



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#

April 25, 2024

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. 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.
- b. City of College Station v. 47 Oaks, LLC, Cause No. 626-CC, in the County Court at Law No. 2 of Brazos County, Texas.
- c. 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.
- d. Cynthia Hopkins & Geoffrey Hopkins v. City of College Station, Cause No. 23-002880-CV-85 in the 85th District Court, Brazos County Texas.
- e. CBL & Associates Management, Inc. v. City of College Station, Cause No. 23-003159-CV-85 In The 85th District Court, Brazos County Texas.
- f. 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.
- g. Legal advice regarding an impact fee appeal for Asher Turkey Creek development.

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. City Manager
- b. Council Self Evaluation

2.3. 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 in the College Station Business Center at the intersection of Gateway Boulevard and State Highway 6.
- b. Property generally located in the area of FM 60, Boyett Street, Church Avenue, and College Main Street.

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 May 5th through the 11th as Drinking Water Week.**

Sponsors: Tanya Smith

Attachments: 1. 24 Drinking Water Week

5.2. Presentation proclaiming May 13th through the 19th as Salvation Army Week.

Sponsors: Tanya Smith

Attachments: 1. 24 Salvation Army Week 25th

5.3. Presentation proclaiming May 2024 as National Bike Month.

Sponsors: Carl Ahrens

Attachments: 1. 24 Bike Month Proclamation

5.4. Presentation proclaiming May 2024 as Motorcycle Safety and Awareness Month.

Sponsors: Tanya Smith

Attachments: 1. 24 Motorcycle Safety and Awareness Month

- 5.5. Presentation recognizing the outgoing representatives of the Texas A&M Student Government Association.

Sponsors: Ross Brady

Attachments: 1. Certificate of Recognition - Luke Morrison
2. Certificate of Recognition - Ben Crockett

- 5.6. Presentation proclaiming May 6 through May 10 as Economic Development Week.

Sponsors: Brian Piscacek

Attachments: 1. Economic Development Week Proclamation_4_25_24

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:

- April 11, 2024 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM041124 DRAFT Minutes

- 7.2. Presentation, discussion, and possible action on an agreement for annual concrete curb, gutter, and flatwork installation with Larry Young Paving, Inc., not to exceed \$3,985,400.

Sponsors: Emily Fisher

Attachments: 1. Tabulation 24-022
2. Contract

- 7.3. Presentation, discussion, and possible action on purchasing Panasonic Toughbook Rugged Mobile Data Terminals (MDTs) from Baycom Inc. for \$309,465.

Sponsors: Sam Rivera

Attachments: 1. College Station FZ40_65 Quote_r4 02-01-24

- 7.4. Presentation, discussion, and possible action on a three-year agreement with Kudelski Security, Inc. for Security Operations Center (SOC) services in the amount of \$352,067.59.

Sponsors: Sam Rivera

Attachments: 1. Contract

- 7.5. Presentation, discussion, and possible action on an ordinance amendment to Chapter 40, "Utilities", Division 5: Drought Contingency and Water Emergency Plan, of the Code of Ordinances of the City of College Station, Texas.

Sponsors: Gary Mechler

Attachments: 1. Drought Contingency & Water Emergency Plan Ordinance_v4-16-24

- 7.6. Presentation, discussion, and possible action on a resolution adopting an updated Water Conservation Plan.

Sponsors: Gary Mechler

Attachments: 1. Resolution Adopting Water Conservation Plan 4-19-2024
2. Updated Water Conservation Plan

- 7.7. Presentation, discussion, and possible action on a construction contract with Aggieland Construction, LLC in the amount of \$104,410.26 for an acoustical ceiling at 1207 Texas Ave plus the City's contingency in the amount of \$5,220.51 for a total appropriation of \$109,630.77.

Sponsors: Jennifer Cain

Attachments: 1. 1207 Acoustical Ceiling Construction Contract

8. Workshop Agenda.

- 8.1. Presentation, discussion, and possible action related to a Water Services Department annual update.

Sponsors: Gary Mechler

Attachments: None

- 8.2. Presentation, discussion, and possible action regarding an update on the street maintenance program.

Sponsors: Emily Fisher

Attachments: None

- 8.3. Presentation, discussion, and possible action regarding a paid parking pilot program for special events.

Sponsors: Debbie Eller

Attachments: None

9. Regular Agenda.

- 9.1. Presentation, discussion, and possible action regarding a real estate contract with Fera Diagnostics and Biologicals Corporation for the sale of approximately 12 acres of land in the College Station Business Center at the intersection of Gateway Boulevard and State Highway 6 for the price of \$3,300,000.

Sponsors: Michael Ostrowski

Attachments: 1. Real Estate Contract

- 9.2. Presentation, discussion, and possible action on a professional services contract with Freese & Nichols, Inc. for \$8,416,603 for Wells Nos. 10, 11, and 12 and a collection line for design and construction phase services, and a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Sponsors: Jennifer Cain

Attachments: 1. Contract
2. New Wells and Collection Line DRR
3. New Wells Project Location Map

- 9.3. Presentation, discussion, and possible action on Change Order No. 2 for the Northeast Sewer Trunk Line Ph IV Project design contract with Kimley-Horn and Associates, Inc., not to exceed \$1,030,400.

Sponsors: Jennifer Cain

Attachments: 1. NETL Ph IV Design Change Order #2

- 9.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 26, "Miscellaneous Provision and Offenses," of the Code of Ordinances of the City of College Station, Texas, by adding certain sections relating to overoccupancy.

Sponsors: Debbie Eller

Attachments: 1. Overoccupancy Ordinance 4-25-24

- 9.5. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Chapter 103, "Buildings and Building Regulations," Article II "Administration and Enforcement," Division 2, "Construction Board of Adjustment and Appeals; Appeals and Variances," and Division 3, "Building and Construction Standards Commission," of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to Construction Board of Adjustment and Appeals and the Building and Standards Commission membership.

Sponsors: Brian Binford

Attachments: 1. CBA- BSC Ordinance Amendment 4-25-24

- 9.6. Presentation, discussion, and possible action on an appeal from Caldwell Companies of the Director of Planning and Development Services decision as it relates to impact fees for the Asher Turkey Creek development.

Sponsors: Michael Ostrowski

Attachments: 1. Section 107-94 - Administrative Appeals
2. Impact Fee Appeal to City Council - 20240328
3. Impact Fee Appeal Response - 20240301
4. Impact Fee Appeal - 20240129

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 19, 2024 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."