



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#

December 11, 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. **Presentation of Employee Service Awards.**
3. **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.

3.1. **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. City of College Station v. POM-College Station, LLC and Wells Fargo Bank, National Association, Cause No. 628-CC, in the County Court at Law No. 1 of Brazos County, Texas.

i. City of College Station v. Clarke and Wyndham, Inc., Real Alchemy, L.P., Real Alchemy 1, L.P., JPJ Investments, a Texas General Partnership, Cause No. 629-CC, in the County Court at Law No. 1 of Brazos County, Texas.

j. Legal advice related to a development agreement regarding land generally located at the 2200 Block of Arrington Road.

k. Legal advice related to an interlocal agreement with the City of Bryan for sewer service.

3.2. 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. Property generally located in the area of FM 60, Boyett Street, Church Ave. and College Main Street.

b. Approximately 28 acres of land generally located at Midtown Drive and Corporate Pkwy in the Midtown Business Park.

3.3. 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 Secretary

b. Planning and Zoning Commission

c. City Manager

d. Council Self-Evaluation

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

5. 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.

6. Presentation - Proclamations, Awards, and Recognitions.

- 6.1. Presentation of a proclamation recognizing Ten Years of Ocean Autonomous Vehicle Operations Day.

Sponsors: Tanya Smith

Attachments: 1. Ten Years of Ocean Autonomous Vehicle Operations Day

7. 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.

8. 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.

- 8.1. Presentation, discussion, and possible action of minutes for:

- November 20, 2023 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM112023 DRAFT Minutes

- 8.2. Presentation, discussion, and possible action regarding adoption of the 2024 Annual Council Calendar.

Sponsors: Tanya Smith

Attachments: 1. 2024 Council Meeting Calendar
2. 2024 Council Meetings and Holidays-Year at a glance 3

- 8.3. Presentation, discussion, and possible action on a professional services contract with Binkley & Barfield, INC. for \$113,921.50 for design and construction phase services for the Greens Prairie Road County Portion Widening Project.

Sponsors: Jennifer Cain

Attachments: 1. Greens Prairie County Section Design Vendor Signed Contract
2. Greens Prairie County Section Project Location Map

- 8.4. Presentation, discussion, and possible action regarding a contract for website development, redesign, customer relationship management, and content management systems with Tempest, Inc., in an amount not to exceed \$268,825.

Sponsors: Jeremiah Cook

Attachments: 1. Contract 24300178

- 8.5. 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," of the Code of Ordinances of the City of College Station, Texas, by removing parking on the southeast side of Cherry Street between Second Street and College Main Street and modifying parking on the northwest side of Cherry Street to restrict parking within 215 feet of College Main Street and within 30 feet of the intersection with Second Street.

Sponsors: Carl Ahrens

Attachments: 1. Ordinance
2. Parking Removal Exhibit

- 8.6. Presentation, discussion, and possible action on a change order with Dunham Engineering, LLC. for \$101,500 for construction and inspection phase services for the Greens Prairie Elevated Storage Tank Rehabilitation Project.
Sponsors: Gary Mechler
Attachments: 1. Change Order 3
2. Project Location
- 8.7. Presentation, discussion, and possible action on purchasing rifle resistant body armor from GT Distributors with Office of the Governor grant funds for \$218,869.86.
Sponsors: Rodney Sigler
Attachments: 1. Rifle Resistant Body Armor Quote
- 8.8. Presentation, discussion, and possible action regarding a resolution authorizing a license agreement with SRB College Station, LLC pertaining to an approximately 495-square foot building canopy encroachment into a 33-foot wide public utility easement located on Lot 1, Block 1 of the Post Oak Mall Subdivision, according to the plat recorded in Volume 517, Page 689 of the Official Records of Brazos County, Texas.
Sponsors: Lucas Harper
Attachments: 1. Resolution
2. Exhibit A to Resolution - License Agreement
3. Exhibit A to License Agreement - Property Description
4. Vicinity Map
5. Location Map
6. Application
- 8.9. Presentation, discussion, and possible action regarding a resolution consenting to the issuance of bonds by the Brazos County Municipal Utility District No. 1 in an amount not to exceed \$8,715,000 for road improvements.
Sponsors: Mary Ellen Leonard
Attachments: 1. Brazos County MUD 1 Resolution Road Bonds 2024
2. 20231106_BIR
3. Brazos County MUD 1 - No Growth Cash Flow (11.09.23)
4. Brazos County MUD 1 - POS V1.5 (11.09.23)
5. Brazos County MUD 1 - Preliminary Timetable (11.20.23)
6. Brazos County MUD 1 - Projected Debt Service Schedule (11.09.23)
- 8.10. Presentation, discussion, and possible action on a three-year sponsorship agreement with Learfield Communications, LLC dba Texas A&M Ventures, for marketing and advertising services in the amount of \$225,000.
Sponsors: Brian Piscacek
Attachments: 1. Contract
- 8.11. Presentation, discussion, and possible action regarding a resolution appointing Tradd Mills as the Emergency Management Coordinator.
Sponsors: Richard Mann
Attachments: 1. Form TDEM147- Rev 07.2023 (2)
2. EMC Resolution 12-2023 (Tradd Mills)
- 8.12. Presentation, discussion, and possible action regarding a second amendment to the lease of 3.1 acres including an approximately 28,949 square foot building at 2611 Texas Avenue South to International American Education Federation, Inc., d/b/a International Leadership of Texas, for the addition of a portable classroom building.

