



**NOTICE OF A REGULAR MEETING
THE BRENHAM CITY COUNCIL
THURSDAY, AUGUST 4, 2016 AT 4:00 P.M.
SECOND FLOOR CITY HALL
COUNCIL CHAMBERS
200 W. VULCAN
BRENHAM, TEXAS**

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Tate**
- 3. Citizens Comments**

CONSENT AGENDA

4. Statutory Consent Agenda

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

- 4-a. Ordinance No. O-16-016 on Its Second Reading Granting a Specific Use Permit to Alma Carrillo to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use on Property Located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas** **Pages 1-2**

WORK SESSION

- 5. Discuss and Review the FY2015-16 Second Quarter Financial Report** **Pages 3-15**
- 6. Discussion with the Director of Operations from Suddenlink Communications Regarding the Local Office Location Provision and Associated Matters in the Cable Television Franchise Agreement with the City** **Pages 16-19**

REGULAR SESSION

7. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to Krissie Zorn to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory to Use on Property Located at 2600 N. Park Street in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Reserve A, Block 1 of the Scenic Estates Subdivision in Brenham, Washington County, Texas** **Pages 20-28**
8. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Section 8(b) of the Cable Television Franchise Granted by the “Brenham Community Antenna Television Ordinance,” as Amended, Regarding the Maintenance of an Office by Suddenlink Communications in the City of Brenham, and Associated Provisions** **Pages 29-32**
9. **Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of \$0.5070 per \$100 Valuation for the 2016 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law** **Pages 33-35**
10. **Discuss and Possibly Act Upon Resolution No. R-16-020 of the City Council of the City of Brenham, Texas, Authorizing the Giving of Notice of Intention to Issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2016; and Declaring an Effective Date** **Pages 36-40**
11. **Discuss and Possibly Act Upon Resolution No. R-16-021 Providing for No Objection to Northview Village, LP’s Submission of an Application to the Texas Department of Housing and Community Affairs Requesting 2016 Housing Tax Credits for the Rehabilitation of Northview Village in Brenham, Washington County, Texas** **Pages 41-46**
12. **Discuss and Possibly Act Upon a License Agreement Between the City of Brenham and Brenham Independent School District for the Authorization of Right-Of-Way Encroachment Related to the Community Spirit Flag Program and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 47-65**
13. **Discuss and Possibly Act Upon the Purchase of Skate Park Equipment Using BuyBoard Contract No. 423-13, for the Skateboard Park Located in Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 66-70**
14. **Discuss and Possibly Act Upon Bid No. 16-010 for the Purchase of Furniture for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 71-73**

15. **Discuss and Possibly Act Upon the Purchase of Furniture for the Nancy Carol Roberts Memorial Library from the Following Purchasing Cooperatives:**
- a. **Tables, Computer Desks and Conference Chairs Through The Cooperative Purchasing Network (TCPN) Contract No. R142213,**
 - b. **Arm Lounge Chairs Through the U. S. Communities Government Purchasing Alliance Contract No. 4400003404,**
 - c. **Stacking Chairs and Storage Carts Through the U. S. Communities Government Purchasing Alliance Contract No. 4400034025, and**
 - d. **Circulation Desk, Signage and Wall Displays Through BuyBoard Contract No. 503-16,**

And Authorize the Mayor to Execute Any Necessary Documentation

Pages 74-94

16. **Discuss and Possibly Act Upon the Purchase of Seven (7) Body Armor Vests for the Police Department Using Seized Narcotic Funds and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 95-98**
17. **Discuss and Possibly Act Upon a Ground Space Lease Agreement with Aviators Plus LLC (Brent Nedbalek) for Hangar Space at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 99-109**
18. **Discuss and Possibly Act Upon a Request for a Noise Variance from the American Cancer Society for the Relay for Life to be Held on October 22, 2016 from 6:00 p.m. to 12:00 a.m. (Midnight) at Fireman's Park and Authorize the Mayor to Execute Any Necessary Documentation** **Pages 110-111**
19. **Administrative/Elected Officials Report**

Administrative/Elected Officials Reports: Reports from City Officials or City staff regarding items of community interest, including expression of thanks, congratulations or condolences; information regarding holiday schedules; honorary or salutory recognitions of public officials, public employees or other citizens; reminders about upcoming events organized or sponsored by the City; information regarding social, ceremonial, or community events organized or sponsored by a non-City entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of people in the City that have arisen after the posting of the agenda.

Adjourn

Executive Sessions: The City Council for the City of Brenham reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, including but not limited to §551.071 – Consultation with Attorney, §551.072 – Real Property, §551.073 – Prospective Gifts, §551.074 - Personnel Matters, §551.076 – Security Devices, §551.086 - Utility Competitive Matters, and §551.087 – Economic Development Negotiation

CERTIFICATION

I certify that a copy of the August 4, 2016 agenda of items to be considered by the City of Brenham City Council was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on August 1, 2016 at **3:25 PM**.

Kacey A. Weiss

Deputy 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 _____, 2016 at _____ AM PM.

Signature

Title

ORDINANCE NO. O-16-016

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR THE OPEN (OUTDOOR) DISPLAY, SALE OR STORAGE OF RETAIL MERCHANDISE AS AN ACCESSORY USE TO A RETAIL STORE BY SPECIFIC USE PERMIT IN A B-1 LOCAL BUSINESS/RESIDENTIAL MIXED USE ZONING DISTRICT, AT 1002 EAST BLUE BELL ROAD AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

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

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

WHEREAS, this amendment was recommended for conditional approval by the Brenham Planning and Zoning Commission during its regular meeting on June 27, 2016;

WHEREAS, the Planning and Zoning Commission recommended the outdoor display be allowed for a period of thirty (30) days from the date of City Council approval; and

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to allow for the open (outdoor) display, sale or storage of retail merchandise as an accessory use to a retail store, by specific use permit in a B-1 Local Business/Residential Mixed Use Zoning District at 1002 East Blue Bell Road.

SECTION 2. This Specific Use Permit to allow for the open (outdoor) display, sale or storage of retail merchandise as an accessory use to a retail store in a B-1 Local Business/Residential Mixed Use Zoning District shall be effective for a period not to exceed thirty (30) days.

SECTION 3. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

SECTION 4. The Specific Use Permit granted by this Ordinance shall expire on September 3, 2016.

PASSED and APPROVED on its first reading this the 14th day of July, 2016.

PASSED and APPROVED on its second reading this the 4th day of August, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



AGENDA ITEM 5

| | | | |
|---|--|--|--|
| DATE OF MEETING: August 4, 2016 | | DATE SUBMITTED: August 1, 2016 | |
| DEPT. OF ORIGIN: Finance | | SUBMITTED BY: Carolyn D. Miller | |
| MEETING TYPE: | | CLASSIFICATION: | |
| <input checked="" type="checkbox"/> REGULAR | | <input type="checkbox"/> PUBLIC HEARING | |
| <input type="checkbox"/> SPECIAL | | <input type="checkbox"/> CONSENT | |
| <input type="checkbox"/> EXECUTIVE SESSION | | <input type="checkbox"/> REGULAR | |
| | | <input checked="" type="checkbox"/> WORK SESSION | |
| ORDINANCE: | | | |
| <input type="checkbox"/> 1 ST READING | | | |
| <input type="checkbox"/> 2 ND READING | | | |
| <input type="checkbox"/> RESOLUTION | | | |
| AGENDA ITEM DESCRIPTION: Discuss and Review the FY2015-16 Second 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) FY2015-16 Second Quarter Financial Report from CFO; and (2) Financial Performance Reports for General Fund and Five Utility Funds | | | |
| FUNDING SOURCE (Where Applicable): | | | |
| RECOMMENDED ACTION: No action – discussion only. | | | |
| APPROVALS: Terry K. Roberts | | | |



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Assistant City Manager-Chief Financial Officer

Subject: FY2015-16 Second Quarter Financial Report

Date: August 1, 2016

The Finance Division is pleased to provide financial performance reports for the quarter ended March 31, 2016. The General Fund and the five major utility funds are presented in the usual format. It is important to note that the second quarter performance does not include the impact of the May 2016 historic rainfall, storm damage assessment, and recovery cost. We will provide a detail update to Council at a later date.

For the second quarter, the City experienced favorable net revenues to budget across all funds.

FINANCIAL PERFORMANCE SUMMARY

| Fund | For Period Ending March 31, 2016 | | | | |
|-----------------|----------------------------------|------------------|----------------------------|------------------------------|-----------------------------|
| | YTD Revenues | YTD Expenditures | Actual Net Revenues (Loss) | Budgeted Net Revenues (Loss) | Actual to Budget Comparison |
| General Fund | \$ 7,961,312 | \$ 7,266,658 | \$ 694,653 | \$ 73,146 | \$ 621,507 |
| Electric Fund | \$ 10,114,840 | \$ 9,677,291 | \$ 437,549 | \$ 140,672 | \$ 296,877 |
| Gas Fund | \$ 1,260,948 | \$ 1,211,545 | \$ 49,403 | \$ 16,956 | \$ 32,437 |
| Water Fund | \$ 1,797,858 | \$ 1,986,763 | \$ (188,904) | \$ (254,331) | \$ 65,427 |
| Wastewater Fund | \$ 1,656,918 | \$ 1,526,927 | \$ 129,990 | \$ 121,005 | \$ 8,986 |
| Sanitation Fund | \$ 1,331,855 | \$ 1,363,735 | \$ (31,880) | \$ (82,010) | \$ 50,130 |

GENERAL FUND

The second quarter performance for the General Fund posted actual net revenues of \$694,653 as compared to budgeted performance of \$73,146. The following revenues variances are noted:

- Sales taxes were ahead of budget by \$93,865;
- Utility franchise taxes were lower by \$106,301;
- Licenses, permits and fees were ahead by \$116,268 related to increased Municipal Court fees and fines; and higher building permits and inspection fees; however
- Transfers-in from utility funds for shared services were lower than budget by \$207,679.

GENERAL FUND (continued)

Operating expenditures were favorable to budget by \$466,667 and specific categories are detailed below:

- Personnel was under budget by \$316,072 due primarily to vacant positions in Development Services, Engineering Services, Police, Fire and Information Technology;
- Supplies were under budget by \$61,154 due to lower fuel costs;
- Services category was under budget by \$37,043 primarily due to lower utility costs; and other services for audits/consultants, janitorial and contract mowing;
- Sundry category was favorable by \$60,677 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 \$437,549 for the second quarter as compared to budgeted net revenues of \$140,672. This favorable position was due to several factors:

- Despite lower than budgeted KWH sales due to milder winter weather and late Blue Bell startup, falling LCRA purchase costs exaggerated planned winter/spring over-collections creating favorable generation net revenues that will be returned to customer over the summer months;
- Distribution expenditures (or departmental expenditures) in the Electric Fund were favorable to budget by \$61,224 or 4.8%;
- Franchise fees paid to the General Fund were lower by \$66,094 or 8.97%;
- Transfers to General Fund for shared services were lower than budget by \$68,260;

GAS FUND

For the second quarter, the Gas Fund posted favorable net revenues of \$49,403 compared to the budgeted performance of \$16,956. Significant components of the Gas Fund performance are noted below:

- Commodity revenues were behind budget by \$426,014 or 43.07% due to lower price per MCF sold and lower gas consumption;
- Commodity expenditures were favorable to budget by \$475,583 or 47.38% due to a lower price per MCF purchased;
- Franchise fees paid to the General Fund were lower by \$37,928 or 30.19%;
- Distribution (departmental) expenditures were lower than budget by \$22,950 or 9.14%;
- Transfers to General Fund for shared services were lower than budget by \$21,129;

WATER FUND

The Water Fund experienced a net loss of (\$188,904) for the second quarter compared to budgeted loss of (\$254,331). Water consumption was lower than budget by 18.7million gallons or 7.33% and slightly lower than the prior year by 5.57 million gallons or 1.6%. Water Fund performance is detailed below:

- Utility revenues were lower than budget by \$92,422 or 4.89% due to lower consumption;
- Department expenditures were favorable to budget by \$12,067 or 1.49% due mainly to timing of purchases for non-capital items;
- Franchise fees paid to the General Fund were lower by \$6,232 or 4.87%;
- Transfers to General Fund for shared services were lower than budget by \$33,871.

WASTEWATER FUND

Net revenues for the Wastewater Fund were \$129,990 for the second quarter compared to budgeted performance of \$121,005. This favorable performance was due to the following:

- Utility revenues were lower than budget by \$19,536 or 1.17%;
- Departmental expenditures were lower than budget by \$10,358 or 1.68%;
- Transfers to General Fund for shared services were lower than budget by \$21,515;
- Capital funding was higher than budget by \$10,049 or 158.71% due to unforeseen road repairs incurred during the Alois Lane wastewater project.

SANITATION FUND

The combined operations of the Sanitation Fund posted net loss of (\$31,880) for the second quarter compared to budgeted loss of (\$82,010). In the Sanitation Fund, operating resources are derived from four business units: Residential Collections, Collection Station, Transfer Station and Recycling Center.

- Combined revenues were favorable to budget by \$59,953 or 4.71% with the following variances noted: Transfer Station was at break-even, Collection Station was favorable to budget by \$66,434, Recycling revenues were unfavorable to budget by \$17,031, and Residential Collection were favorable by \$10,976;
- Combined departmental expenditures were unfavorable to budget by \$15,216 or 1.66% primarily due to higher disposal fees at the College Station landfill versus Altair;
- Transfers to General Fund for shared services were lower than budget by \$18,228;

CONCLUSION

As noted in the opening paragraph, the City experienced favorable performance in the General Fund and all utility funds. With the recent significant economic downturn in our community, we will closely monitor fund performance and reduce expenditures to mitigate any negative impact.

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, 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
2ND QUARTER PERFORMANCE**



EXHIBIT A

TOTAL OPERATING RESOURCES

| ACTUAL VERSUS PRIOR YEAR | | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------------|-------------------------|------------------------------|----------------------|-----------------|-------------------------|
| YTD ACT FY15 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE | | YTD BUD FY16 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE |
| REVENUES | | | | | | |
| 3,123,285 | 3,375,757 | 252,472 | PROPERTY TAX | 3,346,836 | 3,375,757 | 28,920 |
| (1,500,393) | (1,637,315) | (136,922) | - DEFERRED PROP TAX (1) | (1,623,288) | (1,637,315) | (14,027) |
| 2,330,246 | 2,324,807 | (5,439) | SALES TAX (2) | 2,230,943 | 2,324,807 | 93,865 |
| 1,271,386 | 1,056,990 | (214,396) | UTILITIES FRANCHISE TAX | 1,163,291 | 1,056,990 | (106,301) |
| 307,390 | 280,470 | (26,920) | OTHER TAXES | 293,322 | 280,470 | (12,853) |
| 5,531,913 | 5,400,709 | (131,205) | SUBTOTAL TAXES | 5,411,104 | 5,400,709 | (10,395) |
| 517,262 | 597,088 | 79,826 | LICENSES, PERMITS & FEES | 480,820 | 597,088 | 116,268 |
| 158,059 | 291,589 | 133,530 | MISCELLANEOUS | 271,070 | 291,589 | 20,519 |
| 42,578 | 43,112 | 534 | AQUATICS | 41,840 | 43,112 | 1,272 |
| 10,726 | 9,606 | (1,120) | ANIMAL CONTROL | 9,916 | 9,606 | (310) |
| 6,260,539 | 6,342,104 | 81,565 | TOTAL REVENUES | 6,214,750 | 6,342,104 | 127,354 |
| 1,717,712 | 1,400,638 | (317,074) | TRANSFERS-IN | 1,608,317 | 1,400,638 | (207,679) |
| 154,125 | 218,570 | 64,445 | INTERLOCAL AGREEMENTS | 198,831 | 218,570 | 19,739 |
| 8,132,376 | 7,961,312 | (171,064) | TOTAL OP RESOURCES | 8,021,898 | 7,961,312 | (60,586) |

(1) Approximately 97% 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 2015 to March 2016 sales tax collected in December 2015 to May 2016.

EXHIBIT B

TOTAL USES OF OPERATING RESOURCES

| ACTUAL VERSUS PRIOR YEAR | | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------------|-------------------------|--------------------------------|----------------------|-----------------|-------------------------|
| YTD ACT FY15 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE | | YTD BUD FY16 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE |
| EXPENDITURES | | | | | | |
| 6,915,606 | 6,744,467 | 171,139 | OPERATING DEPTS | 7,211,134 | 6,744,467 | 466,667 |
| 183,249 | 259,453 | (76,205) | NON-DEPT DIRECT | 263,575 | 259,453 | 4,122 |
| 24,488 | 16,829 | 7,660 | NON-DEPT MISC (3) | 25,543 | 16,829 | 8,714 |
| 7,123,343 | 7,020,749 | 102,594 | TOTAL EXPENDITURES | 7,500,252 | 7,020,749 | 479,503 |
| 269,923 | 245,910 | 24,013 | TRANSFERS-OUT | 448,500 | 245,910 | 202,590 |
| 7,393,265 | 7,266,658 | 126,607 | TOTAL USES OP RESOURCES | 7,948,752 | 7,266,658 | 682,093 |

(3) Excludes uncollectible accounts.

**GENERAL FUND
2ND QUARTER PERFORMANCE**



EXHIBIT C

NET REVENUES

| ACTUAL VERSUS PRIOR YEAR | | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------|-------------|--------------------------------|----------------------|-----------|-------------|
| YTD | YTD | FAV/(UNFAV) | | YTD | YTD | FAV/(UNFAV) |
| ACT FY15 | ACT FY16 | VARIANCE | | BUD FY16 | ACT FY16 | VARIANCE |
| 8,132,376 | 7,961,312 | (171,064) | TOTAL OP RESOURCES | 8,021,898 | 7,961,312 | (60,586) |
| 7,393,265 | 7,266,658 | 126,607 | TOTAL USES OP RESOURCES | 7,948,752 | 7,266,658 | 682,093 |
| 739,110 | 694,653 | (44,457) | NET REVENUES | 73,146 | 694,653 | 621,507 |

EXHIBIT D

UNRESTRICTED FUND BALANCE

| ACTUAL VERSUS PRIOR YEAR | | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------|-------------|-----------------------------|----------------------|-----------|-------------|
| YTD | YTD | FAV/(UNFAV) | | YTD | YTD | FAV/(UNFAV) |
| ACT FY15 | ACT FY16 | VARIANCE | | BUD FY16 | ACT FY16 | VARIANCE |
| 3,720,802 | 4,018,236 | 297,434 | BEGINNING BALANCE | 4,018,236 | 4,018,236 | 0 |
| 739,110 | 694,653 | (44,457) | NET REVENUES | 73,146 | 694,653 | 621,507 |
| 0 | 0 | 0 | NON-BUDGET/CAFR ADJS | 0 | 0 | 0 |
| 4,459,912 | 4,712,889 | 252,977 | ENDING BALANCE | 4,091,382 | 4,712,889 | 621,507 |

EXHIBIT E

DAYS COVERAGE

| ACTUAL VERSUS PRIOR YEAR | | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------|-------------|------------------------------------|----------------------|-----------|-------------|
| YTD | YTD | FAV/(UNFAV) | | YTD | YTD | FAV/(UNFAV) |
| ACT FY15 | ACT FY16 | VARIANCE | | BUD FY16 | ACT FY16 | VARIANCE |
| CALCULATION | | | | | | |
| 6,260,539 | 6,342,104 | 81,565 | REVENUES | 6,214,750 | 6,342,104 | 127,354 |
| 154,125 | 218,570 | 64,445 | INTERLOCAL AGREEMENTS | 198,831 | 218,570 | 19,739 |
| 6,414,664 | 6,560,674 | 146,010 | TOTAL RESOURCES | 6,413,581 | 6,560,674 | 147,093 |
| 35,149 | 35,949 | 800 | RESOURCES PER DAY (365) (4) | 35,143 | 35,949 | 806 |
| 4,459,912 | 4,712,889 | 252,977 | ACTUAL RESERVES | 4,091,382 | 4,712,889 | 621,507 |
| 3,163,396 | 3,235,401 | 72,005 | 90-DAY POLICY | 3,162,862 | 3,235,401 | 72,539 |
| 1,296,517 | 1,477,489 | 180,972 | EXCESS/(SHORTFALL) | 928,521 | 1,477,489 | 548,968 |
| 127 | 131 | 4 | DAYS COVERAGE | 116 | 131 | 15 |

(4) Annualized

**GENERAL FUND
2ND QUARTER PERFORMANCE**



EXHIBIT F

DEPARTMENT EXPENDITURES BY CATEGORY

| ACTUAL VERSUS PRIOR YEAR | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------------|-------------------------|----------------------|-----------------|-------------------------|
| YTD ACT FY15 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE | YTD BUD FY16 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE |
| EXPENSE CATEGORY | | | | | |
| 4,747,742 | 4,762,162 | (14,420) | 5,078,234 | 4,762,162 | 316,072 |
| 352,831 | 332,497 | 20,334 | 393,651 | 332,497 | 61,154 |
| 457,166 | 353,980 | 103,186 | 342,318 | 353,980 | (11,662) |
| 927,037 | 888,761 | 38,276 | 925,804 | 888,761 | 37,043 |
| 48,395 | 46,766 | 1,628 | 50,150 | 46,766 | 3,384 |
| 382,435 | 360,300 | 22,135 | 420,977 | 360,300 | 60,677 |
| 6,915,606 | 6,744,467 | 171,139 | 7,211,134 | 6,744,467 | 466,667 |
| TOTAL | | | | | |

EXHIBIT G

DEPARTMENT EXPENDITURES BY DEPARTMENT

| ACTUAL VERSUS PRIOR YEAR | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|-----------------|-------------------------|----------------------|-----------------|-------------------------|
| YTD ACT FY15 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE | YTD BUD FY16 | YTD ACT FY16 | FAV/(UNFAV) VARIANCE |
| DEPARTMENT | | | | | |
| 498,993 | 400,373 | 98,620 | 449,040 | 400,373 | 48,667 |
| 213,624 | 201,761 | 11,863 | 200,452 | 201,761 | (1,308) |
| 75,308 | 88,477 | (13,170) | 106,451 | 88,477 | 17,974 |
| 50,336 | 51,854 | (1,518) | 53,303 | 51,854 | 1,449 |
| 0 | 37,141 | (37,141) | 91,774 | 37,141 | 54,633 |
| 279,478 | 302,071 | (22,592) | 325,443 | 302,071 | 23,372 |
| 478,665 | 445,009 | 33,656 | 449,581 | 445,009 | 4,572 |
| 127,052 | 127,238 | (186) | 128,056 | 127,238 | 818 |
| 708,670 | 507,628 | 201,043 | 576,289 | 507,628 | 68,661 |
| 461,013 | 486,499 | (25,486) | 524,670 | 486,499 | 38,171 |
| 187,121 | 171,736 | 15,386 | 181,280 | 171,736 | 9,544 |
| 47,111 | 42,047 | 5,064 | 40,171 | 42,047 | (1,876) |
| 128,693 | 122,312 | 6,382 | 133,282 | 122,312 | 10,970 |
| 273,525 | 260,257 | 13,268 | 289,098 | 260,257 | 28,841 |
| 210,270 | 228,492 | (18,222) | 230,227 | 228,492 | 1,735 |
| 1,768,643 | 1,765,174 | 3,469 | 1,836,800 | 1,765,174 | 71,627 |
| 753,237 | 770,932 | (17,695) | 800,167 | 770,932 | 29,235 |
| 140,331 | 149,972 | (9,641) | 160,685 | 149,972 | 10,713 |
| 189,973 | 207,791 | (17,818) | 208,391 | 207,791 | 600 |
| 78,776 | 135,114 | (56,339) | 136,086 | 135,114 | 972 |
| 244,785 | 242,590 | 2,195 | 289,888 | 242,590 | 47,298 |
| 6,915,606 | 6,744,467 | 171,139 | 7,211,134 | 6,744,467 | 466,667 |
| TOTAL | | | | | |

**GENERAL FUND
2ND QUARTER PERFORMANCE**



EXHIBIT H

CAPITAL EXPENDITURE DETAIL

| ACTUAL VERSUS PRIOR YEAR | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|----------|-------------|----------------------|----------|-------------|
| YTD | YTD | FAV/(UNFAV) | YTD | YTD | FAV/(UNFAV) |
| ACT FY15 | ACT FY16 | VARIANCE | BUD FY16 | ACT FY16 | VARIANCE |
| ITEM | | | | | |
| 39,964 | 0 | 39,964 | 0 | 0 | 0 |
| 5,031 | 0 | 5,031 | 0 | 0 | 0 |
| 3,400 | 0 | 3,400 | 0 | 0 | 0 |
| 0 | 2,284 | (2,284) | 0 | 2,284 | (2,284) |
| 0 | 26,279 | (26,279) | 45,000 | 26,279 | 18,721 |
| 0 | 12,480 | (12,480) | 0 | 12,480 | (12,480) |
| 0 | 878 | (878) | 0 | 878 | (878) |
| 0 | 268 | (268) | 500 | 268 | 232 |
| 0 | 2,932 | (2,932) | 3,000 | 2,932 | 68 |
| 0 | 1,646 | (1,646) | 1,650 | 1,646 | 4 |
| 48,395 | 46,766 | 1,628 | 50,150 | 46,766 | 3,384 |
| TOTAL | | | | | |

EXHIBIT I

CAPITAL EXPENDITURE DETAIL - FUND 236 EQUIPMENT FUND

| ACTUAL VERSUS PRIOR YEAR | | | ACTUAL VERSUS BUDGET | | |
|--------------------------|----------|-------------|----------------------|----------|-------------|
| YTD | YTD | FAV/(UNFAV) | YTD | YTD | FAV/(UNFAV) |
| ACT FY15 | ACT FY16 | VARIANCE | BUD FY16 | ACT FY16 | VARIANCE |
| ITEM | | | | | |
| 10,780 | 0 | 10,780 | 0 | 0 | 0 |
| 29,936 | 0 | 29,936 | 0 | 0 | 0 |
| 23,206 | 0 | 23,206 | 0 | 0 | 0 |
| 135,214 | 0 | 135,214 | 0 | 0 | 0 |
| 36,065 | 0 | 36,065 | 0 | 0 | 0 |
| 20,668 | 0 | 20,668 | 0 | 0 | 0 |
| 12,403 | 6,878 | 5,525 | 150,000 | 6,878 | 143,122 |
| 1,650 | 120,994 | (119,344) | 200,000 | 120,994 | 79,006 |
| 0 | 20,122 | (20,122) | 0 | 20,122 | (20,122) |
| 0 | 48,710 | (48,710) | 45,000 | 48,710 | (3,710) |
| 0 | 8,955 | (8,955) | 9,000 | 8,955 | 45 |
| 0 | 15,356 | (15,356) | 19,500 | 15,356 | 4,144 |
| 0 | 24,895 | (24,895) | 25,000 | 24,895 | 105 |
| 269,923 | 245,910 | 24,013 | 448,500 | 245,910 | 202,590 |
| TOTAL | | | | | |

**CITY OF BRENHAM
ELECTRIC FUND FINANCIAL RESULTS
YTD MARCH 31, 2016**

| | 2ND QTR YTD FY16 | | | |
|---|------------------|------------|--------------------|-------------------|
| | BUDGET \$ | ACTUAL \$ | FAV/ (UNFAV) \$ | FAV/ (UNFAV) % |
| FUNDING RESOURCES FROM CURRENT OPERATIONS | | | | |
| REVENUES | | | | |
| DISTRIBUTION REVENUES <i>(NO RATE CHANGES)</i> | 2,999,516 | 2,828,167 | (171,349) | -5.71% |
| ENERGY REVENUES <i>(TO RECOVER ELECTRIC PURCHASE COSTS)</i> | 7,826,679 | 7,014,619 | (812,060) | -10.38% |
| TOTAL REVENUES | 10,826,195 | 9,842,785 | (983,409) | -9.08% |
| TRANSFERS-IN <i>(FOR SHARED SERVICES)</i> | 286,003 | 272,055 | (13,948) | -4.88% |
| TOTAL FUNDING RESOURCES | 11,112,198 | 10,114,840 | (997,358) | -8.98% |
| USES OF FUNDING RESOURCES BEFORE CAPITAL REQ | | | | |
| OPERATING EXPENDITURES | | | | |
| DEPARTMENT EXPENDITURES <i>(DEPTS 100, 110, 132, 160 & 161)</i> | | | | |
| - PERSONNEL & BENEFITS | 951,144 | 929,407 | 21,737 | 2.29% |
| - SUPPLIES <i>(FUEL, COMPUTERS, ETC)</i> | 82,549 | 75,566 | 6,983 | 8.46% |
| - MAINTENANCE <i>(VEHICLES, EQUIPMENT, PLANT, ETC)</i> | 58,635 | 36,075 | 22,560 | 38.48% |
| - SERVICES <i>(UTILITIES, CONSULTANTS, CONTRACTS, ETC)</i> | 97,454 | 103,628 | (6,174) | -6.34% |
| - NON CAPITAL <i>(SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES)</i> | 35,700 | 17,187 | 18,513 | 51.86% |
| - SUNDRY <i>(UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC)</i> | 50,865 | 53,259 | (2,395) | -4.71% |
| TOTAL DEPARTMENT EXPENDITURES | 1,276,346 | 1,215,122 | 61,224 | 4.80% |
| FRANCHISE FEE <i>(7% UTILITY REVENUES)</i> | 737,157 | 671,063 | 66,094 | 8.97% |
| ENERGY PURCHASE COSTS <i>(LCRA)</i> | 7,746,064 | 6,641,340 | 1,104,724 | 14.26% |
| TRANSFERS TO GENERAL FUND <i>(FOR SHARED SERVICES)</i> | 865,280 | 797,020 | 68,260 | 7.89% |
| TOTAL OPERATING EXPENDITURES | 10,624,847 | 9,324,545 | 1,300,302 | 12.24% |
| DEBT SERVICE | | | | |
| CURRENT DEBT SCHEDULE <i>(FOR BVWAC RADIOS)</i> | 5,579 | 5,579 | 0 | 0.00% |
| TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQ | 10,630,426 | 9,330,124 | 1,300,302 | 12.23% |
| NET FUNDING RESOURCES BEFORE CAPITAL REQ | | | | |
| DISTRIBUTION NET REVENUES | 401,158 | 411,438 | 10,280 | 2.56% |
| GENERATION NET REVENUES | 80,614 | 373,278 | 292,664 | 363.04% |
| TOTAL NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 481,772 | 784,716 | 302,944 | 62.88% |
| CAPITAL FUNDING REQUIREMENTS | 341,100 | 347,167 | (6,067) | -1.78% |
| NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQ | 140,672 | 437,549 | 296,877 | 211.04% |

**CITY OF BRENHAM
GAS FUND FINANCIAL RESULTS
YTD MARCH 31, 2016**

| | 2ND QTR YTD FY16 | | | |
|---|------------------|------------------|--------------------|-------------------|
| | BUDGET \$ | ACTUAL \$ | FAV/ (UNFAV) \$ | FAV/ (UNFAV) % |
| FUNDING RESOURCES FROM CURRENT OPERATIONS | | | | |
| REVENUES | | | | |
| DISTRIBUTION REVENUES <i>(NO RATE CHANGES)</i> | 812,312 | 697,852 | (114,470) | -14.09% |
| COMMODITY REVENUES <i>(TO RECOVER GAS PURCHASE COSTS)</i> | 989,110 | 563,096 | (426,014) | -43.07% |
| TOTAL REVENUES | 1,801,422 | 1,260,938 | (540,484) | -30.00% |
| TRANSFERS-IN <i>(USUALLY NONE)</i> | 0 | 0 | 0 | 0.00% |
| TOTAL FUNDING RESOURCES | 1,801,422 | 1,260,948 | (540,484) | -30.00% |
| USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | | | | |
| OPERATING EXPENDITURES | | | | |
| DEPARTMENT EXPENDITURES <i>(DEPTS 100, 110 & 162)</i> | | | | |
| - PERSONNEL & BENEFITS | 182,280 | 177,380 | 4,900 | 2.69% |
| - SUPPLIES <i>(FUEL, COMPUTERS, ETC)</i> | 9,422 | 7,458 | 1,964 | 20.85% |
| - MAINTENANCE <i>(VEHICLES, EQUIPMENT, PLANT, ETC)</i> | 19,100 | 7,723 | 11,377 | 59.56% |
| - SERVICES <i>(UTILITIES, CONSULTANTS, CONTRACTS, ETC)</i> | 23,738 | 16,120 | 7,617 | 32.09% |
| - NON CAPITAL <i>(SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES)</i> | 8,910 | 8,292 | 618 | 6.94% |
| - SUNDRY <i>(UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC)</i> | 7,763 | 11,290 | (3,526) | -45.42% |
| TOTAL DEPARTMENT EXPENDITURES | 251,213 | 228,263 | 22,950 | 9.14% |
| FRANCHISE FEE <i>(7% UTILITY REVENUES)</i> | 125,614 | 87,686 | 37,928 | 30.19% |
| NATURAL GAS PURCHASE COSTS <i>(ENERGY TRANSFER)</i> | 1,003,828 | 528,246 | 475,583 | 47.38% |
| TRANSFERS TO GENERAL FUND <i>(FOR SHARED SERVICES)</i> | 177,423 | 156,294 | 21,129 | 11.91% |
| TRANSFERS TO ELECTRICFUND <i>(FOR SHARED SERVICES)</i> | 85,951 | 79,815 | 6,136 | 7.14% |
| TOTAL OPERATING EXPENDITURES | 1,644,030 | 1,080,304 | 563,726 | 34.29% |
| DEBT SERVICE | | | | |
| CURRENT DEBT SCHEDULE <i>(FOR BVWAC RADIOS)</i> | 1,186 | 1,186 | 0 | 0.00% |
| TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 1,645,216 | 1,081,490 | 563,726 | 34.26% |
| NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | | | | |
| DISTRIBUTION NET REVENUES | 170,924 | 144,607 | (26,327) | -15.40% |
| COMMODITY NET REVENUES | (14,718) | 34,851 | 49,569 | -336.79% |
| TOTAL NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 156,206 | 179,458 | 23,242 | 14.88% |
| CAPITAL FUNDING REQUIREMENTS | | | | |
| | 139,250 | 130,055 | 9,195 | 6.60% |
| NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQ | 16,956 | 49,403 | 32,437 | 191.30% |

**CITY OF BRENHAM
WATER FUND FINANCIAL RESULTS
YTD MARCH 31, 2016**

| | 2ND QTR YTD FY16 | | | |
|--|------------------|------------------|--------------------|-------------------|
| | BUDGET \$ | ACTUAL \$ | FAV/ (UNFAV) \$ | FAV/ (UNFAV) % |
| FUNDING RESOURCES FROM CURRENT OPERATIONS | | | | |
| REVENUES | | | | |
| UTILITY REVENUES (NO RATE CHANGES) | 1,890,280 | 1,797,858 | (92,422) | -4.89% |
| TRANSFERS-IN (USUALLY NONE) | 0 | 0 | 0 | 0.00% |
| TOTAL FUNDING RESOURCES | 1,890,280 | 1,797,858 | (92,422) | -4.89% |
| USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | | | | |
| OPERATING EXPENDITURES | | | | |
| DEPARTMENT EXPENDITURES (DEPTS 100, 110, 163, 164) | | | | |
| - PERSONNEL & BENEFITS | 322,974 | 319,413 | 3,560 | 1.10% |
| - SUPPLIES (FUEL, COMPUTERS, ETC) | 164,149 | 158,726 | 5,423 | 3.30% |
| - MAINTENANCE (VEHICLES, EQUIPMENT, PLANT, ETC) | 133,531 | 154,505 | (20,974) | -15.71% |
| - SERVICES (UTILITIES, CONSULTANTS, CONTRACTS, ETC) | 130,572 | 121,309 | 9,263 | 7.09% |
| - NON CAPITAL (SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES) | 43,288 | 19,857 | 23,431 | 54.13% |
| - SUNDRY (UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC) | 15,100 | 23,736 | (8,636) | -57.19% |
| TOTAL DEPARTMENT EXPENDITURES | 809,614 | 797,547 | 12,067 | 1.49% |
| FRANCHISE FEE (7% UTILITY REVENUES) | 128,063 | 121,831 | 6,232 | 4.87% |
| PURCHASE COSTS (BRAZOS RIVER AUTHORITY 4200 ACRE FEET) | 148,050 | 148,050 | 0 | 0.00% |
| TRANSFERS TO GENERAL FUND (FOR SHARED SERVICES) | 187,766 | 153,895 | 33,871 | 18.04% |
| TRANSFERS TO ELECTRIC FUND (FOR SHARED SERVICES) | 107,201 | 101,057 | 6,144 | 5.73% |
| | 1,380,694 | 1,322,380 | 58,315 | 4.22% |
| DEBT SERVICE (ACCURAL BASIS FOR BONDS) | 409,717 | 409,177 | 541 | 0.13% |
| TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 1,790,412 | 1,731,557 | 58,855 | 3.29% |
| NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 99,869 | 66,302 | (33,567) | -33.61% |
| CAPITAL FUNDING REQUIREMENTS | 354,200 | 255,206 | 98,994 | 27.95% |
| NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQUIREMENTS | (254,331) | (188,904) | 65,427 | -25.73% |

**CITY OF BRENHAM
WASTEWATER FUND FINANCIAL RESULTS
MARCH 31, 2016**

| | 2ND QTR YTD FY16 | | | |
|---|------------------|------------------|--------------------|-------------------|
| | BUDGET \$ | ACTUAL \$ | FAV/ (UNFAV) \$ | FAV/ (UNFAV) % |
| FUNDING RESOURCES FROM CURRENT OPERATIONS | | | | |
| REVENUES | | | | |
| UTILITY REVENUES | 1,676,454 | 1,656,918 | (19,536) | -1.17% |
| TRANSFERS-IN | 0 | 0 | 0 | 0.00% |
| TOTAL FUNDING RESOURCES | 1,676,454 | 1,656,918 | (19,536) | -1.17% |
| USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | | | | |
| OPERATING EXPENDITURES | | | | |
| DEPARTMENT EXPENDITURES <i>(DEPTS 100, 110, 165, 166)</i> | | | | |
| - PERSONNEL & BENEFITS | 214,581 | 193,218 | 21,363 | 9.96% |
| - SUPPLIES <i>(FUEL, COMPUTERS, ETC)</i> | 63,285 | 61,564 | 1,721 | 2.72% |
| - MAINTENANCE <i>(VEHICLES, EQUIPMENT, PLANT, ETC)</i> | 99,960 | 90,356 | 9,604 | 9.61% |
| - SERVICES <i>(UTILITIES, CONSULTANTS, CONTRACTS, ETC)</i> | 217,402 | 239,544 | (22,143) | -10.19% |
| - NON CAPITAL <i>(SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES)</i> | 0 | 0 | 0 | 0.00% |
| - SUNDRY <i>(UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC)</i> | 23,000 | 23,188 | (188) | -0.82% |
| TOTAL DEPARTMENT EXPENDITURES | 618,228 | 607,870 | 10,358 | 1.68% |
| FRANCHISE FEE <i>(7% UTILITY REVENUES)</i> | 113,233 | 111,126 | 2,107 | 1.86% |
| TRANSFERS TO GENERAL FUND <i>(FOR SHARED SERVICES)</i> | 118,815 | 97,300 | 21,515 | 18.11% |
| TRANSFERS TO ELECTRIC FUND <i>(FOR SHARED SERVICES)</i> | 58,026 | 54,700 | 3,326 | 5.73% |
| TOTAL OPERATING EXPENDITURES | 908,302 | 870,996 | 37,306 | 4.11% |
| DEBT <i>(ACCRUAL BASIS FOR BOND PAYMENTS)</i> | 640,815 | 639,550 | 1,265 | 0.20% |
| TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 1,549,117 | 1,510,546 | 38,571 | 2.49% |
| NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 127,337 | 146,372 | 19,035 | 14.95% |
| CAPITAL FUNDING REQUIREMENTS | 6,332 | 16,381 | (10,049) | -158.71% |
| NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQUIREMENTS | 121,005 | 129,990 | 8,986 | 7.43% |

**CITY OF BRENHAM
SANITATION FUND FINANCIAL RESULTS
YTD MARCH 31, 2016**

| | 2ND QTR YTD FY16 | | | |
|---|------------------|------------------|--------------------|-------------------|
| | BUDGET \$ | ACTUAL \$ | FAV/ (UNFAV) \$ | FAV/ (UNFAV) % |
| FUNDING RESOURCES FROM CURRENT OPERATIONS | | | | |
| REVENUES | | | | |
| TRANSFER STATION | 509,895 | 509,468 | (426) | -0.08% |
| COLLECTION STATION | 216,736 | 283,170 | 66,434 | 30.65% |
| RECYCLING CENTER | 60,028 | 42,998 | (17,031) | -28.37% |
| RESIDENTIAL COLLECTION (NET TCW/PROGRESSIVE ACCRUAL) | 485,243 | 496,220 | 10,976 | 2.26% |
| TOTAL REVENUE | 1,271,902 | 1,331,855 | 59,953 | 4.71% |
| TRANSFERS-IN | 0 | 0 | 0 | 0.00% |
| TOTAL FUNDING RESOURCES | 1,271,902 | 1,331,855 | 59,953 | 0.00% |
| USES OF FUNDING RESOURCES BEFORE CAPITAL REQ | | | | |
| OPERATING EXPENDITURES | | | | |
| DEPARTMENT EXPENDITURES (DEPTS 100, 110, 042, 043, 140, 142) | | | | |
| - PERSONNEL & BENEFITS | 287,306 | 299,435 | (12,129) | -4.22% |
| - SUPPLIES (FUEL, COMPUTERS, ETC) | 124,350 | 96,120 | 28,230 | 22.70% |
| - MAINTENANCE (VEHICLES, EQUIPMENT, PLANT, ETC) | 75,650 | 51,112 | 24,538 | 32.44% |
| - SERVICES (UTILITIES, CONSULTANTS, CONTRACTS, ETC) | 398,953 | 449,284 | (50,331) | -12.62% |
| - NON CAPITAL (SMALL ITEM - \$1,000 TO \$14,999 - PURCHASES) | 15,000 | 20,191 | (5,191) | -34.61% |
| - SUNDRY (UNCOLLECTIBLE ACCTS, TRAVEL, CRED CARD FEES, ETC) | 13,450 | 13,783 | (333) | -2.48% |
| TOTAL DEPARTMENT EXPENDITURES | 914,709 | 929,925 | (15,216) | -1.66% |
| FRANCHISE FEE (7% ACCRUAL RES COL NET) | 29,596 | 29,776 | (180) | -0.61% |
| TRANSFERS TO GENERAL FUND (FOR SHARED SERVICES) | 153,057 | 134,829 | 18,228 | 11.91% |
| TRANSFERS TO ELECTRIC FUND (FOR SHARED SERVICES) | 39,378 | 36,483 | 2,895 | 7.35% |
| TOTAL OPERATING EXPENDITURES | 1,136,740 | 1,131,012 | 5,728 | 0.50% |
| DEBT SERVICE | 2,071 | 2,071 | (0) | 0.00% |
| TOTAL USES OF FUNDING RESOURCES BEFORE CAPITAL REQ | 1,138,811 | 1,133,083 | 5,728 | 0.50% |
| NET FUNDING RESOURCES BEFORE CAPITAL REQUIREMENTS | 133,091 | 198,772 | 65,681 | 49.35% |
| CAPITAL FUNDING REQUIREMENTS | 215,101 | 230,652 | (15,551) | -7.23% |
| NET FUNDING RESOURCES ABOVE/(BELOW) CAPITAL REQUIREMENTS | (82,010) | (31,880) | 50,130 | -61.13% |



AGENDA ITEM 6

| | | |
|--|--|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 28, 2016 | |
| DEPT. OF ORIGIN: Administration | SUBMITTED BY: Terry K. Roberts | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input checked="" type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discussion with the Director of Operations from Suddenlink Communications Regarding the Local Office Location Provision and Associated Matters in the Cable Television Franchise Agreement with the City | | |
| SUMMARY STATEMENT: See separate memo from City Manager on this item. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Letter from Suddenlink; and (2) Memo from City Manager | | |
| FUNDING SOURCE (Where Applicable): | | |
| RECOMMENDED ACTION: No action – discussion only. | | |
| APPROVALS: Milton Y. Tate, Jr. | | |



Date: 8/4/2016

To: Mayor Tate & Council

Request:

Suddenlink is requesting the closure of the retail store in Brenham, Texas due to limited customer traffic.

Reasoning:

- ❖ As a result of limited customer use, Suddenlink has decided it would be beneficial to close its retail store in Brenham.
- ❖ We fully understand your concerns; however limited use by customers has made it difficult to justify the expense of operating the store.
- ❖ Most people who visit the store do so to pay bills. As a result, we have made arrangements with the following local business to accept bill payments from Suddenlink customers:
HEB Brenham - HEB store at 2508 S. Day St. (at the customer service counter).
- ❖ Suddenlink continues to offer help and services online at our website suddenlink.com and you can schedule a visit by one of our technicians by calling us toll-free at 888-822-5151.
- ❖ We will also invite customers to visit our retail store to review our products, speak with our knowledgeable agents, or pay your bill at 4114 East 29th. St. Bryan, TX.

Options:

Customers still have several convenient options to pay your Suddenlink bill. You can:

- ❖ Set up auto pay and have it deducted automatically from your checking account.
- ❖ Pay your bill at the customer service desk at your local HEB store.
- ❖ Pay your bill and manage your account online at Suddenlink.net.
- ❖ Make payments by mailing a check.
- ❖ Pay by using the Suddenlink App on an iPhone or iPad.

Suddenlink is committed throughout Texas to provide the faster Internet speed and to add more choices to your TV viewing options. This request is being made to help us keep the cost of providing services as low as possible to our customers.

Best Regards,

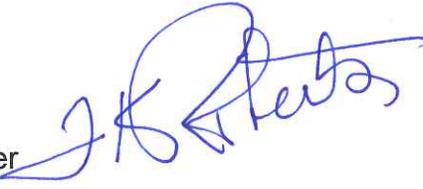
Thomas Way

Director of Operations

Bryan - College Station – Brenham

D: 979-595-2410 C: 979-412-3494



To: Mayor and Council
From: Terry K. Roberts, City Manager 
Subject: **Suddenlink Franchise Amendment Request**
Date: July 28, 2016

Suddenlink Communications has restructured its organization and now the Brenham operation is a division of the Bryan-College Station office. Instead of reporting to a regional supervisor in West Texas as before, the Brenham operation is now under the management of the Bryan-College Station Suddenlink leadership.

On July 8th, Thomas Way, Director of Operations for Suddenlink Communications in Bryan-College Station and Brenham reached out to the City requesting time to speak with me about a planned change in their local operation. Mr. Way advised that the office traffic and subscriber count that they currently have in Brenham makes it nearly impossible, from a business cost perspective, to support an office here.

Assistant City Manager-General Government Ryan Rapelye and I met with Mr. Way to discuss his request. He indicated that the amount of traffic coming into the office did not warrant the expense of maintain an office. He indicated most of the traffic dealt with customers dropping off payments and that they have arrangements with HEB to take payments at the store; however for a transaction fee of \$2.00.

Mr. Way knows an amendment to the cable television franchise is needed and he requested the opportunity to meet with the Mayor and Council to seek your support and approval to close the retail center at 221 E Main St when the lease runs out in December 2016.

In his introductory email Mr. Way wanted the City to be aware that that they will still maintain the same technical staff that live and work in the area. He said that we will also see increased support from the Bryan location and that it will be a "positive change that will bring a better commitment to a quality products, plant growth and to deliver first class customer service from our technical staff, and from our office support for those who may travel to Bryan College Station while conducting other business."

The Brenham group also includes the smaller communities of Caldwell, Rockdale and Navasota and they also are now a part of the Bryan College Station regional office. The current subscriber count in Brenham is approximately 2,700 and the count in Bryan College Station is 49,000. Mr. Way indicated Suddenlink technicians secure their work orders electronically on their smart phones.

I asked Mr. Way to submit something in writing to be included in the agenda packet. He will be in attendance at Thursday's Council meeting. I have advised Mr. Way that since this is the first time for the Council to discuss the matter we have scheduled a work session prior to consideration of a franchise amendment.

In the work session part of the agenda, we will have the topic of the requested retail office closure for Mr. Way to present to Council and give everyone an opportunity to discuss it. Mr. Way can share with you the reason for the change and outline the options customers will continue to have to conduct their business of bill payment with Suddenlink in person.

Following the work session, you will have the opportunity to consider an amendment to the franchise ordinance that would address Suddenlink's request for retail office closure but still offer a location for physical payments in Brenham. The City Attorney is drafting language that would give the Council an opportunity to vote on this request. Since it is an ordinance amendment, two readings are required.

If additional changes are not required for the second reading it is usually placed on the consent agenda of the next meeting. If additional changes are contemplated, it is placed on the regular agenda for consideration. Any Council member has the ability to move something from consent agenda to the regular agenda for additional discussion or if additional amendments to the first reading are needed.



