



**NOTICE OF A REGULAR MEETING  
THE BRENHAM CITY COUNCIL  
THURSDAY, DECEMBER 19, 2013 AT 1:00 P.M.  
SECOND FLOOR CITY HALL  
COUNCIL CHAMBERS  
200 W. VULCAN  
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts**
- 3. Citizens Comments**

**CONSENT AGENDA**

**4. 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.

- 4-a. Minutes from the November 21, 2013 Workshop and Regular City Council Meetings and the December 2, 2013 Joint Meeting Between the Brenham City Council and the Washington County Commissioner’s Court Page 1-14**

**REGULAR AGENDA**

- 5. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the FY2012-13 Adopted Budget Page 15-17**
- 6. Discuss and Possibly Act Upon Renewal of the Police Protection Agreement Between the City of Brenham and the Brenham Housing Authority and Authorize the Mayor to Execute Any Necessary Documentation Page 18-22**
- 7. Discuss and Possibly Act Upon a Request from the Animal Shelter Task Force to Determine a Location for the Future Brenham Pet Adoption and Animal Care Facility Page 23**

8. **Discuss and Possibly Act Upon Bid No. 14-003 for the Purchase of Road Base Materials for the Street Department and Authorize the Mayor to Execute Any Necessary Documentation** **Page 24-26**
  
9. **Discuss and Possibly Act Upon Resolution No. R-13-021 Authorizing the Submission of a Grant Application to the Brazos Valley Council of Governments Under the Solid Waste Grant Program for the Purchase of Fifty 60-Gallon Standalone Recycling Containers and Authorize the Mayor to Execute Any Necessary Documentation** **Page 27-30**
  
10. **Discuss and Possibly Act Upon Bid No 14-004 for the Purchase of Pickup Trucks for the Water Treatment, Wastewater Treatment, and Police Departments and Authorize the Mayor to Execute Any Necessary Documentation** **Page 31-34**

**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.

## 11. **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 December 19, 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 December 16, 2013 at ***11:58 AM***.

***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

## **Brenham City Council Minutes**

A workshop meeting of the Brenham City Council was held on November 21, 2013 beginning at 11:00 a.m. in the Brenham City Hall, Conference Room 2-A, 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 Mary E. Barnes-Tilley  
Councilmember Weldon Williams, Jr.

### Members absent:

Councilmember Keith Herring

### 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, Susan Nienstedt, Fire Chief Ricky Boeker, and Police Chief Rex Phelps

### Citizens present:

None

### Media Present:

Arthur Hahn, Brenham Banner Press

- 1. Call Meeting to Order**
- 2. Discussion and Overview of the Comprehensive Exchange of Services Interlocal Agreement Between the City of Brenham and Washington County**

City Manager Terry Roberts presented this item. The most recent version of the Interlocal Agreement between the City of Brenham and Washington County for the Comprehensive Exchange of Services was laid around the Dias. Roberts explained this Interlocal Agreement (ILA) has a transitional period, which addresses the problems with the County taking over Communications. Roberts explained during the transition period, the funding for the

Communications department will be split 50/50 between the City of Brenham and Washington County with each party paying approximately \$500,000.00 a year. Roberts stated the City and County will function together and the Task Force comprised of representatives from both entities will oversee operations. Roberts explained the proposed transition period is 18 months, which can be shortened or lengthened based on the recommendation of the Board. Roberts stated Pam Ruemke has stepped down from her position as Communications Director and Stephen Draehn is acting as the Interim Director as of last Monday.

Councilmember Goss questioned if someone has spoken with Sheriff Otto Hanak regarding the ILA. Roberts stated they have spoken with Otto and he is on board with the current agreement. Roberts explained County Attorney Renee Mueller and Hanak take the position that the Sheriff needs to give approval and sign the agreement along with the Mayor and Judge. Police Chief Rex Phelps stated the language in the ILA came from Otto regarding him signing because he runs the jail and, for the contract to be legally binding for him, he must sign off on the agreement. City Attorney Cary Bovey stated he spoke with Renee and the wording Otto approved initially is still in agreement.

Bovey went through the changes to the ILA by section. Bovey stated the first set of changes is in Section 10 regarding the City employees transferring to the County. The section discusses vacation and sick leave accrual on page 6.

Councilmember Goss questioned if this information has been covered with the employees. Stephen Draehn stated he met with them last Thursday and went over all of the information with the employees. Draehn stated there are only 2 employees that have 600 hours of sick time that would be affected by the change. Councilmember Barnes-Tilley questioned when this would take effect with the employee accruals. Roberts stated after the transfer to the County and the employees would have to be in compliance with the numbers of hours for vacation and sick at the end of the following 12 months or they would lose that time. Roberts explained the maximum carryover time with the County for sick time is 480 hours and vacation hours is 42 hours. Councilmember Barnes-Tilley questioned how much time will the employees have accrued. HR Manager Susan Nienstedt stated the employees' time will transfer over based on the number of years they have with the City. Roberts explained that the employees will not be treated as new employees. Roberts stated new employees with the County cannot take any vacation time in the first 12 months or sick leave for the first 4 months of employment; however, the City employees will not have to adhere to these rules.

Bovey stated the next changes appear in Section 12 on page 8 relating to the scope of services provided by the County. Bovey explained this section is good as long as the standards to operate are intact so that the County is bound to provide the current levels of service. Bovey explains this section states the level of service cannot be diminished or reduced. Councilmember Goss questioned if a department makes a change, will they let the Council know. Mayor Tate stated Communications will know if there are changes because they have the book containing all Standard Operating Procedures for all first responder agencies. Councilmember Goss stated if the document reflects information and the document needs to be changed then it will need to go to the Board. Mayor Tate stated if the wording changes in the agreement then it will go to Council and Commissioner's Court for approval; however, in the interim, it will go to the Task

Force for approval. Mayor Tate stated after the transfer takes place, any changes will need to go before the Commissioner's Court. Mayor Tate stated any rules, regulations or diminishment of service, must go for approval. Mayor Tate explained departments can change their Standard Operating Procedures without approval as long as it doesn't diminish the service.

