sebastian, Cecil Wright, Greg Nienstedt, Justin Schroeder, Chris Mc Cain, Brett Schroeder, and Brent Folsom

Citizens present:

Amanda Sebastian, Shelly Scheffer, Jennifer Schroeder, Frances Poston, Eric Gurley, Richard Heiges, Bevin Gurley, Delano Klausmeyer, Diana Sommerfield and Leroy Armstrong

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Codi Rynn, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
3. **Special Recognitions**

Fire Department Promotions & Badge Pinning

- **Brian Scheffer, Assistant Fire Chief**
- **Brett Schroeder, Captain**

Fire Chief Ricky Boeker introduced the Assistant Fire Chief and Captain, along with their wives that participated in the pinning ceremony.

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

5-a. Minutes from March 3, 2016 Regular City Council Meeting

5-b. Ordinance No. O-16-007 on Its Second Reading Amending Chapter 6, Buildings and Structures, Article VI, International Plumbing Code, of the Code of Ordinances of the City of Brenham

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Items 5-a. and 5-b. 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

8. Discuss and Review the FY2015-16 First Quarter Financial Report

Assistant City Manager-Chief Financial Officer Carolyn Miller presented this item. Miller advised the status of the General Fund and the five major utility funds in the report. Miller reported the actual to budget variance was favorable in the General, Electric, Gas and Sanitation Funds with weather and the delayed start-up of Blue Bell impacting the Water and Wastewater Funds. Miller explained that the City of Brenham's financial performance continues to be positive and no unusual or unanticipated trends are noted.

REGULAR SESSION

11. Discuss and Possibly Act Upon Resolution No. R-16-014 Amending the Investment Policy for the City of Brenham

Assistant City Manager-Chief Financial Officer Carolyn Miller presented this item. Miller explained that in working with the City's new depository bank, Bank of Brenham, and with Linda Patterson of Patterson & Associates, Staff identified several needed revisions to the Investment Policy.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-16-014 amending the Investment Policy for the City of Brenham dated April 7, 2016.

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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon an Addendum to the Online Auction Memo of Understanding Between the City of Brenham and GovDeals Inc. Related to the Terms of the Memo and Flexible Pricing Options and Authorize the Mayor to Execute Any Necessary Documentation

Purchasing Manager Sara Parker presented this item. Parker explained that in 2011, Council approved a Memo of Understanding with GovDeals Inc. for the online auction of surplus assets and inventory for the City. Parker stated that the Pricing Option selected at that time assigned the 12.5% charged by GovDeals on sales as a 7.5% Administrative Fee charged to the City and a 5% Buyer's Premium charged to the Buyer. Parker noted that the City has since sold approximately \$497,000 in surplus assets and inventory and the City's fees for these sales were approximately \$37,600. Parker explained that GovDeals has pointed out that many of their clients have changed the Pricing Option so that all fees and premiums are paid by the Buyer. Parker stated they have seen no negative impact on successful sales after the change.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the Addendum to the Online Auction Memo of Understanding between the City of Brenham and GovDeals Inc. 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Bid No. 16-006 Related to Concrete Work for Old Mill Creek Lot Development Project and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on March 31, 2016 the Purchasing Department opened bids related to miscellaneous concrete work for the Old Mill Creek Lot Development. Rau stated there were two bids received and that Collier Construction submitted the lowest bid related to the Old Mill Creek Lot Development for the proposed work at \$46,044.00. Rau explained that Staff has allocated \$150,000 for lot preparation on the Old Mill Creek road extensions in order to prepare these lots for resale.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve Bid No. 16-006 to Collier Construction in the amount of \$46,044.00 related to concrete work for the Old Mill Creek Lot Development Project 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon Quotation No. 11198244 from SHI Government Solutions for the Renewal of the Microsoft Enterprise Agreement Between the City of Brenham and Microsoft Corporation and Authorize the Mayor to Execute Any Necessary Documentation

IT Manager Kevin Schmidt presented this item. Schmidt explained that the Microsoft Enterprise Agreement is a three year contract allowing the City of Brenham to legally use the Microsoft software and licenses. Schmidt noted this is the third renewal of the original agreement, which was signed in 2007. Schmidt advised that IT has already budgeted for this expense. Schmidt stated the total cost is \$74,392.70 per year for three years.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve Quotation No. 11198244 from SHI Government Solutions for a three year contract renewal in the amount of \$74,392.70 per year for the Microsoft Enterprise Agreement between the City of Brenham and Microsoft Corporation 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

15. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Water Conservation Plan for the City of Brenham

Utility Compliance Manager Debbie Gaffey presented this item. Gaffey explained that this plan is mandated by the Texas Commission on Environmental Quality (TCEQ) and is required to be readopted every five (5) years. Gaffey noted that the entire copy of the revised 2016-2020 Water Conservation Plan is available in the City Secretary's office.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve an Ordinance on its first reading amending the Water Conservation Plan for the City of Brenham.

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

16. Discuss and Possibly Act Upon Resolution No. R-16-015 Authorizing the Submission of a Grant Application for 2016 Homeland Security Grant Funds, If Available, Through the Brazos Valley Council of Governments

Fire Chief Ricky Boeker presented this item. Boeker explained that the Office of the Governor, Homeland Security Division, has requested that all entities have a resolution approved by the governing body authorizing the submission of a grant application for 2016. Boeker stated that Staff is requesting that this resolution be passed so that it will be on file with the state and that City Council approves of an application if additional funds become available. Boeker noted that Staff would still inform the Council of the intent to apply for any funds, if any become available.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve Resolution No. R-16-015 authorizing the submission of a grant application for 2016 Homeland Security Grant Funds, if available, through the Brazos Valley Council of Governments.

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

17. Discuss and Possibly Act Upon a Request for a Noise Variance from Annie Mae Sharp for the Graves Family Reunion at 906 Armbrister Street to be Held on Saturday, April 16, 2016 from 10:30 a.m. - 11:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that Annie Mae Sharp is requesting a Noise Variance for a family reunion gathering at 906 Armbrister Street on April 16, 2016 from 10:30 a.m. – 11:00 p.m. Weiss stated that set-up will be from 10:30 a.m. to 12:30 p.m., the event will be from 1:00 p.m. until 10:00 p.m. and clean-up will be from 10:00 p.m. to 11:00 p.m. Weiss noted that they will have a DJ using speakers and a sound system.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve a request for a noise variance from Annie Mae Sharp for the Graves Family Reunion at 906 Armbrister Street to be held on Saturday, April 16, 2016 from 10:30 a.m. – 11:00 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

18. Discuss and Possibly Act Upon a Request for a Noise Variance from the Brenham Maifest Association for the 2016 Maifest Events to be Held on April 30, 2016, May 5, 2016, May 6, 2016 and May 7, 2016 and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that the Maifest Royalty Run will be held on April 30, 2016, and will begin at 8:00 a.m. Weiss noted they will have a DJ playing music. Weiss advised that the Maifest Celebration will be held May 5th through May 7th and activities include a carnival, bands and the coronations.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve a request for a noise variance from the Brenham Maifest Association for the 2016 Maifest Events to be held on April 30, 2016, May 5, 2016, May 6, 2016 and May 7, 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	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

19. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Spring Clean Up begins today for City residents
- Assistant City Manager of General Government, Rex Phelps, has taken a new job in Haltom City and this is his last Council meeting
- The previous zoning items of Old Mill Creek/Saeger Street will be on the agenda for the April 21st Council meeting
- Council Pre-Budget Retreat will be on May 2nd at 8:30 a.m.

Assistant City Manager of Public Utilities Lowell Ogle reported on the following:

- The new Water Treatment Plant Manager, Matthew Monfreda, started last week.

Mayor Tate advised that the meeting will recess until 1:00.

The City Council meeting reconvened at 1:00 p.m.

PUBLIC HEARING

- 6. Public Hearing to Consider an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the Designation From Single Family Residential Use to Commercial/Retail Use on Certain Land Described as Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Said Land Being Bounded on the North by Rucker Street, on the East by North Park Street, on the South by West Blue Bell Road, and on the West by Ewing Street in Brenham, Washington County, Texas**

Mayor Tate opened the Public Hearing.

Development Services Manager Erik Smith presented this item. Smith explained that this is a request for an amendment to the "Envision 20/20" Comprehensive Plan. Smith noted the specific parcel is a tract of land located on the northwest corner of the intersection of North Park Street and West Blue Bell Road. Smith advised the current district as designated by the Comprehensive Plan is "Single Family"; however, staff is requesting the district be changed to "Commercial/Retail". Smith explained that it is ideal to change the district designation in the City's Comprehensive Plan when a rezoning request is made so that the city's zoning map does not conflict with the map in the Comprehensive Plan.

- 7. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Lot 7A and Lot 11A, Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Located at the Southeast Intersection of Ewing Street and Rucker Street in Brenham, Washington County, Texas**

Development Services Manager Erik Smith presented this item. Smith explained that Kolkhorst Investments LLC has requested a rezoning of two tracts of land from the existing R-1 Single Family District to a B-1 Local Business/Residential Mixed Use. Smith noted that the remaining lots on this particular block are all currently zoned B-1. Smith stated that changing the remaining two lots would give the applicant the same type of zoning for the entire block and would allow them to develop the property under one zoning district.

Smith stated that his office has received two phone calls from neighboring property owners who were opposed to this request. Smith advised that at the Planning and Zoning Commission meeting additional residents voiced their concern about this request. Smith noted that residents asked about the process to file a protest in opposition of this request.

Leroy Armstrong, a resident at 1205 Ewing Street, presented a protest to Council. Mr. Armstrong stated that he is against the change because of the added noise and traffic, as well as a decrease in their property values.

Eric Gurley, a resident at 1107 Ewing Street, explained that he has children and is concerned about their safety. He also stated that he is worried about the added traffic and big trucks coming through the neighborhood.

Councilmember Goss advised Mr. Gurley that the city's ordinance currently prohibits big trucks from using residential streets.

Diana Sommerfield, a resident at 1201 Ewing Street, stated that she is concerned about the noise, the physical aspect, increased traffic and homes losing their values. She requested that the lots remain zoned as residential.

Smith stated that Mr. Kolkhorst relayed to him that his development would not include a gas station.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

- 9. Discuss and Possibly Act Upon Resolution No. R-16-013 Providing for an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the Designation From Single Family Residential Use to Commercial/Retail Use on Certain Land Described as Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Said Land Being Bounded on the North by Rucker Street, on the East by North Park Street, on the South by West Blue Bell Road, and on the West by Ewing Street in Brenham, Washington County, Texas**
- 10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Lot 7A and Lot 11A, Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Located at the Southeast Intersection of Ewing Street and Rucker Street in Brenham, Washington County, Texas**

A motion was made by Councilmember Goss and seconded by Councilmember Herring to table Items 9 and 10.

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

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 April 21, 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

Members absent:

Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry Roberts, City Attorney Cary Bovey, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Director of Community Services Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Lori Lakatos, Becky Squyres, Corporal Chris Jackson and Sergeant Judson Hall

Citizens present:

Fernie Walker, Lorelei Walker, Steve M. Jasinski, Terry Ward, Wayne Winkelmann, Mike Pietsch, Diana Sommerfield, Leroy Armstrong, Eric Gurley, Bevin Gurley, Jaci Dudenhoefter, Jon Hodde, Richard Heiges, Jim Kolkhorst, Richard Santowski and Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press; and Codi Rynn, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Pro Tem Nix**

3. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

4. Statutory Consent Agenda

4-a. Ordinance No. O-16-008 on Its Second Reading Amending the Water Conservation Plan for the City of Brenham

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Item 4-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	Absent

PUBLIC HEARING

A motion was made by Councilmember Ebel and seconded by Councilmember Goss to remove Items 5 through 16 from the table.

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	Absent

Mayor Tate opened the Public Hearing and recused himself from the meeting due to a conflict of interest.

5. Public Hearing to Consider an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Multifamily District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that this is a request for an amendment to the "Envision 2020" Comprehensive Plan. Smith advised that the current district designated by the Comprehensive Plan is "Recreational/Open Space" and staff would like to change the district to "Multifamily". Smith advised that it is ideal to change the district designation in the City's Comprehensive Plan when a rezoning request is made so that the city's zoning map does not conflict with the map in the Comprehensive Plan.

Laurie Walker, a resident on Meadowbrook Lane, stated that she is concerned about too much development taking place and it affecting the vegetation in the creek that is nearby.

Developers Terry Ward and Marc Millis presented maps showing what the changes would be and what the developed area would look like. Ward stated that in the original planning, the area to be developed was 13.5 acres and it is now approximately 4.3 acres. Ward explained that they have taken concerns from the residents and have tried to adjust various things to address the concerns. Ward explained that an ordinance will be put into place regarding the trees for the development. Ward stated that for every tree that is removed the developers will plant new trees. Ward also discussed drainage issues.

6. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that Mill Creek Saeger, LLC. has requested a zone change for property on the north side of Old Mill Creek which consists of 4.293 acres of land. Smith stated that the land is currently zoned R-1 single family residential and the request is to change the zoning to R-2 Mixed Residential. Smith noted this type of change would allow for multifamily apartment complexes. Smith stated that the apartments proposed would be open to the public, but would likely house mostly Blinn students. Smith noted that Staff received a protest for the related zone change request for this item. Smith stated there were multiple concerns that were raised to Staff at the Planning and Zoning public hearing which included increased drainage, privacy, allowing a three story building, decreased property values, increased traffic, clearing of vegetation and parking lots in backyards.

Smith advised that Staff did receive a valid protest for this request from the neighboring property owners. Smith noted that Staff has reviewed the petition and verified there were 13 property owners that fell within the 200 ft. buffer zone that had all or part of their property fall within the area that can be used to count against the rezone. Smith explained the total amount of land area in the protest zone is 24.67% and the required land area in the protest zone to qualify is 20%. Smith advised the protest is valid and will require a super majority vote (75%) of the Council for approval.

Mr. Steve M. Jasinski, a resident at 304 Meadowbrook Lane, addressed the Council. Jasinski explained that he is concerned about loss of privacy, loss of market value to his property, social problems and crime in the area, as well as flood control.

