



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, APRIL 2, 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 – Councilmember Keith Herring**
- 3. Service Recognitions**
 - **Dale Steinfeld, Street Department 20 Years**
 - **Kim Hodde, Development Services 25 Years**
 - **Pam Ruemke, Information Technology 30 Years**
- 4. Citizens Comments**

WORK SESSION

- 5. Discussion and Presentation Amending the Rate Tariff Schedule(s) for the City of Brenham’s Collection Station **Pages 1-2****
- 6. Discussion and Presentation Regarding an Events Policy for the City of Brenham **Pages 3-12****
- 7. Discussion and Presentation Regarding the Construction of a New Animal Shelter and the Expansion/Renovation of the City Library **Pages 13 -23****

REGULAR AGENDA

- 8. Discuss and Possibly Act Upon Bid No. 15-005 for the Purchase of Refuse Bags for the Sanitation Department and Bin Liners for the Parks Department and Authorize the Mayor to Execute Any Necessary Documentation **Pages 24 - 27****

9. **Discuss and Possibly Act Upon Bid/Job No. 1006.087-WG/WH for 2015 Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 28 - 33**
10. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 12, Health and Sanitation, Article III, Junked Vehicles, of the Code of Ordinances of the City of Brenham** **Pages 34 - 41**
11. **Discuss and Possibly Act Upon Resolution No. R-15-011 Expressing Official Intent to Reimburse Certain Costs Related to Construction of a New Animal Shelter and the Expansion/Renovation of the City Library** **Pages 42 - 45**
12. **Discuss and Possibly Act Upon Bid No. 15-003 for the Construction of the City of Brenham's Pet Adoption and Animal Care Facility and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 46 - 51**
13. **Discuss and Possibly Act Upon Bid No. 15-006 for the Construction and Rehabilitation of the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 52 - 56**
14. **Discuss and Possibly Act Upon an Events Policy for the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 57 - 61**
15. **Discuss and Possibly Act Upon a Request for a Noise Variance from the Brenham Maifest Association for the Maifestival Events to be Held on May 1, 2015 from 6:00 p.m. – Midnight, May 2, 2015 from 6:00 p.m. – Midnight, and May 3, 2015 from Noon - 4:00 p.m. at Fireman's Park and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 62 - 63**

EXECUTIVE SESSION

16. **Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Appointments of a Presiding Judge and City Prosecutor for the Brenham Municipal Court, Both for an Unexpired Term Ending December 31, 2016** **Page 64**
17. **Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Consider Compensation for Municipal Court Judges and City Prosecutor** **Page 65**
18. **Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Upcoming Retirement of the Assistant City Manager** **Page 66**

RE OPEN REGULAR AGENDA

- 19. Discuss and Possibly Act Upon the Appointments of a Presiding Judge and a City Prosecutor for the Brenham Municipal Court, Both for an Unexpired Term Ending December 31, 2016** **Page 67**

- 20. Discuss and Possibly Act Upon Compensation for Municipal Court Judges and City Prosecutor** **Page 68**

- 21. 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 Negotiation

CERTIFICATION

I certify that a copy of the April 2, 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 March 30, 2015 at **12:10 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



AGENDA ITEM 5

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 25, 2015	
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 type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discussion and Presentation Amending the Rate Tariff Schedule(s) for the City of Brenham's Collection Station		
<p>SUMMARY STATEMENT: Over the last year we have been evaluating our operations at the City of Brenham Collection Station located at 2009 Old Chappell Hill Road. One area that is operating at a deficit is our brush grinding operation. This operation is falling behind in covering its costs on an annual basis. This past year we brought in roughly \$126,000 in revenues with total expenditures at the \$183,000 mark. Revenues were comprised of mulch sales and charging for commercial brush at \$15/ton. Expenditures include salaries for those employees operating the wood waste operations, maintenance on the grinder and fuel. We continuously look for ways to bring in revenue to offset our grinding costs and keep rates low for our customers. It has been apparent that with the past droughts that we are receiving more material than we can currently grind and sell through mulching. We also have to make sure that our revenues are covering our capital needs in this operation. In the next few years we will be replacing the 2002 Diamond Z Tub Grinder which has been a key component to managing wood waste at the Collection Station. Estimated costs are between \$500,000-\$600,000 for an alike unit.</p> <p>At this current time we are recommending the following:</p> <ul style="list-style-type: none"> • Allocating 18% of the brush grinding costs to our Residential Collection Department. (\$33,000 in expected revenue to Collection Station). It was calculated that City residents bring in on average 18% of the total amount of brush throughout the year. We do not charge the citizen directly when they enter our facility and this can be allocated by directing a percentage from our residential collection revenues. We also provide city residents a curb side collection on Wednesdays (by call-in) and there is no direct charge to that service as well. We feel that by allocating 18% out of residential collection this will contribute to the services that we provide the city residents and no increase will be seen on the customer side. This will however decrease the overall revenues in residential slightly but makes sense since we are not charging at the Collection Station gate. 		

- **Raising commercial brush rates an additional \$5 per ton, to a total of \$20/ton (\$17,000 in expected revenue to Collection Station).** Since commercial collection contributes 55% of the total brush brought in to the collection station we feel that this rate needs to be raised because it is costing us more by grinding this large amount of brush and contributes to the wear and tear on the grinder. This brush is also bulkier and harder to handle. We also receive large quantities of this material from commercial customers and spend most of our time managing this material.
- **Establish a rate of \$10/ton for the Washington County Work Crew and the Washington County Road and Bridge for material brought to Collection Station (\$6,000 in expected revenue to Collection Station based off of history)** In the past both of these entities have not been charged for material brought into the collection Station as it relates to wood waste. Overall the Washington County Road and Bridge contributes 5.5% of the total brush to the Collection Station. The Washington County Work Crew contributes 4.5% to the Collection Station. Even though this is a small portion it does contribute to our grinding costs and the material originates from roads throughout the County. County residents are not charged for brush when brought to the Collection Station. These residents bring in 11.5% of the wood waste. In 1999 an ILA was signed with the county that does state “In the event the collection center has an operating deficit, the County agrees to provide one half of the funding for the deficit. The City shall bill this annually. In the event the Collection Station has an operating profit, the profit shall be used to offset future deficits. By charging \$10 per ton this falls below the \$20 proposed rate for commercial customers.

We would also look at raising our disposal rates on tires. We have had the same rates for over 10 years and within the last 3 years we have been charged to dispose of used tires by the pound rather than by the tire. In order to balance this change we recommend raising the rates as follows:

<u>Size</u>	<u>Current Rate</u>	<u>Recommended Rate</u>
15” and below	\$2.00/tire	\$2.50/tire
16” and above	\$5.00/tire	\$7.50/tire
Large Truck and Tractor	\$35.00	\$45.00

This will not be a dramatic change but based on the average weight of the tires for each group this will allow us to better cover the cost of disposal.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: None

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Discussion only.

APPROVALS: Terry K. Roberts



AGENDA ITEM 6

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 30, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Jeana Bellinger	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discussion and Presentation Regarding an Events Policy for the City of Brenham		
<p>SUMMARY STATEMENT: As staff has discussed with Council previously, non-City sponsored events held in the city have become very time consuming for staff and some events can have an unexpected fiscal impact on departmental budgets. In an effort to clarify the steps currently taken by staff for all special events, I have included with this item a flow chart for each type of event. Please note that since January, my office has received ten (10) requests for special events.</p> <p>During Work Session on March 5th, staff presented a draft Special Events Policy to Council. Based on the feedback received from Council, I made the following adjustments to the policy:</p> <ul style="list-style-type: none"> ➤ Created a new definition for a “Special Event”. These events would be anything that required closure of state right-of-way for longer than four (4) hours, required electrical hook-ups and/or service, and/or any special equipment or services to be provided by the City (i.e. stage, roll-off dumpster, etc...). ➤ Removed BISD, Blinn College and other governmental entities from the exemption list. ➤ In regards an “Event” – added an application fee of \$25 and an event fee of \$100 ➤ In regards a “Special Event” – added an application fee of \$50 and an event fee of \$2,000 ➤ Added notification language. 		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Flow-charts showing the current procedures followed by staff for events; and (2) Policy presented to Council on March 5 th redlined showing recommended changes		

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Discussion only.

