



College Station, TX

Meeting Agenda City Council

1101 Texas Ave, College Station, TX 77840

Internet: www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: 223 427 023 174 | Passcode: MvPmTr

*Phone: 833-240-7855 | Phone Conference: 952 310 468#

April 13, 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.

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.

2.1. 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. Kristin Marriott v. City of College Station, Cause No. 22-002259-CV-272, in the 272nd District Court, Brazos County, Texas.
- e. 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.
- f. LaLa Vida, LLC v. City of College Station, Cause No. 23-000374-CV-272, in the 272nd District Court, Brazos County, Texas.
- g. Legal advice regarding violations of zoning ordinances by allowing more than four unrelated individuals to reside in a single-family dwelling unit.

h. Legal advice regarding the process to acquire property needed for the west side Highway 47 electric substation.

2.2. 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. Approximately 12 acres of land generally located southeast of the intersection of Gateway Boulevard and the State Highway 6 Frontage Road in the Business Center at College Station.

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. City Attorney
- b. City Manager
- c. Municipal Court Judge
- d. Council Self-Evaluation

2.4. Deliberation Regarding Security Devices or Security Audits {Section 551.089};

The City Council may deliberate on security assessments or deployments relating to information resources technology, network security information as described by Section 2059.055(b), or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices. The following is a general representation of the subject matter to be considered:

a. Computer network vulnerability and security assessment.

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. Presentation - Proclamations, Awards, and Recognitions.

5.1. Presentation and recognition of the 100th Anniversary of the First Baptist Church of College Station.

Sponsors: Tanya Smith

Attachments: 1. 100th Anniversary of First Baptist Church of College Station.

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. 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:

- March 23, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM032323 DRAFT Minutes

7.2. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, no parking here to corner and no parking any time" removing parking on the west side of Wakewell Court.

Sponsors: Emily Fisher

Attachments: 1. Wakewell_No Parking_Map
2. Wakewell Ct Ordinance Form

7.3. Presentation, discussion, and possible action regarding an annual price agreement with KBS Electrical Distributors not to exceed \$360,950 and Techline, Inc. not to exceed \$2,013,350 for a total not to exceed amount of \$2,374,300 for distribution conductors.

Sponsors: Mary Ellen Leonard

Attachments: 1. 23-046 TABULATION Award 31423

7.4. Presentation, discussion, and possible action on Change Order 6 with Freese and Nichols, Inc., in the amount of \$249,123 for additional construction inspection and engineering services associated with the Lick Creek Wastewater Treatment Plant Capacity Expansion Project.

Sponsors: Jennifer Cain

Attachments: 1. Change Order #6_Contract 17300251

7.5. Presentation, discussion, and possible action regarding the first reading of a franchise agreement ordinance with Frontier Texas Ventures I, LLC DBA Frontier Waste Solutions for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. Frontier Waste Solutions Franchise Agreement

7.6. Presentation, discussion, and possible action regarding the first reading of a franchise agreement ordinance with Pronto Services LLC for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. Pronto Services LLC Franchise Agreement

- 7.7. Presentation, discussion, and possible action regarding an annual price agreement with D.I.J. Construction, Inc. in the amount of \$350,000 for Traffic Pavement Striping and Marking Services.
Sponsors: Emily Fisher
Attachments: 1. Bid Tab Pavement Striping & Markings
- 7.8. Presentation, discussion, and possible action on change order 6 to a construction contract with Elliott Construction, LLC. in the amount of \$85,181 for construction services related to the Woodson Village Utility Rehabilitation Project.
Sponsors: Jennifer Cain
Attachments: 1. Woodson Village Rehab Project Map
2. Woodson Village Closeout Change Order
- 7.9. Presentation, discussion, and possible action regarding the rejection of the sole bid received in RFP 23-043, and awarding an annual service agreement for utility locating services to USIC Locating Services, LLC for a not to exceed amount of \$300,000 from RFP 23-045.
Sponsors: Timothy Crabb
Attachments: 1. 23-045 Locate Services Award Bid Tab
- 7.10. Presentation, discussion, and possible action on an annual water meter purchase from Aqua Metric Sales Company through a Houston-Galveston Area Council (HGAC) contract for a not to exceed amount of \$193,915.68.
Sponsors: Mary Ellen Leonard
Attachments: 1. Aqua Metric - Water Meters

8. Workshop Agenda.

- 8.1. Presentation by David White regarding College Station Parks Foundation.
Sponsors: Steve Wright
Attachments: None
- 8.2. Presentation, discussion, and possible action on an update on the City's residential occupancy ordinance compliance.
Sponsors: Bryan Woods
Attachments: None
- 8.3. Presentation, discussion, and possible action regarding a process for reporting rental property maintenance violations and a draft Voluntary Proactive Rental Inspection program.
Sponsors: Debbie Eller
Attachments: 1. Draft Voluntary Rental Inspection Ordinance
2. Draft Inspection Checklist

9. Regular Agenda.

- 9.1. Presentation, discussion, and possible action on a resolution directing publication of notice of intention to issue Certificates of Obligation, Series 2023; and providing an effective date.
Sponsors: Mary Ellen Leonard
Attachments: 1. Notice v2
2. Revised 2023 Debt Issue
3. Notice Resolution v2
- 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 R Rural to SC Suburban Commercial for approximately 7.5 acres of land located at 2774 and 2840 Barron Road, generally located north of the intersection of Barron Road and William D. Fitch Parkway.

Sponsors: Jeff Howell

Attachments:

1. Ordinance
2. Vicinity Map, 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

- 9.3. 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 D Duplex to MH Middle Housing for approximately 0.24 acres of land at 721 and 723 Dominik Drive, being Lot 14R1 and Lot 14R2 of the University Oaks Section Two subdivision, generally located southwest of the intersection of Dominik Drive and Stallings Drive.

Sponsors: Jeff Howell

Attachments:

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

- 9.4. Public Hearing, presentation, discussion, and possible action regarding the draft Community Development Block Grant - Regional Mitigation Program plan to receive \$500,000 from the Texas General Land Office through the Brazos Valley Council of Governments Method of Distribution.

Sponsors: Debbie Eller

Attachments: 1. Draft CDBG-MIT Plan

- 9.5. Presentation, discussion, and possible action regarding a professional services and construction phase services contract with Mitchell & Morgan in the amount of \$185,194 for the 2022 Bond: Pickleball and Futsal Courts Project at Anderson Park and a Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt.

Sponsors: Jennifer Cain

Attachments:

1. Pickleball Futsal Project Location Map
2. Pickleball Futsal Project - Debt Reimbursement Resolution
3. Contract On File In the City Secretary's Office

- 9.6. Presentation, discussion, and possible action on a resolution of the City Council of the City of College Station, Texas, determining that a public utility easement containing approximately 0.714 acres of land is needed and needs to be acquired from 47 Oaks, LLC, for the construction, operation, and maintenance of a public utility easement as a part of the College Station Northwest Electric Substation Project for the City of College Station, Texas; and authorizing the institution of eminent domain proceedings.

Sponsors: Jennifer Cain

Attachments: 1. 47 Oaks Proposed Easement Map

2. Resolution Authorizing Eminent Domain 47 Oaks

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 April 6, 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."