



NOTICE OF A MEETING
Brenham Community Development Corporation
Tuesday, August 8, 2023 @ 7:30 a.m.
City Hall – 2nd Floor Conference Room
200 W. Vulcan St.
Brenham, Texas

1. **Call Meeting to Order**
2. **Invocation and Pledges to the U. S. and Texas Flag**

WORK SESSION

3. **Discussion and Update on the FY2023-24 Budget**
4. **Discussion and Update on D Bar B Sausage & Meats, LLC Business Expansion in the Southwest Industrial Park, Section III**
5. **Discussion and Update on the Lease Agreement with Irby Construction Company for Approximately 28.7 Acres of Land in the Southwest Industrial Park, Section III**

REGULAR SESSION

6. **Discuss and Possibly Act Upon Minutes from the April 20, 2023 and the June 22, 2023 Regular Meetings and the July 6, 2023 Special Meeting**
7. **Discuss and Possibly Act Upon the Repurchase of Approximately 2.787 Acres, Owned by Brenham Kitchens, LLC in Accordance with the Terms Outlined in the Restrictions, Covenants, Easements and Conditions of Brenham Business Center and Authorize the President to Execute Any Necessary Documentation**

EXECUTIVE SESSION

8. **Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Deer in the Southwest Industrial Park, Section III, in the City of Brenham, Texas**

9. **Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Color Guard in the Southwest Industrial Park, Section III, in the City of Brenham, Texas**

RE-OPEN REGULAR SESSION

10. **Discuss and Possibly Act Upon the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Color Guard in the Southwest Industrial Park, Section III, in the City of Brenham, Texas and Authorize the President to Negotiate and Execute Any Necessary Documentation**

Adjourn

CERTIFICATION

I certify that a copy of the agenda of items to be considered by the Brenham Community Development Corporation (BCDC) on Tuesday, August 8, 2023 was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on Friday, August 4, 2023 at 2:30 p.m.

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

Executive Sessions: The Brenham Community Development Corporation (BCDC) 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 Negotiations.

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 this notice and agenda of items to be considered by the Brenham Community Development Corporation (BCDC) was removed by me from the City Hall bulletin board on _____ at _____.

Signature



MEMORANDUM

To: BCDC Board

From: Carolyn Miller, City Manager

Subject: Update on the FY2023-24 Budget

Date: July 31, 2023

At the July 6, 2023 BCDC meeting, the FY2023-24 Budget was discussed and approved by the Board. However, there were some outstanding questions, and this item will provide an update and detailed information to the Board.

- 1) Memo from Cary Bovey, City Attorney, regarding the reimbursement payment from BCDC to the General Fund for maintenance and operations of park and aquatic facilities and administrative support to the City.
- 2) Schedule of General Fund revenues derived from park field rentals, aquatic center revenues and intergovernmental support (Blinn College and BISD).
- 3) Aquatics Department expenditures for the FY2023-24 Proposed General Fund budget.
- 4) Parks Department expenditures for the FY2023-24 Proposed General Fund budget.

Please let me know if you have any questions prior to the meeting on August 8th. Thank you.

BOVEY & COCHRAN, PLLC

2251 Double Creek Drive, Suite 204 ♦ Round Rock, Texas 78664 ♦ Phone: (512) 904-9441 Fax: (512) 904-9445
cary@boveycochran.com

Confidential / Privileged Attorney-Client Communication

MEMORANDUM

TO: Carolyn D. Miller
City Manager/BCDC President

FROM: Cary L. Bovey, City Attorney

DATE: August 1, 2023

RE: Reimbursement Payment for Administrative Support Costs

A question has been raised regarding whether the Brenham Community Development Corporation (“BCDC”) may legally fund maintenance and operation costs for City parks and recreation facilities, specifically whether the BCDC may reimburse the City of Brenham (“City”) for administrative support services provided by the City staff to the BCDC.

Section 505.303(a) of the Texas Local Government Code provides:

Sec. 505.303. PAYMENT OF MAINTENANCE AND OPERATING COSTS; ELECTION. (a) The costs of a publicly owned and operated project purchased or constructed under this chapter include the maintenance and operating costs of the project.¹

There is a statutory process by which the voters of the City may petition for an election to prohibit the payment of maintenance and operation costs related to a project.² However, such an election is not necessary where the voters have previously approved such costs at an election held by the City.³ On May 6, 1995 the City held an election under Section B of the Development Corporation Act (now referred to as Type B economic development corporations) regarding approval of a sales tax rate of 3/8 of one percent. The voters approved the 3/8 cent economic development sales tax at said election. The wording of the ballot proposition stated:

The adoption of a sales and use tax within the City for the development and operation of park facilities and the promotion and development of new and expanded business enterprises at the rate of three-eighths of one percent under the Development Corporation Act, Section 4B.

¹ TEX. LOC. GOV'T CODE § 505.303(a).

² TEX. LOC. GOV'T CODE § 505.303(b).

³ TEX. LOC. GOV'T CODE § 505.303(c); see also Tex. Att’y Gen. Letter Opinion No. 98-062 (1998).

Pursuant to the ballot proposition approved by the voters in 1995, the BCDC is authorized to pay operational costs related to park facilities, including but not limited to administrative expenses. Accordingly, as part of the costs of operation of park facilities, the BCDC may reimburse the City of Brenham (“City”) for administrative support services provided by City staff to the BCDC.

Further, in 2016, the BCDC and the City entered into an “Agreement for Management, Administrative and Technical Services Between the City of Brenham and Brenham Community Development Corporation” (“Agreement”) in 2016 for the City to provide assistance to the BCDC “in managing, administering and providing technical services for the economic development programs and projects approved by the BCDC” due to the BCDC not having its own staff to provide these types of services. In exchange for the services provided by the City to the BCDC, the BCDC is authorized to reimburse the City for costs or expenses incurred by the City in providing the services to the BCDC as described in the Agreement. This Agreement renews annually unless either party provides written notice to the other party of its intent to not renew the Agreement at least 30 days prior to the end of the then current term. Such notice of non-renewal has not been issued by either the BCDC or City and the Agreement remains in effect. As authorized by the Agreement, the BCDC may reimburse the City for administrative support services provided by City staff to the BCDC. A copy of the Agreement is attached to this memorandum.

Please let me know if you have any questions or if I can provide additional information.

**AGREEMENT FOR MANAGEMENT, ADMINISTRATIVE, AND
TECHNICAL SERVICES BETWEEN THE CITY OF BRENHAM AND
THE BRENHAM COMMUNITY DEVELOPMENT CORPORATION**

This Agreement is made and entered into by the City of Brenham, a home-rule municipal corporation situated in Washington County, Texas (hereinafter "CITY"), and the Brenham Community Development Corporation, an economic development corporation formed pursuant to the Industrial Development Act of 1979, now codified in Chapter 501, et seq., Texas Local Government Code (hereinafter "BCDC").

WHEREAS, the BCDC does not have management, administrative, or technical staff necessary to carry out its powers and functions as provided by applicable law; and

WHEREAS, the CITY desires to provide management, administrative, and technical staff necessary for the BCDC to carry out its powers and functions as provided by applicable law, and in order to promote local economic development and to promote new and expanded business and commercial activity in the City; and

WHEREAS, article 3, §52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code authorize the CITY to establish and provide for the administration of a program to provide personnel and services of the City to the BCDC to promote local economic development and to stimulate business and commercial activity in the CITY; and

WHEREAS, the CITY is authorized to contract with public or private entities to carry out statutorily authorized functions; and

WHEREAS, the CITY and BCDC believe that this Agreement is necessary in order to ensure the most effective operation of the BCDC in carrying out its powers and functions as provided by applicable law; and

WHEREAS, the CITY hereby determines that the BCDC's promotion of local economic development and the stimulation of business and commercial activity in the CITY, and the benefits accruing to the CITY as a result thereof, constitutes adequate consideration for the CITY's provision of management, administrative, and technical services to the BCDC pursuant to this Agreement;

