



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY MAY 17, 2012 AT 5:00 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 Barnes-Tilley**
- 3. Proclamation**
 - **Hurricane Preparedness Week** **Page 1**
- 4. Citizens Comments**

CONSENT AGENDA

5. 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.

- 5-a. Minutes from the April 19, 2012 and May 3, 2012 Council Meetings** **Page 2-19**
- 5-b. Second Reading of Ordinance O-12-008 Amending Chapter 2 of the Code of Ordinances of the City of Brenham for the Purpose of Achieving Best Practices Recognition Status from the Texas Police Chief Association’s Law Enforcement Best Practices Recognition Program** **Page 20-24**
- 5-c. Second Reading of Ordinance O-12-009 Repealing Ordinance O-07-016 Relating to a Non-Exclusive Franchise with Complete Container Service, LLC to Operate a Roll-off Container Service for Residents, Businesses and Industries Inside Brenham City Limits** **Page 25**

- 5-d. Second Reading of Ordinance O-12-010 Granting a Non-Exclusive Franchise to A&K Waste Removal, Inc. to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

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REGULAR AGENDA

- 6. Discuss and Possibly Act Upon a Request for a Noise Variance from Diane Lindsey for the Ebony Class of 1974 to Hold a Gospel Fest Scholarship Fundraiser at Jackson Street Park on June 2, 2012** **Page 38-40**
- 7. Discuss and Possibly Act Upon Bid No. 12-007 and Award an Annual Contract for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Necessary Documentation** **Page 41-44**
- 8. Discuss and Possibly Act Upon Bid No. 12-008 and Award an Annual Contract for Bulk Water Treatment Chemicals for the Water Plant and Authorize the Mayor to Execute Any Necessary Documentation** **Page 45-48**
- 9. Discuss and Possibly Act Upon Bid No. 1006.073-WG/WH for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation** **Page 49-72**
- 10. Discuss and Possibly Act Upon Change Order No. 1 for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation** **Page 73-77**
- 11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham Providing for the Organization and Renumbering of the Chapter** **Page 78-84**

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 salutary 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.

12. 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 May 17, 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 May 14, 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

PROCLAMATION

WHEREAS, Texas hurricane season officially begins June 1 and ends November 30; and

WHEREAS, The Texas Gulf Coast and areas further inland are vulnerable to the devastating effects of a hurricane or tropical storm; and

WHEREAS, The National Weather Service, the Texas Division of Emergency Management and the City of Brenham's Office of Emergency Management are joining together to designate the week of May 27 – June 2, 2012 as Hurricane Preparedness Week;

WHEREAS, The City of Brenham, through the Office of Emergency Management, is committed to ensuring the safety of all our citizens by providing accurate information regarding severe weather issues; and the best defense is preparedness and public education; and

WHEREAS, It is right and just for the City Council to join together with the citizens and the Office of Emergency Management to encourage everyone to take the time to be prepared in the event of a disaster.

Now, THEREFORE I, Milton Y. Tate, Jr. Mayor of the City of Brenham, Texas do Hereby Proclaim May 27 – June 2, 2012 as

HURRICANE PREPAREDNESS WEEK

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

Milton Y. Tate, Jr., Mayor
City of Brenham

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on April 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 Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Mary E. Barnes-Tilley
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry K. Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Chief Financial Officer Carolyn Miller, Stacy Hardy, Debbie Gaffey, Fire Chief Ricky Boeker, Alan Finke, Police Chief Rex Phelps, Chris Jackson, Todd Jacobs, Billy Rich, Development Services Director Julie Fulgham, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, Dane Rau, Alton Sommerfield, Angela Hahn, Gary Jeter, and Amanda Carker

Citizens present:

Perry Thomas, James York, Wesley Brinkmeyer, Sadie Sink, Casey Sink, Josh Hamez, Richard Waters, Larry Perry, Velvet Maragh, Bill Decker, Jeff Smestuen, and Page Michel

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Andrew Ebel**

3. Proclamation

- **National Crime Victims’ Rights Week**
- **Motorcycle Awareness Month**

Mayor Tate read a proclamation designating April 22-28, 2012 as National Crime Victims’ Rights Week. It was accepted by Lieutenant Billy Rich.

Mayor Tate read a proclamation designating May 2012 as Motorcycle Awareness Month. It was accepted by Jeff Smestuen.

Mayor Tate recognized Brenham resident Saddle Sink for performing in the TUTS Theatre in Houston and credited her family for their support.

4. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the April 5, 2012 Council Meeting

5-b. Discuss and Possibly Act Upon Ordinance No. O-12-006 Granting a Specific Use Permit to the Washington County Healthy Living Association for a Senior Citizens Center (Philanthropic Use) to be Located at Block I, Lot 5 of the Kenjura Subdivision, Section I (Said Property Consisting of 4.482 Acres and Being Situated at the Northwest Corner of East Tom Green Street and Loesch Street), in an R-1, Residential District

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 5-a. Minutes from the April 5, 2012 Council meeting and 5-b. Ordinance No. O-12-006.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

REGULAR AGENDA

6. Discuss and Possibly Act Upon Approval of a Cost Participation Agreement between the City of Brenham and Valmont Industries, Inc. to Expand Water Service for the Improvement of Fire Protection at Valmont Industries, Inc. and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager Kyle Dannhaus presented a Cost Participation Agreement with Valmont Industries, Inc. to improve water flow capacity at Valmont’s plant for enhanced fire protection. Dannhaus explained the agreement calls for Valmont to reimburse the City 100% of improvement costs on Valmont property and limits the City’s participation to \$53,000 while Valmont will invest over \$300,000 for onsite water system improvements. Dannhaus clarified that the City should extend the lines to Valmont’s property since the lines cross an adjacent property and easement expenses were included in the cost.

Councilmember Goss voiced disapproval since the City gave Valmont a tax abatement. Councilmember Goss stated the facility’s fire protection was adequate and requested that a deed from Valmont for right-of-way of the future Schulte Blvd. be obtained as a term of the Participation Agreement.

A motion was made by Councilmember Goss and seconded by Councilmember Herring to table this item to allow more discussion to ensue.

Mayor Tate called for a vote. The motion to table this item passed with a 4-3 vote, with Council voting as follows:

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

7. Discuss and Possibly Act Upon Approval of an Agreement with Jones and Carter, Inc. for Engineering Services to Expand Water Service Related to the Improvement of Fire Protection at Valmont Industries, Inc. and Authorize the Mayor to Execute Any Necessary Documentation

Mayor Tate stated that since the previous item related to Valmont Industries, Inc. was tabled. This item would be passed.

8. Discuss and Possibly Act Upon the Approval of a Fiber Connectivity Interlocal Agreement between the City of Brenham and Brenham Housing Authority and Authorize the Mayor to Execute Any Necessary Documentation

Information Technology Director Gary Jeter presented an Interlocal Agreement in which the Brenham Housing Authority will connect their two office buildings using fiber they purchased and the City will install and assume ownership and maintenance of the fiber. Jeter explained that an annual maintenance fee will be charged to Brenham Housing Authority.

The City Attorney pointed out a typographical error on Page 1 of the Agreement. He asked that staff correct the spelling of “consideration” in seventh (7th) paragraph before executing the Agreement.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve a Fiber Connectivity Interlocal Agreement between the City of Brenham and Brenham Housing Authority, after correction of the typographical error in paragraph seven, 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing the Closure of the Vulcan Street BNSF Railroad Crossing Located at Railroad Mile Post 126.15 to Establish a Quiet Zone

Public Works Director Doug Baker presented a revised Ordinance concerning the closure of the Vulcan Street BNSF railroad crossing to establish a quiet zone. Baker stated BNSF determined that the existing Ordinance does not agree with the text of the closure agreement and this Ordinance includes provisions that satisfy BNSF while repealing the existing Ordinance.

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve an Ordinance on its first reading authorizing the closure of the Vulcan Street BNSF railroad crossing located at railroad mile post 126.15 to establish a quiet zone 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon a Request to Use Sanitation Fund Reserves to Purchase a Used Haul Truck for the City of Brenham Transfer Station and Authorize the Mayor to Execute Any Necessary Documentation

Assistant Public Utilities Director Dane Rau presented a request to use sanitation fund reserves to purchase a used haul truck. Rau explained that the '99 Sterling transfer truck is no longer in working order. Rau recommends Council approve the purchase of a used haul truck for around \$45,000 out of the current \$717,623 in sanitation fund reserves and explained that the '99 Sterling will be placed on GovDeals.com.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to use sanitation fund reserves to purchase a used haul truck for the City of Brenham transfer station 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

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

Community Relations Officer Chris Jackson presented an amended contract for wrecker participation in the City's rotation log for non-consent tows. Jackson requested new language regarding the complaint process be accepted and adopted to integrate a more reliable complaint reporting process.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to amend the contract for participation in the City of Brenham’s rotation log for non-consent tows 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

12. Presentation and Discussion on the Donald G. Austin Memorial Animal Shelter

Police Chief Rex Phelps described the animal shelter’s deterioration, viability, and age. Phelps stated the facility is not sufficient in size to service community demands and will not pass state inspection without substantial renovations. Phelps praised the community for their unsolicited donations and presented the option of constructing a new facility, expanding and refurbishing the current facility, or refurbishing the current facility without expanding. Phelps voiced his preference to work with the County and stated a need to progress without them if necessary.

Councilmember Williams encouraged the City to build on a new site, require the County to contribute equally, and create a board comprising of City and County citizens. Councilmember Barnes-Tilley voiced favor for a citizen board and noted that the County must contribute more. Councilmember Herring voiced support for a citizen majority board. Mayor Pro Tem Nix stated the need to involve the County prior to their budget planning. Mayor Tate expressed support to form a board designed to assist with the animal shelter needs.

13. Presentation and Discussion on a Proposed U.S. Highway 290 Corridor Overlay Zoning District

Development Services Director Julie Fulgham explained Envision 2020 Comprehensive Plan criteria purposed to enhance the community’s appearance and develop commercial design standards. Fulgham noted that a previous Task Force worked on a Corridor Overlay Zoning District to preserve Brenham’s charm and recommended reforming a Task Force to work on drafting an Ordinance.

City Manager Terry Roberts explained that the Overlay District is a response to the Envision 2020 Comprehensive Plan. Fulgham described the task's scope and recommended adopting standards before new building construction begins. Public Works Director Doug Baker clarified that the standards apply to new businesses and not existing businesses. Mayor Tate stated that Council's comments expressed support for the project and directed Fulgham to move forward with the Task Force.

14. Administrative/Elected Officials Report

Councilmember Herring requested that a May council meeting be changed to start at 5 p.m. so that several Boy Scouts can obtain their merit badges. Council agreed to move the May 17th Regular Council meeting to 5:00 p.m. and the Budget Kick-Off meeting to 1:00 p.m.

Councilmember Williams reported that he will be out of town from May 5th to May 21st.

Julie Fulgham reported on the Downtown Master Plan presentation scheduled for late May in a joint meeting with the City Council, the Main Street Board, and the Brenham Community Development Corporation Board.

Terry Roberts reported on the following:

- TXDOT backed away from airport project; attending an Aviation meeting in Austin tomorrow to find airport improvement options TXDOT will support
- Mayor will be appointing councilmembers to work with City staff on a Utility Extension Policy
- Council photo scheduled at 12:45 p.m. before May 3, 2012 meeting
- Texas Municipal League Region 10 meeting scheduled on April 24, 2012
- Brenham Community Development Corporation Board meet this morning followed by a Bluebonnet Electric facility tour
- More HWY 290 traffic will return to the main lanes by summer and the entire project will be completed by Spring 2013

Doug Baker reported on the following:

- HWY 290 traffic will return to main lanes over FM 577 and Market Street by mid-June and the Stringer Street overpass will be completed in August
- Engineers are working on the Stringer Street and HWY 290 Intersection plan

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 3, 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 Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Mary E. Barnes-Tilley
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry K. Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Chief Financial Officer Carolyn Miller, Stacy Hardy, Christi Korth, Brandon Plumb, Fire Chief Ricky Boeker, Alan Finke, Police Chief Rex Phelps, Todd Jacobs, Development Services Director Julie Fulgham, Public Works Director Doug Baker, Leslie Kelm, Kim Hodde, Public Utilities Director Lowell Ogle, Dane Rau, Bobby Branham, Pat Draehn, Mary Lednicky, Caroline Martin, Kacey Weiss, Kristi Jackson, and Stephen Nittsche

Citizens present:

Wesley Brinkmeyer, Page Michel, Clint Kolby, and Kyle Kmiec

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Keith Herring**

3. 3-a. Service Recognitions

Andrew Ebel – City Council Member	5 years
Mary Lednický – Animal Control	5 years

3-b. New Employees

Caroline Martin – Water Treatment
Kacey Weiss – Municipal Courts
Kristi Jackson – Finance
Stephen Nittsche – Sewer Construction

Mayor Tate presented service recognitions and welcomed new employees.

4. Proclamation

➤ **Municipal Clerks Week – April 29, 2012 – May 5, 2012**

Mayor Tate read a proclamation designating April 29, 2012 – May 5, 2012 as Municipal Clerks Week. It was accepted by City Secretary Jeana Bellinger.

5. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

6. Statutory Consent Agenda

6-a. Second Reading of Ordinance O-12-007 Authorizing the Closure of the Vulcan Street BNSF Railroad Crossing Located at Railroad Mile Post 126.15 to Establish a Quiet Zone

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Consent Agenda Item 6-a. Ordinance O-12-007.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

7. Discussion with Area Representative from Suddenlink Communications Regarding the Cable Television System, Service and Related Issues

Councilmember Goss abstained from participating in this discussion due to a personal conflict of interest.