Sponsors: Brian Piscacek
Attachments: 1. 20300455_Amd 2

- 8.13. Presentation, discussion, and possible action regarding a Semi-Annual Report on System-Wide Impact Fees for Water, Wastewater, and Roadway.

Sponsors: Carol Cotter
Attachments: 1. Impact Fee Semi-Annual Report - 20231116
 2. Future Land Use Map (from FNI Report)
 3. Service Area Maps -Water, Wastewater and Roadway
 4. Status of Impact Fee CIP - Water Wastewater Roadway - September 2023

- 8.14. 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" of the Code of Ordinances of the City of College Station, Texas, by removing parking on the west side of Eisenhower Street from University Drive to Ash Street.

Sponsors: Emily Fisher
Attachments: 1. Ordinance Eisenhower Street
 2. Exhibit Eisenhower Street

- 8.15. 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," of the Code of Ordinances of the City of College Station, Texas, by removing parking on the north side of Halter Loop from Horseback Drive to Canter Court.

Sponsors: Emily Fisher
Attachments: 1. Ordinance Halter Loop
 2. Exhibit Halter Loop

- 8.16. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI, "Traffic Schedules," Section 38-1008 "Traffic Schedule VIII, No Right Turn and No Left Turn," of the Code of Ordinances of the City of College Station, Texas, to prohibit left turns for vehicles traveling eastbound on Gilchrist Avenue onto Williams Street and repealing ordinance 2015-3667.

Sponsors: Emily Fisher
Attachments: 1. Ordinance Gilchrist No Left
 2. Exhibit Gilchrist No Left
 3. 2015-3667 - Ordinance - 07_09_2015

- 8.17. Presentation, discussion, and possible action regarding a resolution accepting a \$97,135 grant from the Office of the Governor for Active Attack Integrated Response Training and designating the Fire Chief as the authorized official to execute documents necessary for the release of grant funds.

Sponsors: Richard Mann
Attachments: 1. Resolution

- 8.18. Presentation, discussion, and possible action regarding an ordinance amending Chapter 105, "Floods," Article 2, "Flood Hazard Protection," Division 3, "Flood Hazard Reduction," Section 105-84, "Special Provisions for Manufactured Homes in Areas of Special Flood Hazard," Part 3 of the Code of Ordinances of the City of College Station, Texas.

Sponsors: Erika Bridges

- Attachments: 1. Ordinance
 2. Flood Ordinance Amendments

9. Workshop Agenda.

- 9.1. Presentation, discussion, and possible action regarding Southeast Park and Future Ballfields Update.

Sponsors: Jennifer Cain

Attachments: None

- 9.2. Presentation, discussion, and possible action on the Victoria Avenue Roundabouts project.

Sponsors: Emily Fisher, Jennifer Cain, Randell Smith

Attachments: None

- 9.3. Presentation, discussion, and possible action on adding a Council appointed member to the Tourism Advisory Committee.

Sponsors: Bryan Woods

Attachments: None

10. Regular Agenda.

- 10.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance vacating and abandoning a 30-foot wide public drainage easement located on the property south of 3055 Holleman Dr. S across General Parkway, said easement being located in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being part of that called 69.37-acre tract described in Volume 7551, Page 41, of the Official Public Records of Brazos County, Texas, and being the easement described in Volume 14119, Page 131 of the Official Public Records of Brazos County, Texas.

Sponsors: Gillian Sitler

Attachments: 1. Vicinity Map
 2. Location Map
 3. Application
 4. Ordinance
 5. Ordinance Exhibit A

- 10.2. Presentation, discussion, and possible action on the purchase of single and three phase transformers for electric warehouse inventory with Texas Electric Cooperatives not to exceed \$338,867.30; KBS Electrical Distributors not to exceed \$61,550; and Alamo Transformer Supply Co. not to exceed \$109,372.

Sponsors: Timothy Crabb

Attachments: 1. 24-005 Single Phase Transformers Award
 2. 24-005 Three Phase Transformers Award

- 10.3. Presentation, discussion, and possible action on a construction contract with O&J Coating, Inc. for the Greens Prairie Elevated Storage Tank (EST) Rehabilitation project for \$1,790,000 plus a \$179,000 contingency, for a total appropriation amount of \$1,969,000. Approval of this item grants authority for the City Manager to authorize expenditures up to the City's contingency amount.

Sponsors: Gary Mechler

Attachments: 1. Tabulation 24-003
 2. Project Location Map
 3. Water Tower Design Logo

10.4. Presentation, discussion, and possible action regarding an appointment to the Brazos Valley Solid Waste Management Agency, Inc Board of Directors.

Sponsors: Tanya Smith

Attachments: 1. Ltr Cities BVSWMA BoD 2023

10.5. Presentation, discussion, and possible action regarding an appointment to the Brazos Central Appraisal District.

Sponsors: Tanya Smith

Attachments: 1. Ltr- Brazos Central Appraisal District

11. Council Calendar - Council May Discuss Upcoming Events.

12. 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.

13. 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)

14. 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.

15. 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 December 6, 2023 at 1:30 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."