

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on October 12, 2017 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

### Members present:

Mayor Milton Y. Tate, Jr.  
Mayor Pro Tem Andrew Ebel  
Councilmember Susan Cantey  
Councilmember Danny Goss  
Councilmember Keith Herring  
Councilmember Charlie Pyle  
Councilmember Weldon Williams, Jr.

### Members absent:

None

### Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Sara Parker, Director of Community Services Wende Ragonis, Crystal Locke, Andria Heiges, Jennifer Eckermann, Fire Chief Ricky Boeker, Assistant Fire Chief Brian Scheffer, Fire Marshall Brent Sauble, Carrie Derkowski, Police Chief Craig Goodman, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Erik Smith, Kim Hodde, City Engineer Lori Lakatos, Kevin Boggus, Stephen Draehn, Todd Ashorn, Brett Schroeder, Ronald Bentke, Tank Nienstedt, Justin Schroeder, Joe Hinds, Chris Mc Cain, Robert Aguilar, Chase Jones, Andrew Jozwiak, Cecil Wright, Jerred Eschete, and Amanda Sebastian

### Citizens present:

Elizabeth Price, Kevin Mutscher, Carl Detering, Arlen Thielemann, Stacie Oberrender and Clint Kolby

### Media Present:

Arthur Hahn, Brenham Banner Press; and Mark Whitehead, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Councilmember Goss**
3. **Service Recognitions**
  - **Tiwanna Brown, Municipal Court**                      **5 Years**
  - **Andria Heiges, Library**                                      **5 Years**
4. **Special Recognition**
  - Fire Department Promotion & Badge Pinning**
  - **Joshua Sebastian, Captain**

5. **Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

6. **Statutory Consent Agenda**

**6-a. Minutes from the July 27, 2017 Budget Workshop, August 3, 2017, August 17, 2017 and September 7, 2017 Regular City Council Meetings**

A motion was made by Councilmember Herring and seconded by Councilmember Pyle to approve the Statutory Consent Agenda Item 6-a. as presented.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

## WORK SESSION

### **7. Discussion and Presentation Related to Design Standards and Guidelines for the Main Street Incentive Grant Program**

Director of Community Services Wende Ragonis introduced this item and Main Street Manager Jennifer Eckermann presented it. Eckermann explained that as part of the 2017 Main Street Plan of Work, the Economic Restructuring Committee developed a comprehensive program that summarizes incentives offered to Downtown Brenham property and business owners. Eckermann advised that two of the financial incentives offered are funded by revenue generated by Main Street fundraising events, and include a long-running Incentive Grant Fund for exterior improvements, and a sign grant. Eckermann stated a new business recruitment grant was also developed to help recruit businesses to downtown is funded partially by Main Street fundraising, and partially by a match approved by Brenham Community Development Corporation (BCDC) at their June 13, 2017 meeting.

Eckermann noted that at the June BCDC meeting, the Main Street Design Committee presented an update of the Downtown Design Guidelines that were originally approved by the Main Street Board in 2009. Eckermann explained these are suggested guidelines for development in the Downtown Brenham Historic District; however, they are required to be followed to receive Main Street incentive grant funding.

Ragonis explained that if staff wants to pursue further grant funding through the Texas Capital Fund, Council will need to adopt these design guidelines for the community. Ragonis stated that is a requirement for the Texas Capital Fund.

## PUBLIC HEARING

### **8. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District**

Mayor Tate opened the Public Hearing.

Development Services Director Erik Smith presented this item. Smith explained that this is a request from Carl A. Detering, Jr. and William C. Detering to rezone a portion of a tract of land described above from a B-1 Local Business/Residential Mixed Use District to a B-2 Commercial, Research and Technology District. Smith explained that the Planning and Zoning Commission recommended unanimous approval of this request.

There were no citizen comments.

**9. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Mixed Residential Use (R-2) District**

Development Services Director Erik Smith presented this item. Smith explained that this is a request from Carl A. Detering, Jr. and William C. Detering to rezone a portion of the tract of land described above from a B-1 Local Business/Residential Mixed Use District to a R-2 Mixed Residential District. Smith noted the purpose of changing the zoning for this tract is to square off the boundaries of the R-2 zoning district. Smith explained that the Planning and Zoning Commission recommended unanimous approval of this request.

There were no citizen comments.

**10. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Tract of Land Described as R19919 (WCAD), 4.743 Acres, Located at 3201 State Highway 36 S, Being Part of Tract 121 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District**

Development Services Director Erik Smith presented this item. Smith explained that this is a request from Keilers Properties, Inc. to rezone the tract of land described above from a B-1 Local Business/Residential Mixed Use District to a B-2 Commercial, Research and Technology District for the purpose of operating a tire shop. Smith noted that this rezone request is related to the Detering zone change requests on the agenda. Smith advised that Mr. Keilers, who owns the tract of land immediately to the south of the 4.743 acre tract, needs his tract to be adjacent to another B-2 zoned tract to legally make his zoning change request. Smith explained that the Planning and Zoning Commission recommended unanimous approval of this request.

