



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

July 14, 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 6:00 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 regarding the City's application to change transmission cost of service (TCOS) and wholesale transmission rates before the Public Utility Commission of Texas.
- b. Legal advice related to a 2016 Economic Development Agreement with Viasat, Inc.
- c. Legal advice related to a 2014 Economic Development Agreement with Fujifilm Diosynth Biotechnologies Texas, LLC, f/k/a Kalon Biotherapeutics LLC.

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

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

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 on alignment options for Corporate Parkway at William D. Fitch and potential impacts to the City's Thoroughfare Plan in the general area.

Sponsors: Emily Fisher, Jason Schubert

Attachments: None

- 6.2. Presentation, discussion, and possible action regarding a presentation on the city's street maintenance plan.

Sponsors: Emily Fisher

Attachments: None

- 6.3. Presentation, discussion, and possible action regarding the nonprofit organization Unlimited Potential, as requested by City Council.

Sponsors: Debbie Eller

Attachments: None

- 6.4. Presentation, discussion, and possible action on a draft policy from the Naming of City Facilities Subcommittee.

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:

- June 21, 2022 Special Meeting
- June 22, 2022 Special Meeting
- June 23, 2022 Council Meeting
- June 29, 2022 Special Meeting

Sponsors: Tanya Smith

Attachments:

1. SPM062122 DRAFT Minutes
2. SPM062222 DRAFT Minutes
3. CCM062322 DRAFT Minutes
4. SPM062922 DRAFT Minutes

- 7.2. Presentation, discussion, and possible action regarding a change order for delivery and testing of the Wellborn Road Dynamic Message Sign.

Sponsors: Emily Fisher

Attachments: 1. Change order #1_ Delivery and Testing 2

- 7.3. Presentation, discussion, and possible action regarding a local on-system improvement project agreement with the Texas Department of Transportation for the installation of a dynamic message sign on Wellborn Road (FM 2154).

Sponsors: Emily Fisher

Attachments:

1. Resolution FM 2154 LOSA
2. Draft LOSA - FM 2154 DMS Board

- 7.4. Presentation, discussion, and possible action regarding the second and last renewal of a professional services contract with McCord Engineering, Inc. for electrical engineering services for an amount not to exceed \$600,000.

Sponsors: Timothy Crabb

Attachments: 1. 20300510R2 Mc Cord Eng Inc Ltr 61022

- 7.5. Presentation, discussion, and possible action regarding the approval of a contract between the City of College Station and McCord Engineering, Inc. not to exceed the amount of \$550,000 for the purpose of engineering design and required deliverables to facilitate the necessary relocation

of all City of College Station (COCS) electric facilities in conflict with the State Highway 6 Expansion Project CSJ#1.

Sponsors: Timothy Crabb

Attachments: 1. Contract is available for review in the City Secretary's Office

- 7.6. Presentation, discussion, and possible action regarding an ordinance amending Chapter 40, "Utilities," Article III "Electric System," Division 2 "Rate Schedules," Section 40-322 "Electric Rate Schedule TDA (Transmission Delivery Adjustment)" of the Code of Ordinances of the City of College Station, Texas, by amending Section 40-322 "Electric Rate Schedule TDA (Transmission Delivery Adjustment)," providing a severability clause and providing an effective date.

Sponsors: Timothy Crabb

Attachments: 1. Ch. 40-322 TDA Definition Ord_20220531

- 7.7. Presentation, discussion, and possible action on approving annual water meter purchases from Badger Meter, Inc. Based on the current unit pricing, the estimated annual expenditure for water meters is \$125,000.

Sponsors: Gary Mechler

Attachments: 1. Badger Meter, Inc. Quote
2. Sole Source Letter

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

Sponsors: Emily Fisher

Attachments: 1. 22300601 Waste Falcon

- 7.9. Presentation, discussion, and possible action regarding a professional services contract with Freese and Nichols, Inc. in the amount of \$245,510 for preliminary design of the Carters Creek Wastewater Treatment Plant Effluent Filters project.

Sponsors: Emily Fisher

Attachments: 1. Carters Creek Effluent Filters Design_Scope of Work_05172022
2. Carters Creek Effluent Filters Design_Effort Estimate_05172022

- 7.10. 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. July 14 Disaster Declaration Renewal Ordinance

8. Regular Agenda.

- 8.1. Presentation, discussion, and possible action on an ordinance authorizing the issuance of certificates of obligation, series 2022; delegating the authority to certain city officials to execute certain documents relating to the sale of the certificates; approving and authorizing instruments and procedures relating to said certificates.

Sponsors: Michael DeHaven

Attachments: 1. POS-College Station CO Series 2022 Final Draft
2. Ordinance (delegation) (ver 1)

- 8.2. Public Hearing, presentation, discussion, and possible action regarding a presentation of the proposed Program Year 2023 Annual Action Plan, Fiscal Year 2023 Community Development Budget, and Substantial Amendment to the 2020 - 2024 Consolidated Plan.

Sponsors: Debbie Eller

Attachments:

1. Attachment 1 - FY 2023 Proposed Community Development Budget
2. Attachment 3 - FY 2023 Plan Development Process Summary
3. Attachment 2 - FY 2023 CDBG Public Service Funding
4. Attachment 4 - FY 2023 Income Limits
5. Attachment 5 - 2020-2024 Community Development Goals
6. Attachment 6 - Community Development Project Descriptions
7. Attachment 7 - Map of LMI Income Areas 2019

- 8.3. 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 boundary from R&D Research and Development to PDD Planned Development District for approximately 6.74 acres located at 400 Technology Parkway, generally located at the end of Technology Parkway east of State Highway 6 South.

Sponsors: Anthony Armstrong

Attachments:

1. Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Background Information
4. Applicant's Supporting Information
5. Existing Future Land Use Map
6. Rezoning Map
7. Concept Plan
8. Modifications and Benefits

- 8.4. Public Hearing, presentation, discussion, and possible action to consider the naming of Lick Creek Nature Center.

Sponsors: Bryan Woods

Attachments: None

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 July 8, 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."