



## **CONSENT AGENDA**

### **8. 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.

#### **8-a. Minutes from the January 19, 2012 Council Meeting**

**Page 5-12**

## **REGULAR AGENDA**

**9. Discuss and Possibly Act Upon Resolution No. R-12-006 Declaring Support for The Overlook at Linheir Farms Joint Housing Tax Credit and Home Program Funds Application to the Texas Department of Housing and Community Affairs (TDHCA) for the year 2012 and Authorize the Mayor to Execute any Necessary Documentation**

**Page 13-19**

**10. Discuss and Possibly Act Upon a Request to Extend Utilities Outside the City Limits to 1555 Highway 36 North and Authorize the Mayor to Execute any Necessary Documentation**

**Page 20-24**

**11. Discuss and Possibly Act Upon the Appointment of Jennifer Salsgiver as a Deputy City Secretary**

**Page 25**

## **WORK SESSION**

**12. Presentation of the 2011 Annual Report by the Fire Department**

**Page 26**

**13. Presentation of the 2011 Annual Report by the Police Department**

**Page 27**

**14. Presentation of the 2011 Annual Report by the Public Works Department**

**Page 28**

**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.

**15. 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 February 2, 2012 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 January 30, 2012 at \_\_\_\_\_ Am Pm.

*Jeana Bellinger, TRMC*  
*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 \_\_\_\_\_, 2012 at \_\_\_\_\_ Am Pm.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title



**In the name of and by the  
authority of  
The State of Texas**

**THIS IS TO CERTIFY**, that on January 21, 2012 a Special  
Election was held in the City of Brenham, Texas,  
where by a majority vote

***MARY E. BARNES-TILLEY***

***was duly elected***

***Councilmember Place Five (5) - At Large  
(Unexpired Term)***

In testimony whereof, I have hereunto signed my name  
and caused the Seal of Brenham to be affixed at the  
City of Brenham, this the 2nd day of February, 2012.

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Signature of Presiding Officer of Brenham

Date

**STATEMENT OF  
ELECTED/APPOINTED OFFICER**

*(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)*

I, **Mary E. Barnes-Tilley**, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

***UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.***

\_\_\_\_\_  
Date

\_\_\_\_\_  
Officer's Signature

**Councilmember for Place Five – At Large  
Brenham, Washington County, Texas**

IN THE NAME AND BY THE AUTHORITY OF  
THE STATE OF TEXAS, COUNTY OF WASHINGTON  
CITY OF BRENHAM

*OATH OF OFFICE*

I, **Mary E. Barnes-Tilley**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of a Councilmember for the City of Brenham, Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States, and of this State, and of this City. So help me God.

Signed: \_\_\_\_\_

Sworn to and subscribed before me, at Brenham, Texas, this 2<sup>nd</sup> day of February, 2012.

\_\_\_\_\_  
Retired Washington County Judge Dorothy Morgan

# ***PROCLAMATION***

**WHEREAS**, Mr. David Daniel Kelly is reaching a milestone in his life, celebrating his 90<sup>th</sup> birthday today, having been born February 2, 1922; and

**WHEREAS**, Mr. Kelly has been a resident of Brenham for over 54 years, working as a farmer in Sandy Hill and in the construction industry for over 35 years; and

**WHEREAS**, Mr. Kelly proudly served his country as a member of the United States Army during World War II, shipping out in 1942 and traveling as far away as India during his military years; he is still an active member of American Legion Lost 814; and

**WHEREAS**, Mr. Kelly and his wife Dora raised four children together here in Washington County and have been members of the Rock Chapel Baptist Church for 54 years; and

**WHEREAS**, It is right and just for the City Council and the residents of Brenham to join together with Mr. Kelly's family, friends and church to celebrate the life of a remarkable man;

**Now, THEREFORE** I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim the February 2, 2012 as

## **David Daniel Kelly Day**

In Witness, Whereof, I have set my hand and affixed the Seal of Brenham.

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Milton Y. Tate Jr., Mayor  
City of Brenham

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on January 19, 2012 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

### Members present:

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

### Members absent:

Mayor Milton Y. Tate, Jr.

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Chief Financial Officer Carolyn Miller, Public Works Director Lowell Ogle, Assistant Public Utilities Director Dane Rau, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Adam Griffin, Kim Hodde, Jamie Maurer, Tammy Jaster, Debbie Gaffey, Alton Sommerfield, Kevin Boggus, and Susan Nienstedt

### Citizens present:

Perry Thomas, Nathan Wade, Harold Nolte, Emanuel Glockzin, David Sommer, Douglas Borchardt, Mary Barnes-Tilley, Jason Kiemsteadt, Van Miller, Richard O'Malley, Brian Herzog, Glen Jones, Nancy Fritz, Ethan Kuhn, Mackenzie Roberts, Lisbeth Radcliff, Kara Freeman, Gregg Appel, Jeff Appel, Ann Morgan, and Clint Kolby

### Media Present:

Allison Smith, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Pro Tem Nix called the meeting to order.**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Keith Herring**

**3. Special Recognition**

Special Recognition was given to the Blue Bell Aquatics Center for two awards won at the Texas Public Pool Council. The awards were for Class 3 Agency of the Year and Water Safety Program of the Year.

**4. Proclamation**

Mayor Pro Tem Nix read a proclamation designating January 31, 2012 as First Baptist Church School 100<sup>th</sup> School Day Celebration. It was accepted by Nancy Fritz, Lisbeth Radcliff, Ethan Kuhn, and Mackenzie Roberts.

**5. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**6. Statutory Consent Agenda**

**6-a. Minutes from the January 5, 2012 Council Meeting**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 4-a. minutes from the January 5, 2012 council meeting.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**WORK SESSION**

**7. Discuss and Review FY 2010-11 Fourth Quarter Financial Report**

Chief Financial Officer Carolyn Miller reviewed the financial performance for the fiscal year ending September 30, 2011. The City experienced favorable performance in the General Fund, and with the exception of the Wastewater Fund, posted net revenues over expenditures in the Utility Funds.

The FY2010-11 4<sup>th</sup> quarter actuals indicate the following:

<b>Fund</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Net Revenues</b>
General Fund	\$15,520,547	\$14,983,608	\$536,939
Electric Fund	\$28,079,062	\$27,248,713	\$830,349
Gas Fund	\$3,185,925	\$3,159,133	\$26,791
Water Fund	\$5,148,534	\$4,288,318	\$860,216
Wastewater Fund	\$3,701,778	\$3,748,694	\$ (46,916)
Sanitation Fund	\$3,384,317	\$3,368,256	\$16,061

In summary Ms. Miller stated that the City experienced favorable performance in all major funds, with the exception of the Wastewater Fund and managed to grow fund balance/working capital reserves throughout these challenging economic times. She credited the favorable performance to the division directors and senior management who monitor department expenditures and overall fund performance and make necessary adjustments during the year.