City Manger Terry Roberts introduced Suddenlink Regional Manager Charles Hembree who updated the Mayor and Council on system improvements made since December 2010.

8. Discussion and Presentation on a Request from Country Place Northwest Home Owners Association for Residential Water Service

Assistant City Manger Kyle Dannhaus explained that the Country Place Northwest (CPNW) Homeowner's Association requested potable water service to fill their distribution tank. Dannhaus stated that staff regards this request as feasible since CPNW will maintain the distribution system. Public Utilities Director Lowell Ogle noted that CPNW would finance the line extension.

Mayor Tate stated that in the event of a water shortage, CPNW should conserve water to a greater extent than City residents and City Attorney Cary Bovey noted that the agreement could include water supply restraints. Mayor Tate directed Ogle and CPNW Homeowner's Association President Stephen Miller to move forward with a plan to service CPNW with potable water.

9. Discussion and Presentation Regarding the Expansion of Water Service to Valmont Industries, Inc. and the Possible Extension of Right-Of-Way on Schulte Blvd.

City Manger Terry Roberts introduced the Schulte Blvd. right-of-way extension and the water service expansion topics. Public Works Director Doug Baker described the City's efforts to secure a right-of-way and presented two possible routes that run through both Valmont Industries and Paul Batista's property. Public Utilities Director Lowell Ogle presented the water service expansion benefits to the City's water system. Ogle explained that the City would pay for the extension from Industrial Blvd. to the Valmont property line while Valmont would pay for the 12 inch main across their property that Valmont would dedicate to the City in an easement.

REGULAR AGENDA

10. Discuss and Possibly Act Upon Approval of an Agreement with Jones and Carter, Inc. for Engineering Services to Expand Water Service Related to the Improvement of Fire Protection at Valmont Industries, Inc. and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Lowell Ogle presented an agreement with Jones and Carter, Inc. for engineering services related to improvements within the water distribution system. Ogle explained that the total amount for engineering is \$30,150 for design and \$18,900 for additional services, but the City’s portion of these costs will only be \$4,136 for design services and \$3,150 for additional services. Ogle stated that the total project cost is estimated to be \$385,000, but the City’s total participation in the project will not exceed \$53,000.

A motion was made by Councilmember Ebel and seconded by Councilmember Williams to approve an agreement with Jones and Carter, Inc. for engineering services to expand water service related to the improvement of fire protection at Valmont Industries, Inc. with a venue provision to be provided by the City Attorney 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon a Request from Triple K Cattle for a Reduction in the Annual Lease Payment for the Old Landfill Site and Authorize the Mayor to Execute Any Necessary Documentation

Assistant Public Utilities Director Dane Rau presented a 2012 lease reduction request from Marvin Koehne, DBA Triple K Cattle Co. for \$2,276.56 or 50% of the annual rate. Staff recommended a reduction in some amount be offered due to the drought.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a request from Triple K Cattle for a 50% reduction in the 2012 annual lease payment for the old landfill site and authorize the Mayor to execute any necessary documentation.

Councilmember Williams suggested selling the land to Koehne. Mayor Pro Tem Nix stated her disapproval for a rate reduction since Koehne did not offer to pay more during a productive year and the drought affected people who did not receive a lease discount, but noted that she understood the reasoning behind his request. Councilmember Goss questioned if Koehne will regularly request a rate reduction due to a drought and Rau stated his belief that Koehne will not request another discount.

Mayor Tate called for a vote. The motion passed with a 4-3 vote, with Council voting as follows:

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

12. Discuss and Possibly Act Upon a Request to Use Sanitation Fund Reserves to Purchase Two (2) Used Haul Trucks for the City of Brenham Transfer Station and Authorize the Mayor to Execute Any Necessary Documentation

Assistant Public Utilities Director Dane Rau presented a request to use sanitation fund reserves to purchase two used haul trucks. Rau recommends Council approve the purchase of two used haul trucks for \$39,000 each out of the current \$717,623 in sanitation fund reserves and explained that the '99 Sterling will be placed on GovDeals.com. Rau introduced Sanitation Superintendent Bobby Branham and Mechanic Pat Draehn, who inspected both trucks, to answer questions. Branham explained that one truck will replace the '99 Sterling transfer truck which is no longer in working order and the other truck will save the City money in the long run because the sanitation department planned to purchase a truck in the next budget year.

Councilmember Ebel questioned the trucks' life span and Draehn explained that the oldest truck that still goes to Austin is a '94. Branham explained that purchasing two trucks enables the sanitation department to maintenance trucks and create a better rotation. Draehn emphasized the importance of having a dealer close for parts.

Councilmember Goss questioned the availability of parts with older trucks and Draehn ensured Council that obtaining parts will not be an issue.

A motion was made by Mayor Pro Tem Gloria Nix and seconded by Councilmember Herring to approve a request to use sanitation fund reserves to purchase two used haul trucks for the City of Brenham transfer station 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon the Re-Appointment of Members to the Brenham Housing Authority Board

City Secretary Jeana Bellinger explained that the Brenham Housing Authority (BHA) Board appointees were up for reappointment in December, 2011, but were asked to hold-over in their current positions until City Council approved the new board policies and procedures. She reminded Council that they had decided that member terms on boards and/or committees mandated by Federal and/or State laws would not be changed to three (3) year terms; therefore she recommended the re-appointment of Wanda Cooley, John Harris, and Ray Daugbjerg to the BHA Board.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the appointment of Wanda Cooley, John Harris, and Ray Daugbjerg to the Brenham Housing Authority Board with their terms expiring on December 31, 2013.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon the Designation of Board Member Positions and Appointments to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board

City Secretary Jeana Bellinger explained that City Council approved an Ordinance establishing three year staggered terms for HOT Board member which required all current members to draw for new terms. Bellinger asked that Council approve the designation of HOT Board member positions and corresponding appointments that were drawn by the HOT Board members on April 23, 2012.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve the following re-appointments to the HOT Board, as shown in the agenda packet:

Jean Shoup to Member Position 1, with a term expiring on December 31, 2012
Brett Smith to Member Position 4, with a term expiring on December 31, 2012
Al Patel to Member Position 5, with a term expiring on Decmeber 31, 2013
Susan White to Member Position 6, with a term expiring on December 31, 2014
Donna Cummins to Member Position 7, with a term expiring on December 31, 2013

Bellinger reminded Council that Member Positions 8 and 9 are appointed by the Washington County Commissioners Court and are currently filled by:

Barbara Segal, Member Position 8 with a term expiring on December 31, 2012
Bob Cottle, Member Position 9 with a term expiring on December 31, 2013

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon the Appointment of New Member(s) to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board

City Secretary Jeana Bellinger reminded Council that both Steve Finn and Connie Hall resigned from the HOT Board last year. Bellinger presented the Mayor's appointment recommendations which included Bill Weiss, Blue Bell Creameries Public Relations Manager and Brenham House Owner James Lopez.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the appointment of Bill Weiss to Member Position 2 with a term expiring on December 31, 2013 and James Lopez to Member Position 3 with a term expiring on December 31, 2014 to the Brenham-Washington County 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon the Re-Appointment of a Member to the Library Advisory Board

City Secretary Jeana Bellinger explained that all board members held-over in their current positions until new board policies and procedures were approved by City Council. Bellinger stated that with Council's approval of new board policies and procedures in January, 2012, she is recommending that Councilmember Williams be reappointed to the Library Advisory Board with a term expiring on December 31, 2014.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the re-appointment of Councilmember Weldon Williams to the Library Advisory Board for a three year term, expiring on December 31, 2014.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

17. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 2 of the Code of Ordinances of the City of Brenham for the Purpose of Achieving Best Practices Recognition Status from the Texas Police Chief Association's Law Enforcement Best Practices Recognition Program

Police Chief Rex Phelps presented an Ordinance that satisfies a Texas Police Chief's Association's Law Enforcement Best Business Practices standard needed for his Department to achieve recognized status. Phelps described the program as a quality assurance and monitoring system designed to maintain a balance between effectiveness and efficiency.

A motion was made by Councilmember Williams and seconded by Councilmember Herring to approve an Ordinance on its first reading amending Chapter 2 of the Code of Ordinances of the City of Brenham for the purpose of achieving best practices recognition status from the Texas Police Chief Association's Law Enforcement Best Practices Recognition Program.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

18. Discuss and Possibly Act Upon Resolution No. R-12-009 Authorizing the Police Department to Use Seized Narcotic Funds to Purchase Training and Vehicle Equipment for the K-9 Officer

Police Chief Rex Phelps explained that "K-9 for Cops" donated a K-9 to the Police Department which will expand on-duty resources and call-out responsibility. Phelps recommended utilizing \$5,482.75 from seized narcotic funds to equip a vehicle for a K-9 and purchase needed training equipment.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve Resolution No. R-12-009 authorizing the Police Department to use seized narcotic funds to purchase training and vehicle equipment for the K-9 officer.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

19. Discuss and Possibly Act Upon an Ordinance on its First Reading to Repeal Ordinance O-07-016 Relating to a Non-Exclusive Franchise Granted to Complete Container Service, LLC to Operate a Roll-off Container Service for Residents, Businesses and Industries Inside Brenham City Limits

Deputy City Secretary Jennifer Salsgiver informed Council Complete Container Service was purchased by A&K Waste Removal; therefore she recommended that Council repeal Ordinance O-07-016 which granted Complete Container Service authority to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve an Ordinance on its first reading to repeal Ordinance O-07-016 relating to a non-exclusive franchise granted to Complete Container Service, LLC to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

20. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Non-Exclusive Franchise to A&K Waste Removal, Inc. to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits

Deputy City Secretary Jennifer Salsgiver informed Council that A&K Waste Removal purchased Complete Container Service. Salsgiver advised Council that due to the purchase Council would need to grant A&K Waste Removal a non-exclusive sanitation franchise to collect solid waste using roll-off containers. Salsgiver noted a non-exclusive franchise fee of 5% gross revenue will be paid to the City.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve an Ordinance on its first reading granting a non-exclusive franchise to A&K Waste Removal, Inc. to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

21. Administrative/Elected Officials Report

Julie Fulgham reported on the following:

- A draft of the Downtown Master Plan will be presented on April 7th at 5:45 p.m. in a joint meeting with the City Council, the Main Street Board and the Planning & Zoning Board. She advised the Council to come at 5:15 for dinner.

Terry Roberts reported on the following:

- Librarian final candidates will have a 2nd interview next week
- Library task force and community members working with Assistant City Manager Kyle Dannhaus for privately funded Library needs assessment facility study. They interviewed three firms and will be presenting to Council at a future meeting.
- Maifest parade on Saturday

Ricky Boeker reported on the following:

- There will be a fireworks display on Friday for Maifest
- ISO will survey sprinkler systems in several buildings around town on May 14th

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

ORDINANCE O-12-008

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS FOR THE PURPOSE OF ACHIEVING BEST PRACTICES RECOGNITION STATUS FROM THE TEXAS POLICE CHIEFS ASSOCIATION’S LAW ENFORCEMENT BEST PRACTICES RECOGNITION PROGRAM; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND OPEN MEETINGS

WHEREAS, the City of Brenham Police Department is actively engaged in pursuing “recognized” status from the Texas Police Chiefs Association’s Law Enforcement Best Business Practices Recognition Program; and

WHEREAS, the City Council of the City of Brenham has determined that this Ordinance is necessary for the desired recognition;

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

SECTION 1.

Chapter 2 of the Code of Ordinances of the City of Brenham is hereby amended by adding Article VI to read as follows:

**ARTICLE VI.
AUTHORITY, JURISDICTION, AND POWERS OF THE CHIEF OF POLICE
AND THE POLICE DEPARTMENT**

Sec. 2-50. Purpose.

The purpose and intent of this Article is to secure the general health, safety and welfare of the residents of the City of Brenham, Texas by:

- A. Explicitly creating a police department and outlining both its authority and jurisdiction;
- B. Explicitly creating the position of Chief of Police to oversee and manage the Police Department; and
- C. Outlining the duties and responsibilities of both the Chief of Police and Officers.

Sec. 2-51. Creation of department; jurisdiction.

There is hereby created a Police Department of the City of Brenham, at the head of which shall be the Chief of Police. The Police Department shall be composed of the Chief of the Police and other officers and employees as the City Council may provide. The jurisdiction of the Department shall be the corporate limits of the City and that property lying outside the city limits which is owned by the City, except as otherwise provided by state law.

Sec. 2-52. Certification; compliance with state requirements.

No person shall be certified as a Police Officer who has not complied with the basic requirements established by the State of Texas for Police Officers and the City of Brenham, acting through the Chief of Police.

Sec. 2-53. Chief of Police.

- A. The Police Department shall consist of the Chief of Police and such members as the City Council may provide.
- B. The Chief of Police shall be appointed by the City Manager.
- C. The Chief of the Police shall carry out the functions of the Police Department relating to public safety and enforcement of ordinances, state and federal laws; organize the Police Department of the City in conformity with the laws of the State of Texas and the ordinances of the City; and shall promulgate policies, procedures, rules, directives and orders for the administration of the Department, including but not limited to discipline within the Department.

Sec. 2-54. Authority and duties of police officers.

- A. Individual police officers constituting the Police Department are invested with all the power and authority given to them as peace officers under the laws of the State. Inherent with this power and authority is the obligation to preserve the peace, to enforce the ordinances and regulations of the City, the laws of the State of Texas and of the United States, to take legal custody of offenders and to secure the citizens from violence.
- B. All personnel of the Police Department shall be subject to and bound by the most current directives, orders, rules, regulations and procedures for the operation of the Police Department as may be promulgated or as hereinafter amended by the Chief of Police, and failure to abide therewith shall subject the violating personnel to such disciplinary action as may be determined by the Chief of Police within the limits of federal and state law and/or City ordinances.

Sec. 2-55. Reserve police force established.

The Police Chief may establish a reserve police force in the City. The reserve police force may be activated, or deactivated, at the discretion of the Chief of Police.

Sec. 2-56. Appointment and removal of reserve members.

Members of the reserve police force shall serve at the discretion of the Chief of Police and may be called into active service at any time the Chief of Police or designee considers it necessary to have additional officers to preserve and enforce the law.

Sec. 2-57. Number of reserve members.

The reserve police force shall not exceed in number one-half (1/2) of the total number of regular police officers authorized by the City Council.

Sec. 2-58. Benefits for reserve members.

Members of the reserve police force may serve without compensation. Uniforms and uniform compensation may be provided at the discretion of the Chief of Police. The City may provide the same benefits to the reserves as any other volunteer performing official duties.

Sec. 2-59. Training of standards for reserve members.

Reserve police officers must comply with the minimum training standards established by the Texas Commission on Law Enforcement Officer Standards and Education. Such minimum standards, established for all reserve law enforcement officers, must be fulfilled before a person appointed as a reserve law enforcement officer may carry a weapon or otherwise act as a peace officer.

Sec. 2-60. Local Standards.

The Chief of Police shall establish qualifications and standards of training for members of the reserve police force and shall establish policies and regulations governing the reserve members. The Chief of Police may establish for the reserve police force the same minimum physical, mental, educational and moral standards as applicable to the regular police department, but in no case shall the standards be less than that established by the Texas Commission on Law Enforcement Officer Standards and Education.

Sec. 2-61 – 2.69. RESERVED.

SECTION 2.
SAVINGS CLAUSE

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

SECTION 3.
SEVERABILITY

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 4.
REPEALER

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 5.
EFFECTIVE DATE

This Ordinance shall become effective upon adoption and publication as required by law.

SECTION 6.
PROPER NOTICE AND MEETINGS

It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on its first reading this the 3rd day of May, 2012.

PASSED AND APPROVED on its second reading this the 17th day of May, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

ORDINANCE O-12-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, REPEALING ORDINANCE O-07-016 RELATING TO A NON-EXCLUSIVE FRANCHISE WITH COMPLETE CONTAINER SERVICE, LLC TO OPERATE A ROLL-OFF CONTAINER SERVICE FOR RESIDENTS, BUSINESSES AND INDUSTRIES INSIDE BRENHAM CITY LIMITS; AND ORDAINING OTHER RELATED MATTERS:

WHEREAS, the City of Brenham, by ordinance, provides exclusively all solid waste collection and disposal services for solid waste generated from within the corporate limits of the City of Brenham; and

WHEREAS, the City of Brenham may, by ordinance and charter, grant franchises to other entities for the use of public streets, alleys and thoroughfares within the corporate limits of CITY and for the collection and disposal of solid waste generated from within the corporate limits of he City of Brenham; and

WHEREAS, on August 16, 2007, the City Council passed Ordinance O-07-016, on second and final reading, granting a solid waste franchise to Complete Container Service, LLC; and

WHEREAS, on April 23, 2012, the City became aware that Complete Container Service, LLC was sold to A&K Waste Removal, Inc. after the date of final passage of Ordinance O-07-016;

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

I.

Ordinance O-07-016 is hereby repealed and rescinded in its entirety.

PASSED and APPROVED on its first reading this the 3rd day of May, 2012.

PASSED and APPROVED on its second reading this the 17th day of May, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST

Jeana Bellinger
City Secretary

ORDINANCE O-12-010

AN ORDINANCE GRANTING A&K WASTE REMOVAL, INC. ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR THE PRIVILEGE AND USE OF PUBLIC STREETS, ALLEYS, AND PUBLIC WAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF BRENHAM FOR THE PURPOSE OF ENGAGING IN THE BUSINESS OF COLLECTING SOLID WASTE FROM COMMERCIAL, RESIDENTIAL AND INDUSTRIAL SITES USING ROLL-OFF CONTAINERS AND/OR COMMERCIAL COMPACTORS; PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UNDER WHICH SAID FRANCHISE SHALL BE EXERCISED; PROVIDING FOR THE CONSIDERATION; FOR PERIOD OF GRANT; FOR ASSIGNMENT; FOR METHOD OF ACCEPTANCE; FOR REPEAL OF CONFLICTING ORDINANCES AND FOR PARTIAL INVALIDITY.

WHEREAS, the City of Brenham, by ordinance, provides exclusively all solid waste collection and disposal services for solid waste generated from within the corporate limits of the City of Brenham; and

WHEREAS, the City of Brenham may, by ordinance and charter, grant franchises to other entities for the use of public streets, alleys and thoroughfares within the corporate limits of CITY and for the collection and disposal of solid waste generated from within the corporate limits of the City of Brenham; and

WHEREAS, the City of Brenham desires to exercise the authority provided to it by ordinance and charter to grant a franchise for the collection and disposal of certain solid waste generated from within the corporate limits of the City of Brenham; and

WHEREAS, the City of Brenham hereinafter referred to as “CITY” desires to grant this franchise to A&K WASTE REMOVAL, INC., under the terms of this Agreement as set out below.

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

I DEFINITIONS

1. Agreement. This contract between the City of Brenham and A&K Waste Removal, Inc. for provision of certain roll-off container and/or commercial compactor service within Brenham under certain terms and conditions set out herein.

2. City of Brenham. Also referred to as "CITY" in this Agreement.
3. City Council. Also referred to as "COUNCIL" denoting the governing body of the City of Brenham.
4. Customers. Those industrial, residential, and/or commercial premises located within the CITY that generates solid waste requiring collection using roll-off containers and/or commercial compactors.
5. Solid Waste. All putrescible and nonputrescible solid, semi-solid, and liquid wastes, including residential, industrial, commercial and municipal garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes.
6. Roll-Off Containers. Also referred to as "CONTAINER". That type of solid waste industry container loaded by winch truck.
7. Commercial Compactor. Also referred to as "COMPACTOR". That type of solid waste industry container that is loaded by winch truck and compacts waste.
8. A&K WASTE REMOVAL, INC., Herein after referred to as "A&K WASTE REMOVAL, INC." The party contracting with CITY for roll-off container and/or commercial compactor service, which contains demolition/construction debris or solid waste.

II.
GENERAL DESCRIPTION OF SERVICES TO BE PROVIDED BY
A&K WASTE REMOVAL, INC.

For and in consideration of the compliance by A&K WASTE REMOVAL, INC. with the covenants and conditions herein set forth, and the Charter, Ordinances and Regulations of the City governing the collection and disposal of solid waste, CITY hereby grants to A&K WASTE REMOVAL, INC. a non-exclusive franchise for use of designated public streets, alleys and thoroughfares within the corporate limits of City for the sole purpose of engaging in the business of collecting solid waste using roll-off containers and/or commercial compactors from commercial, residential and industrial sites within the jurisdictional limits of CITY, as approved by the Director of Public Utilities or his designee.

III.
AUTHORITY FOR A&K WASTE REMOVAL, INC.
TO PROVIDE SERVICE

CITY hereby grants to A&K WASTE REMOVAL, INC. the privilege to collect from commercial, residential, and industrial customers within the City limits solid waste using roll-off containers and/or commercial compactors only.

IV.
DISPOSAL SITE TO BE USED

Unless approved otherwise in writing by CITY, A&K WASTE REMOVAL, INC. shall utilize any Type I permitted landfill that A&K WASTE REMOVAL, INC. deems appropriate and authorized for disposal of all solid waste, which is collected by A&K WASTE REMOVAL, INC. from within the corporate limits of the City Of Brenham.

V.
RATES TO BE CHARGED BY
A&K WASTE REMOVAL, INC.

Attached hereto as Exhibit "A" and incorporated herein by reference is the Schedule of Rates which A&K WASTE REMOVAL, INC. shall charge for the aforementioned services, such Schedule of Rates may be revised periodically and must be submitted to and approved by the City Council upon each revision and will be attached to the original franchise agreement.

VI.
PAYMENTS TO CITY

For and in consideration of the use of designated streets, alleys, and thoroughfares as well as in consideration of the covenants and agreements contained herein, A&K WASTE REMOVAL, INC. agrees and shall pay to CITY upon acceptance of this Agreement and thereafter during the term hereof, a sum equivalent to five percent (5%) of A&K WASTE REMOVAL, INC. monthly gross delivery and hauling revenues generated from A&K WASTE REMOVAL, INC. provision of solid waste roll-off container collection services within the CITY excluding landfill tipping charges. Any revenue received by A&K WASTE REMOVAL, INC. in excess of the landfill tipping charges will be subject to the franchise fee and shall be computed into A&K WASTE REMOVAL, INC. monthly gross delivery and hauling revenue. Said payment shall be paid monthly to the City of Brenham Attn: City Secretary Office and shall be due by the twentieth (20th) day of the month following the end of the previous month. Payments made after that date shall involve a ten percent (10%) penalty on the outstanding amount owed under this article of the Agreement.

Failure by A&K WASTE REMOVAL, INC. to pay amounts due under this Agreement, after written notice by CITY, may constitute Failure to Perform under this Agreement and CITY may invoke the provisions of Article XIV of this Agreement (FAILURE TO PERFORM), and/or any other remedy available to the CITY in law or equity.

VII. ACCESS TO RECORDS & REPORTING

CITY shall have access A&K WASTE REMOVAL, INC. records, billing records of those customers served by A&K WASTE REMOVAL, INC. and all papers relating to this Agreement and the operation of solid waste roll-off container collection and disposal services within the CITY. Access by CITY to A&K WASTE REMOVAL, INC. records shall be provided to CITY upon reasonable notice to A&K WASTE REMOVAL, INC. during A&K WASTE REMOVAL, INC.'S normal business hours.

The following records and reports shall be filed quarterly with the City Secretary or his/her designee:

- A. Reports of the results of all complaints and investigations received and action taken by A&K WASTE REMOVAL, INC.
- B. A listing of all A&K WASTE REMOVAL, INC. accounts served and monthly revenue derived from roll-off containers placed in the CITY under the terms of this Agreement. The reports should include customer's name, address, frequency of pick-up, size of container and monthly charges.

VIII. PLACEMENT OF CONTAINERS

All roll-off containers and/or compactors placed for service within CITY shall be located in such a manner so as not to be a safety or traffic hazard. Under no circumstances shall A&K WASTE REMOVAL, INC. place containers on public streets, alleys and/or thorough fares without the prior written approval of the CITY. CITY reserves the right to specify to A&K WASTE REMOVAL, INC. the exact location of any roll-off container(s) it places for service in CITY.

IX. CONTAINER MAINTENANCE

A&K WASTE REMOVAL, INC. agrees to properly maintain as necessary, including but not limited to cleaning and painting, all roll-off containers placed for service within CITY.

X.
COMPLAINTS REGARDING SERVICE/SPILLAGE

A&K WASTE REMOVAL, INC. shall receive and directly respond to any complaints pertaining to service from their roll-off containers and/or compactor customers located within CITY. However, any such complaints received by CITY shall be forwarded to A&K WASTE REMOVAL, INC. within twenty four (24) hours of their receipt by CITY. A&K WASTE REMOVAL, INC. shall respond to all complaints within twenty four (24) hours of receiving notice of such complaint from CITY and shall report to CITY as to the action taken. Failure by A&K WASTE REMOVAL, INC. to respond and report to CITY on action taken within this twenty four (24) hour period may subject A&K WASTE REMOVAL, INC. to a \$25.00 per incident charge from CITY payable with the next payment due to CITY under Article VI of this Agreement.

A&K WASTE REMOVAL, INC. agrees that during transport all vehicles used by A&K WASTE REMOVAL, INC. in the removal of solid waste shall be properly covered to prevent spillage, blowing, or scattering of refuse onto public streets or properties adjacent thereto. All equipment necessary for the performance of this Agreement shall be in good condition and repair. A standby vehicle shall always be available. A&K WASTE REMOVAL, INC.'S vehicles shall at all times be clearly marked with A&K WASTE REMOVAL, INC.'S name in letters not less than three (3) inches in height.

XI.
OBEISANCE OF LAWS

A&K WASTE REMOVAL, INC. agrees that it shall comply with all laws, policies, rules and regulations of the United States, State of Texas, and CITY OF BRENHAM. All collections made hereunder shall be made by A&K WASTE REMOVAL, INC. without unnecessary noise, disturbance, or commotion.

XII.
UNDERSTANDINGS PERTAINING TO NON-EXCLUSIVITY

It is understood by and between the parties that this Agreement executed by and between the parties on the 17th day of May, 2012, constitutes the only agreement between the parties. It is further understood and agreed that there are no other agreements between these parties with regard to the disposal of commercial, industrial or residential solid waste in the CITY using roll-off containers/compactors and that this Agreement does not authorize A&K WASTE REMOVAL, INC. to utilize the streets, alleys or public ways to dispose of commercial, industrial, or residential solid waste other than demolition and construction debris. Both parties agree and understand that nothing in this Agreement conveys to A&K WASTE REMOVAL, INC. an exclusive franchise for the services described in this Agreement and that this Agreement is non-exclusive.

