



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#

September 12, 2024

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. 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. The City of College Station v. The Public Utility Commission of Texas, Cause No. D-1-GN-24-005680 in the 200th District Court, Travis County, Texas.
- d. Cynthia Hopkins & Geoffry Hopkins v. City of College Station, Cause No. 23-002880-CV-85 in the 85th District Court, Brazos County Texas.
- e. Legal advice regarding an interlocal agreement with the City of Bryan for sewer service.
- f. Legal advice regarding an ordinance amending the Comprehensive Plan by amending the Thoroughfare Plan and Bicycle, Pedestrian, and Greenways Master Plan to remove the future extension of Balcones Drive.
- g. Legal advice related to the City's extraterritorial jurisdiction and SB 2038.

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 in the area of FM 60, Boyett Street, Church Ave. and College Main Street.

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. City Attorney
- c. City Judge
- d. City Secretary
- e. City Auditor
- f. Council Self-Evaluation

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 September 12, 2024, as Puppy Mill Awareness Day.

Sponsors: Tanya Smith

Attachments: 1. 24 Puppy Mill Awareness Day

5.2. Presentation proclaiming September 17th through 23rd as Constitution Week.

Sponsors: Tanya Smith

Attachments: 1. 24 Constitution Week

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:

- August 22, 2024 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM082224 DRAFT Minutes

7.2. Presentation, discussion, and possible action regarding a resolution authorizing the City Manager to approve and execute all insurance policy documents and to approve policy related expenditures provided that such expenditures are appropriated from available funds approved from the annual budget and consistent with state and local laws for Fiscal Year 2025 in an amount not to exceed \$1,349,924.04.

Sponsors: Alison Pond

Attachments: 1. RESOLUTION_Risk Program

7.3. Presentation, discussion, and possible action on a construction contract with Aria Signs and Design for City Gateway Sign 3 (West) for \$270,000, plus the City's contingency of \$21,600 for a total appropriation of \$291,600, and a Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt. 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. City Gateway Sign 3 Project Location Map
2. City Gateway Sign 3 DRR
3. City Gateway Sign 3 Vendor Signed Contract

7.4. Presentation, discussion, and possible action on a Construction Contract with Dudley Construction, LLC. in the amount of \$196,000 for construction services for the American Pavilion Renovation at Veterans Park Project, plus the City's contingency in the amount of \$34,000 for a total appropriation of \$230,000. 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. American Pavilion at VPAC Rehab Vendor Contract
2. American Pavilion at VPAC Location Map

7.5. Presentation, discussion, and possible action on the second 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 Ordinance

7.6. Presentation, discussion, and possible action regarding a contract for marketing and advertising services with The Zimmerman Agency, LLC in an amount not to exceed \$625,000.

Sponsors: Brian Piscacek

Attachments: 1. 24300597 Zimmerman Agency CRC 82624

- 7.7. Presentation, discussion, and possible action on an ordinance amending Section 3 of Ordinance 2024-4530 ordering a General Election to be held November 5, 2024 for the purpose of electing City Councilmember Place 3, City Councilmember Place 4, City Councilmember Place 5 and City Councilmember Place 6, to the voters, by amending a vote center location as prescribed by Brazos County. (Presentación, discusión y posible acción sobre una ordenanza que enmienda la seccion 3 de la Ordenanza 2024-4530 que ordena una Eleccion General a celebrarse el 5 de noviembre de 2024 con el proposito de elegir un miembro de consejo puesto numero 3, miembro de consejo puesto numero 4, miembro de consejo puesto numero 5, y miembro de consejo puesto numero 6, a los votantes, enmienda la ubicacion de un centro de votacion segun lo prescrito por el Condado de Brazos.)

Sponsors: Tanya Smith

Attachments: 1. Amended Nov 2024 Election Order (English) 0903
2. Enmendado Noviembre 2024 orden electoral (española) 0903

8. Workshop Agenda.

- 8.1. Presentation, discussion, and possible action regarding a partnership agreement for services from Plug and Play.

Sponsors: Michael Ostrowski

Attachments: None

- 8.2. Presentation, discussion, and possible action regarding an update on library services.

Sponsors: Ross Brady

Attachments: None

- 8.3. Presentation, discussion, and possible action regarding a summary of the June Special Event Paid Parking Pilot Program.

Sponsors: Bryan Woods

Attachments: None

9. Regular Agenda.

- 9.1. 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 boundaries from GS General Suburban or PDD Planned Development District to MH Middle Housing and HOO High Occupancy Overlay or MH Middle Housing and HOO High Occupancy Overlay and NAP Natural Areas Protected for approximately 18.66 acres being all of that certain tract or parcel of land lying and being situated in the J.E. Scott league, abstract no. 50 and Crawford Burnett league, abstract no. 7, in College Station, Brazos County, Texas, including portions of the F.S. Kapchinski Subdivision as described by a plat reconstructed from deed records recorded in volume Y, page 618-A of the Mechanics & Materialman's Lien Records of Brazos County, Texas, and subsequent replats of portions of it, generally for the properties located along Park Place and Boardwalk Court.

Sponsors: Jeff Howell

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

- 9.2. 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 D Duplex to MH Middle Housing and HOO High Occupancy Overlay for approximately 1.10 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, being a portion of Lot 12 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 the northeast half (approximate) of the adjoining right-of-way of Turner Street, generally for the properties located along Gilbert Street and Turner Street.

Sponsors: Jeff Howell

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

- 9.3. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan by amending the Thoroughfare Plan and Bicycle, Pedestrian, and Greenways Master Plan to remove the future extension of Balcones Drive, a Minor Collector, between the Jones Crossing Development and Welsh Avenue including associated future bike lanes and sidewalks.

Sponsors: Jason Schubert

- Attachments:
1. Ordinance
 2. Amendment Exhibit
 3. Applicants Supporting Information
 4. Letter of Support - First Baptist Church of College Station

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.

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, September 6, 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."