Smith stated there was one public concern from a neighbor that questioned if a tire shop was appropriate for this location. Smith advised part of this concern was because of outside storage of tires. Smith noted this is allowed in this zoning district with screening.

There were no citizen comments.

Mayor Tate closed the Public Hearing.

**REGULAR SESSION**

- 11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District**

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to change the Zoning District on a portion of a 53.01 acre tract of land described as R19805 (WCAD), being a part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

- 12. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Mixed Residential Use (R-2) District**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to change the Zoning District on a portion of a 53.01 acre tract of land described as R19805 (WCAD), being a part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Mixed Residential Use (R-2) District.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**13. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Tract of Land Described as R19919 (WCAD), 4.743 Acres, Located at 3201 State Highway 36 S, Being A Part of Tract 121 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District**

Councilmember Goss stated that he wants to make sure that the property owners near the tire shop are aware of the environmental and aesthetic effects. Smith stated that if the owner was to use the property for storage he would only need to place a screen around the items being stored.

A motion was made by Councilmember Cantey and seconded by Councilmember Pyle to approve an Ordinance on its first reading amending the Official Zoning Map of the City of Brenham, to change the zoning district on a tract of land described as R19919 (WCAD), 4.743 Acres, located at 3201 State Highway 36 S, being a part of Tract 121 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**14. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Side Lot Line Setback Requirements, as Outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, on Tracts of Land Totaling 23.822 Acres of Land and Being Further Described as:**

- a. Section 1, Block 1, Lot 1, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas;**
- b. Section 1, Block 1, Lot 20, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas; and**
- c. Section 1, Block 2, Lot 1 Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas**

Development Services Director Erik Smith presented this item. Smith explained that these lots are for an upcoming single family residential project off Cantey Street and Gun and Rod Road. Smith stated that according to our current subdivision ordinance, building setback lines cannot be closer than twenty-five (25) feet from the side of a lot which abuts a collector or an arterial street. Smith advised that according to the Thoroughfare Plan, Cantey Street and Gun and Rod Road are classified as minor collector streets. Smith noted the subdivision is being platted for single family residential units. Smith explained that typical single family residential lots that have a side yard on a local street are only required to have a 15-foot side yard which is what the applicant is requesting for the side yard for these lots. Smith stated the Planning and Zoning approved the variance request(s) unanimously.

Councilmember Goss was concerned about possibly enlarging the roads in the future and how it will affect the right-of-way. Council advised City Engineer Lori Lakatos to check into the future right-of-way requirements for Gun and Rod Road and bring back her recommendation at second reading of this ordinance.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading authorizing a Variance to Side Lot Line Setback Requirements, as outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, on tracts of land totaling 23.822 Acres of Land and being further described as:

- a. Section 1, Block 1, Lot 1, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas;
- b. Section 1, Block 1, Lot 20, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas; and
- c. Section 1, Block 2, Lot 1 Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**15. Discuss and Possibly Act Upon Resolution No. R-17-017 Authorizing the Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 2017 Christmas Stroll and Lighted Parade to be Held on Saturday, December 2, 2017**

Community Services Specialist Crystal Locke presented this item. Locke explained that the 2017 Christmas Stroll and Lighted Parade is hosted by the City of Brenham and their goal is to create a family-friendly holiday environment and attract people to the downtown area. Locke advised that this year's stroll will be held December 1-2, 2017. Locke stated that the times are Friday from 5:00pm until 9:00pm and Saturday from 8:00am until 10:00pm. Locke noted that Main Street and Alamo Street will be closed between Market Street and Austin Street from 4:00pm until 10:00pm on Saturday. Locked stated there will be live entertainment, a lighted parade, kids' activities, and more. Locke explained that due to an agreement with TxDOT, closures over four hours need approval of this Agreement by the Council.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Resolution No. R-17-017 authorizing the execution of an agreement with TxDOT for the temporary closure of state right of way in connection with the 2017 Christmas Stroll and Lighted Parade to be held December 2, 2017.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes



**16. Discuss and Possibly Act Upon Resolution No. R-17-018 Reauthorizing an Investment Policy for the City of Brenham**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that in 1987, the Texas Legislature adopted the Public Funds Investment Act (PFIA) which established guidelines for local governments. Miller noted this Act requires that a local government adopt a written investment policy and reauthorize the policy annually. Miller stated that after checking with Linda Patterson of Patterson & Associates, staff needs to make one change to the policy due to recent legislative session. Miller advised the change is on page 8 of the Investment Policy.

