



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, OCTOBER 4, 2012 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
- 3. Proclamations**
 - **Lone Star Water Forum Day: October 13, 2012** **Page 1**
 - **Fire Prevention Week: October 7, 2012 - October 13, 2012** **Page 2**
- 4. Recognition**
 - Brenham Fire Department Badge Pinning Ceremony
 - Brian Scheffer - Promotion to Fire Captain
- 5. New Employee**
 - Deborah Taylor – Communications
- 6. Citizens Comments**

CONSENT AGENDA

7. 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.

- 7-a. Minutes from the September 6, 2012 Council Meeting** **Page 3-18**

- 7-b. **Discuss and Possibly Act Upon Ordinance O-12-024 on Its Second Reading to Repeal Ordinance O-12-010 Relating to a Non-Exclusive Franchise Granted to A&K Waste Removal, Inc. to Operate a Roll-off Container Service for Residents, Businesses and Industries Inside Brenham City Limits** **Page 19**
- 7-c. **Discuss and Possibly Act Upon Ordinance O-12-025 on Its Second Reading Granting a Non-Exclusive Franchise to Texas Disposal System to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits** **Page 20-31**

WORK SESSION

8. **Discussion and Presentation on Establishing a No Parking Zone on West Alamo Street in the Downtown Area** **Page 32-39**

REGULAR AGENDA

9. **Discuss and Possibly Act Upon Change Order No. 1 for the Stringer Street Realignment Project and Authorize the Mayor to Execute Any Necessary Documentation** **Page 40-42**
10. **Discuss and Possibly Act Upon the Appointment of a New Member to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board** **Page 43-50**
11. **Discuss and Possibly Act Upon Resolution R-12-015 Establishing Board Member Positions on the City of Brenham's Library Advisory Board** **Page 51-52**

EXECUTIVE SESSION

12. **Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition Located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas** **Page 53**
13. **Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition Located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land** **Page 54**
14. **Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 200 Acres Located on Chadwick – Hogan Road More Commonly Identified as the Old Landfill Property** **Page 55**

- 15. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property
– Discussion Regarding Potential New Park Land** **Page 56**

RE-OPEN REGULAR AGENDA

- 16. Discuss and Possibly Act Upon the Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas and Authorize the Mayor to Execute Any Necessary Documentation** **Page 57**
- 17. Discuss and Possibly Act Upon the Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land and Authorize the Mayor to Execute Any Necessary Documentation** **Page 58**

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

- 18. 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 October 4, 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 October 1, 2012 at 12:40 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, The Lone Star Water Forum encourages community understanding and involvement in finding solutions for the problems created by diminishing fresh water supplies as the state's population increases; and

WHEREAS, The Lone Star Water Forum, a group of volunteers who have been bringing outstanding speakers and exhibitors to the Washington County area since 2009, will present "**The Science and Politics of Water**" on October 13, 2012 starting at 8:30 a.m.; and

WHEREAS, The Texas State climatologist, John Nielsen-Gammon PhD., Brazos River Authority's Brad Brunett and TWDB's Larry French will present the **Science**. After lunch (included in the price of admission), to cover the **Politics**, Texas State Senator Craig Estes, Co-Chair of the Senate Natural Resources Committee, will polish his crystal ball answering questions from the audience. Burleson Co. Judge Mike Sutherland will add the Counties' perspective, while Save Our Springs Executive Director, Bill Bunch will speak for citizens and wildlife; and

WHEREAS, This endeavor has the joint sponsorship and support of the AgriLife Extension Service, Texas Parks & Wildlife, Washington County Wildlife Society, Texas Wildlife Assoc., Gideon Lincecum Master Naturalists, Bluebonnet Master Gardeners, Capital Farm Credit, Discount Trees of Brenham, Frontier Land & Wildlife Management, Sutherlands, Lube-Rite, and Bank of Brenham; and

WHEREAS, The Lone Star Water Forum is donating its net proceeds to the B.I.S.D. Outdoor Classroom Project plus promoting the Big Read of Washington County which concludes October 11, 2012. All residents of Washington County are encouraged to read "THE TIME IT NEVER RAINED" by Elmer Kelton, a classic story of Texas, which has been called "One of the dozen or so best novels written by an American in the [twentieth] century;" and

WHEREAS, Justice commands recognition from the City Council and the residents of Brenham who join together to applaud the volunteers with the Lone Star Water Forum for their dedication to service and their commitment to encouraging an adequate supply of fresh water for all Texans;

Now, **THEREFORE** I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim October 13, 2012 as

Lone Star Water Forum Day

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

Milton Y. Tate Jr., Mayor
City of Brenham

PROCLAMATION

WHEREAS, The City of Brenham and the Brenham Fire Department are committed to ensuring the safety and security of all those living in and visiting our area; and

WHEREAS, Fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, Residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Members of the Brenham Fire Department are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, The City of Brenham's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, The 2012 Fire Prevention Week theme, "Have Two Ways Out!" effectively serves to remind us to develop and practice a home fire escape plans during Fire Prevention Week and year-round.

Now, **THEREFORE** I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim October 7-13, 2012 as

FIRE PREVENTION 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 September 6, 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 Weldon Williams, Jr.

Members absent:

Councilmember Keith Herring

Others present:

City Manager Terry K. Roberts, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Fire Chief Ricky Boeker, Deputy Fire Chief Alan Finke, Police Chief Rex Phelps, David Doelitsch, Chief Financial Officer Carolyn Miller, Stacy Hardy, Debbie Gaffey, Brandon Plumb, Susan Nienstedt, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, Dane Rau, Bobby Brenham, Development Services Director Julie Fulgham, Kim Hodde, Kevin Boggus, Nancy Stafford, Janie Mehrens, Michael Kohring, Kevin Gaffey, Megan Shine, Andrea Ryan, Colby Finke, and Justin McDonald

Citizens present:

Clint Kolby, James Proske, Joshua Arnold, Joel William, Elizabeth Bordwell, Jeff Robertson, Billy Holle, Courtney South, and Tiffany McMordie-Morisak

Media Present:

Joel Williams, Brenham Banner Press; Frank Wagner, KWHI

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

3. 3-a. Service Recognitions

Dane Rau – Public Utilities	10 years
Michael Kohring – Street Department	5 years

Assistant Public Utilities Director Dane Rau thanked Mayor Tate, Council, Public Utilities Director Lowell Ogle, and City Manager Terry Roberts for his time with the City.

3-b. New Employees

Kevin Gaffey – Sanitation Department
Megan Shine – Communications
Andrea Ryan – Communications
Colby Finke – Parks Department
Justin McDonald – Fire Department

Fire Chief Ricky Boeker introduced Justin McDonald to Council and explained that the City is fortunate to fill the position with someone as qualified as McDonald.

4. Proclamation

➤ **Constitution Week: September 17, 2012 - September 23, 2012**

Mayor Tate read a proclamation designating September 17, 2012 - September 23, 2012 as Constitution Week. It was accepted by Tiffany McMordie-Morisak.

5. Citizens Comments

James Proske requested that the City reschedule garage pick-up days affected by holidays since most holidays fall on a Monday. Mayor Tate explained that Assistant Public Utilities Director Dane Rau will look into a solution.

CONSENT AGENDA

6. 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.

