



College Station, TX

Meeting Agenda

City Council - Amended

1101 Texas Ave, College Station, TX 77840

Internet: <https://zoom.us/j/96728393278>

Phone: 888 475 4499 and Meeting ID: 967 2839 3278

September 22, 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 related to short term rentals.

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 Manager
- 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. Economic incentives for a property generally located at the intersection of Biomedical Way and Health Science Center Parkway.

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 October 5th as World Teachers' Day.

Sponsors: Tanya Smith

Attachments: 1. 221005 World Teachers Day

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 on the proposed “Cooling” College Station: Five-Year Planting Plan for Urban Heat Mitigation.

Sponsors: Michael Ostrowski

Attachments: 1. Heat Islands Report - 202209

- 7.2. Presentation, discussion, and possible action regarding options for Shady Drive.

Sponsors: Emily Fisher

Attachments: None

- 7.3. Presentation, discussion, and possible action regarding the design of the Egremont Court Rehabilitation Project.

Sponsors: Jennifer Cain

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:

- August 25, 2022 Council Meeting
- September 8, 2022 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM082522 DRAFT Minutes
2. CCM090822 DRAFT Minutes

- 8.2. Presentation, discussion, and possible action on a resolution approving the City’s investment policy, reviewing and recording changes to such policy and strategy, approving a collateral policy, and designating investment officers for the fiscal year ending September 30, 2023, stating that the City Council has reviewed and approved the City's investment policy, broker-dealer list and investment strategy.

Sponsors: Michael DeHaven

Attachments: 1. Investment Policy Resolution FY 23 with Exhibits

- 8.3. Presentation, discussion, and possible action on a ten-year agreement with Axon Enterprise, Inc. (“AXON”) for the purchase and support of products and services including body cameras, fleet cameras, electronic control devices, digital storage, and associated reporting systems for an amount not to exceed \$6,417,557.66.

Sponsors: Mike Pavelka

Attachments: 1. 23300001 Axon Enterprise, Inc. MSPA

- 8.4. Presentation, discussion, and possible action regarding City of College Station Excess Liability and Workers’ Compensation Insurance, Property/Boiler & Machinery, Commercial Crime, EMT Liability, Auto Property Damage, Cyber Liability, Unmanned Aircraft liability and property; Special Events policies for Fiscal Year 2023. FY23 premiums for all lines of coverage are not to exceed \$1,080,000.

Sponsors: Alison Pond

Attachments: None

- 8.5. Presentation, discussion, and possible action on approving a five year master services agreement for utility billing software and services with Origin Utility, Inc. not to exceed \$2,273,185.09.

Sponsors: Mary Ellen Leonard

Attachments: 1. 22300615 Origin Utility Inc

- 8.6. Presentation, discussion, and possible action on authorizing additional expenditures up to \$500,000 for the purchase of fuel through an existing contract with Fikes Wholesale, Inc.; bringing the total annual estimated expenditure to \$1,900,000.

Sponsors: Mary Ellen Leonard

Attachments: None

- 8.7. Presentation, discussion and possible action regarding Change Order No. 1 for an amount not to exceed \$70,000 to the construction contract with Larry Young Paving for the Rock Prairie Road West Project.

Sponsors: Jennifer Cain

Attachments: 1. Change Order 1 Rock Prairie

9. Regular Agenda.

- 9.1. Public Hearing, presentation, discussion, and possible action approving an ordinance vacating and abandoning a 0.087 acre portion of a 15-foot Public Utility Easement, said portion lying due east of the terminus of Biomedical Way, of the Traditions Subdivision Phase 23 according to the easement agreement recorded in Volume 13417, Page 155, of the Official Records of Brazos County, Texas.

Sponsors: Anthony Armstrong

Attachments:

1. Ordinance
2. Ordinance Exhibit A
3. Vicinity Map
4. Location Map
5. Application

- 9.2. 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 GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay on approximately 9.86 acres of land, being 26 lots within North Forest Estates, Block 1 and 2, generally located along Justin Avenue.

Sponsors: Alyssa Halle-Schramm

Attachments:

1. Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Background Information
4. Rezoning Map
5. Original Subdivision Plat
6. Applicant's Supporting Information
7. Petition Committee Members
8. Neighborhood Meeting Materials
9. Petition Signatures

- 9.3. Presentation, discussion, and possible action on the Small Area Plan Audit.

Sponsors: Naomi Sing

Attachments: 1. Small Area Plan Audit

- 9.4. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 6, "Use Regulations," Section 6.3 "Types of Use," Section 6.4 "Specific Use Standards," Article 7, "General Development Standards," Section 7.2 "General Provisions," Section 7.3 "Off-Street Parking Standards," Section 7.6 "Landscaping and Tree Protection," Section 7.7 "Buffer Requirements," Article 11, "Definitions," Section 11.2 "Defined Terms," of the Code of Ordinances of the City of College Station, Texas, regarding the creation of a new use called Shared Housing.

Sponsors: Michael Ostrowski

Attachments:

1. Ordinance - Shared Housing
2. UDO - Section 6.3 - Types of Uses - Changes
3. UDO - Article 7 - General Development Standards - Changes
4. UDO - Section 11.2 - Defined Terms - Changes

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 September 19, 2022 at 3:30 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."