## **REGULAR AGENDA**

### **8. Discuss and Possibly Act Upon an Election Services Contract Between the City of Brenham and Washington County Related to Election Responsibilities for the February 25, 2012 Run-Off Election, if Necessary, and Authorize the Mayor to Execute any Necessary Documentation**

City Secretary Jeana Bellinger presented the Charter requirements associated with a run-off election. She pointed out that due to the number of candidates that have filed for the Place 5 – At Large position, a run-off election is very likely. In preparation for a possible run-off, Ms. Bellinger explained that a new Election Services Contract with the County must be approved by Council that outlines what the City and/or the County will be responsible for during the February 25, 2012 Run-Off Election. This contract mirrors the one approved by Council for the Special Election except that the City would provide our own E-Pollbooks for both Early Voting and Election Day.

Ms. Bellinger pointed out that there was one typographical error in the contract on Page 2 under “Term”. The date should have been amended to read February 25, 2012.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve the election services contract between the City of Brenham, Texas and Washington County, Texas, with the change as indicated by City Secretary Bellinger, for the February 25, 2012 Special Run-Off Election and authorize the Mayor Pro Tem to execute any necessary documents.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**9. Discuss and Possibly Act Upon a Request to Extend Utilities Outside the City Limits to 1555 Highway 36 North and Authorize the Mayor to Execute any Necessary Documentation**

Assistant Director of Public Utilities, Dane Rau, presented this item to Council. He indicated that the City had received a request to extend utilities to the new facility of Premier Metal Buyers located at 1555 HWY 36 North. Mr. Rau advised Council that to serve this facility, the water and sewer lines must be extended up Blue Bell Rd towards Highway 36 North approximately 2300 feet. He advised Council that the total cost for these utility extensions is estimated between \$90,000 and \$100,000.

Mr. Rau stated that Mike Brannon, owner of Premier Metal Buyers, will petition for annexation into the City and has also agreed to pay \$11,000 of these extensions. Mr. Rau explained that the city budgeted approximately \$50,000 for unplanned water line extensions and \$80,000 for unplanned sewer line extensions. With this project, water expenditures for unplanned projects fall below the budgeted amount and unplanned sewer projects exceed roughly \$12,000 above the budgeted amount. The anticipated begin date is March 2012. Staff recommends that Council approve the utility extensions to 1555 HWY 36 North.

Councilmembers Herring and Goss requested additional time to consider the impact on other projects such as Aloise Lane and Salem Road. A citizen interested in developing a RV Park in this area voiced her support for the extensions.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to table this item until the next council meeting in order to evaluate all aspects of this request.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>No</b>

**10. Discuss and Possibly Act Upon Approval of a Proposal from Mike Pietsch, P.E., for Professional Consulting Services to Prepare the I.S.O Pre-Survey Packet – Phase II, and Authorize the Mayor to Execute any Necessary Documentation**

Fire Chief Ricky Boeker explained that ISO intends to survey the City of Brenham in March, 2012 to determine the Public Protection Classification for the City. Mr. Boeker stated that to ensure the best possible score, he is requesting that Mike Pietsch Consulting Services be hired to assist the City through this process. He also explained to Council that the ISO rating results are expected to lock-in Brenham’s insurance rates for 10 years. Mr. Boeker assured Council that cost for Phase II, which consists of helping the City prepare the ISO Pre-Survey Packet, will not exceed \$8,000.

A motion was made by Councilmember Williams and seconded by Councilmember Goss to approve the proposal from Mike Pietsch, P.E., for Professional Consulting Services in the amount of \$8,00 to prepare the I.S.O Pre-Survey Packet– Phase II and authorize the Mayor Pro Tem to execute any necessary documentation.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**11. Discuss and Possibly Act Upon Approval of a Proposal from Mike Pietsch, P.E., for Professional Consulting Services to Assist the I. S. O Field Representative During the I.S.O. Survey – Phase III, and Authorize the Mayor to Execute any Necessary Documentation**

Fire Chief Ricky Boeker explained that ISO intends to survey the City of Brenham in March, 2012 to determine the Public Protection Classification for the City. Mr. Boeker said that in order to ensure the best possible score, he would like the City to hire Mike Pietsch Consulting Services to assist the City through this process. Mr. Boeker advised Council that Phase III involves assisting the ISO Field Representative during the actual site visit. Mr. Boeker assured Council that the cost for Phase III will not to exceed \$5,000.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve the proposal from Mike Pietsch, P.E., for Professional Consulting Services in the amount of \$5,000 to prepare the I.S.O Pre-Survey Packet– Phase III, and authorize the Mayor Pro Tem to execute any necessary documentation.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**12. Discuss and Possibly Act Upon Resolution No. R-12-004 Declaring Support for the Bluebonnet Square Apartments, Ltd. Joint Housing Tax Credit and Home Program Funds Application to the Texas Department Housing and Community Affairs (TDHCA) for the year 2012 and Authorize the Mayor to Execute any Necessary Documentation**

Public Works Director Doug Baker explained the intent of Bluebonnet Square Apartments, Ltd. Is to submit an application for HOME Program funds from Texas Department of Housing and Community Affairs (TDHCA) for an affordable rental housing development located at the intersection of S. Saeger Street and Old Mill Creek Road. Mr. Baker stated that fifty-six units will be constructed with the majority rented to individuals or families whose incomes are within TDHCA's prescribed guidelines.

Project Developer Emanuel Glockzin explained that rental rates will depend on the tenants' income and stressed that this development is not a housing voucher program. Mr. Glockzin stated that the City's support helps in the scoring process.

Blinn Junior College President, Harold Nolte, requested that Council table this item to allow his Board additional time to consider how this development will affect Blinn College due to its close proximity to the campus..

A motion was made by Councilmember Ebel and seconded by Councilmember Williams to table this item until the next council meeting in order to allow Blinn time to review this project and to ensure all their concerns are fully addressed.