NOW THEREFORE, for and in consideration of the mutual undertakings hereinafter set forth and for adequate consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. CITY agrees, within the sole discretion of the Brenham City Manager, to utilize CITY employees, personnel, funds, and other resources designated by the City Manager to assist the BCDC in carrying out its powers and functions as provided by applicable law, in order to promote local economic development and to promote new and expanded business and commercial activity in the CITY. It is the express purpose of this Agreement to have the City Manager, or his designee(s), to implement, administer, and carry out the duties that an executive director or other staff of the BCDC would have in managing, administering, and providing technical services for the economic development programs and projects approved by the BCDC, in accordance with the policies and directives of the BCDC. Any and all employees of the CITY providing services to the BCDC pursuant to this Agreement shall at all times remain CITY employees under the direction and supervision of the City Manager or his designee(s).
2. All services provided by the CITY to the BCDC shall be deemed to be a program to provide personnel and services of the City to the BCDC to promote local economic development and to stimulate business and commercial activity in the CITY as authorized by article 3, §52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code. BCDC further agrees to reimburse the CITY for any out-of-pocket costs or expenses incurred by the CITY in providing the services described herein to the BCDC. In the event the BCDC does not timely reimburse the CITY for said costs or expenses as required herein, the CITY shall be authorized to deduct and retain the amount of any delinquent payment due to the CITY upon receipt of and out of any economic development sales tax revenues received from the Comptroller of Public Accounts for the State of Texas, in addition to any other remedy available to the CITY at law or equity. The CITY and the BCDC acknowledge and agree that the respective obligations and undertakings of each party as set forth herein constitute adequate consideration to the CITY and BCDC.
3. This Agreement shall commence on the _____ day of _____, 2016, and shall remain in effect for a period of one (1) year. This Agreement shall automatically renew annually for a subsequent one (1) year term unless either party provides written notice of termination to the other party at least thirty (30) days prior to the end of the then current term. Notwithstanding any other provision herein, either party hereto may terminate this Agreement for convenience, with or without cause, upon thirty (30) days written notice to the other party.
4. This Agreement shall be construed in accordance with the laws of the State of Texas, including all applicable constitutional provisions, statutes, ordinances, and resolutions. Venue and jurisdiction of any suit or right or cause of action arising in connection with this Agreement shall be exclusively in Washington County, Texas.

5. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
6. This Agreement constitutes the sole agreement of the parties hereto, and supersedes any prior understandings or written or oral contracts between the parties respecting the subject matter defined herein. This Agreement may only be amended or supplemented by mutual agreement of the parties hereto in writing.
7. This Agreement and all of the covenants herein shall inure to the benefit of and be binding upon CITY and BCDC respectively and their successors, assigns, and legal representatives. However, neither party shall have the right to assign this Agreement without the express written consent of the other party.

EXECUTED this 9th day of September, 2016.

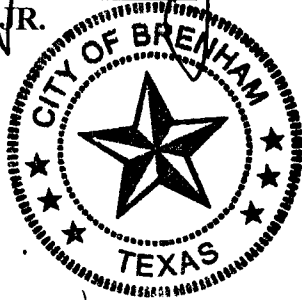
CITY OF BRENHAM, TEXAS

**BRENHAM COMMUNITY
DEVELOPMENT CORPORATION**

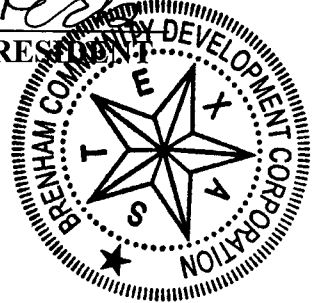
Milton Y. Tate, Jr.
MILTON Y. TATE, JR.
MAYOR

Terry K. Roberts
TERRY K. ROBERTS, PRESIDENT

ATTEST:



ATTEST:



Jhana Bellinger
JHANA BELLINGER, TRMC, CMC
CITY SECRETARY

Paula Shields
NAME: Paula Shields
TITLE: Administrative Assistant

FUND	ACCOUNT	DESCRIPTION	PROJ 2022-2023	PROPOSED 2023-2024	PROPOSED* 2023-2024
101	4-420.00	FIELD RENTAL FEES	\$ 74,892	\$ 78,928	\$ 88,928
101	4-425.00	PARK FACILITY FEES	\$ 44,580	\$ 45,590	\$ 51,590
101	4-520.49	SPONSORSHIP/EVNT REV-RECREATION	\$ 38,000	\$ 37,352	\$ 37,352
101	4-740.00	AQUATICS ADMISSION FEES	\$ 112,494	\$ 113,500	\$ 126,237
101	4-740.10	CONCESSION REVENUE	\$ 32,624	\$ 33,016	\$ 33,016
101	4-740.20	AQUATICS MEMBER PASSES	\$ 73,168	\$ 74,000	\$ 78,275
101	4-740.30	PROGRAM REV-AQUATICS	\$ 43,749	\$ 44,000	\$ 46,529
101	4-740.40	PROGRAM REV-RECREATION	\$ 3,100	\$ 4,162	\$ 4,162
101	4-770.10	POOL RENTALS-LEISURE POOL	\$ 17,653	\$ 17,000	\$ 20,632
101	4-770.20	POOL RENT/LESSON-COMPETITN	\$ 29,115	\$ 30,000	\$ 32,747
101	4-770.30	POOL RENTALS-THERAPY POOL	\$ 1,200	\$ 930	\$ 930
101	4-770.40	LOCKER/TABLE RENTAL	\$ 425	\$ 272	\$ 272
101	4-770.50	AQUATICS MEETING ROOM RENT	\$ 1,765	\$ 3,780	\$ 3,780
101	4-770.90	AQUATICS/RECREATION MISC REV	\$ 1,075	\$ 3,487	\$ 3,487
101	4-528.83	BLINN-SOFTBALL/SOCCER	\$ 40,500	\$ 40,500	\$ 40,500
			\$ 514,340	\$ 526,517	\$ 568,437

Includes \$10,000 from BISS for Fireman's Park

Includes \$12,000 from BISS Rental

*Proposed 23-24 Revenues assume a fee increase based on In-City/Out-of-City Model

