

Brenham City Council Minutes

A special meeting of the Brenham City Council was held on April 30, 2020 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 Keith Herring
Councilmember Clint Kolby
Councilmember Adonna Saunders
Councilmember Albert Wright

Members absent:

None

Others present:

City Manager James Fisher, City Attorney Cary Bovey, and City Secretary – Director of Administrative Services Jeana Bellinger

Citizens present:

None

Media Present:

Alyssa Faykus, Brenham Banner Press; and Josh Blaschke, KWHI

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

There were no citizen comments.

REGULAR SESSION

4. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 11, Garbage and Trash, of the Code of Ordinances, City of Brenham, Texas

City Manager James Fisher presented this item. Fisher explained that in March and April 2020, the City Council approved a contract with Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling (BVR) for Residential and Commercial Sanitation and Recycling Services. As a result of the outsourcing of sanitation services, Chapter 11 of the Code of Ordinances needs to be amended to reflect the new provider and new methods of collection. Fisher advised the Council that the ordinance being presented for their approval is a complete rewrite of Chapter 11.

Fisher provided an overview of the ordinance and asked Council to provide their thoughts on having BVR to become the sole provider of commercial and/or residential roll-off service. Fisher explained that currently the City has franchise agreements with eight (8) providers for this service and all providers pay the City a franchise. Councilmember Saunders stated that she felt that since BVR has the exclusive sanitation contract that other companies should be allowed to provide roll-off services. Councilmember Wright stated that having options allows the citizens to shop around and find the best price for their specific needs. After further discussion, the Council decided to leave the roll-off franchise agreements in place.

A motion was made by Councilmember Herring and seconded by Councilmember Wright to approve an Ordinance on its first reading amending Chapter 11, Garbage and Trash, of the Code of Ordinances, City of Brenham, Texas.

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

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

5. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule for the City of Brenham Sanitation Rates

City Manager James Fisher presented this item. Fisher explained that due to the outsourcing of residential and commercial sanitation to Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling (BVR), the rate tariffs for sanitation need to be updated to mirror the City's contract with BVR.

City Attorney Cary Bovey advised Council of one needed change in the rate tariff ordinance. Bovey explained that a fee of \$40.00 for an additional pickup needed to be added to the Commercial Recycling section on Sheet No. 811 of the rate tariff.

A motion was made by Councilmember Kolby and seconded by Councilmember Saunders to approve an Ordinance on its first reading amending the rate tariff schedule for the City of Brenham Sanitation Rates with the addition of a \$40.00 fee for an additional pickup in the Commercial Recycling section of the rate tariff ordinance.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

6. Discuss and Possibly Act Upon Resolution No. R-20-019 Providing for the Continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic

City Manager James Fisher presented this item. Fisher explained that Governor Abbot has announced his intention to allow his executive order pertaining to COVID-19 to expire and is looking at re-opening businesses in Texas. Fisher stated that a local declaration of disaster is necessary to qualify for potential Federal Emergency Management Agency (FEMA) assistance in the future. Fisher noted that this resolution is aligned with the Governor’s Executive Order Number 18. Fisher further advised that this Resolution has no end date specified, and it would remain in place until Council votes to terminate it.

City Attorney Cary Bovey advised Council of two needed corrections to the Resolution. Bovey explained that the word “extended” in Sections 2 and 7 could be deleted since the Resolution has no end date and would not need to be extended in the future.

A motion was made by Councilmember Kolby and seconded by Councilmember Saunders to approve Resolution No. R-20-019 providing for the continuation of the Mayoral Declaration of Local Disaster Due to a Public Health Emergency Related to the COVID-19 (Coronavirus) Pandemic with the deletion of the word “extended” in Sections 2 and 7.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

7. Discuss and Possibly Act Upon a Donation in the Amount of \$20,000.00 to the City of Brenham Community Projects Fund, Inc. for the COVID-19 Economic Response Fund and Authorize the Mayor to Execute Any Necessary Documentation

City Manager James Fisher presented this item. Fisher advised that in response to the COVID-19 Pandemic, the Director of Economic Development Susan Cates has been working to establish a Washington County COVID-19 Response Fund to provide financial assistance to our local small businesses.

