



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, APRIL 16, 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 Barnes-Tilley**
- 3. Proclamation**
 - *Motorcycle Awareness Month*
- 4. Special Presentation**
 - *GFOA Budget Award*
- 5. Citizens Comments**

CONSENT AGENDA

6. Statutory Consent Agenda

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

- 6-a. Minutes from the March 5, 2015 and March 19, 2015 Regular City Council Meetings**
- 6-b. Ordinance No. O-15-011 on Its Second Reading Amending Chapter 12, Health and Sanitation, Article III, Junked Vehicles, of the Code of Ordinances of the City of Brenham**

Pages 1-25

WORK SESSION

7. **Discussion and Presentation Regarding Parklets in the Downtown Area** **Pages 26-27**
8. **Discuss and Review the FY2014-15 First Quarter Financial Report** **Pages 28-40**

REGULAR AGENDA

9. **Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Placement of a Stop Sign on Becker Drive at its Intersection with South Market Street** **Pages 41-42**
10. **Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Placement of a Stop Sign on S. Chappell Hill Street at its Intersection with U. S. Highway 290 East** **Pages 43-44**
11. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Collection Station Rates and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 45-51**
12. **Discuss and Possibly Act Upon a One-Year Contract Extension with Gene's Services, LLC for Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 52-55**
13. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Building Setback Requirements as Outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, for the Old Mill Creek Subdivision Sections 1 and 2** **Pages 56-61**
14. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Rural Lot Size Requirements, as Outlined in Section 23-21(3)(b) of the City of Brenham's Code of Ordinances, for the Strangmeier Subdivision Section Two** **Pages 62-69**
15. **Administrative/Elected Officials Report**

Administrative/Elected Officials Reports: Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutary 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 16, 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 April 13, 2015 at **12:30 PM**.

Jeana Bellinger, TRMC

City Secretary

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

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the _____ day of _____, 2015 at _____ AM PM.

Signature

Title

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on March 5, 2015 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

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

Members absent:

Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, City Engineer Grant Lischka, Chief Financial Officer Carolyn Miller, Susan Nienstedt, Sara Parker, Kaci Konieczny, Cynthia Longhofer, Andria Heiges, Jennifer Eckermann, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Utilities Director Lowell Ogle, Development Services Manager Erik Smith, David Doelitsch, Rhonda Kuehn, Angela Hahn, Kevin Boggus, Robyn Bentke, Hannah Hohlt and Daniel McCarty

Citizens present:

Lynnette Sheffield, Michael Riley, Sharon Brass, Catherine Sak and Michele Kwiatowski

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Tom D. Whitehead, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Danny Goss**

3. Special Presentations

- **Texas Downtown Association’s Downtowner of the Year Award**
- **2014 Texas Public Pool Council Awards**

They City recognized Sharon Brass. Mrs. Brass has contributed countless hours to the Main Street program and has helped in projects like Toubin Park and Local History Day. Mrs. Brass helped to promote and market Downtown Brenham and donated proceeds from The Burning of Brenham book, which she authored, to the Main Street program. Catherine Sak, Director of the Texas Downtown Association presented the award to Mrs. Brass for being named the Texas Downtown Association’s Downtowner of the Year.

Also, the City recognized the Blue Bell Aquatic Center under the leadership of Tammy Jaster. The aquatic center was recently awarded the Agency of the Year and the Water Safety Program of the year at the Texas Public Pool Council Annual Conference. Mayor Milton Tate presented the award for Class III Division Agency of the Year and Class III Division Safety Award for its Water Safety Program.

4. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the January 29, 2015 and February 5, 2015 Regular City Council Meetings

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

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

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

PUBLIC HEARING

6. Public Hearing, Discussion and Receipt of Input Related to the Proposed Creation of Reinvestment Zone Number 40 Requested by Valmont Coatings, Inc. for Commercial-Industrial Tax Phase-In Incentive on Certain Tracts of Land Containing 34.106 Acres, More or Less, Being Located on Industrial Blvd., Brenham, Texas, with Boundaries Further Described in Exhibit A of the Ordinance Creating Reinvestment Zone Number 40, and Designating This Property as Qualifying for Tax Phase-In

Clint Kolby presented this item. Kolby stated that prior to considering the creation of a Reinvestment Zone for implementing a Tax Phase-In incentive for Valmont Coatings, Inc. the City Council is required to hold a Public Hearing to receive input regarding the proposal. Kolby stated that the EDF and City staff have been working with Valmont Coatings over the past several months in their site selection process to locate a galvanizing plant in Brenham to serve the local Valmont facility as well as secondary metal-based businesses in the region. Kolby stated Valmont Coatings currently has an earnest money contract to purchase more than 30 acres in the Southwest Industrial Park – Section III. Kolby advised the use of the Tax Phase-In incentive will help Valmont Coatings invest in the necessary equipment and human capital to help offset the initial costs of locating this expansion project here. Kolby noted that this project would also provide a substantial positive economic impact to the local Brenham economy; Valmont Coatings will create 80 new jobs during the first year of operations. Kolby noted the 80 new jobs that will be created are projected to add \$4.3 million in payroll to the local economy. Kolby stated Valmont Coatings has plans to increase the number of employees to 120 after five years and will be investing \$18.5 million in capital for this project. Kolby explained that \$9.7 million will go towards constructing the facility and making site improvements; \$8 million will be used to purchase new machinery and equipment and \$800,000 will go towards purchasing the land in the Southwest Industrial Park.

Mayor Tate asked from the environmental point of view if the surrounding area would be protected from chemicals and leakage should it occur. Mr. Riley stated that the facility will meet all state environmental safety requirements and will go beyond by using secondary reinforcements.

Mayor Tate also questioned what happens to the waste that is produced by the company. Mr. Riley noted that the waste is sold as a secondary by-product and is sent to chemical plants to be used in fertilizers and other items.

Councilmember Barnes-Tilley asked if the company offers a training program for new workers. Mr. Riley stated that the majority of employees will be unskilled laborers and they will all be trained in house.

REGULAR AGENDA

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Creation of Reinvestment Zone Number 40 Requested by Valmont Coatings, Inc. for Commercial-Industrial Tax Phase-In Incentive on Certain Tracts of Land Containing 34.106 Acres, More or Less, Being Located on Industrial Blvd., Brenham, Texas, with Boundaries Further Described in Exhibit A of the Ordinance Creating Reinvestment Zone Number 40, and Designating this Property as Qualifying for Tax Phase-In

A motion was made by Councilmember Ebel and seconded by Councilmember Barnes-Tilley to approve an Ordinance on its first reading for the creation of Reinvestment Zone Number 40 requested by Valmont Coatings, Inc. for Commercial-Industrial Tax Phase-In Incentive on certain tracts of land containing 34.106 acres, more or less, being located on Industrial Blvd., Brenham, Texas, with boundaries further described in Exhibit A of the Ordinance creating Reinvestment Zone Number 40, and designating this property as qualifying for Tax Phase-In.

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

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

8. Discuss and Possibly Act Upon the Acceptance of the Audit from Seidel Schroeder for Fiscal Year 2014

Chief Financial Officer Carolyn Miller and Auditor Partner from Seidel Schroeder, Michele Kwiatowski, presented this item. Kwiatowski advised Council that state law requires that all general-purpose local governments publish, within six months of the close of the fiscal year, a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and be audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants. Kwiatowski advised the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Brenham, Texas. Kwiatowski stated that pursuant to the requirements, and on behalf of the Finance Department, she would like to issue the comprehensive annual financial report (CAFR) of the City of Brenham for the fiscal year ended September 30, 2014.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to accept the audit from Seidel Schroeder for Fiscal Year 2014

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

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

9. Discuss and Possibly Act Upon the Acceptance of the 2014 Audit of the Washington County Appraisal District by Seidel Schroeder

Chief Financial Officer Carolyn Miller presented this item. Chief Appraiser with Washington County Appraisal District, Willy Dilworth, stated the audit for the fiscal year 2013-2014 has been completed by Seidel Schroeder. Dilworth explained there were no discrepancies found during this time period. Dilworth advised the audit revealed that the appraisal district staved \$54,019 under budget.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to approve the 2014 audit of the Washington County Appraisal District by Seidel Schroeder.

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

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

10. Discuss and Possibly Act Upon Resolution No. R-15-008 Nominating a Candidate for Election to the Washington County Appraisal District Board of Directors, to Fill an Unexpired Term

City Manager Terry Roberts and Chief Appraiser with Washington County Appraisal District, Willy Dilworth, presented this item. Roberts advised the Washington County Appraisal District Board of Directors is nominated and appointed by the governing bodies that levy and collect property tax. Roberts explained that in November 2013, City Council voted to approve Resolution No. R-13-019 for the election of five members to the Board of Directors of the Washington County Appraisal District all for two year terms. Dilworth advised that due to the recent resignation of Joel Romo (one of the board members), the City Council must now nominate a replacement board member to serve the remainder of Mr. Romo’s term which runs until the end of 2015. Dilworth stated that once nominated, the current board of directors of the Washington County Appraisal District will select a replacement board member by majority vote. Dilworth advised that being presented for consideration today as the City’s nominee is Leslie Boehnemann, Jr. who has expressed interest in serving on this board.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Resolution No. R-15-008 nominating Leslie Boehnemann, Jr. to fill a vacancy on the Washington County Appraisal District Board of Directors, for an unexpired term ending on December 31, 2015.

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

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

11. 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

Police Chief Rex Phelps presented this item. Phelps advised that the City recently opened bids for the construction of a new animal shelter; all four bids came in significantly over the projected budget for the project. Phelps explained that staff has been working with the architect and the lowest bidder to find ways to reduce the cost without compromising the needs of the facility.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to table Item 11 until further information is obtained.

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

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

12. Discuss and Possibly Act Upon the Acceptance of a Donation in the Amount of \$25,000.00 to the Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation

Police Chief Rex Phelps presented this item. Phelps advised that The Pegasus Foundation has offered a donation to the police department for \$25,000 to assist in needed training and equipment costs. Phelps explained the donation money will be placed in the donation account for equipment needs, facility needs or training – as requested by the donor.

Councilmember Goss questioned Phelps on what was meant by “facility needs.” Phelps stated that the money is intended for things related to training facility improvements such as upgrades at the shooting range.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to accept a donation in the amount of \$25,000.00 from The Pegasus Foundation to the Brenham Police Department and authorize the Mayor to execute any necessary documentation.

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

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

13. Discuss and Possibly Act Upon an Ordinance on its First Reading for the Placement of Stop Signs at Multiple Street Intersections within the Woodbridge Subdivision

City Engineer Grant Lischka presented this item. Lischka advised that the City of Brenham has been approached by the Woodbridge Subdivision Home Owners Association (HOA) about placing stop signs at the intersection of Autumn Rain Dr. and Wintersong Dr. Lischka explained that staff has reviewed this stretch of roadway and has noticed that Autumn Rain has become a cut thru for vehicular traffic going from Burleson to Blue Bell Rd and Blue Bell Rd. to Burleson. Lischka noted on this 1400 foot section of roadway there is no deterrent to slow traffic down. Lischka stated this has been most noticeable in the mornings and afternoons with school traffic. Lischka explained the placement of stop signs at this intersection makes sense to staff and based off of the request by the Woodbridge HOA, staff would recommend moving forward with placing stop signs on Autumn Rain at its intersection with Wintersong Dr.

Lischka also advised Council that staff has spoken with the property owners at this intersection and all are in favor of the placement of these signs.

