



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

April 28, 2022

4:00 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 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 open meetings requirements, council members' role related to council appointed committees, and other issues related to council members' role.

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. 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 location of a new storage and delivery business.

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. Please do not carry purses, briefcases, backpacks, liquids, foods or any other object other than papers or personal electronic communication devices to the lectern, nor advance past the lectern unless you are invited to do so. 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 speaker must conclude their remarks.

5. Presentation - Proclamations, Awards, and Recognitions.

- 5.1. Presentation proclaiming Coach Gary Blair Day.

Sponsors: Jay Socol

Attachments: 1. 220428 -- Coach Gary Blair Day

- 5.2. Presentation proclaiming May 2022 as Motorcycle Safety and Awareness Month.

Sponsors: Tanya Smith

Attachments: 1. 22 Motorcycle Safety and Awareness Month.doc

- 5.3. Presentation proclaiming May as National Bike Month.

Sponsors: Venessa Garza

Attachments: 1. 22 National Bike Month

- 5.4. Presentation proclaiming the week of May 15th through 21st, 2022 as National Public Works Week.

Sponsors: Emily Fisher

Attachments: 1. 22 Public Works Week Proclamation

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. Workshop Items.

- 7.1. Presentation and introduction of new Extension Agent for Brazos County.

Sponsors: Debbie Eller

Attachments: None

- 7.2. Presentation, discussion, and possible action on recommended projects from the Citizens Bond Advisory Committee.

Sponsors: Bryan Woods

Attachments: 1. CBAC Memo to Council- Final

- 7.3. Presentation, discussion, and possible action on options to preserve neighborhood character.

Sponsors: Michael Ostrowski

Attachments: None

- 7.4. Presentation, discussion, and possible action regarding an update on amending the Dockless Bike Share Program ordinance.

Sponsors: Venessa Garza

Attachments: 1. Ordinance Amendment - Redlined
2. Ordinance Amendment

8. 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.

- 8.1. Presentation, discussion, and possible action of minutes for:

- April 14, 2022 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM041222 DRAFT Minutes

- 8.2. Presentation, discussion, and possible action regarding the award of a contract to Primoris T&D Services, LLC for the construction and installation of electric underground conduit and manholes in the Northgate area for an amount not to exceed \$1,310,886.75.

Sponsors: Timothy Crabb

Attachments: 1. CSP RFP 22-041 BID TABULATION

- 8.3. Presentation, discussion, and possible action on renewal of Cityworks software licenses agreement in the amount of \$105,000.

Sponsors: Sam Rivera

Attachments: 1. 18300237R4 --RF (CC04.28.22)

- 8.4. Presentation, discussion, and possible action to award an Annual Price Agreement for the rental of Heavy Equipment and Machinery for an amount not to exceed \$150,000 to Mustang Rental Services of Texas.

Sponsors: Mary Ellen Leonard

Attachments: 1. Bid 22-040 Tabulation of Responses 033122

- 8.5. Presentation, discussion, and possible action adopting a resolution to approve a Contract for Loan Guarantee Assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, 42 U. S. C. §5308, Section 108 Loan Agreement between L.U.L.A.C. Oak Hill, Inc. and the City of College Station, Promissory Note, Deed of Trust, and General Certification providing \$2,808,000 for the cost of construction and permanent financing of the rehabilitation of its property located at 1105 Anderson in College Station, Texas.

Sponsors: Debbie Eller

- Attachments:
1. Attachment 1 - Resolution Approving and Authorizing Section 108 Loan
 2. Attachment 2 - Exhibit A - Contract for Loan Guarantee Assistance Under Section 108
 3. Attachment 3 - Exhibit B - Note
 4. Attachment 4 - Exhibit C - LULAC Loan Agreement

- 8.6. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38, "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, No Parking Here to Corner and No Parking Any Time," by removing parking on the east side of First Street between Louise Avenue and Maple Avenue and on the south side of Maple Avenue between Wellborn Road and First Street.

Sponsors: Jason Schubert

- Attachments:
1. Ordinance
 2. Parking Removal Exhibit

- 8.7. Presentation, discussion, and possible action regarding a resolution approving an Advance Funding Agreement in the amount of \$126,051 between the City of College Station and the State of Texas, acting through the Texas Department of Transportation for a shared-use path on Harvey Mitchell Parkway (FM 2818) and authorizing the City Manager to execute said agreement.