XIII.
OWNERSHIP OF MATERIALS COLLECTED

Nothing herein shall create or be construed to convey any title to the City of Brenham of any solid waste collected pursuant to the provisions of this agreement.

XIV.
FAILURE TO PERFORM

It is expressly understood and agreed by the parties that if at any time A&K WASTE REMOVAL, INC. shall fail to perform any of the terms, covenants, or conditions herein set forth, CITY may after a hearing as described herein, revoke and cancel the Agreement by and between the parties and said Agreement shall be null and void. Upon the determination by the staff of CITY that a hearing should be held before the City Council, CITY shall mail notice of the hearing to A&K WASTE REMOVAL, INC., at the address designated herein or at such address as may be designated from time to time, by registered or certified mail. The notice shall specify the time and place of the hearing and shall include the allegations being asserted for the revocation of this Agreement. The hearing shall be conducted in public before the City Council and A&K WASTE REMOVAL, INC. shall be allowed to present evidence and given an opportunity to answer all reasons for the termination set forth in the notice. In the event that the Council determines that the allegations set forth are true as set forth in the notice it may by majority vote cancel this Agreement between the parties at no penalty to the CITY.

XV.
INDEMNIFICATION

In the event CITY is damaged due to the act, omission, mistake, fault or default of A&K WASTE REMOVAL, INC., then A&K WASTE REMOVAL, INC. shall indemnify and hold CITY harmless for such damage.

A&K WASTE REMOVAL, INC. is to indemnify and hold CITY harmless for any disposal of any prohibited material whether intentional or inadvertent.

A&K WASTE REMOVAL, INC. shall indemnify and hold CITY harmless from any and all injuries to or claims of adjacent property owners caused by A&K WASTE REMOVAL, INC., its agents, employees, and representatives.

A&K WASTE REMOVAL, INC. agrees to and shall indemnify and hold harmless CITY, its officers, agents and employees, from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, or for damage to any property, arising out of or in connection with the work done by A&K WASTE REMOVAL, INC. under this Agreement, regardless of whether such injuries, death or damages are caused in whole or in part by the negligence, including but not limited to the contractual comparative negligence, concurrent negligence or gross negligence, of CITY.

XVI. INSURANCE

A&K WASTE REMOVAL, INC. shall procure and maintain at its sole cost and expense for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by A&K WASTE REMOVAL, INC., its agents, representatives, volunteers, employees or subcontractors.

A&K WASTE REMOVAL, INC.'S insurance coverage shall be primary insurance with respect to the CITY, its officials, employees and volunteers. Any insurance or self-insurance maintained by the CITY, its officials, employees or volunteers shall be considered in excess of the A&K WASTE REMOVAL, INC.'S insurance and shall not contribute to it.

A&K WASTE REMOVAL, INC. shall include all subcontractors as additional insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage's for subcontractors shall be subject to all of the requirements stated herein.

Certificates of Insurance and endorsements shall be furnished to CITY and approved by CITY before work commences.

A. STANDARD INSURANCE POLICIES REQUIRED

1. Commercial General Liability Policy
2. Automobile Liability Policy
3. Worker's Compensation Policy

B. GENERAL REQUIREMENTS APPLICABLE TO ALL POLICIES

1. General Liability and Automobile Liability insurance shall be written by a carrier with a better rating in accordance with the current Best Key Rating Guide.
2. Only Insurance Carriers licensed and admitted to do business in the State of Texas will be accepted.
3. Deductibles shall be listed on the Certificate of Insurance and are acceptable only on a per occurrence basis for property damage only.
4. Claims Made Policies will not be accepted.
5. The City of Brenham, its officials, employees and volunteers are to be added as "Additional Insured" to the General Liability and the Automobile Liability policies. The coverage shall contain no special limitations on the scope of protection afforded to the CITY, its officials, employees or volunteers.

6. A Waiver of Subrogation in favor of the City of Brenham with respect to the General Liability, Automobile Liability, and Workers' Compensation insurance must be included.
7. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City of Brenham.
8. Upon request, certified copies of all insurance policies shall be furnished to the City of Brenham.

C. COMMERCIAL GENERAL LIABILITY

1. Minimum Combined Single Limit of \$1,000,000 per occurrence for Bodily Injury and Property Damage.
2. No coverage shall be deleted from the standard policy without notification of individual exclusions being attached for review and acceptance.

D. AUTOMOBILE LIABILITY

1. Minimum Combined Single Limit of \$1,000,000 per occurrence for Bodily Injury and Property Damage.

E. WORKERS' COMPENSATION

1. Employer's Liability limits of \$500,000/\$500,000/ \$500,000 are required.

F. CERTIFICATES OF INSURANCE

1. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent, and shall contain provisions representing and warranting the following:
 - a. The company is licensed and admitted to do business in the State of Texas.
 - b. The insurance set forth by the insurance company are underwritten on forms which have been approved by the Texas Department of Insurance or ISO.
 - c. Sets forth all endorsements as required above and insurance coverage's as previously set forth herein.
 - d. Shall specifically set forth the notice of cancellation, termination, or change in coverage provisions to the City of Brenham.

- e. Original endorsements affecting coverage required by this section shall be furnished with the certificates of insurance.

**XVII.
ASSIGNMENT**

This Agreement and the rights and obligations contained herein may not be assigned by A&K WASTE REMOVAL, INC. without the specific prior written approval of the City Council. Any assignment by A&K WASTE REMOVAL, INC. without prior written approval of the City Council shall be null and void.

**XVIII.
SAFETY**

A&K WASTE REMOVAL, INC. shall perform the collection in accordance with applicable laws, codes, ordinances and regulations of the United States, State of Texas, Washington County, and City of Brenham and in compliance with OSHA and other laws as they apply to its employees. It is the intent of the parties that the safety precautions are a part of the collection techniques for which A&K WASTE REMOVAL, INC. is solely responsible. In the carrying on of the work herein provided for, A&K WASTE REMOVAL, INC. shall use all proper skill and care, and A&K WASTE REMOVAL, INC. shall exercise all due and proper precautions to prevent injury to any property, person or persons. A&K WASTE REMOVAL, INC. assumes responsibility and liability and hereby agrees to indemnify the City of Brenham from any liability caused by A&K WASTE REMOVAL, INC.'S failure to comply with applicable federal, state or local laws and regulations, touching upon the maintenance of a safe and protected working environment, and the safe use and operation of machinery and equipment in that working environment.

**XIX.
AD VALOREM TAXES**

A&K WASTE REMOVAL, INC. agrees to render all personal property utilized in its solid waste operation services provided to Washington County Appraisal District so that said personal property will be the subject of ad valorem taxation for the benefit of CITY.

**XX.
NOTICES**

All notices required under the terms of this Agreement to be given by either party to the other shall be in writing, and unless otherwise specified in writing by the respective parties, shall be sent to the parties at the addresses following:

CITY:	City of Brenham	A&K WASTE REMOVAL, INC.
	P.O. Box 1059	LaGrange is PO Box 187
	Brenham, Texas 77834	LaGrange, TX 78945

All notices shall be deemed to have been properly served only if sent by Registered or Certified Mail, to the person(s) at the address designated as above provided, or to any other person at the address which either party may hereinafter designate by written notice to the other party.

**XXI.
AMENDMENTS**

It is hereby understood and agreed by the parties to this Agreement that no alternation or variation to the terms of this Agreement shall be made unless made in writing, approved by both parties, and attached to this Agreement to become a part hereof.

**XXII.
SEVERABILITY**

If any section, sentence, clause or paragraph of this Agreement is for any reason held to be invalid or illegal, such invalidity shall not affect the remaining portions of the Agreement.

**XXIII.
TERM OF AGREEMENT**

The term of this Agreement shall be for a period of two (2) years beginning on the 17th day of May, 2012, being the date of acceptance by A&K WASTE REMOVAL, INC. This Agreement shall automatically renew for subsequent two (2) year terms and shall continue in full effect upon the expiration of the initial two (2) year term unless either party gives written notice by registered mail at least sixty (60) days prior to the expiration date. If the initial two (2) year term expired and this Agreement was automatically renewed, termination by either party may only be proper upon written notice by registered or certified mail at least sixty (60) days prior to the then current expiration date. This section is not intended, nor shall this section be construed, to limit or prohibit a party's ability to terminate this Agreement as otherwise provided in this Agreement.

XXIV.
ACCEPTANCE OF AGREEMENT

That A&K WASTE REMOVAL, INC. shall have sixty (60) days from and after the final passage and approval of this Ordinance to file its written acceptance thereof with the City Secretary, and upon such acceptance being filed, this Ordinance shall take effect and be in force from and after the date of its acceptance, and shall effectuate and make binding the agreement provided by the terms hereof.

XXV.
AUTHORIZATION TO EXECUTE

The parties signing this Agreement shall provide adequate proof of their authority to execute this Agreement. This Agreement shall inure to the benefit and is binding upon the parties hereto and their respective successors or assigns, but shall not be assignable by either party without the written consent of the other party.

XXVI.
PUBLIC HEARING

It is hereby found and determined that the meeting(s) at which this Ordinance was considered were open to the public, as required by Chapter 551, Texas Government Code, and that advance public notice of time, place, and purpose of said meetings was given in accordance with law.

PASSED and APPROVED on its first reading this 3rd day of May, 2012.

PASSED and APPROVED on its second reading this 17th day of May, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, City Secretary

EXHIBIT "A"

**A&K WASTE REMOVAL, INC.
RATE SHEET**

Delivery fee - \$100.00
20 yard container - \$480.00 per haul
30 yard container - \$550.00 per haul
40 yard container - \$650.00 per haul
Fuel surcharge – 15%



AGENDA ITEM 6

DATE OF MEETING: May 17, 2012		DATE SUBMITTED: May 9, 2012
DEPT. OF ORIGIN: Public Works		SUBMITTED BY: Kim Hodde
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 Request for a Noise Variance from Diane Lindsey for the Ebony Class of 1974 to Hold a Gospel Fest Scholarship Fundraiser at Jackson Street Park on June 2, 2012		
SUMMARY STATEMENT: The Ebony Class of 1974 has requested a variance to the noise Ordinance for their Scholarship Fundraiser Gospel Fest that is being held at Jackson Street Park on June 2, 2012. They will have gospel groups singing in addition to having vendor booths set up. They will be using a keyboard and guitar as well microphones and an amplifier. The Brenham Police Department and the Brenham Fire Department do not object to granting the variance, and therefore, asks the City Council to approve the variance request.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Noise Variance Request		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve a request for a noise variance from Diane Lindsey for the Ebony Class of 1974 to hold a gospel fest scholarship fundraiser at Jackson Street Park on June 2, 2012		
APPROVALS: Police Chief Rex Phelps & Fire Chief Ricky Boeker		

NOISE VARIANCE REQUEST

Application Fee \$10.00

1. Name of sponsoring organization: Ebony Class of '74

2. Name and address of individual making application on behalf of sponsoring organization: Diane Lindsey, PO Box 245, Chappell Hill, TX 77426

3. Purpose of the Event: Gospel Fest

4. Location of Event: Jackson Street Park

5. Date of the event: June 2, 2012

6. Time of Event: 11:00am - 3pm

7. Event Set-up: From: 10:00am To: 11:00am

Event Clean-up: From: 3:00pm To: 4:00pm

8. You are required to describe the following:

a) Types of Activities Planned and any additional information specific to this event: Gospel singing, vendor booths

b) Bands/Musical Instruments: Guitar, Keyboard

c) Sound amplification equipment: Amplifiers, microphones

d) Cleanup provisions: Ebony class will clean-up

Diane Lindsey
Name of Applicant (Printed or Typed)

Date: 4-30-12

Diane Lindsey
Applicant or Authorized Person's Signature

Phone: 979-451-1107

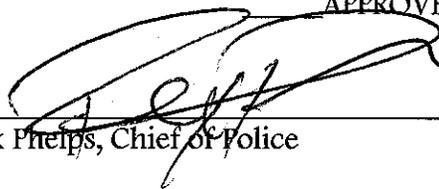
Have you ever been found guilty of a criminal offense involving crimes against property, moral turpitude, and/or a felony by any Court? Yes No. If "Yes", please identify the offense, State of conviction and penalty imposed (attach additional sheets if necessary):

CITY STAFF REVIEW

Date received: 4-30-12

APPROVED

DENIED



Rex Phelps, Chief of Police

Date: 5-2-12

Comments/Reason for Denial:

APPROVED

DENIED



Ricky Becker, Chief of Fire Department

Date: 5-8-12

Comments/Reason for Denial: _____

Noise Variance Approved by the City Council on the _____ day of _____, 2011.

Milton Y. Tate, Jr., Mayor

Date: _____

ATTEST:

Jeana Bellinger, City Secretary



AGENDA ITEM 7

DATE OF MEETING: May 17, 2012	DATE SUBMITTED: May 8, 2012
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Dane Rau

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 Bid No. 12-007 and Award an Annual Contract for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Necessary Documentation

SUMMARY STATEMENT:
 On May 1, 2012 the Purchasing Dept. opened bids for the purchase of 11,000 refuse bags. The bids were as follows:

Bidder	Tie Type	No. Rolls	Amount
Ecoplast LLC	\$12.35/roll	11,000	\$135,850.00
Central Poly, Inc.	\$6.95/roll	11,000	\$76,450.00

As seen above, Central Poly was the low bid submitted and meets all bid specifications. Bids were mailed out to four vendors with two bids received. Central Poly did receive the bid last year at \$6.49/roll and we have had very good luck with their bags in the past. These bags will be an inventory item and will not be dispensed until they are released from inventory. We are currently selling these bags at two locations. (City Hall, Citizen’s Collection Station Booth) along with dispersing them to local residents twice per year. The City of Brenham has budgeted \$85,000 for the purchase of these bags.