	ACTUAL 2021-2022	ADOPTED 2022-2023	AMENDED 2022-2023	PROJECTED 2022-2023	BASE 2023-2024	SUPPLEMENTAL 2023-2024	PROPOSED 2023-2024	% CHANGE FROM PY
EXPENDITURES								
PERSONNEL								
5-149-101.00 SALARIES & WAGES	\$ 467,470	\$ 498,302	\$ 498,302	\$ 470,185	\$ 548,585	\$ 40,000	\$ 588,585	18.1%
5-149-102.00 OVERTIME PAY	\$ 4,570	\$ 4,100	\$ 4,100	\$ 1,269	\$ 3,500		\$ 3,500	-14.6%
5-149-103.00 OASDI/MEDICARE	\$ 35,463	\$ 38,573	\$ 38,573	\$ 36,370	\$ 42,417		\$ 42,417	10.0%
5-149-103.02 MATCHING RETIREMENT	\$ 26,458	\$ 31,921	\$ 31,921	\$ 32,143	\$ 33,987		\$ 33,987	6.5%
5-149-105.00 LONGEVITY PAY	\$ 1,263	\$ 1,500	\$ 1,500	\$ 2,877	\$ 2,760		\$ 2,760	84.0%
5-149-105.01 AUTO/CERT	\$ 775	\$ -	\$ -	\$ 5,918	\$ 5,980		\$ 5,980	0.0%
5-149-106.00 MEDICAL INSURANCE	\$ 32,065	\$ 40,481	\$ 40,481	\$ 30,287	\$ 38,322		\$ 38,322	-5.3%
5-149-106.01 LIFE INSURANCE	\$ 560	\$ 590	\$ 590	\$ 685	\$ 306		\$ 306	-48.1%
5-149-106.02 LONG TERM DISABILITY	\$ 310	\$ 392	\$ 392	\$ 380	\$ 410		\$ 410	4.5%
5-149-107.00 WORKERS' COMPENSATION	\$ 8,213	\$ 6,664	\$ 6,664	\$ 5,569	\$ 6,366		\$ 6,366	-4.5%
5-149-118.00 ACCRUED COMP TIME	\$ (1,797)	\$ -	\$ -	\$ -	\$ -		\$ -	0.0%
TOTAL PERSONNEL	\$ 575,350	\$ 622,523	\$ 622,523	\$ 585,682	\$ 682,633	\$ 40,000	\$ 722,633	16.1%
SUPPLIES								
5-149-201.00 CHEMICALS	\$ 40,946	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ -	\$ 40,000	0.0%
5-149-203.00 TOOLS/SMALL EQUIPMENT	\$ 259	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,500	\$ -	\$ 2,500	25.0%
5-149-203.10 CONCESSION EQUIPMENT	\$ 428	\$ 500	\$ 500	\$ 500	\$ 500	\$ -	\$ 500	0.0%
5-149-204.00 POSTAGE & FREIGHT	\$ 21	\$ 100	\$ 100	\$ 100	\$ 100	\$ -	\$ 100	0.0%
5-149-205.00 OFFICE SUPPLIES	\$ 1,120	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,500	\$ -	\$ 1,500	50.0%
5-149-206.00 EMPLOYEE RELATIONS	\$ 1,013	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,250	\$ -	\$ 1,250	25.0%
5-149-207.00 REPRODUCTION & PRINTING	\$ 1,693	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ -	\$ 2,000	0.0%
5-149-208.00 CLOTHING/PERS PROTECTIVE EQUIP	\$ 8,520	\$ 10,000	\$ 10,000	\$ 10,000	\$ 11,000	\$ -	\$ 11,000	10.0%
5-149-209.00 EDUCATIONAL	\$ 1,279	\$ 2,500	\$ 2,500	\$ 2,500	\$ 750	\$ -	\$ 750	-70.0%
5-149-210.00 BOTANICAL & AGRICULTURAL	\$ -	\$ 100	\$ 100	\$ 100	\$ 100	\$ -	\$ 100	0.0%
5-149-211.00 CLEANING AND JANITORIAL	\$ 7,718	\$ 6,500	\$ 6,500	\$ 6,500	\$ 6,500	\$ -	\$ 6,500	0.0%
5-149-212.00 COMPUTER EQUIPMENT & SUPPLIES	\$ 2,701	\$ 2,603	\$ 2,603	\$ 2,603	\$ -	\$ -	\$ -	-100.0%
5-149-213.00 COMMUNICATIONS EQUIPMENT	\$ 800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
5-149-214.00 AQUATIC PROGRAMS	\$ 4,941	\$ 6,000	\$ 6,000	\$ 6,000	\$ 7,500	\$ -	\$ 7,500	25.0%
5-149-214.10 AQUATIC PROGRAMS-KIDFISH	\$ 1,770	\$ 3,000	\$ 3,000	\$ 2,914	\$ 3,000	\$ -	\$ 3,000	0.0%
5-149-216.00 RESALE ITEMS-CONCESSIONS	\$ 23,023	\$ 18,000	\$ 18,000	\$ 18,000	\$ 20,000	\$ -	\$ 20,000	11.1%
5-149-221.00 SAFETY/FIRST AID SUPPLIES	\$ 6,172	\$ 4,500	\$ 4,500	\$ 6,415	\$ 5,000	\$ -	\$ 5,000	11.1%
5-149-250.00 OTHER SUPPLIES	\$ 5,020	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ -	\$ 2,500	0.0%
TOTAL SUPPLIES	\$ 107,424	\$ 102,303	\$ 102,303	\$ 104,132	\$ 104,200	\$ -	\$ 104,200	1.9%
MAINTENANCE								
5-149-303.00 VEHICLES/LARGE EQUIPMENT	\$ 209	\$ 100	\$ 100	\$ 100	\$ 100	\$ -	\$ 100	0.0%
5-149-304.00 MACHINERY/EQUIPMENT	\$ 27	\$ 100	\$ 100	\$ 100	\$ 100	\$ -	\$ 100	0.0%
5-149-310.00 LAND/GROUNDS	\$ 779	\$ 1,000	\$ 1,000	\$ 2,351	\$ 1,000	\$ -	\$ 1,000	0.0%
5-149-311.10 POOL MAINTENANCE	\$ 85,413	\$ 77,680	\$ 77,680	\$ 77,680	\$ 25,000	\$ -	\$ 25,000	-67.8%
5-149-312.00 BUILDINGS/APPLIANCES	\$ 66,357	\$ 30,000	\$ 30,000	\$ 30,000	\$ 55,000	\$ -	\$ 55,000	83.3%
TOTAL MAINTENANCE	\$ 152,785	\$ 108,880	\$ 108,880	\$ 110,231	\$ 81,200	\$ -	\$ 81,200	-25.4%

	ACTUAL 2021-2022	ADOPTED 2022-2023	AMENDED 2022-2023	PROJECTED 2022-2023	BASE 2023-2024	SUPPLEMENTAL 2023-2024	PROPOSED 2023-2024	% CHANGE FROM PY
SERVICES								
5-149-401.00 ELECTRICAL	\$ 74,979	\$ 71,400	\$ 71,400	\$ 71,825	\$ 71,400	\$ -	\$ 71,400	0.0%
5-149-402.00 AUDITS/CONSULTANT FEES	\$ -	\$ 3,000	\$ 3,000	\$ -	\$ -	\$ -	\$ -	-100.0%
5-149-404.00 GAS	\$ 30,401	\$ 30,000	\$ 30,000	\$ 19,714	\$ 22,000	\$ -	\$ 22,000	-26.7%
5-149-405.00 WATER	\$ 13,645	\$ 8,500	\$ 8,500	\$ 7,628	\$ 8,500	\$ -	\$ 8,500	0.0%
5-149-405.50 DRAINAGE CHARGE	\$ 1,154	\$ 1,200	\$ 1,200	\$ 1,164	\$ 1,200	\$ -	\$ 1,200	0.0%
5-149-406.00 SEWER	\$ 6,964	\$ 5,400	\$ 5,400	\$ 5,097	\$ -	\$ -	\$ -	-100.0%
5-149-406.60 DISPOSAL FEES	\$ 7	\$ 100	\$ 100	\$ 50	\$ 50	\$ -	\$ 50	-50.0%
5-149-408.10 RENTALS/LEASES-FLEET	\$ 157	\$ 300	\$ 300	\$ -	\$ -	\$ -	\$ -	-100.0%
5-149-409.00 ADVERTISEMENTS/LEGAL NOTICES	\$ 11,661	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	0.0%
5-149-410.00 PHYSICALS	\$ 3,585	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ -	\$ 2,500	0.0%
5-149-415.00 JANITORIAL SERVICES	\$ 4,837	\$ 5,067	\$ 5,067	\$ 5,067	\$ 7,067	\$ -	\$ 7,067	39.5%
5-149-424.00 SERVICE CONTRACTS	\$ 6,357	\$ 8,900	\$ 8,900	\$ 8,900	\$ 3,400	\$ -	\$ 3,400	-61.8%
5-149-442.00 CONTRACT MOWING/LANDSCAPING	\$ 4,214	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ -	\$ 4,500	0.0%
5-149-450.00 OTHER SERVICES	\$ 1,470	\$ 3,000	\$ 3,000	\$ 4,500	\$ 2,000	\$ -	\$ 2,000	-33.3%
TOTAL SERVICES	\$ 159,431	\$ 153,867	\$ 153,867	\$ 140,945	\$ 132,617	\$ -	\$ 132,617	-13.8%
NON-CAPITAL ASSETS								
5-149-702.00 BUILDINGS	\$ 27,164	\$ 70,720	\$ 70,720	\$ 65,000	\$ -	\$ -	\$ -	-100.0%
5-149-712.00 OFFICE FURNITURE/EQUIPMENT	\$ -	\$ 1,050	\$ 1,050	\$ 1,068	\$ -	\$ -	\$ -	-100.0%
5-149-715.00 OTHER CAPITAL	\$ 46,686	\$ 41,600	\$ 41,600	\$ 40,000	\$ -	\$ -	\$ -	-100.0%
TOTAL NON-CAPITAL ASSETS	\$ 73,850	\$ 113,370	\$ 113,370	\$ 106,068	\$ -	\$ -	\$ -	-100.0%
SUNDRIES								
5-149-901.00 LIAB/CASUALTY INSURANCE	\$ 12,053	\$ 13,620	\$ 13,620	\$ 13,900	\$ 14,734	\$ -	\$ 14,734	8.2%
5-149-908.00 SEMINARS/MEMBERSHIP/TRAVE	\$ 7,722	\$ 6,000	\$ 6,000	\$ 6,000	\$ 8,000	\$ -	\$ 8,000	33.3%
5-149-908.10 MILEAGE	\$ 1,221	\$ 1,300	\$ 1,300	\$ 1,000	\$ 1,300	\$ -	\$ 1,300	0.0%
5-149-949.00 UNEMPLOYMENT BENEFITS	\$ (73)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
5-149-950.00 OTHER SUNDRY	\$ 99	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
TOTAL SUNDRIES	\$ 21,022	\$ 20,920	\$ 20,920	\$ 20,900	\$ 24,034	\$ -	\$ 24,034	14.9%
AQUATICS TOTAL	\$ 1,089,862	\$ 1,121,863	\$ 1,121,863	\$ 1,067,958	\$ 1,024,684	\$ 40,000	\$ 1,064,684	-5.1%

	ACTUAL 2021-2022	ADOPTED 2022-2023	AMENDED 2022-2023	PROJECTED 2022-2023	BASE 2023-2024	PROPOSED 2023-2024	% CHANGE FROM PY
EXPENDITURES							
PERSONNEL							
5-144-101.00 SALARIES & WAGES	\$ 481,839	\$ 488,002	\$ 488,002	\$ 416,461	\$ 522,727	\$ 522,727	7.1%
5-144-102.00 OVERTIME PAY	\$ 14,931	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	0.0%
5-144-103.00 OASDI/MEDICARE	\$ 36,852	\$ 39,286	\$ 39,286	\$ 32,298	\$ 41,462	\$ 41,462	5.5%
5-144-103.02 MATCHING RETIREMENT	\$ 76,564	\$ 81,317	\$ 81,317	\$ 70,628	\$ 88,796	\$ 88,796	9.2%
5-144-105.00 LONGEVITY PAY	\$ 10,115	\$ 10,500	\$ 10,500	\$ 15,030	\$ 11,100	\$ 11,100	5.7%
5-144-105.01 AUTO/CERT	\$ 6,017	\$ 6,000	\$ 6,000	\$ 5,918	\$ 8,160	\$ 8,160	36.0%
5-144-106.00 MEDICAL INSURANCE	\$ 103,626	\$ 105,666	\$ 105,666	\$ 97,944	\$ 116,139	\$ 116,139	9.9%
5-144-106.01 LIFE INSURANCE	\$ 1,676	\$ 1,499	\$ 1,499	\$ 1,639	\$ 846	\$ 846	-43.6%
5-144-106.02 LONG TERM DISABILITY	\$ 930	\$ 999	\$ 999	\$ 909	\$ 1,133	\$ 1,133	13.4%
5-144-107.00 WORKERS' COMPENSATION	\$ 8,349	\$ 7,038	\$ 7,038	\$ 5,061	\$ 5,892	\$ 5,892	-16.3%
5-144-118.00 ACCRUED COMP TIME	\$ 1,541	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
TOTAL PERSONNEL	\$ 742,440	\$ 750,306	\$ 750,306	\$ 655,888	\$ 806,255	\$ 806,255	7.5%
SUPPLIES							
5-144-202.00 FUEL	\$ 18,011	\$ 18,000	\$ 18,000	\$ 17,577	\$ 18,000	\$ 18,000	0.0%
5-144-203.00 TOOLS/SMALL EQUIPMENT	\$ 5,308	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	0.0%
5-144-205.00 OFFICE SUPPLIES	\$ 965	\$ 250	\$ 250	\$ 150	\$ 250	\$ 250	0.0%
5-144-206.00 EMPLOYEE RELATIONS	\$ 3,879	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,500	\$ 2,500	25.0%
5-144-207.00 REPRODUCTION & PRINTING	\$ 5,134	\$ 5,000	\$ 5,000	\$ 5,000	\$ 6,400	\$ 6,400	28.0%
5-144-208.00 CLOTHING/PERS PROTECTIVE EQUIP	\$ 9,769	\$ 7,000	\$ 7,000	\$ 7,000	\$ 8,000	\$ 8,000	14.3%
5-144-210.00 BOTANICAL & AGRICULTURAL	\$ 36,030	\$ 36,000	\$ 36,000	\$ 42,000	\$ 42,000	\$ 42,000	16.7%
5-144-210.10 BOTANICAL-BEAUTIFICATION	\$ 5,423	\$ 5,500	\$ 5,500	\$ 5,500	\$ 6,000	\$ 6,000	9.1%
5-144-211.00 CLEANING AND JANITORIAL	\$ 21,343	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	0.0%
5-144-212.00 COMPUTER EQUIPMENT & SUPPLIES	\$ 1,377	\$ -	\$ -	\$ 500	\$ -	\$ -	0.0%
5-144-213.00 COMMUNICATIONS EQUIPMENT	\$ 531	\$ 500	\$ 500	\$ -	\$ -	\$ -	-100.0%
5-144-214.00 RECREATION PROGRAMS	\$ 2,116	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	0.0%
5-144-221.00 SAFETY/FIRST AID SUPPLIES	\$ 421	\$ 400	\$ 400	\$ 400	\$ 400	\$ 400	0.0%
5-144-223.00 SMALL APPLIANCES	\$ -	\$ 500	\$ 500	\$ 800	\$ 800	\$ 800	60.0%
5-144-250.00 OTHER SUPPLIES	\$ 8,598	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000	0.0%
5-144-250.20 OTHER SUPPLIES-FIELD SUPPLIES	\$ 17,296	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	0.0%
TOTAL SUPPLIES	\$ 136,201	\$ 119,650	\$ 119,650	\$ 125,427	\$ 128,850	\$ 128,850	7.7%
MAINTENANCE							
5-144-303.00 VEHICLES/LARGE EQUIPMENT	\$ 18,365	\$ 19,000	\$ 19,000	\$ 19,000	\$ 19,000	\$ 19,000	0.0%
5-144-304.00 MACHINERY/EQUIPMENT	\$ 1,479	\$ 2,500	\$ 2,500	\$ 2,000	\$ 2,500	\$ 2,500	0.0%
5-144-306.00 OUTDOOR/STREET LIGHTING	\$ 26,667	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	0.0%
5-144-310.00 LAND/GROUNDS	\$ 58,241	\$ 73,800	\$ 73,800	\$ 73,800	\$ 50,000	\$ 50,000	-32.2%
5-144-312.00 BUILDINGS/APPLIANCES	\$ 41,098	\$ 50,000	\$ 50,000	\$ 50,000	\$ 53,500	\$ 53,500	7.0%
5-144-350.00 OTHER MAINTENANCE	\$ 20,652	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	0.0%
TOTAL MAINTENANCE	\$ 166,502	\$ 185,300	\$ 185,300	\$ 184,800	\$ 165,000	\$ 165,000	-11.0%

	ACTUAL 2021-2022	ADOPTED 2022-2023	AMENDED 2022-2023	PROJECTED 2022-2023	BASE 2023-2024	PROPOSED 2023-2024	% CHANGE FROM PY
SERVICES							
5-144-401.00 ELECTRICAL	\$ 85,026	\$ 82,100	\$ 82,100	\$ 89,122	\$ 85,000	\$ 85,000	3.5%
5-144-402.80 SPECIAL SERVICES-TREE TRIMMING	\$ 11,375	\$ 10,000	\$ 10,000	\$ 12,000	\$ 10,000	\$ 10,000	0.0%
5-144-403.00 TELEPHONE	\$ 780	\$ 800	\$ 800	\$ 792	\$ 800	\$ 800	0.0%
5-144-404.00 GAS	\$ 6,024	\$ 6,000	\$ 6,000	\$ 5,607	\$ 6,000	\$ 6,000	0.0%
5-144-405.00 WATER	\$ 25,227	\$ 20,000	\$ 20,000	\$ 22,834	\$ 21,500	\$ 21,500	7.5%
5-144-405.50 DRAINAGE CHARGE	\$ 10,830	\$ 10,900	\$ 10,900	\$ 10,602	\$ 10,900	\$ 10,900	0.0%
5-144-406.00 SEWER	\$ 7,962	\$ 8,000	\$ 8,000	\$ 7,117	\$ 8,000	\$ 8,000	0.0%
5-144-406.60 DISPOSAL FEES	\$ 3,907	\$ 3,400	\$ 3,400	\$ 3,159	\$ 3,500	\$ 3,500	2.9%
5-144-408.00 RENTAL & LEASES	\$ 1,596	\$ 2,000	\$ 2,000	\$ 3,000	\$ 3,000	\$ 3,000	50.0%
5-144-408.10 RENTALS/LEASES-FLEET	\$ 4,184	\$ 6,000	\$ 6,000	\$ 4,500	\$ -	\$ -	-100.0%
5-144-408.20 RENTALS/LEASES-VERF	\$ 28,795	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
5-144-409.00 ADVERTISEMENTS/LEGAL NOTICES	\$ 2,769	\$ 3,000	\$ 3,000	\$ 4,000	\$ 4,000	\$ 4,000	33.3%
5-144-415.00 JANITORIAL SERVICES	\$ 59,386	\$ 56,000	\$ 56,000	\$ 64,000	\$ 63,712	\$ 63,712	13.8%
5-144-422.00 CONTRACT LABOR	\$ 26,400	\$ 26,400	\$ 26,400	\$ 26,400	\$ 26,400	\$ 26,400	0.0%
5-144-424.00 SERVICE CONTRACTS	\$ 12,901	\$ 14,850	\$ 14,850	\$ 14,850	\$ 15,600	\$ 15,600	5.1%
5-144-442.00 CONTRACT MOWING/LANDSCAPING	\$ 34,902	\$ 40,000	\$ 40,000	\$ 44,000	\$ 40,000	\$ 40,000	0.0%
5-144-450.00 OTHER SERVICES	\$ 3,728	\$ 2,700	\$ 2,700	\$ 2,700	\$ 2,900	\$ 2,900	7.4%
TOTAL SERVICES	\$ 325,792	\$ 292,150	\$ 292,150	\$ 314,683	\$ 301,312	\$ 301,312	3.1%
NON-CAPITAL ASSETS							
5-144-702.00 BUILDINGS	\$ 2,230	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
5-144-715.00 OTHER CAPITAL	\$ 19,274	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -	-100.0%
TOTAL NON-CAPITAL ASSETS	\$ 21,504	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -	-100.0%
SUNDRIES							
5-144-901.00 LIAB/CASUALTY INSURANCE	\$ 19,433	\$ 21,959	\$ 21,959	\$ 22,234	\$ 23,568	\$ 23,568	7.3%
5-144-908.00 SEMINARS/MEMBERSHIP/TRAVE	\$ 4,897	\$ 3,415	\$ 3,415	\$ 2,500	\$ 3,000	\$ 3,000	-12.2%
5-144-908.10 MILEAGE	\$ 104	\$ 500	\$ 500	\$ 100	\$ 100	\$ 100	-80.0%
5-144-910.00 BOARD/CMITTEE/VOLNTR RELATIONS	\$ 698	\$ 700	\$ 700	\$ 700	\$ 700	\$ 700	0.0%
5-144-948.40 CHRISTMAS STROLL	\$ 6,097	\$ 10,000	\$ 10,000	\$ 5,500	\$ 10,000	\$ 10,000	0.0%
5-144-948.50 HOT NIGHTS/COOL TUNES	\$ 29,401	\$ 24,000	\$ 24,000	\$ 24,000	\$ -	\$ -	-100.0%
5-144-948.60 MOVIES IN THE PARK	\$ 7,820	\$ 7,500	\$ 7,500	\$ 7,500	\$ 8,000	\$ 8,000	6.7%
5-144-949.00 UNEMPLOYMENT BENEFITS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
5-144-950.00 OTHER SUNDRY	\$ 838	\$ 900	\$ 900	\$ 1,200	\$ 1,200	\$ 1,200	33.3%
TOTAL SUNDRIES	\$ 69,288	\$ 68,974	\$ 68,974	\$ 63,734	\$ 46,568	\$ 46,568	-32.5%
PARKS TOTAL	\$ 1,461,727	\$ 1,431,380	\$ 1,431,380	\$ 1,344,532	\$ 1,447,985	\$ 1,447,985	1.2%

