



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: 287 987 474 175 | Passcode: gZw5cS

Phone: 469-480-7460 | Phone Conference: 168 564 318#

August 22, 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. Legal advice related to an interlocal agreement with the City of Bryan for sewer service.
- f. Legal advice related to the 2014 and 2022 Economic Development Agreements with Fujifilm Diosynth.
- g. Legal advice related to College Station's water permits issued or pending from the Brazos Valley Groundwater Conservation District and export permits pending or issued from the Brazos Valley Groundwater Conservation District.

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. 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. 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:

- August 8, 2024 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM080824 DRAFT Minutes

6.2. Presentation, discussion, and possible action to authorize expenditure of funds for Fiscal Year 2025 for items exempt from competitive bidding as described more fully in Texas Local

Government Code, Chapter 252.022 and other expenditures for interlocal contracts or fees mandated by state law that are greater than \$100,000; and to authorize the City Manager to approve contracts and expenditures that are on the exemption list.

Sponsors: Mary Ellen Leonard

Attachments: 1. 2025 Exemptions List Over \$100K - Revised

- 6.3. Presentation, discussion, and possible action on a contract for Professional Auditing Services with Weaver and Tidwell, LLP. for an amount not to exceed \$135,960.

Sponsors: Michael DeHaven

Attachments: 1. 24300638--Weaver and Tidwell LLP.

- 6.4. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1007 "Traffic Schedule VII, one-way streets and alleyways," of the Code of Ordinances of the City of College Station, Texas, to designate Cathedral Pines Drive as a one-way street.

Sponsors: Jason Schubert

Attachments: 1. Ordinance
2. Vicinity Map
3. Letter of Support - Baylor Scott & White

- 6.5. Presentation, discussion, and possible action on the first reading of a franchise agreement ordinance with 2906 Holdings, LLC (dba Waste Falcon) for the collection of recyclables from commercial businesses and multi-family locations.

Sponsors: Emily Fisher

Attachments: 1. 24300572 2906 Holdings LLC Franchise Agreement (Vendor Signed)

- 6.6. Presentation, discussion, and possible action regarding a resolution granting consent to the Rock Prairie Management District No. 2 to annex approximately 19.44 acres of land into the District.

Sponsors: Michael Ostrowski

Attachments: 1. Consent Resolution RPMD 2 19.44 Acres

- 6.7. Presentation, discussion, and possible action regarding a general services contract with Buyers Barricades Houston, LLC in a not to exceed amount of \$128,800 for the 2024 TAMU Football Post Game Day Traffic Control.

Sponsors: Emily Fisher

Attachments: 1. 24300610 Buyers Barricades Houston, LLC

- 6.8. Presentation, discussion, and possible action regarding an Interlocal Agreement between the City of College Station and Texas A&M University to equally share in the cost to deploy traffic control devices according to the Texas A&M Football Post Game Traffic Control Plan.

Sponsors: Emily Fisher

Attachments: 1. TAMU Game Day Traffic Control ILA

- 6.9. Presentation, discussion, and possible action on the Atmos Mid-Tex 2024 Rate Review Mechanism (RRM) Ordinance.

Sponsors: Ross Brady

Attachments: 1. Atmos Mid-Tex 2024 RRM Ordinance
2. Attachment 1_ CY23 MTX RRM - Tariffs
3. Attachment 2_ CY23 MTX RRM - Pension Benchmark

- 6.10. Presentation, discussion, and possible action to ratify a general services contract with Paragon Sports Constructors, LLC for emergency repairs to the fields at Veterans Park and Athletic Complex for an amount not to exceed \$148,395.90.

Sponsors: Kelsey Heiden
Attachments: 1. 24300645--Paragon Sports Constructors
2. 24300645 Paragon Sports Contractors, LLC

7. Workshop Agenda.

- 7.1. Presentation, discussion, and possible action on a presentation and update on the Recreation Center Market Analysis and Survey.

Sponsors: Jennifer Cain
Attachments: None

8. Regular Agenda.

- 8.1. Public Hearing, presentation, possible action, and discussion on the City of College Station 2025 advertised ad valorem tax rate of \$0.513086 per \$100 valuation resulting in an increase in tax revenues.

Sponsors: Mary Ellen Leonard
Attachments: None

- 8.2. Presentation, discussion, and possible action on an ordinance adopting the City of College Station 2024-2025 Budget; and presentation, possible action and discussion ratifying the property tax revenue increase reflected in the budget.