6-a. Minutes from the August 2, 2012 and August 16, 2012 Council Meetings

6-b. Second Reading of Ordinance O-12-018 Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change the Zoning from a Mixed Residential (R-2) District to a Local Business/Residential Mixed Use (B-1) District on 7.43 Acres Being Tract 189 Out the Phillip Coe Survey and Located at the Northeast Corner of Old Mill Creek Road and Saeger Street in Brenham, Texas

- 6-c. **Second Reading of Ordinance O-12-019 Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change the Zoning from Local Business/Residential Mixed Use (B-1) District to a Business, Research and Technology (B-2) District on 24.28 Acres, More or Less, Being Portions of Tracts 1 and 340 Out of the Phillip Coe Survey, and Located at the Northern End of Farewell Street and Generally Known as the Prairie Lea Cemetery Expansion Area**

- 6-d. **Second Reading of Ordinance O-12-020 Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change the Zoning from a Residential Single Family (R-1) District to Establish a Planned Development (PD) District for Single-Family Residential Uses on Approximately 57.32 Acres and Generally Bounded by East Stone Street to the North, South Blue Bell Road to the East and Gun and Rod Road to the South as well as to Change the Zoning from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on Approximately 3.07 Acres Located at the Southwest Corner of East Stone Street and South Blue Bell Road with Both Parcels Being a Part of Tract 191 Out of the James Walker Survey in Brenham, Texas**

Mayor Tate advised council that Consent Agenda Items 6-b and 6-d would be moved to the Regular Agenda for discussion. The Mayor directed Council to act on Consent Agenda Items 6-a and 6-c only.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve the Statutory Consent Agenda Items 6-a. Minutes from the August 2, 2012 and August 16, 2012 Council Meetings and 6-c. Ordinance O-12-019.

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	Absent
Councilmember Weldon Williams	Yes

PUBLIC HEARING

- 7. **Proposed Tax Rate of \$0.5432 per \$100 Valuation for Fiscal Year Beginning October 1, 2012 and Ending September 30, 2013**

Mayor Tate opened the Public Hearing.

Chief Financial Officer Carolyn Miller explained that a governing body must hold two public hearings on a proposed tax rate and the first public hearing was held during a Special Council meeting on August 30, 2012 where no citizens commented. Miller explained that the City is maintaining a property tax rate of \$0.5432 per \$100 valuation.

Citizen James Proske stated that citizens are not aware that their property values increased, which increases their taxes. Mr. Proske questioned how property was appraised.

Mayor Tate clarified that the City did not increase the tax rate although the Appraisal District raised the value of some properties. Mayor Tate explained that the City has no control over property assessments, and directed Mr. Proske to contact Willy Dilworth at the Washington County Appraisal District for information related to property values.

City Manager Terry Roberts added that under state law, the Appraisal District appraises property at fair market value and they furnished that information to the City.

Mayor Tate announced that the first reading of the Ordinance to adopt the tax rate will be during a Special Council meeting on Monday, September 17, 2012 at 1:00 p.m. and the second reading of the Ordinance and adoption of the tax rate is scheduled for a Regular Council meeting on Thursday, September 20, 2012 at 1:00 p.m.

The public hearing was closed.

REGULAR AGENDA

6-b. Second Reading of Ordinance O-12-018 Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change the Zoning from a Mixed Residential (R-2) District to a Local Business/Residential Mixed Use (B-1) District on 7.43 Acres Being Tract 189 Out the Phillip Coe Survey and Located at the Northeast Corner of Old Mill Creek Road and Saeger Street in Brenham, Texas

City Manager Terry Roberts advised Council that he requested for this item to be brought from the Consent Agenda since Councilmember Goss recused himself last week due to his spouse’s employment at Seidel, Schroeder & Company. Roberts asked for a separate vote so Councilmember Goss can recuse himself from this particular item.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve Ordinance O-12-018 amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; amending the official zoning map to change the zoning from a Mixed Residential (R-2) District to a Local Business/Residential Mixed Use (B-1) District on 7.43 acres being Tract 189 out the Phillip Coe Survey and located at the northeast corner of Old Mill Creek Road and Saeger Street in Brenham, Texas.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Abstain
Councilmember Keith Herring	Absent
Councilmember Weldon Williams	Yes

6-d. Second Reading of Ordinance O-12-020 Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change the Zoning from a Residential Single Family (R-1) District to Establish a Planned Development (PD) District for Single-Family Residential Uses on Approximately 57.32 Acres and Generally Bounded by East Stone Street to the North, South Blue Bell Road to the East and Gun and Rod Road to the South as well as to Change the Zoning from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on Approximately 3.07 Acres Located at the Southwest Corner of East Stone Street and South Blue Bell Road with Both Parcels Being a Part of Tract 191 Out of the James Walker Survey in Brenham, Texas

City Manager Terry Roberts advised Council that he requested this item be moved to the Regular Agenda from the Consent Agenda because the layout of the proposed development contains a minor adjustment from the map presented last week. Roberts compared the design presented last week, which placed a green space between two lots, to the new design, which moved the green space along the road.

Development Services Director Julie Fulgham referenced the map placed around the dais explaining that the green space and lot beside the green space were switched so there is not a green space located between two lots.

Councilmember Barnes-Tilley expressed concern that cul-de-sacs requests were denied for reasons not related to the safety code while cul-de-sacs requests located in Planned Development (PD) Districts were approved.

Mayor Tate noted that Council may want to review the Ordinance and reevaluate cul-de-sac standards.

Councilmember Goss asked if all developers who were denied development due to the length of the cul-de-sacs can present their requests again.

Fulgham confirmed that developers can present their plans again emphasizing that existing developments may not meet PD District intent. Fulgham added that staff researched cul-de-sac standards and presented the information to the Planning and Zoning (P&Z) Commission during a work session in March, but she wanted to gain more institutional knowledge before undertaking this charge.

Mayor differentiated between regular Ordinance standards and PD District standards, explaining that developers can build one section at a time over a period of time if the entire plan is presented upfront.

Fulgham explained that cul-de-sac standards allow for six-hundred feet (600') or up to eight-hundred feet (800') with special topography.

Roberts confirmed that developers can build one section at a time over a period of time and PD Districts provide a method for negotiation on standards which Fulgham communicated to the other developers. Roberts added that Ralston Creek arguably has unusual topography, which qualifies it for an eight-hundred feet (800') cul-de-sac allowance without a variance.

Fulgham reminded Council that Ralston Creek plan is codified, meaning that the specified standards are written into the Ordinance. She explained the codification of the development's standards requires a Council approved zone change for any deviation from the plan. Fulgham clarified however that home owners may present requests through the normal process.

Roberts pointed out that the development Ordinance calls for six-hundred feet (600') or eight-hundred feet (800') with special topography while Fire Marshal Alan Finke considers the fire code standpoint in which cul-de-sacs with less than thirty (30) homes are acceptable. Roberts noted the P&Z Commission held a workshop on cul-de-sac standards, adding that the standards will remain unchanged until revised by the P&Z Commission and/or Council.

Councilmember Barnes-Tilley reiterated her concern, questioning why cul-de-sac stipulations, not related to safety, are in place.

City Attorney Cary Bovey clarified that Council's approval on the cul-de-sac length in this situation is not legally binding since this is discretionary with the City and City Council. He explained this as a negotiable situation that allows for enhanced developments, noting that the City is not bound to grant PD District standards to a standard subdivision.

Councilmember Barnes-Tilley asked if Ralston Creek is unusual topography.

Roberts confirmed that Ralston Creek arguably does not require a variance because the unusual topography qualifies it for the less than eight-hundred feet (800') cul-de-sac standard.

Councilmember Goss asked if the City becomes liable if emergency services are hindered due to an approved deviation from the Ordinance.

Bovey explained that no deviation from the City’s Ordinance occurs because the PD Ordinance allows the City to focus specifically on this development. Bovey stated that PD Ordinances were enacted to address concerns called spot zoning, which focus on small tracks of land. Bovey noted that the City is not responsible for the ultimate development condition and case law states, in terms of subdivision fire approval, that the City is not liable for damages because it is the developer’s responsibility and liability. Bovey explained that the City should not experience exposure for approving a PD District provided it meets the standards laid out in the PD Ordinance, which allows for a customized development outside of the standard rules.

Fulgham added that some standards are based on public safety while others derive from community character. Fulgham emphasized that the City takes public safety very seriously, explaining that the Fire and Police Departments are involved in the process, and further explained that PD Districts allow developers to infuse unique character into their development.

Roberts assured Council that the Police and Fire Departments review requests to ensure public safety and requests that deviate from the standard code are taken very seriously.

Councilmember Ebel expressed support for the subdivision and asked if the City will attain additional right-of-way on Gun & Rod Road to expand the road width to compensate for the increased traffic.

Fulgham explained that the City will request additional right-of-way during the subdivision plot process to ensure Gun & Rod Road meets the minimum residential street width.

Public Works Director Doug Baker confirmed that Gun & Rod Road is not considered a collector street.

A motion was made by Councilmember Ebel and seconded by Mayor Pro Tem Nix to approve Ordinance O-12-020 amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; amending the official zoning map to change the zoning from a Residential Single Family (R-1) District to establish a Planned Development (PD) District for Single-Family Residential Uses on approximately 57.32 acres and generally bounded by East Stone Street to the north, South Blue Bell Road to the east and Gun and Rod Road to the south as well as to change the zoning from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on approximately 3.07 acres located at the southwest corner of East Stone Street and South Blue Bell Road with both parcels being a part of Tract 191 out of the James Walker Survey in Brenham, Texas.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Weldon Williams	Yes

8. Discuss and Possibly Act Upon Ordinance O-12-021 on Its Second Reading Amending Chapter 16, Occupational Licenses and Business Regulations, of the Code of Ordinances of the City of Brenham, to Provide for the Regulation of Boarding Homes Located Inside the City Limits

Police Chief Rex Phelps presented the Ordinance on its second reading, explaining that City Secretary Jeana Bellinger will present the language revisions and fee schedule.

Bellinger highlighted language revisions involving the period granted to current boarding homes to get into compliance, background checks, the burden of renewal, and the complaint procedure. Bellinger presented her research on permit fees and briefed Council on how the permit process involves the Fire Marshal, Code Enforcement Officer, and City Secretary. Bellinger requested Council's direction on application and re-inspection fees to offset the cost of inspections and administrative duties related to issuing the permits.

City Attorney Cary Bovey added that the two hundred dollar (\$200) application fee recommended by staff reasonably covers cost the City incurs for inspections and administrative burdens related to issuing the permits and the one hundred dollar (\$100) re-inspection fee offsets expenses related to inspections performed by the Fire Marshal and Code Enforcement Officer.

Councilmember Williams expressed concern regarding the vast number of items that require evaluation in boarding homes, questioning if the City incurs liability for boarding homes that do not meet the Ordinance's standards. Bovey explained that the Ordinance places the burden to comply on the business and not the City and emphasized that the City does not incur liability for noncompliance.

Phelps explained that a significant number of boarding homes were established in Brenham within the last year and some of these businesses, which house elderly or disabled individuals for profit, do not properly care for the individuals living there. Phelps noted that the Ordinance implements food preparation and facility standards and added that the call for service volume generated from boarding homes justifies the rationale for this Ordinance.

Mayor Tate questioned if the two hundred dollar (\$200) application fee covers the expenses incurred by the City for inspections and administrative burdens related to issuing the permit.

Bellinger specified that Board Home Packets are available at the City Secretary's Office and contain all the inspection forms and the application. Bellinger indicated that after the application and fee is received, she will notify the Fire Marshall and Code Enforcement Officer who will then schedule an inspection. Bellinger explained that the City Secretary's Office will issue the permit once all inspections are passed.

Bovey clarified that the state law, which allows the City to regulate boarding home facilities also allows for fees to cover expenses related to the permitting process. Bovey noted that the fee is not intended to generate revenue for purposes unrelated to boarding home facilities.

Councilmember Goss questioned why the City would require a private business to run background checks.

A motion was made by Councilmember Goss and seconded by Councilmember Barnes-Tilley to approve Ordinance O-12-021 on its second reading amending Chapter 16, Occupational Licenses and Business Regulations, of the Code of Ordinances of the City of Brenham, to provide for the regulation of boarding homes located inside the 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	Absent
Councilmember Weldon Williams	Yes

Councilmember Ebel voiced support for health and welfare regulations, asked if the proposed fees were sufficient, and questioned how the Ordinance will be enforced.

Bellinger explained that staff initially proposed a two hundred dollar (\$200) application fee and a one hundred dollar (\$100) re-inspection fee, advising that other cities charged between fifty dollars (\$50) to five hundred dollars (\$500) potentially based on the number of facilities.

Phelps stated that the Ordinance will be advertised to promote awareness, staff compiled a list of boarding home to ensure compliance, and noncompliant boarding homes will receive citations.

A motion was made by Councilmember Ebel and seconded by Councilmember Williams to raise the initial application fee to two hundred and fifty dollars (\$250) and the annual inspection fee to one hundred and fifty dollars (\$150).

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	Absent
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon a Professional Services Agreement with Jones and Carter, Inc. for Engineering Services Related to the Extension of the High Pressure Plane Along Highway 36 North and Burleson Street and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Lowell Ogle presented a water service extension involving a fire protection request in an annexed area along Highway 36 North and Burleson Street as well as a water service request from Country Place Northwest (CPN). Ogle noted that both requests were discussed with Council in previous meetings. Ogle explained that extending a twelve inch (12”) water main along Highway 36 North from Blue Bell Road and an eight inch (8”) main south on Burleson enables the City to tie the line back into our existing system which creates a loop and an alternate feed into the high pressure plane. Ogle noted that the project will cost about \$529,000 and recommended approving an agreement with Jones and Carter, Inc. for engineering services to design the water line extension for \$69,023. Ogle also recommended using bond funds for the west side pressure plane.

Councilmember Williams asked how the area is currently serviced. Ogle explained that a community waterline currently services this area but it does not provide fire protection.

Councilmember Goss asked if the tie-in was on the high pressure plane. Ogle explained that part of the tie-in is on the high pressure plane and part is on the low pressure plane. Ogle added that CPN ties-in on Highway 36 to the low pressure plane and anything that services CPN beyond that will be their responsibility.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve a Professional Services Agreement in the amount of \$69,023 with Jones and Carter, Inc. for engineering services related to the extension of the high pressure plane along Highway 36 North and Burleson Street 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	Absent
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon the Award of a Contract for Sodium Chlorite, Chlorine Dioxide Generation Equipment and Technical Services Associated with the Chlorine Dioxide Process for the Water Plant’s Chlorine Dioxide Program and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Lowell Ogle asked Council to approve a contract with Siemens Industry, Inc. for the city’s chlorine dioxide program. Ogle explained that Siemens has been the city’s provider for many years. Ogle explained that Siemens Industry, Inc. will charge for sodium chlorite at \$0.658 per pound and there is no cost for the chlorine dioxide generation equipment and technical services associated with the chlorine dioxide process included in the agreement. Ogle stated that the contract will be for one (1) year and may be renewed for up to two (2) additional one (1) year terms for a total of three (3) years.

City Attorney Cary Bovey recommended striking the language “within the warranty period” in Item 7 of the Terms and Conditions and adding a sentence under Item 12 that reads “Exclusive venue for any dispute, claim, lawsuit or other legal proceeding arising out of or involving the Agreement shall be in Washington County, Texas”.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to award of a contract for the Chlorine Dioxide Program with Siemens Industry, Inc. for \$0.658 per pound for sodium chlorite, chlorine dioxide generation equipment and technical services associated with the chlorine dioxide process with an annual renewal option, with changes as recommended by the City Attorney, to Items 7 and 12 in the Terms and Conditions 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	Absent
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon an Amendment No. 1 to the Professional Services Agreement with Jones and Carter, Inc. for the Valmont Water System Improvements Project and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Lowell Ogle presented a water service extension requested by taxpayers along Salem Road and added that the high pressure plane can be extended to this area along Highway 36 South. Ogle explained that the new customers will have water pressure on the lower end of TCEQ requirements if the high pressure plane is not employed. Ogle noted that the total estimated cost of this extension is \$175,789 which includes construction and engineering.

Ogle recommended amending the Valmont Water System Improvements Project Agreement with Jones and Carter, Inc. to save money on engineering and explained that the City will fund this portion of the project and it will not affect the participation agreement with Valmont. Ogle added that engineering is estimated to be about \$22,929 which might come down due to an existing easement on Salem Road.