AGENDA ITEM 7

| | | |
|--|---|---|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 28, 2016 | |
| 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 Granting a Specific Use Permit to Krissie Zorn to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory to Use on Property Located at 2600 N. Park Street in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Reserve A, Block 1 of the Scenic Estates Subdivision in Brenham, Washington County, Texas | | |
| SUMMARY STATEMENT: | | |
| PLEASE REFER TO STAFF MEMO FOLLOWING THIS STAFF REPORT FOR ITEM INFORMATION. | | |
| <u>Comprehensive Plan Compliance</u> | | |
| The City of Brenham Envision 20/20 Comprehensive Plan lists this property as being a commercial/retail district. The zoning ordinance lists this as B-1 Local Business/Residential Mixed Use District. Open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District are within the allowed requests for special use permits in the B-1 Local Business/Residential Mixed Use District. | | |
| <u>Thoroughfare Plan Compliance</u> | | |
| This property fronts North Park Street which is classified as a minor arterial and will likely be the main ingress egress point. This property also has access from Scenic Drive which is classified as a local residential street. | | |
| <u>Public Concerns</u> | | |
| Staff did receive a letter stating their desire not to have this use at this location and there was also a significant number of residences that showed up to the Planning and Zoning Commission meeting who shared their concerns. I tried to summarize the majority of those concerns in the memo following this staff report. | | |
| <u>Planning and Zoning Commission Recommendation</u> | | |
| The Planning and Zoning Commission recommended unanimous approval of this request with the condition that the specific use permit expires after one calendar year from City Council approval. This would require a future request by the business owner similar to this one at that time. | | |

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS: Economic development. Occupied building. Greater likelihood of property being better maintained.

B. CONS: Potential for debris to be blow from site. Neighbors shared various concerns about this properties historical lack of upkeep.

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: (1) Ordinance; (2) Memo from Development Services Manager; (3) Letter from Blue Goose Garden and Gifts; and (4) Aerial view of property

FUNDING SOURCE (Where Applicable): N/A

RECOMMENDED ACTION: Approve an Ordinance on its first reading granting a specific use permit to Krissie Zorn to allow for open (outdoor) display or storage of retail merchandise as an accessory to use on property located at 2600 N. Park Street in a B-1, Local Business/Residential Mixed Use Zoning District, and being described as Reserve A, Block 1 of the Scenic Estates Subdivision in Brenham, Washington County, Texas

APPROVALS: Terry K. Roberts

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A - "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF BRENHAM, TEXAS, AMENDING THE OFFICIAL ZONING MAP TO ALLOW FOR THE OPEN (OUTDOOR) DISPLAY, SALE OR STORAGE OF RETAIL MERCHANDISE AS AN ACCESSORY USE TO A RETAIL STORE BY SPECIFIC USE PERMIT IN A B-1 LOCAL BUSINESS/RESIDENTIAL MIXED USE ZONING DISTRICT, AT 2600 NORTH PARK STREET AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

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

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

WHEREAS, this amendment was recommended for conditional approval by the Brenham Planning and Zoning Commission during its regular meeting on July 25, 2016; and

WHEREAS, the Planning and Zoning Commission recommended the outdoor display be allowed for a period of one (1) calendar year from the date of City Council approval of this Ordinance on second reading;

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

SECTION 1. That Appendix A - "Zoning" of the Code of Ordinances of the City of Brenham, Texas, and the Official Zoning Map of the City of Brenham is hereby amended to allow for the open (outdoor) display, sale or storage of retail merchandise as an accessory use to a retail store, by specific use permit in a B-1 Local Business/Residential Mixed Use Zoning District at 2600 North Park Street.

SECTION 2. This Specific Use Permit to allow for the open (outdoor) display, sale or storage of retail merchandise as an accessory use to a retail store in a B-1 Local Business/Residential Mixed Use Zoning District shall be effective for a period of one (1) calendar year from the date of City Council approval of this Ordinance on second reading.

SECTION 3. This Ordinance shall take effect as provided by the Charter of the City of Brenham, Texas.

SECTION 4. The Specific Use Permit granted by this Ordinance shall expire on August 18, 2017.

PASSED and APPROVED on its first reading this the _____ day of August, 2016.

PASSED and APPROVED on its second reading this the _____ day of August, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary



To: Terry K. Roberts, City Manager
Ryan Rapelye, Assistant City Manager – Government Services

From: Erik Smith, Development Services Manager *ES*

Subject: **2600 North Park St. Outdoor Sales SUP**

Date: July 27, 2016

The Planning and Zoning Commission met on July 25th, 2016 and held a public hearing on a specific use permit “SUP” for 2600 North Park Street regarding open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District. The proposed business is going to be named Blue Goose Garden and Gifts. The applicants were the people that managed Plants and Things previously. The applicants are proposing to sell goods including vegetables, herbs, plants, shrubs and mulch outside of their business.

There were a number of residences that attended the meeting regarding the item. Those residents brought up several concerns with the property in general including increased traffic, the general upkeep of the property, the existing curb cut on Scenic Drive, the parking lot and on street parking on Scenic Drive.

Regarding increased traffic:

I don’t think one could argue that a business might increase traffic. This from my opinion is a valid concern I could understand if it were for not for the fact the building to my understanding has at some point had retail in it and is located within a business district located on a thoroughfare classification as a minor arterial.

Regarding general upkeep of the property:

The property owner and new tenants expressed to the public that it would be the tenant’s responsibility to maintain cutting the grass. This has been an ongoing concern with the residents and staff has taken code enforcement action against this property owner in the past regarding this issue. Staff also believes with a steady tenant trying to run a successful business as opposed to intermittent tenants the property will be much more likely to be maintained in a neat way. If not staff will continue to pursue code enforcement actions that are necessary.

The residents also brought up what they believed to be a substandard fence between the business and the residential neighborhood. Staff has gone out to the site to look at the fence. While we would acknowledge the fence is not in the best shape or new there are no fence boards missing that we could see from the road and the fence was not leaning in a way we felt any code enforcement regarding the issue could be done.

Regarding the existing curb cut:

Staff informed the attendees that the curb cut was existing and would not be required by the city to be removed because of this project.

Regarding the parking lot:

Staff also informed them that we were currently working on approval of parking lot improvements with the property owner who was being required to put in an all-weather surface parking lot. The current plan shows they will exceed the number of parking lot spaces required.

Regarding on street parking:

Staff can monitor this situation and if we receive complaints and document concerns on our part as well we will bring an ordinance back to Council for their consideration for no on street parking at this location.

The Planning and Zoning Commission made a recommendation to approve the request with the condition it only be granted for a period of one calendar year after which time another SUP must be applied for again and granted to continue the use. It is not uncommon for time periods to be placed on SUP's. However, these time periods generally are for uses that are truly temporary in nature or uses that do not require a significant investment by small business owners. A good example of this would be the bounce house SUP that was presented to City Council at our last meeting and is on this upcoming agenda for second reading. Temporary periods of time for these types of situations are more fitting because something of this nature can be easily removed after the period of time expires.

In the instance of a business that requires an SUP a typical recommendation that I would make to an elected or appointed board or commission would be for the SUP to be granted for the life of the business. That would allow the business owner to operate under the assumption that what they are doing is worth the investment in Brenham. The issue with the Planning and Zoning Commission's one year time period is this particular business owner will now have to choose whether or not they want to invest in Brenham with the knowledge they may be denied the enhanced use of their property after a one year period or go somewhere else altogether.

The other issue with this is the potential for the City to get a reputation for being so overly restrictive that it is not worth starting a business in this particular community. I think we need to seriously consider these items especially with the new initiative we as the City are undertaking with our goal of attracting retail economic development. I am not recommending that Council does not take the recommendation of the Planning and Zoning Commission into consideration; however, I am asking you to consider these items of concern I have after thinking through the possible issues with a one year probationary period for a new business startup in our community.

One other item that I would like to point out in advance of the public hearing is Mr. John Hueske, the owner of the property, heard the concern about additional traffic being pushed onto Scenic Dr. from the general public. Mr. Hueske's original plan submission did show this being a one way parking lot with all of the traffic be pushed to exit onto Scenic Dr. Mr. Hueske added the additional four feet to the drive isle to make this a two way parking lot which will have the likely effect of having the majority of the traffic exit straight back to North Park St. The driveway on Scenic will become more of a secondary access point. Mr. Hueske did this on his own accord to show his neighbors that he was truly willing to listen to their concerns and be a good neighbor.

I believe Mr. Hueske will request that because he is showing his good will towards his neighbors he would like for Council to consider dropping the portion of Planning and Zoning's request for a one year time period on the SUP. Staff would have no issues placing a condition on the SUP stating that at the expiration of this particular *use* the SUP expires at that time.

Blue Goose Garden and Gifts

2600 N. Park St. Brenham, TX 77833 | 979-451-7883 | bluegoose3311@gmail.com

June 30, 2016

Krissie Zorn

Dear Development Services Department:

Blue Goose Garden and Gifts is requesting the zoning for 2600 N. Park Street to be changed to Section 3.03 C (5).

We are seeking the opportunity to open a retail gift and garden store. We would like to sell outdoor plants, vegetables, and bagged mulch, if permitted. The outdoor area will be a bright, colorful, and happy view to motorist passing by. The plants will be well kept, clean, and presentable to look at.

We would also like to designate a specific space outside to hold vegetables and herbs. This area will be small and displayed on tables. The flowering plants and shrubs will be on newly built tables, and some bigger potted plants on the ground, to bring color and design ideas to our customers. The mulch will all be bagged pine bark, hardwood, black velvet, and cotton burr, brought in on pallets. It will not contain any manures. We would like to place all the mulch against the side of the building facing N. Park Street. We do not want to put any bagged items by the residential areas behind us.

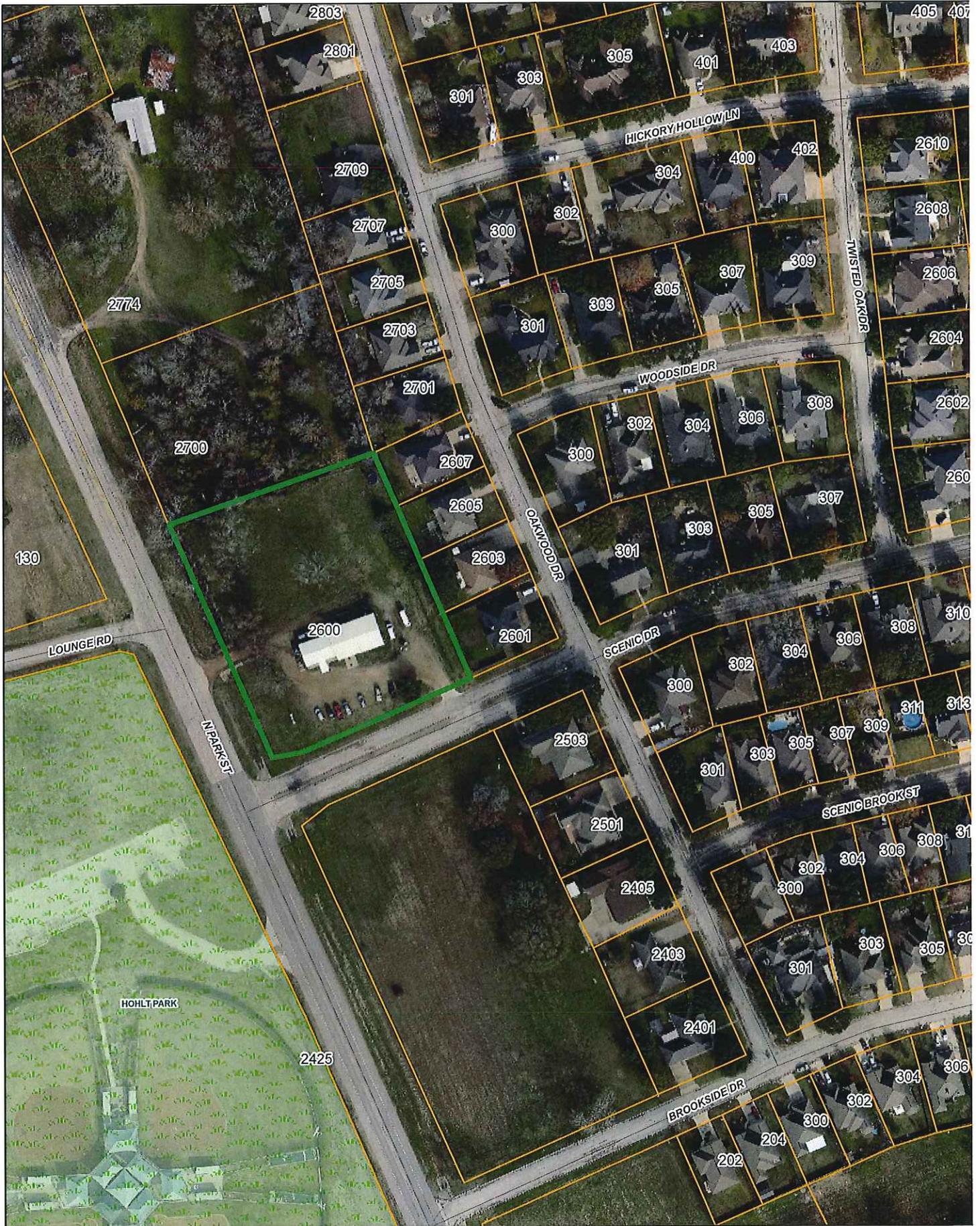
Blue Goose Garden and Gifts family feels like this would be a great place for our community and surrounding neighborhoods to have the opportunity to shop at. Please consider allowing the zoning change for our new and upcoming business.

Sincerely,



Blue Goose Garden and Gifts
Krissie Zorn

RECEIVED
7-1-16



1 inch = 158 feet

2600 N. Park Street





AGENDA ITEM 8

| | | |
|--|---|---|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 28, 2016 | |
| DEPT. OF ORIGIN: Administration | SUBMITTED BY: Terry K. Roberts | |
| 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 Section 8(b) of the Cable Television Franchise Granted by the “Brenham Community Antenna Television Ordinance,” as Amended, Regarding the Maintenance of an Office by Suddenlink Communications in the City of Brenham, and Associated Provisions | | |
| SUMMARY STATEMENT: Mr. Thomas Way, Director of Operations for Suddenlink Communications discussed in Work Session his request to close the Brenham retail store in December 2016 when the lease expires. Brenham Suddenlink Communications customers will be served from the Bryan-College Station location. | | |
| 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 amending Section 8(b) of the Cable Television Franchise granted by the “Brenham Community Antenna Television Ordinance,” as amended, regarding the maintenance of an office by Suddenlink Communications in the City of Brenham, and associated provisions | | |
| APPROVALS: Milton Y. Tate, Jr. | | |

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRENHAM, TEXAS AMENDING SECTION 8(B) OF THE CABLE TELEVISION FRANCHISE GRANTED BY THE “BRENHAM COMMUNITY ANTENNA TELEVISION ORDINANCE,” AS AMENDED, REGARDING THE MAINTENANCE OF AN OFFICE BY SUDDENLINK COMMUNICATIONS IN THE CITY OF BRENHAM, AND ASSOCIATED PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETINGS

WHEREAS, The City of Brenham (“City”) is a Texas home-rule municipality; and

WHEREAS, in 1969 the City enacted the “Brenham Community Antenna Television Ordinance” granting a cable television franchise to a cable television system operator (“Franchise Ordinance”); and

WHEREAS, the Franchise Ordinance has been amended and assigned to different cable television operators multiple times since 1969; and

WHEREAS, the cable television franchise is currently held by Suddenlink Communications; and

WHEREAS, Suddenlink Communications has requested that the Franchise Ordinance be amended to eliminate the requirement in Section 8(b) that Suddenlink Communications maintain an office in the City and include certain other provisions in Section 8(b) of the Franchise Ordinance; and

WHEREAS, the City Council desires to grant Suddenlink Communications’ request;

NOW, THEREFORE, be it ordained by the City Council of the City of Brenham, Texas that:

SECTION 1.
FINDINGS

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

That Section 8(b) of the “Brenham Community Antenna Television Ordinance” shall be amended to read as follows:

(b) The grantee shall maintain a location in the City at which its customers may pay their bills for grantee’s services in person, which shall be open during normal business hours, and shall have a listed telephone number. The term “normal business hours” means those hours during which most similar businesses in the community are open to serve customers. In all cases, “normal business hours” must include some evening hours at least one night per week and/or some weekend hours. In addition to the customer service standards set forth herein, the grantee shall comply with all customer service standards provided for in applicable federal, state and local laws and/or regulations, including but not limited to Title 47 C.F.R. § 76.309, as may be amended from time to time.

SECTION 3.
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 4.
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 5.
REPEALER

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

SECTION 6.
EFFECTIVE DATE

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

SECTION 7.
PROPER NOTICE AND MEETINGS

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

PASSED AND APPROVED on its first reading this the _____ day of August, 2016.

PASSED AND APPROVED on its second reading this the _____ day of August, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

Signed and accepted by SUDDENLINK COMMUNICATIONS, this _____ day of _____, 2016.

SUDDENLINK COMMUNICATIONS

By: _____

Printed Name:

Title



AGENDA ITEM 9

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: August 1, 2016 | |
| DEPT. OF ORIGIN: Finance | SUBMITTED BY: Carolyn D. Miller | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of \$0.5070 per \$100 Valuation for the 2016 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law | | |
| SUMMARY STATEMENT: See separate memo from Assistant City Manager-Chief Financial Officer on this item. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Memo from Assistant City Manager-Chief Financial Officer | | |
| FUNDING SOURCE (Where Applicable): | | |
| RECOMMENDED ACTION: See wording for motion on separate memo from Assistant City Manager-Chief Financial Officer | | |
| APPROVALS: Terry K. Roberts | | |



MEMORANDUM

To: Mayor, Council and City Manager

From: Carolyn D. Miller
Assistant City Manager - Chief Financial Officer

Subject: Discuss Proposed Property Tax Rate, Take Record Vote and
Schedule Public Hearings

Date: August 1, 2016

Developing an annual budget and adopting a property tax rate to support that budget must be accomplished in compliance with property tax code, local government code, and City Charter. Following these legislative guidelines ensures that the public is informed of any increases.

During the week of July 18, 2016, Council Budget Workshops were held to review and finalize the proposed FY2016-17 budget. As discussed during these workshops, we will be increasing the property tax rate from \$0.4731 per \$100 valuation to \$0.0570 or \$0.0339. Two components of the proposed property tax rate of \$0.5070 are the operations and maintenance (O&M) rate of \$0.3150 and the debt service (interest and sinking) rate of \$0.1920.

The Washington County Appraisal District has certified taxable values of \$1,198,049,873 for the 2016 Tax Year. This is a net increase of \$14,670,533 (or 1.24%) above the 2015 (adjusted) taxable values of \$1,183,379,340. The net increase is comprised of:

- **\$11,134,735** New properties and new improvements
- **\$ 3,535,798** Increase in existing property values and other changes

The proposed FY16-17 budget includes a proposal to increase the current O&M tax rate from \$0.2950 to \$0.3150. The combined impact of the increased property values along with the increase in the O&M tax rate will generate additional tax revenue over the current year of \$277,230. The table on the next page shows the tax rate components.

Property Tax Rate

| | <u>O&M</u> | <u>I&S</u> | <u>Total</u> |
|----------------------------------|-----------------------|-----------------------|---------------------|
| Current FY16-17 | \$0.2950 | \$0.1781 | \$0.4731 |
| Proposed Tax Rate FY16-17 | \$0.3150 | \$0.1920 | \$0.5070 |
| Proposed Increase (Decrease) | \$0.0200 | \$0.0139 | \$0.0339 |

Comparison to Effective and Rollback Rate

| | | | |
|---|-----------------|-----------------|-----------------|
| Proposed Tax Rate FY16-17 | \$0.3150 | \$0.1920 | \$0.5070 |
| Effective Rate | | | \$0.4710 |
| Rollback Rate before Sales Tax Adjustment | | | \$0.5572 |
| Sales Tax Adjustment Rate | | | (\$0.0440) |
| Adjusted Rollback Rate | | | \$0.5132 |

In accordance with the Tax Code, Council must now take a **RECORD VOTE** to place a proposal to adopt the proposed property tax rate on the agendas of future meetings. At this time, Council must also schedule two public hearings on the proposed tax rate.

A separate public hearing on the proposed budget will be held during a Special Council Meeting on September 12, 2016.

Section 26.05 of the Tax Code provides the specific motion to be made for the record vote on the proposed tax rate when the proposal is above the effective rate. As stated above, the proposal is to *increase the current tax rate* of \$0.4731 per \$100 valuation to \$0.5070 per \$100 valuation. This new rate is above the effective tax rate of \$0.4710 and will produce higher revenues, which necessitates **that the motion for the record vote should be made as follows:**

“I move that the property tax rate be increased by the adoption of a tax rate of \$0.5070 per \$100 valuation, which is effectively a 7.64% increase in the tax rate, to be considered by the governing body on the agendas of the September 12, 2016 and September 15, 2016 meetings and to schedule public hearings on the proposed tax rate for August 18, 2016 and September 1, 2016 in accordance with state law.”



AGENDA ITEM 10

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: August 1, 2016 | |
| DEPT. OF ORIGIN: Finance | SUBMITTED BY: Carolyn D. Miller | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input checked="" type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-16-020 of the City Council of the City of Brenham, Texas, Authorizing the Giving of Notice of Intention to Issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2016; and Declaring an Effective Date | | |
| SUMMARY STATEMENT: During Council budget workshops last week, we discussed acting on Reimbursement Resolution No. R-15-011 to repay the \$1.26 million in street reconstruction money that was reallocated in FY16 for the completion of the new animal shelter and renovated/expanded library. We also discussed issuing \$2 million for the copper replacement project in the Electric Fund. The agenda item today is giving notice of the City's intent to issue Certificates of Obligation, Series 2016 not to exceed \$3.5 million for these purposes including bond issuance costs. | | |
| Garry Kimball, the City's financial adviser, has prepared the attached Tentative Timetable for Issuance. The initial step in the financing process is to give notice of your intent to issue the certificates of obligation, and upon your approval, the notice itself will be published in the Brenham Banner Press. Mr. Kimball will handle securing the pricing and bring it back to Council for action at the September 15, 2016 meeting. | | |
| At the Council budget workshops, we also discussed the issuance of around \$5.5 million in refunding bonds for the Water Fund. The City does not have to issue a notice of intent to refund these bonds because the municipality will benefit from lower debt service costs when the bonds are refunded (refinanced). Mr. Kimball will bring the General Obligation Refunding Bonds, Series 2016 to the Council for approval at the September 15, 2016 meeting also. | | |
| Your agenda packet includes the Resolution that gives notice of intent to issue the certificates of obligation. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: Restore funding for street reconstruction program and provide resources to upgrade the City's electric utility system. | | |
| B. CONS: | | |

| |
|--|
| ALTERNATIVES (In Suggested Order of Staff Preference): |
| ATTACHMENTS: (1) Resolution No. R-16-020; and (2) Tentative Timetable for Issuance |
| FUNDING SOURCE (Where Applicable): |
| RECOMMENDED ACTION: Approve Resolution No. R-16-020 authorizing the giving of notice of intention to issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2016. |
| APPROVALS: Terry K. Roberts |

RESOLUTION NO. R-16-020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, AUTHORIZING THE GIVING OF NOTICE OF INTENTION TO ISSUE CITY OF BRENHAM, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016; AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City of Brenham, Texas (the “City”), pursuant to Subchapter C, Chapter 271, Sections 271.041-.063 Texas Local Government Code, as amended, is authorized to issue certificates of obligation for the purpose of paying contractual obligations to be incurred for the purposes set forth below; and

WHEREAS, the City Council of the City has found and determined that a notice of intention to issue certificates of obligation should be published in accordance with the requirements of applicable law;

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

Section 1. The findings and determinations set forth in the recitals hereto are hereby incorporated by reference for all purposes.

Section 2. The City Secretary of the City is hereby authorized to issue a notice of intention (the “Notice of Intention”) to issue certificates of obligation in substantially the form attached hereto as EXHIBIT A and incorporated herein by reference for all purposes.

Section 3. The Notice of Intention shall be published once a week for two consecutive weeks, the date of the first publication being before the thirtieth (30th) day prior to the date set forth in the Notice of Intention for passage of the ordinance authorizing the issuance of the certificates of obligation, in a newspaper, as defined by applicable law, that is of general circulation in the area of the City.

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

PASSED AND APPROVED on this the 4th day of August, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

EXHIBIT A

**NOTICE OF INTENTION TO ISSUE CITY OF BRENHAM, TEXAS,
COMBINATION TAX AND REVENUE CERTIFICATES OF
OBLIGATION, SERIES 2016**

NOTICE IS HEREBY GIVEN that on September 15, 2016, the City Council of the City of Brenham, Texas, at 1:00 p.m. at a regular meeting of the City Council to be held at 200 W. Vulcan, Brenham, Texas, the regular meeting place of the City Council, intends to pass an ordinance authorizing the issuance of Combination Tax and Revenue Certificates of Obligation (the "Certificates") in the principal amount not to exceed \$3,500,000, for the purpose of paying contractual obligations to be incurred for the following purposes, to wit: (a)(i) the construction and equipping of a new animal shelter for the City; (ii) the expansion, renovation and equipping of the City library; and (iii) the construction and improvement of the City's electric utility system (collectively, the "Project"); and (b) to pay professional services of attorneys, engineers, financial advisors and other professionals in connection with the Project; and to pay the costs associated with the issuance of the Certificates.

The Certificates shall bear interest at a rate or rates not to exceed the maximum rate now or hereafter allowed by law as shall be determined by the City Council at or before the time of issuance and shall mature not later than 40 years from the date of issuance thereof. The Certificates shall be payable from the levy of a direct and continuing ad valorem tax, within the limits prescribed by law, against all taxable property within the City sufficient to pay the interest on the Certificates as due and to provide for the payment of the principal thereof as the same matures, as authorized by Sections 271.041-.063, Texas Local Government Code, as amended, and from a pledge of the surplus revenues of the City's combined utility system; provided, however, that such pledge of surplus revenues shall be limited to \$1,000.

THIS NOTICE is given in accordance with law and as directed by the City Council of the City of Brenham, Texas.

Jeana Bellinger, City Secretary
City of Brenham, Texas



**City of Brenham, Texas
Certificates of Obligation, Series 2016
GO Refunding Bonds, Series 2016**

Tentative Timetable for Issuance

| | | |
|----------|-----------|--|
| Thursday | August 4* | Council approves publication of Notice of Intent to Issue C/O's. |
|----------|-----------|--|

Note: City must publish Notice of Intent twice within 32 days of award by Council of C/O's. Must use newspaper of record for the local area. Bond Counsel to coordinate with City Secretary.

| | | |
|--------|----------|--|
| Friday | August 5 | Draft Bond Offering Documents distributed for comments by FA. Bond rating applied for by FA. |
|--------|----------|--|

| | | |
|--------|-----------|---|
| Monday | August 15 | Comments received on Bond Offering Documents. |
|--------|-----------|---|

| | | |
|--------------------|-----------|---------------------------------|
| Week of: Monday | August 22 | Conference call with S&P (TBD). |
|--------------------|-----------|---------------------------------|

| | | |
|----------|-------------|---|
| Thursday | September 1 | Bond Offering Documents posted with i-Deal. |
|----------|-------------|---|

| | | |
|--------|-------------|------------------|
| Friday | September 9 | Bond rating due. |
|--------|-------------|------------------|

| | | |
|-----------|--------------|---|
| Wednesday | September 14 | Pricing. Rates fixed by Underwriter(s). |
|-----------|--------------|---|

| | | |
|----------|---------------|--|
| Thursday | September 15* | C/O's & GO Refunding Bonds are approved By City Council. |
|----------|---------------|--|

| | | |
|---------|------------|-----------------------------------|
| Tuesday | October 11 | Closing (subject to AG approval). |
|---------|------------|-----------------------------------|

* Denotes official City Council meeting.



AGENDA ITEM 11

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 29, 2016 | |
| DEPT. OF ORIGIN: Development Services | SUBMITTED BY: Erik Smith | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input checked="" type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Resolution No. R-16-021 Providing for No Objection of Northview Village, LP's Submission of an Application to the Texas Department of Housing and Community Affairs Requesting 2016 Housing Tax Credits for the Rehabilitation of Northview Village in Brenham, Washington County, Texas | | |
| SUMMARY STATEMENT: Northview Village, LP is making an application for 4% Housing Tax Credits with the Texas Department of Housing and Community Affairs for Northview Village, a 66 unit rehab located at 1801 Northview Circle, Brenham, Texas in Washington County. The rehab of the Brenham Housing Authority's existing apartment complex (Northside Terrace) will be for low income individuals and families currently residing in Brenham's public housing. The application to the city is not a competitive grant, however; getting a letter of no objection is part of the application process to qualify for the tax credits. The credits will be put towards 66 existing units for rehab purposes. No new units are being proposed to be added to Northside Terrace. An exhibit of the location of Northview Terrace is included in the packet. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): A. PROS: Allowing for rehabilitation of existing low income units. B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): 1. Approve Resolution 2. Approve Resolution without support but stating no objection; or 4. Deny Approval of the Resolution | | |
| ATTACHMENTS: (1) Resolution No. R-16-021; (2) Cover letter from Huntjon, LLC requesting support; and (3) Site Location Map | | |
| FUNDING SOURCE (Where Applicable): | | |

RECOMMENDED ACTION: Approve Resolution No. R-16-021 providing for no objection to Northview Village, LP's Submission of an application to the Texas Department of Housing and Community Affairs requesting 2016 Housing Tax Credits for the Rehabilitation of Northview Village in Brenham, Washington County, Texas

APPROVALS: Terry K. Roberts

RESOLUTION NO. R-16-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, PROVIDING NO OBJECTION TO THE BRENHAM HOUSING AUTHORITY AND NORTHVIEW VILLAGE, LP TDHCA APPLICATION FOR THE NORTHVIEW VILLAGE DEVELOPMENT WITHIN THE CITY OF BRENHAM, TEXAS; AUTHORIZING THE MAYOR TO CERTIFY THIS RESOLUTION TO TDHCA; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Brenham Housing Authority is working to implement a strategic plan to substantially rehabilitate and or replace its aging public housing units; and

WHEREAS, Northview Village, LP has proposed the rehab of 66 of those public housing units that will be located at 1801 Northview Circle in the City of Brenham, Washington County, Texas; and

WHEREAS, Northview Village, LP has submitted an application to the Texas Department of Housing and Community Affairs for 2016 Housing Tax Credits for Northview Village; and

WHEREAS, the City of Brenham recognizes the need for replacing existing affordable housing to accommodate individuals and families currently living in deteriorating conditions and those who are affected by the increasing economic activity in our area;

NOW THEREFORE, IN ACCORDANCE WITH THE REQUIREMENTS OF TEXAS GOVERNMENT CODE §2306.67071 AND TEXAS ADMINISTRATIVE CODE §10.204(4), BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS, THAT:

Section 1: Notice has been provided to the Governing Body in accordance with Texas Government Code, §2306.67071(a); and

Section 2: The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

Section 3: The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.67071(b); and

Section 4: After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application.

RESOLVED on this the 4th day of August, 2016.

Milton Y. Tate, Jr.
Mayor

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary

HUNTJON, LLC
6802 Champion Village Court
Houston, Texas 77069
713-545-8840 / 281-444-8633 fax

July 26, 2015

The Honorable Milton Tate, Jr.
Mayor
City of Brenham
200 W. Vulcan
Brenham, Texas 77834-1059

Dear Mayor Tate:

Northview Village, LP is making an application for **4% Housing Tax Credits** with the Texas Department of Housing and Community Affairs for Northview Village, a 66 unit rehab located at 1801 Northview Circle, Brenham, Texas in Washington County. The rehab of the Brenham Housing Authority's existing apartment complex (Northside Terrace) will be for low income individuals and families currently residing in Brenham's public housing.

As part of the tax credit application, we are requesting a Resolution of No Objection to the project from the Brenham City Council. For your convenience, I am attaching a draft of the resolution which you may use or feel free to make changes. I am requesting to receive the resolution no later than Thursday, August 4, 2016 to meet our deadline.

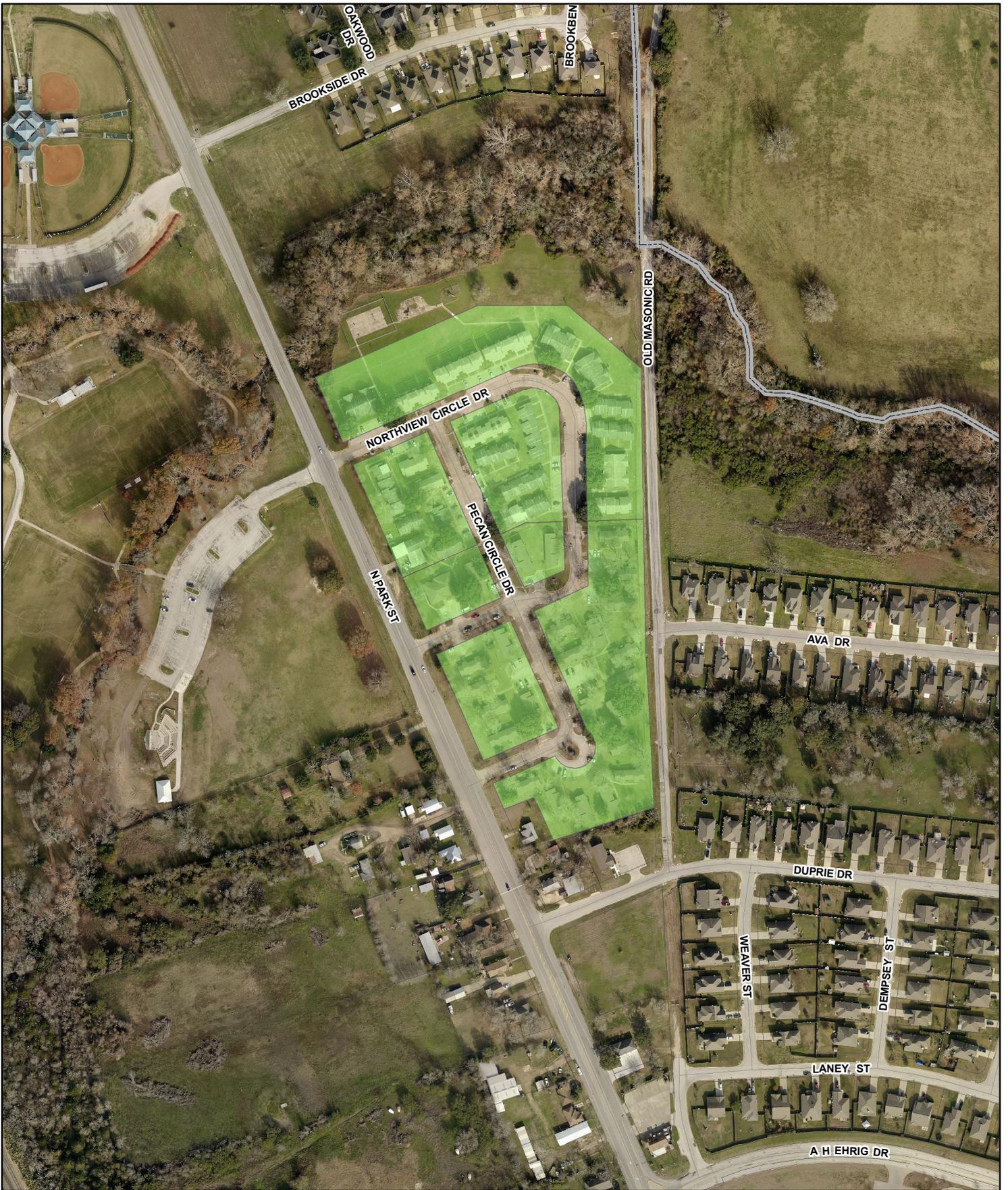
There will be a public hearing to receive public comment on the proposed development. Information regarding the date, time, and location of that hearing will be disseminated at least 30 days prior to the hearing date on the Department's website (<http://www.tdhca.state.tx.us/multifamily/communities.htm>) for competitive HTC applications and Tax-Exempt Bond applications where the Department is the issuer. For Tax-Exempt Bond applications that utilize a local issuer interested individuals are encouraged to contact the local issuer for information regarding the public hearing.

Should you have any questions regarding the project or the requested resolution, please do not hesitate to call me at 713-545-8840.

Sincerely,

Marvalette Hunter

Marvalette Hunter
Representative of Northview Village, LP
marvalette@3DVisionsconsultants.com



1 inch = 300 feet

Northside Terrace





AGENDA ITEM 12

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 27, 2016 | |
| DEPT. OF ORIGIN: Community Services | 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 checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a License Agreement Between the City of Brenham and Brenham Independent School District for the Authorization of Right-Of-Way Encroachment Related to the Community Spirit Flag Program and Authorize the Mayor to Execute Any Necessary Documentation | | |
| <p>SUMMARY STATEMENT: The Spirit Flag Program is jointly sponsored by the Brenham ISD, Brenham Booster Club and Brenham Game Changers. Staff has spoken with the leadership of these organizations to gain a better understanding of the City’s role in this program. The program is similar to those in surrounding communities with the goal of promoting community spirit and small town pride. For this program to have the desired impact, these organizations seek the City’s support. Staff has reviewed and discussed this program at length and presents the attached documentation for Council’s consideration.</p> <ul style="list-style-type: none"> • Encroachment Agreement: The Encroachment Agreement will authorize the placement of the Spirit Flags into the City’s right of way (ROW). • Attachment A: Staff has provided various maps so flag placement can be considered by Council. Many of the school campus entrances are City ROW’s. The placements may change slightly to account for any TxDot ROW’s. The regional TxDOT representative did provide a verbal approval if the flags were placed in their ROW, but the City would strive to minimize flag placements in the TxDOT ROW. • Attachment B: This document provides the number of flags to be placed at specific location entrances. The City facilities considered for flag placement include the Blue Bell Aquatic Center for BISD home swim meets, Fireman’s Park Baseball Field for BISD home games and at placement along Austin Ave for Homecoming and one (1) additional placement each year. City staff would be assigned to place these flags at each of these locations. <p>On behalf of the BISD, Brenham Booster Club and Brenham Game Changers, staff seeks Council’s consideration of this program and asks that an Encroachment Agreement is authorized.</p> | | |

| |
|--|
| <p>STAFF ANALYSIS (For Ordinances or Regular Agenda Items):</p> <p>A. PROS:</p> <p>B. CONS:</p> |
| <p>ALTERNATIVES (In Suggested Order of Staff Preference):</p> |
| <p>ATTACHMENTS: (1) License Agreement; and (2) Maps Showing Flag Placement</p> |
| <p>FUNDING SOURCE (Where Applicable):</p> |
| <p>RECOMMENDED ACTION: Approve a license agreement between the City of Brenham and Brenham Independent School District for the authorization of right-of-way encroachment related to the Community Spirit Flag Program and authorize the Mayor to execute any necessary documentation</p> |
| <p>APPROVALS: Terry K. Roberts</p> |

3. **Non-exclusive:** This License is nonexclusive and is subject to any existing utility, drainage or communications facilities located in, on, under or upon the Licensed Premises, any utility or communication company, public or private, to all vested rights presently owned by any utility or communication company, public or private for the use of the Licensed Premises for facilities presently located within the boundaries of the Licensed Premises, and to any existing lease, license, or other interest in the Licensed Premises granted by City to any individual, corporation or other entity, public or private.
4. **Mechanic's liens not permitted:** Licensee shall fully pay for all labor and materials used in, on or about the Licensed Premises and will not permit or suffer any mechanic's or material man's liens of any nature be affixed against the Licensed Premises by reason of any work done or materials furnished to the Licensed Premises at Licensee's instance or request.
5. **Future City use:** This License is made expressly subject and subordinate to the right of City to use the Licensed Premises for any public purpose whatsoever. In the event that City shall, at any time subsequent to the date of this Agreement, at its sole discretion, determine that the relocation or removal of one or more spirit flags shall be necessary or convenient for City's use of the Licensed Premises, Licensee shall at its sole cost and expense make or cause to be made such modifications or relocate said spirit flag(s) so as to not interfere with the City's or City's assign's use of the Licensed Premises. A minimum of thirty (30) days written notice for the exercise of the above action shall be given by City and Licensee shall promptly commence to make the required changes and complete them within thirty (30) days after written notice from the City, or Licensee shall reimburse City for the cost of making such required changes.
6. **Duration of License:** This License shall terminate and be of no further force and effect in the event Licensee shall discontinue or abandon the use of the spirit flags, or in the event Licensee shall permanently remove the spirit flags from the Licensed Premises, or upon termination of the License by City, whichever event first occurs; or, in the event that the City abandons the Licensed Premises, then this Agreement shall be of no further effect.
7. **Compliance with laws:** Licensee agrees to abide by and be governed by all laws, ordinances and regulations of any and all governmental entities having jurisdiction over the Licensee.
8. **Indemnification:** LICENSEE SHALL DEFEND, PROTECT AND KEEP CITY FOREVER HARMLESS AND INDEMNIFIED AGAINST AND FROM ANY PENALTY, OR ANY DAMAGE, OR CHARGE, IMPOSED FOR ANY VIOLATION OF ANY LAW, ORDINANCE, RULE OR REGULATION ARISING OUT OF THE USE OF THE LICENSED PREMISES BY THE LICENSEE, WHETHER OCCASIONED BY THE NEGLIGENCE OF LICENSEE, ITS EMPLOYEES, OFFICERS, AGENTS, VOLUNTEERS, CONTRACTORS OR ASSIGNS OR THOSE HOLDING UNDER LICENSEE. LICENSEE SHALL AT ALL TIMES DEFEND, PROTECT AND INDEMNIFY AND IT IS THE INTENTION OF THE PARTIES HERETO THAT LICENSEE HOLD CITY

HARMLESS AGAINST AND FROM ANY AND ALL LOSS, COST, DAMAGE, OR EXPENSE, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR FROM ANY ACCIDENT OR OTHER OCCURRENCE ON OR ABOUT THE LICENSED PREMISES CAUSING PERSONAL INJURY, DEATH OR PROPERTY DAMAGE RESULTING FROM USE OF THE LICENSED PREMISES BY LICENSEE, ITS AGENTS, EMPLOYEES, VOLUNTEERS, AND INVITEES. LICENSEE SHALL AT ALL TIMES DEFEND, PROTECT, INDEMNIFY AND HOLD CITY HARMLESS AGAINST AND FROM ANY AND ALL LOSS, COST, DAMAGE, OR EXPENSE, INCLUDING ATTORNEY'S FEES ARISING OUT OF OR FROM ANY AND ALL CLAIMS OR CAUSES OF ACTION RESULTING FROM THE LICENSEE'S USE OF THE LICENSED PREMISES AND FOR ANY FAILURE OF LICENSEE, ITS OFFICERS, EMPLOYEES, AGENTS, VOLUNTEERS, CONTRACTORS OR ASSIGNS IN ANY RESPECT TO COMPLY WITH AND PERFORM ALL THE REQUIREMENTS AND PROVISIONS HEREOF.

9. **Action upon termination:** At such time as this License may be terminated for any reason whatsoever, Licensee, upon request by City, shall remove all spirit flags and appurtenances owned or installed by Licensee, situated in, under, on or within the Licensed Premises and shall restore such Licensed Premises to substantially the condition of the Licensed Premises prior to Licensee's installation of the spirit flags, at Licensee's sole expense. This paragraph 10 shall survive termination of the License and termination of this Agreement.
10. **Termination:** This Agreement may be terminated in any of the following ways:
 - a) Written agreement of both parties;
 - b) By City giving Licensee thirty (30) days prior written notice;
 - c) By City upon failure of Licensee to perform its obligations as set forth in this Agreement;
 - d) By the City or Licensee abandoning the Licensed Premises.
11. **Notice:** When notice is permitted or required by this Agreement, it shall be in writing and shall be deemed delivered when delivered in person or when placed, postage prepaid in the United States mail, certified return receipt requested, and addressed to the parties at the address set forth below their signature. Either party may designate from time to time another and different address for receipt of notice by giving notice of such change or address.
12. **Governing law:** This Agreement is governed by the laws of the State of Texas; and exclusive venue for any action shall be in a court of competent jurisdiction in Washington County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.
13. **Exhibits.** Any and all exhibits attached to this Agreement are incorporated herein by reference.

14. **Binding effect:** This Agreement shall be binding upon and inure to the benefit of the executing parties and their respective successors and assigns.

15. **Entire Agreement:** This Agreement embodies the entire agreement between the parties and supersedes all prior agreements, understandings, if any, relating to the Licensed Premises and the matters addressed herein and may be amended or supplemented only by written instrument executed by the party against whom enforcement is sought.

16. **Recitals:** The recitals to this Agreement are incorporated herein by reference.

EXECUTED and effective this _____ day of _____, 2016.

LICENSOR: CITY OF BRENHAM

Date: _____

 Hon. Milton Y. Tate, Jr.
 Mayor
 200 W. Vulcan St.
 Brenham, TX 77833

ATTEST:

 Jeana Bellinger, TRMC, CMC, City Secretary
 City of Brenham, Texas

LICENSEE: BRENHAM INDEPENDENT SCHOOL DISTRICT

Date: _____

 By:
 Title:
 Address:

ATTEST:

 By:
 Title:

Exhibit "A"

2016 - 2017 Spirit Flag Display Dates & Locations

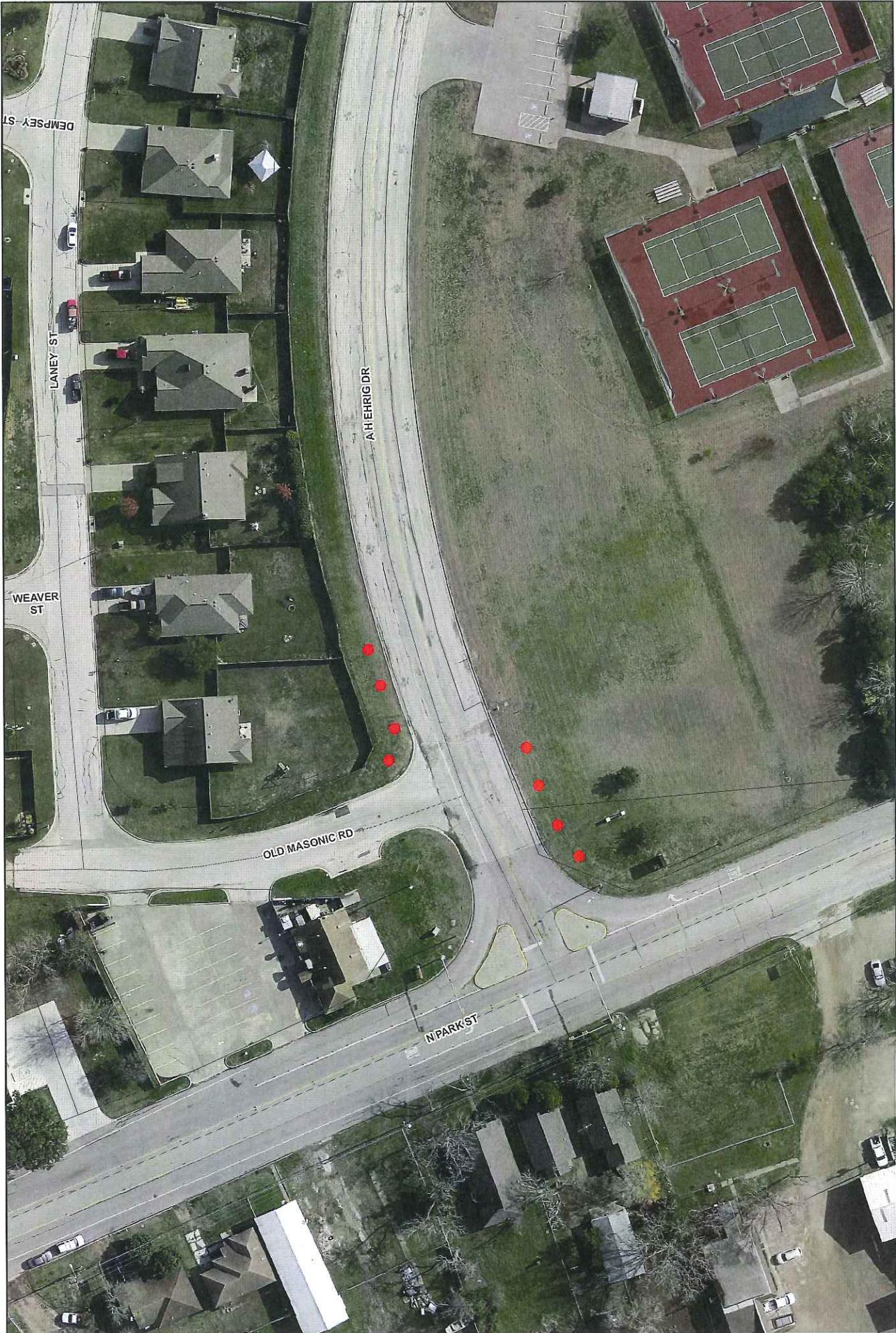
Flag Locations

Entrances BISD Maintains

| Location | Number of Entrances | Flags Per Entrance | Responsible Party for flags |
|---------------------------|---------------------|--------------------|-----------------------------|
| Cub Stadium | 2 | 8 | BISD Staff |
| Brenham High School | 2 | 8 | BHS Staff |
| Brenham Jr. High | 3 | 8 | BJHS Staff |
| Brenham Middle School | 2 | 8 | Brenham Middle Staff |
| Brenham Elementary School | 1 | 8 | BES Staff |
| Alton Elementary School | 1 | 8 | AES Staff |
| Krause Elementary School | 1 | 8 | KES Staff |