Sponsors: Mary Ellen Leonard
Attachments: 1. Appendix A Ordinance - FY25 Budget FINAL

- 8.3. Presentation, discussion, and possible action on approval of an ordinance adopting the City of College Station 2024-2025 ad valorem tax rate of \$0.513086 per \$100 assessed valuation, the debt service portion being \$0.211441 per \$100 assessed valuation and the operations and maintenance portion being \$0.301645 per \$100 assessed valuation.

Sponsors: Mary Ellen Leonard
Attachments: 1. Appendix A - Ad Valorem Ordinance - FY24-25 - FINAL

- 8.4. Public Hearing, presentation, possible action, and discussion on a resolution adopting fees, rates, and charges as provided by Chapter 2 "Administration", Article V "Finance" Division 2 "Fees, Rates and Charges" of the Code of Ordinances, City of College Station, Texas.

Sponsors: Mary Ellen Leonard
Attachments: 1. FY 24-25 Fee Resolution - v3 FINAL 08.05.24
2. Fee Resolution Summary for Council

- 8.5. 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 boundaries from GS General Suburban or PDD Planned Development District to GS General Suburban and ROO Restricted Occupancy Overlay or PDD Planned Development District and ROO Restricted Occupancy Overlay, on approximately 32.26 acres being 130 lots and common area within Woodcreek Section One Subdivision, generally located between Lake Forest Court S and Stonebrook Drive, excluding Woodcreek Drive from State Highway 6 S to Lake Forest Court S.

Sponsors: Jeff Howell
Attachments: 1. Woodcreek ROO Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Background Information

4. Rezoning Map
5. Future Land Use Map
6. Original Subdivision Plats
7. Applicant's Supporting Information
8. Petition Committee Members
9. Neighborhood Meeting Materials
10. Petition Signatures

8.6. 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 boundaries from GS General Suburban to MH Middle Housing and HOO High Occupancy Overlay for approximately 3.66 acres being all of that certain tract or parcel of land lying and being situated in the Richard Carter League, Abstract No. 8, in College Station, Brazos County, Texas, including portions of Lot 5 and Lot 6 of the D.A. Smith Subdivision as described by plat recorded in volume 49, page 106 of the Deed Records of Brazos County, Texas, and subsequent replats of portions of these two lots, within an area generally bounded by Lincoln Avenue, Nimitz Street, and Eisenhower Street.

Sponsors: Gabriel Schrum , Jeff Howell

- Attachments:
1. Area OO Rezoning Ordinance
 2. Vicinity, Aerial, and Small Area Map
 3. Background Information
 4. Future Land Use Map
 5. Rezoning Map

8.7. 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 boundaries from GS General Suburban to MH Middle Housing and HOO High Occupancy Overlay for approximately 28 acres being all of that certain tract or parcel of land lying and being situated in the Morgan Rector league, abstract no. 46, in College Station, Brazos County, Texas, including portions of the Richards Subdivision as described by plat recorded in volume 137, page 25 of the Deed Records of Brazos County, Texas, and subsequent replats of portions of it, and generally being the majority of the properties which front on Richards Street, Crest Street and Sterling Street.

Sponsors: Jesse Dimeolo, Jeff Howell

- Attachments:
1. Richards Subdivision HOO Ordinance
 2. Aerial and Small Area Maps
 3. Background Information
 4. Future Land Use Map
 5. Rezoning Map

8.8. Public Hearing, presentation, discussion, and possible action regarding an ordinance vacating and abandoning a 0.034 acre portion of Public Utility Easement located in Lot 1R-4, Block 7 of the Midtown Reserve subdivision Phase 106, according to the plat recorded in Volume 19243, Page 165, of the Official Public Records of Brazos County, Texas.

Sponsors: Anthony Armstrong

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

5. Application

- 8.9. Public Hearing, presentation, discussion, and possible action regarding an ordinance vacating and abandoning a 0.103 acre portion of right-of-way located on the southbound side of Midtown Drive, East of Durham Loop in the Midtown Reserve Subdivision Phase 601, according to the deed recorded in Volume 14147, Page 149, of the Official Public Records of Brazos County, Texas.

Sponsors: Anthony Armstrong

Attachments:

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

- 8.10. Presentation, discussion, and possible action on a construction contract with C. A. Walker Construction, in the amount of \$6,037,073 for the construction of two new restroom and concession buildings at Bachmann Park, plus the City's contingency in the amount of \$750,000 for a total appropriation of \$6,787,073. 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. Bachmann RFP-24-071, Preliminary Tab Sheet
2. Bachmann Map
3. Bachmann Park Contract

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.

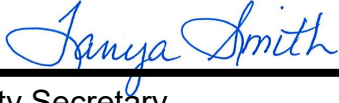
12. Future Agenda Items and Review of Standing List of Council Generated Future Agenda Items.

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 August 16, 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."