**Section VI. Suitable and Authorized Investments**

Authorized Investments

6. AAA rated money market funds which strive to maintain a \$1 net asset value and comply with SEC Rule 2a-7.

Miller stated this change would allow the City to use this type of money market fund under a sweep arrangement with the City’s bank, with the goal of earning potentially higher interest to offset regulatory fees. Miller noted the current depository bank pays the City 1% on the daily ledger balance with no fees of any sort. Miller advised this section is being added for future utilization when staff seeks proposals for a new depository contract in July 2020.

A motion was made by Councilmember Cantey and seconded by Councilmember Pyle to approve Resolution No. R-17-018 Reauthorizing the Investment Policy for the City of Brenham dated October 12, 2017.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**17. Discuss and Possibly Act Upon Bid No. 17-011 for Janitorial Services for Various City Facilities and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that on September 25, 2017 the Purchasing Department opened bids for janitorial services for various city facilities. Rau stated there were two (2) bids received. Rau reminded Council that over the last two years, staff has taken the low bidder once and in 2017 staff decided to opt for the second lowest bidder and that performance was even worse. Rau noted the most common issue has been the distance in which the crews have to come, the lack of supervision, and the number of employees that have been assigned to the facilities. Rau explained that when the previous contract was terminated in May 2017, it was decided to use an interim cleaning crew to perform the janitorial duties. Rau stated at that time Kustom Clean Janitorial Services was chosen due to time constraints, and them being a local and previous bidder. Rau advised the service that Kustom Clean has provided has been outstanding on all aspects. Rau noted the interim period is nearing the end and bids have been received.

Rau explained that based off of the bid tabulation and information sheet, WCD Enterprises submitted the lowest bid and Kustom Clean Janitorial Services submitted a close bid. Rau explained that in the bid certain questions were asked in order to get a best value for the City and to alleviate any problems that staff has had with the past two contracts. Rau advised that no response was received by WCD on the travel distance by staff or supervisors, their staffing plan was estimated at 3-5 employees and when asked about performing emergency cleaning services they answered “No”. Rau stated that Kustom Clean Janitorial is local, travel distance is 3 miles, supervisors are local, staffing plan involves 6-12 employees, and they can perform emergency cleaning services. Rau noted that staff believes that Kustom Clean will provide the most consistent and best value to the City facilities.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to award Bid No. 17-011 to Kustom Clean Janitorial in the amount of \$107,448.24 annually for janitorial services for various city facilities, based on Kustom Clean Janitorial providing the best value to the City due to the quality of the bidder’s services, the extent to which the bidder’s services meet the City’s needs, and the bidder’s past relationship with the City, and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**18. Discuss and Possibly Act Upon a Contract Between the City of Brenham and CR Systems, Inc. for Exterior Improvements to City Hall and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that in the 2017-18 budget process, staff asked council to fund exterior improvements to City Hall, specifically cleaning of the exterior brick and sealing of the brick along with all construction joints. Rau noted that this item was approved and budgeted for at \$85,000.

Rau stated that CR Systems Inc. has been doing this type of work on city buildings, such as the fire department and Boys and Girls Club in the past several years. Rau advised it has been very successful and protects the building for many years. Rau noted that CR Systems Inc. is part of The Interlocal Purchasing Systems (TIPS), which is a National Interlocal Purchasing Cooperative benefiting education, government and non-profit agencies. Rau advised that the work is expected to take approximately 2-3 weeks and all operations will remain open during the project.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve a contract, as approved in final form by the City Attorney, between the City of Brenham and CR Systems, Inc. for exterior improvements to City Hall in the amount of \$84,797.00 through TIPS and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**19. Discuss and Possibly Act Upon the Purchase of a Haul Truck Using BuyBoard Contract No. 521-16, for the City of Brenham's Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that during the 2017-18 budget process the Sanitation Department requested a replacement haul truck for their fleet. Rau noted this replacement is part of the 10-year capital improvement plan. Rau stated this truck will replace a 2006 haul truck that has been a part of the fleet for 11 years and has made an estimated 5000+ trips to the landfill. Rau noted the staff has evaluated 3 different types of trucks and have all agreed that the Kenworth T880 will be suitable for the rough conditions in which the trucks will operate.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the purchase of a 2018 Kenworth haul truck in the amount of \$119,875.00 using BuyBoard Contract No. 521-16, for the City of Brenham's Sanitation Department and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**20. Discuss and Possibly Act Upon a Contract Between the City of Brenham and DBT Transportation Services, LLC Related to the Support and Maintenance of the Automated Weather Observation System (AWOS) Located at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation**

Planning Technician Kim Hodde presented this item. Hodde explained that in September 2014, the City executed a three-year agreement with Vaisala for the AWOS maintenance and support services at an annual cost of \$5,966. Hodde stated that during this contract period, Vaisala discontinued the maintenance and support of the AWOS systems and DBT Transportation Services, LLC took over the maintenance of these systems and worked under the existing agreements until their expirations.