City Manager Terry Roberts asked Ogle to clarify that the Valmont twelve inch (12”) line extension is on the high pressure plane and the water line extension under Highway 36 converts the Highway 36 line to a high pressure plane.

Ogle explained that the amendment relocates a check valve assembly near the intersection of Highway 36 South and Wood Ridge Boulevard and everything south of Lowe’s will be converted to the high pressure plane.

Councilmember Goss asked about cost, funding, and if bond funds will pay for the line extension from Industrial Boulevard to Valmont. Ogle explained that the total estimated cost is \$175,789, which includes the estimated engineering cost of \$22,929. Ogle added that funds left over from the west side expansion project can be used for the continuation of that pressure plane. Ogle explained that the Valmont line extension can be financed through the water fund reserves or bond funds.

Roberts added that the 2008 bond funds are restricted to west side water plane expansion and the City can either retire the debt early or do more projects on intended uses.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve Amendment No. 1, in the amount of \$175,789, to the Professional Services Agreement with Jones and Carter, Inc. for the Valmont Water System Improvements Project and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon a Request for a Noise Variance from Allen Oberrender DBA AO Studios for Music Video Filming to be Held in the Alleyway Behind Jim’s Whims from Sundown to Sunrise on September 8, 9, and 10, 2012

Administrative Assistant Kim Hodde presented a noise variance request from AO Studios for filming parts of a music video in the alleyway behind Jim’s Whims from sundown to sunrise as needed on September 8-10, 2012. Hodde explained that they will not be using sound amplification equipment; but, they will be using drums and a radio. Hodde explained that instruments will be set up to look realistic for the video, but they will not be plugged in. Hodde introduced AO Studios partner Josh Arnold to answer Council’s questions.

Arnold explained that the noise should not be very loud even with the drummer playing since nothing else will be plugged in. He explained they decided to request a noise variance to avoid trouble since they are filming at night downtown and stated that he played inside a warehouse located behind Jim’s Whims that his grandmother owns, which did not bother anyone.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Williams to approve a request for a noise variance from Allen Oberrender DBA AO Studios for music video filming to be held in the alleyway behind Jim’s Whims from sundown to sunrise on September 8, 9, and 10, 2012.

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	Absent
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon a Request for a Noise Variance from Café in the Garden for Live Music Coinciding with the Downtown Christmas Stroll to be Held at 110 W. Main Street on November 30, 2012 from 7:00 p.m. – 11:00 p.m.

Administrative Assistant Kim Hodde presented a noise variance requested from Café in the Garden for a band to play at 110 W. Main Street on November 30, 2012 from 7:00 p.m. – 11:00 p.m. to coincide with the Downtown Christmas Stroll. Hodde noted that the band consists of one (1) drummer and three (3) guitarists and introduced requestor Elizabeth Bordwell to answer Council’s questions.

Councilmember Goss asked what kind of music the band will play.

Bordwell explained that the band will play country music and hopefully some Christmas music.

Mayor Pro Tem Nix asked why they have not applied for a noise variance for the live music the normally have.

Bordwell explained that the band stops playing by 9:30 p.m. so she was under the impression that no noise variance was required, but would gladly go through the proper process.

City Bovey Cary Bovey confirmed that a noise variance is only required for amplified sound.

Chief Financial Officer Carolyn Miller noted that a tuba group normally plays on the corner across from Café in the Garden during the Downtown Christmas Stroll and suggested that the band takes a break during their performance to avoid competing sounds.

Mayor Pro Tem Nix asked for Bordwell to clarify that the band will not play during the parade.

Bordwell assured Council that they will adjust accordingly so that the band does not play during the parade or the tuba group's performance.

A motion was made by Councilmember Williams and seconded by Councilmember Barnes-Tilley to approve a noise variance from Café in the Garden for live music coinciding with the Downtown Christmas Stroll to be held at 110 W. Main Street on November 30, 2012 from 7:00 p.m. – 11:00 p.m.

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	Absent
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon the Selection of Candidates to be Voted for on the Texas Municipal League Intergovernmental Risk Pool Board of Trustees, Places 11-14, and Authorize the Mayor to Execute Any Necessary Documentation

Human Resources Director Janie Mehrens explained that as a member of the Texas Municipal League Intergovernmental Risk Pool, the City of Brenham is eligible to participate in the election of members to the Board of Trustees and this year positions eleven (11) through fourteen (14) for six-year terms are open. She suggested that votes be cast by the City for Place 11 Kavon Novak, Place 12 Larry Gilley, Place 13 Byron Black and Place 14 Cynthia Kirk.

Councilmember Danny Goss asked if Mehrens knew the suggested nominees. Mehrens explained that she knows Kirk very well and noted that Kirk and Novak are both from Region 10. Mehrens stated that Black and Gilley are incumbents.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to vote for the recommended nominees as presented for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees election 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	Absent
Councilmember Weldon Williams	Yes

RE-OPEN REGULAR AGENDA

16. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Cubs Hall of Honor lunch-in scheduled for October, 5, 2012
- TML Annual Conference scheduled for November 13-16
- Public Works Director Doug Baker and Roberts met with O'Malley Engineers, LLP, the bid packet will be available next week for the collector street overlay project, and the item will be on the October 18, 2012 agenda
- Fence is up around old City Hall and demolition work is underway
- Library Family Night scheduled on Monday, September 10, 2012
- BISD luncheon scheduled for Friday, September 7, 2012

Council adjourned into Executive Session at 2:41 p.m.

EXECUTIVE SESSION

- 15. Texas Government Code Section 551.086 – Utility Competitive Matters – Discussion Regarding Lower Colorado River Authority’s (LCRA’s) Wholesale Power Agreement with Short-term Customers**

Executive Session adjourned at 3:10 p.m.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

ORDINANCE O-12-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, REPEALING ORDINANCE O-12-010 RELATING TO A NON-EXCLUSIVE FRANCHISE WITH A&K WASTE REMOVAL, INC. 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 May 17, 2012, the City Council passed Ordinance O-12-010, on second and final reading, granting a solid waste franchise to A&K WASTE REMOVAL, INC.; and

WHEREAS, on July 5, 2012, the City became aware that A&K WASTE REMOVAL, INC. was sold to Texas Disposal Systems, Inc. after the date of final passage of Ordinance O-12-010;

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

I.

Ordinance O-12-010 is hereby repealed and rescinded in its entirety.

PASSED and APPROVED on its first reading this the 20th day of September, 2012.

PASSED and APPROVED on its second reading this the 4th day of October, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

ORDINANCE O-12-025

AN ORDINANCE GRANTING TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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. TEXAS DISPOSAL SYSTEMS, INC., Herein after referred to as "TEXAS DISPOSAL SYSTEMS, 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
TEXAS DISPOSAL SYSTEMS, INC.

For and in consideration of the compliance by TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC.
TO PROVIDE SERVICE

CITY hereby grants to TEXAS DISPOSAL SYSTEMS, 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, TEXAS DISPOSAL SYSTEMS, INC. shall utilize any Type I permitted landfill that TEXAS DISPOSAL SYSTEMS, INC. deems appropriate and authorized for disposal of all solid waste, which is collected by TEXAS DISPOSAL SYSTEMS, INC. from within the corporate limits of the City Of Brenham.

V.
RATES TO BE CHARGED BY
TEXAS DISPOSAL SYSTEMS, INC.

Attached hereto as Exhibit "A" and incorporated herein by reference is the Schedule of Rates which TEXAS DISPOSAL SYSTEMS, 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, TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. monthly gross delivery and hauling revenues generated from TEXAS DISPOSAL SYSTEMS, INC. provision of solid waste roll-off container collection services within the CITY excluding landfill tipping charges. Any revenue received by TEXAS DISPOSAL SYSTEMS, INC. in excess of the landfill tipping charges will be subject to the franchise fee and shall be computed into TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. records, billing records of those customers served by TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. records shall be provided to CITY upon reasonable notice to TEXAS DISPOSAL SYSTEMS, INC. during TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC.
- B. A listing of all TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. the exact location of any roll-off container(s) it places for service in CITY.

IX. CONTAINER MAINTENANCE

TEXAS DISPOSAL SYSTEMS, 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

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. within twenty four (24) hours of their receipt by CITY. TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. to respond and report to CITY on action taken within this twenty four (24) hour period may subject TEXAS DISPOSAL SYSTEMS, INC. to a \$25.00 per incident charge from CITY payable with the next payment due to CITY under Article VI of this Agreement.

TEXAS DISPOSAL SYSTEMS, INC. agrees that during transport all vehicles used by TEXAS DISPOSAL SYSTEMS, 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. TEXAS DISPOSAL SYSTEMS, INC.'S vehicles shall at all times be clearly marked with TEXAS DISPOSAL SYSTEMS, INC.'S name in letters not less than three (3) inches in height.

XI.
OBEISANCE OF LAWS

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 4th day of October, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC., then TEXAS DISPOSAL SYSTEMS, INC. shall indemnify and hold CITY harmless for such damage.

TEXAS DISPOSAL SYSTEMS, INC. is to indemnify and hold CITY harmless for any disposal of any prohibited material whether intentional or inadvertent.

TEXAS DISPOSAL SYSTEMS, INC. shall indemnify and hold CITY harmless from any and all injuries to or claims of adjacent property owners caused by TEXAS DISPOSAL SYSTEMS, INC., its agents, employees, and representatives.

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, 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

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC., its agents, representatives, volunteers, employees or subcontractors.

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC.'S insurance and shall not contribute to it.

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. without the specific prior written approval of the City Council. Any assignment by TEXAS DISPOSAL SYSTEMS, INC. without prior written approval of the City Council shall be null and void.

**XVIII.
SAFETY**

TEXAS DISPOSAL SYSTEMS, 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 TEXAS DISPOSAL SYSTEMS, INC. is solely responsible. In the carrying on of the work herein provided for, TEXAS DISPOSAL SYSTEMS, INC. shall use all proper skill and care, and TEXAS DISPOSAL SYSTEMS, INC. shall exercise all due and proper precautions to prevent injury to any property, person or persons. TEXAS DISPOSAL SYSTEMS, INC. assumes responsibility and liability and hereby agrees to indemnify the City of Brenham from any liability caused by TEXAS DISPOSAL SYSTEMS, 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**

TEXAS DISPOSAL SYSTEMS, 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	TEXAS DISPOSAL SYSTEMS, INC.
	P.O. Box 1059	16401 FM 1155
	Brenham, Texas 77834	Washington, Texas 77880

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 one hundred, eighty (180) days beginning on the ___ day of _____, 20___, being the date of acceptance by TEXAS DISPOSAL SYSTEMS. Upon expiration, this Agreement shall continue in full effect on a month by month basis while remaining subject to termination by either party at any time upon thirty (30) days written notice by certified mail. 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 TEXAS DISPOSAL SYSTEMS, 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 20th day of September, 2012.

PASSED and APPROVED on its second reading this 4th day of October, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

EXHIBIT "A"

Texas Disposal Systems, Inc - Austin, TX
Rate Schedule for City of Brenham, TX

<u>Container Size</u>	<u>Delivery</u>	<u>Haul Rate</u>
20 CY	150	460
30 CY	150	525
40 CY	150	625

5% City franchise fee will be added to above rates

FSC (Fuel surcharge) will be added to above rates

Over weight fee (over 10 tons) - \$40 per ton



AGENDA ITEM 8

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: September 18, 2012	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Doug Baker	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discussion and Presentation on Establishing a No Parking Zone on West Alamo Street in the Downtown Area		
SUMMARY STATEMENT: W. Alamo Street - Every morning and at times during the day at least two cars are parked next to the curb on the left (north) side of W. Alamo Street approaching the BNSF Railroad track. When cars are parked there, they restrict the width of the travel lane, thereby causing motorists to move to the right. In doing so, they cross over the center stripe and encroach into the right lane. Closer to the track, motorists then tend to move to the left because the centerline of Alamo Street on the west side of the track is offset approximately five feet further south than the centerline on the east side of the track. I don't think that cars having to move over into the other lane in order to avoid the parked cars is particularly dangerous, but I think it is an inconvenience to the free flow of traffic at that location. This is no different than wider radius returns at street intersections. The wider returns improve the flow of traffic through the intersections. So I am recommending that we put a no parking zone on the north side of W. Alamo at the location shown on the map. We can probably expect some backlash from the people who park their cars along the street. They will be tenants who live in the rental units facing Alamo Street. As you can see on the map, the owners of the units have enough room on their property to provide off-street parking for their tenants. Parking in the street is not necessary, it's just convenient.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Maps; and (2) Letter to Property Owners		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		

proposed no-parking zone

street centerlines

W. ATLAMO



proposed no-parking zone

W. MAIN



Mayor
Milton Y. Tate, Jr.

Council Members
Gloria Nix, Mayor Pro Tem
Mary E. Barnes-Tilley
Andrew Ebel
Danny Goss
Keith Herring
Weldon C. Williams, Jr.

April 30, 2012

Donna Boyce
911 Burleson Street
Brenham, Texas 77833

Dear Ms. Boyce,

For several months I've noticed vehicles parked on the left side of Alamo Street just west of the railroad track, particularly in the morning. Unfortunately there is not enough room between the curb and the center stripe for a travel lane and a parking lane. Furthermore, motorists tend to move to the left as they approach the tracks because the center stripe on the other side of the track is five feet further to the left than it is on your side of the track.

There appears to be adequate on-site parking at the rear or on the side of the buildings facing Alamo Street. I am asking that you or your tenants utilize the on-site parking space and not continue to park on Alamo Street. Obviously, if you do not have tenants parking on the street, this request does not apply to you.

Thank you in advance for your cooperation.

Sincerely,

Doug Baker, PE
Director of Public Works
City of Brenham



Mayor
Milton Y. Tate, Jr.

Council Members
Gloria Nix, Mayor Pro Tem
Mary E. Barnes-Tilley
Andrew Ebel
Danny Goss
Keith Herring
Weldon C. Williams, Jr.

April 30, 2012

Wayde & Linda Bage
709 Matchett Street
Brenham, Texas 77833

Dear Mr. & Mrs. Bage,

For several months I've noticed vehicles parked on the left side of Alamo Street just west of the railroad track, particularly in the morning. Unfortunately there is not enough room between the curb and the center stripe for a travel lane and a parking lane. Furthermore, motorists tend to move to the left as they approach the tracks because the center stripe on the other side of the track is five feet further to the left than it is on your side of the track.

There appears to be adequate on-site parking at the rear or on the side of the buildings facing Alamo Street. I am asking that you or your tenants utilize the on-site parking space and not continue to park on Alamo Street. Obviously, if you do not have tenants parking on the street, this request does not apply to you.

Thank you in advance for your cooperation.

Sincerely,

Doug Baker, PE
Director of Public Works
City of Brenham



Mayor
Milton Y. Tate, Jr.

Council Members
Gloria Nix, Mayor Pro Tem
Mary E. Barnes-Tilley
Andrew Ebel
Danny Goss
Keith Herring
Weldon C. Williams, Jr.

April 30, 2012

Garry & Debbie Arnold
307 W. Main Street
Brenham, Texas 77833

Dear Mr. & Mrs. Arnold,

For several months I've noticed vehicles parked on the left side of Alamo Street just west of the railroad track, particularly in the morning. Unfortunately there is not enough room between the curb and the center stripe for a travel lane and a parking lane. Furthermore, motorists tend to move to the left as they approach the tracks because the center stripe on the other side of the track is five feet further to the left than it is on your side of the track.

There appears to be adequate on-site parking at the rear or on the side of the buildings facing Alamo Street. I am asking that you or your tenants utilize the on-site parking space and not continue to park on Alamo Street. Obviously, if you do not have tenants parking on the street, this request does not apply to you.

Thank you in advance for your cooperation.

Sincerely,

Doug Baker, PE
Director of Public Works
City of Brenham



Mayor
Milton Y. Tate, Jr.

Council Members
Gloria Nix, Mayor Pro Tem
Mary E. Barnes-Tilley
Andrew Ebel
Danny Goss
Keith Herring
Weldon C. Williams, Jr.

April 30, 2012

James & Kristen Crady, III
313 W. Main Street
Brenham, Texas 77833

Dear Mr. & Mrs. Crady,

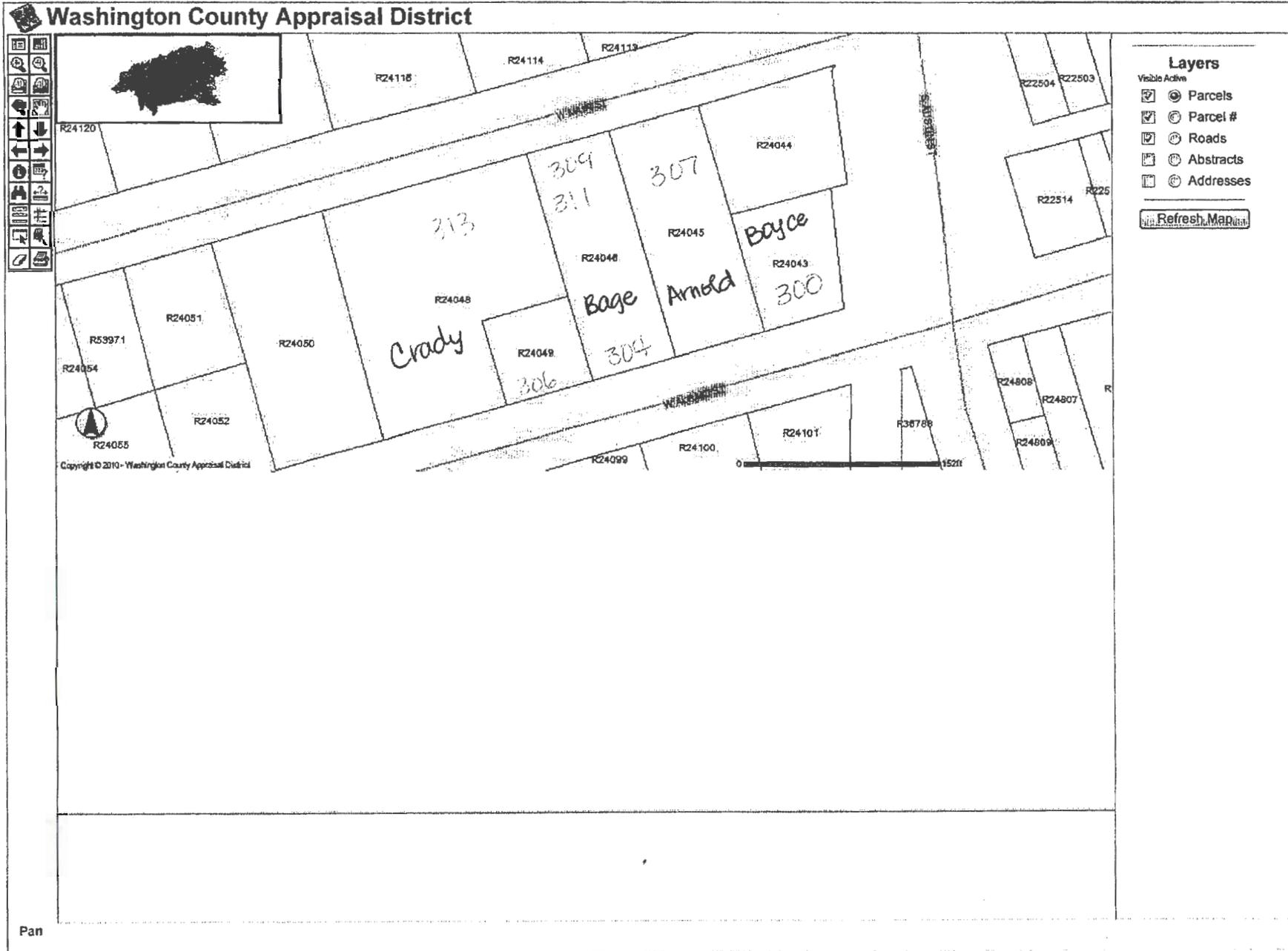
For several months I've noticed vehicles parked on the left side of Alamo Street just west of the railroad track, particularly in the morning. Unfortunately there is not enough room between the curb and the center stripe for a travel lane and a parking lane. Furthermore, motorists tend to move to the left as they approach the tracks because the center stripe on the other side of the track is five feet further to the left than it is on your side of the track.

There appears to be adequate on-site parking at the rear or on the side of the buildings facing Alamo Street. I am asking that you or your tenants utilize the on-site parking space and not continue to park on Alamo Street. Obviously, if you do not have tenants parking on the street, this request does not apply to you.

Thank you in advance for your cooperation.

Sincerely,

Doug Baker, PE
Director of Public Works
City of Brenham





AGENDA ITEM 9

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: September 27, 2012	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Doug Baker	
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 the Stringer Street Realignment Project and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: In this project, four driveways will have to be extended to the new street. Three are concrete, one is gravel. The contractor's price to extend the gravel driveway is \$11,472.50. The engineer has determined that the cost to extend the driveway can be reduced by \$6,821.10 by requiring a different grade of base material (Type A, Grade 2 instead of Type B, Grade 2) and overlaying it with asphalt. Apparently Type B base material is hard to get. The change will not leave the owner with a driveway that is of lesser quality than his existing driveway. To the contrary, it will be better. I recommend approval of this change order which reduces the contract amount from \$213,764.14 to \$206,943.04.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) O'Malley Engineers Contract		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve Change Order No. 1 for the Stringer Street Realignment Project and authorize the Mayor to execute any necessary documentation.		
APPROVALS: Terry K. Roberts		



O'Malley Engineers, L.L.P.

TBPE No. F-3244

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

CITY OF BRENHAM
US 290 FRONTAGE ROAD/STRINGER STREET INTERSECTION
OE JOB NO. 1006.071-PA/PB

CHANGE ORDER NO. 1
August 21, 2012

REASON: To replace 130 SY of 6" Type B, Grade 2 base material, for driveway extension located at station 2+62 Lt, with 130 SY of 6" Type A, Grade 2 base material and 130 SY of 1 1/2" Type D hot mix asphalt pavement including prime/tack coat.

ADDITIONS:

- 1. Furnish labor and materials to place 6" minimum thickness Type A, grade 2 base material, complete in place, 130 SY @ \$18.68/SY \$2,428.40
 - 2. Furnish labor and materials to install 1 1/2" minimum thickness Type D hot mix asphaltic concrete (HMAC) pavement, including prime/tack coat, complete in place, 130 SY @ \$17.10/SY \$2,223.00
- SUBTOTAL ADDITIONS \$4,651.40**

DEDUCTIONS:

- 1. Furnish labor and materials to place 6" minimum thickness Type B, Grade 2 base material, complete in place, 130 SY @ \$88.25/SY (\$11,472.50)
- SUBTOTAL DEDUCTIONS (\$11,472.50)**

TOTAL CHANGE ORDER NO. 1 (\$6,821.10)

ORIGINAL CONTRACT AMOUNT \$213,764.14
 MINUS CHANGE ORDER NO. 1 (\$6,821.10)
 ADJUSTED CONTRACT AMOUNT \$206,943.04

ACCEPTED BY:	<u>Shannon Gutierrez</u> Legacy Concrete Works, LLC	<u>8-24-12</u> Date
RECOMMENDED BY:	<u>Paul W. O'Malley</u> O'Malley Engineers, L.L.P.	<u>8-24-12</u> Date
APPROVED BY:	_____ City Brenham	_____ Date



AGENDA ITEM 10

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Appointment of a New Member to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board		
SUMMARY STATEMENT: While reviewing board member attendance records, I noticed that HOT Board member Susan White had not attended a meeting since November, 2011. In May, I contacted Ms. White via e-mail to advise her of the new attendance requirements; she replied that she would be out of the state for an “extended period of time” volunteering at a non-profit retreat center. She never indicated when, or if, she would be returning back to Brenham. On June 1 st , the City Manager sent her a letter asking her to contact him directly to discuss her continued membership on the HOT Board; to date, we have not heard from her. At the request of Mayor Tate, I visited with Keith Hankins, the new owner of Ant Street Inn, about replacing Ms. White on the HOT Board. After taking some time to consider the Mayor’s request and review some basic HOT Board information, Mr. Hankins agreed to serve and submitted a Request for Appointment form.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Request for Appointment to City of Brenham Boards and Commissions Form received from Keith Hankins; and (2) Letter dated August 23, 2012 to Mr. Hankins providing him with some basic HOT Board information		
FUNDING SOURCE (Where Applicable):		

RECOMMENDED ACTION: Approve the appointment of Keith Hankins to Member Position 6 on the Brenham-Washington County Hotel Occupancy Tax (HOT) Board with a term expiring on December 31, 2014

APPROVALS: Terry K. Roberts



REQUEST FOR APPOINTMENT TO
CITY OF BRENHAM
BOARDS AND COMMISSIONS

Name of Board or Commission in which you have an interest:

- | | |
|--------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Board of Adjustments and Appeals |
| <input type="checkbox"/> Brenham Community Development Corp. | <input type="checkbox"/> Brenham Housing Authority |
| <input type="checkbox"/> Building Standards Commission | <input checked="" type="checkbox"/> Hotel Occupancy Tax Board |
| <input type="checkbox"/> Library Advisory Board | <input type="checkbox"/> Main Street Board |
| <input type="checkbox"/> Parks & Recreation Board | <input type="checkbox"/> Planning & Zoning Board |

(Composition, terms, duties and responsibilities are outlined on the Attachment)

Name: Hankins Lloyd Keith
(Title) (Last) (First) (Middle)

Residence Address: 107 W. Commerce Brenham, TX 77833
(Street) (City) (State) (Zip)

Mailing Address: (If different from above)

(Street) (City) (State) (Zip)

Preferred Phone and Fax: (979) 836-7393 (979) 836-7595
(Phone) (Fax)

Email Address: K_hankins@55global.net

Occupation: Inn Keeper

Employer: Self Employed (Ant Street Inn)

Are you a resident of the City of Brenham? Yes No Length of residency: 3 months

Are you a resident of Washington County? Yes No Length of residency: 3 months

Do you, your spouse or your employer have any financial interest, directly or indirectly, in matters that might come before the Board to which you seek appointment?

Yes No If yes, explain: My wife Suzy and I own the Ant Street Inn in Brenham, Texas.

Applicant Name: Lloyd Keith Hankins

BACKGROUND

Education/Training: Finance BBA - TCU ; MBA - SMA

Areas of Interest: Business Development, Marketing, Finance

Current or Past Volunteer Experience/Community Service:

Please specify current or past volunteer experience/community service, if any, on Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities. Additional information may be attached.

Organization: City of Arlington, Texas: Citizen's Budget Review Committee

Organization: J.L. Hill Elementary School: PTA Liaison to School Board

Organization: _____

Organization: _____

Reasons for seeking appointment: Please attach a brief narrative outlining your interests and qualifications for seeking this appointment. You may also add a resume or any additional documentation.

I have read and understand the instructions and appointment process. I certify that all statements that I have made on this application and other supplementary materials are true and correct. I acknowledge that any false statement or misrepresentation on this application or supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

L. Keith Hankins
Signature

September 8, 2012
Date

FILE THIS COMPLETED APPLICATION ALONG WITH THE CONSENT FOR FELONY BACKGROUND HISTORY FORM WITH CITY SECRETARY'S OFFICE ON OR BEFORE 5:00 P.M. ON OCTOBER 1ST

City of Brenham - City Secretary
P. O. Box 1059
Brenham, Texas 77834-1059
Phone: 979-337-7567
Fax: 979-337-7568

(Original copy will be kept on file in the City Secretary's office for 12 months from the date of submission)

LLOYD KEITH HANKINS

107 West Commerce Street
Brenham, Texas 77833

(979) 836-7393
k_hankinss@sbcglobal.net

HEALTH CARE MANAGEMENT

Managed Care Contracting, Negotiation and Management... Financial Analysis and Pro Forma Development... Business Development... Provider Reimbursement Mechanisms... Actuarial and Market Data Analysis... Market Research and Feasibility Analysis... Pricing Strategy... Business/Project Start-up and Management... Marketing... Operations Management...

EXPERIENCE

BUILTA HANKINS MANAGEMENT, LLC, Brenham, Texas **2011-Present**
Member/Manager

Through BHM, own and operate the Ant Street Inn in Brenham, Texas, including the management of real estate properties for the production of rental revenues; provide business consulting services, including business plan development and assistance with start-up operations, finance and marketing.

ESSENCE HEALTHCARE, INC, St. Louis, MO **2006-2012**
Director of Contract Management

Directly responsible to the President for the development and implementation of contracting strategies, negotiation and management of all provider contracting in all markets across the country including physicians, facilities and all ancillary providers of health care services.

- Directed the development of provider networks in twenty-five (25) expansion counties in six states;
- Provider networks supported the enrollment growth from just over 3,600 members in the St. Louis metro area in 2006 to over 52,000 in 2010;
- Develop contracting mechanisms to support provider incentives that fit into the company's innovative Collaborative Payer Model;
- Manage a staff of contracting professionals, as well as all contract management functions, contract performance and analysis, negotiation and re-negotiations, policies and procedures;
- Assist with: new business development analysis; benefit structure development; compliance issues and management; departmental operations in credentialing, network administration and claims.

ESSE HEALTH, St. Louis, MO **2006-2008**
Director of Contract Management

Directly responsible to the Chief Executive Officer for organizational relationship management of and negotiation of health care contracts with all payers.

- Developed and implemented contracting strategies for the largest independent primary care physician group in the metro-St. Louis area, with over seventy-five (75) physicians in the practices of internal medicine, family practice, pediatrics, radiology and allergy and immunology;
- Successfully negotiated rate increases for the physician group with many health care payers, including HMOs, PPOs and TPAs resulting in over \$1.5 million incremental revenue per year;
- Successfully managed relationships to timely overcome operational and functional issues.

addition, directly responsible for HMO operations support services which include Central HMO/MSO Office Management Services, Mail and Fulfillment (mail clearinghouse) functions, and a full-service Print/Copy Center.

- Financial forecasting, budgeting, design and implementation of a start-up MSO operation under the integrated delivery system;
- Oversight of multi-disciplinary MSO implementation committee comprised of professionals from every HMO operational area including: Claims Adjudication, Communications, Finance, Information Services, Medical Management Services, Member Services, Pharmacy Services, Provider Credentialing etc;
- Highly successful start-up of a provider-owned HMO in South Mississippi, providing complete turnkey administrative services for the client, on time and on budget;
- Successful start-up of TPA services for a large, multi-specialty IPA with challenging IT and operational issues resolved prior to inception of operations;
- Managed three operational departments consisting of approximately forty (40) personnel with combined budgets of over \$9 million, consistently managed to favorable budget variances;
- Developed specific process flows for the print and fulfillment functions that reduced errors in job fulfillment and avoided wasted time and materials;
- Guided the Mail, Print and Fulfillment departments through one of the most successful open enrollment operations in company history, resulting in these departments earning the President's Monthly Champions award for February, 1999.