APPROVALS: Terry K. Roberts

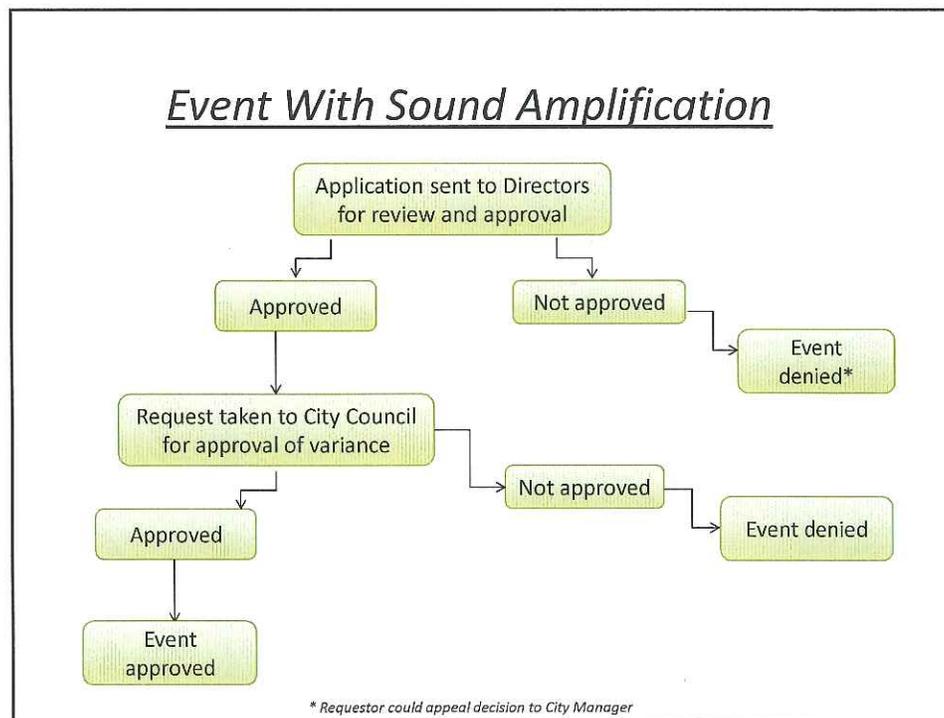
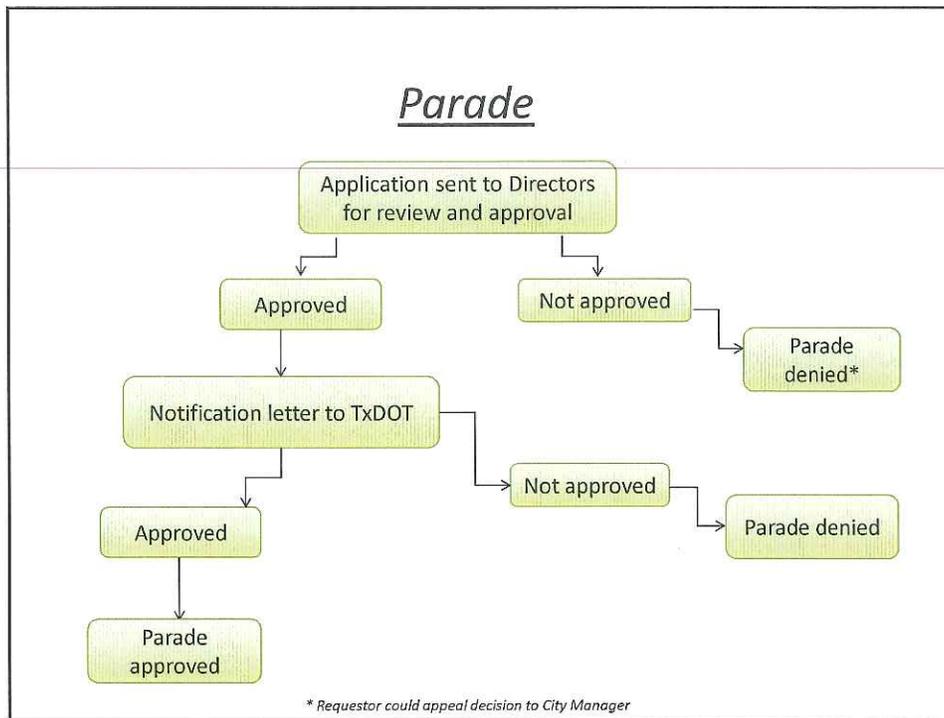


*Special Event Application Procedures
Currently Followed by Staff
(as per ordinances and/or policies)*

Event



** Requestor could appeal decision to City Manager*

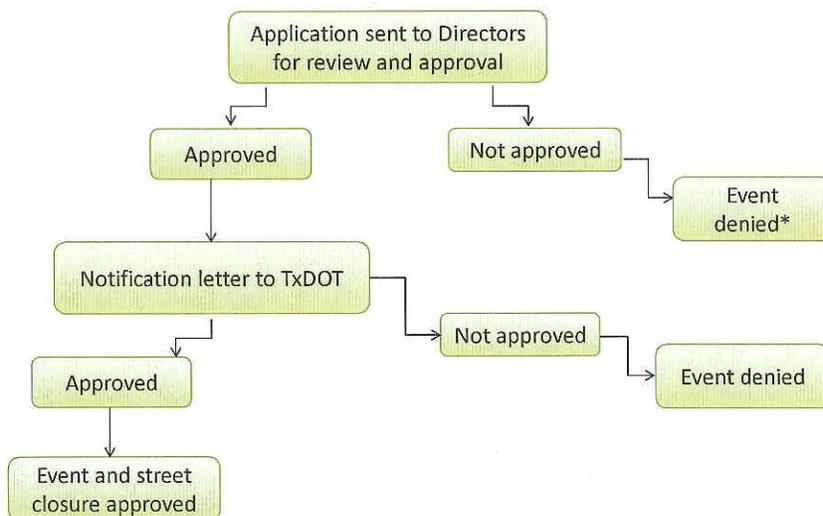


Event with City Street Closure



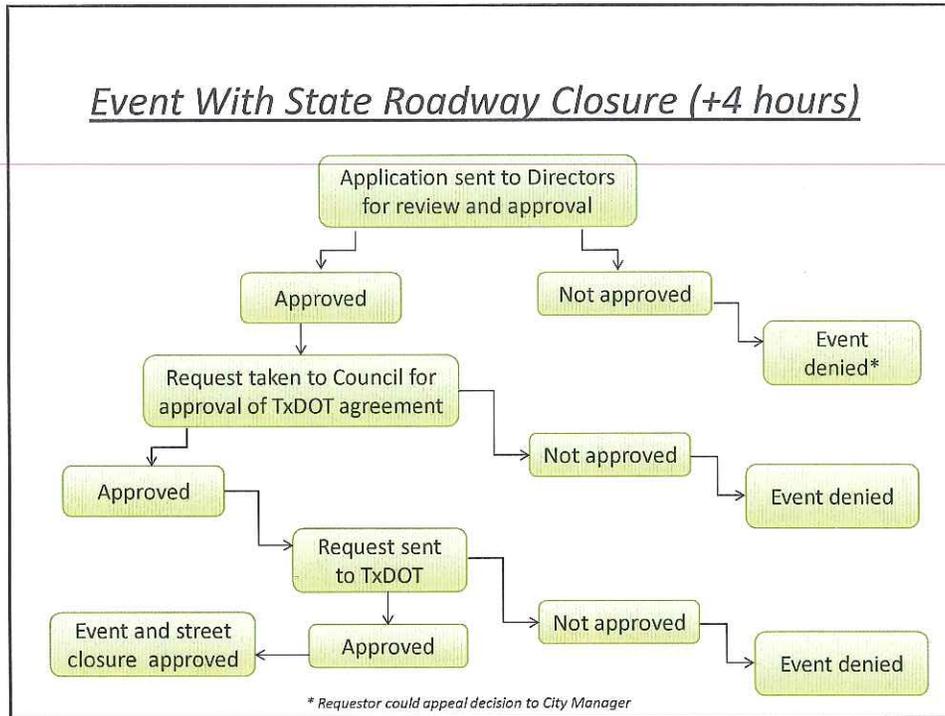
** Requestor could appeal decision to City Manager*

Event With State Roadway Closure (-4 hours)



** Requestor could appeal decision to City Manager*

Event With State Roadway Closure (+4 hours)



CITY OF BRENHAM
EVENT POLICY
(Effective April 2, 2015)

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ALL COMPLETED APPLICATIONS SHALL BE SUBMITTED TO THE CITY SECRETARY'S OFFICE FOR PROCESSING. PLEASE NOTE THAT THE ACCEPTANCE OF YOUR APPLICATION BY THE CITY SECRETARY SHOULD IN NO WAY BE CONSTRUED AS APPROVAL OR CONFIRMATION OF YOUR EVENT.

Definitions

Event – shall mean an event to be held within the City of Brenham that is of limited duration, and is likely to attract 100 or more attendees and shall include, without limitation, exhibitions, automobile races, sporting events, festivals, air shows, carnivals, circuses, revivals, tent sales, concerts, parades, runs, walks, races, or motorcades.

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Special Event – shall mean an event to be held within the City of Brenham that requires closure of state roadways for longer than four (4) hours, electrical service, and/or special equipment or services to be provided by the City.

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Street Closing Event – any activity, including but not limited to events, which require the closing of any public street, sidewalk or alley and which require rerouting of normal or usual traffic flow.

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Parade – any march or procession consisting of people, animals, or vehicles or a combination thereof, except funeral processions, upon any public street, sidewalk, alley, park or other outdoor places owned or under control of the City.

Run – any event that is considered a walk, run, or race consisting of people upon any public street, sidewalk or alley.

Gathering- describes a single event per day conducted or held by an organization; each gathering will be applied its own fee based. One organization may choose to hold more than one gathering during a 2-3 day period but each gathering will be treated separately.

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Exemptions

The following may be conducted within the City of Brenham without a permit:

1. Events, Street Closing Events, Parades, Runs, Walks, Races, Special Events, or Motorcades hosted, conducted or sponsored by the City of Brenham shall not require a permit, but notice of the event shall be given to the Police Department, Fire Department, Public Works Department, Public Utilities and Development Services Department.
2. Private parties held on residential private property and to which the public is not invited and where there are not more than 100 guests.
3. An event wholly contained on property specifically designed or suited for the event and which has an appropriate certificate of occupancy, appropriate zoning and adequate parking.
4. Funeral processions.

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Deleted: or other governmental agencies (i.e., Brenham Independent School District, Blinn College, etc...)

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Application Process

The City Secretary's Office will route all applications to the appropriate City departments for approval and/or recommendations concerning approval or denial of the application. The applicant will be notified of approval/disapproval within ten (10) business days. If an application is denied, for any reason, the applicant may appeal the denial to the City Manager.

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Any application that does not include all of the required information (i.e. proof of insurance, maps, etc...) will be denied.

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Event Application and Fees

An Event application fee of \$25.00 shall be paid when the application is submitted to the City Secretary's Office for processing. This fee shall be non-refundable.

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An Event fee of \$100.00 shall be due and payable to the City at least ten (10) days prior to the scheduled event.

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Event Size

Deleted: within thirty (30) days of the scheduled event

All event fees will be charged on a per gathering basis. If approved, the permit (provided by the City) must be on site at all times during the event.

Special Event Application and Fees

A Special Event application fee of \$50.00 shall be paid when the application is submitted to the City Secretary's office for processing. This fee shall be non-refundable.

The minimum amount to be charged for a Special Event will be \$2,000.00. The City shall provide the applicant with a cost estimate upon approval/disapproval of the application. The applicant will be invoiced for all applicable services and other expenses after all event costs have been accounted for. An invoice for event costs in excess of \$2,000.00 will be due and payable to the City within thirty (30) days after the date the City sends the invoice to the applicant.