Lischka advised Council that during staff's research for this item, it was discovered that an ordinance was never enacted for the existing stop signs in the Woodbridge Subdivision; these stop signs were installed along with the initial completion of the subdivision. Lischka advised that in an effort clean up this discrepancy, the proposed ordinance also includes all of the existing stop signs.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Ordinance on its first reading for the placement of stop signs at multiple street intersections within the Woodbridge Subdivision and authorize the Mayor to execute any necessary documentation.

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

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

14. Discuss and Possibly Act Upon a Request for a Noise Variance from the Brenham Maifest Association for the 2015 Royalty Run to be Held on Sunday, May 3, 2015 and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary Jeana Bellinger presented this item. Bellinger explained that Megan Sommer with the Brenham Maifest Association is requesting a Noise Variance for the 2015 Royalty Run which will be held on Sunday, May 3, 2015 starting at 7:30 a.m. Bellinger advised that according to the application, there will be amplified music at the starting line (with a microphone) for this event. Bellinger stated the run will start and end in Henderson Park. Bellinger noted that the noise variance is for the run due to the use of a microphone.

Mayor Tate questioned if the residents of the neighborhood have been notified about the run. Councilmember Ebel stated that he does not have a problem issuing the noise variance, but would like to know what the residents think about it. Bellinger advised that she was not sure if the residents had been notified, but she would find out.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a noise variance from the Brenham Maifest Association for the 2015 Royalty Run to be held on Sunday, May 3, 2015, with the condition that the organization notify the residents of Overlook Estates about the run, and authorize the Mayor to execute any necessary documentation.

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

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

15. Discuss and Possilby Act Upon an Ordinance on its First Reading Amending Ordinance No. O-15-007 Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas

City Secretary Jeana Bellinger presented this item. Bellinger explained that at the February 19th council meeting, the Council approved Ordinance No. O-15-007 ordering a Special Election for the purpose of submitting several propositions to the voters to amend the Home Rule Charter. Bellinger advised while going through the ordinance and all of the voter education documents again, she discovered three (3) small errors in the ordinance:

1. Proposition No. 2: Article V, Section 4 – the words “*property tax paying*” should have been struck through instead of the word “*voters*”.
2. Proposition No. 14: In the ballot wording “*officers*” should have read “*offices*” and “*officer*” should have read “*office*”.
3. Proposition No. 15: The title “*ARTICLE IV. THE CITY MANAGER; FINANCES*” should not have been struck through.

Bellinger explained that after discussing each of these with the City Attorney, it was his recommendation that an ordinance be adopted by the City Council to correct these errors.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Goss to approve an Ordinance on its first reading amending Ordinance No. O-15-007 ordering a Special Election on May 9, 2015 for the purpose of submitting to the qualified voters of Brenham certain proposed amendments to the existing Charter of the City of Brenham, Texas.

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

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

16. Discuss and Possibly Act Upon Resolution No. R-15-009 Adopting the Parks, Recreation and Open Spaces Master Plan for 2015 through 2025

City Manager Terry Roberts presented this item. Roberts advised that in a Work Session on February 19, 2015 with Council, Dr. Jo An Zimmermann of Texas State University and Director of Community Services Wende Ragonis presented the 2015-2025 Parks, Recreation and Open Space Master Plan for the City of Brenham. Roberts explained that in order to be fully compliant with the requirements of Texas Parks and Wildlife, the attached Resolution needs to be approved by Council.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve Resolution No. R-15-009 adopting the Parks, Recreation and Open Spaces Master Plan for 2015 through 2025. .

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

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

17. Discuss and Possibly Act Upon the Acceptance of the Edge Reimbursement Implementation Grant from the Texas State Library and Archives Commission in the Amount of \$5,000 for New Computer Equipment for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Library Supervisor Andria Heiges presented this item. Heiges explained the Edge Initiative was developed by a national coalition of leading library and local government organizations and is funded by the Bill and Melinda Gates Foundation. Heiges advised it was created with the vision that all people should have opportunities to enrich and improve their lives through open access to information, communication, and technology services provided by public libraries.

Heiges advised Council that the Nancy Carol Roberts Memorial Library was awarded a \$5,000 Edge reimbursement grant to purchase new technology. Heiges stated staff determined that the following devices would best align with current technology services offered at the Library:

- One (1) HP LaserJet Enterprise M551dn printer with an approximate cost of \$800. This printer has double the printed pages per minute than the Library's current printer and allows for mobile printing thus enabling printing from the Chromebooks.
- One (1) AWE-Digital Learning Solutions Early Literacy Station with an approximate cost of \$3,200. This station provides safe and code compliant access to computer technology for young patrons.
- One (1) HP Pavilion Touchscreen All in One Desktop computer with an approximate cost of \$800. This will computer will provide a technology station for the visually impaired patrons.

Heiges advised that staff recommends that the Council approve the acceptance of this grant, so these purchases can be made to further enhance the services offered at the Nancy Carol Roberts Memorial Library.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Barnes-Tilley to approve the acceptance of the Edge Reimbursement Implementation Grant from the Texas State Library and Archives Commission in the amount of \$5,000 for new computer equipment for the Nancy Carol Roberts Memorial Library and authorize the Mayor to execute any necessary documentation.

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

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

WORK SESSION

18. Presentation and Discussion Regarding City and Non-City Sponsored Special Events in Downtown and Other Areas Within the City

Assistant City Manager Kyle Dannhaus presented this item. Dannhaus explained that since the last council meeting city staff has been working on a draft policy related to special events. Dannhaus provided Council with the following draft fee schedule for events:

Event	Event Fee	Description
Parade	\$550.00	Barricades and Sanitation Services
Fun Runs/Walks	\$375.00	Barricades
Street Dance	\$700.00	Barricades and Sanitation Services
Stage Set-up/Electricity	\$450.00	Set-up, tear down and electric power
Additional Electricity	\$50.00	Additional electric power

Dannhaus advised the fees included in the policy are based off of the number of attendees expected at the event and the type of event. Dannhaus explained the fees include an overtime rate for our Street employees who are responsible for barricading the roads during road closures and Sanitation employees who are responsible for cleanup during the downtown events. Dannhaus noted these fees also include street sweeping after parades and downtown events; also a cost related to stage setup/removal and electrical power if that aspect is requested. Dannhaus explained that if additional power is needed it will be an additional fee. Dannhaus advised other fees that may apply would be security and food/beverage/alcohol permit fees if the event requires them.

Councilmember Barnes-Tilley questioned if the Council should do a notification in the newspaper or on the website stating that there will be an event in downtown as to notify the residents. Barnes-Tilley thinks that would be appropriate as to how to notify residents of events. Dannhaus advised that possibly we should raise permit fees to do this or have the organizer pay to do a public notice.

Councilmember Barnes-Tilley stated that she would like to see an explanation as to the description of services so residents would understand what exactly they are being charged for. Barnes Tilley also advised that she would like to exempt non-profit organizations, not Brenham I.S.D or Blinn College.

Councilmember Barnes-Tilley questioned the amount of insurance that would be needed for the organizations hosting an event and what is the cost of that insurance to the organizations. Dannhaus stated that he has spoken to the City's Risk Manager, Janie Mehrens, and the City is covered but outside sponsors would need their own policy.

Council adjourned into executive Session at 2:40 p.m.

EXECUTIVE SESSION

- 19. Texas Government Code Section 551.086 – Utility Competitive Matters – Discuss and Consider an Amendment to the Wholesale Power Agreement with the Lower Colorado River Authority**
- 20. 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**

Executive Session adjourned at 3:05 p.m.

RE-OPEN REGULAR AGENDA

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

This item was passed.

22. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Councilmember Williams was planning to attend the meeting, but due to the cold weather he decided not to attend.
- A Council retreat will be Monday, April 20th.
- City Secretary Jeana Bellinger has started charter presentations this week and will continue to present them to City Advisory Boards.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on March 19, 2015 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

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

Members absent:

Councilmember Keith Herring

Others present:

City Manager Terry Roberts, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, City Engineer Grant Lischka, Chief Financial Officer Carolyn Miller, Susan Nienstedt, Director of Community Services Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, Development Services Manager Erik Smith, and Angela Hahn

Citizens present:

Perry Thomas, Lu Hollander, Page Michel, Clint Kolby, and Kevin Deramus

Media Present:

Arthur Hahn, Brenham Banner Press; and Mary-Janet Reyes, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Andrew Ebel**
- 3. Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

4. Statutory Consent Agenda

- 4-a. Minutes from the February 19, 2015 Regular City Council Meeting
- 4-b. Ordinance No. O-15-008 on Its Second Reading for the Creation of Reinvestment Zone Number 40 Requested by Valmont Coatings, Inc. for Commercial-Industrial Tax Phase-In Incentive on Certain Tracts of Land Containing 34.106 Acres, More or Less, Being Located on Industrial Blvd., Brenham, Texas, with Boundaries Further Described in Exhibit A of the Ordinance Creating Reinvestment Zone Number 40, and Designating this Property as Qualifying for Tax Phase-In
- 4-c. Ordinance No. O-15-009 on Its Second Reading for the Placement of Stop Signs at Multiple Street Intersections within the Woodbridge Subdivision
- 4-d. Ordinance No. O-15-010 on Its Second Reading Amending Ordinance No. O-15-007 Ordering a Special Election on May 9, 2015 for the Purpose of Submitting to the Qualified Voters of Brenham Certain Proposed Amendments to the Existing Charter of the City of Brenham, Texas

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Andrew Ebel to approve the Statutory Consent Agenda Items 4-a., 4-b., 4-c. and 4-d. as presented.

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

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

WORK SESSION

5. Presentation of the First Quarter Report by the Washington County Convention and Visitors Bureau

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented this report. Hollander stated packets were laid around the Dias with more information. She focused on the highlights featured in the *First Quarter Report – October – December 2014*, pointing out the visitor statistics, major tourism events, advertising placements, and editorial coverage.

REGULAR AGENDA

6. Discuss and Possibly Act Upon Resolution No. R-15-010 Authorizing the Execution of a Tax Phase-In Agreement between the City of Brenham and Valmont Coatings, Inc.

Clint Kolby presented this item. Kolby stated the Brenham Economic Development Foundation (EDF) respectfully requests your consideration of an application for Tax Phase-In from Valmont Coatings.

Kolby explained that the EDF and City staff have been working with Valmont Coatings over the past several months in their site selection process to locate a galvanizing plant in Brenham to serve the local Valmont facility as well as secondary metal-based businesses in the region. Kolby advised that Valmont Coatings currently has an earnest money contract to purchase more than 30 acres in the Southwest Industrial Park – Section III; the use of the Tax Phase-In incentive will help Valmont Coatings invest in the necessary equipment and human capital to help offset the initial costs of locating this expansion project here. Kolby stated this project would also provide a substantial positive economic impact to the local Brenham economy.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-15-010 authorizing the execution of a Tax Phase-In Agreement between the City of Brenham and Valmont Coatings, Inc.

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

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

7. Discuss and Possibly Act Upon a Request for a Noise Variance from Evelynia Graves for the Graves Family Reunion at 906 Armbrister Street to be Held on Saturday, April 11, 2015 from 9:00 a.m. – 9:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary Jeana Bellinger presented this item. Bellinger stated that Evelynia Graves is requesting a Noise Variance for a family reunion gathering at 906 Armbrister Street on April 11, 2015 from 9:00 a.m. – 9:00 p.m. for DJ. Bellinger noted they will have speakers and a sound system, which requires a Noise Variance. Bellinger advised the Brenham Police Department and the Brenham Fire Department have approved the noise variance request; therefore, she asked the City Council to approve the noise variance request.

Mayor Tate asked if there had ever been any complaints in the past with this reunion. Police Chief Phelps stated that his department is okay with the noise variance and believes that 9:00 p.m. is a good ending time.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a request for a noise variance from Evelynia Graves for the Graves Family Reunion at 906 Armbrister Street to be held on Saturday, April 11, 2015 from 9:00 a.m. – 9:00 p.m. and authorize the Mayor to execute any necessary documentation.

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

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

8. Discuss and Possibly Act Upon a Two Percent (2%) Mid-Year Employee Pay Scale Adjustment

Chief Financial Officer Carolyn Miller presented this item. Miller explained that in the FY14 Personnel Budget Priorities, the City Council approved a balanced budget that included a 2% mid-year Cost of Living Adjustment (COLA) for all City employees subject to favorable General Government revenue and expenditure trends. Miller advised the COLA is conditional upon a mid-year assessment of economic conditions and must be approved by Council before initiated. Miller stated the 2% mid-year pay scale adjustment will impact the General Fund by \$57,801 and the Utility Funds combined by \$28,154.

Miller explained that the Economic Conditions and Outlook for the City are positive as confirmed by the following indicators:

- Sales Tax Recovery
- Growth in Property Valuations
- Increases in Residential Building Permits
- Favorable Unemployment Rate for the County

Miller noted she will be presenting the first quarter financial reports at the April 16th Council meeting, but all indications are that we are favorable to budget in the General Fund and all Utility Funds; therefore, the budget team is confident in certifying that economic conditions support the approval of a 2.0% mid-year pay scale adjustment for all City employees.

A motion was made by Councilmember Goss and seconded by Mayor Pro Tem Nix to approve the 2.0 % mid-year pay scale adjustment as shown in the City of Brenham FY2014-15 adopted budget.

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

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

9. Discuss and Possibly Act Upon Recommendations for Appointments and/or Re-Appointments to Various City Advisory Boards

City Manager Terry Roberts presented this item. Roberts stated that under the City's policy for advisory board appointments, persons interested in serving must complete an application of appointment. Roberts noted this includes current board members who are willing and interested in continuing their service.

Roberts explained that according to the City's policy, the Mayor and City Manager are to review the board appointments and offer a recommendation to the City Council. Roberts advised there was an agenda item regarding board recommendations at the December 18, 2014 council meeting; however there were several boards that still had vacancies with no recommendations at that time.

Roberts stated that since that 2014 meeting staff has received applications for the remaining vacant positions and it is his recommendation that the following persons be appointed:

- Building Standards Commission: Reappointment of incumbent Johnny Andrade.

Brenham Housing Authority: New tenant member Lillian Pollard.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the recommendations for appointments and/or re-appointments to various city advisory boards, as presented.

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

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

10. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Staff is continuing to work with the architect on the animal shelter project.
- Library bids will be opened on Monday, March 23rd.
- The Fire Department annual fish fry will be on Friday, March 27th.
- The Spring Clean-Up is going on this week for city residents.

Director of Community Services Wende Ragonis reported on the following:

- Movie In The Park will be held tonight at the Amphitheater in Hohlt Park
- The City of Brenham's Easter Egg Hunt will be on Thursday, April 2nd at Hohlt Park

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

ORDINANCE NO. O-15-011

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 2nd day of April, 2015.

PASSED and APPROVED on its second reading this the 16th day of April, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 7

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 9, 2015	
DEPT. OF ORIGIN: Main Street	SUBMITTED BY: Wende Ragonis	
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 Parklets in the Downtown Area		
<p>SUMMARY STATEMENT: In many communities across the United States there is a focus on providing green spaces in downtown areas to make the pedestrian experience more pleasing. These green spaces provide opportunities for the public to sit relax and enjoy the downtown experience. One program that allows for additional green space in a downtown area is a parklet. Parklets are public seating platforms that convert curbside parking spaces into vibrant community spaces. A platform is built to extend the existing sidewalk into two or three parking spaces so that the grade of the sidewalk gets carried out into the parking lane. On that platform there is an opportunity to provide green space for public use. The authority to extend into the right of way is granted by the owner of the right of way, and for the purposes of this parklet program in downtown Brenham the owner of the right of way is the City of Brenham. A license is issued to an applicant, and the costs to build the parklet structure are the responsibility of the applicant. Applicants are typically business owners of whose property fronts the parklet space.</p> <p>Much study has been given to the economic impact that a parklet can have on surrounding businesses. A comprehensive study by the San Francisco Great Streets Project which was conducted in 2011 noted an increase of foot traffic of 44 percent to businesses adjacent to parklets. Another study was conducted by the Houston-Galveston Area Council (H-GAV) which listed the benefits of improvements like parklets to an area. Many cities of all sizes have embraced this parklet concept. In Texas, cities like Austin, San Marcos, Waco and Houston have implemented a parklet programs.</p> <p>Staff would like the opportunity to discuss with Council the proposed parklet program as there is interest in the parklet concept from one applicant. This business owner has worked with a local architect to design a parklet space in front of their business and they have the support of the businesses on their block. Staff will provide the renderings of the parklet concept that have been designed for the first applicant during the work session.</p> <p>The Main Street Advisory Board, following the recommendation of three Main Street Committees; 1) Design, 2) Economic Restructuring and 3) Planning, is supportive of implementing a parklet program in downtown Brenham. Main Street staff has worked with the City's Development Services and City Engineering staff to begin the draft Parklet Program Guidelines. A draft of these guidelines will be presented at the Council meeting.</p>		

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Addition of a public green space and an increase in foot traffic to the businesses adjacent to the parklet.

B. CONS: Loss of up to three parking spaces.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: None

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION:

APPROVALS: Terry K. Roberts



AGENDA ITEM 8

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 13, 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 type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input checked="" type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Review FY2014-15 First Quarter Financial Report		
SUMMARY STATEMENT: See attached Financial Performance Report and Financial Statements for General Fund and Five Utility Funds		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) FY2014-15 First Quarter Financial Report from CFO; and (2) Financial Performance Reports for General Fund and Five Utility Funds		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION:		
APPROVALS: Terry K. Roberts		



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller *CM*
Chief Financial Officer

Subject: FY2014-15 First Quarter Financial Report

Date: April 10, 2015

The Finance Division is pleased to provide financial performance reports for the quarter ended December 31, 2014. The General Fund and the five major utility funds are presented in the usual format which includes a comparison of the 1st quarter actual versus the prior year and a comparison to budget.

For the first quarter, the City experienced favorable performance in the General Fund and all utility funds posted positive net revenues over expenditures, with the exception of the Gas Fund which posted a net loss for the quarter due to the timing of the “true-up” for gas purchased costs. All fund performance was favorable to the budgeted performance.

FINANCIAL PERFORMANCE SUMMARY

Fund	1st QTR Actual Performance			
	Revenues	Expenditures	Net Revenues	Budget
General Fund	\$ 4,141,413	\$ 3,450,238	\$ 691,175	\$ 259,117
Electric Fund	6,529,561	5,515,901	1,013,660	634,046
Gas Fund	766,517	798,866	(32,349)	(85,641)
Water Fund	1,071,823	846,200	225,623	97,528
Wastewater Fund	937,968	806,803	131,165	105,018
Sanitation Fund	723,058	501,136	221,922	193,338

GENERAL FUND

The first quarter performance for the General Fund posted actual net revenues of \$691,175. If we look at the budget to actual variances, the following revenues are ahead of budget:

- Property taxes are higher than budget by \$101,526;
- Sales taxes are ahead by \$93,418;
- Due to higher utility fund revenues, the franchise tax paid to the General Fund is also ahead by \$25,324;
- Licenses, permits and fees are ahead by \$59,367 related to increased Municipal Court fees and fines; and higher building permits and inspection fees;
- Miscellaneous revenues are ahead by \$44,854 due to sales of property, rental income for lease of communications building and rebates from local government purchasing group co-op.

Operating expenditures were favorable to budget by \$223,570 and specific categories are detailed below:

- Personnel is under budget by \$165,906 due primarily to vacant positions in Development Services, Information Technology, Maintenance and Streets;
- Supplies are under budget by \$53,168 due primarily to lower fuel costs;
- Capital category is over budget by \$63,291 related to the emergency repairs related to Gun & Rod Road as a result of unforeseen storm damage; and
- Sundry category is favorable by \$50,269 due to the balance remaining in the city manager's contingency account and savings from liability/casualty insurance renewal.

Capital expenditures are tracked in Fund 236 Equipment Fund and are presented in Exhibit I.

ELECTRIC FUND

The Electric Fund had favorable net revenues of \$1,013,660 for the first quarter as compared to budgeted performance of \$634,046. This favorable position was due to several factors:

- KWH sales were running about 1% ahead of budgeted estimates based on LCRA forecasts;
- Conversely, KWH purchases were also higher than budget by 1%, but the price per KWH purchased was \$0.0011 under budget resulting in generation expenditures savings compared to budget of \$36,880;
- Distribution expenditures (or departmental expenditures) in the Electric Fund were slightly favorable to budget by \$62,554;
- Transfers to General Fund for shared services were lower than budget by \$64,646;
- Capital projects budgeted in the first quarter were deferred resulting in a favorable variance of \$165,314.

GAS FUND

For the first quarter, the Gas Fund posted unfavorable net revenues of \$32,349 which was better compared to the budgeted loss of \$85,641. We always experience a loss in first quarter due to timing variances as first quarter billed sales fail to capture the December "peak" in gas consumption because of cycle billing. The mismatch between billed gas sales and gas purchase costs is magnified during winter when residential consumption is at its peak. The unfavorable performance is absorbed throughout spring and summer.

Significant components of the Gas Fund performance are noted below:

- Although gas consumption was on track with budget, commodity revenues were behind budget by \$71,958 due to lower price per MCF sold;
- Commodity expenditures were favorable to budget by \$88,794 due to a lower price per MCF purchased;

- Distribution (departmental) expenditures were slightly higher than budget by \$4,029;
- Transfers to General Fund for shared services were lower than budget by \$20,194;

WATER FUND

The Water Fund experienced positive net revenues of \$225,623 for the first quarter compared to budgeted performance of \$97,528. Water consumption was higher than budget by 17 million gallons or 9% and higher than the prior year by 25.70 million gallons or 14%. Water Fund performance is detailed below:

- Utility revenues were higher than budget by \$82,743 due to higher consumption;
- Department expenditures were favorable to budget by \$22,561;
- Franchise fees paid to the General Fund were higher by \$5,895;
- Transfers to General Fund for shared services were lower than budget by \$18,684.

WASTEWATER FUND

Net revenues for the Wastewater Fund were \$131,165 for the first quarter compared to budgeted performance of \$105,018. This favorable performance is due to the following:

- Utility revenues were on track with budget;
- Departmental expenditures were lower than budget by \$6,007;
- Transfers to General Fund for shared services were lower than budget by \$18,444.

SANITATION FUND

The combined operations of the Sanitation Fund posted favorable net revenues of \$221,922 for the first quarter compared to budgeted performance of \$193,338. In the Sanitation Fund, operating resources are derived from four business units: Residential Collections, Collection Station, Transfer Station and Recycling Center.

