



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY SEPTEMBER 4, 2014 AT 1:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**
- 3. Proclamations Pages 1-3**
 - **Washington County Big Read**
 - **Childhood Cancer Awareness Month – September 2014**
 - **Constitution Week – September 17-23, 2014**
- 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. Ordinance No. O-14-027 on Its Second Reading for the Creation of Reinvestment Zone Number 40 Requested by Independence Coffee Company, LLC for Commercial-Industrial Tax Phase-In Incentive on a Certain Tract of Land Containing 1.40 Acres, More or Less, Being Located at 321 South Baylor Street, Brenham, Texas, with Boundaries Further Described in Exhibit “A” of the Ordinance Creating Reinvestment Zone Number 40, and Designating This Property as Qualifying for Tax Phase-In Pages 4 - 25**
 - 5-b. Ordinance No. O-14-028 on Its Second Reading Amending the FY2013-14 Adopted Budget Pages 26 - 27**

WORK SESSION

6. **Presentation and Update Regarding the Charter Review** **Page 28**
7. **Presentation and Discussion on Adoption of the 2012 International Building Code** **Page 29**

PUBLIC HEARING

8. **Proposed Budget for Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015** **Pages 30-31**
Due to the Transfer of the Emergency Communications Function From The City of Brenham to Washington County, Effective October 1, 2014, the FY2014-15 Proposed Budget for the City of Brenham Will Raise Less Revenue from Total Property Taxes Than Last Year's Budget By An Amount of \$646,329, Which Is A 10.77 Percent Decrease From Last Year's Budget. The Property Tax Revenue to be Raised from New Property Added to the Tax Roll This Year Is \$37,124
9. **Public Hearing Concerning the Approval of an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning from an Industrial (I) District to a Manufactured Home Residential (R-3) District on Property Located at 20785 FM 389, and Specifically Being a 10.74 Acre Tract Described as a Portion of Tract 196 of the Phillip Coe Addition in the City of Brenham, Washington County, Texas** **Page 32**

REGULAR AGENDA

10. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Adopting the Budget for Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015 and Take Record Vote** **Pages 33 - 37**
11. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Levying Taxes for the Tax Year 2014 for the City of Brenham at \$0.4912 per \$100 Valuation** **Pages 38 - 40**
12. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning from an Industrial (I) District to a Manufactured Home Residential (R-3) District on Property Located at 20785 FM 389, and Specifically Being a 10.74 Acre Tract Described as a Portion of Tract 196 of the Phillip Coe Addition in the City of Brenham, Washington County, Texas** **Pages 41 - 47**
13. **Discuss and Possibly Act Upon Bid No. B0039-0026-00 for the Extension of Chappell Hill Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 48 - 60**

14. **Discuss and Possibly Act Upon Resolution No. R-14-018 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Independence Coffee Company, LLC** **Pages 61 - 83**
15. **Discuss and Possibly Act Upon the Ballot for TML MultiState Intergovernmental Employee Benefits Pool Board of Trustees TML Region 10 and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 84 - 86**
16. **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 2014-15 and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 87 - 98**
17. **Discuss and Possibly Act Upon on Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham's Large and Small Industrial Electric Rate Classes** **Pages 99 - 104**
18. **Discuss and Possibly Act Upon on Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham's Natural Gas Rates** **Pages 105 - 125**
19. **Discuss and Possibly Act Upon on Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham's Sanitary Sewer Rates** **Pages 126 - 155**
20. **Discuss and Possibly Act Upon on Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham's Utility Rules and Regulations** **Pages 156 - 170**

EXECUTIVE SESSION

21. **Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider the City Manager's Employment Agreement and Related Issues** **Page 171**

RE-OPEN REGULAR AGENDA

22. **Discuss and Possibly Act Upon the City Manager's Employment Agreement and Related Issues** **Page 172**

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.

23. 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 September 4, 2014 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on August 29, 2014 at **2:45** P.M.

Jeana Bellinger, TRMC

City Secretary

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

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2014 at _____ AM PM.

Signature

Title

PROCLAMATION

WHEREAS, A community read program encourages reading by having all involved read the same book; and

WHEREAS, Lifetime Learning, a group of volunteers who have been bringing outstanding speakers and classes to the Washington County area since 2002, has proposed a sixth annual Read for Washington County; and

WHEREAS, On October 17, 2014, at 5:30 p.m. Lifetime Learning and Unity Theatre will hold a reception with free refreshments, a presentation by author Chitra Bannerjee Divakaruni, and an interpretive reading; and

WHEREAS, This endeavor has the support of Unity Theatre, Brenham Banner Press, KWHI-KTEX Radio, The Book Nook, HEB, Brenham National Bank, Nancy Carol Roberts Library, Blinn College, Washington County Chamber of Commerce, Brenham ISD, Citizens State Bank, Bank of Brenham, and many individuals in the community; and

WHEREAS, The Honorary Royal Danish Consul Ray and Cherry Daugbjerg are Chairs of this event; and

WHEREAS, During the Washington County Read, which begins September 3, 2014 and concludes October 17, 2014, all residents of Washington County are encouraged to read "ONE AMAZING THING" by award winning author Chitra Bannerjee Divakaruni, which is a story of a group of diverse people trapped by an earthquake in the visa office of an Indian Consulate, who cope with fear and danger by telling one amazing thing about their lives; and

WHEREAS, It is right and just for the City Council and the residents of Brenham to join together to applaud the volunteers with Lifetime Learning for their dedication to service and their commitment to encouraging reading;

Now, THEREFORE I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim September 2, 2014 through October 17, 2014 as the official period for

The Washington County READ

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

Milton Y. Tate Jr., Mayor
City of Brenham

PROCLAMATION

WHEREAS, Childhood cancer is the leading cause of death by disease in children under the age of 15 in the United States; and

WHEREAS, Less than five percent of the total funding for cancer research is dedicated to childhood cancers each year; and every year an estimated 263,000 new cases of cancer affect children under the age of 20 worldwide – that’s 720 new kids affected every day; and

WHEREAS, September is National Childhood Cancer Awareness Month and represents an annual opportunity for supporters nationwide to focus on and raise awareness of the challenges of childhood cancer; and

WHEREAS, Friday, September 5, 2014 is Childhood Cancer Awareness Day in Brenham and Adam’s Angels Ministry, a charitable foundation organized to fight childhood cancer encourages everyone to join in and defeat this terrible disease; and

WHEREAS, It is right and just for the City Council and the residents of Brenham to join together with Adam’s Angels and all children and families touched by childhood cancer to raise awareness and encourage funding to be dedicated to finding a cure;

NOW, THEREFORE I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim September 2014 as

CHILDHOOD CANCER AWARENESS MONTH

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

Milton Y. Tate Jr.
Mayor

PROCLAMATION

WHEREAS: September 17, 2014, marks the two hundred twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

Now, THEREFORE I, Milton Y. Tate Jr., Mayor of the City of Brenham, Texas do Hereby Proclaim the week of September 17-23, 2014 as:

Constitution Week

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

Milton Y. Tate Jr., Mayor
City of Brenham

ORDINANCE NO. O-14-027

AN ORDINANCE DESIGNATING ALL OF THE CERTAIN TRACTS OF LAND CONTAINING APPROXIMATELY 1.4 ACRES, SITUATED IN THE ARABELLA HARRINGTON LEAGUE, BEING THE SAME PROPERTY DESCRIBED BY DEED DATED APRIL 6, 1951, EXECUTED BY LOUIS J. BEAUMIER AND WIFE, VELMA BEAUMIER TO TRAVIS VOELKEL, RECORDED IN VOLUME 177, PAGE 305, OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, SAID PROPERTY BEING LOCATED AT 321 S. BAYLOR STREET, BRENHAM, TEXAS, SAID PROPERTY BOUNDARIES BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, AND SUCH REINVESTMENT ZONE FOR COMMERCIAL TAX PHASE-IN, CITY OF BRENHAM, TEXAS AS REINVESTMENT ZONE NUMBER FORTY FOR COMMERCIAL TAX PHASE-IN INCENTIVE AS PROVIDED IN CHAPTER 312, TEXAS TAX CODE; ESTABLISHING THE NUMBER OF YEARS FOR THE ZONE, AUTHORIZING AN AGREEMENT FOR EXEMPTION FROM TAXATION THE INCREASE IN VALUE OF CERTAIN PROPERTY IN ORDER TO ENCOURAGE DEVELOPMENT AND REDEVELOPMENT AND OTHER MATTERS RELATING THERETO; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Brenham, Texas, ("City") desires to encourage supervised improvements by property owners and lessees through tax phase-in procedures within its jurisdiction by the creation of a reinvestment zone as authorized by Chapter 312, Texas Tax Code (the "Act"); and

WHEREAS, on the 21st day of August, 2014, the City Council held a public hearing to receive comments concerning the designation of proposed Reinvestment Zone Number Forty. The notice of such hearing was published on August 14, 2014, such date being not later than the seventh day before the date of the public hearing; and

WHEREAS, the City called a public hearing and published notice of such public hearing as required by Section 312.201 of the Act; and has delivered written notice to the presiding officer of the governing body of each taxing unit within the jurisdiction of the proposed Reinvestment Zone Number Forty for Commercial Tax Phase-In; and

WHEREAS, at said public hearing the City presented evidence that such proposed designation would be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property, that the proposed improvements are feasible and practical, that said improvements would be a benefit to the land included in the zone and that would contribute to the economic development of the City; and

WHEREAS, the designation of the proposed reinvestment zone is consistent with the City's policies adopted by Council Resolution No. R-13-020 on the 5th day of December, 2013, and will benefit the land included within the Reinvestment Zone after the expiration of the Agreement; and

WHEREAS, the City at such public hearing invited any interested person or his attorney to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory which is referred to as City of Brenham Reinvestment Zone Number Forty for Commercial Tax Phase-In, should be included in such proposed reinvestment zone, and obtain tax phase-in; and

WHEREAS, at such hearing recommendations were given as to the number of years the reinvestment zone would be designated, the number of years in which an agreement would be available, as well as the percentage of potential tax exemption under the aforesaid tax phase-in guidelines and criteria to be applied to taxable real property which is redeveloped.

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

Section 1. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated herein for all purposes.

Section 2. That the City, after conducting such hearing and having further studied recommendations, as well as the evidence presented at the public hearing, has made the following findings based on the evidence and testimony presented to it:

- a) That the public hearing on the adoption of the reinvestment zone under the provisions of the Act has been properly called, held and conducted and that notice of such hearing has been published as required by law and has been sent to the respective taxing units within the proposed reinvestment zone; and
- b) That the City has jurisdiction to hold and conduct said public hearing on the creation of the proposed reinvestment zone pursuant to the Act; and

- c) That creation of the proposed reinvestment zone with boundaries described herein will result in improvements made after the passage of this Ordinance and the execution of tax phase-in agreements, that are feasible and practical and will benefit the City, its residents and property owners in the reinvestment zone; and
- d) That the proposed designation will be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investments to the zone that would be a benefit to the property and contribute to economic development of the City.

Section 3. That the City hereby creates Reinvestment Zone Number Forty, designated as all of the certain tracts of land containing approximately 1.4 acres, situated in the Arabella Harrington League, being the same property described by deed dated April 6, 1951, executed by Louis J. Beaumier and wife, Velma Beaumier to Travis Voelkel, recorded in Volume 177, Page 305, Official Records of Washington County, Texas, said property being located at 321 S. Baylor Street, Brenham, Texas, said property boundaries being more fully described in Exhibit "A" attached hereto and incorporated herein for all purposes, and such reinvestment zone shall hereafter be identified as Reinvestment Zone Number Forty for Commercial Tax Phase-In, City of Brenham, Texas.

Section 4. That the designation of Reinvestment Zone Number Forty for Commercial Tax Phase-In, shall expire five (5) years from the date of this Ordinance, unless renewed as provided by the Act, or at an earlier time designated by subsequent ordinance.

Section 5. That written agreements as provided in the Act with owners of eligible property located within the reinvestment zone shall be for a period of up to ten (10) years, and that the eligible property that is subject to the above mentioned exemption from taxation shall be the improvements to the property in conformity with the City's criteria and guidelines, and written agreements shall provide for an exemption from taxation of the total increase in value of the eligible property over its value in the year the agreement is executed. The written agreement will require that all taxes be current at the time of execution of agreement and be kept current to all taxing entities during the term of said agreement.

Section 6. That said designation of Reinvestment Zone Number Forty for Commercial Tax Phase-In and the written agreement thereof are in accordance with the City of Brenham Policy Statement on Property Tax Phase-In Incentive for Selected Commercial Enterprises and will be a benefit to the land which will be included within the Reinvestment Zone and to the City of Brenham after the expiration of the agreement.

Section 7. That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part of it.

Section 8. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

PASSED AND APPROVED, on its first reading this the 21st day of August, 2014.

PASSED AND APPROVED, on its second reading this the 4th day of September, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



Louis J. Beaumier, and wife, Velma Beaumier, to Travis Voelkel-
General Warranty Deed. 1660

The State of Texas *
*
County of Washington *

KNOW ALL MEN BY THESE PRESENTS:

That I, Louis J. Beaumier, joined herein by my wife,
Velma Beaumier, of the County of Washington, and State of Texas,

for and in consideration of the sum of Ten & 00/100 (\$10.00) Dollars, Cash, to me in hand paid by Travis Voelkel, and other good and valuable considerations to me paid, the receipt of all of which are hereby acknowledged and confessed, and the further consideration of the execution by said Travis Voelkel, of his one certain promissory note in the sum of Seven Thousand & 00/100 (\$7,000.00) Dollars, of even date herewith, and due on or before Six Months from date, and payable in Brenham, Texas, to the order of Leonard C. Sauer, at the request of all parties hereto, he having furnished the purchase money to that extent, and being entitled to be subrogated to the Vendors Lien and superior title to the property by reason thereof, bearing interest from date at the rate of five (5%) per cent per annum, payable annually, and further providing that in the event of default in payment, when due, the maker agrees to pay ten per cent additional on principal and interest as attorneys fees, if collected by attorney, or thru legal proceedings, and secured in payment by a Vendors Lien on the hereinafter described lands and property;

HAVE GRANTED, SOLD AND CONVEYED, and by these Presents DO GRANT, SELL AND CONVEY, unto Travis Voelkel, of the County of Washington, and State of Texas, all of our right, title, interest and estate, the same being an undivided one-half thereof, in and to:

All those certain lots or parcels of land, lying and being situated in Brenham, Washington County, Texas, a part of the Arabella Harrington League, and comprising two tracts, or lots of land, both South of the H & T C Ry Co., the first tract composed of Lots 33A shown on the official City Map, and Lots 1, 2, 3, 4, 5, 6, & 7, of the Bassett Sub-division or Addition out of Original Town Lot No. 87, in said city, and the second tract lying South of Bassett Street, and composed of Lots 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, and parts of Lots 13 & 18, of the Bassett Sub-division or Addition out of said Original Town Lot No. 87, in said city, and all of which is known as the Beaumier Iron Works Property or Shop, and having metes and bounds as follows, to-wit:

FIRST TRACT:

BEGINNING at a point in the East line of South Baylor Street, and in the South line of the H & T C Railway right-of-way at a point in the line, S 13 E 25.1 feet from the center line of the Main Track of said H & T C Railroad; THENCE S 13 E 56.8 feet with the East line of South Baylor Street to corner in the North line of Bassett Street; THENCE N 77 E 298.5 feet with the North line of Bassett Street, to corner in the West line of South Market Street; THENCE N 13 W 65 feet with the West line of South Market Street, to corner in the South right-of-way line of the H & T C Railway; THENCE along said right-of-way line following a two degree curve to the left for a distance of 303 feet, running 25.1 feet south of the center line of the main tract (299.3 feet; S 76 W on a direct line) to the place of beginning.

SECOND TRACT:

BEGINNING at a stake in the West line of South Market Street, at its point of intersection with the South line of Bassett Street; THENCE S 77 W 203 feet with the North line of Lots 8, 9, 10, 11, 12 and 13, to stake for corner; THENCE S 13 E 138 feet running thru lots Nos. 13 & 18, to corner in the North line of German Street; THENCE N 77 E 203 feet with the North line of German Street, and the North line of the Polz lot and the South lines of Lots 18, 19, 20, 21, 22, and 23, to corner in the West line of South Market Street; THENCE N 13 W 138 feet with the West line of South Market Street to the place of beginning, as surveyed by Louis Beazley, April 22nd, 1946.

The above property comprises the following lots or parcels of land, as conveyed by the H & T C Ry Co. to J. H. Beaumier, by deed recorded in Volume 65, page 15, by Frank Jankowiak to J. H. Beaumier, by deed recorded in Volume 71, page 274, by First National Bank to Beaumier Bros, by deed recorded in Volume 43, page 328, by A. H. Rippetoe Heirs to Joseph Beaumier by deed recorded in Volume 47, page 610, by S. M. Swenson, et al, to Beaumier Bros, by deed recorded in Volume 43, page 325, by Chas. Krause et al to Joe H. Beaumier, by deed recorded in Volume 48, page 324, and by deed from W. A. Wood to Beaumier Iron Works, by deed recorded in Volume 48, page 380, Deed Records, and as conveyed by H. H. Drumm to Louis J. Beaumier and Travis Voelkel by deed dated July 14th, 1946, recorded in Volume 149, page 135, Deed Records of Washington County, Texas, to which references is here had and made for all purposes.

TO HAVE AND TO HOLD, the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Travis Voelkel, his heirs and assigns, FOREVER; and we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular, the said premises, unto the said Travis Voelkel, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendors Lien is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS our hands at Brenham, Texas, this the 6th day of April, A. D. 1951.



Louis J. Beaumier
Louis J. Beaumier

Velma Beaumier
Velma Beaumier

THE STATE OF TEXAS *
County of Washington *

BEFORE ME, the undersigned authority, a Notary Public in and for Washington County, Texas, on this day personally appeared Louis J. Beaumier and Velma Beaumier, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Velma Beaumier, wife of the said Louis J. Beaumier, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Velma Beaumier, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

GIVEN under my hand and seal of office, this the 9th day of April, A. D. 1951.



(Seal)

16023

W. Schreiner
 Notary Public, Washington County,
 TEXAS

WILLIAM W. SCHREINER
 WASHINGTON COUNTY, TEXAS

Filed for Record on the 9 day of April A. D. 1951 at 4:30 o'clock P. M.
 Duly Recorded this the 20 day of April A. D. 1951 at 9:35 o'clock A. M.
 Instrument No. 1660.

CHAS. E. WIEDE, County Clerk
 Washington County, Texas

By *Minnie Schreiner* Deputy

CITY OF BRENHAM

**POLICY STATEMENT ON PROPERTY TAX PHASE-IN INCENTIVE
FOR SELECTED COMMERCIAL ENTERPRISES**

Policy Adoption Date: December 5, 2013

I. PURPOSE

The City of Brenham, hereinafter referred to as "the City," is committed to the promotion of high quality development in all parts of the community and to improving the quality of life for its citizens. In order to help meet these goals and to stimulate economic development, the City will consider providing incentives that include, but are not limited to, the property Tax Phase-In incentive, in accordance with the procedures, criteria and guidelines set forth in this Policy and as provided by Chapter 312 of the Texas Tax Code. Nothing in this Policy shall imply or suggest that the City is under any obligation to provide any incentives to any applicant. Each application for the Tax Phase-In incentive under this Policy shall be considered on an individual basis.

II. DEFINITION OF TAX PHASE-IN INCENTIVE

Tax Phase-In incentive, as referred to in this Policy, means the partial, temporary exemption from ad valorem taxes on certain qualifying property in a Reinvestment Zone designated by the City or County for economic development purposes. Only ad valorem (property) taxes are eligible for the incentive. Brenham ISD and Blinn College taxes are required to be paid in full at all times.

The attached Glossary is a list of words with their definitions that are found in this document, and the Glossary is incorporated herein by reference.

III. GUIDELINES AND CRITERIA

In order to be eligible for property Tax Phase-In incentive, the planned improvement at a minimum must:

- (a) Be an Authorized Facility. A facility may be eligible if it is a(n):
 - Agriculture/Aquaculture Facility,
 - Distribution Center Facility,
 - Manufacturing Facility,
 - Research Facility, or
 - Other Basic Industry. [as defined in Glossary-Section XII (o)]
- (b) The project must add new value to the tax roll of eligible property: a minimum of \$300,000 for a business new to Brenham or \$150,000 for an existing local business. For development in the Downtown Zone, a National Register Historic District, the added value must be a minimum of \$50,000. This is to help maintain the economic viability of

the central business district.

- (c) The applicant must maintain or create within the first year and throughout the Tax Phase-In incentive period a minimum of ten (10) jobs at an average base salary of \$33,000/year or higher, including any benefits (except for a location in the Downtown Zone).

In consideration of the request for the Tax Phase-In incentive, the following factors will also be considered:

- (1) Jobs The projected new jobs created including the number of jobs, the type of jobs and the average salary per job class.
- (2) Fiscal Impact The amount of real and personal property value that will be added to the tax roll for both eligible and ineligible property, the amount of direct sales tax that may be generated, any infrastructure improvements by the City that will be required by the facility, the infrastructure improvements made by the facility, and the compatibility of the project with the City's master plan for development.
- (3) Valuation at Termination of Tax Phase-In Incentive Period The estimated fair market value, valued at the end of incentive period, of any equipment included in the Tax Phase-In incentive. The economic life of the added-value property must exceed the duration of the granted Tax Phase-In incentive period.

- (4) Community Impact

The pollution, if any, as well as other negative environmental impacts affecting the health and safety of the community that will be created by the project;

The revitalization of a depressed area;

The business opportunities of existing local businesses;

The alternative development possibilities for proposed site;

The impact on other taxing entities;

Whether the improvement is expected to solely or primarily have the effect of transferring employment from one part of Washington County to another; and/or,

Whether the product manufactured or service provided by the business competes to a substantial degree with an existing business.

IV. TAX PHASE-IN INCENTIVE AUTHORIZED

- (a) Authorized Date A facility shall be eligible for the Tax Phase-In incentive if it has applied for the incentive prior to the commencement of construction and meets the guidelines and criteria under this Policy.

- (b) Creation of New Value Tax Phase-In incentive may only be granted for the additional value

of eligible property improvements made subsequent to the filing of an application for the Tax Phase-In incentive and specified in the Tax Phase-In incentive agreement between the City and the property owner and/or lessee, subject to such limitations as the guidelines and criteria may require.

(c) New and Existing Facilities Tax Phase-In incentive may be granted for new facilities and improvements and for the expansion or modernization of existing facilities and improvements. If the modernization project includes facility replacement, the Tax Phase-In incentive value shall be the tax-appraised value of the new unit(s) less the value of the old unit(s).

(d) Eligible Property Except as otherwise provided in this policy, the Tax Phase-In incentive may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements plus that office space and related fixed improvements necessary or convenient to the operation and administration of the facility.

(e) Ineligible Property The following types of property shall be fully taxable and ineligible for property Tax Phase-In incentives:

- land,
- animals,
- inventories,
- supplies,
- tools,
- furnishings and other forms of movable personal property,
- vehicles,
- vessels,
- aircraft,
- housing or residential property (except for property owners in the Downtown Zone),
- hotels/motels,
- fauna,
- flora,
- retail facilities (except for property owners in the Downtown Zone),
- deferred maintenance investments,
- property to be rented or leased except as provided in Part IV (f),
- improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion,
- any improvements including those to produce, store or distribute natural gas or fluids that are not integral to the operation of the facility,
- property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas.

(f) Owned/Leased Facilities If a leased facility is granted the Tax Phase-In incentive, the agreement shall be executed with the lessor and the lessee and the new value investment shall be combined to calculate the total new value investment. If the lessee removes or reduces its new value investment to the detriment of the lessor, the lessor may annually elect to extend its Tax Phase-In incentive to obtain a replacement lessee. The lessor may obtain the full benefit of the remaining Tax Phase-In incentive period by resuming the Tax Phase-In incentive with the combined value of the replacement lessee by disregarding the Tax Phase-In incentive extension

term. The lessor shall not receive any Tax Phase-In incentive during any year where a Tax Phase-In incentive extension has been elected. The Tax Phase-In incentive period, including any extensions, shall never exceed a total of ten years as provided by state law. The replacement lessee may apply for its own Tax Phase-In incentive based solely on its new value investment.

(g) Value and Term of Tax Phase-In incentive Tax Phase-In incentives shall commence with the January 1 valuation date immediately following the occupancy of the property qualifying for the Tax Phase-In incentive unless otherwise specified by the City. The value of new eligible properties shall be abated according to the approved agreement between applicant and the City. The City, in its sole discretion, shall determine the amount of any Tax Phase-In incentive. The table one Tax Phase-In incentive schedule - Exhibit "A", table three in a Downtown Zone (map Exhibit "B"), incorporated herein by reference, shall be the maximum Tax Phase-In incentive available based on total new value investment or added employment for each year during the Tax Phase-In incentive term, whichever is greater. The total amount of abatement shall be derived from the sum of table one and table two, unless located in a Downtown Zone, in which the total amount of abatement will be derived from table three. Tax Phase-In incentive in a Downtown Zone shall receive approval for building plans and specifications by the Main Street Board as a condition of receiving the Tax Phase-In incentive.

(h) Downtown Zone A Tax Phase-In incentive zone within the designated downtown area in the attached Exhibit B, incorporated herein by reference, and any tracts or parcels contiguous to a tract in Exhibit B under common ownership.

(i) Taxability From the execution of the Tax Phase-In incentive contract to the end of the agreement period, taxes shall be payable as follows:

- (1) The value of ineligible property as provided in Part IV (e) shall be fully taxable.
- (2) The base year value of existing eligible property as determined each year shall be fully taxable.
- (3) The additional value of new eligible property shall be taxable in the manner described in Part IV (g).

V. APPLICATION PROCESS

(a) Any present or potential owner of taxable property in the City of Brenham may request the creation of a Reinvestment Zone and Tax Phase-In incentive by filing written request with the City Manager.

(b) The application shall consist of a completed application form accompanied by:

- (1) A general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken;
- (2) A descriptive list of the improvements which will be a part of the facility;
- (3) A map and property description or a site plan, including a legal description of the area proposed for designation as a Reinvestment Zone, as applicable.

- (4) A time schedule for undertaking and completing the planned improvements;
- (5) In the case of modernizing or replacing existing facilities, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application;
- (6) The application form may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors of the applicant;
- (7) A schedule reflecting the proposed amount of abated taxes for which the applicant seeks, as well as the anticipated taxes to be paid by the applicant which will not be subject to the Tax Phase-In incentive; and
- (8) A schedule of the proposed job creation or retention, including details of job type(s), wages and benefits, and the timing of creation of any job within the phase-in period.

(c) Upon receipt of a completed application, the City Manager shall notify the Mayor and City Council. Before acting upon the application, the City may conduct an Economic Impact Study. Following this step, the City shall afford the applicant and any other interested persons the opportunity to speak and present evidence for or against the designation of the area as a Reinvestment Zone for the purpose of the Tax Phase-In incentive during a public hearing. Notice of the public hearing shall be clearly identified on an agenda of the City to be posted as required by law. At least seven (7) days before the date of the hearing, notice of the hearing must be 1) published in a newspaper having general circulation in the City; and 2) delivered in writing to the presiding officer of the governing body of each taxing entity having in its boundaries real property that is to be included in the proposed Reinvestment Zone.

(d) The City shall approve or disapprove the application for designation of an area as a Reinvestment Zone for Tax Phase-In incentive within ninety (90) days after receipt of the application. The presiding officer of the legislative body of the City shall notify the applicant of the approval or disapproval promptly thereafter.

(e) A request for designation of an area as a Reinvestment Zone for the purpose of receiving the Tax Phase-In incentive shall not be granted if the jurisdiction receiving the application finds that the request for the Tax Phase-In incentive was filed after the commencement of construction or installation of improvements related to a proposed modernization expansion or new facility began.

Variance. Requests for any variances from this Policy may be made in written form to the City Manager. Such request shall include a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of a request for variance requires a three-fourths (3/4) majority vote of the governing body of the City. The approval by the City of a Tax Phase-In incentive shall conclusively be deemed as an approval of any variance from the provisions of Subsections (a) through (e) of Part V.

VI. PUBLIC HEARING

(a) Should the City be able to show cause in the public hearing why the granting of a designation of an area as a Reinvestment Zone for the Tax Phase-In incentive will have a substantial adverse effect on its bonds, service capacity or the provision of service, that showing shall be reason for the City to deny the granting of the application.

(b) Neither a Reinvestment Zone nor a property Tax Phase-In incentive agreement shall be authorized if it is determined that:

- (1) There would be a substantial adverse affect on the provision of a government service or tax base of the City.
- (2) The applicant has insufficient financial capacity
- (3) Planned or potential use of the property would constitute a hazard to public safety, health or morals.
- (4) Planned or potential use of the property violates governmental codes or laws.

VII. AGREEMENT

(a) After approval of the application for the designation of an area as a Reinvestment Zone for the property Tax Phase-In incentive, the City shall formally pass a resolution and execute an agreement with the owner of the facility and the lessee involved, if any, which shall include:

- (1) Estimated value to be abated and the base year value.
- (2) Percent of value to be abated each year as provided in Part IV (g).
- (3) The commencement date and the termination date of Tax Phase-In incentive.
- (4) The proposed use of the facility, nature of construction, time schedule for undertaking and completing the planned improvements, map, property description and improvements list as provided in Application, Part V.
- (5) Contractual obligations in the event of default, violation of terms or conditions, delinquent taxes, recapture, administration and assignment as provided herein and other provisions that may be required for uniformity or by state law.
- (6) Amount of investment and average number of jobs involved for the period of the Tax Phase-In incentive.
- (7) Said contract shall meet all of the requirements of Texas Tax Code Chapter 312.

(b) Such agreement shall be executed within ninety (90) days after the later of 1) the date

applicant has forwarded all necessary information to the City or 2) the date of the approval of the application.

(c) The City shall make its own determination of the property Tax Phase-In incentive which shall not bind any other jurisdiction.

VIII. ADMINISTRATION

Each Tax Phase-In incentive project will be monitored annually for compliance. The agreement will require the applicant to provide a sworn statement and documents verifying compliance each year. Failure to provide the required documents in the manner outlined herein shall result in termination of the Tax Phase-In incentive agreement.

The terms of the agreement shall include the right of the City to review and verify the applicant's employment records and payroll records in each year during the term of the agreement, and to conduct an on-site inspection of the project in each year during the duration of the Tax Phase-In incentive, and to review such other items as may be reasonable to verify compliance with the terms of the agreement.

The agreement shall stipulate that employees and/or designated representatives of the City will have access to the Reinvestment Zone during the term of the Tax Phase-In incentive to inspect the facility to determine compliance with the terms and conditions of the agreement. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will be conducted in such manner as to not unreasonably interfere with the construction and/or operation the facility. All City inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.

All proprietary information acquired by any affected jurisdiction for purposes of monitoring compliance with the terms and conditions of a property Tax Phase-In incentive agreement shall be considered confidential to the extent allowed by law.

Compliance will be monitored in the following manner:

- (a) A Compliance Review Committee shall collect from the applicant a sworn statement of compliance and verifying documents and conduct any inspections on or before October 15 of each calendar year. The Committee shall be comprised of 5 representatives, with 2 appointed by the Mayor, 2 appointed by the County Judge and 1 by the Chief Appraiser. They will be appointed by January 30 of even numbered years for a two year term. Any vacancy on the committee will be filled by the designated official who appointed the vacating committee person. The designated official may remove an appointee at any time. The company/individual receiving the property Tax Phase-In incentive shall furnish the Committee with such information as may be necessary to verify compliance, including the number of new or retained employees associated with the facility and their salaries.
- (b) The Chief Appraiser of the County shall annually determine an assessment of the real and personal property in the Reinvestment Zone. This shall be done on or before December 1 of each calendar year.

- (c) The Committee shall provide a report on the status of all Tax Phase-In incentive agreements to the City Council on or before December 15 of each calendar year.

IX. RECAPTURE

Should the City determine that a company or individual is in default according to the terms and conditions of its agreement, the City shall notify the company or individual in writing at the address stated in the agreement, and if such default is not cured within thirty (30) days or begun to be cured (in the case of a default that cannot reasonably be cured within 30 days) from the date of such notice ("Cure Period"), then the agreement shall be terminated.

In the event that the company or individual:

- (1) allows its ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest; or
- (2) does not create or maintain jobs as outlined in the agreement; or
- (3) violates any of the terms and conditions of the Tax Phase-In incentive agreement and fails to cure same during the Cure Period; or
- (4) if the facility is completed and begins producing product or service, but subsequently discontinues producing product or service for any reason excepting fire, explosion or other casualty or accident or natural disaster, for a period of more than one (1) year during the Tax Phase-In incentive period;

then the agreement shall terminate and so shall the Tax Phase-In incentive of taxes for the calendar year during which the agreement is terminated. The taxes otherwise abated for that calendar year shall be paid to the City within sixty (60) days from the date of termination, and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination. The City will use all available means for recapture, including but not limited to, placing a lien on the property and pursuing all other legal and equitable remedies available to the City.

X. ASSIGNMENT

- (a) The Tax Phase-In incentive may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the City, subject to the financial capacity of the assignee and provided that all conditions and obligations in the Tax Phase-In incentive agreement are guaranteed by the execution of a new contractual agreement with the City.
- (b) The contractual agreement with the new owner or lessee shall not exceed the termination date of the Tax Phase-In incentive agreement with the original owner and/or lessee.
- (c) No assignment or transfer shall be approved if the parties to the existing agreement, the

new owner or new lessee are liable to the City for outstanding taxes or other obligations.

(d) Approval shall not be unreasonably withheld.

XI. SUNSET PROVISION

(a) This policy is effective upon the date of the adoption and will remain in force for two (2) years, at which time all Reinvestment Zones and Tax Phase-In incentive contracts created pursuant to its provisions may be reviewed by the City to determine whether the goals have been achieved. Based on that review, this policy may be modified, renewed or eliminated, providing that such actions shall not affect existing contracts.

(b) This policy does not amend any existing Industrial District Contracts or agreements with the owners of real property in areas deserving of specific attention as agreed by the City.

(c) Prior to the date for review, as defined above, this Policy Statement may be modified by a three fourths (3/4) vote of members each governing body, as provided for under the laws of the State of Texas.

XII. SEVERABILITY AND LIMITATIONS

(a) In the event that any section, clause, sentence, paragraph or any part of this Policy Statement shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair, or invalidate the remainder of this Policy Statement.

(b) Property that is owned or leased by the following is excluded from the property Tax Phase-In incentive:

- (1) a member of the governing body of the City of Brenham or a member of a planning board or commission of the City; or
- (2) a member of the Commissioners Court or a member of a planning board or commission of Washington County.

(c) If this Policy Statement has omitted any mandatory requirements of the applicable Tax Phase-In incentive laws of the State of Texas, then such requirements are hereby incorporated as a part of this Policy Statement.

GLOSSARY

- (a) "Agriculture/Aquaculture Facility" means buildings, structures and major earth structure improvements, including fixed machinery and equipment, the primary purpose of which is of food and/or fiber products in commercially marketable quantities.
- (b) "City" means the City of Brenham, Texas that levies ad valorem taxes upon and/or provides services to property located within the City limits.
- (c) "Agreement" means a contractual agreement between a property owner and/or lessee and the City for the purpose of the Tax Phase-In incentive.
- (d) "Base year value" means the assessed value of eligible property on January 1 preceding the execution of the agreement plus the agreed upon value of eligible property improvements made after January 1 but before the filing of an application for the Tax Phase-In incentive.
- (e) "Committee" means the Compliance Review Committee, consisting of representatives appointed by the City, County and Chief Appraiser's office to annually review documents verifying compliance of all projects receiving the Tax Phase-In incentive.
- (f) "Deferred maintenance" means improvements necessary for continued operations which do not improve productivity or alter the process technology.
- (g) "Distribution Center Facility" means building and structures, including machinery and equipment, used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility, from which a majority of revenues generated by activity at the facility are derived from outside of Washington County.
- (h) "Existing Local Business" means a business that has been located in the City of Brenham and has paid property taxes for at least one full year prior to submitting any application for the property Tax Phase-In incentive.
- (i) "Expansion" means the addition of buildings, employees, structures, machinery or equipment for purposes of increasing production capacity.
- (j) "Facility" means property improvements completed or in the process of construction which together comprise an integral whole.
- (k) "Job(s)" shall represent a newly created or a retained employment position on a full-time permanent basis at an average base salary of \$33,000 or higher, including any benefits, whether hired directly or leased through an employee leasing service.
- (l) "Manufacturing Facility" means buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
- (m) "Modernization" means the upgrading and or replacement of existing facilities which increases the productive input or output, updates the technology or substantially lowers the unit

cost of the operation. Modernization may result from the construction, alteration or installation of buildings, structures, fixed machinery or equipment. It shall not be for the purpose of reconditioning, refurbishing or repairing.

(n) "New Facility" means improvements to real estate previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.

(o) "Other Basic Industry" means buildings and structures/including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or providing of services which serve a market primarily outside the County and results in the creation of new permanent jobs and new wealth in the County.

(p) "Productive Life" means the number of years a property improvement is expected to be in service in a facility.

(q) "Research Facility" means buildings and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

EXHIBIT "A"
TAX PHASE-IN INCENTIVE SCHEDULES

Applicants may receive property Tax Phase-In incentive according to the schedules in Tables 1 and 2, depending on their combination of property value creation and job creation/retention.

TABLE 1 (earns 50% of incentive)

1A - Property Improvements by an Existing Local Business

Level	Amount of Valuation of Eligible Improvements as determined by the Tax Appraisal District:		Percent of property tax to be abated each year									
	From	To	1	2	3	4	5	6	7	8	9	10
1	\$ 150,000	\$1,000,000	45	40	30	20	0	0	0	0	0	0
2	\$1,000,001	\$2,500,000	45	45	40	30	20	0	0	0	0	0
3	\$2,500,001	\$4,000,000	45	45	45	40	30	20	0	0	0	0
4	\$4,000,001	\$5,500,000	45	45	45	45	40	30	20	0	0	0
5	More than	\$5,500,000	45	45	45	45	45	40	30	20	0	0

1B - Property Improvements by a New Business

Level	Amount of Valuation of Eligible Improvements as determined by the Tax Appraisal District:		Percent of property tax to be abated each year									
	From	To	1	2	3	4	5	6	7	8	9	10
1	\$ 300,000	\$1,000,000	45	40	30	20	0	0	0	0	0	0
2	\$1,000,001	\$2,500,000	45	45	40	30	20	0	0	0	0	0
3	\$2,500,001	\$4,000,000	45	45	45	40	30	20	0	0	0	0
4	\$4,000,001	\$5,500,000	45	45	45	45	40	30	20	0	0	0
5	More than	\$5,500,000	45	45	45	45	45	40	30	20	0	0

TABLE 2 (earns 50% of incentive)

2 - Jobs Created & Retained - by Existing Businesses or New/Relocating Businesses

Level	The number of new and/or retained full-time employees with an average salary level of \$33,000+/year including benefits averaged during the twelve calendar months prior to the tax assessment date of January 1:		Percent of property tax to be abated each year									
	From	To	1	2	3	4	5	6	7	8	9	10
1	10	19	45	40	30	20	0	0	0	0	0	0
2	20	29	45	45	40	30	20	0	0	0	0	0
3	30	39	45	45	45	40	30	20	0	0	0	0
4	40	49	45	45	45	45	40	30	20	0	0	0
5	50 and more		45	45	45	45	45	40	30	20	0	0

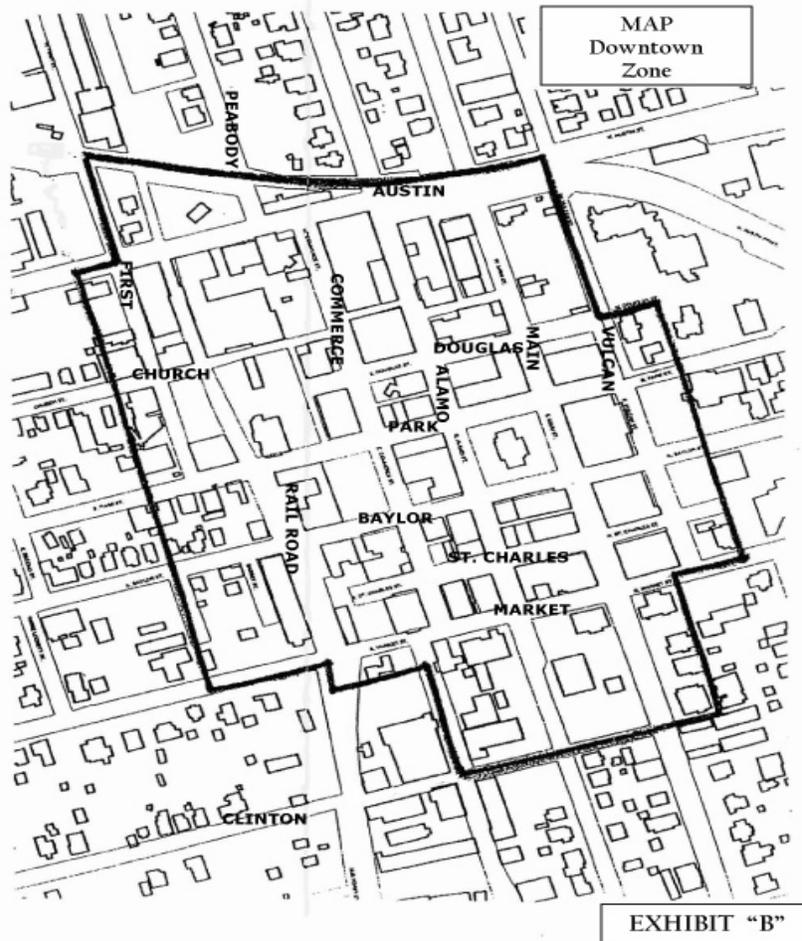
TABLE 3 Downtown Zone

Amount of valuation of
downtown reinvestment
determined by tax appraisal:

Percent of property tax to be abated each year

Valuation	1	2	3	4	5	6	7	8
\$ 50,000 to \$150,000	90	90	90	60	40	20	0	0
\$150,001 to \$250,000	90	90	90	90	60	40	20	0
\$250,001 and beyond	90	90	90	90	90	60	40	20

**EXHIBIT B
MAP OF DOWNTOWN ZONE**



ORDINANCE NO. O-14-028

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING THE FY2013-14 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, 2014, 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 FY2013-14 Budget for municipal purposes;

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

SECTION 1.

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, 2014, 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 21st day of August, 2014.

PASSED and APPROVED on its second reading this the 4th day of September, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

CITY OF BRENHAM
EXHIBIT A
AMENDMENT NUMBER 1
FISCAL YEAR 09-30-14

	General Fund	Airport Capital Improvement	Debt Service Fund	Streets & Drainage Fund	Parks Capital Improv Fund	Hotel Occupancy Tax Fund	Equipment Fund	Central Fleet Fund	Donations	BCDC Fund	2014 Capital Projects	Water Fund	TOTAL
REVENUES (INC) DEC													
Insurance Proceeds - Park Building	(23,182)												(23,182)
Insurance Proceeds - Police Dept. Vehicles	(38,449)												(38,449)
ASA State Tournament Team Registration Fees	(5,900)												(5,900)
Uptown Swirl Revenue - <i>Not at Main Street Event</i>	23,200												23,200
Local History Day Revenue	(8,180)												(8,180)
Aquatic Center Concession Revenue	(3,460)												(3,460)
Proceeds from Sale of Land						(71,500)				(94,708)			(94,708)
City HOT Fund Revenues											(859,931)		(859,931)
Library Capital Donation from 501(c)(3) organization											(2,646,818)		(2,646,818)
Proceeds for 2014 Certificates of Obligation									(550,000)				(550,000)
Animal Shelter Capital Donations													
TOTAL BUDGETED REVENUES	(55,971)					(71,500)			(550,000)		(94,708)		(4,278,928)
EXPENDITURES INC (DEC)													
Henderson Park Concession/Restroom Building Repairs	23,182												23,182
Police Department Vehicles							38,449						38,449
ASA State Tournament Expenses	10,594					55,000							10,594
Additional HOT funding for Washington County CVB Adv. & Promo and 2nd Geigher trip	(10,000)												55,000
Uptown Swirl Expenses - <i>Not at Main Street Event</i>	8,180												(10,000)
Local History Day Expenses	(3,460)												8,180
Aquatic Center Concession Equipment	5,000					500							3,460
Parks Master Plan Consultant Expenses					2,889								5,000
HOT funding for Friendship Quilt Guild								34,255					2,889
Linda Anderson Park Improvements	75,526												34,255
Purchase of Land - 300 N. Park													75,526
Fleet Equipment Purchases													75,526
IL A Reimbursement for Communications - Contra-expense	(371,359)			36,956									(371,359)
FY14 Street Overlay Projects												119,316	36,956
High Pressure Plane Expansion												18,000	119,316
Inventory Adjustments													18,000
Issuance Costs for 2014 Certificates of Obligation											80,731		80,731
TOTAL BUDGETED EXPENDITURES	(255,417)			36,956	2,889	55,500	38,449	34,255			80,731	137,316	130,679
BUDGETED TRANSFERS													
General Fund Transfer to Equipment Fund	38,449						(38,449)						
Additional HOT funding for ASA State Tournament	(6,000)					6,000							
Additional HOT funding for Parks & Recreation	(10,000)					10,000							
BCDC transfers to General Fund Parks Master Plan Consultant	(5,000)									5,000			
BCDC transfer to Parks Capital Improvement Fund (Linda Anderson Park)													
General Fund Transfer to Debt Service Fund	371,359		(371,359)										
General Fund Transfer to Airport Capital Improvement Fund	(17,752)	(17,752)											
TOTAL BUDGETED TRANSFERS	406,560	(17,752)	(371,359)			16,000	(38,449)						
CHANGE IN BUDGETED FUND BALANCE (INC) DEC	\$ 95,172	\$ (17,752)	\$ (371,359)	\$ 36,956	\$ (0)	\$ -	\$ -	\$ 34,255	\$ (550,000)	\$ (86,219)	\$ (9,426,018)	\$ 137,316	\$ (4,148,249)



AGENDA ITEM 6

DATE OF MEETING: June 19, 2014	DATE SUBMITTED: June 13, 2014	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Presentation and Update Regarding the Charter Review		
SUMMARY STATEMENT: The City Attorney and I will be presenting recommended changes to Articles III (City Council), IV (The City Manager; Finances) and V (Bonds).		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 7

DATE OF MEETING: June 19, 2014		DATE SUBMITTED: June 13, 2014	
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Julie Fulgham	
MEETING TYPE:		CLASSIFICATION:	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input type="checkbox"/> REGULAR	
		<input checked="" type="checkbox"/> WORK SESSION	
ORDINANCE:			
<input type="checkbox"/> 1 ST READING			
<input type="checkbox"/> 2 ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: Presentation and Discussion on Adoption of the 2012 International Building Code			
SUMMARY STATEMENT: The Director of Development Services, Julie Fulgham, will discuss the recommended adoption of the 2012 International Building Code with Council at the meeting.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS:			
B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference):			
ATTACHMENTS: None			
FUNDING SOURCE (Where Applicable):			
RECOMMENDED ACTION: Discussion only.			
APPROVALS: Terry K. Roberts			



AGENDA ITEM 8

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
MEETING TYPE: <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> SPECIAL <input type="checkbox"/> EXECUTIVE SESSION	CLASSIFICATION: <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> CONSENT <input type="checkbox"/> REGULAR <input type="checkbox"/> WORK SESSION	ORDINANCE: <input type="checkbox"/> 1 ST READING <input type="checkbox"/> 2 ND READING <input type="checkbox"/> RESOLUTION
AGENDA ITEM DESCRIPTION: Proposed Budget for Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015.		
SUMMARY STATEMENT: See attached memo from Chief Financial Officer on this item.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Memo from CFO		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Receive citizen comments regarding proposed FY2014-15 Budget		
APPROVALS: Carolyn D. Miller		



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Chief Financial Officer

Subject: Public Hearing on FY2014-15 Proposed Budget

Date: August 29, 2014

The FY2014-15 proposed budget is the result of numerous staff hours as well as three Council Budget Workshops. During these workshops, staff presented the proposed budget to Council and all Council directed changes have been made.

Due to the transfer of the Emergency Communications function from the City of Brenham to Washington County effective October 1, 2014, the FY2014-15 proposed budget for the City of Brenham will raise less revenue from total property taxes than last year's budget by an amount of \$646,329, which is a 10.77 percent decrease from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$37,124.

In compliance with the Local Government Code, the proposed budget has been filed with the City Secretary and all required notices have been published. Additionally, the Local Government Code requires a governing body to hold a Public Hearing to receive citizen comments on a proposed budget.



AGENDA ITEM 9

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 27, 2014	
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Julie Fulgham	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Public Hearing Concerning the Approval of an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning from an Industrial (I) District to a Manufactured Home Residential (R-3) District on Property Located at 20785 FM 389, Specifically Being a 10.74 Acre Tract Described as a Portion of Tract 196 of the Phillip Coe Addition in the City of Brenham, Washington County, Texas		
SUMMARY STATEMENT: Prior to considering an ordinance to change the zoning on 10.74 acres within Tract 196 of the Phillip Coe Addition, a public hearing must be held to hear input regarding this proposed amendment.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: N/A		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Discussion only		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 10

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on its First Reading Adopting the Budget for Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015 and Take Record Vote		
SUMMARY STATEMENT: See attached memo from Chief Financial Officer on this item.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Memo from CFO; (2) Ordinance; and (3) Combined Fund Summary		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its first reading adopting the budget for Fiscal Year beginning October 1, 2014 and ending September 30, 2015 and take a record vote.		
APPROVALS: Carolyn D. Miller		



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Chief Financial Officer

Subject: FY2014-15 Budget Adoption Ordinance

Date: August 29, 2014

The proposed FY2014-15 Budget has been developed in compliance with the property tax code, local government code, and City Charter. A property tax rate of \$0.4912 per \$100 valuation is necessary to fund the proposed budget. The proposed budget is on the City's website, on file with the City Secretary, Washington County Clerk, and at the Nancy Carol Roberts Memorial Library.

The Budget Ordinance is attached along with the Combined Fund Summary. This item is for the first reading of the Ordinance to adopt the proposed FY14-15 budget.

Senate Bill (S.B.) 656, which became effective September 1, 2013, requires the city council's vote to adopt a budget be a record vote.

Therefore, we will need to comply with the requirements of S.B. 656 with the budget adoption process and council must take a record vote on this item.

COUNCIL MUST TAKE A RECORD VOTE ON THIS ITEM

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF BRENHAM, TEXAS FOR THE FISCAL YEAR 2014-15; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Brenham, Texas, has prepared a budget for the fiscal year October 1, 2014 through September 30, 2015 and has filed same with the City Secretary and has held public hearings on same, all after due notice as required by statute.

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 adopt the Budget for the City of Brenham, Texas, for the fiscal year October 1, 2014 through September 30, 2015 as shown in the attached Exhibit "A", which is incorporated herein as though copied herein verbatim.

SECTION II.

That authority is hereby given to the City Manager to approve transfers of portions of any item of appropriation within the same department and transfers from one department to another department within the same fund.

SECTION III.

This Ordinance shall become effective as provided by the Charter of the City of Brenham, Texas.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND ADOPTED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

Cary Bovey, City Attorney

	GENERAL FUND								COMPONENT UNIT			SPECIAL REVENUE FUNDS			
	GENERAL	EMER MGMT	POLICE DEPT GRANTS	MOTOR/ PD EQUIP	PUBLIC SAFETY	DONA- TIONS	FIRE DEPT GRANTS	EQUIP- MENT	DEBT	BCDC	BCDC CAP PROJ	HOTEL/ MOTEL	HOTEL/ TAX CNTY	CRIM LAW ENFORCE	COURTS TECH
BEGINNING BALANCE	\$4,242,954	\$12,193	\$0	\$0	\$1,363	\$863,991	\$0	\$58,221	\$552,887	\$967,218	\$657,000	\$314,535	\$3,604	\$9,297	\$92,531
REVENUES															
AD VALOREM TAX	3,167,514								2,229,408						
SALES TAX	4,483,432									1,494,477					
FRANCHISE TAX	2,748,667														
OTHER TAX	370,800											575,000	90,000		
LICENSES AND PERMITS	88,300														
INTERGOVERNMENTAL (1)	301,693								259,400						
CHARGES FOR SERVICES	283,100														41,500
FINES AND FORFEITURES	750,644														
INTEREST/PENALTY	950								13,210	250		100		20	
CONTRIBUTIONS AND DONATIONS		1,000				454,530	1,000								
MISCELLANEOUS REVENUE	308,636		36,270	3,000	3,500					3,376				5,000	
TRANSFERS IN	3,823,529							585,600	3,049,318						
DEBT/LEASE PROCEEDS															
TOTAL OPERATING RESOURCES	\$16,327,265	\$1,000	\$36,270	\$3,000	\$3,500	\$454,530	\$1,000	\$585,600	\$5,551,336	\$1,498,103	\$0	\$575,100	\$90,000	\$5,020	\$41,500
DEPARTMENT EXPENDITURES															
ADMINISTRATION	1,107,912														
DEVELOPMENT SERVICES	375,387														
HUMAN RESOURCES	192,625														
MAIN STREET	141,688														
MAINTENANCE	705,121														
FINANCE	976,418														
PURCHASING/WAREHOUSE	270,869														
STREETS	1,454,692														
PARKS (1)	1,119,778														
LIBRARY (1)	407,170														
AIRPORT	136,699														
RECREATION	261,082														
AQUATIC CENTER	770,890														
CITY COMMUNICATIONS (1)	260,967														
COMMUNICATIONS	0														
POLICE (1)	3,937,445														
FIRE	1,684,693														
ANIMAL SHELTER/CONTROL (1)	326,934														
MUNICIPAL COURT	398,461														
PUBLIC WORKS	173,722														
INFORMATION TECHNOLOGY (1)	639,904														
EMERGENCY MANAGEMENT		5,000													
POLICE DEPARTMENT GRANTS			36,270												
MOTORCYCLE/PD EQUIPMENT				3,000											
PUBLIC SAFETY TRAINING					3,300										
DONATIONS						28,600									
FIRE DEPARTMENT GRANTS							1,000								
EQUIPMENT								643,821							
BCDC										534,830					
BCDC CAPITAL PROJECT											657,000				
HOTEL/MOTEL												528,725	90,000		
CRIMINAL LAW ENFORCEMENT														0	
COURTS TECHNOLOGY/SECURITY															21,325
AIRPORT															
CAPITAL LEASES															
2014 CAPITAL PROJECTS															
PARKS SPECIAL REVENUE															
STREETS AND DRAINAGE															
US 290 PASS THRU FINANCE															
UTILITY CUSTOMER SERVICE															
PUBLIC UTILITIES															
ELECTRIC															
GAS															
WATER TREATMENT															
WATER CONSTRUCTION															
WASTEWATER CONSTRUCTION															
WASTEWATER TREATMENT															
TRANSFER STATION															
COLLECTION STATION															
RECYCLING CENTER															
COLLECTION															
CENTRAL FLEET															
WORKERS' COMPENSATION															
MEDICAL INSURANCE															
SUBTOTAL DEPARTMENT	15,342,457	5,000	36,270	3,000	3,300	28,600	1,000	643,821	0	534,830	657,000	528,725	90,000	0	21,325
OTHER EXPENDITURES															
SOURCE COST															
FRANCHISE TAX															
DEBT SERVICE									5,737,016						
NON-DEPT AND MISC	399,208														
SUBTOTAL OTHER	399,208	0	0	0	0	0	0	0	5,737,016	0	0	0	0	0	0
TRANSFERS OUT	585,600					1,224,139				963,273		74,527			15,000
TOTAL EXPENDITURES	\$16,327,265	\$5,000	\$36,270	\$3,000	\$3,300	\$1,252,739	\$1,000	\$643,821	\$5,737,016	\$1,498,103	\$657,000	\$603,252	\$90,000	\$0	\$36,325
CHANGE IN FUND BALANCE	0	(4,000)	0	0	200	(798,209)	0	(58,221)	(185,680)	0	(657,000)	(28,152)	0	5,020	5,175
ENDING FUND BALANCE	\$4,242,954	\$8,193	\$0	\$0	\$1,563	\$65,782	\$0	\$0	\$367,207	\$967,218	\$0	\$286,383	\$3,604	\$14,317	\$97,706

(1) Intergovernmental includes inter-local agreements that are budgeted as contra-expenses in departments.