Councilmember Barnes-Tilley expressed concern about another Police Department Chief coming in and changing something that is working for the department. Mayor Tate stated Council can bring to their attention and ask questions before changes take place. Councilmember Barnes-Tilley questioned if it is problematic to take out standards the City has now or are they comfortable with the current language. Fire Chief Ricky Boeker stated his department went through the ISO ratings and added to the Fire Department Standard Operating Procedures, so that their department is covered. Police Chief Rex Phelps stated he is uncomfortable that it stated all services will be upheld to current levels and what each department is doing at this point. Boeker stated the level of service shouldn't drop below current level. Mayor Tate stated the County can upgrade the service, but they can't diminish the level. Councilmember Barnes-Tilley states that she does not want to leave anything up to interpretation. City Secretary Jeana Bellinger stated she met with Ricky to amend his Standard Operating Procedures to include the ISO language to include documents, but it won't be in Section 12. Bellinger states she will work with all departments to include in their Standard Operating Procedures to cover all departments. Roberts stated if there are additions or subtracts after the effective date, then they must go through Section 3 procedures. Roberts stated all Directors control their individual departments. Councilmember Williams stated he agrees with Ricky and the ISO rating number needs to be added to his Standard Operating Procedures so that it can't drop. Bovey stated if they add the actual number, it could drop for other reasons. Boeker stated that Communications has a separate score in ISO ratings. Bovey stated this is covered under the Section 3 language.

Bovey stated there are minor clarifying changes in Section 22 regarding elected officials and changes to Section 34 relating to the County will only pay for calls requested by the Sheriff.

Mayor Tate stated there is a special meeting with the County in Council Chambers on Monday, December 2, 2013 at 11am. Mayor Tate stated the meeting that was set for November 25, 2013 has been cancelled.

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 November 21, 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 Mary E. Barnes-Tilley  
Councilmember Weldon Williams, Jr.

### Members absent:

Councilmember Keith Herring

### 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, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Todd Jacobs, Billy Rich, Amanda Carker, Development Services Director Julie Fulgham, Public Works Director Dane Rau, Bobby Branham, Casey Redman, Public Utilities Director Lowell Ogle, Stephen Draehn, and Grant Lischka

### Citizens present:

Lete Phillips, Clint Kolby, Sallie Blackie-Single, Angela Knauss, and John Knapp

### 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 – Councilmember Ebel**
- 3. Citizens Comments**

There were no citizen comments.

## CONSENT AGENDA

### 4. Statutory Consent Agenda

#### 4-a. Minutes from the November 7, 2013 City Council Meeting

#### 4-b. Discuss and Possibly Act Upon Ordinance No. O-13-027 on Its Second Reading Authorizing the Abandonment of Magnolia Street

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 4-a. minutes from the November 7, 2013 City Council Meeting and 4-b. approving Ordinance No. O-13-027 on its second reading authorizing the abandonment of Magnolia Street.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

## WORK SESSION

### 5. Discussion and Presentation by the Police Chief Regarding an Update from the Animal Shelter Task Force Concerning the Future Shelter Facility

Police Chief Rex Phelps presented this item. Phelps stated the Animal Shelter Task Force respectfully requests to engage the Mayor and City Council in a discussion on items such as the naming of the new facility and the location options of the new facility. Phelps explained there are two location options identified and discussed the pros and cons of each potential location. Phelps stated one location is the existing lot next to the Police Department and the other is land donated by Animal Friends of Washington County. Phelps stated the Task Force believes the upcoming fundraising efforts would be more successful if the location is solidified and identified first by the City Council. Phelps stated the new animal shelter will be called the Brenham Pet Adoption and Care Center and their mission is to create a bond and optimize unification between people and pets. Phelps explained the majority of the Task Force likes the location next to the Police Department because it has long term stability and the location is close to 290.

Mayor Tate questioned the size of the lot at the Police Department site. Phelps stated the shelter facility would be around 8,000 square feet and the shelter could share parking with the Police Department. Phelps explained 2-3 acres is adequate for the shelter. Mayor Tate questioned if the Police Department site would have room for outside animals. Phelps explained the land between the Police Department and potential animal shelter lot would be kept isolated, but he would speak with businesses surrounding the location for their feedback. Phelps stated the new shelter facilities have less room for outside animals.

Councilmember Barnes-Tilley expressed her gratitude for the generous offer for land from the Animal Friends of Washington County, but she is more comfortable with the location by the Police Department. Councilmember Ebel and Councilmember Goss expressed their agreement with Councilmember Barnes-Tilley.

## **REGULAR AGENDA**

**6. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Code of Ordinances of the City of Brenham, Chapter 2, Administration, Article VII, Library Advisory Board, to Provide for the Powers, Duties, Organization, Operation, Board Membership and Additional Matters Related to the Library Advisory Board**

City Secretary Jeana Bellinger presented this item. Bellinger laid a redlined version of the Ordinance around the Dias cleaning up the language to address the City only library on Page 24, Section 2.82. Bellinger stated the Interlocal Agreement between the City of Brenham and Washington County for library services at the Nancy Carol Roberts Memorial Library ended on September 30, 2013. Bellinger explained due to the termination of the ILA, Chapter 2 of the Code of Ordinances mandating the membership, organization and operation of the Library Advisory Board needed to be amended accordingly. Bellinger explained the County seat on the Library Board will be replaced with a City at Large position.

Councilmember Williams stated they had a Library meeting the night before and it was a little rough because the new lady was in attendance at the meeting whom will be taking Zeb's spot. Councilmember Williams stated Zeb Heckmann looked surprised and upset about the removal of his seat on the Library Board. Chief Financial Officer Carolyn Miller stated they presented the Library Board with a revised Library Ordinance at a meeting a few months ago, so all members should have been aware of the changes to take place.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve an Ordinance on its first reading amending the Code of Ordinances of the City of Brenham, Chapter 2, Administration, Article VII, Library Advisory Board, to provide for the powers, duties, organization, operation, board membership and additional matters related to the Library Advisory Board

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

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

**7. Discuss and Possibly Act Upon Resolution No. R-13-019 for the Election of Members to the Board of Directors of the Washington County Appraisal District**

City Manager Terry Roberts presented this item. Roberts explained a redlined version of the ballot sheet is laid around the Dias because the wrong numbers were put into the ballot that was included in the agenda packet. Roberts explained at the October 17, 2013 Council meeting, Resolution No. R-13-016 was approved for the nomination of Washington County Appraisal District Board members to serve a two-year term beginning January 1, 2014. Roberts stated our taxing entity received 590 votes; these votes can be cast to on candidate or distributed among any of the candidates. Roberts stated the candidates on the official ballot include John Schaer, Delton Koerth, Charles Gaskamp, Johanna Fatheree and Joel Romo, with the incumbent candidates receiving 118 votes each.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve Resolution No. R-13-019 for the election of members to the Board of Directors of the Washington County Appraisal District as modified.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

**8. Discuss and Possibly Act Upon an Ordinance on Its First Reading to Repeal Ordinance No. O-09-019 Relating to a Non-Exclusive Franchise to Impact Disposal Services, LLC to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated on November 5, 2009, Council approve an Ordinance on its second reading granting Impact Disposal Services, LLC a non-exclusive franchise to collect demolition/construction debris and or solid waste from commercial residential, and industrial sites using roll-off containers and/or commercial compactors. Klehm stated this ordinance was requested by Impact Disposal Services, LLC at that time. Klehm explained on November 12, 2013, the City of Brenham was notified by Ray Lauter,

Impact Disposal Services, LLC owner, that his company will no longer be operating in the City of Brenham; therefore, Staff recommends that Council repeal Ordinance O-09-019 which granted Impact Disposal Services, LLC authority to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Ordinance on its first reading to repeal Ordinance No. O-09-019 relating to a non-exclusive franchise to Impact Disposal Services, LLC to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits.