- Revenues were unfavorable to budget for the Transfer Station and Collection Station by \$4,024 and \$2,629 respectively, while Recycling Center was favorable by \$1,099 and Residential Collection was at break-even;
- Combined departmental expenditures were favorable to budget by \$11,390;
- Transfers to General Fund for shared services were lower than budget by \$17,421;

CONCLUSION

As noted in the opening paragraph, the City experienced favorable performance in all major funds except for the net loss in the Gas Fund due to the timing of the "true-up" for gas purchased costs, and all fund performance was favorable to the budgeted performance.

After you have reviewed this quarterly financial performance report, should you have any questions or comments prior to the council meeting, please do not hesitate to contact Terry Roberts, Kyle Dannhaus, Lowell Ogle, Debbie Gaffey or me directly.

NOTE: The financial performance reports for the General Fund and five utility funds are attached to this memorandum, and are an integral part of the quarterly financial performance report.

**GENERAL FUND
1ST QUARTER PERFORMANCE**



EXHIBIT A

TOTAL OPERATING RESOURCES

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
REVENUES						
2,474,001	2,264,687	(209,314)	PROPERTY TAX	2,006,750	2,264,687	257,937
(1,510,159)	(1,373,284)	136,874	- DEFERRED PROP TAX (1)	(1,216,874)	(1,373,284)	(156,411)
1,105,555	1,222,206	116,651	SALES TAX (2)	1,128,788	1,222,206	93,418
637,367	657,193	19,826	UTILITIES FRANCHISE TAX	631,869	657,193	25,324
11,586	10,027	(1,559)	OTHER TAXES	10,841	10,027	(814)
2,718,350	2,780,828	62,477	SUBTOTAL TAXES	2,561,374	2,780,828	219,454
152,165	231,935	79,770	LICENSES, PERMITS & FEES	172,568	231,935	59,367
2,660	61,073	58,413	MISCELLANEOUS	16,219	61,073	44,854
15,513	16,182	669	AQUATICS	14,523	16,182	1,659
5,436	6,314	878	ANIMAL CONTROL	3,277	6,314	3,037
2,894,124	3,096,332	202,207	TOTAL REVENUES	2,767,960	3,096,332	328,372
783,744	922,538	138,794	TRANSFERS-IN	1,024,586	922,538	(102,048)
95,403	122,544	27,141	INTERLOCAL AGREEMENTS	115,682	122,544	6,862
3,773,271	4,141,413	368,142	TOTAL OP RESOURCES	3,908,227	4,141,413	233,186

(1) Approximately 64% of property tax revenue is collected in the first quarter. A portion is deferred to cover operating expenditures later in the year.

(2) Reflects October 2014 to December 2014 sales tax collected in December 2014 to February 2015.

EXHIBIT B

TOTAL USES OF OPERATING RESOURCES

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
EXPENDITURES						
3,379,218	3,319,161	60,057	OPERATING DEPTS	3,542,731	3,319,161	223,570
85,072	118,142	(33,069)	NON-DEPT DIRECT	94,302	118,142	(23,840)
9,254	12,936	(3,682)	NON-DEPT MISC (3)	12,077	12,936	(859)
3,473,545	3,450,239	23,306	TOTAL EXPENDITURES	3,649,110	3,450,239	198,871
0	0	0	TRANSFERS-OUT	0	0	0
3,473,545	3,450,239	23,306	TOTAL USES OP RESOURCES	3,649,110	3,450,239	198,871

(3) Excludes uncollectible accounts.

**GENERAL FUND
1ST QUARTER PERFORMANCE**



EXHIBIT C

NET REVENUES

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
3,773,271	4,141,413	368,142	TOTAL OP RESOURCES	3,908,227	4,141,413	233,186
3,473,545	3,450,239	23,306	TOTAL USES OP RESOURCES	3,649,110	3,450,239	198,871
299,726	691,175	391,448	NET REVENUES	259,117	691,175	432,057

EXHIBIT D

UNRESTRICTED FUND BALANCE

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
3,574,960	3,720,802	145,841	BEGINNING BALANCE	3,720,802	3,720,802	0
299,726	691,175	391,448	NET REVENUES	259,117	691,175	432,057
(153,885)	0	153,885	NON-BUDGET/CAFR ADJS	0	0	0
3,720,802	4,411,977	691,175	ENDING BALANCE	3,979,919	4,411,977	432,057

EXHIBIT E

DAYS COVERAGE

ACTUAL VERSUS PRIOR YEAR				ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
			CALCULATION			
2,894,124	3,096,332	202,207	REVENUES	2,767,960	3,096,332	328,372
95,403	122,544	27,141	INTERLOCAL AGREEMENTS	115,682	122,544	6,862
2,989,527	3,218,875	229,348	TOTAL RESOURCES	2,883,641	3,218,875	335,234
32,762	35,275	2,513	RESOURCES PER DAY (365) (4)	31,602	35,275	3,674
3,720,802	4,411,977	691,175	ACTUAL RESERVES	3,979,919	4,411,977	432,057
2,948,575	3,174,781	226,206	90-DAY POLICY	2,844,139	3,174,781	330,642
772,227	1,237,195	464,968	EXCESS/(SHORTFALL)	1,135,780	1,237,195	101,416
114	126	12	DAYS COVERAGE	126	126	(0)

(4) Annualized

**GENERAL FUND
1ST QUARTER PERFORMANCE**



EXHIBIT F

DEPARTMENT EXPENDITURES BY CATEGORY

ACTUAL VERSUS PRIOR YEAR			EXPENSE CATEGORY	ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
2,168,344	2,032,347	135,997	PERSONNEL	2,198,253	2,032,347	165,906
214,478	165,492	48,986	SUPPLIES	218,660	165,492	53,168
197,364	242,201	(44,837)	MAINTENANCE	258,443	242,201	16,242
507,372	528,589	(21,216)	SERVICES	529,866	528,589	1,278
14,015	74,791	(60,776)	CAPITAL	11,500	74,791	(63,291)
277,644	275,740	1,904	SUNDRY	326,009	275,740	50,269
3,379,218	3,319,161	60,057	TOTAL	3,542,731	3,319,161	223,570

EXHIBIT G

DEPARTMENT EXPENDITURES BY DEPARTMENT

ACTUAL VERSUS PRIOR YEAR			DEPARTMENT	ACTUAL VERSUS BUDGET		
YTD ACT FY14	YTD ACT FY15	FAV/(UNFAV) VARIANCE		YTD BUD FY15	YTD ACT FY15	FAV/(UNFAV) VARIANCE
262,139	265,404	(3,265)	DEPT 121 - ADMINISTRATION	313,936	265,404	48,532
70,426	104,947	(34,521)	DEPT 122 - COMMUNITY DEVELOPMENT	79,362	104,947	(25,584)
36,254	33,099	3,156	DEPT 123 - HUMAN RESOURCES	40,212	33,099	7,114
28,359	18,042	10,317	DEPT 125 - MAIN STREET	19,757	18,042	1,716
132,360	109,978	22,382	DEPT 131 - MAINTENANCE	136,256	109,978	26,278
224,239	219,639	4,600	DEPT 133 - FINANCE	242,539	219,639	22,900
69,266	60,419	8,848	DEPT 135 - PURCHASING/WAREHOUSE	62,958	60,419	2,539
318,759	420,779	(102,021)	DEPT 141 - STREETS	398,781	420,779	(21,999)
228,509	210,981	17,528	DEPT 144 - PARKS	223,458	210,981	12,477
85,573	86,023	(449)	DEPT 146 - LIBRARY	88,439	86,023	2,416
23,671	33,737	(10,066)	DEPT 148 - AIRPORT	34,456	33,737	719
37,904	61,356	(23,451)	DEPT 049 - COMMUNITY PRGRM/MKTING	65,678	61,356	4,323
115,530	100,686	14,844	DEPT 149 - AQUATICS	116,265	100,686	15,579
0	185,238	(185,238)	DEPT 050 - CITY COMMUNICATIONS	177,148	185,238	(8,091)
361,497	0	361,497	DEPT 150 - COMMUNICATIONS	0	0	0
754,724	802,706	(47,982)	DEPT 151 - POLICE	864,335	802,706	61,629
326,130	332,555	(6,424)	DEPT 152 - FIRE	359,896	332,555	27,341
63,606	65,062	(1,456)	DEPT 154 - ANIMAL SHELTER/CONTROL	73,627	65,062	8,565
89,731	91,503	(1,772)	DEPT 155 - MUNICIPAL COURT	92,721	91,503	1,218
40,486	33,581	6,905	DEPT 167 - PUBLIC WORKS	36,049	33,581	2,468
110,054	83,427	26,627	DEPT 172 - INFO TECHNOLOGY	116,860	83,427	33,433
3,379,218	3,319,161	60,057	TOTAL	3,542,731	3,319,161	223,570

**ELECTRIC FUND
FINANCIAL STATEMENT
FOR PERIOD ENDING (SELECT MONTH)
DEC 14**

PY ACT DEC 13	MONTH		VAR FAV/(UNFAV)		CY ACT DEC 14	YEAR-TO-DATE		VAR FAV/(UNFAV)	
	BUDGET DEC 14	CY ACT DEC 14	VS PR ACT	CY ACT VS BUDGET		BUDGET DEC 14	CY ACT DEC 14	VS PR ACT	CY ACT VS BUDGET
\$ 486,573	\$ 486,710	\$ 468,785	\$ (17,925)	\$ (17,925)	\$ 1,545,834	\$ 1,554,898	\$ 1,521,802	\$ (24,031)	\$ (33,096)
1,394,672	1,410,076	1,356,347	(53,729)	(53,729)	4,643,888	4,727,459	4,850,718	206,830	123,259
1,881,245	1,896,786	1,825,132	(71,654)	(71,654)	6,189,722	6,282,357	6,372,520	182,798	90,163
55,722	82,749	77,617	(5,132)	(5,132)	124,539	188,088	157,041	32,502	(31,047)
1,936,967	1,979,535	1,902,749	(76,786)	(76,786)	6,314,261	6,470,445	6,529,561	215,300	59,116
FUNDING RESOURCES FROM CURRENT OPERATIONS									
REVENUES									
DISTRIBUTION REVENUES									
ENERGY REVENUES (TO RECOVER ELECTRIC PURCHASE COSTS)									
- LCRA RATE REFUND									
TOTAL REVENUES									
TRANSFERS-IN (FOR SHARED SERVICES)									
TOTAL FUNDING RESOURCES									
USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS									
OPERATING EXPENDITURES									
DEPARTMENT EXPENDITURES (DEPTS 100, 110, 132, 160 & 161)									
- PERSONNEL & BENEFITS									
- SUPPLIES (FUEL, COMPUTERS, ETC)									
- MAINTENANCE (VEHICLES, EQUIPMENT, PLANT, ETC)									
- SERVICES (UTILITIES, CONSULTANTS, CONTRACTS, ETC)									
- NON CAPITAL (SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES)									
- SUNDRY (UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC)									
TOTAL DEPARTMENT EXPENDITURES									
FRANCHISE FEE (7% UTILITY REVENUES)									
ENERGY PURCHASE COSTS (LCRA)									
TRANSFERS TO GENERAL FUND (FOR SHARED SERVICES)									
TRANSFERS TO CENTRAL FLEET									
TOTAL OPERATING EXPENDITURES									
DEBT SERVICE									
TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS									
NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS									
DISTRIBUTION NET REVENUES									
GENERATION NET REVENUES									
TOTAL NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS									
CAPITAL FUNDING REQUIREMENTS									
NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQUIREMENTS									
RESERVE ESTIMATE									
BEGINNING BALANCE (BEGINNING ON A WORKING CAPITAL BASIS, OCT 1)									
NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQUIREMENTS									
ENDING BALANCE									
60-DAY RESERVE CALC (TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL/985 X 60)									
ELECTRIC CONSUMPTION (IN KWH)									
- PRICE PER KWH SOLD (EXCLUDES CUSTOMER CHARGE)									
ELECTRIC PURCHASES (IN KWH)									
- PRICE PER KWH PURCHASED (INCLUDES TRANSMISSION & ERCOT FEES)									