Councilmember Barnes-Tilley questioned if this is granted and the project does happen, will the developers plans come to the City to be reviewed. Smith stated that all plans will have to be approved by the City. Barnes Tilley also asked Police Chief Craig Goodman to provide some insight on possible crime at the apartments. Goodman stated that the department has a good relationship with the Blinn Police Department and believes the area should be fine.

Councilmember Barnes-Tilley asked if the City needs this type of housing. Developer Terry Ward stated that he believes more subdivisions need to be added. City Manager Terry Roberts stated that he believes housing is needed.

Mayor Pro Tem Nix addressed Fire Chief Ricky Boeker regarding fires at the complex. Boeker stated that he would look at the plans making sure there are plenty of fire hydrants and points of access.

7. Public Hearing to Consider an Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow a Multifamily Development on a Site of Two (2) or More Acres of Land Being Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith stated that Mill Creek Saeger, LLC. has requested a special use permit for a 4.293 acre tract of land on the north side of Old Mill Creek Road to allow for a multifamily development. Smith advised that the proposed apartments would be open to the public, but would likely house mostly Blinn students.

Smith advised that staff did receive a protest for the related zone change request for this item, with privacy for the existing neighboring homeowners being the main concern. Smith explained that staff did make a recommendation to the Planning and Zoning Commission to place restrictions on the 20’ buffer yard requirement to require the applicant to keep vegetation in place during the construction period and replace any existing trees removed.

Smith explained that in addition to the vegetation buffer and tree replacement conditions, the developer has requested that an additional .33 acre tract of land at the southwestern corner of the property be added as permanent green space to help with a buffer zone. Smith noted this area will remain as a permanent open space on the property.

Smith advised Council that without a special use permit, the property would not allow for this type of development. Smith stated that staff received a valid protest related to this request from the neighboring property owners. Smith advised that staff reviewed the petition and verified the total amount of land area in the protest zone is 24.67% and to be a successful protest, only 20% is needed; therefore, since it is a valid protest this item will require a super majority (75%) vote of the Council for approval.

Councilmember Herring asked who will inventory the trees. Smith explained that the applicant has to inventory all of the trees and will do so by putting a tape or some kind of marking on the trees to know what will need to be replaced. Smith stated he will inspect the area to make sure that it is being done correctly.

8. Public Hearing to Consider an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Commercial/Retail District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located at the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith advised the specific parcel is a tract of land described as 2.119 acres of land on the northwest corner of the intersection of Old Mill Creek Road and South Saeger Street. Smith stated the current district as designated by the Comprehensive Plan is "Recreational/Open Space" and staff is requesting the Comprehensive Plan be amended to designate this parcel as "Commercial/Retail".

9. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located on the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that Mill Creek Saeger, LLC. has requested a zone change for property at the northwest corner of Old Mill Creek Road and S. Saeger Street which consists of 2.119 acres of land. Smith advised that the land is currently zoned R-1 single family residential and the request is to change the zoning to B-1 local business/residential mixed use. Smith stated this type of change would allow for the construction of combination multifamily apartment complexes and businesses.

Smith explained that the apartments and retail space proposed would be open to the public, but the apartments would likely house mostly Blinn students. Smith noted the first floor of the proposal, as presented to Staff, would be retail.

Smith advised that staff did receive a protest for the related zone change request for this item. Smith noted there were multiple concerns that were raised to staff at the Planning and Zoning public hearing which included increased drainage, privacy, allowing a three story building, decreased property values, increased traffic, clearing of vegetation and parking lots in backyards. Smith advised that he explained to the public that at this time, this is a land use matter and staff has not received an approvable site plan, civil drawings or construction drawings because the applicant wants to know if the land use will be approved prior to spending money on those items.

Smith explained that the Planning and Zoning Commission requested that staff advise Council that they would like Old Mill Creek Road prioritized as a road improvement project to help accommodate this request.

Smith stated that staff did receive a protest from neighboring property owners for the zone change request for this property; however, the protest did not meet the minimum requirements to require a super majority (75%) vote of the Council for approval.

REGULAR SESSION

10. Discuss and Possibly Act Upon Resolution No. R-16-010 Providing for an Amendment to the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the District From Recreational/Open Space District to a Multifamily District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve Resolution No. R-16-010 providing for an amendment to the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to change the district from Recreational/Open Space District to a Multifamily District on a tract of land described as 4.293 acres out of the Phillip Coe Survey, A-31, located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
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 Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve an Ordinance on its first reading amending the official zoning map of the City of Brenham, to change the zoning district from a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a tract of land described as 4.293 acres out of the Phillip Coe Survey, A-31, located on the north side of Old Mill Creek Road in Brenham, Washington County, Texas.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	No
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Allow a Multifamily Development on a Site of Two (2) or More Acres of Land Being Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve an ordinance on its first reading amending Appendix – A “Zoning” of the Code of Ordinances of the City of Brenham granting a specific use permit to allow a multifamily development on a site of two (2) or more acres of land being described as 4.293 acres out of the Phillip Coe Survey, A-31, located on the north side of Old Mill Creek Road in Brenham, Washington County, Texas.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	No
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Resolution No. R-16-011 Providing for an Amendment to the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the District From a Recreational/Open Space District to a Commercial/Retail District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, A-31, Located at the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve Resolution No. R-16-011 providing for an amendment to the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to change the District from a Recreational/Open Space District to a Commercial/Retail District on a tract of land described as 2.119 acres out of the Phillip Coe Survey, A-31, located at the northwest corner of the intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
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. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, Located on the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to change the zoning district from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a tract of land described as 2.119 acres out of the Phillip Coe Survey, A-31, located on the northwest corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
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

15. **Discuss and Possibly Act Upon Resolution No. R-16-013 Providing for an Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the Designation From Single Family Residential Use to Commercial/Retail Use on Certain Land Described as Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Said Land Being Bounded on the North by Rucker Street, on the East by North Park Street, on the South by West Blue Bell Road, and on the West by Ewing Street in Brenham, Washington County, Texas**

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve Resolution No. R-16-013 providing for an amendment to the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to change the designation from Single Family Residential Use to Commercial/Retail Use on certain land described as Block 9, Washington Terrace Addition, out of the A. Harrington Survey, A-55, said land being bounded on the North by Rucker Street, on the East by North Park Street, on the South by West Blue Bell Road, and on the West by Ewing Street, 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	Yes
Councilmember Weldon Williams	No

16. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Lot 7A and Lot 11A, Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Located at the Southeast Intersection of Ewing Street and Rucker Street in Brenham, Washington County, Texas**

The owner of the lots, Jim Kolkhorst, addressed the Council. Kolkhorst stated that he would like to develop this area and place a Burger King and possibly offices and light retail at this location.

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to change the zoning district from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a tract of land described as Lot 7A and Lot 11A, Block 9, Washington Terrace Addition, out of the A. Harrington Survey, A-55, located at the Southeast intersection of Ewing Street and Rucker Street 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	Yes
Councilmember Weldon Williams	No

WORK SESSION

17. Presentation and Discussion Regarding Staffing and Possible Locations for a Future City of Brenham Fire Department Substation

Fire Chief Ricky Boeker and Mike Pietsch with Mike Pietsch, P.E. Consulting Services, Inc. presented this item. Boeker explained that Mr. Pietsch is well-respected throughout the State for his work with improving Communities Public Protection Classification (PPC) Rating and fire station locations. Boeker stated that Mr. Pietsch did a report that will develop an accurate fire station location plan for the City of Brenham and evaluate the required apparatus and staffing at all existing and proposed fire stations. Boeker stated that Mr. Pietsch worked with the City in 2005 to help Staff prepare for an ISO grading and in 2012 when the City was graded by ISO.

