



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: 469-480-7460 | Phone Conference: 952 310 468#

July 27, 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. City of College Station v. 47 Oaks, LLC, Cause No. 626-CC, in the County Court at Law No. 2 of 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. Legal advice regarding the acquisition of property between Harvey Road, Holleman Drive and Highway 6 for utility relocations required by the Texas Department of Transportation Highway 6 Widening project.

2.2. 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. Council Self-Evaluation

2.3. 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

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. 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.

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

- July 11, 2023 Special Meeting
- July 13, 2023 Council Meeting

Sponsors: Tanya Smith

- Attachments:
1. SPM071123 DRAFT Minutes
 2. CCM071323 DRAFT Minutes

6.2. Presentation, discussion, and possible action on a contract with McCord Engineering for electric engineering and design services for the new CSU Northwest Substation, not to exceed \$1,090,000.

Sponsors: Timothy Crabb

Attachments: 1. Contract is available for review in the City Secretary's Office

- 6.3. Presentation, discussion, and possible action regarding a resolution to approve an Advance Funding Agreement for \$260,000 with the State of Texas, acting through the Texas Department of Transportation for constructing a traffic signal at FM 60 (University Drive) and Veterans Parkway.

Sponsors: Emily Fisher

Attachments: 1. Resolution FM 60 Veterans Pkwy AFA
2. AFA - FM 60 at Veteran's Parkway

- 6.4. Presentation, discussion, and possible action on a construction contract with Elliott Construction, LLC, not to exceed \$6,950,133 for Phase 3 of the Bee Creek Sanitary Sewer Trunk Line, plus \$250,000 in contingency for a total appropriation of \$7,200,133. 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. Bee Creek Trunkline Phase 3 Construction Contract
2. Bee Creek Trunkline Phase 3 Location Map

- 6.5. Presentation, discussion, and possible action on a construction contract with Teal Services, LLC., not to exceed \$3,075,545 plus the City's contingency amount of \$320,000 for a total appropriation of \$3,395,545 for the Carter's Creek Wastewater Treatment Plant (CCWWTP) Blower Building No. 2 and No. 3 Project. 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. CCWWTP Project Location Map
2. CCWWTP Blower Buildings 2 and 3 Vendor Signed Contract

- 6.6. Presentation, discussion, and possible action on renewing a 2013 Interlocal Agreement (ILA) for sewer use and pretreatment in the College Station city limits and in the City of Bryan's Certificate of Convenience and Necessity (CCN) certificated area.

Sponsors: Gary Mechler

Attachments: 1. Sewer Use and Pretreatment ILA Review & Renewal 7-2023
2. Sewer Use and Pretreatment ILA 12-2013

7. Workshop Agenda.

- 7.1. Presentation, discussion, and possible action regarding truck and trailer parking.

Sponsors: Emily Fisher

Attachments: None

8. Regular Agenda.

- 8.1. Presentation, discussion, and possible action regarding the Fiscal Year 2024 BVSWMMA, Inc. budget.

Sponsors: Pete Caler

Attachments: 1. FY24 BVSWMMA Budget

- 8.2. Public Hearing, presentation, discussion, and possible action on the City of College Station FY2023-2024 Proposed Budget.

Sponsors: Mary Ellen Leonard

Attachments: None

- 8.3. Public Hearing, presentation, discussion, and possible action regarding a resolution to approve a substantial amendment to the Program Year 2022 Annual Action Plan to add Rental Housing Construction as a Goal and Project and reprogram Community Development Block Grant funding in the amount of \$170,000 and HOME Investment Partnership Program funding in the amount of \$189,623.

Sponsors: Raney Whitwell

Attachments: 1. Resolution- 2022 Action Plan Substantial Amendment
2. Substantial Amendment to the 2022 Annual Action Plan

- 8.4. Presentation, discussion, and possible action regarding a Community Development Block Grant funding agreement with Elder Aid, Inc. in the amount of \$170,000 for the acquisition of 700 Pasler and presentation, discussion, and possible action regarding a HOME Investment Partnership Program funding agreement with Elder Aid, Inc. in the amount of \$189,650 for the construction of a single-family house on the lot at 700 Pasler.