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

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

**9. Discuss and Possibly Act Upon an Ordinance on Its First Reading to Grant a Non-Exclusive Franchise to Legacy Waste Services to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

Deputy City Secretary Amanda Klehm presented this item. Klehm laid a redlined version of the Ordinance around the Dias with the corrected Section 8 with new wording as requested by Councilmember Goss. Klehm stated On November 12, 2013 we received a letter from Legacy Waste Services requesting to do business within the City of Brenham. Legacy Waste Services purchase Impact Disposal Services, LLC. They have never had a franchise in Brenham. Klehm explained Legacy Waste Services purchased Impact Disposal Services, LLC from Ray Lauter.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve an Ordinance on its first reading to grant a non-exclusive franchise to Legacy Waste Services to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits with changes or modification made.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

**10. Discuss and Possibly Act Upon Bid No. 14-001 for the Purchase of a 53' Aluminum Refuse Trailer and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained on November 13, 2013 the Purchasing Dept. opened bids for the purchase of an aluminum refuse trailer. Rau stated bids were sent to 4 manufactures with two bids received. Rau explained Travis Body and Trailer was the low bid received and met all bid specifications. Rau stated during the 2013-14 budget process a total of \$68,000 was budgeted for this trailer. Rau explained by purchasing this trailer it will add to the City's fleet of transfer trailers that are used on a daily basis to transport waste to the Austin landfill, which will ultimately replace the oldest 48' steel transfer trailer which is approaching 10 years old. Rau stated these trailers are used 6 days a week and transport over 20+ tons of waste on each trip. Rau stated the transfer station averages 4 trips per day to the landfill with other trailers being loaded throughout the day. Rau explained after buying this trailer, it will give us 6 trailers and 3 trucks. Rau explained over the last year Staff has seen the City's volumes increase approximately 1500 tons than the prior year.

Councilmember Goss questioned if this was a replacement trailer. Rau stated this trailer is the last in the fleet to replace a steel trailer with an aluminum trailer. Rau explained aluminum is lighter and doesn't rust. Rau explained the steel trailer will be sold on GovDeals.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Bid No. 14-001 and award contract to Travis Body and Trailer in the amount of \$65,070.00 for the purchase of a 53' Aluminum Refuse Trailer 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

Council adjourned into Executive Session at 1:28pm.

**EXECUTIVE SESSION**

**11. Section 551.072 – Deliberation Regarding Real Property – Discussion Concerning the Possible Donation and Acceptance of Land for Future Park Purposes**

Executive Session adjourned at 2:18pm.

**RE-OPEN REGULAR SESSION**

**12. Discuss and Possibly Act Upon a Development Agreement Related to the Donation of Land for Future Park Purposes and Authorize the Mayor to Negotiate and Execute Any Necessary Documentation**

Councilmember Barnes-Tilley stated these are based on future plans and there is no timeline at this point for development of the park land.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve a development agreement related to the donation of land for future park purposes in accordance with the parameters, consideration and terms discussed in executive session and authorize the Mayor to negotiate and 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

**13. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- The County is available for a Joint Session on December 2<sup>nd</sup> at 10:00am.
- The Council meetings in January will be moved from January 2, 2014 and January 16, 2014 to January 9, 2014 and January 23, 2014.
- Council will still conduct its regular meeting on December 19, 2013 at 1:00pm.
- Councilmember Williams stated he filed an animal control complaint online and the website is working well.
- December 6, 2013 – Christmas Stroll and Lighted Parade.

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 special joint meeting of the Brenham City Council and Washington County Commissioners was held on Thursday December 2, 2013, beginning at 10:00 a.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

### Members present:

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

### Members absent:

None.

### Washington County Commissioners Court Members present:

Judge John Breiden  
Commissioner Joy Fuchs  
Commissioner Kirk Hanath  
Commissioner Zeb Heckmann  
Commissioner Luther Hueske

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Development Services Director Julie Fulgham, Public Utilities Director Lowell Ogle, Stephen Draehn, Kevin Boggus, Julie Nevel and Grant Lischka

### Citizens present:

Dorothy Morgan, Otto Hanak, Robert Smith, Jay Petrash, Karen McGill, Peggy Kramer, Beth Rothermel, and Sharon Stolz.

### Media Present:

Kyle Cunningham, Brenham Banner Press; Frank Wagner, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Mayor Tate**

**REGULAR AGENDA**

3. **a. Discuss and Possibly Act Upon the Approval of the Comprehensive Exchange of Services Interlocal Agreement, With Transition Period, Between the City of Brenham and Washington County and Authorize the Mayor to Execute Any Necessary Documentation (City Action Item Only)**

City Manager Terry Roberts presented this item. Roberts provided an overview of the Comprehensive Exchange of Services Interlocal Agreement.

Councilmember Barnes-Tilley stated, from her perspective, she is committed to no service disruptions and safety is the biggest concern. Councilmember Barnes-Tilley stated their number 1 priority is the citizens and first responders. Mayor Tate stated he stands behind the Interlocal Agreement.

Councilmember Herring expressed that he is opposed to the Interlocal Agreement. Councilmember Herring does not agree with paying tax payers’ money into the County. Councilmember Herring stated the Task Force has worked hard to monitor and they are committed to making this work; however, it is a no vote for him, but he understands that Council must move forward.

A motion was made by Councilmember Goss and seconded by Councilmember Barnes-Tilley to approve the Comprehensive Exchange of Services Interlocal Agreement, with transition period, between the City of Brenham and Washington County 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

**b. Discuss and Possibly Act Upon the Approval of the Comprehensive Exchange of Services Interlocal Agreement, With Transition Period, Between the City of Brenham and Washington County and Authorize the County Judge to Execute Any Necessary Documentation (County Action Item Only)**

Judge Brieden presented this item.