TRIGON HEALTH VENTURES, INC., Irving, Texas

1993–1997

Senior Associate, (1997)

Associate, (1993-1996)

Directly responsible to the President, Trigon Health Ventures, for the development and enhancement of financial, actuarial and demographic data systems and the analysis and projection of financial performance of client physician group practices, Physician-Hospital Organizations, HMOs and Integrated Delivery Systems.

- Increased profitability for client physician groups, PHOs, and HMOs through successful negotiation of Managed Care contracts, including capitation rates;
- Project management of a successful PHO development, including the development of all contract instruments, utilization management mechanisms, provider credentialing criteria, provider fee schedules and initial contract negotiations with payers;
- Educated provider clients regarding reimbursement methods through group presentations as well as individual instruction.

OHIO STATE UNIVERSITY HOSPITALS, Strategic Planning, Columbus, Ohio

Summer, 1993

Graduate Administrative Intern

- Assisted with research, design and development of strategic plans for presentation to University Hospitals' Board of Directors.
- Designed a model that projected hospital bed and physician need for Franklin County, Ohio;
- Integrated strategic plans to determine Hospitals' responsiveness to changing health care environment;
- Developed a provider network strategic plan to enhance tertiary care patient flow from outlying areas and to enhance Primary Care services within Franklin County; and,
- Provided assistance with other strategic plan development, including research for Transplant Strategic

Plan, Rehabilitation Bed Need Analysis, Top Ten Academic Hospital Benchmarking.

BAUER/SOUTHAM AUDIO VIDEO, INC., Dallas, Texas **1990-1992**

Director of Purchasing

Directed purchases of goods, services and capital equipment for all offices and properties. Developed budgets for capital expenditures for all new offices. Devised and implemented purchasing policies and procedures.

ARLINGTON MEMORIAL HOSPITAL, Arlington, Texas **1989-1990**

Buyer/Purchasing Manager

Supervised purchases of all medical supplies and equipment. Acted as liaison between Office of Materials Management and all other departments. Served as Special Advisor to the Products Utilization and Standardization Committee.

EDUCATION

SOUTHERN METHODIST UNIVERSITY, Dallas, Texas

Master of Business Administration, 1994

- Business Dean's Graduate Scholarship, 1992-1994
- Graduate Assistantship: Business Information Center, 1992-1994

TEXAS CHRISTIAN UNIVERSITY, Fort Worth, Texas

Bachelor of Business Administration, 1988 -- Major: Finance

- TCU Scholar, 1985-1988
- Varsity Swim Team, 1985-1987

COMMUNITY ACTIVITIES AND HONORS

City of Arlington, Texas

- Twice selected by City Council Representative and approved by unanimous vote of the full City Council and Mayor to serve on the Citizens' Budget Review Committee, fiscal years 2001 and 2002, examining and making recommendations to the Council on the 2002 and 2003 City Budgets

J. L. Hill Elementary School, Arlington, Texas

- Site-Based Management Committee, 1999-2000, 2000-2001 (Elected to position by parents)
- School Board Delegate to PTA Board of Directors (Appointed position), 2000-2001
- Junior Achievement Consultant, 2000
- School Volunteer, 1998-2006

References available upon request.



Mayor
Milton Y. Tate, Jr.

Council Members
Gloria Nix, Mayor Pro Tem
Mary E. Barnes-Tilley
Andrew Ebel
Danny Goss
Keith Herring
Weldon C. Williams, Jr.

August 23, 2012

9/10 - LM

Mr. L. Keith Hankins
Ant Street Inn
107 W. Commerce Street
Brenham, Texas 77833

Dear Mr. Hankins,

It was a pleasure speaking with you last week about the possibility of you serving on the Brenham-Washington County Hotel Occupancy Tax (HOT) Board.

Please find enclosed with this letter a brief description of the HOT Board along with a list of the current members; the City's policies and procedures regarding boards and committees; approved minutes from two meetings; and the ordinance authorizing the Board to act on the City's behalf. You will also find agenda packets from the last two meetings as well as an application to serve on the Board. If you choose to accept Mayor Tate's invitation for appointment, I will need the Request for Appointment Form completed and returned back to me as soon as possible.

Also enclosed with this letter is a copy of the funding packet we give to any organization requesting funding from hotel occupancy taxes. The FY2011-12 budget and FY2012-13 funding allocations are also included to give you an idea of what types of organizations submit requests and the amount of funding they receive. The FY2012-13 funding was voted on by the Board at their June 13th meeting.

I appreciate your willingness to consider this opportunity and I look forward to hearing from you soon. If you decide to join the Board, please note the next meeting will be on November 14th at 10:00 a.m. here at City Hall – please be sure and mark your calendar!

Sincerely,

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 11

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution R-12-015 Establishing Board Member Positions on the City of Brenham’s Library Advisory Board		
<p>SUMMARY STATEMENT: In January of this year, I presented a new board policy requesting that Council approve changing all advisory board member terms to three years, staggered. In August the City Council approved Ordinance O-12-017 providing for the reorganization of the Library Board which consisted of three-year, staggered, terms.</p> <p>In reviewing Board documents, I discovered that back in 2008 Library Board members drew straws to establish staggered, three-year, terms of its members. Due to the action taken by the Library Board in 2008, the only action needed now is the assignment of current board members to member positions outlined in Section 2-76 of the 2012 ordinance.</p>		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
<p>A. PROS:</p> <p>B. CONS:</p>		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Resolution R-12-015 assigning board member positions		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve Resolution R-12-015 establishing board member positions on the City of Brenham’s Library Advisory Board		
APPROVALS: Terry K. Roberts		

RESOLUTION R-12-015

A RESOLUTION OF THE CITY OF BRENHAM, TEXAS TO ASSIGN BOARD MEMBER POSITIONS TO MEMBERS SERVING ON THE LIBRARY ADVISORY BOARD

WHEREAS, on December 15, 2011 the Brenham City Council adopted Ordinance O-11-026 providing for the reorganization of all city advisory boards and committees to establish three-year terms and to repeal the three-term limit established in 2005; and

WHEREAS, on February 28, 2008 the members of the Library Advisory Board drew straws to determine the proper staggering for three-year terms; and

WHEREAS, on August 2, 2012 the Brenham City Council adopted Ordinance O-12-017 providing for board member places on the Library Advisory Board; and

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

The following position numbers are assigned to the board member positions of the Library Advisory Board as follows:

City of Brenham Appointees

- Member Position 1: Weldon Williams
- Member Position 2: Keith Herring
- Member Position 3: Meg Cone

Washington County Appointees

- Member Position 4: Zeb Heckmann

Fortnightly Club Appointees

- Member Position 5: Sabrina Roberts
- Member Position 6: Teddy Boehm
- Member Position 7: Betty Fortner
- Member Position 8: Jody Tyson
- Member Position 9: Joy Blake

PASSED and APPROVED on this 4th day of October, 2012.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 12

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input 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 checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition Located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas		
SUMMARY STATEMENT: Executive Session discussion.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 13

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input 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 checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition Located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land		
SUMMARY STATEMENT: Executive Session discussion.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 14

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input 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 checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 200 Acres Located on Chadwick – Hogan Road More Commonly Identified as the Old Landfill Property		
SUMMARY STATEMENT: Executive Session discussion.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 15

DATE OF MEETING: October 4, 2012		DATE SUBMITTED: October 1, 2012
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Terry K. Roberts
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input 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 checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential New Park Land		
SUMMARY STATEMENT: Executive Session discussion.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 16

DATE OF MEETING: October 4, 2012	DATE SUBMITTED: October 1, 2012	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry K. Roberts	
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 the Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: As discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: As discussed in Executive Session.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 17

DATE OF MEETING: October 4, 2012		DATE SUBMITTED: October 1, 2012
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Terry K. Roberts
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 the Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: As discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None.		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: As discussed in Executive Session.		
APPROVALS: Terry K. Roberts		