



**NOTICE OF A SPECIAL MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, AUGUST 29, 2013 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

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

PUBLIC HEARING

- 3. Proposed Tax Rate of \$0.5632 per \$100 Valuation for Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014** **Page 1-2**

REGULAR AGENDA

- 4. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham to Provide for the Appointment of an Interim Member to the Brenham-Washington County Hotel Occupancy Tax Board** **Page 3-6**

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

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 August 29, 2013 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 August 26, 2013 at ***12:05 PM***.

Amanda Klehm

Deputy City Secretary

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty-four (24) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2013 at _____ AM PM.

Signature

Title



AGENDA ITEM 3

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|--|--|--|--|
| DATE OF MEETING: August 29, 2013 | | DATE SUBMITTED: August 26, 2013 | |
| DEPT. OF ORIGIN: Finance | | SUBMITTED BY: Carolyn D. Miller | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: | |
| <input type="checkbox"/> REGULAR | <input checked="" type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING | |
| <input checked="" 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 type="checkbox"/> WORK SESSION | | |
| AGENDA ITEM DESCRIPTION: Proposed Tax Rate of \$0.5632 per \$100 Valuation for Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014. | | | |
| SUMMARY STATEMENT: See attached memo from Chief Financial Officer on this item. | | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | | |
| A. PROS: | | | |
| B. CONS: | | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | | |
| ATTACHMENTS: (1.) Memo from CFO | | | |
| FUNDING SOURCE (Where Applicable): | | | |
| RECOMMENDED ACTION: Discussion only. | | | |
| APPROVALS: Terry K. Roberts | | | |



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Chief Financial Officer

Subject: Public Hearing on Proposed 2013 Tax Rate

Date: August 26, 2013

Council Budget Workshops were held during the week of July 17, 2013 to present the proposed FY2013-14 Budget. In these workshops and during the work session of the August 1, 2013 City Council meeting, the FY2013-14 proposed budget was finalized. The proposed budget is on the City's website, on file with the City Secretary, Washington County Clerk, and at the Nancy Carol Roberts Memorial Library.

A property tax rate of \$0.5632 per \$100 valuation is proposed to fund the FY2013-14 Budget. Of this rate, \$0.3579 will be for maintenance and operations (M&O). The balance of \$0.2053 is for debt service (interest and sinking or I&S). Based on the certified taxable values of \$1,080,568,292 the effective tax rate is \$0.5250 and the rollback rate is \$0.5665 per \$100 valuation for the 2013 Tax Year.

In compliance with the Property Tax Code, a governing body must hold two public hearings to receive citizen comments on a proposed property tax rate. The governing body may not adopt the tax rate at either of these hearings. At each hearing, the governing body must announce the date, time, and place of the meeting at which it will vote on the tax rate. After receiving citizen comments, the following announcement should be made:

The first reading of the Ordinance to adopt the tax rate will be during a Special Council meeting on Monday, September 16, 2013 at 1:00 p.m. The second reading of the Ordinance and adoption of the tax rate is scheduled for a Regular Council meeting on Thursday, September 19, 2013 at 1:00 p.m.

There are no other items regarding the property tax rate scheduled for this agenda.



AGENDA ITEM 4

| | | |
|---|---|---|
| DATE OF MEETING: August 29, 2013 | DATE SUBMITTED: August 26, 2013 | |
| DEPT. OF ORIGIN: Administration | SUBMITTED BY: Jeana Bellinger | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham to Provide for the Appointment of an Interim Member to the Brenham-Washington County Hotel Occupancy Tax Board | | |
| SUMMARY STATEMENT: In the event of unexpected medical or personal emergency that could cause a member to be in violation of the Board's attendance requirements, this Ordinance will allow the Mayor to appoint an interim member to serve until such time as the incumbent can return to their position on the Board. Due to the responsibilities of the HOT Board, it makes it difficult for the Board to operate without all of its members present. An interim member would have all the rights and responsibilities of an incumbent member. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: Allows the HOT Board to continue meeting and operating as needed | | |
| B. CONS: Meetings may have to be cancelled due to the lack of a quorum; which could hinder the overall responsibilities of the Board | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1.) Draft of Ordinance for first reading | | |
| FUNDING SOURCE (Where Applicable): N/A | | |
| RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham to provide for the appointment of an interim member to the Brenham-Washington County Hotel Occupancy Tax Board. | | |
| APPROVALS: Terry K. Roberts | | |

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING CHAPTER 24, TAXATION, OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS PROVIDING FOR THE APPOINTMENT OF AN INTERIM MEMBER TO THE BRENHAM-WASHINGTON COUNTY HOTEL OCCUPANCY TAX BOARD; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETINGS

WHEREAS, The City of Brenham (“City”) is a Texas home-rule municipality; and

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

WHEREAS, as a home-rule municipality, Texas Local Government Code, Section 51.072 confirms that the City has the full power of local self-government; and

WHEREAS, the City has created multiple boards and commissions in furtherance of the exercise of the City’s powers and functions; and

WHEREAS, the City and Washington County (“County”) desire to work together to promote tourism and the convention and hotel industry in Brenham and Washington County, Texas as authorized by applicable state law; and

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

NOW, THEREFORE, be it ordained by the City Council of the City of Brenham, Texas that:

SECTION 1.
FINDINGS

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

That the Code of Ordinances, Chapter 24, TAXATION, shall be amended to read as follows:

Sec. 24-42. Interim Member

In the event of an unexpected medical or personal emergency, which causes, or reasonably will cause, a member of the Board to be in violation of the attendance requirements in Sec. 24-40, in order to provide for a quorum the Mayor may appoint an interim member to serve on the Board until such time as the incumbent member can return to the Board, is removed from the Board by the City Council, or submits a letter of resignation pursuant to Sec. 24-35. The interim member shall have all the rights and responsibilities of the incumbent member while serving in the incumbent member's position.

Sec. 24-43. – Sec. 24-50. RESERVED.

SECTION 3.
SAVINGS CLAUSE

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

SECTION 4.
SEVERABILITY

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

SECTION 5.
REPEALER

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

SECTION 6.
EFFECTIVE DATE

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

SECTION 7.
PROPER NOTICE AND MEETINGS

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

PASSED AND APPROVED on its first reading this the _____ day of August, 2013.

PASSED AND APPROVED on its second reading this the _____ day of September, 2013.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary