



College Station, TX

Meeting Agenda City Council Regular

1101 Texas Ave, College Station, TX 77840

Internet: <https://zoom.us/j/96728393278>

*Phone: 888 475 4499 and Meeting ID: 967 2839 3278

September 23, 2021

4:00 PM

City Hall Council Chambers

This meeting will offer both in-person and remote participation following both the City's Guidelines for in-person, virtual attendance, and the speaker protocol in the agenda. The city uses a third-party vendor to help host the meeting and if the call-in number is not functioning access will be through the internet link only.

1. **Call to Order.**
2. **Executive Session is Closed to the Public and Will Be Held in the Administrative Conference Room. The Open Meeting Will Resume No Earlier Than 5:00 PM.**

Consultation with Attorney {Gov't Code Section 551.071};

Possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed.

Litigation

- a. Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas
- b. McCrory Investments II, LLC d/b/a Southwest Stor Mor v. City of College Station; Cause No. 17-000914-CV-361; In the 361st District Court, Brazos County, Texas
- c. City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas

Legal Advice

- a. Legal advice regarding potential City participation in the global opioid settlements
- b. Legal issues related to enforcement of violations of zoning restrictions by allowing more than four unrelated individuals to reside in a single-family dwelling unit

Real Estate {Gov't Code Section 551.072};

Possible action. The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. An approximately 19 acre tract of land along the north frontage road of Texas State Highway 6 south at its intersection with Corporate Parkway.

Personnel {Gov't Code Section 551.074}:

Possible action. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. Municipal Court Judge
- b. City Attorney
- c. City Manager
- d. Council Self Evaluation

3. Reconvene from Executive Session and Take Action, if Any.

4. Pledge of Allegiance, Invocation, and Consider Absence Request.

Speaker Protocol

An individual who wishes to address the City Council regarding any item on the agenda other than those items posted for Executive Session shall register with the City Secretary two (2) hours prior to the meeting being called to order. Individuals must register to speak or provide written comments at <https://forms.cstx.gov/Forms/CSCouncil> or provide a name and phone number by calling 979-764-3500. Upon being called to speak an individual must state their name and city of residence, including the state of residence if the city is located out of state. Speakers are encouraged to identify their College Station neighborhood or geographic location. Each speaker's remarks are limited to three (3) minutes. Any speaker addressing the Council through the use of a translator may speak for six (6) minutes. At the (3) minute mark the City Secretary will announce that the speaker must conclude their remarks.

5. Hear Visitors.

During Hear Visitors an individual may address the City Council on any item which does not appear on the posted agenda. The City Council will listen and receive the information presented by the speaker, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concern shall be directed to the City Manager.

6. Workshop Items.

- 6.1. Presentation, discussion, and possible action regarding draft land use assumptions, capital improvement plans, and roadway costing template for the upcoming 5-year study updates of roadway, water, and wastewater impact fees.

Sponsors: Jason Schubert, Carol Cotter

- Attachments:
- 1. Roadway LUA draft
 - 2. Water & Wastewater LUA draft
 - 3. Roadway CIP Tracking Changes draft
 - 4. Roadway Draft CIP
 - 5. Water & Wastewater CIP draft
 - 6. Roadway Costing Template

7. Consent Items.

Presentation, discussion, and possible action on consent items which consist of ministerial or "housekeeping" items as allowed by law. A Councilmember may request additional information at this time. Any Councilmember may remove an item from Consent for discussion or a separate vote.

- 7.1. Presentation, discussion, and possible action of minutes for:
 - September 9, 2021 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM090921 DRAFT Minutes
- 7.2. Presentation, discussion, and possible action regarding the renewal of a contract with Utility Restoration Services, Inc. for annual pad-mount equipment repair and restoration in the amount of \$321,644.66.

Sponsors: Timothy Crabb

Attachments: 1. 19300586R2 URS Renewal Ltr - Agenda
- 7.3. Presentation, discussion, and possible action regarding approval of the City's Annual Price Agreement for Electric Outdoor Breakers for Substations, with an estimated annual expenditure for Anixter Inc. not to exceed \$119,110.

Sponsors: Mary Ellen Leonard

Attachments: 1. 21-063 TABULATION OF RESPONSES
- 7.4. Presentation, discussion, and possible action regarding City of College Station Excess Liability and Workers' Compensation Insurance, Property/Boiler & Machinery, Commercial Crime, EMT Liability, Auto Property Damage, Cyber Liability, and Unmanned Aircraft liability and property. FY22 premiums for all lines of coverage are not to exceed \$844,000.

Sponsors: Alison Pond

Attachments: None
- 7.5. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Amber Alert Network Brazos Valley for FY22 in the amount of \$5,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. General Fund Funding Agreement AmberAlert
- 7.6. Presentation, discussion, and possible action approving a resolution authorizing expenditures to the Aggieland Humane Society, Inc. in the amount of \$261,600.