Mr. Pietsch addressed the Council regarding the report. Pietsch stated that the area of Chappell Hill Street approximately 0.25 miles South of State Highway 290 Bypass would be his suggested location of a second fire station based on future growth in this area. Pietsch also noted that the study found that by 2019 ideal staffing for the two fire department locations would include 12 firefighters on duty 24 hours a day and 7 days a week.

RE-OPEN REGULAR SESSION

18. Discuss and Possibly Act Upon a Contract for Participation in the City of Brenham's Rotation Log for Non-Consent Tows and Authorize the City Manager to Execute Any Necessary Documentation

Police Chief Craig Goodman presented this item. Goodman stated that representatives from the City of Brenham and Washington County have had several meetings with representatives from each of the towing companies that currently participate in the non-consent towing rotation contract. Goodman advised that it is the committee's belief that the City needs to amend the fee structure so that it is reasonable and fair to all parties involved, and to change the effective dates to reflect a calendar year of January 1 to December 31.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve a contract for participation in the City of Brenham's Rotation Log for Non-Consent Tows subject to final approval of the City Attorney and City Manager and authorize the City Manager 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

19. Discuss and Possibly Act Upon a Request for a Noise Variance from Shawna Wills for a Graduation Dinner at 705 E. Sixth Street to be Held on May 7, 2016 from 3:00 p.m. – 10:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that Shawna Wills is requesting a noise variance for a graduation dinner at 705 E. Sixth Street on May 7, 2016 from 3:00 p.m. – 10:00 p.m. Weiss advised that the Brenham Police Department and the Brenham Fire Department have approved the noise variance request. Weiss stated that she would contact Mrs. Wills to remind her to notify her neighbors of this event.

A motion was made by Councilmember Williams and seconded by Councilmember Goss to approve a request for a noise variance from Shawna Wills for a graduation dinner at 705 E. Sixth Street to be held on Saturday, May 7, 2016 from 3:00 p.m. – 10:00 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

20. Administrative/Elected Officials Report

Assistant City Manager of Public Utilities Lowell Ogle reported on the following:

- Public notices were mailed to utility customers notifying them that the drinking water had exceeded the maximum contaminant levels for chlorite and halo acetic acids.

City Manager Terry Roberts reported on the following:

- Due to the recent flooding, there was a washout on Burleson Street and an 8 inch water line was damaged.
- Walk with a Doc will be on Saturday, April 23rd

Public Works Director Dane Rau reported on the following:

- The crossing on Burleson Street that was damaged during the recent flooding should be repaired within the next two weeks.

EXECUTIVE SESSION

21. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Deliberation Regarding Saeger Street Right-Of-Way, Its Value and Associated Issues

This item was passed and will be brought back before Council at the Pre-Budget Retreat on May 2nd.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Kacey A. Weiss
Deputy City Secretary

ORDINANCE NO. O-16-013

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 23-22(5)(a) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 23, REGULATING SUBDIVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, provides for standards and regulations regarding subdivisions within the corporate boundaries of the City of Brenham and the extraterritorial jurisdictional boundaries of the City of Brenham; and

WHEREAS, Chapter 23, Section 23-22(5)(a) *Street Frontage* states that “[e]ach lot shall be provided with adequate access to an existing or proposed public street by frontage on such street;” and

WHEREAS, the Planning and Zoning Commission recommended unanimous approval of this variance request at the April 25th, 2016 Planning and Zoning Commission meeting; and

WHEREAS, as the legislative body of the City of Brenham, the City Council of the City of Brenham, Texas has the authority to grant variances from the terms of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, pursuant to Section 23-34 of said Code of Ordinances; and

WHEREAS, the property described as A0031 Coe, Phillip, Tract 95 being one lot on 19.94 acres is currently accessed by private access easement; and

WHEREAS, the property is in compliance with the City of Brenham Comprehensive Plan; and

WHEREAS, the City Council finds that by granting the variance, the spirit of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions is observed; and

WHEREAS, the City Council further finds that granting the variance is not contrary to the public interest;

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

1. **Findings of Fact:** All of the above premises are hereby found to be true and correct findings of the City Council of the City of Brenham and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

2. **Variance Granted:** The City Council hereby grants the request for a variance from the provisions of the City of Brenham Code of Ordinances, Chapter 23, Section 22(5)(a) which requires each lot be provided with adequate access to an existing or proposed public street by frontage on such street, and the City Council hereby finds:
 - 1) that such variance is in accord with the City of Brenham Comprehensive Plan; and
 - 2) that the probable effect of such variance will not create adverse impacts in the vicinity.
3. **Conflict with Prior Ordinances:** In the case of a conflict between this Ordinance and any provision or clause of previous Ordinances adopted by the City of Brenham, the provisions of this Ordinance shall prevail.
4. **Severability:** Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.
5. **Effective Date:** This Ordinance shall become effective immediately upon and after its passage and publication as may be required by governing law.
6. **Proper Notice and Meeting:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED and APPROVED on its first reading this the 5th day of May, 2016.

PASSED and APPROVED on its second reading this the 19th day of May, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 5

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 10, 2016
DEPT. OF ORIGIN: Convention and Visitors Bureau	SUBMITTED BY: Lu Hollander
MEETING TYPE: CLASSIFICATION: ORDINANCE: ☒ REGULAR ☐ PUBLIC HEARING ☐ 1ST READING ☐ SPECIAL ☐ CONSENT ☐ 2ND READING ☐ EXECUTIVE SESSION ☐ REGULAR ☐ RESOLUTION ☒ WORK SESSION	
AGENDA ITEM DESCRIPTION: Presentation of the Second Quarter Report by the Washington County Convention and Visitors Bureau	
SUMMARY STATEMENT: In an effort to be more cost efficient, a copy of the Washington County Convention and Visitors Bureau Second Quarter Report is not included in the agenda packet. However, a compact disc of this report will be distributed to Mayor and City Council Members. A complete copy of the Washington County Convention and Visitors Bureau Second Quarter Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the Washington County Chamber of Commerce website at www.brenhamtexas.com. If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567	
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:	
ALTERNATIVES (In Suggested Order of Staff Preference): N/A	
ATTACHMENTS: (1) 2 nd Quarter Report – Convention and Visitors Bureau	
FUNDING SOURCE (Where Applicable): N/A	
RECOMMENDED ACTION: Discussion only	
APPROVALS: Terry K. Roberts	

WCCC Convention & Visitors Bureau

Second Quarter Report: Jan-Mar 2016

JANUARY

MAJOR TOURISM EVENTS:

- Uptown Swirl Wine Walk in Downtown Brenham
- Heart of Texas Chorus at Festival Hill



Walk In Visitors:

2016 - 439

2015 - 1,180

ADVERTISING PLACEMENTS:

- *Texas Highways* magazine – 1/3 page for Swirl
- *Austin Monthly* magazine – ¼ page for Swirl
- *San Antonio* magazine – ¼ page for Swirl



Website Visitors:

2016 – 10,526

2015 – 9,155

EDITORIAL COVERAGE:

- *Texas Co-op Power* magazine – feature about the Washington County Healthy Living Center
- *Village News* – feature about The Barnhill Center



Info Requests:

2016 – 1,624

2015 – 3,328

FEBRUARY

MAJOR TOURISM EVENTS:

- Brenham Bi-annual Quilt Show
- Fortnightly Club Annual Used Book Sale



Walk In Visitors:

2016 - 617

2015 - 362

ADVERTISING PLACEMENTS:

- *Southern Living* – 1/6 page
- *Byways* digital magazine – 1/2 page linked to website
- *Houston Chronicle* Spring Festivals Tab – 3 partners



Website Visitors:

2016 – 11,772

2015 – 8,239

EDITORIAL COVERAGE:

- *Texas Co-op Power* – feature about Brenham quality of life
- *Texas Farm & Home* – feature about Wash. on the Brazos
- *ExpressNews.com* – feature about the Ride for Independence



Info Requests:

2016 – 501

2015 – 355

MARCH

MAJOR TOURISM EVENTS:

- Texas Geocaching Assoc. – Annual Texas Challenge
- Texas Ranger Day in Burton
- LaBahia Antiques Show & Sale



Walk In Visitors:

2016 – 1,416

2015 - 901

ADVERTISING PLACEMENTS:

- *Texas Parks & Wildlife* magazine – full page co-op
- *AAA Texas Journey* magazine – 1/6 page



Website Visitors:

2016 – 30,099

2015 – 30,148

EDITORIAL COVERAGE:

- *Los Angeles Times* news – feature about Brenham/Wash. Co.
- *Multiple outlets* – features about Wash. on the Brazos
- *Ride Texas* magazine – spring ride through Washington County (*Geiger*)
- *Northeast Georgia Living* – feature about Brenham/Wash. Co. (*Geiger*)
- *texasmonthly.com* – feature about Texas Independence Day activities



Info Requests:

2016 – 815

2015 – 759



AGENDA ITEM 6

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 4, 2016
DEPT. OF ORIGIN: Community Services	SUBMITTED BY: Wende Ragonis

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

AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Change Order No. 002 for the Nancy Carol Roberts Memorial Library Expansion, Modernization and Renovation Project and Authorize the Mayor to Execute Any Necessary Documentation

SUMMARY STATEMENT: Collier Construction was awarded Bid # 15-006 for the Construction and Rehabilitation of the Nancy Carol Roberts Memorial Library at the April 2, 2015 Council meeting. The total bid amount awarded to Collier Construction was \$3,108,000 which included the base bid of \$3,083,000 and Alternate Number One (1) in the amount of \$25,000 for the Outdoor Reading Room. Change Order 001 in the amount of \$31,642 was accepted by Council at the November 19, 2015 Council meeting. Change Order 002 is attached for Council's consideration. Change Order 002 includes four Project Modification Proposals (PMPs). These PMPs are attached and summarized in the table below:

PMP REFERENCE NUMBER	DESCRIPTION	AMOUNT	EXTENSION DAYS
1151-005			
	(7) S1 and (5) S2 Fixtures and Lamps	\$ 22,143	
	(7) S1 and (5) S2 Pole Bases	\$ 7,182	
	Drilling of Piers	\$ 385	
	Bond, Fees & Insurance	\$ 3,788	
1151-005		\$ 33,498	4
1511-007			
1511-007	Additional concrete sidewalks (labor & materials)	\$ 365	
	Increase height of interior coiling door	\$ 626	
	Field weld connection of 3x3 canopy columns to existing beams	\$ 2,490	
	Roof lumber and curb extensions due to tapered insulation system	\$ 3,850	
	Finish hardware revision per approved submittals	\$ 425	
	Bond, Fees & Insurance	\$ 930.72	
1511-007		\$ 8,686.72	5

1511-009			
	Misc. steel beams and columns needed for masonry lintels, none shown.	\$ 6,695	
	Channel steel structural support at front parapet wall projecting above roof	\$ 4,705	
	Revised location of tie rods at front entrance canopy, moved to location shown on elevation with no structural steel supports. Added stud framing.	\$ 1,197	
	Bond, Fees & Insurance	\$ 1,511.64	
1511-009		\$ 14,108.64	6
1511-010			
	Strip and sand existing floor float, re-float to match new floor.	\$ 20,203.40	
	Bond, Fees & Insurance	\$ 2,020.60	
1511-010		\$ 22,224.00	2
Total PMPs for Change Order 002		\$ 78,517.36	17

Each of the PMP documents have been reviewed by staff and signed by the City Manager. The Library Project team with representatives from Collier Construction and the City of Brenham met May 4, 2016 to review Change Order 002 with the supporting documentation. In addition, Komatsu Architecture has accepted Change Order 002 and its supporting PMP documentation. Staff respectfully requests that Council approves Change Order 002 in the amount of \$78,517.36 with an increase in the contract by seventeen (17) days.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: Change Order 002 and PMP's 1511-005, 1511-007, 1511-009 and 1511-0010.

FUNDING SOURCE (Where Applicable): As discussed during the May 2, 2016 Council Retreat, funding to complete the Nancy Carol Roberts Memorial Library Modernization project will be from the City's above 90-day General Fund reserve.

RECOMMENDED ACTION: Approve Change Order No. 002 from Collier Construction in the amount of \$78,517.36, with an increase in the contract for seventeen (17) days, for the Nancy Carol Roberts Memorial Library Expansion, Modernization and Renovation Project and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts



AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):
Brenham Library Modernization
100 Martin Luther King Jr. Pkwy
Brenham, TX 77833

CHANGE ORDER NUMBER: 002
DATE: 5/2/2016

OWNER: ☒
ARCHITECT: ☒
CONTRACTOR: ☒

TO CONTRACTOR (Name and address):
Collier Construction, LLC
1601 Hwy. 290
P.O. Box 1889
Brenham, TX 77834

ARCHITECT'S PROJECT NUMBER:
CONTRACT DATE: 4/16/2015
CONTRACT FOR: General Construction

FIELD: ☐
OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

PMP 1511-005 Add site pole lights and pole bases, S1&S2 fixtures

PMP 1511-007 Additional sidewalks, revisions to coiling grille, field welding of canopy columns, roofing revisions

PMP 1511-009 Responses to RFI 13, RFI 30 and RFI 31

PMP 1511-010 Floor leveling repairs

The original Contract Sum was	\$	3,108,000.00
The net change by previously authorized Change Orders	\$	31,642.00
The Contract Sum prior to this Change Order was	\$	3,139,642.00
The Contract Sum will be increased by this Change Order in the amount of	\$	78,517.36
The new Contract Sum including this Change Order will be	\$	3,218,159.36

The Contract Time will be increased by Seventeen (17) days.

The date of Substantial Completion as of the date of this Change Order therefore is September 5, 2016

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Komatsu Architecture
ARCHITECT (Firm name)

3880 Hulen Street, Suite 300
Fort Worth, Texas 76107
ADDRESS

Collier Construction, LLC
CONTRACTOR (Firm name)

P.O. Box 1889
Brenham, Texas 77834
ADDRESS

City of Brenham
OWNER (Firm name)

200 W. Vulcan Street
Brenham, Texas 77833
ADDRESS

BY (Signature)

Les Edmonds
(Typed name)

5/4/2016
DATE

BY (Signature)

Tom Albus, Vice President
(Typed name)

5/4/2016
DATE

BY (Signature)

Milton Tate, Mayor
(Typed name)

5/4/2016
DATE

PROJECT MODIFICATION PROPOSAL #1511-005

Project: **Brenham Library Modernization**
Owner: **City of Brenham**

Date: **08-05-2015**
RE: **Pole Lights & Bases**

Architect: **Komatsu Architecture**
Representative: **Amy Sibley**

Architect Project No.: **2011.129**
CCI Project No.: **1511**

REQUEST:

In response to the request of the Owner/Architect, we submit the following proposal for modifications to the Contract Documents:

Description of the Work:

Add site pole lights and pole bases, S1 & S2 Fixtures

Quotation:

(7) S1 and (5) S2 fixtures and lamps	\$22,143.00
(7) S1 and (5) S2 Pole Bases	\$7,181.92
Drilling of Piers	\$385.00
Fee	\$2,971.04
Bonds and Insurance	\$817.04
	Tax NA
The Modification will be an Addition of	Total \$33,498.00
The Contract Time will be extended by	4 (Four) days

Attachments:

Electrical Subcontractor proposal & CPR for PMP1511-005

APPROVAL

This Proposal is hereby accepted and authorized to be funded from **Contract Change Order**
The Contractor is hereby authorized to proceed with the work.

Contractor: **Collier Construction**

By: 

Date: 10-7-15

Architect: **Amy Sibley**

By: 

Date: 10/7/2015

Owner: **Terry Roberts**

By: 

Date: 10/21/15

PROJECT MODIFICATION PROPOSAL #1511-007

Project: **Brenham Library Modernization** Date: **02-01-2016**
Owner: **City of Brenham** RE: **Field Coordination**

Architect: **Komatsu Architecture** Architect Project No.: **2011.129**
Representative: **Amy Sibley** CCI Project No.: **1511**

REQUEST:

In response to the request of the Owner/Architect, we submit the following proposal for modifications to the Contract Documents:

Description of the Work:

Additional sidewalk due to shifting of the Outdoor Reading Room to the East, Per Architects sketch and Owners request. Approximately 10 linear feet of sidewalks, Does not include any sitework prep or Landscaping (By Others) or Handrail/Guardrail modifications. Revisions to coiling grille, field welding of canopy columns, roofing revisions to plan details.

Quotation:

Additional concrete sidewalks, labor and materials	\$365.00
Increase height of coiling door and provide hand crank operator	\$626.00
Field weld connection of 3x3 canopy columns to existing beams	\$2,490.00
Roof lumber and curb extensions due to tapered insulation system (ref. RFI #21)	\$3,850.00
Finish hardware revisions per returned submittals	\$425.00
Fee	\$775.60
Bonds and Insurance	\$155.12
	Tax NA
The Modification will be an Addition of	Total \$8,686.72
The Contract Time will be extended by	5(Five) days

Attachments:

APPROVAL

This Proposal is hereby accepted and authorized to be funded from Contract Change Order
The Contractor is hereby authorized to proceed with the work.

Contractor: **Collier Construction**

By: [Signature]

Date: 4/6/16

Architect:

Les Edmunds for
Amy Sibley

By: [Signature]

Date: 4/6/2016

Owner:

Terry Roberts

By: [Signature]

Date: 4/11/16

PROJECT MODIFICATION PROPOSAL #1511-009

Project: **Brenham Library Modernization**
Owner: **City of Brenham**

Date: **04-01-2016**
RE: **RFI 13, 30 & 31**

Architect: **Komatsu Architecture**
Representative: **Amy Sibley**

Architect Project No.: **2011.129**
CCI Project No.: **1511**

REQUEST:

In response to the request of the Owner/Architect, we submit the following proposal for modifications to the Contract Documents:

Description of the Work:

Responses to RFI #13, RFI #30 and RFI #31

Quotation:

Miscellaneous steel beams and columns needed for masonry lintels, none shown on plans (re: RFI 13)	\$6,695
Chanel steel structural support at front parapet wall projecting above roof (Re: RFI 30)	\$4,705
Revised location of tie rods at front entrance canopy, moved to location shown on elevations with no structural steel supports. Added stud framing and miscellaneous steel weld plates.	\$1,197
Fee	\$1,259.70
Bonds and Insurance	\$251.94
	Tax NA
The Modification will be an Addition of	Total \$14,108.64
The Contract Time will be extended by	6 days

Attachments:

APPROVAL

This Proposal is hereby accepted and authorized to be funded from Contract Change Order
The Contractor is hereby authorized to proceed with the work.

Contractor: **Collier Construction**

By: 

Date: 4/6/16

Architect: **Amy Sibley**

Les Edmunds for

By: 

Date: 4/6/2016

Owner: **Terry Roberts**

By: 

Date: 4/11/16

PROJECT MODIFICATION PROPOSAL #1511-010

Project: **Brenham Library Modernization**
Owner: **City of Brenham**

Date: **05-02-2016**
RE: **Float existing slab**

Architect: **Komatsu Architecture**
Representative: **Amy Sibley**

Architect Project No.: **2011.129**
CCI Project No.: **1511**

REQUEST:

In response to the request of the Owner/Architect, we submit the following proposal for modifications to the Contract Documents:

Description of the Work:

Removal of existing gypsum based floor float, level existing floor slab to accommodate floor finishes (various areas of existing slab)

Quotation:

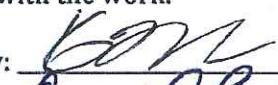
Strip and sand existing floor float, re-float to match new floor		\$20,203.40
Fee		
Bonds, Insurance and Fee		\$2,020.60
		Tax NA
The Modification will be an Addition of		Total \$22,224.00
The Contract Time will be extended by		2 days

Attachments:

APPROVAL

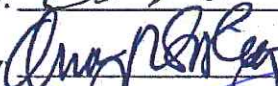
This Proposal is hereby accepted and authorized to be funded from Contract Change Order
The Contractor is hereby authorized to proceed with the work.

