



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY NOVEMBER 20, 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 – Councilmember Ebel**
- 3. Citizens Comments**

CONSENT AGENDA

4. Statutory Consent Agenda

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

- 4-a. Minutes from the November 6, 2014 Regular City Council Meeting**
Pages 1-8
- 4-b. Ordinance No. O-14-036 on Its Second Reading Authorizing a Variance to Minimum Setback Requirements as Outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham’s Code of Ordinance**
Pages 9 -11
- 4-c. Ordinance No. O-14-037 on Its Second Reading to Repeal Ordinance No. O-14-027 Relating to the Designation of Approximately 1.4 Acres in the Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as Provided in Chapter 312 of the Texas Tax Code**
Pages 12 - 13

WORK SESSION

- 5. Discussion and Presentation Related to Street Improvements Including, but not Limited to, Chappell Hill Street Between Lawndale Avenue and Stone Street and Possible Funding Options** **Page 14**

REGULAR AGENDA

- 6. Discuss and Possibly Act Upon the 2015 Holiday Schedule** **Pages 15 - 16**
- 7. Discuss and Possibly Act Upon the Purchase of Group Term Life and Accidental Death and Dismemberment and Long Term Disability Coverage and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 17 - 36**
- 8. Discuss and Possibly Act Upon an Ordinance on its First Reading Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System** **Pages 37 - 41**
- 9. Discuss and Possibly Act Upon a Request for a Noise Variance for Home Sweet Farm Market Located at 307 S. Park Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 42 - 43**
- 10. Discuss and Possibly Act Upon Change Order No. 1, Change Order No. 2, Change Order No. 3 (Reconciliation) and Authorize Final Payment to Dudley Construction, Ltd. for the Utility Line Extension Along State Highway 36 North and Burleson Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 44 - 60**
- 11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing the Placement of Stop Signs on S. Day Street at its Intersection with Charles Lewis Street** **Pages 61 - 63**
- 12. Discuss and Possibly Act Upon Resolution No. R-14-025 in Support of a Request to the Texas Department of Transportation for the Placement of Stop Signs on College Avenue at its Intersection with S. Day Street** **Pages 64 - 67**
- 13. Discuss and Possibly Act Upon Change Order No. 2 to Collier Construction, LLC for the Extension of Chappell Hill Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 68 - 71**

EXECUTIVE SESSION

- 14. Section 551.073 – Texas Government Code – Deliberation Regarding Prospective Gift – Discussion Regarding Prospective Gift(s)/Donations(s) of Real Property for City Street Right-of-Way Purposes** **Page 72**

REGULAR AGENDA

- 15. Administrative/Elected Officials Report**

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.

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 November 20, 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 November 17, 2014 at **12:30** PM.

Jeana Bellinger, TRMC

City Secretary

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

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

Signature

Title

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on November 6, 2014 beginning at 2:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

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

Members absent:

None

Others present:

City Manager Terry K. Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Kacey Weiss, Paula Shields, Chief Financial Officer Carolyn Miller, Stacy Hardy, Cynthia Longhofer, Kaci Konieczny, Sara Parker, Crystal Locke, Susan Nienstedt, Fire Chief Ricky Boeker, Public Works Director Dane Rau, Casey Redman, Public Utilities Director Lowell Ogle, Janie Mehrens, Kevin Schmidt, Kevin Boggus, Pam Ruenke, Andria Heiges, City Engineer Grant Lischka, Christi Korth, Florence Bentke, Judy Wagner, Kristi Jackson, Amanda Carker, Chris Jackson, Trey Gulley, Eddie Ocanas, Alton Sommerfield, Jodie Kapchinski, and Kim Mueller

Citizens present:

Peggy Sefcik, Catherine Kenjura, William Krueger, Sherrie Winkelmann, Page Michel, and Clint Kolby

Media Present:

Daniel Hukel, Brenham Banner Press; and Mary-Janet Reyes, KWHI

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – Councilmember Danny Goss

3. Service Recognitions

- Christi Korth, Finance - 5 Years
- Eddie Ocanas, Police Department - 10 Years
- Kim Mueller, Maintenance Department - 15 Years
- Susan K. Nienstedt, Human Resources - 15 Years
- Kyle D. Dannhaus, Administration - 30 Years
- Alton W. Sommerfield, Electric Department - 35 Years

4. Citizens Comments

None

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the October 9, 2014 Regular City Council Meeting

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 5-a.

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

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

WORK SESSION

9. Discussion and Presentation Related to the Possible Placement of Stop Signs Along S. Day Street at its Intersection with College Avenue and Charles Lewis Street

Public Works Director Dane Rau presented this item. Rau stated that there have been concerns about safety related to two intersections along S. Day Street; College Avenue and Charles Lewis.

- **S. Day Street at College Avenue:** The City received a request from St. Paul's Christian Day School outlining their concerns and requesting support from the City and assistance with approaching TxDOT about placing stop signs on College Avenue where it intersects with S. Day Street.

Rau explained that the Brenham Police Dept. compiled information on accidents at this intersection. The report indicates that there were eleven accidents within the last two years. Rau and Police Chief Phelps reviewed the findings and, based on the statistical numbers and the activity at this intersection; support the idea of a stop sign.

Rau also explained that he spoke with Mark Shaffer at TxDOT about the possibility of placing stop signs at this location. Shaffer said that the placement of the stop sign would be acceptable to TxDOT if the City Council is agreeable.

- **S. Day Street at Charles Lewis Street:** The City received a request to consider converting Charles Lewis and S. Day Street from a 2-way stop to a 4-way stop. The additional stop sign would be placed on S. Day. This would slow down vehicles leaving Tom Green St. and W. Fifth St. There were no reported accidents at this location over the last several years.

Rau advised Council that he spoke with the property owners in the area and they are supportive of the stop sign. Citizen Carol Dippel-Webber addressed the Council, she indicated her support of the stop sign.

6. Discussion and Presentation Related to the Future Expansion, Renovation and Modernization of the Nancy Carol Roberts Memorial Library

Community Services Director Wende Ragonis presented this item. Ragonis explained that the last update regarding the facility modernization project was provided March 20, 2014. Ragonis explained that at that meeting, staff was tasked with: (1) planning and implementing the relocation of the Nancy Carol Roberts Memorial Library into its temporary location within City Hall; and (2) securing the public and private funding partnership equal to the project budget. Once these steps were complete, the project was able to move into the design phase. Through a public-private effort, the funding of \$3 Million has been secured (\$1.5 Million each).

Ragonis explained that the facility design was a collaborative effort between City Staff, the Library Advisory Board and the citizens in attendance at the Library Advisory Board meetings. Ragonis showed Council the exterior elevation, the interior conceptual design plan and the site plan for this project. Ragonis explained that the project is on target and should go out for bidding on the asbestos removal and construction in January. The cost for abatement is estimated to be \$75,000 and site preparation will be done in-house.

7. Discussion and Presentation Related to the Future Brenham Pet Adoption and Animal Care Facility

Police Chief Rex Phelps presented this item. Phelps explained that the Animal Shelter Task Force has been engaged in fundraising efforts. The new facility will be approximately two times the square footage of the current shelter with three times the sheltering. Phelps showed Council the facility layout and the exterior elevation; he explained that the facility will look similar to the Police Station.

Phelps stated that, like the library, is funded through a public/private partnership and the project is ninety-five percent funded. The projected cost of the shelter will be \$1,995,000 and funds secured to date are \$1,887,555.82. Phelps explained that the Task Force is continuing to fund raise for the difference (\$107,444.18) and they have applied for several grants. Phelps advised Council that the bid phase should be completed by the end of the year, with construction beginning in early 2015.

8. Discussion and Presentation Related to the Exit Signs Along U.S. Highway 290 in Relation to the S. Chappell Hill Street Extension

Public Works Director Dane Rau presented this item. Rau explained at the October 17, 2014 Council meeting, Council passed a resolution changing the name of Stringer St. to S. Chappell Hill St. Rau stated that Public Works then sent a letter to TxDOT requesting that the eastbound and westbound exit signs for Stringer St. be changed to display the new name.

Rau explained that according to TxDOT a sign on the westbound lane, mounted on the overpass, similar to the Highway 36 Business sign would cost the City between \$40,000 and \$65,000. Rau stated that he inquired about mounting the westbound sign on the same cantilever structure that the Highway 36 sign but was told by TxDOT that destinations signs, route signs and city street exit signs cannot be mixed.

Council advised Rau to follow-up with TxDOT on costs estimates but at this time the City does not want to spend that much money on new signage. Rau advised that he would double check with TxDOT to see if there are any other options available.

REGULAR AGENDA

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Minimum Setback Requirements as Outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham's Code of Ordinances

City Engineer Grant Lischka presented this item. Lischka explained that this is a request for a variance from Country Side Manufactured Home Community to allow open-air carports to be constructed over the existing parking pads. Section 14-9(4)(b) of the City's Code states that carports cannot be located closer than 10 feet to a manufactured home and installing carports over the existing parking pads will encroach slightly into the 10 feet. Lischka explained to Council that if the variance is approved it would alleviate placing carports between manufactured homes, provide a uniform location for carports throughout the park, provide covered parking for all spaces, and be consistent with similar carports within the adjoining park. Lischka stated that the Owner agrees to move the carports, if necessary, to the City to allow work in the utility easement; therefore, staff recommends approval of the variance.

Lischka advised Council that there is ambiguity in the current Manufactured Home ordinance and a revised ordinance with clearer language will be brought back to Council at a later date.

Councilmember Barnes-Tilley asked if the current requirements do not make sense, shouldn't a change be made to the ordinance so that more of these variances would be brought to Council. Lischka explained that former Development Services Director, Julie Fulgham, was working on the language for this ordinance but did not get it completed prior to her leaving the City. Lischka explained that Staff is currently working on the ordinance but this variance is needed sooner than a new ordinance can be prepared by staff and adopted by the Council.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an ordinance on its first reading authorizing a variance to minimum setback requirements as outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham's Code of Ordinances.

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

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

11. Discuss and Possibly Act Upon the Appointment of Kacey Weiss as Deputy City Secretary

City Secretary Jeana Bellinger presented this item. Bellinger introduced Kacey Weiss and explained that in October, Amanda Klehm resigned her position as Deputy City Secretary to pursue other interests. Bellinger said that after posting the open position on the City’s website, Municipal Court Clerk Kacey Weiss applied.

Bellinger advised the Council that since March 2014, Kacey has been working one day a week in the City Secretary’s office assisting with various special projects. During this time Kacey has been a great addition to the City Secretary’s office. Bellinger recommended that Council approve her appointment as Deputy City Secretary.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the appointment of Kacey Weiss as Deputy City Secretary.

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

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

12. Discuss and Possibly Act Upon an Ordinance on Its First Reading to Repeal Ordinance No. O-14-027 Relating to the Designation of Approximately 1.4 Acres in the Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as Provided in Chapter 312 of the Texas Tax Code

City Secretary Jeana Bellinger presented this item. Bellinger explained that on September 4, 2014 the City Council passed Ordinance No. O-14-027 designating approximately 1.4 acres in the Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive for Independence Coffee, as provided in Chapter 312 of the Texas Tax Code.

Bellinger said the City was notified in September that Independence Coffee had decided not to relocate to downtown Brenham so the Reinvestment Zone would not be needed; therefore, the City Attorney recommends that Ordinance No. O-14-027 be repealed.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve an ordinance on its first reading to repeal Ordinance No. 0-14-027 relating to the designation of approximately 1.4 acres in Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as provided in Chapter 312 of the Texas Tax Code.

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

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

13. Discuss and Possibly Act Upon Resolution No. R-14-024 to Repeal Resolution No. R-14-018 Relating to the Adoption of a Commercial Tax Phase-In Agreement with Independence Coffee Company, LLC.

City Secretary Jeana Bellinger presented this item. Bellinger explained that on September 4, 2014 the City Council passed Resolution No. R-14-018 authorizing a Tax Phase-In Agreement with Independence Coffee for the relocation of their facility to downtown Brenham; however, in September the City was notified of Independence Coffee's decision to not relocate to Brenham at this time. Due to Independence Coffee's decision to not relocate, the City Attorney recommended that Resolution No. R-14-018 be repealed.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve Resolution No. R-14-024 to repeal Resolution No. R-14-018 relating to the adoption of a Commercial Tax Phase-In Agreement with Independence Coffee, Company, LLC.

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

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

The Council adjourned into Executive Session at 3:14 p.m.

EXECUTIVE SESSION

14. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discuss and Consider Various Properties in the Downtown Area for Possible Future Acquisition

Executive Session adjourned at 4:15 p.m.

REGULAR AGENDA

15. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Presented the Council with a handout regarding the upcoming board appointments. Roberts stated that the handout includes board members whose terms are expiring and that appointments will be presented to Council in December.
- The Chamber is presenting a Legislative Forum next Friday, November 14th
- PPE completed the construction of their new facility in the Brenham Business Center and production should start next week.
- A new Development Services Manager, Eric Smith, will start on December 1st.

Mayor Pro Tem Nix advised that Council that her store, Glissmann's is celebrating their 90th anniversary.

Councilmember Herring reminded the Council about November 10th being the Marine Corp's 239th Birthday.

