



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#

November 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. 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. Cynthia Hopkins & Geoffrey Hopkins v. City of College Station, Cause No. 23-002880-CV-85 in the 85th District Court, Brazos County Texas.
- g. CBL & Associates Management, Inc. v. City of College Station, Cause No. 23-003159-CV-85 In The 85th District Court, Brazos County Texas.

h. Legal advice regarding the process to acquire property needed for the TXDOT State Highway 6 Widening Project.

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.
- d. Approximately 11.6 acres of land generally located near the intersection of Gateway Boulevard and Lakeway Drive.

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 Manager
- b. 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. Comments should not personally attack other speakers, Council or staff. 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 proclaiming November 2023 as diabetes awareness month.

Sponsors: Tanya Smith

Attachments: 1. National Diabetes Awareness Month

- 5.2. Presentation proclaiming November 11th as Veterans Day.

Sponsors: Tanya Smith

Attachments: 1. Veterans Day

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:

- October 26, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM102623 DRAFT Minutes

- 7.2. Presentation, discussion, and possible action regarding the purchase of 10 Monitor/Defibrillators 12-lead ECG from Zoll Medical Corporation for \$331,122.

Sponsors: Richard Mann

Attachments: 1. Zoll Medical Quote

- 7.3. Presentation, discussion, and possible action on resolutions authorizing the Chief of Police as the authorized official to execute documents necessary for the release of grant funds from the Office of the Governor Homeland Security Division for SWAT team night vision equipment.

Sponsors: Rodney Sigler

Attachments: 1. Grant Resolution for SWAT Team Night Vision Equipment

- 7.4. Presentation, discussion, and possible action regarding a resolution accepting a \$239,279.10 grant from the Office of the Governor for purchasing rifle resistant body armor for the police department and city marshalls.

Sponsors: Rodney Sigler

Attachments: 1. Grant Resolution for Rifle Resistant Body Armor

- 7.5. Presentation, discussion, and possible action on the purchase of electric transmission and related materials from KBS Electrical Distributors, not to exceed \$818,085.60.

Sponsors: Timothy Crabb

Attachments: 1. 23-074 Bid Summary Tab

- 7.6. Presentation, discussion, and possible action on three (3) Master Agreements for Professional Surveying Services with: Baseline Corporation, not to exceed \$100,000; Kerr Surveying, LLC, not to exceed \$20,000; and Walker Partners, LLC, not to exceed \$20,000.

Sponsors: Jennifer Cain

Attachments: 1. Baseline Corporation Vendor Signed Contract
2. Walker Partners Vendor Signed Contract

3. Kerr Surveying Vendor Signed Contract

- 7.7. Presentation, discussion, and possible action on a Construction Contract with Larry Young Paving, Inc. in the amount of \$1,719,810.25 for construction services for the Luther Street Rehab-Marion Pugh to Penberthy Project, plus the City's contingency in the amount of \$220,000 for a total appropriation of \$1,939,810.25. Approval of this item grants authority for the City Manager to authorize project expenditures up to the City's contingency amount.

Sponsors: Jennifer Cain

Attachments: 1. Luther Street Rehab Project Location Map
2. Luther Street Rehab Vendor Signed Contract

- 7.8. Presentation, discussion, and possible action on a Professional Services Agreement with Freese and Nichols, Inc. in the amount of \$520,520 for the Alum Creek Trunkline Project.

Sponsors: Jennifer Cain

Attachments: 1. Alum Creek Vendor Signed Contract
2. Alum Creek Location Map

- 7.9. Presentation, discussion, and possible action on approval of the 2023 Property Tax Roll in the amount of \$70,766,287.79.

Sponsors: Mary Ellen Leonard

Attachments: 1. City of College Station Levy Notification
2. City of College Station Levy Totals

- 7.10. Presentation, discussion, and possible action on Contract with Freeit Data Solutions, Inc. in the amount of \$421,016.30 for additional Rubrik data storage.

Sponsors: Sam Rivera

Attachments: 1. Contract 24300073--ADc

8. Workshop Agenda.

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

Sponsors: Emily Fisher

Attachments: None

- 8.2. Presentation, discussion, and possible action regarding a Capital Projects Update.

Sponsors: Jennifer Cain

Attachments: None

9. Regular Agenda.

- 9.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance vacating and abandoning two public utility easements at 1115 Anderson Street, the first being a portion of a 15-foot-wide public utility easement located in the Crawford Burnett Survey, Abstract 7, College Station, Brazos County, Texas, and being a portion of the easement described by centerline in Volume 1364, Page 195 of the Official Records of Brazos County, Texas, and the second being a portion of a 20-foot-wide public utility easement located in the Crawford Burnett Survey, Abstract 7, College Station, Brazos County, Texas and being a portion of the easement described by centerline in Volume 468, Page 92 of the Deed of Records of Brazos County, Texas.

Sponsors: Gillian Sitler

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

4. Vicinity Map
5. Location Map - 15-foot
6. Application - 15-foot
7. Location Map - 20-foot
8. Application - 20-foot

9.2. Presentation, discussion, and possible action regarding an amendment to a contract with LULAC Oak Hill, Inc. to provide additional funding in the amount of \$585,675.00 of Community Development Block Grant funds for additional funding needed for the complete rehabilitation of LULAC Oak Hill Apartments located at 1105 Anderson.

Sponsors: Debbie Eller

- Attachments:
1. Amended Project Budget
 2. Amendment for Additional CDBG Funding

9.3. 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 0.449 acres of land is needed and needs to be acquired from Clarke & Wyndham, Inc.; Real Alchemy, L.P.; Real Alchemy 1, L.P.; and JPJ Investments for the construction, operation, and maintenance of a public utility easement, as a part of the utility relocations required by the upcoming widening of State Highway 6 by the Texas Department of Transportation ("TxDOT"); and authorizing the institution of eminent domain proceedings.

Sponsors: Jennifer Cain

- Attachments:
1. Resolution Authorizing Eminent Domain - Clark & Wyndham Inc. et al.
 2. Clarke & Wyndham, et al. easement exhibit 11-1-2023

9.4. 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 three parcels, totaling approximately 1.49 acres of land, is needed and needs to be acquired from POM-College Station, LLC, for the construction, operation, and maintenance of a public utility easement, as a part of the utility relocations required by the upcoming widening of State Highway 6 by the Texas Department of Transportation ("TxDOT"); and authorizing the institution of eminent domain proceedings.

Sponsors: Jennifer Cain

- Attachments:
1. Resolution Authorizing Eminent Domain - POM College Station LLC
 2. POM easement exhibit 11-1-2023

9.5. Presentation, discussion, and possible action regarding a Real Estate Contract with HFLPI-College Station LLC for the sale of approximately 11.642 acres in the College Station Business Center generally located near the intersection of Gateway Boulevard and Lakeway Drive for the price of \$3,489,000.

Sponsors: Brian Piscacek

- Attachments:
1. Real Estate Contract_CSBC

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 November 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.”