



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 24, 2022

3:00 PM

City Hall Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a third-party vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person 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 4:00 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 Teva Pharmaceutical Industries

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 Manager
- c. 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. Deliberation of economic incentives for a potential project in the Midtown Business Center in the City of College Station, Texas

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. Presentation - Proclamations, Awards, and Recognitions.

5.1. Presentation of a proclamation recognizing Black History Month.

Sponsors: Barbara Moore

Attachments: None

6. 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.

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:

- February 7, 2022 Council Retreat
- February 8, 2022 Council Retreat
- February 10, 2022 Council Meeting

Sponsors: Tanya Smith

- Attachments:
1. RT020722 DRAFT Minutes
 2. RT020822 DRAFT Minutes
 3. CCM021022 DRAFT Minutes

- 7.2. Presentation, discussion, and possible action regarding the approval of the second and final renewal option of a contract with D.I.J. Construction Incorporated for annual pavement striping and markings services in an amount not to exceed \$275,000.

Sponsors: Emily Fisher

- Attachments:
1. 20300230R2 D.I.J. Construction Inc. Contract Agreement & Routing Form (All Docs)

- 7.3. Presentation, discussion, and possible action on the second 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

- 7.4. Presentation, discussion, and possible action on an amendment to the Technology Services Contract with Tyler Technologies, Inc., increasing the contract amount by \$57,600 for access and use of Tyler Technologies' Virtual Court software.

Sponsors: Michael DeHaven

- Attachments:
1. 20300683 Tyler Technologies - Virtual Court Quote Amendment

- 7.5. Presentation, discussion, and possible action on a technology services contract for fire department reporting and analytics software with Intterra, Inc. in an amount not to exceed \$134,156.75.

Sponsors: Sam Rivera

- Attachments:
1. 22300184 Intterra, Inc. - JU

- 7.6. Presentation, discussion, and possible action on purchasing five (5) police motorcycles from The Ranch Harley-Davidson for \$129,724.60 and the trade-in of five (5) existing 2019 police motorcycles to The Ranch Harley-Davidson for \$35,000.

Sponsors: James Arnold

- Attachments:
1. Motorcycles Tabulation 3

- 7.7. Presentation, discussion, and possible action regarding approval of a Texas Subdivision and Special District Election and Release Form with Endo Pharmaceuticals et al. and authorization for the Mayor to execute the Release on behalf of the City

Sponsors: Carla Robinson

- Attachments:
1. ENDO TX Subdivision Release Form

- 7.8. Presentation, discussion, and possible action regarding approval of a Texas Subdivision and Special District Election and Release Form with Teva Pharmaceutical Industries and authorization for the Mayor to execute the Release on behalf of the City.

Sponsors: Carla Robinson

- Attachments:
1. TEVA TX Subdivision Release Form

- 7.9. 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 \$1,826,822, awarded to Techline, Inc.

Sponsors: Michael DeHaven
Attachments: 1. 22-043 3PH

8. Regular Items Will Begin No Earlier Than 5:00 PM.

- 8.1. Public Hearing, presentation, discussion, and possible action regarding approving an ordinance vacating and abandoning a 1,625 square foot portion of the variable width 2,763 square foot Public Utility Easement, said portion lying near the southeast property line of 200 Live Oak Street according to the Public Utility Easement recorded in Volume 9527, Page 193, of the Official Records of Brazos County, Texas.

Sponsors: Anthony Armstrong
Attachments: 1. Ordinance
2. Ordinance Exhibit A
3. Vicinity Map
4. Location Map
5. Application

- 8.2. Public Hearing, presentation, discussion, and possible action on a resolution, authorizing the establishment of a Public Utility Easement (PUE), for development purposes of the Hemaville Subdivision Phase 1, on a section of parkland generally located along the south side of Krenek Tap Road near the intersection of Central Park Lane; plus the City Council determination that the use of parkland property is allowable and that no other feasible or prudent alternative exists for the Public Utility Easement for the project, and that all reasonable planning measures have been taken to minimize the harm to such parkland.

Sponsors: Anthony Armstrong
Attachments: 1. Resolution
2. Exhibit A - Map and Easement
3. Exhibit B - Landscape and Irrigation Plans

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 February 18, 2022 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."