	CAPITAL PROJECT FUNDS						ENTERPRISE FUNDS					INTERNAL SERVICE FUNDS			TOTAL
	AIRPORT CAPITAL	CAPITAL LEASES	2014 CAP PROJ	PARKS CAP IMPROV	STREET DRAINAGE	290 PASS THRU	ELECTRIC	GAS	WATER	WASTE-WATER	SANI-TATION	CENTRAL FLEET	WORKERS' COMP	MEDICAL INS	
BEGINNING BALANCE	\$177,216	\$0	\$3,936,575	\$9,054	\$2,425,209	\$4,877,959	\$5,957,496	\$1,465,923	\$2,037,075	\$606,466	\$881,001	\$235,813	\$396,109	\$88,234	\$30,869,923
REVENUES															
AD VALOREM TAX															5,396,922
SALES TAX															5,977,909
FRANCHISE TAX															2,748,667
OTHER TAX															1,035,800
LICENSES AND PERMITS															88,300
INTERGOVERNMENTAL (1)															561,093
CHARGES FOR SERVICES							26,603,756	3,750,290	4,184,571	3,690,575	2,508,083	110,800	140,745		41,313,420
FINES AND FORFEITURES															750,644
INTEREST/PENALTY			165,587		400	3,001,200	13,884	500	1,050	770	286		50		3,198,257
CONTRIBUTIONS AND DONATIONS				6,000											462,530
MISCELLANEOUS REVENUE	1,525,174														1,884,956
TRANSFERS IN			1,224,139	227,955			621,115	4,600	19,800	9,700	27,600				9,593,356
DEBT/LEASE PROCEEDS		164,490													164,490
TOTAL OPERATING RESOURCES	\$1,525,174	\$164,490	\$1,389,726	\$233,955	\$400	\$3,001,200	\$27,238,755	\$3,755,390	\$4,205,421	\$3,701,045	\$2,535,969	\$110,800	\$140,795	\$0	\$73,176,344
DEPARTMENT EXPENDITURES															
ADMINISTRATION															1,107,912
DEVELOPMENT SERVICES															375,387
HUMAN RESOURCES															192,625
MAIN STREET															141,688
MAINTENANCE															705,121
FINANCE															976,418
PURCHASING/WAREHOUSE															270,869
STREETS															1,454,692
PARKS (1)															1,119,778
LIBRARY (1)															407,170
AIRPORT															136,699
RECREATION															261,082
AQUATIC CENTER															770,890
CITY COMMUNICATIONS (1)															260,967
COMMUNICATIONS															0
POLICE (1)															3,937,445
FIRE															1,684,693
ANIMAL SHELTER/CONTROL (1)															326,934
MUNICIPAL COURT															398,461
PUBLIC WORKS															173,722
INFORMATION TECHNOLOGY (1)															639,904
EMERGENCY MANAGEMENT															5,000
POLICE DEPARTMENT GRANTS															36,270
MOTORCYCLE/PD EQUIPMENT															3,000
PUBLIC SAFETY TRAINING															3,300
DONATIONS															28,600
FIRE DEPARTMENT GRANTS															1,000
EQUIPMENT															643,821
BCDC															534,830
BCDC CAPITAL PROJECT															657,000
HOTEL/MOTEL															618,725
CRIMINAL LAW ENFORCEMENT															0
COURTS TECHNOLOGY/SECURITY															21,325
AIRPORT	1,694,638														1,694,638
CAPITAL LEASES		164,490													164,490
2014 CAPITAL PROJECTS			5,012,000												5,012,000
PARKS SPECIAL REVENUE				227,955											227,955
STREETS AND DRAINAGE					850,609										850,609
US 290 PASS THRU FINANCE						0									0
UTILITY CUSTOMER SERVICE							489,056								489,056
PUBLIC UTILITIES							961,189								961,189
ELECTRIC							2,632,906								2,632,906
GAS								617,414							617,414
WATER TREATMENT									1,581,921						1,581,921
WATER CONSTRUCTION									1,027,582						1,027,582
WASTEWATER CONSTRUCTION										432,356					432,356
WASTEWATER TREATMENT										1,212,344					1,212,344
TRANSFER STATION											734,276				734,276
COLLECTION STATION											401,392				401,392
RECYCLING CENTER											170,852				170,852
COLLECTION											576,104				576,104
CENTRAL FLEET												70,000			70,000
WORKERS' COMPENSATION													92,300		92,300
MEDICAL INSURANCE														0	0
SUBTOTAL DEPARTMENT	1,694,638	164,490	5,012,000	227,955	850,609	0	4,083,151	617,414	2,609,503	1,644,700	1,882,624	70,000	92,300	0	36,844,712
OTHER EXPENDITURES															
SOURCE COST							20,068,002	2,196,358	291,900						22,556,260
FRANCHISE TAX							1,821,701	261,594	285,231	249,851	59,209				2,677,586
DEBT SERVICE							9,564	2,033	819,088	1,346,789	3,550				7,918,040
NON-DEPT AND MISC							57,900	2,100	21,500	7,980	9,700				498,388
SUBTOTAL OTHER	0	0	0	0	0	0	21,957,167	2,462,085	1,417,719	1,604,620	72,459	0	0	0	33,650,274
TRANSFERS OUT						2,480,000	1,870,012	562,704	575,690	470,229	413,048		270,900	88,234	9,593,356
TOTAL EXPENDITURES	\$1,694,638	\$164,490	\$5,012,000	\$227,955	\$850,609	\$2,480,000	\$27,910,330	\$3,642,203	\$4,602,912	\$3,719,549	\$2,368,131	\$70,000	\$363,200	\$88,234	\$80,088,342
CHANGE IN FUND BALANCE	(169,464)	0	(3,622,274)	6,000	(850,209)	521,200	(671,575)	113,187	(397,491)	(18,504)	167,838	40,800	(222,405)	(88,234)	(6,911,998)
ENDING FUND BALANCE	\$7,752	\$0	\$314,301	\$15,054	\$1,575,000	\$5,399,159	\$5,285,921	\$1,579,111	\$1,639,585	\$587,963	\$1,048,839	\$276,613	\$173,704	\$0	\$23,957,925



AGENDA ITEM 11

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on its First Reading Levying Taxes for the Tax Year 2014 for the City of Brenham at \$0.4912 per \$100 Valuation.		
SUMMARY STATEMENT: See attached memo from Chief Financial Officer on this item.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Memo from CFO; and (2) Ordinance		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its first reading levying taxes for the Tax Year 2014 for the City of Brenham at \$0.4912 per \$100 valuation.		
APPROVALS: Carolyn D. Miller		



MEMORANDUM

To: Mayor, Council and City Manager
From: Carolyn D. Miller
Subject: 2014 Tax Rate Ordinance
Date: August 29, 2014

The Proposed FY2014-15 Budget includes a tax rate of \$0.4912 per \$100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). The proposed tax rate of \$0.4912 will allocate \$0.2890 to the General Fund for maintenance and operations and, the balance of \$0.2022 to the Debt Service Fund for interest and sinking.

The City has complied with all of the notices, publications, and public hearings as required by the Tax Code. Unlike in prior years, because this year's tax rate raises less revenue than last year, the Tax Code does not specify the wording of the **motion** to adopt the tax rate. Therefore, the following motion (or similar wording) is sufficient for the adoption of the tax levy ordinance:

“I move that we approve an ordinance on its first reading levying taxes for the Tax Year 2014 for the City of Brenham at \$0.4912 per \$100 valuation.”

ORDINANCE NO. _____

AN ORDINANCE LEVYING TAXES FOR THE TAX YEAR 2014 FOR THE CITY OF BRENHAM, TEXAS AND PROVIDING AN EFFECTIVE DATE.

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

SECTION I.

That there be and is hereby levied an ad valorem tax of \$0.2890 on each one hundred dollars worth of property owned and situated within the City Limits of the City of Brenham, Texas, both real and personal and mixed, for General Fund maintenance and operating purposes for the Tax Year 2014.

SECTION II.

That there be and is hereby levied for the use of the City of Brenham, for the Tax Year 2014, an ad valorem tax of \$0.2022 on each one hundred dollars worth of real, personal and mixed property owned and situated in the City Limits of the City of Brenham, Texas, for the payment of principal and interest on all outstanding bonds and lease payments, not otherwise provided for, of the City of Brenham.

SECTION III.

Wherefore, the combined tax rate in accordance with V.T.C.A. Tax Code Section 26.05 shall be \$0.4912 on each one hundred dollars worth of real, personal, and mixed property of owned and situated within the City Limits of the City of Brenham, Texas.

SECTION IV.

This Ordinance shall become effective as provided by the Charter of the City of Brenham, Texas.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND ADOPTED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

Cary Bovey, City Attorney



AGENDA ITEM 12

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 27, 2014	
DEPT. OF ORIGIN: Development Services		SUBMITTED BY: Julie Fulgham	
MEETING TYPE:		CLASSIFICATION:	
<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	
ORDINANCE:			
<input checked="" type="checkbox"/> 1ST READING			
<input type="checkbox"/> 2ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning from an Industrial (I) District to a Manufactured Home Residential (R-3) District on Property Located at 20785 FM 389, and Specifically Being a 10.74 Acre Tract Described as a Portion of Tract 196 of the Phillip Coe Addition in the City of Brenham, Washington County, Texas			
SUMMARY STATEMENT: This is a request for zones change from an Industrial (I) District to a Manufactured Home Residential (R-3) District for a 10.74 acre portion of Tract 196 of the Phillip Coe Addition. This property is currently zone Industrial and is bounded by Industrial (I) zoning on two sides and Manufactured Home Residential (R-3) Zoning on two sides. If the zone change is successful, a master plan for a manufactured home park and final plat must be approved by the Planning and Zoning Commission.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS: Allows development of affordable housing.			
B. CONS: Concentrates large amounts of one type of housing in a specific area.			
ALTERNATIVES (In Suggested Order of Staff Preference): 1. Approve zone change 2. Deny zone change			
ATTACHMENTS: (1) Ordinance; and (2) P&Z staff report			
FUNDING SOURCE (Where Applicable): N/A			
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the official zoning map of the City of Brenham, to change the zoning from an Industrial (I) District to a Manufactured Home Residential (R-3) District on property located at 20785 FM 389, and specifically being a 10.74 acre tract described as a portion of Tract 196 of the Phillip Coe Addition in the City of Brenham, Washington County, Texas			
APPROVALS: Terry K. Roberts			

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP FROM AN INDUSTRIAL DISTRICT (I) TO A MANUFACTURED HOME RESIDENTIAL DISTRICT (R-3) ON APPROXIMATELY 10.74 ACRES WITHIN TRACT 196 OF THE PHILLIP COE SURVEY LOCATED OFF OF FM 389, AS SHOWN ON EXHIBIT A, AND BEING LOCATED IN BRENHAM, WASHINGTON COUNTY, TEXAS.

WHEREAS, the City of Brenham has adopted Appendix A – “Zoning” of the City of Brenham Code of Ordinances, as amended, which divides the City of Brenham into various zoning districts;

WHEREAS, Appendix A – “Zoning” of the City of Brenham Code of Ordinance authorizes the City Council to grant specific use permits for specific uses within the various zoning districts; and

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on August 4, 2014;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended by changing an Industrial (I) District to Manufactured Home Residential (R-3) District on approximately 10.74 acres within Tract 196 of the Phillip Coe Surveyed and located on a tract bounded by FM 389 and Industrial Boulevard, as shown on exhibit A.

SECTION 2. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

PASSED and APPROVED on its first reading this the 4th day of September, 2014.

PASSED and APPROVED on its second reading this the 18th day of September, 2014.

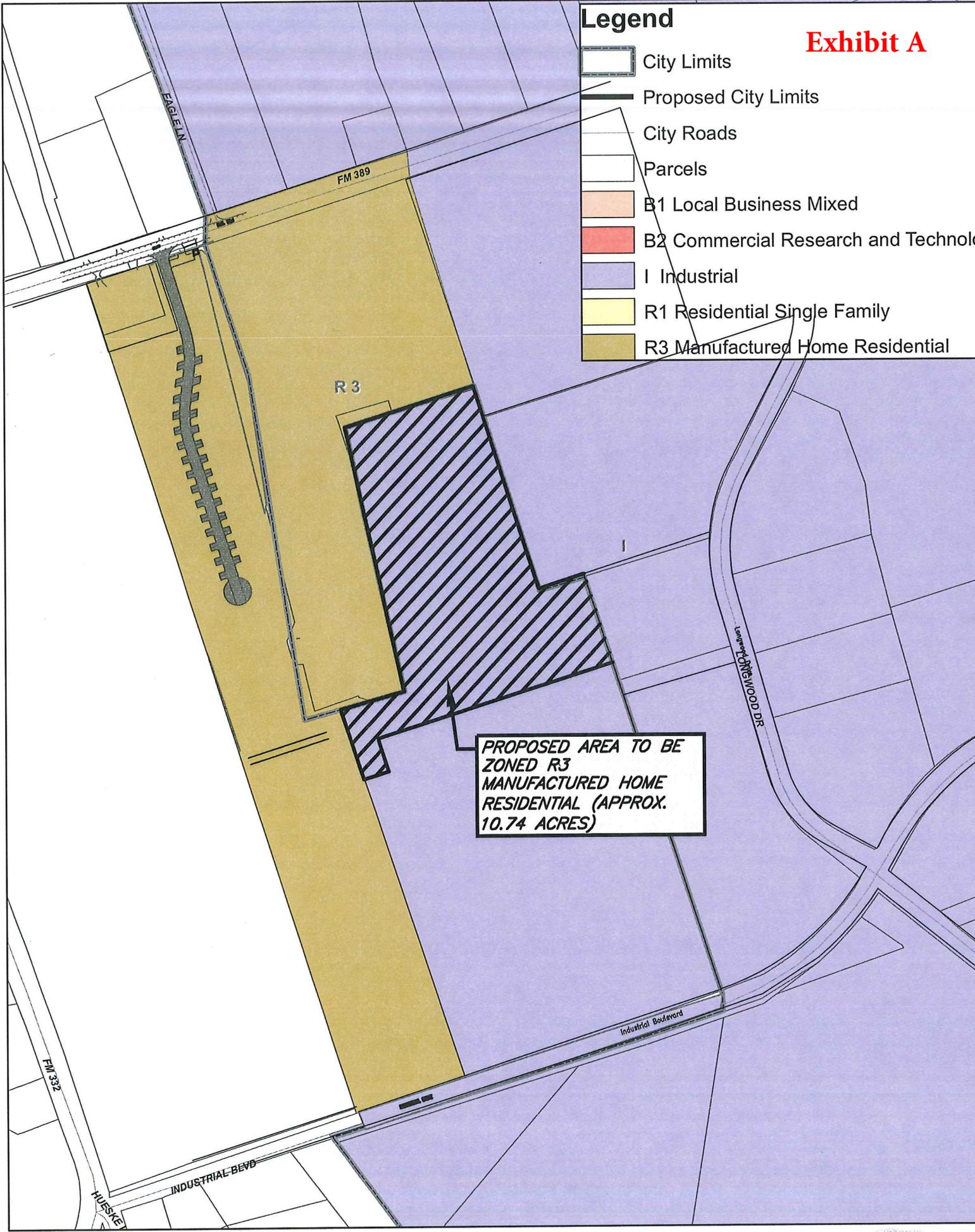
Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

Legend

- City Limits
- Proposed City Limits
- City Roads
- Parcels
- B1 Local Business Mixed
- B2 Commercial Research and Technolo
- I Industrial
- R1 Residential Single Family
- R3 Manufactured Home Residential



Section IV

1 inch = 350 feet



Zone Change: 10.74 Acres Located at 2075 FM 389

STAFF CONTACT: Julie Fulgham, Director of Development Services

OWNERS/APPLICANTS: Adolph C. Wehmeyer

LEGAL DESCRIPTION: A 10.74 acre portion of Tract 196 of the Phillip Coe Addition to the City of Brenham, Washington County, Texas

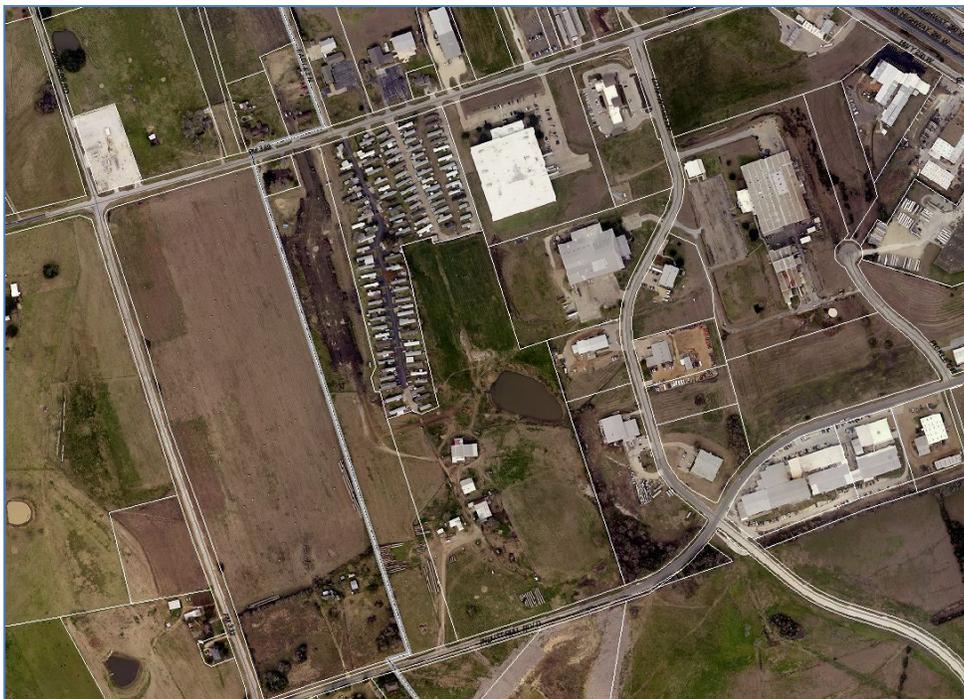
REQUEST: A request for a zone change for the above described property located in the Industrial (I) District to a Manufactured Home Residential (R-3) District

SUMMARY RECOMMENDATION:

This is a request for zones change from an Industrial (I) District to a Manufactured Home Residential (R-3) District for a 10.74 acre portion of Tract 196 of the Phillip Coe Addition. This property is currently zone Industrial and is bounded by (I) Industrial zoning on two sides and (R-3) Manufactured Home Residential Zoning on two sides.

Staff **recommends approving** the requested zone change finding the use is consistent with development patterns within the area.

AERIAL:



ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:

The purpose of zoning policies is to provide guidelines for considering future amendments to the zoning ordinance (Part 1, Section 4 of Appendix A – “Zoning” of the Brenham Code of Ordinances). They are as follows:

- (1) The City's zoning should recognize and seek to preserve the small town attributes that make Brenham a special place for its citizens to live, work and play.**

This request would increase the amount of affordable housing within the City and is not out of character with the development patterns of the area.

- (2) The City's zoning should be guided by the future land use plan and other applicable guidelines found in the Comprehensive Plan.**

This request is for property within an existing Industrial district to be rezoned to a Manufactured Home Residential district. The Comprehensive plan recommends that the City of Brenham protect its established neighborhoods. Staff believes this request is aligned with that goal of the Comprehensive Plan.

- (3) The City's zoning should be designed to facilitate the more efficient use of existing and future city services and utility systems in accordance with the Comprehensive Plan.**

This property is currently vacant; however existing utilities that serve the nearby manufactured home parks have the capacity to continue to serve this property regardless of the uses that exist at this location.

- (4) The City's zoning should be organized and as straight forward as possible to minimize use problems and enforcement problems.**

If the zoning for this property is changed, improvements related to the development of a manufactured home park must comply with all applicable codes. Since development of this property would be required to conform to applicable codes, use and enforcement problems are not anticipated.

- (5) The City's zoning process should be fair and equitable, giving all citizens adequate information and opportunity to be heard prior to adoption of zoning amendments.**

All notification requirements were met with this application and a copy of this staff report provided to the applicant.

- (6) The City's zoning should insure that adequate open space is preserved as residential and commercial development and redevelopment occur.**

The zoning ordinance limits the amount of impervious coverage allowed on a lot at the time of development. All performance criteria must be met if this site develops as a manufactured home park.

- (7) The City's zoning should insure Brenham's attractiveness for the future location of business and housing by preserving an attractive and safe community environment in order to enhance the quality of life for all of its residents.**

Staff believes R-3 zoning at this location is a compatible fit for the immediate neighborhood and properties, many of which are manufactured home parks; preserving the residential nature of this area an important part of preserving an attractive and safe community environment in this neighborhood.

- (8) The City's zoning ordinance should preserve neighborhood culture by retaining and promoting land uses consistent with the community's plan for the development and/or redevelopment of its neighborhoods.**

Residential zoning on this property will preserve the existing neighborhood culture and is consistent with the Comprehensive Plan's goal of preserving and enhancing Brenham's residential neighborhoods.

- (9) The City's zoning should protect existing and future residential neighborhoods from encroachment by incompatible uses.**

This request would allow maintain consistent development patterns in the vicinity.

- (10) The City's zoning should assist in stabilizing property values by limiting or prohibiting the development of incompatible land uses or uses of land or structures which negatively impact adjoining properties.**

This request will place limitations on adjacent Industrial zoned properties by increasing the amount of land that must be buffered from incompatible uses. However, bufferyards can be complied within during the development process.

- (11) The City's zoning should make adequate provisions for a range of commercial uses in existing and future locations that are best suited to serve neighborhood, community and regional markets.**

Neighborhood Commercial uses are located nearby at the intersection of Hwy. 290 and FM 389. There is also adequate nearby commercial zoning to accommodate additional neighborhood services, if the market demands these types of uses.

- (12) The City's zoning should give reasonable accommodation to legally existing incompatible uses, but it should be fashioned in such a way that over time, problem areas will experience orderly change through redevelopment that gradually replaces the nonconforming uses.**

This property is currently vacant and nonconforming use or structure issues will not hinder development.

(13) The City's zoning should provide for orderly growth and development throughout the city.

This property under consideration is currently surrounded by existing established manufactured home parks and industrial developments. This request continues the existing development patterns within the area.

STAFF RECOMMENDATION:

Staff recommends approval of this zone change finding this request meets the goals outlined in the Comprehensive Plan such as encouraging consistent development patterns.



AGENDA ITEM 13

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 4, 2014	
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Grant Lischka	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. B0039-0026-00 for the Extension of Chappell Hill Street and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: The City has received bids on the Chappell Hill Street Extension project. The project included the construction and improvements to Chappell Hill Street from Lawndale Street to Stringer Street (City portion) and the construction of Chappell Hill Street south of U.S. 290 (Kruse portion). The lowest responsible bidder on the project was Collier Construction, L.L.C. in the amount of \$2,152,239.55. The City portion is \$1,174,427.15. This bid includes the alternate bid for concrete pavement in lieu of HMAC payment from Lawndale to Stringer. The concrete pavement is an addition of \$92,792.30 (an 8.6% increase), however staff believes that the additional cost for concrete will be offset by savings in the future maintenance costs of HMAC. The Kruse portion is \$977,842.40. This does not include an alternate for concrete pavement. The City's engineer, Jones and Carter, Inc., is negotiating a change order with the Collier Construction L.L.C. to include concrete pavement on the Kruse portion. The change order would not involve additional City funding.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference): Award the contract in the amount of \$2,152,239.55 to Collier Construction, L.L.C.		
ATTACHMENTS: (1) Bid Tabulation; (2) Recommendation of Award; and (3) Notice of Award		
FUNDING SOURCE (Where Applicable): 2012 Certificates of Obligations, Brenham Community Development Corporation and private developers.		

RECOMMENDED ACTION: Award Bid No. B0039-0026-00 in the amount of \$2,152,239.55 to Collier Construction, LLC for the extension of Chappell Hill Street and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts

JONES & CARTER, INC.

Texas Board of Professional Engineers Registration No. F-439

BID TABULATION

OWNER: CITY OF BRENHAM PROJECT: CHAPPELL HILL STREET EXTENSION DATE: AUGUST 26, 2014 @ 2:00 P.M. ENGINEER: JONES & CARTER, INC. JOB NO.: B0039-0026-00		BID NO. 1 COLLIER CONSTRUCTION, LLC P.O. BOX 1889 BRENHAM, TX 7734-1889		BID NO. 2 DUDLEY CONSTRUCTION, LTD. 11370 STATE HIGHWAY 30 COLLEGE STATION, TX 77845			
ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
BASE BID							
City of Brenham							
1.	Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$59,000.00	\$59,000.00	\$47,000.00	\$47,000.00
2.	Prepare a Storm Water Pollution Prevention Plan, issue and/or post all required notices; pay all required permit fees; perform all required inspections; maintain all required records; install, maintain and remove all necessary erosion control measures; reestablish vegetation on all disturbed areas.	L.S.	1	\$17,785.00	\$17,785.00	\$12,000.00	\$12,000.00
3.	Furnish, erect, maintain, and remove all barricades, sign and traffic control devices.	Mo.	6	\$1,808.00	\$10,848.00	\$2,400.00	\$14,400.00
4.	Perform all site preparation, perform all required clearing and grubbing; perform all required demolition; dispose of all cleared and/or demolished materials.	Sta.	17.78	\$1,185.00	\$21,069.30	\$1,200.00	\$21,336.00
5.	Remove and dispose of existing headwall, toewall, rip rap, and other miscellaneous concrete.	Ea.	2	\$1,780.00	\$3,560.00	\$2,400.00	\$4,800.00
6.	Remove existing curb and gutter.	L.F.	379	\$2.40	\$909.60	\$6.00	\$2,274.00
7.	Saw cut existing concrete pavement to produce a straight line along the perimeter of the pavement to remain in place.	L.F.	87	\$8.30	\$722.10	\$29.95	\$2,605.65
8.	Saw cut existing asphalt pavement to produce a straight line along the perimeter of the pavement to remain in place.	L.F.	748	\$8.30	\$6,208.40	\$17.97	\$13,441.56
9.	Remove existing reinforced concrete pavement.	S.Y.	348	\$5.30	\$1,844.40	\$8.50	\$2,958.00
10.	Remove existing asphalt pavement, cement stabilized base by milling and stockpile for reuse.	S.Y.	3,103	\$2.50	\$7,757.50	\$12.00	\$37,236.00
11.	Remove and dispose of existing landscape bed.	L.S.	1	\$590.00	\$590.00	\$599.00	\$599.00
12.	Remove and dispose of existing traffic control sign assembly.	Ea.	1	\$60.00	\$60.00	\$599.00	\$599.00
13.	Furnish materials and adjust the elevation of an existing manhole ring and cover to match the finished grade complete in place and water tight.	Ea.	3	\$593.00	\$1,779.00	\$1,200.00	\$3,600.00
14.	Furnish materials and adjust the elevation of an existing valve box to match the finished grade complete in place and water tight.	Ea.	3	\$237.00	\$711.00	\$300.00	\$900.00

JONES & CARTER, INC.