Staff is recommending that Council approve the bid from Central Poly, Inc. for the purchase of 11,000 rolls.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Meets specifications, very reliable, durable bags.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

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

FUNDING SOURCE (Where Applicable): 106-5-142-219.00

RECOMMENDED ACTION: Award Bid No. 12-007 and an annual contract for the purchase of refuse bags for the sanitation department and authorize the Mayor to execute necessary documentation.

APPROVALS: Lowell Ogle, Jr.



Bid Information Sheet

May 1, 2012

Bid No. 12-007

For: Annual Contract for Refuse Bags

Purchase not to exceed budgeted funds.

Number of bidders requesting bid packet: 4

Number of completed bids returned to Purchasing: 2



BID TABULATION

ANNUAL CONTRACT FOR REFUSE BAGS
Bid No. 12-007

BIDDER	Tie Type Closure	Total \$ Amount
Ecoplast LLC Brooklyn, NY	\$12.35 per roll	\$135,850
Central Poly Corp. Linden, NJ	\$6.95 per roll	\$76,450

Bid was for an estimated 11,000 rolls.

FY 2010/11

12/02/10 Central Poly was awarded bid for 10,000 rolls @ \$6.90 each.

07/21/11 Central Poly was awarded bid for 12,500 rolls @ \$6.49 each.



AGENDA ITEM 8

DATE OF MEETING: May 17, 2012	DATE SUBMITTED: May 8, 2012		
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Dane Rau		
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. 12-008 and Award an Annual Contract for Bulk Water Treatment Chemicals for the Water Plant and Authorize the Mayor to Execute Any Necessary Documentation			
SUMMARY STATEMENT: 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 May 1, 2012 we received and opened 4 bids. Staff recommends awarding the bid to the following vendor.			
<u>Chemical</u>	<u>Vendor</u>	<u>Price/ton</u>	<u>2011 Prices</u>
Liquid Aluminum Sulfate	Altivia Corporation	\$204.80/dry ton	\$228.25/dry ton
Altivia has been a vendor of ours and has supplied us with alum in the past. They have performed all requirements related to the bid and do meet bid specifications on the product. Estimated total amount of Liquid Aluminum Sulfate used per year is 313 dry tons. In the 2011-12 budget, \$265,000 is designated for chemicals that are used at the Water Treatment Plant. This year it is projected that \$60,000 of that will be used to purchase Liquid Aluminum Sulfate.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS: Lower price than previous year.			
B. CONS:			

ALTERNATIVES (In Suggested Order of Staff Preference):

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

FUNDING SOURCE (Where Applicable): 104-5-163-201.00

RECOMMENDED ACTION: Award Bid No. 12-008 and an annual contract for bulk water treatment chemicals for the water plant and authorize the Mayor to execute any necessary documentation.

APPROVALS: Lowell Ogle Jr.



Bid Information Sheet

May 1, 2012

Bid No. 12-008

For: Bulk Water Treatment Chemicals

Purchase not to exceed budgeted funds.

Number of bidders requesting bid packet: 5

Number of completed bids returned to Purchasing: 4



BID TABULATION

BULK WATER TREATMENT CHEMICALS
Bid No. 12-008

BIDDERS	Price per Dry Ton	Total \$ Amount
Geo Specialty Chemicals Little Rock, AR	\$213.95	\$66,966.35
Altivia Corporation Houston, TX	\$204.80	\$64,102.40
General Chemical Performance Products Parsippany, NJ	\$275.00	\$86,075.00
Chameleon Industries Mesquite, TX	\$240.00	\$75,120.00

Bid was for an estimated 313 Dry Tons (25 Loads) liquid aluminum sulfate (Hydrate Only); full tanker load (12.5 dry tons); pump & hose for unloading.

FY 2010/11

03/03/11 Geo Specialty Products awarded bid for 600 Wet tons (25 loads) liquid aluminum sulfate for \$118.6714 per liquid ton (\$228.25/dry ton); total \$71,202.84.



AGENDA ITEM 9

DATE OF MEETING: May 17, 2012	DATE SUBMITTED: May 11, 2012	
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle Jr.	
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. 1006.073-WG/WH for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation		
<p>SUMMARY STATEMENT: During the budget process last year we discussed with Council the need to begin replacing some of our old AC water lines. The sections of these lines that were recommended for replacement are where a majority of our water leaks have been occurring. Council approved the expenditure of \$400,000 for the replacement of these sections of the system for this budget year. A few months ago Council approved an engineering agreement with O'Malley Engineers for the design of this project.</p> <p>On April 24, 2012 bids were opened by O'Malley Engineers and City of Brenham staff regarding these water distribution system improvements. The base bid included the installation of 6" PVC water lines along Bormann Street, Reimer Street, Longhofer Street, Westwind Drive, and Windy Drive to replace existing 6" AC water lines.</p> <p>The project also includes an alternate bid to replace an existing 8" AC water line along South Day Street/BUS 36 with a new 8" PVC water line. The alternate bid came in higher than expected and did not fit the budget. We are not recommending approval of the additive alternate bid, but we have narrowed the scope of that part of the project and will have a change order to replace the worst section of it.</p> <p>The entire project consists of several connections to existing water lines of various sizes, fire hydrant installation, service connections, asphalt pavement repair, and related appurtenances to replace the existing lines.</p> <p>Nine bids were received on the project with Supak Construction, Inc. submitting the low bid for both the base bid and we are not recommending award of the alternate.</p>		

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
Supak Construction, Inc..	\$299,978.50	\$107,780.00
Sohil Construction Services, LLC	\$312,002.00	\$100,049.00
Kieschnick Contractors	\$318,570.00	\$108,560.00
Elliott Construction, LLC	\$326,179.10	\$119,410.25
Crostex Construction, Inc.	\$368,275.00	\$ 96,647.50
Rockin Q Construction, LLC	\$378,305.00	\$224,580.00
JSL Construction Firm, LLC	\$421,925.00	\$131,761.00
Civil Constructions, Inc.	\$453,650.00	\$187,145.00
AR Turnkey Construction Co., Inc.	\$510,402.50	\$164,721.25

City Staff would like to recommend that council award the base bid Supak Construction, Inc. in the amount of \$299,978.50.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Replace sections of water mains where leaks occur disrupting service to customers.

B. CONS: None

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Recommendation of Award; and (2) Bid Tabulation

FUNDING SOURCE (Where Applicable): 104-5-164-804.00

RECOMMENDED ACTION: Award Bid No. 1006.073-WG/WH for water distribution system improvements to Supak Construction, Inc. in the amount of \$299,978.50 and authorize the Mayor to execute any necessary documentation.

APPROVALS: Lowell Ogle Jr.



O'Malley Engineers, L.L.P.

TBPE No. F-3244

Craig Kankel, P.E.
Robert C. Schmidt, P.E.
Ed Addicks, P.E.

May 8, 2012

Mr. Lowell Ogle
City of Brenham
P.O. Box 1059
Brenham, Texas 77834-1059

Re: City of Brenham
2012 Water Distribution System Improvements
OE Job No. 1006.073-WG/WH
RECOMMENDATION OF AWARD

Dear Mr. Ogle:

We have reviewed the bids received on April 24, 2012 for the referenced project (see bid tabulation attached) and have listed the bids below in order from the lowest to the highest base bid:

	<u>Base Bid</u>	<u>Add. Alt. Bid A</u>
1. Supak Construction, Inc. Orchard, TX	\$299,978.50	\$107,780.00
2. Scohil Const. Services, LLC, Houston, TX	\$312,002.00	\$100,049.00
3. Kieschnick Contractors, Wellborn, TX	\$318,570.00	\$108,560.00
4. Elliott Construction, LLC, Wellborn, TX	\$326,179.10	\$119,410.25
5. Crostex Construction, Inc., Crosby, TX	\$368,275.00	\$ 96,647.50
6. Rockin Q Const., LLC, San Marcos, TX	\$378,305.00	\$224,580.00
7. JSL Construction Firm, LLC, Brenham, TX	\$421,925.00	\$131,761.00
8. Civil Constructors, Inc., College Station, TX	\$453,650.00	\$187,145.00
9. AR Turnkee Const. Co., Inc., Houston, TX	\$510,402.50	\$164,721.25

The low bidder, Supak Construction, Inc., is qualified and experienced in this type of work.

Therefore, based upon review of the above bids, we recommend award to the lowest bidder, Supak Construction, Inc., for their Base Bid in the amount of \$299,978.50.

Sincerely,

Kelly M. Hajek, P.E.
Project Engineer

KMH:mc

Enclosure



5.8.2012

City of Brenham, P.O. Box 1059, Brenham, TX 77834

2012 Water Distribution System Improvements

OE Job No. 1006.073-WG/WH

BIDS OPENED: April 24, 2012 at 2:00 P.M.