**SANITATION FUND
FINANCIAL STATEMENT
FOR PERIOD ENDING (SELECT MONTH)**

DEC 14

	MONTH			YEAR-TO-DATE			VAR FAV/(UNFAV)		
	PY ACT DEC 13	BUDGET DEC 14	CY ACT DEC 14	PY ACT DEC 13	BUDGET DEC 14	CY ACT DEC 14	CY ACT VS PR ACT	CY ACT VS BUDGET	CY ACT VS BUDGET
FUNDING RESOURCES FROM CURRENT OPERATIONS									
REVENUES									
	\$ 79,746	\$ 81,664	\$ 89,192	\$ 9,446	\$ 7,528	\$ 7,528	\$ 6,818	\$ (4,024)	
	29,196	35,282	34,493	5,298	(789)	(789)	18,184	(2,629)	
	8,753	9,585	13,380	4,626	3,795	3,795	5,822	1,099	
	79,886	80,206	81,751	1,865	1,545	1,545	2,237	178	
	197,581	206,737	218,815	21,235	12,078	12,078	33,062	(5,377)	
	0	0	27,600	27,600	27,600	27,600	27,600	0	
	197,581	206,737	246,415	48,835	39,678	39,678	60,662	(5,377)	
USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS									
OPERATING EXPENDITURES									
	44,481	45,584	44,537	(56)	1,047	1,047	(1,487)	6,431	
	25,669	21,906	17,551	8,118	4,355	4,355	12,665	4,993	
	13,118	9,125	14,558	(1,440)	(5,433)	(5,433)	(694)	4,435	
	61,787	61,680	73,346	(11,559)	(11,665)	(11,665)	(29,467)	(5,987)	
	50	0	0	50	0	0	8,250	27	
	350	825	322	28	503	503	(153)	1,491	
	145,455	139,121	150,314	(4,858)	(11,193)	(11,193)	(10,887)	11,390	
	4,845	4,934	4,852	(7)	82	82	55	267	
	26,014	30,116	21,487	4,527	8,629	8,629	6,313	17,421	
	6,834	10,546	7,318	(484)	3,228	3,228	(2,468)	4,238	
	183,148	184,717	183,971	(822)	746	746	(6,986)	33,316	
	296	296	296	(0)	(0)	(0)	0	(296)	
	183,444	185,012	184,267	(822)	746	746	(6,986)	33,020	
	14,137	21,725	62,149	48,012	40,424	40,424	53,675	27,643	
	551	12,700	0	551	12,700	12,700	(6,167)	940	
	\$ 13,586	\$ 9,025	\$ 62,149	\$ 48,563	\$ 53,124	\$ 53,124	\$ 47,508	\$ 28,583	
RESERVE ESTIMATE									
	\$ 979,103	\$ 951,852	\$ 927,311	\$ (51,792)	\$ (24,541)	\$ (24,541)	\$ (50,737)	\$ 0	
	13,586	9,025	62,149	48,563	53,124	53,124	47,508	28,583	
	\$ 992,688	\$ 960,876	\$ 989,460	\$ (3,229)	\$ 28,583	\$ 28,583	\$ (3,229)	\$ 28,583	
	\$ 361,862	\$ 364,956	\$ 363,485	\$ 1,622	\$ (1,472)	\$ (1,472)	\$ 4,594	\$ (21,712)	



AGENDA ITEM 9

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 13, 2015	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Grant Lischka	
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 for the Placement of a Stop Sign on Becker Drive at its Intersection with South Market Street		
SUMMARY STATEMENT: With the Chappell Hill Street Improvements nearing completion and the new stoplight at the intersection of Chappell Hill Street and South Market Street, the signal at the intersection of Becker Drive and South Market Street will be removed. This requires a stop sign on Becker Drive. The traffic on South Market Street will not have a stop sign or signal at Becker. This stop sign will not be installed until the new signal is operational.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its First Reading Authorizing the Placement of a Stop Sign on Becker Drive at its Intersection with South Market Street		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

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

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

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

Section 1. That there shall be established and installed:

one stop sign on Becker Drive at its intersection with South Market Street, regulating northbound traffic on Becker Drive;

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

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

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

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

PASSED and APPROVED on its first reading this the ____ day of April, 2015.

PASSED and APPROVED on its second reading this the ____ day of May, 2015.

ATTEST:

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 10

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 13, 2015	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Grant Lischka	
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 for the Placement of a Stop Sign on S. Chappell Hill Street at its Intersection with U. S. Highway 290 East		
SUMMARY STATEMENT: The new section of Chappell Hill Street on the south side of U.S. Highway 290 requires a stop sign to regulate the traffic traveling north on the new section. Being that this is a new road, a stop sign will need to be installed. Traffic on the 290 frontage road will not have a stop sign.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS:		
B. CONS:		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance		
FUNDING SOURCE (Where Applicable):		
RECOMMENDED ACTION: Approve an Ordinance on its First Reading Authorizing the Placement of a Stop Sign on S. Chappell Hill Street at its Intersection with U. S. Highway 290 East		
APPROVALS: Terry K. Roberts		

ORDINANCE NO. _____

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

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

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

Section 1. That there shall be established and installed:

one stop sign on Chappell Hill Street at its intersection with U. S. Highway 290 East, regulating northbound traffic on Chappell Hill Street Drive;

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

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

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

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

PASSED and APPROVED on its first reading this the ____ day of April, 2015.

PASSED and APPROVED on its second reading this the ___ day of May, 2015.

ATTEST:

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary



AGENDA ITEM 11

DATE OF MEETING: 4/16/2015	DATE SUBMITTED: 4/10/15	
DEPT. OF ORIGIN: Public Works	SUBMITTED BY: Dane Rau	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1 ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2 ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Collection Station Rates and Authorize the Mayor to Execute any Necessary Documentation.		
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 \$500,000-\$600,000 for an alike unit.		
At this current time we are recommending the following:		
<p>- 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.</p>		

- **Raising commercial brush rates an additional \$7.50 per ton, to a total of \$22.50/ton, \$17.50/min/ton (\$27,000 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	\$3.00/tire
16” and above	\$5.00/tire	\$7.50/tire
Large Truck and Tractor	\$35.00/tire	\$45.00/tire

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: Will allow the Collection Station to cover costs of brush grinding operations.

B. CONS: Will raise rates related to tires and commercial brush.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Redline of Rate Tariff showing changes; (2) Ordinance

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading amending the Rate Tariff Schedule for the City of Brenham Collection Station Rates and authorize the Mayor to execute any necessary documentation.

APPROVALS: Terry K. Roberts

ALL SERVICES	800	810
TARIFF	SECTION NO.	SHEET NO.
GARBAGE COLLECTION/CITIZEN'S COLLECTION STATION RATE SCHEDULE	May 7, 2015	
SECTION TITLE	EFFECTIVE DATE	

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January 1, 2013

(Supersedes Rate Change effective ~~January 1, 2013~~)

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SANITATION RATE SCHEDULE

Residential Collection

Single Family - Homes, Apartments, Mobile Homes

Code A	\$13.75 per month Twice Per Week Collection Inside City Limits
Code C	\$20.13 per month Twice Per Week Collection
Senior Citizen (Age 55 or older)	\$11.00 per month Application required for discounted rate

Citizens Collection Station (Non-compacted Waste)

\$80.00/ton or .04 cents per pound
\$5.50 minimum (<160 lbs.)
\$1.00 per trash bag

Disposal of vehicle tires at the city collection station; charges and collection:

(a) The city herewith imposes the following surcharges for disposal of vehicle tires at the city collection station:

- (1) Cars and passenger trucks (15 inch and below).....\$ ~~3.00~~ per tire
- (2) Large truck tires (16 inch and above).....\$ ~~7.50~~ per tire
- (3) Large truck and tractor tires with dimension greater than eighteen (18) inches wide, forty-nine (49) inches in diameter, and 15-ply\$ ~~45.00~~ per tire

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(b) The charges set forth immediately above are to be collected at the Collection Station site by city personnel or, in the case of commercial or industrial charge accounts, will be billed to the applicable customers each month.

ALL SERVICES	800	811
TARIFF	SECTION NO.	SHEET NO.
GARBAGE COLLECTION/CITIZEN'S COLLECTION STATION RATE SCHEDULE	January 1,2013	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective 10/01/09)

Commercial Brush

~~\$ 22.50/ton or .01125 cents per pound~~

~~\$ 17.50 minimum (1 ton minimum)~~

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Transfer Station (Compacted Waste)

In-city \$ 42.50/ton or 2.125 cents per pound

Out of city \$45.50/ton or 2.275 cents per pound

ALL SERVICES	800	812
TARIFF	SECTION NO.	SHEET NO.
GARBAGE COLLECTION/CITIZEN'S COLLECTION STATION RATE SCHEDULE	NOVEMBER 8, 2006	
SECTION TITLE	EFFECTIVE DATE	

(Supersedes Rate Change effective 03/01/2006)

POLICIES FOR SANITATION COLLECTION

1. A new customer or a change in service requires Form 7, Application of Service, be filled out at the Public Utilities Office. The form must be signed by the applicant. Copies will be disbursed to the following departments: Public Utilities, Billing Department, Sanitation Department.
2. Effective date for new or changed service will be established by the Sanitation Department Head. Billing Department will adjust customer bills accordingly.
3. Any customer requesting a Senior Citizen Rate must complete the necessary form and provide proof of age.
4. Any customer who has residential utility service with the City shall be subject to charges for garbage service and shall comply with all City health ordinances regarding the disposal of solid waste. Charges for garbage service may be waived by the Utility Director or City Manager for customers with residential utility service that do not reside on a current residential truck route.
5. The City's garbage service to residential customers shall be exclusive and no other person, firm or corporation shall provide residential garbage service within the City limits of Brenham. Residential garbage service shall include garbage pick up at any residence at least monthly.
6. Outside the city limits services are available to residential customers presently residing on a current residential truck route that is adjacent to the city limits.
7. Garbage must be at the curb by 8:00 A.M. on collection day.
8. All garbage must be placed within five feet of curb or edge of pavement.
9. Bags shall at all times be kept secure and fastened to prevent scattering of the contents by the wind and so that flies and other insects may not have access to the contents.
10. Residential collection trucks will not pick up tires, grass clippings, leaves, tree trimming, batteries, carpet, construction materials, furniture and heavy metal objects.
11. Disposal of hazardous waste, explosives, ammunition, used oil and filters, flammable liquids, radioactive waste and/or lead-acid batteries in the City's Sanitation Collection Station is strictly

prohibited. Vehicle tires shall not be placed for collection by the City, but will be accepted for disposal at the City's Collection Station

12. A special yard waste collection is provided every Wednesday for those residents who are unable to take their yard waste to the Citizens Collection Station.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE GARBAGE COLLECTION/
CITIZEN'S COLLECTION STATION RATE TARIFF SCHEDULE FOR
THE CITY OF BRENHAM, TEXAS; AND PROVIDING FOR AN
EFFECTIVE DATE OF THIS ORDINANCE.**

WHEREAS, the City Council of the City of Brenham, Texas deems it necessary to change the rates charged for commercial brush and scrap tires that are disposed of at the City of Brenham's Transfer/Collection Station.

