

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on March 3, 2011, 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
Council member Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Administrative Assistant Tammy Cook, Chief Financial Officer Carolyn Miller, Stacy Hardy, Rhonda Kuehn, Julian Weisler, Adam Griffin, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Assistant Police Chief Jay Petrash, Chris Jackson, Daniel Gaskamp, Todd Jacobs, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, Assistant Public Utilities Director Dane Rau, Kyle Branham, Community Services Director Wesley Brinkmeyer, Lin Hartstack, Angela Hahn, Pam Ruemke, Janie Mehrens, Amanda Connor, Susan Nienstedt.

Citizens present:

Clint Kolby, Page Michel, Lu Hollander, Seneca McAdams, Michele Kwiatkowski, Shelley Scheffer.

Media Present:

Arthur Hahn, Brenham Banner Press; Tom Whitehead, KWHI

- 1. Mayor Tate called the meeting to order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts**
- 3. Service Recognitions**

Service Recognitions were presented to the following employees:

Amanda Conner	Animal Control	5 Years
Kent Nichols	Communications	5 Years
Julian Weisler II	Municipal Court	10 Years
Larry Moreno, Jr.	Parks	15 Years

Jason Derrick	Police	15 Years
Jay Petrash	Police	30 Years

4. Citizen Comments

There were no citizen comments

CONSENT AGENDA

5. Statutory Consent Agenda

5a. Minutes from the February 3, 2011 and February 17, 2011 Council Meetings

A motion was made by Councilmember Herring and seconded by Councilmember Pyle to approve Agenda Item 5a. Minutes from the February 3, 2011 and February 17, 2011 Council Meetings.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

6. Presentation of the 2009-2010 Fiscal Year End Report and the 2010-2011 First Quarter Report by the Washington County Convention and Visitors Bureau

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented these reports. She focused on the Highlights of Evaluation Report 2009-2010, pointing out the reception they have had from their Weddings Marketing Program and the publicity resulting from the Geiger press tours.

Ms. Hollander pointed out some statistics: 150,000 Visitor Guides were printed and distributed; there were 15,638 Visitor Center walk-ins. The State of Texas Tourism Research Department estimated the overall “travel impact” through “total direct spending” in Washington County for 2009 was \$72.69 million.

Ms. Hollander further pointed out items of Broadcast Coverage as well as the Summary of Program Expenditures. She had some samples of publicity Washington County had received.

Seneca McAdams presented the 2010-2011 First Quarter Report, pointing out some of the Highlights for each month.

Councilmember Pyle asked about the various websites. Ms. McAdams explained the difference in each of them.

7. Presentation by the Economic Development Foundation on the Business Retention and Expansion Survey Results

Clint Kolby presented this item. He stated that, in 2010, the Economic Development Foundation of Brenham conducted its second benchmarking survey of Brenham businesses, as part of its ongoing Business Retention & Expansion Program (BREP). The new benchmark survey will be used to compare data and results from the survey taken back in 2007.

With studies continuing to show that 80% of new job growth will come from existing firms and their suppliers, the EDF has placed priority on the retention and expansion of local businesses in order to ensure success of economic development in the community. The EDF recognizes that local businesses are the backbone of the community, and their vitality will be key to Brenham's future success.

Goals of the survey process include identifying the following:

- Local business needs and concerns
- Gauging the local economic business climate
- Factors that may be preventing expansion of local business
- Any business considering relocation outside the community and why
- Opportunities for match-making between local businesses & suppliers
- Current and future workforce needs
- Constructive ideas business owners may have for improving the local economy and Brenham's business environment

The BREP committee conducted personal interviews with major primary employers and provided an online survey that was available to all local businesses and industry sectors. The committee conducted the first personal interview in February 2010 and completed the last personal interview in December 2010. The online survey was also accessible from March 2010 to December 2010.

The committee identified a list of 38 major primary employers of which 31 participated in the personal interviews. A total of 3,273 employees are represented from the 31 businesses. All answers have been kept confidential and the results were compiled and tabulated in aggregate form.

Additionally, an online survey was made available to the community and 26 businesses participated. Of those, the majority were from the professional services and retail industry sectors. The online respondents did not fully complete the surveys and the results were difficult to quantify, which is why they are not included in this report. Their key comments focused on the workforce and skilled labor shortage, comparable to the results of the personal interviews.

The report is the final analysis of the data collected from the 31 major primary employers who participated in the personal interviews. The report can be used as a tool in making policy decisions and forming economic development action plans. The Economic Development

Foundation of Brenham will continue to gather information in the coming months while pursuing its goal of promoting the growth of industry and jobs.