MEMORANDUM

To: Brenham Community Development Corporation (BCDC)
Board of Directors

From: Teresa Rosales, Economic & Community Development Director

Subject: D Bar B Sausage & Meats, LLC Expansion

Date: August 3, 2023

City staff recently received an inquiry from a contractor who is working with D Bar B Sausage & Meats, LLC (we know them as Kountry Boys Sausage) on a potential expansion to their existing building at 1909 Longwood Drive (R46714). They are asking for a meeting to discuss the preliminary site plan to see if moving forward is appropriate.

This expansion is to their processing facility cooler in order to accommodate increased production. Once they have reviewed plans and CC&Rs with city development staff, we will bring an additional update.

A tour of the facility was recently conducted by myself, Mayor Kenjura and City Manager Carolyn Miller. The business began in 1998 and is currently operated by Brian Bender, President and Todd Steele, Vice President. Their food (smoked meats, baked goods and seasonings) is sold across the Southern United States and Mexico through 1,200 retail partners including Food Town, Kroger, Fiesta and Walmart.

A discussion was had about the other property purchased in the Southwest Industrial Park on 8/1/22 known as R63671, along Industrial Blvd. The current economic environment with increased interest rates has made construction on that site cost prohibitive for now. However, they do have an immediate need. The current location for their tractor/trailer and box truck parking is changing hands, so they need to find a new parking location. They inquired about the possibility of using this land for that purpose. After reviewing CC&Rs and discussions with Stephanie Doland, this is an appropriate use for this tract.

MEMORANDUM

To: Brenham Community Development Corporation (BCDC)
Board of Directors

From: Teresa Rosales, Economic & Community Development Director

Subject: Irby Lease

Date: August 3, 2023

City staff recently received a 30-day notice of the intention to terminate the lease at 2501 Longwood Drive.

They expect to vacate the property on or before August 14, 2023.

I had a conversation with Jaxxon Grisham at Irby Construction and reminded him of the clause to ensure that the property is brought back to pre-lease condition.



Absolute Performance . . .

A Quanta Services Company

IRBY Construction Company
1408 Blackjack Street
Lockhart, TX 78644
Tel. (601) 944-5857
Fax (512) 668-4714
Email: jgrisham@irbyconstruction.com
Internet: www.irbyconst.com

July 14, 2023

Brenham Community Development Corporation
P.O. Box 1059
Brenham, TX 77834

Re: Irby Construction Lease dated July 15, 2022
2501 Longwood Dr
30 Day Notice of Termination

To whom it may concern,

Please be advised we are finishing up our project in the Brenham area and will be vacating the leased property located at 2501 Longwood Drive on or before August 14, 2023. We have appreciated working with you during the term of this lease.

Do not hesitate to reach out to us with any questions or concerns. Thanks again.

Sincerely,

A handwritten signature in black ink, appearing to read "Jaxxon Grisham".

Jaxxon Grisham

Irby Construction Company
Tel. (601) 944-5857
Email: jgrisham@irbyconstruction.com

MINUTES

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

April 20, 2023

A regular meeting of the Brenham Community Development Corporation was held on Thursday, April 20, 2023 at City Hall, Conference Room 2A, 200 W. Vulcan, Brenham, Texas beginning at 7:30 a.m.

Board members present were Charles Moser, Darrell Blum, John Hasskarl, Bill Betts, Jim Kolkhorst, Ken Miller, and Gary Crocker

Board members absent: None

City of Brenham staff members present were Carolyn Miller, Jeana Bellinger, Stephanie Doland, Teresa Rosales, and Stacy Hardy.

Others present: City Attorney Luke Cochran was present via telephone.

- 1. Chairman Charles Moser called the meeting to order**
- 2. Invocation and Pledges to the U. S. and Texas Flags**
- 3. Discuss and Possibly Act Upon the Minutes from the March 23, 2023 and April 3, 2023 Special Meetings**

A motion was made by Bill Betts and seconded by Gary Crocker to approve the minutes from the March 23, 2023 and April 3, 2023 Special Meetings.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

4. Discuss and Possibly Act Upon FY2022-23 Second Quarter Financial Statement

Director of Finance – Stacy Hardy presented this item to the Board. Hardy explained the following details about the financial statements:

Sales Tax Revenue

- Sales tax revenue budget increased by 8% over the prior year’s budget. October thru February collections are \$164,209 above budget.

Financial Statements – Fund 250

- Economic Development: Currently has an operating surplus of \$593,741 for the second quarter of FY23. All operating expenditures are within budgeted levels.
- Recreation: Ended the third quarter with an operating surplus of \$608,556. Seven (7) of the seventeen (17) parks and recreation approved projects were completed as of March 31, 2023.

BCDC Capital Projects – Fund 252

- The available fund balance of \$1,068,602 remains for the Brenham Family Park project expenditures. As of the end of the second quarter, the Texas Parks and Wildlife Grant of \$750,000 had not been received.

A motion was made by Darrell Blum and seconded by John Hasskarl to approve the FY2022-23 second quarter financial report as presented.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The Board adjourned into Executive Session at 7:35 a.m.

EXECUTIVE SESSION

5. Texas Government Code, Section 551.071 – Consultation with Attorney – Consultation with Legal Counsel Regarding the Development of Approximately 6.413 Acres in the Brenham Business Center, Owned by Capital Westview Partners, LLC

- 6. Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Project Stones Throw and Transaction Matters Involving Approximately 50 Acres in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters**

Executive Session adjourned at 8:36 a.m.

RE-OPEN REGULAR SESSION

- 7. Discuss and Possibly Act Upon Project Stones Throw and Transaction Matters Involving Approximately 50 Acres in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters, and Authorize the President to Execute Any Necessary Documentation**

A motion was made by Ken Miller and seconded by Jim Kolkhorst to return any earnest money paid by Project Stones Throw in relation to the approximately 50-acre tract in the Southwest Industrial Park, Section III, and authorize the President to execute any necessary documentation.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

8. Board and Staff Updates

➤ **Economic Development**

- No update given

➤ **Parks & Recreation**

- No update given

➤ **Administration**

- Carolyn Miller advised the Board about two local businesses preparing for expansions: StanPac and PlanNorth (2 separate projects).

The meeting was adjourned.

Charles Moser
Chairman

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

MINUTES

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

June 22, 2023

A regular meeting of the Brenham Community Development Corporation was held on Thursday, June 22, 2023 at City Hall, Conference Room 2A, 200 W. Vulcan, Brenham, Texas beginning at 7:30 a.m.

Board members present were Charles Moser, Darrell Blum, John Hasskarl, Bill Betts, Jim Kolkhorst Gary Crocker, and Ken Miller

Board members absent: None

City of Brenham staff members present were Carolyn Miller, Jeana Bellinger, Stephanie Doland, Dane Rau. Debbie Gaffey, Teresa Rosales and Tim McRoberts

Others present: Mayor Pro Tem Kolby, James Whatley, Wesley Brinkmeyer, Justin Jersey, Jay Alexander, Richard Rolland and Luis Herrera

1. **Chairman Charles Moser called the meeting to order**
2. **Invocation and Pledges to the U. S. and Texas Flags – City Manager Carolyn Miller**

WORK SESSION

3. **Discussion and Presentation Related to a Request from Capital Westview Partners, LLC for Variances to the Restrictions, Covenants, Easements, and Conditions of the Brenham Business Center**

Director of Development Services Stephanie Doland presented this item. Doland explained that on May 24, 2023 City Staff received written correspondence from Richard Rolland, Managing Partner of Capital Westview Partners, LLC (CWP) requesting formal variances be considered by the BCDC for three development criteria of the CCR's. The variances requested by CWP were as follows:

- **Variance #1:** A request for a reduction to the minimum building square footage (SF) to acreage ratio from the minimum of 7,000 SF building per acre to 3,800 SF building per acre.
- **Variance #2:** A request for four (4) driveway entrances along a Lot frontage of approximately 640-feet where one (1) driveway is permitted per lot in accordance with the recorded CCR's.
- **Variance #3:** A request to allow the use of mercantile/retail use in addition to manufacturing and warehouse use where retail sales are currently disallowed per the recorded CCR's.

Doland stated that the CCR’s read in Section 4: *“The BCDC or its designated committee may, in its sole and absolute discretion, grant a variance to these covenants, conditions and restrictions where enforcement of one or more of the same would result in hardship to the lot owner, provided that such variance will not adversely affect the development plan of the Brenham Business Center.”* Therefore, the BCDC has the authority to grant or deny one or any combination of the variances requested by CWP. The Board then discussed the details of each variance.

4. Discussion and Presentation of the 5-Year Financial Outlook

Strategic Budget Officer Tim McRoberts presented this item. McRoberts provided the Board with the following information related to a five-year financial outlook and forecast:

- **Purpose of the Five-Year Forecast**
 - Help analyze revenue trends and major expenditures over the course of several years to better prepare and forecast future BCDC operations.
 - Forecasting several years ahead can help give context beyond just current obligations and operations.
 - Although BCDC has independent revenue streams, economic development and recreation decisions can directly affect both the City’s General & Utility funds.
- **Overall Financial Outlook**
 - Main source of BCDC revenue, sales tax, is very strong,
 - Partnership with Washington County allows our economic development dollars to go further.
 - BCDC has been able to fund major Parks & Recreation improvements while also being instrumental as an economic activity driver for both new and existing businesses.
- **Five-Year Financial Outlook & Forecast**
 - Financial outlook for BCDC is very healthy. As Brenham continues to attract new development these estimates should prove to be conservative.
 - There is opportunity for new programs and growth within this fund. However, in light of this good news it is critical to examine the challenges other City entities are currently facing.

	RECREATION			ECONOMIC DEVELOPMENT		
	Revenue	Expense	Surplus(Deficit)	Revenue	Expense	Surplus(Deficit)
2023	\$ 1,627,875	\$ 1,247,229	\$ 380,646	\$ 1,468,151	\$ 1,582,584	\$ (114,433)
2024	\$ 1,642,160	\$ 1,158,780	\$ 483,380	\$ 1,162,164	\$ 700,000	\$ 462,164
2025	\$ 1,779,995	\$ 1,200,000	\$ 579,995	\$ 1,108,459	\$ 735,000	\$ 373,459
2026	\$ 1,836,320	\$ 1,200,000	\$ 636,320	\$ 1,138,788	\$ 771,750	\$ 367,038
2027	\$ 1,894,334	\$ 1,200,000	\$ 694,334	\$ 1,170,026	\$ 810,338	\$ 359,689
2028	\$ 1,954,089	\$ 1,200,000	\$ 754,089	\$ 1,202,202	\$ 850,854	\$ 351,348

- **Long-Term General and Utility Fund Challenges to Note**
 - Public Safety Programs
 - Property Tax Relief
 - Inflation, labor shortages, supply chain issues
 - Legislative changes on the horizon
 - Water Plant/Capacity Expansion
 - Impact Fees
- **Long-Term General and Utility Fund Strategies**
 - Revenues
 - Current and proposed limitations on the City's ad valorem tax, will make the City more reliant on other revenue streams. Sales tax (retail) will prove to be the most important revenue moving forward.
 - Increases for charges for service, and growth-related fees must be increased to offset rising costs.
 - Intergovernmental agreements must be looked at to make sure they are fair and equitable.
 - Expenditures
 - Personnel remains the single biggest cost for the City moving forward (70% of budgets with constant upward pressure). Most of the City's future M&O property tax and sales tax revenue increases will have to go towards maintaining our existing staff.
 - Funding and issuing debt for the Water Plant expansion will be a significant challenge and will include a multitude of strategies to accomplish.
- **General Fund Snapshot Cost by Department**
 - Top 5 departments and their total cost to operate are:
 - Police: \$5,706,308
 - Parks: \$2,928,741
 - Fire: \$2,915,112
 - Streets: \$2,817,299
 - Aquatics: \$1,432,599
- **How Does This Relate to BCDC**
 - A new approach, not only to show BCDC a wider financial picture, but to also to tie in the long-term outlook of all City entities.
 - It is helpful to understand the challenges the City faces on a whole when formulating policies and strategies.
 - Vital to look at the issues through a collective lens.

McRoberts advised the Board that the FY2023-24 budget needs to have some sort of subsidy from the BCDC to help cover the maintenance and operations cost of aquatics and parks. McRoberts explained that as the costs of providing parks and aquatic services has increased it is getting more difficult for the City to carry the full financial burden of these operations.

5. Discussion and Update on Property Owned by B. L. Smith d/b/a Brenham Kitchens in the Brenham Business Center

City Secretary and Director of Administrative Services Jeana Bellinger presented this item. Bellinger explained that Chairman Moser requested information on how the 18-month option period outlined in Section 5 of the Restrictions, Covenants, Easements, and Conditions for the Brenham Business Center affects the 2.787-acre tract purchased by Brenham Kitchens in February, 2022.

Bellinger advised that the 18-month period on the Brenham Kitchens property will expire on/or around August 24, 2023 and that the tract was sold for \$139,350.00 (\$50,000 per acre). Bellinger stated that the Restrictions state that if the BCDC would like to exercise their right to repurchase any property due to the Owner’s failure to construct, BCDC shall notify the owner in writing; however, if the BCDC fails to notify the Owner within six months after the expiration of the 18-month period, the right to re-purchase is waived.

The Board asked Community and Economic Development Director Teresa Rosales to reach out to Brenham Kitchens and see what their plans are for the tract and to bring this item back for an update in August.

6. Discussion and Update on the Lease Agreement with Irby Construction Company for Approximately 28.7 Acres of Land in the Southwest Industrial Park, Section III

Community and Economic Development Director Teresa Rosales presented this item. Rosales explained that on August 11, 2022, the BCDC entered into a one-year lease with Irby Construction Company on 28.67 acres in the Southwest Industrial Park.

Rosales advised that the terms of the lease are \$137,375.15 (\$0.11 per square foot) for the initial term of one (1) year, paid in advance. The agreement also notes, “Thereafter, in the event the Lease Agreement is continued on a month-to-month basis, the monthly rental amount shall be \$11,447.93, paid in advance, on or before the first day of each month.” Rosales stated that staff is seeking direction on whether BCDC has an interest in continuing or terminating the lease. The termination date of the lease is August 14, 2023.

The Board advised that Rosales reach out to Irby Construction and see how much longer they need the property and to bring back an update in August.

The Board adjourned into Executive Session at 8:15 a.m.