A motion was made by Commissioner Fuchs and seconded by Commissioner Hannath to approve the Comprehensive Exchange of Services Interlocal Agreement, with transition period, between the City of Brenham and Washington County and authorize the County Judge to execute any necessary documentation.

Judge Brieden called for a vote. The motion passed with Commissioners voting as follows:

Judge John Breiden	Yes
Commissioner Joy Fuchs	Yes
Commissioner Kirk Hanath	Yes
Commissioner Zeb Heckmann	Yes
Commissioner Luther Hueske	Yes

Commissioner Fuchs stated she is committed to making it work and they will work to make it safe for everyone. Commissioner Fuchs stated she believes this will be a good working relationship. Commissioner Hueske wanted to thank everyone for their hard work on the agreement. Commissioner Heckmann thanked the Task Force for their work on the agreement and looks forward to a great working relationship. Commissioner Hannath stated the two entities are better together than they are separate. Commissioner Hannath stated it is very important issue regarding public safety officers and they are looking at this as a positive move for all.

Mayor Tate stated there is no reason why this should not go seamlessly. Mayor Tate stated that the City and County need to keep open communication on both ends.

Judge Brieden expressed his appreciation for the Mayor and his optimism, which helped a great deal as this agreement unfolded. Judge Brieden stated this is an excellent agreement because the City and County worked together and are willing to do what is necessary to make it work. Judge Brieden stated this is a good example of good government and this is a day of celebration.

Mayor Tate stated every 5 years, the parties will get back together to discuss if things are getting out of whack in order to adjust as necessary.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary



**AGENDA ITEM 5**

<b>DATE OF MEETING:</b> December 19, 2013		<b>DATE SUBMITTED:</b> December 16, 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 checked="" 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 an Ordinance on its First Reading Amending the FY2012-13 Adopted Budget.			
<b>SUMMARY STATEMENT:</b> The proposed ordinance will be the second and final amendment to the FY2012-13 budget. Highlights of the amendment include the following revenue increases: General Fund revenues for insurance proceeds; Airport Grant revenues; City HOT taxes for increased collections; Donations Fund revenues for a police department donation received; and Gas and Sanitation Fund revenues. Revenues are being decreased in the Central Fleet Fund and for Collection Station fees in the Sanitation Fund.  Expenditures are being increased due to unanticipated expenses from the fuel spill at the airport, several land and equipment purchases, gas purchase costs and Sanitation departmental expenses.  Other budget amendment items include transfers between funds, the AMR smart meter project and year-end budget realignment (clean-up).			
<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) Ordinance; and (2) Exhibit A (Amendment Number 2)			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b> Approve an Ordinance on its first reading amending the FY2012-13 Budget.			
<b>APPROVALS:</b> Carolyn D. Miller			

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING THE FY2012-13 ADOPTED BUDGET; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Brenham, Texas has previously approved a budget for the fiscal year ending September 30, 2013, after having filed the same with the City Secretary and after holding public hearings on same, all after due notice as required by statute; and

**WHEREAS**, due to unforeseen circumstances and/or conditions, the City Council finds it is necessary to amend the FY2012-13 Budget for municipal purposes;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Brenham, Texas:

**SECTION I.**

That the City Council of the City of Brenham, Texas, does hereby amend the budget for the City of Brenham, Texas for the fiscal year ending September 30, 2013, as shown on Exhibit A.

**SECTION II.**

This Ordinance shall take effect as provided by State Law and the Charter of the City of Brenham, Texas.

**PASSED and APPROVED** on its first reading this the \_\_\_\_ day of \_\_\_\_\_, 2013.

**PASSED and APPROVED** on its second reading this the \_\_\_\_ day of \_\_\_\_\_, 2014.

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

**ATTEST:**

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

**CITY OF BRENHAM  
EXHIBIT A  
AMENDMENT NUMBER 2  
FISCAL YEAR 09-30-13**

	General Fund	Airport Capital Improvement	Hwy 290 Fund	Streets & Drainage Fund	Parks Capital Improv Fund	Hotel Occupancy Tax Fund	Equipment Fund	Central Fleet Fund	Donations	Electric Fund	Gas Fund	Water Fund	Sanitation Fund	Wastewater Fund	Utility Capital Improvements	TOTAL
<b>REVENUES (INC) DEC</b>																
Insurance Proceeds for Airport Fuel Spill	A \$ (21,709)															\$ (21,709)
HOT Fund Revenues	B					\$ (105,031)										(105,031)
Airport Hangar & Taxiway Grant Revenue	C	\$ (22,826)														(22,826)
Fleet Rental Income	D							\$ 98,435								98,435
Police Department Donations	E								\$ (25,000)							(25,000)
Gas Utility Revenues	F										\$ (277,922)					(277,922)
Gas Cost Adjustment	F										(222,213)					(222,213)
Transfer Station Revenues	G												(102,111)			(102,111)
Collection Station Revenues	H												30,635			30,635
																-
<b>TOTAL BUDGETED REVENUES</b>	<b>(21,709)</b>	<b>(22,826)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(105,031)</b>	<b>-</b>	<b>98,435</b>	<b>(25,000)</b>	<b>-</b>	<b>(500,135)</b>	<b>-</b>	<b>(71,476)</b>	<b>-</b>	<b>-</b>	<b>(647,742)</b>
<b>EXPENDITURES INC (DEC)</b>																
Airport Fuel Spill Expenses	A 21,709															21,709
Engineering Evaluation of Saeger Street Alternates	I 6,180															6,180
Airport Hangar & Taxiway Project Expenses	C	(25,362)														(25,362)
Fleet Equipment Purchases	J							15,655								15,655
Henderson Park Land Purchase (Riggs St.)	K				13,738											13,738
Handley Street Land Purchase (JR Enterprises)	L			20,056												20,056
Gas Purchase Costs	F										385,812					385,812
Gross Revenue Tax	F										35,008					35,008
AMR Meter Project	M									9,466	50,018	700,000		350,000	(1,050,000)	59,484
Transfer Station Departmental Expenses	G												121,268			121,268
Collection Station Vehicle/Equipment Repairs	N												3,000			3,000
Recycling Center Land Purchase (Woodson Lumber)	O												32,000			32,000
Residential Collection Transfer Station Fees	P												9,000			9,000
																-
<b>TOTAL BUDGETED EXPENDITURES</b>	<b>27,889</b>	<b>(25,362)</b>	<b>20,056</b>	<b>-</b>	<b>13,738</b>	<b>-</b>	<b>-</b>	<b>15,655</b>	<b>-</b>	<b>9,466</b>	<b>470,838</b>	<b>700,000</b>	<b>165,268</b>	<b>350,000</b>	<b>(1,050,000)</b>	<b>697,549</b>
<b>BUDGETED TRANSFERS</b>																
Transfer from General Fund to Donations Fund (Swirl Net Revenue)	Q 12,250								12,250							24,500
Transfer from Streets & Drainage Fund (2011 Limited Tax Note proceeds) to Hwy 290 Fund	R		(20,062)	20,062												-
Reduce Transfer from General Fund to Equipment Fund	S (67,863)						67,863									-
Transfer from General Fund to Parks Capital Improvements Fund	T 4,430				(4,430)											-
Transfer from Electric Fund to Gas Fund to maintain cash reserve balance	U									25,000	(25,000)					-
Proceeds for 2012 Certificates of Obligation	V				(1,886,423)											(1,886,423)
Issuance Costs for 2012 Certificates of Obligation	V				51,489											51,489
																-
<b>TOTAL BUDGETED TRANSFERS</b>	<b>(51,183)</b>	<b>-</b>	<b>(20,062)</b>	<b>(1,814,872)</b>	<b>(4,430)</b>	<b>-</b>	<b>67,863</b>	<b>-</b>	<b>12,250</b>	<b>25,000</b>	<b>(25,000)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(1,810,434)</b>
<b>CHANGE IN BUDGETED FUND BALANCE (INC) DEC</b>	<b>\$ (45,003)</b>	<b>\$ (48,188)</b>	<b>\$ (6)</b>	<b>\$ (1,814,872)</b>	<b>\$ 9,308</b>	<b>\$ (105,031)</b>	<b>\$ 67,863</b>	<b>\$ 114,090</b>	<b>\$ (12,750)</b>	<b>\$ 34,466</b>	<b>\$ (54,297)</b>	<b>\$ 700,000</b>	<b>\$ 93,792</b>	<b>\$ 350,000</b>	<b>\$ (1,050,000)</b>	<b>\$ (1,760,627)</b>