Mr. Kolby went over the highlights of the report with Council, expanding on some aspects of each section.

Councilmember Goss commented on the recurring comments about labor shortage in the area. He asked if an effort is put forth during discussions to tell people that yes there is a labor shortage due to the lack of jobs but these people would rather stay here and work if the jobs are there.

Mr. Kolby responded that that is one of the major focuses of the EDF. Instead of focusing on business recruitment, they focus on the business retention/expansion program. They try to grow from within and help local businesses expand and find workers.

8. Presentation and Discussion on Automated Meter Reading Equipment

Public Utilities Director Lowell Ogle presented this item. He stated that, for several months now, we have been discussing AMI metering. About six weeks ago council approved the purchase of the Sensus Flexnet AMR equipment and software. This included the Tower Gateway Base (TGB) Unit, the Regional Network Interface (RNI) and the software. We had also installed approximately 1200 meters throughout our system.

Mr. Ogle said that the City of Bellville has converted their entire system to AMI and the City of Bryan, along with Bryan Texas Utilities (BTU), have just approved the conversion of their utilities to AMI. All of these utilities are using, or will be using, the Sensus system.

He said they are now ready to begin the conversion of the rest of our system to AMI. This will be done by our crews in-house and will take 2 to 3 years to complete. The cost is estimated to be up to 3.2 million dollars. They are planning to fund this conversion using reserve dollars from each utility fund to avoid any rate increase to our customers. They are hoping that each fund will be able to pay it's own way. He said they would not want the reserve level of any fund to fall too low and, if that occurs, they would come back to council to discuss a loan from electric fund reserves to the needed fund.

Mr. Ogle said they are estimating to spend the following amounts in each fund:

Electric Fund: \$754,000	Gas Fund: \$376,000
Water Fund: \$989,450	Sewer Fund: \$989,450

He said it is difficult to estimate the actual numbers because of the unknown status, size, etc. of some of our meters in the field.

Mr. Ogle advised that they have already eliminated one meter reader position saving approximately \$40,000 per year. They will reduce that staff by two more positions throughout this process for an additional savings of \$80,000 per year plus ancillary costs, vehicle fuel, etc. of \$10,000 per year. They should also see a savings of about \$50,000 per year in the water fund that they are currently spending on meter change outs and \$5,000 per year in the electric fund. He said he is also

expecting a 1% increase in water revenue due to increased meter accuracy. This should generate approximately \$42,000 per year. This totals to about \$227,000 plus per year.

Mr. Ogle said the newly installed meters should last 20+ years in the field. Based on the numbers above, which he believes to be conservative, the system should pay for itself in about 14 or 15 years. A meter change out program is part of a good business practice for a utility and the fact that this system will pay for itself and the replacement meters while adding benefit and future enhancements to our customers helps to justify the expenditure.

9. Discussion Regarding the Utilization of Bid Process for Award of Contract(s) for Providing Non-Consent Tows and Related Services to the City

Police Chief Rex Phelps presented this item. He stated that the purpose of asking to go a bidding system as opposed to current rotation practice is to reduce fees to community members, reduce staff allocation time both for wrecker liaison and communications staff, increased accountability and decreased wrecker service complaints, particularly internal complaints.

Chief Phelps stated that the Task Force had recently met and feels that we are getting to the point, in terms of size and operation, where a bidding system would be a more efficient and effective way to go.

Councilmember Pyle asked if they are talking about bidding for the entire deal. Chief Phelps responded that there would be two bids – one company for small rotation (vehicle weight of 15,000 lbs. or less) and one company for large rotation (vehicle weight of 15,001 lbs. or more). He said technically one company could bid and get both of them but there would be two separate bids.

City Manager Terry Roberts inquired about whether the County will be going to this. Chief Phelps responded that, at this time, they are not. He went on to say that the main issue is that it is getting to the point where they almost need a full-time person to deal with this wrecker rotation system. They have to go to every site, every lot, and every individual wrecker to make sure they are in compliance. They have a lot of internal complaints, between wrecker to wrecker service, and those have to be checked.

Chief Phelps advised that his liaison with the wrecker services had contacted all of them. Two of them said they would be for the bidding. Many times, in the rotation services, towing is not their primary business. These are two who are true one hundred percent towing services, it is their primary business.

Councilmember Williams inquired if this is the way it is done in most communities. Chief Phelps responded that in the region he came from, yes it was, and he feels you will be seeing more of it when cities start to get to the size of Brenham. Some of the smaller cities will probably stay with rotation.

There were several general comments and questions from Council members. City Manager Terry Roberts talked about the bid process.

REGULAR AGENDA

10. Discuss and Possibly Act Upon Acceptance of the Audit from Seidel, Schroeder, & Company for Fiscal Year 2010

Carolyn Miller, Chief Financial Officer, presented the comprehensive annual financial report (CAFR) for the fiscal year ended September 30, 2010. She noted the different members of the staff and the areas they worked on in producing the financial report. She introduced audit partner, Michele Kwiatkowski, from Seidel, Schroeder & Company, who gave an overview of the audit report. She said it was a clean audit and went over some of highlights. Ms. Kwiatkowski introduced Shelley Sheffer, who actually headed up the audit.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to accept the audit from Seidel, Schroeder & Company for fiscal year 2010.

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

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

11. Discuss and Possibly Act Upon a Recommendation for Re-Appointment to the Hotel Occupancy Tax Board

Administrative Assistant Tammy Cook presented this item. She advised that, at the May 13, 2010 meeting, Council approved the Hotel Occupancy Tax Board's recommendation for the appointment of Al Patel to fill the vacancy left by the resignation of Connie Burke. Connie Burke's term was set to expire in December 2010. Al Patel was up for re-appointment at that time to begin serving his first term.

However, during the December 2, 2010 council meeting the re-appointment of Al Patel was overlooked. So, at this time, council is being asked to approve the re-appointment of Al Patel to the Hotel Occupancy Tax Board.

A motion was made by Councilmember Williams and seconded by Councilmember Pyle to approve the Re-Appointment of Al Patel to the Hotel Occupancy Tax Board.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon an Agreement with Bickerstaff Heath Delgado Acosta, LLP, for Redistricting Services and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Terry Roberts presented this item. The U.S. Census establishes a community's official population once every ten years. The population growth over the decade may or may not trigger a requirement for a change in the boundary lines of the City's four wards. Each city ward should be roughly equal in population. There can be a 10% tolerance between the least populated ward and the most populated ward.

There are law firms that have specialization in the redistricting process and the laws governing that work. The City staff has discussed the Brenham redistricting analysis and work with two firms: the firm that performed our work 10 years ago and a smaller firm that has redistricting emphasis with school districts and counties. The latter firm, Allison and Bass, has been retained by Washington County to perform their redistricting work.

The other firm, Bickerstaff Heath Delgado Acosta, LLP submitted a proposal to the City to perform our redistricting work. We refined the proposal to include the work we jointly felt was necessary to complete the redistricting work. The initial phase will be to review census information by current ward boundaries to determine whether boundary line changes are required. The cost for the initial phase of the work is \$3,750. The balance of the work would only take place if the boundaries required adjusting under the 10% tolerance rule.

Bickerstaff did a good job for the City in 2001. The price of the redistricting effort appears to be reasonable. It is within the budget allocated for this work and actually lower than the amount expended 10 years ago. Because of their service to us before, the expertise and volume of work with other municipalities, staff recommends approval of the engagement of Bickerstaff Heath Delgado and Acosta, LLP as our redistricting attorneys.

Mr. Roberts advised that there a couple of very minor changes to what was in the agenda packets. One was the date of the letter; we have an updated letter. The other change was the name of the county. In the contract it said Travis; this will be changed to Washington County.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve the Agreement with Bickerstaff Heath Delgado Acosta, LLP, for Redistricting Services with the changes outlined by Terry Roberts and Authorize the Mayor to Execute Any Necessary Documentation.

Councilmember Williams inquired if these firms look at cultural issues when making a determination about redistricting or what their rationale is when doing this. Mr. Roberts explained that when there is a large amount of growth in one ward and not much in another, the population has to be evened out. So, these firms have to find a way to even out the numbers without diluting the minority voting strength.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Bid No. 11-008 for the Construction of a Warehouse Addition for the Electric Department and Authorize the Mayor to Execute Any Necessary Documentation

This item was presented by Public Utilities Director Lowell Ogle. He advised that during the 2010-11 budget process Council approved \$84,000 for the addition of an approximately 4,225 sq. ft. storage building for the Electric Department warehouse at 410 W. 2nd. This building will be constructed adjacent to the current Electric Department Warehouse on the corner of 2nd and Key streets.

Bids were advertised and (3) packets were requested. Only (2) bids were received. On February 15, 2011 the Purchasing Dept. opened bids for the construction of a 4,225 sq. ft. storage building. This building will be used for storage of equipment and materials that are used on a daily basis within the Electric Department. The bids were as follows:

<u>Bidder</u>	<u>Bid Price</u>
Rhodes Building System, Inc. (Somerville, TX)	\$85,239.00
South Central Concrete, Inc. (Washington, TX)	\$99,500.00

This purchase was budgeted for. Due to this bid being slightly over the original budget, savings in current operating funds will be used to offset the difference. Staff is recommending that Council approve the bid from Rhodes Building System, Inc. for the construction of the building.

Mayor Tate asked what was currently in the old Appel Dodge Building. Mr. Ogle responded that the vehicle maintenance facility and the gas department are in the Appel Dodge Building.

A motion was made by Councilmember Pyle and seconded by Councilmember Williams to approve Bid No. 11-008 for the Construction of a Warehouse Addition for the Electric Department to Rhodes Building System, Inc. in the amount of \$85,239 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon Bid No. 11-009 for Bulk Water Treatment Chemicals for the Water Plant and Authorize the Mayor to Execute Any Necessary Documentation

Assistant Public Utilities Director Dane Rau presented this item. He advised that the City of Brenham solicited bids for a one (1) year supply of bulk water treatment chemicals to be delivered to the Brenham Water Plant. The contract will be for one (1) year with firm bid prices beginning the date of award by Council.

On February 15, 2011 4 bids were received and opened. Staff recommends awarding the bid to the following vendor.

Chemical	Vendor	Price/ton	2010	Price
Liquid Aluminum Sulfate	GEO Specialty Chemicals	\$118.6714/ton		\$126.50/ton

GEO Specialty Chemicals is a new supplier to the City of Brenham. They have performed all requirements related to the bid and do meet bid specifications on the product.

A motion was made by Councilmember Pyle and seconded by Councilmember Ebel to approve Bid No. 11-009 for Bulk Water Treatment Chemicals for the Water Plant to GEO Specialty Chemicals in the amount of \$118.6714/ton 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon the City of Brenham’s Proposed Budget for FY2012 for the Brazos Valley Wide Area Communication System (BVWACS)

Fire Chief Ricky Boeker presented this item. He stated that this is the operating budget for the Brazos Valley Wide Area Communication System. It is brought before Council at this time of year so that all of the entities have had a chance to look at it before they start their own

budgeting process. The operating board and governing board of BVWAC have approved this and are bringing it to each of the entities to look over.

With the current agreement that we have in place with Washington County, the proposed budget amount for the City of Brenham is \$85,801. He said that does not mean that we cannot go back and re-negotiate with the County but it is the agreement that is in place at this time.

City Manager Terry Roberts talked a bit about the agreement the City currently has with Washington County. Mayor Tate talked about the increase in cost, which is due primarily to the Motorola warranty that is going to expire. We will be paying for the warranty and service contracts.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the City of Brenham's Proposed Budget As Presented With the City Part being \$85,801 for FY2012 for the Brazos Valley Wide Area Communication System (BVWACS).

Councilmember Goss talked about the Interlocal Agreement currently in place with Washington County.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon a 2.5% Mid-Year Pay Scale Adjustment

This item was presented by Chief Financial Officer Carolyn Miller. She advised that when the 2010-11 budget was adopted, it included a 2.5% mid-year pay scale adjustment for all City of Brenham employees. They weren't sure where the economic climate was headed at that time so they budgeted those amounts and told Council they would come back to them for authorization to implement that. The date for that adjustment would be April 1st which will give plenty of time for HR to get all of the information ready and get it uploaded for ADP.

Ms. Miller pointed some of the economic outlook that they feel has improved for the City. This is in sales tax recovery, the lower unemployment rate for the county, stabilization of property values, and General Fund first quarter performance.

A motion was made by Councilmember Williams and seconded by Councilmember Herring to approve the 2.5% Mid-Year Pay Scale Adjustment as shown in the City of Brenham 2010-11 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

17. Administrative/Elected Officials Report

- Mayor Tate said the next meeting is on the 17th; he is going to be gone. He would like to see the meeting moved to the 24th. This was agreeable to everyone.
- City Manager Terry Roberts introduced Adam Griffin and Kyle Branam, who are heading up the GovDeals internet auction site. They gave council a demonstration on how it works.
- Mr. Roberts reported that Doug is still working on the Railroad Quiet Zone
- Mr. Roberts mentioned some information contained in the CAFR

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jean Bellinger, TRMC
City Secretary

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