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The event fee will be invoiced to the applicant, at the address shown on the application, after the event and all costs have been accounted for. The invoice will be due and payable to the City within thirty (30) days.¶
¶
Event

All special event fees will be charged on a per gathering basis. If approved, the permit (provided by the City) must be on site at all times during the event.

Cancellation Policy

Notice of cancellation must be made in writing at least fifteen (15) working days in advance of the event reservation date. Please mail written notice to: City of Brenham, P.O. Box 1059, Brenham, TX 77834 Attention: City Secretary's Office. Notices may also be faxed to 979-337-7568. Notification date will be effective on the date that the City Secretary's Office receives the mailed or faxed notice.

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Street Closings

City street closing fees are included in the event fees noted above. If street closings are requested on state roadways the closure must be approved by the City Council and proper notification provided to TxDOT. The City Secretary's Office will take care of requesting City Council approval and TxDOT notification, when required.

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Solid Waste Service

A solid waste fee for the City is included in the event fees noted above. Any additional solid waste service (i.e. dumpsters and/or roll-off containers) will be the responsibility of the applicant.

Food, Beverage and Alcohol Permits

If food, beverage and/or alcohol are requested for the event, the applicant will need to contact the City Secretary's Office at 979-337-7375 or the City of Brenham's Health Inspector at 979-337-7216 to determine if additional permits and fees will be required.

Deleted: **Electrical**¶
If use of the electrical outlets in the downtown area (Downtown Brenham) is requested, there will be a fee of \$50.00 per electrical outlet. Any metered electrical costs will be the responsibility of the event organizer and will be invoiced accordingly after the event as noted in the above event fee schedule.¶
¶

Portable Toilet Facilities

The City of Brenham does not provide portable toilet facilities. It is the responsibility of the applicant to supply portable toilets (or restrooms) at a rate of 1 per 150 persons, including at least one (1) portable toilet that meets ADA requirements.

Deleted: event organizers

Security

Event security will be required to the extent determined appropriate by the City of Brenham Police Chief. After the event permit is evaluated by the Police Chief, or his designee, additional fees may be required. The applicant will be advised of any additional fees prior to the application being approved.

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Insurance

Insurance is required for all special events. The City reserves the right to review and determine amount of coverage required based on the planned activities at the special event. The amount of general liability insurance required is:

- General Liability with minimum limits of \$1,000,000 Combined Single Limit for personal injury, death, property damage

All events will be required to have \$1,000,000 liquor liability insurance if alcohol is being sold or served. Host liquor liability insurance will satisfy this requirement if alcohol is only being served.

All insurance policies shall name the City of Brenham, its officials, employees, agents and volunteers as an additional insureds and a copy of the Certificate of Insurance must be submitted to the City Secretary's Office at least ten (10) working days prior to the event. Failure to provide required insurance will result in cancellation of the event. The City of Brenham will not waive insurance requirements.

Deleted: (Downtown Excluded)
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Deleted: The event organizer, with an expected street closure, shall notify all
Deleted: within the street closure area will be required
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Area Notification of Impacted Neighbors

The applicant shall notify all residents and businesses abutting the portion of the street to be closed. Notification may be accomplished by distributing flyers throughout the neighborhood, placing information sheets in residents' mail boxes, publication of notification in the local newspaper, and/or radio advertising. The applicant shall provide the City Secretary's office with proof of notification at least ten (10) days prior to the scheduled event.

Deleted: and within a 300 foot radius of the outer perimeter of the event (as marked by fencing or entrance table indicated on the event diagrams submitted to the City). The event organizer shall obtain signatures of those so notified of the upcoming event. Such signatures do not denote approval but solely confirm notification. A diagram of the notification area shall be submitted with the signature sheet. ¶
¶
The event organizer shall leave a notification letter with each signee. This letter shall include the following information:¶
<#>Name of event¶
<#>Dates and times of event¶
<#>Brief description of the event¶
<#>Any closure areas¶
<#>Name and phone number of event contact should they have issues¶
<#>Where attendees will be parking¶
¶
The signatures confirming notification, the notification letter and the notification diagram shall be submitted **at least 20 working days prior to the special event**. In addition, the event organizer shall comply with all additional requirements imposed by the City of Brenham with respect to the notification and approval by residents and businesses affected by the special event.

Under certain circumstances where events may generate extremely large crowds, loud noise or parking issues, the City may require additional notifications/signatures/outreach to impacted neighbors.



AGENDA ITEM 7

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 30, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discussion and Presentation Regarding the Construction of a New Animal Shelter and the Expansion/Renovation of the City Library		
SUMMARY STATEMENT: See attached memos from City Manager, Terry Roberts, Police Chief, Rex Phelps, and Director of Community Services, Wende Ragonis.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Memo from Terry Roberts; (2) Memo from Rex Phelps including financial recap sheet; and (3) Memo from Wende Ragonis including financial recap sheet		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Discussion only.		
APPROVALS: Terry K. Roberts		



To: Mayor and City Council
From: Terry K. Roberts, City Manager
Subject: **Work Session For Capital Building Projects**
Date: March 30, 2015

We have scheduled a work session Thursday to discuss our two pending building projects – library renovation and expansion as well as the new animal shelter. We can also discuss the related action item to consider passing a reimbursement resolution regarding these projects. That resolution allows you to award bids on the two projects and gives you the opportunity to obtain additional financing later to complete the projects. Carolyn's agenda form provides a further explanation of the reimbursement resolution tool.

The City's directors overseeing these two capital building projects, Wende Ragonis, our Community Services Director and Rex Phelps, our Police Chief have provided you updated memoranda explain the bids and the status of funding. Chief Financial Officer Carolyn and her team have prepared a financial recap of both building projects. Wende and Rex have included them as attachments in the work session packet.

We added this work session update to the agenda since there is more to these projects than just the consideration of bid award later in the meeting. The work session gives us the opportunity to address the entire project as well as recap our funding sources for the work.

The reimbursement resolution needs to be considered first in the action items on regular session later in the meeting. Adopting the resolution gives you the option to secure additional financing later to complete the project. You can make the decision later to cover a portion of the shortfall from cash reserves. If you have any questions about the mechanics of the reimbursement resolution or the financial recap for each of the projects Carolyn can answer those questions.

Kyle has worked closely with both Rex and Wende on the building projects sitting in on the technical review meetings with the two different architects. Kyle and Rex also met on several occasions during the value engineering process on the shelter project.

The staff can respond to your questions at the meeting Thursday but you are always welcomed to contact them prior to the meeting as well. As with all work sessions, no action is contemplated at this stage of the meeting.

When we get to the shelter agenda item, we will need you to take up a motion to bring this item off the table since it was tabled before. The library bid is appearing on your agenda for the first time.

BRENHAM POLICE DEPARTMENT



Memo

To: Terry Roberts, City Manager
From: Rex Phelps, Police Chief
CC: File
Date: 3/30/2015
Re: Brenham Pet Adoption Center - Construction Bids and Value Engineering Options

This past several weeks city staff, the project architect and the construction low bidder have been diligently working to value engineer this project. The actual construction bids were significantly higher than the projected or estimated costs.

The **lowest construction bid was presented at \$2,960,000** with potential alternate costs of an additional \$120,000. Unfortunately, this exceeds what we have been able to secure to this point to pay for the construction costs.

In short, we had secured approximately \$1,900,000. This number breaks down to the City Council's agreement to provide \$1,000,000. The Animal Shelter Task Force and our community members have raised the additional \$900,000 dollars. Donors who have already given a significant amount have committed to giving another \$210,000. **This will increase our amount raised thus far to \$2.1 million.**

The original plan was to build a quality but practical facility that would meet all current state mandates and triple our current sheltering capabilities. This would not only give us the room we currently need but allow significant room for growth. The truth is that we could utilize almost double our current sheltering capability on occasion even in current times. There are times that we have no choice but to make room even when we would like to explore adoption opportunities.

The animal shelter task force made up of local citizens helped fundraise and donated significant funds themselves because of their commitment to build this needed animal shelter. The task force traveled and visited numerous new shelters to learn from others on what they would have done differently and learn from the successes of other new shelters. They worked hard and did a superb job on designing a facility that will provide a very healthy environment for both animals and people.

In the end, we were able to arrive at two viable options as it relates to cost cutting measures and still provide for the service requirements of a new shelter. Although, we were able to cut significant costs we simply were not able to value engineer this project to the point of the original projected costs.

Both of the options benefited from significant costs saving measures like moving to pitch roofs versus cantilever or radius trusses and utilizing hardiplank on the back and sides of the facility instead of brick veneer. We were able to save by using a split heating and cooling system and at the same time filter the air as needed to reduce odors that are inherent in an animal shelter. We were able to find significant costs savings regarding a standing seam (lock seam) metal roof option. The sally port was cut from the project on both options. The dumpster pad was removed from both options due to the ability to utilize the police department's dumpster. We changed to painted epoxy floors in the areas within the facility that will experience less high pressure cleaning but left the epoxy base floor in the kennel areas where the cleaning will be high pressure and more frequent.

There were many other smaller items value engineered that were vetted through staff, task force members, the architect and the construction company. These items are too numerous to list but they are items like changing finishes on sinks, fixtures, acceptable insulation adjustments, more affordable appliance packages, etc.

I will now describe the proposed two options. They will be labeled as option #1A and option #1B. *Both of these options include any and all alternate costs associated with the construction portion of the project, so there will be more of a VE savings than reflected below when you take the alternates from the original bid into account.

Option #1A will have the same square footage as the original bid minus the sally port area. This option will enable the shelter to still have three times the sheltering capability as the current facility. This option reflects all the costs savings explained in the paragraph above and allows for maximum room to grow related to the original design. This VE option is \$260,995 less than lowest bid.

- The construction costs of **Option #1A** is estimated as **\$2,699,055**

Option #1B has the largest reduction in square footage. Both the sally port and the middle kennel run area or corridor has been deleted. The square footage reduction along with the above value engineering cost savings are within this option. In this scenario we will be limited to doubling our sheltering capabilities of the current facility. This will leave us some room to grow. However, we at times can utilize this much space even in the present time frame. If this option is preferred the building will be designed to add the middle kennel corridor in the future. If this option is chosen there will be an additional re-design fee of approximately \$12,000. This VE option is \$439,079 less than the lowest bid.

- The construction costs of **Option #1B** is estimated as **\$2,520,921**

In an effort to be as transparent and informative as possible there are other costs outside of construction that is true with any project such as architectural fees, IT fiber and cabling, additional phones, computers, etc. I have broken down those costs as follows.

- Architectural Fee (6%) \$161,941 (1A) vs. \$151,255 (1B)
- Architectural Revisions \$12,000 only for (1B)
- IT Cabling (Ethernet, Fiber, etc.) \$10,353
- Additional Phones, PC's, Kiosk \$9,930
- Surveillance Cameras \$3,957
- Electronic Access Control \$6,000

It will be staff's **recommendation** to the Mayor and City Council to award the bid to Collier Construction with change order option #1A.

Recap for staff recommendation of Option 1A

Construction Costs	\$2,699,005
Architectural Fee (6%)	\$161,941
IT Cabling (Ethernet, Fiber, etc.)	\$10,353
Additional Phones, PC's, Kiosk	\$9,930
Surveillance Cameras	\$3,957
Electronic Access Control	\$6,000
Other (Engineering, etc.)	\$16,459
Contingency (1% of construction)	<u>\$27,000</u>
Total Costs:	\$2,934,645
Total Proceeds:	<u>\$2,112,645</u>
Total Shortage:	\$822,000

The time frame placed on the bid acceptance is almost completed so the Mayor and Council will need to act on the bid award in some fashion. Of course we understand there will have to be a discussion on how we finance the remaining funds needed and will respectfully respect the Mayor's and City Council's decision on either option.

**CITY OF BRENHAM
CONSTRUCTION OF NEW ANIMAL SHELTER
RECAP FOR APRIL 2, 2015 COUNCIL WORKSHOP AGENDA ITEM**

	Projected Costs
<u>Bond Proceeds</u>	
Bond Proceeds-2014 Certificates of Obligation	\$ 1,000,000
<u>Private Partnership Funds</u>	
Private Partnership Funds	902,245
Private Partnership Funds - Pledged Donations	210,000
Interest Income	400
	1,112,645
<u>Possible Additional Bond Proceeds</u>	
Bond Proceeds-2015/2016 Certificates of Obligation	822,000
Total Proceeds	\$ 2,934,645
<u>Use of Proceeds</u>	
New Animal Shelter	
Architectural Services	\$ 161,941
Construction	2,699,005
IT Cabling	10,353
Computers & Kiosks	9,930
Camera System	3,957
Door Security	6,000
Other (Engineering, etc)	16,459
Contingency (1% of construction cost)	27,000
Total Uses	\$ 2,934,645
Balance	\$ -

ADDITIONAL FUNDING SOURCES FOR ENHANCEMENTS

Enhancement	Funding Source	Projected Costs
Furniture, Fixtures & Equipment	Equipment Fund	\$ 12,800

MEMORANDUM

TO: Terry K. Roberts
FROM: Wende Ragonis
SUBJECT: Library Modernization Library Final Cost Estimates
DATE: March 30, 2015

The modernization of the Nancy Carol Roberts Memorial Library facility is ready to begin pending the approval of Council. Purchasing staff has received a favorable base bid for the asbestos abatement, demolition and construction of the facility, and IT and Engineering staff have tallied the projected costs for tasks which are outside of the general contractor's base bid of \$3,083,000. A comprehensive projected budget is attached to this memo which was developed by the City's Finance team. This budget documents the total proceeds currently on hand of \$3,151,420 with possible additional bond proceeds of \$438,000 to cover the following costs above the Base Bid amount:

Architectural Services	\$ 296,087
Construction – Alternate #1 – Outdoor Reading Room	25,000
Site Prep and Paving	100,000
Door Security	19,000
Camera System	12,000
IT Cabling	19,000
Other (Engineering, etc.)	4,333
Contingency (1% of construction cost)	31,000

(FFE) at an estimated cost of \$450,000 and Audio Visual and Technology equipment at an estimated cost of \$100,000. These items can be funded through a fundraising campaign which will be led by the Library Advisory Board or could be funded through a capital lease. The cost of \$10,000 to landscape and install irrigation will be included in the FY16 budget process as will the moving expense of \$12,000.

The Library Advisory Board (LAB) at their March 11, 2015 meeting asked staff to engage a local marketing firm to design fundraising campaign materials for the NCRML modernization project. The LAB will hold a special meeting April 8, 2015 to discuss the details of this fundraising campaign.

**CITY OF BRENHAM
LIBRARY RENOVATION AND EXPANSION PROJECT
RECAP FOR APRIL 2, 2015 COUNCIL WORKSHOP AGENDA ITEM**

	Projected Costs
<u>Bond Proceeds</u>	
Bond Proceeds-2014 Certificates of Obligation	\$ 1,500,000
<u>Private Partnership Funds</u>	
Private Partnership Funds-Library 501(C)3	1,464,647
Private Partnership Funds-501(C)3 residual balance & Finke bequest	92,139
Other Private Partnership Funds-Misc. donations & Bohne bequest	93,334
Interest Income	1,300
	1,651,420
<u>Possible Additional Bond Proceeds</u>	
Bond Proceeds-2015/2016 Certificates of Obligation	438,000
Total Proceeds	\$ 3,589,420
<u>Use of Proceeds</u>	
Library Renovation and Expansion	
Architectural Services	\$ 296,087
Construction (including abatement)	3,083,000
Construction - Alternate #1-Outdoor Reading Room	25,000
Site Prep and Paving	100,000
Door Security	19,000
Camera System	12,000
IT Cabling	19,000
Other (Engineering, etc)	4,333
Contingency (1% of construction cost)	31,000
Total Uses	\$ 3,589,420
Balance	\$ -

ADDITIONAL FUNDING SOURCES FOR ENHANCEMENTS

Enhancement	Funding Source	Projected Costs
Furniture, Fixtures and Equipment	Fundraising or Capital Lease	\$ 450,000
Audio Visual & Technology	Fundraising or Capital Lease	100,000
Landscape & Irrigation	FY16 Library Dept. operating budget	10,000
Moving Expense	FY16 Library Dept. operating budget	12,000
		\$ 572,000



AGENDA ITEM 8

DATE OF MEETING: 4/2/2015	DATE SUBMITTED: 3/25/15	
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 type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 15-005 for the Purchase of Refuse Bags for the Sanitation Department and Bin Liners for the Parks Department and Authorize the Mayor to Execute Any Necessary Documentation.		
SUMMARY STATEMENT: On March 3, 2015 bids were opened for the purchase of refuse bags and bin liners for various departments. There were 11 bids sent out with 6 bids received. Since two different products were bid we broke them out separately on the bid packet and indicated that each item could be awarded independently. Central Poly was the low bidder on the 12,500 refuse bags at \$6.70/roll and provides the best value and product to the City of Brenham. We have used Central Poly in the past and they have provided a very durable bag that meets our minimum bid standards and has proven to hold up to the conditions in which we use them. In 2014, this bid was awarded to Houston Poly bag for \$6.52/roll. We have budgeted \$90,000 in the 2014-15 budget for this purchase and these amounts fall under that budget by \$6,250. The bin liners are a product that we have added to the bid and have previously quoted them out as we needed them. These bags are used in the parks system and downtown area on a weekly basis for the larger trash bins. On this item we have decided to award the bid based off of “best value” of the product rather than lowest bid. Based on the bid tabulation Interboro was the apparent low bidder but once we evaluated the bids we noticed that several of the sample bags did not meet minimum specifications and we did not feel that they would give us the best quality product based off of our usage. We are recommending awarding the bid to All American Poly whose bid was \$20.52 per carton. This is an 18% reduction in price compared to the bags that we currently receive quotes on. We respectfully ask council to approve these bids and award the refuse bags to Central Poly and the bin liners to All American Poly in relation to the bid		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Quality bags by both Central Poly and All American Poly. Saves money on both products compared to budget.		
B. CONS:		

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Bid Tabulation

FUNDING SOURCE (Where Applicable): 106-5-142-219.00

RECOMMENDED ACTION: Award Bid No. 15-005 for the purchase of 12,500 rolls of refuse bags to Central Poly in the amount of \$6.70 per roll; and 250 cartons of bin liners to All American Poly in the amount of \$20.52 per carton and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts



Bid Information Sheet

March 10, 2015

IFB No. 15-005

For: Contract for Garbage Bags/Bin Liners

Not to exceed budgeted funds.

Number of bidders sent a bid packet: 11

Number of completed bids returned to Purchasing: 6

CONTRACT FOR GARBAGE BAGS										
IFB NO 15-005										
	Waste	All American	BMC	Central	Houston	Interboro	Interboro	Interboro	Interboro	Interboro
	Zero	Poly	Supply	Poly	Poly Bag	A	B	C	D	E
Item 1										
Trash Bags										
Unit Price	*	\$16.05	No Bid	\$6.70	\$6.87	No Bid				
Ext. Price	*	\$200,625.00		\$83,750.00	\$85,875.00					
Item 2										
Bin Liners										
Unit Price	*	\$20.52	\$25.36	\$20.90	\$23.25	\$25.48	\$22.82	\$19.94	\$18.24	\$14.82
Ext. Price	*	\$5,130.00	\$6,340.00	\$5,225.00	\$5,812.50	\$6,370.00	\$5,705.00	\$4,985.00	\$4,560.00	\$3,705.00

* Vendor provided alternate proposal for providing and dispersing garbage bags to customers. Proposal does not meet the City's needs at this time.



