



## College Station, TX

### Meeting Agenda City Council

1101 Texas Ave, College Station, TX 77840

Internet: [www.microsoft.com/microsoft-teams/join-a-meeting](https://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#

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July 11, 2024

4:00 PM

City Hall Council Chambers

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**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. Legal advice related to police report case number 2023-009963.

##### 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. **Economic Incentive Negotiations {Gov't Code Section 551.087};**

Possible action. The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) maybe discussed:

- a. Economic development agreement for a development generally located at the intersection of University Drive East and Tarrow 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 of a proclamation recognizing July as Parks and Recreation month.

Sponsors: Kelsey Heiden

Attachments: 1. 2024 Parks and Recreation Month Proclamation

### 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:
  - June 27, 2024 Council MeetingSponsors: Tanya Smith  
Attachments: 1. CCM062724 DRAFT Minutes
- 7.2. Presentation, discussion, and possible action on ratifying an emergency contract with Brazos Paving, Inc. for \$122,469.50 for emergency repairs to Foxfire Drive and Rock Prairie Road.
 Sponsors: Emily Fisher  
Attachments: 1. 24300553--BW (CC 07.11.24)
- 7.3. Presentation, discussion, and possible action on the first reading of a franchise agreement ordinance with Organix Recycling, LLC for the collection of recyclables from commercial businesses and multi-family locations.
 Sponsors: Emily Fisher  
Attachments: 1. Organix Recycling, LLC Franchise Agreement
- 7.4. Presentation, discussion, and possible action regarding an extraterritorial jurisdiction (ETJ) release petition for approximately 96.52 acres of land generally located at 5445 Stousland Road.
 Sponsors: Anthony Armstrong  
Attachments: 1. Wade ETJ Denial Resolution 7-11-24
- 7.5. Presentation, discussion, and possible action on a contract with USA Track & Field regarding hosting the 2024 USATF National Junior Olympic Track & Field Championships on July 22-28, 2024.
 Sponsors: Jeremiah Cook  
Attachments: 1. Contract is on file in the City Secretary's Office  
                   2. Texas Event Trust Fund  
                   3. Economic Impact Study
- 7.6. Presentation, discussion, and possible action on a Memorandum of Agreement between the City of College Station and Texas A&M University regarding event oversight of the 2024 USATF National Junior Olympic Track & Field Championships, on the campus of Texas A&M University, in an amount not to exceed \$950,000.
 Sponsors: Jeremiah Cook  
Attachments: 1. Agreement is on file in the City Secretary's Office
- 7.7. Presentation, discussion, and possible action on a Construction Manager at Risk (CMAR) Contract with Lott Brothers Construction Co., Inc. for the Fire Station No.7 Project. The budget for this Project is \$18,000,000.
 Sponsors: Jennifer Cain  
Attachments: 1. Fire Station No. 7 Project Location Map  
                   2. Fire Station No. 7 CMAR Contract\_24300545-v2

## 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 PDD Planned Development District to MH Middle Housing with a HOO High Occupancy Overlay for approximately 2 acres being The Barracks II Subdivision, Phase 400, Block 36, Lot 27, generally located at the south corner of Tang Cake Drive and Old Wellborn Road.

- Sponsors: Jesse Dimeolo
- Attachments:
1. Ordinance
  2. Vicinity, Aerial and Small Area Maps
  3. Background Information
  4. Rezoning Exhibit
  5. Applicants Supporting Information
  6. Existing Future Land Use Map
  7. Rezoning Map

8.2. Public Hearing, presentation, discussion, and possible action regarding the Program Year 2024 Annual Action Plan and the FY2025 Community Development budget.

- Sponsors: Debbie Eller
- Attachments:
1. Attachment 1-FY 2025 Proposed Community Development Budget
  2. Attachment 2 - FY 2025 Plan Development Process Summary
  3. Attachment 3-FY 2025 Public Service Funding
  4. Attachment 4 - FY 2025 Income Limits
  5. Attachment 5 - 2020-2024 Community Development Goals
  6. Attachment 6- Community Development Project Descriptions
  7. Attachment 7- LMI Area map

8.3. 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 prohibiting parking on the northwest side of Richards Street from Texas Avenue to Crest Street and by repealing a prior parking prohibition on the southeast side of Richards Street from Lassie Lane to Crest Street.

- Sponsors: Emily Fisher
- Attachments:
1. Ordinance - Richards St No Parking - Texas Ave to Crest St
  2. EXHIBIT - Richards St No Parking - Texas Ave to Crest St

**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 July 5, 2024 at 5:00 p.m.



Deputy 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](mailto: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."