Entrances the City of Brenham Maintains

| Location | Number of Entrances | Flags Per Entrance | Responsible Party for flags |
|---|---------------------|--------------------|--|
| Blue Bell Aquatic Center BISD Swim Events | 1 | 8 | BBAC Staff for BISD Swim Meets |
| Fireman's Park - Baseball Events | 1 | 8 | Park Staff for Home Events |
| Austin Ave | Utility Pole | 22 | Maintenance Staff Not to Exceed More than Two (2) BISD Events per Year |



Brenham High School (N Park St Entrance)

● Flag Placement

1 inch = 79 feet





Brenham High School (FM 2935 Entrance)

● Flag Placement

1 inch = 104 feet





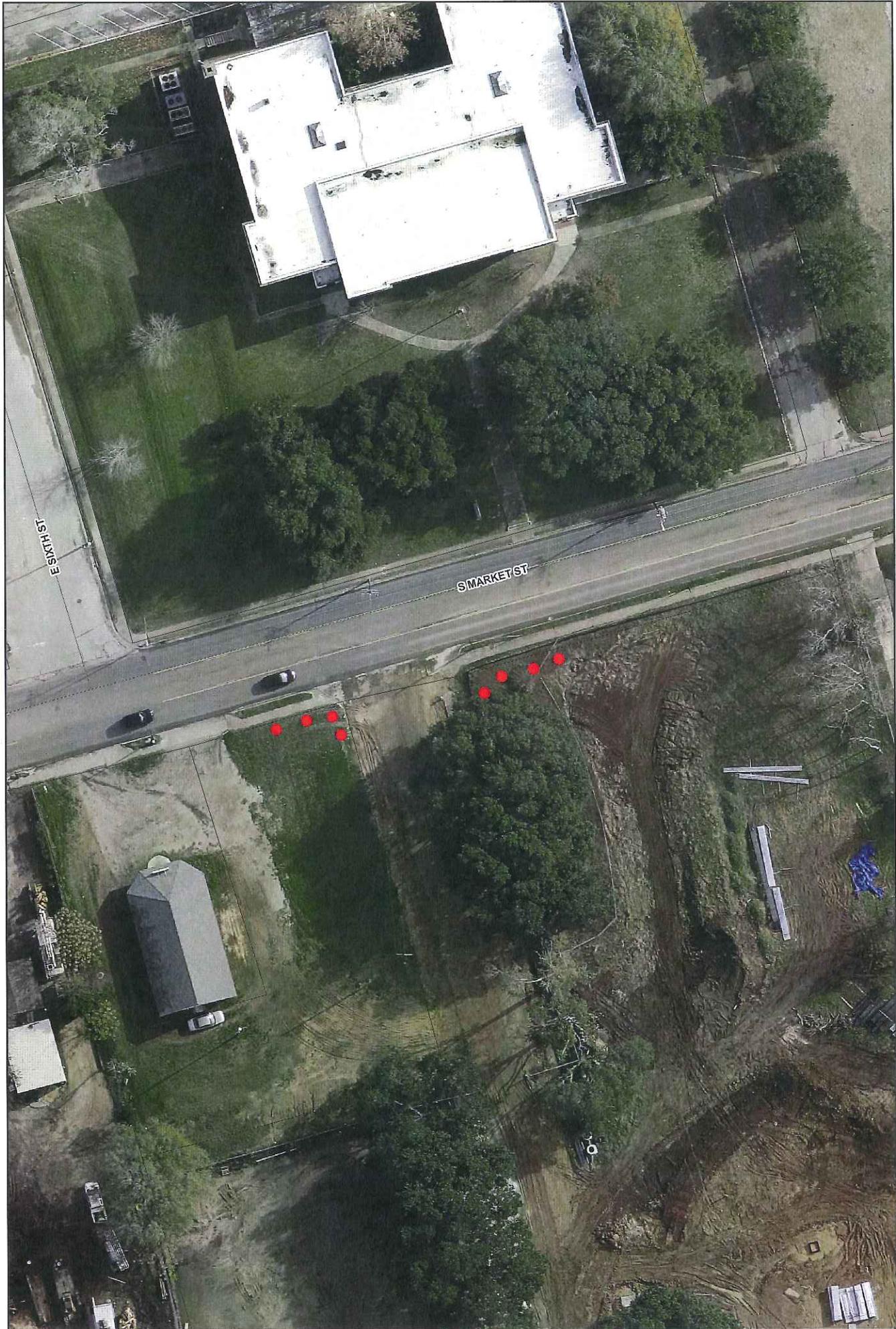
Brenham Elementary School (W Blue Bell Entrance)

1 inch = 105 feet



● Flag Placement

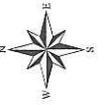




Alton Elementary School (S Market Entrance)

● Flag Placement

1 inch = 60 feet

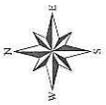


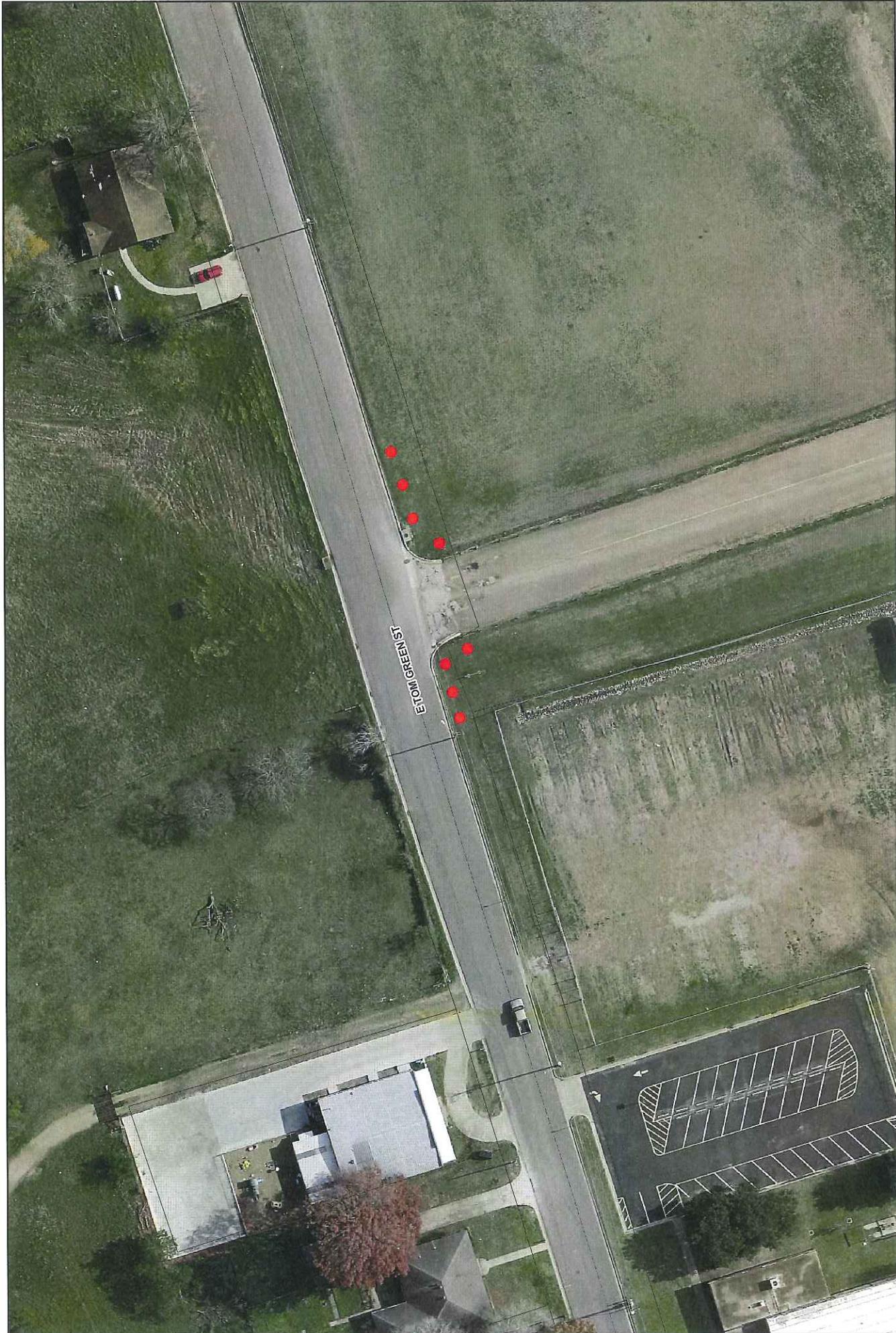


Brenham Jr High School (Niebuhr St Entrance)

● Flag Placement

1 inch = 61 feet



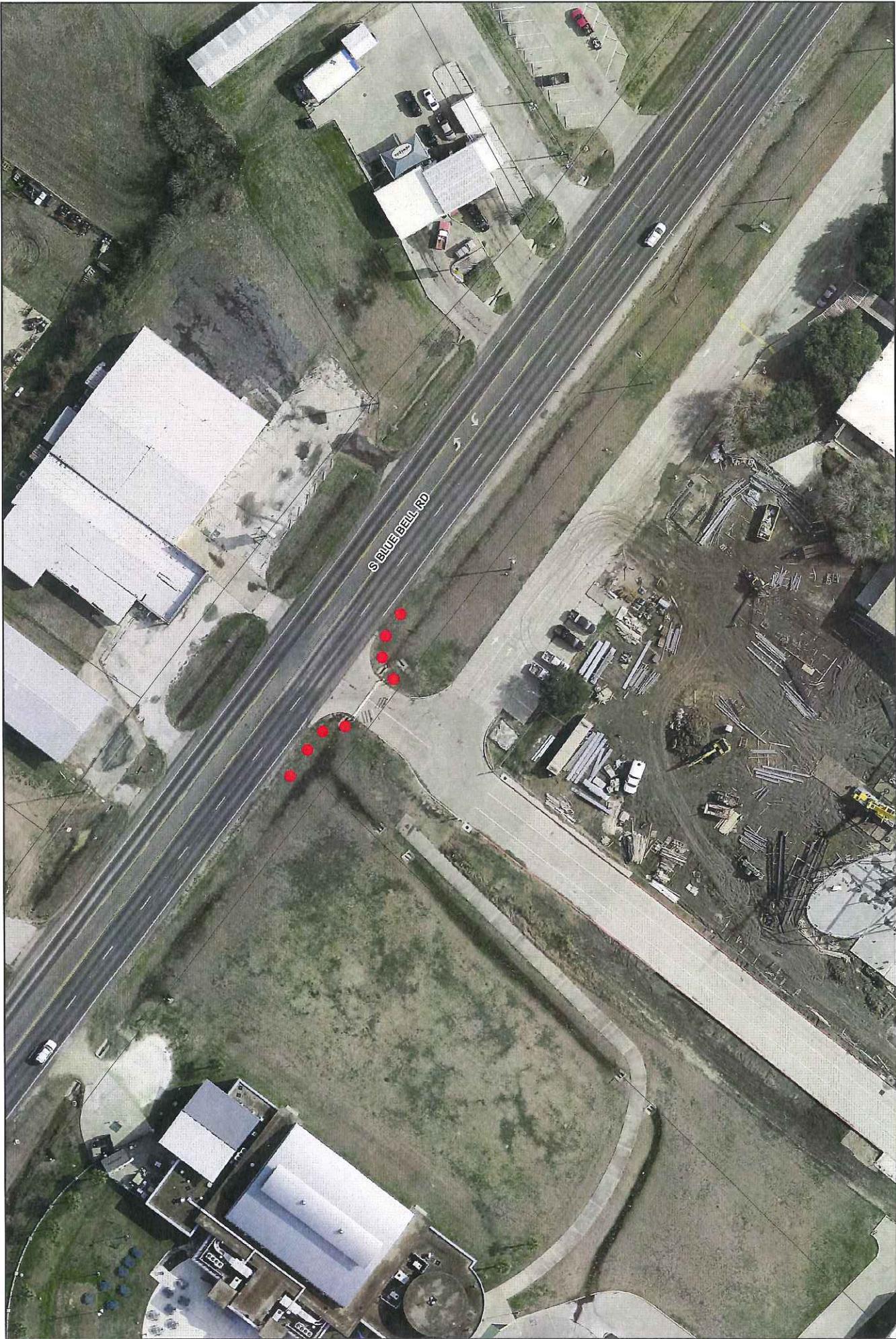


Brenham Jr High School (E Tom Green St Entrance)

● Flag Placement

1 inch = 65 feet

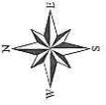




Brenham Middle School (S Blue Bell Rd Entrance)

● Flag Placement

1 inch = 82 feet



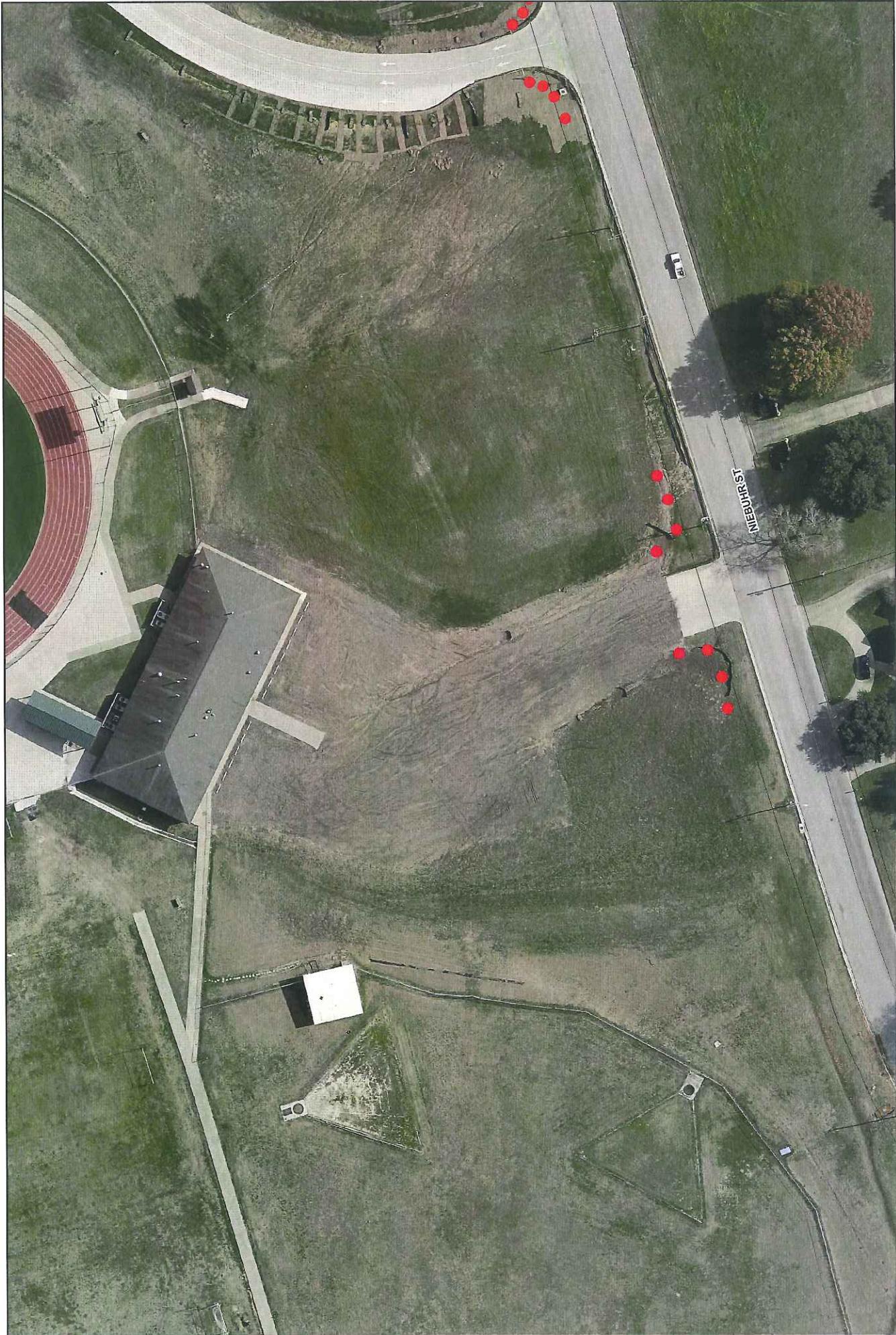


Brenham Middle School (Niebuhr St Entrance)

● Flag Placement

1 inch = 82 feet



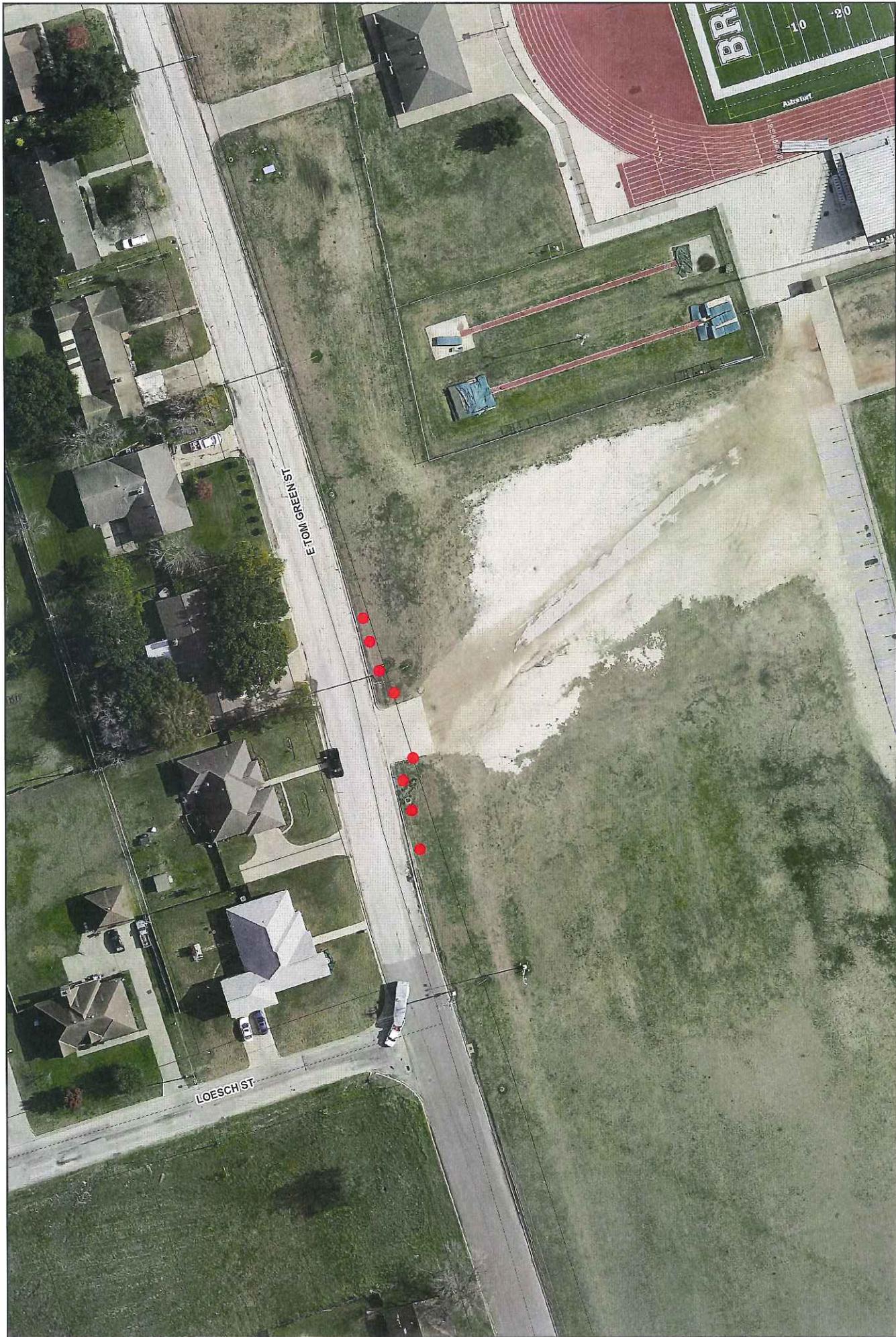


Cub Stadium (Niebuhr St Entrance)

● Flag Placement

1 inch = 82 feet

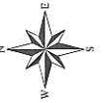


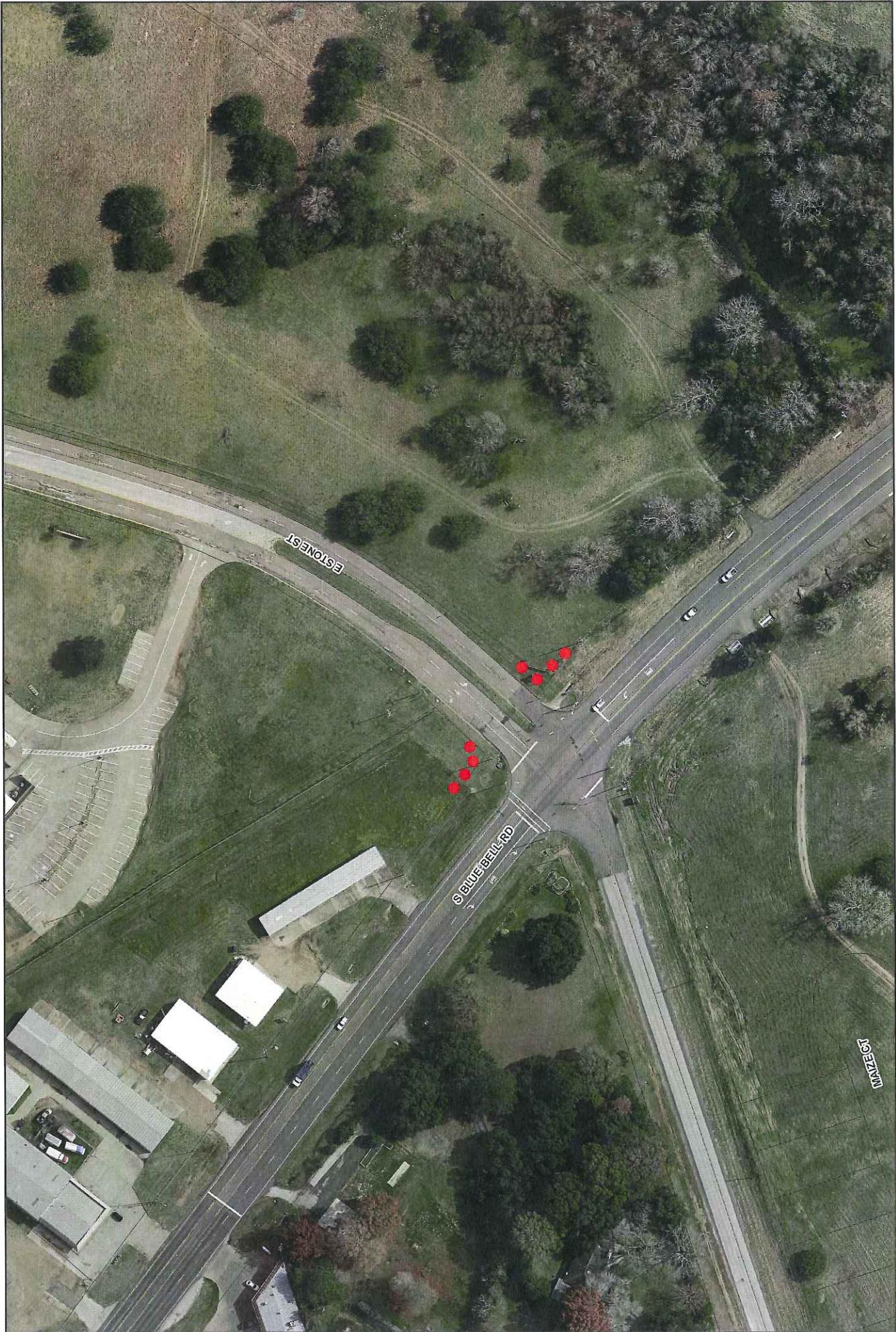


Cub Stadium (E Tom Green St Entrance)

● Flag Placement

1 inch = 82 feet





Krause Elementary School (S Blue Bell Rd Entrance)

