



College Station, TX

Meeting Agenda City Council

1101 Texas Ave, College Station, TX 77840
Internet: <https://us06web.zoom.us/j/96728393278>
Phone: 888 475 4499 and Meeting ID: 967 2839 3278

January 26, 2023

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 Agenda.

2.1 Executive Session is closed to the public and will be held in the 1938 Executive Conference Room.

The City Council may according to the Texas Open Meetings Act adjourn the Open Meeting during the Consent, Workshop or Regular Agendas and return into Executive Session to seek legal advice from its attorney regarding any item on the Workshop, Consent or Regular agendas under Chapter 551, Texas Government Code.

2.2 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.

- 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.
- f. Legal advice regarding City facility use policies and the public's rental and use of City-owned buildings and facilities.

2.3 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. Zoning Board of Adjustments
- b. City Manager
- c. Council Self Evaluation

3. The Open Meeting will Reconvene No Earlier than 6:00 PM from Executive Session and City Council will take action, if any

4. Pledge of Allegiance, Invocation, and Consider Absence Request.

Speaker Protocol

An individual who desires to address the City Council regarding any agenda item other than those items posted for Executive Session must register with the City Secretary two (2) hours before 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 using a translator may speak for six (6) minutes. The speaker's microphone will mute when the allotted time expires and the speaker must leave the podium.

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 proposals received in response to Request for Information 23-018 - Affordable Housing Development in College Station through the Texas Department of Housing and Community Affairs 2023 9% Low-Income Housing Tax Credit allocation process.

Sponsors: Debbie Eller

Attachments: 1. Location Maps

- 6.2. Presentation, discussion, and possible action regarding the nature of Electric Vehicle (EV) Fast Charger stations and the City's addition of a retail electric rate to address this new customer type.

Sponsors: Timothy Crabb

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:

- January 12, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM011223 DRAFT Minutes

7.2. Presentation, discussion, and possible action on the First Amendment to Resolution No. 08-25-22-8.4, that adopts 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 01.26.23 - Final (1)
2. FY 22-23 Fee Resolution 01.26.23 - redline

7.3. Presentation, discussion, and possible action on an ordinance amending Chapter 40, “Utilities,” Article I, “In General,” 40-11 “Payment of Bills” of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to bill payment; providing a severability clause; declaring a penalty; and providing an effective date.

Sponsors: Mary Ellen Leonard

Attachments: 1. CH 40 Sec 40-11 Payment of Bills Ord Amend 12-20-22

7.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 40, “Utilities,” Article III “Electric System,” Division 2 “Rate Schedules,” of the Code of Ordinances of the City of College Station, Texas, by amending Section 40-322 “Electric Rate Schedule TDA (transmission delivery adjustment)” and creating a new Section 40-326 “Electric Rate Schedule EV (electric vehicle fast charger);” providing a severability clause and an effective date.

Sponsors: Timothy Crabb

Attachments: 1. Ch. 40-322 TDA & 40-326 EVFC Ord

7.5. Presentation, discussion, and possible action on a \$189,696 change order to the ten-year master service agreement with Axon Enterprise, Inc. (“AXON”) for cameras and storage for eight (8) additional patrol vehicles.

Sponsors: Mike Pavelka

Attachments: 1. Change Order No.1 Contract 23300001

7.6. Presentation, discussion, and possible action regarding adoption of a resolution consenting to the issuance of bonds by the Brazos County Municipal Utility District No. 1 in an amount not to exceed \$4,005,000 for water improvements.

Sponsors: Mary Ellen Leonard

Attachments: 1. Brazos County MUD #1 Bond Resolution 1-26-23

7.7. Presentation, discussion, and possible action regarding the purchase of Advanced Metering Infrastructure (AMI) electric meters for Electric warehouse inventory stock from Landis+Gyr Technology, Inc. for an amount not to exceed \$216,023.96.

Sponsors: Mary Ellen Leonard

Attachments: 1. CC Req23102412 010323

7.8. Presentation, discussion, and possible action on approving annual purchases of auto parts, shop equipment and services from NAPA Auto Parts through Purchasing Solutions Alliance purchasing cooperative not-to-exceed amount of \$180,000.

Sponsors: Mary Ellen Leonard

- Attachments: 1. 20-201 1st Amendment and Extension
2. NAPA Award Letter

7.9. Presentation, discussion, and possible action on approving an annual blanket purchase order for parts and repair labor for fire trucks from Siddons-Martin Emergency Group through the BuyBoard Purchasing Cooperative not to exceed \$250,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. BuyBoard 651-21 Siddons Martin Emergency Group

7.10. Presentation, discussion, and possible action on approving annual tire purchases and retread services from Southern Tire Mart, LLC through the BuyBoard Purchasing Cooperative (Contract 636-21) in the annual not-to-exceed amount of \$310,000.

Sponsors: Mary Ellen Leonard

Attachments: 1. BuyBoard 636-21 Southern Tire Mart

7.11. Presentation, discussion, and possible action regarding the repeal of Resolution No. 2-23-2006-10.13 that will sunset the Joint Relief Funding Review Committee.

Sponsors: David Brower

Attachments: 1. Resolution

7.12. Presentation, discussion, and possible action regarding a resolution accepting a \$170,920.84 grant from the Office of the Governor for purchasing bullet resistant shields for the police department.

Sponsors: Rodney Sigler

Attachments: 1. Grant Resolution

7.13. Presentation, discussion, and possible action on a revised resolution nominating FUJIFILM Diosynth Biotechnologies, LLC for designation by the Governor's Office of Economic Development and Tourism as a Texas Enterprise Project and repealing resolution number 10-13-22-8.11.

Sponsors: Brian Piscacek

Attachments: 1. Revised Nomination Resolution

8. Regular Agenda.

8.1. Public Hearing, presentation, discussion, and possible action on an ordinance vacating and abandoning a 0.274 acre portion of a variable width Public Utility Easement, said portion lying within Lot 2, Block 1, of the Traditions Subdivision Phase 23 according to the easement 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

8.2. Presentation, discussion, and possible action regarding the award of a contract to Brazos Paving, Inc. for base failure repairs and pavement reconstruction treatments in an amount not to exceed \$8,410,000. This item is for contracted equipment, labor, and materials for standard maintenance activities associated with asphalt streets.

Sponsors: Emily Fisher

Attachments: 1. 23-017 Base Failure Repairs and Reconstruction Bid Tab

8.3. Presentation, discussion, and possible action regarding a resolution forming a CDBG Public Service Agency Funding Review Committee.

Sponsors: David Brower

Attachments: 1. 1 - Resolution CDBG Public Service Agency FRC

8.4. Presentation, discussion, and possible action regarding appointments to the following boards, committees and commissions:

- Architectural Advisory Committee
- Audit Committee
- B/CS Library
- Bicycle, Pedestrian, and Greenways Advisory Board
- Design Review Board
- ZBA

Sponsors: Tanya Smith

Attachments: None

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 January 20, 2023 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."