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

SECTION I.

The City Council of the City of Brenham, Texas, does hereby adopt the Garbage Collection/Citizen's Collection Station Rate Schedule for commercial brush and scrap tires that are disposed of at the City of Brenham's Transfer/Collection Station as set forth in the attached Exhibit "A", which is made a part hereof for all purposes pertinent, to be effective with utility billing occurring on or after May 7, 2015.

SECTION II.

This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas. The implementation of rates as set forth herein and on the attached Exhibit "A" shall be effective with utility billing occurring on and after May 7, 2015.

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, City Secretary



AGENDA ITEM 12

DATE OF MEETING: 4/16/2015		DATE SUBMITTED: 4/10/15
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 a One-Year Contract Extension with Gene’s Services, LLC for Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute any Necessary Documentation		
SUMMARY STATEMENT: On February 21, 2013 City Council awarded the annual Mowing and Cleanup Services contract to Gene’s Services. This contract pertains to numerous sites that are city parkland, right-of-way/medians and city properties. It also contains the code enforcement lots that David Doelitsch oversees. All prices have remained the same. In 2014, the Hasskarl Tennis Courts and the Hike and Bike Trail leading from the tennis courts to FM 577 were deleted from the contract due to an agreement with BISD. In 2015, the Communications Building grounds and lots at 200 N. Chappell Hill St., 800 Sycamore, and 1000 Prairie Lea were also removed from the contract. Overall this will be a savings to the City of Brenham and a reduction in the 2014 and 2015 purchase order that will be issued.		
Gene’s Servicers has performed these services very well and is in constant contact with Casey Redman and David Doelitsch. They respond well to requests and are quick to take action. Staff would like to recommend that Council extend the contract with Gene’s Services for an additional year. The original contract was granted for one year with the option to extend up to 2 additional (1) year terms if both parties agree. This will be the final extension for this contract. This extension came up in February and a letter was sent to Gene’s Services wishing to extend the contract with the current prices but wasn’t brought to council at that time. In order to officially extend the contract council’s approval is needed.		
Present value of the contract is approximately \$50,940. In 2013 the contract was awarded at approximately \$59,860. The contract does give the city the right to delete properties from the list as they are sold or no longer needed for mowing.		

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Same prices as 2013, same company, no bid needed and company performs excellent work.

B. CONS: None

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Letter Requesting Extension for One Year

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve One-Year Contract Extension with Gene's Services, LLC for Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute any Necessary Documentation

APPROVALS: Terry K. Roberts



February 27, 2015

Gene's Services, LLC
Mr. Gene Patrick Northway
801 FM 109
Brenham, Texas 77833

RE: Bid No. 13-004 Mowing & Cleanup Services

Dear Mr. Northway:

On February 21, 2013, your business was originally awarded the above referenced contract for one (1) Year. The contract allows renewal of the contract, by mutual agreement of both parties, for two (2) additional one-year terms. The contract was renewed in 2014 with expiration of February 21, 2014. At this time the City of Brenham would like to renew for the second one-year term through February 21, 2016.

Please respond with indication of your intent below and keep a copy of this letter for your records.

If you have any questions regarding your contract, please do not hesitate to call me a 979-337-7247.

Sincerely,

Sara Parker, C.P.M.
Purchasing Supervisor
City of Brenham

Bid No. 13-004 Mowing & Cleanup Services

Contract Renewal: Gene's Services
Bid No.: 13-004

ACCEPTED:

Gene Patrick Northway
Signature
GENE PATRICK NORTHWAY
Signer's Name (Printed)/Title

Vendor Name/Address:

PO Box 2253
Brenham TX 77834
979-661-1679 OFFICE

Telephone

DECLINED:

Signature

Signer's Name (Printed)/Title

Vendor Name/Address:

Telephone

Bid No. 13-004 Mowing & Cleanup Services



AGENDA ITEM 13

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 13, 2015	
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"/> 1ST READING
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING
<input type="checkbox"/> EXECUTIVE SESSION	<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> RESOLUTION
	<input type="checkbox"/> WORK SESSION	
AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Building Setback Requirements as Outlined in Section 23-22(1) of the City of Brenham’s Code of Ordinances, for the Old Mill Creek Subdivision Sections 1 and 2.		
SUMMARY STATEMENT: The City of Brenham is requesting a building line variance for all lots abutting Old Mill Creek Road for Old Mill Creek Subdivision Sections 1 & 2. Chapter 23 – Subdivisions requires that: <i>Lots on arterial and collector streets.</i> The building setback line shall not be closer than twenty-five (25) feet from the side of a lot which abuts a collector or an arterial street. Old Mill Creek Subdivision consists of 14 lots, 10 of which abut Old Mill Creek Road. According to the Thoroughfare Plan Old Mill Creek Road is classified as a minor collector. The subdivision is being platted for single family residential units. Typical single family residential lots that have a side yard on a local street are only required to have a 10 foot side yard which is what staff is requesting be the side yard for Old Mill Creek Subdivision. The Planning and Zoning approved the variance request unanimously and also approved the plat but requested that a deed be filed for the properties to not allow a driveway along Old Mill Creek Road for all lots except Lot 1, Section 1 and for the variance process to be complete before the city brings the final plat back to the Commission.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Allows for a larger buildable lot area.		
B. CONS: Does not conform to subdivision ordinance.		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; and (2) Approved Preliminary Plat		
FUNDING SOURCE (Where Applicable):		

RECOMMENDED ACTION: Approve an Ordinance on its first reading authorizing a variance to building setback requirements as outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, for the Old Mill Creek Subdivision Sections 1 and 2

APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 23-22(1) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 23, REGULATING SUBDIVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, provides for standards and regulations regarding subdivisions within the corporate boundaries and extraterritorial jurisdiction of the City of Brenham; and

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Section 23-22(1) states that building lines on collectors and arterials not be less than 25 feet as follows:

All residential lots within the city and its extraterritorial jurisdiction shall conform to the general provisions provided below:

- (1) *Lots on arterial and collector streets.* The building setback line shall not be closer than twenty-five (25) feet from the side of a lot which abuts a collector or an arterial street.

WHEREAS, pursuant to Section 23-34, City of Brenham Code of Ordinances, the City Council of the City of Brenham, Texas has the authority to grant variances to the City's subdivision regulations outlined in the City of Brenham Code of Ordinances, Chapter 23, Subdivisions; and

WHEREAS, the property described as Old Mill Creek Sections 1 and 2, Section 1 consisting of ten residential lots containing 2.791 acres, one reserve containing 0.006 acre, and 0.473 acre in three street rights-of-way, for a total of 3.27 acres, and Section 2 consisting of four residential lots containing a total of 1.069 acres; and

WHEREAS, Old Mill Creek Road is classified as a Minor Collector Road according to the City of Brenham's Thoroughfare Plan.

WHEREAS, the property is in compliance with the City of Brenham Comprehensive Plan; and

WHEREAS, the City Council finds that by granting the variance, the spirit of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions is observed, and the probable effect of such variance will not create adverse impacts in the vicinity; and

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

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

1. **Findings of Fact:** All of the above premises are hereby found to be true and correct findings of the City Council of the City of Brenham and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.
2. **Variance Granted:** The City Council hereby grants the request for a variance to the provisions of the City of Brenham Code of Ordinances, Chapter 23, Section 23-22(1), which requires a building line setback of not less than twenty five (25) feet from the side of a lot which abuts an arterial or a collector street, and authorizes a building line setback of not less than ten (10) feet from the side of all lots in the Old Mill Creek Subdivision Sections 1 and 2 that abut Old Mill Creek Road.
3. **Conflict with Prior Ordinances:** In the case of a conflict between this Ordinance and any provision or clause of previous Ordinances adopted by the City of Brenham, the provisions of this Ordinance shall prevail.
4. **Severability:** Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.
5. **Effective Date:** This Ordinance shall become effective immediately upon and after its passage and publication as may be required by governing law.
6. **Proper Notice and Meeting:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

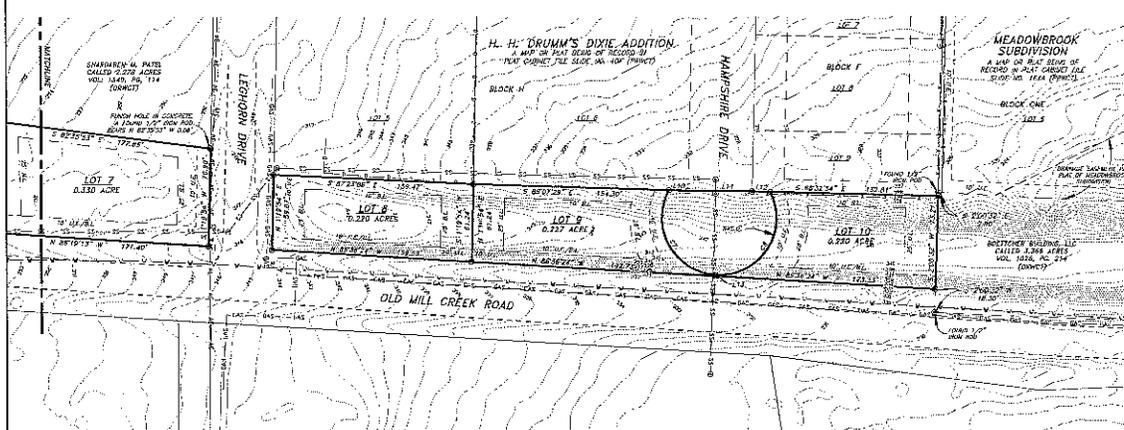
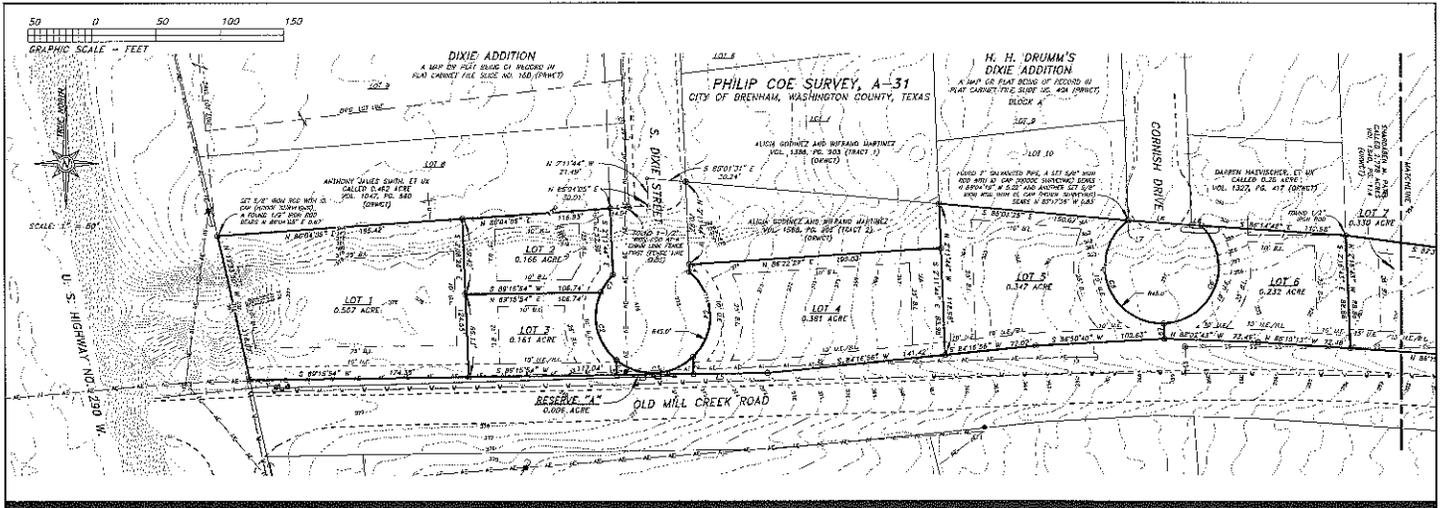
PASSED and APPROVED on its first reading this the 16th day of April, 2015.