Hodde explained that DBT has offered the same exceptional service as Vaisala and is offering the three-year agreement at the same annual cost of \$5,966. Hodde noted that this expense is eligible for 50% reimbursement under the TxDOT RAMP grant. Hodde advised that as an AWOS owner, we are obligated to operate and maintain the system according to FAA rules.

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve a contract between the City of Brenham and DBT Transportation Services, LLC for a three-year term beginning September 1, 2017 at an annual cost of \$5,966.00 related to the Support and Maintenance of the Automated Weather Observation System (AWOS) located at the Brenham Municipal Airport and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**21. Discuss and Possibly Act Upon Resolution No. R-17-019 Expressing Official Intent to Reimburse Certain Costs Related to Emergency Street and Drainage Repairs**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that due to the May 2016 flood event, the City experienced major damage to numerous roadways and drainage areas. Miller advised that the total cost for engineering and construction is estimated at \$1.425 million, and the Reimbursement Resolution is being proposed for \$1.5 million to provide a contingency amount. Miller explained that this agenda item allows Council the ability to reimburse certain costs related to these capital projects from the issuance of Certificates of Obligation in the event that FEMA does not reimburse the City in whole or in part.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve Resolution No. R-17-019 expressing official intent to reimburse certain costs related to emergency street and drainage repairs.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes

**22. Discuss and Possibly Act Upon Emergency Street Work Contracts for the Following Locations:**

- a. Burleson Street at Higgins Branch;**
- b. Jefferson Street at Higgins Branch; and**
- c. Barbee Street at Unnamed Tributary to Hog Branch**

**And Authorize the Mayor to Execute Any Necessary Documentation**

City Engineer Lori Lakatos presented this item. Lakatos explained that several streets were undermined in the May 2016 flooding event. Lakatos stated that three of the streets have progressively gotten worse over the last 16 months and with Hurricane Harvey have become completely impassable or partially shut down. Lakatos noted that pursuant to Local Government Code Chapter 252 Exemptions, the City can expend funds to contract for needed emergency work without going through the formal procurement process for this work.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to award emergency street work contracts for the following project:

- 1. Barbee Street to Site Work Contractors, LLC for \$178,981.00;
- 2. Burleson Street at Higgins Branch to Site Work Contractors, LLC for \$464,700.00; and
- 3. Jefferson Street at Higgins Branch to Hassell Construction Co., Inc. for \$536,066.00

and authorize the Mayor to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes

**23. Discuss and Possibly Act Upon Authorizing a Request for Assistance Through the U. S. Department of Agriculture Natural Resources Conservation Services Emergency Watershed Protection Program and Authorize the City Manager to Execute Any Necessary Documentation**

City Engineer Lori Lakatos presented this item. Lakatos explained that the U. S. Emergency Watershed Protection Program may be available to provide technical and financial assistance when a federal, state, or local emergency is declared. Lakatos noted that during Hurricane Harvey the City of Brenham sustained damages to creeks throughout the City. Lakatos stated that a Damage Survey Report must be completed within 60 days of the formal request for assistance. Lakatos advised that a 25 percent project cost match is required, but that can be accomplished through in-kind services or monetarily.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve authorizing a request for assistance through the U.S. Department of Agriculture Natural Resources Conservation Service Emergency Watershed Protection Program and authorize the City Manager to execute any necessary documentation.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes

#### **24. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- Councilmembers Herring, Goss and Cantey will be serving on an ad-ho Committee to review the operations of the Animal Shelter.
- Development Services Director Erik Smith's last day will be October 19<sup>th</sup>, he will be going to work for the City of Haltom City.

Council adjourned into Executive Session at 2:35 p.m.

#### **EXECUTIVE SESSION**

**25. Section 551.087 – Texas Government Code – Economic Development Negotiation – Discuss and Deliberate Project Chatt Regarding Commercial or Financial Information that the City Has Received from a Business Prospect and the Offer of Financial or Other Incentives to a Business Prospect that the City Seeks to Have Locate In or Near the City of Brenham and With Which the City is Conducting Economic Development Negotiations**

**26. Section 551.074 – Texas Government Code – Personnel Matters – Discussion Regarding the Evaluation of Candidates for the Position of City Manager**

Executive Session adjourned at 4:51 p.m.

**RE-OPEN REGULAR SESSION**

The meeting was adjourned.

*Milton Y. Tate, Jr.*

Mayor



*Jeana Bellinger, TRMC, CMC*

City Secretary