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

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**Mayor Pro Tem Nix deferred the Executive Session items until the next council meeting.**

### **EXECUTIVE SESSION**

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

### **RE-OPEN REGULAR AGENDA**

- 14. Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues**

- 15. Administrative/Elected Officials Report**

Terry Roberts reported on the following:

- Changing the March council meeting dates because of Spring Break
- January 23, 2012 Downtown Master Plan Meeting at 5:30p.m.
- Holiday Party January 27, 2012 at 6:00pm at FTC
- February 10, 2012 Bluebonnet Electric’s Transportation Forum at Blinn

Carolyn Miller reported on the following:

- The Uptown Swirl was a success; Jennifer Eckermann will update Council as soon as all the numbers are finalized

Jeana Bellinger reported on the following:

- Clarified the run-off election date at February 25, 2012
- Asked Council to select a date to canvass the January 21<sup>st</sup> election returns; Council decided on Monday, January 30<sup>th</sup> at 1:00 p.m.;
- Introduced new employee Jennifer Salsgiver

Ricky Boeker reported on the following:

- Reminded Council about the Chili Supper at Fireman’s Training Center from 5:00p.m.-7:00p.m. today

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary



## AGENDA ITEM 9

<b>DATE OF MEETING:</b> 2-2-12	<b>DATE SUBMITTED:</b> 1-26-12	
<b>DEPT. OF ORIGIN:</b> Public Works	<b>SUBMITTED BY:</b> Doug Baker	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> <b>REGULAR</b>	<input type="checkbox"/> <b>PUBLIC HEARING</b>	<input type="checkbox"/> <b>1<sup>ST</sup> READING</b>
<input type="checkbox"/> <b>SPECIAL</b>	<input type="checkbox"/> <b>CONSENT</b>	<input type="checkbox"/> <b>2<sup>ND</sup> READING</b>
<input type="checkbox"/> <b>EXECUTIVE SESSION</b>	<input checked="" type="checkbox"/> <b>REGULAR</b>	<input checked="" type="checkbox"/> <b>RESOLUTION</b>
	<input type="checkbox"/> <b>WORK SESSION</b>	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-12-006 Declaring Support for The Overlook at Linheir Farms Joint Housing Tax Credit and Home Program Funds Application to the Texas Department of Housing and Community Affairs (TDHCA) for the year 2012 and Authorize the Mayor to Execute any Necessary Documentation		
<b>SUMMARY STATEMENT:</b> The Overlook at Linheir Farm, L.P. (Mike Roderer, Herman & Kittle Properties, Inc.) intends to submit an application to the TDHCA for HOME Investment Partnership Program funds for a seventy five unit affordable rental housing development on S. Market Street. This is the same program discussed during the last meeting when Mr. Emanuel Glockzin requested your support for his proposed Bluebonnet Square Apartments. This project, while being an affordable rental housing project, will be restricted to elderly households. I believe Mr. Roderer said this means 55 years or older. He will explain the program in more detail when the item comes up for discussion.  The city's support of this project will help the applicant in the scoring process as they compete with other projects in other cities for limited funds from TDHCA.  The proposed site is in Bluebonnet Electric's service area. Water and sewer service is available. The area is zoned B-2, which allows multifamily development.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Resolution No. R-12-006; (2) Preliminary Site Layout; (3) Aerial of 5 acre site at Market Street and Cantey Street; and (4) Aerial photo with "Preliminary" site location drawing		
<b>FUNDING SOURCE (Where Applicable):</b>		

**RECOMMENDED ACTION:** Approve Resolution No. R-12-006 declaring support for The Overlook at Linheir Farms Joint Housing Tax Credit and Home Program Funds Application to the Texas Department of Housing and Community Affairs (TDHCA) for the year 2012 and authorize the Mayor to execute any necessary documentation

**APPROVALS:** Terry K. Roberts

**RESOLUTION NO. R-12-006**

**A RESOLUTION OF THE CITY OF BRENHAM, TEXAS DECLARING SUPPORT FOR THE OVERLOOK AT LINHEIR FARMS JOINT HOUSING TAX CREDIT AND HOME PROGRAM FUNDS APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR THE YEAR 2012**

**WHEREAS**, The Overlook at Linheir Farm, L.P. has proposed a development for affordable rental housing on the north side of Market Street approximately five hundred feet (500') east of its intersection with Cantey Street, for the new construction of seventy-five (75) apartment homes restricted to elderly households to be named The Overlook at Linheir Farm in the City of Brenham, County of Washington, State of Texas; and

**WHEREAS**, The Overlook at Linheir Farm, L.P. intends to submit a joint application to the Texas Department of Housing and Community Affairs (TDHCA) for 2012 Housing Tax Credits and HOME Investment Partnership Program funds for The Overlook at Linheir Farm; and

**WHEREAS**, Section 50.9(b)(5), Texas Administrative Code, which gives Housing Tax Credit points for the commitment of development funding by the Unit of General Local Government, states that the TDHCA HOME program funds will not qualify for points in this category “unless a resolution is submitted with the application from the Governing Body of the Unit of General Local Government authorizing that the Applicant act on behalf of the Unit of Local Government in applying for HOME Program funds from TDHCA for the particular application”; and

**WHEREAS**, there is a need for affordable rental housing in the community.

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

The City of Brenham hereby declares support of the application of The Overlook at Linheir Farm, L.P. to TDHCA, and that the City of Brenham appoints The Overlook at Linheir Farm, L.P. to act on its behalf in applying for TDHCA HOME Investment Partnership Program funds for the proposed The Overlook at Linheir Farm. This Resolution shall take effect immediately from and after its passage.

**PASSED, APPROVED AND ADOPTED** this 2nd day of February, 2012, at a regular meeting of the City Council of the City of Brenham, Texas which meeting was held in compliance with the *Open Meetings Act, Tex. Gov't Code Section 551.001, et Seq.*, at which meeting a quorum was present and voting.