PASSED and APPROVED on its second reading this the 7th day of May, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



- NOTES:**
1. THE BEARINGS SHOWN HEREIN ARE RELATIVE TO TRUE NORTH AS OBTAINED BY GPS OBSERVATIONS, OBSERVED AT LATITUDE: 33°10'40.48" N - LONGITUDE: 96°23'36.95" W (1982-84).
 2. NO PART OF THE SUBJECT PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) AS COMPILED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, MAP NUMBER 64477C0208E, EFFECTIVE DATE AUGUST 16, 2011, WASHINGTON COUNTY, TEXAS.
 3. SUBJECT TO BUILDING SETBACK LINES AND YARD REQUIREMENTS ACCORDING TO ZONE AND USE AS SET FORTH IN THE CITY OF BRENNHAM ZONING ORDINANCE.
 4. (B) - DENOTES A 5/8" IRON ROD SET WITH ID. CAP STAMPED "HODDE SURVEYING" UNLESS OTHERWISE NOTED ON THE PLAT.
 5. THE SUBJECT PROPERTIES ARE ZONED R-1 (RESIDENTIAL).
 6. A CURRENT TITLE COMMITMENT OR REPORT WAS NOT AVAILABLE OR PROVIDED TO THE UNDERGROUND SURVEYOR AS OF THE DATE OF THIS SURVEY AND THE UNDERGROUND SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY.
 7. THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREIN ARE BASED ON OBSERVED EVIDENCE, ABOVE GROUND STRUCTURES, RECORD DRAWINGS AND INFORMATION PROVIDED TO THE SURVEYOR BY THE CITY OF BRENNHAM PUBLIC WORKS DEPARTMENT AND BY A ONE-LESS LOCATE REQUEST THROUGH THE RESPECTIVE ENTITIES. ACTUAL LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREIN. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THE SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES AND DEPTHS.

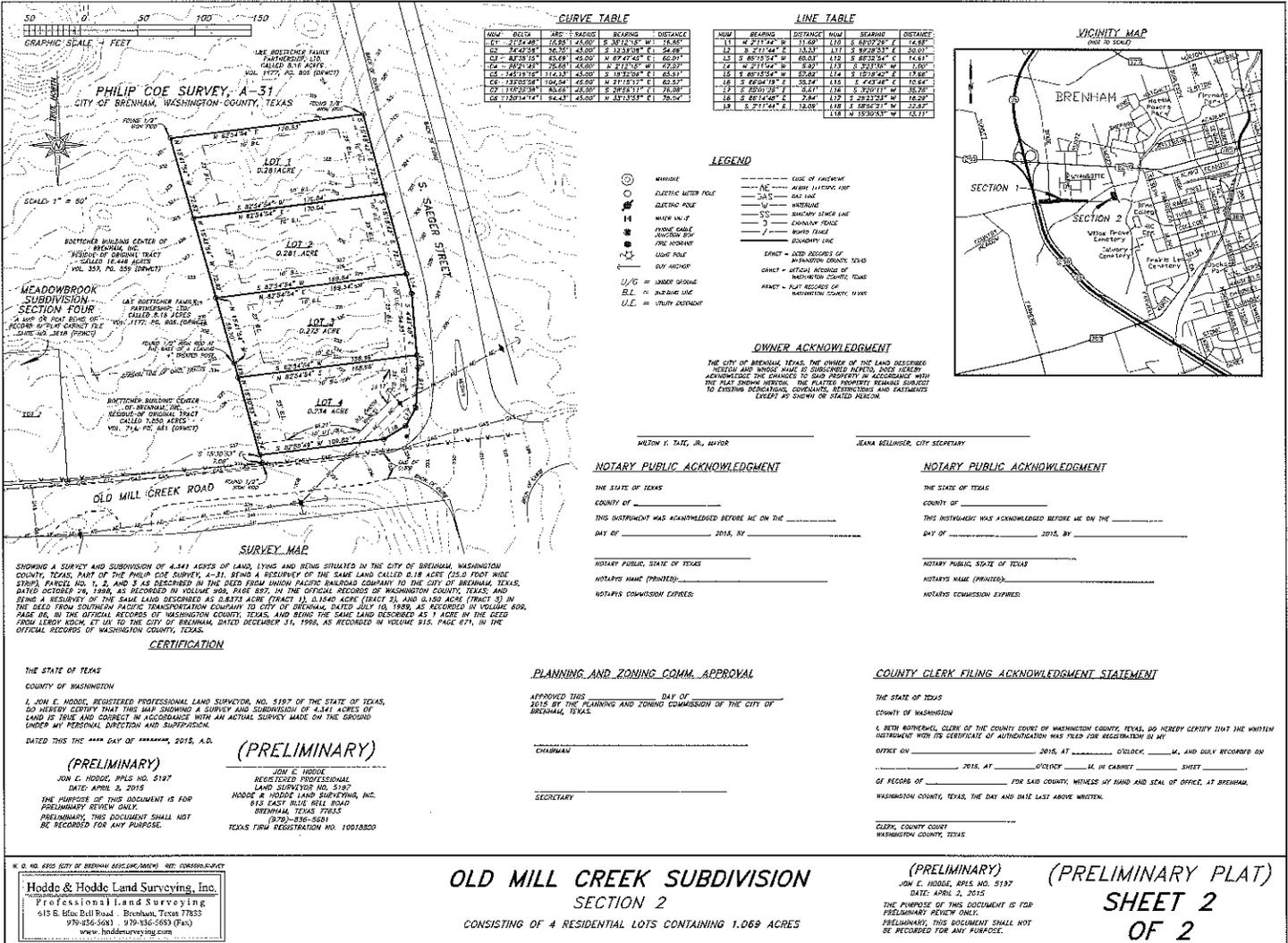
H. H. NO. 6886 (CITY OF BRENNHAM RECORDS/BOOKS) REF. CROSS-BLANKED

Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying
413 N. Hilar Bell Road - Brenham, Texas 77833
579-836-9681 579-836-5883 (Fax)
www.hoddesurveying.com

OLD MILL CREEK SUBDIVISION
SECTION 1
CONSISTING OF 10 RESIDENTIAL LOTS CONTAINING 2.791 ACRES,
1 RESERVE CONTAINING 0.006 ACRE, AND 0.473 ACRE IN 3 STREET RIGHTS-OF-WAY
3.272 ACRES TOTAL IN SECTION 1

(PRELIMINARY)
JON E. HODDE, RPLS NO. 5197
DATED APRIL 2, 2018
THE PURPOSE OF THIS DOCUMENT IS FOR
PRELIMINARY REVIEW ONLY.
PRELIMINARY. THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE.

(PRELIMINARY PLAT)
SHEET 1
OF 2



Hodde & Hodde Land Surveying, Inc.
Professional Land Surveying
615 E. Blue Bell Road Brenham, Texas 77833
979-436-5681 979-936-5683 (Fax)
www.hoddesurveying.com

OLD MILL CREEK SUBDIVISION
SECTION 2
CONSISTING OF 4 RESIDENTIAL LOTS CONTAINING 1.069 ACRES

(PRELIMINARY) (PRELIMINARY PLAT)
JON E. HODGE, RPLS NO. 5197
DATE: APRIL 2, 2015
THE PURPOSE OF THIS DOCUMENT IS FOR PRELIMINARY REVIEW ONLY.
PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.
SHEET 2 OF 2



AGENDA ITEM 14

DATE OF MEETING: April 16, 2015	DATE SUBMITTED: April 10, 2015	
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 Authorizing a Variance to Rural Lot Size Requirements, as Outlined in Section 23-21(3)(b) of the City of Brenham’s Code of Ordinances, for the Strangmeier Subdivision Section Two		
SUMMARY STATEMENT: Jones and Carter, on behalf of Felix Andrade, have submitted a request for a variance to Chapter 23 – Subdivisions of the City code of ordinances. The subdivision is located within the City’s Extra Territorial Jurisdiction (ETJ). The City of Brenham is allowed to enforce the subdivision ordinance within the ETJ. The request is for a reduction in lot depth for rural lot subdivisions which is 200 feet by ordinance. The front of the property is bounded by Strangmeier Road at the front and the rear of the property is bounded by BNSF Railroad. The property does not have sufficient depth to comply with the 200 foot depth requirement and additional property cannot be acquired. The lot depths for the four properties range from 118.08’ – 185.82’ in depth. Staff made the recommendation of approval to the Planning and Zoning Commission on the basis of manmade geographic constraints on the property which limits any possibility of the property owner from meeting the 200 foot lot depth requirement. The lots meet all other applicable requirements of rural lots. The Planning and Zoning Commission met on April 6, 2015 and made a recommendation of approval.		
STAFF ANALYSIS (For Ordinances or Regular Agenda Items):		
A. PROS: Allow for development of additional rural lots which would remain otherwise undevelopable.		
B. CONS: Lots will never be developable unless regulation changes are made.		
ALTERNATIVES (In Suggested Order of Staff Preference):		
ATTACHMENTS: (1) Ordinance; (2) General Application for variance; (3) Land Use Map; and (4) Strangmeier Preliminary Plat		

FUNDING SOURCE (Where Applicable):

RECOMMENDED ACTION: Approve an Ordinance on its first reading authorizing a variance to rural lot size requirements, as outlined in section 23-21(3)(b) of the City of Brenham's Code of Ordinances, for the Strangmeier Subdivision Section Two

APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS, GRANTING A VARIANCE TO SECTION 23-21(3)(b) OF THE CITY OF BRENHAM CODE OF ORDINANCES, CHAPTER 23, REGULATING SUBDIVISIONS, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Subdivisions, provides for standards and regulations regarding subdivisions within the corporate boundaries and extraterritorial jurisdiction of the City of Brenham; and

WHEREAS, the City of Brenham Code of Ordinances, Chapter 23, Section 23-21(3)(b) states that rural lot subdivisions shall have a minimum lot depth of 200 feet as follows:

b. Minimum depth: 200 feet.

WHEREAS, pursuant to Section 23-34, City of Brenham Code of Ordinances, the City Council of the City of Brenham, Texas has the authority to grant variances to the City's subdivision regulations outlined in the City of Brenham Code of Ordinances, Chapter 23, Subdivisions; and

WHEREAS, the property described as Strangmeier Subdivision Section Two, consisting of four lots on 4.012 acres, is constrained by man-made geographic boundaries at the front property lines by Strangmeier Road and rear property lines by B.N.S.F. Railroad; and

WHEREAS, the property is in compliance with the City of Brenham Comprehensive Plan; and

WHEREAS, the City Council finds that by granting the variance, the spirit of the City of Brenham Code of Ordinances, Chapter 23, Subdivisions is observed, and the probable effect of such variance will not create adverse impacts in the vicinity; and

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

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

1. **Findings of Fact:** All of the above premises are hereby found to be true and correct findings of the City Council of the City of Brenham and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

2. **Variance Granted:** The City Council hereby grants the request for a variance to the provisions of the City of Brenham Code of Ordinances, Chapter 23, Section 21(b)(3), which requires a lot depth of no less than 200 feet for rural lots, to be reduced to the depths as shown on the final plat of the Strangmeier Subdivision Section Two.
3. **Conflict with Prior Ordinances:** In the case of a conflict between this Ordinance and any provision or clause of previous Ordinances adopted by the City of Brenham, the provisions of this Ordinance shall prevail.
4. **Severability:** Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are severable.
5. **Effective Date:** This Ordinance shall become effective immediately upon and after its passage and publication as may be required by governing law.
6. **Proper Notice and Meeting:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED and APPROVED on its first reading this the 16th day of April, 2015.

