



**NOTICE OF A REGULAR MEETING  
THE BRENHAM CITY COUNCIL  
THURSDAY, OCTOBER 17, 2013 AT 4:00 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 Williams**
- 3. Awards**
  - GFOA Certificate of Achievement for Excellence in Financial Reporting
    - *Fifth Consecutive Year* **Page 1-3**
- 4. Citizens Comments**

**CONSENT AGENDA**

**5. Statutory Consent Agenda**

The Statutory Consent Agenda includes non-controversial and routine items that Council may act on with one single vote. A councilmember may pull any item from the Consent Agenda in order that the Council discuss and act upon it individually as part of the Regular Agenda.

- 5-a. Minutes from the September 19, 2013 and October 3, 2013 City Council Meetings** **Page 4-27**

**WORK SESSION**

- 6. Presentation of the Fourth Quarter Report by the Washington County Convention and Visitors Bureau** **Page 28-29**

## **REGULAR AGENDA**

7. **Discuss and Possibly Act Upon Resolution No. R-13-014 Expressing Official Intent to Reimburse Certain Costs Related to the Construction of a Fire Substation and the Purchase of Firefighting and Rescue Equipment** **Page 30-32**
8. **Discuss and Possibly Act Upon Resolution No. R-13-015 Renaming a Portion of Stringer Street to South Chappell Hill Street** **Page 33-36**
9. **Discuss and Possibly Act Upon Resolution No. R-13-016 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors** **Page 37-40**
10. **Discuss and Possibly Act Upon Health Insurance Funding Rates Effective January 1, 2014 and Authorize the Mayor to Execute Any Necessary Documentation** **Page 41-43**
11. **Discuss and Possibly Act Upon an Ordinance on its First Reading Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System Effective January 1, 2014** **Page 44-48**
12. **Discuss and Possibly Act Upon the Renewal of the Contract with Legacy Concrete Works LLC for Concrete Work for the Street Department and Authorize the Mayor to Execute any Necessary Documentation** **Page 49-55**

## **EXECUTIVE SESSION**

13. **Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider City Manager’s Employment Agreement and Related Issues** **Page 56**
14. **Texas Government Code Section 551.072 – Deliberation Regarding Real Property – Discuss and Consider the Acquisition of Properties Related to the Extension of Chappell Hill Street** **Page 57**

## **RE-OPEN REGULAR AGENDA**

15. **Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues** **Page 58**
16. **Discuss and Possibly Take Action as a Result of Executive Session Regarding Real Property Acquisition for the Chappell Hill Street Extension Project and Authorize the Mayor to Negotiate and Execute Any Necessary Documentation** **Page 59**

**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.

## 17. 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 17, 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 October 14, 2013 at **3:35 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



**SPECIAL RECOGNITION**

To: Mayor, Council and City Manager

From: Carolyn D. Miller *cm*  
Chief Financial Officer

Subject: Special Recognition for GFOA Certificate of Achievement for Excellence in Financial Reporting *Fifth Consecutive Year*

Date: October 14, 2013

I am pleased to announce that the City of Brenham, for the *fifth consecutive year*, has been awarded the ***Certificate of Achievement for Excellence in Financial Reporting*** from the Government Finance Officers Association (GFOA) for our annual financial report for the period ending September 30, 2012. To quote the GFOA “the Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.”

Our Finance team works diligently and professionally throughout the year and their efforts culminate in the issuance of our comprehensive annual financial report. It is my privilege to lead this outstanding team of individuals and I congratulate them on receiving this award. As you know, this is one of my premier goals for the Finance Division and I take personal pride and satisfaction in our ability to uphold this noteworthy accomplishment.



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

October 3, 2013

The Honorable Milton Y. Tate, Jr.  
Mayor  
City of Brenham  
PO Box 1059  
Brenham TX 77834-1059

Dear Mayor Tate:

We are pleased to notify you that your comprehensive annual financial report for the fiscal year ended **September 30, 2012** qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The Certificate of Achievement plaque will be shipped to:

**Carolyn D. Miller**  
**Chief Financial Officer**

under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, [www.gfoa.org](http://www.gfoa.org).

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,  
Government Finance Officers Association

Stephen J. Gauthier, Director

Technical Services Center

SJG/ds



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

10/03/2013

NEWS RELEASE

For Information contact:  
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Brenham** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

**Finance Department, City of Brenham**

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on September 19, 2013 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 Andrew Ebel  
Councilmember Danny Goss  
Councilmember Keith Herring  
Councilmember Mary E. Barnes-Tilley  
Councilmember Weldon Williams, Jr.

### Members absent:

None

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Stacy Hardy, Kaci Konieczny, Wende Ragonis, Susan Nienstedt, Crystal Dahlquist, Cynthia Longhofer, Fire Chief Ricky Boeker, Deputy Fire Chief Alan Finke, Police Chief Rex Phelps, Todd Jacobs, Billy Rich, Dant Lange, Casey Thumann, Development Services Director Julie Fulgham, Jennifer Eckermann, Kim Hodde, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, Debbie Gaffey, Gary Jeter, Angela Hahn, Janie Mehrens, Pam Ruemke, Stephen Draehn, Richard Magjarevich, and Grant Lischka

### Citizens present:

Susan White, Lauren Turnbill, Leigh Linden, Traci Pyle, Billy Ruemke, Suzy Hankins, Keith Hankins, John Gunn, Ricky Abernathy, Mat Kolajajak, Aaron Markizer, Tiffany Weiss, Teri Parkison, Michael Kmiec, Randy Parkison, Carrie Marsh, Mary Schulte Barnes, Rick Rakin, Tommy Traylor, Ted Dinkins, Dennis Mahlmann, Rosemary Mahlmann, Rom Whitehead, Debbie Bartley, Tom Bartley, Charlie Pyle, Lindi Pind, Ryan Eisworth, Jose Canales, Susan Cantey, Joy Fuchs, Leslie Harrell, Melinda Faubion, Luther Hueske, Don Voelter, Vicky Briones, Tami Redshaw, Alan Gerson, Francy Gerson, Elizabeth Price, Tommy Upchurch, and Jay Petrash

Media Present:

Arthur Hahn and Caitlin Hahn, Brenham Banner Press; Frank Wagner, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
3. **Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

4. **Statutory Consent Agenda**
  - 4-a. **Minutes from the August 29, 2013 Special Council Meeting and September 5, 2013 Regular City Council Meeting**
  - 4-b. **Discuss and Possibly Act Upon Ordinance No. O-13-019 on Its Second Reading Approving an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning from a Residential Single Family (R-1) District to an Industrial Use (I) District on a 0.783 Acre Tract, Being a Portion of a Called 19.687 Acre Tract Out of the John Carrington Survey, Abstract No. 120, Addressed as 50 Kuhn Lane, and Located South of Salem Road Adjacent to the Mark Schulte Tract and the Burlington Northern Santa Fe Railroad in Brenham, Texas**
  - 4-c. **Discuss and Possibly Act Upon Ordinance No. O-13-020 on Its Second Reading Approving an Amendment to the Official Zoning Map of the City of Brenham 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 11.905 Acres Located North of the Intersection of South Blue Bell Road and Mustang Road, and Tract 251 Within the James Walker Survey in Brenham, Texas**
  - 4-d. **Discuss and Possibly Act Upon Ordinance No. O-13-021 on Its Second Reading Approving a Text Amendment to Part II, Division 2, Section 6 (Industrial District), of Appendix A: Zoning of the City of Brenham’s Code of Ordinances, Amending the List of Permitted Uses and Adding Uses Allowed with Specific Use Approval**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Items 4-a, 4-b, 4-c, and 4-d as previously read.

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

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

## **WORK SESSION**

### **5. Discussion and Presentation Regarding Amendments to the City of Brenham Sign Ordinance**

Development Services Director Julie Fulgham presented this item. Fulgham stated the presentation is concerning amendments to the sign ordinance. Michelle Audenaert of Perceptive Planning provided a comprehensive overview of the proposed amendments to the sign ordinance.

Councilmember Goss questioned digital signs that are currently erected, but do not meet the current Ordinance. Fulgham stated with the new, proposed Ordinance, anything that is not listed in the Ordinance will be prohibited. Fulgham stated if the current sign was permitted previously, it will need to come into compliance with the new Ordinance. Fulgham stated those items will have to go before Board of Adjustments for approval.

Councilmember Herring questioned why digital is not listed in the definitions. Fulgham stated digital is listed as changeable copy in the definitions section, but stated they can make that change if he would like.

Councilmember Goss questioned LED signs and if the new, proposed Ordinance goes into effect, will each business be notified on what can be displayed. Fulgham stated the businesses will be notified and the Ordinance would bring them into compliance.

Councilmember Barnes-Tilley suggested there be language in the new Ordinance that stated those signs previously approved would be grandfathered in unless changes are made. City Attorney Cary Bovey stated that issue is addressed in Section 21.15. Fulgham stated mainly the Ordinance addresses those that are not in compliance and bring into compliance.

A citizen voiced her concerns about the new Ordinance removing the use of sandwich boards in the Downtown area. The citizen stated the sandwich boards are used to tell people where their businesses are located. The citizen questioned what happens with a property owner to know if they are in compliance. Fulgham stated the current signs should be in compliance if permitted and if they are not digital or temporary, then they would be in compliance.

Mayor Pro Tem Nix questioned if Staff has this many problems that the new Ordinance is needed. Fulgham stated yes, because the current Ordinance is vague and does not address all types of signs; therefore, the new sign Ordinance is necessary.

Councilmember Barnes-Tilley questioned if sandwich boards should be addressed now. Fulgham stated the sandwich boards are currently located in the public right-of-way and Council has to approve the use of the right-of-way. Fulgham stated this issue may be too big to tackle with the sign Ordinance. Bovey stated encroachment in the right-of-way would need to be addressed in a license agreement due to liability issues, so they would be need to be determined or approved on an individual basis by Council.

Citizen Dennis Mahlmann questioned the issue that the new Ordinance states hanging signs have to have 8ft clearance. Fulgham stated the clearance amount is listed in the current building code under canopy signs, but those currently in place would be grandfathered in. Fulgham stated if those signs change or new signs would need to be approved.

Citizen Keith Hankins stated the City needs a new sign Ordinance, but the City needs more input by those affected by the new Ordinance. Hankins requested a public meeting because he feels vindicated when it is stated the City Attorney has not looked over the new sign Ordinance. Hankins stated the new sign Ordinance will diminish business opportunities especially in the Downtown area. Hankins stated the City should allow public input, which would be helpful to business owners. Hankins would like the opportunity to give thoughts and input on the Ordinance.

Mayor Tate requested Fulgham have a public hearing either with Board of Adjustments or Planning and Zoning Committee to hear citizen concerns and comments. Fulgham stated the current Ordinance is too restrictive and new one is less restrictive. Fulgham stated this is the process and they have given the Main Street Board the same presentation. Fulgham explained this information has been available through Planning and Zoning, EDF and on the website. Bovey clarified that he has reviewed and commented for changes to the new Ordinance.

Councilmember Herring questioned where election signs fall in the new sign Ordinance. Fulgham stated she would look into it further, but currently they meet state regulations. Bovey stated constitutional issues and State Government Legislature just took up Election Law, which allows posting election signs on public property (electioneering).

A citizen stated adding to the Ordinance seems to be more restrictive especially the possible removal of sandwich boards. Audenaert stated the largest section changed is the definitions to allow for more signs. Audenaert stated since more there are more definitions and signs allowed, the matrices take up a lot of room in the Ordinance. The citizen explained to remove the sandwich boards from the Downtown area would do damage to the Downtown businesses and the town.

Citizen Tommy Traylor stated in the new Ordinance, it seems that little to nothing is grandfathered. Traylor stated hotels can't have billboards, handmade signs are prohibited, only commercial signs allowed, off premise signs prohibited, and sandwich boards prohibited. Traylor stated the new Ordinance states if the City finds a mistake made during permitting, the mistake will need to be changed even though previously permitted. Traylor stated the Ordinance should be to enhance business, not stifle it. Traylor stated the new Ordinance states signs inside a business will be permitted and a fee charged. Traylor stated a \$2000.00 a day fee will be implemented for having letters too large on signs. Traylor explained the Ordinance further states any signs not in Ordinance are prohibited. Traylor stated he found objections to almost every paragraph in the new Ordinance due to the consequences.

Councilmember Goss stated plans must be submitted when applying for permit; however, if a business deviates from those approved plans, then must resubmit plan for review. Traylor stated in the Ordinance it states if a tenant changes a sign and skips town, the owner of the property will be charged fees. Tate questioned if the leasor is out of town and the leasee makes mistake then the leasor is liable. Fulgham stated the building permit requires the property owner's signature. Councilmember Barnes-Tilley stated she does not want to get into further discussion without hearing from the citizens. Fulgham questioned if the Council would like to allow signs in the right-of-way. Barnes-Tilley stated she needs additional information first. Mayor Pro Tem Nix stated Downtown is struggling so Council needs to keep level head and not go overboard.

Mayor Tate stated to get Planning and Zoning to hold a public hearing to hear comments before coming back to Council for solution.

## **REGULAR AGENDA**

### **6. Discuss and Possibly Act Upon a Recommendation from the Main Street Board Asking for 2013 Swirl Net Revenue of \$12,250 Be Transferred to Downtown Donations Fund with \$10,000 to be Designated for Funding of Incentive Grant Policy**

Development Services Director Julie Fulgham presented this item. Fulgham stated Main Street Board Chair Traci Pyle will be presenting this item to request Council's approval of transferring the 2013 Uptown Swirl net revenue of \$12,250 to the Main Street Donations Fund, with \$10,000 to be Designated for funding of the new Incentive Grant Policy. Pyle stated the Main Street Design Committee did a petition with 140 signatures from those who volunteer and support Downtown in favor of Council approving the transfer of Downtown Swirl net revenue to fund the Incentive Grant Policy. The signed petition was given to City Secretary, Jeana Bellinger, for review.

Councilmember Goss stated he spoke with Chief Financial Officer, Carolyn Miller, regarding the indirect costs incurred for the Downtown Swirl event. Miller stated the indirect costs totaled \$1,314.00 and the actual revenue from the event was \$10,841.00. Miller explained the direct expenditures were \$12,250.00, which includes the time spent by Main Street Manager and her salary related to the event. Mayor Tate stated this event is part of her job; therefore, those costs should not be considered. Tate stated the event generates sales tax, which is the goal. Goss stated the people on the City's Staff are paid by taxpayers and the surplus money cannot be used for personal gain and improvements to their businesses. Goss stated he has a concerned citizen that does not want taxpayer money going for personal gain or to promote/change personal property. Goss asked the Council to exclude Main Street Manager, Jennifer Eckermann,'s salary from the revenue gain.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the recommendation from the Main Street Board asking for 2013 Swirl net revenue of \$12,250 be transferred to downtown donations fund with \$10,000 to be designated for funding of Incentive Grant Policy.

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

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

**7. Discuss and Possibly Act Upon Ordinance No. O-13-022 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014 and Take Record Vote**

Chief Financial Officer Carolyn Miller presented this item. Miller stated the Fiscal Year 2013-14 Proposed Budget has been developed in compliance with the Property Tax Code, Local Government Code and the City Charter. Miller explained a property tax rate of \$0.5632 per \$100 valuation is necessary to fund the proposed budget, which is on the City's website, on file with the City Secretary, Washington County Clerk, and at the Nancy Carol Roberts Memorial Library. Miller stated because of the recent passage of Senate Bill (S.B.) 656, City Council's vote to adopt a budget is required to be a record vote.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Ordinance O-13-022 on its second reading adopting the budget for fiscal year beginning October 1, 2013 and ending September 30, 2014 and take a record vote.

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

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

**8. Discuss and Possibly Act Upon Ordinance No. O-13-023 on Its Second Reading Levying Taxes for the Tax Year 2013 for the City of Brenham at \$0.5632 per \$100 Valuation and Take Record Vote**

Chief Financial Officer Carolyn Miller presented this item. Miller stated the FY2013-14 Proposed Budget includes a tax rate of \$0.5632 per \$100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). Miller explained the proposed tax rate of \$0.5632 will allocate \$0.3579 to the General Fund for M&O expenditures and the balance of \$0.2053 will be allocated to the Debt Service Fund for principal and interest obligations. Miller stated the proposed tax rate of \$0.5632 is above the effective rate of \$0.5250, but below the rollback rate of \$0.5665. Miller explained the City has complied with all of the notices, publications, and public hearings as required by the Tax Code.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to move that property taxes be increased by the adoption of a tax rate of \$0.5632 per \$100 valuation, which is effectively a 7.28% increase in the tax rate.

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

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

**9. Discuss and Possibly Act Upon Renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2013-14 and Authorize the Mayor to Execute Any Necessary Documentation**

Risk Management Manager Janie Mehrens presented this item. Mehrens presented the renewal of various property, liability and workers' compensation coverage with Texas Municipal League Intergovernmental Risk Pool for FY 2014. Mehrens stated the increase for 2014 contributions is a very modest \$ 1,592 or 0.5% over FY13. Mehrens explained the Pool's rates continue to remain stable. Mehrens stated there were no FY14 rate increases for General Liability, Law Enforcement Liability, Automobile Liability or Property coverage. Mehrens stated any increases can be contributed to additional or expanded exposure in the liability category. Mehrens explained the only significant increase is for Errors & Omissions Liability (Public Officials Liability) with a rate increase of 4.35%. Mehrens stated although there were increases in several class codes, the Workers' Compensation contribution was reduced by \$9,413 or 10.8% primarily because of a decrease in the experience modifier and a slight decrease in estimated payroll. Mehrens stated an equity return of \$6,516 will be applied to property coverage; however, no equity return will be given for any liability coverage, which is a significant change over last year. Mehrens explained in addition pool members who pay the contribution annually will receive a 2% discount for FY14. Mehrens stated the increase in base contributions before any equity return or early pay discounts are applied is \$1,592 or 0.5%. Mehrens explained after applying equity returns and discount the net increase in cost over FY 13 is \$28,273 or 10.1%.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for fiscal year 2013-14 and authorize the Mayor to execute any necessary documentation.

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

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

**10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) of Small and Large Industrial Customers for the City of Brenham Electric Rates**

Public Utilities Director Lowell Ogle presented this item. Ogle stated in August of 2012, J. Stowe & Company was engaged to conduct an Electric and Natural Gas Cost of Service and Rate Design Study. Ogle explained the purpose of the study was to ensure sufficient revenue recovery and to determine that the revenue requirement was equitably allocated among customer classes. Ogle stated for the Electric Fund, the study recommended an increase in the wires charge for small and large industrial customers' rate classes. Ogle explained this increase in the wires charge is expected to generate an additional \$184,407 in Electric Fund revenue during FY14.

Councilmember Barnes-Tilley questioned if the increases could be put into an amount. Ogle stated for small businesses the increase will be \$500.00 a year, while larger industrial businesses will be higher. Ogle stated Blue Bell would be looking at an increase of \$60,000.00 to \$70,000.00 a year.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) of small and large industrial customers for the City of Brenham electric rates and authorize the Mayor to execute any necessary documentation.

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

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

**11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Natural Gas Rates**

Public Utilities Director Lowell Ogle presented this item. Ogle stated in August of 2012, J. Stowe & Company was engaged to conduct an Electric and Natural Gas Cost of Service and Rate Design Study. Ogle explained the purpose of the study was to ensure sufficient revenue recovery and to determine that the revenue requirement was equitably allocated among customer classes. Ogle stated for the Gas Fund, the study recommended a 25% increase in the customer charge for all rate classes. Ogle explained this increase in the customer charge is expected to generate an additional \$127,904 in Gas Fund revenue during FY14. Ogle stated more importantly, the rate change will help bring more revenue stability to the Gas Fund which has struggled during market fluctuations in commodity prices since the loss of Mount Vernon Mills. Ogle stated additionally, the City is lowering the base city rate used in calculating the Gas Cost Adjustment Charge, from \$7.87 per mcf to \$5.00 per mcf. Ogle explained this base city rate better reflects current market price.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for the City of Brenham Natural Gas Rates and authorize the Mayor to execute any necessary documentation.

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

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

**12. Discuss and Possibly Act Upon Bid No. B0039-025-00 for a Utility Line Extension Along State Highway 36 North and Burleson Street and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented this item. Ogle stated a water project for 36 North and Burleson St area was to provide service to an area that was annexed within the last few years while also providing another feed into the High Pressure Plane. Ogle stated there are bond funds available to fund the entire project.

Ogle stated on August 28, 2013 bids were opened by Jones & Carter and City of Brenham staff for this project. Ogle explained the project will consist of over 4,000 feet of 12” C900 PVC water main, 3,500 feet of 8” C900 PVC water main, 8 fire hydrant assemblies, and numerous miscellaneous valves and fittings. Ogle stated the base bid includes the installation of an 8” PVC water main along Burleson St and a 12” PVC tie-in to Lounge Rd, which also includes a bore under the railroad tracks. Ogle explained Alternate Bid No. 1 is for a 12” creek crossing along Hwy 36 near Burleson St. Ogle explained Alternate Bid No. 2 will extend the 12” PVC main from Blue Bell Rd to the creek.

Ogle stated four bids were received on the project with Dudley Construction, Ltd. submitting the low bid for both the base bid and the alternate bids No. 1 and No. 2. Staff recommends awarding the base bid along with Alternate No. 1 and No. 2 to the low bidder, Dudley Construction, Ltd. for a total amount of \$573,227.51.

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate Bid #1</u>	<u>Alternate Bid #2</u>	<u>Total Bid</u>
Dudley Construction, Ltd.	\$360,552.97	\$25,000.00	\$187,674.54	\$573,227.51
Texcon General Contractors	\$395,002.00	\$41,400.00	\$197,588.00	\$633,990.00
Scohil Const Svcs, LLC	\$477,587.50	\$69,000.00	\$231,719.20	\$778,306.70
M&C Fonseca Construction	\$528,867.70	\$16,800.00	\$258,546.50	\$804,214.20

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to award the Bid No. B0039-025-00 to Dudley Construction, Ltd. for a utility line extensions along State Highway 36 North and Burleson Street in the amount of \$573,227.51 and authorize the Mayor to execute any necessary documentation.

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

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

**13. Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1417BRENM with TxDOT for Fiscal Year 2013-14 and Authorize the Mayor to Execute any Necessary Documentation**

Planning Technician Kim Hodde presented this item. Hodde stated this item is a grant agreement with TxDOT for participation in the Routine Airport Maintenance Program (RAMP) for September 1, 2013 to August 31, 2014. Hodde stated as in prior years, this agreement allows the City to be reimbursed for 50% of the cost of monthly AWOS monitoring (AviMet Data Link connection fees and continued scheduled maintenance), annual AWOS Maintenance Contract, as well as 50% of the City's replacement lamps for the airport lighting system, herbicides, general maintenance, and a contingency for emergency repairs. Hodde explained in FY 2013, the City got about half of the game fence installed, so the City will complete the fencing in the current budget year. Hodde explained the City has budgeted funds of \$50,000.00 and with TxDOT's match of \$50,000.00, the City will be able to do \$100,000.00 worth of maintenance and fencing for half of the cost.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1417BRENM with TxDOT for fiscal year 2013-14 and authorize the Mayor to execute any necessary documentation.

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

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

**14. Discuss and Possibly Act Upon a Request for a Noise Variance for Relay for Life to be Held from 6:00 P.M., October 4, 2013 to 12:00 A.M., October 5, 2013 at Fireman's Park and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Holly Johnson requested a noise variance to hold an event for Relay for Life on October 4, 2013 from 6:00 P.M. to 12:00 A.M. at Fireman’s Park. Klehm explained they will have a walk-a-thon for cancer prevention and fundraising. Klehm stated at the event, there will be walking, child’s games, music, and dancing. Klehm explained they will be using sound amplification equipment. Klehm stated the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a request for a noise variance for Relay for Life to be held October 4, 2013 from 6:00 P.M. to 12:00 A.M. at Fireman’s Park and authorize the Mayor to execute any necessary documentation.

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

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

**15. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County Related to the Operation of and Improvements to Linda Anderson Park and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to remove this item from the table.

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

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

City Manager Terry Roberts presented this item. Roberts stated this ILA is not related to the other ILAs.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Interlocal Agreement between the City of Brenham and Washington County related to the operation of and improvements to Linda Anderson Park and authorize the Mayor to execute any necessary documentation

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

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

Mayor Tate stated Council will move to Item #20.

**20. Discuss and Possibly Act Upon an Exchange of Services Interlocal Agreement Between the City of Brenham and Washington County For the Comprehensive Exchange of Services and Authorize the Mayor to Execute Any Necessary Documentation**

Mayor Tate stated the Council will pass this item until a future date and it will remain on the table to explore options for alternatives. No discussion.

**16. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Animal Control Services and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Ebel and seconded by Councilmember Herring to remove this item from the table.

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

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

City Manager Terry Roberts presented this item. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for animal control services and authorize the Mayor to execute any necessary documentation.

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

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

**17. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Animal Shelter Services and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Ebel and seconded by Mayor Pro Tem Nix to remove this item from the table.

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

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

City Manager Terry Roberts presented this item. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for animal shelter services and authorize the Mayor to execute any necessary documentation.

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

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

**18. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Fire Protection and Rescue Services and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to remove this item from the table.

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

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

City Manager Terry Roberts presented this item. Roberts explained the last two items are stated in six (6) month totals, but Cary will adjust for 3 month totals. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for fire protection and rescue services and authorize the Mayor to execute any necessary documentation.

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

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

**19. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County Related to the Jail Services and 9-1-1 Emergency Communication Services and Authorize the Mayor to Execute Any Necessary Documentation**

Mayor Tate stated Council will pass on this item because the current expiration date is December 31, 2013.

**21. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- Staff will bring back Chappell Hill extension at an upcoming Council meeting.
- The City and County have a meeting with TxDOT tomorrow morning at 10am in Conference Room 2A to discuss improvements.

Councilmember Barnes-Tilley thanked everyone for their support and reassured everyone of the process. Barnes-Tilley stated she appreciates the calls, emails, and feedback and, as representatives, they are listening. Barnes-Tilley stated the City and County are working together with everyone's safety in mind. Barnes-Tilley reassured citizens the Council is working to serve the needs of the citizens.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on October 3, 2013 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 Andrew Ebel  
Councilmember Danny Goss  
Councilmember Keith Herring  
Councilmember Mary E. Barnes-Tilley  
Councilmember Weldon Williams, Jr.

### Members absent:

None

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Stacy Hardy, Wende Ragonis, Kathy Bell, Ethel Randle, Crystal Dahlquist, Fire Chief Ricky Boeker, Deputy Fire Chief Alan Finke, Ronald Bentke, Heath Moehlmann, Greg Nienstedt, Cecil Wright, Chris McCain, Justin Schroeder, Police Chief Rex Phelps, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, Wanda Kramer, Shelley Addison, Janie Mehrens, and Grant Lischka

### Citizens present:

Jennifer Moehlmann, Clint Colby, Rev. David Ottsen

### Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Pro Tem Nix**

- 3. 3-a. Service Recognitions**
- Crystal Dahlquist – Recreation Department – 5 years
  - Adam Mahlmann – Fire Department – 20 years
  - Shelley Addison – Utility Billing Department – 25 years
  - Douglas Maurer – Fire Department – 35 years
  - Cecil Wright – Fire Department – 35 years
  - Ethel Randle – Library – 40 years

- 4. Proclamation**
- **Fire Prevention Week – October 7-11, 2013**

The proclamation was received by Deputy Fire Chief Alan Finke.

- 5. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

- 6. Statutory Consent Agenda**

**6-a. Minutes from the September 16, 2013 Special City Council Meeting**

**6-b. Discuss and Possibly Act Upon Ordinance No. O-13-024 on Its Second Reading Amending the Rate Tariff Schedule(s) of Small and Large Industrial Customers for the City of Brenham Electric Rates**

**6-c. Discuss and Possibly Act Upon Ordinance No. O-13-025 on Its Second Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Natural Gas Rates**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the Statutory Consent Agenda Item 4-a, 4-b, 4-c, and 4-d as previously read.

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

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

## **WORK SESSION**

### **7. Discussion and Presentation Regarding Chappell Hill Street Extension Improvements**

City Engineer Grant Lischka presented this item. Lischka stated Staff has met with TxDOT and the design engineer for the project, Jones & Carter, Inc., to review the schedule developed for the construction of the Chappell Hill Street Extension. Lischka explained the planning and construction schedule for the signal light may take longer than the roadway construction. Lischka explained the construction of the signal light requires an Advanced Funding Agreement (AFA) between the City and TxDOT. Lischka stated once the AFA has been finalized, plans for the signal light must then be submitted to TxDOT for their review and approval. Lischka explained the length of the TxDOT review is currently unknown although staff anticipates receiving a timeframe soon. Lischka explained Staff feels that the completion of the road work should coincide with the completion of the signal construction so that the intersection is not put into service without signal lights.

City Manager Terry Roberts stated the AFA agreement is to allow the City of Brenham to fund and construct the traffic light because TxDOT has not warranted money to fund this project. Lischka stated TxDOT's responsibility is to make sure everything ties in together.

Mayor Tate questioned the elevation standards that will be used. Lischka stated they may lower the crown of the road some, but should be able to work through the elevation issues.

Roberts questioned if there will signal warnings on the other side of the hill to warn drivers of the approaching light. Lischka stated there will be a study to determine if the signal warnings are necessary, but he would think so, but cannot guarantee at this point.

Councilmember Goss questioned the timing issue. Lischka stated Staff recommended removing the light at Becker, but TxDOT does not want to take out a warranted light, but they may reconsider after the other light is constructed.

Councilmember Barnes-Tilley questioned if there would be back up between the two lights since they are close together. Lischka stated that they will need to time the lights together to avoid back up in traffic.

Councilmember Goss questioned if the light from Becker could be moved to the new location instead of constructing another light. Lischka stated this is not an option because each light is custom built for each intersection.

### **8. Discussion and Presentation Regarding Speed Limits and Other Improvements Along U.S. Highway 290**

City Engineer Grant Lischka presented this item. Lischka stated TxDOT performed a speed zone study in July 2013 on U.S. Highway 290 within the City Limits. Lischka explained the proposed speed limits are as follows:

1. From the east City Limit line (just east of F.M. 577/Blue Bell Road) to approximately 500 feet east of the BNSF Railroad crossing (in the general area of the Fireman's Training Center) TxDOT is proposing a speed limit of 70 miles per hour (MPH). The current speed limit along this portion is 65 MPH.
2. From approximately 500 feet east of the BNSF Railroad crossing to Business U.S. 290 (cloverleaf) TxDOT is proposing a speed limit of 65 MPH. The current speed limit along this portion is 60 MPH.

Lischka explained accident data compiled by TxDOT from 2012 shows that there were 19 property damage accidents, with 4 of those accidents resulting in 4 personal injuries. There were no fatal accidents per TxDOT's research. Police Chief Rex Phelps expressed some safety concerns with the proposed speed limit increase. Phelps stated in 2012, there were 86 accidents with 16 of other accidents resulting in injuries and in 2013, there were 72 accidents with 15 of other accidents resulting in injuries. Phelps explained that if the speed limits are increased, there will most likely be more accidents resulting in injuries due to speed. Phelps stated speed limits are adequate currently because people already increase speeds over the current speed limits by 4-8 miles over. Lischka stated any changes to the speed limit will require approval of an Ordinance outlining the adopted speeds.

Councilmember Barnes-Tilley stated it would make sense to be consistent with the speed limits. Assistant City Manager Kyle Dannhaus stated the highway problems at 577 are alleviated with the overpass completion, so there is no reason to slow traffic to 60mph. Phelps agrees there needs to be consistency and it makes sense to move the stretch by 577 and highway 290 from 60mph to 65mph.

Roberts stated the crossover between Hopkins Distributing and Appel Ford is where TxDOT discussed complete removal because it is more dangerous to crossover the main lanes. Roberts stated they discussed possible one-way frontage roads by Sealy Mattress and Big Daddy's BBQ. Goss stated he received two calls on acceleration lanes by BNSF. Goss stated it is hard enough now to get into lane of traffic and to increase speed limits will only make it more difficult. Goss is not in favor of increasing speed limits. Lischka stated they must address the elevation problem by FM 389 to make the ramp work. Lischka explained one possibility is a frontage road over the railroad tracks.

Councilmember Williams stated on Highway 6 between Navasota and College Station they raised speed limits from 70mph to 75mph. Lischka stated the increase in speed limits is related to the roadway design. Lischka explained the engineers design roadway to 70-75mph, but don't take into consideration for issues by the police departments. Lischka stated roadways can be designed for any speed and different factors are taken into consideration for highway construction. Councilmember Barnes-Tilley questioned how some places are able to raise their speed limits. Lischka stated the State of Texas recommended that TxDOT look at its roadways to determine if they could increase speed limits to 75, but only if the design would allow for those types of speeds. Councilmember Barnes-Tilley would like to see speed limits consistent. Mayor Tate stated there is a consensus that the speed limits be consistent at 65mph.

Citizen Rev. David Ottsen stated he and his wife are concerned about safety, raising the speed limits and the discrepancy of speed limits. Ottsen stated they are adamantly opposed to raising speed limits because through populated areas, they need to keep speed limits down. Ottsen would like to see the speed limits changed to 60mph. Ottsen explained on a Sunday afternoon, it is like a race track and it will only get worse if the speed limits are increased. Ottsen stated if they decide to increase speed limits to 70mph, they must take out the crossovers; otherwise, there will be a catastrophe.

Lischka stated Staff has also discussed with TxDOT the crossover at Robert C. Appel Drive (near the Appel Ford dealership). Lischka stated TxDOT has proposed eliminating the crossover between the main lanes of traffic on 290 at this location. Lischka explained the crossover is a current safety issue because of the lack of deceleration lanes for traffic turning left. Lischka stated several businesses in the area would be affected if the crossover were removed. Lischka explained as of now, this has been an informal discussion between Staff and TxDOT and no property owners in the area have been contacted.

Roberts explained if TxDOT takes out the crossovers, they will try to improve feeder roads. Lischka explained TxDOT is proposing to have traffic heading Westward on Highway 290 to be forced over to make the entrance ramp from Westwood dominant. Councilmember Barnes-Tilley stated she finds this interesting to accommodate those who cannot read a yield sign.

## **REGULAR AGENDA**

### **9. Discuss and Possibly Act Upon a Request for a Noise Variance for CD Release Party to be Held from 7:00 P.M. to 11:30 P.M., October 4, 2013 at the Home of Christi Bond Located at 505 E. Academy and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Christi Bond has requested a noise variance to hold an event for a cd release on October 4, 2013 from 7:00 P.M. to 11:30 P.M. at her home. Klehm explained they will have a live music with an acoustic guitar and food. Klehm stated they will be using sound amplification equipment. Klehm explained the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

Councilmember Williams questioned if the time could be moved to 10pm instead of 11:30pm. Councilmember Goss questioned how much noise or loud music in the past occurs in that area where the police department receives calls. Phelps stated it is hard to say without pulling calls. Phelps explained 10:00-10:30pm is plenty late on a weekend night. Phelps explained after that time period, the police department usually starts getting noise complaints. Councilmember Herring questioned if we have confirmation that Ms. Bond spoke with her neighbors. Klehm stated she explained to Ms. Bond at the time of application that she would need to speak with her neighbors for approval prior to the event. Klehm stated she tried to contact Ms. Bond, but was unable to confirm if she has spoken with her neighbors.

A motion was made by Councilmember Ebel and seconded by Mayor Pro Tem Nix to approve a request for a noise variance for cd release party to be held from 7:00 P.M. to 9:30 P.M., October 4, 2013 at the home of Christi Bond and authorize the Mayor to execute any necessary documentation.

Mayor Pro Tem Nix questioned if there could be a stipulation on the noise variance that Ms. Bond has to speak with her neighbors before the event. Mayor Tate stated it is too late to put that stipulation in place since the event is the following day. Councilmember Herring suggested there be a form that has to be signed by neighbors if a noise variance is requested in a neighborhood. Councilmember Barnes-Tilley stated if it is only a guitar and microphone that the noise variance be extended to 10:00pm. Councilmember Barnes-Tilley questioned what if 20 neighbors are okay with the event and one is opposed, then how will the Council handle this situation. Mayor Tate stated they would have to decide on an individual basis.

A revised motion was made by Councilmember Ebel and seconded by Mayor Pro Tem Nix to approve a request for a noise variance for cd release party to be held from 7:00 P.M. to 10:00 P.M., October 4, 2013 at the home of Christi Bond and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with 6-1 vote with Council voting as follows:

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

**10. Discuss and Possibly Act Upon a Request for a Noise Variance for Man’s Space Adventures Awareness to be Held from 7:00 P.M. to 8:30 P.M., October 12, 2013 at Nancy Carol Roberts Library and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Kathy Bell has requested a noise variance to hold an event for man’s space adventures awareness on October 12, 2013 from 7:00 P.M. to 8:30 P.M. at Nancy Carol Roberts Library parking lot. Klehm explained they will have the use of telescopes, lessons on space exploration, handouts, Milky Way candy bars, and music during the event. Klehm explained they will be using a Bose CD player and sound amplification equipment. Klehm stated the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

Librarian Kathy Bell showed the Council a poster for the event and stated this event is happening all over the world. Bell stated they are registered with NASA and McDonald’s Observatory. Bell stated they will have five (5) telescopes, lights turned off in parking lot, Moon Pies, Milky Way bars, telling stories, and looking at the stars through the telescopes.

Councilmember Barnes-Tilley questioned where the library got the telescopes. Bell stated that she has borrowed the telescopes from friends. Councilmember Goss questioned if the event will still be held in the event of inclement weather. Bell stated they would move the event inside and look on the internet at NASA's website and tell stories. Mayor Pro Tem Nix questioned if there will be food at the event. Bell stated Moon Pies and Milky Way bars will be served.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve a request for a noise variance for man's space adventures awareness to be held from 7:00 P.M. to 8:30 P.M., October 12, 2013 at Nancy Carol Roberts Library and authorize the Mayor to execute any necessary documentation.

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

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

**11. Discuss and Possibly Act Upon Resolution No. R-13-013 Authorizing the Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 2013 Christmas Stroll to be Held on Friday, December 6, 2013**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated the 2013 Christmas Stroll is sponsored by the City of Brenham. Klehm explained their goal is to attract shoppers to the downtown area. Klehm stated this year's stroll will be held on December 6, 2013 from 5:30 pm until 10:00 pm. Klehm explained Main and Alamo Streets will be closed between Market Street and Austin Street from 4:00 pm until 10:00 pm. Klehm stated there will be live musical entertainment, parade, Farmer's Market and vendors, kids' activities, choirs and bands. Klehm stated the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

Recreation Manager Crystal Dahlquist stated the lighting will take place at 5:30pm and the parade will begin at 6:00pm. Dahlquist stated there will be a synthetic ice skating rink this year.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-13-013 Authorizing the Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 2013 Christmas Stroll to be Held on Friday, December 6, 2013.

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

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

## **12. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- There is an envelope with information for Council laying around the Dias.
- Public Works Director Dane Rau laid a memo regarding street work around the Dias.
- The comp study is complete and information regarding the study is available.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary



## AGENDA ITEM 6

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 14, 2013	
<b>DEPT. OF ORIGIN:</b> Convention and Visitors Bureau	<b>SUBMITTED BY:</b> Lu Hollander	
<b>MEETING TYPE: CLASSIFICATION: ORDINANCE:</b>		
<input checked="" type="checkbox"/> <b>REGULAR</b>	<input type="checkbox"/> <b>PUBLIC HEARING</b>	<input type="checkbox"/> <b>1<sup>ST</sup> READING</b>
<input type="checkbox"/> <b>SPECIAL</b>	<input type="checkbox"/> <b>CONSENT</b>	<input type="checkbox"/> <b>2<sup>ND</sup> READING</b>
<input type="checkbox"/> <b>EXECUTIVE SESSION</b>	<input type="checkbox"/> <b>REGULAR</b>	<input type="checkbox"/> <b>RESOLUTION</b>
<input checked="" type="checkbox"/> <b>WORK SESSION</b>		
<b>AGENDA ITEM DESCRIPTION:</b> Presentation of the Fourth Quarter Report by the Washington County Convention and Visitors Bureau		
<p><b>SUMMARY STATEMENT:</b> In an effort to be more cost efficient, a copy of the Washington County Convention and Visitors Bureau Second and Third Quarter Report is not included in the agenda packet. However, a compact disc of this report will be distributed to Mayor and City Council Members.</p> <p>A complete copy of the Washington County Convention and Visitors Bureau Second and Third Quarter Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the Washington County Chamber of Commerce website at <a href="http://www.brenhamtexas.com">www.brenhamtexas.com</a>.</p> <p>If you are interested in obtaining a hard copy, please call the City Secretary at 979-337-7567</p>		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<p><b>A. PROS:</b></p> <p><b>B. CONS:</b></p>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> N/A		
<b>ATTACHMENTS:</b> (1) 4 <sup>th</sup> Quarter Report – Convention and Visitors Bureau		
<b>FUNDING SOURCE (Where Applicable):</b> N/A		
<b>RECOMMENDED ACTION:</b> Discussion Only		
<b>APPROVALS:</b> Terry K. Roberts		

# WCCC Convention & Visitors Bureau

Fourth Quarter Report – July-September 2013

## July Highlights

### *Statistics:*

Walk-in visitors – 921  
Website unique visitors – 15,809  
Visitor information mailed – 1,518  
Website total pages viewed – 42,075

### *Major tourism events:*

Hot Nights Cool Tunes concerts, Crush for Fun, Harvest Grape Stomp

### *Advertising placements:*

Texas Highways full page color co-op  
Texas Monthly Trip Planner – e-mail event alert  
Madden Media Retargeting Campaign

### *Editorial coverage:*

parade.com - best ice cream feature includes Blue Bell's Rockslide Brownie  
hispanicbusiness.com - feature about Brenham child actress joining cast of "Annie"

## August Highlights

### *Statistics:*

Walk-in visitors – 510  
Website unique visitors – 10,373  
Visitor information mailed – 2,490  
Website total pages viewed – 30,158

### *Major tourism events:*

Chappell Hill Lavender & Wine Fest, Toy Time at Star of the Republic Museum

### *Advertising placements:*

Texas Aggie Football Program – 1/2-page co-op with Washington-on-the-Brazos  
USA Today Dallas Cowboys Preview – newsprint tab circulated in DFW metroplex  
Madden Media Retargeting Campaign

### *Editorial coverage:*

Country's Best Cabins magazine – features about Texas Ranch Life, Washington County attractions  
Houston Chronicle Business section - feature about building a home in Gates Ranch

## September Highlights

### *Statistics:*

Walk-in visitors – 357  
Website unique visitors – 8,243  
Visitor information mailed – 2,221  
Website total pages viewed – 21,383

### *Major tourism events:*

Washington County Fair, Antiques Weeks

### *Advertising placements:*

See Texas First – brochure ad in travel tab placed in 27 newspapers in Texas and shoulder states  
Texas Highways – ½ page color co-op with Texas Independence Trail Region

### *Editorial coverage:*

Texas Co-op Power – feature about Washington County  
Edible Austin – feature about Home Sweet Farm Market



**AGENDA ITEM 7**

<b>DATE OF MEETING:</b> October 17, 2013		<b>DATE SUBMITTED:</b> October 14, 2013
<b>DEPT. OF ORIGIN:</b> Finance		<b>SUBMITTED BY:</b> Carolyn D. Miller
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-13-014 Expressing Official Intent to Reimburse Certain Costs Related to the Construction of a Fire Substation and the Purchase of Firefighting and Rescue Equipment		
<b>SUMMARY STATEMENT:</b> In the FY13-14 Adopted Budget, the I&S tax rate was increased by \$0.0075 to fund debt service payments on 20 year Certificates of Obligation for public safety initiatives. In order for the City to issue purchase orders for the replacement rescue truck and the replacement pumper truck (to preempt a price increase from the manufacturer), the Council must approve the Reimbursement Resolution to declare reimbursement of certain costs related to these capital expenditures from the issuance of Certificates of Obligation.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Resolution No. R-13-014		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approval of Resolution No. R-13-014 expressing official intent to reimburse certain costs related to the construction of a fire substation and the purchase of firefighting and rescue equipment.		
<b>APPROVALS:</b> Carolyn D. Miller		

**RESOLUTION NO. R-13-014**

**A RESOLUTION OF THE CITY OF BRENHAM, TEXAS EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN COSTS RELATED TO THE CONSTRUCTION OF A FIRE SUBSTATION AND THE PURCHASE OF FIREFIGHTING AND RESCUE EQUIPMENT**

**WHEREAS**, the City of Brenham, Texas (the "City") is a political subdivision of the State of Texas; and

**WHEREAS**, the City expects to pay, or have paid on its behalf, expenditures in connection with the projects on Exhibit "A" hereto (the "Projects") prior to the issuance of tax-exempt obligations for which a prior expression of intent to finance or refinance is required by Federal or state law (collectively and individually, the "Obligations") to finance the Projects; and

**WHEREAS**, the City finds, considers, and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Projects;

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

**Section 1:** The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount equal to \$1,700,000 for the purpose of paying the costs of the Projects.

**Section 2:** All costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

**Section 3:** The foregoing notwithstanding, no Obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

**Section 4:** This Resolution shall be effective immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Milton Y. Tate, Jr., Mayor

\_\_\_\_\_  
Jeana Bellinger, TRMC, City Secretary

## **Exhibit "A"**

### **Project Description**

The acquisition of land for the construction of a fire substation, the acquisition of firefighting and rescue equipment, including but not limited to a fire rescue truck and fire department pumper truck, and also including any legal, fiscal and other fees relating thereto.



## AGENDA ITEM 8

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 11, 2013	
<b>DEPT. OF ORIGIN:</b> Public Works	<b>SUBMITTED BY:</b> Dane Rau	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-13-015 Renaming a Portion of Stringer Street to South Chappell Hill Street.		
<p><b>SUMMARY STATEMENT:</b> As you all know, work will soon begin on the Chappell Hill Street Extension project. This project will provide a direct crossover of Chappell Hill Street across S. Market and connecting to what now is known as Stringer Street at the 2400 block. In order to consistently make the transition from S. Chappell Hill St. to Stringer street is recommending renaming a section of Stringer Street to S. Chappell Hill Street. This will begin in the 2400 block and end at the 290 feeder road in the 2700 block.</p> <p>By renaming this portion of Stringer Street it will allow a uniform name from one end of Chappell Hill St to the other. Staff feels that this will be most beneficial for public safety and the continuity of Chappell Hill St from one end of town to the other. We have spoken to the three property owners (Brenham Oaks Apt., Dairy Bar, and HD Supply) who will be affected by this name change and no concerns were raised. Residents and businesses were notified by letter on September 12<sup>th</sup> indicating this proposed name change along with the date and time of the council meeting where comments could be made. This includes the tenants of Brenham Oaks Apartments which have multiple unit numbers within the complex. It was also stated in the letter that if council does approve the name change an additional letter will be mailed to the property owners/tenants and at that point they could begin to notify their contacts of the street name change.</p> <p>We are currently speaking with TXDOT's about the Stringer Street exit signs on HWY 290E/W to see what type of obligations we may incur. It is expected that the costs to replace the signs on 290 will be the responsibility of the City. TXDOT will require an AFA agreement with the City. From what we have been told TXDOT will design the signs based on our name change submittal and they will control the project which includes bidding of the project and inspections of sign replacement. These sign change outs will have to be addressed if the name change is passed.</p>		

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

**A. PROS:** Provide continuity related to Chappell Hill St from one side of town to the other

**B. CONS:** Will cause some residents and tenants to go through a street name change and we will occur costs associated with the exit signs on 290.

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

**ATTACHMENTS:** (1) Resolution No. R-13-015; and (2) Map

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Approve Resolution No. R-13-015 renaming a portion of Stringer Street to South Chappell Hill Street.

**APPROVALS:** Terry K. Roberts

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE CHANGING OF THE NAME OF A PORTION OF STRINGER STREET TO SOUTH CHAPPELL HILL STREET**

**WHEREAS**, from time to time it is necessary to change the name of an existing street in the City of Brenham, Washington County, Texas; and

**WHEREAS**, work is beginning on the Chappell Hill Street Extension project which will provide a direct crossover of Chappell Hill Street over South Market Street and connect to what is now known as the 2400 block of Stringer Street; and

**WHEREAS**, in order to be consistent and to eliminate confusion for first responders, citizens and visitors alike; and

**WHEREAS**, the City of Brenham desires to rename the 2400 block of Stringer Street to South Chappell Hill Street;

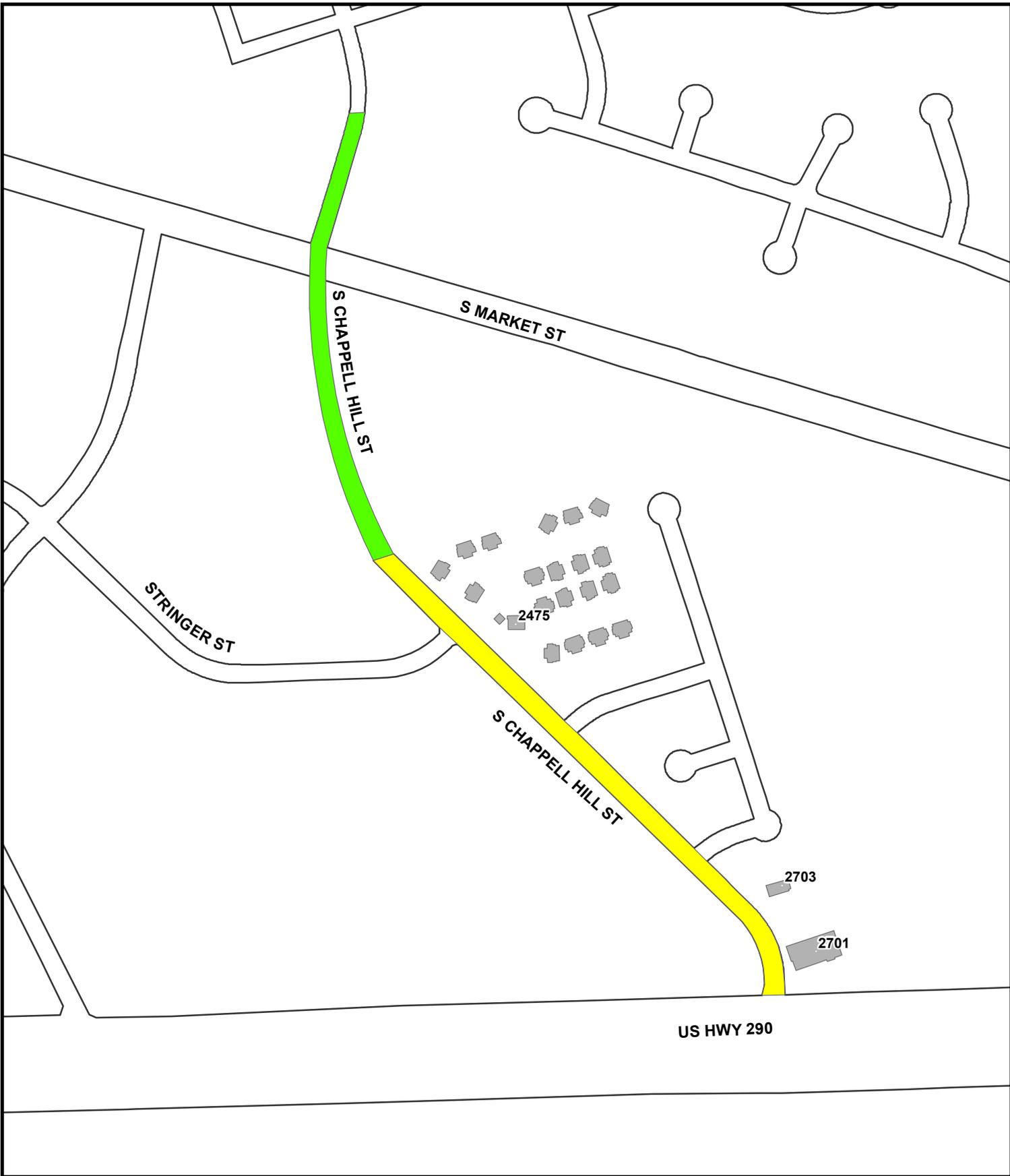
**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Brenham, Texas that the 2400 block of Stringer Street is hereby designated as and renamed “South Chappell Hill Street.” The City Manager or his designee is hereby authorized to take any and all administrative action to implement this Resolution. This Resolution shall be effective on and after the thirtieth (30<sup>th</sup>) day from its passage.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013\_\_\_\_\_

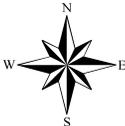
\_\_\_\_\_  
Milton Y. Tate, Jr.,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Jeana Bellinger, TRMC  
City Secretary



1 inch = 400 feet



**Legend**

- Name Change Area
- Chappell Hill Extension



Date: 03/2/2013



## AGENDA ITEM 9

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 14, 2013	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Terry Roberts	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-13-016 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors		
<b>SUMMARY STATEMENT:</b> The governing body of the Washington County Appraisal District is nominated and appointed by the governing bodies that levy and collect a property tax. A ballot will be prepared for one of your November meetings based on the nominations received from the governmental entities. Attached is a letter from Chief Appraiser Willy Dilworth outlining the process and reporting on the status of the five current board members. All five have expressed a willingness to serve an additional two-year term if it is your desire. The current five members are: John Schaer, Delton Koerth, Charles Gaskamp, Johanna Fatheree and Joel Romo.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Letter from Chief Appraiser, Willy Dillworth; and (2) Resolution No. R-13-016		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approve Resolution No. R-13-016 nominating five individuals to serve on the Washington County Appraisal District Board of Directors.		
<b>APPROVALS:</b> Terry K. Roberts		

# WASHINGTON COUNTY APPRAISAL DISTRICT

**P. O. BOX 681  
BRENHAM, TEXAS 77834-0681  
(979) 277-3740**

September 20, 2013

City of Brenham  
Mr. Terry Roberts  
PO Box 1059  
Brenham TX 77834-1059

Re: Nomination and Election of Washington County Appraisal  
District Board Members

**Amended Pursuant to the 83<sup>rd</sup> Texas Legislative Session SB 359 Adding Blinn College to the List  
of Voting Entities: Please Note New Voting Totals**

Dear Mr. Roberts,

It is again time to elect the board members of the Washington County Appraisal District. As in years past, each voting taxing entity may nominate from one to five candidates to serve on the Washington County Board. **All nominations must be by written resolution and must be received in my office before November 1, 2013.**

The calculation of the number of votes your entity will receive is illustrated below. Please examine this calculation and contact me with any questions you may have.

<u>ENTITY</u>	<u>2014 Election - 2012 TAX LEVY</u>	<u>% of TOTAL VOTING MEMBERS LEVY</u>	<u>VOTES</u>
Washington County	\$11,767,512	24.8319%	1241
City of Burton	\$ 82,172	.1734%	9
City of Brenham	\$5,591,246	11.7987%	590
Burton I.S.D.	\$4,409,744	9.3055%	465
Brenham I.S.D.	\$23,836,162	50.2992%	2515
Giddings ISD	\$190,550	.4021%	20
<b><u>Blinn College</u></b>	<b><u>\$1,511,362</u></b>	<b><u>3.1893%</u></b>	<b><u>159</u></b>
Total Lev y	\$45,877,386	100.0000%	5,000

To arrive at your taxing unit's votes, please use the following formula:

$(\text{UNIT'S 2012 LEVY} / \text{TOTAL OF ALL LEVIES}) \times 5,000 = \# \text{ OF VOTES}$

After all nominations have been received, the official ballot will be prepared and delivered to the presiding officer of each voting taxing entity. The entity will then cast their votes for whichever candidate(s) they choose and submit the ballot to this office before November 1, 2013.

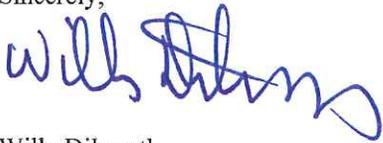
For those of you who are interested, the current members of the Board of Directors of our appraisal district are as follows:

John Schaer  
Delton Koerth  
Charles Gaskamp  
Johanna Fatheree  
Joel Romo

All of these board members have indicated a willingness to serve an additional two-year term if it is your desire. I have enclosed a copy of the qualifications for serving on the board of directors. I trust you will call (277-3749) if you have any questions concerning these qualifications or the election process.

Again, please remember that all nominations must be received by written resolution before November 1, 2013, to be included on the ballot.

Sincerely,



Willy Dilworth  
Chief Appraiser

**RESOLUTION NO. R-13-016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS NOMINATING CANDIDATES FOR ELECTION TO THE WASHINGTON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, the Washington County Tax Appraisal District has been established with the responsibility to fairly and equitably appraise taxable property in Washington County; and

**WHEREAS**, the Washington County Tax Appraisal District is governed by a Board of five directors, serving two-year terms beginning on January 1, of even-numbered years; and

**WHEREAS**, the governing boards of the participating taxing entities may nominate from one to five candidates to serve as directors of this appraisal district;

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

The following people are nominated as candidates for membership on the Board of Directors for the Washington County Tax Appraisal District:

John Schaer  
Delton Koerth  
Charles Gaskamp  
Johanna Fatheree  
Joel Romo

**BE IT FURTHER RESOLVED** that this Resolution be adopted and entered upon the pages of the minutes of the City Council of Brenham, Texas, and that a copy of this Resolution be presented to the Chief Appraiser of the Washington County Tax Appraisal District office at 1302 Niebuhr Street, Brenham, Texas.

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Milton Y. Tate, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Jeana Bellinger, TRMC  
City Secretary



**AGENDA ITEM 10**

<b>DATE OF MEETING:</b> October 17, 2013		<b>DATE SUBMITTED:</b> October 11, 2013
<b>DEPT. OF ORIGIN:</b> Risk Management		<b>SUBMITTED BY:</b> Janie Mehrens
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Health Insurance Funding Rates Effective January 1, 2014 and Authorize the Mayor to Execute Any Necessary Documentation		
<b>SUMMARY STATEMENT:</b> Please see attached memo.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Memo; and (2) Spreadsheet with Detailed Information		
<b>FUNDING SOURCE (Where Applicable):</b> Funds are budgeted in each department in FY14 Budget.		
<b>RECOMMENDED ACTION:</b> Approve health insurance funding rates effective January 1, 2014 and authorize the Mayor to execute any necessary documentation.		
<b>APPROVALS:</b> Terry K. Roberts		



## MEMORANDUM

TO: MAYOR AND COUNCILMEMBERS

CC: TERRY ROBERTS

FROM: JANIE MEHRENS

DATE: OCTOBER 14, 2013

SUBJECT: FUNDING RATES FOR FULLY-INSURED GROUP HEALTH PLAN FOR  
CALENDAR YEAR 2014

In December 2012 after much analysis and discussion, the City Council approved purchase of a fully-funded group medical plan from Texas Municipal League Intergovernmental Employee Benefit Pool (TML IEBP) effective January 1, 2013. The City had contracted for self-funded coverage with TML IEBP for a number of years prior to electing fully-funded coverage.

Although the fully-funded plan has been in place only nine months, the City has realized the benefits we had anticipated in adopting the plan: fixed costs, reduction of staff time in processing payment of claims, initial higher premium cost with more modest rate increase after first year and no increased costs for lasered individuals.

The renewal rates received from TML IEBP for Calendar 2014 are shown on the attached spreadsheet and show a small average increase of 1.7% in dependent coverage premiums.

Because no across the board salary increases are being given this year, staff is recommending that employee costs remain at the current level and that City contribution rates increase by the amounts shown on the spreadsheet. This distribution of rates will provide adequate funding for the 2014 group health plan costs.

The rates would become effective January 1, 2014.

APPROVED GROUP MEDICAL RATES

RATES EFFECTIVE JANUARY 1, 2013 WITH 6% INCREASE (TML IEBP FULLY FUNDED RATES)

CATEGORY	MO. PREMIUM	CITY SHARE		TOTAL CITY SHARE	EMPLOYEE SHARE	BIWEEKLY RATE
		EMPLOYEE	DEPENDENT			
EMP ONLY	\$ 581.74	\$ 552.36		\$ 552.36	\$ 29.38	\$ 14.69
EMP & SP	\$ 1,495.86	\$ 552.36	\$ 688.04	\$ 1,240.40	\$ 255.46	\$ 127.73
EMP & CHILD	\$ 1,027.96	\$ 552.36	\$ 278.40	\$ 830.76	\$ 197.20	\$ 98.60
EMP & FAM	\$ 1,721.22	\$ 552.36	\$ 745.58	\$ 1,297.94	\$ 423.28	\$ 211.64

COBRA RATES			
	MO PREMIUM	2% ADMIN FEE	TOTAL
EMP ONLY	\$ 581.74	\$ 11.63	\$ 593.37
EMP & SP	\$ 1,495.86	\$ 29.92	\$ 1,525.78
EMP & CHILD	\$ 1,027.96	\$ 20.56	\$ 1,048.52
EMP & FAM	\$ 1,721.22	\$ 34.42	\$ 1,755.64

RETIREE RATES	
EMP ONLY	\$ 555.32
EMP & SP	\$ 1,132.99
EMP & CHILD	\$ 989.62
EMP & FAM	\$ 1,539.95

**PROPOSED GROUP MEDICAL RATES 2014**

**RATES EFF. JANUARY 1, 2014 WITH NO INCREASE FOR EMPLOYEE RATES; 1.7% CITY INCREASE**

CATEGORY	MO. PREMIUM	CITY SHARE	CITY SHARE	TOTAL CITY SHARE	EMPLOYEE SHARE	BIWEEKLY RATE	INCREASE	INCREASE	
							PER MONTH	PER MONTH	
ACTIVE EMPLOYEES							EMPLOYEE	CITY	
							INCR PER	INCR	CITY INCR
							MO	PER MO	PER MO
EMP ONLY	\$ 584.46	\$ 555.08		\$ 555.08	\$ 29.38	\$ 14.69	\$ -	\$ 2.72	0.5%
EMP & SP	\$ 1,515.44	\$ 555.08	\$ 704.90	\$ 1,259.98	\$ 255.46	\$ 127.73	\$ -	\$ 19.58	1.6%
EMP & CHILD	\$ 1,044.08	\$ 555.08	\$ 291.80	\$ 846.88	\$ 197.20	\$ 98.60	\$ -	\$ 16.12	1.9%
EMP & FAM	\$ 1,758.12	\$ 555.08	\$ 779.76	\$ 1,334.84	\$ 423.28	\$ 211.64	\$ -	\$ 36.90	2.8%

COBRA RATES			
	MO PREMIUM	2% ADMIN FEE	TOTAL
EMP ONLY	\$ 584.46	\$ 11.69	\$ 596.15
EMP & SP	\$ 1,515.44	\$ 30.31	\$ 1,545.75
EMP & CHILD	\$ 1,044.08	\$ 20.88	\$ 1,064.96
EMP & FAM	\$ 1,758.12	\$ 35.16	\$ 1,793.28

RETIREE RATES	Mo Premium	Stubsidy	Net Premium
EMP ONLY	\$ 555.08	\$ (100.00)	\$ 455.08
EMP & SP	\$ 1,515.44	\$ (200.00)	\$ 1,315.44
EMP & CHILD	\$ 1,044.08	\$ (200.00)	\$ 844.08
EMP & FAM	\$ 1,758.12	\$ (200.00)	\$ 1,558.12



## AGENDA ITEM 11

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 11, 2013	
<b>DEPT. OF ORIGIN:</b> Risk Management	<b>SUBMITTED BY:</b> Janie Mehrens	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup>
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon an Ordinance on its First Reading Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System Effective January 1, 2014		
<b>SUMMARY STATEMENT:</b> For many years, City Council has approved on an annual basis an ordinance providing for updated service credit and an increase in retirement annuities of 70% of the Consumer Price Index as provided through the Texas Municipal Retirement System. In order to make any changes in any provision of the City's plan in TMRS, an ordinance must be approved and the applicable ordinance is presented for discussion and approval. As shown on the TMRS Plan Change Study, the funding rate for the City of Brenham will increase from 6.79% to 6.89% effective January 1, 2014.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b> <b>A. PROS:</b> Current City of Brenham retirees will receive an annuity increase effective January 1, 2014 and future retirees will most likely have an enhanced retirement annuity because of Updated Service Credit.  <b>B. CONS:</b> Enhancements result in an increased unfunded actuarial liability.		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Ordinance; (2) TRMS Letter; and (3) TRMS Plan Change Study		
<b>FUNDING SOURCE (Where Applicable):</b> Funds are available in the FY 2014 Budget.		
<b>RECOMMENDED ACTION:</b> Approve an Ordinance on its first reading providing for updated service credit and an increase in retirement annuities in the Texas Municipal Retirement System effective January 1, 2014.		
<b>APPROVALS:</b> Terry K. Roberts		



## TEXAS MUNICIPAL RETIREMENT SYSTEM

**AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE MEMBERS OF THE CITY OF BRENHAM; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS:**

### **Section 1. Authorization of Updated Service Credits.**

(a) On the terms and conditions set out in Sections 853.401 through 853.403 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS ACT"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who has current service credit or prior service credit in the System in force and effect on the 1st day of January of the calendar year preceding such allowance, by reason of service in the employment of the City, and on such date has at least 36 months of credited service with the System, shall be and is hereby allowed "Updated Service Credit" (as that term is defined in subsection (d) of Section 853.402 of said title) in an amount that is **100%** of the "base Updated Service Credit" of the member (calculated as provided in subsection (c) of Section 853.402 of said title). The Updated Service Credit hereby allowed shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(b) On the terms and conditions set out in Section 853.601 of said title, any member of the System who is eligible for Updated Service Credits on the basis of service with this City, and who has unforfeited credit for prior service and/or current service with another participating municipality or municipalities by reason of previous service, and was a contributing member on 1st day of January of the calendar year preceding such allowance, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in said 853.601.

(c) In accordance with the provisions of subsection (d) of Section 853.401 of said title, the deposits required to be made to the System by employees of the several participating departments on account of current service shall be calculated from and after the date aforesaid on the full amount of such person's earnings as an employee of the City.

### **Section 2. Increase in Retirement Annuities.**

(a) On terms and conditions set out in Section 854.203 of Subtitle G of Title 8, Government Code, as amended, the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of this City under current service annuities and prior service annuities arising from service by such employees to this City. An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of annuity increase under this Section is computed as the sum of the prior and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **70%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this ordinance.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereby.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of this City and of its account in the Benefit Accumulation Fund of the System.

**Effective Date** Subject to approval by the Board of Trustees of Texas Municipal Retirement System, the updated service credits and increases in retirement annuities granted hereby shall be and become effective on the **1st day of January, 2014**.

Passed and approved on its first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2013

Passed and approved on its second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2013

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jeana Bellinger, City Secretary

\_\_\_\_\_  
Milton Y. Tate, Jr. Mayor



June 27, 2013

Via E-Mail

Ms. Janie H. Mehrens  
Personnel Manager  
City of Brenham  
P.O. Box 1059  
Brenham, TX 77834-1059

Dear Janie:

We are pleased to enclose an ordinance for your city to adopt:

***100% Updated Service Credit, including Transfers  
&  
70% CPI Increase to Annuity  
On an Ad Hoc basis (one time only)***

With the adoption of these additional benefits, your city's contribution rate beginning January 1, 2014 will be **6.98%**

We would appreciate receiving a copy of this ordinance as soon as possible after its adoption.

If you have any questions or need additional assistance, please contact me at 1-800-924-8677.

Sincerely,

A handwritten signature in black ink that reads 'Eric W. Davis'.

Eric W. Davis  
Deputy Executive Director



# Plan Change Study

00176 Brenham

## Proposed Plans

	Current	I
<b>Plan Provisions</b>		
Deposit Rate	5.00%	5.00%
Matching Ratio	2 to 1	2 to 1
Updated Service Credit	0%	100% ✓
Transfer USC **	No	Yes ✓
Annuity Increase	0%	70% ✓
20 Year/Any Age Ret.	Yes	Yes
Vesting	5 years	5 years
<b>Contribution Rates</b>	<b>2014</b>	<b>2014</b>
Normal Cost Rate	5.90%	5.95%
Prior Service Rate	0.79%	1.03%
Retirement Rate	<b>6.69%</b>	<b>6.98%</b>
Supplemental Death Rate	0.00% (None)	0.00% (None)
Total Rate	<b>6.69%</b>	<b>6.98%</b>
Unfunded Actuarial Liability	\$595,268	\$828,006
Amortization Period	25 years	25 years
Funded Ratio	98.2%	97.5%
Phase-In Total Rate	N/A	N/A
Study exceeds 11.50% stat max	No	No

\*\*This is the addition to the Initial Prior Service Rate for USC for transfers. There were 10 eligible transfer employees on the valuation date.



<b>DATE OF MEETING:</b> October 17, 2013		<b>DATE SUBMITTED:</b> October 11, 2013	
<b>DEPT. OF ORIGIN:</b> Public Works		<b>SUBMITTED BY:</b> Dane Rau	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING	
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING	
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION	
	<input type="checkbox"/> WORK SESSION		
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon the Renewal of the Contract with Legacy Concrete Works LLC for Concrete Work for the Street Department and Authorize the Mayor to Execute Any Necessary Documentation			
<p><b>SUMMARY STATEMENT:</b> It has been a year since the City of Brenham awarded its annual concrete work to Legacy Concrete LLC. Within the contract that was approved on Oct 18, 2012 it gave both the City of Brenham and Legacy Concrete Works LLC the option to extend after the first year up to (2) additional (1) year terms. The City of Brenham approached Legacy Concrete Works LLC about extending the contract for an additional term based off of their expertise, workability and promptness related to concrete work throughout the city. As you know, Legacy Concrete, formally LaBu Inc. has been performing our concrete work for many years. Each year this contract was bid out and history has shown that Legacy Concrete other than 1 year was the low bidder. In 2012, Legacy bid against Myers Concrete Construction and was low on 4 out of the 5 items that make up the bid tabulation. Even when Legacy was not the apparent low bidder it was determined based on promptness and availability that Legacy's performance outweighed the other bidder who was a sizeable distance away from Brenham.</p> <p>When approached by the City of Brenham about extending the contract, Legacy agreed to the extension but asked us to consider the section of the contract dealing with price escalation. Legacy would like staff and council to consider a 3% rate increase for 2013-14. This rate increase is based off of several factors in which are described in the attached letter from Legacy. In 2012-2013 the City of Brenham spent roughly \$300,000 with Legacy Concrete Works LLC. A 3% increase would mean an additional \$9,000 in 2013-14 based off of history.</p> <p>Purchasing, Public Works, and Public Utilities understands the explanation for the increases and has confirmed that they are valid based off of recent concrete prices and expected increases in the near future. We have all agreed that rather than bid this contract out again, staff would ask that council extend the current contract with Legacy Concrete Works LLC. for an additional year with a 3% rate increase based off of terms in the 2012 contract.</p>			

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

**A. PROS:** Keep same vendor which provides a reliable, responsive, and expert service to the City of Brenham

**B. CONS:** Has a 3% increase tied to the extension resulting in an increase to the City of Brenham

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

**ATTACHMENTS:** (1) Legacy Letter; (2) 2012-13 Bid Information Sheet; (3) Page 3 of the Contract; and (4) Past and Current Invoices

**FUNDING SOURCE (Where Applicable):** All Departments within Public Works and Utilities

**RECOMMENDED ACTION:** Approve the renewal of the contract with Legacy Concrete Works LLC for concrete work for the Street Department with approving a 3% rate increase and authorize the Mayor to execute any necessary documentation.

**APPROVALS:** Terry K. Roberts



September 26, 2013

City of Brenham  
200 West Vulcan Street  
Brenham, Texas 77833

Attention: Ms. Darlene Konieczny

Reference: Annual Concrete Work Contract

Dear Ms. Konieczny:

Based upon our conversation of last week, Legacy Concrete Works, LLC would like to accept your offer of extending the Annual Concrete Contract for the City of Brenham for the upcoming year, 2013-2014. However, we would like to request that you take into consideration the section of the Contract Terms and Conditions with regard to Price Escalation.

Over the last year, we have incurred several material burdens affecting our overall pricing as follows:

1. Over the last year, we have incurred almost a 3% increase in our concrete per yard price. We have attached a couple invoices for your review. One is from work we performed in November, 2012 and the other is from August, 2013. You will note that less than a year ago, we were paying \$70.00 per yard for 3000 psi concrete. Currently, we are paying \$72.00 per yard for the same.
2. We have also received verbal notification from our local concrete supplier that there will be another price increase of \$2.00 to \$3.00 per yard within the next couple of months and possibly a total of \$5.00 per yard increase over the next year.
3. Additionally, based upon our total City of Brenham accounts receivables for the past year, we have had numerous small jobs under \$150.00 where "small load" delivery charges have been incurred.

For the above reasons, Legacy Concrete Works would like to request an overall 3% rate increase for consideration.

We appreciate and value our long-term relationship with the City of Brenham, and look forward to many more years to come. Thank you again for the opportunity to service your concrete needs.

Respectfully yours,

A handwritten signature in blue ink that reads "Larry Schulz".

Larry Schulz  
President

Enclosure



**BID TABULATION**

**2012-2013 Annual Concrete Work Contract  
Bid #13-001**

2012-2013 ANNUAL CONCRETE WORK - BID EVALUATION QUANTITIES				
	Legacy Concrete Works		Myers Concrete Construction	
	Alt. "A"	Alt. "B"	Alt. "A"	Alt. "B"
Standard Curb	\$ 58,993.00	\$ 61,721.00	\$ 62,300.70	\$ 69,052.50
Historical Curb	\$ 588.00	\$ 616.00	\$ 604.00	\$ 684.00
4" Reinforced Concrete Flatwork	\$ 18,222.50	\$ 22,162.50	\$ 24,625.00	\$ 27,087.50
6" Reinforced Concrete Flatwork	\$ 21,582.50	\$ 24,697.50	\$ 24,475.00	\$ 26,700.00
6" Reinforced Concrete Driveway	\$ 17,416.50	\$ 19,465.50	\$ 16,392.00	\$ 19,772.85
Totals	\$ 116,802.50	\$ 128,662.50	\$ 128,396.70	\$ 143,296.85

- g. the total long-term cost of the City to acquire the bidder's goods or services; and
- h. any relevant criteria specifically listed in this request for bid.

The City prefers to award the entire contract to a single Contractor; although, the City reserves the right to award a primary contract and a secondary contract in an effort to secure a back-up contractor to be used in emergency situations in the event the primary contractor is unable to respond as needed.

#### **Term of Contract**

This contract shall become effective from date of acceptance and approval by the City of Brenham. It shall remain in force and effect with firm fixed bid prices for a period of one (1) year, beginning the date of award of contract.

#### **Extension of Contract**

Upon completion of the term of the original contract and mutual agreement of both parties, the contract may be extended for up to two (2) additional one (1) year terms (three (3) years total). The renewal will be under the same terms and conditions as the original contract. In the event a new contract cannot be executed at the anniversary date of the original term or any renewal term, the contract may be renewed month-to-month until a new contract is executed.

#### **Price Escalation**

Price escalations may be permitted by the City of Brenham during the term of the contract. All requests for price escalation shall be in written form and shall demonstrate industry-wide or regional increases in the contractor's costs. Include documents supporting the price escalation, such as manufacturer's direct cost, postage rates, Railroad Commission Rates, Federal/State Minimum Wage Laws, Federal/State Unemployment Taxes, FICA, etc. Increases will apply only to the product(s) and/or service(s) affected by an increase on raw material, labor, or another like cost factor. The City of Brenham reserves the right to accept or reject any/all requests for price escalations.

#### **Price Reduction**

If during the term of the contract, the contractor's net prices charged to other customers for the same product(s) and/or service(s) are lower than the City of Brenham's contracted prices, an equitable adjustment shall be made lowering the contract price charged to the City of Brenham.

#### **Assignment of Contract**

This contract cannot be transferred or assigned to another party without written consent of the City and may be subject to cancellation by the City if such consent is requested.

# Invoice

Jimmie Hahn, LP  
 1503 N. Park Street  
 Brenham, TX 77833  
 (979) 836-3664

Invoice Number: 0062499-IN  
 Customer P.O. CITY=DRUM St.  
 Terms: NET 30 DAYS  
 Date: 11/5/2012  
 Customer Number: LAB102

Sold To:  
 LEGACY Concrete Works, LLC  
 C/O: LARRY SCHULZ  
 Post Office Box # 361  
 Brenham, TX 77834-0361

Item Number	Delivery Ticket	UOM	Unit Price	Qty	Total Ext
130B 3000 PSI Concrete 3.25/3.25	0102111	YARD	70.00	3.25	227.50
910B Concrete Delivery Charge <5yds	0102111	EACH	60.00	1.00	60.00

PAID FULLY NOV 14

\*\*\*WE APPRECIATE YOUR BUSINESS!!!\*\*\*  
 "INVOICE" NET AMOUNT DUE IN 30 DAYS.

Total Gross 287.50  
 Sales Tax: 0.00  
 Invoice Total: 287.50





**AGENDA ITEM 13**

<b>DATE OF MEETING:</b> October 17, 2013		<b>DATE SUBMITTED:</b> October 14, 2013
<b>DEPT. OF ORIGIN:</b> Administration		<b>SUBMITTED BY:</b> Terry Roberts
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider City Manager’s Employment Agreement and Related Issues		
<b>SUMMARY STATEMENT:</b> Executive Session discussion.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b>		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Discussion only		
<b>APPROVALS:</b> Mayor Milton Y. Tate, Jr.		



## AGENDA ITEM 14

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 14, 2013	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Grant Lischka	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Texas Government Code Section 551.072 – Deliberation Regarding Real Property – Discuss and Consider the Acquisition of Properties Related to the Extension of Chappell Hill Street		
<b>SUMMARY STATEMENT:</b> Executive Session Discussion.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> None.		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Discussion Only.		
<b>APPROVALS:</b> Terry K. Roberts		



**AGENDA ITEM 15**

<b>DATE OF MEETING:</b> October 17, 2013	<b>DATE SUBMITTED:</b> October 14, 2013	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Terry Roberts	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues.		
<b>SUMMARY STATEMENT:</b> As discussed in Executive Session.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b>		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approve City Manager’s employment agreement and related issues.		
<b>APPROVALS:</b> Mayor Milton Y. Tate, Jr.		



**AGENDA ITEM 16**

<b>DATE OF MEETING:</b> October 17, 2013		<b>DATE SUBMITTED:</b> October 14, 2013	
<b>DEPT. OF ORIGIN:</b> Administration		<b>SUBMITTED BY:</b> Grant Lischka	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Take Action as a Result of Executive Session Regarding Real Property Acquisition for the Chappell Hill Street Extension Project and Authorize the Mayor to Negotiate and Execute Any Necessary Documentation			
<b>SUMMARY STATEMENT:</b> As discussed in Executive Session.			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
A. PROS:			
B. CONS:			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b>			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b> Approve the Mayor be authorized to negotiate contracts for the acquisition of certain parcels of property necessary for the Chappell Hill Street extension project, in accordance with the parameters, consideration and terms discussed in executive session, and further move that the Mayor be authorized to execute any necessary documentation.			
<b>APPROVALS:</b> Terry K. Roberts			