



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY MARCH 24, 2011 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 Weldon Williams**
- 3. Citizens Comments**
 - 3-a. Boys and Girls Club of Washington County Update**

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 3, 2011 Council Meeting

WORK SESSION

- 5. Discuss and Review the FY2010-11 First Quarter Financial Report**

REGULAR AGENDA

- 6. Discuss and Possibly Act Upon Bid No. 11-007 for the Purchase of an Electric Department Bucket Truck and Authorize the Mayor to Execute any Necessary Documentation**
- 7. Discuss and Possibly Act Upon Authorization of Expenditures in Accordance with RFP No. 11-004 Previously Approved on January 6, 2011 for the Purchase of Automated Meter Reading Equipment and Authorize the Mayor to Execute any Necessary Documentation**
- 8. Discuss and Possibly Act Upon a Recommendation for Appointments (Including Alternate Members) to the Board of Adjustment**
- 9. City Secretary's Certification of Unopposed Candidates for the City of Brenham, May 14, 2011 General Election**
- 10. Discuss and Possibly Act Upon an Order Declaring Unopposed Candidates for the Position of Mayor and Councilmember Place 4 - Ward 4 Elected to Office and Canceling the City of Brenham, May 14, 2011 General Election**

Considerar y en consecuencia actuar una Orden Declarando Candidatos Sin Oposición Para Posiciones en el Concilio de Alcalde y Concejal Posición 4-Distrito 4 Elegidos a su Puesto y Cancelando la Elección General de la Ciudad de Brenham para el 14 de Mayo, 2011.

- 11. Discuss and Possibly Act Upon a Recommendation from the Parks and Recreation Advisory Board Approving Aquatic Center Usage and Rates for the Dolphin Swim Club**

EXECUTIVE SESSION

- 12. Section 551.074 – Personnel Matters – Discuss and Consider City Manager's Employment Agreement and Related Issues**

RE-OPEN REGULAR SESSION

- 13. Discuss and Possibly Act Upon City Manager's Employment Agreement and Related Issues**

<p>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.</p>
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14. Administrative/Elected Officials Report

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 Negotiations.

CERTIFICATION

I certify that a copy of the March 24, 2011 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 March 21, 2011 at _____ Am Pm.

Tammy Cook, 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 _____, 2011 at _____ Am Pm.

Signature

Title

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 ? 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



AGENDA FORM

DATE OF MEETING: March 24, 2011	DATE SUBMITTED: March 21, 2011	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Review FY2010-11 First Quarter Financial Report		
SUMMARY STATEMENT: See attached Financial Performance Report and Financial Statements for General Fund and Five Utility Funds.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) FY2010-11 First Quarter Financial Report from CFO; and (2) Financial Performance Reports for General Fund and Five Utility Funds.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion Only		
APPROVALS: Carolyn D. Miller		



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Chief Financial Officer

Subject: FY2010-11 First Quarter Financial Report

Date: March 21, 2011

The Finance Division is pleased to provide financial performance reports for the quarter ended December 31, 2010. The General Fund and the five major utility funds are presented in the format developed by our budget officer, Debbie Gaffey, which includes a comparison of the 1st quarter actual versus the prior year and a comparison to budget. Debbie also implemented a new quarterly review process with our department superintendents and supervisors. They provide a written report of identified variances to help in tracking actual expenditures as they relate to their operations, and to enhance their understanding of variance reporting and monitoring. This quarterly review process was extremely valuable and has been adopted as one of our "best business practices."

For the first quarter, the City experienced favorable performance in the General Fund and all utility funds posted positive net revenues over expenditures, with the exception of the Gas Fund which posted a small net loss for the quarter.

FINANCIAL PERFORMANCE SUMMARY

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GENERAL FUND

The first quarter performance for the General Fund posted net revenues of \$100,322 with property taxes, sales taxes and franchise taxes ahead of budgeted levels. Operating expenditures were below budget and specific categories are detailed below:

- Personnel is under budget due primarily to vacant positions in Streets, Communications and the Library
- Supplies are higher than budget due to increased circulation items and security tags at the Library; and field marking paint and janitorial supplies in the Parks Department
- Services are also ahead of budget due to electric cost in Parks; INCODE software maintenance in Municipal Courts; and emergency generator maintenance costs in public safety departments.

ELECTRIC FUND

The Electric Fund had favorable net revenues of \$156,359 for the first quarter. The revenue components show distribution revenues (customer charges) ahead of budget and the generation revenue (excluding the due from (to) customers) is also ahead of budget. The budget reflects a month-to-month pass-thru of generation costs, while the actual represents a rate smoothing. As you recall, the City's rate model is designed to level out the electric rates by "over-collecting" in the winter months and "under-collecting" in the summer months. The due from/(to) customers amount reflects this rate model trend.

With higher electric revenues, the franchise tax paid to the General Fund is also higher this quarter. Department expenditures were higher due to capital project expenditures for transformers for new services related to Brenham Hyundai car dealership, Blinn College Agriculture Building and the Henderson Park Lift Station.

GAS FUND

For the first quarter, the Gas Fund posted unfavorable net revenues of (\$2,970). The revenue components are discussed below:

- Distribution revenues were unfavorable to budget by \$11,728 due to lower mcf sales which were 5.3% behind budget.
- Commodity revenues were also behind budget by \$291,921 as a result of the combined effect of lower mcf sales and lower commodity rates. The average commodity rate per mcf sold was \$4.74 versus \$7.74 budgeted.
- Commodity revenue is a pass-thru of gas purchase costs which were also lower than budget due to lower mcf purchases at lower than expected prices. Gas purchases were \$253,361 favorable to budget. \$123,814 of this variance was due to lower purchases and \$129,547 was due to lower purchase costs.

With lower gas utility revenues, the franchise taxes were also lower this quarter. Operating expenditures were ahead of budget primarily due to capital expenditures for installation of AMR and commercial meters in this quarter.

WATER FUND

The Water Fund experienced positive net revenues of \$234,978 for the first quarter due to higher consumption. Approximately 215,645,800 gallons were consumed in the first quarter which is a 33.6% increase over the prior year. However, this higher water volume translates to higher franchise taxes and electricity usage. Expenditures for Water Construction were higher than budget due to capital expenditures for water line extensions, fire hydrant replacements and installation of AMR meters.

WASTEWATER FUND

Net revenues for the Wastewater Fund were \$151,471 which was slightly below the budgeted performance of \$182,390. The residential wastewater rates are lower this quarter and will remain lower through the second quarter until the rates are recalculated. As you recall, we recalculate the residential wastewater rate based on January and February average water consumption and this rate is used for the next 12 months of billing. With stronger water consumption (utilization) during January and February 2011, we anticipate an increase in residential wastewater billing rates for last half of the fiscal year. Expenditures in the Wastewater Construction Department were higher due to replacement parts (grease nozzle and swivel jets) and more sand and base products for utility lines.

SANITATION FUND

The combined operations of the Sanitation Fund posted favorable net revenues of \$169,559 for the first quarter which is slightly behind budget. The components are discussed below.

- Total overall revenues were higher primarily due to \$16,622 in grant revenue from BVCOG to offset the purchase of a new recycling vehicle.
- Expenditures are higher in the Transfer Station operation due to increased fuel costs for additional trips to the landfill in Bryan, Texas. Some compactable Collection Station waste is being hauled to the landfill requiring more frequent trips; however, the overall cost to the Sanitation Fund is lower because waste-hauling in-house versus 3rd party (Texas Commercial Waste) is cheaper.
- Recycling Department expenditures are higher than budget due to the purchase of the new recycling vehicle which was partially funded by the BVCOG grant.

CONCLUSION

As noted in the opening paragraph, the City experienced favorable performance in all major funds except for the slight net loss in the Gas Fund due to lower sales volume. In the coming months, we will be monitoring the impact of higher motor fuel costs on total City operations, and we will reduce expenditures in other areas to mitigate any negative impact.

After you have reviewed this quarterly financial performance report, should you have any questions or comments prior to the council meeting, please do not hesitate to contact Terry Roberts, Kyle Dannhaus, Lowell Ogle, Debbie Gaffey or me directly.

NOTE: The financial performance reports for the General Fund and five utility funds are attached to this memorandum, and are an integral part of the quarterly financial performance report.