PASSED and APPROVED on its second reading this the 7th day of May, 2015.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC
City Secretary



For office use only
APPLICATION NO. 15-22
MEETING DATE: _____
DATE SUBMITTED: 3/23/15

CITY OF BRENHAM
GENERAL APPLICATION

Type of Application

- | | |
|---|--|
| <input type="checkbox"/> Variance from Appendix A: Zoning | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Specific Use Permit | <input type="checkbox"/> Plan Review |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat/Replat/Amending Plat |
| <input type="checkbox"/> Variance from Chapter 21: Signs | <input checked="" type="checkbox"/> Other: <small>Variance from Subdivision Ordinance: Section 23-21 (3)b.</small> |

Property Owners Information

Name Felix Andrade
Principal Officers (If Corporation) President _____
Secretary _____
Address 1203 L. J. Street, Brenham, Texas 77833
Telephone Number 979-451-2975 E-mail Address _____

Applicant Information

Name Same as property owner.
Address _____
Telephone Number _____ E-mail Address _____

Agent or Engineer Information

Name Wm. R. Krueger, P.E., RPLS, Jones & Carter, Inc.
Address 1500 South Day Street
Telephone Number 979-836-6631 E-mail Address wkrueger@jonescarter.com

\$100 Fee

Location of Property

Street Address: Strangmeier Road

Legal Description (attach metes and bounds description if not subdivided):

Subdivision: _____ Block(s): _____ Lot(s): _____

Zoning Information

Existing Zoning : Not Applicable - Outside City Limits

Proposed Zoning: _____

Reasons for requesting zone change:* _____

Variance Information

Section of Code from which variance is described:* Subdivision Ordinance: Section 23-21 (3)b.

Describe variance requested:* Variance from the 200 ft. minimum lot depth requirement.

Reasons for requesting variance:* The front of the property is bounded by Strangmeier Road.

The rear of the property is bounded by the BNSF Railroad. The property does not have sufficient depth to comply with the 200 ft. depth requirement. Additional property cannot be acquired.

Proposed Property Use

Describe in detail the proposed operation at this location:*

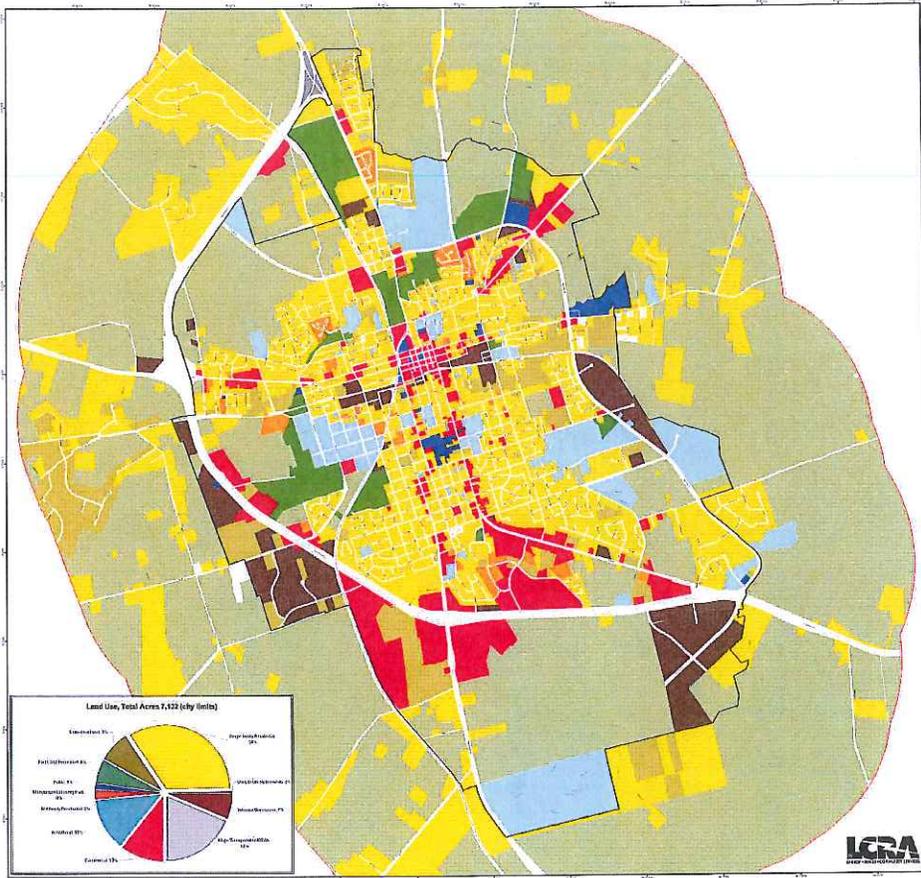
Single Family Residential.

Construction Value \$ _____

Site plans are required for variance, special use, and plan review requests; please see Ordinance No. 0-05-007 for minimum site plan requirements.

I, Felix Andrade, being the owner (or authorized agent) of the above described property, do hereby certify the information set forth above is true and correct. I further request that the Planning & Zoning Commission/Board of Adjustments/Plan Review Committee review this matter and take appropriate action.

Owner
Wm. R. K. Koenig
Agent



Envision Brenham 2020

Land Use Inventory Map ~ 2009

Land Use Categories	
■ Single-Family	■ Institutional
■ Multi-Family	■ Recreational / Open Space
■ Commercial / Retail	■ Agriculture / Undeveloped
■ Warehouse / Industrial	■ Semi-Developed
■ Public Use	■ Utility Easement
	■ Transportation Easement

0 0.25 0.5 1 1.5 2 Miles

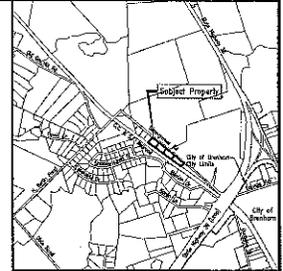
0 1,150 2,300 4,600 8,900 9,200 Feet

Property Owner
Felix Andrade
1203 L J Street
Brenham, Texas 77833
TEL: (979) 451-2975

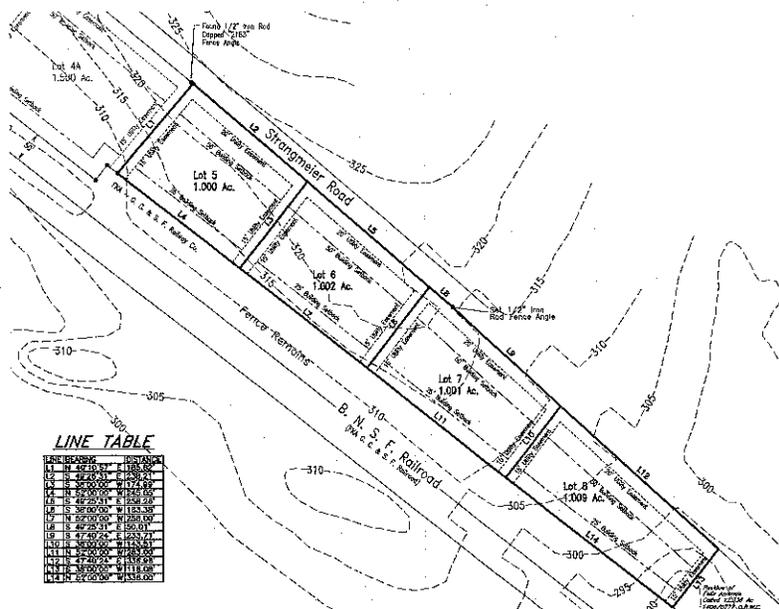
Plat Prepared By
Jones & Carter, Inc.
1500 South Day Street
Brenham, Texas 77833
TEL: (979) 836-6631



**PRELIMINARY PLAT
STRANGMEIER SUBDIVISION
SECTION TWO**
4 LOTS - 4.012 ACRES
A. Harrington Survey A-55
Washington County, Texas



Key Map
Scale: 1"=2000'



LINE TABLE

LINE NUMBER	DESCRIPTION	BEARING	DISTANCE
1	N 1/4 Sec 36 T15N R10E	N 89° 58' 00" W	1125.00
2	E 1/4 Sec 36 T15N R10E	S 89° 58' 00" W	1125.00
3	S 1/4 Sec 36 T15N R10E	S 89° 58' 00" W	1125.00
4	W 1/4 Sec 36 T15N R10E	S 89° 58' 00" W	1125.00
5	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
6	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
7	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
8	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
9	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
10	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
11	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
12	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
13	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
14	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
15	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
16	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
17	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
18	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
19	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00
20	Sec 36 T15N R10E	S 89° 58' 00" W	4500.00

NOTE
• Indicates 5/8" Iron Rod Capped
"Jones & Carter" Unless Otherwise Noted

NOTES

Building setbacks shall be not less than fifty feet (50') from any front lot line, not less than fifteen feet (15') from any side lot line and not less than twenty-five feet (25') from any rear lot line.
Lot 5, 6, 7 and 8 shown hereon are intended for single family residential use.
Lot 5, 6, 7 and 8 shown hereon shall be served by a community water system which lies within the margins of Strangmeier Road.
Lot 5, 6, 7 and 8 shown hereon shall be served by individual On-site Sewage Facilities.
Contours shown hereon are based on U.S.G.S. datum.

SUBJECT TO

Easement dated February 23, 1937, executed by John Niedermeier and Emily Niedermeier to Texas Power and Light Company, recorded in Volume 115, Page 303 of the Deed Records of Washington County, Texas.

FLOOD HAZARD STATEMENT

It has been determined that the subject property does not lie within the 100-Year Flood Boundary as indicated by the Flood Insurance Rate Map compiled by the Federal Emergency Management Agency, Community No. 48168 0300 G, Map No. 48-7700390C, dated August 16, 2011, Washington County, Texas.

SURVEYOR CERTIFICATION

I, William R. Krueger, Registered Professional Land Surveyor, do hereby certify that the above plat represents the results of an on the ground survey made under my direction and supervision.

William R. Krueger
March 23, 2015
Registered Professional Land Surveyor No. 2835



PLANNING COMMISSION APPROVAL

Approved this _____ day of _____, 2015 by the Planning & Zoning Commission of the City of Brenham, Texas.

Well Sauerbregal, Chairman
Attest:

Secretary to the Planning & Zoning Commission

**PRELIMINARY PLAT
THE STRANGMEIER SUBDIVISION
SECTION TWO**

JC JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
1500 South Day Street
Brenham, Texas 77833
(979) 836-6631 Fax: (979) 836-8088
www.jonesandcarter.com

Surveyor	William R. Krueger	City	Washington	Field Date	A.C.
PLAT No.	2835	Survey	A. Harrington A-55	Commission	ONE
Date	03-23-2015	City	Brenham	Scale	ONE
Book		Section		Web Site	80035-836-80