Texas Board of Professional Engineers Registration No. F-439

BID TABULATION

OWNER: CITY OF BRENHAM PROJECT: CHAPPELL HILL STREET EXTENSION DATE: AUGUST 26, 2014 @ 2:00 P.M. ENGINEER: JONES & CARTER, INC. JOB NO.: B0039-0026-00		BID NO. 1 COLLIER CONSTRUCTION, LLC P.O. BOX 1889 BRENHAM, TX 7734-1889			BID NO. 2 DUDLEY CONSTRUCTION, LTD. 11370 STATE HIGHWAY 30 COLLEGE STATION, TX 77845		
ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
15.	Remove existing raised pavement markings (Type II-A-A or Type I-C).	Ea.	485	\$1.80	\$873.00	\$2.40	\$1,164.00
16.	Remove existing Type I reflectorized pavement markings (lines - all widths and colors).	L.F.	92	\$5.50	\$506.00	\$8.40	\$772.80
17.	Remove existing Type I reflectorized pavement markings (words and symbols - all widths and colors).	Ea.	2	\$89.00	\$178.00	\$120.00	\$240.00
18.	Perform all specified excavation.	L.S.	1	\$21,340.00	\$21,340.00	\$35,900.00	\$35,900.00
19.	Perform all specified embankment work, including moisture adjustment and compaction.	L.S.	1	\$5,930.00	\$5,930.00	\$20,400.00	\$20,400.00
20.	Construct double 5' x 6' cast-in-place box culverts.	L.F.	7.50	\$1,210.00	\$9,075.00	\$1,200.00	\$9,000.00
21.	Construct 52' headwall.	Ea.	2	\$14,580.00	\$29,160.00	\$12,000.00	\$24,000.00
22.	Construct TxDOT standard traffic rail on cast-in-place reinforced concrete headwall to include reinforced concrete intermediate wall, reinforced concrete terminal connection, elliptical hand rail and all necessary appurtenances.	L.S.	2	\$5,395.00	\$10,790.00	\$24,000.00	\$48,000.00
23.	Construct metal beam guard fence, including all posts and necessary brackets.	L.F.	74	\$97.00	\$7,178.00	\$116.00	\$8,584.00
24.	Construct 5" minimum thickness reinforced concrete rip rap.	S.Y.	90	\$11.90	\$1,071.00	\$48.00	\$4,320.00
25.	Construct 30" reinforced concrete pipe through wall of cast-in-place box culvert.	Ea.	1	\$1,185.00	\$1,185.00	\$1,200.00	\$1,200.00
26.	Furnish and install 18" Class III reinforced concrete pipe by open cut.	L.F.	110	\$60.50	\$6,655.00	\$54.00	\$5,940.00
27.	Furnish and install 18" ASTM F679 SDR-26 PVC pipe encased in 30" steel by bore.	L.F.	99	\$515.00	\$50,985.00	\$540.00	\$53,460.00
28.	Furnish and install 24" Class III reinforced concrete pipe by open cut.	L.F.	427	\$71.00	\$30,317.00	\$78.00	\$33,306.00
29.	Furnish and install 30" Class III reinforced concrete pipe by open cut.	L.F.	18	\$104.00	\$1,872.00	\$150.00	\$2,700.00
30.	Construct 10' recessed curb inlet.	Ea.	4	\$4,960.00	\$19,840.00	\$4,800.00	\$19,200.00
31.	Construct Type X inlet.	Ea.	2	\$4,260.00	\$8,520.00	\$4,200.00	\$8,400.00
32.	Construct 5' x 5' junction box.	Ea.	2	\$3,580.00	\$7,160.00	\$4,200.00	\$8,400.00

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ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
33.	Adjust existing curb inlet lid to match proposed grades.	Ea.	2	\$1,710.00	\$3,420.00	\$1,200.00	\$2,400.00
34.	Furnish all labor and equipment as required to stabilize the existing soil to a minimum depth of 8", adjust the moisture content, compact the stabilized material to the specified density and finish the subgrade course according to plan lines and grades.	S.Y.	8,620	\$2.75	\$23,705.00	\$3.00	\$25,860.00
35.	Furnish and spread lime (Type A, B or C) for soil stabilization purposes.	Ton	150.9	\$172.00	\$25,954.80	\$215.00	\$32,443.50
36.	Furnish and install a minimum of 8" (compacted thickness) of Type A, Grade 2 crushed limestone base material, including moisture adjustment and compaction.	S.Y.	5,451	\$10.70	\$58,325.70	\$19.00	\$103,569.00
37.	Furnish and install a minimum of 8" (compacted thickness) of salvaged asphalt pavement and crushed limestone base material, including moisture adjustment and compaction.	S.Y.	1,940	\$4.90	\$9,506.00	\$10.50	\$20,370.00
38.	Furnish and install a minimum of 6" (compacted thickness) of 1½" screened gravel base material, including moisture adjustment and compaction.	S.Y.	30	\$83.00	\$2,490.00	\$60.00	\$1,800.00
39.	Construct reinforced concrete curb and gutter.	L.F.	3,227	\$9.50	\$30,656.50	\$16.75	\$54,052.25
40.	Construct standard driveway approach slab.	Ea.	10	\$712.00	\$7,120.00	\$2,400.00	\$24,000.00
41.	Construct extra width for driveway approach slab.	L.F.	182	\$28.50	\$5,187.00	\$119.00	\$21,658.00
42.	Construct 5½" minimum thickness reinforced concrete driveway.	S.Y.	34	\$43.00	\$1,462.00	\$48.00	\$1,632.00
43.	Furnish and install MC-30 prime oil.	Gal.	1,068	\$9.00	\$9,612.00	\$8.40	\$8,971.20
44.	Furnish and install RC-250 asphalt and Type B or PB Grade 5 Cover Stone Prime Course.	S.Y.	3,120	\$6.00	\$18,720.00	\$6.00	\$18,720.00
45.	Construct a single course surface treatment pavement course (Market Street).	S.Y.	18,778	\$5.95	\$111,729.10	\$4.80	\$90,134.40
46.	Furnish and install hot mix asphaltic concrete overlay (2") (Type D).	S.Y.	7,391	\$14.50	\$107,169.50	\$15.00	\$110,865.00
47.	Furnish and install hot mix asphaltic concrete level-up (Type D).	Ton	40	\$130.50	\$5,220.00	\$240.00	\$9,600.00
48.	Furnish and install standard bollard.	Ea.	3	\$600.00	\$1,800.00	\$599.00	\$1,797.00
49.	Furnish and install a minimum of 6" of topsoil.	S.Y.	202	\$60.00	\$12,120.00	\$12.00	\$2,424.00
50.	Furnish and install erosion control mat.	S.Y.	1,247	\$2.25	\$2,805.75	\$4.00	\$4,988.00

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ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
51.	Furnish and install temporary flexible-reflective road marker tabs (Y).	Ea.	5,586	\$4.00	\$22,344.00	\$0.42	\$2,346.12
52.	Furnish and install temporary flexible-reflective road marker tabs (W).	Ea.	300	\$3.80	\$1,140.00	\$0.42	\$126.00
53.	Furnish and install Type II reflectorized pavement markings (Y) (4") (Solid) with Type III drop-on glass beads.	L.F.	6,842	\$0.95	\$6,499.90	\$0.26	\$1,778.92
54.	Furnish and install Type II reflectorized pavement markings (W) (4") (Solid) with Type III drop-on glass beads.	L.F.	6,417	\$0.90	\$5,775.30	\$0.26	\$1,668.42
55.	Furnish and install Type II reflectorized pavement markings (Y) (4") (Broken) with Type III drop-on glass beads.	L.F.	3,383	\$0.90	\$3,044.70	\$0.26	\$879.58
56.	Furnish and install Type II reflectorized pavement markings (W) (8") (Solid) with Type III drop-on glass beads.	L.F.	442	\$1.50	\$663.00	\$0.62	\$274.04
57.	Furnish and install Type II reflectorized pavement markings (W) (12") (Solid) with Type III drop-on glass beads.	L.F.	509	\$2.60	\$1,323.40	\$1.20	\$610.80
58.	Furnish and install Type I reflectorized pavement markings (W) (12") (Solid) with Type III drop-on glass beads.	L.F.	509	\$10.00	\$5,090.00	\$6.71	\$3,415.39
59.	Furnish and install Type II reflectorized pavement markings (W) (24") (Solid) with Type III drop-on glass beads.	L.F.	163	\$5.00	\$815.00	\$2.40	\$391.20
60.	Furnish and install Type I reflectorized pavement markings (W) (24") (Solid) with Type III drop-on glass beads.	L.F.	163	\$14.00	\$2,282.00	\$6.50	\$1,059.50
61.	Furnish and install Type II reflectorized pavement markings (Y) (24") (Solid) with Type III drop-on glass beads.	L.F.	252	\$5.00	\$1,260.00	\$3.00	\$756.00
62.	Furnish and install Type I reflectorized pavement markings (Y) (24") (Solid) with Type III drop-on glass beads.	L.F.	252	\$14.00	\$3,528.00	\$6.50	\$1,638.00
63.	Furnish and install Type II reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	19	\$95.00	\$1,805.00	\$97.00	\$1,843.00
64.	Furnish and install Type I reflectorized pavement markings (W) (left turn arrow) (Solid) with Type III drop-on glass beads.	Ea.	19	\$300.00	\$5,700.00	\$143.00	\$2,717.00
65.	Furnish and install Type II reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads.	Ea.	7	\$100.00	\$700.00	\$87.00	\$609.00

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ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
66.	Furnish and install Type I reflectorized pavement markings (W) (ONLY) (Solid) with Type III drop-on glass beads.	Ea.	7	\$400.00	\$2,800.00	\$144.00	\$1,008.00
67.	Furnish and install Type II reflectorized pavement markings (W) (right turn and straight arrow) (Solid) with Type III drop-on glass beads.	Ea.	4	\$120.00	\$480.00	\$132.00	\$528.00
68.	Furnish and install Type I reflectorized pavement markings (W) (left turn and straight arrow) (Solid) with Type III drop-on glass beads.	Ea.	4	\$390.00	\$1,560.00	\$204.00	\$816.00
69.	Furnish and install Type II-A raised reflectorized pavement markers.	Ea.	337	\$6.50	\$2,190.50	\$5.00	\$1,685.00
70.	Furnish and install Type I-C raised reflectorized pavement markers.	Ea.	33	\$8.30	\$273.90	\$7.00	\$231.00
71.	Furnish and install small roadside sign, supports, and assemblies.	Ea.	5	\$680.00	\$3,400.00	\$372.00	\$1,860.00
72.	Furnish and install drill shaft (traffic signal pole) (36").	L.F.	52	\$400.00	\$20,800.00	\$404.00	\$21,008.00
73.	Construct curb ramps (Type 5).	Ea.	4	\$2,500.00	\$10,000.00	\$960.00	\$3,840.00
74.	Furnish and install 2" Schedule 40 PVC conduit.	L.F.	175	\$9.40	\$1,645.00	\$9.44	\$1,652.00
75.	Furnish and install 2" Schedule 40 PVC conduit by bore.	L.F.	295	\$22.50	\$6,637.50	\$23.00	\$6,785.00
76.	Furnish and install 4" Schedule 40 PVC conduit.	L.F.	55	\$20.00	\$1,100.00	\$20.00	\$1,100.00
77.	Furnish and install 4" Schedule 40 PVC conduit by bore.	L.F.	295	\$29.00	\$8,555.00	\$30.00	\$8,850.00
78.	Furnish and install No. 6 bare electrical conductor.	L.F.	80	\$2.70	\$216.00	\$2.70	\$216.00
79.	Furnish and install No. 6 insulated electrical conductor.	L.F.	40	\$2.70	\$108.00	\$2.70	\$108.00
80.	Furnish and install No. 8 bare electrical conductor.	L.F.	790	\$2.00	\$1,580.00	\$2.00	\$1,580.00
81.	Furnish and install No. 8 insulated electrical conductor.	L.F.	830	\$2.00	\$1,660.00	\$2.00	\$1,660.00
82.	Furnish and install Type D 9162922 ground box with apron.	L.F.	5	\$1,000.00	\$5,000.00	\$1,012.00	\$5,060.00
83.	Furnish and install Type D 120/240 070 (NS) AL (E) SP (O) electrical service.	Ea.	1	\$6,700.00	\$6,700.00	\$6,800.00	\$6,800.00
84.	Furnish and install highway traffic sign (isolated).	Ea.	1	\$26,700.00	\$26,700.00	\$27,000.00	\$27,000.00
85.	Furnish and install 12" 3-section back plate.	Ea.	8	\$200.00	\$1,600.00	\$202.00	\$1,616.00
86.	Furnish and install 12" 4-section back plate.	Ea.	4	\$233.00	\$932.00	\$236.00	\$944.00
87.	Furnish and install 12" LED green arrow vehicle signal section.	Ea.	4	\$333.00	\$1,332.00	\$337.00	\$1,348.00
88.	Furnish and install 12" LED green vehicle signal section.	Ea.	8	\$333.00	\$2,664.00	\$337.00	\$2,696.00
89.	Furnish and install 12" LED yellow arrow vehicle signal section.	Ea.	8	\$333.00	\$2,664.00	\$337.00	\$2,696.00

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ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
90.	Furnish and install 12" LED yellow vehicle signal section.	Ea.	8	\$333.00	\$2,664.00	\$337.00	\$2,696.00
91.	Furnish and install 12" LED red arrow vehicle signal section.	Ea.	4	\$333.00	\$1,332.00	\$337.00	\$1,348.00
92.	Furnish and install 12" LED red vehicle signal section.	Ea.	8	\$333.00	\$2,664.00	\$337.00	\$2,696.00
93.	Furnish and install 12" LED countdown pedestrian signal section.	Ea.	8	\$1,600.00	\$12,800.00	\$1,618.00	\$12,944.00
94.	Furnish and install traffic signal pole assembly (S) 1 arm (32') luminaire.	Ea.	2	\$10,000.00	\$20,000.00	\$10,110.00	\$20,220.00
95.	Furnish and install traffic signal pole assembly (S) 1 arm (48') luminaire.	Ea.	2	\$11,600.00	\$23,200.00	\$11,725.00	\$23,450.00
96.	Furnish and install traffic signal cable (Type A) (12 AWG) (5 conductor).	L.F.	1,090	\$3.30	\$3,597.00	\$3.35	\$3,651.50
97.	Furnish and install traffic signal cable (Type A) (12 AWG) (7 conductor).	L.F.	920	\$4.70	\$4,324.00	\$4.73	\$4,351.60
98.	Furnish and install pedestrian pole assembly.	Ea.	4	\$2,000.00	\$8,000.00	\$2,022.00	\$8,088.00
99.	Remove traffic signals.	Ea.	1	\$3,335.00	\$3,335.00	\$3,375.00	\$3,375.00
100.	Furnish and install a Video Imaging Vehicle Detection System processor system.	Ea.	1	\$11,400.00	\$11,400.00	\$11,458.00	\$11,458.00
101.	Furnish and install a Video Imaging Vehicle Detection System camera assembly.	Ea.	4	\$1,600.00	\$6,400.00	\$1,600.00	\$6,400.00
102.	Furnish and install a Video Imaging Vehicle Detection System set up system.	Ea.	1	\$670.00	\$670.00	\$675.00	\$675.00
103.	Furnish and install Video Imaging Vehicle Detection System communication cable (coaxial).	L.F.	740	\$2.70	\$1,998.00	\$2.70	\$1,998.00
104.	Furnish and install battery back-up system (external battery cabinet).	Ea.	1	\$11,400.00	\$11,400.00	\$11,458.00	\$11,458.00
105.	Furnish and install accessible pedestrian signal units.	Ea.	8	\$1,600.00	\$12,800.00	\$1,618.00	\$12,944.00
	SUBTOTAL CITY OF BRENHAM (ITEM NOS. 1-105)				\$1,081,634.85		\$1,232,973.43
106.	Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$53,650.00	\$53,650.00	\$42,000.00	\$42,000.00

JONES & CARTER, INC.

Texas Board of Professional Engineers Registration No. F-439

BID TABULATION

OWNER: CITY OF BRENHAM PROJECT: CHAPPELL HILL STREET EXTENSION DATE: AUGUST 26, 2014 @ 2:00 P.M. ENGINEER: JONES & CARTER, INC. JOB NO.: B0039-0026-00		BID NO. 1 COLLIER CONSTRUCTION, LLC P.O. BOX 1889 BRENHAM, TX 7734-1889		BID NO. 2 DUDLEY CONSTRUCTION, LTD. 11370 STATE HIGHWAY 30 COLLEGE STATION, TX 77845			
ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
107.	Storm Water Pollution Prevention Plan including, but not limited to, preparation of the SWPPP, acting as the owner/operator of the site, issuing all required notices; paying all applicable fees and fines; conducting periodic inspections and maintaining all required records.	L.S.	1	\$14,230.00	\$14,230.00	\$11,981.00	\$11,981.00
108.	Perform all site preparation, including erection, maintenance and removal of barricades, signs and traffic control devices; perform all required clearing and demolition; paving headers; and all required miscellaneous items of work not specified in any other bid item.	Sta.	20.80	\$2,310.00	\$48,048.00	\$435.00	\$9,048.00
109.	Perform all specified excavation work.	L.S.	1	\$83,000.00	\$83,000.00	\$17,900.00	\$17,900.00
110.	Perform all specified embankment work, including moisture adjustment and compaction.	L.S.	1	\$95,000.00	\$95,000.00	\$60,000.00	\$60,000.00
111.	Furnish all labor and equipment as required to stabilize the existing soil to a minimum depth of 8", adjust the moisture content, compact the stabilized material to the specified density and finish the subgrade course according to plan lines and grades.	S.Y.	10,154	\$2.40	\$24,369.60	\$2.40	\$24,369.60
112.	Furnish and spread lime (Type A or C) (7% by weight) for soil stabilization purposes.	Ton	178	\$172.00	\$30,616.00	\$215.00	\$38,270.00
113.	Furnish and install a minimum of 8" (compacted thickness) of Type A, Grade 2 crushed limestone base material, including moisture adjustment and compaction.	S.Y.	8,780	\$11.00	\$96,580.00	\$19.00	\$166,820.00
114.	Furnish and install MC-30 prime oil.	Gal.	2,189	\$6.00	\$13,134.00	\$8.40	\$18,387.60
115.	Construct hot mix asphaltic concrete overlay (2") (Type D).	S.Y.	8,755	\$14.50	\$126,947.50	\$15.50	\$135,702.50
116.	Construct reinforced concrete curb and gutter.	L.F.	3,901	\$9.50	\$37,059.50	\$16.75	\$65,341.75
117.	Furnish and install 24" white stop bar.	L.F.	33	\$18.00	\$594.00	\$7.00	\$231.00
118.	Furnish and install 30" x 30" STOP sign (R1-1) assembly.	Ea.	1	\$1,190.00	\$1,190.00	\$375.00	\$375.00
119.	Furnish and install "STOP AHEAD" sign (W3-1) assembly.	Ea.	1	\$1,190.00	\$1,190.00	\$375.00	\$375.00
120.	Furnish and install thermoplastic thru and right turn arrow.	Ea.	1	\$760.00	\$760.00	\$288.00	\$288.00
121.	Furnish and install Type III barricade.	Ea.	2	\$1,640.00	\$3,280.00	\$1,318.00	\$2,636.00
122.	Furnish and install 4" solid yellow pavement striping.	L.F.	424	\$1.50	\$636.00	\$0.50	\$212.00
123.	Furnish and install 24" solid yellow pavement striping.	L.F.	70	\$18.00	\$1,260.00	\$6.60	\$462.00

JONES & CARTER, INC.

Texas Board of Professional Engineers Registration No. F-439

BID TABULATION

OWNER: CITY OF BRENHAM		PROJECT: CHAPPELL HILL STREET EXTENSION		BID NO. 1		BID NO. 2	
DATE: AUGUST 26, 2014 @ 2:00 P.M.		ENGINEER: JONES & CARTER, INC.		COLLIER CONSTRUCTION, LLC		DUDLEY CONSTRUCTION, LTD.	
JOB NO.: B0039-0026-00		JOB NO.: B0039-0026-00		P.O. BOX 1889		11370 STATE HIGHWAY 30	
JOB NO.: B0039-0026-00		BRENHAM, TX 7734-1889		BRENHAM, TX 7734-1889		COLLEGE STATION, TX 77845	
ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
124.	Furnish and install Type II-A-A raised reflectorized pavement markers.	Ea.	24	\$14.50	\$348.00	\$6.00	\$144.00
125.	Construct erosion control mat.	S.Y.	2,949	\$1.20	\$3,538.80	\$4.00	\$11,796.00
126.	Construct 5' recessed curb inlet.	Ea.	1	\$3,630.00	\$3,630.00	\$4,800.00	\$4,800.00
127.	Construct 10' recessed curb inlet.	Ea.	4	\$4,950.00	\$19,800.00	\$5,400.00	\$21,600.00
128.	Construct 10' recessed curb inlet with 5' extension.	Ea.	5	\$5,335.00	\$26,675.00	\$6,000.00	\$30,000.00
129.	Construct 10' recessed curb inlet with two (2) 5' extensions.	Ea.	2	\$5,690.00	\$11,380.00	\$6,500.00	\$13,000.00
130.	Furnish and install 18" Class III reinforced concrete pipe.	L.F.	587	\$60.00	\$35,220.00	\$54.00	\$31,698.00
131.	Furnish and install 24" Class III reinforced concrete pipe.	L.F.	956	\$71.00	\$67,876.00	\$77.00	\$73,612.00
132.	Furnish and install 30" Class III reinforced concrete pipe.	L.F.	345	\$102.00	\$35,190.00	\$101.00	\$34,845.00
133.	Furnish and install 24" Class III reinforced concrete pipe 45° bend.	Ea.	1	\$1,225.00	\$1,225.00	\$960.00	\$960.00
134.	Furnish and install 24" precast 6:1 safety end treatment.	Ea.	2	\$1,990.00	\$3,980.00	\$1,500.00	\$3,000.00
135.	Furnish and install 30" corrugated galvanized metal pipe.	L.F.	60	\$91.00	\$5,460.00	\$66.00	\$3,960.00
136.	Construct 4' x 4' junction box.	Ea.	2	\$3,575.00	\$7,150.00	\$4,200.00	\$8,400.00
137.	Construct Timber "H" pipe support.	Ea.	1	\$2,975.00	\$2,975.00	\$1,200.00	\$1,200.00
138.	Construct 12" to 18" rip rap.	S.Y.	16	\$60.00	\$960.00	\$72.00	\$1,152.00
139.	Demolish and remove existing fence, cattle pens, and vegetation.	L.S.	1	\$1,185.00	\$1,185.00	\$6,000.00	\$6,000.00
140.	Furnish and install standard street light assembly.	Ea.	8	\$5,350.00	\$42,800.00	\$5,400.00	\$43,200.00
141.	Furnish and install specified electrical conduit with wire.	L.S.	1	\$57,400.00	\$57,400.00	\$58,000.00	\$58,000.00
142.	Purchase electrical service, pole, and disconnect from Bluebonnet Electric.	Ea.	1	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00
143.	Furnish and install 8" ASTM D2241 Class 160 PVC pipe.	L.F.	390	\$32.00	\$12,480.00	\$18.00	\$7,020.00
144.	Furnish and install 8" PVC caps.	Ea.	10	\$102.50	\$1,025.00	\$30.00	\$300.00
	SUBTOTAL KRUSE SUBDIVISION (ITEM NOS. 106-144)				\$977,842.40		\$955,086.45
	TOTAL BASE BID (ITEM NOS. 1-144)				\$2,059,477.25 ⁽¹⁾		\$2,188,059.88
A1.	Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$59,000.00	\$59,000.00	\$47,000.00	\$47,000.00
A2.	Perform all specified excavation.	L.S.	1	\$21,350.00	\$21,350.00	\$36,000.00	\$36,000.00

JONES & CARTER, INC.

Texas Board of Professional Engineers Registration No. F-439

BID TABULATION

OWNER: CITY OF BRENHAM		PROJECT: CHAPPELL HILL STREET EXTENSION		BID NO. 1		BID NO. 2	
DATE: AUGUST 26, 2014 @ 2:00 P.M.		ENGINEER: JONES & CARTER, INC.		COLLIER CONSTRUCTION, LLC		DUDLEY CONSTRUCTION, LTD.	
JOB NO.: B0039-0026-00		JOB NO.: B0039-0026-00		P.O. BOX 1889		11370 STATE HIGHWAY 30	
JOB NO.: B0039-0026-00		JOB NO.: B0039-0026-00		BREHMAN, TX 7734-1889		COLLEGE STATION, TX 77845	
ITEM NO.	DESCRIPTION	UNIT	PLAN QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
A3.	Perform all specified embankment work, including moisture adjustment and compaction.	L.S.	1	\$6,000.00	\$6,000.00	\$20,000.00	\$20,000.00
A4.	Construct 6" reinforced concrete curb doweled onto reinforced concrete pavement.	L.F.	3,237	\$10.00	\$32,370.00	\$4.80	\$15,537.60
A5.	Construct modified driveway approach slab.	Ea.	10.0	\$640.00	\$6,400.00	\$2,400.00	\$24,000.00
A6.	Construct extra width for modified driveway approach slab.	L.F.	182	\$29.00	\$5,278.00	\$120.00	\$21,840.00
A7.	Construct 8" minimum thickness reinforced concrete pavement.	S.Y.	8,155	\$35.00	\$285,425.00	\$52.72	\$429,931.60
	SUBTOTAL ALTERNATE BID ITEM NOS. A1-A7				\$415,823.00		\$594,309.20
	SUBTOTAL BASE BID ITEM NOS. 2-17, 20-35, 37, 38, 42, 45, AND 47-144				\$1,736,416.55		\$1,742,974.43
	TOTAL ALTERNATE BID NO. 1 (ITEM NOS. 2-17, 20-35, 37, 38, 42, 45, 47-144, and A1-A7)				\$2,152,239.55		\$2,337,233.63

Certified True and Correct
Jones & Carter, Inc.

William R. Krueger
William R. Krueger, P.E.
Registered Professional Engineer No. 41752
TBPE Firm No. F-439



The seal appearing on this document was authorized by William R. Krueger, P.E., 41752, on August 26, 2014.

⁽¹⁾ Bidder miscalculated.

August 28, 2014

The Honorable Milton Y. Tate, Jr.
Mayor
City of Brenham
P.O. Box 1059
Brenham, Texas 77834-1059

Re: RECOMMENDATION OF AWARD
City of Brenham
Chappell Hill Street Extension
J&C Nos. B0039-0026-00 and B0123-0002-00

Dear Mayor Tate:

J&C has examined and tabulated the bids received on August 26, 2014 for the referenced project. The low Total Alternate Bid No. 1 in the amount of \$2,152,239.55 was submitted by Collier Construction, L.L.C., P.O. Box 1889, Brenham, Texas 77834-1889.

Collier Construction, L.L.C. is an established contracting firm, which has a history of doing acceptable work and has a successful record in completing comparable paving projects.

In consideration of the above facts, it is our recommendation that a contract for this project be awarded to Collier Construction, L.L.C. for the Total Alternate Bid No. 1 in the amount of \$2,152,239.55.

J&C also recommends that Change Order No. 1 be considered. Change Order No. 1 changes the pavement on the portion of Chappell Hill Street south of the U.S. Highway 290 Frontage Road from asphalt to reinforced concrete and deletes the street lighting from this section of the street.

Respectfully,



Wm. R. Krueger, P.E., R.P.L.S.
Vice President
Brenham Operations Manager

WRK/ebr

P:\PROJECTS\B0039-Brenham\026 Chappell Hill St Ext\Construction\Contract Docs\Recommendation of Award.doc



September 4, 2014

Mr. Mike Collier
President
Collier Construction, L.L.C.
P.O. Box 1889
Brenham, Texas 77834-1889

Re: NOTICE OF AWARD
City of Brenham
Chappell Hill Street Extension
J&C Nos. B0039-0026-00 and B0123-0002-00

Dear Mr. Collier:

You are hereby notified that your bid dated August 26, 2014 for the referenced project has been considered. You are the apparent successful bidder and have been awarded a contract for the Total Alternate Bid No. 1 in the amount of \$2,152,239.55.

You must deliver to the Engineer, within fifteen (15) days of this Notice of Award, three (3) fully executed sets of contract documents submitted to you by the Engineer. You are required to return acknowledged copies of this Notice to the City of Brenham, P.O. Box 1059, Brenham, Texas 77834-1059 and Jones & Carter, Inc., 1500 South Day Street, Brenham, Texas 77833.

Very truly yours,

Milton Y. Tate, Jr.
Mayor

ACKNOWLEDGMENT OF NOTICE

Receipt of this Notice of Award is hereby
acknowledged by Collier Construction, L.L.C.
this the ____ day of _____, 2014.

By: _____
Mike Collier, President



AGENDA ITEM 14

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Brenham EDF	SUBMITTED BY: Clint Kolby	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-14-018 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Independence Coffee Company, LLC.		
SUMMARY STATEMENT: The owners of Independence Coffee Co. have plans to relocate their operations into the Beaumier Iron Works building in downtown Brenham. The use of the tax phase-in incentive will help Independence Coffee Co. invest in new equipment as well as help off-set the initial costs of relocating. Independence Coffee Co. will be locating in the Downtown Zone of the tax phase-in policy, which means that only the new value added to the property tax roll is considered for eligibility. Employment and payroll records are not a requirement in the Downtown Zone.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Resolution R-14-018; (2) Tax Phase-In Agreement		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve Resolution R-14-018 authorizing the execution of a Tax Phase-In Agreement between the City of Brenham and Independence Coffee Company, LLC.		
APPROVALS: Terry K. Roberts		

RESOLUTION NO. R-14-018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS ADOPTING A COMMERCIAL TAX PHASE-IN AGREEMENT WITH INDEPENDENCE COFFEE COMPANY, LLC; AUTHORIZING THE MAYOR TO EXECUTE THE TAX PHASE-IN AGREEMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Chapter 312 of the Texas Tax Code authorizes the City of Brenham, Texas, to participate in tax phase-in incentives; and

WHEREAS, in accordance with Section 312.002 of the Texas Tax Code, the City of Brenham, Texas previously passed a resolution stating the City's intent to participate in tax phase-in incentives; and

WHEREAS, in accordance with Section 312.002 of the Texas Tax Code, the City of Brenham, Texas also previously adopted tax phase-in incentive guidelines and criteria; and

WHEREAS, the City Council of the City of Brenham, Texas, finds and determines that the terms of the Tax Phase-In Agreement and the subject property meet the applicable tax phase-in incentive guidelines and criteria, and entering into the Tax Phase-In Agreement will be to the benefit of the citizens of the City of Brenham; and

WHEREAS, the City Council desires to adopt the Tax Phase-In Agreement, a copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes, by and between the City of Brenham, Texas, and Independence Coffee Company, LLC, a Texas limited liability company;

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

Section 1: That the foregoing recitals are hereby found to be true and correct legislative findings of the City of Brenham, Texas, and are fully incorporated into the body of this Resolution.

