



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

February 10, 2022

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 1938 Executive 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 an opioid settlement with pharmaceutical manufacturer Endo Health Solutions Inc. et. al.
- b. Legal advice related to applicability of impact fees to Midtown City Center development.
- c. Legal advice related to contractual obligations in the Economic Development Agreement between the City of College Station and Viasat, Inc.

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. Council Self Evaluation

Competitive Matters {Gov't Code Section 551.086}:

Possible action. The City Council may deliberate, vote, or take final action on a competitive matter as that term is defined in Gov't Code Section 552.133 in closed session. The following is a general representation of the subject matter to be considered:

a. Power Supply

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 must register with the City Secretary two (2) hours prior to the meeting being called to order. Individuals shall 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 three (3) minute mark the City Secretary will announce that the speak 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 a presentation on fleet maintenance.

Sponsors: Pete Caler

Attachments: None

6.2. Presentation, discussion, and possible action on transportation issues.

Sponsors: Bryan Woods

Attachments: None

6.3. Presentation, discussion, and possible action regarding the 2022 Bond Election.

Sponsors: Bryan Woods

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:

- January 27, 2022 Council Meeting

- Sponsors: Tanya Smith
Attachments: 1. CCM012722 DRAFT Minutes
- 7.2. Presentation, discussion, and possible action related to amending the cemetery ordinance.
Sponsors: Steve Wright
Attachments: 1. Article_II.____City_Owned_Or_Maintained_Cemeteries Draft_Lw 9-10-21
- 7.3. Presentation, discussion, and possible action regarding approval of the City's purchase of Three-Phase Padmount Transformers with estimated expenditures in amounts not to exceed \$413,696.00, awarded to KBS Electrical Distributors Inc and reject Bids for lines 1-6 and lines 9-12.
Sponsors: Michael DeHaven
Attachments: 1. 22-035 BID AWARD 021022
- 7.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38, "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1002 "Traffic Schedule II, Four-way Stop Intersections," by adding the intersection of Welsh Avenue and Park Place.
Sponsors: Emily Fisher
Attachments: 1. Welsh and Park Place Stop Sign Ord
2. All-way Stop Map
- 7.5. Presentation, discussion, and possible action regarding a rate increase amendment to the five (5) year residential recycling collection franchise and general service agreement with Brannon Industrial Group, LLC, DBA BVR Waste and Recycling.
Sponsors: Emily Fisher
Attachments: 1. 20300291 Amd1
- 7.6. Presentation, discussion, and possible action regarding the renewal of an annual blanket order for the purchase of Cement Treated Base and Type D Grade 1 Cement Treated Recycled Crushed Concrete Base with Brazos Paving Materials, Inc. for an amount not to exceed \$703,000.
Sponsors: Emily Fisher
Attachments: 1. 21300263R1 Renewal
2. Revised Bid Tab
- 7.7. Presentation, discussion, and possible action on the first reading of a franchise agreement ordinance with Lossen Bros Co., Inc. for the collection of recyclables from commercial businesses and multi-family locations.
Sponsors: Emily Fisher
Attachments: 1. 22300220 Lossen Bros Co Inc - COCS Recyclables Franchise Agreement
- 7.8. Presentation, discussion, and possible action regarding a construction contract in the amount of \$5,203,379.80 with Knife River Corporation-South for the Deacon At-Grade Railroad Crossing and Cain Railroad Crossing Closing project.
Sponsors: Emily Fisher
Attachments: 1. Project Map
2. 22-018 Tabulation
- 7.9. Presentation, discussion, and possible action regarding approval of a contract as a result of the award of Bid # 22-019, for the purchase of one (1) electric substation power transformer for the

Switch Substation Transformer replacement from Virginia Transformer Corporation for an amount not to exceed \$977,518.

Sponsors: Timothy Crabb

Attachments: 1. 22-019 Bid Tab 122121
2. Contract is available for review in the City Secretary's Office

8. Regular Items.

- 8.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Chapter 107, "Impact Fees," Article II, "System-Wide Impact Fees," Sections 107-71 "System-Wide Impact Fees For Water Services," 107-72 "System-Wide Impact Fees For Wastewater Services," and 107-73 "System-Wide Roadway Impact Fees" of the Code of Ordinances of the City of College Station, Texas by amending certain sections relating to water, wastewater, and roadway impact fee collection rates to provide for grandfathering of projects under development.

Sponsors: Jason Schubert, Carol Cotter

Attachments: 1. Ordinance
2. Generalized Map of Unplatted Property

- 8.2. Presentation, discussion, and possible action regarding an appeal by James Murr to the applicability of impact fees for the Midtown City Center development.

Sponsors: Michael Ostrowski

Attachments: 1. Response to Appeal of Applicability of Impact Fees - 20220105
2. Appeal and Supporting Information - 20220113
3. Section 107-94 Impact Fee Administrative Appeals

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

Sponsors: Bryan Woods

Attachments: 1. February 10 Disaster Declaration Renewal Ordinance

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.

- 11.1 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 February 4, 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."