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Scohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
I. BASE BID								
1	Furnish and install 12" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	60 LF	\$ 50.00	\$ 3,000.00	\$ 94.00	\$ 5,640.00	\$ 35.00	\$ 2,100.00
2	Furnish and install 10" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	35 LF	\$ 45.00	\$ 1,575.00	\$ 93.00	\$ 3,255.00	\$ 30.00	\$ 1,050.00
3	Furnish and install 6" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	3,855 LF	\$ 32.50	\$ 125,287.50	\$ 41.00	\$ 158,055.00	\$ 24.00	\$ 92,520.00
4	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	50 LF	\$ 15.00	\$ 750.00	\$ 38.00	\$ 1,900.00	\$ 15.00	\$ 750.00
5	Furnish and install 6" gate valve and valve box	6 EA	\$ 850.00	\$ 5,100.00	\$ 950.00	\$ 5,700.00	\$ 850.00	\$ 5,100.00
6	Furnish and install 2" gate valve and valve box	1 EA	\$ 400.00	\$ 400.00	\$ 375.00	\$ 375.00	\$ 600.00	\$ 600.00
7	Furnish and install 10" x 10" tapping sleeve and valve	1 EA	\$ 4,450.00	\$ 4,450.00	\$ 5,400.00	\$ 5,400.00	\$ 3,500.00	\$ 3,500.00
8	Furnish and install 6" x 6" tapping sleeve and valve	8 EA	\$ 2,750.00	\$ 22,000.00	\$ 3,250.00	\$ 26,000.00	\$ 1,850.00	\$ 14,800.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Sohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
9	Furnish all labor and materials and make 10" wet connection to existing 10" water line	1 EA	\$ 1,500.00	\$ 1,500.00	\$ 850.00	\$ 850.00	\$ 1,200.00	\$ 1,200.00
10	Furnish all labor and materials and make 6" wet connection to existing 6" water line	2 EA	\$ 750.00	\$ 1,500.00	\$ 650.00	\$ 1,300.00	\$ 1,200.00	\$ 2,400.00
11	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve, and valve box and tie-in to existing fire hydrant (including anchoring tee and any required gaskets)	3 EA	\$ 3,750.00	\$ 11,250.00	\$ 1,675.00	\$ 5,025.00	\$ 5,000.00	\$ 15,000.00
12	Furnish and install fire hydrant unit	1 EA	\$ 3,450.00	\$ 3,450.00	\$ 3,475.00	\$ 3,475.00	\$ 3,200.00	\$ 3,200.00
13	Furnish all labor and materials and make 1" service connection	52 EA	\$ 250.00	\$ 13,000.00	\$ 345.00	\$ 17,940.00	\$ 250.00	\$ 13,000.00
14	Furnish and install 1" SDR 9 CTS Polyethylene service line	1,290 LF	\$ 8.50	\$ 10,965.00	\$ 7.00	\$ 9,030.00	\$ 10.00	\$ 12,900.00
15	Furnish all labor and materials and tie new 1" Poly service line into existing meter	57 EA	\$ 100.00	\$ 5,700.00	\$ 88.00	\$ 5,016.00	\$ 250.00	\$ 14,250.00
16	Furnish and install ductile iron fittings	2.4 TON	\$ 3,750.00	\$ 9,000.00	\$ 2,000.00	\$ 4,800.00	\$ 4,000.00	\$ 9,600.00
17	Furnish all labor and materials and obliterate existing valve box	10 EA	\$ 50.00	\$ 500.00	\$ 150.00	\$ 1,500.00	\$ 100.00	\$ 1,000.00
18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	2 EA	\$ 50.00	\$ 100.00	\$ 450.00	\$ 900.00	\$ 600.00	\$ 1,200.00
19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 150.00	\$ 150.00	\$ 5,700.00	\$ 5,700.00	\$ 600.00	\$ 600.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Scohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
20	Furnish and install automatic flush valve unit per detail, complete and in place for the unit price of	1 EA	\$ 4,450.00	\$ 4,450.00	\$ 750.00	\$ 750.00	\$ 3,500.00	\$ 3,500.00
21	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	10 LF	\$ 0.10	\$ 1.00	\$ 0.10	\$ 1.00	\$ 2.00	\$ 20.00
22	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 1,250.00	\$ 1,250.00	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00
23	Furnish all labor and materials to perform asphalt pavement repair in City right-of-way	4,940 LF	\$ 14.50	\$ 71,630.00	\$ 8.50	\$ 41,990.00	\$ 22.00	\$ 108,680.00
24	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	120 LF	\$ 18.50	\$ 2,220.00	\$ 20.00	\$ 2,400.00	\$ 30.00	\$ 3,600.00
25	Perform seeding in all areas disturbed by construction	1 LS	\$ 750.00	\$ 750.00	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00
TOTAL BASE BID (ITEMS 1-25)					\$ 299,978.50		\$ 312,002.00	\$ 318,570.00
II. ADDITIVE ALTERNATE BID A - SOUTH DAY STREET								
A1	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	760 LF	\$ 42.50	\$ 32,300.00	\$ 46.00	\$ 34,960.00	\$ 35.00	\$ 26,600.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Scohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A2	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" Class 150 AWWA C-905 PVC casing by open cut, with trace wire	20 LF	\$ 87.50	\$ 1,750.00	\$ 84.00	\$ 1,680.00	\$ 75.00	\$ 1,500.00
A3	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" welded steel casing by open cut, with trace wire	40 LF	\$ 87.50	\$ 3,500.00	\$ 133.00	\$ 5,320.00	\$ 85.00	\$ 3,400.00
A4	Furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	240 LF	\$ 38.50	\$ 9,240.00	\$ 46.00	\$ 11,040.00	\$ 35.00	\$ 8,400.00
A5	Furnish and install 8" Class 150 AWWA C-900 PVC water line by bore, with trace wire	155 LF	\$ 57.50	\$ 8,912.50	\$ 46.00	\$ 7,130.00	\$ 45.00	\$ 6,975.00
A6	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	15 LF	\$ 15.00	\$ 225.00	\$ 34.00	\$ 510.00	\$ 20.00	\$ 300.00
A7	Furnish and install 8" gate valve and valve box	2 EA	\$ 1,250.00	\$ 2,500.00	\$ 1,175.00	\$ 2,350.00	\$ 1,100.00	\$ 2,200.00
A8	Furnish and install 2" gate valve and valve box	1 EA	\$ 450.00	\$ 450.00	\$ 375.00	\$ 375.00	\$ 600.00	\$ 600.00
A9	Furnish and install 6" x 6" tapping sleeve and valve	1 EA	\$ 2,750.00	\$ 2,750.00	\$ 3,250.00	\$ 3,250.00	\$ 1,850.00	\$ 1,850.00
A10	Furnish all labor and materials and make 8" wet connection to existing 8" water line	1 EA	\$ 1,500.00	\$ 1,500.00	\$ 750.00	\$ 750.00	\$ 1,200.00	\$ 1,200.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Scohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A11	Furnish all labor and materials and make 2" wet connection to existing 2" water line	1 EA	\$ 750.00	\$ 750.00	\$ 450.00	\$ 450.00	\$ 1,000.00	\$ 1,000.00
A12	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve and valve box and tie-in to existing fire hydrant (including anchoring tee, any necessary bends/fittings, and any required gaskets)	1 EA	\$ 1,250.00	\$ 1,250.00	\$ 1,675.00	\$ 1,675.00	\$ 5,000.00	\$ 5,000.00
A13	Furnish and install all materials and make 1" service connection	2 EA	\$ 250.00	\$ 500.00	\$ 345.00	\$ 690.00	\$ 250.00	\$ 500.00
A14	Furnish and install 1" SDR 9 CTS polyethylene service line	150 LF	\$ 8.50	\$ 1,275.00	\$ 7.00	\$ 1,050.00	\$ 10.00	\$ 1,500.00
A15	Furnish all labor and materials and tie new 1" poly service line into existing meter	1 EA	\$ 150.00	\$ 150.00	\$ 88.00	\$ 88.00	\$ 250.00	\$ 250.00
A16	Furnish and install ductile iron fittings	0.85 TON	\$ 3,750.00	\$ 3,187.50	\$ 2,000.00	\$ 1,700.00	\$ 4,000.00	\$ 3,400.00
A17	Remove and dispose of existing 8" gate valve and valve box	1 EA	\$ 300.00	\$ 300.00	\$ 650.00	\$ 650.00	\$ 300.00	\$ 300.00
A18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	1 EA	\$ 400.00	\$ 400.00	\$ 850.00	\$ 850.00	\$ 750.00	\$ 750.00
A19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 300.00	\$ 300.00	\$ 2,500.00	\$ 2,500.00	\$ 500.00	\$ 500.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Sohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A20	Remove and dispose of existing 6" sanitary sewer line and furnish and install 6" ASTM D-2241 SDR-26 PVC gravity sanitary sewer, all cuts, with trace wire	190 LF	\$ 47.50	\$ 9,025.00	\$ 73.00	\$ 13,870.00	\$ 40.00	\$ 7,600.00
A21	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing manhole	2 EA	\$ 750.00	\$ 1,500.00	\$ 650.00	\$ 1,300.00	\$ 750.00	\$ 1,500.00
A22	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing sanitary sewer line	2 EA	\$ 300.00	\$ 600.00	\$ 275.00	\$ 550.00	\$ 500.00	\$ 1,000.00
A23	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	605 LF	\$ 0.50	\$ 302.50	\$ 0.10	\$ 60.50	\$ 2.00	\$ 1,210.00
A24	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.50	\$ 1,500.50	\$ 10,000.00	\$ 10,000.00
A25	Furnish all labor and materials to perform asphalt pavement repair in TxDOT right-of-way per detail (including cement stabilized backfill, flexible base, asphalt, prime and tack coat)	100 LF	\$ 47.50	\$ 4,750.00	\$ 18.00	\$ 1,800.00	\$ 50.00	\$ 5,000.00

			Supak Construction, Inc. P.O. Box 325 Orchard, Texas 77464		Scohil Construction Services, LLC 15821 FM 529, Suite 116 Houston, Texas 77095		Kieschnick General Contractors P.O. Box 200 Wellborn, Texas 77881	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A26	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	315 LF	\$ 57.50	\$ 18,112.50	\$ 10.00	\$ 3,150.00	\$ 35.00	\$ 11,025.00
A27	Perform seeding in all areas disturbed by construction	1 LS	\$ 750.00	\$ 750.00	\$ 800.00	\$ 800.00	\$ 5,000.00	\$ 5,000.00
TOTAL ADDITIVE ALT BID A (ITEMS A1 - A27)					\$ 107,780.00		\$ 100,049.00	
TOTAL BASE BID PLUS ADDITIVE ALT A					\$ 407,758.50		\$ 412,051.00	\$ 427,130.00
III. SUPPLEMENTAL BID ITEMS								
S1	When directed by Engineer, remove existing fire hydrant unit and furnish and install new fire hydrant unit (hydrant to be provided by City; price to include anchoring tee, lead, gate valve, and valve box)	0 EA	\$ 4,450.00	\$ -	\$ 1,150.00	\$ -	\$ 4,000.00	\$ -
S2	When directed by Engineer, furnish and install cement stabilized sand backfill	0 CY	\$ 100.00	\$ -	\$ 32.00	\$ -	\$ 40.00	\$ -

City of Brenham, P.O. Box 1059, Brenham, TX 77834

2012 Water Distribution System Improvements

OE Job No. 1006.073-WG/WH

BIDS OPENED: April 24, 2012 at 2:00 P.M.

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
I. BASE BID								
1	Furnish and install 12" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	60 LF	\$ 79.00	\$ 4,740.00	\$ 53.00	\$ 3,180.00	\$ 47.00	\$ 2,820.00
2	Furnish and install 10" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	35 LF	\$ 57.00	\$ 1,995.00	\$ 49.00	\$ 1,715.00	\$ 46.00	\$ 1,610.00
3	Furnish and install 6" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	3,855 LF	\$ 32.50	\$ 125,287.50	\$ 32.00	\$ 123,360.00	\$ 35.00	\$ 134,925.00
4	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	50 LF	\$ 24.00	\$ 1,200.00	\$ 25.00	\$ 1,250.00	\$ 26.00	\$ 1,300.00
5	Furnish and install 6" gate valve and valve box	6 EA	\$ 752.00	\$ 4,512.00	\$ 750.00	\$ 4,500.00	\$ 1,100.00	\$ 6,600.00
6	Furnish and install 2" gate valve and valve box	1 EA	\$ 455.00	\$ 455.00	\$ 420.00	\$ 420.00	\$ 750.00	\$ 750.00
7	Furnish and install 10" x 10" tapping sleeve and valve	1 EA	\$ 3,675.00	\$ 3,675.00	\$ 4,400.00	\$ 4,400.00	\$ 4,500.00	\$ 4,500.00
8	Furnish and install 6" x 6" tapping sleeve and valve	8 EA	\$ 2,081.00	\$ 16,648.00	\$ 3,200.00	\$ 25,600.00	\$ 3,000.00	\$ 24,000.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
9	Furnish all labor and materials and make 10" wet connection to existing 10" water line	1 EA	\$ 1,085.00	\$ 1,085.00	\$ 700.00	\$ 700.00	\$ 1,500.00	\$ 1,500.00
10	Furnish all labor and materials and make 6" wet connection to existing 6" water line	2 EA	\$ 725.00	\$ 1,450.00	\$ 600.00	\$ 1,200.00	\$ 1,500.00	\$ 3,000.00
11	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve, and valve box and tie-in to existing fire hydrant (including anchoring tee and any required gaskets)	3 EA	\$ 1,960.00	\$ 5,880.00	\$ 4,500.00	\$ 13,500.00	\$ 6,000.00	\$ 18,000.00
12	Furnish and install fire hydrant unit	1 EA	\$ 3,493.00	\$ 3,493.00	\$ 3,600.00	\$ 3,600.00	\$ 4,500.00	\$ 4,500.00
13	Furnish all labor and materials and make 1" service connection	52 EA	\$ 270.00	\$ 14,040.00	\$ 350.00	\$ 18,200.00	\$ 350.00	\$ 18,200.00
14	Furnish and install 1" SDR 9 CTS Polyethylene service line	1,290 LF	\$ 20.50	\$ 26,445.00	\$ 14.00	\$ 18,060.00	\$ 15.00	\$ 19,350.00
15	Furnish all labor and materials and tie new 1" Poly service line into existing meter	57 EA	\$ 105.00	\$ 5,985.00	\$ 200.00	\$ 11,400.00	\$ 150.00	\$ 8,550.00
16	Furnish and install ductile iron fittings	2.4 TON	\$ 4,514.00	\$ 10,833.60	\$ 3,000.00	\$ 7,200.00	\$ 4,500.00	\$ 10,800.00
17	Furnish all labor and materials and obliterate existing valve box	10 EA	\$ 25.00	\$ 250.00	\$ 100.00	\$ 1,000.00	\$ 250.00	\$ 2,500.00
18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	2 EA	\$ 150.00	\$ 300.00	\$ 800.00	\$ 1,600.00	\$ 1,000.00	\$ 2,000.00
19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
20	Furnish and install automatic flush valve unit per detail, complete and in place for the unit price of	1 EA	\$ 3,345.00	\$ 3,345.00	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 4,500.00
21	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	10 LF	\$ 1.00	\$ 10.00	\$ 1.00	\$ 10.00	\$ 100.00	\$ 1,000.00
22	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 11,000.00	\$ 11,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,000.00	\$ 3,000.00
23	Furnish all labor and materials to perform asphalt pavement repair in City right-of-way	4,940 LF	\$ 15.50	\$ 76,570.00	\$ 22.00	\$ 108,680.00	\$ 20.00	\$ 98,800.00
24	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	120 LF	\$ 41.50	\$ 4,980.00	\$ 35.00	\$ 4,200.00	\$ 30.00	\$ 3,600.00
25	Perform seeding in all areas disturbed by construction	1 LS	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
TOTAL BASE BID (ITEMS 1-25)					\$ 326,179.10		\$ 368,275.00	\$ 378,305.00
II. ADDITIVE ALTERNATE BID A - SOUTH DAY STREET								
A1	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	760 LF	\$ 46.40	\$ 35,264.00	\$ 38.50	\$ 29,260.00	\$ 98.00	\$ 74,480.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A2	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" Class 150 AWWA C-905 PVC casing by open cut, with trace wire	20 LF	\$ 87.00	\$ 1,740.00	\$ 78.00	\$ 1,560.00	\$ 175.00	\$ 3,500.00
A3	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" welded steel casing by open cut, with trace wire	40 LF	\$ 92.00	\$ 3,680.00	\$ 100.00	\$ 4,000.00	\$ 180.00	\$ 7,200.00
A4	Furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	240 LF	\$ 46.00	\$ 11,040.00	\$ 29.00	\$ 6,960.00	\$ 80.00	\$ 19,200.00
A5	Furnish and install 8" Class 150 AWWA C-900 PVC water line by bore, with trace wire	155 LF	\$ 43.00	\$ 6,665.00	\$ 60.00	\$ 9,300.00	\$ 200.00	\$ 31,000.00
A6	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	15 LF	\$ 24.00	\$ 360.00	\$ 25.00	\$ 375.00	\$ 60.00	\$ 900.00
A7	Furnish and install 8" gate valve and valve box	2 EA	\$ 1,060.00	\$ 2,120.00	\$ 1,100.00	\$ 2,200.00	\$ 1,800.00	\$ 3,600.00
A8	Furnish and install 2" gate valve and valve box	1 EA	\$ 455.00	\$ 455.00	\$ 400.00	\$ 400.00	\$ 750.00	\$ 750.00
A9	Furnish and install 6" x 6" tapping sleeve and valve	1 EA	\$ 2,081.00	\$ 2,081.00	\$ 3,200.00	\$ 3,200.00	\$ 3,000.00	\$ 3,000.00
A10	Furnish all labor and materials and make 8" wet connection to existing 8" water line	1 EA	\$ 825.00	\$ 825.00	\$ 1,200.00	\$ 1,200.00	\$ 1,500.00	\$ 1,500.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A11	Furnish all labor and materials and make 2" wet connection to existing 2" water line	1 EA	\$ 660.00	\$ 660.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00
A12	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve and valve box and tie-in to existing fire hydrant (including anchoring tee, any necessary bends/fittings, and any required gaskets)	1 EA	\$ 2,165.00	\$ 2,165.00	\$ 2,000.00	\$ 2,000.00	\$ 6,000.00	\$ 6,000.00
A13	Furnish and install all materials and make 1" service connection	2 EA	\$ 270.00	\$ 540.00	\$ 350.00	\$ 700.00	\$ 350.00	\$ 700.00
A14	Furnish and install 1" SDR 9 CTS polyethylene service line	150 LF	\$ 20.50	\$ 3,075.00	\$ 12.00	\$ 1,800.00	\$ 15.00	\$ 2,250.00
A15	Furnish all labor and materials and tie new 1" poly service line into existing meter	1 EA	\$ 105.00	\$ 105.00	\$ 225.00	\$ 225.00	\$ 150.00	\$ 150.00
A16	Furnish and install ductile iron fittings	0.85 TON	\$ 4,965.00	\$ 4,220.25	\$ 3,500.00	\$ 2,975.00	\$ 5,000.00	\$ 4,250.00
A17	Remove and dispose of existing 8" gate valve and valve box	1 EA	\$ 150.00	\$ 150.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00
A18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	1 EA	\$ 425.00	\$ 425.00	\$ 600.00	\$ 600.00	\$ 1,500.00	\$ 1,500.00
A19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A20	Remove and dispose of existing 6" sanitary sewer line and furnish and install 6" ASTM D-2241 SDR-26 PVC gravity sanitary sewer, all cuts, with trace wire	190 LF	\$ 51.00	\$ 9,690.00	\$ 43.50	\$ 8,265.00	\$ 125.00	\$ 23,750.00
A21	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing manhole	2 EA	\$ 500.00	\$ 1,000.00	\$ 800.00	\$ 1,600.00	\$ 500.00	\$ 1,000.00
A22	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing sanitary sewer line	2 EA	\$ 500.00	\$ 1,000.00	\$ 300.00	\$ 600.00	\$ 600.00	\$ 1,200.00
A23	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	605 LF	\$ 1.00	\$ 605.00	\$ 0.50	\$ 302.50	\$ 10.00	\$ 6,050.00
A24	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 14,000.00	\$ 14,000.00	\$ 1,500.00	\$ 1,500.00	\$ 10,000.00	\$ 10,000.00
A25	Furnish all labor and materials to perform asphalt pavement repair in TxDOT right-of-way per detail (including cement stabilized backfill, flexible base, asphalt, prime and tack coat)	100 LF	\$ 20.00	\$ 2,000.00	\$ 24.00	\$ 2,400.00	\$ 35.00	\$ 3,500.00