Contractor: **Collier Construction**

By: 

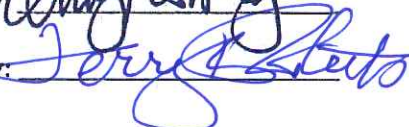
Date: 9 May 16

Architect: **Amy Sibley**

By: 

Date: 9 May 16

Owner: **Terry Roberts**

By: 

Date: May 9, 2016



AGENDA ITEM 7

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 13, 2016	
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith	
MEETING TYPE: ☒ REGULAR ☐ SPECIAL ☐ EXECUTIVE SESSION	CLASSIFICATION: ☐ PUBLIC HEARING ☐ CONSENT ☒ REGULAR ☐ WORK SESSION	ORDINANCE: ☒ 1 ST READING ☐ 2 ND READING ☐ RESOLUTION
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Section 21-3, Definitions and Section 21-7, Variances, of the Code of Ordinances of the City of Brenham		
SUMMARY STATEMENT: Over the course of a few years staff has received a number of variance requests related to what is defined as prohibited signage. Staff historically has brought those requests to the Board of Adjustments for their review. Staff was also recently approached by a company interested in having the ordinance changed to allow for digital billboards. Staff is in the beginning stages of preparing wording regarding digital billboard signs for Councils review. Historically, applicants have been allowed to request variances for prohibited signs which are typically spectacular signage but would not prohibit an applicant from requesting a variance for digital billboards and off-premise signage. Staff feels while we are preparing new wording for digital billboards we should define what types of signs are allowed variance requests in general. During the time we are studying and defining what will be presented to City Council for consideration we would like to further define prohibited signs as types of signs that variance requests are not allowed to be considered. The proposed amendment would not allow applicants to request variances for signs listed as prohibited in our existing ordinances not including the B-3 Historical Central Business District. This would directly affect signs such as: - Spectacular Signs - Billboard Signs - Off-premise Commercial Signs		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Help staff with processing variance requests while ordinance revisions are being made. 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 Section 21-3, Definitions and Section 21-7, Variances, 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 DEFINING PROHIBITED SIGNAGE AND CLARIFYING THE AUTHORITY OF THE BOARD OF ADJUSTMENT TO GRANT VARIANCES TO THE CITY’S SIGN REGULATIONS.

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 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 21-3, Chapter 21, Code of Ordinances, City of Brenham, Texas is amended to read as follows:

Section 21-3. – Definitions.

For the purpose of the chapter the following definitions shall apply:

Prohibited sign: Any sign prohibited by this chapter from being erected, installed, constructed, located, placed or maintained within the City’s corporate limits (or portion thereof) or extraterritorial jurisdiction (or portion thereof).

II.

That Section 21-7, Chapter 21, Code of Ordinances, City of Brenham, Texas is amended to read as follows:

Section 21-7. – Variances.

The board of adjustments and appeals has the power to grant variances to sign or setback regulations where all four (4) of the following criteria are proved by the applicant:

- (1) Unique and special circumstances exist on the land in question and are not found on other lands in the district;
- (2) Hardship would result from the action of the city. Hardship in general means that all lawful economic use of the land would be lost if the regulation were applied, and cannot be self-created by the present or prior owners. It does not include loss of anticipated revenue which might be or is being realized by violation of this chapter, or the comparative cost of compliance versus noncompliance;
- (3) The public interest will not be adversely affected by the variance sought; and
- (4) The type of sign for which a variance is being sought is not prohibited by this chapter in the proposed location of the sign. This subsection 21-7(4) does not apply to variances sought for signs to be located in the B-3 Historical Central Business District.

PASSED and APPROVED on its first reading this the 19th day of May, 2016.

PASSED and APPROVED on its second reading this the 2nd day of June, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 8

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 12, 2016															
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau															
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AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 3900.038 Related to the M. M Owsley Memorial Serenity Garden and Park Improvements and Authorize the Mayor to Execute any Necessary Documentation																
SUMMARY STATEMENT: On May 12, 2016 the Purchasing Dept. along with O'Malley Strand opened bids related to M.M Owsley Memorial Serenity Garden and Park Improvements. There were 9 bid packets sent out with 2 bids received. The work bid out consisted of a serenity garden, walking trail, sidewalk extensions, lighting, electrical work, drainage work, landscaping and irrigation. Based off of the bids, Coons Construction, Inc. submitted the lowest bid for the proposed work. The bid was broken out into a base bid and had additive alternate option as well. The total funds received through the Owsley Family Foundation and other generous donors totaled \$777,000. City staff, O'Malley-Strand Associates Project Manager, and Robbie Gail Charrette are all agreeable that the base bid plus additive alternates A1, A2, A4, and A6 be awarded in the amount of \$453,980.00 to Coons Construction, Inc. With this bid plus the playground features and total engineering we are still below the donated funds of \$777,000. All costs associated with this project will be taken from the donated funds. Currently it is estimated that around \$23,885 is available for unforeseen issues that arise or other features at the end of the project if not used.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Recommendation Letter; and (2) Bid Tabulation																

FUNDING SOURCE (Where Applicable): Donated Funds
RECOMMENDED ACTION: Approve Base Bid No.3900.038, plus the Additive Alternates A1, A2, A4, and A6 to Coons Construction, Inc. in the amount of \$453,980.00 for work related to the M. M Owsley Memorial Serenity Garden and Park Improvements and authorize the Mayor to execute any necessary documentation
APPROVALS: Terry K. Roberts



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

May 13, 2016

Wende Ragonis
City of Brenham
200 West Vulcan
Brenham, Texas 77833

Re: City of Brenham
2016 M.M. Owsley Memorial Serenity Garden
and Park Improvements
Strand Project No. 3900.038
RECOMMENDATION OF AWARD

Dear Wende:

We have reviewed the bids received on May 12, 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:

	Coons Construction, Inc., College Station, TX	Collier Construction, LLC, Brenham, TX
Base Bid	\$397,704.00	\$487,300.00
Add Alt Bid 1	\$ 34,891.00	\$ 37,365.00
Add Alt Bid 2	\$ 4,786.00	\$ 7,948.00
Add Alt Bid 3	\$ 3,501.00	\$ 8,841.00
Add Alt Bid 4	\$ 8,549.00	\$ 21,418.00
Add Alt Bid 5	\$ 2,895.00	\$ 3,954.00
Add Alt Bid 6	\$ 8,050.00	\$ 474.00

Based upon a review of references, we have determined that the low bidder, Coons Construction, Inc., is qualified and experienced in this type of work. Therefore, based upon review of the above bids, we recommend award to the lowest bidder, Coons Construction, Inc. of College Station, Texas, for their Base Bid plus Additive Alternate Bid A1, A2, A4 and A6 in the amount of \$453,980.00.

Sincerely,

Robert C. Schmidt, P.E.
Project Manager

RCS: ms

ms\S:\BRE\3900--3999\3900\038\Wrd\Construction\Recommendation of Award per Reference Check.docx

TBPE No. F-8405
TBPLS No. 10030000

City of Brenham, 200 West Vulcan, Brenham, Texas 77833
2016 M.M. OWSLEY MEMORIAL SERENITY GARDEN AND PARK IMPROVEMENTS
STRAND PROJECT NO. 3900.038
BIDS OPENED: MAY 12, 2016 AT 2:00 P.M.

