



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 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 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.
- e. Robert Danny Clack, II 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.

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.

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

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 of Historic Marker 110 by the Historic Preservation Committee to the Cleere family for their residence at 601 Guernsey Street.

Sponsors: HPC Chairperson Gerald Burgner

Attachments: None

- 5.2. Presentation of Historic Marker 111 by the Historic Preservation Committee to the Dupriest family for their residence at 605 Guernsey Street.

Sponsors: HPC Chairperson Gerald Burgner

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. Workshop Items.

- 7.1. Presentation, discussion, and possible action regarding branding efforts for College Station.

Sponsors: Brian Piscacek

Attachments: None

7.2. Presentation, discussion, and possible action regarding public and community uses of College Station City Hall.

Sponsors: Barbara Moore

Attachments: None

7.3. Presentation, discussion, and possible action regarding a potential 2022 bond election.

Sponsors: Bryan Woods

Attachments: None

8. 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.

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

- July 12, 2022 Special Meeting
- July 14, 2022 Council Meeting
- July 18, 2022 Special Meeting
- July 19, 2022 Special Meeting

Sponsors: Tanya Smith

Attachments:

1. SPM071222 DRAFT Minutes
2. CCM071422 DRAFT Minutes
3. SPM071822 DRAFT Minutes
4. SPM071922 DRAFT Minutes

8.2. Presentation, discussion, and possible action on an interlocal government agreement with Brazos County for the conduct and management of the City of College Station General and Special Election that will be held on Tuesday, November 8, 2022. (Presentación, posible acción y discusión un acuerdo interlocal de gobierno con el Condado de Brazos para llevar a cabo y administrar las Elecciones Generales y Especiales de la Ciudad de College Station que se celebrarán el martes 8 de noviembre de 2022.)

Sponsors: Tanya Smith

Attachments:

1. ILA Election Agr 2022 CS 0703
2. ILA Election Agr 2022 Spanish 0703

8.3. Presentation, discussion, and possible action regarding the second and final renewal of an engineering services contract with Engineering Consultants, Inc. for an annual not-to-exceed amount of \$600,000 for electrical engineering services.

Sponsors: Timothy Crabb

Attachments: 1. 20300596R2 ECI Letter

8.4. Presentation, discussion, and possible action regarding a Community Development Block Grant funding agreement with Catholic Charities of Central Texas in the amount of \$140,683 in Community Development Block Grant - CARES Act funds for rent, utilities, and case management through the Brazos Valley Financial Stability Program - COVID 19 for those College Station residents impacted by COVID-19.

Sponsors: David Brower

Attachments: 1. Attachment - Contract 22300618 Catholic Charities CDBG-CV Funding

- 8.5. Presentation, discussion, and possible action regarding a second change order to a contract with NewGen Strategies and Solutions, LLC (NewGen), for consulting support with the Transmission Cost of Service (TCOS) study and rate case filing. The recommended change order amount is \$30,000, for a total contract amount not to exceed \$116,750.

Sponsors: Timothy Crabb

Attachments: 1. C 21300438 CO2 - NewGen

- 8.6. Presentation, discussion, and possible action regarding the renewal 1 of a contract with National Field Services, Inc., for Annual Electric Substation Maintenance in the amount of \$133,333.

Sponsors: Timothy Crabb

Attachments: 1. 21300581R1 Nat F Svcs Ltr Attachment

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

- 8.8. Presentation, discussion, and possible action regarding a professional services contract with Kimley Horn and Associates, Inc. in the amount of \$1,371,000 for the Northeast Sewer Trunk Line Phase IV project.

Sponsors: Jennifer Cain

Attachments: 1. Scope and Fee NETL 4
2. NETLPHIVmap

- 8.9. Presentation, discussion, and possible action to approve the provision of services by Spherion Staffing LLC ("Spherion") for Temporary employment Services by approving Letter Amendment No. 1 which amends the annual estimated expenditure amount for the current Renewal 1 contract term with an increase of \$90,000.

Sponsors: Alison Pond

Attachments: 1. 21300395AMD1

- 8.10. Presentation, discussion, and possible action on a Change Order No. 4 to a construction contract with Elliott Construction, LLC. in the amount of \$139,148, for construction services related to the Woodson Village Utility rehabilitation Project.

Sponsors: Gary Mechler

Attachments: 1. Woodson Village Rehab Project Map
2. Change Order 4

9. Regular Agenda.

- 9.1. Presentation, discussion, and possible action regarding the Fiscal Year 2023 BVSWMMA, Inc. budget.

Sponsors: Pete Caler

Attachments: 1. BVSWMMA FY23 Budget

- 9.2. Presentation, discussion, and possible action regarding the 2021 Incentive Compliance Report by the Brazos Valley Economic Development Corporation.

Sponsors: Natalie Ruiz

Attachments: 1. -- 2021 Compliance Report - BVEDC Board of Directors Presentation
2022-07-21

- 9.3. Public Hearing, presentation, discussion, and possible action on the City of College Station FY2022-2023 Proposed Budget.

Sponsors: Mary Ellen Leonard

Attachments: None

- 9.4. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Section 5.2 "Residential Dimensional Standards", and Section 8.3.H.4 "Cluster Development" of the Code of Ordinances of the City of College Station, Texas, regarding cluster developments.

Sponsors: Robin Macias

Attachments: 1. Ordinance
2. Sec. 5.2. Residential Dimensional Standards Changes
3. Sec. 8.3.H.4 Cluster Developments Changes

- 9.5. Presentation, discussion, and possible action regarding adoption of a resolution approving a settlement agreement between the City of College Station and Olga S. Kucerak, as Independent Executrix Of The Estate Of Gerry L. Saum, Deceased, and as Independent Administrator Of The Estate Of Susan M. Wood, Deceased (Olga Kucerak), resolving all litigation between the parties, and to provide for the City's purchase of 102.25 acres of land located generally along N. Dowling Road in South Brazos County, Texas, from Olga Kucerak for a purchase price of \$3,578,750.

Sponsors: Adam Falco

Attachments: 1. Saum Resolution and Settlement Executed by Seller

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 July 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."