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Milton Y. Tate, Jr., Mayor

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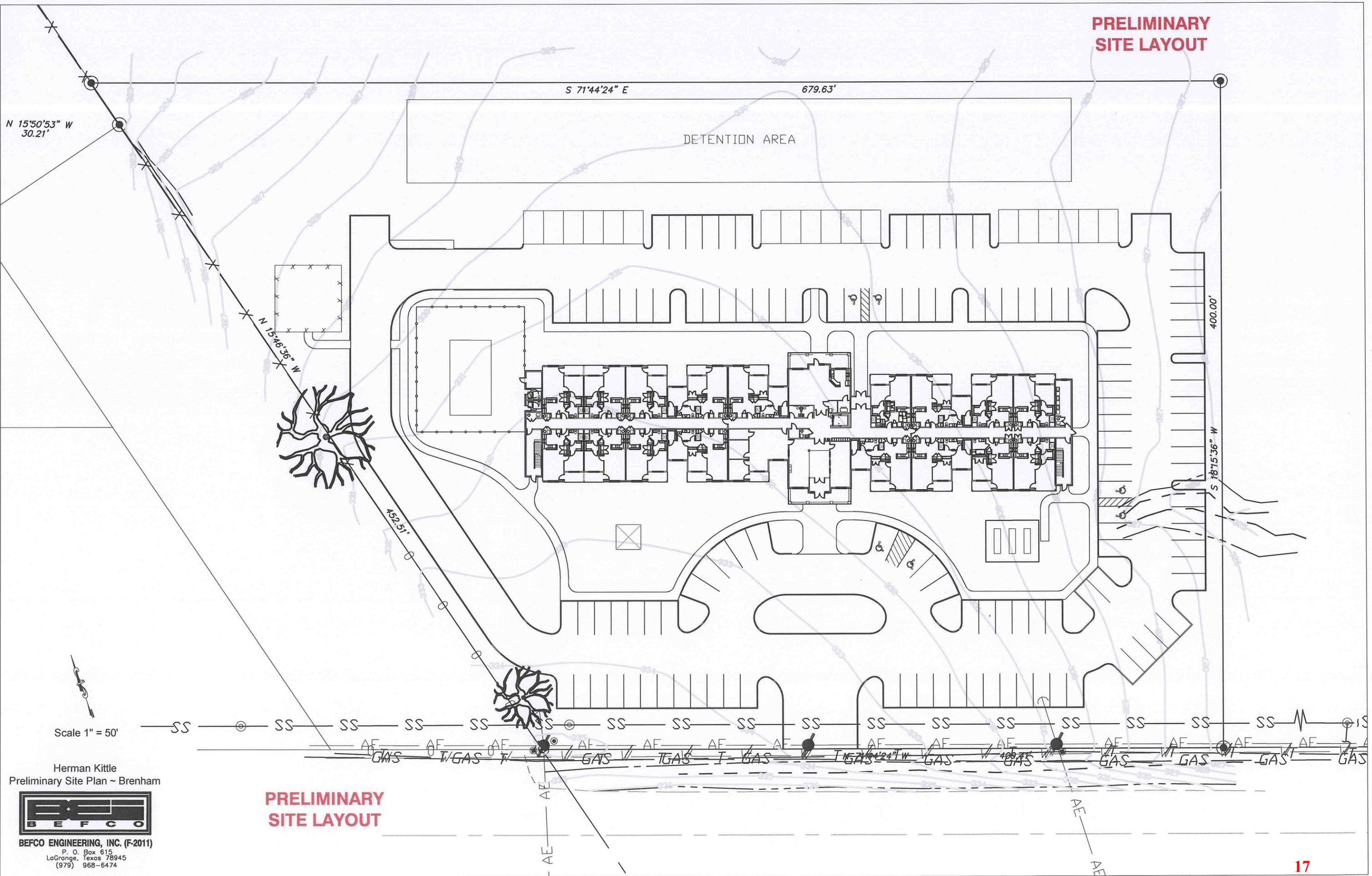
Cary Bovey, City Attorney

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary

**PRELIMINARY  
SITE LAYOUT**



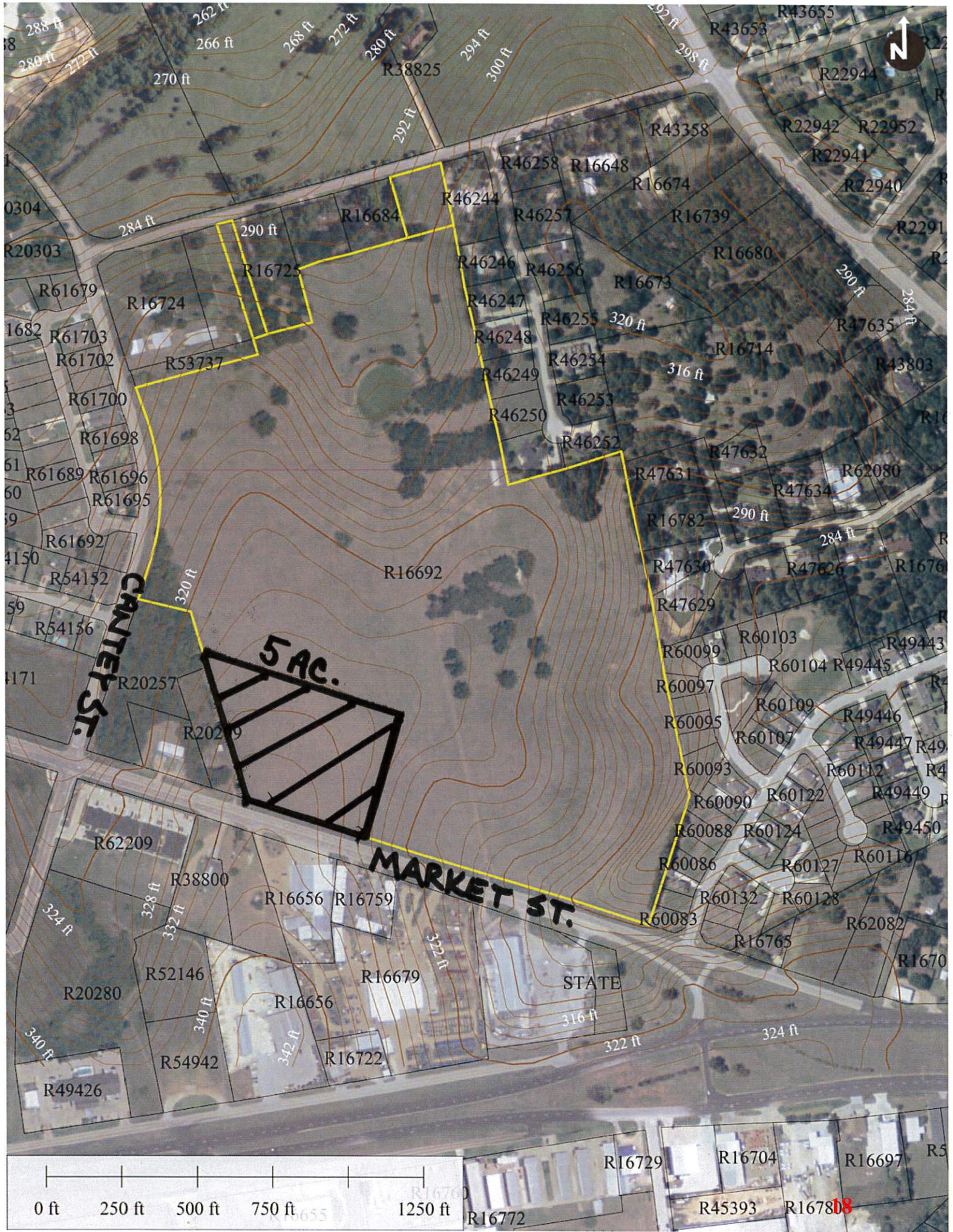
Scale 1" = 50'

Herman Kittle  
Preliminary Site Plan ~ Brenham



**BEFCO ENGINEERING, INC. (F-2011)**  
P. O. Box 615  
LaGrange, Texas 78945  
(979) 968-6474

**PRELIMINARY  
SITE LAYOUT**



5 AC.

CANTLEY ST.