Section 2: That the City Council of the City of Brenham, Texas does hereby adopt the commercial Tax Phase-In Agreement, a copy of which is attached hereto as Exhibit "A", by and between the City of Brenham, Texas, and Independence Coffee Company, LLC.

Section 3: That the Mayor is hereby authorized to execute the Tax Phase-In Agreement between the City of Brenham, Texas, and Independence Coffee Company, LLC, a copy of which is attached hereto as Exhibit "A".

Section 4: This Resolution shall become effective immediately from and after its passage.

RESOLVED this the 4th day of September, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



MEMO

To: Mayor Tate and City Council
From: Brenham Economic Development Foundation
Date: August 6, 2014
Re: Independence Coffee Company – Tax Phase-In Application

The Brenham Economic Development Foundation (EDF) respectfully requests your consideration of an application for tax phase-in from Independence Coffee Company.

The EDF has been working with the owners of Independence Coffee Co. to relocate their operations into the Beaumier Iron Works building in downtown Brenham. The use of the tax phase-in incentive will help Independence Coffee Co. invest in new equipment as well as help off-set the initial costs of relocating.

This project would also provide a substantial positive economic impact to the local Washington County economy. Tourism would be greatly enhanced at this new site since a retail shop would be included at this new site. This relocation project would also be a great catalyst for redevelopment in an underutilized and historic building in the downtown district of Brenham.

JOB CREATION: Independence Coffee Co. has plans to **create 5 new jobs** during the first year of operations. They will also be retaining their current 15 employees.

CAPITAL INVESTMENT: Independence Coffee Co. will be **investing over \$100,000** in capital for this project in the first year. This investment will go towards buying new equipment for roasting.

NEW TAXES PAID: If awarded tax phase-in, Independence Coffee Co. will pay **an estimated total of \$1,345 in new taxes in its first year** of operation (\$104 in City taxes). The company will receive an abatement of \$938 in year-one from the City. At the end of its tax phase-in period, Independence Coffee Co. will have paid **an estimated total of \$10,433 in new taxes** (\$2,292 in City taxes), and will have received a total abatement of \$5,002 from the City. At no point in the tax phase-in process does any company receive abatements on taxes for Blinn College or Brenham ISD.

Attached you will find:

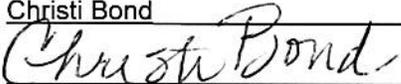
- A) Tax Phase-In application
- B) Company Overview & Management Team
- C) Economic Impact Analysis
- D) Property Deed
- E) Aerial Map
- F) Tax Phase-In Overview
- G) Tax Phase-In Calculation

As you review the attached documents, if you have any questions, please contact Clint Kolby at the Brenham Economic Development Foundation office at (979)836-8927 or clint@brenhamtexas.com.

TAX PHASE-IN APPLICATION

This application must be filed in conformance with the City of Brenham/Washington County Guidelines and Criteria for Tax Phase-In. The application must be filed prior to the beginning of construction or installation of equipment. Approval of this application is discretionary with the City Council and/or Commissioner's Court.

APPLICANT INFORMATION

Company Name	<u>Independence Coffee Company, LLC (lessee)</u>	
Address of HQ	<u>9107 TX Hwy 105</u>	Annual Sales <u>\$2,000,000</u>
	<u>Brenham, TX 77833</u>	Years in Business <u>11 years (2003)</u>
Company President	<u>Christi Bond</u>	Total Employees <u>15</u>
Authorized Signature	<u></u>	Brenham Address:
Title	<u> Vice President</u>	<u>9107 TX Hwy 105</u>
Date	<u>7/25/14</u>	<u>Brenham, TX 77833</u>
Contact Person	<u>Christi or Ragan Bond</u>	Telephone <u>979-836-3322</u>

Attach a description of the Company including a brief history, corporate structure and business plan and annual statement, if available.

PROJECT INFORMATION

Type of Targeted Enterprise:

Agriculture/ Aquaculture Facility; Manufacturing/Assembly; Distribution; Research

Products and services to be provided: Coffee and tea products

SITE INFORMATION

Address	<u>321 S. Baylor St., Brenham, TX 77833</u>
Legal Description	<u>Original Town Add'n., Block 87, Lot 1-12, 33A, 19-23</u>

Attach map showing project location.

New Facilities Expansion of Existing Facilities Modernization/Remodel

ECONOMIC INFORMATION

Construction Estimates

Start Date N/A Contract Amount N/A
 Completion Date N/A # Construction Jobs N/A

Estimated Appraised Values Land Building/Equipment Personal Property

Value before Tax Phase-In begins \$39,120 \$0 N/A
 Value after Tax Phase-In expires \$39,120 \$185,000 N/A

PERMANENT EMPLOYMENT INFORMATION

Will this project create or retain a minimum of 10 jobs at an average base salary of \$33,000/year, or higher, including benefits throughout the tax phase-in process? (yes/no) N/A (Downtown Zone)

Estimated number of jobs to be created	Total	Washington County Residents	Out of County Residents
After first year	5	5	--
End of tax phase-in	10	10	--

Estimated number of jobs to be retained	Total	Washington County Residents	Out of County Residents
After first year	15	15	--
End of tax phase-in	15	15	--

CHECK LIST FOR APPLICATION FOR TAX PHASE-IN

All applicants for tax incentives should provide the following:

	ATTACHED	NOT APPLICABLE
(a) A description of waste and by-products, including any air or water pollution generated by the business.	X	
(b) A drawing showing location of the property, all roadways within 500 feet, current land uses and zoning within 500 feet and a complete metes and bounds description if the property is not platted.	X	
(c) Itemized estimated cost of the real property and improvements proposed.	X	
(d) A description of financing methods and projected time when costs or obligations are to be incurred.	X	
(e) The amount and duration of any tax phase-in requested.	X	
(f) Any other incentives requested.	X	
(g) A description of reason for requesting incentives.	X	
(h) Impact on the project scope and/or location of the project if incentives are not granted.	X	
(i) Description of tax phase-in requested or to be requested from other applicable taxing entities.	X	
(j) Details of job types and number employed in each.	X	
(k) Wages and benefits per job type.	X	
(l) Schedule of job creation/retention during the tax phase-in period.	X	
(m) Estimated number and type of employees to be hired/retained from the local labor force.	X	
(n) Estimated number and type of employees that will be relocated into the local area.	X	
(o) Projected total payroll.	X	
(p) Projected utility volume: electricity, natural gas and water.	X	
(q) Projected Annual Sales tax.	X	
(r) Projected goods and services purchased from local vendors.	X	
(s) Description of utility lines and other infrastructure requirement by the City and by the Project.	X	

ADDITIONAL PROJECT INFORMATION

- (a) Some smoke (great smelling by the way) from coffee roasting process.
- (b) Please see attached.
- (c)

Land	\$0.00
Building Cost	\$0.00
Equipment cost	<u>\$185,000.00</u>
 Total	 <u>\$185,000.00</u>
- (d) Equipment financed from combination of business cash flows and loan from local banking institution.
- (e) The duration of tax phase-in will be over six (6) years as presented in Table 3-Downtown Zone of the tax phase-in schedule.
- (f) There are no other incentives requested.
- (g) The use of the tax phase-in incentive will help offset the initial costs of relocating our production services from Independence Coffee's current location to the Beaumier Iron Works building in downtown Brenham as well as our investment in new machinery & equipment.
- (h) Our relocation project to downtown Brenham becomes less feasible if the tax phase-in incentive is not granted.
- (i) We would like to request tax phase-in from both the City of Brenham and Washington County.
- (j) Management (3), Packagers and Roasters (10), Office and Accounting (2).
- (k) Management (\$50,000), Packagers and Roasters (\$16,000), Office and Accounting (\$30,000).
- (l) 15 employees will make initial move to new location. We will probably hire at least 2 employees within the first month in order to staff our retail store operations. Another 3 will be added as we grow our wholesale and retail operations within the first 6 months. Based on ICC's past growth, we could possibly have a total of 25 employees at this location by year three.
- (m) All employees will be hired locally, although we will hire two salespeople in Houston and Austin.
- (n) There will be no employees relocated into the area for this project.
- (o) Projected total payroll is \$324,000 for year one, \$465,000 for year 2, \$483,000 for year three and \$506,000 by year four (based on ICC's historical growth rate).

(p)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Gas	\$6,000	\$6,300	\$6,600	\$6,900	\$7,200	\$7,500
Electricity	\$7,200	\$7,200	\$7,200	\$7,200	\$7,200	\$7,200
Water	\$900	\$900	\$900	\$900	\$900	\$900

- (q) Estimated City sales tax for Year 1 is \$6,000, based on retail sales at new location.
- (r) Estimated purchases from local vendors (i.e. bakeries, dairy products, ICC merchandise for resale) is \$15,000.
- (s) Not applicable. Gas lines for roasting equipment are already in place.

Independence Coffee Company has been in business since 2003. In 2013 ICC will roast nearly 200,000 pounds of high grown Arabica coffees from thirteen different producing countries and growing regions for their customers who range from individuals ordering from our website to large grocery markets such as H.E.B and Whole Foods Market. They have had the opportunity to service international corporations such as Conoco who have trusted ICC with providing their customers and corporate gift clients with exceptional hand-roasted and blended products.

Christi Bond – President

Ragan Bond – Vice-President of Business Development

Economic Impact Analysis

Independence Coffee



Brenham, Texas

August 2014

Analysis conducted by LCRA Community and Economic
Development for the Brenham Economic Development
Foundation

Background

This analysis projects the economic impact of Independence Coffee operations at its new location in Brenham, TX. With the new location, the coffee and tea manufacturer expects to grow over the first three years of operations from a 15-person company to as many as 25 by 2018. Independence will lease the space. The building owner is currently renovating the space to meeting Independence Coffee’s needs. However, the impact from that construction will be excluded from this analysis as it is not investment directly by Independence Coffee.

Assumptions in the analysis include:

- (1.) 15 existing jobs, with average annual wages of \$21,600 (payroll only)
- (2.) In year two, 20 employees will be at the Brenham location. By the end of year three, 25 people will be employed at the facility.

The Brenham Economic Development Foundation requested this Economic Impact Analysis (EIA) to better understand the full impact of this expansion on the City of Brenham and Washington County residents.

Analysis

Overall Impact

Total Economic Impact	Direct Impact	Indirect & Induced Impact	Total Impact
Year 1 (15 Employees)	\$2,067,746	\$222,078	\$2,289,824
Year 2 (20 Employees)	\$2,756,995	\$296,104	\$3,053,099
Year 3 (25 Employees)	\$3,446,243	\$370,131	\$3,816,374
Year 4 (25 Employees)	\$3,475,066	\$375,597	\$3,850,663
Year 5 (25 Employees)	\$3,504,129	\$381,410	\$3,885,539
Year 6 (25 Employees)	\$3,533,436	\$387,572	\$3,921,008
Year 7 (25 Employees)	\$3,562,988	\$394,088	\$3,957,076
Year 8 (25 Employees)	\$3,635,388	\$402,096	\$4,037,484
Year 9 (25 Employees)	\$3,709,259	\$410,267	\$4,119,526
Year 10 (25 Employees)	\$3,784,631	\$418,604	\$4,203,235
Total 10-YR Impact	\$33,475,881	\$3,657,947	\$37,133,828

Source: IMPLAN

Findings

1. Overall, Independence Coffee's expansion will have an impact of roughly \$37.1 million Brenham and the county over the first ten years of operations. Every dollar in revenue at the company has roughly \$1.10 of impact on the community.
2. With employment of 25, Independence Coffee will average a \$3.97 million overall economic impact on Brenham annually.

Jobs Impact

Jobs	Direct Impact	Indirect & Induced Impact	Total Jobs
Year 1 (15 Employees)	15	2	17
Year 2 (20 Employees)	20	3	23
Year 3 (25 Employees)	25	4	29
Year 4 (25 Employees)	25	4	29
Year 5 (25 Employees)	25	4	29
Year 6 (25 Employees)	25	4	29
Year 7 (25 Employees)	25	4	29
Year 8 (25 Employees)	25	4	29
Year 9 (25 Employees)	25	4	29
Year 10 (25 Employees)	25	4	29

Source: IMPLAN

Findings

1. Independence Coffee's 15 direct jobs will have an indirect and induced effect on the region, creating roughly two additional jobs. In other words, the company's operations will directly and indirectly support 17 jobs in the first year of operations.
2. Upon full employment, Independence Coffee operations will directly and indirectly support 29 jobs within Brenham.

Wages and Tax Impact

Wage & Tax Impact	Direct Impact	Indirect & Induced Impact	Total Wages	TX Sales Tax Impact	Local Sales Tax Impact
Year 1 (15 Employees)	\$390,506	\$60,257	\$450,763	\$13,523	\$4,508
Year 2 (20 Employees)	\$520,675	\$80,342	\$601,017	\$18,031	\$6,010
Year 3 (25 Employees)	\$650,844	\$100,428	\$751,272	\$22,538	\$7,513
Year 4 (25 Employees)	\$664,069	\$102,468	\$766,537	\$22,996	\$7,665
Year 5 (25 Employees)	\$677,563	\$104,551	\$782,114	\$23,463	\$7,821
Year 6 (25 Employees)	\$691,331	\$106,675	\$798,006	\$23,940	\$7,980
Year 7 (25 Employees)	\$705,379	\$108,843	\$814,222	\$24,427	\$8,142
Year 8 (25 Employees)	\$719,712	\$111,055	\$830,767	\$24,923	\$8,308
Year 9 (25 Employees)	\$734,337	\$113,311	\$847,648	\$25,429	\$8,476
Year 10 (25 Employees)	\$749,258	\$115,614	\$864,872	\$25,946	\$8,649
Total 10-YR Impact	\$6,503,674	\$1,003,544	\$7,507,218	\$225,217	\$75,072

Source: IMPLAN

Findings

1. Note: This analysis estimates the tax impact from wages alone. It does not calculate the additional sales tax from the sale of products by Independence Coffee, which likely comprises a greater amount of tax revenues.
2. Annually, spending by employees will add \$7,500 to local sales taxes on average, or \$75,000 over the first ten years of operations.

Terms and Assumptions

Direct Impacts are the initial, immediate economic activities (jobs and income) generated by a project or development. Direct impacts associated with the project development coincide with its costs for goods and services purchased directly from the community and nearby area businesses.

Indirect Impacts are the production, employment and income changes occurring, as a result of the project, in other businesses/industries in the community that supply inputs to the project.

Induced Impacts are the effects of spending by the households in the local economy as the result of direct and indirect effects from an economic activity (i.e. project, event, etc.). The induced effects arise when employees who are working for the project (e.g. new manufacturing plant or the local festival) spend their new income in the community.

About IMPLAN: *This analysis was developed by LCRA's Community and Economic Development Department utilizing the IMPLAN econometric model developed by the University of Minnesota. IMPLAN is an input/output model used to estimate economic costs and benefits associated with private and public sector projects and public sector incentives.*

The IMPLAN econometric model is used by the Federal Government, state governments (including Texas), and economic development agencies to estimate the effectiveness of investments and incentive policies. The projections derived from IMPLAN are dependent on the reliability of data and assumptions built into individual models.

Louis J. Beaumier, and wife, Velma Beaumier, to Travis Voelkel-
General Warranty Deed.

1660

The State of Texas *
*
County of Washington *

KNOW ALL MEN BY THESE PRESENTS:

That I, Louis J. Beaumier, joined herein by my wife,
Velma Beaumier, of the County of Washington, and State of Texas,

for and in consideration of the sum of Ten & 00/100 (\$10.00) Dollars Cash, to me in hand paid by Travis Voelkel, and other good and valuable considerations to me paid, the receipt of all of which are hereby acknowledged and confessed, and the further consideration of the execution by said Travis Voelkel, of his one certain promissory note in the sum of Seven Thousand & 00/100 (\$7,000.00) Dollars, of even date herewith, and due on or before Six Months from date, and payable in Brenham, Texas, to the order of Leonard C. Sauer, at the request of all parties hereto, he having furnished the purchase money to that extent, and being entitled to be subrogated to the Vendors Lien and superior title to the property by reason thereof, bearing interest from date at the rate of five (5%) per cent per annum, payable annually, and further providing that in the event of default in payment, when due, the maker agrees to pay ten per cent additional on principal and interest as attorneys fees, if collected by attorney, or thru legal proceedings, and secured in payment by a Vendors Lien on the hereinafter described lands and property;

HAVE GRANTED, SOLD AND CONVEYED, and by these Presents DO GRANT, SELL AND CONVEY, unto Travis Voelkel, of the County of Washington, and State of Texas, all of our right, title, interest and estate, the same being an undivided one-half thereof, in and to:

All those certain lots or parcels of land, lying and being situated in Brenham, Washington County, Texas, a part of the Arabella Harrington League, and comprising two tracts, or lots of land, both South of the H & T C Ry Co., the first tract composed of Lots 33A shown on the official City Map, and Lots 1, 2, 3, 4, 5, 6, & 7, of the Bassett Sub-division or Addition out of Original Town Lot No. 87, in said city, and the second tract lying South of Bassett Street, and composed of Lots 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, and parts of Lots 13 & 18, of the Bassett Sub-division or Addition out of said Original Town Lot No. 87, in said city, and all of which is known as the Beaumier Iron Works Property or Shop, and having metes and bounds as follows, to-wit:

FIRST TRACT:

BEGINNING at a point in the East line of South Baylor Street, and in the South line of the H & T C Railway right-of-way at a point in the line, S 13 E 25.1 feet from the center line of the Main Track of said H & T C Railroad; THENCE S 13 E 56.8 feet with the East line of South Baylor Street to corner in the North line of Bassett Street; THENCE N 77 E 298.5 feet with the North line of Bassett Street, to corner in the West line of South Market Street; THENCE N 13 W 65 feet with the West line of South Market Street, to corner in the South right-of-way line of the H & T C Railway; THENCE along said right-of-way line following a two degree curve to the left for a distance of 303 feet, running 25.1 feet south of the center line of the main tract (299.3 feet S 76 W on a direct line) to the place of beginning.

SECOND TRACT:

BEGINNING at a stake in the West line of South Market Street, at its point of intersection with the South line of Bassett Street; THENCE S 77 W 203 feet with the North line of Lots 8, 9, 10, 11, 12 and 13, to stake for corner; THENCE S 13 E 138 feet running thru lots Nos. 13 & 18, to corner in the North line of German Street; THENCE N 77 E 203 feet with the North line of German Street, and the North line of the Polz lot and the South lines of Lots 18, 19, 20, 21, 22, and 23, to corner in the West line of South Market Street; THENCE N 13 W 138 feet with the West line of South Market Street to the place of beginning, as surveyed by Louis Beazley, April 22nd, 1946.

The above property comprises the following lots or parcels of land, as conveyed by the H & T C Ry Co. to J. H. Beaumier, by deed recorded in Volume 65, page 15, by Frank Jankowiak to J. H. Beaumier, by deed recorded in Volume 71, page 274, by First National Bank to Beaumier Bros, by deed recorded in Volume 43, page 328, by A. H. Rippetoe Heirs to Joseph Beaumier by deed recorded in Volume 47, page 610, by S. M. Swenson, et al, to Beaumier Bros, by deed recorded in Volume 43, page 325, by Chas. Krause et al to Joe H. Beaumier, by deed recorded in Volume 48, page 324, and by deed from W. A. Wood to Beaumier Iron Works, by deed recorded in Volume 48, page 380, Deed Records, and as conveyed by H. H. Drumm to Louis J. Beaumier and Travis Voelkel by deed dated July 14th, 1946, recorded in Volume 149, page 135, Deed Records of Washington County, Texas, to which references is here had and made for all purposes.

TO HAVE AND TO HOLD, the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Travis Voelkel, his heirs and assigns, FOREVER; and we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular, the said premises, unto the said Travis Voelkel, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendors Lien is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS our hands at Brenham, Texas, this the 6th day of April, A. D. 1951.



Louis J. Beaumier
Louis J. Beaumier

Velma Beaumier
Velma Beaumier

THE STATE OF TEXAS *
County of Washington *

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BEFORE ME, the undersigned authority, a Notary Public in and for Washington County, Texas, on this day personally appeared Louis J. Beaumier and Velma Beaumier, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Velma Beaumier, wife of the said Louis J. Beaumier, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Velma Beaumier, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

GIVEN under my hand and seal of office, this the 9th day of April, A. D. 1951.



(Seal)

P 1023

[Signature]
 Notary Public, Washington County,
 TEXAS

WILLIAM H. ...
 WASHINGTON COUNTY, TEXAS

Filed for Record on the 9 day of
 Duly Recorded this the 20 day of
 Instrument No. 1660.

Apr 9 A. D. 19 51 at 4:30 o'clock P M.
 Apr 20 A. D. 19 51 at 9:35 o'clock A M.

CHAS. E. WIEDE, County Clerk
 Washington County, Texas

By *[Signature]* Deputy



Overview of the Tax Phase-In Incentive

Based on Policies in the City of Brenham and Washington County, Texas

Definition:

- Tax Phase-In means the partial, temporary exemption from property taxes, with the purpose of stimulating economic development.
- Only ad valorem property taxes are eligible, and only on certain qualifying property. Brenham Independent School District and Blinn College taxes are to be paid in full at all times.

Guidelines and Criteria:

- In order to be eligible for tax phase-in, the planned improvement must be an authorized facility, such as a(n):
 - *Agriculture/Aquaculture Facility
 - *Distribution Center
 - *Manufacturing Facility
 - *Research Facility
 - *Other Basic Industry [as defined in Glossary-Section XII (o)]
- The project must add new value to the tax roll of eligible property.
- Within the first year and throughout the phase-in period, the applicant must maintain or create a minimum of ten (10) jobs at an average base salary of \$33,000/year, or higher, including any benefits.
- **PLEASE NOTE:** A facility is eligible for tax phase-in if it has applied for the incentive before construction begins, and it meets the complete guidelines and criteria under the Tax Phase-In Policy.
- Tax Phase-In may be granted for new or existing facilities.
- Eligible property for tax phase-in may include the value of buildings, structure, fixed machinery and equipment.

- Property that is not eligible for the tax phase-in incentives include:
 - *land
 - *animals
 - *inventories
 - *supplies
 - *tools
 - *furnishings and other forms of moveable personal property
 - *vehicles
 - *vessels
 - *aircraft
 - *housing or residential property (except for property owners in a Downtown Zone)
 - *hotels/motels
 - *fauna
 - *flora
 - *retail facilities (except for property owners in a Downtown Zone)
 - *deferred maintenance investments
 - *improvements by the generation or transmission of electrical energy not wholly consumer by a new facility or expansion
 - *any improvements including those to produce, store or distribute natural gas or fluids that are integral to the operation of the facility
 - *property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas.

Application:

- Any present or potential owner of taxable property in the City of Brenham and/or Washington County may request the creation of a Reinvestment Zone and Tax Phase-In Incentive by filing a written request with the Brenham City Manager and/or Washington County Judge.
- After the receipt of the application, the county will make a decision within 90 days. The decision-making process may involve an economic impact study, plus city council and county commissioner's court meetings.
- If accepted, the business receiving tax phase-in will be required to provide a sworn statement and documents, verifying compliance each year. Failure to provide the required documents shall result in termination of the Tax Phase-In agreement.

For further details and confidential assistance, contact:

ECONOMIC DEVELOPMENT FOUNDATION OF BRENHAM
 314 SOUTH AUSTIN STREET • BRENHAM, TEXAS 77833
 PHONE: [979] 836 8927 FAX: [979] 836 3563
 EMAIL: EDF@BRENHAMTEXAS.COM

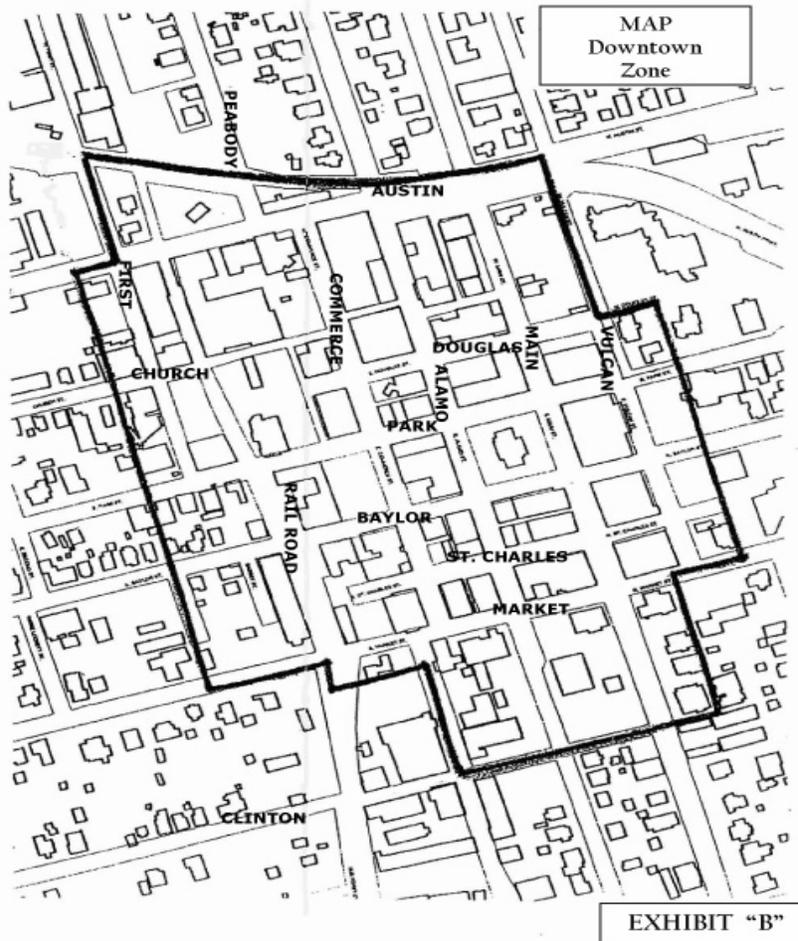
TABLE 3 Downtown Zone

Amount of valuation of
downtown reinvestment
determined by tax appraisal:

Percent of property tax to be abated each year

Valuation	1	2	3	4	5	6	7	8
\$ 50,000 to \$150,000	90	90	90	60	40	20	0	0
\$150,001 to \$250,000	90	90	90	90	60	40	20	0
\$250,001 and beyond	90	90	90	90	90	60	40	20

EXHIBIT B
MAP OF DOWNTOWN ZONE





AGENDA ITEM 15

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014
DEPT. OF ORIGIN: Risk Management		SUBMITTED BY: Janie Mehrens
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Ballot for TML Multistate Intergovernmental Employee Benefits Pool Board of Trustees TML Region 10 and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: As a member of the Texas Municipal League Intergovernmental Employees Benefit Pool, the City of Brenham may participate in the election of members of the Board of Trustees. The votes cast on the ballot for the Trustee election must be certified that the ballot was cast in accordance with official action taken at a duly called meeting of the voting body, thus the vote must occur during the formal session of the Council meeting. As noted on the ballot, Vic Barnett of Caldwell has served previously as Trustee from Region 10 and is the incumbent Trustee from Region 10. The term of office for this position is October 1, 2014 – September 30, 2017.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) TML Multistate IEBP Memo; and (2) Ballot		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION:		
APPROVALS: Carolyn D. Miller		



MEMORANDUM

TO: TML MultiState Intergovernmental Employee Benefits Pool Members of Region 10

DATE: August 15, 2014

RE: 2014 Board of Trustee Election

Enclosed is your ballot for the Board of Trustee election. All qualified nominees appear on the ballot. Please see that this ballot is placed on the agenda for the next meeting of your governing body. **To be counted, ballots must certify that the vote was taken at an official meeting of the governing body.** Enclosed is a pre-addressed envelope to return your ballot. The Board Secretary must receive ballots by 5:00 p.m. (CST) on September 26, 2014 at Bickerstaff Heath Delgado Acosta LLP, 3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746. Ballots may be submitted to the Board Secretary by mail, by facsimile (512) 320-5638 or electronically to cfryer@bickerstaff.com.

The term of office will be from October 1, 2014 through September 30, 2017 for the individual elected. The Trust Agreement provides that "if more than two (2) candidates are running, the person receiving the largest number of votes shall be elected."