EXECUTIVE SESSION

7. Texas Government Code, Section 551.071 – Consultation with Attorney – Consultation with Legal Counsel Regarding the Development of Approximately 6.413 Acres in the Brenham Business Center, Owned by Capital Westview Partners, LLC

8. Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding Approximately 44.068 Acres in the Southwest Industrial Park, Section III, in the City of Brenham, Texas, and Associated Matters

Executive Session adjourned at 10:08 a.m.

REGULAR SESSION

9. Discuss and Possibly Act Upon a Resolution Related to a Request from Capital Westview Partners, LLC for Variances to the Restrictions, Covenants, Easements, and Conditions of Brenham Business Center

A motion was made by Darrell Blum and seconded by John Hasskarl to deny the variances to the Restrictions, Covenants, Easements, and Conditions of Brenham Business Center submitted by Capital Westview Partners, LLC on May 24, 2023.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The meeting was adjourned.

Charles Moser
Chairman

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

MINUTES

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

July 6, 2023

A special meeting of the Brenham Community Development Corporation was held on Thursday, July 6, 2023 at City Hall, Conference Room 2A, 200 W. Vulcan, Brenham, Texas beginning at 7:30 a.m.

Board members present were Charles Moser, Darrell Blum, John Hasskarl, Bill Betts, Jim Kolkhorst Gary Crocker, and Ken Miller

Board members absent: None

City of Brenham staff members present were Carolyn Miller, Jeana Bellinger, Stephanie Doland, Dane Rau. Debbie Gaffey, Teresa Rosales, Casey Redman, Tammy Jaster and Tim McRoberts

Others present: Mayor Pro Tem Kolby and Councilmember LaRoche

- 1. Chairman Charles Moser called the meeting to order**
- 2. Discuss and Possibly Act Upon the Brenham Community Development Corporation's Annual Budget for Fiscal Year 2023-24:**

Chief Financial Officer Stacy Hardy presented the following budget highlights to the Board for Economic Development and Recreation:

Economic Development Budget Summary

- Sales tax revenue increased approximately 14% over the FY23 budget. This includes the anticipated addition of two major sales tax contributors for FY24 – Academy and Chick-fil-A.
- Per the January 2021 interlocal agreement between the City and Washington County, the Brenham Washington County Development Organization (BWEDO) will continue to contribute \$100,000 annually to Economic Development activities.
- Anticipated revenue from the continuation of the Irby Land Lease contributes \$137,375 to the FY24 budget.
- No significant change to the on-going expenditures of debt service, operations, marketing, and Business Park maintenance.
- Interfund loan repayment to Recreation side for funds borrowed to construct the detention ponds in FY20.
- There is a request added in FY24 for an administrative support reimbursement to the City's General Fund for \$6,000 (\$500/month).
- Expenditure of \$150,000 for incentive payment to Chick-Fil-A has been re-budgeted for FY24.

- An estimated expenditure of \$59,100 for the sales tax reimbursement incentive payment to Academy has been budgeted for FY24.
- The James Nutt Blvd. sewer extension in the Brenham Business Center began in FY23 and will be completed in FY24.
- The engineering and design for the Blue Bell Road extension was approved by BCDC at their January 2023 meeting and is included in the FY24 budget at \$118,000.
- Budgeted expenditures total \$1,856,860, resulting in the use of \$708,381 of reserves in FY24, leaving an ending fund balance of \$1,270,453.

Recreation Budget Summary

- Sales tax revenue increased approximately 14% over the FY23 budget. This includes the anticipated addition of two major sales tax contributors for FY24 – Academy and Chick-fil-A.
- Funding requests from Aquatics total \$275,000.
- Funding requests from Parks total \$879,780.
- Funding requests from Recreation total \$4,000
- Funding request for Parks, Recreation & Aquatics operational support of \$400,000.
- If all requests are approved, a balance of \$84,012 will remain in contingency and fund balance reserves for Recreation are projected to be \$957,329.

A. Economic Development and Main Street

Economic and Community Development Director Teresa Rosales presented the Board with the FY2023-24 Economic Development and Main Street budgets. Rosales stated that the Main Street budget request mirrors last year’s request of \$30,000 for the Economic Impact and Innovation Grant (EIIG) and \$21,000 for the Incentive Grant Fund. The total ask is \$51,000 from BCDC with a dollar-for-dollar match from Main Street raised funds.

Rosales advised that the Economic Development budget reflects the County investment of \$100,000 per year. The following items reflect expenditures for department:

Item	Amount
Personnel	\$ 225,889
Operations	\$ 55,464
Marketing	\$ 41,600
Programs & Partnerships	\$1,206,100
Business Park Maintenance	\$ 24,795
Professional Services	\$ 37,500
Debt Service	\$ 265,512
Total Budget	\$1,856,860

Rosales explained that the Professional Services estimate includes the services of a consultant for the creation of an Economic Development action plan that will identify target industries for the betterment of our community. The proposed budget for FY 2024 is \$1,856,860 which includes 1) the Blue Bell Road Extension-Engineering & Design of \$118,000 and 2) the James Nutt Blvd. – Sewer extension, Brenham Business Center of \$828,000.

A motion was made by Bill Betts and seconded by John Hasskarl to approve the Economic Development and Main Street budget for fiscal year 2023-24 as presented.

Chairman Charles Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

B. Parks and Recreation

Director of Public Works Dane Rau presented the line-item budget for Parks and Recreation. Rau explained that are thirteen projects totaling \$1.5 million.:

Aquatics = \$275,000

- Sound system update for indoor and outdoor\$75,000
- Refurbish 3 single restrooms\$125,000
- Chemical room and exterior door replacement.....\$75,000

Parks = \$1,158,780

- Jackson Street Park improvements\$715,280
- Hohlt Restrooms ventilation\$50,000
- Owsley Playground surface repairs\$15,000
- Turf mounds and homeplate (Schroeder/Dallmeyer)\$27,500
- Batting cage turf – Phase 3 (Fireman’s/Henderson).....\$12,000
- Fireman’s Kitchen door replacement.....\$13,500
- Fireman’s Restroom floor refurbishment.....\$13,000
- Story Book panel upgrades (Fireman’s)\$8,500
- Movies in the Park Series\$4,000
- Basketball sitting areas and benches (Owsley/Hattie Mae).....\$25,000

Board member Betts questioned whether the BCDC could legally provide financial support of \$400,000 for the maintenance and operation of the Blue Bell Aquatics Center. Chairman Moser requested that staff reach out to the City Attorney and provide an answer to Betts concerns. Moser also asked that the City Attorney research the administrative support reimbursement.

A motion was made by Jim Kolkhorst and seconded by Ken Miller to approve the Parks and Recreation budget for fiscal year 2023-24 as presented.

Chairman Charles Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	No
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The Board adjourned into Executive Session at 8:39 a.m.

EXECUTIVE SESSION

- 3. Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Deer in the Southwest Industrial Park, Section III, in the City of Brenham, Texas**
- 4. Texas Government Code, Section 551.071 - Consultation with Attorney and Texas Government Code, Section 551.072 – Deliberation Regarding Real Property – Consultation with Legal Counsel and Deliberation Regarding the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Color Guard in the Southwest Industrial Park, Section III, in the City of Brenham, Texas**

Executive Session adjourned at 9:20 a.m.

RE-OPEN REGULAR SESSION

- 5. Discuss and Possibly Act Upon the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Deer in the Southwest Industrial Park, Section III, in the City of Brenham, Texas and Authorize the President to Negotiate and Execute Any Necessary Documentation**

A motion was made by Jim Kolkhorst and seconded by Darrell Blum to authorize the President to negotiate with Project Deer as discussed in Executive Session.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

6. Discuss and Possibly Act Upon the Possible Sale, Exchange, Transfer and/or Acquisition of Real Property and Associated Matters Concerning Project Color Guard in the Southwest Industrial Park, Section III, in the City of Brenham, Texas and Authorize the President to Negotiate and Execute Any Necessary Documentation

A motion was made by John Hasskarl and seconded by Ken Miller to authorize the President to negotiate with Project Color Guard as discussed in Executive Session.

Chairman Moser called for a vote. The motion passed with the Board voting as follows:

Chairman Charles Moser	Yes
Vice Chairman Darrell Blum	Yes
Board Member Bill Betts	Yes
Board Member Gary Crocker	Yes
Board Member John Hasskarl	Yes
Board Member Jim Kolkhorst	Yes
Board Member Ken Miller	Yes

The meeting was adjourned.