Fisher explained that the Washington County COVID-19 Response Fund would provide grants to our most at-risk small businesses (those with fewer than 20-full time employees) and the amount of funds distributed would be determined by the number of employees, how long the business has been open, and how the COVID-19 emergency has affected that business.

Fisher advised Council that instead of using \$20,000.00 from the City Manager's contingency fund, he would like the Council to consider the following:

- \$10,000.00 from utility fund reserves for the City to distribute to local restaurants for personal protective equipment, masks, hand sanitizer and cleaning products.
- \$10,000.00 from utility fund reserves to the Washington County COVID-19 Response Fund.
- \$40,000.00 of one-day general fund reserves to the Washington County COVID-19 Response Fund.

Director of Economic Development Susan Cates provided an update to the Council about the Washington County COVID-19 Response Fund. Cates advised that donations have been coming in over the past week and that a Fund Oversight Committee has been established with Councilmember Cantey, and citizens John Barnhill and Leon Toubin serving on the Committee. Cates explained that the Committee reviews each application and determines funding on a case-by-cases basis. Cates stated that the minimum funding amount is \$500.00 while the maximum funding amount is \$3,000.00. Cates advised that forty-five (45) applications have already been received and to date, the Committee has granted a total of \$24,000 to 16 Washington County businesses.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Wright to approve the use of \$10,000.00 from utility fund reserves for the City to distribute to local restaurants for personal protective equipment, masks, hand sanitizer and cleaning products and a donation in the amount of \$50,000.00 to the Washington County COVID-19 Response Fund.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

8. Discussion and Update on the City of Brenham's COVID-19 (Coronavirus) Response and Recovery Efforts

City Manager James Fisher presented this item. Fisher explained that the COVID-19 pandemic has resulted in a forecasted shortfall of revenue in this year's general fund. Fisher reported that all City employees have been asked to take a week off without pay to assist in making up for the shortfall.

Fisher reported that the Library would not be immediately reopened, but it would be allowing citizens to access the computers by appointment. Fisher stated patrons using the computers would be required to wear a mask. Fisher also said patrons can check out books online, and those books can be picked up curbside.

Fisher said City offices would remain closed until further notice. Fisher further noted that staff would be available by appointment. Fisher reported that the Aquatic Center would remain closed indefinitely.

Fisher encouraged citizens to shop locally, as retail-to-go is now allowed.

9. Administrative/Elected Officials Report

None

EXECUTIVE SESSION

Council adjourned into Executive Session at 2:25 p.m.

10. Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding Pending Litigation: D. Guyton v. City of Brenham, Texas; Cause No. 1:20-CV-00412-RP; United States District Court, Western District of Texas, Austin Division

Executive Session adjourned at 2:44 p.m.

WORK SESSION

11. Discussion and Presentation on Fiscal Year 2019-20 Current Budget and 2020-21 Proposed Budget

City Manager James Fisher presented this item. Fisher explained that the budget document provided to Council represents staff's best approximation of the impact of COVID-19 on the City's General Fund for Fiscal Year 2020. Fisher said that staff have been working since March to cut expenses to help mitigate the anticipated shortfall, and he believes this has helped the City's current position.

Fisher reviewed the different sources of revenue for the General Fund and discussed how those sources have been impacted by COVID-19. Fisher advised that projected loss of revenue from various sources results in an anticipated total shortfall of 1.4 million dollars for the Fiscal Year 2020.

Fisher explained that there is a general hiring freeze, part-time and seasonal employees have been furloughed, and step increases have been suspended. Fisher noted that about \$132,000 was saved by requiring all City employees to take one week of unpaid leave. Fisher stated that staff has reviewed all expenses and cut everywhere possible. Fisher said further cuts would likely need to be in personnel expenses.

Assistant City Manager/Chief Financial Officer Carolyn Miller reported the City has 22 days of excess General Fund reserves. Fisher said that staff wants to be cautious about using budget reserves for this fiscal year, because it is believed these reserves would be necessary in Fiscal Year 2021.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary



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