			Elliott Construction, LLC P.O. Box 510 Wellborn, Texas 77881		Crostex Construction, Inc. P.O. Box 1526 Crosby, Texas 77532		Rockin Q Construction, LLC 612 Oakwood Loop San Marcos, Texas 78666	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A26	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	315 LF	\$ 43.00	\$ 13,545.00	\$ 35.00	\$ 11,025.00	\$ 40.00	\$ 12,600.00
A27	Perform seeding in all areas disturbed by construction	1 LS	\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00	\$ 3,000.00	\$ 3,000.00
TOTAL ADDITIVE ALT BID A (ITEMS A1 - A27)				\$ 119,410.25		\$ 96,647.50		\$ 224,580.00
TOTAL BASE BID PLUS ADDITIVE ALT A				\$ 445,589.35		\$ 464,922.50		\$ 602,885.00
III. SUPPLEMENTAL BID ITEMS								
S1	When directed by Engineer, remove existing fire hydrant unit and furnish and install new fire hydrant unit (hydrant to be provided by City; price to include anchoring tee, lead, gate valve, and valve box)	0 EA	\$ 2,700.00	\$ -	\$ 1,500.00	\$ -	\$ 6,000.00	\$ -
S2	When directed by Engineer, furnish and install cement stabilized sand backfill	0 CY	\$ 25.00	\$ -	\$ 30.00	\$ -	\$ 150.00	\$ -

City of Brenham, P.O. Box 1059, Brenham, TX 77834

2012 Water Distribution System Improvements

OE Job No. 1006.073-WG/WH

BIDS OPENED: April 24, 2012 at 2:00 P.M.

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkey Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
I. BASE BID								
1	Furnish and install 12" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	60 LF	\$ 38.00	\$ 2,280.00	\$ 68.00	\$ 4,080.00	\$ 102.00	\$ 6,120.00
2	Furnish and install 10" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	35 LF	\$ 36.00	\$ 1,260.00	\$ 67.00	\$ 2,345.00	\$ 109.00	\$ 3,815.00
3	Furnish and install 6" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	3,855 LF	\$ 27.20	\$ 104,856.00	\$ 57.00	\$ 219,735.00	\$ 51.50	\$ 198,532.50
4	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	50 LF	\$ 8.00	\$ 400.00	\$ 28.00	\$ 1,400.00	\$ 11.00	\$ 550.00
5	Furnish and install 6" gate valve and valve box	6 EA	\$ 870.00	\$ 5,220.00	\$ 850.00	\$ 5,100.00	\$ 1,100.00	\$ 6,600.00
6	Furnish and install 2" gate valve and valve box	1 EA	\$ 510.00	\$ 510.00	\$ 550.00	\$ 550.00	\$ 515.00	\$ 515.00
7	Furnish and install 10" x 10" tapping sleeve and valve	1 EA	\$ 4,140.00	\$ 4,140.00	\$ 4,500.00	\$ 4,500.00	\$ 6,150.00	\$ 6,150.00
8	Furnish and install 6" x 6" tapping sleeve and valve	8 EA	\$ 2,265.00	\$ 18,120.00	\$ 3,000.00	\$ 24,000.00	\$ 2,900.00	\$ 23,200.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkey Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
9	Furnish all labor and materials and make 10" wet connection to existing 10" water line	1 EA	\$ 2,100.00	\$ 2,100.00	\$ 4,000.00	\$ 4,000.00	\$ 3,500.00	\$ 3,500.00
10	Furnish all labor and materials and make 6" wet connection to existing 6" water line	2 EA	\$ 1,600.00	\$ 3,200.00	\$ 2,500.00	\$ 5,000.00	\$ 1,500.00	\$ 3,000.00
11	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve, and valve box and tie-in to existing fire hydrant (including anchoring tee and any required gaskets)	3 EA	\$ 3,200.00	\$ 9,600.00	\$ 3,500.00	\$ 10,500.00	\$ 3,450.00	\$ 10,350.00
12	Furnish and install fire hydrant unit	1 EA	\$ 3,640.00	\$ 3,640.00	\$ 4,000.00	\$ 4,000.00	\$ 3,850.00	\$ 3,850.00
13	Furnish all labor and materials and make 1" service connection	52 EA	\$ 1,660.00	\$ 86,320.00	\$ 350.00	\$ 18,200.00	\$ 200.00	\$ 10,400.00
14	Furnish and install 1" SDR 9 CTS Polyethylene service line	1,290 LF	\$ 7.60	\$ 9,804.00	\$ 35.00	\$ 45,150.00	\$ 10.00	\$ 12,900.00
15	Furnish all labor and materials and tie new 1" Poly service line into existing meter	57 EA	\$ 185.00	\$ 10,545.00	\$ 550.00	\$ 31,350.00	\$ 150.00	\$ 8,550.00
16	Furnish and install ductile iron fittings	2.4 TON	\$ 6,000.00	\$ 14,400.00	\$ 6,500.00	\$ 15,600.00	\$ 600.00	\$ 1,440.00
17	Furnish all labor and materials and obliterate existing valve box	10 EA	\$ 150.00	\$ 1,500.00	\$ 500.00	\$ 5,000.00	\$ 200.00	\$ 2,000.00
18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	2 EA	\$ 420.00	\$ 840.00	\$ 750.00	\$ 1,500.00	\$ 450.00	\$ 900.00
19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 3,000.00	\$ 3,000.00	\$ 3,600.00	\$ 3,600.00	\$ 1,200.00	\$ 1,200.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkee Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
20	Furnish and install automatic flush valve unit per detail, complete and in place for the unit price of	1 EA	\$ 3,210.00	\$ 3,210.00	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00
21	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	10 LF	\$ 2.00	\$ 20.00	\$ 10.00	\$ 100.00	\$ 1.00	\$ 10.00
22	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 3,300.00	\$ 3,300.00	\$ 5,000.00	\$ 5,000.00	\$ 5,500.00	\$ 5,500.00
23	Furnish all labor and materials to perform asphalt pavement repair in City right-of-way	4,940 LF	\$ 25.00	\$ 123,500.00	\$ 7.00	\$ 34,580.00	\$ 38.00	\$ 187,720.00
24	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	120 LF	\$ 78.00	\$ 9,360.00	\$ 18.00	\$ 2,160.00	\$ 70.00	\$ 8,400.00
25	Perform seeding in all areas disturbed by construction	1 LS	\$ 800.00	\$ 800.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
TOTAL BASE BID (ITEMS 1-25)				\$ 421,925.00		\$ 453,650.00		\$ 510,402.50
II. ADDITIVE ALTERNATE BID A - SOUTH DAY STREET								
A1	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	760 LF	\$ 37.25	\$ 28,310.00	\$ 95.00	\$ 72,200.00	\$ 58.00	\$ 44,080.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkee Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A2	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" Class 150 AWWA C-905 PVC casing by open cut, with trace wire	20 LF	\$ 210.00	\$ 4,200.00	\$ 150.00	\$ 3,000.00	\$ 150.00	\$ 3,000.00
A3	Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" welded steel casing by open cut, with trace wire	40 LF	\$ 210.00	\$ 8,400.00	\$ 165.00	\$ 6,600.00	\$ 165.00	\$ 6,600.00
A4	Furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire	240 LF	\$ 26.55	\$ 6,372.00	\$ 85.00	\$ 20,400.00	\$ 58.00	\$ 13,920.00
A5	Furnish and install 8" Class 150 AWWA C-900 PVC water line by bore, with trace wire	155 LF	\$ 46.00	\$ 7,130.00	\$ 95.00	\$ 14,725.00	\$ 95.00	\$ 14,725.00
A6	Furnish and install 2" Schedule 40 PVC water line by open cut, with trace wire	15 LF	\$ 20.00	\$ 300.00	\$ 20.00	\$ 300.00	\$ 40.25	\$ 603.75
A7	Furnish and install 8" gate valve and valve box	2 EA	\$ 1,210.00	\$ 2,420.00	\$ 1,250.00	\$ 2,500.00	\$ 1,450.00	\$ 2,900.00
A8	Furnish and install 2" gate valve and valve box	1 EA	\$ 516.00	\$ 516.00	\$ 550.00	\$ 550.00	\$ 550.00	\$ 550.00
A9	Furnish and install 6" x 6" tapping sleeve and valve	1 EA	\$ 2,265.00	\$ 2,265.00	\$ 3,000.00	\$ 3,000.00	\$ 2,900.00	\$ 2,900.00
A10	Furnish all labor and materials and make 8" wet connection to existing 8" water line	1 EA	\$ 2,750.00	\$ 2,750.00	\$ 3,300.00	\$ 3,300.00	\$ 2,500.00	\$ 2,500.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkee Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A11	Furnish all labor and materials and make 2" wet connection to existing 2" water line	1 EA	\$ 1,010.00	\$ 1,010.00	\$ 1,000.00	\$ 1,000.00	\$ 250.00	\$ 250.00
A12	Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve and valve box and tie-in to existing fire hydrant (including anchoring tee, any necessary bends/fittings, and any required gaskets)	1 EA	\$ 3,200.00	\$ 3,200.00	\$ 3,600.00	\$ 3,600.00	\$ 3,950.00	\$ 3,950.00
A13	Furnish and install all materials and make 1" service connection	2 EA	\$ 1,660.00	\$ 3,320.00	\$ 350.00	\$ 700.00	\$ 200.00	\$ 400.00
A14	Furnish and install 1" SDR 9 CTS polyethylene service line	150 LF	\$ 7.60	\$ 1,140.00	\$ 35.00	\$ 5,250.00	\$ 11.00	\$ 1,650.00
A15	Furnish all labor and materials and tie new 1" poly service line into existing meter	1 EA	\$ 185.00	\$ 185.00	\$ 550.00	\$ 550.00	\$ 150.00	\$ 150.00
A16	Furnish and install ductile iron fittings	0.85 TON	\$ 6,000.00	\$ 5,100.00	\$ 6,500.00	\$ 5,525.00	\$ 800.00	\$ 680.00
A17	Remove and dispose of existing 8" gate valve and valve box	1 EA	\$ 420.00	\$ 420.00	\$ 500.00	\$ 500.00	\$ 400.00	\$ 400.00
A18	Furnish all labor and materials and remove existing gate valve and valve box and plug existing tee (all sizes)	1 EA	\$ 510.00	\$ 510.00	\$ 850.00	\$ 850.00	\$ 1,200.00	\$ 1,200.00
A19	Furnish all labor and materials to plug and abandon existing water lines in place	1 LS	\$ 2,855.00	\$ 2,855.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkey Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A20	Remove and dispose of existing 6" sanitary sewer line and furnish and install 6" ASTM D-2241 SDR-26 PVC gravity sanitary sewer, all cuts, with trace wire	190 LF	\$ 37.20	\$ 7,068.00	\$ 90.00	\$ 17,100.00	\$ 75.00	\$ 14,250.00
A21	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing manhole	2 EA	\$ 800.00	\$ 1,600.00	\$ 1,500.00	\$ 3,000.00	\$ 750.00	\$ 1,500.00
A22	Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing sanitary sewer line	2 EA	\$ 800.00	\$ 1,600.00	\$ 500.00	\$ 1,000.00	\$ 750.00	\$ 1,500.00
A23	Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth	605 LF	\$ 2.00	\$ 1,210.00	\$ 5.00	\$ 3,025.00	\$ 1.00	\$ 605.00
A24	Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD	1 LS	\$ 6,120.00	\$ 6,120.00	\$ 5,000.00	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00
A25	Furnish all labor and materials to perform asphalt pavement repair in TxDOT right-of-way per detail (including cement stabilized backfill, flexible base, asphalt, prime and tack coat)	100 LF	\$ 57.75	\$ 5,775.00	\$ 40.00	\$ 4,000.00	\$ 70.20	\$ 7,020.00