**NOTES**

- A - Insurance Proceeds/Expenses from March 2013 fuel spill at Brenham Municipal Airport.
- B - Amend HOT Fund revenues for increased collections.
- C - At the March 21, 2013 meeting, Council approved the Brenham Municipal Airport hangar project. FY13 project expenses totaled \$25,362, with \$22,826 being covered by TXDOT grant revenue (90%).
- D - Decrease fleet rental income for less than anticipated vehicle and equipment rentals.
- E - At the August 1, 2013 meeting, Council accepted a donation from the Pegasus Foundation in the amount of \$25,000 to the Brenham Police Department.
- F - Due to late winter front, gas sales, and in turn purchase costs and gross revenue tax, exceeded estimated levels.
- G - Due to increased volume, the number of routes to the landfill increased in FY13, therefore both transfer station revenues and transfer station departmental expenses exceeded budgeted levels.
- H - Decrease Collection Station revenues due to the loss of Premier Metal Buyers certified weight fees and lower than anticipated non-compactible waste business.
- I - Engineering associated with the evaluation of Saeger Street extension alternates.
- J - Purchase of car hauler (\$3,660) and dump trailer (\$11,995) for Central Fleet.
- K - At the April 18, 2013 meeting, Council approved the purchase of land at 305 Riggs Street (Henderson Park). BCDC allocated funds for this purchase in FY10.
- L - The purchase of land from JR Enterprises for the Hwy290/Handley Street Extension Project was approved by Council at the November 3, 2011 meeting but the closing was not finalized until FY13.
- M - The purchase of automated meter reading equipment from Aqua Metric Sales Co. is tracked in the Utility Capital Improvements Fund, but the expenditures will be reported in each utility fund.
- N - Amend for unanticipated repairs to the tub grinder.
- O - At the September 20, 2013 meeting, Council approved the purchase of .658 acres from Woodson Lumber Co. for the expansion of the Recycling Center.
- P - Higher than anticipated transfer station fees were experienced in the Residential Collection department due to a rate increase in FY13.
- Q - At the September 19, 2013 meeting, Council approved the transfer of the 2013 Uptown Swirl net revenue to the Donations Fund to be allocated to the Incentive Grant Program and downtown improvements.
- R - Allocation of \$20,062 (via a transfer) of 2011 Limited Tax Notes proceeds to the Hwy 290 Fund for the Westwood Drive construction project.
- S - The budgeted equipment purchases for FY13 were lower by \$67,863. We can therefore reduce the amount of the budgeted transfer from the General Fund.
- T - A transfer of \$4,330.33 was needed to cover drainage work and batting cage lighting which was not included in the BCDC allocation for the Linda Anderson Park rehab project.
- U - A \$25,000 transfer was made from the Electric Fund to the Gas Fund in order for the Gas Fund to maintain the required level of \$850,000 of cash reserves per Resolution R13-011.
- V - Bond proceeds and associated issuance costs were recorded for the 2012 Certificates of Obligation which were issued in December 2012.



**AGENDA ITEM 6**

<b>DATE OF MEETING:</b> December 19, 2013		<b>DATE SUBMITTED:</b> December 11, 2013	
<b>DEPT. OF ORIGIN:</b> Police Department		<b>SUBMITTED BY:</b> Rex Phelps	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input 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 Act Upon Renewal of the Police Protection Agreement Between the City of Brenham and the Brenham Housing Authority (BHA) and Authorize the Mayor to Execute Any Necessary Documentation			
<b>SUMMARY STATEMENT:</b> The BHA and the City of Brenham have an ongoing agreement regarding police services. Brenham Police Department provides a liaison police officer for the routine utilization of policing in and around the public housing areas. This proactive approach reduces crime and helps keep the patrol and investigative divisions balanced as it relates to police response to the entire Brenham community. In return the BHA reimburses the city costs related to personnel.			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
<b>A. PROS:</b> Keeps crime rate from rising. The agreement also helps to promote public housing opportunities to those law abiding citizens in need and deters criminal activity. This of course has a direct impact on the entire city as it relates to the quality of life.			
<b>B. CONS:</b> None identified			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> None recommended at this time.			
<b>ATTACHMENTS:</b> (1) Brenham Housing Authority Police Protection Agreement			
<b>FUNDING SOURCE (Where Applicable):</b> BHA			
<b>RECOMMENDED ACTION:</b> Approve the renewal of a Police Protection Agreement between the City of Brenham and the Brenham Housing Authority and authorize the Mayor to execute any necessary documentation			
<b>APPROVALS:</b> Terry K. Roberts			

# **BRENHAM HOUSING AUTHORITY POLICE PROTECTION AGREEMENT**

**WHEREAS** The Brenham Housing Authority desires additional police services beyond those provided to the general community and

**WHEREAS** there is a real need for the city to address the crime problem in and around the vicinity of the public housing in Brenham. Statistics show that at least 16% of Brenham's reported crime was committed in and around the vicinity of the Housing Authority property when this agreement first went into effect and has now dropped to 4%. Some residents of public housing are still afraid to leave their homes after dark while others are engaging in criminal and illegal drug activities. These activities directly affect the ongoing criminal and illegal drug activity in Brenham. These concerns can be met through cooperation between the City of Brenham Police Department and the Housing Authority of the City of Brenham and

**WHEREAS** the Brenham Police Department desires to provide such services,

Then Brenham Housing Authority (herein referred to as "BHA") and Brenham Police Department (hereby referred to as "BPD") hereby enter into this agreement as follows:

## **GENERAL CONDITIONS Enforcement of Rules and Regulations**

The City, through its Liaison Officer, shall enforce the following laws limited to violations of the Texas Penal Code:

1. Unauthorized persons in unoccupied/unleased structures of BHA shall be dealt with as defined by BPD and Municipal Court policies., i.e., Criminal Trespass.
2. Persons creating disturbances or otherwise interfering with the peaceful enjoyment of lessees, guests, invitees, or staff on BHA property shall be removed, i.e., Criminal Disorderly Conduct.
3. Visitors, residents or guests destroying, defacing or removing BHA property shall be removed and/or criminal enforcement actions shall be taken, i.e., Criminal Mischief.

With regard to the foregoing laws, the City's police officers may issue Criminal Trespass Warnings to any persons found in violations of said laws, i.e., to give notice to any violators that their entry on the property or premises is forbidden, and to arrest or cause the arrest and prosecution of violators, when deemed appropriate by the officer.

## **SPECIFIC SERVICES PROVIDED BY BRENHAM POLICE DEPARTMENT**

The City agrees that in addition to providing normal police protection services that the City will provide additional services as follows:

- A Detective will be assigned to perform background checks and applicant review to screen criminal history.
- Investigate any suspected drug activity and remove any identified offenders.
- Provide weekly incident reports of any police activity. Such report will be due weekly.
- As requested and approved by the BPD, attend BHA Resident Council meetings to communicate with residents on items affecting their security and to promote programs of mutual benefit.
- Plan, schedule and coordinate security workshops and training seminars for employees and residents as requested and approved by the BPD.
- Establish neighborhood crime watch with meetings held as requested and approved by BPD.
- Provide close night patrol from 9:00pm until 1:00am on Thursday, Friday, Saturday and Sunday as allowable with available resources, to be performed by BPD or the Citizens on Patrol (COP) under BPD supervision and/or other hours as needed, at the request of the Executive Director, with the approval of the Chief of Police.

## **SPECIFIC RESPONSIBILITIES OF BRENHAM HOUSING AUTHORITY**

BHA will provide the following in-kind accommodations, services and equipment:

- Orientations – BHA will provide orientations and will familiarize the Liaison Officer with the public housing developments. BHA will also provide orientation of the lease contract and lease enforcement policies and procedures. Information will be provided on changes in Federal regulations and BHA policies through written information and/or training within two weeks of any pertinent changes, but at least once per quarter.
- BHA shall provide a quarterly assessment of the results achieved, as measured against the performance objectives specified within this Contract. BHA's Executive Director and the Police Liaison Officer will review the assessment and coordinate any action necessary to correct any deficiencies.
- Provide a list of all residents residing in Brenham Housing Authority Property at the request of BPD.

- Provide application and other information on those applying for BHA housing to the BPD within one week of receipt of application.
- Provide the front sheet of incident reports from tenants pertaining to potential criminal activities within 48 hours of receipt.

### **Plan of Operations**

The City and BHA shall perform this Contract in accordance with all Federal, State and Local Laws.

If during the term of the Contract either party desires to amend the scope of Contract, either party may request such an amendment via written notification. Any and all amendments shall require the mutual written consent of the Board of Commissioners of BHA and the City Council of Brenham.

### **Term of Contract**

The term of this Contract shall be for one (1) year beginning on the date approved by both parties. The sole and exclusive remedy for violation of this contract by either party shall be the cancellation of future performance by either party upon 30 days prior notice with an opportunity to cure. This contract will renew each year unless either party exercises cancellation.

### **Compensation**

All compensation for use of the Assigned Officers for services specified in this Contract shall not exceed \$52,809.00 annually. Hours worked are billed at \$25.39 per hour.

The Brenham Housing Authority will pay the City of Brenham \$1,000.00 quarterly for costs associated with the Brenham Police Department Liaison Officer's assigned vehicle to include wear and tear, maintenance, fuel, etc. Total proceeds paid to the City of Brenham under this paragraph shall not exceed \$4,000.00 annually.

Compensation of any additional police services performed at the request of the Executive Director and approved by the Brenham Police Department shall be at a rate of \$35.00 per hour per Assigned Officer, for hours actually worked with a three hour minimum. Any and all amounts due for additional police services performed for the BHA pursuant to this paragraph shall be paid by the BHA directly to each police officer providing additional police services to the BHA.

Total proceeds paid to the City of Brenham for Police Protection from the Brenham Housing Authority Capital Funds Grants shall not exceed \$56,809.00 annually for this contract and any

additional police services that may be needed at the request of the Executive Director and approved by the City of Brenham Police Department shall be paid for by the BHA directly to each police officer providing additional police services to the BHA.

**Assessment**

To maintain a close working relationship between BHA and BPD, it is necessary to resolve any issues that might arise. Therefore, weekly meetings between the Brenham Police Liaison Officer and Brenham Housing Authority will take place to evaluate the progress, to resolve issues, and to strengthen the cooperative atmosphere for a better community.

**Termination**

BHA may terminate this contract at any time and for any reason by providing thirty (30) days written notice to the City. Such notice shall be delivered by Certified Mail, Return Receipt Requested to 1801 Northview Circle Drive, Brenham, Texas 77833.