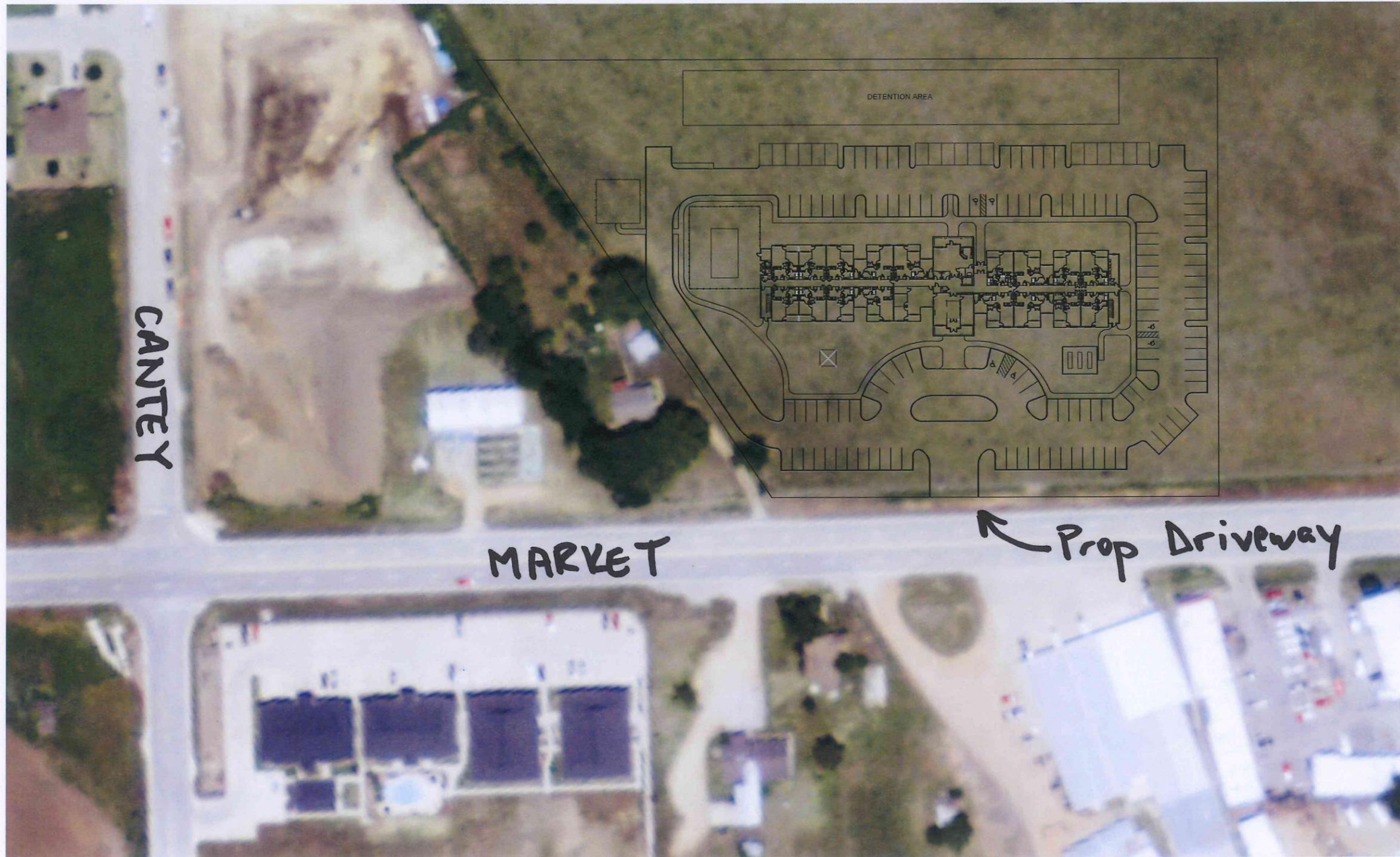
MARKET ST.

STATE

0 ft 250 ft 500 ft 750 ft 1250 ft

R167818

"Preliminary"





## AGENDA ITEM 10

<b>DATE OF MEETING:</b> 2/2/2012	<b>DATE SUBMITTED:</b> 1/30/2012	
<b>DEPT. OF ORIGIN:</b> Public Utilities	<b>SUBMITTED BY:</b> Dane Rau	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon a Request to Extend Utilities Outside the City Limits to 1555 Highway 36 North and Authorize the Mayor to Execute any Necessary Documentation		
<p><b>SUMMARY STATEMENT:</b> The City of Brenham has received a request to extend utilities to the new facility of Premier Metal Buyers located at 1555 HWY 36 North. The request received was for the extension of water and sewer to serve this development. The closest water main is adjacent to this property but is on the inside of the loop. (See Map #1). The closest sewer line is along Blue Bell Rd. across from the Woodbridge Subdivision. (Map #1). In order to serve this facility with water and sewer, first the sewer line will have to be extended up Blue Bell Rd. towards HWY 36 N approximately 2300 ft. This extension would be required in the future since this portion is already in the city limits and an agreement already exists stating that water and sewer will be extended to serve the Pierre Roberts tracts which are located on each side of Blue Bell Rd at HWY 36.</p> <p>The second step would be to get across HWY 36 N with both water and sewer. This process would include boring the state highway with two parallel bores totaling 680 feet. This facility is only requiring a 4” sewer service and a 1” water service, but in order to plan for the future and while conducting the bores to get across the road we recommend oversizing the lines to a 6” water line and a 6” sewer line. Total cost of this project including engineering for both water and sewer is listed below. Costs are broken out by each utility requested and with the option to oversize the project or go across the highway with the minimum size to serve the facility. Mike Brannon, the owner of this tract has looked at other options such as a private well and septic system which would cost approximately \$11,000. Mr. Brannon indicated that due to their business it would be in their best interest to be served by city utilities. It was explained to the owner that a portion of the utility extensions would be at their costs. At that time the owners agreed that they would help in the funding of the extension. It was also explained to the Brannon’s that they would be required to sign a petition of annexation and therefore will not oppose annexation if the city so chooses. This site is located within the ETJ and is in the City of Brenham water CCN (Certification) area. It will be subject to some city codes if served with utilities.</p> <p>The owner has agreed to pay for \$11,000 of these extensions in order to be served by utilities. This is the portion that they would have spent on a well and a septic system for this development. Even though this tract is not within city limits it gives us the opportunity to extend utilities across HWY 36 North for future development. This area is also part of our water CCN area and cannot be served by another utility unless we waive the right to serve this area. All extensions were sized for future needs. The extensions will be done in-house by both the water and sewer department. A contractor will be hired to perform the bores for this project.</p>		

