



**NOTICE OF A REGULAR MEETING  
THE BRENHAM CITY COUNCIL  
THURSDAY, FEBRUARY 19, 2015 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 – Mayor Pro Tem Gloria Nix**
- 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. Ordinance No. O-15-005 on Its Second Reading Granting a Specific Use Permit to New Beginnings Life Ministries for Carpentry/Upholstering Related to Furniture Manufacturing on a Site in a Business/Residential Mixed Use (B1) Zoning District and Being Located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella-Harrington Survey of the City of Brenham, Washington County, Texas (Said Property Located at 1000 E. Blue Bell Road) **Pages 1 - 2****

**WORK SESSION**

- 5. Discussion and Presentation of the City of Brenham Parks, Recreation and Open Spaces Master Plan for 2015 through 2025 **Pages 3 - 4****
- 6. Discussion and Presentation Regarding City and Non-City Sponsored Special Events in Downtown and Other Areas Within the City **Pages 5 - 6****

## **REGULAR AGENDA**

- 7. Discuss and Possibly Act Upon Ordinance No. O-15-006 on Its Second Reading Amending Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development District**  
**Pages 7 – 12**
- 8. An Ordinance of the City Council of the City of Brenham, Texas, Authorizing the Issuance and Sale of City of Brenham, Texas, General Obligation Refunding Bonds, Series 2015; Levying a Tax and Providing for the Security and Payment Thereof; Approving the Official Statement, A Purchase Agreement, A Paying Agent/Registrar Agreement and an Escrow Agreement; Calling Certain Outstanding Obligations for Redemption; and Enacting Other Provisions Relating Thereto**  
**Pages 13 - 17**
- 9. Discuss and Possibly Act Upon Ordinance No. O-15-007 on Its Second Reading Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas**  
**Page 18**
- 10. Discuss and Possibly Act Upon Resolution No. R-15-003 Authorizing Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 125<sup>th</sup> Maifest Celebration to be Held on Saturday, March 28, 2015 from 6:00 p.m. – 11:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation**  
**Pages 19 - 32**
- 11. Discuss and Possibly Act Upon a Request for a Noise Variance from the Brenham Maifest Association for the 125<sup>th</sup> Maifest Celebration to be Held on Saturday, March 28, 2015 from 6:00 p.m. – 11:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation**  
**Pages 33 - 34**
- 12. Discuss and Possibly Act Upon Resolution No. R-15-004 Adopting a New Fee Schedule for the Antique Carousel Located in Fireman's Park**  
**Pages 35 - 36**
- 13. Discuss and Possibly Act Upon Bid No. 15-004 for the Purchase of Four (4) Pick-Up Trucks for Various City of Brenham Departments and Authorize the Mayor to Execute Any Necessary Documentation**  
**Pages 37 - 39**
- 14. Discuss and Possibly Act Upon a Resolution No. R-15-005 Authorizing the Submission of a Grant Application to the Texas Office of Rural Community Affairs Under the Texas Community Development Program (TCDP) for Possible Funding of the Church Street Water Tower Rehabilitation Project and Authorize the Mayor to Execute Any Necessary Documentation**  
**Pages 40 - 46**

15. **Discuss and Possibly Act Upon Resolution No. R-15-006 Authorizing the Acceptance of Public Improvements in the Oak Alley Subdivision and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 47 - 48**
16. **Discuss and Possibly Act Upon Resolution No. R-15-007 Granting Tax Deferment, Through A Development Loan, to Jefferson Square Housing Ltd. for Rehabilitation to Jefferson Square Apartments, Located at 801 W. Jefferson Street and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 49 - 52**

#### **EXECUTIVE SESSION**

17. **Section 551.074 - Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Appointment of a Presiding Judge of the Brenham Municipal Court for the Unexpired Term Ending December 31, 2016** **Page 53**

#### **RE-OPEN REGULAR AGENDA**

18. **Discuss and Possibly Act Upon the Appointment of a Presiding Judge of the Brenham Municipal Court for the Unexpired Term Ending December 31, 2016** **Page 54**
19. **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 February 19, 2015 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 February 16, 2015 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 \_\_\_\_\_, 2015 at \_\_\_\_\_ AM PM.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**ORDINANCE NO. O-15-005**

**AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO GRANT A SPECIFIC USE PERMIT FOR CARPENTRY/UPHOLSTERING RELATED TO FURNITURE MANUFACTURING USES LOCATED WITHIN THE EXISTING BUILDING AT 1000 E. BLUE BELL ROAD AND SPECIFICALLY BEING LOCATED ON APPROXIMATELY 1.238 ACRES, BEING A PART OF TRACT 70 IN THE ARRABELLA HARRINGTON SURVEY OF THE CITY OF BRENHAM, WASHINGTON COUNTY, TEXAS.**

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

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

**WHEREAS**, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on February 2<sup>nd</sup>, 2015;

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

*SECTION 1.* That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to grant a specific use permit for Carpentry/Upholstering Related to Furniture Manufacturing uses located within the existing building at 1000 E. Blue Bell Road and specifically located on Approximately 1.238 Acres, being a Part of Tract 70 in the Arrabella Harrington Survey of the City of Brenham, Washington County, Texas.

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

*SECTION 3.* The use of Carpentry/Upholstering Related to Furniture Manufacturing shall expire at the time the business is no longer in operation or if the tenant Red Fern Woodwork and Renovations is no longer the leasing tenant of the space.

**PASSED and APPROVED** on its first reading this the 5<sup>th</sup> day of February, 2015.

**PASSED and APPROVED** on its second reading this the 19<sup>th</sup> day of February, 2015.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary



## AGENDA ITEM 5

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 13, 2015	
<b>DEPT. OF ORIGIN:</b> Community Programs and Marketing	<b>SUBMITTED BY:</b> Wende Ragonis	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discussion and Presentation of the City of Brenham Parks, Recreation and Open Spaces Master Plan for 2015 through 2025		
<p><b>SUMMARY STATEMENT:</b> At the direction of the Parks Advisory Board, Community Services along with Parks and Recreation staff developed the 2015 - 2025 Parks, Recreation and Open Spaces Master Plan for the City of Brenham. City staff partnered with Texas State University to complete the master planning process. By working with an academic intuition, costs were minimized and many tasks were performed by existing City resources. Dr. Jo An Zimmermann, Ph.D., CPRP of Texas State University has guided the Parks Advisory Board and City staff throughout the process as the parks and recreation industry expert. Funding for this project was provided by the Brenham Community Development Corporation (BCDC) at their January 23, 2014 regularly scheduled meeting. The master planning process began with the following goals:</p> <ul style="list-style-type: none"> <li>• Reconfirm the Parks &amp; Recreation Vision, Mission and Goals.</li> <li>• Create a National Recreation Parks Association (NRPA) PRORAGIS Profile to utilize industry standards to benchmark performance.</li> <li>• Create an Asset Map detailing existing park and recreational opportunities in the area.</li> <li>• Gather an understanding of demographics and community needs.</li> <li>• Assess the data gathered to define goals and priorities to meet the dynamic needs of the community.</li> <li>• Develop a comprehensive Master Plan to guide the parks system for the next ten years while incorporating flexibility in responding to unique opportunities as they arise.</li> </ul> <p>In addition to these goals, staff has taken great care to draft a document which meets the criteria published by the Texas Parks and Wildlife Department (TPWD) to ensure the City of Brenham is favorably positioned to receive grant funding from TPWD. The TPWD offers various types of grants and assistance programs to municipalities; and to be competitive for grant and assistance opportunities, municipalities must have a Master Plan that is 1) compliant with TPWD requirements and 2) adopted by its Council.</p>		

By completing the master planning process, the City of Brenham has a TPWD compliant master plan document, and City staff has access to detailed demographic data for the Brenham community and to data comparisons of other city's parks and recreation information through the PRORAGIS profile. Access to this information along with the Asset Map will aid staff in decision making for community programming and park facility planning.

Due to the size of the plan, the document is posted on the City's website. <http://cityofbrenham.org/> Copies can be made by special request as needed. Dr. Zimmermann and Director of Community Services, Wende Ragonis, will present the plan during the Council Work Session February 19, 2015 with members of the City's master planning team available to answer detailed questions as needed.

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

**A. PROS:**

**B. CONS:**

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

**ATTACHMENTS:** None (A full copy of the Master Plan is on file in the City Secretary's Office and can also be found on the City's website at [www.cityofbrenham.org](http://www.cityofbrenham.org) )

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Discussion only.

**APPROVALS:** Terry K. Roberts



## AGENDA ITEM 6

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Jeana Bellinger	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
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<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discussion and Presentation Regarding City and Non-City Sponsored Special Events in Downtown and Other Areas Within the City		
<p><b>SUMMARY STATEMENT:</b> Since January, my office has received six (6) requests for special events from non-City organizations. These events include walks, runs, parades and street dances. While discussing the various requests with staff, it was recommended that a work session be held to discuss how Council would like to handle special events in Brenham (whether they are in the downtown area or in other areas of the City).</p> <p>Each year the City hosts approximately 10 events; however, my office also processes requests from other organizations for their events. The <u>non-city hosted</u> events have included things such as the Celebration of the Feast of Guadalupe (walk), the Blue Bell Fun Run (5K run), St. Mary's 100 Days of Summer (festival) and D&amp;S Community Services Fun &amp; Field Day Event (walk), etc... My office also handles all parade permits; in 2014, downtown was host to 7 different parades (only 1 was city hosted).</p> <p>In receiving an application for a special event, my office forwards the request to other city departments that may be affected upon approval of the request. Those departments include Police, Fire, Streets, Sanitation, Utilities, Maintenance, and Code Enforcement. Once reviewed by the necessary departments, I advise the requestor of their events approval or denial.</p> <p>At this time, the only revenue generated by the City for special events is the cost of the permit: \$10. In reviewing other cities in our area, it seems that every city handles special events differently; however, each of the cities I researched charge amounts ranging from \$100-\$500 for the permit alone and many of them require security deposits, bonds and insurance.</p> <p>During the Work Session I will be asking for Council direction on the various special event requests that have already been submitted and how to handle future requests. Due to a March 28<sup>th</sup> event date, please note that Item 10 (street closure) and Item 11 (noise variance) on the agenda are directly related to requests for special events.</p>		

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

**A. PROS:** Brings people to Brenham; creates a sense of “community” among the citizens; and raises awareness for many great organizations

**B. CONS:** Cost to the City for staff and equipment needed for special events; and there could be, depending on the type of event, possible liability to the City

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

**ATTACHMENTS:** None

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Discussion only.

**APPROVALS:** Terry K. Roberts



## AGENDA ITEM 7

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 13, 2015	
<b>DEPT. OF ORIGIN:</b> Development Services	<b>SUBMITTED BY:</b> Erik Smith	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Ordinance No. O-15-006 on Its Second Reading Amending Ordinance No. O-12-020, Section 1, to Revise Certain Regulations Applicable to the Ralston Creek Estates Planned Development District		
<b>SUMMARY STATEMENT:</b> This is the second reading for an ordinance to amend Ralston Creek Planned Development District (PDD). The first reading of this ordinance occurred at the February 5 <sup>th</sup> City Council meeting. The City Attorney made a few minor changes to the PDD which are highlighted in the Council agenda packets. A redline copy of the changes that occurred since the last meeting is included in the packet along with a final draft copy of the ordinance.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>  A. PROS: B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> N/A		
<b>ATTACHMENTS:</b> (1) Redline ordinance adopted at first reading; and (2) Ordinance No. O-15-006		
<b>FUNDING SOURCE (Where Applicable):</b> N/A		
<b>RECOMMENDED ACTION:</b> The Planning and Zoning Commission recommended approval with a 6-1 vote in favor for the amendments.		
<b>APPROVALS:</b> Terry K. Roberts		

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

AN ORDINANCE AMENDING **ORDINANCE NO. O-12-020 WHICH AMENDED** APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO CHANGE PROPERTY ZONED AS A RESIDENTIAL SINGLE FAMILY (R-1) DISTRICT TO A COMBINATION OF A PLANNED DEVELOPMENT (PD) DISTRICT AND LOCAL BUSINESS/RESIDENTIAL MIXED USE (B-1) DISTRICT, SPECIFICALLY BEING APPROXIMATELY 60.4 ACRES ON LAND GENERALLY BOUNDED BY EAST STONE STREET TO THE NORTH, SOUTH BLUE BELL ROAD TO THE EAST, AND GUN AND ROD ROAD TO THE SOUTH BEING ALL OR PORTIONS OF TRACT 191 OUT OF THE JAMES WALKER SURVEY IN BRENHAM, TEXAS.

Deleted: CURRENTLY

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

WHEREAS, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on February 2, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT **ORDINANCE NO. O-12-020 WHICH AMENDED** APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP, BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to change property currently zoned as Planned Development (PD) District to amend text within the existing Planned Development (PD) District in accordance with the master development plan shown on Exhibit A to specifically include the following regulations:

Deleted: for single-family residential uses on approximately 57.32 acres and generally bounded by East Stone Street to the north, South Blue Bell Road to the east and Gun and Rod Road to the south as well as request to change the zoning from a Residential Singe Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on Approximately 3.07 acres located at the southwest corner of East Stone Street and South Blue Bell Road with both parcels being a part of Tract 191 out of the James Walker Survey in Brenham, Texas

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2. Minimum lot widths are 55 feet at the front street building line or a minimum 55 feet as an average of the front street building line and rear property line;
3. No building shall be constructed on any lot of less than Six Thousand Eight Hundred and Seventy Five (6,875) square feet;

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

**PASSED AND APPROVED** on its first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**PASSED AND APPROVED** on its second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

**ATTEST:**

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

**ORDINANCE NO. O-15-006**

**AN ORDINANCE AMENDING ORDINANCE NO. O-12-020 WHICH AMENDED APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO CHANGE PROPERTY ZONED AS A RESIDENTIAL SINGLE FAMILY (R-1) DISTRICT TO A COMBINATION OF A PLANNED DEVELOPMENT (PD) DISTRICT AND LOCAL BUSINESS/RESIDENTIAL MIXED USE (B-1) DISTRICT, SPECIFICALLY BEING APPROXIMATELY 60.4 ACRES ON LAND GENERALLY BOUNDED BY EAST STONE STREET TO THE NORTH, SOUTH BLUE BELL ROAD TO THE EAST, AND GUN AND ROD ROAD TO THE SOUTH BEING ALL OR PORTIONS OF TRACT 191 OUT OF THE JAMES WALKER SURVEY IN BRENHAM, TEXAS.**

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

**WHEREAS**, this amendment was recommended for approval by the Brenham Planning and Zoning Commission during its regular meeting on February 2, 2015;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENHAM, TEXAS, THAT ORDINANCE NO. O-12-020 WHICH AMENDED APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AND THE OFFICIAL ZONING MAP, BE AMENDED IN THE FOLLOWING MANNER:**

*SECTION 1.* That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to change property currently zoned as Planned Development (PD) District to amend text within the existing Planned Development (PD) District in accordance with the master development plan shown on Exhibit A to specifically include the following regulations:

2. Minimum lot widths are 55 feet at the front street building line or a minimum 55 feet as an average of the front street building line and rear property line;
3. No building shall be constructed on any lot of less than Six Thousand Eight Hundred and Seventy Five (6,875) square feet;

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

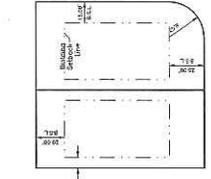
**PASSED AND APPROVED** on its first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**PASSED AND APPROVED** on its second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

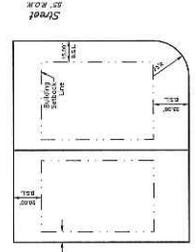
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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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



TYPICAL LOTS IN YELLOW SHADED AREA



TYPICAL LOTS IN BLUE SHADED AREA

- ADDITIONAL NOTES:**
1. Proposed zoning: Residential Development (RD).
  2. Proposed lot size: 3,077 Area, Commercial (C-1) zoning.
  3. Minimum lot coverage: 40% (minimum 25% for 1/2-acre lots).
  4. Minimum lot coverage: 40% (minimum 25% for 1/2-acre lots).
  5. According to the Flood Insurance Rate Map for Washington County, Texas, the area shown on this plan is located in a 100-year flood hazard area.
  6. Minimum lot coverage is based on City of Houston Flood Data.
  7. Abandonment: Public Utility Easement.
  8. Easement: Utility Easement.
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  50. Easement: Utility Easement.



**REZONING EXHIBIT**  
**Ralston Creek Estates**  
 60.39 Ac  
 BRENNHAM, WASHINGTON COUNTY, TEXAS  
 PROJECT NO. 17-007  
 SCALE: 1" = 100'

**REZONING EXHIBIT**  
 SCALE: 1" = 100'

Engineer: **Robert & Sons, Inc.**  
 1000 S. 17th St., Suite 100  
 Brenham, Texas 77833  
 (979) 836-1222  
 Fax: (979) 836-1438



SCALE: 1" = 100'



SCALE: 1" = 100'



SCALE: 1" = 100'



SCALE: 1" = 100'



SCALE: 1" = 100'



SCALE: 1" = 100'



## AGENDA ITEM 8

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Finance	<b>SUBMITTED BY:</b> Carolyn D. Miller	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> An Ordinance of the City Council of the City of Brenham, Texas, Authorizing the Issuance and Sale of City of Brenham, Texas, General Obligation Refunding Bonds, Series 2015; Levying a Tax and Providing for the Security and Payment Thereof; Approving the Official Statement, A Purchase Agreement, A Paying Agent/Registrar Agreement and an Escrow Agreement; Calling Certain Outstanding Obligations for Redemption; and Enacting Other Provisions Relating Thereto		
<b>SUMMARY STATEMENT:</b> Garry Kimball, of Specialized Public Finance, has presented information related to the opportunity to advance refund a portion of the City's 2010 Pass-Through Toll Revenue and Limited Tax Bonds. The City would issue approximately \$4,300,000 in Series 2015 General Obligation Refunding Bonds and would recognize about \$243,974 in savings. Mr. Kimball will attend the Council meeting to answer any additional questions.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> (1) Preliminary \$4,300,000 General Obligation Refunding Bonds Series 2015 Schedules.		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approve an Ordinance on its first reading authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2015.		
<b>APPROVALS:</b> Terry K. Roberts		

Preliminary

**City of Brenham, Texas**

\$4,165,000 General Obligation Refunding Bonds, Series 2015

For Purposes of Illustration Only

**Debt Service Comparison**

<b>Date</b>	<b>Total P+I</b>	<b>Existing D/S</b>	<b>Net New D/S</b>	<b>Old Net D/S</b>	<b>Savings</b>
9/30/2015	61,780.83	2,654,400.00	2,712,076.18	2,714,400.00	2,323.82
9/30/2016	124,950.00	2,824,600.00	2,949,550.00	2,994,600.00	45,050.00
9/30/2017	124,950.00	2,826,600.00	2,951,550.00	2,996,600.00	45,050.00
9/30/2018	2,359,950.00	564,400.00	2,924,350.00	2,999,400.00	75,050.00
9/30/2019	1,987,900.00	478,400.00	2,466,300.00	2,542,800.00	76,500.00
<b>Total</b>	<b>\$4,659,530.83</b>	<b>\$9,348,400.00</b>	<b>\$14,003,826.18</b>	<b>\$14,247,800.00</b>	<b>\$243,973.82</b>

**PV Analysis Summary (Net to Net)**

Gross PV Debt Service Savings	249,886.42
Net PV Cashflow Savings	249,886.42
Transfers from Prior Issue Debt Service Fund	(25,000.00)
Contingency or Rounding Amount	4,104.65
Net Present Value Benefit	\$228,991.07
Net PV Benefit / \$4,250,000 Refunded Principal	5.388%

**Refunding Bond Information**

Refunding Dated Date	2/17/2015
Refunding Delivery Date	2/17/2015

Preliminary

## City of Brenham, Texas

\$4,165,000 General Obligation Refunding Bonds, Series 2015

For Purposes of Illustration Only

## Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
8/15/2018	Serial Coupon	3.000%	1.310%	2,235,000.00	105.754%	2,363,601.90
8/15/2019	Serial Coupon	3.000%	1.530%	1,930,000.00	106.361%	2,052,767.30
<b>Total</b>	-	-	-	<b>\$4,165,000.00</b>	-	<b>\$4,416,369.20</b>

### Bid Information

Par Amount of Bonds	\$4,165,000.00
Reoffering Premium or (Discount)	251,369.20
Gross Production	\$4,416,369.20
Total Underwriter's Discount (0.675%)	\$(28,113.75)
Bid (105.360%)	4,388,255.45
Total Purchase Price	\$4,388,255.45
Bond Year Dollars	\$16,484.36
Average Life	3.958 Years
Average Coupon	3.0000000%
Net Interest Cost (NIC)	1.6456530%
True Interest Cost (TIC)	1.5963598%

15 go ref (10/21/14) pror | SINGLE PURPOSE | 10/23/2014 | 9:46 AM

Preliminary

**City of Brenham, Texas**

\$4,165,000 General Obligation Refunding Bonds, Series 2015

For Purposes of Illustration Only

**Sources & Uses**

**Dated 02/17/2015 | Delivered 02/17/2015**

**Sources Of Funds**

Par Amount of Bonds	\$4,165,000.00
Reoffering Premium	251,369.20
Transfers from Prior Issue Debt Service Funds	25,000.00
<b>Total Sources</b>	<b>\$4,441,369.20</b>

**Uses Of Funds**

Total Underwriter's Discount (0.675%)	28,113.75
Estimated Costs of Issuance	75,000.00
Deposit to Net Cash Escrow Fund	4,334,150.80
Rounding Amount	4,104.65
<b>Total Uses</b>	<b>\$4,441,369.20</b>

Preliminary

## City of Brenham, Texas

\$14,180,000 Pass-Through Toll Revenue & Limited Tax Bonds, Series 2010

### Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
8/15/2015	4,250,000.00	85,000.00	4,335,000.00	-	4.000%	85,000.00	85,000.00
8/15/2016	-	-	-	-	4.000%	170,000.00	170,000.00
8/15/2017	-	-	-	-	4.000%	170,000.00	170,000.00
8/15/2018	-	-	-	2,265,000.00	4.000%	170,000.00	2,435,000.00
8/15/2019	-	-	-	1,985,000.00	4.000%	79,400.00	2,064,400.00
<b>Total</b>	<b>\$4,250,000.00</b>	<b>\$85,000.00</b>	<b>\$4,335,000.00</b>	<b>\$4,250,000.00</b>	<b>-</b>	<b>\$674,400.00</b>	<b>\$4,924,400.00</b>

#### Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	2/17/2015
Average Life	3.962 Years
Average Coupon	4.0000000%
Weighted Average Maturity (Par Basis)	3.962 Years

#### Refunding Bond Information

Refunding Dated Date	2/17/2015
Refunding Delivery Date	2/17/2015



## AGENDA ITEM 9

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Jeana Bellinger	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input checked="" type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Ordinance No.O-15-007 on Its Second Reading Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas		
<b>SUMMARY STATEMENT:</b> At the February 5 <sup>th</sup> council meeting the ordinance calling the May 9, 2015 Special Charter Amendment Election was approved by the City Council on its first reading. Since that time, the City Attorney and I have made several revisions to the Ordinance to assure that it addresses each of the 23 Propositions accurately and provides the appropriate ballot wording.  Due to the length of the ordinance and the time it has taken to carefully review each Proposition, the ordinance is not included in the agenda packet. It will be distributed separately to the Councilmembers prior to the meeting and is available for public review in the City Secretary's office during normal business hours.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>  <b>A. PROS:</b>  <b>B. CONS:</b>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> None		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> Approve Ordinance No. O-15-007 on its second reading ordering a Special Election on May 9, 2015 for the purpose of submitting to the qualified voters of Brenham certain proposed amendments to the existing Charter of the City of Brenham, Texas		
<b>APPROVALS:</b> Terry K. Roberts		



**AGENDA ITEM 10**

<b>DATE OF MEETING:</b> February 19, 2015		<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration		<b>SUBMITTED BY:</b> Jeana Bellinger	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input checked="" type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-15-003 Authorizing Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 125 <sup>th</sup> Maifest Celebration to be Held on Saturday, March 28, 2015 from 6:00 p.m. to 11:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation			
<b>SUMMARY STATEMENT:</b> The Brenham Maifest Association has submitted a special event permit, with street closures, for the 125 <sup>th</sup> Maifest Celebration to be held in downtown on March 28, 2015. As outlined in their request, this Celebration will include activities at Unity Theater, Ant Street Inn and Simon Theater. The stage for the live band would be set-up at the intersection of Alamo and Douglas (parking area by public restrooms).			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
A. PROS:			
B. CONS:			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b> (1) Application for Event Permit (With Street Closures); (2) Resolution No. R-15-003; (3) Agreement with TxDOT for the Temporary Closure of State Right of Way; and (4) Map of area			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b>			
<b>APPROVALS:</b> Terry K. Roberts			

Paid 1/29/15

Filing Fee \$10.00

CHK# 26701

APPLICATION FOR EVENT PERMIT

1. Name of sponsoring organization: BREKHAM MAIFEST ASSOC.

2. Name of individual making application on behalf of sponsoring organizations: \_\_\_\_\_

CHARLIE PYLE

3. Purpose of the event: 125<sup>th</sup> MAIFEST CELEBRATION

4. Proposed date(s) of event: MARCH 28, 2015 (Saturday)

5. Event start date and time: 3/28/15 6pm

6. Event set-up times: From 4pm to 5:30pm

7. Breakdown/cleanup: From 11:00am to 12:00am.

8. Describe types of activities planned (entertainment, food booths, theme of items for sale, etc.):

LIVE BAND FOOD TRUCKS

APPETIZERS AT UNITY THEATER, DINNER AT ANT STREET INN,

DESSERT + MOVIE AT SIMON THEATER, BAND + DANCE

ON DOUGLAS STREET

9. Estimated attendance (event organizers and spectators): 3000

10. Special Requests and/or additional information related to this event: \_\_\_\_\_

STREET CLOSURE OF DOUGLAS ST. FROM

COMMERCE ST. TO MAIN STREET

STREET CLOSURE OF ALAMO ST. FROM

N. AUSTIN PARKWAY TO PARK ST.

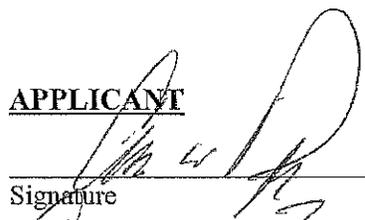
ELECTRICAL HOOKUPS FOR CORNER OF  
ALAMO ST. + DOUGLAS ST. N.E. CORNER

11. Street Closure Times: Beginning at 3/28/15 5:00AM  
(Date and time)  
Ending at: 3/28/15 11:59PM  
(Date and time)

12. Street Closings:\*\*

DOUGLAS ST. from COMMERCE ST. to MAIN ST.  
ALAMO ST. from N. AUSTIN PKWY to PARK ST.  
\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

\*\*Please provide a map of closures

**APPLICANT**  
  
Signature  
CHARLIE PYLE  
Printed Name

Date: 01/07/15

Contact Phone Number: 979 251-2375

**CITY OF BRENHAM**

By: \_\_\_\_\_  
City Secretary

Date: \_\_\_\_\_

**RESOLUTION NO. R-15-003**

**THE STATE OF TEXAS**

**COUNTY OF WASHINGTON**

**WHEREAS**, the Texas Department of Transportation operates certain state highways within the City limits of the City of Brenham;

**WHEREAS**, the City of Brenham has received requests for street closings along state highways within the City of Brenham;

**WHEREAS**, the Texas Department of Transportation and the City of Brenham have agreed to certain terms and conditions regarding the closing of a portion of the state highway within the City limits for the purpose of said closings;

**WHEREAS**, the City Council of the City of Brenham has considered the foregoing and the aforesaid contract and have agreed to be bound by the provisions thereof for the purpose of closing said streets for the 2013 Christmas Stroll.

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

The Mayor of Brenham, acting on behalf of the City Council of the City of Brenham is hereby authorized to execute the attached agreement with the Texas Department of Transportation in connection with the closure of state highways within the City of Brenham associated with the 125<sup>th</sup> Maifest Celebration. This resolution is effective upon its adoption.

Adopted this the 19<sup>th</sup> day of February, 2015.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary

STATE OF TEXAS           §  
COUNTY OF TRAVIS       §

**AGREEMENT FOR THE TEMPORARY CLOSURE  
OF STATE RIGHT OF WAY**

**THIS AGREEMENT** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the “State,” and the City of Brenham, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the “local government.”

**W I T N E S S E T H**

**WHEREAS**, the State owns and operates a system of highways for public use and benefit, including Alamo and Main Streets, in Washington, County; and

**WHEREAS**, the local government has requested the temporary closure of Alamo Street (Business 290) for the purpose of the 125<sup>th</sup> Maifest Celebration, from 4:00 pm to Midnight on Saturday, March 28, 2015, as described in the attached “Exhibit A,” hereinafter identified as the “Event;” and

**WHEREAS**, the Event will be located within the local government’s incorporated area; and

**WHEREAS**, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State’s right of way will be performed within the State’s requirements; and

**WHEREAS**, on the 19<sup>th</sup> day of February, 2015, the Brenham City Council passed Resolution/Ordinance No. \_\_\_\_\_, attached hereto and identified as “Exhibit B,” establishing that the Event serves a public purpose and authorizing the local government to enter into this agreement with the State; and

**WHEREAS**, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

**WHEREAS**, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

## **A G R E E M E N T**

### **Article 1. CONTRACT PERIOD**

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

### **Article 2. EVENT DESCRIPTION**

The physical description of the limits of the Event, including county names and highway numbers, the number of lanes the highway has and the number of lanes to be used, the proposed schedule of start and stop times and dates at each location, a brief description of the proposed activities involved, approximate number of people attending the Event, the number and types of animals and equipment, planned physical modifications of any man-made or natural features in or adjacent to the right of way involved shall be attached hereto along with a location map and identified as "Exhibit C."

### **Article 3. OPERATIONS OF THE EVENT**

**A.** The local government shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.

**B.** The local government shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right of way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State. The State may require that any traffic control plans of sufficient complexity be signed, sealed and dated by a registered professional engineer. The traffic control plan shall be in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices. All temporary traffic control devices used on state highway right of way must be included in the State's Compliant Work Zone Traffic Control Devices List. The State reserves the right to inspect the implementation of the traffic control plan and if it is found to be inadequate, the local government will bring the traffic control into compliance with the originally submitted plan, upon written notice from the State noting the required changes, prior to the event. The State may request changes to the traffic control plan in order to ensure public safety due to changing or unforeseen circumstances regarding the closure.

**C.** The local government will ensure that the appropriate law enforcement agency has reviewed the traffic control for the closures and that the agency has deemed them to be adequate. If the law enforcement agency is unsure as to the adequacy of the traffic control, it will contact the State for consultation no less than 10 workdays prior to the closure.

**D.** The local government will complete all revisions to the traffic control plan as requested by the State within the required timeframe or that the agreement will be terminated upon written notice from the State to the local government. The local government hereby agrees that any failure to cooperate with the State may constitute reckless endangerment of the public and that the Texas Department of Public Safety may be notified of the situation as soon as possible for the appropriate action, and failing to follow the traffic control plan or State instructions may result in a denial of future use of the right of way for three years.

**E.** The local government will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.

**F.** The local government will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right of way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The local government will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the local government shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.

**G.** The local government hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the local government's traffic control plan.

**H.** The local government will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right of way and restore or repair the State's right of way, including, but not limited to, roadway and drainage structures, signs, overhead signs, pavement markings, traffic signals, power poles and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural and cultural environment in accordance with federal and state law, including landscape and historical features.

#### **Article 4. OWNERSHIP OF DOCUMENTS**

Upon completion or termination of this agreement, all documents prepared by the local government will remain the property of the local government. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

## **Article 5. TERMINATION**

- A.** This agreement may be terminated by any of the following conditions:
- (1) By mutual written agreement and consent of both parties.
  - (2) By the State upon determination that use of the State's right of way is not feasible or is not in the best interest of the State and the traveling public.
  - (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
  - (4) By satisfactory completion of all services and obligations as set forth herein.

**B.** The termination of this agreement shall extinguish all rights, duties, obligations, and liabilities of the State and local government under this agreement. If the potential termination of this agreement is due to the failure of the local government to fulfill its contractual obligations as set forth herein, the State will notify the local government that possible breach of contract has occurred. The local government must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the local government does not remedy the breach to the satisfaction of the State, the local government shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

## **Article 6. DISPUTES**

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

## **Article 7. RESPONSIBILITIES OF THE PARTIES**

The State and the Local Government agree that neither party is an agent, servant or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

## **Article 8. INSURANCE**

**A.** Prior to beginning any work upon the State's right of way, the local government and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the local government and/or its contractors are encroaching upon the State right of way.

**B.** In the event the local government is a self-insured entity, the local government shall provide the State proof of its self-insurance. The local government agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

**Article 9. AMENDMENTS**

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the local government and the State.

**Article 10. COMPLIANCE WITH LAWS**

The local government shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State’s right of way.

**Article 11. LEGAL CONSTRUCTION**

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**Article 12. NOTICES**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

<b>Local Government:</b>	<b>State:</b>
Milton Y. Tate, Jr. , Mayor City of Brenham P.O. Box 1059 Brenham, Texas 77834-1059	Texas Department of Transportation  <u>Catherine Hejl, P.E.</u> <u>District Engineer</u> <u>1300 North Texas Avenue</u> <u>Bryan, Texas 77803-2760</u>

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

**Article 13. SOLE AGREEMENT**

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

**IN TESTIMONY WHEREOF**, the parties hereto have caused these presents to be executed in duplicate counterparts.

**THE CITY OF BRENHAM**

Executed on behalf of the local government by:

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

Date\_\_\_\_\_

**THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By\_\_\_\_\_ District Engineer

Date\_\_\_\_\_

## Exhibit A

This request is for closure of Alamo Street from S. Austin Parkway to Douglas Street

(See attached map)

on March 28, 2015

### Date and Time of Closure

Streets are to be closed from 4:00 pm until 12:00 am (Midnight) on Saturday, March 28, 2015

All streets will be barricaded with traffic control devices and will be staffed with personnel from the Brenham Police Department.

Attached is a map showing the location of street closures and the detour routes from thru traffic.

The proposed activity that requires these street closures is the

125<sup>th</sup> Maifest Celebration

**Exhibit B**

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

**THE STATE OF TEXAS**

**COUNTY OF WASHINGTON**

**WHEREAS**, the Texas Department of Transportation operates certain state highways within the City limits of the City of Brenham;

**WHEREAS**, the City of Brenham has received requests for street closings along state highways within the City of Brenham;

**WHEREAS**, the Texas Department of Transportation and the City of Brenham have agreed to certain terms and conditions regarding the closing of a portion of the state highway within the City limits for the purpose of said closings;

**WHEREAS**, the City Council of the City of Brenham has considered the foregoing and the aforesaid contract and have agreed to be bound by the provisions thereof for the purpose of closing said streets for the 2013 Christmas Stroll.

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

The Mayor of Brenham, acting on behalf of the City Council of the City of Brenham is hereby authorized to execute the attached agreement with the Texas Department of Transportation in connection with the closure of state highways within the City of Brenham associated with the 125<sup>th</sup> Maifest Celebration. This resolution is effective upon its adoption.

Adopted this the 19<sup>th</sup> day of February, 2015.

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

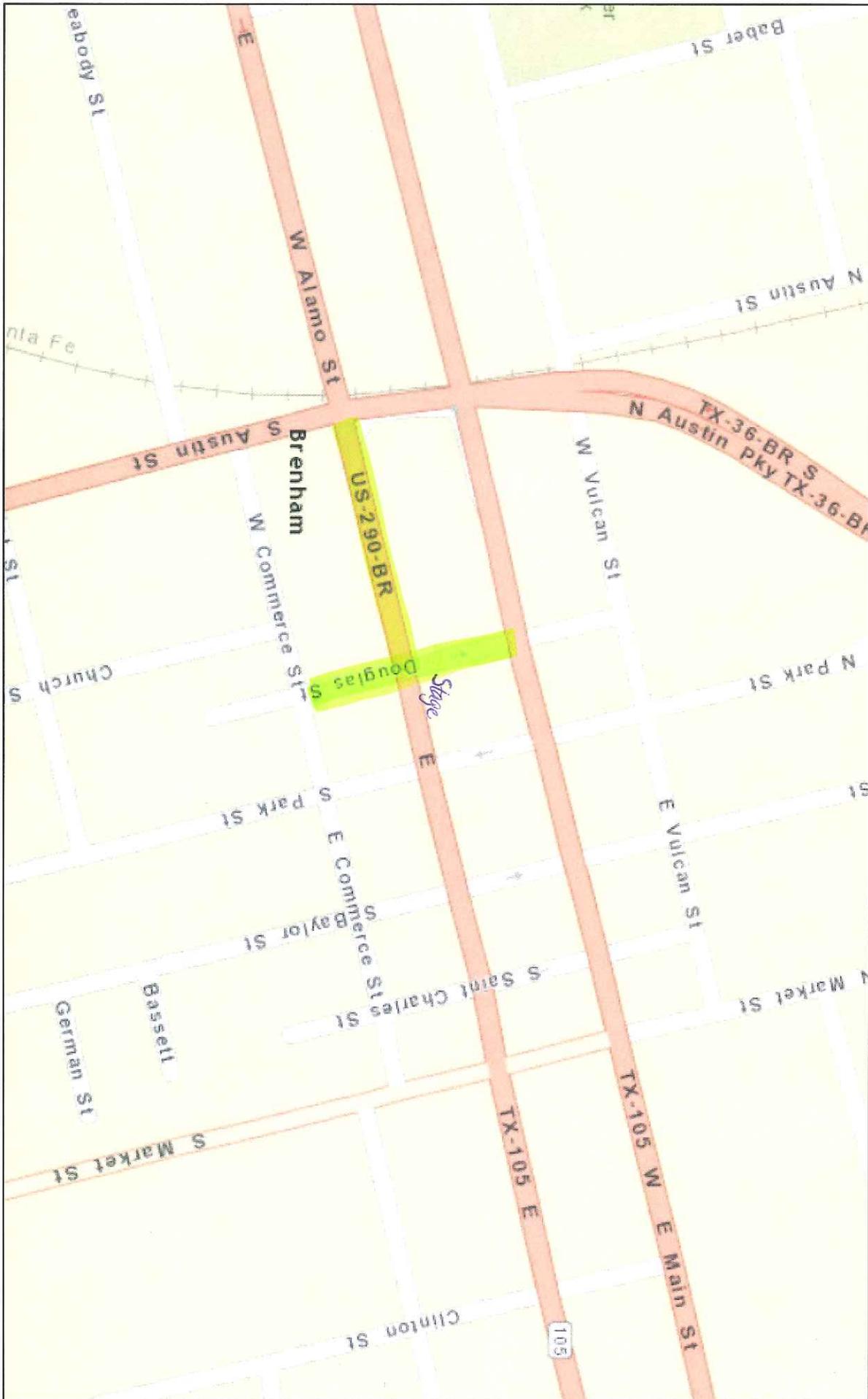
**ATTEST:**

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

## Exhibit C

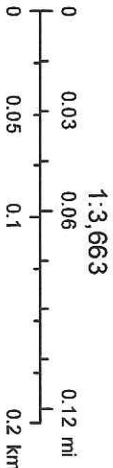
The **125<sup>th</sup> Maifest Celebration** occurs on Saturday, March 28, 2015 and is sponsored by the Brenham Maifest Association. Alamo Street will be closed between Market Street and Austin Street from 4:00 p.m. until 12:00 a.m. (Midnight). The intersection of Alamo Street at Douglas Street will feature live musical entertainment.

# 125th Maifest Celebration



February 16, 2015

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



Sources: Esri, HERE, DeLorme, USGS, Intermap, Incorpment P Corp., NRCAN, Esri Japan, METI, Esri China (HongKong), Esri (Thailand).

Washington County Appraisal District & BIS Consulting - www.bisconsultants.com  
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**AGENDA ITEM 11**

<b>DATE OF MEETING:</b> February 19, 2015		<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration		<b>SUBMITTED BY:</b> Jeana Bellinger	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon a Request for a Noise Variance from the Brenham Maifest Association for the 125 <sup>th</sup> Maifest Celebration to be Held on Saturday, March 28, 2015 from 6:00 p.m. – 11:00 p.m. in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation			
<b>SUMMARY STATEMENT:</b> Charlie Pyle with the Brenham Maifest Association is requesting a Noise Variance for their 125 <sup>th</sup> Maifest Celebration to be held on Saturday, March 28, 2015 from 6:00 p.m. – 11:00 p.m. They are requesting to have a live band and street dance at the intersection of Alamo Street and Douglas Street in downtown. This is a separate event from the normal Maifest activities that will be held in Fireman’s Park in May.			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
<b>A. PROS:</b>			
<b>B. CONS:</b>			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b> (1) Noise Variance Request form			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b>			
<b>APPROVALS:</b> Terry K. Roberts			

Paid 1/29/15  
CR# 26701  
Application Fee \$10.00

NOISE VARIANCE REQUEST

1. Name of sponsoring organization: BRENNHAM MAIFEST ASSOC.
2. Name and address of individual making application on behalf of sponsoring organization: CHARLIE RYLE 1621 BURLISON ST. BRENNHAM TX
3. Purpose of the Event: 125<sup>th</sup> MAIFEST CELEBRATION
4. Location of Event: ~~1621~~ DOUGLAS ST.
5. Date of the event: MARCH 28, 2015
6. Time of Event: 6:00 PM
7. Event Set-up: From: 4:00 PM To: 6:00 PM  
Event Clean-up: From: 11:00 PM To: 11:59 PM
8. You are required to describe the following:
  - a) Types of Activities Planned and any additional information specific to this event: LIVE BANDS + STREET DANCE DURING A PROGRESSIVE DINNER + DESSERT STROLL FROM UNITY THEATER TO ANT STREET INN TO SIMON THEATER
  - b) Bands/Musical Instruments: LIVE BAND ON DOUGLAS ST. + PARKING LOT ON N.E. CORNER OF DOUGLAS ST. + ALAMO ST.
  - c) Sound amplification equipment: YES
  - d) Cleanup provisions: VOLUNTEERS

CHARLIE RYLE  
Name of Applicant (Printed or Typed)  
[Signature]  
Applicant or Authorized Person's Signature

Date: 01/07/15  
Phone: 979 251-2375

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 12**

<b>DATE OF MEETING:</b> February 19, 2015		<b>DATE SUBMITTED:</b> February 13, 2015	
<b>DEPT. OF ORIGIN:</b> Community Services		<b>SUBMITTED BY:</b> Wende Ragonis	
<b>MEETING TYPE:</b>		<b>CLASSIFICATION:</b>	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
<b>ORDINANCE:</b>			
<input type="checkbox"/> 1 <sup>ST</sup> READING			
<input type="checkbox"/> 2 <sup>ND</sup> READING			
<input checked="" type="checkbox"/> RESOLUTION			
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-15-004 Adopting a New Fee Schedule for the Antique Carousel Located in Fireman’s Park			
<b>SUMMARY STATEMENT:</b> The Antique Carousel located in historic Fireman’s Park is an asset to the community. The Park Advisory Board discussed with Staff Carousel rates and operations at the December 10, 2014 and the January 21, 2015 Parks Advisory Board meetings and determined the following rates for the public use of that facility.  The Carousel will open to the public for set hours of operation on Saturdays and Sundays from March 1, 2015 thru October 31, 2015 for the cost of \$1 per rider. It will be available for reservation year round Monday – Friday 10:00am – 4:00pm. The Carousel fee for a reservation during the week will be \$1 per rider, with a minimum fee set at \$40 for the reservation.			
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>			
<b>A. PROS:</b>			
<b>B. CONS:</b>			
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>			
<b>ATTACHMENTS:</b> Resolution No. R-15-004			
<b>FUNDING SOURCE (Where Applicable):</b>			
<b>RECOMMENDED ACTION:</b> Approve Resolution No. R-15-004 adopting a new fee schedule for the Antique Carousel located in Fireman’s Park			
<b>APPROVALS:</b> Terry K. Roberts			

**RESOLUTION NO. R-15-004**

**A RESOLUTION OF THE CITY OF BRENHAM, TEXAS ADOPTING A NEW FEE SCHEDULE FOR THE CITY OF BRENHAM'S ANTIQUE CAROUSEL LOCATED IN FIREMAN'S PARK**

**WHEREAS**, Chapter 19, Parks and Recreation, of the Code of Ordinances authorizes the City Council to adopt fees for all parks and recreation activities; and

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

The City Council hereby adopts a fee schedule of one dollar (\$1.00) per rider during times the antique carousel is open to the public. When the antique carousel is rented for a private party, the fee shall be one dollar (\$1.00) per rider, with a minimum fee of forty dollars (\$40.00) for the reservation.

**PASSED** and **APPROVED** on this 19<sup>TH</sup> day of February, 2014.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary



### AGENDA ITEM 13

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 13, 2015	
<b>DEPT. OF ORIGIN:</b> Purchasing Services	<b>SUBMITTED BY:</b> Sara Parker	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Bid No. 15-004 for the Purchase of Four (4) Pick-Up Trucks for Various City of Brenham Departments and Authorize the Mayor to Execute Any Necessary Documentation		
<b>SUMMARY STATEMENT:</b> A bid package for four (4) pickup trucks for use by various City Departments was publicly advertised and bid notices were also sent to known interested vendors including four (4) local vendors. Four (4) bids were submitted with the lowest bid from Caldwell Country Chevrolet in the amount of \$96,255.		
The pickups to be purchased are:		
Two (2) ½ ton crew cabs for the Police Department. These will be assigned within the Department and replace older units which will be sold at auction.		
One (1) ½ ton crew cab for Animal Control. This will also replace an older patrol unit which will be sold at auction.		
One (1) ½ ton extended cab for Water Construction. Addition of this vehicle will allow crews to be dispatched to more than one site for more efficient assignment of work.		
These vehicles are included in the fiscal 2015 budgets of their respective departments. With the transfer of some equipment from the older units and purchase of additional equipment to fully outfit the vehicles, the units for the Police Department and Animal Control will be within budget. At \$21,720, the unit for Water Construction is over the budget amount of \$20,000; however, savings realized in other accounts have made funds available for transfer within the department budget to cover the overage.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<b>A. PROS:</b>		
<b>B. CONS:</b>		

<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>
<b>ATTACHMENTS:</b> (1) Bid Tabulation
<b>FUNDING SOURCE (Where Applicable):</b> Fiscal 2015 Departmental Budgets
<b>RECOMMENDED ACTION:</b> Approve Bid No. 15-004 for the purchase of four (4) pick-up trucks for various City of Brenham departments to Caldwell Country Chevrolet in the amount of \$96,255.00 and authorize the Mayor to execute any necessary documentation
<b>APPROVALS:</b> Terry K. Roberts

**BID TABULATION**  
**IFB NO. 15-004-PURCHASE OF FOUR (4) PICKUP TRUCKS**

	LaRoche Chevrolet	Appel Ford	Caldwell Country Chevrolet	Caldwell Country Ford
<b>(3) 1/2 Ton Crew Cab Pickup, Short Bed, 8 Cylinders, Gasoline Engine</b>				
<b>Mfg</b>	Chevrolet	Ford	Chevrolet	Ford
<b>Year</b>	2015	2014	2015	2015
<b>Model</b>	Silverado	F150 Super Crew	Silverado	F150 Super Crew
<b>Warranty-Bumper to Bumper</b>	3 yr/36K miles	3 yr/36K miles	3 yr/36K miles	3 yr/36K miles
<b>Price Each (Black or White)</b>	\$27,595.00	\$26,986.00 *	\$24,845.00	\$25,225.00
<b>Delivery</b>	5-6 Weeks	Stock	45-75 Days	120-150 Days
<b>2 Black for Police 151 (Admin. Vehicles)</b>				
<b>Budgeted Amount for 6 Vehicles</b>	\$55,190.00	\$53,972.00 *	\$49,690.00	\$50,450.00
<b>Budgeted Amount for 6 Vehicles</b>				
<b>1 White for Animal Control/Shelter 154</b>				
<b>Budgeted Amount</b>	\$27,595.00	\$26,986.00 *	\$24,845.00	\$25,225.00
<b>Budgeted Amount</b>				
<b>Total (3)</b>	\$82,785.00	\$80,958.00 *	\$74,535.00	\$75,675.00
<b>(1) 1/2 Ton Extended Cab Pickup, Short Bed, 6 or 8 Cylinders, Gasoline Engine</b>				
<b>Mfg</b>	Chevrolet	Ford	Chevrolet	Ford
<b>Year</b>	2015	2014	2015	2015
<b>Model</b>	Silverado	Super Cab	Silverado	F150 Super Cab
<b>Warranty-Bumper to Bumper</b>	3 yr/36K miles	3 yr/36K miles	3 yr/36K miles	3 yr/36K miles
<b>Price-6 Cylinder</b>	\$23,985.00	No Bid	\$20,845.00	\$21,125.00
<b>Price-8 Cylinder</b>	\$24,915.00	\$24,942.00 *	\$21,720.00	\$22,420.00
<b>Delivery</b>	5-6 Weeks	5-7 Days	45-75 Days	120-150 Days
<b>For Water Construction 164</b>				
<b>Budgeted Amount</b>				
<b>Budgeted Amount</b>	\$20,000.00			
<b>GRAND TOTAL-(3) 8 CYL CREW CABS/(1) 6 CYL EXT CAB</b>	\$106,770.00	6 Cyl. Unavailable *	\$95,380.00	\$96,800.00
<b>GRAND TOTAL-(3) 8 CYL CREW CABS/(1) 8 CYL EXT CAB</b>	\$107,700.00	\$105,900.00 *	\$96,255.00	\$98,095.00

\* Quoting stock/dealer trade units-black unavailable, only available in white.



## AGENDA ITEM 14

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 13, 2015	
<b>DEPT. OF ORIGIN:</b> Public Utilities	<b>SUBMITTED BY:</b> Lowell Ogle	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon a Resolution No. R-15-005 Authorizing the Submission of a Grant Application to the Texas Office of Rural Community Affairs Under the Texas Community Development Program (TCDP) for Possible Funding of the Church Street Water Tower Rehabilitation Project and Authorize the Mayor to Execute Any Necessary Documentation		
<p><b>SUMMARY STATEMENT:</b> The Church Street Water Tower is in need of maintenance work. This work includes removal of lead paint (exterior), recoating, and repair of some ladders, etc. The estimated cost to rehabilitate the Church Street Water Tower is proposed to be between \$305,000 (best case) and \$513,000 (worse case). We have attached the two estimates. We had to generate a best case and a worse case estimate so as not to overcommit our grant match until actual bids are received. The lower estimate would be best case if bids came in low and would commit the city to the minimum match required for the grant. If bids come in higher, then the city would be responsible for the difference between the grant funding (\$275,000) plus the city's match (\$55,000) and the actual cost.</p> <p>The City of Brenham has been informed that there is potential grant money available for this project through the Texas Department of Agriculture. This grant program is administered by the Texas Department of Agriculture. The priority of this grant program is to assist communities with improvements for water and sewer facilities. The focus is to assist those areas within a city or county that is populated primarily by residents that are low to moderate income. The City of Brenham meets the percentage requirements to qualify for this program.</p> <p>Since this water tower project meets the criteria for the grant, city staff of Brenham feels that it would be beneficial to apply for the \$275,000 possible funding. The maximum grant allowed is \$275,000 and a local match of at least 20% is required. The matching funds contributed by the City would be \$55,000, which is the difference between the proposed engineering best cost estimate and the maximum grant amount with consultant fees included if the grant is funded.</p> <p>Staff recommends approval of the resolution authorizing the submission of the grant application to the Texas Department of Agriculture for potential funding to be used for the Church Street Water Tower Rehabilitation in the amount of \$275,000.</p>		

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

**A. PROS:** Possibly receive grant to help fund Church Street Water Tower Rehabilitation.

**B. CONS:**

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

**ATTACHMENTS:** (1) Resolution, (2) Estimate of Proposed Costs -Best Case (\$305,000), (3) Estimate of Proposed-Worse Case (\$513,000) ; and (4) Project Location Map.

**FUNDING SOURCE (Where Applicable):**

**RECOMMENDED ACTION:** Approve Resolution No. R-15-005 authorizing the submission of the grant application to the Texas Department of Agriculture for potential funding of the Church Street Water Tower Rehab project in the amount of \$275,000.

**APPROVALS:** Terry K. Roberts

**RESOLUTION NO. R-15-005**

**A RESOLUTION OF THE CITY COUNCIL OF BRENHAM, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**WHEREAS**, the City Council of Brenham desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to- moderate income; and

**WHEREAS**, certain conditions exist which represent a threat to the public health and safety; and

**WHEREAS**, it is necessary and in the best interests of the City of Brenham to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$275,000 of grant funds to provide water improvements.
4. That the City Council directs and designates Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.

5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City of Brenham is committing \$55,000.00 from its utilities fund as a cash contribution toward the construction of this water improvements project.

**PASSED AND APPROVED** on this the 19<sup>th</sup> day of February, 2015.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary

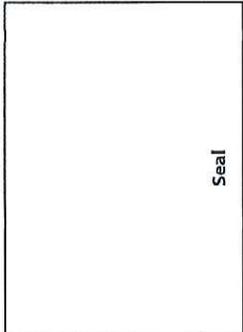
TABLE 2 - BUDGET JUSTIFICATION OF RETAIL COSTS

Activity Description	HUD Act #	Materials/Facilities/Services	\$/Unit	Unit	Qty	Construction	Engineering	Acquisition	Total
Water Improvements	03J	Rehabilitation of a 300,000 gallon elevated water storage tank located on Church Street	\$267,100.00	LS	1	\$267,100	\$0	\$0	\$267,100
		Engineering	\$0.00		0	\$0	\$0	\$0	\$0
		Basic Services	\$0.00		0	\$0	\$26,000	\$0	\$26,000
		Design Surveys	\$0.00		0	\$0	\$900	\$0	\$900
		Inspection	\$0.00		0	\$0	\$11,000	\$0	\$11,000
						\$267,100	\$37,900	\$0	\$305,000

*Kelly Hajek*  
 Signature of Registered Engineer/Architect Responsible For Budget Justification:

*2-10-2015*  
 Date:

+1 (979) 836-7937  
 Phone Number



*Kelly Hajek*

*2-10-2015*



O'Malley Strand Associates, Inc.<sup>®</sup>  
 203 South Jackson Street  
 Brenham, Texas 77833  
 (P) 979-836-7937  
 (F) 979-836-7936

CITY OF BRENHAM  
 300,000 GALLON CHURCH STREET ELEVATED WATER TANK REHABILITATION  
 ENGINEER'S OPINION OF PROBABLE PROJECT COST  
 STRAND PROJECT NO. 3900.033  
 Revised February 10, 2015

<b>CONSTRUCTION</b>			
Remove and Dispose of Existing Lead Based Exterior Paint System, Perform Surface Preparation and Install New Epoxy/Polyurethane Exterior Paint System	1 LS	\$ 270,000.00	\$ 270,000.00
Perform Surface Preparation and Install New Zinc/Epoxy Paint System on Tank Interior	1 LS	\$ 97,700.00	\$ 97,700.00
New Stainless Steel Roof Hatch and Curb	1 LS	\$ 9,500.00	\$ 9,500.00
New Stainless Steel Roof Vent and Flanged Neck	1 LS	\$ 11,500.00	\$ 11,500.00
Weld Shut Anode Holes in Roof	1 LS	\$ 1,200.00	\$ 1,200.00
Install New Stainless Steel Cable Style Safety Climb Devices on All Interior Ladders	1 LS	\$ 11,500.00	\$ 11,500.00
"Brenham" Logo	1 LS	\$ 4,600.00	\$ 4,600.00
<b>Subtotal</b>			<b>\$ 406,000.00</b>
<b>Contingencies</b>			<b>\$ 60,000.00</b>
<b>Total Construction Cost</b>			<b>\$ 466,000.00</b>
<b>ENGINEERING</b>			
Basic Services			\$ 36,000.00
Design Surveys			\$ 900.00
Inspection			\$ 11,000.00
<b>Total Engineering Cost</b>			<b>\$ 47,900.00</b>
<b>TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST</b>			<b>\$ 513,900.00</b>

Kelly M. Hajek, P.E.  
 O'Malley Strand Associates, Inc. (TBPE No. F-8405)

*Kelly Hajek*  
 2-10-2015



kmh\S:\BRE\3900--3999\3900\033\Wrd\Letter\EOPPC Revised 2-10-2015.xls



Sheet Number	1 of 1
Project Name	PROJECT LOCATION
Drawn By	gac
Checked By	gac
Date	08/01/15
Project Number	3900.032
Drawn By	gac
Checked By	gac
Date	08/01/15
Project Name	PROJECT LOCATION
Drawn By	gac
Checked By	gac
Date	08/01/15

**CITY OF BRENHAM**  
**2015/2016 CDBG APPLICATION**



**O'Malley Strand Associates, Inc.**  
 203 & Jackson  
 Brenham, Texas 77833  
 (979) 836-7937  
 TBPE No. F-8405  
 TBPLS No. 10036600



**AGENDA ITEM 15**

<b>DATE OF MEETING:</b> February 19, 2015		<b>DATE SUBMITTED:</b> February 16, 2015
<b>DEPT. OF ORIGIN:</b> Development Services		<b>SUBMITTED BY:</b> Grant Lischka
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-15-006 Authorizing the Acceptance of Public Improvements in the Oak Alley Subdivision and Authorize the Mayor to Execute Any Necessary Documentation		
<b>SUMMARY STATEMENT:</b> Washington County Oak Alley, LLC has completed all required public infrastructure improvements related to the development of Phase 1 of Oak Alley, a 10 lot subdivision constructed for residential use located east of Blue Bell Road (FM 577). The public infrastructure improvements have been constructed and inspected according to all applicable City of Brenham ordinances and regulations and are ready to be accepted by the City of Brenham for ownership and maintenance. This is only acceptance of the water and sanitary sewer improvements as the street and drainage facilities are private and will be maintained by a property owners association.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> N/A		
<b>ATTACHMENTS:</b> (1) Resolution No. R-15-006		
<b>FUNDING SOURCE (Where Applicable):</b> N/A		
<b>RECOMMENDED ACTION:</b> Approve Resolution No. R-15-006 authorizing the acceptance of public improvements in the Oak Alley Subdivision, Phase 1, and authorize the Mayor to execute any necessary documentation		
<b>APPROVALS:</b> Terry K. Roberts		

**RESOLUTION NO. R-15-006**

**A RESOLUTION OF THE CITY COUNCIL OF BRENHAM, TEXAS,  
AUTHORIZING THE ACCEPTANCE OF PUBLIC IMPROVEMENT IN  
THE OAK ALLEY SUBDIVISION, BRENHAM, TEXAS**

**WHEREAS**, Oak Alley Subdivision, Phase 1 is an approximately 3.61 acres, 10 lot subdivision developed by Washington County Oak Alley, LLC;

**WHEREAS**, water and sewer improvements were constructed by the developer;

**WHEREAS**, these public infrastructure improvements have been inspected by the City and found to be constructed in accordance with the City's Standards and Specifications;

**WHEREAS**, the City of Brenham desires to formally accept the water and sewer improvements within Ralston Creek Estates, Phase 1 Subdivision.

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

The City of Brenham hereby accepts the water and sewer improvements in Oak Alley Subdivision, Phase 1 in the City of Brenham, Texas and authorizes the Mayor to execute any necessary documentation.

**PASSED AND APPROVED** on this the 19<sup>th</sup> day of February, 2015.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TRMC  
City Secretary



## AGENDA ITEM 16

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Development Services	<b>SUBMITTED BY:</b> Grant Lischka	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon Resolution No. R-15-007 Granting Tax Deferment, Through A Development Loan, to Jefferson Square Housing Ltd. for Rehabilitation to Jefferson Square Apartments, Located at 801 W. Jefferson Street and Authorize the Mayor to Execute Any Necessary Documentation		
<b>SUMMARY STATEMENT:</b> Jefferson Square Housing Ltd is proposing to acquire and rehabilitate the Jefferson Square Apartments and intends to submit an application to the Texas Department of Housing and Community Affairs for 2015 Housing Tax Credits. The application has numerous items that a developer can earn “points” for their application. These points are important in that the applications with the most points are more likely to receive the housing tax credits. One possible avenue to earn points is to receive local participation in the form of a tax deferment. The basis of the tax deferment is that the City would defer a portion of the yearly property taxes for a term of 15 years. After the 15 years the deferred taxes would be paid to the City, with interest. They are requesting a tax deferment of \$17,363.50, which equates to approximately \$1,160 per year. The current City tax revenue from the Jefferson Square Departments is approximately \$2,200 per year. Staff believes that this project will improve the existing apartments and increase their appraised value, which will in turn increase the tax revenue for the City. Attached are other amounts that correspond to the number of points that are available.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
<p style="margin-left: 40px;">A. <b>PROS:</b> If the tax credits are awarded and the construction completed, the taxable value of the property, and associated tax revenue, will increase.</p> <p style="margin-left: 40px;">B. <b>CONS:</b></p>		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b> N/A		
<b>ATTACHMENTS:</b> (1) Resolution No. R-15-007; and (2) Point/Funding Table		
<b>FUNDING SOURCE (Where Applicable):</b> N/A		

**RECOMMENDED ACTION:** Approve Resolution No. R-15-007 Granting Tax Deferment to Jefferson Square Housing Ltd. for rehabilitation to Jefferson Square Apartments, located at 801 W. Jefferson Street and authorize the Mayor to execute any necessary documentation

**APPROVALS:** Terry K. Roberts

**RESOLUTION NO. R-15-007**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS GRANTING TAX DEFERMENT, THROUGH A DEVELOPMENT LOAN, TO JEFFERSON SQUARE HOUSING, LTD. FOR THE REHABILITATION TO JEFFERSON SQUARE APARTMENTS, LOCATED AT 801 W. JEFFERSON STREET, BRENHAM, TEXAS**

**WHEREAS**, Jefferson Square Housing Ltd. has proposed the acquisition and rehabilitation of the affordable rental housing known as the Jefferson Square Apartments located at 801 W. Jefferson Street in the City of Brenham, Texas; and

**WHEREAS**, Jefferson Square Housing Ltd. has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2015 Housing Tax Credits for the Jefferson Square Apartments development; and

**WHEREAS**, in accordance with Section 11.9(d)(1)(A) of the Qualified Allocation Plan, an application may qualify for points for a resolution voted on and adopted from the governing body expressly setting forth that the City of Brenham supports the Jefferson Square Apartments; and

**WHEREAS**, Jefferson Square Housing Ltd. has requested a loan, in the amount of \$17,364.00, through the deferment of property taxes, for the Jefferson Square Apartments development, as a commitment of development funding from the City of Brenham, Texas;

**WHEREAS**, the City of Brenham, Texas has the authority to defer city property taxes on the property located at 801 W. Jefferson Street, Brenham, Texas;

**BE IT RESOLVED THAT**, the governing body of the City of Brenham, Texas, hereby adopts this resolution as evidence to its commitment of funds in the amount of \$17,364.00 to be provided to the development in the form of a development loan, through the deferment of property tax, repayable with a fifteen year term, thirty year amortization and three percent interest with no prepayment penalties; and

**BE IT FURTHER RESOLVED**, that for and on behalf of the Governing Body, Milton Y Tate, Jr., Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

**PASSED AND APPROVED** on this the 19<sup>th</sup> day of February, 2015.

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Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

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Jeana Bellinger, TMRC  
City Secretary

City of Brenham Funding

Population (as of 2010 Census) – 15,785

Number of Units in Development - 44

Multipliers:

11 points – 0.15

10 points – 0.10

9 points – 0.050

8 points – 0.025

7 points – 0.010

Funding Amount Needed = (Population \* Number of Units \* Multiplier)

11 points - \$104,181.00

10 points - \$69,454.00

9 points - \$35,727.00

8 points - \$17,363.50\*

7 points - \$6,945.40

\*Possible 8 points if \$17,363.50 of property taxes is deferred over 15 years (approx. \$1,200/year)

-Current City Property Taxes are about \$2,244/year-

\*\*3 Additional Points if Funding Commitment made by February 27 (Application Deadline) and deferment is for a 15 year term, 30 year amortization, and interest rate no higher than 3%



**AGENDA ITEM 17**

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Terry Roberts	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Appointment of a Presiding Judge of the Brenham Municipal Court for the Unexpired Term Ending December 31, 2016		
<b>SUMMARY STATEMENT:</b> To be discussed in Executive Session.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> None		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b>		
<b>APPROVALS:</b> Terry K. Roberts		



## AGENDA ITEM 18

<b>DATE OF MEETING:</b> February 19, 2015	<b>DATE SUBMITTED:</b> February 16, 2015	
<b>DEPT. OF ORIGIN:</b> Administration	<b>SUBMITTED BY:</b> Terry Roberts	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 <sup>ST</sup> READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 <sup>ND</sup> READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
<b>AGENDA ITEM DESCRIPTION:</b> Discuss and Possibly Act Upon the Appointment of a Presiding Judge of the Brenham Municipal Court for the Unexpired Term Ending December 31, 2016		
<b>SUMMARY STATEMENT:</b> To be discussed in Executive Session.		
<b>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</b>		
A. PROS:		
B. CONS:		
<b>ALTERNATIVES (In Suggested Order of Staff Preference):</b>		
<b>ATTACHMENTS:</b> None		
<b>FUNDING SOURCE (Where Applicable):</b>		
<b>RECOMMENDED ACTION:</b> As discussed in Executive Session.		
<b>APPROVALS:</b> Terry K. Roberts		