



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

October 13, 2022

3:00 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.
- e. Kristin Marriott v. The City of College Station

Legal Advice

- a. Legal advice regarding short term rentals.
- b. Legal advice regarding the enforcement of the family definition included in the Unified Development Ordinance.

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 Secretary
- b. Municipal Court Judge
- c. City Auditor
- d. City Manager
- e. 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 proclaiming October of 2022 as National Disability Employment Awareness Month.

Sponsors: Tanya Smith

Attachments: 1. 22 National Disability Employment Awareness Month

5.2. Presentation proclaiming October 2022 as Arteriovenous Malformation Awareness Month.

Sponsors: Tanya Smith

Attachments: 1. 22 AVM Awareness Month

5.3. Presentation proclaiming October 16th as Weinerspiel Day.

Sponsors: Tanya Smith

Attachments: 1. 22 Wienerspiel Day

5.4. Presentation proclaiming November 7th-11th as Municipal Court Week.

Sponsors: Tanya Smith

Attachments: 1. 22 Muni Ct Week

5.5. Presentation proclaiming October 2022 as Community Planning Month.

Sponsors: Michael Ostrowski

Attachments: 1. Community Planning Month Proclamation

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 an Economic Development program update.

Sponsors: Brian Piscacek

Attachments: None

- 7.2. Presentation, discussion, and possible action regarding an update on the regulation of short term rental housing, enforcement, and collection of hotel occupancy tax.

Sponsors: Debbie Eller

Attachments: None

- 7.3. Presentation, discussion, and possible action on an update regarding the enforcement of the family definition included in the Unified Development Ordinance for Fiscal Year 2022.

Sponsors: Debbie Eller

Attachments: None

- 7.4. Presentation, discussion, and possible action regarding an update on Unlimited Potential and the plans for the facility located at 1115 Anderson.

Sponsors: Debbie Eller

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:

- September 22, 2022 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM092222 DRAFT Minutes

- 8.2. Presentation, discussion, and possible action regarding the award of an annual price agreement for Vehicle Painting and Body Repair Services to Corn's Collision Center, Inc. for an amount not to exceed \$150,000 annually and to George's Paint and Body, LLC for an amount not to exceed \$150,000 annually, for a total possible contract amount of \$900,000.

Sponsors: Emily Fisher

Attachments:

1. RFP 22-065 Evaluation
2. Corn's Collision Center, Inc Contract
3. George's Paint and Body Contract

- 8.3. Presentation, discussion, and possible action regarding approval of a contract between the City of College Station and Altitude Energy, LLC, for the construction of the Switch Station Substation Upgrades in the amount of \$2,004,933.85.
Sponsors: Timothy Crabb
Attachments: 1. 22-072 Evaluation Summary Sheet
 2. Contract is available for review in the City Secretary's Office
- 8.4. Presentation, discussion, and possible action on a Microsoft Teams Upgrade contract with The Personal Computer Store, Inc. dba Avinext not to exceed \$292,998.44.
Sponsors: Sam Rivera
Attachments: 1. 22300722 --Avinext
- 8.5. Presentation, discussion, and possible action on a three-year software license and subscription agreement with ESRI, Inc. not to exceed \$271,830.
Sponsors: Sam Rivera
Attachments: 1. 22300773 ESRI Agreement
- 8.6. Presentation, discussion, and possible action on Construction Change Order No. 2 with CSA Construction, Inc. in the amount of \$70,444.14 for construction services for the Carters Creek Wastewater Treatment Plant Centrifuge Improvements Project.
Sponsors: Jennifer Cain
Attachments: 1. CCWWTP Centrifuge Change Order 2 unsigned
 2. CCWWTP Centrifuge Project Location Map
- 8.7. Presentation, discussion, and possible action regarding a contract with FreeIT Data Solutions for data storage system hardware, support, and installation services not to exceed \$419,667.96.
Sponsors: Sam Rivera
Attachments: 1. 22300772 RR
- 8.8. Presentation, discussion, and possible action regarding the approval of contract 22300785 with AESI, Inc. for an amount not to exceed \$343,957 for three years for NERC compliance consulting.
Sponsors: Timothy Crabb
Attachments: 1. Contract is available for review in the City Secretary's Office
- 8.9. Presentation, discussion, and possible action on amending Resolution 2022-4385 that adopted the fiscal year 2023 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 Amend Rental Reg
- 8.10. Presentation, discussion, and possible action regarding a resolution accepting the Federal FY-2021 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$1,942,269 and authorizing and designating the City Manager or his designee to execute the SAFER Grant acceptance and any other documents related to the SAFER Grant.
Sponsors: Richard Mann
Attachments: 1. 2022 Safer Grant Resolution
 2. EMW-2021-FF-00278 - Award Package

- 8.11. Presentation, discussion, and possible action on a resolution nominating FUJIFILM Diosynth Biotechnologies, LLC for designation by the Governor's Office of Economic Development and Tourism as a Texas Enterprise Project.

Sponsors: Tim Neeley

Attachments: 1. FUJIFILM Diosynth Biotechnologies Resolution

- 8.12. Presentation, discussion, and possible action on an ordinance renaming Biomedical Way to Fujifilm Way.

Sponsors: Jason Schubert

Attachments: 1. FUJIFILM Street Ordinance

- 8.13. 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. October 13 Disaster Declaration Renewal Ordinance

- 8.14. Presentation, discussion, and possible action regarding a resolution authorizing the City Manager to sign a letter of acceptance for the distribution of State of Texas Community Development Block Grant Mitigation funding from the Texas General Land Office and distributed by the Brazos Valley Council of Governments.

Sponsors: Debbie Eller

Attachments: 1. Attachment 1 - Resolution

9. Regular Agenda.

- 9.1. Presentation, discussion, and possible action regarding a construction contract with Vaughn Construction, LLC in the amount of \$16,631,810.48 for Phase 1 of the Texas Independence Ballpark project, plus the City's contingency in the amount of \$450,000 for a total appropriation of \$17,081,810.48. Approval of this item grants authority for the City Manager to authorize expenditures up to the City's contingency amount.

Sponsors: Jennifer Cain

Attachments: 1. TX Independence Ballpark Location Map
2. Contract is available for review in the City Secretary's Office

- 9.2. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Neighborhood Center to Mixed Residential for approximately 0.356 acres, generally located at 217 Richards Street.

Sponsors: Robin Macias

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

- 9.3. 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 GC General Commercial to GS General Suburban for

approximately 0.356 acres located at Holleman Place Lot 1R-2, generally located at 217 Richards Street.

Sponsors: Robin Macias

Attachments:

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

- 9.4. 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 Rural to GC General Commercial for approximately 2.238 acres including Harvey Hillside's Block 1 Lot 1, generally located at the intersection of Harvey Rd and State Highway 30.

Sponsors: Robin Macias

Attachments:

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

- 9.5. 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
2. UDO - Section 6.3 - Types of Uses - Changes
3. UDO - Article 7 - General Development Standards - Changes
4. UDO - Section 11.2 - Defined Terms
5. Future Land Uses to Allow Shared Housing

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 October 7, 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.”