

## **Brenham City Council Minutes**

A special meeting of the Brenham City Council was held on October 17, 2019 beginning at 10:00 a.m. in the Brenham City Hall, Conference Room 2-A, at 200 W. Vulcan Street, Brenham, Texas.

### Members present:

Mayor Milton Y. Tate, Jr.  
Mayor Pro Tem Andrew Ebel  
Councilmember Susan Cantey  
Councilmember Adonna Saunders  
Councilmember Keith Herring  
Councilmember Albert Wright  
Councilmember Clint Kolby

### Members absent:

None

### Others present:

City Manager James Fisher, City Secretary – Director of Administrative Services Jeana Bellinger, Deputy City, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Fire Chief Ricky Boecker, Director of Public Works Dane Rau, Economic Development Director Susan Cates, Debbie Gaffey, Kaci Konieczny, Mason Patranella, Nancy Stafford, Melinda Gordon, JoAnne Hynes and Shauna Laauwe.

### Citizens present:

Grant Lischka and Ben Menjares.

### Media Present:

Arthur Hahn, Brenham Banner Press

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

## WORK SESSION

### 3. Presentation and Discussion Related to the Implementation of a Drainage Utility System, Calculation of Drainage Utility Fees, and Other Associated Items

Budget Officer Debbie Gaffey discussed the following related to the implementation of a drainage utility system and the calculation of a drainage utility fee:

- Customer Rate Classes
- Exemptions
- Appeals Process
- Use of Revenues
- Media Plan
- Timeline

#### **Customer Rate Classes:**

*Residential:* Gaffey explained that this Customer Rate Class was defined as any residential improved lot or tract within the City limits, including single-family home, condominium, mobile home, or duplex. Gaffey stated that a survey was completed to determine Equivalent Residential Unit (ERU) and that one (1) ERU would equal 2,685 square feet of impervious area. Gaffey stated that all customers within the Residential rate class (1 ERU) would get the same monthly drainage utility charge of \$3.75 and that the drainage utility charge would appear as a separate line on their utility bill.

*Non-Residential:* Gaffey explained that this Customer Rate Class was defined as any improved property within the City limits, other than Residential. Gaffey stated that the monthly utility charge for these customers would be based on impervious area relative to 1 ERU (Impervious Area/2,685 SF = ERUs).

#### **Exemptions:**

Gaffey explained that exemptions to the drainage utility fee are mandated by State law and provide an exemption for the following:

- Property with proper construction and maintenance of a wholly sufficient and privately-owned drainage system; or
- Property held and maintained in its natural state until developed with all public infrastructure constructed and accepted by municipality; or
- A subdivided lot, until a structure has been built on the lot and a certificate of occupancy has been issued; or
- Property owned by a county or school district or a municipal housing authority in a municipality of more than 500,000 population located within 50 miles of an international border.
- A state agency (Brenham State School) or a public or private institution of higher education (Blinn).

Gaffey also explained that Council may exempt the following agencies:

- State (Except State Agencies Under Section 580.003)
- County
- Municipality
- School District
- Religious organization exempt under Section 11.20 Tax Code
- Property used for cemetery purposes if closed to new interments/new burial

Gaffey stated that a survey of ten (10) cities was conducted and three (3) exempt these organizations, all other cities charge a drainage fee to these organizations.

### **Appeals Process:**

Gaffey explained that the appeals process for a customer being charged a drainage fee is as follows:

- Submit written adjustment request (City form on website) to Utility Customer Service Department - City has 15 business days to review and respond
- Adjustments are prospective AND may be retroactive for no greater than 3 billings prior to the adjustment request
- If City denies request, Customer has 15 business days from date of notification to appeal decision to City Manager
- Burden of proof and cost is on Customer

### **Use of Revenues:**

Gaffey explained that the revenues collected from the drainage utility fee can only be spent for certain things as allowed by State law. Gaffey advised the Council that approved expenditures include things such as street sweeping, mosquito spraying, storm sewer cleanout, ditch clearing/mowing, culvert/pipe cleaning, and replacement of drainage equipment.

### **Media Plan:**

Gaffey explained that staff has been working on a media plan to help explain the drainage utility fee to the citizens. Gaffey stated that the media plan will include things such as videos on the city's website, drainage project list with photos, social media campaign, utility bill stuffer, town hall meeting, and public notices published in the Banner.

### **Timeline:**

Gaffey advised the Council of the following timeline for the implementation of the drainage utility fund and associated fees:

October:

- 17<sup>th</sup> – Drainage Utility Charge Workshop
- 22<sup>nd</sup> – Newspaper publication of Drainage Utility System Ordinance and Public Hearing Notice
- 29<sup>th</sup> – Newspaper publication of Drainage Utility System Ordinance and Public Hearing Notice

November:

- 5<sup>th</sup> – Newspaper publication of Drainage Utility System Ordinance, Drainage Charge and Notices of Public Hearings
- 12<sup>th</sup> – Newspaper publication of Drainage Charge and Public Hearing Notice
- 19<sup>th</sup> – Newspaper publication of Drainage Charge and Public Hearing Notice
- 21<sup>st</sup> – Public Hearing on Drainage Utility System Ordinance and 1<sup>st</sup> Reading of Ordinance to adopt Drainage Utility System

December:

- 5<sup>th</sup> – Second reading of Ordinance to adopt Drainage Utility System, Public Hearing on Drainage Charge Ordinance and 1<sup>st</sup> Reading of Ordinance to adopt Drainage Charge
- 19<sup>th</sup> – Second reading of Ordinance to adopt Drainage Charge

Drainage utility charges go into effect with the first billing cycle on or after January 1, 2010.

The meeting was adjourned.

***Milton Y. Tate, Jr.***

Mayor

***Jeana Bellinger, TRMC, CMC***

City Secretary