AGENDA ITEM 9

DATE OF MEETING: April 3, 2015	DATE SUBMITTED: March 30, 2015		
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"/> 1 ST READING	
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING	
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION	
	<input type="checkbox"/> WORK SESSION		
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid/Job No. 1006.087-WG/WH for 2015 Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation.			
SUMMARY STATEMENT: On March 3, 2015 bids were opened by O'Malley Strand Associates, Inc. and City of Brenham staff for the 2015 water distribution system improvements. Each year we include \$400,000 in our budget to replace as many feet of AC water lines as possible in areas where we are having numerous leaks. In order to maximize footage, we take a base bid and an alternate bid. This year, the base bid and the alternate would put us approximately \$20,000 over our budget. We are recommending a change order of (\$32,345.00) to reduce footage and bring the project back within budget. The bid included the installation of approximately 4,400 linear feet of 6" C-900 PVC to replace existing AC water lines, related appurtenances, and street repair. Deductive Change Order No. 1 will remove approximately 380 linear feet of replacement and related services, etc. Replacement work will be done on the following streets:			
LJ – 1,110 ft – All of LJ Street Shepard – 730 ft – Robinhood to Deadend Carolyn – 400 ft – Shepard to LJ Janet – 740 ft – Shepard to LJ Jefferson – 1,100 ft – LJ west to Munz			
Change Order No. 1 deducted the cost of replacing the lines on S. Hillside Drive to keep the project within budget.			
<u>Bidder</u>	<u>Base Bid</u>	<u>Additive Alternate Bid A</u>	<u>Change Order No. 1</u>
Mercer Construction Co. Edna, TX	\$261,545.00	\$118,375.00	\$(32,345.00)
Supak Construction, Inc. Orchard, TX	\$286,797.50	\$128,895.00	
Kieschnick Contractors Wellborn, TX	\$285,725.00	\$144,925.00	

City Staff would like to recommend that Council award the Base Bid, the Additive Alternate Bid A, and Deductive Change Order No. 1 to Mercer Construction Co. in the amount of \$347,575.00. This would give us an approximate contingency of \$12,000 on the project. We are not recommending award of Deductive Bid C. This deduction would have removed the hot mix portion of the pavement repair and it would be accomplished in-house. The bid for the hot mix came in at a very reasonable and cost effective price and we do not recommend removing it from the project.

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Increase reliability of the water distribution system.

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Recommendation letter from O'Malley Strand Associates, Inc. which includes bid tabulation; and (2) Concurrent Change Order No. 1

FUNDING SOURCE (Where Applicable): 104-5-164-804.20

RECOMMENDED ACTION: Award Bid No. 1006.087-WG/WH to Mercer Construction Company in the amount of \$347,575.00 for the Base Bid and the Alternate Bid A as well as the Concurrent Change Order No. 1 and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts



O'Malley Strand Associates, Inc.
 200 South Jackson Street
 Brenham, Texas 77833
 (P) 979-836-7937
 (F) 979-836-7936

March 13, 2015

Lowell Ogle, Director of Public Utilities
 City of Brenham
 200 West Vulcan
 Brenham, Texas 77833

Re: City of Brenham
 2015 Water Distribution System Improvements
 Job No. 1006.087-WG/WH
 Strand Project No. 3900.032
 RECOMMENDATION OF AWARD - REVISED

Dear Lowell:

We have reviewed the bids received on March 3, 2015 for the referenced project (see bid tabulation attached) and have listed the bids below in order from the lowest to the highest base bid:

		Base Bid A - PVC Pipe	Base Bid B - HDPE Pipe	Additive Alt. Bid A	Additive Alt. Bid B	Deductive Bid C
1.	Mercer Construction Co., Edna, TX	\$261,545.00	N/A	\$118,375.00	N/A	(\$22,960.00)
2.	Supak Construction, Inc., Orchard, TX	\$286,797.50	N/A	\$128,895.00	N/A	(\$41,000.00)
3.	Kieschnick General Contractors, Wellborn, TX	\$285,725.00	N/A	\$144,925.00	N/A	(\$32,800.00)

The low bidder, Mercer Construction Company, is qualified and experienced in this type of work. Therefore, based upon review of the above bids, we recommend award to the lowest bidder, Mercer Construction Company of Edna, Texas, for their Base Bid A plus Additive Alternate Bid A minus Concurrent Change Order No. 1 (attached) for a total contract amount

ms\R:\BRE\OEM\1006\1006-087WH\Letter\Recommendation of Award - Revised.docx

TBPE No. F-8405
 TBPLS No. 10030000

Lowell Ogle
City of Brenham
Page 2
March 13, 2015

of \$347,575.00. Concurrent Change Order No. 1 deducts South Hillside Drive from the project to keep the project within budget.

Sincerely,



Kelly M. Hajek, P.E.
Project Engineer

KMH:ms

Enclosures



3.13.2015



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

CITY OF BRENHAM
 2015 WATER DISTRIBUTION SYSTEM IMPROVEMENTS
 JOB NO. 1006.087-WG/WH
 STRAND PROJECT NO. 3900.031/3900.032

CONCURRENT CHANGE ORDER NO. 1
 March 13, 2015

REASON: Deletion of the work on S. Hillside Drive from the project.

DEDUCTIONS:

1. Furnish and install 6" AWWA C-900 DR 18 PVC water line by open cut, with trace wire, complete in place, (380) LF @ \$40.00/LF (\$15,200.00)
2. Furnish and install 6" gate valve and valve box, complete in place, (1) EA @ \$925.00/EA (\$925.00)
3. Furnish all labor and materials and make 6" wet connection to existing 6" water line, complete in place, (2) EA @ \$1,200.00/EA (\$2,400.00)
4. Furnish all labor and materials and make 1" service connection, complete in place, (5) EA @ \$225.00/EA (\$1,125.00)
5. Furnish and install 1" SDR 9 CTS Polyethylene service line, complete in place, (160) LF @ \$30.00/LF (\$4,800.00)
6. Furnish all labor and materials and tie new 1" Poly service line into existing meter, complete in place, (5) EA @ \$75.00/EA (\$375.00)
7. Furnish and install ductile iron fittings, complete in place, (0.25) TON @ \$8,000.00/TON (\$2,000.00)
8. Furnish all labor and materials and obliterate existing valve box, complete in place, (1) EA @ \$200.00/EA (\$200.00)

City of Brenham
Page 2
March 13, 2015

9. Furnish all labor and materials to perform asphalt pavement repair in city right-of-way, complete in place, (380) LF @ \$14.00/LF (\$5,320.00)

TOTAL CONCURRENT CHANGE ORDER NO. 1 (\$32,345.00)

ORIGINAL CONTRACT AMOUNT..... \$379,920.00
 MINUS CONCURRENT CHANGE ORDER NO. 1 (\$32,345.00)
ADJUSTED CONTRACT AMOUNT..... \$347,575.00

ACCEPTED BY: _____ Date _____
 Mercer Construction Co.

RECOMMENDED BY: _____ Date _____
 O'Malley Strand Associates, Inc.

APPROVED BY: _____ Date _____
 City of Brenham



AGENDA ITEM 10

DATE OF MEETING: April 2 nd , 2015	DATE SUBMITTED: 3/30/15	
DEPT. OF ORIGIN: Development Services	SUBMITTED BY: Erik Smith	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly act Upon an Ordinance on Its First Reading Amending Chapter 12, Health and Sanitation, Article III, Junked Vehicles, of the Code of Ordinances of the City of Brenham		
SUMMARY STATEMENT: Texas state law changed the inspection and registration sticker requirement from having a sticker for both on the front windshield of a vehicle to having a single sticker with both the inspection and registration on one sticker for the front windshield. Because of this staff removed Section 12-23, (1) b for local ordinance which requires “A valid motor vehicle inspection certificate”. This wording has been removed and wording requiring a current license plate has been added. There were some other amendments staff is proposing to clean up some other areas at the same time which include: <ul style="list-style-type: none"> - A definition of a lawful aircraft and watercraft and the notification process the city must go through if the aircraft and watercraft are not lawful. - Changes to the notification process 		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Redline of current Ordinance showing recommended changes; and (2) Ordinance for first reading		
FUNDING SOURCE (Where Applicable): N/A		

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending Chapter 12, Health and Sanitation, Article III, Junked Vehicles, of the Code of Ordinances of the City of Brenham

APPROVALS: Terry K. Roberts

Chapter 12
HEALTH AND SANITATION
ARTICLE III. JUNKED VEHICLES

Sec. 12-23. - Definitions.

Junked vehicle means a ~~vehicle~~ **motor vehicle, aircraft, or watercraft** as defined in the Texas Transportation Code, Section 683.071, as amended, that:

- (1) Is self-propelled; and is
 - a. ~~An unexpired license plate; and~~ **Wrecked, dismantled or partially dismantled, or discarded; or**
 - b. ~~A valid motor vehicle inspection certificate; and~~ **Inoperable and has remained inoperable for more than:**
 1. 72 consecutive hours, if the vehicle is on public property; or
 2. 30 consecutive days, if the vehicle is on private property;and
 - c. ~~Wrecked, dismantled or partially dismantled, or discarded; or~~ **Displays an expired license plate or does not display a license plate; or**
- (2) ~~Inoperable and has remained inoperable for more than:~~ **An aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or**
 1. ~~Seventy two (72) consecutive hours, if the vehicle is on public property; or~~
 2. ~~Thirty (30) consecutive days, if the vehicle is on private property.~~
- (3) A watercraft that:
 1. Does not have lawfully on board an unexpired certificate of number; and
 2. Is not a watercraft described by Section 31.055, Parks and Wildlife Code.

Sec. 12-27. - Notice of hearing.

- (a) If it is determined by the officer that a nuisance, as defined herein, exists in the city, the officer shall give notice or cause notice to be given in writing. The notice shall state: the nature of the public nuisance; that the nuisance must be removed and abated within ten (10) days; and further that a request for a hearing must be made within ten (10) days of receipt of the notice. The notice must be **personally delivered, mailed, sent** by certified ~~or registered~~ mail, with a five-day return requested, **or delivered by the United States Postal Service with signature confirmation service** to:
 - (1) The last known registered owner of the nuisance;
 - (2) Each lienholder of record of the nuisance; and
 - (3) The owner or occupant of:
 - a. The property on which the nuisance is located; or
 - b. If the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.