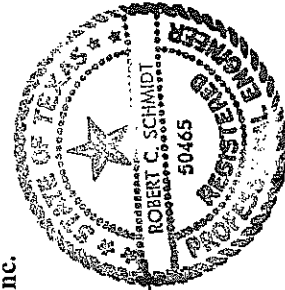
Item No.		Description	Estimated Quantity	Coons Construction, Inc. P.O. Box 12377 College Station, TX 77842		Collier Construction, LLC 1601 Highway 290 Brenham, TX 77833	
				Unit Price	Total Price	Unit Price	Total Price
BASE BID							
1		Furnish all plant, labor and materials and construct park improvements, including, but not limited to, demolition, erosion control, grading, drainage, sidewalk, walking trail and lighting, but excluding the work included in the Bid Item No 3 Allowance	1 LS	\$ 306,884.00	\$ 306,884.00	\$ 395,292.00	\$ 395,292.00
2		Perform excavation safety for all trenches over 5' depth in accordance with Technical Specification No. 31 50 00	132 LF	\$ 10.00	\$ 1,320.00	\$ 19.00	\$ 2,508.00
3		Furnish all plant, labor and materials and construct serenity garden, site planting, sod and site irrigation as shown on the landscape plans	1 LS	\$ 89,500.00	\$ 89,500.00	\$ 89,500.00	\$ 89,500.00
TOTAL BASE BID (ITEMS 1 - 3)					\$ 397,704.00		\$ 487,300.00

			Coons Construction, Inc. P.O. Box 12377 College Station, TX 77842		Collier Construction, LLC 1601 Highway 290 Brenham, TX 77833	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price
III. ADDITIVE ALTERNATE BIDS - ALL, ANY OR NONE OF THESE ADDITIVE ALTERNATE BIDS MAY BE AWARDED.						
A1	Furnish and install welded steel fence, including individual post footings	1 LS	\$ 34,891.00	\$ 34,891.00	\$ 37,365.00	\$ 37,365.00
A2	Furnish and install brick paver bands on the concrete sidewalk	1 LS	\$ 4,786.00	\$ 4,786.00	\$ 7,948.00	\$ 7,948.00
A3	Furnish and install 4" thick reinforced concrete pad and install handicapped accessible square pedestal picnic table	1 LS	\$ 3,501.00	\$ 3,501.00	\$ 8,841.00	\$ 8,841.00
A4	Furnish and install continuous reinforced concrete strip footing under entire length of the welded steel fence	1 LS	\$ 8,549.00	\$ 8,549.00	\$ 21,418.00	\$ 21,418.00
A5	Furnish and install brick pavers on the picnic table pad adjacent to the playground	1 LS	\$ 2,895.00	\$ 2,895.00	\$ 3,954.00	\$ 3,954.00
A6	Furnish and install 3/16" thick, 4" tall, hot dip galvanized edging in lieu of 14' gauge powder coated edging along decomposed granite walking trail	1 LS	\$ 8,050.00	\$ 8,050.00	\$ 474.00	\$ 474.00

O'Malley Strand Associates, Inc.

TBPE No. F-8405

Brenham, Texas



Robert C. Schmidt

Robert C. Schmidt, P.E.



AGENDA ITEM 9

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 12, 2016															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger															
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;">MEETING TYPE:</td> <td style="width: 33%; vertical-align: top;">CLASSIFICATION:</td> <td style="width: 33%; vertical-align: top;">ORDINANCE:</td> </tr> <tr> <td>☒ REGULAR</td> <td>☐ PUBLIC HEARING</td> <td>☐ 1ST READING</td> </tr> <tr> <td>☐ SPECIAL</td> <td>☐ CONSENT</td> <td>☐ 2ND READING</td> </tr> <tr> <td>☐ EXECUTIVE SESSION</td> <td>☒ REGULAR</td> <td>☐ RESOLUTION</td> </tr> <tr> <td></td> <td>☐ WORK SESSION</td> <td></td> </tr> </table>		MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	☒ REGULAR	☐ PUBLIC HEARING	☐ 1 ST READING	☐ SPECIAL	☐ CONSENT	☐ 2 ND READING	☐ EXECUTIVE SESSION	☒ REGULAR	☐ RESOLUTION		☐ WORK SESSION	
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AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Request for a Noise Variance from St. Mary's Immaculate Conception Catholic Church for an Annual Church Summer Festival to be Held on May 22, 2016 from 9:00 a.m. – 5:00 p.m. at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation																
SUMMARY STATEMENT: Michael Derkowski with St. Mary's Immaculate Conception Catholic Church is requesting a Noise Variance for an annual church summer festival to be Held on May 22, 2016 from 9:00 a.m – 5:00 p.m. at 701 Church Street. They will be using a sound amplification system for their live auction. The Brenham Police Department and the Brenham Fire Department have approved the noise variance request; therefore, I ask the City Council to approve the noise variance request.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: (1) Noise Variance Request form																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION: Approve a request for a noise variance from St. Mary's Immaculate Conception Catholic Church for an annual church summer festival to be held on May 22, 2016 from 9:00 a.m. – 5:00 p.m at 701 Church Street and authorize the Mayor to execute any necessary documentation																
APPROVALS: Terry K. Roberts																

Paid 05/12/16

Cash \$10.00
KW

NOISE VARIANCE REQUEST

Application Fee \$10.00

1. Name of sponsoring organization: St. Mary, Immaculate Conception Catholic Church
2. Name and address of individual making application on behalf of sponsoring organization: Michael Derkowski 701 Church St.
3. Purpose of the Event: Church fundraiser
4. Location of Event: 701 - 900. Church St.
5. Date of the event: May 22, 2014
6. Time of Event: 9 AM - 5 PM
7. Event Set-up: 5:00 PM From: 10 AM To: 4 PM
Event Clean-up: From: 5 PM To: 7 PM
8. You are required to describe the following:
 - a) Types of Activities Planned and any additional information specific to this event: Games for children, food booths, board games; live & silent auctions,
 - b) Bands/Musical Instruments: none
 - c) Sound amplification equipment: 2 speakers / 3 microphones / 100 amp/watts system
 - d) Cleanup provisions: we have 2 dumpsters on site

Michael Derkowski
Name of Applicant (Printed or Typed)
Michael Derkowski
Applicant or Authorized Person's Signature

Date: 5/12/14
Phone: 713-206-3399

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



AGENDA ITEM 10

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 12, 2016															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts															
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AGENDA ITEM DESCRIPTION: Section 551.071 – Consultation with Attorney – Consultation with City Attorney Regarding a Substandard Building Located at 209 South Market Street, Brenham, Texas, said Property also Described as Noel’s Addition, Lot 1C in a Deed Recorded in Volume 1167, Page 717 of the Official Records of Washington County, Texas																
SUMMARY STATEMENT: To be discussed in Executive Session.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION:																
APPROVALS: Milton Y. Tate, Jr.																



AGENDA ITEM 11

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 12, 2016															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts															
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AGENDA ITEM DESCRIPTION: Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Compensation of the City Prosecutor and an Update on the Brenham Municipal Court Judges																
SUMMARY STATEMENT: To be discussed in Executive Session.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION:																
APPROVALS: Milton Y. Tate, Jr.																



AGENDA ITEM 12

DATE OF MEETING: May 19, 2016	DATE SUBMITTED: May 12, 2016															
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Rhonda Kuehn															
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AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Compensation of the City Prosecutor for the Brenham Municipal Court																
SUMMARY STATEMENT: To be discussed in Executive Session.																
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:																
ALTERNATIVES (In Suggested Order of Staff Preference):																
ATTACHMENTS: None																
FUNDING SOURCE (Where Applicable):																
RECOMMENDED ACTION: As discussed in Executive Session																
APPROVALS: Milton Y. Tate, Jr.																