Attached are two maps. The first map shows the current city limits in relation to the requested property along with each utilities proposed extension. The second map shows the water service area along HWY 36 North.

Currently the City of Brenham has budgeted approximately \$50,000 for unplanned water line extensions and \$80,000 for unplanned sewer line extensions. With this project, water expenditures for unplanned projects will fall right below the budgeted amount and for unplanned sewer projects with this extension it will put us approximately \$12,000 over for the year. These numbers account for the reimbursements that have been contributed back for extending utilities. If approved, quotes will be received for materials and bores with an anticipated start date of March of 2012.

Options:

<u>Service</u>	<u>6" Sewer</u>	<u>6" Water</u>
Engineering	\$19,925	\$4,500
Bores	\$30,681	\$30,681
Pipe and Materials	*** \$12,055	* \$4,932
	\$62,661	\$40,113
<u>Service</u>	<u>4" Sewer</u>	<u>1" Water</u>
Engineering	\$19,425	\$2,550
Bores	\$30,600	\$22,100
Pipe and Materials	***\$11,697	**\$355
	\$61,722	\$25,005

\* 6" water materials include 1 hydrant, 1 flush out and pipe costs

\*\* 1" water materials only include pipe and one reducing fitting

\*\*\* 6" sewer and 4" sewer materials include all material leading from creek northward up Blue Bell Rd and across to Premier Metal Buyer's site.

Staff has also evaluated the cost associated with two other in-city extensions that will be undertaken in the near future as customers request service. A portion of Alois Ln. will eventually need sanitary sewer which requires a lift station to serve 14 houses. This extension and infrastructure is estimated at \$19,500. Salem Rd. has shown interest in both water and sewer. This area will also require a lift station which brings the project cost for sewer at \$30,000 and water costs at \$14,500.

**STAFF ANALYSIS (For Ordinances or Regular Agenda Items):**

**A. PROS:** Will allow the City of Brenham to extend utilities across HWY 36 North. Also, a portion of the cost for this extension will be shared with developer.

**B. CONS:** Very expensive to bore HWY 36 North.

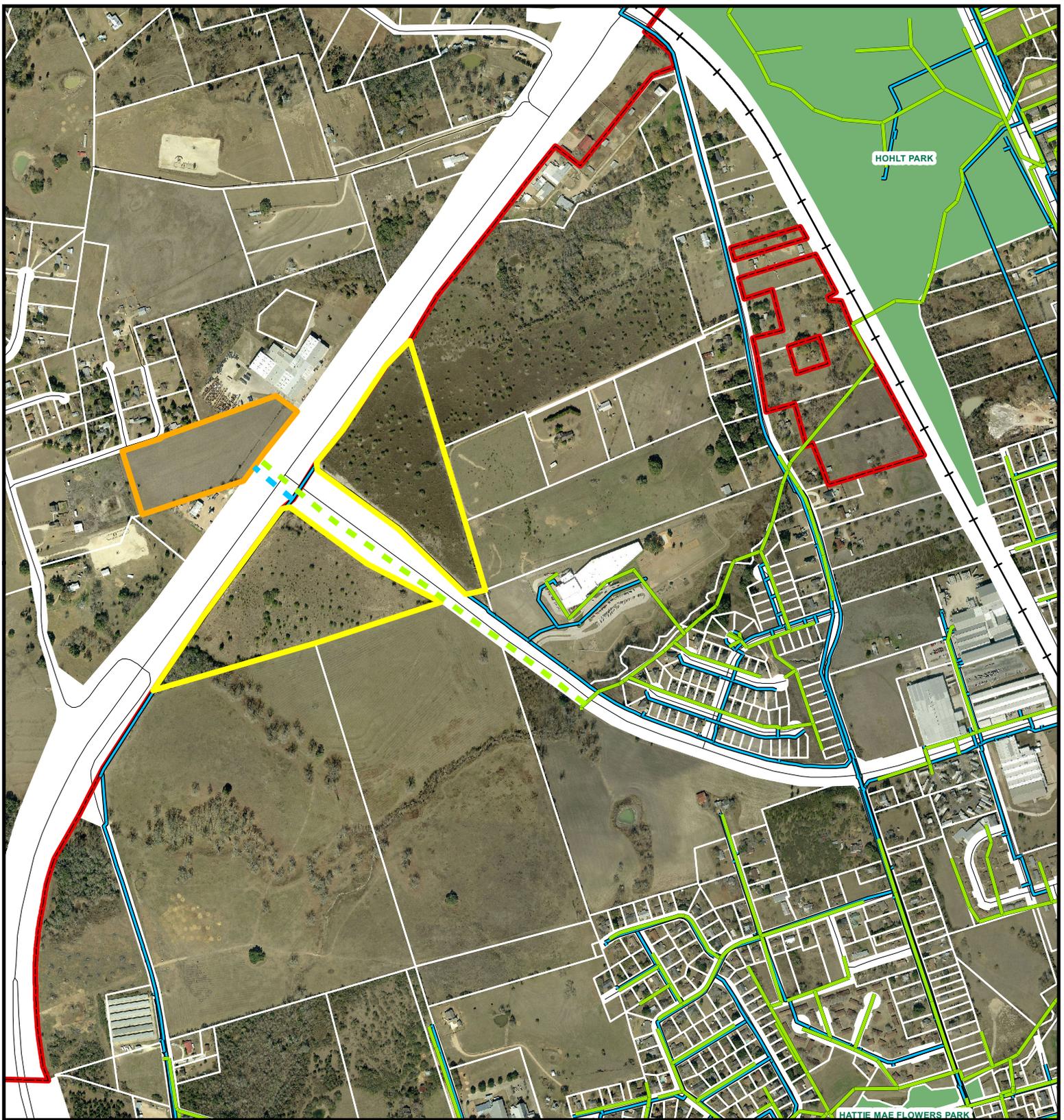
**ALTERNATIVES (In Suggested Order of Staff Preference):**