Councilmember Williams advised that he will be out in December due to a medical issue.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

ORDINANCE NO. O-14-036

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 14-9(4) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 14, REGULATING MOBILE HOMES, MANUFACTURED HOMES, AND MANUFACTURED HOME PARKS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham Code of Ordinances, Chapter 14, Mobile Homes, Manufactured Homes, and Manufactured Home Parks provides for standards and regulations regarding manufactured housing and manufactured home parks within the corporate boundaries of the City of Brenham; and

WHEREAS, Chapter 14, Section 14-9(4) states that manufactured homes shall be so located on each space in a manufactured home park such that there shall be minimum clearances and setbacks as follows:

- (b) Twenty (20) feet from any manufactured home or building within the park (except storage buildings and carports constructed of nonflammable material may be within ten (10) feet); and

WHEREAS, as the legislative body of the City of Brenham, the City Council of the City of Brenham, Texas has the authority to grant variances from the terms of the City of Brenham Code of Ordinances, Chapter 14, Mobile Homes, Manufactured Homes, and Manufactured Home Parks; and

WHEREAS, the owner of the property located at 2075 FM 389, Brenham, Texas has developed a manufactured home park (known as “Country Side Manufactured Home Community”) with parking pads to serve all manufactured home spaces in the park; and

WHEREAS, the owner desires to avoid installing carports (said carports being nonflammable and open-air on all sides) in locations where each carport is situated between the manufactured homes, and to provide uniform location for carports throughout the manufactured home park; and

WHEREAS, the owner has requested approval to install said carports on the existing parking pads which will cause each carport to be located within ten feet (10’) of a manufactured home; and

WHEREAS, similar carport locations exist within the adjoining manufactured home park; and

WHEREAS, the owner has agreed to move the carports if necessary to allow work in the utility easement; and

WHEREAS, the City Council finds that by granting the variance, the spirit of the City of Brenham Code of Ordinances, Chapter 14, Mobile Homes, Manufactured Homes, and Manufactured Homes Ordinance is observed; and

WHEREAS, the City Council further finds that granting the variance is not contrary to the public interest;

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

1. **Findings of Fact:** All of the above premises are hereby found to be true and correct findings of the City Council of the City of Brenham and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.
2. **Variance Granted:** The City Council hereby grants the request for a variance from the provisions of the City of Brenham Code of Ordinances, Chapter 14, Section 14-9(4)(b) which prohibit a carport from being installed within ten feet (10') of a manufactured home. The owner of the property located at 2075 FM 389, Brenham, TX 77833 shall be permitted to install nonflammable, open-air carports on the existing parking pads within ten feet (10') of a manufactured home. Said carports must be properly installed and maintained in good condition. The carports shall be installed as shown on the Country Side Manufactured Home Community Typical Carport Site Plan attached hereto as Exhibit "A" and incorporated herein for all purposes. Further, in the event the City of Brenham desires to perform any work in the twenty foot (20') utility easement abutting and adjacent to the interior access road, the owner, at no cost to the City of Brenham and within three (3) days of the City's written request, shall temporarily move, or cause to be temporarily moved, said carports as necessary to allow work in said twenty foot (20') utility easement.
3. **Conflict with Prior Ordinances:** In the case of a conflict between this Ordinance and any provision or clause of previous Ordinances adopted by the City of Brenham, the provisions of this Ordinance shall prevail.
4. **Severability:** Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.
5. **Effective Date:** This Ordinance shall become effective immediately upon and after its passage and publication as may be required by governing law.

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

PASSED and APPROVED on its first reading this the 6th day of November, 2014.

PASSED and APPROVED on its second reading this the 20th day of November, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

ORDINANCE NO. O-14-037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, REPEALING ORDINANCE NO. O-14-027 RELATING TO THE DESIGNATION OF CERTAIN TRACTS OF LAND CONTAINING APPROXIMATELY 1.4 ACRES LOCATED AT 321 S. BAYLOR STREET, BRENHAM, TEXAS, 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, AS REINVESTMENT ZONE NUMBER FORTY FOR COMMERCIAL TAX PHASE-IN INCENTIVE AS PROVIDED IN CHAPTER 312, TEXAS TAX CODE; AND ORDAINING OTHER RELATED MATTERS

WHEREAS, Section 312.201, Texas Tax Code, authorizes the governing body of a municipality by ordinance to designate as a reinvestment zone an area in the taxing jurisdiction or extraterritorial jurisdiction of the municipality for commercial tax phase-in purposes; and

WHEREAS, by application dated July 25, 2014 Independence Coffee Company, LLC (“Independence Coffee”) requested approval of commercial tax phase-in incentive from the City of Brenham pursuant to the “City of Brenham Policy Statement on Property Tax Phase-In Incentive for Selected Commercial Enterprises” (“Tax Phase-In Policy”); and

WHEREAS, on September 4, 2014, after complying with all procedural, notice and hearing requirements of state law and the Tax Phase-In Policy, the City Council passed Ordinance No. O-14-027 on second and final reading designating approximately 1.4 acres of land located at 321 S. Baylor Street, Brenham, Texas as Reinvestment Zone Number Forty; and

WHEREAS, on September 16, 2014 the City was notified of Independence Coffee’s decision to not relocate its operations to Brenham; and

WHEREAS, the City Council of the City of Brenham desires to repeal its designation of approximately 1.4 acres of land located at 321 S. Baylor Street, Brenham, Texas as Reinvestment Zone Number Forty;

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

Section 1.

Ordinance O-14-027 is hereby repealed in its entirety, and the designation of approximately 1.4 acres of land located at 321 S. Baylor Street, Brenham, Texas as Reinvestment Zone Number Forty is null and void.

Section 2.

This Ordinance shall be effective from and after its passage and approval on second reading, and its publication as may be required by applicable law.

PASSED and APPROVED on its first reading this the 6th day of November, 2014.

PASSED and APPROVED on its second reading this the 20th day of November, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 5

DATE OF MEETING: November 20, 2014		DATE SUBMITTED: November 17, 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 type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION	
	<input checked="" type="checkbox"/> WORK SESSION		
AGENDA ITEM DESCRIPTION: Discussion and Presentation Related to Street Improvements Including, but no Limited to, Chappell Hill Street Between Lawndale and Stone Street and Possible Funding Options			
<p>SUMMARY STATEMENT: With the Chappell Hill Street Extension south of Lawndale Avenue under construction, staff has explored the possibility of continuing the improvements of Chappell Hill Street between Lawndale Avenue and Stone Street. The existing right-of-way is adequate to construct a 39-foot wide collector street section. The existing street does not have curb and gutter, so any reconstruction work would require installation of approximately 1,400 feet of new curb and gutter and new intersection valleys and driveway approaches. The approximate cost for the concrete work is \$30,000. Staff recommends that City personnel complete the remainder of the construction, which has an estimated cost of \$30,000, for a total of approximately \$60,000. One possible funding source is the 2012 Certificates of Obligations, which have a balance of approximately \$600,000. Due to limited funding options and the fact that Council has shown interest in other projects, we would also like to discuss any other potential street improvement projects and funding.</p> <p>Widening this portion will improve traffic flow south of Stone Street, particularly once the remainder of Chappell Hill Street south of Lawndale is completed.</p>			
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): 2012 Certificates of Obligations			
RECOMMENDED ACTION: Discussion only			
APPROVALS: Terry K. Roberts			



AGENDA ITEM 6

DATE OF MEETING: November 20, 2014	DATE SUBMITTED: 10/31/2014	
DEPT. OF ORIGIN: HR Manager	SUBMITTED BY: Susan Nienstedt	
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 2015 Holiday Schedule		
SUMMARY STATEMENT: The Holiday Schedule for 2015 is presented for approval by the City Council. The schedule provides for the same 12 holidays approved for 2014.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Proposed 2015 Holiday Schedule		
FUNDING SOURCE (Where Applicable): Funding for holiday pay is provided in FY15 budget.		
RECOMMENDED ACTION: Approve 2015 Holiday Schedule as presented.		
APPROVALS: Terry K. Roberts		



2015 HOLIDAY CALENDAR

JANUARY						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
S	M	T	W	Th	F	S
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APRIL						
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MAY						
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JULY						
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SEPTEMBER						
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OCTOBER						
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NOVEMBER						
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DECEMBER						
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27	28	29	30	31		

January 1
New Year's Day

January 19
Martin Luther King Day

April 3
Good Friday
or
April 5
Easter Sunday
(24 hour departments)

May 25
Memorial Day

July 3
Independence Day
Or
July 4
(24 hour departments)

September 7
Labor Day

November 11
Veterans Day

November 26 & 27
Thanksgiving

December 24 & 25
Christmas

*Birthday Holiday
Floating



AGENDA ITEM 7

DATE OF MEETING: November 20, 2014		DATE SUBMITTED: November 17, 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 Purchase of Group Term Life and Accidental Death and Dismemberment and Long Term Disability Coverage and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: The Group Term Life and Accidental Death and Dismemberment and Long Term Disability policies with Lincoln Financial Group terminate as of December 31, 2014 at the end of the three-year agreement. Proposals for coverage effective January 1, 2015, were sought through RFP No 15-001-Group Basic Term Life, Accidental Death & Dismemberment, and Long Term Disability Insurance. Responses are summarized on the attached memo.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Memo; and (2) Sun Life Proposal		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve the purchase of Group Term Life and Accidental Death and Dismemberment and Long Term Disability insurance from Sun Life of Canada for a 3-year period effective January 1, 2015 at the rate of \$0.16 per \$1,000 base salary for Employee Basic Life; \$.02 per \$ 1,000 base salary for Employee Basic AD&D; and \$0.24 per \$100 base salary for Long Term Disability with two additional year renewals by mutual agreement.		
APPROVALS: Terry K. Roberts		



TO: MAYOR AND COUNCIL
CITY MANAGER

FROM: JANIE MEHRENS

DATE: NOVEMBER 17, 2014

SUBJECT: PURCHASE OF GROUP TERM LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT AND
LONG TERM DISABILITY INSURANCE

The Group Term Life and Accidental Death and Dismemberment and Long Term Disability policies with Lincoln Financial Group terminate as of December 31, 2014 at the end of the three-year agreement. Proposals for coverage effective January 1, 2015, were sought through RFP No. 15-001-Group Basic Term Life, Accidental Death & Dismemberment, and Long Term Disability Insurance.

Notices of Request for Proposal were sent to twenty-four (24) potential vendors and three responses were submitted.

After evaluation, it was found that:

- Lincoln Financial Group – Did not meet specifications.
- The Municipal Pool (Ochs, Inc.)- Did not provide rates for Long Term Disability.
- Sun Life of Canada – Only responsive and responsible proposal.

A Best and Final offer was requested from Sun Life, resulting in rates 13% lower than their original proposal. Final rates are as follows:

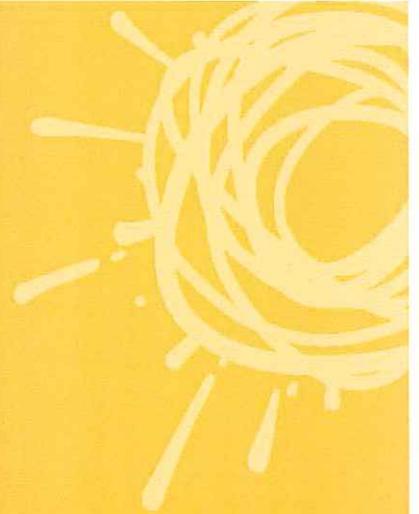
- \$0.16 per \$1,000 base salary - Employee Basic Life
- \$.02 per \$1,000 base salary - Employee Basic AD&D
- \$0.24 per \$100 base salary - LTD

New rates represent a 22 % cost increase in Life/AD&D coverage and a 78% cost increase in Long Term disability coverage from previous rates which began in 2012.

Proposed plan rates are firm for three years with two additional years renewals by mutual agreement between City of Brenham and vendor.

Staff recommendation is to approve purchase of Group Term Life and Accidental Death and Dismemberment and Long Term Disability insurance from Sun Life of Canada effective January 1, 2015 at the proposed rates for a three year period with two additional years renewals by mutual agreement between the City of Brenham and vendor.

PROPOSAL



Brighter under the sun

Created for:
City of Brenham

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Introduction

Thank you for the opportunity to provide your company with insurance protection. We are honored to offer this proposal to you.

Proposal presented to

City of Brenham
200 W Vulcan St
Brenham, TX 77833

SIC Code: 9111

Proposal presented by

Sun Life Financial
One Sun Life Exec Park
112 Worcester St
Wellesley Hills, MA 02841
Tel: 800-786-5433

Benefits quoted

Employee Basic Life; Employee Basic AD&D and Long-Term Disability

Proposed Effective Date

January 1, 2015

Things to know

- This proposal shows a summary of proposed benefits, rates, and underlying assumptions. It is not part of the group policy or a legal contract with Sun Life Financial or its affiliated companies.
- This proposal is valid for 60 days, starting from November 14, 2014, and only for the proposed Effective Date.
- This proposal is for fully insured, nonparticipating coverage that terminates at retirement, unless otherwise noted.
- The rates shown may be subject to recalculation pending a) final enrollment, b) census data, and c) review of any additional data requested in the proposal. Please review the assumptions for information about how the rates were derived.
- We require that you provide a copy of the current carrier's policy or certificate at time of sale.