Further, the Trust Agreement provides "write-in candidates otherwise duly qualified shall be eligible for election." To be duly qualified the individual must be either an employee or elected official of an incorporated city within the state of Texas, which is a Member of the Pool at the time of their election. A municipal "employee" is a person who holds a position of Department Head or higher; works at least 20 hours per week for an incorporated city; is paid by the incorporated city with incorporated city funds; and may be hired and fired only by another incorporated city official or by the incorporated city's governing body. Nominees may not be voting Board Members of the Texas Municipal League or the Texas Municipal League Intergovernmental Risk Pool.

If you have any questions, please contact me at (512) 472-8021.

A handwritten signature in black ink that reads "Catherine Fryer".

Catherine Fryer
Board Secretary

Enclosures



**TML MultiState Intergovernmental Employee Benefits Pool
Board of Trustees – TML Region 10**

**Term of Office
October 1, 2014 – September 30, 2017**

Please vote for one candidate.

Vic Barnett ~ Alderman, City of Caldwell

Mr. Barnett currently serves as an Alderman for the City of Caldwell. Mr. Barnett has been a Council Member for the City of Caldwell for 36 years and was the Mayor from 1988-1992. He has a Bachelor of Science from Texas A&M University. Mr. Barnett is an active member of the Burleson County Fair Association and Go Texan Ambassador and a Committee Member for the Houston Livestock Show. Mr. Barnett served on the TML MultiState IEBP Board of Trustees from 1997 to 2009 and 2011 to present.

Georgina Hernandez ~ City Secretary/Treasurer, City of Bertram

Ms. Hernandez currently serves as the City Secretary/Treasurer for the City of Bertram and has worked in municipal government for over 15 years. She has a Bachelor of Administration in General Studies from Texas Tech University. Ms. Hernandez is the Vice President of the Economic Development Corporation and the Treasurer of the Municipal Development District.

Katherine Griffin ~ Director of Finance, City of Bee Cave

Ms. Griffin currently serves as the Director of Finance for the City of Bee Cave. She has a Bachelors of Business and a Masters of Public Administration from the University of North Texas. Ms. Griffin is the National Vice President of Expansion and Dallas Alumni President for Phi Chi Theta. She is also a member of the Parent Teacher Association for both Grandview Hills Elementary School and Vandergrift High School. Ms. Griffin is affiliated with TML Intergovernmental Risk Pool and Government Finance Officer Association of Texas (GFOAT).

I certify that this ballot is cast in accordance with official action taken at a duly called meeting on

_____, 2014.

Signature

Title

Entity

Ballots may be submitted by mail in envelope provided, by facsimile (512) 320-5638 or electronically to cfryer@bickerstaff.com to be received by September 26, 2014

Catherine Brown Fryer

Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746



AGENDA ITEM 16

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Risk Management		SUBMITTED BY: Janie Mehrens	
MEETING TYPE:		CLASSIFICATION:	
<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	
ORDINANCE:			
<input type="checkbox"/> 1 ST READING			
<input type="checkbox"/> 2 ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: 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 2014-15 and Authorize the Mayor to Execute any Necessary Documentation			
SUMMARY STATEMENT: The renewal of all property and liability coverage for FY2014 is presented for council discussion and approval.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS: All coverage and claims processing provided by same vendor; 2% early pay discount allowed.			
B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference):			
ATTACHMENTS: (1) Memo; (2) Schedule of Recommended Coverage; and (3) Coverage Declarations			
FUNDING SOURCE (Where Applicable): Sufficient funds have been budgeted in each departmental budget in the FY15 Budget to cover required contributions.			
RECOMMENDED ACTION: Approve property, liability and workers' compensation renewals as presented.			
APPROVALS: Carolyn D. Miller			



TO: MAYOR AND CITY COUNCIL

FROM: JANE MEHRENS

DATE: AUGUST 29, 2014

SUBJECT: RENEWAL OF PROPERTY AND LIABILITY COVERAGE WITH
TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

The renewal of various property and liability coverage with Texas Municipal League Intergovernmental Risk Pool for FY 2015 as shown on the attached spreadsheet shows a number of variations from FY14 contributions, the most significant in the Workers' Compensation contribution.

Several factors contributed to the changes in contribution amounts:

- General Liability
 - 6.7% overall reduction of \$1 Million limit
 - 10% reduction in rates in General Liability for Electric, Municipalities in City of Brenham's population range, Waterworks, and Gas
 - 10% increase in General Liability rates for Sewer and Streets
 - 100% increase in General Liability rates for swimming pools
- Property
 - No rate changes
 - 1.25% adjustment factor applied to building values
- Automobile Liability
 - 8% overall increase
 - 12% increase for Police Passenger
 - 7% increase for all other vehicles
- Errors & Omissions Liability – No change in base rates
- Law Enforcement Liability – 3.12% reduction
- Workers' Compensation
 - 10% increase in rates for Electrical Distribution, Gas Distribution Animal Shelter, and Volunteer Firefighters
 - 5% increase for Library and Heavy Equipment Maintenance (Garage)
 - 24% increase in City's contribution because of change in Experience Modifier from .29 to .36

The City will receive a 2% reduction in contributions for early payment of the annual costs if paid by October 31 which will amount to \$ 7,128. No equity return will be given in FY15 as these credits are now calculated in the base rates.

As shown on the attached schedule, the overall cost of the Property, Liability and Workers' Compensation coverage for the City of Brenham for FY15 will be increased by \$31,649 over FY14 before the early pay discount is applied. The most significant changes occurred in Automobile Liability and Physical Damage and Worker's Compensation. The overall increase in coverage contributions is 9.7%; with the loss of equity return, the total increase in cost is 12%.

City of Brenham
Texas Municipal Intergovernmental Risk Pool Renewal
FY 2015 Liability/Property/Workers' Compensation Contributions
Limits/Deductibles

	2014-15 Limits	2014-15 Deductible	2013-14 Contribution	2014-15 Contribution	Difference	Percent Change
General Liability	\$5M/\$10M	\$ 2,500	\$ 25,034	\$ 24,697	\$ (337)	-1.3%
Law Enforcement Liability	\$5M/\$10M	\$ 2,500	\$ 31,157	\$ 31,011	\$ (146)	-0.5%
Errors & Omissions Liability	\$5M/\$10M	\$ 2,500	\$ 50,845	\$ 51,956	\$ 1,111	2.2%
Automobile Liability	\$ 5,000,000	\$ -	\$ 25,625	\$ 28,107	\$ 2,482	9.7%
Automobile Physical Damage	ACV	\$ 500	\$ 34,960	\$ 39,938	\$ 4,978	14.2%
Aviation Liability	\$ 5,000,000	\$0/\$2,500/Aircraft	\$ 2,657	\$ 2,657	\$ -	0.0%
Real & Personal Property	\$ 54,091,150	\$ 2,500	\$ 53,989	\$ 55,128	\$ 1,139	2.1%
Mobile Equipment	\$ 4,136,654	\$ 1,000	\$ 15,897	\$ 16,321	\$ 424	2.7%
Boiler & Machinery	\$ 100,000	\$ 5,000	INCL			
Crime -Public Employee Dishonesty	\$ 50,000	\$ 1,000	\$ 1,585	\$ 1,504	\$ (81)	-5.1%
Crime - Forgery & Alteration	\$ 250,000	\$ 1,000	\$ 367	\$ 343	\$ (24)	-6.5%
Crime - Computer Fraud	\$ 1,000,000	\$ 10,000	\$ 333	\$ 314	\$ (19)	-5.7%
Animal Mortality and Theft (Canine Unit)	\$12,000/\$5,000 Med	\$ 0/\$50	\$ 2,140	\$ 2,140	\$ -	0.0%
Workers' Compensation	Statutory	None	\$ 80,149	\$ 102,271	\$ 22,122	27.6%
Total			\$ 324,738	\$ 356,387	\$ 31,649	9.7%
Equity Return on FY 13 Contributions*			\$ 6,516	\$ -	\$ (6,516)	-100.0%
2% Early Pay Discount			\$ 6,495	\$ 7,128	\$ 633	9.7%
Total Estimated FY15 Contribution			\$ 311,727	\$ 349,259	\$ 37,532	12.0%

*Equity return on Property only; no return given for any liability coverage.
No equity return expected for FY15

Entity Name Brenham
 Entity ID 2777
 Contract Type / ID . . LIAB / 13 10-01-14 to 10-01-15

LIABILITY DECLARATIONS OF COVERAGE

GENERAL LIABILITY

Limits of Liability : \$ 5,000,000 Each Occurrence
 Sudden Events
 Involving Pollution : \$ 2,000,000 Each Occurrence
 : \$ 10,000,000 Annual Aggregate
 Deductible : \$ 2,500 Each Occurrence
 Annual Contribution : \$ 24,697 Effective : 10-01-14
 Billable Contribution : \$ 24,697 Anniversary: 10-01-15

LAW ENFORCEMENT LIABILITY

Limits of Liability : \$ 5,000,000 Each Occurrence
 : \$ 10,000,000 Annual Aggregate
 Deductible : \$ 2,500 Each Occurrence
 Annual Contribution : \$ 31,011 Effective : 10-01-14
 Billable Contribution : \$ 31,011 Anniversary: 10-01-15

ERRORS & OMISSIONS LIABILITY

Limits of Liability : \$ 5,000,000 Each Wrongful Act
 : \$ 10,000,000 Annual Aggregate
 Deductible : \$ 2,500 Deductible Each Wrongful Act
 Annual Contribution : \$ 51,956 Effective : 10-01-14
 Billable Contribution : \$ 51,956 Anniversary: 10-01-15
 Retroactive Date: 10-01-98

TOTAL CONTRIBUTION

Total Billable Contribution : \$ 107,664 Contract Effective : 10-01-14
 Contract Anniversary: 10-01-15

Coverage is continuous until cancelled. Contributions are subject to adjustment each year on the anniversary date based on updated exposure information and changes in rating.

AMATTRE Texas Municipal League Intergovernmental Risk Pool L201
 7-30-14 7:56:54 3-11-04

Entity Name Brenham
 Entity ID 2777
 Contract Type / ID . . LIAB / 13 10-01-14 to 10-01-15

AUTOMOBILE DECLARATIONS OF COVERAGE

AUTOMOBILE LIABILITY

Limit of Liability	: \$	5,000,000	Each Occurrence
Medical Payments Limit	: \$	25,000	Each Person
Deductible	: \$	0	Each Occurrence
Annual Contribution	: \$	28,107	Effective : 10-01-14
Billable Contribution	: \$	28,107	Anniversary: 10-01-15

AUTOMOBILE PHYSICAL DAMAGE

Limit of Coverage	: Per Schedule and Endorsements
Deductibles	: \$ 500 Each Vehicle
	: \$ 10,000 *Each Occurrence
Annual Contribution	: \$ 39,938 Effective : 10-01-14
Billable Contribution	: \$ 39,938 Anniversary: 10-01-15

AUTOMOBILE CATASTROPHE

* * * * Coverage Not Selected * * * *

TOTAL CONTRIBUTION

Total Billable Contribution	: \$ 68,045	Contract Effective: 10-01-14
		Contract Anniversary: 10-01-15

Coverage is continuous until cancelled. Contributions are subject to adjustment each year on the anniversary date based on updated exposure information and changes in rating.

* Automobile Physical Damage Each Occurrence Deductible does not apply to hail.

Aviation Declarations of Coverage

2014-2015 Fund Year



Member: Brenham

Member ID: 2777

Name of Airport: Brenham Municipal Airport

Airport Premises - Coverage A

Effective Date: 10/1/2014

Anniversary Date: 10/1/2015

Personal/Advertising Injury - Coverage B

Limit of Liability* \$5,000,000 Each Occurrence

Deductible: \$0 Each Occurrence

Fire Damage \$50,000 Any One Fire

Products/Completed Operations - Coverage A

Effective Date: 10/1/2014

Anniversary Date: 10/1/2015

Limit of Liability \$5,000,000 Annual Aggregate Limit

Deductible: \$0 Each Occurrence

Hangarkeepers' Liability - Coverage C

Effective Date: 10/1/2014

Anniversary Date: 10/1/2015

Sublimit \$500,000 Any One Aircraft

Deductible: \$2,500 Each Aircraft

\$1,000,000 Each Occurrence

Non-Owned Aircraft - Coverage D

Effective Date:

Anniversary Date:

Not Covered

Limit of Liability

Deductible:

Each Occurrence

Total Annual Contributions \$2,657

Total Contribution Due \$2,657

* MAXIMUM LIMIT FOR ALL AVIATION COVERAGES COMBINED

COVERAGE IS CONTINUOUS UNTIL CANCELLED. ANNUAL CONTRIBUTIONS ARE SUBJECT TO ADJUSTMENT EACH YEAR ON THE ANNIVERSARY DATE BASED ON UPDATED EXPOSURE INFORMATION AND CHANGES IN RATING.

11/23/2014

Schedule of Applicable Documents

Entity ID 2777
 Entity Name Brenham
 Contract type / ID . . LIAB / 13 10-01-14 to 10-01-15

ID	Document Name	Revision Date
L200	Liability Coverage Document	10-01-14
A400	Aviation Coverage Document	11-11-98
L201	Liability Declarations of Coverage	3-11-04
L209	Automobile Declarations of Coverage	6-08-06
A401	Aviation Declarations of Coverage	6-18-09
L105	Liability Schedule	4-14-09
L102-1	Automobile Schedule	9-03-03
EL200	Lessor/Lienholder of Equipment	10-31-12
EL201-A	Covered Party-Owner, Lessor or Lienholder Loss Payable Clause - Automobile Physical Damage	6-02-06
EL205	Additional Covered Party-Non-Profit Organization	4-24-04
EL258	War, Hi-Jacking and Other Perils-Limited Coverage	5-20-02
EL217	Indemnification Under Contract	8-16-99
EL224	Fleet Automatic Coverage Basis	1-04-02
EL238	Prior Acts Coverage (Entities with previous coverage)	8-31-04
X150	Schedule of Applicable Documents	10-09-97

Texas Municipal League Intergovernmental Risk Pool X150
 10-09-97

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PROPERTY - SUMMARY OF EQUITY CREDIT

Member: Brenham
 Member ID: 2777
 Coverage Period: 10/1/2014 to 10/1/2015



Summary of Equity Credit

The Total Annual Contribution shown on your Declarations of Coverage has been reduced by the amount of your entity's 2012-13 Members' Equity Return shown below.

<u>Coverage</u>	<u>Annual Contribution</u>
Real & Personal Property	\$ 55,128
Mobile Equipment	\$ 16,321
Crime	\$ 2,161
Animal	\$ 2,140
Automobile Physical Damage	\$ 39,938
Total Annual Contribution	\$ 115,688
Member's Equity Return applied to Contribution	<u>6,500</u>
Remaining Amount Due	<u><u>\$ 109,188</u></u>

***This is not an invoice; please do not send payment at this time.
 You will be billed for the "Remaining Amount Due".***

PROPERTY DECLARATIONS OF COVERAGE

2014-2015 Fund Year



Member: Brenham

Member ID: 2777

Coverages Elected: Real and Personal Property Crime
 Boiler and Machinery Animal Mortality
 Mobile Equipment

Real and Personal Property **Effective Date: 10/01/14** **Anniversary Date: 10/01/15**

Limit:	\$55,298,000	Deductible:	\$2,500
Coverage Basis:	Special Form	Flood and Earthquake	
Valuation Basis:	Replacement Cost	Deductible:	\$25,000
Transit Limit:	\$1,000,000		
Coverage Extensions:	As Scheduled		
Fine Arts:	Not Included		
Flood and Earthquake:	Included	Annual Contribution:	\$55,218
		Pro Rata Due:	\$55,218

Boiler and Machinery **Effective Date: 10/01/14** **Anniversary Date: 10/01/15**

Per Accident Limit:	\$100,000	Deductible:	\$5,000
Valuation Basis:	Replacement Cost	Annual Contribution:	Included
		Pro Rata Due:	Included

Mobile Equipment **Effective Date: 10/01/14** **Anniversary Date: 10/01/15**

Limit:	\$4,246,840	Deductible:	\$1,000
Reporting Basis:	Scheduled		
Valuation Basis:	Replacement Cost	Annual Contribution:	\$16,321
		Pro Rata Due:	\$16,321

PROPERTY DECLARATIONS OF COVERAGE

2014-2015 Fund Year



Member: Brenham

Member ID: 2777

Crime

Public Employee Dishonesty

Effective Date: 10/01/14

Anniversary Date: 10/01/15

Limit:	\$50,000	Deductible:	\$1,000
Coverage Basis:	Per Employee	Annual Contribution:	\$1,504
		Pro Rata Due:	\$1,504

Forgery or Alteration

Effective Date: 10/01/14

Anniversary Date: 10/01/15

Limit:	\$250,000	Deductible:	\$1,000
Coverage Basis:	Per Occurrence	Annual Contribution:	\$343
		Pro Rata Due:	\$343

Computer Fraud

Effective Date: 10/01/14

Anniversary Date: 10/01/15

Limit:	\$1,000,000	Deductible:	\$10,000
Coverage Basis:	Per Occurrence	Annual Contribution:	\$314
		Pro Rata Due:	\$314

Animal Mortality and Theft

Effective Date: 10/01/14

Anniversary Date: 10/01/15

Animal Mortality and Theft

Limit:	As Scheduled	Deductible:	\$0
		Annual Contribution:	\$2,140
		Pro Rata Due:	\$2,140

Optional Coverages:

Loss of Use	As Scheduled
Canine Veterinary Fee	As Scheduled
Surgical	As Scheduled

Total All Elected Property Coverages:

Annual Contribution:	\$75,840
Pro Rata Due:	\$75,840

Coverage is continuous until cancelled. Annual contributions are subject to adjustment each year on the anniversary date based on updated exposure information and changes in rating.



AGENDA ITEM 17

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Public Utilities		SUBMITTED BY: Lowell Ogle	
MEETING TYPE:		CLASSIFICATION:	
<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	
ORDINANCE:			
<input checked="" type="checkbox"/> 1 ST READING			
<input type="checkbox"/> 2 ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham’s Large and Small Industrial Electric Rate Classes			
SUMMARY STATEMENT: The changes to the Large and Small Industrial Electric Rate Classes <u>do not</u> involve any change to the rates adopted October 1, 2013. The changes being recommended are to the Monthly Charges table in the tariffs to enhance transparency on electric rate components and better reflect actual practice. Specifically, the transmission wires charge, generation charge, and ERCOT fees on the current tables are being combined into an Energy Charge of \$0.075 per kWh. The Energy Charge is a placeholder (constant) which is adjusted monthly by the Power Cost Recovery Factor (PCRF) to pass through actual and estimated energy costs for the fiscal year from the City’s wholesale provider, LCRA. These changes are reflected on the red line copies of the tariffs included in the agenda packet.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS: Enhance transparency on electric rate components.			
B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference):			
ATTACHMENTS: (1) Ordinance; and (2) Tariff Schedules with Exhibits A & B			
FUNDING SOURCE (Where Applicable): N/A			
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) of small and large industrial electric customers for the City of Brenham			
APPROVALS: Terry K. Roberts			

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ELECTRIC RATE TARIFF SCHEDULES OF SMALL AND LARGE INDUSTRIAL ELECTRIC SERVICE CUSTOMERS FOR THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the Monthly Charges table in the tariffs for electric services to its small and large industrial service customers in order to provide enhanced transparency on electric rate components and better reflect actual practice.

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

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Electric Rate Schedules for small industrial electric services as set forth in the attached Exhibit "A", Small Industrial Service Rate Schedule E-G which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after October 1, 2014.

SECTION II.

The City Council of the City of Brenham, Texas, does hereby adopt the Electric Rate Schedules for large industrial electric services as set forth in the attached Exhibit "B", Large Industrial Service Rate Schedule E-H which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after October 1, 2014.

SECTION III.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibits "A" and "B", Small Industrial Service Rate Schedule E-G and Large Industrial Service Rate Schedule E-H and shall be effective with utility billing occurring on and after October 1, 2014.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND APPROVED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

CITY OF BRENHAM
 200 WEST VULCAN STREET * P.O. BOX 1059
 BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	400	440
TARIFF	SECTION NO.	SHEET NO.
ELECTRIC RATE SCHEDULE	OCTOBER 1, 2014	

SECTION TITLE	EFFECTIVE DATE
SMALL INDUSTRIAL SERVICE	(Supersedes Rate Change Effective 10/01/13)

SMALL INDUSTRIAL SERVICE

RATE SCHEDULE E-G

APPLICABILITY

This rate is applicable to customers receiving electrical service for any purpose other than use in individually metered residential dwellings, and includes service to temporary service installations.

AVAILABILITY

This rate schedule is available to all customers that satisfy the following requirements: (i) electric requirements for all uses which exceed three hundred (300) kilowatts of maximum demand during any month during any twelve (12) month period, but whose requirements do not equal or exceed five thousand (5000) kilowatts of maximum demand at one point of delivery, or at multiple points of delivery to one contiguous facility, and (ii) have annual energy usage of two million (2,000,000) KWh.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving three phase service	\$100.00
Distribution Wires Charge	Charge for distribution service	\$.01162 / KWh
Transmission Wires Charge	Charge for transmission service	\$.01162 / KWh
Energy Charge	Charge for energy supply and transmission costs	\$.075 KWh
Generation Charge	Charge for generation service	\$.01162 / KWh
Power Cost Recovery Factor	Charge for adjustments in generation and transmission charges	Monthly

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CITY OF BRENHAM
 200 WEST VULCAN STREET * P.O. BOX 1059
 BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	400	441
TARIFF	SECTION NO.	SHEET NO.
ELECTRIC RATE SCHEDULE	OCTOBER 1, 2014	

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SECTION TITLE	EFFECTIVE DATE
	(Supersedes Rate Change Effective 10/01/13)

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MINIMUM MONTHLY CHARGES

The minimum monthly bill shall be the customer charge.

BILLING ADJUSTMENTS

In addition to the base charges, the customer shall be billed for all taxes applicable to the sale of electricity.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Electric service supplied under this rate schedule shall be 60 cycle alternating current delivered at a single point of service to be designated by the City, at the City's choice of the following standard voltage:

120/208	volts, three phase
120/240	volts, three phase
240/480	volts, three phase
277/480	volts, three phase
7200/12470	volts, three phase

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premise. If a power line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of the extension.
3. The customer shall control voltage fluctuations caused by his equipment at his expense. A customer's equipment shall not cause voltage fluctuations that exceed 1% on the City's primary distribution system.
4. A power factor penalty may be assessed if the necessary equipment for determining power factor is installed and if the power factor during the coincident peak KW demand period is less than 0.95.

The power factor penalty shall be calculated by increasing the measured coincident peak KW billing demand such that the corrected billing demand and measured KVAR yield a calculated power factor of 0.95. If the measured power factor is 0.95 or greater, the billing KW demand shall be the KW demand in accordance with the appropriate schedule.

The additional metering equipment necessary to measure or compute KVAR or power factor may be installed at any demand metered customer without notice at the discretion of the City.

CITY OF BRENHAM
 200 WEST VULCAN STREET * P.O. BOX 1059
 BRENHAM, WASHINGTON COUNTY, TEXAS 77834-1059

ALL SERVICES	400	451
TARIFF	SECTION NO.	SHEET NO.
ELECTRIC RATE SCHEDULE	OCTOBER 1, 2014	

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SECTION TITLE	EFFECTIVE DATE
TERMS OF PAYMENT	(Supersedes Rate Change Effective 10/01/ 13)

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Electric service supplied under this rate schedule shall be 60 cycle alternating current delivered at a single point of service to be designated by the City, at the City's choice of the following standard voltage:

120/208	volts, three phase
120/240	volts, three phase
240/480	volts, three phase
277/480	volts, three phase
7200/12470	volts, three phase

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premise. If a power line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of the extension.
3. The customer shall control voltage fluctuations caused by his equipment at his expense. A customer's equipment shall not cause voltage fluctuations that exceed 1% on the City's primary distribution system.
4. A power factor penalty may be assessed if the necessary equipment for determining power factor is installed and if the power factor during the coincident peak KW demand period is less than 0.95.

The power factor penalty shall be calculated by increasing the measured coincident peak KW billing demand such that the corrected billing demand and measured KVAR yield a calculated power factor of 0.95. If the measured power factor is 0.95 or greater, the billing KW demand shall be the KW demand in accordance with the appropriate schedule.

The additional metering equipment necessary to measure or compute KVAR or power factor may be installed at any demand metered customer without notice at the discretion of the City.



AGENDA ITEM 18

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014
DEPT. OF ORIGIN: Public Utilities		SUBMITTED BY: Lowell Ogle
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham’s Natural Gas Rates		
SUMMARY STATEMENT: The changes to the Natural Gas Rate Tariffs do not involve any change to the rates adopted October 1, 2013. The changes being recommended are to the Monthly Charges table in the tariffs to enhance transparency on natural gas rate components and better reflect actual practice. Specifically, the commodity charge of \$5.35 per mcf for natural gas and transportation is being added to the table. This Commodity Charge is a placeholder (constant) which is adjusted monthly by the Gas Cost Adjustment Factor (GCA) to pass through actual natural gas costs from the City’s wholesale provider, Municipal Gas Acquisition and Supply Corporation. Changes include a cleanup of tariff language and a distribution charge rate correction from \$2.080 to \$1.859 per mcf for Large Commercial and Small Industrial Service – Rural which is an inactive (no customers) rate class. These changes are reflected on the red line copies of the tariffs included in the agenda packet.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Enhance transparency on natural gas rate components and better reflect actual practice.		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; and (2) Tariff Schedules with Exhibit A		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for natural gas customers in the City of Brenham		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE NATURAL GAS RATE TARIFF SCHEDULES FOR GAS SERVICES FOR THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the Monthly Charges table for natural gas services to its customers in order to provide enhanced transparency on natural gas rate components and better reflect actual practice, a cleanup of tariff language, and to correct the rate for Large Commercial and Small Industrial-Rural customers.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to correct the rate for Large Commercial and Small Industrial-Rural customers.

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

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Natural Gas Rate Schedules for gas services as set forth in the attached Exhibit "A", which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after October 1, 2014.

SECTION II.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibit "A" shall be effective with utility billing occurring on and after October 1, 2014.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND APPROVED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

ALL SERVICES 500 510

TARIFF SECTION NO. SHEET NO.
 NATURAL GAS RATE SCHEDULES

SECTION TITLE EFFECTIVE DATE
 OCTOBER 1, 2014
 (Supersedes Rate Change Effective 10/01/2013)
RESIDENTIAL SERVICE - URBAN

RATE SCHEDULE G - APPLICABILITY

This rate is applicable to all residential customers whose maximum gas requirements are equal or less than 350 cubic feet per hour receiving natural gas service from the Municipal Gas System

AVAILABILITY

This rate is available to all residential customers of the Municipal Gas System located within the corporate limits of the City of Brenham, Texas.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$10.00
Distribution Charge	Charge for distribution service	\$2.311 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

1. In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.

2. In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.

ALL SERVICES 500 511

TARIFF SECTION NO. SHEET NO.
 NATURAL GAS RATE SCHEDULES

SECTION TITLE EFFECTIVE DATE
 OCTOBER 1, 2014
 (Supersedes Rate Change Effective 10/01/2013)

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher.

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Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

ALL SERVICES	500	520
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 10/01/2013)	
SMALL COMMERCIAL SERVICE - URBAN		
RATE SCHEDULE G - APPLICABILITY		
This rate is applicable to all small commercial customers whose maximum gas requirements are equal or		

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less than 350 cubic feet per hour receiving natural gas service from the Municipal Gas System

AVAILABILITY

This rate is available to all small commercial customers of the Municipal Gas System located within the corporate limits of the City of Brenham, Texas.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$10.00
Distribution Charge	Charge for distribution service	\$2.311 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	<u>Monthly</u>

Deleted: Actual monthly price, including applicable discounts, from City's wholesale supplier, attributable to Customer's usage

Deleted: Actual monthly costs from supplier

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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

- ~~In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.~~
- ~~In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.~~

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Deleted: In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.¶

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ALL SERVICES	500	521
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 10/01/2013)	

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TERMS OF PAYMENT

~~All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.~~

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days after the date of the bill.¶

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CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

- Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time

to time.

2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

(Supersedes Rate Change Effective 10/01/2013)

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TERMS OF PAYMENT

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All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.¶

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CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces, five (5) pounds or at line pressure and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

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ALL SERVICES 500 540

TARIFF SECTION NO. SHEET NO.
 NATURAL GAS RATE SCHEDULES OCTOBER 1, 2014

SECTION TITLE EFFECTIVE DATE

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(Supersedes Rate Change Effective 10/01/2013)

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**LARGE INDUSTRIAL SERVICE - URBAN
 RATE SCHEDULE G-C**

APPLICABILITY

This rate is applicable to all industrial customers whose annual gas requirements are in excess of 36,500 MCF.

