



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

August 25, 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. Shana Elliott and Lawrence Kalke v. The City of College Station, et al.
- d. 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.
- b. Legal advice regarding the process to acquire property needed for the west side Highway 47 electric substation.

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 in Midtown Business Center at the intersection of Midtown Drive 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. Council Self Evaluation

Competitive Matters {Gov't Code Section 551.086};

Possible action. The City Council may deliberate, vote, or take final action on a competitive matter as that term is defined in Gov't Code Section 552.133 in closed session. The following is a general representation of the subject matter to be considered:

- a. Power Supply

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 the current conditions of the Northgate Entertainment District, to include future options for improvement.

Sponsors: Billy Couch

Attachments: None

- 6.2. Presentation, discussion, and possible action on options to amend the Restricted Occupancy Overlay (ROO).

Sponsors: Alyssa Halle-Schramm

Attachments: None

6.3. Presentation, discussion, and possible action on a proposed middle housing zoning district.

Sponsors: Matthew Ellis

Attachments: 1. Middle Housing Product Types and Dimensional Standards Table

6.4. Presentation, discussion, and possible action on a potential ordinance amendment relating to individual lot grading requirements for residential lots.

Sponsors: Anthony Armstrong

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:

- August 11, 2022 Council Meeting
- August 17, 2022 Special Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM081122 DRAFT Minutes
2. SPM081722 DRAFT Minutes

7.2. Presentation, discussion, and possible action regarding adoption of a Resolution to support the submission of a joint grant application with the Bryan/College Station Metropolitan Planning Organization for the Safe Streets and Roads for All program to conduct a county-wide Comprehensive Safety Action Plan.

Sponsors: Jason Schubert

Attachments: 1. Resolution
2. SS4A Action Plan Info Sheet
3. SS4A Action Plan Grant Application Template

7.3. Presentation, discussion, and possible action regarding an Interlocal Agreement with Brazos County and the City of Bryan for the 2022 Byrne Justice Assistance Grant (JAG) Program in which the City of College Station has been allocated \$16,112.60 for the purpose of supporting law enforcement programs.

Sponsors: Billy Couch

Attachments: 1. 2022 JAG Interlocal Agreement 7-18-22

7.4. Presentation, discussion, and possible action regarding approval of the Atmos Cities Steering Committee (ACSC) Rate Review Mechanism (RRM) Ordinance.

Sponsors: Ross Brady

Attachments: 1. College Station 2022 Atmos Mid-Tex RRM Ord wExhibits_v7-28-2022

7.5. Presentation, discussion, and possible action regarding a general services contract with Buyers Barricades Houston, LLC in the amount of \$115,000 for the 2022 TAMU Football Post Game Day Traffic Control.

Sponsors: Emily Fisher

Attachments: 1. BuyBoard Quote

2. 2022 TAMU Game Day Traffic Control Locations Map

- 7.6. Presentation, discussion, and possible action regarding the award of a construction contract to Larry Young Paving Inc. in the amount of \$199,410 for Traffic Calming Implementation and Construction.

Sponsors: Emily Fisher

Attachments: 1. Bid Tabulation - Traffic Calming
2. Location Map

- 7.7. Presentation, discussion, and possible action regarding the second renewal of a sponsorship agreement with Land of Lights, Inc., DBA Santa's Wonderland, in the amount of \$150,000.

Sponsors: Brian Piscacek

Attachments: 1. 21300017_R2

- 7.8. Presentation, discussion, and possible action to authorize expenditure of funds for Fiscal Year 2023 for items exempt from competitive bidding as described more fully in Texas Local Government Code, Chapter 252.022 and other expenditures for interlocal contracts or fees mandated by state law that are greater than \$100,000; and to authorize the City Manager to approve contracts and expenditures that are on the exemption list.

Sponsors: Mary Ellen Leonard

Attachments: 1. 2023 Exemptions List Over \$100K

- 7.9. Presentation, discussion, and possible action to approve the fourth renewal of an annual contract for Professional Auditing Services with FORVIS, LLP (formerly BKD, LLP) for an amount not to exceed \$134,294.

Sponsors: Mary Ellen Leonard

Attachments: None

- 7.10. Presentation, discussion, and possible action on an ordinance amending Chapter 38, "Traffic and Vehicles," Article II "Stopping, Standing and Parking," by adding Division 5 "City Facility Parking".

Sponsors: Mary Ellen Leonard

Attachments: 1. CH 38 City Parking Fees Ord

- 7.11. Presentation, discussion, and possible action regarding renewing the contract for Temporary Employment Services with Spherion Staffing LLC ("Spherion") for a total estimated annual expenditure of \$190,000.

Sponsors: Alison Pond

Attachments: 1. Spherion Staffing Contract Renewal

- 7.12. Presentation, discussion, and possible action regarding the purchase of SCADA system video integration hardware and software from CDW-G, LLC for \$141,587.12 and from the Reynolds Company for \$219,856.61.

Sponsors: Gary Mechler

Attachments: 1. CDW Hardware and Software Purchase Quotes
2. Reynolds Company Hardware and Software Purchase Quotes

- 7.13. Presentation, discussion, and possible action regarding approval of a Community Housing Development Organization HOME Investment Partnership Program funding agreement in the amount of \$305,094 with Elder Aid, Inc. for the acquisition and rehabilitation of two rental units at 1416 and 1418 Hawk Tree in College Station to be used as affordable, elderly rental housing.

Sponsors: Debbie Eller

- Attachments:
1. HOME CHDO Funding Agreement - Elder Aid
 2. Location Map

7.14. Presentation, discussion, and possible action on a resolution granting consent to Rock Prairie Management District No. 2 for the sale and issuance of unlimited tax road bonds, series 2022, in an amount not to exceed \$2,500,000.

Sponsors: Mary Ellen Leonard

- Attachments:
1. Series 2022 Road Bonds - City Consent Resolution 8-16-22
 2. Rock Prairie MD 2_ 2022 No Growth Cash Flow
 3. Rock Prairie MD 2_ 2022 NOS (City)
 4. Rock Prairie MD 2_ 2022 POS (City)
 5. Bond Order - Unlimited Tax Road Bonds, Series 2022 (RPMD2)
 6. RPMD 2 - Summary of Costs

8. Regular Agenda.

8.1. Public Hearing, presentation, discussion, and possible action on the City of College Station 2023 advertised ad valorem tax rate of \$0.524613 per \$100 valuation, resulting in an increase in tax revenues.

Sponsors: Mary Ellen Leonard

Attachments: None

8.2. Presentation, discussion, and possible action on an ordinance adopting the City of College Station 2022-2023 Budget; and presentation, discussion, and possible action ratifying the property tax revenue increase reflected in the budget.

Sponsors: Mary Ellen Leonard

- Attachments:
1. Appendix A1 - FY22 Budget Adoption Ordinance - updated Part 4 8.15.22
 2. Appendix A1 - Attachment - IT Purchase list

8.3. Presentation, discussion, and possible action on an ordinance adopting the City of College Station 2022-2023 ad valorem tax rate of \$0.524613 per \$100 assessed valuation, the debt service portion being \$0.211441 per \$100 assessed valuation and the operations and maintenance portion being \$0.313172 per \$100 assessed valuation.

Sponsors: Mary Ellen Leonard

- Attachments:
1. Appendix A2 - FY22 Tax Rate Ordinance 8.15.22

8.4. Presentation, discussion, and possible action on a resolution adopting fees, rates and charges as provided by Chapter 2 "Administration", Article V "Finance" Division 2 "Fees, Rates and Charges" of the Code of Ordinances, City of College Station, Texas.

Sponsors: Mary Ellen Leonard

- Attachments:
1. FY 22-23 Fee Resolution 8-4-22 Final
 2. Fee Resolution Summary for Council - Updated 08.18.22

8.5. 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 GC General Commercial to PDD Planned Development District on approximately 12 acres of land located 103 N. Dowling Rd.

Sponsors: Anthony Armstrong

- Attachments:
1. Ordinance
 2. Vicinity Map, Aerial, and Small Area Map
 3. Rezoning Map
 4. Concept Plan Exhibit - Modified
 5. Concept Plan Exhibit - Original
 6. Bulk Variances Request Letter
 7. Applicant's Supporting Information
 8. Background Information

8.6. Presentation, discussion, and possible action on an agreement for purchase and sale of real property between the City of College Station and West Valley JMYL, LP for approximately 7.64 acres of land located generally near the intersection of Texas State Highway 6 and Harvey Road.

Sponsors: Natalie Ruiz

Attachments: 1. Contract is on file with the City Secretary's Office

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 August 19, 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."