Sponsors: Virgil Eric Barton

Attachments: 1. 700 Pasler Funding Agreement - CDBG
2. 700 Pasler Funding Agreement - HOME
3. Location Map - 700 Pasler

- 8.5. Public Hearing, presentation, discussion, and possible action(s) 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 as follows:

Area #1

- a. Changing the zoning district boundary from R-4 Multi-Family to MH Middle Housing for approximately 0.28 of an acre being Block 1, Lot 11 of the Cooner Addition, generally located at 207 Cooner Street.
- b. Changing the zoning district boundary from D Duplex to MH Middle Housing for approximately 0.21 of an acre being Block 5, Lot 2 of the Cooner Addition, generally located at 502 Cooner Street.
- c. Changing the zoning district boundary from D Duplex to MH Middle Housing for approximately 0.66 of an acre being Block 5, Lots 6 - 8 of the Cooner Addition, generally located at 510-514 Cooner Street.
- d. Changing the zoning district boundary from D Duplex to MH Middle Housing for approximately 0.27 of an acre being Block 1, Lot 28 of the Cooner Addition, generally located at 511 Cooner Street.

Area #2

- e. Changing the zoning district boundary from D Duplex to MH Middle Housing for approximately 0.17 of an acre being Block E, Lot 6 (10' of) & 7 of the College Vista Subdivision, generally located at 400 Live Oak Street.

Area #3

- f. Changing the zoning district boundary from D Duplex to MH Middle Housing for approximately 5.41 acres being Lots 1-18 of the Little-Knight Addition, generally located at 400-513 Aurora Court.

Area #4

- g. Changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.18 of an acre being Block 1, Lot 3 and 10' of Lot 2 of the West Park Addition, generally located at 302 Park Place.
- h. Changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.36 of an acre being Block 1, Lot 1-R2 of the West Park Addition and Block D, Lot 1B & 35' of 2 of the WM Sparks Subdivision, generally located at 306 – 308 Park Place.
- i. Changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.35 of an acre being Block 2, Lots 8-R and 9-R of the West Park Addition, generally located at 611 – 613 Highlands Street.
- j. Changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.17 of an acre being Block 3, Lot 17 of the West Park Addition, generally located at 607 Maryem Street.
- k. Changing the zoning district boundary from GS General Suburban to MH Middle Housing for approximately 0.16 of an acre being Block 1, Lot 2-R1 of the West Park Addition, generally located at 301 Luther Street.

Sponsors: Matthew Ellis , Robin Macias, Gabriel Schrum

- Attachments:
- 1. Ordinance
 - 2. Area #1 Supporting Materials
 - 3. Area #2 Supporting Materials
 - 4. Area #3 Supporting Materials
 - 5. Area #4 Supporting Materials

- 8.6. 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 GS General Suburban to MH Middle Housing for approximately 1.05 acres being Lots 5-1 to 5-5 of the D.A. Smith Subdivision and generally located along Avenue A.

Sponsors: Matthew Ellis

- 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
 - 8. Ordinance

- 8.7. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Chapter 107, “Impact Fees,” Article II, “System-Wide Impact Fees,” Sections 107-71 “System-Wide Impact Fees For Water Services,” 107-72 “System-Wide Impact Fees For Wastewater Services,” and 107-73 “System-Wide Roadway Impact Fees” of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to water, wastewater, and roadway impact fee collection rates.

Sponsors: Carol Cotter

- Attachments:
1. Impact Fee Ord 7-21-23
 2. Impact Fee Supporting Information
 3. Roadway Impact Fee Service Area Map
 4. Benchmark Comparisons

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.

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 July 21, 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."