Charles Moser
Chairman

ATTEST:

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

MEMORANDUM

To: Brenham Community Development Corporation (BCDC)
Board of Directors

From: Teresa Rosales, Economic & Community Development Director

Subject: Brenham Kitchens Update

Date: August 3, 2023

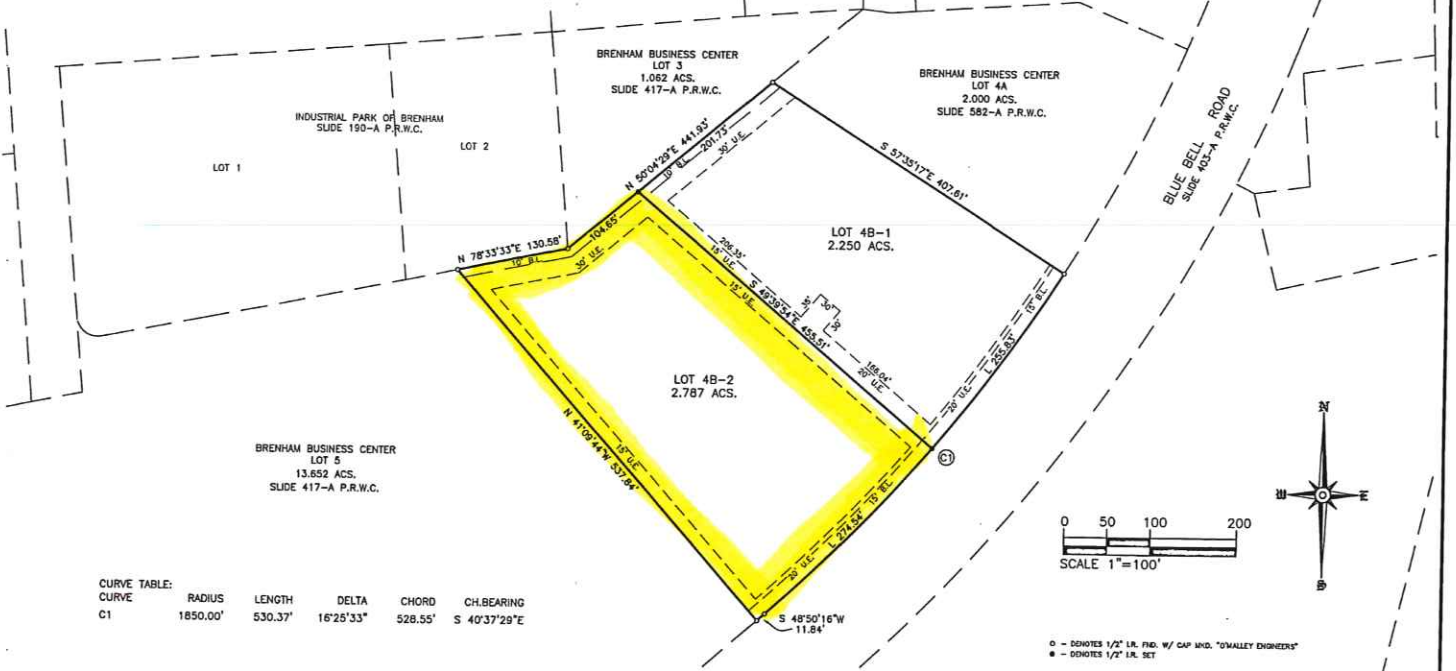
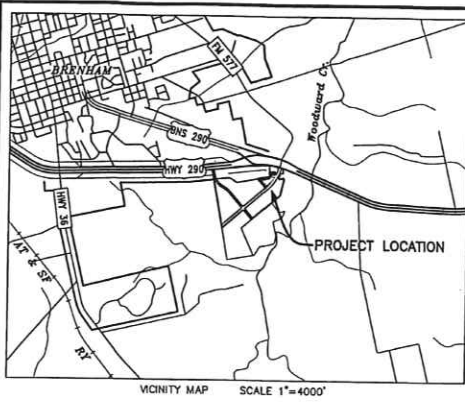
A conversation was recently had with Brian Smith, owner of Brenham Kitchens, with respect to his intention to construct a building on the property located on that certain 2.787 acre tract or parcel of land noted as Lot 4B-2 on the attached **Exhibit A**.

Since the purchase, he has researched cost estimates for construction and due to economic concerns, especially those related to increased interest rates, he does not foresee being able to afford to build now or anytime in the foreseeable future.

This property was sold for \$139,350 and consummated on February 24, 2022.

Staff is requesting board direction on developing steps to repurchase property.

CITY OF BRENHAM WASHINGTON COUNTY, TEXAS



CURVE TABLE:

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH.BEARING
C1	1850.00'	530.37'	16°25'33"	528.55'	S 40°37'28"E

BRENHAM BUSINESS CENTER, PHASE I, REPLAT OF LOT 4B OF RESERVE "E"
Being a replat of Lot 4B of the Brenham Business Center, Phase I, Reserve "E" as recorded on Plat Slide 582-A, of the Plat Records of Washington County, Texas.

STATE OF TEXAS
COUNTY OF WASHINGTON

The Brenham Community Development Corporation, owner of the property subdivided in the foregoing plat of Lot 4B of Brenham Business Center, Phase I to the City of Brenham, Texas, do hereby make subdivision of said property according to the lines, streets, lots, alleys, building lines, and easements thereon shown and designate said subdivision as Brenham Business Center, Phase I, Replat of Lot 4B to the City of Brenham, Texas, located in Brenham, Washington County, Texas, and we do hereby dedicate to public use, as such the streets, alleys, and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated or occasioned by the alteration of the surface of any portion of streets and alleys to conform to such grades, and do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend the title to the land so dedicated.

There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon. Five foot (5') aerial easement being adjacent to streets, boulevards, and reserve boundary lines.

We hereby covenant and agree that the area within the boundaries of this subdivision is for business purposes unless otherwise noted.

Witness my hand at Brenham, Washington County, Texas on this 25th day of May, 2016.

Charles Moser
Charles Moser, Chairman of the Brenham Community Development Corporation

Arena Beeler
Attest: Secretary of the Brenham Community Development Corporation



STATE OF TEXAS
COUNTY OF WASHINGTON

Before me the undersigned authority, on this day personally appeared Charles Moser, Chairman of the Brenham Community Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 25th day of May, 2016.

Kim Hodge
Notary Public in and for the State of Texas



State of Texas)
County of Washington)

I, Robert C. Schmidt, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that it is my professional opinion that this Replat showing Lots 4B-1 and 4B-2 of Brenham Business Center Phase I as plotted herein is true and correct in accordance with an actual survey made on the ground under my personal direction and supervision and completed on April 11, 2016 and the property legally described hereon has no apparent discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way, except as shown or stated hereon, and except as some may exist on or under the ground that was not visible or locatable under normal surveying procedures, and the property shown hereon is subject to any existing or recorded easements that we may not be aware of or that may be of record that may not be shown on this map. Also said property abuts a public roadway, except as shown or stated hereon.

Robert C. Schmidt
Robert C. Schmidt
Texas RPLS No. 4705



Approved this 25th day of May, 2016 by the Planning and Zoning Commission of the City of Brenham, Texas.
Chairman: [Signature]
Secretary: [Signature]

I, Beth Rothermel, County Clerk in and for Washington County, hereby certify that the foregoing instrument with its certificate of authentication was filed in my office this 2 day of June, AD, 2016, at 11:00 o'clock AM, in the Plat Records in Slide No. 6494. Witnessed my hand and seal of the County Court of the said County, at office in Brenham, Texas.
By: Janita Garcia Deputy
Beth Rothermel, County Clerk
Washington County, Texas

- NOTES:**
- Bearings are based on bearings of record as shown on Plat Slide 582-A P.R.W.C.
 - The survey of the subject property shown hereon was prepared in conjunction with a title evidence report issued by Botts Title Company, GF No. WA-16-021, issued March 2, 2016.
 - The subject property as shown on the above plat lies within the "Zone X" area determined to be outside the 0.2% annual chance floodplain, according to the Flood Insurance Rate Maps of Washington County, Texas Map No. 4847700315C, effective August 16, 2011.
 - All 1/2" iron rods set are marked with a cap stamped "RPLS 4705".
 - This survey is valid only if it bears the seal and original signature of the surveyor.

BRENHAM BUSINESS CENTER
A REPLAT OF PHASE I, LOT 4B OF RESERVE "E"
AS RECORDED ON PLAT SLIDE 582-A P.R.W.C.
5.037 ACRES
OUT OF THE ISAAC LEE SURVEY, A-77
CITY OF BRENHAM,
WASHINGTON COUNTY, TEXAS

O'Malley Strand Associates, Inc.
203 S. JACKSON BRENHAM, TEXAS
(979) 836-7937 FAX (979) 836-7936
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