



College Station, TX

Meeting Agenda City Council

1101 Texas Ave, College Station, TX 77840

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

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

October 14, 2021

2:30 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

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 of its intersection with Corporate Parkway.
- b. Property generally located in the southwest quadrant of Texas State Highway 6 and Harvey Road.

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. City Attorney
- b. City Secretary
- c. City Municipal Court Judge
- d. City Auditor
- e. City Manager
- f. Council Self Evaluation

Economic Incentive Negotiations {Gov't Code Section 551.087};

Possible action. The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) maybe discussed:

- a. Potential incentives for a possible expansion of a business located within the Biocorridor area near the intersection of Health Science Center Parkway and Riverside Parkway.

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 potential changes to the Dockless Bike Share Program ordinance.

Sponsors: Venessa Garza

Attachments: None

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 23, 2021 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM092321 DRAFT Minutes

7.2. Presentation, discussion, and possible action regarding Change Order No. 1 in the amount of \$80,100 to the professional services contract with Kimley Horn and Associates, Inc for the Jones Butler Extension and Roundabout project.

Sponsors: Emily Fisher

Attachments: 1. Change Order 1
2. 20210811_Jones Butler Roundabout Amendment 1 to Client Agreement

7.3. Presentation, discussion, and possible action regarding the first renewal of a contract to Brazos Paving, Inc. for base failure repairs and pavement treatments in an amount not to exceed \$4,613,250. This item is for contracted equipment, labor, and materials for standard maintenance activities associated with asphalt streets.

Sponsors: Pete Caler

Attachments: 1. Signed Renewal #1 For Annual Price Agreement For Base Failure Repairs & Road Reconstruction Treatments

7.4. Presentation, discussion, and possible action regarding a construction contract with Larry Young Paving, Inc. in the amount of \$8,799,523.75 for the Greens Prairie Road Widening Phase 2 project.

Sponsors: Emily Fisher

Attachments: 1. Project Map
2. 21-058 Tabulation

7.5. Presentation, discussion, and possible action regarding a construction contract with Jacody Construction, LP in the amount of \$278,521.79 for the Fleet Upgrades - Oil Pit and Storm Drain project.

Sponsors: Emily Fisher

Attachments: 1. 21-060 Tab
2. Project Location

7.6. Presentation, discussion, and possible action regarding an ordinance approving a participation agreement by and between the City, Costco Wholesale Corporation and RSR Construction Company for the development of certain public infrastructure including a detention pond and authorization of public funds in the amount of \$1,239,660 for property generally located near the intersection of Earl Rudder Freeway and Corporate Drive in the Midtown Business Park.

Sponsors: Natalie Ruiz

Attachments: 1. Participation Agreement-Available in City Secretary's Office

7.7. Presentation, discussion, and possible action regarding a reciprocal easement and shared use agreement with Costco Wholesale Corporation for property generally located near the intersection of Earl Rudder Freeway and Corporate Drive in the Midtown Business Park.

Sponsors: Natalie Ruiz

Attachments: None

- 7.8. Presentation, discussion, and possible action regarding a Declaration of Restrictive Covenants by and between the City of College Station and Costco Wholesale Corporation for property generally located near the intersection of Earl Rudder Freeway and Corporate Drive in the Midtown Business Park.

Sponsors: Natalie Ruiz

Attachments: 1. Declaration of Restrictive Covenants

- 7.9. Presentation, discussion, and possible action on the second 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_FINAL_(8-26-2021)

- 7.10 Presentation, discussion, and possible action regarding the approval of a contract with Oldham Goodwin Group, LLC for commercial real estate brokerage services for City-owned property in the Midtown Business Park.

Sponsors: Natalie Ruiz

Attachments: 1. 21300702 Oldham Goodwin

8. Regular Items.

- 8.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance repealing the official City of College Station Comprehensive Plan (adopted by Ordinance No. 3186) and adopting a new Comprehensive Plan as part of the 10-year update to the City of College Station Comprehensive Plan, and all associated map updates within the Bicycle, Pedestrian, and Greenways Master Plan, the Water System Master Plan, and the Wastewater System Master Plan, as the "Official City of College Station Comprehensive Plan".

Sponsors: Alyssa Halle-Schramm

Attachments:

1. Ordinance
2. Updated Comprehensive Plan
3. Proposed Bicycle Facilities Map
4. Proposed Pedestrian Facilities Map
5. Future Water System Exhibit
6. Future Wastewater System Exhibit
7. Summary of Public Input
8. Ordinance_Comp Plan Update

- 8.2. Presentation, discussion, and possible action regarding a resolution to set a public hearing on amendments to land use assumptions, capital improvement plans, and impact fees for roadway, water, and wastewater.

Sponsors: Jason Schubert, Carol Cotter

Attachments: 1. Resolution

- 8.3. Presentation, discussion, and possible action regarding an ordinance consenting to and extending the Mayor's renewal of a disaster declaration due to public health emergency.

Sponsors: Bryan Woods

Attachments: 1. Disaster Declaration Renewal Ordinance 10-14-21

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.**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 October 8, 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.”