**ATTACHMENTS:** (1) Current City limits map with proposed utilities; (2) Water Service Area Map; and (3) Site Layout

**FUNDING SOURCE (Where Applicable):** 104-5-164-804.10 and 105-5-165-804.10

**RECOMMENDED ACTION** Approve a request to extend utilities outside the city limits to 1555 Highway 36 North and authorize the Mayor to execute any necessary documentation

**APPROVALS:** Lowell Ogle Jr.



# Map #1

## Legend

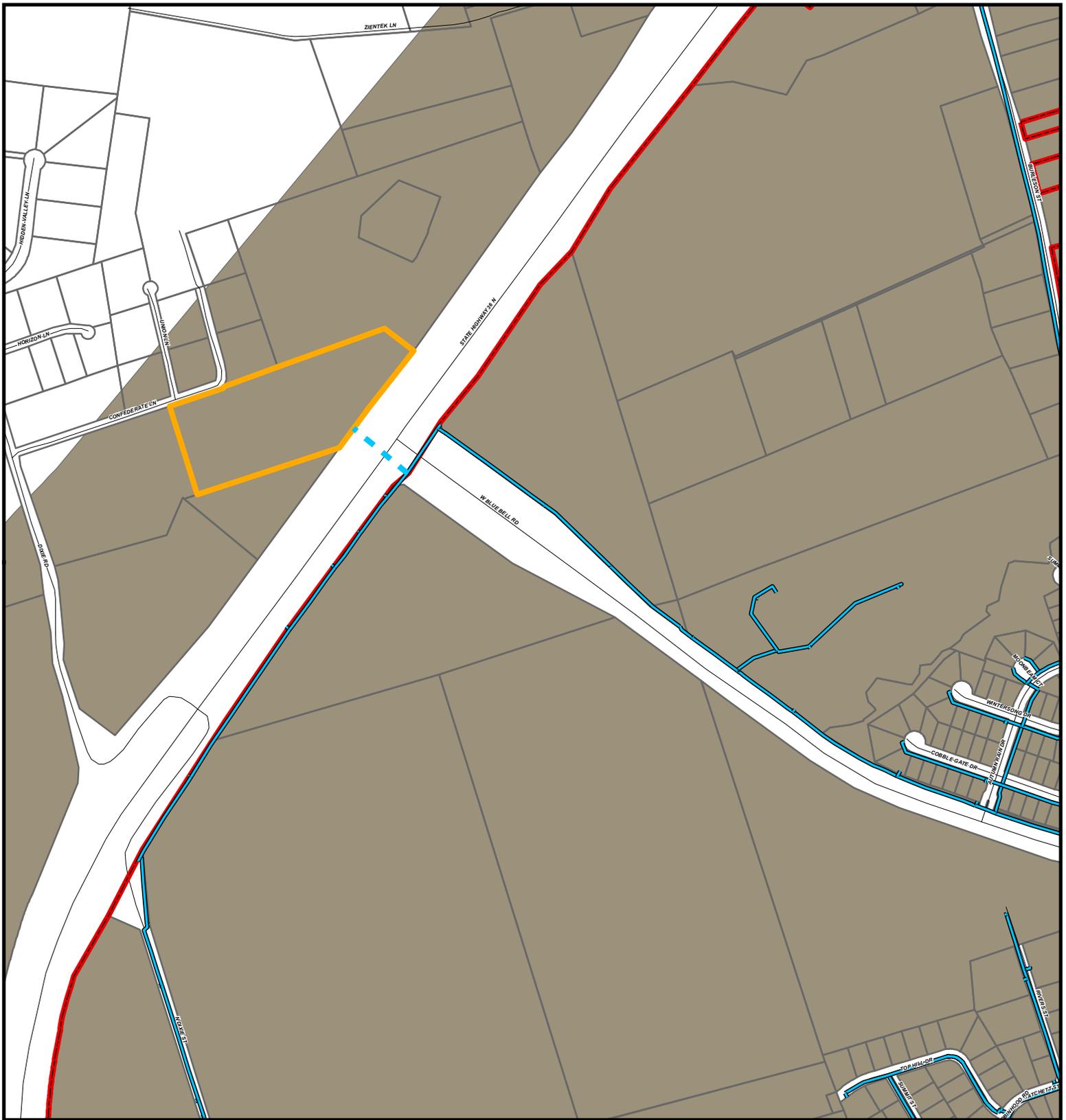
1 inch = 838 feet



- Existing Sewer Lines
- Proposed 6" Sewer Line
- Proposed 6" Water Line
- Existing Water Mains
- Premier Metal Tract
- Roberts\_Tracts
- City Limits