			JSL Construction Firm, LLC 406 FM 2679 Brenham, Texas 77833		Civil Constructors, Inc. 1707 Graham Road College Station, Texas 77845		AR Turnkee Construction Co., Inc. P.O. Box 925985 Houston, Texas 77292	
Item No.	Description	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
A26	Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving)	315 LF	\$ 78.00	\$ 24,570.00	\$ 18.00	\$ 5,670.00	\$ 102.50	\$ 32,287.50
A27	Perform seeding in all areas disturbed by construction	1 LS	\$ 3,415.00	\$ 3,415.00	\$ 2,800.00	\$ 2,800.00	\$ 1,600.00	\$ 1,600.00
TOTAL ADDITIVE ALT BID A (ITEMS A1 - A27)				\$ 131,761.00		\$ 187,145.00		\$ 164,721.25
TOTAL BASE BID PLUS ADDITIVE ALT A				\$ 553,686.00		\$ 640,795.00		\$ 675,123.75
III. SUPPLEMENTAL BID ITEMS								
S1	When directed by Engineer, remove existing fire hydrant unit and furnish and install new fire hydrant unit (hydrant to be provided by City; price to include anchoring tee, lead, gate valve, and valve box)	0 EA	\$ 2,640.00	\$ -	\$ 3,500.00	\$ -	\$ 5,500.00	\$ -
S2	When directed by Engineer, furnish and install cement stabilized sand backfill	0 CY	\$ 36.50	\$ -	\$ 40.00	\$ -	\$ 30.00	\$ -

O'Malley Engineers, L.L.P.
TBPE No. F-3244
Brenham, Texas

Kelly Hajek

Kelly M. Hajek, P.E.



4.27.2012



AGENDA ITEM 10

DATE OF MEETING: May 17, 2012	DATE SUBMITTED: May 11, 2012	
DEPT. OF ORIGIN: Public Utilities	SUBMITTED BY: Lowell Ogle Jr.	
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 Change Order No. 1 for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation		
<p>SUMMARY STATEMENT: As discussed in the previous item the additive alternate bid to replace a section of 8” AC water main on South Day Street came in higher than anticipated. The original plan was to replace the main from Medical Parkway to Stone Street. A section of this replacement beginning near Atlow Street and going north to Stone Street would have also required replacement of the sewer main because of space constraints within the right of way. A 9 foot separation between water and sewer mains is required unless the sewer line is constructed using pressure rated pipe. Most of the leaks that have occurred on this section of main have been between Spinn Street and Atlow. Replacing this section will only require replacement of 27 feet of sewer main.</p> <p>We have asked the contractor for a change order to replace just the 485 foot section where we have had the most problems. That change order is attached and is for \$36,892.50. Approval of this change order will still leave a \$20,000 contingency for this project. We would ask that Council approve the change order to replace this section of water main.</p>		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
<p>A. PROS: Replace section of water main where leaks have occurred resulting in loss of service to customers</p> <p>B. CONS:</p>		
ALTERNATIVES (In Suggested Order of Staff Preference):		

ATTACHMENTS: (1) Change Order No. 1

FUNDING SOURCE (Where Applicable): 104-5-164-804.00

RECOMMENDED ACTION: Approve Change Order No. 1 in the amount of \$36,982.50 for water distribution system improvements and authorize the Mayor to execute any necessary documentation

APPROVALS: Lowell Ogle Jr.



CITY OF BRENHAM
2012 WATER DISTRIBUTION SYSTEM IMPROVEMENTS
OE JOB NO. 1006.073 WG/WH

CHANGE ORDER NO. 1
MAY 8, 2012

REASON: To add water line improvements along South Day Street/BUS 36 into the Contract.

ADDITIONS:

1. Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line by open cut, with trace wire, complete in place, 310 LF @ \$42.50/LF\$13,175.00
2. Remove and dispose of existing 8" water line and furnish and install 8" Class 150 AWWA C-900 PVC water line in 14" Class 150 AWWA C-905 PVC casing by open cut, with trace wire, complete in place, 20 LF @ \$87.50/LF\$1,750.00
3. Furnish and install 8" Class 150 AWWA C-900 PVC water line by bore, with trace wire, complete in place, 155 LF @ \$57.50/LF\$8,912.50
4. Furnish all labor and materials and make 8" wet connection to existing 8" water line, complete in place, 2 EA @ \$1,500.00/EA.....\$3,000.00
5. Remove and dispose of existing fire hydrant lead, gate valve, and valve box. Furnish and install fire hydrant lead, gate valve and valve box and tie-in to existing fire hydrant (including anchoring tee, any necessary bends/fittings, and any required gaskets), complete in place, 1 EA @ \$1,250.00/EA\$1,250.00
6. Furnish and install ductile iron fittings, complete in place, 0.54 TON @ \$3,750.00/TON.....\$2,025.00
7. Furnish all labor and materials to plug and abandon existing water lines in place, complete in place, 1 LS @ \$300.00.....\$300.00

8. Remove and dispose of existing 6" sanitary sewer line and furnish and install 6" ASTM D-2241 SDR-26 PVC gravity sanitary sewer, all cuts, with trace wire, complete in place, 26 LF @ \$47.50/LF \$1,235.00
 9. Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing manhole, complete in place, 1 EA @ \$750.00/EA..... \$750.00
 10. Furnish all labor and materials and tie new 6" PVC sanitary sewer into existing sanitary sewer line, complete in place, 1 EA @ \$300.00/EA..... \$300.00
 11. Perform trench safety per Technical Specification Section 31 50 00, 5-10' depth, complete in place, 40 LF @ \$0.50/LF \$20.00
 12. Furnish all materials and perform traffic control in accordance with the TxDOT permit and Texas MUTCD, complete in place, 1 LS @ \$1,500.00..... \$1,500.00
 13. Furnish all labor and materials to perform repair of reinforced concrete pavement (including valley gutters and sloped paving), complete in place, 40 LF @ \$57.50/LF \$2,300.00
 14. Perform seeding in all areas disturbed by construction, complete in place, 1 LS @ \$375.00 \$375.00
- TOTAL CHANGE ORDER NO. 1 \$36,892.50

ORIGINAL CONTRACT AMOUNT \$299,978.50
PLUS CHANGE ORDER NO. 1 \$36,892.50
ADJUSTED CONTRACT AMOUNT \$336,871.00

ACCEPTED BY: _____
Supak Construction, Inc. Date

RECOMMENDED BY: _____
O'Malley Engineers, L.L.P. Date

APPROVED BY: _____
City of Brenham Date



AGENDA ITEM 11

DATE OF MEETING: May 17, 2012	DATE SUBMITTED: May 14, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" 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 Ordinance on Its First Reading Amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham Providing for the Organization and Renumbering of the Chapter		
SUMMARY STATEMENT: In helping Chief Phelps to write Ordinance O-12-008 (Consent Item 5b), it was determined that his ordinance fit best in Chapter 2, Administration, of the Code of Ordinances. However, when trying to make a place in Chapter 2 for Ordinance O-12-008, I discovered that the entire Chapter would need to be renumbered and better organized to accommodate the new ordinance. The ordinance attached to this agenda form is nothing more than renumbering and re-organizing all of Chapter 2. At this time, none of the language contained in the Chapter is being amended.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Draft of new Ordinance modifying Chapter 2		
FUNDING SOURCE (Where Applicable): N/A		

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham providing for the organization and renumbering of the chapter.

APPROVALS: Terry K. Roberts

ORDINANCE _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS FOR THE PURPOSE OF MODIFYING SECTION NUMBERING AND FORMATTING; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND OPEN MEETINGS

WHEREAS, pursuant to Texas Local Government Code, Section 51.001, the City has the authority to adopt ordinances and regulations that are for good government, peace and order of the City; and

WHEREAS, Texas Local Government Code, Section 53.001(a), authorizes the City of Brenham to adopt by ordinance a codification of its civil and criminal ordinances, together with appropriate penalties for the violation of the ordinances; and

WHEREAS, Texas Local Government Code, Section 53.003, provides that a code of municipal ordinances may be subdivided into chapters, titles, articles, or sections at the discretion of the City Council; and

WHEREAS, the changes made by Section 1 of this Ordinance to Chapter 2, Administration, of the City of Brenham’s Code of Ordinances are intended only to modify the numbering of sections and the formatting of this Chapter; and

WHEREAS, no changes to the substantive content of Chapter 2, Administration are intended by Section 1 of this Ordinance; and

WHEREAS, the City Council hereby finds that the best interests of the City will be promoted by the enactment of this Ordinance;

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

SECTION 1.

Chapter 2 of the Code of Ordinances of the City of Brenham is hereby amended by modifying the section numbering and formatting to read as follows:

**CHAPTER 2
ADMINISTRATION**

**ARTICLE I.
ADMINISTRATIVE POWERS AND DUTIES**

Sec. 2-1. Emergency powers of mayor--Generally; calling special police force.

Sec. 2-2. Same--Closing public places.

Sec. 2-3. Appointment, etc., of officers--City manager.

Sec. 2-4. Same--Other officers.

Sec. 2-5. City secretary--Duties generally.

Sec. 2-6. Same--Register of bonds and all evidence of debt; other duties.

Sec. 2-7. City attorney--Office created; deputy city attorneys.

Sec. 2-8. Same--Duties.

Sec. 2-9. RESERVED

**ARTICLE II.
PLANNING AND ZONING COMMISSION**

Sec. 2-10. Planning and zoning commission--Created and established; composition; qualifications; terms.

Sec. 2-11. Same--Organization.

Sec. 2-12. Same--Powers and duties; comprehensive plan.

Sec. 2-13 – 2-19. RESERVED.

**ARTICLE III.
MUNICIPAL COURT**

Sec. 2-20. Municipal court.

Sec. 2-21. Municipal Court Technology Fund.

Sec. 2-22. Establishment of the office of city marshal.

Sec. 2-23. Municipal court juvenile case manager fund.

Sec. 2-24. Municipal court; collection services contracts and fees.

Sec. 2-25 – 2-29. RESERVED

**ARTICLE IV.
LIABILITY OF CITY**

Sec. 2-30. Liability of city for property damage or personal injury.

Sec. 2-31 – 2-39. RESERVED.

**ARTICLE V.
OPEN RECORDS & RECORDS MANAGEMENT**

Sec. 2-40. Open records charges.

Sec. 2-41. Records management.

Sec. 2-42 – 2-49. RESERVED.

**ARTICLE VI.
AUTHORITY, JURISDICTION, AND POWERS OF THE CHIEF OF POLICE
AND THE POLICE DEPARTMENT**

Sec. 2-50. Purpose.

Sec. 2-51. Creation of department; jurisdiction.

Sec. 2-52. Certification; compliance with state requirements.

Sec. 2-53. Chief of Police.

Sec. 2-54. Authority and duties of police officers.

Sec. 2-55. Reserve police force established.

Sec. 2-56. Appointment and removal of reserve members.

Sec. 2-57. Number of reserve members.

Sec. 2-58. Benefits for reserve members.

Sec. 2-59. Training of standards for reserve members.

Sec. 2-60. Local Standards.

Sec. 2-61 – 2-69. RESERVED.

**ARTICLE VII.
LIBRARY ADVISORY BOARD**

Sec. 2-70. Purpose.

Sec. 2-71. Scope and membership.

Sec. 2-72. Organization

Sec. 2-73 – 2.79. RESERVED.

**SECTION 2.
SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

**SECTION 3.
SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

**SECTION 4.
REPEALER**

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 5.
EFFECTIVE DATE

This Ordinance shall become effective upon adoption and publication as required by law.

SECTION 6.
PROPER NOTICE AND MEETINGS

It is hereby officially found and determined that the meetings at which this Ordinance was passed were open to the public as required and that public notice of the time, place and purpose of said meetings were given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on its first reading this the 17th day of May, 2012.

PASSED AND APPROVED on its second reading this the 7th day of June, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary