



## 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

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October 27, 2022

4:00 PM

City Hall Council Chambers

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**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. City of College Station, et al., Cause No. 22-001122-CV-85, in the 85th District Court, Brazos County, Texas
- d. Robert Danny Clack, II v. City of College Station, et al., Civil Action No. 4:22-cv-02404, in the U.S. District Court for the Southern District of Texas, Houston Division
- e. Kristin Marriott v. City of College Station, Cause No. 22-002259-CV-272, in the 272nd District Court, Brazos County, 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.
- b. Property generally located on Boyett Street near the intersections of Church Street and University Drive.

- c. Property generally located at the intersection of State Highway 6 and Venture Drive in the College Station Business Center.
- d. Property generally located at the intersection of Midtown Drive and Corporate Parkway in the Midtown Business Park.

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

**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 the year 2022 as the 25th anniversary of Santa's Wonderland.

Sponsors: Natalie Ruiz

Attachments: 1. Santa's Wonderland

- 5.2. Presentation proclaiming November 2022 as Lung Cancer Awareness Month.

Sponsors: Tanya Smith

Attachments: 1. Lung Cancer Awareness Month

- 5.3. Presentation proclaiming October 2022 as Chiropractic Health Month.

Sponsors: Tanya Smith

Attachments: 1. Chiropractic Health Month

**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 Visit College Station's 2022 "Christmas in College Station" Campaign.

Sponsors: Aubrey Nettles

Attachments: None

- 7.2. Presentation, discussion, and possible action regarding the possible electric power supply and service issues for the College Station Utility Electric Department for the winter of 2022/23.

Sponsors: Timothy Crabb

Attachments: None

- 7.3. Presentation, discussion, and possible action regarding an update on the City's water supply and wastewater treatment capacity.

Sponsors: Stephen Maldonado

Attachments: None

- 7.4. Presentation, discussion, and possible action on the naming of city facilities.

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:

- October 13, 2022 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM101322 DRAFT Minutes

- 8.2. Presentation, discussion, and possible action regarding a revision to the Community Development Minor Repair Program guidelines to increase the grant amount available to \$10,000.

Sponsors: Debbie Eller

Attachments: 1. Proposed Minor Repair Program Guidelines

- 8.3. Presentation, discussion, and possible action on a bid award for the annual purchase of sodium hypochlorite from DXI Industries, Inc. Based on the current unit pricing, the estimated annual expenditure for sodium hypochlorite is \$300,700.

Sponsors: Gary Mechler

Attachments: 1. Bid Tabulation (ITB 22-086)

- 8.4. Presentation, discussion, and possible action regarding the purchase of SCADA system video security isolation hardware and support services from Avinext in the amount of \$78,213.07.

Sponsors: Gary Mechler

Attachments: 1. Quote from Avinext

- 8.5. Presentation, discussion, and possible action on awarding an annual price agreement to Techline, Inc for the purchase of Air Switches which will be maintained in electrical inventory and expended as needed. The total recommended award is for an amount not to exceed \$299,850.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. 22-079 Award
- 8.6. Presentation, discussion, and possible action regarding a construction contract with Marek Brothers Construction, Inc., in the amount of \$709,931 for improvements to Steeplechase and Central Park.  
Sponsors: Steve Wright  
Attachments: 1. Bid Tab 22-074
- 8.7. Presentation, discussion, and possible action regarding approval of ITB 22-084 for the City's purchase for the Electric Warehouse Inventory items Single-Phase Transformers with an expenditure of \$1,618,048; awarded to Alamo Transformer, Anixter Inc., and KBS Electrical Distributors.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. 22-084 Single Phase Transformers Award
- 8.8. Presentation, discussion, and possible action regarding approval of ITB 22-083 for the City's Purchase of the Electric Warehouse Inventory item Three-Phase Transformers with an estimated expenditure in the amount of \$427,229; awarded to Anixter Inc., and Priester Mell & Nicholson.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. 22-083 3 Phase Transformer Award
- 8.9. Presentation, discussion, and possible action approving a resolution authorizing expenditure to the Aggieland Humane Society, Inc. in the amount of \$276,000.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. Aggieland Humane Society Resolution - FY23
- 8.10. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Amber Alert Network Brazos Valley for FY23 in the amount of \$5,000.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. Amber Alert Network Brazos Valley FY23 FA
- 8.11. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Arts Council of the Brazos Valley for FY23 in the amount of \$35,000.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. Arts Council - General Fund FY23 FA
- 8.12. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Arts Council of the Brazos Valley for FY23 in the amount of \$509,000 from the Hotel Occupancy Tax Fund.  
Sponsors: Mary Ellen Leonard  
Attachments: 1. Arts Council - HOT Fund FY23 FA  
2. Arts Council FY23 Budget
- 8.13. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Brazos Valley Economic Development Corporation for FY23 in the amount of \$350,000.  
Sponsors: Mary Ellen Leonard

Attachments: 1. Brazos Valley Econ Dev Corp FY23 FA

- 8.14. Presentation, discussion, and possible action on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY23 in the amount of \$46,730.