Sponsors: Mary Ellen Leonard

Attachments: 1. Animal Shelter Resolution
- 7.7. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Arts Council of the Brazos Valley for FY22 in the amount of \$35,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. General Fund Funding Agreement - Arts Council Operations Maintenance
- 7.8. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Arts Council of the Brazos Valley for FY22 in the amount of \$463,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. Arts Council - HOT Fund - FY22 - Budget
2. HOT Funding Agreement- Arts Council
- 7.9. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Bryan/College Station Chamber of Commerce for FY22 in the amount of \$25,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. BCS Chamber of Commerce - FY22 - Budget
2. HOT Funding Agreement- Chamber of Commerce v2

- 7.10. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Brazos Valley Economic Development Corporation for FY22 in the amount of \$350,000.
Sponsors: Mary Ellen Leonard
Attachments: 1. GF Funding Agreement - BVEDC
- 7.11. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the College Station Noon Lions Club for FY22 in the amount of \$16,500.
Sponsors: Mary Ellen Leonard
Attachments: 1. General Fund Funding Agreement - Noon Lions Club
- 7.12. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Memorial for All Veterans of the Brazos Valley for FY22 in the amount of \$30,000.
Sponsors: Mary Ellen Leonard
Attachments: 1. HOT Funding Agreement- Veterans Memorial
2. Veterans Park - FY22 - Budget
- 7.13. Presentation, discussion, and possible action regarding a professional services contract with Bleyl Engineering in the amount of \$308,000 for the Medical District Interceptor Project Phases II and III project.
Sponsors: Emily Fisher
Attachments: 1. CS Medical Sewer-Scope and Fee
2. Location Map
- 7.14. Presentation, discussion, and possible action regarding Change Order 3 deducting \$131,425 from the professional services contract with Jones & Carter, Inc. for the East Side Sewer project.
Sponsors: Emily Fisher
Attachments: 1. Change Order 3 Unsigned
2. Project Location Map - East Side Sewer Extension Exhibit
- 7.15. Presentation, discussion, and possible action regarding an agreement between the City of College Station and Belmont Icehouse, LLC for marketing and advertising services in the amount of \$400,000.
Sponsors: Natalie Ruiz
Attachments: 1. 21300675 Belmont Icehouse
- 7.16. Presentation, discussion, and possible action regarding the approval of a contract with Jaco Roofing & Construction, Inc. for the roof replacement at 2611 Texas Ave. in the amount of \$117,970.
Sponsors: Pete Caler
Attachments: 1. 2230010 -- BW
- 7.17. Presentation, discussion, and possible action on the first reading of a ten (10) year franchise agreement with the City of Bryan for retail sale of electricity within the City of College Station as certificated to Bryan by the Public Utility Commission of Texas.
Sponsors: Brian Piscacek
Attachments: 1. BTU Franchise CLEAN (8-26-2021)
2. Attachment A - Map of Core Areas

- 7.18. Presentation, discussion, and possible action approving the Second Amendment to the Property Purchase Agreement between the City of College Station and Costco Wholesale Corporation for an approximately 18.670 acre tract of land located generally near the intersection of Earl Rudder Freeway and Corporate Drive in the Midtown Business Park.

Sponsors: Natalie Ruiz

Attachments: 1. Amendment on file with the City Secretary's Office

8. Regular Items.

- 8.1. Presentation, discussion, and possible action regarding a construction contract with Larry Young Paving Inc. in the amount of \$4,992,868 for the Rock Prairie Road West Widening Project.

Sponsors: Emily Fisher

Attachments: 1. 21-056 Tabulation
2. Project Map

- 8.2. Presentation, discussion, and possible action on amending Ordinance No. 2021-4281 ordering a General and Special Election to be held on November 2, 2021 for the purpose of electing City Councilmember Place 4 and City Councilmember Place 6, submitting proposed amendments to the City Charter to the voters; establishing early voting locations and polling places for this election; and making provisions for conducting the election. The amended ordinance modifies the election day voting locations for voting in the general and special election. (Presentación, posible acción y discusión sobre la modificación de la Ordenanza No. 2021-4281 ordenando que se celebren elecciones generales y especiales el 2 de noviembre de 2021 con el propósito de elegir al Miembro del Concejo Municipal Lugar 4 y el Lugar 6 del Concejo Municipal, presentando propuesta enmiendas a los Estatutos de la Ciudad para los votantes; el establecimiento de lugares de votación anticipada y lugares de votación para esta elección; y tomar las disposiciones necesarias para llevar a cabo la elección.)

Sponsors: Tanya Smith

Attachments: 1. English - Ordinance Amending Ordinance Number 2021-4281 09 13 21
2. Spanish - Ordinance Amending Ordinance Number 2021-4281 09 13 21

9. Council Calendar - Council May Discuss Upcoming Events.

10. Items of Community Interest.

The Council may receive reports from a Council Member or City Staff about items of community interest for which notice has not been given, including: expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary or salutary recognitions of a public official, public employee, or other citizen; reminders of upcoming events organized or sponsored by the City of College Station; information about a social, ceremonial or community event organized or sponsored by an entity other than the City of College Station that is scheduled to be attended by a Council Member, another city official or staff of the City of College Station; and announcements involving an imminent threat to the public health and safety of people in the City of College Station that has arisen after the posting of the agenda.

11. Council Reports on Committees, Boards, and Commissions.

A Council Member may make a report regarding meetings of City Council boards and commissions or meetings of boards and committees on which a Council Member serves as a representative that have met since the last council meeting. (Committees listed in Coversheet)

12. Future Agenda Items and Review of Standing List of Council Generated Future Agenda Items.

A Council Member may make a request to City Council to place an item for which no notice has been given on a future agenda or may inquire about the status of an item on the standing list of council generated future agenda items. A Council Member's or City Staff's response to the request or inquiry will be limited to a statement of specific factual information related to the request or inquiry or the recitation of existing policy in response to the request or inquiry. Any deliberation of or decision about the subject of a request will be limited to a proposal to place the subject on the agenda for a subsequent meeting.

13. Adjourn.

The City council may adjourn into Executive Session to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on September 17, 2021 at 5:00 p.m



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."