AVAILABILITY

This rate is available to all large industrial customers of the Municipal Gas System located within the corporate limits of the City of Brenham, Texas, meeting the criteria specified above.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$56.25
Distribution Charge	Charge for distribution service	\$1.465 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

Deleted: Actual monthly price, including applicable discounts, from City's wholesale supplier, attributable to Customer's usage

Deleted: Actual monthly costs from supplier

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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

1. In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.

Deleted: In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.¶

2. In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.

ALL SERVICES 500 541

TARIFF SECTION NO. SHEET NO.
 NATURAL GAS RATE SCHEDULES OCTOBER 1, 2014

SECTION TITLE EFFECTIVE DATE

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(Supersedes Rate Change Effective 10/01/2013)

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.¶

CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces, five (5) pounds or at line pressure and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

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ALL SERVICES	500	550
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective 10/01/2013)

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**RESIDENTIAL - RURAL
RATE SCHEDULE G - D**

APPLICABILITY

This rate is applicable to all residential customers whose maximum gas requirements are equal to or less than 350 cubic feet per hour receiving natural gas service from the Municipal Gas System.

AVAILABILITY

This rate is available to all residential customers of the Municipal Gas System located outside of the corporate limits of the City of Brenham, Texas.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$11.50
Distribution Charge	Charge for distribution service	\$2.710 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

Deleted: Actual monthly price, including applicable discounts, from City's wholesale supplier, attributable to Customer's usage

Deleted: Actual monthly costs from supplier

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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

- In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.
- In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.

Deleted: In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.¶

ALL SERVICES	500	551
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective 10/01/2013)

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.¶

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CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

ALL SERVICES

500

560

TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2013	560
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective ~~10/01/2013~~)

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**SMALL COMMERCIAL - RURAL
RATE SCHEDULE G – G**

APPLICABILITY

This rate is applicable to all small commercial customers whose maximum gas requirements are equal to or less than 350 cubic feet per hour receiving natural gas service from the Municipal Gas System.

AVAILABILITY

This rate is available to all small commercial customers of the Municipal Gas System located outside of the corporate limits of the City of Brenham, Texas.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$11.50
Distribution Charge	Charge for distribution service	\$2.710 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

Deleted: Actual monthly price, including applicable discounts, from City's wholesale supplier, attributable to Customer's usage

Deleted: Actual monthly costs from supplier

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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

~~1. In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.~~

Deleted: In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.¶

~~2. In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.~~

ALL SERVICES

500

561

TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2013	561
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective 10/01/2013)

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TERMS OF PAYMENT

The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.

CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service

ALL SERVICES	500	570
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change Effective ~~10/01/2013~~)

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GOVERNMENTAL SERVICE
RATES SCHEDULE G - E

APPLICABILITY

This rate is applicable to all governmental gas customers.

AVAILABILITY

This rate is available to the Brenham Independent School District, Washington County, Washington County (Blinn) Junior College, State of Texas, United States Government, and all departments, divisions, or branches of the City of Brenham, Texas, that are under the direct control of the City Council of said City.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$56.25
Distribution Charge	Charge for distribution service	\$1.303 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

- Deleted: Actual monthly price, including applicable discounts, from City's wholesale supplier, attributable to Customer's usage
- Deleted: Actual monthly costs from supplier
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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

- ~~In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.~~
- ~~In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.~~

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ALL SERVICES	500	571
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2014	

SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective ~~10/01/2013~~)

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.¶

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CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces, five (5) pounds or at line pressure and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance to the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quality of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.

A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.

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6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

ALL SERVICES 500 580

 TARIFF SECTION NO. SHEET NO.

NATURAL GAS RATE SCHEDULES OCTOBER 1, 2014

 SECTION TITLE EFFECTIVE DATE
 (Supersedes Rate Change Effective 10/01/2013)

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LARGE COMMERCIAL AND SMALL INDUSTRIAL SERVICE - RURAL
 RATE SCHEDULE G-H

APPLICABILITY

This rate is applicable to all rural commercial and industrial customers whose maximum gas requirements are in excess of 350 cubic feet per hour.

AVAILABILITY

This rate is available to all commercial and industrial customers of the Municipal Gas System located outside of the corporate limits of the City of Brenham, Texas, meeting the criteria specified above.

MONTHLY CHARGES

Type of Charge	Description	Charge
Customer Charge	Customer charge for customers receiving service	\$64.69
Distribution Charge	Charge for distribution service	\$1.859 per mcf
Commodity Charge	Charge for natural gas supply (gate rate) and transportation	\$5.35 per mcf
Gas Cost Adjustment Charge	Charge for adjustments in commodity charges	Monthly

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Deleted: Actual monthly costs from supplier

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MINIMUM CHARGES

The minimum monthly base bill shall be the customer charge for each month of the year, regardless of whether service is disconnected during the summer months.

BILLING ADJUSTMENTS

1. In addition to the base charges, each customer's monthly bill will include an appropriate gas cost adjustment charge as explained on Sheet No. 595.

Deleted: In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.

2. In addition to the base charges and the gas cost adjustment charges, the customer will be billed for all taxes applicable to the sale of natural gas, excluding gross receipts taxes.

ALL SERVICES 500 581

 TARIFF SECTION NO. SHEET NO.
 NATURAL GAS RATE SCHEDULES OCTOBER 1, 2014

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SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective 10/01/2013)

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

Deleted: The bills rendered under this schedule are net and will be increased by 10% if not paid within 15 days from the date of the bill.¶

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CHARACTER OF SERVICE

Natural gas furnished under this rate schedule shall be delivered at a pressure of four (4) ounces, five (5) pounds or at line pressure and have a minimum heat content of 983 BTU's per cubic foot and shall be delivered at a single point of service per premise to be designated by the City.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of extension.
3. If the installation of a service tap is necessary to provide the customer with service, one such tap will be provided per premise by the City at a cost to the customer in accordance with the City's tapping policy in effect at the time of the service tap.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.
5. A special service charge of \$20 will be made for any requested summer disconnection and winter reconnection of gas service.
6. A special service charge of \$15 will be made for any requested pilot re-light during normal working hours and \$30 for after hours service.

ALL SERVICES	500	590
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	

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GAS TAPPING SERVICE

RATE SCHEDULE G-K

APPLICABILITY

This rate is applicable to the installation of service taps, service lines and gas meters for residential, commercial, and/or industrial customers.

AVAILABILITY

This rate is available to all customers or prospective customers of the City's gas system.

RATES

1 Inch	Service Tap, Service Line, Meter and Regulator	\$ 140.00
1-1/2 Inch	Service Tap, Service Line, Meter and Regulator	140.00
2 Inch	Service Tap, Service Line, Meter and Regulator	175.00
4 Inch	Service Tap, Service Line, Meter and Regulator	Actual cost of installation including but not limited to costs, materials, Labor, and equipment overhead.

TERMS OF PAYMENT

Fees of one (1) inch to two (2) inches in size, must be paid in advance. Advance payments, based on estimated cost of taps four (4) inches or larger in size, shall be made prior to commencement of work by the City. If the amount of advance payment is in excess of actual cost of installation, the amount of overpayment will be refunded. If the amount of advance payment is less than the actual cost of the installation, the customer will be required to remit the amount of the shortage.

CHARACTER OF SERVICE

Facilities provided under this rate will consist of the installation of an appropriate size cut-off valve, installation of an appropriate size meter and regulator, and the installation of a sufficient amount of appropriate size service line to allow line extension to or near the customer's property line.

ALL SERVICES	500	591
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	

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SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of the extension.
3. In the event a customer desires to increase the size of an existing service and it is agreeable with the City, the cost of such enlargement will be equal to the cost of installation of the new size of service.
4. The City will provide and install a meter to measure the quantity of gas consumed by the customer. However, it shall be the responsibility of the customer to provide a meter loop built to City specifications at a location to be specified by the City.

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ALL SERVICES	500	595
TARIFF	SECTION NO.	SHEET NO.
NATURAL GAS RATE SCHEDULES	OCTOBER 1, 2013	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 02/22/2006)	

GAS COST ADJUSTMENT CHARGE

In addition to the appropriate base rate charge, each customer shall pay a Gas Cost Adjustment Charge to recover those costs of purchasing gas on a wholesale basis, which exceed the allowance provided for the cost of gas within the base rates. The Gas Cost Adjustment Charge shall be computed by multiplying the MCF consumed by a gas cost adjustment factor computed in accordance with the following calculations:

1. The city gate rate rate increase or decrease applicable to current billing month sales shall be estimated to the nearest \$0.0001 per MCF based upon:
 - (a) The city gate rate estimated to be applicable to volumes purchased during the current calendar month, expressed to the nearest \$0.0001 per MCF (shown below as "Estgas") less
 - (b) The base city gate rate of \$5.00 per MCF, multiplied by
 - (c) A volume factor based on the ratio of adjusted purchased volumes divided by adjusted sales volumes for the previous fiscal year (shown as "Volfac").
2. Correction of the estimated adjustment determined by Item 1 above shall be included as part of the adjustment for the second following billing month. The correcting factor (shown below as "Corfac") shall be expressed to the nearest \$0.0001 per MCF based upon:
 - (a) The corrected adjustment amount based upon the actual city gate rate, less
 - (b) The estimated adjustment amount billed under Item 1 above, divided by
 - (c) Distribution system sales (in MCF) recorded on the City's books during the prior year for the month that the correction is included as part of the adjustment.
3. In summary, the gas cost adjustment (GCA) shall be determined to the nearest \$0.0001 per MCF by Item 1 and Item 2 as follows:

$$GCA = [("Volfac") \times (("Estgas" - \$5.00) + "Corfac")]$$



AGENDA ITEM 19

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014
DEPT. OF ORIGIN: Public Utilities		SUBMITTED BY: Lowell Ogle
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham’s Sanitary Sewer Rates		
SUMMARY STATEMENT: During the July Budget Workshop, funding for an increase in Wastewater Fund debt service payments in fiscal year 2015 was discussed. A rate increase of \$1 per month on the Customer Charge was recommended. This rate change would provide revenue to fund approximately 57% of the \$139,765 increase in debt service payment. In addition, inconsistencies in tariff language have been corrected and the determination of volume charges for Industrial customers has been clarified. These changes are reflected on the red line copies of the tariffs included in the agenda packet. Finally, Reclaimed Wholesale Water currently in the Water Tariff is being moved to the Sanitary Sewer Tariff which is where the revenue is recorded.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Increased revenue providing partial coverage of debt service requirements.		
B. CONS: Higher monthly customer charge.		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; and (2) Tariff Schedules with Exhibit A		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for sanitary sewer customers of the City of Brenham		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SEWER RATE TARIFF SCHEDULES FOR SEWER SERVICES FOR THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the monthly customer charge, to clean up the tariff language, to clarify the volumetric calculation for Industrial customers, and add a new tariff for reclaimed water service.

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

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Sewer Rate Schedules for sewer services as set forth in the attached Exhibit “A”, which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on and after October 1, 2014.

SECTION II.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibit “A” shall be effective with utility billing occurring on and after October 1, 2014.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND APPROVED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

ALL SERVICES	700	710
TARIFF	SECTION NO.	SHEET NO.

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SANITARY SEWER RATE SCHEDULE	DECEMBER 8, 2006
SECTION TITLE	EFFECTIVE DATE

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~~(Supersedes Rate Change Effective 12/8/2006)~~

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RESIDENTIAL WASTEWATER SERVICE - URBAN

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RATE SCHEDULE SW - A

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APPLICABILITY

This rate is applicable for wastewater service used exclusively for residential purposes, and is not applicable for service to a residence also used for any nonresidential or commercial purpose, including, but not limited to boarding houses, hotels, motels, barber shops, beauty shops, child care centers, retail businesses, restaurants, repair services, professional services offered on the premises to the public, nursing homes, nurseries, or any other nonresidential activity.

AVAILABILITY

This rate is available for all single-family dwellings, and multifamily dwellings where each dwelling unit is individually metered for water, located within the corporate limits of the City of Brenham, Texas subject to the rules, regulations, policies and rates established by the City of Brenham.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge plus the monthly volume charge, as shown below:

Customer charge –	
The customer charge shall include	
3000 gallons or less	\$ 18.04 per month or part thereof
Volume Charge	\$ 4.45 per 1000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM CHARGES

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

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ALL SERVICES

700

711

TARIFF

SECTION NO.

SHEET NO.

SANITARY SEWER RATE SCHEDULE

OCTOBER 1, 2014

SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective 12/8/2006)

Deleted: December 8, 2006

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DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the average metered water consumption based on bill cycle shown below:

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Deleted: for the two preceding winter months of January and February

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Bill Cycle	Period
<u>1</u>	<u>January 1 – March 7</u>
<u>2</u>	<u>January 8 – March 14</u>
<u>3</u>	<u>January 15 – March 21</u>
<u>4</u>	<u>December 22 – February 28</u>

This average consumption shall be used for billing purposes for the twelve-month period beginning with the first cycle for wastewater service billed in April.

Where no preceding winter average is available from the City's records the City Manager, or a duly authorized representative, shall develop an estimate of winter water usage. This estimate shall be based on upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption.

If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, may adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

ALL SERVICES	700	712
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: December 8, 2006

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CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for water service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES TARIFF	700 SECTION NO.	720 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
<u>(Supersedes Rate Change Effective 12/8/2006)</u>	EFFECTIVE DATE	

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**RESIDENTIAL WASTEWATER SERVICE - RURAL
RATE SCHEDULE SW - B**

APPLICABILITY

This rate is applicable for wastewater service used exclusively for residential purposes, and is not applicable for service to a residence also used for any nonresidential or commercial purpose, including, but not limited to boarding houses, hotels, motels, barber shops, beauty shops, child care centers, retail businesses, restaurants, repair services, professional services offered on the premises to the public, nursing homes, nurseries, or any other nonresidential activity.

AVAILABILITY

This rate is available for all single-family dwellings, and multifamily dwellings where each dwelling unit is individually metered for water, located outside the corporate limits of the City of Brenham, Texas subject to the rules, regulations, policies and rates established by the City of Brenham.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge plus the monthly volume charge, as shown below:

Customer charge - The customer charge shall include 3000 gallons or less	\$ <u>20.60</u> per month or part thereof
Volume Charge	\$ 5.12 per 1000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM CHARGES

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

ALL SERVICES	700	721
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 12/8/2006)	

Deleted: December 8, 2006

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DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the average metered water consumption based on bill cycle as shown below:

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Deleted: for the two preceding winter months of January and February

<u>Bill Cycle</u>	<u>Period</u>
<u>1</u>	<u>January 1 – March 7</u>
<u>2</u>	<u>January 8 – March 14</u>
<u>3</u>	<u>January 15 – March 21</u>
<u>4</u>	<u>December 22 – February 28</u>

This average consumption shall be used for billing purposes for the twelve-month period beginning with the first cycle for wastewater service billed in April.

Where no preceding winter average is available from the City’s records the City Manager, or a duly authorized representative, shall develop an estimate of winter water usage. This estimate shall be based on upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption.

If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City’s discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City’s Wastewater System, then the City Manager, or a duly authorized representative, may adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City’s offices or other approved payment location on or before the due date, all of the customer’s utility services will be considered delinquent and subject to disconnection.

ALL SERVICES TARIFF	700 SECTION NO.	722 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: December 8, 2006

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CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for water service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES TARIFF	700 SECTION NO.	730 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	

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Deleted: (Supersedes Rate Change effective 1/22/2006)

(Supersedes Rate Change Effective 12/8/2006)

**RESIDENTIAL-MULTIPLE OCCUPANCY WASTEWATER SERVICE - URBAN
RATE SCHEDULE SW - H**

APPLICABILITY

This rate is applicable for wastewater service to customers, which provide multiple non-temporary residential dwelling units which are not individually metered, and which do not receive service under a different rate schedule

AVAILABILITY

This rate is available to all customers which offer or provide multiple non-temporary residential dwelling units, where each dwelling unit is not individually metered for water, including but not limited to apartments, duplexes, houses with garage apartments, quadruplexes, dormitories, boarding houses, trailers courts, trailer parks, and other similar activities, located within the corporate limits of the City of Brenham, Texas subject to the rules, regulations, policies and rates established by the City of Brenham.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge plus the monthly volume charge, as shown below:

Customer charge -

The customer charge shall include

3000 gallons or less \$ 18.04 per month or part thereof

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Volume charge

\$ 4.45 per 1000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM CHARGES

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

ALL SERVICES

700

731

TARIFF

SECTION NO.

SHEET NO.

SANITARY SEWER RATE SCHEDULE

OCTOBER 1, 2014

SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective 12/8/2006)

Deleted: December 8, 2006

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DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the average metered water consumption based on bill cycle shown below:

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Deleted: for the two preceding winter months of January and February

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Bill Cycle	Period
1	January 1 – March 7
2	January 8 – March 14
3	January 15 – March 21
4	December 22 – February 28

This average consumption shall be used for billing purposes for the twelve-month period beginning with the first cycle for wastewater service billed in April.

Where no preceding winter average is available from the City's records the City Manager, or a duly authorized representative, shall develop an estimate of winter water usage. This estimate shall be based on upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption.

If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, may adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

ALL SERVICES	700	732
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: December 8, 2006

Deleted: (Supersedes Rate Change effective 1/22/2006)

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for water service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES TARIFF	700 SECTION NO.	740 SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 12/8/2006)	

Deleted: DECEMBER 8, 2006

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**RESIDENTIAL-MULTIPLE OCCUPANCY WASTEWATER SERVICE - RURAL
RATE SCHEDULE SW - J**

APPLICABILITY

This rate is applicable for wastewater service to customers, which provide multiple non-temporary residential dwelling units which are not individually metered, and which do not receive service under a different rate schedule

AVAILABILITY

This rate is available to all customers which offer or provide multiple non-temporary residential dwelling units, where each dwelling unit is not individually metered for water, including but not limited to apartments, duplexes, houses with garage apartments, quadruplexes, dormitories, boarding houses, trailers courts, trailer parks, and other similar activities, located outside the corporate limits of the City of Brenham, Texas subject to the rules, regulations, policies and rates established by the City of Brenham.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge plus the monthly volume charge, as shown below:

Customer charge - The customer charge shall include 3000 gallons or less	\$ 20.60 per month or part thereof
Volume charge	\$ 5.12 per 1000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM CHARGES

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

ALL SERVICES

700

741

TARIFF

SECTION NO.

SHEET NO.

SANITARY SEWER RATE SCHEDULE

OCTOBER 1, 2014

SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective 12/8/2006)

Deleted: December 8, 2006

Deleted: (Supersedes Rate Change effective 1/22/2006)

DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the average metered water consumption based on bill cycle shown below;

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Deleted: for the two preceding winter months of January and February

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Bill Cycle	Period
<u>1</u>	<u>January 1 – March 7</u>
<u>2</u>	<u>January 8 – March 14</u>
<u>3</u>	<u>January 15 – March 21</u>
<u>4</u>	<u>December 22 – February 28</u>

This average consumption shall be used for billing purposes for the twelve-month period beginning with the first cycle for wastewater service billed in April.

Where no preceding winter average is available from the City's records the City Manager, or a duly authorized representative, shall develop an estimate of winter water usage. This estimate shall be based on upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption.

If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, may adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

ALL SERVICES TARIFF	700 SECTION NO.	742 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: December 8, 2006

Deleted: (Supersedes Rate Change effective 1/22/2006)

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

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If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES TARIFF	700 SECTION NO.	750 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: DECEMBER 8, 2006

Deleted: (Supersedes Rate Change effective 1/22/2006)

**OAK HILL ACRES SUBDIVISION WASTEWATER
RATE SCHEDULE SW - M**

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APPLICABILITY

This rate is applicable only for wastewater service provided at one service location to Oak Hill Water District for wastewater service to Oak Hill Acres Subdivision.

AVAILABILITY

This rate is available only to Oak Hill Water District for service to Oak Hill Acres Subdivision, subject to the rules, regulations, policies and rates established by the City of Brenham. Nothing in this ordinance shall be construed as any guarantee of future or continuing service.

MONTHLY RATES

The monthly rate shall be the monthly volume charge, as shown below:

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Volume Charge \$ 4.45 per 1000 gallons as measured by flow meter at the point of service, or as reasonably estimated by the City in the event of a failure of the flow meter, or any part thereof on a pro rata basis.

MINIMUM CHARGES

The minimum monthly charge shall be the monthly volume charge.

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ALL SERVICES	700	751
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

Deleted: December 8, 2006

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for wastewater service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES TARIFF	700 SECTION NO.	760 SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014 (Supersedes Rate Change effective 1/22/2006) (Supersedes Rate Change Effective 12/8/2006)	
SECTION TITLE	EFFECTIVE DATE	

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GENERAL SERVICE WASTEWATER SERVICE – URBAN
RATE SCHEDULE SW - C

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APPLICABILITY

This rate is applicable for wastewater service to non-residential customers who do not receive wastewater service under a different rate schedule.

AVAILABILITY

This rate is available to all non-residential customers which do not qualify to receive wastewater service under any other rate schedules, and includes, but is not limited to banks, barbershops, beauty shops, child care and day care centers, churches, doctor's offices, feed and hardware stores, funeral homes, furniture stores, general offices, hotels, laundries, motels, nurseries and garden centers, professional services, retail businesses, schools and warehouses.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge and the monthly volume charge, as shown below:

Customer charge -

The customer charge shall include
3000 gallons or less \$ ~~18.04~~ per month or part thereof

Deleted: 17.04

Volume charge

\$ 4.45 per 1,000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM MONTHLY CHARGE

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

ALL SERVICES TARIFF	700 SECTION NO.	761 SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 12/8/2006)	

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DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the metered monthly water consumption for the billing month. If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, can adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for wastewater service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

ALL SERVICES TARIFF	700 SECTION NO.	762 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

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If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES	700	770
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective 12/8/2006)

**GENERAL SERVICE WASTEWATER SERVICE – RURAL
RATE SCHEDULE SW - G**

APPLICABILITY

This rate is applicable for wastewater service to non-residential customers who do not receive wastewater service under a different rate schedule.

AVAILABILITY

This rate is available to all non-residential customers which do not qualify to receive wastewater service under any other rate schedules, and includes, but is not limited to banks, barbershops, beauty shops, child care and day care centers, churches, doctor's offices, feed and hardware stores, funeral homes, furniture stores, general offices, hotels, laundries, motels, nurseries and garden centers, professional services, retail businesses, schools and warehouses.

MONTHLY RATES

The monthly rate shall be the sum of the monthly customer charge and the monthly volume charge, as shown below:

Customer charge -

The customer charge shall include
3000 gallons or less \$ ~~20.60~~ per month or part thereof

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Volume charge

\$ 5.12 per 1,000 gallons of water usage in excess of 3000 gallons, or any part thereof on a pro rata basis, as determined under Determination of Water Usage.

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MINIMUM MONTHLY CHARGE

The minimum monthly charge shall be the greater of the following:

1. The customer charge plus the volume charge; or
2. The amount specified in any contract between the customer and the City.

ALL SERVICES	700	771
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
	<u>(Supersedes Rate Change Effective 12/8/2006)</u>	

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DETERMINATION OF WATER USAGE

The water usage for the purpose of calculating the volume charge under Monthly Rates shall be the metered monthly water consumption for the billing month. If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

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If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, can adjust the metered water usage for determining the volume charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Wastewater service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental Protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for wastewater service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

ALL SERVICES	700	772
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 12/8/2006)	

Deleted: December 8, 2006

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If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential relative costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from other source.

ALL SERVICES

700

780

TARIFF

SECTION NO.

SHEET NO.

SANITARY SEWER RATE SCHEDULE

OCTOBER 1, 2014

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SECTION TITLE

EFFECTIVE DATE

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(Supersedes Rate Change Effective 12/8/2006)

INDUSTRIAL WASTEWATER SERVICE

RATE SCHEDULE SW - E

APPLICABILITY

This rate is applicable for wastewater service used for industrial waste as defined in the City of Brenham's Industrial Waste Ordinance.

AVAILABILITY

This rate is available only to industrial customers subject to the provisions of the City of Brenham's Industrial Waste Ordinance.

MONTHLY RATES

The monthly rate shall be the monthly volume charge as shown below, and the BOD₅/TSS Surcharge as determined under BOD₅/TSS Surcharge.

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Volume Charge \$ 4.45 per 1000 gallons, or any part thereof on a pro rata basis, as determined Under Determination of Volume.

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MINIMUM MONTHLY CHARGE

The minimum monthly charge shall be the greater of the following:

1. The volume charge; or
2. The amount specified in any contract between the customer and the City.

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ALL SERVICES	700	781
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
<u>(Supersedes Rate Change Effective 12/8/2006)</u>		

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DETERMINATION OF VOLUME

The volume for the purpose of calculating the volume charge under Monthly Rates shall be one of the following:

1. One-hundred percent (100%) of the volume measured on a flow meter at the point of service or as reasonably estimated by the City in the event of a failure of the flow meter; or

2. One-hundred percent (100%) of the metered monthly water consumption for the billing month; or

3. For customers who can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, the volume charge under Monthly Rate will be assessed against seventy-five (75%) of the metered monthly water consumption for the billing month. (On a billing system basis, the adjustment is made by reducing the volume charge under Monthly Rate by twenty-five percent (25%) and applying the rate to one-hundred percent (100%) of the metered monthly water consumption. For billing purposes the table is SW-D.)

For customers not receiving water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.

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¶ 1. The volume measured on a flow meter at the point of service or as reasonably estimated by the City in the event of a failure of the flow meter, or¶

¶ 2. Seventy-five percent (75%) of the metered monthly water consumption for the billing month. If the customer does not receive water service from the City of Brenham, then a monthly estimate of water usage shall be made based upon verifiable data provided by the customer or, if verifiable data is not provided by the customer, an estimate of water usage shall be prepared by the City Manager, or a duly authorized representative. The estimate shall be based upon water consumption at the same location experienced during prior years, actual water consumption at similar locations, or other methods of reasonably estimating water consumption. At the City's discretion, any customer not receiving water service from the City may be required to install, at no cost to the City, a meter on their water supply or service in order to determine water usage.¶

¶ If a customer can provide verifiable data, acceptable to the City, that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, can adjust the metered water usage for determining the volume charge.¶

¶ If the customer receives water service from more than one water supply, the water consumption from each source of water shall be summed for determining the customer's total water consumption for the purposes of calculating the volume for billing purposes under this section.¶

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ALL SERVICES	700	782
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
SECTION TITLE	EFFECTIVE DATE	
<u>(Supersedes Rate Change Effective 12/8/2006)</u>		

If the customer can provide verifiable data, acceptable to the City that a significant portion of the metered water usage does not enter the City's Wastewater System, then the City Manager, or a duly authorized representative, can adjust the metered water usage for determining the volume charge.

If the customer receives water service from more than one water supply, the water consumption from each source of water shall be summed for determining the customer's total water consumption for the purposes of calculating the volume for billing purposes under this section.

BOD₅/TSS SURCHARGE

Each industrial customer shall pay a monthly surcharge if the customer's discharge of waste has a concentration of biochemical oxygen demand (BOD₅) in excess of 300 milligrams per liter and/or a concentration of total suspended solids (TSS) in excess of 300 milligrams per liter as measured periodically by the City. The monthly surcharge shall be calculated as follows:

$$Cu = Vu(Bu - 300)B + Vu(Su - 300)S$$

Where: Cu is the surcharge, in dollars, to be added to the customer's bill

Vu is the billing volume in thousands of gallons as determined under Determination of Volume

Bu is the measured BOD level in mg/l or 300 mg/l, whichever is greater

B is the unit charge per 1000 gallons, as specified in Unit Charge B

Su is the measured TSS level in mg/l or 300 mg/l, whichever is greater

S is the unit charge per 1000 gallons, as specified in Unit Charge S

1. Unit Charge B

The unit charge for treating one milligram per liter of BOD₅ gallons shall be \$0.004454.

2. Unit Charge S

The unit charge for treating one milligram per liter of TSS gallons shall be \$0.003559.

ALL SERVICES TARIFF	700 SECTION NO.	783 SHEET NO.
SANITARY SEWER RATE SCHEDULE	<u>OCTOBER 1, 2014</u>	
<u>(Supersedes Rate Change Effective 12/8/2006)</u>	EFFECTIVE DATE	

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TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, all of the customer's utility services will be considered delinquent and subject to disconnection.

CHARACTER OF SERVICE

Sewer service supplied under this rate schedule is licensed and approved under the Texas Natural Resource Conservation Commission and the Environmental protection Agency.

RATE SCHEDULE ADMINISTRATION & ASSIGNMENT

Upon request for wastewater service from a prospective customer, the City Manager, or a duly authorized representative, shall assign the appropriate rate classification for wastewater service to the applicant requesting service. This assignment may be based upon information provided by the applicant, or other information available at the time the assignment is made.

If a customer receiving service changes the nature or character of wastewater service requirements, then the City Manager, or a duly authorized representative shall, upon review of the information available pertaining to the revised wastewater service requirement, reassign the customer to the appropriate rate schedule.

If a prospective or existing customer is eligible to receive wastewater service under more than one of the City's rate schedules, or if the rates charged are unduly burdensome as a result of the customer's technical qualification for a specific rate schedule, then the City Manager, or a duly authorized representative, shall assign the most appropriate rate schedule for wastewater service after consideration of the various service requirements, potential impact on the City's facilities, the potential costs of serving the customer, and other available pertinent information.

Each customer who receives individually metered water service from the City, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. Wastewater service shall begin at the same time water service is initiated, and shall continue until such time as water service is discontinued.

Each customer who receives water service from a source other than the City, such as but not limited to a privately owned well, and whose service location is connected to the City's wastewater system, shall receive and pay a bill for wastewater service. The City shall bill for wastewater service continuously unless the owner of the service location certifies, in writing, that the service location is unused and uninhabited.

The City shall only send bills for wastewater service at a service location to the customer receiving the bill for water service at the same service location. The City shall not send partial bills or minimum bills for wastewater service to occupants at a service location who are not individually metered and billed for water service, except that the City may bill customers for wastewater service where the customer is receiving water service from another source.

ALL SERVICES	700	790A
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 9/22/2004)	

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WASTEWATER TAPPING SERVICE

APPLICABILITY

This rate is applicable to the installation of service taps and service lines for residential, commercial, and/or industrial service.

AVAILABILITY

This rate is available to all customers or prospective customers of the City's Sanitary Sewer.

RATES

- I. The actual tapping of sewer main to provide service to an adjoining lot.

4 inch Service Tap, Service Line	\$450.00
6 inch Service Tap, Service Line	\$450.00

- II. Connection of existing sewer services provided by the Developer.

Hook Up Sewer Fee	\$ 45.00
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- III. Developments where the City has provided sewer service and the service is available at each individual property.

4 inch	\$200.00
6 inch	\$350.00

TERMS OF PAYMENT

The City shall make advance payments prior to commencement of work. If the amount of advance payment is in excess of the actual cost of the installation, the amount of over payment will be refunded. If the amount of advance payment is less than the actual cost of the installation, the customer will be required to remit the amount of the shortage.

CHARACTER OF SERVICE

Facilities provided under this rate will consist of the installation of an appropriate size tapping Y and the installation of a sufficient amount of an appropriate size service line to allow customer connection at or near the customer's property line.

ALL SERVICES	700	790B
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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~~(Supersedes Rate Change Effective 9/22/2004)~~

WASTEWATER DISPOSAL SERVICE

APPLICABILITY

This rate is applicable to commercial businesses for the disposal of wastewater at the Wastewater Treatment Plant.

AVAILABILITY

This rate is available to all commercial businesses for disposal of wastewater subject to the rules, regulations, policies established by the City of Brenham.

RATES

The charge will be \$0.084 per gallon with a minimum charge of \$15.00.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day.

CHARACTER OF SERVICE

Facilities provided under this rate will be provided at the City of Brenham Wastewater Plant for disposal by commercial businesses.

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service rendered under this schedule may be subject to random sampling for any waste brought to the Wastewater Plant for disposal. Should any sample not meet disposal criteria, future waste may not be accepted.

ALL SERVICES

700

791A

TARIFF

SECTION NO.

SHEET NO.

SANITARY SEWER RATE SCHEDULE

OCTOBER 1, 2014

Deleted: JANUARY 1, 1995

SECTION TITLE

EFFECTIVE DATE

(Supersedes Rate Change Effective 1/1/1995)

SPECIAL CONDITIONS OF SERVICE

1. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
2. Service will be rendered under this schedule when the City has facilities immediately adjacent to the customer's premises. If a main line extension is required to provide service to the customer, the customer's cost of the line extension will be determined in accordance with the City's extension policy in effect at the time of the extension.
3. In the event the customer desires to increase the size of an existing service, the cost of such enlargement will be equal to the cost of installation of the new size of service.

ALL SERVICES	700	792
TARIFF	SECTION NO.	SHEET NO.
SANITARY SEWER RATE SCHEDULE	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
(Supersedes Rate Change Effective 4/1/2012)		

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RECLAIMED WHOLESALE WATER

RATE SCHEDULE SW-R

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APPLICABILITY

This rate is applicable to all customers that receive Type 1 Reclaimed Water to be used for industrial and manufacturing processing, residential irrigation, irrigation for urban or rural uses, food crops, municipality-owned right-of-way, fire protection, maintenance of off-channel impoundments, toilet flush water, dust control, road construction, construction activities and process water.

AVAILABILITY

This rate is available to all customers who enter into a Reclaimed Water Use Agreement, pay the applicable deposit, and receive Type 1 Reclaimed Water at the Reclaimed Water Station located at 2005 Old Chappell Hill Rd.

RATES

\$4.00 per 1,000 gallons

MINIMUM CHARGES

No minimum charge.

TERMS OF PAYMENT

All rates specified herein are net, and the gross rates for delinquent payments are ten percent (10%) higher. Each bill for service is due within fifteen (15) days after issuance unless such day falls on a holiday or weekend, in which case payment is due on the next work day. If full payment is not received at the City's offices or other approved payment location on or before the due date, the customer's deposit will be forfeited and the City may, at its sole option, terminate services and the Reclaimed Water Use Agreement, according to its terms.

CHARACTER OF SERVICE

Reclaimed water supplied under this rate schedule is Type 1 Reclaimed Water produced at the Brenham Wastewater Treatment Plant that is authorized and approved for re-sale by the Texas Commission on Environmental Quality. (Authorization # R10388001)

SPECIAL CONDITIONS OF SERVICE

1. Where service is rendered from the Reclaimed Bulk Water Station, the customer will be required to pay an initial deposit of three hundred dollars (\$300.00). The customer will also be required to sign a Reclaimed Water Use Agreement prior to usage of the station. The station will have 24 hr. access and will be controlled through individual pin codes per account that are distributed upon compliance with the above requirements.
2. Service rendered under this schedule is subject to the City's Rules and Regulations in effect from time to time.
3. Bills will be adjusted by the proportionate part of any tax or charge levied or assessed against the City or upon its water business as a result of any new or amended laws becoming effective after the effective date of this rate schedule.



AGENDA ITEM 20

DATE OF MEETING: September 4, 2014		DATE SUBMITTED: August 29, 2014
DEPT. OF ORIGIN: Public Utilities		SUBMITTED BY: Lowell Ogle
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham’s Utility Rules and Regulations		
SUMMARY STATEMENT: The changes being recommended are to add clarification on billing procedures to reflect actual practices. These changes are reflected on the red line copy of the tariff in the agenda packet.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Clarification on billing procedures to reflect actual practices.		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; and (2) Tariff Schedules with Exhibit A		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for the City of Brenham’s Utility Rules and Regulations		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE RULES AND REGULATIONS FOR THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the Rules and Regulations for the rate tariffs for utility services to its customers in order to provide for clarification on billing procedures.

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

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Rules and Regulations for Rate Tariffs as set forth in the attached Exhibit "A", which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after October 1, 2014.

SECTION II.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibit "A" shall be effective with utility billing occurring on and after October 1, 2014.

PASSED AND APPROVED on its first reading this the 4th day of September, 2014.

PASSED AND APPROVED on its second reading this the 18th day of September, 2014.

Milton Y. Tate, Jr., Mayor

ATTEST:

Jeana Bellinger, City Secretary

ALL SERVICES	1000	1000
TARIFF	SECTION NO.	SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 10/22/2001)	

Deleted: OCTOBER 22, 2001

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RULES AND REGULATIONS

1000 GENERAL

The Rules and Regulations contained in this section, along with the Special Conditions of Service contained in the individual rate schedules shall govern the provision of electric, gas, water, and sanitary sewer service by the City. Failure to comply with such rules and regulations shall be considered as sufficient grounds for discontinuance of service.

Where a conflict of provisions exists between the Special Conditions of Service for each individual rate schedule and the rules and regulations contained within this section, the provisions of the Special Conditions of Service shall prevail.

Note: The remainder of this page and pages 1001 and 1002 are reserved for future use.

ALL SERVICES TARIFF	1000 SECTION NO.	1003 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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1001	<u>DEFINITIONS</u>	(Supersedes Rate Change Effective 10/22/2001)
City	City of Brenham Texas	
City Council	The City Council of the City of Brenham, Texas	
Customer	Any person, partnership, corporation, governmental agency, cooperative or other	
Connected Load	A customer's connected load is the sum of the continuous rate capacities, or in the absence of such rated capacities, the maximum demand determined by test where necessary of all energy consuming devices on his premises expressed in kilowatts or thousand cubic feet (MCF), as applicable.	
Cubic Foot	The term "cubic foot" shall mean the volume of gas, which occupies one-cubic foot of space at a temperature of 60 Fahrenheit and absolute pressure of 14.65 pounds per square inch. Volumes of gas measured at varying temperature pressure conditions will not be adjusted to these base conditions.	
Demand	The load at the receiving terminals averaged over a specified interval of time expressed in kilowatts or kilovolt-amperes.	
Energy Charge	The charge for the kilowatt-hour used during the billing period, as computed in accordance with the appropriate rate schedule.	
Gallon	A unit of liquid measured equal in volume to 231 cubic inches.	
Horsepower (HP)	The unit of mechanical power representing rate of consumption of power and equivalent to 746 watts.	
Kilowatt (KW)	The unit of electric power representing the rate of consumption equivalent to 1,000 watts.	
Kilovolt (KVA)	The unit of electric power representing the rate of consumption equivalent to one kilowatt at 100% power factor.	
Kilowatt-hour (KWH)	The consumption of energy equivalent to the use of one kilowatt for one hour.	
MCF	The term "MCF" shall mean 1,000 cubic feet of gas.	
Month	The period between two successive monthly meter readings taken as nearly as practicable on the same equivalent day of each calendar month.	
Power Factor	The ratio of the kilowatts to the kilovolt-amperes.	

Note: The remainder of this page and pages 1004 through 1008 are reserved for future use.

ALL SERVICES TARIFF	1000 SECTION NO.	1009 SHEET NO.
RULES AND REGULATIONS	<u>OCTOBER 1, 2014</u>	
<u>SECTION TITLE</u>	<u>EFFECTIVE DATE</u>	
<u>(Supersedes Rate Change Effective 10/22/2001)</u>		

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1002 DESCRIPTION OF SERVICE

Before purchasing or installing equipment and/or facilities, the customer should secure information, in writing, from the City as to the type of service available at the location to be served.

A. Electric Service

The City does not guarantee but, with the cooperation of the customer, will endeavor to furnish a continuous supply of electric power and energy and to maintain voltage and frequency within reasonable limits. The City shall not be liable for any damages, which the customer may sustain by reason of the failure of the supply or variation in service characteristics or phase reversals, nor shall the City be liable for any damages that may result from the use of electrical appliances or from the City's property on the customer's premises.

B. Gas Service

The gas delivered hereunder shall have the following characteristics:

1. Shall be commercially free from objectionable odors, dust or other solid or liquid or gaseous matter.
2. Shall contain not more than one (1) grain of hydrogen sulfide per 100 cubic feet of gas volume. The City shall specify the methods of determining such concentration.
3. Shall not contain more than 20 grains of total sulphur per 100 cubic feet of gas.
4. Shall not contain an amount of moisture exceeding that corresponding to saturation at the temperature and pressure of the gas at the point of deliver

The City shall not be liable to the customer for fluctuations in gas pressure or for failure to supply gas to the customer when said failure is occasioned by fires, strikes, riots, explosions, breakage of lines, water or fluid in lines, accidents to machinery, failure of gas wells or fields, or without limitation by preceding enumeration, any other cause beyond the control of the City. Furthermore, it is understood and agreed that the City shall have the right to be exercised without notice to the customer, to discontinue the supply of gas to the customer when and for such period as it shall become necessary to make repairs to the gas system, to conserve gas for domestic consumption, or to protect service to consumers having a higher classification than the customer.

ALL SERVICES TARIFF	1000 SECTION NO.	1010 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
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C. Water Service:

Water supplied under rate schedule is normally treated surface water approved for public water supply by the Texas Natural Resource Conservation Commission.

D. Sanitary Sewer Service:

Sanitary sewer service shall consist of collection, treatment, and discharge of domestic and industrial wastewaters in a manner acceptable to the Texas Natural Resource Conservation Commission and the United States Environmental Protection Agency. All industrial discharge must comply with the provisions of the City's industrial waste ordinance.

Note: The remainder of this page and pages 1011 through 1012 are reserved for future use.

ALL SERVICES TARIFF	1000 SECTION NO.	1013 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 11/08/2006)	

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1003 APPLICATION FOR SERVICE

A. General

An application is a request for service and does not in itself obligate the City to serve the customer nor does it bind the customer to take service for a longer period than the minimum requirement of the schedule under which service is to be taken. The customer will be responsible for a fee of \$15.00 per utility account as a connect fee or transfer fee.

B. Residential and Commercial

Application for service may be made at the business office of the City. Each applicant will be required to sign a "Customer Application and Connect Order" form provided by the City.

C. Large Commercial and Industrial

Each applicant will be required to sign a "Customer Application and Connect Order" form provided by the City.

In addition, an applicant may be required to furnish, in writing, complete details regarding the type of service desired, connected load, type of equipment utilizing services, or any other pertinent data desired by the City.

D. Extensions of Service

When service is requested at a location where the City does not have facilities available, or the facilities available are not adequate or suitable for the service requested, the City will establish service only in accordance with its extension policy relating to the type of facility required.

1004 ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT

Each applicant for service will be required to establish or re-establish his credit before service will be rendered.

A. Establishment of Credit

All applicants must make a cash deposit with the City in accordance with the provisions of Section 1005 in order to secure the payment of any bills for service.

B. Re-Establishment of Credit

A former customer whose service has been discontinued for failure to pay his bills as provided in Section 1006 will be in accordance with Section 1005. All balances due the City of Brenham must be paid.

ALL SERVICES	1000	1014
TARIFF	SECTION NO.	SHEET NO.

RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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(Supersedes Rate Change Effective 11/8/2006)

1005 DEPOSITS

All users of City-owned utilities shall be required to make a deposit prior to obtaining utility service as follows:

Residential Customers

Residential customers who are owner-occupants with any City owned utility service shall pay a cash deposit of \$150. All other residential customers, e.g. renter, shall pay cash deposit of \$250. Temporary service for a period not to exceed 14 days may be obtained without a deposit. A \$300 deposit will be required if service extends past 14 days.

If a residential customer has service at the effective date of this policy, said customer shall not be required to increase his deposit unless service is disconnected. The customer will be responsible for a fee of \$15 as a transfer fee. No interest will be paid on deposits. Upon disconnection of service, the deposits will be applied to the final bill and the excess, if any, shall be refunded to the customer.

Residential Customers:

- a. Owner, Permanent Structure \$ 150.00
- b. Non-Owner, Permanent Structure 250.00
- c. Non-owner, Permanent Structure without Electric or Gas service \$145.00
- d. Temporary Service is granted to a customer for 14 days without a deposit. A \$300 deposit will be required if service extends past 14 days.
- e. Contractor's deposit for each new construction \$100.00

Commercial and Industrial Customers:

Commercial customers shall pay a deposit equal to twice the highest cost of service for two months as calculated by the Utility Billing Department, or \$300, whichever is greater. Commercial customers shall provide to the City as a deposit.

- (a) Cash,
- (b) for deposits under \$1,000 a certificate of deposit in the name of the customer which is automatically renewable with a valid assignment of the certificate on file with the bank, or
- (c) for deposits of \$1,000 and over the money shall be deposited with the City of Brenham with interest being paid to the customer once yearly based on the rate of interest determined by the City.

ALL SERVICES TARIFF	1000	1015
SECTION TITLE	SECTION NO.	SHEET NO.

RULES AND REGULATIONS
SECTION TITLE

~~OCTOBER 1, 2014~~
EFFECTIVE DATE

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~~(Supersedes Rate Change Effective 10/22/2001~~

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(Supersedes Rate Changes effective 01/15/1978)

In lieu of a cash deposit, the customer may elect to provide any of the following as security for utility service.

- (a) irrevocable letter of credit from a financial institution acceptable to the City with a term over five years.
- (b) irrevocable bond by an insurance company acceptable to the City with a term over five years, or
- (c) real estate utility lien.

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The city will release its lien on the funds in writing to the bank upon payment in full of the account and all other sums due the City.

The City does not provide for the refund of any deposit prior to the disconnection of service and payment of the final bill. Customers who are past due over 25 days will have the amount of their deposit revised to the current deposit rate.

A. Amount Required to Re-Establish Credit

The amount of deposit required to re-establish credit for a former customer whose service has been discontinued for failure to pay his bills as provided in Section 1006 will be in accordance with Section 1005. All balances due the City of Brenham must be paid.

B. Return of Deposit

When the service is ordered discontinued by the customer, the deposit will be refunded after disconnection and determination of amount due the City. If there are charges due the City, the deposit will be applied to payment of said charges and any remaining portion will be returned.

1006 DISCONTINUANCE OF SERVICE

A. Customer's request

A customer may request service to be discontinued at any time unless there is a provision to the contrary in the service contract or applicable rate schedule. The customer is responsible for any use of service until the City has had a reasonable time to secure a final reading or to remove the meter. Services will be disconnected only at the written request of the customer.

B. Non-Payment of Bills or Non-Compliance with service contract

The City for failure of the customer to pay bills in accordance with the provisions of Section 1009 or for failure to comply with the terms of his service contract or these rules and regulations may discontinue Service. The account will be ~~final~~7 days after disconnection and all deposits will be applied. A new deposit will be required in accordance with Section 1005.

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ALL SERVICES TARIFF	1000 SECTION NO.	1016 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014 EFFECTIVE DATE	
SECTION TITLE	EFFECTIVE DATE	
	(Supersedes Rate Change Effective 10/22/1978)	

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C. Misrepresentation

The City may discontinue service without notice upon the discovery that the customer has made a misrepresentation to the City regarding the use of service or has in any manner fraudulently entered into the service contract.

D. Unlawful Use of Service

Service may be discontinued if the utility service is obtained in a manner defined in Section 31.04 of the Texas Penal Code adopted in 1973 or in an unlawful manner as determined by any governmental body having jurisdiction. Compliance with any such determination, order, or directive will relieve the City from any liability associated with the discontinuance of service. Payment of all amounts for which the City has not been compensated, including interest and other charges incurred in rendering service to the customer whether or not specifically stated in the applicable rate schedule, shall be due and payable at the time of discontinuance of service.

1007 DISCONNECTION SERVICE CHARGE

When service has been discontinued under the provisions of Section 1006, a charge for reconnection during regular business hours will be made to residential and general service customers in the amount of \$35.00.

No reconnections will be made after normal business hours.

1008 DISPUTED BILLS

When a customer believes that the amount of any bill rendered by the City for service is in error, he should:

- A. Request an explanation of the bill from the City and if this does not solve the matter, he should then,
- B. Request, in writing, an investigation of the matter, setting forth all information relative to the dispute and enclosing with the request an amount equal to the amount of the bill.

The City will investigate the matter promptly and communicate, in writing, its findings to the customer and distribute the amount of money submitted by the customer in accordance with its findings.

The City will not discontinue service nor will the customer's credit be impaired during such investigation. No penalties will accrue while the bill is under dispute.

The customer does not waive any rights he may have by following the procedure set out above.

ALL SERVICES TARIFF	1000 SECTION NO.	1017 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014 EFFECTIVE DATE	
SECTION TITLE		

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1009 PAYMENT OF BILLS

Bills for service will be based upon the metered consumption and computed under the applicable rate schedule

All payments must be received by the City by the due date or placed in the City's night depository prior to 8:00 AM on the first normal City business day following the due date.

Credit card payment option is available only to residential utility customers.

If the customer elects to pay his bill by check, payments shall be considered as made on such day as the City receives the check if and only if the bank on which the check is issued accepted the check. If the bank returns the check, payment will be considered as made when the customer pays his account in cash or at such time as the bank accepts the check on a subsequent attempt to cash the check.

Returned Checks (ISF) - A notice is hung informing the customer that an ISF check has been returned to the City of Brenham Utility Billing Office. The customer has until 9:00 A.M. the following morning to pick up the check. An ISF check charge of \$25.00 will also be due. If the check is not picked up and the bill paid in full plus ISF check charge, utilities will be disconnected.

All Customers, except departments, divisions, and/or agencies of the City, State, and Federal Government, will pay the gross amount of the bill if paid after the due date.

All other bills are due on presentation.

Payment of charges for connection or reconnection of service and payment of initial deposits or reinstated deposits as required under rules of the City shall be made before service will be connected or reconnected.

1010 INSTALLATIONS ON CUSTOMER'S PREMISES

A. Service Lines, Meters, and Other Equipment

All service lines, meters, fixtures, etc., which are installed by the City upon the customer's premises for the purpose of delivering service to the customer, remains the property of the City and may be repaired, replaced, or removed by the City at any time

No rent or other charge whatsoever will be made by the customer against the City for placing or maintaining said service lines, meters, fixtures, etc. upon the customer's premises.

B. Installations

All service meters installed on the customer's premises shall be located either at a point where the service enters the building, or at a point adjacent to the front or rear property line so as to be accessible at all times for inspecting, reading, and testing.

ALL SERVICES TARIFF	1000 SECTION NO.	1018 SHEET NO.
RULES AND REGULATIONS	<u>OCTOBER 1, 2014</u> EFFECTIVE DATE	
SECTION TITLE		

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(Supersedes Rate Change Effective 11/8/2006)

When it is necessary to install a transformer vault on the customer's premises, the City reserves the right to require the customer to furnish and maintain said vault at his expense in accordance with the City's standards.

The City reserves the right to refuse to render service to any applicant or to any customer where such service will affect service rendered to other customers adversely, or where, in the City's judgment, the customer's equipment to be served is hazardous.

The customer may call in meter readings to the computer room.

1011 METER READING

A. Regularly Scheduled Periods

The City will read its meters at the end of regularly scheduled periods.

B. Estimating Consumption

In the event that the scheduled reading of meters is not possible because of inability to gain access to the meter locations, the City will estimate the consumption and for the periods between actual readings the City will render appropriately marked estimated bills for the periods involved. The bills so provided shall have the same force and effect as if they were based on actual meter readings and shall be paid in accordance with terms of the applicable rate schedule and Section 1009.

1012 METERS

A. Meter Tests on Request of Customers

The City will upon the request of a customer, and if he so desires in his presence or in that of his authorized representative, make without charge a test of the accuracy of the customer's meter. The test shall be made during the City's normal working hours at a time convenient to the customer if he desires to observe the test. The test shall be made preferably on the customer's premises, but may, at the City's discretion, be made at the City's test laboratory. If the meter has been tested by the City, or by an authorized agency, at the customer's request, and within a period of four years the customer requests a new test, the City will make the test, but if the meter is found to be within the accuracy standards established by the American National Standards Institute, Incorporated, or the American Water Works Association, the customer will be responsible for the cost to test the meter. The minimum charge will be \$35.00. Following the completion of any requested test, the City will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

ALL SERVICES TARIFF	1000 SECTION NO.	1019 SHEET NO.
RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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B. Bill Adjustment Due to Meter Error

If any meter is found to be outside of the accuracy standards established by the American National Standards Institute, Inc. or the American Water Works Association, proper correction shall be made of previous readings for the period of six months immediately preceding the removal of such meter from service for test, or from the time the meter was in service since last tested but not exceeding six months, as the meter shall have been shown to be in error by such test, an adjusted bills shall be rendered. Refunds will only be made to the customer last served by the meter prior to testing. If a meter is found not to register for any period, unless bypassed or tampered with, the City will make a charge for units used but not metered for a period not to exceed three months based on amount used under similar conditions during the period preceding or subsequent thereto or during corresponding periods in previous years.

C. Metered Consumptions Not Combined

For the purpose of calculating charges each meter on the customer's premises will be considered separately, and the consumptions recorded by two or more meters will not be combined except as follows:

1. Where the combination of metered consumptions are specifically provided for in rate schedules.
2. Where the maintenance of adequate service and/or where the City's operating convenience shall require the installation of two or more meters upon the customer's premises instead of one meter.

1013 INTERRUPTION OF SERVICE

- A. The City will exercise reasonable diligence and care to avoid any interruptions of service. The City shall not be liable for any damages or claims arising from any failure to deliver service to the customer, which failure in any way or manner results from failure of its facilities however caused or from failure of any supplier to provide necessary products, materials, or services necessary to the continuity of service.
- B. The City, whenever it shall find it necessary for the purpose of making repairs or improvements to its system, will have the right to suspend temporarily the delivery of service. Normally, a reasonable notice will be given to the customers of the proposed suspension when it occurs other than under emergency conditions. The making of such repairs or improvements will be carried out as rapidly as practicable to cause the least inconvenience to the customer.

ALL SERVICES	1000	1020
TARIFF	SECTION NO.	SHEET NO.

RULES AND REGULATIONS	OCTOBER 1, 2014	
SECTION TITLE	EFFECTIVE DATE	

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~~(Supersedes Range Change Effective 10/22/2001)~~

1014 RIGHT OF ACCESS TO CUSTOMER'S PREMISES

The City shall have the right to remove its property installed on the customer's premises at the termination or discontinuance of service.

1015 SERVICE CONNECTIONS MADE BY EMPLOYEES

Only duly authorized employees of the City are allowed to connect the customer's service to or disconnect the same from the City's facilities.

The customer will be required to be present and open his building during normal City working hours for the purpose of lighting pilots on natural gas appliances at the time of connection to the gas system.

No connections of service will be made after normal City working hours.

1016 CUSTOMER'S FACILITIES FOR RECEIVING SERVICE

In addition to the requirements set forth herein, the customer's facilities for receiving service shall comply with all regulations contained within or referred to by the Code of Ordinances, City of Brenham, Texas, prior to the connection of utility service.

1017 BILLING PROCEDURES

Utility bills are calculated on actual usage and are pro-rated only in the following situations:

1. Commercial sanitation pick-up charges and dumpster charges are pro-rated when a customer connects or disconnects.
2. ~~_____~~
3. ~~_____~~
4. ~~Any customer who has residential utility service with the City shall be subject to charges for garbage service per Section 800, Sheet 812.~~
5. New customers ~~connected for less than 5 days will be billed only for connection fees. Customers will be billed for services after connected for 6 days.~~

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Deleted: Residential customers are pro-rated if they transfer services during the month. Customers connected 14 days or less are considered one-half month; customers connected 15 days or more are billed for a full month.¶

Deleted: Temporary service on new residences are considered . small commercial and are billed accordingly. There is not a sanitation pick-up charge or sewer charge.

Deleted: Sanitation pick up fee will be charged to all customers who have electric service

Deleted: will receive a bill if they are connected 5 days prior to the meter reading date. Any customer connected 4 days or less will be placed on hold until the next month's billing.

ALL SERVICES	1000	1021
TARIFF	SECTION NO.	SHEET NO.

RULES AND REGULATIONS

~~OCTOBER 1, 2014~~

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SECTION TITLE

EFFECTIVE DATE

~~Supersedes Rate Change Effective 10/22/2001~~

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1018 CHANGES IN RATES, RULES AND REGULATIONS

The rates, rules, and regulations contained in this tariff may be changed from time to time by the City Council.

New rates, rules, and regulations shall become effective on the date specified thereon and shall on the date alter, amend, supersede, or replace, as the case may be, any existing rates, rules, and/or regulations.

This exercise of the authority granted to the City Council shall be pursuant to and in accordance with the directives of any governmental body having jurisdiction in this area over the City.



AGENDA ITEM 21

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.074 - Texas Government Code – Personnel Matters – Discuss and Consider the City Manager’s Employment Agreement and Related Issues		
SUMMARY STATEMENT: As discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
<p>A. PROS:</p> <p>B. CONS:</p>		
ALTERNATIVES (In Suggested Order of Staff Preference): N/A		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



AGENDA ITEM 22

DATE OF MEETING: September 4, 2014	DATE SUBMITTED: August 29, 2014	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues.		
SUMMARY STATEMENT: As discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION:		
APPROVALS: Mayor Milton Y. Tate, Jr.		