Sponsors: Mary Ellen Leonard

Attachments: 1. Keep Brazos Beautiful FY23 FA

- 8.15. Presentation, discussion, and possible action on a funding agreement between the City of College Station and the Memorial for All Veterans of the Brazos Valley for FY23 in the amount of \$30,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. Veterans Memorial FY23 FA  
2. Veterans Memorial FY23 Budget

- 8.16. Presentation, discussion, and possible action regarding a resolution appointing Gary Mechler as a member of the Brazos Valley Groundwater Conservation District Board of Directors, subject to approval by the Brazos County Commissioners Court.

Sponsors: Tanya Smith

Attachments: 1. BVGCD Appointment 2022-2026-Resolution

- 8.17. Presentation, discussion and possible action regarding a change order not to exceed \$97,760 to the construction contract with CB&I Group, Inc. for the Rock Prairie Elevated Storage Tank Project.

Sponsors: Jennifer Cain

Attachments: 1. Rock Prairie EST- Location Map

## **9. Regular Agenda.**

- 9.1. Presentation, discussion, and possible action regarding a real estate contract selling approximately 5 acres in the College Station Business Center, Lot 1B, Block 3, Phase One generally located near the intersection of State Highway 6 and Venture Drive.

Sponsors: Brian Piscacek

Attachments: 1. Real estate contract is on file with the City Secretary

- 9.2. Public Hearing, presentation, discussion, and possible action on approving an ordinance vacating and abandoning a 1554 square foot portion of a 30-foot Public Drainage & Utility Easement, said portion is fully surrounded by the Redmond Condos property in the Redmond Terrace subdivision Block 4, Lots 14 & 15, according to the plat recorded in Volume 188, Page 295, of the Deed Records of Brazos County, Texas.

Sponsors: Parker Mathews

Attachments: 1. Ordinance  
2. Vicinity Map  
3. Location Map  
4. Application

- 9.3. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 1, "General Provisions," Section 1.10 "Transitional Provisions," Article 3, "Development Review Procedures," Section 3.4 "Plat Review," Section 3.12 "Building Permit," Article 4, "Zoning Districts," Section 4.1 "Establishment of Districts," Article 5, "District Purpose Statements and Supplemental Standards," Section 5.1 "Residential Zoning Districts," Section 5.2 "Residential Dimensional Standards," Article 6, "Use

Regulations," Section 6.3 "Types of Use," Section 6.4 "Specific Use Standards," Article 7, "General Development Standards," Article 8, "Subdivision Design and Improvements," Section 8.3 "General Requirements and Minimum Standards of Design for Subdivisions within the City Limits," Section 8.8 "Requirements for Park Land Dedication," Article 11, "Definitions," Section 11.2 "Defined Terms," of the Code of Ordinances of the City of College Station, Texas, by amending certain sections related to the creation of a Middle Housing zoning district.

Sponsors: Matthew Ellis

Attachments:

1. Ordinance
2. Section 1.10. Transitional Provisions Changes
3. Section 3.4. Plat Review Changes
4. Section 3.12. Building Permit Changes
5. Section 4.1. Establishment of Districts Changes
6. Section 5.1. and Section 5.2. Changes
7. Section 6.3. Types of Use Changes
8. Section 6.4. Specific Use Standards Changes
9. Article 7. General Development Standards Changes
10. Section 8.3. General Requirements of Subdivision Design Changes
11. Section 8.8. Requirements for Park Land Dedication Changes
12. Section 11.2 Defined Terms Changes

- 9.4. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 3, "Development Review Procedures," Section 3.3 "Zoning Map Amendment (Rezoning)," and Article 5, "District Purpose Statements and Supplemental Standards," Section 5.11 "Single-Family Overlay Districts," of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to the Restricted Occupancy Overlay.

Sponsors: Alyssa Halle-Schramm

Attachments:

1. Ordinance
2. Sec. 3.3 Zoning Map Amendment (Rezoning) Changes
3. Sec. 5.11 Single Family Overlay Districts Changes

- 9.5. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 8 "Subdivision Design and Improvements," Section 8.3.K "Sidewalks," of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to sidewalk zones and sidewalk requirements.

Sponsors: Jason Schubert

Attachments:

1. Ordinance
2. Ordinance Changes
3. Sidewalk Zone Funds Table

## **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 21, 2022 at 5:00 p.m.



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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](mailto: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.”**