



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

February 9, 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. **Presentation of the Employee of the Year nominees and recognition of the Employee of The Year, the City Impact Award, and the City Leadership Award recipients.**
3. **Reception.**
4. **Executive Session Agenda.**

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 the City Attorney regarding any item on the Workshop, Consent or Regular Agendas under Chapter 551, Texas Government Code.

4.1. 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. SOAH Docket No. 473-22-2464 and PUC Docket No. 52728 – Application of the City of College

Station to Change Rates for Wholesale Transmission Services.

g. Legal advice related to a development agreement regarding land generally located at the 2300 Block of Arrington Road.

4.2. 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. City Council Self-Evaluation

4.3. Security {Gov't Code Section 551.076 };

Possible action. The City Council may deliberate the deployment, or specific occasions for implementation, of security personnel or devices or a security audit. After executive session discussion, any final action or vote taken will be in public. The following subject may be discussed:

- a. Security related to City Hall and Council Chambers.

4.4. 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

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

6. 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.

7. Presentation - Proclamations, Awards, and Recognitions.

7.1. Presentation of a proclamation recognizing Black History Month.

Sponsors: Barbara Moore

Attachments: None

8. 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.

9. 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.

9.1. Presentation, discussion, and possible action of minutes for:

- January 26, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM012623 DRAFT Minutes

9.2. Presentation, discussion, and possible action on the first reading of a franchise agreement ordinance with Brannon Industrial Group dba BVR Waste and Recycling for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. BIG Franchise Agreement

9.3. Presentation, discussion, and possible action regarding the addition of a \$300,000 contingency amount for the Rock Prairie West Project, a \$440,000 contingency amount for the Greens Prairie Ph. 2 Widening Project, and a \$390,250 contingency amount for the Cain/Deacon Railroad Crossing Project. Approval of this item grants authority for the City Manager to authorize expenditures up to the City's contingency amount for each identified project.

Sponsors: Jennifer Cain

Attachments: None

9.4. Presentation, discussion, and possible action regarding the adoption of a resolution supplementing Resolution 12-08-22-9.10 to approve of a revised Commitment Schedule in the Note with the U.S. Department of Housing and Urban Development Section 108 Loan Guarantee Program for the rehabilitation of LULAC Oak Hill Apartments.

Sponsors: Debbie Eller

Attachments: 1. Attachment 2 - Note with Revised Commitment Schedule
2. Attachment 1 - 2nd Amended Resolution

10. Workshop Agenda.

10.1. Presentation, discussion, and possible action on an update from the College Station Police Department.

Sponsors: Billy Couch

Attachments: None

10.2. Presentation, discussion, and possible action on an update from the College Station Fire Department.

Sponsors: Richard Mann

Attachments: None

11. Regular Agenda.

11.1. Public Hearing, presentation, discussion, and possible action on an ordinance amending Ordinance No. 2022-4383 as Budget Amendment Number 2 amending the 2022-2023 Fiscal Year in the amount of \$65,739,921.

Sponsors: Mary Ellen Leonard

Attachments: 1. FY23 Budget Amendment #2 Ordinance

- 11.2. Presentation, discussion, and possible action regarding a change order to the CMAR contract for renovations at 1207 Texas Avenue with JaCody Construction, LP to add a Plaza Addition at 1207 Texas Avenue, for an amount not to exceed \$294,000.

Sponsors: Jennifer Cain

Attachments: 1. 1207 Texas Ave Change Order for Plaza Addition

- 11.3. Presentation, discussion, and possible action regarding the construction of an interactive sign to be located at 1101 Texas Avenue, for an amount not to exceed \$85,000.

Sponsors: Jennifer Cain

Attachments: 1. Aggieland Sign - Dailey Electrical Proposal
2. Aggieland Sign - Comet Signs Proposal 1-3-2023

12. Council Calendar - Council May Discuss Upcoming Events.

13. 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.

14. Council Reports on Committees, Boards, and Commissions.

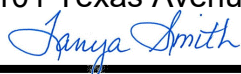
A Council Member may make a report regarding meetings of City Council boards and commissions or meetings of boards and committees on which a Council Member serves as a representative that have met since the last council meeting. (Committees listed in Coversheet)

15. 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.

16. Adjourn.

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 February 3, 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."