- (b) The notice must state that:
- (1) The nuisance must be abated and removed not later than the tenth day after the date on which the notice was mailed or personally delivered; and
 - (2) Any request for a hearing must be made before that ten-day period expires.
- (c) If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance, or if the owner is located, personally delivered.
- (d) If notice is returned undelivered, action to abate the nuisance shall be continued to a date not earlier than the eleventh day after the date of the return.
- (e) A public hearing must be held, prior to the removal of the vehicle or the part thereof as a public nuisance, before a municipal court judge, when such hearing is requested by the owner or occupant of the premises on which said vehicle is located, not earlier than the eleventh day after service of notice to abate the nuisance. At a hearing, the junked motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable. If the information is available at the location of the nuisance, a resolution or order requiring removal of the nuisance must include the vehicles:
- (1) Description;
 - (2) Vehicle identification number; and
 - (3) License plate number; or
- For an aircraft, the aircraft's:
- (1) Description; and
 - (2) Federal Aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
- For a watercraft, the watercraft's:
- (1) Description; and
 - (2) Identification number as set forth in the watercraft's certificate of number.
- (f) If, after written notice has been given, as described in this section 12-27, and continuing through the hearing, the owner relocates the junked vehicle, or a part thereof, to another location in the City of Brenham, Texas or in Washington County, the relocation has no effect on the hearing if the vehicle, or a part thereof, constitutes a public nuisance at the new location.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING CHAPTER 12, HEALTH AND SANITATION, ARTICLE III, JUNKED VEHICLES, OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS TO AMEND THE DEFINITION OF JUNKED VEHICLE AND NOTICE OF HEARING REQUIREMENTS; PROVIDING FOR A REPEALER AND SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND OPEN MEETINGS

WHEREAS, pursuant to Texas Local Government Code, Section 51.001, the City has the authority to adopt ordinances and regulations that are for good government, peace and order of the City; and

WHEREAS, the City Charter of the City of Brenham authorizes the City regulate the health and sanitation within the City; and

WHEREAS, the City Council finds that the regulation of health and sanitation in the City will promote the general welfare, health and safety of the citizens of the City by the enactment of this Ordinance; and

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

SECTION 1.

Chapter 12, Health and Sanitation, Sec. 12-23, Definitions, of the Code of Ordinances of the City of Brenham, Texas, is hereby amended to read as follows:

Junked vehicle means a motor vehicle, aircraft, or watercraft as defined in the Texas Transportation Code, Section 683.071, as amended, that:

- (1) Is self-propelled and is:
 - a. Wrecked, dismantled or partially dismantled, or discarded; or
 - b. Inoperable and has remained inoperable for more than:
 - (1) 72 consecutive hours, if the vehicle is on public property; or
 - (2) 30 consecutive days, if the vehicle is on private property;and
- c. Displays an expired license plate or does not display a license plate.

- (2) An aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47.
- (3) A watercraft that:
 - a. Does not have lawfully on board an unexpired certificate of number; and
 - b. Is not a watercraft described by Section 31.055, Parks and Wildlife Code.

SECTION 2.

Chapter 12, Health and Sanitation, Sec. 12-27, Notice of hearing, of the Code of Ordinances of the City of Brenham, Texas, is hereby amended to read as follows:

- (a) If it is determined by the officer that a nuisance, as defined herein, exists in the city, the officer shall give notice or cause notice to be given in writing. The notice shall state: the nature of the public nuisance; that the nuisance must be removed and abated within ten (10) days; and further that a request for a hearing must be made within ten (10) days of receipt of the notice. The notice must be personally delivered, sent by certified mail, with a five-day return requested, or delivered by the United States Postal Service with signature confirmation service to:
 - (1) The last known registered owner of the nuisance;
 - (2) Each lienholder of record of the nuisance; and
 - (3) The owner or occupant of:
 - a. The property on which the nuisance is located; or
 - b. If the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.

SECTION 3.

Chapter 12, Health and Sanitation, Sec. 12-27, Notice of hearing, of the Code of Ordinances of the City of Brenham, Texas, is hereby amended to read as follows:

- (e) A public hearing must be held, prior to the removal of the vehicle or the part thereof as a public nuisance, before a municipal court judge, when such hearing is requested by the owner or occupant of the premises on which said vehicle is located, not earlier than the eleventh day after service of notice to abate the nuisance. At a hearing, the junked motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable. If the information is available at the location of the nuisance, a resolution or order requiring removal of the nuisance must include the vehicles:
 - (1) Description;
 - (2) Vehicle identification number; and

(3) License plate number; or

For an aircraft, the aircraft's:

- (1) Description; and
- (2) Federal Aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or

For a watercraft, the watercraft's:

- (1) Description; and
- (2) Identification number as set forth in the watercraft's certificate of number.

SECTION 4. **SAVINGS CLAUSE**

All provisions of any ordinance, resolution or other action of the City in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances, resolutions or other actions shall remain in full force and effect.

SECTION 5. **SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentences and clauses and phrases remaining should any provision be declared unconstitutional or invalid.

SECTION 6. **REPEALER**

Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 7. **EFFECTIVE DATE**

This Ordinance shall become effective upon adoption and publication as required by law.

SECTION 8.
PROPER NOTICE AND MEETINGS

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

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



AGENDA ITEM 11

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 29, 2015	
DEPT. OF ORIGIN: Finance	SUBMITTED BY: Carolyn D. Miller	
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-15-011 Expressing Official Intent to Reimburse Certain Costs Related to Construction of a New Animal Shelter and the Expansion/Renovation of the City Library		
SUMMARY STATEMENT: In reviewing the work session item for the construction of a new animal shelter and the expansion/renovation of the City library, the possibility of issuing additional certificates of obligation was discussed. A summary of the amount required is shown below:		
Animal Shelter	\$ 822,000	
City Library	<u>438,000</u>	
Total COs	\$1,260,000	
<p>Why are we evaluating and discussing the possibility of issuing additional debt today? The Animal Shelter bid timeline is fast approaching the 60 days when the bids are no longer valid. We opened the Animal Shelter bids on February 12, 2015 and unfortunately the bids expire on April 13, 2015.</p> <p>If Council decides to award the bid today, we will need to decide how to fund the overage before that action can occur. The <i>Reimbursement Resolution</i> is on this agenda to get Council's feedback in order to keep our timeline of approving or rejecting the Animal Shelter bids before they expire.</p> <p>Although a decision is needed today on the <i>Reimbursement Resolution</i>, the issuance of debt would not have to occur until later in FY15 or early in calendar 2016. The City has sufficient funds to begin the project, but in order for Council to award the bid, we need to decide if Council wants to issue additional debt to complete these capital projects. This <i>Reimbursement Resolution</i> would allow the City of Brenham to declare reimbursement of certain costs related to the construction and equipping of the animal shelter and expanded/renovated library from the issuance of Certificates of Obligation.</p> <p>Please note that Council has taken similar action in October 2013 with approval of <i>Reimbursement Resolution No. #R-13-014</i> for the reimbursement of the acquisition of firefighting and rescue equipment. We issued a PO to the vendor in October 2013 to avoid a price increase, but the Certificates of Obligation were not issued until May 2014.</p>		

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Provide resources necessary to award bids for Animal Shelter and City Library and provide funding for these capital projects.

B. CONS: Funding is not adequate to award bids for Animal Shelter or City Library and Animal Shelter bids expire.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Resolution No. R-15-011

FUNDING SOURCE (Where Applicable): 2015/2016 Certificates of Obligation

RECOMMENDED ACTION: Approval of Resolution No. R-15-011 expressing official intent to reimburse certain costs related to construction of a new animal shelter and the expansion/renovation of the City library

APPROVALS: Terry K. Roberts

RESOLUTION NO. R-15-011

A RESOLUTION OF THE CITY OF BRENHAM, TEXAS EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN COSTS RELATED TO THE CONSTRUCTION OF A NEW ANIMAL SHELTER AND THE EXPANSION/RENOVATION OF THE CITY LIBRARY

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

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

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

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

Section 1: The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount equal to \$1,260,000 for the purpose of paying the costs of the Projects.

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

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

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

PASSED AND APPROVED this 2nd day of April, 2015.

Milton Y. Tate, Jr., Mayor

Jeana Bellinger, TRMC, City Secretary

Exhibit "A"

Project Description

The construction and equipping of a new animal shelter and the expansion, renovation and equipping of the City library and also including any legal, engineering, fiscal and other fees relating thereto.



AGENDA ITEM 12

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 27, 2015	
DEPT. OF ORIGIN: Police - Animal Shelter	SUBMITTED BY: Rex Phelps	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 15-003 for the Construction of the City of Brenham's Pet Adoption and Animal Care Facility and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: The city has recently accepted bids to construct the new shelter. The original intent was to build health conscious facility to serve the community for many years by tripling the sheltering capabilities. All the bids were significantly over the estimated projections. Staff and the architect have engaged in numerous meetings with the low bidder, Collier Construction in an attempt to value engineer the project. We have made every effort to cut costs without jeopardizing the serviceability needs of the project. The city staff, architectural firm and the construction company has worked to give the Mayor and City Council two value engineered options. Option #1A has very little square footage reduction with significant value engineering cuts to bring the construction costs to \$2,699,005 (this option maintains the ability to triple current sheltering capabilities). Option #1B has a much more significant square footage reduction that does impact sheltering capabilities with virtually the same value engineering cuts to bring the construction costs to \$2,520,921 (this option limits the sheltering capabilities to double current capacity). The only real difference between the two options comes down to square footage cuts and how it impacts room for future growth. It should be noted, both options maintain the integrity of the original commitment of the animal shelter task force to issues like quality kennels, odor control, noise control, air cleanliness, anti-microbial surfaces, etc.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
<p>A. PROS: This project has been extensively evaluated to cut any unnecessary costs without compromising serviceability needs. Awarding the bid ensures that our city and county will continue to benefit from the service of both animal control and an animal shelter.</p> <p>B. CONS: Costs</p>		
ALTERNATIVES (In Suggested Order of Staff Preference): Option #1A and #1B as described above and in all the attachments.		