The City may terminate this Contract at any time and for any reason by providing thirty (30) days written notice to BHA. Such notice shall be delivered by Certified Mail, Return Receipt Requested to P.O. Box 1059, Brenham, Texas 77833.

Entered into and agreed upon this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**Housing Authority of the City of Brenham**

**Police Department of the City of Brenham**

\_\_\_\_\_  
Bill Decker, Executive Director

\_\_\_\_\_  
Rex Phelps, Chief of Police

ATTEST:

HOUSING AUTHORITY OF THE  
CITY OF BRENHAM

\_\_\_\_\_  
H. Richard Flammer  
Board Chairman

\_\_\_\_\_  
Date

CITY OF BRENHAM

\_\_\_\_\_  
Milton Tate  
Mayor

\_\_\_\_\_  
Date



## AGENDA ITEM 7

<b>DATE OF MEETING:</b> December 19, 2013	<b>DATE SUBMITTED:</b> December 11, 2013	
<b>DEPT. OF ORIGIN:</b> Police / Animal Shelter	<b>SUBMITTED BY:</b> Rex Phelps	
<b>MEETING TYPE:</b> <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> SPECIAL <input type="checkbox"/> EXECUTIVE SESSION	<b>CLASSIFICATION:</b> <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> CONSENT <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 Act Upon a Request from the Animal Shelter Task Force to Determine a Location for the Future Brenham Pet Adoption and Animal Care Facility		
<b>SUMMARY STATEMENT:</b> The Animal Shelter Task Force has discussed with the Mayor and Council two location sites for the Brenham Pet Adoption and Animal Care Facility. The task force <u>respectfully asks</u> the Mayor and Council to determine the location site. It is the opinion of the task force that determining the location will only benefit the fundraising efforts and help move the project forward. The majority of the task force and the police department (tasked with the oversight of animal control and shelter services) have respectfully recommended the city owned land next to the police department to be the sight of the aforementioned facility.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>  <b>A. PROS:</b> Most donors or potential donors will desire to know as much preliminary information as possible when giving to a building project. This site determination is a necessary step in the progress of this important initiative  <b>B. CONS:</b> None identified		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> None identified		
<b>ATTACHMENTS:</b> N/A		
<b>FUNDING SOURCE (Where Applicable):</b> City Commitment, Significant Donation, Fundraising		
<b>RECOMMENDED ACTION:</b> Approve a request from the Animal Shelter Task Force to designate City owned land adjacent to the south side of the Police Department, located in the 1800 block of Longwood, to serve as the future site of the Brenham Pet Adoption and Animal Care Center.		
<b>APPROVALS:</b> Terry K. Roberts		



### AGENDA ITEM 8

<b>DATE OF MEETING:</b> December 19, 2013	<b>DATE SUBMITTED:</b> December 12, 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 Bid No. 14-003 for the Purchase of Road Base Materials for the Street Department and Authorize the Mayor to Execute Any Necessary Documentation.		
<b>SUMMARY STATEMENT:</b> On November 26, 2013 the Purchasing Dept. opened bids regarding the annual contract for supplying road base material to the City of Brenham. There were 17 bids sent out with 5 bids being received.  We are pleased to say that we received 5 competitive bids with the lowest bid submitted by Bernardo Trucking in the amount of \$22.00/ton. This price includes delivery to site. This price is slightly higher than the 2012-13 contract of \$21.00/ton. Increases have been seen across the board mainly in trucking costs.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>  A. <b>PROS:</b> Received 5 competitive bids  B. <b>CONS:</b> \$1.00 higher than previous year.		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Bid Information Sheet; and (2) Bid Tabulation		
<b>FUNDING SOURCE (Where Applicable):</b> 101-1-525.00		
<b>RECOMMENDED ACTION:</b> Approve Bid No. 14-003 and award annual contract to Bernardo Trucking for road base material in the amount of \$22.00/ton for the Street Department and authorize the Mayor to execute any necessary documentation.		
<b>APPROVALS:</b> Terry K. Roberts		



**Bid Information Sheet**

November 26, 2013

**Bid No. 14-003**

**Bid Opening Date: November 26, 2013, 2:00 P.M.**

**For: Annual Contract- Road Base Material**

**Purchase not to exceed budgeted funds.**

**Number of bidders sent a bid packet: 17**

**Number of completed bids returned to Purchasing: 5**





## AGENDA ITEM 9

<b>DATE OF MEETING:</b> December 19, 2013	<b>DATE SUBMITTED:</b> December 12, 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 Resolution No. R-13-021 Authorizing the Submission of a Grant Application to the Brazos Valley Council of Governments Under the Solid Waste Grant Program for the Purchase of Fifty 60-Gallon Standalone Recycling Containers and Authorize the Mayor to Execute Any Necessary Documentation.		
<b>SUMMARY STATEMENT:</b> Each year the Brazos Valley Council of Governments Solid Waste Committee provides an opportunity for municipalities, counties, schools, and organizations to apply for grant funds issued by the State of Texas. This year the City of Brenham will be applying for a grant for the purchase of (50)-60 gallon standalone recycling containers. If the grant is received we will use the (50)-60 gallon standalone recycling containers in our local attractions such as the Blue Bell Aquatic Center, Hohlt Park, Fireman’s Park, Henderson Park, and Jackson St. Park along with other sites that currently do not offer the option to recycle. We will concentrate on recycling plastic bottles in these venues by utilizing the standalone containers. The grant requested will be in the amount of \$6,460.97. Currently the TCEQ has approved \$50,000 for distribution through the BVCOG for these grants.  Grant applications are due on December 20, 2013 with grant scoring taking place in January of 2014. The City of Brenham has applied for these grants in the past and most recently in 2011 the City of Brenham received \$7,435.21 for the purchase of (500) 18 gallon recycling bins and (25) 60 gallon standalone bins.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. <b>PROS:</b> Receive grant and utilize bins and containers to promote recycling efforts in local venues		
B. <b>CONS:</b> None		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		

**ATTACHMENTS:** (1) Resolution No. R-13-021; and (2) Recycle Bin Flyer

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Approve Resolution No. R-13-021 authorizing the submission of a Grant Application to the Brazos Valley Council of Governments under the Solid Waste Grant Program for the purchase of fifty 60-gallon standalone recycling containers and authorize the Mayor to execute any necessary documentation.