November 14, 2014

Quote # 6

Producer licensing

All Sun Life Financial companies require producers who use insurance quotes for the purpose of soliciting, selling or negotiating insurance to be licensed both by the state where the prospective client is located and by any state where the solicitation, sale, or negotiation of insurance occurs, if different. This requirement pertains to all forms of solicitation, sale, or negotiation of insurance, including but not limited to solicitation, sale, or negotiation conducted in person, or by telephone, by e-mail, by fax, or otherwise.

Producer compensation

We encourage brokers and their clients to discuss what commission or other compensation may be paid in connection with the purchase of products and services from Sun Life companies. All Sun Life Financial companies may pay the selling broker, agency, or third party administrator for the promotion, sale, and renewal of the products and services offered in this proposal. In addition to our standard compensation arrangements, we may make additional cash payments or reimbursements to selling brokers in recognition of their marketing and distribution activities, persistency levels, and volume of business. For New York-issued cases, producers must comply with the specific compensation disclosure requirements of New York Regulation 194.

Plan and rates

This proposal may be based on employee census information provided by the employer. Acceptance of the group and final rates will be determined by Sun Life based on actual enrollment and case experience, if required. Terms and conditions of any coverage under the policy may be determined by all required final data and by underwriting rules, minimum participation requirements, and policy provisions in effect on the date coverage begins.

Underwriting companies

The Sun Life Financial group of companies operates under the Sun Life Financial name. In the United States and elsewhere, insurance products are offered by members of the Sun Life Financial group that are insurance companies. Sun Life Financial Inc., the publicly traded holding company for the Sun Life Financial group of companies, is not an insurance company and does not guarantee the obligations of these insurance companies. Each insurance company relies on its own financial strength and claims-paying ability.



Wake up to the benefits of benefits

As a leading provider of employee benefits solutions, Sun Life Financial makes it easy for employers to attract and retain high-quality employees. We have been helping people protect what they love for nearly 150 years. What's different about our employee benefits?

Comprehensive and flexible products

- A broad portfolio of Group Life, Disability, Dental, and Stop-Loss solutions
- Specialized solutions for small businesses, physicians, banks, attorneys, and the public sector
- Value-added services that provide additional support to customers, employees, and families⁴
- A rapidly expanding suite of voluntary products that allow companies to offer a quality benefits program at little or no cost to the employer

Service that makes a difference

- Sales representatives with targeted areas of expertise
- Talented people who care about smooth installations, successful enrollments, and responsive service
- Straightforward communications written in plain language
- Tailored enrollment solutions

Financial strength and strong global presence

- Chartered in 1865, Sun Life Financial and its partners serve millions of people in key markets worldwide
- Highly rated by independent rating agencies¹
- Sixth-largest life insurance company in North America²
- More than 85 years of group benefits experience in the U.S.
- Top 10 disability insurance provider³
- \$2 billion of in force group insurance business, protecting 13 million covered lives*
- More than 33,000 group insurance customers in the U.S.

At Sun Life, we know offering the right benefits is good for everyone.

*As of year-end 2012.

Footnote information is located in the General Disclosures section on the last page of this proposal.

November 14, 2014

Quote # 6



Basic Life

We are pleased to offer Basic Life insurance to employers, with the benefits employees want. Here are some highlights:

- **Value-Added Services:** Employers with noncontributory coverage can choose the Value-Added Services package that best fits the needs of their employees. These noninsurance services are included in the price of your Basic Life coverage.
 - **Choice #1:** Emergency Travel Assistance for employees and dependents traveling 100+ miles from home, and Identity Theft Protection for employees. Services provided by Assist America.⁴
 - **Choice #2:** Online Will Preparation for employees and spouses, and Claimant Support Services for claimants and families who need professional grief, legal, or financial counseling. Services are provided over the telephone by ComPsych®.⁴
- **Accelerated Benefits:** Terminally ill employees may access a portion of their death benefit while they are alive.
- **Waiver of Premium:** Waiver benefits protect employees who are Totally Disabled, as defined by the policy, and who meet age requirements. Employers can customize the elimination period or choose no elimination period—a popular choice because it means easy tracking and immediate benefits for eligible employees.
- **Claims Settlement:** Beneficiaries may elect to receive either a complimentary interest-bearing account or a lump-sum payment. Availability and coverage may vary by state.
- **Accidental Death & Dismemberment (AD&D):** Protection for covered Accidental Death and covered injuries such as Speech/Hearing, Loss of Limb, Loss of Use of a Limb Due to Quadriplegia, Paraplegia, or Hemiplegia, and Thumb and Index finger—all with a standard 365-day loss period. Many optional riders can be added, including Seat Belt, Air Bag, Helmet, Business Travel, Bereavement Counseling, and Child and/or Spouse Education.
- **Voluntary benefits:** Attractive programs provide the coverage employees want, with simple, flexible plan designs and hassle-free enrollments.
- **Portability:** In states that allow portability, groups receive it as a standard feature. So, when coverage ends for reasons other than sickness, injury, retirement, or termination of the employer's plan, employees can apply for a portable Term Life policy without Evidence of Insurability. Availability may vary by state.
- **Continuation:** Groups in states where Portability is not available may elect Continuation at point of sale. Continuation allows employees, when their coverage ends, to continue their Group Term coverage without Evidence of Insurability. They can continue this coverage as long as the group policy is in force. This coverage is in addition to any state-mandated Continuation benefits.
- **Service Guarantees:** We are pleased to offer a Life Service Guarantee, which covers the speed and accuracy of our claims processing as well as how quickly we respond to our customers' phone calls. In addition, we include an overall satisfaction guarantee to ensure that our customers are 100% satisfied with our service. These service guarantees are available to all 100% employer-paid and partially employer-paid plans.

Footnote information is located in the General Disclosures section on the last page of this proposal.

Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

Basic Life

Plan design and rates

Plan 1

Employee Basic Life and AD&D plan design

Employee Basic Life	
Eligible employees	All Full-Time United States Employees working in the United States who are scheduled to work a minimum of 24 hours per week
Effective Date	January 1, 2015
Class 1	
Class description	All Eligible Employees
Waiting Period	60 days of employment
Benefit amount	2.00 times annual earnings
Maximum benefit	\$300,000
Guaranteed Issue amount	Lesser of current amount or \$300,000
Contributions	Noncontributory
Participation requirement	100.00%

Employee Basic AD&D	
Eligible employees	All Full-Time United States Employees working in the United States who are scheduled to work a minimum of 24 hours per week
Effective Date	January 1, 2015
Class 1	
Class description	All Eligible Employees
Benefit amount	2.00 times annual earnings
Maximum benefit	\$300,000
Compulsory coverage	Yes
Contributions	Noncontributory
Participation requirement	100.00%

Basic Life rates

Coverage	Total eligible employees	Monthly rate	Total estimated monthly volume	Total estimated monthly premium	Total estimated annual premium
Employee Basic Life	201	\$0.160	\$18,647,200	\$2,984	\$35,803
Employee Basic AD&D	201	\$0.020	\$18,647,200	\$373	\$4,475
Total estimated premium				\$3,356	\$40,278
Rate basis: Per \$1,000 of volume					

Included in plan 1:

- This proposal is net of broker commissions
 - 36-month rate guarantee from the Effective Date
 - Employee age reductions: All coverage amounts reduce to 65.00% @ age 65, 50.00% @ age 70.
 - Waiver of Premium: For employees with an approved disability prior to age 65, premium is waived until age 65 or for 12 months (whichever is later). For employees disabled after age 65 but prior to age 70, premium is waived for 12 months. There is no
- Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

November 14, 2014

- elimination period to satisfy before the Waiver of Premium begins.
- Portability: Coverage may be ported upon termination of active employment.
- Conversion Privilege (may vary by state)
- Employee Accelerated Death Benefit of 75.00% to a maximum of \$500,000
- If Value-Added Services Choice #1 is selected, Emergency Travel Assistance Services and Identity Theft Protection Services are included for all nonretired employees and their dependents.⁴
- If Value-Added Services Choice #2 is selected, Claimant Support Services and Online Will Preparation are included for all nonretired employees and their dependents.⁴
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a layoff.
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a leave of absence approved by the policyholder.
- Coverage will be continued on a premium-paying basis for a period of 12 month(s) during a period of injury or sickness.
- Employee coverage is rounded to the next highest \$1,000.
- Earnings definition: Earnings are defined as the current earnings reported by the employer. Earnings include deductions made for pre-tax contributions to a qualified deferred compensation plan, Section 125 plan, or flexible spending account. Earnings do not include commissions, bonuses, overtime, or any other compensation.
- 24-hour AD&D coverage
- Special AD&D benefits:
 - Business Travel
 - Seat Belt
 - Air Bag
 - Bereavement Counselling
 - Dependent Education—Child
 - Dependent Education—Spouse
 - Coma

Footnote information is located in the General Disclosures section on the last page of this proposal.

Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

November 14, 2014

Plan 2

Employee Basic Life and AD&D plan design

Employee Basic Life	
Eligible employees	All Full-Time United States Employees working in the United States who are scheduled to work a minimum of 24 hours per week
Effective Date	January 1, 2015
Class 1	
Class description	All Eligible Employees
Waiting Period	60 days of employment
Benefit amount	2.00 times annual earnings
Maximum benefit	\$400,000
Guaranteed Issue amount	Lesser of current amount or \$400,000
Contributions	Noncontributory
Participation requirement	100.00%

Employee Basic AD&D	
Eligible employees	All Full-Time United States Employees working in the United States who are scheduled to work a minimum of 24 hours per week
Effective Date	January 1, 2015
Class 1	
Class description	All Eligible Employees
Benefit amount	2.00 times annual earnings
Maximum benefit	\$400,000
Compulsory coverage	Yes
Contributions	Noncontributory
Participation requirement	100.00%

Basic Life rates

Coverage	Total eligible employees	Monthly rate	Total estimated monthly volume	Total estimated monthly premium	Total estimated annual premium
Employee Basic Life	201	\$0.160	\$18,663,200	\$2,986	\$35,833
Employee Basic AD&D	201	\$0.020	\$18,663,200	\$373	\$4,479
Total estimated premium				\$3,359	\$40,312
Rate basis: Per \$1,000 of volume					

Included in plan 2:

- This proposal is net of broker commissions
- 36-month rate guarantee from the Effective Date
- Employee age reductions: All coverage amounts reduce to 65.00% @ age 65, 50.00% @ age 70.
- Waiver of Premium: For employees with an approved disability prior to age 65, premium is waived until age 65 or for 12 months (whichever is later). For employees disabled after age 65 but prior to age 70, premium is waived for 12 months. There is no elimination period to satisfy before the Waiver of Premium begins.
- Portability: Coverage may be ported upon termination of active employment.
- Conversion Privilege (may vary by state)
- Employee Accelerated Death Benefit of 75.00% to a maximum of \$500,000

Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

November 14, 2014

- If Value-Added Services Choice #1 is selected, Emergency Travel Assistance Services and Identity Theft Protection Services are included for all nonretired employees and their dependents.⁴
- If Value-Added Services Choice #2 is selected, Claimant Support Services and Online Will Preparation are included for all nonretired employees and their dependents.⁴
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a layoff.
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a leave of absence approved by the policyholder.
- Coverage will be continued on a premium-paying basis for a period of 12 month(s) during a period of injury or sickness.
- Employee coverage is rounded to the next highest \$1,000.
- Earnings definition: Earnings are defined as the current earnings reported by the employer. Earnings include deductions made for pre-tax contributions to a qualified deferred compensation plan, Section 125 plan, or flexible spending account. Earnings do not include commissions, bonuses, overtime, or any other compensation.
- 24-hour AD&D coverage
- Special AD&D benefits:
 - Business Travel
 - Seat Belt
 - Air Bag
 - Bereavement Counselling
 - Dependent Education—Child
 - Dependent Education—Spouse
 - Coma

Footnote information is located in the General Disclosures section on the last page of this proposal.

Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

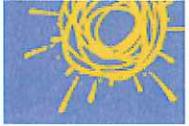
November 14, 2014

Basic Life

Assumptions

- Standard Sun Life Financial policy language is offered, including coverage options for leave of absence, layoff, or termination.
- Completion and approval of the Group Life Insurance Transition Statement prior to the Effective Date. This statement addresses employees who are not Actively at Work.
- An employee must be Actively at Work on his/her effective date for coverage to become effective. If an employee is not Actively at Work on his or her effective date, coverage will not become effective until the employee is again Actively at Work.
- Receipt of a copy of the prior carrier's policy or certificate at the point of sale.
- Sun Life requires a final census before the point of sale and reserves the right to re-rate the proposal upon verification of dates of birth, genders, salaries, and occupations.
- Common ownership of the business units.
- Notification of any employer-completed merger or acquisition.
- Evidence of Insurability is required for late entrants, coverage increases, and coverage in excess of the Guaranteed Issue amount. Increases in coverage due to earnings increases or to a change in an employee's eligible class do not require Evidence of Insurability except when the new coverage amount exceeds the Guaranteed Issue amount or when coverage is increasing by more than \$20,000 and by more than 15%.
- This proposal assumes that employees working as police officers and/or firefighters comprise less than 35% of the group as a whole.
- Elected Officials are not eligible to participate.

Group Basic Life and AD&D coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.



Long-Term Disability

We are pleased to offer income replacement benefits that take into consideration disability management through cost-containment and rehabilitation. Here are some highlights:

- **Retro Disability BenefitsSM:** In states that allow it, this innovative feature gives extra benefits to employees with serious LTD claims. It's designed to help employees who are continuously hospitalized for 14 days or more at the onset of Total Disability and who complete the Elimination Period. When we pay the first Total Disability benefit, we will retroactively pay that claimant his or her LTD benefits from the first day the claimant was deemed Totally Disabled. This benefit is paid in a lump sum amount, and there are no offsets.
- **Innovative Return-to-Work incentives:**
 - We can offer Zero-Day Residual benefits with no requirement of Total Disability before benefits are payable. Our Return-to-Work incentive allows combined earnings of up to 100% during the Return-to-Work period.
 - For customers who choose our Rehabilitation option, claimants who participate in a rehabilitation program approved by Sun Life Financial receive an additional 10% benefit.
- **Rehabilitation Services:** We provide comprehensive Rehabilitation Services through our on-staff specialists. We offer customized Return to Work plans; physical, recreational, and vocational therapy; job search assistance; and financial assistance for worksite accommodations and other expenses.
- **Service Guarantees:** We are pleased to offer an LTD Service Guarantee, which covers the accuracy and ERISA compliance of our claims processing as well as how quickly we respond to our customers' phone calls. In addition, we include an overall satisfaction guarantee to ensure that our customers are 100% satisfied with our service. These service guarantees are available to all 100% employer-paid and partially employer-paid plans.
- **An effective Social Security Assistance Program:** We provide this service for all claimants.
- **Integrated Waiver of Premium processing:** When the LTD plan is offered in combination with our Group Life coverage, we automatically start the claims review process for claimants. This service helps make it easier for claimants to apply for Waiver of Premium benefits.
- **A wide range of optional features:** Valuable options include a COBRA Continuation Premium Reimbursement benefit, a Child Care Expense benefit, a Child Continuing Education Expense benefit, Cost of Living Adjustments, a Pension Contribution benefit, an Assisted Living benefit, Survivor Benefits, and Alternate Funding (for larger employers).

Group Long-Term Disability coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

Long-Term Disability

Plan design and rates

Long-Term Disability plan design

Eligible employees	All Full-Time United States Employees working in the United States who are scheduled to work a minimum of 24 hours per week
Effective Date	January 1, 2015
	Class 1
Class description	All Eligible Employees
Waiting Period	60 days of employment
Maximum benefit %	50% of monthly earnings
Maximum monthly benefit	\$5,000
Elimination Period	90 days
Own Occupation Period	24 months
Minimum benefit	\$100
Contributions	Noncontributory
Participation requirement	100%
Employer contribution %	100%

Long-Term Disability rates

Coverage	Total eligible employees	Monthly rate	Total estimated volume	Total estimated monthly premium	Total estimated annual premium
LTD	201	\$0.240	\$781,179	\$1,875	\$22,498

Rate basis: Per \$100 of monthly covered payroll

Included in this plan:

- This proposal is net of broker commissions
- 36-month rate guarantee from the Effective Date
- Benefit duration of SSNRA
- Direct integration
- Family Social Security offset
- Partial Disability benefit
- Zero-Day Residual
- Retro Disability Benefit pays a lump sum amount equal to the employee's gross monthly benefit times the number of months in the elimination period if Total Disability required continuous Hospital Confinement for at least 14 consecutive days at the onset of Total Disability. Total Disability must remain continuous throughout the Elimination Period, and the benefit is not subject to Other Income offsets.
- 12-month Return-to-Work incentive
- 3-month lump sum gross Survivor benefit
- 3/12 pre-existing condition exclusion
- 24-month mental/nervous limitation
- 24-month drug/alcohol limitation
- 24 months of Sun Select® included, which limits the duration for certain conditions

Group Long-Term Disability coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

November 14, 2014

- Occupations are considered gainful if earnings are at least the benefit percentage x predisability earnings.
- Mandatory rehabilitation provision
- Disability management services
- Reasonable Accommodation benefit of up to \$2,000
- 15 trial work days during the Elimination Period
- Employer FICA administration for any taxable benefits
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a layoff.
- Coverage will be continued on a premium-paying basis for a period of 1 month(s) during a leave of absence approved by the policyholder.
- Earnings definition: Earnings are defined as the earnings reported by the employer immediately prior to the first date of disability. Earnings include deductions made for pre-tax contributions to a qualified deferred compensation plan, Section 125 plan, or flexible spending account. Earnings do not include commissions, bonuses, overtime, or any other compensation.

Group Long-Term Disability coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

November 14, 2014

Long-Term Disability

Assumptions

- Standard Sun Life Financial contractual language is offered, including coverage for leave of absence, layoff or termination.
- An employee must be Actively at Work on his/her effective date for coverage to become effective. If an employee is not Actively at Work on his or her effective date, coverage will not become effective until the employee is again Actively at Work.
- Definition of Total Disability: If an employee is unable to perform the material and substantial duties of the employee's own occupation, he or she is considered disabled. When the Own Occupation Period is completed, an employee is still considered disabled when unable to perform the material and substantial duties of any occupation for which he or she is reasonably qualified by education, training, or experience.
- Employees in states with statutory STD plans are covered by those statutory plans and that any LTD benefit payable will be offset by those statutory benefits. We reserve the right to re-rate if this assumption proves incorrect.
- The employer has not opted out of Workers' Compensation coverage.
- Sun Life requires a final census before the point of sale and reserves the right to re-rate the proposal upon verification of dates of birth, genders, salaries, and occupations.
- Receipt of a copy of the prior carrier's policy or certificate at the point of sale.
- Common ownership of the business units.
- Notification of any employer-completed merger or acquisition.
- All noncontributory plan designs assume the employer pays the entire premium and that all benefits are fully taxable.
- This proposal assumes that employees working as police officers and/or firefighters comprise less than 35% of the group as a whole.
- Elected Officials are not eligible to participate.

Group Long-Term Disability coverage is underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) under Policy Form Series 93P-LH.

Cost summary

Basic Life rates

Plan 1

Coverage	Total eligible employees	Monthly rate	Total estimated monthly volume	Total estimated monthly premium	Total estimated annual premium
Employee Basic Life	201	\$0.160	\$18,647,200	\$2,984	\$35,803
Employee Basic AD&D	201	\$0.020	\$18,647,200	\$373	\$4,475
Total estimated premium				\$3,356	\$40,278
Rate basis: Per \$1,000 of volume					

Plan 2

Coverage	Total eligible employees	Monthly rate	Total estimated monthly volume	Total estimated monthly premium	Total estimated annual premium
Employee Basic Life	201	\$0.160	\$18,663,200	\$2,986	\$35,833
Employee Basic AD&D	201	\$0.020	\$18,663,200	\$373	\$4,479
Total estimated premium				\$3,359	\$40,312
Rate basis: Per \$1,000 of volume					

Long-Term Disability rates

Coverage	Total eligible employees	Monthly rate	Total estimated volume	Total estimated monthly premium	Total estimated annual premium
LTD	201	\$0.240	\$781,179	\$1,875	\$22,498
Rate basis: Per \$100 of monthly covered payroll					

Disclosures

Policy disclosures

Life and AD&D

The group policy, which is described in this proposal, may include exclusions. Exclusions may prevent any benefits from being payable based on certain circumstances. For life insurance, subject to state variations, these circumstances may include suicide, and for AD&D insurance, subject to state variations, they may include intentionally self-inflicted injuries, war, active participation in a riot, committing or attempting to commit a criminal act, injury sustained from any aviation activities (other than riding as a fare-paying passenger), bodily or mental infirmity or disease of any kind, infection unless due to an accidental cut or wound, voluntary use of any controlled substance, or operation of any motorized vehicle while intoxicated.

The above material is provided for informational purposes only, and the exclusions may vary by policy issue state. For a complete list of exclusions, please refer to the policy documents.

Long-Term Disability

The group policy, which is described in this proposal, may include limitations and exclusions.

Limitations may limit the amount of benefits payable for certain conditions, such as mental illness or drug- and alcohol-related illnesses. They may also outline circumstances under which no benefits are payable, such as when the employee is not under the regular and continuing care of a physician providing appropriate treatment by means of examination and testing in accordance with the disabling condition, any period during which the employee fails to submit to a medical examination as requested by Sun Life, or any period the employee is incarcerated.

Exclusions may prevent any benefits from being payable based on certain circumstances. These circumstances may include disabilities arising from self-inflicted injuries, war, active participation in a riot, committing or attempting to commit a criminal act, or a pre-existing condition. (A pre-existing condition is defined as a condition for which, during the lookback period prior to the employee's effective date of insurance or in some cases the effective date of an increase in coverage, the employee received medical treatment, consultation, care, or services, including diagnostic measures, or took prescribed drugs or medicines.)

The above material is provided for informational purposes only. For a complete list of exclusions and limitations, please refer to the policy documents.

General disclosures

1. For current financial ratings, please visit www.sunlife.com.

The Sun Life Financial group of companies operates under the "Sun Life Financial" name. In the United States and elsewhere, insurance products are offered by members of the Sun Life Financial group that are insurance companies. Sun Life Financial Inc., the publicly traded holding company for the Sun Life Financial group of companies, is not an insurance company and does not guarantee the obligations of these insurance companies. Each insurance company relies on its own financial strength and claims-paying ability.

2. Based on market capitalization data, as of March 31, 2013 provided by Thomson Reuters and compiled by Sun Life Financial.

3. Based on in force premium for U.S. business. Source: for Disability, LIMRA, U.S. Group Disability Insurance 2011 Annual Sales and In Force Report.

4. The services identified below are not insurance, are offered only on specific lines of coverage, and carry a separate charge, which is added to the cost of the insurance. The cost is included in the total amount billed. Emergency Travel Assistance is provided by Assist America®. Identity Theft Protection is provided by SecurAssist®, an Assist America program. Convenience Resources and Adult /Elder Care Support are provided by Harris, Rothenberg International, Inc. Claimant Support Services, Online Will Preparation, and HealthChampionSM (health care support services) are provided by ComPsych®. Employee Assistance Program (EAP) work/life services, which are provided by ComPsych, are also not insurance, and the charge is segregated from the insurance cost but included in the total amount billed. The benefit-specific sections of this proposal will note if any of these services are available to employees. Sun Life is not responsible or liable for care, services, or advice given by any provider or vendor of the services. Sun Life reserves the right to discontinue any of the services at any time.

Service guarantees: if we do not meet our service standards, the employer is given a refund as a percentage of premium. Certain limitations apply.

Group insurance policies are underwritten by Sun Life Assurance Company of Canada (Wellesley Hills, MA) in all states, except New York, under Policy Form Series 93P-LH, 98P-ADD, 02-SL, 07-SL REV 7-12, 01C-LH-PT, 12-GP-01, 12-DI-C-01, 12-SD-C-01, GP-A, 13-SD-C-01, 12-AC-C-01, 12-AC-R-01, and 12-AC-R-02. In New York, group insurance policies are underwritten by Sun Life and Health Insurance Company (U.S.) (Windsor, CT) under Policy Form Series 13-GP-LH-01, 13-GP-LF-01, GP-A, 06P-NY-DBL, 07-NYSL REV 7-12. Product offerings may not be available in all states and may vary depending on state laws and regulations.

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November 14, 2014

Quote # 6



AGENDA ITEM 8

DATE OF MEETING: November 20, 2014	DATE SUBMITTED: November 13, 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 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 Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System		
SUMMARY STATEMENT: For many years, City Council has approved on an annual basis an ordinance providing for updated service credit and an increase in retirement annuities of 70% of the Consumer Price Index as provided through the Texas Municipal Retirement System. In order to make any changes in any provision of the City's plan in TMRS, an ordinance must be approved and the applicable ordinance is presented for discussion and approval. As shown on the TMRS Plan Change Study, the funding rate for the City of Brenham will <u>decrease</u> from 6.98% to <u>6.35%</u> effective January 1, 2015.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Current City of Brenham retirees will receive an annuity increase effective January 1, 2015 and future retirees will most likely have an enhanced retirement annuity because of Updated Service Credit.		
B. CONS: Enhancements result in an increased unfunded actuarial liability.		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; (2) Plan Change Study; and (3) TMRS Letter		
FUNDING SOURCE (Where Applicable): Funds are available in the FY 2015 Budget.		
RECOMMENDED ACTION: Approve an Ordinance on its first reading providing for updated service credit and an increase in retirement annuities in the Texas Municipal Retirement System effective January 1, 2015.		
APPROVALS: Terry K. Roberts		



TEXAS MUNICIPAL RETIREMENT SYSTEM

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

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

Section 1. Authorization of Updated Service Credits.

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

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

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

Section 2. Increase in Retirement Annuities.

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

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

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

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

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

Effective Date Subject to approval by the Board of Trustees of Texas Municipal Retirement System, the updated service credits and increases in retirement annuities granted hereby shall be and become effective on the **1st day of January, 2015.**

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

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

ATTEST:

APPROVED:

Jeana Bellinger, City Secretary

Milton Y. Tate, Jr. Mayor



July 10, 2014

Via E-Mail

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

Dear Janie:

As per your request, enclosed is a model ordinance for your city to adopt:

***100% Updated Service Credit, with Transfers
&
70% CPI Increase to Annuitants
Ad Hoc (one time only basis)***

With the adoption of these additional benefits, your city's full contribution rate for 2015 will be **6.35%**.

We will appreciate receiving a copy of this ordinance as soon as possible after adoption. Please fax a copy of the executed ordinance to 512.476.2903.

If you have any questions or concerns, please do not hesitate to contact me at 1-800-924-8677.

Sincerely,

A handwritten signature in black ink that reads 'Eric W. Davis'. The signature is written in a cursive style with a large, looping initial 'E'.

Eric W. Davis
Deputy Executive Director

Enclosure



Plan Change Study

00176 Brenham

Proposed Plans

Plan Provisions	1
Deposit Rate	5.00%
Matching Ratio	2 to 1
Updated Service Credit	100% ✓
Transfer USC **	Yes ✓
Annuity Increase	70% ✓
20 Year/Any Age Ret. Vesting	Yes
	5 years
Contribution Rates	2015
Normal Cost Rate	3.26%
Prior Service Rate	3.09%
Retirement Rate	6.35%
Supplemental Death Rate	0.00% (None)
Total Rate	6.35%
Unfunded Actuarial Liability	\$2,738,345
Amortization Period	25 years
Funded Ratio	92.6%
Phase-In Total Rate	N/A
Study exceeds 11.50% stat max	No

**This is the addition to the Initial Prior Service Rate for USC for transfers. There were 7 eligible transfer employees on the valuation date.



AGENDA ITEM 9

DATE OF MEETING: November 20, 2014	DATE SUBMITTED: November 17, 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 checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Request for a Noise Variance for Home Sweet Farm Market Located at 307 S. Park Street and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: Brad Stufflebeam with Home Sweet Farm Market submitted a Noise Variance request to have live music (1-2 persons with acoustic guitars) on the 1 st and 3 rd weekend of each month. Mr. Stufflebeam requested the time on Saturday from 6:00 p.m. to 9:00 p.m. and on Sunday from 11:00 a.m. to 4:00 p.m. He said the only business near the market is Ant Street and he has already contacted them and will coordinate the music for days there are NO weddings. If the Ant Street is hosting a wedding then he will not have live music that day.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference): N/A		
ATTACHMENTS: (1) Noise Variance Request		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve a request for a noise variance from Home Sweet Famers Market located at 307 S. Park Street for live music on the 1 st and 3 rd weekends of every month (Saturdays from 6:00 p.m. to 9:00 p.m. and Sundays from 11:00 a.m. to 4:00 p.m.) and authorize the Mayor to execute any necessary documentation.		
APPROVALS: Terry K. Roberts		

NOISE VARIANCE REQUEST

Application Fee \$10.00

1. Name of sponsoring organization: Home Sweet Farm Market
2. Name and address of individual making application on behalf of sponsoring organization: Brad Stufflebeam
7800 fm 2502 Brenham, TX 77833
3. Purpose of the Event: Farmers Market
4. Location of Event: 307 So. Park & 306 So. Baylor
5. Date of the event: 1st & 3rd Sunday / Sat. night
6. Time of Event: Sunday 11-4 & Sat. 6-9pm
7. Event Set-up: From: Sun 10am & To: Sat. 5:30pm
Event Clean-up: From: Sun 3-4pm & To: Sat. 9:30pm
8. You are required to describe the following:

a) Types of Activities Planned and any additional information specific to this event: _____

Farmers Market

b) Bands/Musical Instruments: 1-2 person w/ acoustic guitar

c) Sound amplification equipment: _____

d) Cleanup provisions: volunteers & staff / dumpster

Brad Stufflebeam
Name of Applicant (Printed or Typed)

Date: 11/5/14

[Signature]
Applicant or Authorized Person's Signature

Phone: 979-530-7993 cell

Have you ever been found guilty of a criminal offense involving crimes against property, moral turpitude, and/or a felony by any Court? Yes No. If "Yes", please identify the offense, State of conviction and penalty imposed (attach additional sheets if necessary):



AGENDA ITEM 10

DATE OF MEETING: November 20, 2014	DATE SUBMITTED: November 14, 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 type="checkbox"/> 1ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
<input type="checkbox"/> WORK SESSION		
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Change Order No. 1, Change Order No. 2, Change Order No. 3 (Reconciliation), and Authorize Final Payment to Dudley Construction, Ltd. for the Utility Line Extension Along State Highway 36 North and Burleson Street and Authorize the Mayor to Execute Any Necessary Documentation.		
SUMMARY STATEMENT: Dudley Construction, Ltd. has completed work extended water service in a recently annexed area along Highway 36 North and Burleson Street. A twelve inch water main was extended along Highway 36 North and an eight inch main south on Burleson enabling the city to tie the line back into our existing system, creating a loop as well as an alternate feed into the high pressure plane. The project did have (3) change orders. Change Order No. 1, a reduction in the amount of \$1,767.93, Change Order No. 2, a reduction in the amount of \$50,299.20 and Change Order No. 3 (Reconciliation), an increase of \$2,196.00. The total project came in at \$49,871.13 below original contract price.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Progress Payment No. 9 (Final), (2) Change Order No. 3 (Reconciliation), (3)Affidavit of Guarantee, (4)Affidavit of Bills Paid, (5) Certificate of Substantial Completion, (6) Certificate of Acceptance, and (7) Consent of Surety of Final Payment		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve Change Order No. 1, a reduction in the amount of \$1,767.93, Change Order No. 2, a reduction in the amount of \$50,299.20, Change Order No. 3, an increase of \$2,196.00, and approve final payment to Dudley Construction, Ltd in the amount of \$48,759.71 for work completed on this project.		
APPROVALS: Terry K. Roberts		

JONES & CARTER, INC.
 1500 SOUTH DAY ST.
 BRENHAM, TEXAS 77833
 TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 9 (FINAL)												
CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)												
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE			PREVIOUS ESTIMATE			REMARKS	
					QUANTITY	AMOUNT	PERCENT	QUANTITY	AMOUNT	PERCENT		
					TOTAL TO DATE							
					QUANTITY	AMOUNT	PERCENT	QUANTITY	AMOUNT	PERCENT		
	BASE BID											
1.	S.H. 36 Water Line Extension Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$9,000.00	10%	\$900.00	90%	\$8,100.00	100%	\$9,000.00	100.0%	USED
2.	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	\$7,800.00	27%	\$2,106.00	73%	\$5,694.00	100%	\$7,800.00	100.0%	
3.	All site preparation, including erection, maintenance and removal of barricades, signs and traffic control devices; perform all required clearing and grubbing; perform all required demolition; dispose of all cleared and/or demolished materials. ***Change Order No. 1	Sta.	16.65	\$120.00	0.78	\$93.60	15.87	\$1,904.40	16.65	\$1,998.00	100.0%	
4.	12" AWWA C-900, DR 18 PVC water line, including tracer wire. ***Change Order No. 1	L.F.	1,095	\$31.17	0	\$0.00	1,095	\$34,131.15	1,095	\$34,131.15	100.0%	
5.	12" AWWA C-900, DR 18 PVC water line, including tracer wire, by boring.	L.F.	355	\$78.00	0	\$0.00	355	\$27,690.00	355	\$27,690.00	100.0%	
6.	12" AWWA C-900, DR 18 PVC water line, including tracer wire, encased in 20" diameter steel casing by boring.	L.F.	133	\$204.00	0.00	\$0.00	133.00	\$27,132.00	133.00	\$27,132.00	100.0%	

JONES & CARTER, INC.
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PROGRESS PAYMENT NO. 9 (FINAL)												
CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)												
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS	
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT		
7.	12" AWWA C-900, DR 18 PVC water line, including tracer wire, encased in 20" diameter steel casing by open cut.	L.F.	67	\$108.00	0.00	\$0.00	67.00	\$7,236.00	67.00	\$7,236.00	100.0%	
8.	12" AWWA C-900, DR 18 PVC water line, by tunneling.	Ea.	2	\$1,200.00	0	\$0.00	2	\$2,400.00	2	\$2,400.00	100.0%	
9.	8" AWWA C-900, DR 18 PVC water line, including tracer wire. ***Change Order No. 1	L.F.	493	\$21.58	0	\$0.00	493	\$10,638.94	493	\$10,638.94	100.0%	
10.	6" AWWA C-900, DR 18 PVC water line, including tracer wire. ***Change Order No. 1	L.F.	10	\$19.18	0	\$0.00	10	\$191.80	10	\$191.80	100.0%	
11.	Make a wet connection to an existing 8" water line.	Ea.	1	\$960.00	0	\$0.00	1	\$960.00	1	\$960.00	100.0%	
12.	Make a wet connection to an existing 6" water line.	Ea.	1	\$960.00	0	\$0.00	1	\$960.00	1	\$960.00	100.0%	
13.	12" gate valve and valve box. ***Change Order No. 1	Ea.	6	\$2,500.00	0	\$0.00	6	\$15,000.00	6	\$15,000.00	100.0%	
14.	8" gate valve and valve box.	Ea.	3	\$1,500.00	0	\$0.00	3	\$4,500.00	3	\$4,500.00	100.0%	
15.	6" gate valve and valve box.	Ea.	1	\$1,100.00	0	\$0.00	1	\$1,100.00	1	\$1,100.00	100.0%	
16.	1" air release valve assembly.	Ea.	3	\$1,500.00	0	\$0.00	3	\$4,500.00	3	\$4,500.00	100.0%	
17.	2" automatic flush valve assembly.	Ea.	1	\$4,500.00	1	\$4,500.00	0	\$0.00	1	\$4,500.00	100.0%	
18.	Construct a fire hydrant assembly. ***Change Order No. 1	Ea.	2	\$4,200.00	0	\$0.00	2	\$8,400.00	2	\$8,400.00	100.0%	

JONES & CARTER, INC.
 1500 SOUTH DAY ST.
 BRENHAM, TEXAS 77833
 TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 9 (FINAL)											
CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)											
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
19.	Ductile iron fittings. ***Change Order Nos. 1 and 3	Ton	1.6935	\$6,000.00	0.1720	\$1,032.00	1.5215	\$9,129.00	1.6935	\$10,161.00	100.0%
20.	Repair existing asphalt pavement.	L.F.	15	\$30.00	15	\$450.00	0	\$0.00	15	\$450.00	100.0%
21.	<u>Burleson Street Water Line Extension</u>										
21.	Mobilization, including bonds, insurance, move-in, move-out and related work.	L.S.	1	\$3,000.00	10%	\$300.00	90%	\$2,700.00	100%	\$3,000.00	100.0%
22.	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	\$7,500.00	27%	\$2,025.00	73%	\$5,475.00	100%	\$7,500.00	100.0%
23.	All site preparation, including erection, maintenance and removal of barricades, signs and traffic control devices; perform all required clearing and grubbing; perform all required demolition; dispose of all cleared and/or demolished materials.	Sta.	29.63	\$60.00	0.00	\$0.00	29.63	\$1,777.80	29.63	\$1,777.80	100.0%
24.	8" AWWA C-900, DR 18 PVC water line, including tracer wire.	L.F.	2,933	\$21.58	183	\$3,949.14	2,750	\$59,345.00	2,933	\$63,294.14	100.0%
25.	8" AWWA C-900, DR 18 PVC water line, including tracer wire, by boring.	L.F.	80	\$96.00	0	\$0.00	80	\$7,680.00	80	\$7,680.00	100.0%
26.	8" AWWA C-900, DR 18 PVC water line, including tracer wire, encased in 16" steel casing (0.375" minimum wall thickness) by open cut.	L.F.	30	\$108.00	0	\$0.00	30	\$3,240.00	30	\$3,240.00	100.0%

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PROGRESS PAYMENT NO. 9 (FINAL)											
CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)											
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
27.	8" AWWA C-900, DR 18 PVC water line, by tunneling.	Ea.	1	\$900.00	0	\$0.00	1	\$900.00	1	\$900.00	100.0%
28.	Make a wet connection to an existing 8" water line.	Ea.	1	\$1,200.00	0	\$0.00	1	\$1,200.00	1	\$1,200.00	100.0%
29.	8" gate valve and valve box.	Ea.	1	\$1,500.00	0	\$0.00	1	\$1,500.00	1	\$1,500.00	100.0%
30.	1" air release valve assembly.	Ea.	1	\$1,500.00	0	\$0.00	1	\$1,500.00	1	\$1,500.00	100.0%
31.	Construct a fire hydrant assembly. ***Change Order No. 1	Ea.	3	\$4,200.00	0	\$0.00	3	\$12,600.00	3	\$12,600.00	100.0%
32.	1" long polyethylene water service, including connection to existing water meter. ***Change Order No. 1	Ea.	0	\$1,500.00	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
33.	1" short polyethylene water service, including connection to existing water meter. ***Change Order No. 1	Ea.	0	\$540.00	0	\$0.00	0	\$0.00	0	\$0.00	0.0%
34.	Ductile iron fittings. ***Change Order No. 3	Ton	0.8385	\$6,000.00	0.1940	\$1,164.00	0.6445	\$3,867.00	0.8385	\$5,031.00	100.0%
35.	Disconnect existing water service and abandon in place.	Ea.	1	\$240.00	1	\$240.00	0	\$0.00	1	\$240.00	100.0%
36.	Repair existing asphalt pavement. ***Change Order Nos. 1 and 2	L.F.	2,994	\$6.00	0	\$0.00	2,994	\$17,964.00	2,994	\$17,964.00	100.0%
37.	Repair existing gravel driveway. ***Change Order No. 1	L.F.	90	\$18.00	0	\$0.00	90	\$1,620.00	90	\$1,620.00	100.0%
38.	Labor, transportation and restocking charges related to the return of 5 hydrant ***Change Order No. 1	L.S.	1	\$2,590.39	0%	\$0.00	100%	\$2,590.39	100%	\$2,590.39	100.0%

OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834
 PROJECT: S.H. 36 and Burlison Street Water Line Extensions
 J&C JOB NO.: B0039-0025-00
 CONTRACTOR: Dudley Construction, Ltd., 11370 State Highway 30, College Station, Texas 77845

FROM
 07-Nov-13
 07-Nov-13
 01-Aug-14

TO
 07-Mar-14
 03-Sep-14
 03-Sep-14

USED
 300 Calendar Days
 34 Calendar Days

JONES & CARTER, INC.
 1500 SOUTH DAY ST.
 BRENHAM, TEXAS 77833
 TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 9 (FINAL) CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)												
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS	
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT		
	S.H. 36 ALTERNATE BIDS											
	Alternate Bid No. 1											
A1.1	Construct 12" aerial creek crossing.	L.S.	1	\$25,000.00	20%	\$5,000.00	80%	\$20,000.00	100%	\$25,000.00	100.0%	USED
A2.1	Alternate Bid No. 2 All site preparation, including erection, maintenance and removal of barricades, signs and traffic control devices; perform all required clearing and grubbing; perform all required demolition; dispose of all cleared and/or demolished materials. ***Change Order No. 1	Sta.	31.68	\$120.00	2.26	\$271.20	29.42	\$3,530.40	31.68	\$3,801.60	100.0%	
A2.2	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	\$7,000.00	25%	\$1,750.00	75%	\$5,250.00	100%	\$7,000.00	100.0%	
A2.3	12" AWWA C-900, DR 18 PVC water line, including tracer wire. ***Change Order No. 1	L.F.	3,168	\$31.17	0	\$0.00	3,168	\$98,746.56	3,168	\$98,746.56	100.0%	
A2.4	12" AWWA C-900, DR 18 PVC water line, including tracer wire, by boring. ***Change Order No. 1	L.F.	173	\$78.00	0	\$0.00	173	\$13,494.00	173	\$13,494.00	100.0%	
A2.5	12" AWWA C-900, DR 18 PVC water line, including tracer wire, encased in 20" diameter steel casing by boring.	L.F.	47	\$204.00	0	\$0.00	47	\$9,588.00	47	\$9,588.00	100.0%	

JONES & CARTER, INC.
 1500 SOUTH DAY ST.
 BRENHAM, TEXAS 77833
 TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 9 (FINAL) CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)											
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
A2.6	12" AWWA C-900, DR 18 PVC water line, by tunneling.	Ea.	4	\$1,200.00	0	\$0.00	4	\$4,800.00	4	\$4,800.00	100.0%
A2.7	Make a wet connection to an existing 12" water line.	Ea.	1	\$1,800.00	0	\$0.00	1	\$1,800.00	1	\$1,800.00	100.0%
A2.8	12" gate valve and valve box.	Ea.	1	\$2,500.00	0	\$0.00	1	\$2,500.00	1	\$2,500.00	100.0%
A2.9	1" air release valve assembly.	Ea.	2	\$800.00	0	\$0.00	2	\$1,600.00	2	\$1,600.00	100.0%
A2.10	Construct a fire hydrant assembly.	Ea.	10	\$4,200.00	0	\$0.00	10	\$42,000.00	10	\$42,000.00	100.0%
A2.11	Ductile iron fittings.	Ton	0.44	\$6,000.00	0.00	\$0.00	0.44	\$2,640.00	0.44	\$2,640.00	100.0%

OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834
 PROJECT: S.H. 36 and Burlison Street Water Line Extensions
 I&C JOB NO.: B0039-0025-00
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FROM
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USED
 300 Calendar Days
 34 Calendar Days

JONES & CARTER, INC.
 1500 SOUTH DAY ST.
 BRENHAM, TEXAS 77833
 TBPE FIRM NO. F-439

PROGRESS PAYMENT NO. 9 (FINAL)

CONTRACT TIME - 120 CALENDAR DAYS (REVISED TO 134 IN CHANGE ORDER NO. 1 AND 300 IN CHANGE ORDER NO. 3)

OWNER: City of Brenham, P.O. Box 1059, Brenham, Texas 77834
 PROJECT: S.H. 36 and Burlison Street Water Line Extensions
 I&C JOB NO.: B0039-0025-00
 CONTRACTOR: Dudley Construction, Ltd., 11370 State Highway 30, College Station, Texas 77845

USED
 TO
 07-Mar-14
 03-Sep-14
 03-Sep-14
 300 Calendar Days
 34 Calendar Days

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	PRICE	THIS ESTIMATE		PREVIOUS ESTIMATE		TOTAL TO DATE		REMARKS
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
CHANGE ORDER PLUS/MINUS											
	Change Order No. 1					(\$1,767.93)					(\$1,767.93)
	Change Order No. 2					(\$50,299.20)					(\$50,299.20)
	Change Order No. 3					\$2,196.00					\$2,196.00
TOTAL CONTRACT MODIFICATIONS											
	Subtotal (Line Items)					\$23,780.94					\$23,780.94
	Materials on Hand					\$0.00					\$0.00
	Subtotal (Materials on Hand/Line Items)					\$23,780.94					\$23,780.94
	Less Retainage (0%)					(\$24,978.77)					\$0.00
	Total					\$48,759.71					\$48,759.71
	Less Previous Estimates										
	Due this Estimate										
	Orig. Contract Amount					\$573,227.51					
	Contract Modifications					(\$49,871.13)					
	Total Contract Amount					\$523,356.38					
	Construction Remaining					\$0.00					
	Amount Approved					\$48,759.71					

CERTIFIED AS CORRECT PAYMENT DUE

Jones & Carter, Inc.

Wm. R. Krueger
 Wm. R. Krueger, P.E., Vice President
 Date: 9/3/2014

APPROVED BY CONTRACTOR

Dudley Construction, Ltd.

Mark Dudley
 Mark Dudley, President
 R.M. Dudley Holdings, LLC, General Partner
 Date: 9/3/2014

APPROVED BY OWNER

City of Brenham

Milton Y. Tate, Jr., Mayor
 Date: 9/3/2014

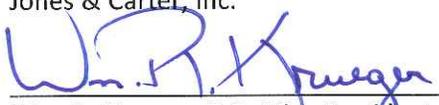
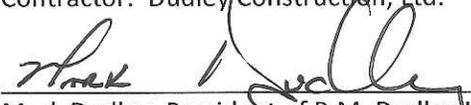
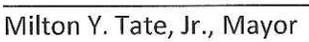
CHANGE ORDER NO. 3 (RECONCILIATION)

DATE: SEPTEMBER 3, 2014

Project: S.H. 36 and Burleson Street Water Line Extensions	J&C Job No.: B0039-0025-00
Owner: City of Brenham P.O. Box 1059, Brenham, TX 77834	Contractor: Dudley Construction, Ltd. 11370 S.H. 30, College Station, TX 77845

<p>Description of Changes: Ductile iron fittings were adjusted to actual quantities installed in the field.</p> <p>Reason for Changes: To reconcile to final contract quantities and time.</p>
--

<u>Change in Contract price and time summary:</u>	<u>COST</u>	<u>TIME</u>
Original Contract:	\$573,227.51	120 Calendar Days
Net previous change(s):	-\$52,067.13	14 Calendar Days
Contract prior to this change order:	\$521,160.38	134 Calendar Days
Net increase from this change order:	\$2,196.00	166 Calendar Days*
Revised Contract Amount:	\$523,356.38	300 Calendar Days
Cumulative % Change in Contract:	-8.70 %	150 %

<p>RECOMMENDED BY: Jones & Carter, Inc.</p> <p style="text-align: center;"></p> <p>Wm. R. Krueger, P.E., Vice President <div style="text-align: right; margin-right: 100px;"> <u>9/3/2014</u> Date </div> </p> <div style="text-align: center; margin-top: 20px;">  </div> <p>Enclosure: Attachment No. 1</p>	<p>ACCEPTED BY: Contractor: Dudley Construction, Ltd.</p> <p style="text-align: center;"></p> <p>Mark Dudley, President of R.M. Dudley Holdings, LLC General Partner <div style="text-align: right; margin-right: 100px;"> <u>9/3/2014</u> Date </div> </p> <p>APPROVED BY: Owner: City of Brenham</p> <p style="text-align: center; margin-top: 20px;"></p> <p>Milton Y. Tate, Jr., Mayor <div style="text-align: right; margin-right: 100px;"> <u>9/3/2014</u> Date </div> </p>
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Construction of the City of Brenham
S.H. 36 and Burleson Street Water Line Extensions
J&C No. B0039-0025-00

To implement payment for this work, the following revisions are made to the Item/Quantity Sheets:

Item No.	Description	Unit	Unit Price	Revised Unit Price	Bid Quantity	Revised Quantity	Previous Amount	Revised Amount	Net Change
19.	Ductile iron fittings.	Ton	\$ 6,000.00	\$ 6,000.00	1.5215	1.6935	\$9,129.00	\$10,161.00	\$1,032.00
34.	Ductile iron fittings.	Ton	\$ 6,000.00	\$ 6,000.00	0.6445	0.8385	\$3,867.00	\$5,031.00	\$1,164.00
							NET INCREASE IN CONTRACT PRICE		\$2,196.00

AFFIDAVIT
OF
GUARANTEE

STATE OF TEXAS §

COUNTY OF BRAZOS §

Before me, a Notary Public in and for the State of Texas, on this day personally appeared Mark Dudley, President of R.M. Dudley Holdings, LLC, General Partner, well known to me to be the person making this affidavit, who, being by me first duly sworn and deposed did say:

I am Mark Dudley, President of R.M. Dudley Holdings, LLC, General Partner and have personal knowledge of the matter stated in this affidavit. Dudley Construction, Ltd. does hereby give notice to the Owner, the City of Brenham, that work for the Owner, known as the S.H. 36 and Burleson Street Water Line Extensions, J&C No. B0039-0025-00 has been substantially completed. In accordance with the provisions of General Condition 5.07, Guarantee, of the General Conditions, Dudley Construction, Ltd., does hereby guarantee all of the work under the contract for a period of one (1) year to be free from faulty materials and improper workmanship in every particular, and against injury from proper and usual wear; and agrees to replace or re-execute without cost to the Owner such work as may be found to be improper or imperfect, and to make good all damage caused to other work or materials due to such required replacement or recompletion of all work under this contract, as evidenced by the Engineer's Certificate of Substantial Completion.

This affidavit is made in connection with the final payment under the contract between the City of Brenham and Dudley Construction, Ltd. and with the knowledge that it will be relied upon in making such payment and that such payment would not be made except upon the truth of the matter contained in this affidavit.

DATE: 10-13-2014

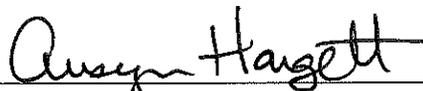
By: 
Mark Dudley, President
R.M. Dudley Holdings, LLC, General Partner

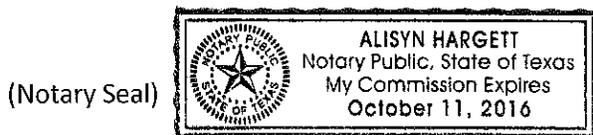
STATE OF TEXAS §

COUNTY OF BRAZOS §

BEFORE ME, the undersigned, a Notary Public, in and for the State of Texas, on this day personally appeared, Mark Dudley known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13th day of October, A.D., 2014.


Notary Public Signature



AFFIDAVIT
OF
BILLS PAID

STATE OF TEXAS §

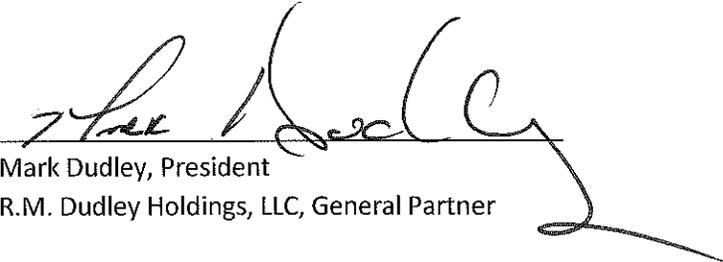
COUNTY OF BRAZOS §

Before me, a Notary Public in and for the State of Texas, on this day personally appeared Mark Dudley, President of R.M. Dudley Holdings, LLC, General Partner, well known to me to be the person making this affidavit, who, being by me first duly sworn and deposed did say:

I am Mark Dudley, President of R.M. Dudley Holdings, LLC, General Partner and have personal knowledge of the matter stated in this affidavit. Dudley Construction, Ltd. has paid all of the labor and material costs in connection with construction for the City of Brenham, Texas known as the S.H. 36 and Burleson Street Water Line Extensions, J&C No. B0039-0025-00, and as of this date, there are no unpaid bills for labor performed upon or materials or supplies delivered to or used in connection with such job.

This affidavit is made in connection with Progress Payment No. 9 (Final) under the contract between the City of Brenham, Texas and Dudley Construction, Ltd. and with the knowledge that it will be relied upon in making such payment and that such payment would not be made except upon the truth of the matter contained in this affidavit.

DATE: 10-13-2014

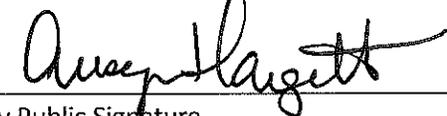
By: 
Mark Dudley, President
R.M. Dudley Holdings, LLC, General Partner

STATE OF TEXAS §

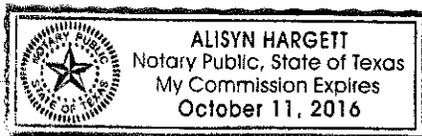
COUNTY OF BRAZOS §

BEFORE ME, the undersigned, a Notary Public, in and for the State of Texas, on this day personally appeared Mark Dudley known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13th day of October, A.D., 2014.


Notary Public Signature

(Notary Seal)



**CERTIFICATE OF SUBSTANTIAL COMPLETION FOR
CONSTRUCTION OF THE
CITY OF BRENHAM, TEXAS
S.H. 36 AND BURLESON STREET WATER LINE EXTENSIONS**

September 3, 2014

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

CONTRACTOR: Mr. Mark Dudley
President of the General Partnership
Dudley Construction, Ltd.
11370 State Highway 30
College Station, Texas 77845

CONTRACT: City of Brenham
S.H. 36 and Burleson Street Water Line Extensions
J&C No. B0039-0025-00

Dear Mayor Tate and Mr. Dudley:

Jones & Carter, Inc. (J&C) has observed the subject project constructed by the **CONTRACTOR** and finds it to be substantially complete in accordance with the approved plans and specifications.

J&C recommends that the **OWNER** issue the **CONTRACTOR** a Certificate of Acceptance of the Work, and that final payment be made to the **CONTRACTOR**. J&C also recommends that the Contractor's guarantee period of one (1) year begin on September 3, 2014.

Respectfully,



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

WRK/ebr

P:\PROJECTS\B0039-Brenham\025 SH 36 Water\Construction\Contract Docs\Final Documents.doc



*Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveying Registration No. 10046102*
1500 South Day Street, Brenham, Texas 77833-4569
979-836-6631, Fax: 979-836-5686



September 3, 2014

Mr. Mark Dudley
President of the General Partnership
Dudley Construction, Ltd.
11370 State Highway 30
College Station, Texas 77845

Re: CERTIFICATE OF ACCEPTANCE
City of Brenham
S.H. 36 and Burlison Street Water Line Extensions
J&C No. B0039-0025-00

Dear Mr. Dudley:

This is to certify that the City of Brenham accepts the subject project on the basis of the Certificate of Substantial Completion issued by our engineers, Jones & Carter, Inc., and understands that a guarantee shall cover a period of one (1) year beginning on September 3, 2014.

Very truly yours,

Milton Y. Tate, Jr.
Mayor

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

OWNER
CONTRACTOR
SURETY
OTHER

AIA DOCUMENT G707 A Bond #4392770

PROJECT: Water Line Extensions
(name, address)

TO: (Owner)

City of Brenham
Brenham, TX

ARCHITECT PROJECT NO:
CONTRACT FOR: \$ 521,160.38

CONTRACT DATE: ON OR ABOUT September 2013

CONTRACTOR: Dudley Construction, Ltd.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

SureTec Insurance Company

, SURETY,
on bond of

Dudley Construction, Ltd.

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety Company of any of its obligations to

City of Brenham

, OWNER,

as set forth in the said Surety's bond.

IN WITNESS WHEREOF,

the Surety has hereunto set its hand this 4th Day of September 2014

Attest: Francine Hay
(Seal):

SureTec Insurance Company
Surety

Dennis M. Descant, Jr.
Signature of Authorized Representative

Dennis M. Descant, Jr., Attorney-In-Fact
Title

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Deborah Bishop, Jeffrey L. Brady, Dennis M. Descant, Jr., Cheryl A. Sanders

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Five Million and 00/100 Dollars (\$5,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 12/31/2015 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

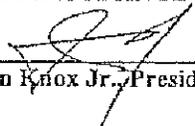
Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

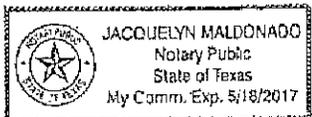
SURETEC INSURANCE COMPANY

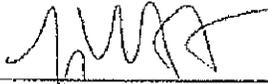
By: 
John Knox Jr., President

State of Texas ss:
County of Harris



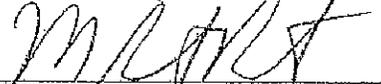
On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.




Jacquelyn Maldonado, Notary Public
My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 4th day of September, 2014, A.D.


M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-8800 any business day between 8:00 am and 5:00 pm CST.

SureTec Insurance Company
THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION

Statutory Complaint Notice

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, Tx 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104
Austin, TX 78714-9104
Fax#: 512-475-1771
Web: <http://www.tdi.state.tx.us>
Email: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

Terrorism Risks Exclusion

The Bond to which this Rider is attached does not provide coverage for, and the surety shall not be liable for, losses caused by acts of terrorism, riot, civil insurrection, or acts of war.

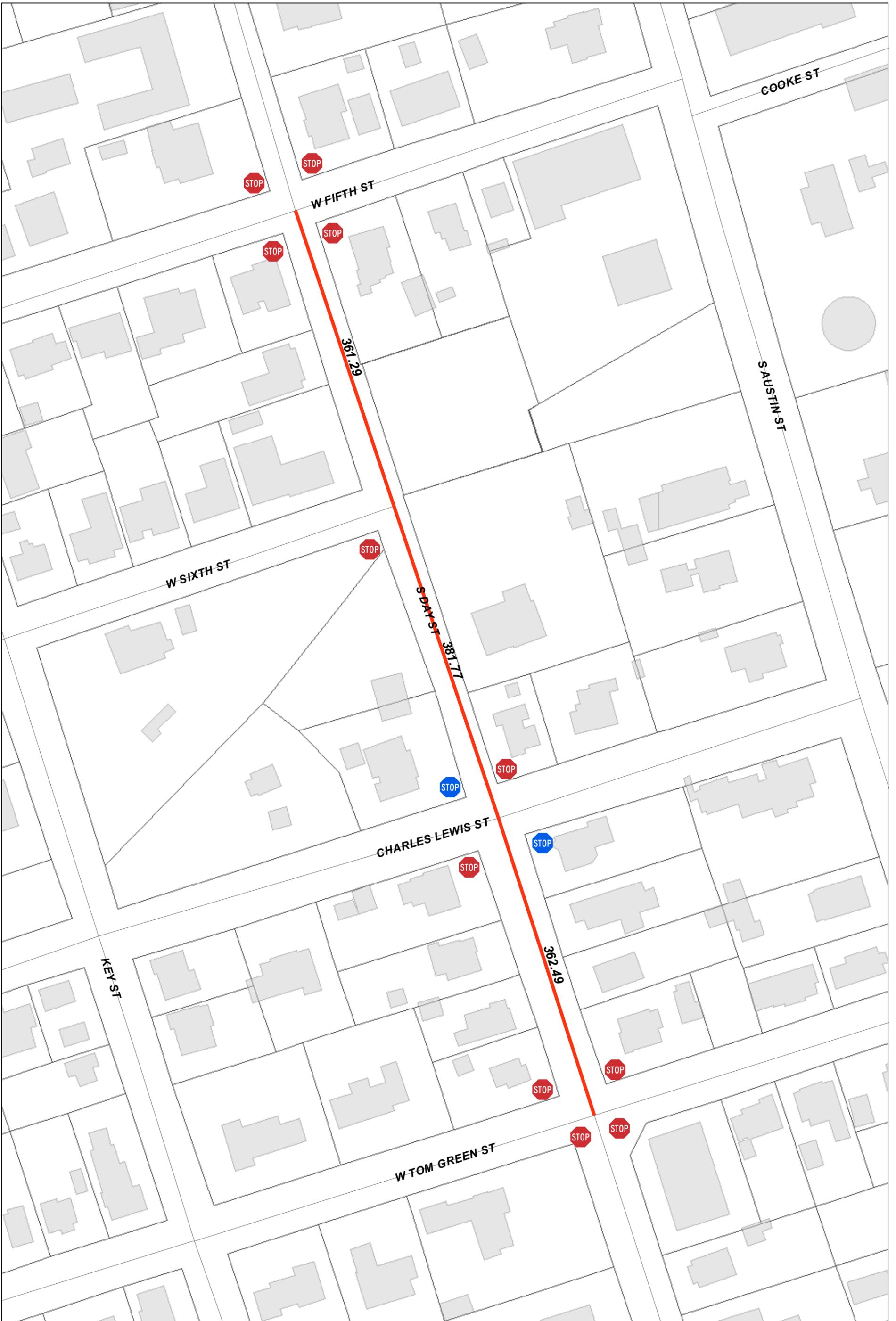
**Exclusion of Liability for
Mold, Mycotoxins, Fungi & Environmental Hazards**

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.



AGENDA ITEM 11

DATE OF MEETING: 11/20/14	DATE SUBMITTED: 11/13/14	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau	
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 Authorizing the Placement of Stop Signs on S. Day Street at its Intersection with Charles Lewis Street		
SUMMARY STATEMENT: During the last council meeting staff discussed converting this intersection from a 2 way stop to a 4 way stop. This would be done by placing additional stop signs on S. Day St in order to slow down vehicles leaving Tom Green St. and W. Fifth St. Due to this intersection location on Day St. staff recognizes where a stop sign could be useful being that it is situated in a residential area and not on the collector portion of S. Day or 36 Business. If this intersection was converted to a 4-way stop sign it would not be a drastic change compared to other intersections on the same portion of roadway; as W. Fifth St is a 4-way stop intersection. Based off of the accident report information it is hard to warrant placing additional stop signs on S. Day St but it would not be out of the norm for this section of roadway. This has been discussed with the residents adjacent to this intersection and all parties are in favor of this change. Therefore, we ask council to approve converting this intersection from a 2-way stop to a 4-way stop on its first reading.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Map; and (2) Ordinance		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its first reading authorizing the placement of stop signs on S. Day Street at its intersection with Charles Lewis Street		
APPROVALS: Terry K. Roberts		



1 inch = 100 feet



Legend



EXISTING



PROPOSED



ORDINANCE NO. _____

AN ORDINANCE REQUIRING THE PLACING OF CERTAIN STOP SIGNS IN THE CITY OF BRENHAM, TEXAS, SETTING THE LOCATION OF SAID STOP SIGNS, REGULATING THE TRAFFIC AT SAID STOP SIGNS, AND PROVIDING FOR PENALTY FOR VIOLATION THEREOF.

WHEREAS, it is necessary to provide stop signs at certain locations in the City of Brenham to prevent accidents, collisions and damages; to promote the flow of traffic along and into such streets; and to regulate the same:

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

Section 1. That there shall be established and installed two (2) stop signs on S. Day Street, regulating northbound and southbound vehicular traffic, at its intersection with Charles Lewis Street.

The stop signs shall be erected at the top of a standard pole, installed in the ground on the right hand side of the streets identified herein.

Section 2. That every person, firm or corporation, operating a motor vehicle or other vehicle of any kind, in, on, along and into the streets or street intersections designated in Section 1 hereof, upon reaching a stop sign at the location so designated, shall bring said vehicle to a full and complete stop in compliance with the provisions of applicable state law, before proceeding further along said street or into or on said street intersection.

Section 3. That any person, firm or corporation, violating Section 2 hereof, shall be fined a sum of not less than \$1.00 and not more than \$200.00, plus applicable court costs.

Section 4. This Ordinance shall take full force and effect from and after its passage, approval and publication as required by applicable law.

PASSED and APPROVED on its first reading this the 20th day of November, 2014.

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

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary

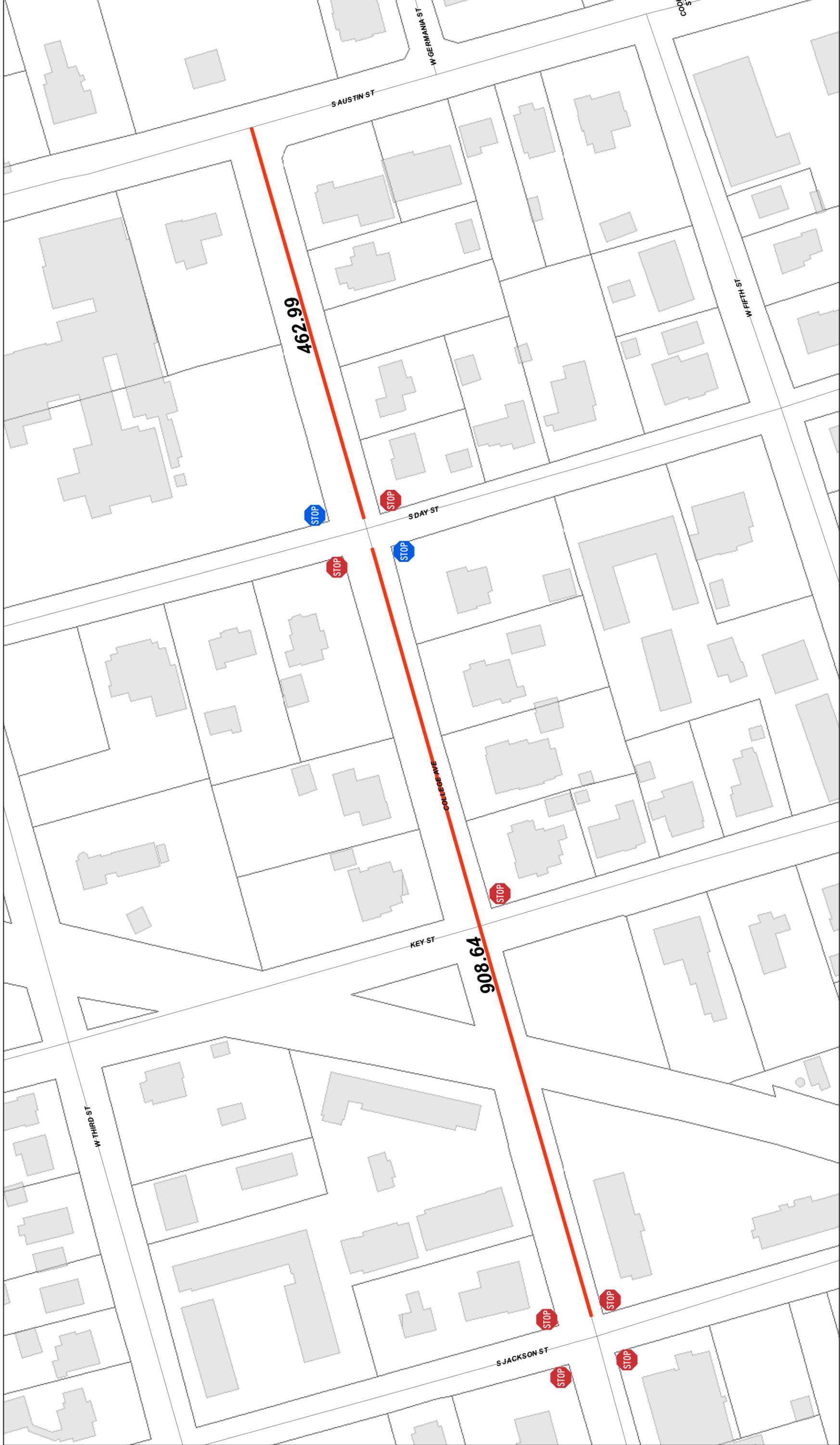


AGENDA ITEM 12

DATE OF MEETING: 11/20/14	DATE SUBMITTED: 11/13/14	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau	
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-14-025 in Support of a Request to the Texas Department of Transportation for the Placement of Stop Signs on College Avenue at its Intersection with S. Day Street		
SUMMARY STATEMENT: We have received a request from St. Paul’s Christian Day School outlying their concerns and asking for support in approaching TxDOT about placing stop signs on College where it intersects with Day St. This portion of College is considered FM 389 and is State right-of-way. The City of Brenham does not have the authority to place stop signs on College but can assist St. Paul’s in their effort if so desired. Upon receiving the letter, the Brenham Police Dept. compiled the accident data on this intersection and it shows that there were 11 accidents in the last two years. This was somewhat alarming based off of like intersections that we have previously considered. Public Works and the Police Chief have reviewed the findings and based off of the statistical numbers and the activity around this intersection we can support the idea that stop signs are needed on College. We would like to ask Council to pass this resolution in support of placing stop signs at this intersection. Once the resolution is passed we will present this to TxDOT for their consideration. Staff has checked with all the adjacent property owners as well and they all feel that stop signs are needed.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Map; and (2) Resolution		
FUNDING SOURCE (Where Applicable):		

RECOMMENDED ACTION: Approve Resolution No. R-14-025 in support of a request to the Texas Department of Transportation for the placement of stop signs on College Avenue at its intersection with S. Day Street

APPROVALS: Terry K. Roberts



66 1 inch = 100 feet



Legend

-  EXISTING
-  PROPOSED



RESOLUTION NO. R-14-025

A RESOLUTION IN SUPPORT OF TEXAS DEPARTMENT OF TRANSPORTATION'S PLACEMENT OF STOP SIGNS ON COLLEGE AVENUE (FM 389) AT ITS INTERSECTION WITH S. DAY STREET

WHEREAS, it is necessary to regulate traffic within the City of Brenham, Texas to promote the health, safety and welfare of the citizens of Brenham; and

WHEREAS, the City Council of the City of Brenham believes that the installation of stop signs on College Avenue (FM 389), regulating eastbound and westbound vehicular traffic, at its intersection with S. Day Street is in the best interest of the community and promotes the health, safety and welfare of the citizens of Brenham; and

WHEREAS, the portion of College Avenue located at its intersection with S. Day Street is State right-of-way known as FM 389; and

WHEREAS, the Texas Department of Transportation controls the installation of traffic control devices on State right-of-way;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brenham, Texas that it strongly supports the installation of stop signs by the Texas Department of Transportation on College Avenue (FM 389) regulating eastbound and westbound vehicular traffic at its intersection with S. Day Street.

PASSED and APPROVED by the City Council of the City of Brenham, Texas on this the 20th day of November, 2014.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 13

DATE OF MEETING: November 20, 2014	DATE SUBMITTED: November 17, 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 Change Order No. 2 to Collier Construction, LLC for the Extension of Chappell Hill Street and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: Change Order No. 2 for the Chappell Hill Street Extension contains deducts for value engineering items. The contractor approached the City with several changes that would produce cost savings for the project. The City and the City's engineer, Jones and Carter, Inc., have reviewed the request and believe that the City will receive an equal product with the proposed changes. The total savings is \$21,440.93 and staff recommends approving Change Order No. 2.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
<p style="margin-left: 40px;">A. PROS: Decreases the contract amount without a decrease in quality.</p> <p style="margin-left: 40px;">B. CONS:</p>		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Change Order No. 2		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve Change Order No. 2 to Collier Construction, LLC for the extension of Chappell Hill Street and authorize the Mayor to execute any necessary documentation		
APPROVALS: Terry K. Roberts		

CHANGE ORDER NO. 2

DATE: November 4, 2014

Project: Chappell Hill Street Extension	J&C Job No.: B0039-0026-00
Owner: City of Brenham P.O. Box 1059, Brenham, TX 77834	Contractor: Collier Construction, L.L.C. P.O. Box 1889, Brenham, TX 77834

Description of Changes: 1. Change the width of the sawed contraction joints from 3/8" to 1/8"; 2. Delete the joint sealant at contraction joints; 3. Delete the burlap bag finish of the concrete pavement; 4. Provide a 1/8" wide sawed joint at the 1/4 points in lieu of of a deformed metal strip; 5. Provide No. 3 deformed reinforcing bars @ 12 inches on center each way (O.C.E.W.) in lieu of No. 4 deformed reinforcing bars @ 18 inches O.C.E.W.; 6. Furnish ADS-HP Storm Pipe with 1½ sack/cubic yard cement stabilized sand bedding & backfill to the top of pipe in lieu of reinforced concrete pipe storm sewer; 7. Provide for native soil bedding and backfill to the top of pipe in lieu of cement stabilized sand bedding and backfill for storm sewer pipe not under pavement;

Reason for Changes: To accept value engineering cost savings measures offered by the Contractor.

Change in Contract price and time summary:

	<u>COST</u>	<u>TIME</u>
Original Contract:	\$2,059,477.25	150 Calendar Days
Net previous change(s):	\$20,109.00	45 Calendar Days
Contract prior to this change order:	\$2,079,586.25	195 Calendar Days
Net decrease from this change order:	-\$21,440.93	0 Calendar Days
Revised Contract Amount:	\$2,058,145.32	195 Calendar Days
Cumulative % Change in Contract:	-0.06 %	30 %

<p>RECOMMENDED BY: Jones & Carter, Inc.</p> <p><i>Wm. R. Krueger</i> Wm. R. Krueger, P.E., Vice President 11/4/2014 Date</p>	<p>ACCEPTED BY: Contractor: Collier Construction, L.L.C.</p> <p><i>Mike Collier</i> Mike Collier, President 11-10-2014 Date</p>
	<p>APPROVED BY: Owner: City of Brenham</p> <p>_____ Milton Y. Tate, Jr., Mayor Date</p>

Enclosure: Attachment No. 1 and Attachment No. 2.

Construction of the City of Brenham
Chappell Hill Street Extension
J&C No. B0039-0026-00

To implement payment for this work, the following revisions are made to the Item/Quantity Sheets:

Item No.	Description	Unit	Unit Price	Revised Unit Price	Bid Quantity	Revised Quantity	Previous Amount	Revised Amount	Net Change
CITY of BRENHAM									
26.	Furnish and install 18" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut.	L.F.	\$ 60.50	\$ 57.96	110	110	\$6,655.00	\$6,375.60	(\$279.40)
28.	Furnish and install 24" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut.	L.F.	\$ 71.00	\$ 68.45	427	427	\$30,317.00	\$29,228.15	(\$1,088.85)
29.	Furnish and install 30" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe by open cut.	L.F.	\$ 104.00	\$ 101.46	18	18	\$1,872.00	\$1,826.28	(\$45.72)
NET Change to City of Brenham Portion of the Project									(\$1,413.97)
KRUSE SUBDIVISION									
	Construct 6" minimum thickness reinforced concrete pavement. Reduce the width of sawed contraction joints from 3/8" to 1/8"; eliminate sealant at contraction joints; delete burlap bag finish; allow 1/8" sawed contraction joints without sealant at 1/4 span in lieu of deformed metal strip contraction joints; and allow the use of #3 bars at 12" O.C.E.W. in lieu of #4 bars at 18" O.C.E.W.		\$ 35.00	\$ 33.42	9,622	9,622	336,770	321,567	(\$15,202.76)
130.	Furnish and install 18" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe.	L.F.	\$ 60.00	\$ 57.46	587	587	\$35,220.00	\$33,729.02	(\$1,490.98)
131.	Furnish and install 24" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe.	L.F.	\$ 71.00	\$ 68.43	956	956	\$67,876.00	\$65,419.08	(\$2,456.92)
132.	Furnish and install 30" ADS-HP Storm Polypropylene Pipe with cement stabilized sand (1.5 sack/cy) bedding and backfill to the top of pipe in Lieu of Class III reinforced concrete pipe. From CS 1+00 at inlet C-7 to the outfall at CS 7+10 (Sheets 11 of 16 and 12 of 16), compacted bank sand bedding and backfill may be used in lieu of cement stabilized sand.	L.F.	\$ 102.00	\$ 99.46	345	345	\$35,190.00	\$34,313.70	(\$876.30)
NET Change to Kruse Subdivision Portion of the Project									(\$20,026.96)
TOTAL NET Change									(\$21,440.93)

Construction of the City of Brenham
Chappell Hill Street Extension
J&C No. B0039-0026-00

	City of Brenham Project Costs	Kruse Subdivision Project Costs	Total Costs
Original Contract:	\$1,081,634.85	\$977,842.40	\$2,059,477.25
Net previous change(s):	\$0.00	\$20,109.00	\$20,109.00
Contract prior to this change order:	\$1,081,634.85	\$997,951.40	\$2,079,586.25
Net decrease from this change order:	(\$1,413.97)	(\$20,026.96)	(\$21,440.93)
Revised Contract Amount:	\$1,080,220.88	\$977,924.44	\$2,058,145.32
Ed F. Kruse's Share of Kruse Subdivision Project Costs (75%)		\$733,443.33	
Brenham Community Development Corporation's Share of the Kruse Subdivision Project Costs (25%)		\$244,481.11	

City of Brenham Project Costs = The cost of the improvements to Chappell Hill Street from Lawndale Street to Stringer Street.

Kruse Subdivision Project Costs = The cost of the construction of that portion of Chappell Hill Street south of the U.S. Highway 290 Eastbound Frontage Road.



AGENDA ITEM 14

DATE OF MEETING: November 20, 2014		DATE SUBMITTED: November 17, 2014
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Jeana Bellinger
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 551.073 – Texas Government Code - Deliberation Regarding Prospective Gift – Discussion Regarding Prospective Gift(s)/Donations(s) of Real Property for City Street Right-of-Way Purposes		
SUMMARY STATEMENT: To be discussed in Executive Session.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference): N/A		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: As discussed in Executive Session.		
APPROVALS: Terry K. Roberts		