● Flag Placement

1 inch = 140 feet





Fireman's Park

● Flag Placement

1 inch = 55 feet





AGENDA ITEM 13

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | | DATE SUBMITTED: July 29, 2016 |
| DEPT. OF ORIGIN: Parks | | 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 checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Purchase of Skate Park Equipment Using BuyBoard Contract No. 423-13, for the Skate Park Located in Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation | | |
| <p>SUMMARY STATEMENT: The Parks department presented a Skate Park Enhancement Project to the Brenham Community Development Corporation (BCDC) Board of Directors at their June 4, 2015 meeting. The BCDC Board approved \$35,000 of funding as this project was identified in the Plan of Action section of the 2015-2025 Parks, Recreation and Open Spaces Master Plan. At that time, the Plan had recently been submitted to Texas Parks and Wildlife for approval. On July 21, 2015 staff was notified by Texas Parks and Wildlife that the Plan met all standard requirements as identified by that agency and was now qualified for points in the <i>Local Park Grant Project Priority Scoring System</i>. With this new qualification met, Staff sought out Council’s support at the September 17, 2015 Council meeting for the application for matching funds to Texas Parks and Wildlife for the Skate Park Enhancement Project. The City of Brenham was awarded the grant and at the July 14, 2016 Council meeting, Council accepted the award of \$35,000 from Texas Parks and Wildlife for this Project.</p> <p>Staff along with Purchasing Services presents for Council’s consideration the purchase of skate park equipment for the Skate Park Enhancement Project from the American Ramp Company utilizing the appropriate Buy Board contract in the amount of \$70,038.18. The skate park equipment purchase will comply with Local Government Code and the City of Brenham’s best practices for procurement.</p> | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) American Ramp Company Quote | | |

FUNDING SOURCE (Where Applicable): BCDC and Texas Parks and Wildlife Grant

RECOMMENDED ACTION: Approve the purchase of skate park equipment from American Ramp Company, using BuyBoard Contract No. 423-13, in the amount of \$70,038.18 and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts



BRENHAM SKATEPARK EXPANSION #6023

BRENHAM, TX



UNIFORM COPING SYSTEM

INTERCHANGEABLE RIDING SURFACE



LASER/CNC PRECISION

TRIPLE LAYER SURFACE SYSTEM

WWW.AMERICANRAMP COMPANY.COM



601 McKinley
 Joplin, MO 64801
 Tel: (417) 206-6816
 Toll Free: (800) 949-2024
 Fax: (417) 206-6888
sales@americanrampcompany.com

DRAWN BY Chuck Dodge
DATE 9/28/2015

REP. AGENCY

American Ramp Company

REP. NAME

Robb Jones

REP. PHONE

(417) 206-6816 x 119



CUSTOMER APPROVAL

DATE

PARK ENCLOSED? ✓

PRO SERIES -

X SERIES ✓

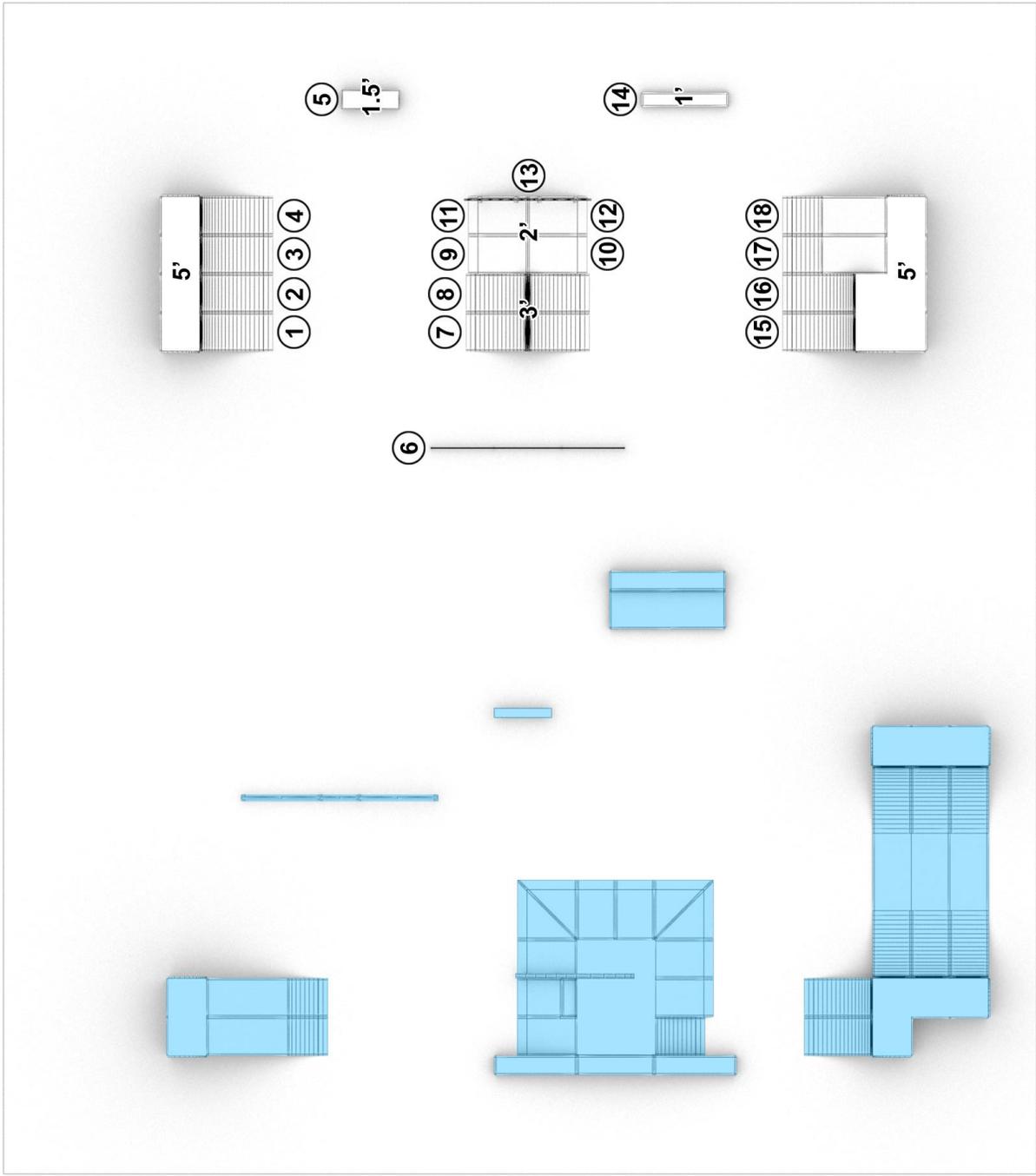
STEALTH SERIES -

STEALTH CLASSIC SERIES -

PROJECT NAME

Brenham Skate Park Expansion

DESIGN NO. 6023



*Note – Existing equipment is highlighted in blue.

601 McKinley
 Joplin, MO 64801
 Toll-free 877-RAMP-778
 Local 417-206-6816
 Fax 417-206-6888
sales@americanrampcompany.com



| Quote # | Design # | FOB |
|----------|----------|-------------|
| 02950_CD | 6023 | Brenham, TX |

| Item | Obstacle | Height | Width | Length | X Series |
|---|------------------------------|--------|-------|--------|--------------------|
| 1 | Quarter Pipe | 5.0' | 4.0' | 12.0' | \$4,377.53 |
| 2 | Quarter Pipe | 5.0' | 4.0' | 12.0' | \$4,027.53 |
| 3 | Quarter Pipe | 5.0' | 4.0' | 12.0' | \$4,027.53 |
| 4 | Quarter Pipe | 5.0' | 4.0' | 12.0' | \$4,377.53 |
| 5 | Skate Bench (Concrete) | 1.5' | 2.0' | 6.0' | \$1,928.00 |
| 6 | Grind Rail (Round) | 1.0' | 2" | 20.0' | \$1,600.00 |
| 7 | Spine | 3.0' | 4.0' | 13.0' | \$3,667.11 |
| 8 | Spine | 3.0' | 4.0' | 13.0' | \$3,847.11 |
| 9 | Launch Ramp (Wedge) | 2.0' | 4.0' | 5.0' | \$2,023.79 |
| 10 | Launch Ramp (Wedge) | 2.0' | 4.0' | 5.0' | \$2,023.79 |
| 11 | Launch Ramp (Wedge) | 2.0' | 4.0' | 5.0' | \$1,843.79 |
| 12 | Launch Ramp (Wedge) | 2.0' | 4.0' | 5.0' | \$1,843.79 |
| 13 | Grind Rail, Kinked (Round) | 1.5' | 3" | 13.0' | \$520.00 |
| 14 | Hubba Ledge (Replica Series) | 1.0' | 1.5' | 9.0' | \$3,134.97 |
| 15 | Quarter Pipe | 5.0' | 4.0' | 15.0' | \$5,727.28 |
| 16 | Quarter Pipe | 5.0' | 4.0' | 15.0' | \$5,027.28 |
| 17 | Bank Ramp | 5.0' | 4.0' | 15.0' | \$4,006.98 |
| 18 | Bank Ramp | 5.0' | 4.0' | 15.0' | \$4,356.98 |
| Subtotal | | | | | \$58,360.98 |
| Freight | | | | | FREE |
| Installation | | | | | \$5,836.10 |
| Framework Enclosures | | | | | \$5,836.10 |
| TOTAL | | | | | \$70,033.18 |
| Estimated Monthly Payment, 5 Year Term | | | | | \$1,407.67 |

Signature:

Date:

Notes:

- For supervised community build in lieu of full installation, deduct 50% from installation.
- Estimated Monthly Payment is based on a Tax-Exempt Municipal Lease. Final rates are subject to credit review and/or market changes in the index rate. For more options/information please contact our Finance Partner: Joel Quam with NCL at 866-763-7600 or jquam@LeaseServicingCenter.com
- If your project is subject to prevailing wage, bonding requirements, or sales tax, call for revised quote.



BuyBoard # 346-10
Purchasing from ARC is easy. We offer free freight on all orders through BuyBoard!



AGENDA ITEM 14

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | | DATE SUBMITTED: July 22, 2016 |
| DEPT. OF ORIGIN: Library Services | | 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 checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon Bid No. 16-010 for the Purchase of Furniture for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation | | |
| SUMMARY STATEMENT: As part of the Library Modernization Project, there is a need to purchase new furnishings and fixtures for the Nancy Carol Roberts Memorial Library facility. The procurement process has included multiple methods and suppliers. All items purchased will comply with the Local Government Code and the City of Brenham's standards for procurement. The bid includes outdoor furnishings, assorted task chairs, computer and folding tables, assorted lounge chairs, children's furnishings and misc. fixtures and accessories. Purchasing Services issued Bid # 16-010 with detailed specifications of each item to be purchased listed in the formal bid documentation. Purchasing Services oversaw the bidding process with Komatsu Architecture developing the specification of furnishings and fixtures to coordinate with the design and functionality required in the modernized library facility. The bids were opened July 28, 2016 with three (3) responsive bidders. Komatsu Architecture has reviewed these bids and along with Staff recommends an award to Intelligent Interiors in the amount of \$199,352.92. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Bid Tabulation sheet | | |
| FUNDING SOURCE (Where Applicable): 218-5-100.816.46 | | |

RECOMMENDED ACTION: Award Bid No. 16-010 for the purchase of furniture for the Nancy Carol Roberts Memorial Library to Intelligent Interiors in the amount of \$ 199,352.92 and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts



BID TABULATION

FOR

BID NO. 16-010

FURNISHINGS FOR THE NANCY CAROL ROBERTS MEMORIAL LIBRARY

| VENDOR | Intelligent Interiors, Inc. Addison, Texas | Royer & Schutts Commercial Interiors Fort Worth, Texas | G.L. Seaman & Company Fort Worth, Texas |
|--------------------|---|--|---|
| BID AS READ | \$199,060.00 | \$204,960.20 | \$207,912.84 |
| *ERROR ADJUSTMENTS | 292.92 | -.01 | -741.20 |
| ADJUSTED BID TOTAL | \$199,352.92 | \$204,950.19 | \$\$207,171.64 |

*Bids containing multiple line items and quantities, unit prices and extended line totals are audited after bid opening for errors in calculation. Unit price is the determining factor and may not be changed. In the case of this bid each bid form was recalculated using the correct quantities from drawings provided in the bid package and extended at the unit prices bid by each vendor to arrive at the adjusted bid total for identical items and quantity for each bid.



AGENDA ITEM 15

| | | |
|---|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 22, 2016 | |
| DEPT. OF ORIGIN: Library Services | 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 checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Purchase of Furniture for the Nancy Carol Roberts Memorial Library from the Following Purchasing Cooperatives: | | |
| <ul style="list-style-type: none"> a. Tables, Computer Desks and Conference Chairs Through The Cooperative Purchasing Network (TCPN) Contract No. R142213, b. Arm Lounge Chairs Through the U. S. Communities Government Purchasing Alliance Contract No. 4400003404, c. Stacking Chairs and Storage Carts Through the U. S. Communities Government Purchasing Alliance Contract No. 4400034025, and d. Circulation Desk, Signage and Wall Displays Through BuyBoard Contract No. 503-16, | | |
| And Authorize the Mayor to Execute Any Necessary Documentation | | |
| SUMMARY STATEMENT: Komatsu Architecture, the architect for the Nancy Carol Roberts Memorial Library facility modernization project, has designed a plan for furniture and fixtures which will accommodate circulation materials, technology equipment and hardware, various community, conference and meeting rooms, patron seating areas and staff office space. As discussed at the Council Budget Retreat held May 2, 2016, a capital lease will be utilized for these purchases. The procurement process will include multiple procurement methods and suppliers. All items purchased will comply with the State of Texas' Local Government Code and the City of Brenham's standards for procurement. This agenda item includes the following purchases for Council's consideration: | | |
| <ul style="list-style-type: none"> 1) The purchase of tables to house technology equipment, desks and conference chairs utilizing The Cooperative Purchasing Network (TCPN) agreement # R142213 in the amount of \$28,571 from Intelligent Interiors. 2) The purchase of chairs such as task and lounge chairs for the children and main reading areas utilizing the US Communities Contract in the amount of \$6,499 from GL Seaman & Company. | | |

- 3) The purchase of stacking chairs, storage carts and misc. fixtures and accessories utilizing the cooperative purchasing agreement with US Communities Contract # 4400034025 in the amount of \$8,312 from Royer and Schutts.
- 4) The purchase of the circulation desk, wall display shelving and related accessories utilizing Buy Board Contract No. 503-16 in the amount of \$63,051 from PUTSI Inc., DBA Cultural Surroundings.

All items presented for purchase for the newly renovated facility have been reviewed by the Library Advisory Board for material and colors. Komatsu Architecture's Amy Sibley and Anne McBurnett presented the selection options which best complement the style and functionality needed in the modernized facility at the April 27, 2016 Library Advisory Board meeting. Once the selection styles were approved by the LAB, staff worked the Komatsu representatives to ensure the functionality was suitable to the operational needs of the Library. Purchasing Services also reviewed the cooperative agreements and quotes submitted by Komatsu's selections.

Staff recommends that Council approves each purchase as reference in the table below.

| NCRML Furniture and Fixtures | | |
|-------------------------------------|--------------------------------------|--------------------|
| Vendor | Contract Number | Actual Cost |
| Intelligent Interiors | TCPN Contract # R142213 | \$ 28,571 |
| GL Seaman & Company | US Communities Contract # 4400003404 | \$ 6,499 |
| Royer & Schutts | US Communities Contract # 4400034025 | \$ 8,312 |
| PUTSI, DBA as Cultural Surroundings | Buy Board Contract # 503-16 | \$ 63,051 |

STAFF ANALYSIS (For Ordinances or Regular Agenda Items):

A. PROS:

B. CONS:

ALTERNATIVES (In Suggested Order of Staff Preference):

ATTACHMENTS: Quotes from (1) Intelligent Interiors; (2) GL Seaman & Company; (3) Royer and Schutts; and (4) PUTSI, DBA Cultural Surroundings.

FUNDING SOURCE (Where Applicable): 218-5-100.816.46

RECOMMENDED ACTION: Approve the purchase of furniture for the Nancy Carol Roberts Memorial Library as follows:

- a. Tables, Computer Desks and Conference Chairs under The Cooperative Purchasing Network (TCPN) Contract No. R142213, to Intelligent Interiors in the amount of \$28,571.00;
- b. Arm Lounge Chairs under the U. S. Communities Government Purchasing Alliance Contract No. 4400003404, to GL Seaman & Company in the amount of \$6,499.00;
- c. Stacking Chairs and Storage Carts under the U. S. Communities Government Purchasing Alliance Contract No. 4400034025, to Royer & Schutts in the amount of \$8,312.00; and
- d. Circulation Desk, Signage and Wall Displays under BuyBoard Contract No. 503-16, to PUTSI, DBA Cultural Surroundings in the amount of \$63,051.00

and authorize the Mayor to execute any necessary documentation

APPROVALS: Terry K. Roberts

Propose To:

 City of Brenham
 PO Box 1059
 Brenham, TX 77834-1059

Shipping Location:

 Houston Installation Service
 421 W. Crosstimbers St
 Houston, TX 77018

Installation Location:

 Brenham Library
 200 W. Vulcan
 Brenham, TX 77833

Brenham Library | OFS | JSI

Customer PO:

Comments:

Per TCPN Contract R142213

CH.14:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------------------------|---|-----|------------|-----------|------------|
| Line: 1 | Sit on It/Exemplis - Seating | 8 | \$1,148.00 | \$522.34 | \$4,178.72 |
| 5723-PH2-K-A102-B10-KP10 C16 UC | Sona Conference chair with upholstered back and upholstered seat silver metallic base with knee tilt mechanism, silver metallic pull handle and fixed silver metallic open loop arm 27" W x 25" D x 37-45" high seat 18" D 19" Wide Fabric: Ultrafabric Style 303 Brisa 2696 Skyway Grade 6 Base and open loop arm : Silver Metallic Tag1: CH.14 Tag2: Room 107 Tag3: Study | | | | |

CH.14.....\$4,178.72

CH.08:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------|---|-----|-----------|-----------|----------|
| Line: 2 | OFS First Office - TCPN Casegoods/Seating/Tables | 8 | \$254.00 | \$101.60 | \$812.80 |
| F801381 | Knack children's chair with 15" seat height with four leg base in silver powdercoat with molded plastic shell and black floor glide 16" seat wide x 15.5" seat depth x 29.25" high Color of modled plastic shell: 285C Blue Frame : Silver powdercoat Tag1: CH.08 Tag2: Room 103 Tag3: Children | | | | |

CH.08.....\$812.80

BC.01:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------------|--|-----|------------|------------|------------|
| Line: 3 | JSI - TCPN Product | 1 | \$2,217.00 | \$1,041.99 | \$1,041.99 |
| ZVV3684B CD | 16"d x 36"w x 84"h Bookcase w/Bottom Doors Vision Veneer Selection Maple Flat Cut Veneer Maple Finish Selection Flax Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Locking Doors Option No Locking Door Option Change Veneer Species No Selection of Option ***With grommet added - Please specify location Quote Number:JG16-1510.3 Tag1: BC.01 | | | | |

BC.01.....\$1,041.99

BC.02:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|--|-----|------------|-----------|----------|
| Line: 4 | JSI - TCPN Product | 1 | \$1,083.00 | \$509.01 | \$509.01 |
| VL3672BC D | 16"d x 36"w x 72"h Bookcase w/Bottom Doors Vision Chassis Laminate Color Walnut Heights (Chassis Color) Vision Door Laminate Color Walnut Heights (Door Color) Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Locking Doors Option No Locking Door Option Quote Number JG16-1510.3 Tag1: BC.02 | | | | |

BC.02.....\$509.01

DE.01:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|---|-----|-----------|-----------|----------|
| Line: 5 | JSI - TCPN Product | 1 | \$436.00 | \$204.92 | \$204.92 |
| VS1040F MP | 40" W Frosted Trim Modesty Panel Quote Number JG16-1510.3 Tag1: DE.01 | | | | |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|--------------------------|--|-----|-----------|-----------|----------|
| Line: 6 30FSQS | JSI - TCPN Product Rectangular Base - Stardust Silver Quote Number JG16-1510.3 Tag1: DE.01 | 1 | \$435.00 | \$204.45 | \$204.45 |
| Line: 7 36WC | JSI - TCPN Product 1/2"d x 36"w x 1"h Wire Management Channel Quote Number JG16-1510.3 Tag1: DE.01 | 1 | \$51.00 | \$23.97 | \$23.97 |
| Line: 8 VL1030TS P | JSI - TCPN Product 29 5/8"w x 28"h Full Height "T" Support Chassis Laminate Color Walnut Heights (Chassis Laminate Color) Quote Number JG16-1510.3 Tag1: DE.01 | 1 | \$262.00 | \$123.14 | \$123.14 |
| Line: 9 VL3066M CT | JSI - TCPN Product 30 x 66 Modular Rectangular Desk Top Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Alabaster Worksurface Color Vision Edge Eased Edge Additional Grommets Option No Selection of Option Quote Number JG16-1510.3 Tag1: DE.01 | 1 | \$444.00 | \$208.68 | \$208.68 |
| Line: 10 VL1620MP | JSI - TCPN Product 20"d x 16"w x 28H Box/Box/File Mobile Pedestal Vision Chassis Laminate Color Walnut Heights (Chassis Color) Vision Drawer Laminate Color Walnut Heights (Drawer Color) Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Quote Number JG16-1510.3 Tag1: DE.01 | 1 | \$767.00 | \$360.49 | \$360.49 |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------------|--|-----|-----------|-----------|----------|
| Line: 11 | JSI - TCPN Product | 1 | \$688.00 | \$323.36 | \$323.36 |
| VL2442RS HR | 24 x 42 Shell Return, Right Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Alabaster Worksurface Color Vision Edge Eased Edge Vision Chassis Laminate Color Walnut Heights (Chassis Color) Grommet Color Stardust Silver Optional 10" Modesty Panel Optional 10" Modesty Panel Vision Laminate Color Walnut Heights Additional Grommets Option No Selection of Option Quote Number JG16-1510.3 Tag1: DE.01 | | | | |

DE.01.....\$1,449.01

DE.02:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|--|-----|-----------|-----------|----------|
| Line: 12 | JSI - TCPN Product | 2 | \$436.00 | \$204.92 | \$409.84 |
| VS1040F MP | 40" W Frosted Trim Modesty Panel Quote Number JG16-1510.3 Tag1: DE.02 | | | | |
| Line: 13 | JSI - TCPN Product | 2 | \$435.00 | \$204.45 | \$408.90 |
| 30FSQS | Rectangular Base - Stardust Silver Quote Number JG16-1510.3 Tag1: DE.02 | | | | |
| Line: 14 | JSI - TCPN Product | 2 | \$562.00 | \$264.14 | \$528.28 |
| VS1560AS R | 59 1/4"w x 15"h Frosted Rectangular Privacy Screen Quote Number JG16-1510.3 Tag1: DE.02 | | | | |
| Line: 15 | JSI - TCPN Product | 2 | \$51.00 | \$23.97 | \$47.94 |
| 36WC | 1/2"d x 36"w x 1"h Wire Management Channel Quote Number JG16-1510.3 Tag1: DE.02 | | | | |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------------------|--|-----|-----------|-----------|----------|
| Line: 16 VL1030TS P | JSI - TCPN Product 29 5/8"w x 28"h Full Height "T" Support Chassis Laminate Color Walnut Heights (Chassis Laminate Color) Quote Number JG16-1510.3 Tag1: DE.02 | 2 | \$262.00 | \$123.14 | \$246.28 |
| Line: 17 VL3066M CT | JSI - TCPN Product 30 x 66 Modular Rectangular Desk Top Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Alabaster Worksurface Color Vision Edge Eased Edge Additional Grommets Option No Selection of Option Quote Number JG16-1510.3 Tag1: DE.02 | 2 | \$444.00 | \$208.68 | \$417.36 |
| Line: 18 VL1620MP | JSI - TCPN Product 20"d x 16"w x 28H Box/Box/File Mobile Pedestal Vision Chassis Laminate Color Walnut Heights (Chassis Color) Vision Drawer Laminate Color Walnut Heights (Drawer Color) Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Quote Number JG16-1510.3 Tag1: DE.02 | 2 | \$767.00 | \$360.49 | \$720.98 |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------------|--|-----|-----------|-----------|----------|
| Line: 19 | JSI - TCPN Product | 2 | \$668.00 | \$313.96 | \$627.92 |
| VL2436RS HR | 24 x 36 Shell Return, Right Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Alabaster Worksurface Color Vision Edge Eased Edge Vision Chassis Laminate Color Walnut Heights (Chassis Color) Grommet Color Stardust Silver Optional 10" Modesty Panel Optional 10" Modesty Panel Vision Laminate Color Walnut Heights Additional Grommets Option No Selection of Option Quote Number JG16-1510.3 Tag1: DE.02 | | | | |