**APPROVALS:** Terry K. Roberts

**RESOLUTION NO. R-13-021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE BRAZOS ALLEY COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING DANE RAU, DIRECTOR OF PUBLIC WORKS TO ACT ON BEHALF OF THE CITY OF BRENHAM IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF BRENHAM WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE BRAZOS VALLEY COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.**

**WHEREAS**, the Brazos Valley Council of Governments (“BVCOG”) is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of the BVCOG’s adopted regional solid waste management plan; and

**WHEREAS**, the City of Brenham, Texas is qualified to apply for grant funds under the Request for Applications.

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

1. That Dane Rau, Director of Public Works is authorized to request grant funding under the Brazos Valley Council of Governments Request for Applications of the Regional Solid Waste Grants Program and act on behalf of the City of Brenham in all matters related to the grant application and any subsequent grant contract and grant project that may result.
2. That if the project is funded, the City of Brenham will comply with the grant requirements of the Brazos Valley Council of Governments, , Texas Commission on Environmental Quality and the State of Texas.
3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.
4. That activities will comply with and support the regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

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

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

**ATTEST:**

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

# recycle away

Systems & Solutions

PO Box 1757  
 Brattleboro, VT 05302  
 1-800-664-5340  
 www.recycleaway.com



## The Recycle Bin I

The Original 60 Gallon Recycling Container

The Recycle Bin I is the staple recycling container in almost any situation, indoors or out. Good signage, bright colors, and restricted openings on this unit create an effective recycling program. This cost effective and large capacity recycling bin comes in a variety of colors and with three lid options. The bin holds 60 gallons and designed to collect beverage containers for recycling in any indoor or outdoor setting, including parks, offices, schools, athletic fields, and gas stations.



Pair the Recycle Bin I with the Trash Bin I to create a recycling and waste station.

### Dimensions

Capacity	60 Gal
Body	21-1/8" W x 21 -1/8" D x 37-1/2"H
with V-lid	21-1/8" W x 21 -1/8" D x 42-1/2" H
with Flat lid	21-1/8" W x 21 -1/8" D x 31-3/4" H
with Pyramid Lid	21-1/8" W x 21 -1/8" D x 42" H
Weight	21 lbs.



**AGENDA ITEM 10**

<b>DATE OF MEETING:</b> December 19, 2013		<b>DATE SUBMITTED:</b> December 13, 2013	
<b>DEPT. OF ORIGIN:</b> Purchasing Services		<b>SUBMITTED BY:</b> Wende Ragonis	
<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 Act Upon Bid No 14-004 for the Purchase of Pickup Trucks for the Water Treatment, Wastewater Treatment, and Police Departments and Authorize the Mayor to Execute Any Necessary Documentation			
<b>SUMMARY STATEMENT:</b> Purchasing Services issued Bid No. 14-004 for Pickup Trucks. Five local vendors were mailed a Bid Packet, and the Request for Bid was advertised in print to ensure the opportunity for competitive bidding. The lowest responsive bidder was Caldwell Country. Purchasing Services worked with each department requesting the pickup trucks and the Fleet Maintenance department to determine the specifications for each department.			
The departments receiving the pickup trucks are:			
<u>Water Treatment</u> – quantity one ½ Ton Extended Cab Pick-up, Short Bed, 6 or 8 Cylinders, Gasoline Engine. Staff has selected the V8 as it has minimal impact to gasoline mileage and a better resale value in the long term.			
<u>Wastewater Treatment</u> – quantity one ¾ Ton Regular Cab Pickup, Long Bed, 8 Cylinders, Gasoline Engine.			
<u>Police (Admin Vehicles)</u> – quantity two ½ ton Crew Cab Pickup, Short Bed, 8 Cylinders, Gasoline Engine.			
These pickup trucks are replacing existing trucks which have reached their useful life. This purchase was approved in the FY 14 budget and is a planned expenditure.			
<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) Bid Information Sheet; and (2) Bid Tabulation			

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Award Bid No. 14-004 for the purchase of pickup trucks to Caldwell County in the amount of \$20,545.00 for the Water Treatment Department, \$19,376.00 for the Wastewater Treatment Department, and \$47,150.00 for the Police Department and authorize the Mayor to execute any necessary documentation

**APPROVALS:** Terry K. Roberts



Bid Information Sheet

December 4, 2013

Bid No. 14-004

For: Pickup Trucks

Purchase not to exceed budgeted funds.

Number of bidders sent a bid packet: 5

Number of completed bids returned to Purchasing: 2

<b>BID TABULATION</b>			
<b>BID #14-004 PICKUP TRUCKS</b>			
	<b>Caldwell</b>	<b>LaRoche</b>	
	<b>Country</b>	<b>Chevrolet</b>	
<b>Item I. 1/2 Ton Extended Cab Pickup, Short Bed, 6 or 8 Cylinders, Gasoline Engine</b>			
Mfg.	Ford	Chevrolet	
Year	2014	2014	
Model	F150 Supercab	Silverado	
	SWB X1C		
Warranty	3 yr/36K miles	3 yr/36K miles	
		5 yr/100K powertrain	
<b>Price-6 Cylinder</b>	<b>\$19,765.00</b>	<b>\$24,800.00</b>	
<b>Price-8 Cylinder</b>	<b>\$20,545.00</b>	<b>\$25,750.00</b>	
Delivery	90 days	4 weeks	
<b>For Water Treatment 163</b>			
<b>Item II. 3/4 Ton Regular Cab Pickup, Long Bed, 8 Cylinders, Gasoline Engine</b>			
Mfg.	Ford	Chevrolet	
Year	2014	2014	
Model	F250 Reg Cab	Silverado	
	C2A		
Warranty	3 yr/36K miles	3 yr/36K miles	
		5 yr/100K powertrain	
<b>Price</b>	<b>\$19,376.00</b>	<b>\$22,450.00</b>	
Delivery	90 days	Stock-1 Day	
<b>For Wastewater Treatment 166</b>			
<b>III. 1/2 Ton Crew Cab Pickup, Short Bed, 8 Cylinders, Gasoline Engine (2)</b>			
Mfg.	Ford	Chevrolet	
Year	2014	2014	
Model	Supercrew F150	Silverado	
	W1C		
Warranty	3 yr/36K miles	3 yr/36K miles	
		5 yr/100K powertrain	
<b>Price-Black</b>	<b>\$23,575.00</b>	<b>\$29,835.00</b>	
<b>Price-Gray</b>	<b>\$23,575.00</b>	<b>\$29,835.00</b>	
<b>Price for 2</b>	<b>\$47,150.00</b>	<b>\$59,670.00</b>	
Delivery	90 days	4 weeks	
<b>For Police 151 (Admin. Vehicles)</b>			