ATTACHMENTS: (1) Bid Tabulations; and (2) Change orders 001A and 001B

FUNDING SOURCE (Where Applicable): Public funding and private donations

RECOMMENDED ACTION: Award Bid No. 15-003 for the construction of the City of Brenham's Pet Adoption and Animal Care Facility, including Change Order No. 001A, to Collier Construction Company in the amount of \$2,699,005 and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts



Bid Information Sheet

2/12/15

Bid Number: 15-003

For: Pet Adoption Center

Number of bids received: 4



BID TABULATION				
PET ADOPTION CENTER-BID #15-003				
	LDF	Dudley	Teal	Collier
	Construction	Construction	Construction	Construction
	Inc.	Ltd.	Co.	Co.
Bid Amount	3,150,000.00	3,081,000.00	3,327,000.00	2,960,000.00
Alternate 1	39,400.00	32,400.00	40,000.00	23,000.00
Alternate 2	8,200.00	8,775.00	8,000.00	5,600.00
Alternate 3	1,200.00	1,400.00	1,000.00	1,300.00
Alternate 4	14,000.00	8,500.00	16,000.00	7,700.00
Alternate 5	14,500.00	4,800.00	7,000.00	9,800.00
Alternate 6	(4,000.00)	(12,000.00)	30,000.00	6,000.00
Alternate 7	1,800.00	365.00	5,000.00	5,600.00
Alternate 8	6,400.00	5,700.00	8,000.00	5,000.00
Alternate 9	21,200.00	22,500.00	24,000.00	24,000.00
Alternate 10	31,400.00	12,700.00	18,000.00	32,000.00
Bid Bond	5%	5%	5%	5%
Confirm Addendas	1-7	1-7	1-5	1-7

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Change Order

PROJECT <i>(Name and address):</i> Brenham Pet Adoption Center 1800 Longwood Drive Brenham, TX 77833	CHANGE ORDER NUMBER: 001A DATE: 3/26/2015	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/>
TO CONTRACTOR <i>(Name and address):</i> Collier Construction, LLC PO Box 1889 Brenham, TX 77834	ARCHITECT'S PROJECT NUMBER: CONTRACT DATE: CONTRACT FOR: General Construction	FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
All changes per the attachment titled "Brenham Pet Adoption Center - Option 1A" dated March 26, 2015 (pages 1-2)

The original Guaranteed Maximum Price was	\$ 2,960,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Guaranteed Maximum Price prior to this Change Order was	\$ 2,960,000.00
The Guaranteed Maximum Price will be decreased by this Change Order in the amount of	\$ 260,995.00
The new Guaranteed Maximum Price including this Change Order will be	\$ 2,699,005.00

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is unchanged

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

_____ ARCHITECT <i>(Firm name)</i>	_____ CONTRACTOR <i>(Firm name)</i>	_____ OWNER <i>(Firm name)</i>
_____ ADDRESS	_____ ADDRESS	_____ ADDRESS
_____ BY <i>(Signature)</i>	_____ BY <i>(Signature)</i>	_____ BY <i>(Signature)</i>
_____ <i>(Typed name)</i>	_____ <i>(Typed name)</i>	_____ <i>(Typed name)</i>
_____ DATE	_____ DATE	_____ DATE



AIA Document G701™ – 2001

Change Order

PROJECT <i>(Name and address):</i> Brenham Pet Adoption Center 1800 Longwood Drive Brenham, TX 77833	CHANGE ORDER NUMBER: 001B DATE: 3/26/2015	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR <i>(Name and address):</i> Collier Construction, LLC PO Box 1889 Brenham, TX 77834	ARCHITECT'S PROJECT NUMBER: CONTRACT DATE: CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
 All changes per the attachment titled "Brenham Pet Adoption Center - Option 1B" dated March 26, 2015 (pages 1-2)

The original Guaranteed Maximum Price was	\$ 2,960,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Guaranteed Maximum Price prior to this Change Order was	\$ 2,960,000.00
The Guaranteed Maximum Price will be decreased by this Change Order in the amount of	\$ 439,079.00
The new Guaranteed Maximum Price including this Change Order will be	\$ 2,520,921.00

The Contract Time will be increased by Zero (0) days.
 The date of Substantial Completion as of the date of this Change Order therefore is unchanged

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

_____ ARCHITECT <i>(Firm name)</i>	_____ CONTRACTOR <i>(Firm name)</i>	_____ OWNER <i>(Firm name)</i>
_____ ADDRESS	_____ ADDRESS	_____ ADDRESS
_____ BY <i>(Signature)</i>	_____ BY <i>(Signature)</i>	_____ BY <i>(Signature)</i>
_____ <i>(Typed name)</i>	_____ <i>(Typed name)</i>	_____ <i>(Typed name)</i>
_____ DATE	_____ DATE	_____ DATE



AGENDA ITEM 13

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 24, 2015	
DEPT. OF ORIGIN:	SUBMITTED BY: Wende Ragonis	
MEETING TYPE: <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> SPECIAL <input type="checkbox"/> EXECUTIVE SESSION	CLASSIFICATION: <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> WORK SESSION	ORDINANCE: <input type="checkbox"/> 1 ST READING <input type="checkbox"/> 2 ND READING <input type="checkbox"/> RESOLUTION
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 15-006 for the Construction and Rehabilitation of the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation.		
SUMMARY STATEMENT: Purchasing Services opened bids for the NCRML modernization project March 23, 2014. Three bids were received and the bid tabulation is attached. Once opened these bids were sent via overnight mail to the City's architect, Komatsu Architecture, for their review. Staff also reviewed the bids in detail and the recommendation of staff and the Komatsu team is for an award to be offered to the lowest bidder, Collier Construction. I have attached a letter from Komatsu Architecture to support this recommendation. Collier has completed 25 libraries and library renovations including public libraries for the City of LaGrange, City of Trinity and Sam Houston State University. Bid No. 15-006 requested bids for two alternate structures in additional to the Base Bid. Staff recommends that Council awards the base bid of \$3,083,000 and Alternate One (1) for an Outdoor Reading Room in the amount of \$25,000 to Collier Construction.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Bid Tabulation; and (2) Letter from Komatsu Architecture		
FUNDING SOURCE (Where Applicable):		

RECOMMENDED ACTION: Award Bid No. 15-006 for the base bid to in the amount of \$3,083,000 and Alternate One (1) for an Outdoor Reading Room in the amount of \$25,000 to Collier Construction and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts



Bid Information Sheet

3/23/15

Bid Number: 15-006

For: Brenham Library Modernization

Number of bids received: 3



	Dudley Construction Ltd.	Collier General Contractors	Teal Construction Co.
Base Bid	\$3,700,000.00	\$3,083,000.00	\$3,457,000.00
Alternate 1 Outdoor Reading Room	\$52,000.00	\$25,000.00	\$25,000.00
Alternate 2 Dumpster Enclosure	\$23,000.00	\$20,000.00	\$19,000.00
Calendar Days to Complete	435 Cal. Days	360 Cal. Days	330 Cal. Days



KOMATSU
ARCHITECTURE

March 27, 2015

Ms. Wende Ragonis
City of Brenham
Administrative Services Manager
200 W. Vulcan Street
Brenham, TX 77834-1059

RE: City of Brenham
Library Facility Modernization

Dear Wende,

We have reviewed the bid information that you forwarded to us and have checked references on the low bidder, Collier Construction. We questioned references stated in their bid package and a few that were not indicated.

Our investigation indicates previous clients have been pleased with the personnel and quality of construction provided by Collier Construction.

Based on this information and the fact that Collier Construction was the low bidder, we see no reason to disqualify Collier Construction from award of this project.

Sincerely,

Amy R. Sibley
Vice President, Director of Interior Design



AGENDA ITEM 14

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 30, 2015	
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 an Events Policy for the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation		
SUMMARY STATEMENT: As discussed with Council in work session, the attached Events Policy is being presented for approval. Please note that any applications received by my office prior to the adoption of this policy would not be subject to the provisions of this policy. Also any ordinances affected by the adoption of this policy will be amended and brought back to Council at a later date.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) City of Brenham Event Policy – Effective April 2, 2015		
FUNDING SOURCE (Where Applicable): N/A		
RECOMMENDED ACTION: Approve an Events Policy for the City of Brenham and authorize the Mayor to execute any necessary documentation.		
APPROVALS: Terry K. Roberts		

**CITY OF BRENHAM
EVENT POLICY
(Effective April 2, 2015)**

ALL COMPLETED APPLICATIONS SHALL BE SUBMITTED TO THE CITY SECRETARY'S OFFICE FOR PROCESSING. PLEASE NOTE THAT THE ACCEPTANCE OF YOUR APPLICATION BY THE CITY SECRETARY SHOULD IN NO WAY BE CONSTRUED AS APPROVAL OR CONFIRMATION OF YOUR EVENT.

Definitions

Event – shall mean an event to be held within the City of Brenham that is of limited duration, and is likely to attract 100 or more attendees and shall include, without limitation, exhibitions, automobile races, sporting events, festivals, air shows, carnivals, circuses, revivals, tent sales, concerts, parades, runs, walks, races, or motorcades.

Special Event – shall mean an event to be held within the City of Brenham that requires closure of state roadways for longer than four (4) hours, electrical service, and/or special equipment or services to be provided by the City.

Street Closing Event – any activity, including but not limited to events, which require the closing of any public street, sidewalk or alley and which require rerouting of normal or usual traffic flow.

Parade – any march or procession consisting of people, animals, or vehicles or a combination thereof, except funeral processions, upon any public street, sidewalk, alley, park or other outdoor places owned or under control of the City.

Run – any event that is considered a walk, run, or race consisting of people upon any public street, sidewalk or alley.

Gathering- describes a single event per day conducted or held by an organization; each gathering will be applied its own fee based. One organization may choose to hold more than one gathering during a 2-3 day period but each gathering will be treated separately.

Exemptions

The following may be conducted within the City of Brenham without a permit:

1. Events, Street Closing Events, Parades, Runs, Walks, Races, Special Events, or Motorcades hosted, conducted or sponsored by the City of Brenham shall not require a permit, but notice of the event shall be given to the Police Department, Fire Department, Public Works Department, Public Utilities and Development Services Department.
2. Private parties held on residential private property and to which the public is not invited and where there are not more than 100 guests.
3. An event wholly contained on property specifically designed or suited for the event and which has an appropriate certificate of occupancy, appropriate zoning and adequate parking.
4. Funeral processions.

Application Process

The City Secretary's Office will route all applications to the appropriate City departments for approval and/or recommendations concerning approval or denial of the application. The applicant will be notified of approval/disapproval within ten (10) business days. If an application is denied, for any reason, the applicant may appeal the denial to the City Manager.

Any application that does not include all of the required information (i.e. proof of insurance, maps, etc...) will be denied.

Event Application and Fees

An Event application fee of \$25.00 shall be paid when the application is submitted to the City Secretary's Office for processing. This fee shall be non-refundable.

An Event fee of \$100.00 shall be due and payable to the City at least ten (10) days prior to the scheduled event.

All event fees will be charged on a per gathering basis. If approved, the permit (provided by the City) must be on site at all times during the event.

Special Event Application and Fees

A Special Event application fee of \$50.00 shall be paid when the application is submitted to the City Secretary's office for processing. This fee shall be non-refundable.

The minimum amount to be charged for a Special Event will be \$2,000.00. The City shall provide the applicant with a cost estimate upon approval/disapproval of the application. The applicant will be invoiced for all applicable services and other expenses after all event costs have been accounted for. An invoice for event costs in excess of \$2,000.00 will be due and payable to the City within thirty (30) days after the date the City sends the invoice to the applicant.

All special event fees will be charged on a per gathering basis. If approved, the permit (provided by the City) must be on site at all times during the event.

Cancellation Policy

Notice of cancellation must be made in writing **at least fifteen (15) working days in advance** of the event reservation date. Please mail written notice to: City of Brenham, P.O. Box 1059, Brenham, TX 77834 Attention: City Secretary's Office. Notices may also be faxed to 979-337-7568. Notification date will be effective on the date that the City Secretary's Office receives the mailed or faxed notice.

Street Closings

City street closing fees are included in the event fees noted above. If street closings are requested on state roadways the closure must be approved by the City Council and proper notification provided to TxDOT. The City Secretary's Office will take care of requesting City Council approval and TxDOT notification, when required.

Solid Waste Service

A solid waste fee for the City is included in the event fees noted above. Any additional solid waste service (i.e. dumpsters and/or roll-off containers) will be the responsibility of the applicant.

Food, Beverage and Alcohol Permits

If food, beverage and/or alcohol are requested for the event, the applicant will need to contact the City Secretary's Office at 979-337-7375 or the City of Brenham's Health Inspector at 979-337-7216 to determine if additional permits and fees will be required.

Portable Toilet Facilities

The City of Brenham does not provide portable toilet facilities. It is the responsibility of the applicant to supply portable toilets (or restrooms) at a rate of 1 per 150 persons, including at least one (1) portable toilet that meets ADA requirements.

Security

Event security will be required to the extent determined appropriate by the City of Brenham Police Chief. After the event permit is evaluated by the Police Chief, or his designee, additional fees may be required. The applicant will be advised of any additional fees prior to the application being approved.

Insurance

Insurance is required for all special events. The City reserves the right to review and determine amount of coverage required based on the planned activities at the special event. The amount of general liability insurance required is:

- General Liability with minimum limits of \$1,000,000 Combined Single Limit for personal injury, death, property damage

All events will be required to have \$1,000,000 liquor liability insurance if alcohol is being sold or served. Host liquor liability insurance will satisfy this requirement if alcohol is only being served.

All insurance policies shall name the City of Brenham, its officials, employees, agents and volunteers as an additional insureds and a copy of the Certificate of Insurance must be submitted to the City Secretary's Office **at least ten (10) working days prior to the event**. Failure to provide required insurance will result in cancellation of the event. The City of Brenham will not waive insurance requirements.

Area Notification of Impacted Neighbors

The applicant shall notify all residents and businesses abutting the portion of the street to be closed. Notification may be accomplished by distributing flyers throughout the neighborhood, placing information sheets in residents' mail boxes, publication of notification in the local newspaper, and/or radio advertising. The applicant shall provide the City Secretary's office with proof of notification at least ten (10) days prior to the scheduled event.

Under certain circumstances where events may generate extremely large crowds, loud noise or parking issues, the City may require additional notifications/signatures/outreach to impacted neighbors.



AGENDA ITEM 15

DATE OF MEETING: April 2, 2015		DATE SUBMITTED: March 27, 2015	
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 from the Brenham Maifest Association for the Maifestival Events to be Held on May 1, 2015 from 6:00 p.m. – Midnight, May 2, 2015 from 6:00 p.m. – Midnight, and May 3, 2015 from Noon – 4:00 p.m. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation			
SUMMARY STATEMENT: Charlie Pyle with the Brenham Maifest Association is requesting a Noise Variance for concerts at Fireman’s Park from May 1-3, 2015; Friday is 6pm-Midnight, Saturday is 6pm-Midnight, and Sunday is Noon-4pm. They will have bands and a sound amplification system, which require a Noise Variance. The Brenham Police Department and the Brenham Fire Department have approved the noise variance request; therefore, I ask the City Council to approve the noise variance request.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS:			
B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference):			
ATTACHMENTS: (1) Noise Variance Request form			
FUNDING SOURCE (Where Applicable):			
RECOMMENDED ACTION: Approve a request for a noise variance from the Brenham Maifest Association for the Maifestival Events to be Held on May 1, 2015 from 6:00 p.m. – Midnight, May 2, 2015 from 6:00 p.m. – Midnight, and May 3, 2015 from Noon – 4:00 p.m. at Fireman’s Park 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: Brenham Maifest Association

2. Name and address of individual making application on behalf of sponsoring organization: Charlie Pyle

3. Purpose of the Event: Annual Maifest Celebration

4. Location of Event: Fireman's Park

5. Date of the event: May 1-3, 2015

6. Time of Event: May 1- 6:00 p.m. - Midnight, May 2- 6:00 p.m. - Midnight

7. Event Set-up: From: _____ To: _____ May 3 - Noon - 4:00 pm

Event Clean-up: From: _____ To: _____

8. You are required to describe the following:

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

Bands and Maifest Coronations

b) Bands/Musical Instruments: Several bands

c) Sound amplification equipment: _____

d) Cleanup provisions: _____

Charlie Pyle
Name of Applicant (Printed or Typed)

Date: 01/07/15

Applicant or Authorized Person's Signature

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 16

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 27, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Appointments of a Presiding Judge and City Prosecutor for the Brenham Municipal Court, Both for an Unexpired Term Ending December 31, 2016		
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):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION:		
APPROVALS: Milton Y. Tate, Jr.		



AGENDA ITEM 17

DATE OF MEETING: April 2, 2015		DATE SUBMITTED: March 27, 2015	
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	
<input type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING	
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING	
<input checked="" type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION	
	<input type="checkbox"/> WORK SESSION		
AGENDA ITEM DESCRIPTION: Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Consider Compensation for Municipal Court Judges and City Prosecutor			
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):			
ATTACHMENTS: None			
FUNDING SOURCE (Where Applicable):			
RECOMMENDED ACTION:			
APPROVALS: Milton Y. Tate, Jr.			



AGENDA ITEM 18

DATE OF MEETING: April 2, 2015		DATE SUBMITTED: March 27, 2015	
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Terry Roberts	
MEETING TYPE:		CLASSIFICATION:	
<input type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input checked="" type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
ORDINANCE:			
<input type="checkbox"/> 1 ST READING			
<input type="checkbox"/> 2 ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters - Discussion Regarding the Upcoming Retirement of the Assistant City Manager			
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):			
ATTACHMENTS: None			
FUNDING SOURCE (Where Applicable):			
RECOMMENDED ACTION:			
APPROVALS: Milton Y. Tate, Jr.			



AGENDA ITEM 19

DATE OF MEETING: April 2, 2015	DATE SUBMITTED: March 27, 2015	
DEPT. OF ORIGIN: Administration	SUBMITTED BY: Terry Roberts	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Appointments of a Presiding Judge and a City Prosecutor for the Brenham Municipal Court, Both for an Unexpired Term Ending December 31, 2016		
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):		
ATTACHMENTS: None		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: As discussed in Executive Session.		
APPROVALS: Milton Y. Tate, Jr.		



AGENDA ITEM 20

DATE OF MEETING: April 2, 2015		DATE SUBMITTED: March 30, 2015	
DEPT. OF ORIGIN: Administration		SUBMITTED BY: Terry R. Roberts	
MEETING TYPE:		CLASSIFICATION:	
<input checked="" type="checkbox"/> REGULAR		<input type="checkbox"/> PUBLIC HEARING	
<input type="checkbox"/> SPECIAL		<input type="checkbox"/> CONSENT	
<input type="checkbox"/> EXECUTIVE SESSION		<input checked="" type="checkbox"/> REGULAR	
		<input type="checkbox"/> WORK SESSION	
ORDINANCE:			
<input type="checkbox"/> 1 ST READING			
<input type="checkbox"/> 2 ND READING			
<input type="checkbox"/> RESOLUTION			
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Compensation for Municipal Court Judges and City Prosecutor			
SUMMARY STATEMENT: As discussed in Executive Session.			
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):			
A. PROS:			
B. CONS:			
ALTERNATIVES (In Suggested Order of Staff Preference):			
ATTACHMENTS: None			
FUNDING SOURCE (Where Applicable):			
RECOMMENDED ACTION:			
APPROVALS: Milton Y. Tate, Jr.			