Sponsors: Venessa Garza

- Attachments:
1. Resolution for Advance Funding Agreement
 2. Advanced Funding Agreement for FM2818

- 8.8. Presentation, discussion, and possible action regarding a resolution approving an Advance Funding Agreement in the amount of \$302,254 between the City of College Station and the State of Texas, acting through the Texas Department of Transportation for separated bike lanes on George Bush Drive (FM 2347) and authorizing the City Manager to execute said agreement as well as a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Sponsors: Venessa Garza

- Attachments:
1. Resolution for Advance Funding Agreement
 2. Advanced Funding Agreement for FM2347
 3. Resolution for Debt Reimbursement

- 8.9. Presentation, discussion, and possible action regarding an ordinance amending Chapter 2, "Administration," Article V, "Finance," Division 2 "Fees, Rates and Charges," Section 2-120 "Fire Department Services".

Sponsors: Eric Dotson

- Attachments:
1. Ch 2 Fee 2-120 Fire Dept Fee Ord Amend

- 8.10. Presentation, discussion, and possible action on Change Order No. 3 in the amount of \$76,340 to the Construction Contract with Elliott Construction, LLC. for the Woodson Village Utility rehabilitation Project.

Sponsors: Emily Fisher

- Attachments:
1. Change Order 3 unsigned
 2. Woodson Village Rehab Project Map

9. Regular Items.

- 9.1. Public Hearing, presentation, discussion, and possible action on Budget Amendment 3 amending Ordinance No. 2021-4286 which will amend the budget for the 2021-2022 Fiscal Year in the amount of \$11,676,000.

Sponsors: Mary Ellen Leonard

- Attachments:
1. FY22 BA#3-revised
 2. FY22 Budget Amendment #3 Ordinance

- 9.2. Public Hearing, presentation, discussion, and possible action to consider a Comprehensive Plan Amendment to the Neighborhood Center future land use description, intent, and generally appropriate zoning districts within Chapter 2, Distinctive Places of the Comprehensive Plan.

Sponsors: Alyssa Halle-Schramm

- Attachments:
1. Ordinance
 2. Neighborhood Center Future Land Use Redlines
 3. Comprehensive Plan - Chapter 2. Distinctive Places

- 9.3. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Chapter 103, "Building Regulations," Article III, "Technical Codes," Division 2 "Building Codes" and Division 3 "Electrical Code " adopting the 2021 International Codes, the 2020 National Electrical Code (NEC), and related amendments.

Sponsors: Brian Binford

- Attachments:
1. Ordinance
 2. Overview of Changes and Local Amendments

- 9.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 16, "Fire Prevention and Protection," Article III, "Fire Code," Sections 16-51 and 16-52 and Article IV, "Life Safety Code", Section 16-78.

Sponsors: Eric Dotson

- Attachments:
1. Chapter 16 Fire Code and Life Safety Code Ord Amend 4-12-22

- 9.5. Presentation, discussion, and possible action regarding Change Order No. 1 in the amount of \$863,750 to the annual price agreement with Larry Young Paving, Inc. for Curb, Gutter, and Concrete Flatwork.

Sponsors: Emily Fisher

- Attachments:
1. 21300494 Chg Ord 1 42822

- 9.6. Presentation, discussion, and possible action regarding a renewal of the Annual Price Agreement for Concrete Curb, Gutter, and Flatwork installation with Larry Young Paving, Inc. for an amount not to exceed \$4,318,750.

Sponsors: Emily Fisher

- Attachments:
1. C 21300494 R1 Larry Young Paving Inc.

- 9.7. Presentation, discussion, and possible action regarding approval of Amendment No. 2 to the Construction Manager at Risk (CMAR) contract with JaCody Construction, LP accepting the Guaranteed Maximum Price (GMP) of \$3,871,798 for the Renovation of 1207 Texas Avenue.

Sponsors: Emily Fisher

- Attachments:
1. 1207 Texas Ave Estimate

2. 1207 GMP #3 Exhibits

10. Council Calendar - Council May Discuss Upcoming Events.**11. 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.

12. 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)

13. 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.

14. 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 April 22, 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."