Date: 01/10/2012  
**22**



## Map #2

### Legend

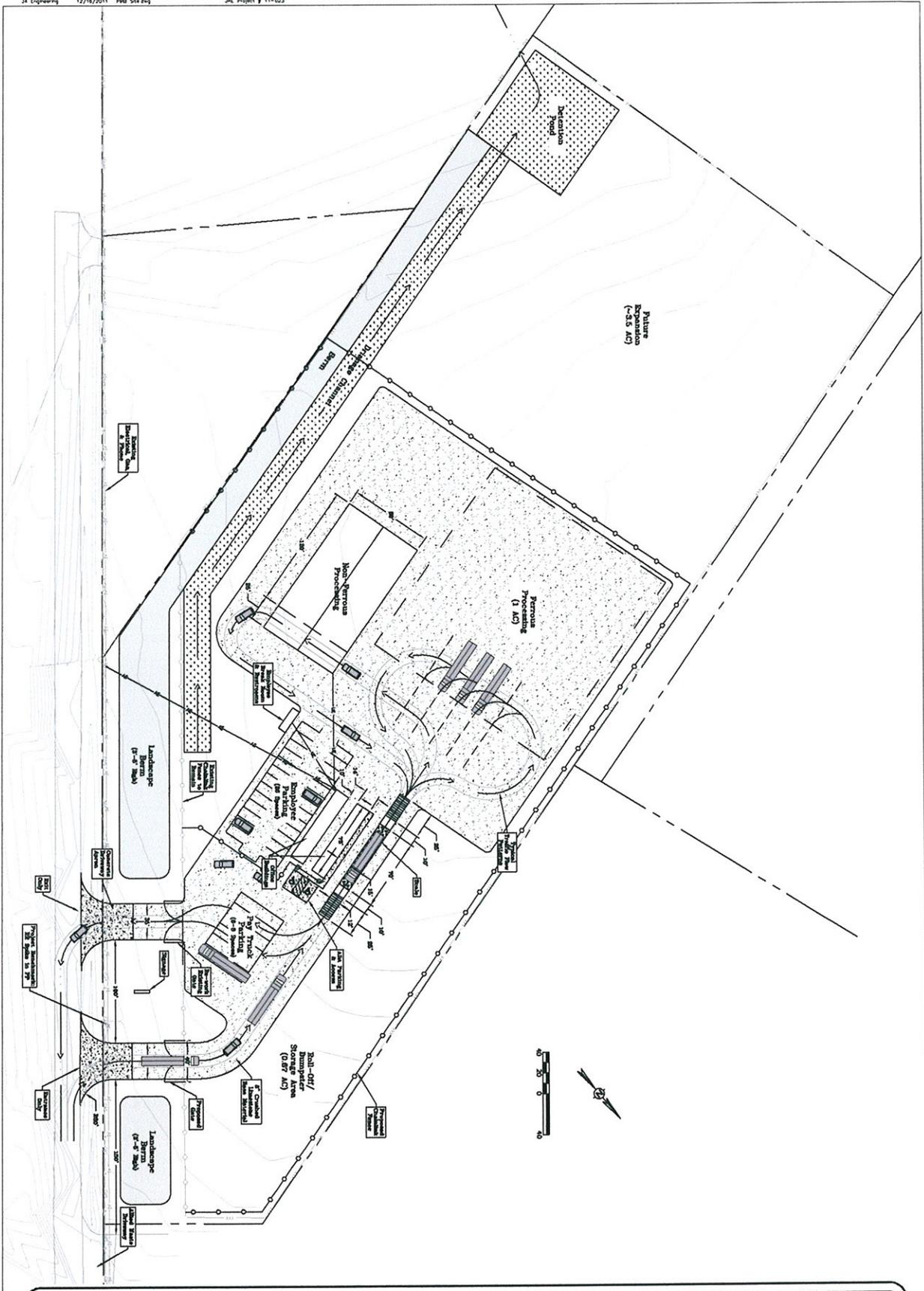
1 inch = 600 feet



- - - Proposed 6" Water Line
- Existing Water Mains
- City Limits
- Brenham\_CCN
- Premier Metal Tract



Date: 01/10/2012  
**23**



<p><b>Concept Plan</b></p> <p>General Notes:</p>	
<p><b>Preliminary Plans Only Not for Construction</b></p>	
<p>Client Name and Address:</p> <p><b>JA Engineering</b></p> <p>PO Box 5121 - Baytown, Texas 77520 281-265-8800 www.jaengineering.com</p>	<p>Client Name and Address:</p> <p><b>Premier Metal Buyer</b></p> <p>Metals Co. Supply, L.P. Remondis, Wallingford Country, Texas</p>
<p>Date: Dec 2011</p> <p>Drawn: JAE/MSK</p>	<p>Scale: <b>FI</b></p>



## AGENDA ITEM 11

<b>DATE OF MEETING:</b> February 2, 2012	<b>DATE SUBMITTED:</b> January 30, 2010	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Jeana Bellinger	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon the Appointment of Jennifer Salsgiver as a Deputy City Secretary.		
<b>SUMMARY STATEMENT:</b> In December 2011, Deputy City Secretary Tammy Cook left the City of Brenham to take another position for the City of San Marcos.  In accordance with the City's Charter, the City Council must appoint a person to exercise all of the duties of the City Secretary, in my absence. Therefore, I am recommending that Jennifer be appointed as Deputy City Secretary.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>  <b>A. PROS:</b>  <b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> None		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approve the appointment of Jennifer Salsgiver as Deputy City Secretary.		
<b>APPROVALS:</b> Terry K. Roberts		



**AGENDA ITEM 12**

<b>DATE OF MEETING:</b> February 2, 2012		<b>DATE SUBMITTED:</b> January 26, 2012	
<b>DEPT. OF ORIGIN:</b> Fire Department		<b>SUBMITTED BY:</b> Ricky Boeker	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input type="checkbox"/> REGULAR	
		<input checked="" type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Presentation of the 2011 Annual Report by the Fire Department			
<b>SUMMARY STATEMENT:</b> In order to be more cost efficient, a copy of the annual report is not included in the agenda packet. However, a bound copy of each report will be distributed to Mayor and City Council Members.  A bound copy of the 2011 Fire Department Annual Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the City of Brenham's website at <a href="http://www.cityofbrenham.org">www.cityofbrenham.org</a> .  If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
<b>A. PROS:</b>			
<b>B. CONS:</b>			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b> NA			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b> NA			
<b>APPROVALS:</b> Terry Roberts			



**AGENDA ITEM 13**

<b>DATE OF MEETING:</b> February 2, 2012		<b>DATE SUBMITTED:</b> January 26, 2012	
<b>DEPT. OF ORIGIN:</b> Police Department		<b>SUBMITTED BY:</b> Rex Phelps	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input type="checkbox"/> REGULAR	
		<input checked="" type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Presentation of the 2011 Annual Report by the Police Department			
<b>SUMMARY STATEMENT:</b> In order to be more cost efficient, a copy of the annual report is not included in the agenda packet. However, a bound copy of each report will be distributed to Mayor and City Council Members.  A bound copy of the 2011 Police Department Annual Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the City of Brenham's website at <a href="http://www.cityofbrenham.org">www.cityofbrenham.org</a> .  If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
<b>A. PROS:</b>			
<b>B. CONS:</b>			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b> NA			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b> NA			
<b>APPROVALS:</b> Terry Roberts			



**AGENDA ITEM 14**

<b>DATE OF MEETING:</b> February 2, 2012		<b>DATE SUBMITTED:</b> January 26, 2012
<b>DEPT. OF ORIGIN:</b> Public Works Department		<b>SUBMITTED BY:</b> Doug Baker
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Presentation of the 2011 Annual Report by the Public Works Department		
<b>SUMMARY STATEMENT:</b> In order to be more cost efficient, a copy of the annual report is not included in the agenda packet. However, a bound copy of each report will be distributed to Mayor and City Council Members.  A bound copy of the 2011 Public Works Department Annual Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the City of Brenham's website at <a href="http://www.cityofbrenham.org">www.cityofbrenham.org</a> .  If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> NA		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> NA		
<b>APPROVALS:</b> Terry Roberts		