PERFORMANCE SUMMARY

SANITATION FUND

DECEMBER 31, 2010

EXHIBIT D

DEPARTMENT EXPENDITURES BY CATEGORY THROUGH DECEMBER 31,

ACTUAL VERSUS PRIOR YEAR			CATEGORY	ACTUAL VERSUS BUDGET		
1ST QTR ACT FY10	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE		1ST QTR BUD FY11	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE
106,243	103,851	2,392		PERSONNEL	108,346	103,851
25,168	33,191	(8,023)	SUPPLIES	19,906	33,191	(13,285)
15,146	13,003	2,143	MAINTENANCE	13,404	13,003	402
324,751	321,109	3,642	SERVICES	310,962	321,109	(10,147)
6,636	3,050	3,586	OTHER NON-CAPITAL	0	3,050	(3,050)
15,652	21,448	(5,795)	CAPITAL (SEE EXHIBIT G)	6,500	21,448	(14,948)
14,219	8,635	5,585	SUNDRIES	13,650	8,635	5,015
507,815	504,286	3,529	TOTAL DEPARTMENT EXPENDITURES	472,769	504,286	(31,517)

EXHIBIT E

DEPARTMENT EXPENDITURES BY DEPARTMENT THROUGH DECEMBER 31,

ACTUAL VERSUS PRIOR YEAR			DEPARTMENT	ACTUAL VERSUS BUDGET		
1ST QTR ACT FY10	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE		1ST QTR BUD FY11	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE
123,867	112,544	11,323		DEPT 042 - TRANSFER STATION	106,287	112,544
69,821	67,091	2,729	DEPT 043 - COLLECTION STATION	65,293	67,091	(1,798)
35,451	52,616	(17,164)	DEPT 140 - RECYCLING CENTER	35,504	52,616	(17,112)
278,676	272,034	6,641	DEPT 142 - SANITATION COLLECTION	265,685	272,034	(6,350)
507,815	504,286	3,529	TOTAL DEPARTMENT EXPENDITURES	472,769	504,286	(31,517)

EXHIBIT F

WORKING CAPITAL AS OF DECEMBER 31,

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
1ST QTR ACT FY10	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE		1ST QTR BUD FY11	1ST QTR ACT FY11	FAV/(UNFAV) VARIANCE
606,085	700,260	94,175		BEGINNING BALANCE	700,260	700,260
131,496	169,559	38,063	NET REVENUES	180,168	169,559	(10,609)
0	0	0	CAFR ADJUSTMENTS TO WORKING CAPITAL	0	0	0
737,581	869,819	132,238	ENDING BALANCE	880,428	869,819	(10,609)

EXHIBIT G

CAPITAL EXPENDITURES - 1ST QTR FY 11

DEPT	DESCRIPTION	1ST QTR ACT FY11
140	2011 CHEVY SILVERADO	21,448
TOTAL CAPITAL EXPENDITURES		21,448



AGENDA FORM

DATE OF MEETING: March 24, 2011	DATE SUBMITTED: March 17, 2011	
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 11-007 for the Purchase of an Electric Department Bucket Truck and Authorize the Mayor to Execute Any Necessary Documentation.		
SUMMARY STATEMENT: On March 10, 2011 the Purchasing Dept. opened bids for a 40' bucket truck. This unit will be a "small" bucket truck and will be used on a daily basis within the Electric Department for customer service and for afterhours call outs. The existing "small" bucket truck will be passed on to the parks and street departments to be used for tree trimming, lighting repair, etc. In reviewing the two bids received, only the bid from Altec Industries, Inc., met the minimum specifications. The Terex unit did not meet the minimum height requirement or the minimum articulating range of the bucket. The bids were as follows:		
<u>Bidder</u>		<u>Bid Price</u>
Altec Industries Inc. 2011 AT40M Altec Aerial Device (Creedmoor, NC)		\$ 65,992.00
	<u>Cab & Chassis Options:</u>	
	2011 Ford 5500	\$ 40,413.00
	2011 Dodge 5500	<u>\$ 39,257.00</u>
	Grand Total w/Ford	\$106,405.00
	Grand Total w/Dodge	\$105,249.00
	<u>Optional Accessories</u>	
	1. Extension ladder (includes installation)	\$ 883.00
	2. Ground fault & retractor cable*	\$ 1,838.00
	3. 12v DC/120v AC Power Inverter 1500W incl. installation	\$ 1,110.00
	*To include grounding system, cable and clamps	

Terex Utilities (Watertown, SD)	2011 TL37 Terex Aerial Device	\$ 65,992.00
	<u>Cab & Chassis Option:</u>	
	2011 Dodge 5500 (4x4)	<u>\$ 38,993.00</u>
	Grand Total	\$103,665.00
	<u>Optional Accessories</u>	
	1. Extension ladder	\$ 421.00
	2. Ground fault & retractor cable	\$ 1,169.00
	3. 12v DC/120v AC Power Inverter 1500W	\$ 2,115.00

Bids were advertised and (2) packets were requested and (2) bids were received. This purchase was budgeted for during the 2010-11 budget process at \$115,000.00. The bids came in under budget.

Staff is recommending that Council approve the bid from Altec Industries, Inc. on the Dodge 5500 truck along with the optional equipment accessories with a total cost of \$109,080.00

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Will serve the city of Brenham customers for years to come. Costs came in under budget.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Bid Information Sheet; and (2) Bid Tabulation Sheet

FUNDING SOURCE (Where Applicable): 102-5-105-161.810.00

RECOMMENDED ACTION: Approve Bid No. 11-007 and award contract to Altec Industries, Inc. in the amount of \$109,080.00 for the bucket truck and optional equipment accessories.

APPROVALS: Lowell Ogle Jr.



Bid Information Sheet

March 10, 2011

Truck Mounted Telescopic Articulating Aerial Device

Bid No. 11-007

Bid Opening: March 10, 2011

2:00 P.M.

Requesting Department: Electric Department

Amount Budgeted: \$115,000

Fund Account: 102-5-161-810.00

Machinery/Equipment

Vendors requesting bid packets: 2

Number of bids received: 2



Bid Tabulation

Truck Mounted Telescopic Articulating Aerial Device

Bid No. 11-007

Bid Opening: 03/10/2011

Bidder	Description	Bid Price/Item
Altec Industries Inc. Creedmoor, NC	2011 AT40M Altec Aerial Device	\$ 65,992.00
	<u>Cab & Chassis Option:</u>	
	2011 Ford 5500	\$ 40,413.00
	2011 Dodge 5500	\$ 39,257.00
	Grand Total with Ford	\$ 106,405.00
	Grand Total with Dodge	\$ 105,249.00
<u>Optional Accessories:</u>		
1. Extension Ladder with install		\$ 883.00
2. Ground Fault & Retractor Cable *		\$ 1,838.00
3. 12VDC/120VAC Power Inverter 1500W with install		\$ 1,110.00
*To include grounding system, cable, clamps and install		
Terex Utilities Watertown, SD	2011 TL37 Terex Aerial Device	\$ 64,732.00
	<u>Cab & Chassis:</u>	
	2011 Dodge 5500 4x4	\$ 38,933.00
	Grand Total	\$103,665.00
<u>Optional Accessories:</u>		
1. Extension Ladder		\$ 421.00
2. Ground Fault Cable & Retractor Cable		\$ 1,169.00
3. 12VDC/120VAC Power Inverter 1500W		\$ 2,115.00



AGENDA FORM

DATE OF MEETING: March 24, 2011	DATE SUBMITTED: March 21, 2011	
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Authorization of Expenditures in Accordance with RFP 11-004 Previously Approved on January 6, 2011 for the Purchase of Automated Meter Reading Equipment and Authorize the Mayor to Execute Any Necessary Documentation.		
SUMMARY STATEMENT: On 1/06/2011 council approved RFP 11-004 relating to AMR/AMI equipment and authorized an expenditure of \$70,000 at that time. We discussed with Council that we would return at a later meeting to request approval to purchase the remainder of the equipment needed to convert our entire system to AMI/AMR. We are now ready to begin the conversion of the rest of our system to AMR/AMI. This will be done by our crews in-house and will take 2 to 3 years to complete. We are planning to fund this conversion using reserve dollars from each utility fund to avoid any rate increase to our customers. We are hoping that each fund will be able to pay its own way. We would not want the reserve level of any fund to fall too low and if that occurs we would come back to council to discuss a loan from electric fund reserves to the needed fund.		
We 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	
It is difficult to estimate the actual numbers because of the unknown status, size, etc. of some of our meters in the field.		
We have already eliminated one meter reader position saving approximately \$40,000 per year. We will reduce that staff 2 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. We should also see a savings of about \$50,000 per year in the Water Fund that we are currently spending on meter change outs and \$5,000 per year in the Electric Fund. I am 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.		
The newly installed meters should last 20+ years in the field. Based on the numbers above, which I believe 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. 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.		

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Reduce staffing, increase customer service

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference): N/A

ATTACHMENTS: N/A

FUNDING SOURCE (Where Applicable): Utility Fund Reserves, budget amendment at a later date.

RECOMMENDED ACTION: Authorize the Expenditure of up to \$754,000 from the Electric Fund, \$376,000 from the Gas Fund, \$989,450 from the Sewer Fund and \$989,450 from the Water Fund to purchase AMR/AMI equipment in accordance with RFP 11-004.

APPROVALS: Terry Roberts



AGENDA FORM

DATE OF MEETING: March 24, 2011	DATE SUBMITTED: March 16, 2011	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Allen Jacobs	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Recommendation for Appointments (Including Alternate Members) to the Board of Adjustment		
SUMMARY STATEMENT: There was a vacancy left by the resignation of T.J. Torres on the Board of Adjustment and Appeals. Mr. Greg Jerking has been recommended for appointment to fill this vacancy. The Board of Adjustment and Appeals would also like to appoint Mr. Lee Sloan as an alternate member. <div style="text-align: center; margin-left: 40px;"> <p>Greg Jerking - - <i>Replacement for T.J. Torres</i></p> <p>Lee Sloan - - <i>Alternate Member</i></p> </div>		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: A completely staffed Board of Adjustment and Appeals with an alternate can better serve our city, especially, when all members cannot be present at a scheduled meeting		
B. CONS: A vacancy on the Board of Adjustment and Appeals can possibly create a delay in scheduling a meeting.		
ALTERNATIVES (In Suggested Order of Staff Preference): N/A		
ATTACHMENTS: N/A		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve the Appointment of Greg Jerking and Lee Sloan to the Board of Adjustment		
APPROVALS: Allen Jacobs		



AGENDA FORM

DATE OF MEETING: March 17, 2011	DATE SUBMITTED: March 17, 2011	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: City Secretary's Certification of Unopposed Candidates for the City of Brenham May 14, 2011 General Election.		
SUMMARY STATEMENT: Attached is the Certification of Unopposed Candidates by the City Secretary.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Certification of Unopposed Candidates		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve the Certification of Unopposed Candidates.		
APPROVALS: Terry Roberts		



**CERTIFICATION OF UNOPPOSED CANDIDATES
BY THE CITY SECRETARY**

I, Jeana Bellinger, certify that I am the City Secretary of the City of Brenham and the authority responsible for preparing the ballot for the May 14, 2011 city election. I further certify that no proposition is to appear on the ballot at the election, no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed:

Mayor	At Large	Milton Y. Tate, Jr.
Councilmember	Place Four (4), Ward Four (4)	Danny Goss

City Secretary, City of Brenham

Date this 24th of March, 2011



AGENDA FORM

DATE OF MEETING: March 17, 2011	DATE SUBMITTED: March 17, 2011	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Order Declaring Unopposed Candidates for the Position of Mayor and Councilmember Place Four - Ward Four Elected to Office and Canceling the City of Brenham May 14, 2011 General Election.		
SUMMARY STATEMENT: Attached is the English version of the Order cancelling the May 14, 2011 City of Brenham General Election for Mayor and Councilmember Place4 - Ward 4.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Election Order in English		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve the Order cancelling the May 14, 2011 General Election for the positions of Mayor and Councilmember Place 4 - Ward 4.		
APPROVALS: Terry Roberts		

ORDER

AN ORDER DECLARING UNOPPOSED CANDIDATES IN THE MAY 14, 2011 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Brenham, Texas is a home rule municipality located in Washington County, operating in accordance with the provisions of the Local Government Code and created pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorized the city council to declare the candidates elected to office and cancel the election; NOW, THEREFORE,

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BRENHAM:

Section 1: The following candidates, who are unopposed in the May 14, 2011 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Mayor
Councilmember

At Large
Place Four - Ward Four

Milton Y. Tate, Jr.
Danny Goss

Section 2: The May 14, 2011 general city election is canceled, and the City Secretary is directed to cause a copy of this order to be posted on Election Day at each polling place that would have been used in the election.

Section 3: It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and sections of this order are severable, and if any phrase, clause, sentence, paragraph, or section of this order is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this order since the city council would have enacted them without the invalid portion.

Section 4: This order shall take effect upon its final passage, and it is so ordered.

PASSED AND APPROVED ON THE 24TH DAY OF MARCH, 2011.

MILTON Y. TATE, JR.
Mayor

ATTEST:

JEANA BELLINGER, TRMC
City Secretary



FORMULARIO DE AGENDA

FECHA DE REUNION: 17 de Marzo, 2011	FECHA DE PRESENTACIÓN: 17 de Marzo, 2011	
DEPT. DE ORIGEN: Administración	PRESENTADA POR: Jeana Bellinger	
TIPO DE REUNION:	CLASIFICACIÓN:	ORDENANZA:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> AUDIENCIA PUBLICA	<input type="checkbox"/> 1 ^{RA} LECTURA
<input type="checkbox"/> ESPECIAL	<input type="checkbox"/> CONSENTIMIENTO	<input type="checkbox"/> 2 ^{DA} LECTURA
<input type="checkbox"/> SESSION EJECUTIVA	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUCIÓN
	<input type="checkbox"/> SESSION DE TRABAJO	
DESCRIPCIÓN DE ASUNTO EN AGENDA: Considerar y en consecuencia actuar una Orden Declarando Candidatos Sin Oposición Para Posiciones en el Concilio de Alcalde y Concejal Posición 4-Distrito 4 Elegidos a su Puesto y Cancelando la Elección General de la Ciudad de Brenham para el 14 de Mayo, 2011.		
DECLARACIÓN DE RESUMEN: Adjunto está la versión en español de la Orden cancelando la elección General para la Ciudad de Brenham para Alcalde; y Concejal Lugar 4, Distrito 4.		
ANÁLISIS POR EL PERSONAL (DE ORDENANZAS O ASUNTOS REGULARES DE AGENDA):		
A. PROS:		
B. CONTRAS:		
ALTERNATIVAS (EN ORDEN DE PREFERENCIA SUGERIDA POR EL PERSONAL):		
ADJUNTAMIENTOS: (1) Orden en Español		
PROCEDENCIA DE FONDOS (CUANDO APLICABLE):		
ACCIÓN RECOMENDADA: Aprobar la Orden Cancelando la Elección General para el 14 de Mayo, 2011 para puestos de Alcalde y Concejal Lugar 4 - Distrito 4.		
APROBACIONES: Terry Roberts		

ORDEN

UNA ORDEN DECLARANDO CANDIDATOS SIN OPOSICIÓN PARA LA ELECCIÓN GENERAL DE LA CIUDAD PARA EL 14 DE MAYO, 2011, LOS ELEGIDOS A SU PUESTO; CANCELANDO LA ELECCIÓN; PROVEYENDO CLÁUSULA DE DISTINCIÓN; Y PROVEYENDO UN FECHA DE VIGENCIA

MIENTRAS QUE, la Ciudad de Brenham, Texas es una municipalidad gobernada por si, localizada en el Condado de Washington, operando en acuerdo con la provisiones de código Gubernamental Local y creado según la legislación que habilita el Estado de Tejas; y

MIENTRAS QUE, la secretaria de la ciudad ha certificado por escrito que no se encuentra una proposición en la votación, que ninguna persona ha hecho una declaración de candidatura por escrito, y que cada candidato en la votación esta sin oposición para elección a cargo; y

MIENTRAS QUE, bajo estas circunstancias, Subcapitulo C, Capitulo 2, Código de elección, autoriza el ayuntamiento para declarar a los candidatos elegidos a cargo y cancelar la elección: AHORA, POR LO TANTO,

SEA ORDENADO POR EL AYUNTAMIENTO DE LA CIUDAD DE BRENHAM:

Sección 1: Los candidatos siguientes, que están sin oposición para la elección general de la ciudad del 8 de Mayo, 2010, están declarados elegidos a cargo y se les suministrara certificados de elección después del tiempo que la elección se había terminado se solicitar votaciones:

Alcalde	Posición en General	Milton Y. Tate, Jr.
Concejal	Posición 4-Distrito 4	Danny Goss

Sección 2: La elección general de la ciudad del 14 de Mayo, 2010, esta cancelada y la secretaria de la ciudad esta dirigida a causar que una copia de esa orden este puesta en cada lugar de votación que se hubiera usado en el día de elección.

Sección 3: Esta declarado que es el intento de el ayuntamiento que frases, cláusulas, acciones, párrafos, y secciones de esta orden son separables, y si cualquier frase, cláusula, oración, párrafo, o sección de esta orden es declarada invalida por el juicio de una corte de jurisdicción competente, la invalidez no afectara ninguna de las frases, cláusulas, oraciones, párrafos, o secciones que permanezcan porque el ayuntamiento podría haber promulgado esto sin la porción invalidada.

Sección 4: Esta orden tomara efecto sobre su pasaje final, y es tan ordenado.

PASADO Y APROBADO EL 24 DIA DE Marzo, 2011.

MILTON Y. TATE, JR.
Alcalde

ATESTAR:

JEANA BELLINGER, TRMC
Secretaria de la Ciudad



AGENDA FORM

DATE OF MEETING: March 24, 2011	DATE SUBMITTED: March 17, 2011	
DEPT. OF ORIGIN: Aquatics	SUBMITTED BY: Jamie Maurer	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Recommendation from the Parks and Recreation Advisory Board Approving Aquatic Center Usage and Rates for the Dolphin Swim Club		
<p>SUMMARY STATEMENT: At the March 9th Parks and Recreation Advisory Board meeting, the Dolphin Swim Team requested the consideration of lowering the team's fees for use of the Blue Bell Aquatic Center. They also submitted their request for exclusive pool use times which were cut back from the years previous. In the most current years, the Dolphins have been paying a set fee of \$3,740 and their participation numbers have dropped. In their request, the Dolphins proposed a \$30 per swimmer (or lower) fee opposed to a set fee (with projected participation, the set fee would average around \$46 per swimmer). There is a brief history of Dolphin participation, fees and pool use times as well as Dolphin's written request in the memos attached.</p> <p>Upon careful consideration of pool use history and fees, city staff proposed to the Parks Advisory Board that the Dolphins be charged a per swimmer fee of \$35 for the times they requested on their 2011 schedule and designate that time as nonexclusive use. The Dolphins would be guaranteed 4 lanes during their requested times, leaving 2 lanes available for Brenham Swim Club and public swim. The \$35 participant fee would cover \$30 nonexclusive pool use in the months of April, May, and June. The additional \$5 a swimmer would help cover costs for extra staffing at Dolphin swim meets, an end of season party, and additional supplies used at the Blue Bell Aquatic Center during Dolphin season.</p> <p>The Parks and Recreation Advisory Board respectfully recommends a rate of \$35 per swimmer for nonexclusive use of the Blue Bell Aquatic Center for the Dolphin Swim Team during the times which they have requested:</p> <ul style="list-style-type: none"> • April: Mondays – Thursdays from 3:45-5:15 pm (4 lanes) • May: Mondays – Fridays from 3:45-5:30 pm (4 lanes) • June: Mondays – Fridays from 7-9 am (4 lanes) • Other dates: two home swim meets, April 30 for officials training, and either July 5 or 7 for end of year party from 5-7 PM 		

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Giving nonexclusive use to the Dolphins will allow additional lanes to be open for the Brenham Swim Club and the public from 4-5:30pm. All six lanes will be open from 5:30pm – 7pm.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference): Dolphin Swim Team pays \$30 per swimmer and receives exclusive use for times requested. (Dolphin’s original request)

ATTACHMENTS: (1) Dolphin History; and (2) Request from Dolphin Swim Team

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve the charge of \$35 per swimmer of the Dolphin Swim Team for nonexclusive use of the Blue Bell Aquatic Center for their requested times as recommended by the Parks Advisory Board.

APPROVALS: Wesley Brinkmeyer

Memo

To: Parks Board Members
From: Jamie Maurer, Recreation Superintendent
Date: 9/23/2011
Re: Dolphin Swim Team Pool Use & Fee History

A history of Dolphin fees and practice schedule times are provided below.

2002 – Dolphins paid \$40 per swimmer to the city for use of the BBAC. Swim times included:

April	3:45pm – 5:30pm	Exclusive pool use
May	3:45pm – 5:30pm	Exclusive pool use
June	7:00am – 9:00am	Exclusive pool use
	9:00am – 9:45am	2 lanes
July	7:00am – 9:00am	2 lanes

2003 – City Council approved a fee of \$3,120 for the Dolphins to use the aquatic center. This fee was derived from the current team of 78 swimmers, each swimmer contributing \$40 per swimmer for pool use. Council agreed to freeze that fee for future years no matter how many swimmers were involved until staff thought it would need to be reevaluated.

Swim times remained the same as previous year

2004 – Dolphins had 126 swimmers and paid \$3,120 for pool use fees

Swim times remained the same as previous year

2005 – Dolphins registered close to 160 swimmers and felt the need for longer exclusive pool use to accommodate the larger swimmer numbers. They came to the Parks Board and requested extended exclusive use time. Dolphins agreed to pay an extra \$620 to help cover cost for the need of an additional hour of public swim from 7-8pm in April & May. Dolphins paid \$3,740 for pool use

April	3:45pm – 5:30pm	Exclusive pool use
May	3:45pm – 6:00pm	Exclusive pool use
June	7:00am – 9:45am	Exclusive pool use
July	7:00am – 9:00am	2 lanes

2006- 2009 Dolphins paid \$3,740 and swimmer numbers ranged from 120 – 90.

Swim times remained the same as previous year

2010 - Dolphins had approximately 80 swimmers and paid \$3,300. Due to lower participation numbers, Dolphins were not able to pay full pool use fee. They did cut back exclusive pool time in June to allow for longer public lap swim hours. No July time was requested.

April	3:45pm – 5:30pm	Exclusive pool use
May	3:45pm – 6:00pm	Exclusive pool use
June	7:00am – 9:00am	Exclusive pool use

2011 Proposal: Pay \$30 per swimmer (would total \$2,400 with a team of 80 swimmers).

April	3:45pm – 5:15pm	Exclusive pool use
May	3:45pm – 5:30pm	Exclusive pool use
June	7:00am – 9:00am	Exclusive pool use

Memo

Date: March 7, 2011 (for Parks Board meeting on March 9, 2011)

Re: Change in BBAC fees for the Brenham Dolphins

Summary of Dolphins calendar:

- April: exclusive use Mondays – Thursdays from 3:45-5:15 pm
- May: exclusive use Mondays – Fridays from 3:45-5:30 pm
- June: use 4 lanes Mondays – Fridays from 7-9 am
- Other dates: two home swim meets, April 30 for officials training, and either July 5 or 7 for end of year party from 5-7 PM

We have cut back on pool use from previous years, including having the end of year party during normal (outdoor) pool hours, not having exclusive use during June, and cutting 1/2 hour off the workout time in May (end at 5:30 instead of 6). The highest rate that other city pool facilities in our area charge is \$15 / swimmer, with most cities either donating the facilities or including it in the city's cost to run the program. Additionally, we have to hire coaches, which some cities include in the program cost. From the information that we have gathered from other youth athletic programs in Brenham, many programs pay (roughly) a \$5 / athlete fee to use the facilities around the city of Brenham. They also are able to have volunteer coaches instead of having to pay coaching salaries.

Please consider our request to lower the fees for our use of the Blue Bell Aquatic Center. We do use the pool four days a week in April and are requesting exclusive use for the months of April and May. Therefore, based on the amounts other communities pay for pool use, we believe that the *highest* amount that we should be charged should be \$30 / swimmer, which (based on last year's numbers) would amount to a total of \$2,400. However, we believe that it would be more appropriate to set a per swimmer fee that would more closely align with the facilities fees that other local athletic programs pay.

Sincerely,

David Jantzi – Brenham Dolphins Board President