



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#

September 28, 2023

3:00 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.

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 28 acres of land generally located at Midtown Drive and Corporate Pkwy in the Midtown Business Park.
- b. Property generally located west of Texas State Highway 6 and in between Harvey Road and Holleman Drive.
- c. Property generally located in the area of FM 60, Boyett Street, Church Ave. and College Main Street.

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 Judge
- b. City Secretary
- c. City Auditor
- d. City Attorney
- e. City Manager
- f. Council Self-Evaluation

2.4. 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

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:

- September 14, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM091423 DRAFT Minutes

6.2. Presentation, discussion, and possible action regarding purchasing firefighter protective clothing from NAFECO for \$107,683.80.

Sponsors: Richard Mann

Attachments: 1. NAFECO Quote

6.3. Presentation, discussion, and possible action regarding City of College Station Excess Liability and Workers' Compensation Insurance, Property/Boiler & Machinery, Auto Property Damage, Commercial Crime, Cyber Liability, Unmanned Aircraft Liability and Property insurance policies for Fiscal Year 2024. FY24 premiums for all lines of coverage are not to exceed \$1,360,164.

Sponsors: Alison Pond

Attachments: None

6.4. Presentation, discussion, and possible action regarding an interlocal agreement with the Texas A&M University System for aircraft rescue and fire fighting personnel and equipment requirements, operational responsibilities, command and control of the joint use fire station facility at Easterwood Airport for \$1,145,486 to be paid to the City through FY26.

Sponsors: Richard Mann

Attachments: 1. 2023-2026 TAMU ARFF Interlocal Agreement

6.5. Presentation, discussion, and possible action to the BVWACS Annual Operating & Maintenance and Capital Budget.

Sponsors: Sam Rivera

Attachments: 1. BVWACS FY2024 Approved Budget - 1
2. BVWACS FY2024 Approved Budget - 2

6.6. Presentation, discussion, and possible action on lease agreement with CTWP in the amount of \$262,641.13.

Sponsors: Sam Rivera

Attachments: 1. Contract 23300669

6.7. Presentation, discussion, and possible action regarding the rejection of all responses received to RFP 23-072 - Patricia Promenade Area Rehabilitation.

Sponsors: Debbie Eller

Attachments: None

6.8. Presentation, discussion, and possible action regarding an Interlocal Agreement with Brazos County for EMS Ambulance service to the southern portion of Brazos County.

Sponsors: Richard Mann

Attachments: 1. FY 2024-2026 Brazos County - CoCS EMS - Final 9-21-23

6.9. Presentation, discussion, and possible action regarding a resolution authorizing the chief of police to execute the application and any documents necessary to receive grant funding from the Office of the Attorney General of the State of Texas for the Victim Coordinator and Liaison Grant.

Sponsors: Billy Couch

Attachments: 1. OAG Victim Coordinator and Liaison Grant Resolution

- 6.10. Presentation, discussion, and possible action regarding a sponsorship agreement with Land of Lights, Inc., DBA Santa's Wonderland, in the amount of \$75,000.

Sponsors: Brian Piscacek

Attachments: 1. Contract 23300810 Land of Lights

- 6.11. Presentation, discussion, and possible action on participating in the MuniWatt program by joining the joint power purchase contract with MERC (Municipal Energy Resources Corporation), MUNIWATT (Municipal Power Acquisition and Supply Corporation), a Texas public facility corporation, and their Agent the City of La Grange, Texas.

Sponsors: Timothy Crabb

Attachments: 1. Resolution MuniWatt Joint Power Purchase Contract 9-12-2023
2. CSU MuniWatt Purchase Contract 9-12-2023
3. MuniWatt Joint Power Purchase Contract (Fully Executed)

7. Workshop Agenda.

- 7.1. Presentation, discussion, and possible action regarding Visit College Station's 2023 "Christmas in College Station" campaign.

Sponsors: Jeremiah Cook

Attachments: None

8. Regular Agenda.

- 8.1. 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 M-1 Light Industrial to SC Suburban Commercial for approximately 0.9663 acres located at 1601 Sebesta Road, generally located on the north side of Sebesta Road across from Foxfire Drive.

Sponsors: Anthony Armstrong

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

- 8.2. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan to adopt the Northeast Gateway Redevelopment Plan, to amend the planning areas description within Chapter 2. Distinctive Places, to amend the Comprehensive Plan – Planning Areas Map, to amend the Comprehensive Plan – Future Land Use & Character Map, to amend the Comprehensive Plan – Functional Classification & Context Class Map, and to amend associated maps in the Bicycle, Pedestrian, and Greenways Master Plan including the Proposed Bicycle Facilities Map and the Proposed Pedestrian Facilities Map.

Sponsors: Matthew Ellis

Attachments: 1. Ordinance
2. Ordinance - Exhibit A
3. Ordinance - Exhibit B

4. Ordinance - Exhibit C
5. Ordinance - Exhibit D
6. Ordinance - Exhibit E
7. Ordinance - Exhibit F

8.3. Presentation, discussion, and possible action regarding an ordinance amending Chapter 8, "Businesses," Article V, "Home Solicitation, Itinerant Vendors, and Texas A&M University Ticket Reselling," regarding itinerant vendors.

Sponsors: Billy Couch

Attachments: 1. Itinerant Vendor Ord Amend 8-236 - 237

8.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 26, "Miscellaneous Provisions and Offenses," Section 26-8, "Noise" regarding noise in Northgate.

Sponsors: Billy Couch

Attachments: 1. Noise Ordinance Amendment Northgate Sec. 26-8

8.5. Presentation, discussion, and possible action regarding an ordinance repealing Chapter 8 "Businesses", Article IX, "Northgate Outdoor Dining and Entertainment" regarding Northgate outdoor dining permits.

Sponsors: Billy Couch

Attachments: 1. Ord Repealing Chapter 8 Article IX NG Outdoor Dining

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)

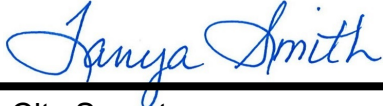
12. Future Agenda Items and Review of Standing List of Council Generated Future Agenda Items.

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 September 22, 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."