



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

June 9, 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
- d. Shana Elliott and Lawrence Kalke v. The City of College Station, et al.

Legal Advice

- a. Legal advice related to a 2017 CDBG funding agreement and proposed change order with B/CS Habitat for Humanity.

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. Real estate negotiations for property located generally at the intersection of Texas Avenue and Francis Drive in College Station

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. Property generally located in the southwest quadrant of Texas State Highway 6 and Harvey Road.

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. 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 off-street parking requirements.

Sponsors: Jesse Dimeolo

Attachments: None

- 6.2. Presentation, discussion, and possible action regarding an update from the Regional Mobility Authority (RMA) provided by Daniel "Barry" Moore.

Sponsors: Bryan Woods

Attachments: None

7. Consent Agenda.

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:

- May 23, 2022 Special Meeting
- May 26, 2022 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. SPM052322 DRAFT Minutes
2. CCM052622 DRAFT Minutes

- 7.2. Presentation, discussion, and possible action on the second reading of a franchise agreement ordinance with BCS Curb Appeal Maintenance, LLC for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. 22300463 BCS Curb Appeal Maintenance LLC - COCS Recyclables Franchise Agreement

- 7.3. Presentation, discussion, and possible action on the first reading of a franchise agreement ordinance with Rocking H Dumpsters LLC for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. 22300503 Rocking H Dumpsters - COCS Recyclables Collection Franchise Agreement 4.28.22

- 7.4. Presentation, discussion, and possible action regarding a resolution adopting a substantial amendment to the 2021 Annual Action Plan to include \$1,740,263 of HOME Investment Partnership Program - American Rescue Plan funding and approving the City of College Station HOME Investment Partnerships Program - American Rescue Plan Allocation Plan to allow for the provision of homelessness assistance and supportive services.

Sponsors: Debbie Eller

Attachments: 1. Attachment 1 - Resolution - HOME ARP

- 7.5. Presentation, discussion, and possible action regarding a professional services contract with SynchroGrid, LLC. for \$400,000 for protection and controls electrical engineering services.

Sponsors: Timothy Crabb

Attachments: 1. Contract is available for review in the City Secretary's Office
2. RFQ 20-053 P & C Engineering Eval

- 7.6. Presentation, discussion, and possible action regarding an Interlocal Agreement between the City of College Station and Grimes County regarding subdivision authority in the extraterritorial jurisdiction.

Sponsors: Molly Hitchcock

Attachments: 1. ILA with Grimes County

- 7.7. Presentation, discussion, and possible action regarding City Council's updated Council Meeting Procedures.

Sponsors: Tanya Smith, Carla Robinson

Attachments: 1. 060922 Council Meeting Procedures 2022 Updated final draft

- 7.8. Presentation, discussion, and possible action regarding an ordinance amending Chapter 2, "Administration," Article I, "In General," of the Code of Ordinances of The City of College Station, Texas, by adding Sec. 2-3., "City Boards, Commissions and Committees," relating to general rules established for city-council appointed boards, commissions, and committees.

Sponsors: Tanya Smith, Carla Robinson

Attachments: 1. 060922 Draft Ordinance - City Boards Commissions and Committees v4

- 7.9. Presentation, discussion, and possible action regarding an updated Boards, Committees, and Commissions Handbook.

Sponsors: Tanya Smith, Carla Robinson

Attachments: 1. 060922 - Citizen Boards Committees and Commission Handbook final draft

- 7.10. Presentation, discussion, and possible action regarding Change Order No. 4 in the amount of \$118,806 to the professional services contract with Freese and Nichols, Inc. for the Lick Creek Wastewater Treatment Plant Capacity Expansion Project.

Sponsors: Emily Fisher

Attachments: 1. Change Order 4

- 7.11. 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. June 9 Disaster Declaration Ordinance Renewal

8. Regular Agenda.

- 8.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance, "Article 4, Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from C3 Light Commercial to GC General Commercial on approximately 1.26 acres of land located at 4180 State Highway 6 South.

Sponsors: Derrick Williams

Attachments:

1. Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Future Land Use Exhibit
4. Rezoning Map
5. Rezoning Exhibit
6. Background Information
7. Applicant's Supporting Information

- 8.2. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Section 2.3 "Zoning Board of Adjustment", Section 3.17 "Written Interpretation", Section 3.19 "Variance", and Section 3.20 "Administrative

Appeal” of the Code of Ordinances of the City of College Station, Texas, regarding the powers, duties, and processes of the Zoning Board of Adjustment.

Sponsors: Molly Hitchcock

Attachments:

1. Ordinance
2. Section 2.3. Zoning Board of Adjustment redlines
3. Section 3.17 Written Interpretation redlines
4. Section 3.19 Variance redlines
5. Section 3.20 Administrative Appeal redlines

8.3. Presentation, discussion, and possible action regarding an ordinance amending in its entirety Chapter 8, “Businesses,” Article XIII, “Dockless Bike Share Program”.

Sponsors: Venessa Garza

Attachments:

1. Ordinance Amendment - Dockless Bike Share Program - with Changes
2. Ordinance Amendment - Micromobility 5-23-22

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 June 3, 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."