DE.02.....\$3,407.50

DE03:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------------|---|-----|------------|-----------|----------|
| Line: 20 | JSI - TCPN Product | 2 | \$305.00 | \$143.35 | \$286.70 |
| 04SB | Column Base - Stardust Silver Quote Number JG16-1510.3 Tag1: DE.03 | | | | |
| Line: 21 | JSI - TCPN Product | 1 | \$436.00 | \$204.92 | \$204.92 |
| VS1040F MP | 40" W Frosted Trim Modesty Panel Quote Number JG16-1510.3 Tag1: DE03 | | | | |
| Line: 22 | JSI - TCPN Product | 1 | \$1,785.00 | \$838.95 | \$838.95 |
| VL1666W GSO | 16"d x 66"w x 18"h Wall Mount Overhead w/Four Glass Doors Vision Chassis Laminate Color Walnut Heights (Chassis Color) Glass Door Option/Color White Back Painted w/Aluminum Frame Quote Number JG16-1510.3 Tag1: DE03 | | | | |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------------------|--|-----|------------|-----------|----------|
| Line: 23 VS6620W T | JSI - TCPN Product 65 3/4"w x 21 1/2"h Wall Mount Tackboard Fabric Selection Grade E MOMENTUM JITNEY SALT Quote Number JG16-1510.3 Tag1: DE03 | 1 | \$587.00 | \$275.89 | \$275.89 |
| Line: 24 TL31LED- S | JSI - TCPN Product 31"w LED Starter Task Light Quote Number JG16-1510.3 Tag1: DE03 | 1 | \$560.00 | \$263.20 | \$263.20 |
| Line: 25 TL03- OCPS | JSI - TCPN Product Motion Sensor for Task Lights Tag1: DE03 | 1 | \$305.00 | \$143.35 | \$143.35 |
| Line: 26 VL4224M CT | JSI - TCPN Product 24 x 42 Modular Return / Bridge Top Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Walnut Heights Worksurface Color Vision Edge Eased Edge Grommet Color Stardust Silver Additional Grommets Option No Selection of Option Tag1: DE03 | 1 | \$340.00 | \$159.80 | \$159.80 |
| Line: 27 VL3072B | JSI - TCPN Product 30 x 72 Bullet Peninsula Desk (Base Sold Separately) Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Walnut Heights Worksurface Color Vision Edge Eased Edge Vision Chassis Laminate Color Walnut Heights (Chassis Color) Grommet Color Stardust Silver Additional Grommets Option No Selection of Option Tag1: DE03 | 1 | \$1,200.00 | \$564.00 | \$564.00 |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------|---|-----|------------|-----------|----------|
| Line: 28 | JSI - TCPN Product | 1 | \$1,280.00 | \$601.60 | \$601.60 |
| VL2472LC | 24 x 72 File/File Pedestal Credenza, Left Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Walnut Heights Worksurface Color Vision Edge Eased Edge Vision Chassis Laminate Color Walnut Heights (Chassis Color) Vision Drawer Laminate Color Walnut Heights (Drawer Color) Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Grommet Color Stardust Silver Drawer Configuration Option Drawer Configuration Change - HPL Worksurface Additional Grommets Option No Selection of Option Ergo Adjustable Worksurface No Option Selected Ergo Adjacent Unit No Option Selected Tag1: DE03 | | | | |

DE03.....\$3,338.41

DE04:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|--|-----|------------|------------|------------|
| Line: 29 | JSI - TCPN Product | 1 | \$2,360.00 | \$1,109.20 | \$1,109.20 |
| VL2460LF C | 24 x 60 Lateral File Credenza Worksurface Material HPL Worksurface Vision Laminate Worksurface Color Alabaster Worksurface Color Vision Edge Eased Edge Vision Chassis Laminate Color Walnut Heights (Chassis Color) Vision Drawer Laminate Color Walnut Heights (Drawer Color) Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Grommet Color Stardust Silver Additional Grommets Option No Selection of Option Tag1: DE04 | | | | |

DE04.....\$1,109.20

DE05:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------------------------|---|-----|------------|------------|------------|
| Line: 30 04SB | JSI - TCPN Product Column Base - Stardust Silver Tag1: DE05 | 1 | \$305.00 | \$143.35 | \$143.35 |
| Line: 31 VS1040F MP | JSI - TCPN Product 40" W Frosted Trim Modesty Panel Tag1: DE05 | 1 | \$436.00 | \$204.92 | \$204.92 |
| Line: 32 VS72AR | JSI - TCPN Product Accessory Rail, 70 1/8" Wide Tag1: DE05 | 1 | \$252.00 | \$118.44 | \$118.44 |
| Line: 33 VS72TKA | JSI - TCPN Product 70 1/8"w Tackboard for Accessory Rail Fabric Selection Grade E MOMENTUM JITNEY SALT Tag1: DE05 | 1 | \$615.00 | \$289.05 | \$289.05 |
| Line: 34 VV1672D GSO | JSI - TCPN Product 72"w Dbl Ht Storage Overhead Cabinet w/Four Glass Doors Vision Veneer Selection Maple Flat Cut Veneer Maple Finish Selection Flax Glass Door Option/Color FCV w/White Back Painted Glass Doors w/Aluminum Frame Grommet Color Undecided Grommet Color Tag1: DE05 | 1 | \$3,668.00 | \$1,723.96 | \$1,723.96 |
| Line: 35 VV4824M CT | JSI - TCPN Product 24 x 48 Modular Return/Bridge Top Vision Veneer Selection Maple Flat Cut Veneer Maple Finish Selection Flax Vision Edge Eased Edge 90 Degree Sheen Option No Selection of Option Change Veneer Species No Selection of Option Additional Grommets Option No Selection of Option Tag1: DE05 | 1 | \$527.00 | \$247.69 | \$247.69 |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|-----------------------|--|-----|------------|------------|------------|
| Line: 36 VV4272LP | JSI - TCPN Product 42 x 72 P-Top Peninsula Desk, Left (Base Sold Separately) Vision Veneer Selection Maple Flat Cut Veneer Maple Finish Selection Flax Vision Edge Eased Edge Grommet Color Stardust Silver 90 Degree Sheen Option No Selection of Option Change Veneer Species No Selection of Option Additional Grommets Option 1 Add'l Grommet (Indicate Location) Grommet Color Undecided Grommet Color Tag1: DE05 | 1 | \$2,448.00 | \$1,150.56 | \$1,150.56 |
| Line: 37 TL31LED-S | JSI - TCPN Product 31"w LED Starter Task Light Tag1: DE05 | 1 | \$560.00 | \$263.20 | \$263.20 |
| Line: 38 TL03-OCPS | JSI - TCPN Product Motion Sensor for Task Lights Tag1: DE05 | 1 | \$305.00 | \$143.35 | \$143.35 |

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------------------|--|-----|------------|-----------|----------|
| Line: 39 VV2472R C | JSI - TCPN Product 24 x 72 File/File Pedestal Credenza, Right Vision Veneer Selection Maple Flat Cut Veneer Maple Finish Selection Flax Vision Edge Eased Edge Vision Pull Option Reveel Pull Vision Pull Finish Selection Matte Nickel Pull Finish Grommet Color Stardust Silver Optional 10" Modesty Panel No Selection of Option 90 Degree Sheen Option No Selection of Option Change Veneer Species No Selection of Option Drawer Configuration Change Drawer Configuration Change - Flat Cut Veneer Dovetailed Wood Drawer Option No Selection of Option Additional Grommets Option 1 Add'l Grommet (Indicate Location) Grommet Color Stardust Silver Ergo Adjustable Worksurface No Option Selected Ergo Adjacent Unit No Option Selected Tag1: DE05 | 1 | \$2,035.00 | \$956.45 | \$956.45 |
| Line: 40 AC203CU P | JSI - TCPN Product Upright Tray (Pen & Gadget Cup) Tag1: DE05 | 1 | \$71.00 | \$33.37 | \$33.37 |
| Line: 41 AC912PA P | JSI - TCPN Product Paper Tray Tag1: DE05 | 1 | \$101.00 | \$47.47 | \$47.47 |
| Line: 42 AC313FIL E | JSI - TCPN Product File Hanger Tag1: DE05 | 1 | \$96.00 | \$45.12 | \$45.12 |

DE05.....\$5,366.93

DE.06:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|---|-----|------------|------------|------------|
| Line: 43 | JSI - TCPN Product | 1 | \$3,871.10 | \$1,819.42 | \$1,819.42 |
| VV2472BS C | Veneer Buffet credenza with adjustable removable shelf 4 box drawers and 4 doors with grommets at both end panel. ADD: 2 Grommets: add to back of credenza 18" AFF 18" from left on one and 18" from right on the right side. 72" x 24" x 36" high Eased R3 edge on worksurface Veneer: Custom stain match Pull style: Reveal Matte Nickel (MNK) Grommets: Stardust Silver (STS) Tag1: DE.06 Tag2: Rm 105 | | | | |
| Line: 44 | JSI - TCPN Product | 1 | \$250.00 | \$117.50 | \$117.50 |
| Custom | Custom Stain to Match Tag1: DE.06 Tag2: Rm 105 | | | | |

DE.06.....\$1,936.92

DE.07:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|---------------|--|-----|------------|-----------|----------|
| Line: 45 | JSI - TCPN Product | 1 | \$1,690.55 | \$794.56 | \$794.56 |
| VL2436BS C | HPL Buffet credenza with adjustable removable shelf 2 box drawers and 2 doors with grommets at both end panel 24" deep 36" wide 36" high. ADD: Grommet added to back of credenza 18" AFF centered in back from right to left. 36" x 24" x 36" high Eased R3 edge on worksurface Laminate for end panels, back panels and pedestals and worksurface: Walnut heights(WLH) Pull style: Reveal Matte Nickel (MNK) Grommets: Stardust Silver (STS) Tag1: DE.07 Tag2: Rm 106 | | | | |

DE.07.....\$794.56

WD01:

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|-------------|---|-----|------------|-----------|----------|
| Line: 46 | JSI - TCPN Product | 1 | \$1,970.00 | \$925.90 | \$925.90 |
| ZVL2436-72W | 24"d x 36"w x 72"h Wardrobe Vision Chassis Laminate Color Walnut Heights Laminate Vision Door Laminate Color Walnut Heights Laminate Vision Pull Option Undecided Pull Locking Doors Option No Locking Door Option ***With grommet added - Please specify location Tag1: WD01 | | | | |

WD01.....\$925.90

| Item No. | Item Description | Qty | Item List | Item Sell | Ext Sell |
|----------|---|-----|-----------|------------|------------|
| Line: 47 | Houston Installation Service - Installation Standard | 1 | \$0.00 | \$3,700.00 | \$3,700.00 |
| | Receive, Deliver, Install on Regular Time (8) Sit on IT Conference Chairs (8) OFS Children's Stack Chairs (1) 84" H Bookcase (1) 72" H Bookcase (1) L Shaped desk with mobile ped (2) L Shaped desk with mobile ped and privacy screen (1) U shaped desk with wall mounted overheads & glass doors (1) 4 drawer credenza (1) U shaped desk with overhead hutch with glass doors and task light (1) 72" H Wardrobe | | | | |

Item Grouping Summary:

- CH.14 Totals: \$4,178.72
- CH.08 Totals: \$812.80
- BC.01 Totals: \$1,041.99
- BC.02 Totals: \$509.01
- DE.01 Totals: \$1,449.01
- DE.02 Totals: \$3,407.50
- DE03 Totals: \$3,338.41
- DE04 Totals: \$1,109.20
- DE05 Totals: \$5,366.93
- DE.06 Totals: \$1,936.92

- DE.07 Totals: \$794.56
- WD01 Totals: \$925.90

Subtotal.....\$28,570.95
 Total Amount.....\$28,570.95

Thank you for the opportunity to earn your business! Please review the proposal and confirm that all fabric + finish specifications are accurate. Customer signature is required below, which acknowledges acceptance of the terms and which are attached as Exhibit A hereto and incorporated by this reference. All COM, COL, custom, and or customer specified materials must be paid in full prior to order entry. ii final payment terms for balance due is net 10 days. Finance charges of 12% APR or the highest rate permitted by law, whichever is less will be assessed on all past due amounts. Customer required or requested delays to product installation and delivery are subject to additional fees. Please send all purchase orders, signed proposals, and deposit information to iiorders@intelligentinteriors.net

Accepted by: _____ Date: _____



GL Seaman & Company

Hub Certified Dealer
GL Seaman & Company I. D. A. Dealer

Dallas Office
4201 International Parkway
Carrollton, Texas 75007
PH 214.764.6400
FX 214.764.6420

Fort Worth Office
100 N. Forest Park Blvd. #100
Fort Worth, Texas 76102
PH 817.336.5400
FX 817.336-5442

| | |
|--------------------|--------------|
| PROPOSAL | 35268 |
| PROJECT#: | 229-237 |
| DATE: | 07/13/16 |
| Francie Wintermute | |
| PAGE: | 1 |

| | |
|--|--|
| PROPOSAL FOR: | INSTALL AT: |
| CITY OF BRENHAM CITY SECRETARY'S OFFICE P.O. BOX 1059 BRENHAM, TX 77833 NANCY CAROL ROBERTS MEMORIA LIBRARY RICCHIO CHAIRS | NANCY CAROL ROBERTS MEMORIAL LIBRARY 100 MARTIN LUTHER JR. PARKWAY BRENHAM, TX 77833 |

| | | | |
|---------------------|----------------------|---------------------|----------------------|
| CUSTOMER P/O | PAYMENT TERMS | CONTACT NAME | CONTACT PHONE |
| | Net 10 Days | SARA PARKER | 979-3377247 |

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---|--|--------|----------|
| 1 | 1 | KNOLL US DEALER BILL | KNOLL STUDIO US COMMUNITIES PURCHASING ALLIANCE - STATE OF TEXAS CONTRACT #4400003404 (DRF #C0044305 MAKE PURCHASE ORDER OUT TO GL SEAMAN & CO, 4201 INTERNATIONAL PARKWAY, CARROLLTON, TX 75007 TAX ID # AND CONTRACT MUST BE ON PURCHASE ORDER MUST INCLUDE COPY OF YOUR TAX EXEMPTION CERTIFICATE WITH PURCHASE ORDER BILLING CONTACT NAME AND PHONE NUMBER MUST BE ON PURCHASE ORDER PURCHASE ORDER MUST BE SIGNED | 0.00 | 0.00 |
| 2 | 12 | 37A B312A - {K1523} K152316 | KNOLL STUDIO Joe and Linda Ricchio Arm Chair, upholstered seat FINISH: Bronze Cherry (shipped after 10/09) OPT: Standard TEX: Hourglass (A) COL: Spring Tag(s): KUS | 481.20 | 5,774.40 |
| 3 | 1 | | GLS DEALER SERVICES LABOR TO RECEIVE, DELIVER & INSTALL DURING NORMAL BUSINESS HORUS. | 725.00 | 725.00 |

Signature indicates acceptance of proposal, terms & conditions, and deposit required. Thank you!

ACCEPTED BY _____
SIGNATURE

ACCEPTED BY _____
PLEASE PRINT NAME

DATE ACCEPTED _____

| | |
|---------------|-----------------|
| PRODUCT.....: | 5,774.40 |
| SERVICE.....: | 725.00 |
| TOTAL | 6,499.40 |

110135

CITY OF BRENHAM CITY SECRETARY'S OFFICE
P.O. BOX 1055
BRENHAM, TX 778334-1059

NANCY CAROL ROBERT
MEMORIAL LIBRARY
100 MARTIN LUTHER JR. PARKWAY
BRENHAM, TX 778334

07/13/16

NET 30

40-723

TIM COX

004583

PLEASE NOTE THAT ALL
PRODUCT IS MADE TO ORDER
THIS ORDER CANNOT BE
CHANGED, CANCELLED OR
RETURNED AFTER PURCHASE
ORDER OR APPROVAL IS
RECEIVED. BE SURE TO
CONFIRM COLORS & OPTIONS

| | | | | | |
|---|----|-----------------|---|--------|----------|
| 1 | 74 | SCH-44-0S | VERY WIRE STACKER, PLSTC SEAT, PLSTC BK, ARMLESS, NON GANGING, GLACIER GRD A CHROME GRD D | 93.65 | 6,930.10 |
| | | ,TR-FN ,KR-V | | | |
| 2 | 2 | SCT-1 | VERY SEATING, CART, FOR HIGH DENSITY CHAIRS | 199.44 | 398.88 |
| 3 | 1 | LABOR | RECEIVE DELEVRY AND INSTALL DURING NORMAL BUSINESS HOUR | 350.00 | 350.00 |

SUBTOTAL PRODUCT.: 7,678.98
SALES TAX.: 633.51
FINAL TOTAL..: 8,312.49
DEPOSIT REQUIRED: 4,156.00

QUOTATION VALID THRU: 08/12/16

APPROVED BY: _____
By signing you agree to our attached terms and conditions.



Cultural Surroundings

5600 West Lovers Lane
Suite 116, PMB 393
Dallas, TX 75209

214-742-2400 Fax 214-742-2407

Proposal

| | |
|-----------|------------|
| Date | Proposal # |
| 7/11/2016 | 6366 |

| |
|--|
| Bill to Name / Address |
| Brenham Public Library 100 Martin Luther King Library PKWY Brenham, TX 77833 |

| |
|--|
| Install At / Ship To |
| Brenham Public Library 100 Martin Luther King Library PKWY Brenham, TX 77833 |

| | |
|--------------|---------------|
| Sales Person | Customer P.O. |
| PW | |

| | |
|--------|-------------------|
| Terms | Quote Valid Until |
| Net 15 | 08-15-2016 |

| Item | Description | Qty | U/M | Cost | Extended |
|------------------|---|-----|-----|-----------|-----------|
| Buyboard | Buyboard Contract # 503-16 | 1 | ea | 0.00 | 0.00 |
| Brenham Desk | Circulation desk Overall dimension: (L)4903x1604xH min.Height: 740mm: Max. height 1100mm comprised by: 2 workstations electrical individual height adjustable w/ cable conduct and grommet for wiring. interior perforated panel that raises and lows 1 front panel in plain steel 1 small desk for pedestals 2 OPE mobile pedestals 3 drawers. steel handle. table top laminate 25mm thickness with chamfered edge Finishes: to be determined | 1 | ea | 13,466.00 | 13,466.00 |
| Brenham OPAC | OPAC electrical height adjustable minimum height:700mm; max.height: 1100mm Overall dimension: (L)728x(D)506xH top: laminate microperforated and plain steel structure finishes:to be determined | 2 | ea | 1,292.00 | 2,584.00 |
| BRENHAM BIOMB... | Biombos wall display. overall dimension: (W)5390x(D)541x(H)2140mm comprised by: (6) biombos structures 900mm long with woodgrain laminate panels (16) laminate shelves (1) steel cabinet w/glass sliding doors dim:(L)1795x(D)275x (H)1074mm with dividing panel and 4 shelves (2 per side) 4 drawers with structure in steel and fronts in laminate woodgrain dim.(L)900x(D)450x(H)369mm | 1 | ea | 10,952.60 | 10,952.60 |

ACCEPTED BY: _____

DATE ACCEPTED: _____

| |
|--------------|
| Total |
|--------------|



Cultural Surroundings

5600 West Lovers Lane
Suite 116, PMB 393
Dallas, TX 75209

214-742-2400 Fax 214-742-2407

Proposal

| | |
|-----------|------------|
| Date | Proposal # |
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| Bill to Name / Address |
| Brenham Public Library 100 Martin Luther King Library PKWY Brenham, TX 77833 |

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| | |
|--------------|---------------|
| Sales Person | Customer P.O. |
| PW | |

| | |
|--------|-------------------|
| Terms | Quote Valid Until |
| Net 15 | 08-15-2016 |

| Item | Description | Qty | U/M | Cost | Extended |
|--------------------|--|-----|-----|----------|----------|
| BREHAM PAPERB... | Mobile Book tower 6 shelf units height Dimension: (W)560x(D)560x(H)1680mm structure in laminate Finishes: to be determined | 3 | ea | 3,011.00 | 9,033.00 |
| BREHAM DOUBL... | Double sided book truck with sloping shelves Dimensions: (W)1100x(D)650x(H)1021mm Structure and shelves in steel finishes: to be determined | 4 | ea | 862.00 | 3,448.00 |
| BREHAM BOOK T... | Double sided book truck with flat shelves Dimensions: (W)1100x(D)650x(H)1021mm Structure and shelves in steel finishes: to be determined | 4 | ea | 741.20 | 2,964.80 |
| DEPRESSIBLE BOO... | Depressible Book Truck 25-1/2"L x 28-1/16"W x 28-1/2"H [644.53mmL x 727.07mmW x 723.9mmH] Self Leveling Float-Tray Powder Coated Steel | 2 | ea | 1,250.00 | 2,500.00 |
| AR-D04.40.21.5 | Aomeba Children's Table Arco Base @40"DIA X 25"H Work Surface Forbo Base Epoxy Powder Coat FINISHES: To be determined | 1 | ea | 864.00 | 864.00 |
| R 70.08.13.C | Acrylic Sign Holder for Stack End Attachment Magnetic attachment Sized for an 8-1/2"W X 11"H sheet of paper. | 52 | ea | 27.25 | 1,417.00 |

ACCEPTED BY: _____

DATE ACCEPTED: _____

| |
|--------------|
| Total |
|--------------|



Cultural Surroundings

5600 West Lovers Lane
Suite 116, PMB 393
Dallas, TX 75209

214-742-2400 Fax 214-742-2407

Proposal

| | |
|-----------|------------|
| Date | Proposal # |
| 7/11/2016 | 6366 |

| |
|--|
| Bill to Name / Address |
| Brenham Public Library 100 Martin Luther King Library PKWY Brenham, TX 77833 |

| |
|--|
| Install At / Ship To |
| Brenham Public Library 100 Martin Luther King Library PKWY Brenham, TX 77833 |

| | |
|--------------|---------------|
| Sales Person | Customer P.O. |
| PW | |

| | |
|--------|-------------------|
| Terms | Quote Valid Until |
| Net 15 | 08-15-2016 |

| Item | Description | Qty | U/M | Cost | Extended |
|-------------------|--|-----|-----|-------------------|------------------|
| H150546010009009 | Sign holder Steel 2mm thick Overall dimension: @W369xD115xH51mm Base plate w=406mm with self-adhesive backed magnetic sheet. 50x50x2mm thick aluminum angle Epoxy powder coated | 48 | ea | 114.00 | 5,472.00 |
| DDD/SIGNGRAPHI... | Sign Graphic @10"H x 42"L Signage substrate printed two faces | 12 | ea | 49.00 | 588.00 |
| DDD/SIGNGRAPHI... | Sign Graphic @8"H X 54"L Signage substrate printed two faces | 12 | ea | 45.00 | 540.00 |
| DDD/SIGNGRAPHI... | Sign Graphic @12"H X 72"L Signage substrate printed two faces | 12 | ea | 84.00 | 1,008.00 |
| DDD/SIGNGRAPHI... | Sign Graphic @15"H X 84"L Signage substrate printed two faces | 12 | ea | 122.00 | 1,464.00 |
| FRT | Freight | 1 | ea | 4,275.00 | 4,275.00 |
| INST | Installation Sales Tax | 1 | ea | 2,475.00 8.25% | 2,475.00 0.00 |

ACCEPTED BY: _____

DATE ACCEPTED: _____

| | |
|--------------|--------------------|
| Total | \$63,051.40 |
|--------------|--------------------|



AGENDA ITEM 16

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 27, 2016 | |
| DEPT. OF ORIGIN: Police Department | SUBMITTED BY: Craig U. Goodman | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon the Purchase of Seven (7) Body Armor Vests for the Police Department Using Seized Narcotic Funds and Authorize the Mayor to Execute any Necessary Documentation | | |
| SUMMARY STATEMENT: Replace seven (7) vests that are either expired or will expire shortly. The proposed vest for the Fire Marshal will provide him greater protection and will be designed to properly fit his body. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: Provides needed protection for officers | | |
| B. CONS: None | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Memo from Sergeant Schoen; and (2) Quotes from Proforma | | |
| FUNDING SOURCE (Where Applicable): Seizure funds | | |
| RECOMMENDED ACTION: Approve the purchase of seven (7) body armor vests for the Police Department from Black Company Tactical Group, LLC. in the amount of \$9,568.34 using seized narcotic funds and authorize the Mayor to execute any necessary documentation | | |
| APPROVALS: Terry K. Roberts | | |

Memo

To: Chief Craig Goodman
From: Sergeant C. Schoen
Date: 7/22/2016
Re: Body armor vest for Patrol usage and CRU usage / SWAT Vests

Chief,

I have met with my guys and noted that our current body armor is either expired or is about to expire this year. With the common practice of Law Enforcement Agencies replacing body armor every five years, I have found a new company that I would like to try. This company is the same one that we have purchased our SWAT body armor from.

I met with Captain Gully about the vest that I would like to try, and provided him with a print of the vest / carrier information. The vest is very light weight, thin, and flexible. The vest has a carrier that could be used for patrol, or an outer carrier that we could use for the CRU. The outer carrier is a front zip MOLLE style vest that would allow for the officer to arrange handcuffs, radio, flashlight, and magazines to the vest.

The total for the Vortex II vest, both carriers, and a 7X10 shock plate would be \$906.94

In total four vest with both carriers, patrol style and outer carrier, would be ordered to outfit CRU officers and Sergeant Wiesepape. The total for four of the Vortex II vests, both carriers, and a 7X10 shock plate would be \$3,627.76

This company is a partner in the federal vest grant program, where the city could be reimbursed a portion of the purchase price.

The total for the two SWAT style vest that you requested is \$5,940.58.

I contacted the representative for the company and he stated that he could come next week Thursday in the afternoon.

I have attached a copy of the quotes to this memo for you.



AGENDA ITEM 17

| | | |
|---|---|--|
| DATE OF MEETING: August 4, 2016 | | DATE SUBMITTED: July 26, 2016 |
| DEPT. OF ORIGIN: Development Services | | SUBMITTED BY: Kim Hodde |
| 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 Ground Space Lease Agreement with Aviators Plus LLC (Brent Nedbalek) for Hangar Space at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation | | |
| SUMMARY STATEMENT: Dr. Welton E. Hill sold his hangar (3317 Aviation Way) to Aviators Plus LLC (Brent Nedbalek); therefore a new lease agreement needs to be executed with Aviators Plus LLC. Execution of this lease agreement with Mr. Nedbalek will cancel the previous agreement with Dr. E. Welton Hill. This lease agreement is our standard ground space lease for .08 cents per square foot. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Ground Space Lease Agreement with Exhibit "A"; and (2) Request for Termination of Hangar Lease from Dr. Hill | | |
| FUNDING SOURCE (Where Applicable): | | |
| RECOMMENDED ACTION: Approve a ground space lease agreement with Aviators Plus LLC (Brent Nedbalek) for hangar space at the Brenham Municipal Airport and authorize the Mayor to execute any necessary documentation | | |
| APPROVALS: Terry K. Roberts | | |

**LEASE AGREEMENT: CITY OF BRENHAM, TEXAS TO AND WITH AVIATORS PLUS, LLC
(3317 AVIATION WAY)**

THE STATE OF TEXAS
COUNTY OF WASHINGTON

This Lease Agreement made and entered into by and between CITY OF BRENHAM, a Texas Municipal Corporation, hereinafter called "Lessor" and AVIATORS PLUS, LLC, through its agent, BRENT NEDBALEK, hereinafter called "Lessee.

WITNESSETH:

Lessor, in consideration of the premises and the covenants and agreements herein undertaken to be kept and performed by Lessee does lease unto said Lessee the following described property situated in Washington County, Texas, to have and to hold all and singular the said premises and improvements thereon, together with the rights, privileges and appurtenances thereunto belonging unto said Lessee under the following terms and provisions:

ARTICLE I -- PREMISES AND PRIVILEGES

A. DESCRIPTION OF PREMISES.

For and in consideration of the terms, conditions and covenants of this Lease to be performed by Lessee, all of which Lessee accepts, City hereby leases to Lessee the premises being an area located on the City of Brenham Municipal Airport, north of the CITY OF BRENHAM, TEXAS and being a space of land located as shown on the attached "EXHIBIT A".

Lessee accepts the premises in their present condition subject to and including all defects and Lessee will, without expense to City, repair and maintain any installations thereon and remove, or cause to be removed, any debris, buildings or improvements to the extent required for Lessee's use thereof.

B. TERM.

The term of said lease is for a period of thirty (30) years commencing July 1, 2016, and terminating June 30, 2046. The rent for the first five years shall be eight (\$.08) cents per square foot per year for 8,800 square feet, payable annually on the anniversary hereof. Any rental fee not paid by the tenth of the month is subject to a late fee of five (\$5) dollars. On the fifth anniversary and each fifth anniversary thereafter, the rent shall adjust to the prevailing rate at that time, not to exceed an increase of two (\$.02) cents per square foot.

C. ACCESS.

Upon paying the rental hereunder and performing the requirements of this Lease, Lessee shall have the right of access to and from said premises over such roadway(s), as may be designed for that purpose and the right of access to and from the landing area for airplanes over taxiways and aircraft parking ramps as provided by City at its sole discretion. Said roadway(s), aircraft parking ramps and taxiways shall be used jointly with other airport tenants, but not for the conduct of business of another Lessee's premises and Lessee shall not interfere with the rights and privileges of other persons or firms using said facilities and shall be subject to such weight and type use restrictions as the City Council deems necessary.

D. OBJECTS AND PURPOSES OF LEASE.

Lessee is hereby granted the right and privilege to use the leased area for aviation related activities, being those provided by a Corporate Hangar Operator. Lessee shall have the uses and rights to build a private, corporate hangar to house its own privately-owned aircraft, all of which shall be subject to the terms set forth:

Lessee shall not use the premises for any purposes other than those authorized herein, without the prior written consent of City. Specifically, Lessee will not store fuel, nor do any aircraft maintenance on aircraft other than the aircraft owned or contracted by Lessee.

It is understood and agreed that nothing herein shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308(a) of the Federal Aviation Act of 1958, [49 USCA Chapter 471 or successor statute].

E. CITY'S RESERVED RIGHTS.

1. Development. City, at its sole discretion, reserves the right to further develop or improve the aircraft operating area of the airport as it sees fit and to take action it considers necessary to protect the aerial approaches of the Airport against obstructions, together with the right to prevent Lessee from erecting or permitting to be erected, any building or other structure on the Airport which, in the opinion of the City, would limit the usefulness of the Airport or constitute a hazard to aircraft.

2. Oil, Gas, Mineral Interests. It is understood and agreed that this Lease is made subject and subordinate to the terms of any oil, gas, and other mineral interest; leases; or right-of-way easements of any nature that may have been executed heretofore.

City agrees that (1) if it should, as a mineral owner under the premises, develop all or part of the Airport for oil, gas or other mineral purposes, no well will be drilled or other operations conducted on the leased premises, and (2) in the event it should hereafter execute an oil, gas or other mineral lease in favor of a third party covering the Airport area, or a portion thereof, it will cause such lease to contain a provision that the Lessee therein will not conduct any of its drilling or other operations on the land covered by this Lease, or in a manner which would unreasonably interfere with Lessee's use and enjoyment of the premises.

3. Other Contracts. This lease shall be subordinate to the provisions of any existing or future agreement between the City and the United States, relative to the operation or maintenance of the airport, the terms and execution of which have been or may be required as a condition precedent to the expenditure or reimbursement to City of federal funds for the development of the Airport

4. Other Leases. Nothing herein contained shall limit City with respect to granting of leases to other aviation tenants under other terms as herein set forth or to granting of leases for non-commercial aviation or non-aviation purposes at terms different from those set forth herein.

F. PROHIBITED USES.

Lessee shall not use or permit the use of any part of the premises in any other manner than set out in Section C of this Lease. Some specific activities prohibited are as follows:

1. Auto rental service.
2. Food sales (except the sale of confections and refreshments prepared and packaged off the leased premises through either coin-operated vending machines or over-the-counter or in the waiting area, and other foods prepared and packaged off the leased premises for food trays for private or charter flights) at the leased premises.
3. Sales of alcoholic beverages at the leased premises, except with City approval.
4. Sales, advertisement or storage of non-aviation products.
5. Storage, transfer, or sale of fuel.
6. Any sublease which allows further sublease by Lessee's tenant
7. Any use prohibited by law.

G. EXPIRATION.

Upon the expiration of this Lease,

1. The City may purchase building and improvements on the lease area at a fair market value as determined by an Independent Appraiser mutually agreeable to the City and the Lessee, all fees for such appraisal services to be paid by the Lessee, or
2. The City may enter into a new lease agreement for the lease area.

H. DEFAULT.

Any of the following events constitutes default:

1. An act of the Lessee which is in variation with the site plan and is not corrected after 30 days notice by Lessor to Lessee of said default,
2. The nonperformance by Lessee of any other covenant or condition of this lease which is not cured within thirty (30) days after written notice thereof from Lessor, or
3. The subjection of any of Lessee's property to any levy, seizure, assignment, application, or sale for or by any creditor or governmental agency.

I. LESSOR'S RIGHTS UPON DEFAULT.

On the occurrence of any of the events defined as constituting "default", Lessor may without notice to or demand on Lessee, take possession of the leased property and lease the same or any portion thereof, for such period and such rental, and to such persons, as Lessor shall elect.

J. MORTGAGE OF LEASEHOLD INTEREST.

Lessee shall have the right subject to City Manager approval to place a first mortgage lien upon its leasehold. Any approved lender shall notify City of all action taken by it in the event payments on such loans shall become delinquent.

ARTICLE II – OBLIGATIONS OF LESSEE

A. NET LEASE: MAINTENANCE AND OPERATION.

The use and occupancy of the leased premises by Lessee will be without cost or expense to City. It shall be the sole responsibility of Lessee to construct, maintain, repair and operate the entirety of the leased premises and any improvements and facilities constructed thereon at Lessee's sole cost and expense except as specifically set forth in this article.

Lessee shall maintain the leased premises at all times in a safe, neat and attractive condition and shall not permit the accumulation of any trash or debris on the premises. Lessee shall repair all damages to said premises caused by its employees, patrons, or its operation thereon; shall maintain and repair all buildings, pavements, equipment and improvements; and shall repaint the buildings as necessary. Lessee shall pay all taxes against the property and indemnify City from any tax lien.

City reserves the right to make periodic inspection of leased premises and improvements and equipment therein during normal business hours.

City, in its reasonable discretion, shall be the sole judge of the quality of maintenance that shall uniformly apply to all airport tenants. Upon written notice by City to Lessee, Lessee shall be required to perform whatever reasonable maintenance City deems necessary. If said maintenance is not undertaken by Lessee within ten (10) days after receipt of written notice, City shall have the right to enter upon the leased premises and perform the necessary maintenance, the cost of which shall be borne by Lessee.

B. ALTERATIONS TO AND CONDITIONS OF PREMISES.

Any change in exterior paint colors shall be subject to the prior written approval of the City of Brenham. Lessee agrees not to construct, install, remove and/or materially modify any of the buildings or premises leased hereunder without prior written approval of the City of Brenham subject to the conditions considered by City to be necessary.

Lessee shall not remove or demolish, in whole or in part, any improvements upon the premises without the prior written consent of City which may, at its discretion, condition such consent upon the obligation of Lessee to replace the same by an improvement specified in such consent.

C. TRASH, GARBAGE, LANDSCAPING.

Lessee shall provide a complete and proper arrangement of the adequate sanitary handling and disposal, away from the Airport, of all trash, garbage, and other refuse caused as a result of the operation of its business. Lessee shall provide and use approved receptacles for all such garbage, trash and other refuse. Piling of boxes, cartons, barrels or other similar items in an unattractive or unsafe manner, on or about the leased premises, is prohibited.

Lessee shall be responsible for maintaining suitably attractive yard-appearance, as follows: Lessee shall be responsible for groundskeeping and shall screen any outside storage or work areas by the use of an opaque fence or other suitable opaque barrier so that such storage or work areas shall be hidden from public view from the street.

Lessee is specifically responsible for mowing (and to ensure that weed or grass growth is never allowed in excess of that allowed by City weed ordinance requirements) and removal of weeds from around fences and buildings for the area within ten feet of the property shown on the attached Exhibit "A". Lessee is encouraged to provide additional landscaping beyond the minimum required by City to assist in enhancing Airport appearance.

D. SIGNS.

Lessee may not install identifying signs on the leased premises except with the written permission of City Manager.

E. UTILITIES.

Lessee shall assume and pay for all costs or charges for utility services furnished to Lessee during the term hereof; provided, however, that Lessee shall have the right to connect to any and all storm and sanitary sewers and water and utility outlets at its own cost and expense; and Lessee shall pay for any and all service charges incurred therefor.

F. FIELD USE CHARGES.

Nothing herein shall be deemed to relieve Lessee and its tenants, sublessees, patrons, invitees, and others from field landing fees, nor its guests from fuel flowage fees, as are levied by City or the Fixed Base Operator.

G. PAYMENTS DUE.

Lessee agrees that no payments owed by Lessee of any nature whatsoever to City, including payment in advance for service charges, such as garbage collection, or any other sums of any character whatsoever, shall become delinquent or in arrears.

H. COMPLIANCE WITH RULES.

Lessee will comply with any and all federal or state laws, rules and regulations, and all regulations made by the City of Brenham and approved by the City Council.

I. NONDISCRIMINATION/FEDERALLY REQUIRED ASSURANCES.

Lessee, for itself, its personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby agree that “as a covenant running with the land” (1) no person on the grounds of race, color, sex, creed, national origin, or handicapped status shall be excluded from participation in, denied the benefits of , or be otherwise subjected to discrimination in the use of said facilities, or in the construction of any improvements on, or under such land, or the furnishing of services thereof, and (2) that Lessee shall use the premises in compliance with and conduct its operations in accordance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, or Section 504 of the Rehabilitation of 1973 (23 USC 794) and 49 CFR Part 27 and as said regulations may be amended, and that Lessee will comply with such enforcement procedures as the United States might demand that City take.

J. FAA AND OTHER APPROVAL OF USE.

Lessee agrees to secure approval from the Federal Aviation Administration concerning the height and location of all buildings or improvements or modifications thereof which may be constructed or installed on the leased premises and to satisfy any applicable environment or other requirements of federal, state, and local authorities as to noise, smoke, fumes emissions, storm water, or other hazards or potential hazards or other offensive nuisances, if any, which may occur as a result of Lessee’s operations on the premises.

K. NON-INTERFERENCE WITH OPERATION OF AIRPORT/EASEMENTS.

1. Lessee, by accepting this Lease, expressly agrees for itself, its successors and assigns that it will not make use of the premises in any manner which might interfere with the landing and taking off of aircraft at Airport or otherwise constitute a hazard. If Lessee violates this, City reserves the right to enter upon the premises and remove the interference at the expense of the Lessee.
2. City shall maintain and keep in good repair the landing area of the Airport, and shall have the right to direct and control all activities of the Lessee in this regard.
3. City shall retain an easement over, above and on the premises in relation to aircraft noise and the utilization of the air space for the purposes of the operation of said Airport.

L. LESSEE AUTHORITY.

The officers of the Lessee which execute this lease represent and promise that they are duly authorized by corporate resolution or other appropriate authorization to execute the same on behalf of Lessee.

ARTICLE III – OTHER CONDITIONS

1. Lessee agrees to pay all public utility charges that may be assessed, including charges for gas, electric, water and any other utility charge.
2. Any holding over by Lessee or his successors, at the expiration or termination of this lease, in whatever manner its termination may be brought about, shall not operate as a renewal of this lease, but during the period of such holding over Lessee shall be a tenant at the will of Lessor.
3. Lessee shall maintain property and casualty insurance in amounts satisfactory with Lessor and shall provide for public liability insurance in the amount of ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS in order to protect Lessor against claims arising because of the operation of Lessee. Lessee shall give evidence of insurability. CITY OF BRENHAM, TEXAS shall always be shown as an addition insured. Provided, however, if CITY OF BRENHAM, TEXAS so elects, it may take out said insurance and then prorate said costs to Lessee and any Sublessees on an equitable basis, as determined by CITY OF BRENHAM, TEXAS. The CITY OF BRENHAM reserves the right to require that the amount of any and all types of insurance may be increased upon the CITY OF BRENHAM giving thirty (30) days notice to Lessee or any sublessee.
4. The CITY OF BRENHAM requires that Lessee and users of Lessee's premises shall agree to be bound by all of the regular rules and regulations as may be set out by the F.A.A. as to pilots and their conduct and that they agree to abide by any and all local rules that may be approved by the City Council of the CITY OF BRENHAM, TEXAS, for pilots at the CITY OF BRENHAM MUNICIPAL AIRPORT and as may be adopted by the AIRPORT ADVISORY COMMITTEE of the CITY OF BRENHAM, TEXAS. Lessee shall agree that in the event he is found not to have abided by the rules or does not correct a situation required to be corrected by the City of Brenham, then and in that event he may lose his privilege to occupy the Hangar that is located on property being leased by the CITY OF BRENHAM, TEXAS.
5. This Lease is governed by the laws of the State of Texas and performable in Washington County, Texas.
6. If any provision herein is held to be invalid in a court of law, the invalidity of such provision shall in no way affect the validity of any other provision.
7. Any notice required herein shall be effective upon mailing to the address described herein by depositing said notice in the mail, certified mail – return receipt requested.

APPROVED this the ____ day of _____, 2016.

LESSOR

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

July 1, 2016

ATTEST:

Jeana Bellinger, City Secretary

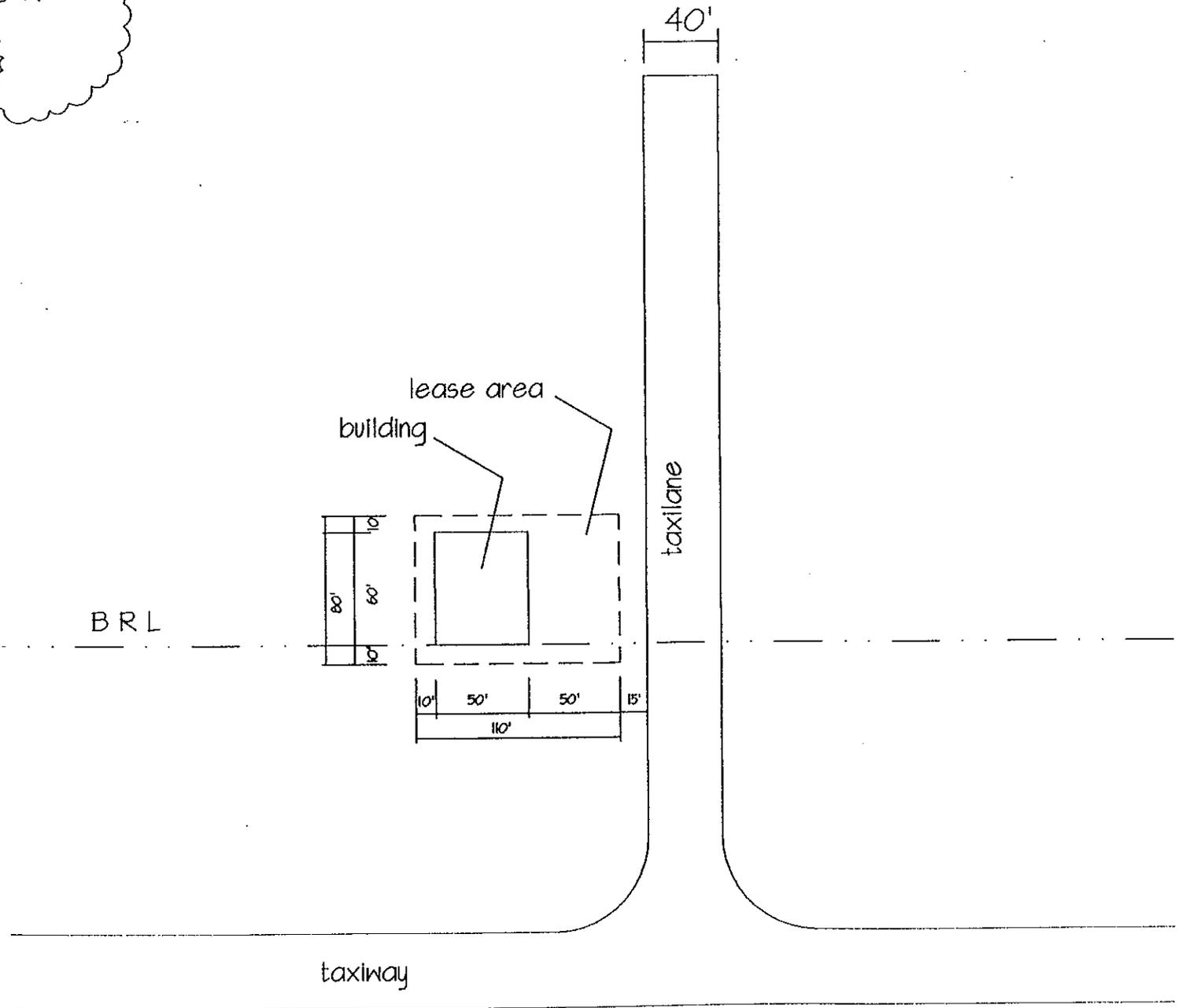
LESSEE



Aviators Plus, LLC
Brent Nedbalek
2901 Aviation Way
Brenham, Texas 7783
(979) 777-8916

Date signed by Lessee: 7-20-16

EXHIBIT "A"



3317 Aviation
Way

Welton E. Hill, M.D.
235 West Palm, Suite 108
Bellville, TX 77418
979.865.9285

COPY

May 30, 2016

City of Brenham Development Services
Attn: Kim Hodde
Fax: 979.337.7218

RE: TERMINATION OF HANGAR LEASE

To City of Brenham:

I am requesting termination of the lease on my hangar at Brenham Airport.
Thank you for your assistance.

Sincerely,



Welton E. Hill, M.D.

3317 Aviation Way



AGENDA ITEM 18

| | | |
|--|---|--|
| DATE OF MEETING: August 4, 2016 | DATE SUBMITTED: July 28, 2016 | |
| DEPT. OF ORIGIN: Administration | SUBMITTED BY: Kacey Weiss | |
| MEETING TYPE: | CLASSIFICATION: | ORDINANCE: |
| <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> 1 ST READING |
| <input type="checkbox"/> SPECIAL | <input type="checkbox"/> CONSENT | <input type="checkbox"/> 2 ND READING |
| <input type="checkbox"/> EXECUTIVE SESSION | <input checked="" type="checkbox"/> REGULAR | <input type="checkbox"/> RESOLUTION |
| | <input type="checkbox"/> WORK SESSION | |
| AGENDA ITEM DESCRIPTION: Discuss and Possibly Act Upon a Request for a Noise Variance from American Cancer Society for Relay For Life to be Held on October 22, 2016 from 6:00 p.m. – Midnight at Jackson Street Park and Authorize the Mayor to Execute Any Necessary Documentation | | |
| SUMMARY STATEMENT: Erin Robinson with the American Cancer Society submitted a Noise Variance Request for their annual event to be held at Jackson Street Park. The event will be from 6:00 p.m. – Midnight. They will be using sound amplification equipment, which requires a Noise Variance. The Brenham Police Department and the Brenham Fire Department have approved the noise variance request; therefore, I ask the City Council to approve the noise variance request. | | |
| STAFF ANALYSIS (For Ordinances or Regular Agenda Items): | | |
| A. PROS: | | |
| B. CONS: | | |
| ALTERNATIVES (In Suggested Order of Staff Preference): | | |
| ATTACHMENTS: (1) Noise Variance Request form | | |
| FUNDING SOURCE (Where Applicable): | | |
| RECOMMENDED ACTION: Approve a request for a noise variance from American Cancer Society for Relay For Life to be held on October 22, 2016 from 6:00 p.m. – Midnight at Jackson Street Park and authorize the Mayor to execute any necessary documentation | | |
| APPROVALS: Terry K. Roberts | | |

Paid 07/11/16
KW

NOISE VARIANCE REQUEST

Application Fee \$10.00

1. Name of sponsoring organization: American Cancer Society - Relay For Life
2. Name and address of individual making application on behalf of sponsoring organization: Erin Robinson 3207 Briarcrest Dr
Bryan, TX 77802
3. Purpose of the Event: Fundraise / Raise Awareness
4. Location of Event: Jackson Street Park
5. Date of the event: October 22, 2016
6. Time of Event: 6pm - midnight
7. Event Set-up: From: noon To: 6 pm
Event Clean-up: From: midnight To: 1 AM
8. You are required to describe the following:
 - a) Types of Activities Planned and any additional information specific to this event: luminaria ceremony, survivor lap,
Games TBD
 - b) Bands/Musical Instruments: N/A
 - c) Sound amplification equipment: DJ
 - d) Cleanup provisions: N/A

Erin Robinson
Name of Applicant (Printed or Typed)
Erin Robinson
Applicant or Authorized Person's Signature

Date: 6/30/16
Phone: 979-776-1464

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