



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 26, 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. 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.

2.2. Real Estate {Gov't Code Section 551.072};

Possible action. The committee 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. Approximately 1.5 acres of land located 301 Patricia Street and review of the sealed bids submitted under bid number 24-073.
- c. Approximately 8 acres of land located at 1508 Harvey Road.

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 Attorney
- b. City Manager
- 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 30th through October 6th, 2024, as Week Without Driving.

Sponsors: Tanya Smith

Attachments: 1. 24 Week Without Driving

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:

- September 12, 2024 Council Meeting

Sponsors: Tanya Smith

Attachments: 1. CCM091224 DRAFT Minutes

7.2. Presentation, discussion, and possible action on a resolution regarding the City's investment policy, reviewing and recording changes to the policy and strategy, and on a collateral policy, and designating investment officers for the fiscal year ending September 30, 2025, stating that the City Council has reviewed and approved the City's investment policy, broker-dealer list and investment strategy.

Sponsors: Michael DeHaven

Attachments: 1. Investment Policy Strategy FY 25 Resolution and Exhibits

7.3. Presentation, discussion, and possible action on Change Order No. 2 for the design contract with Kimley-Horn and Associates, Inc. for the Jones Butler Extension and Roundabout Project in the amount of \$110,000.

Sponsors: Jennifer Cain

Attachments: 1. Jones Butler Ext and Roundabout CO #2
2. Jones Butler Project Location Map

7.4. Presentation, discussion, and possible action on a contract for electric underground distribution directional bore projects, to Sterling Global Industries, LLC for an amount not to exceed \$397,798.44.

Sponsors: Timothy Crabb

Attachments: 1. 24-056 Award Tabulation
2. Contract is available for review in the City Secretary's Office

7.5. Presentation, discussion, and possible action regarding a resolution to accept the Federal FY-2023 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$3,874,618.44.

Sponsors: Richard Mann

Attachments: 1. SAFER Grant 2024 Resolution
2. EMW-2023-FF-00048 - Award Package

7.6. Presentation, discussion, and possible action on a deductive change order with Mitchell & Morgan, LLP for a credit of \$276,215.48 for the design contract for the Corporate Parkway Extension Design Project.

Sponsors: Jennifer Cain

Attachments: 1. Corporate Pkwy CO #1 signed

7.7. Presentation, discussion, and possible action on the approval of a deductive change order with Weisinger, Inc., providing a credit of \$628,889 to the construction contract for the Water Well No. 5 and Carrizo Well Rehabilitation projects.

Sponsors: Gary Mechler

Attachments: 1. Deductive Change Order # 2

7.8. Presentation, discussion, and possible action on the rejection of proposals received and cancelation of an RFP for a natural gas electric generation facility.

Sponsors: Timothy Crabb

Attachments: None

- 7.9. Presentation, discussion, and possible action on the rejection of bids received and cancelation of Bid #24-072 for the purchase of concrete pull boxes for Electric warehouse inventory.

Sponsors: Timothy Crabb

Attachments: None

- 7.10. Presentation, discussion, and possible action on the rejection and cancelation of BID #24-062 for substation maintenance because no bids were received.

Sponsors: Timothy Crabb

Attachments: None

- 7.11. Presentation, discussion, and possible action regarding an amendment to the 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 and amendment to the restrictive covenants of the College Station Business Center to reflect the release of the shared cross access easement.

Sponsors: Michael Ostrowski

Attachments:

1. FERA Real Estate Contract - Amendment 1
2. Closing Document - Easement Release
3. Closing Document - Amended Restrictive Covenants
4. Closing Document - BCAB Resolution
5. Plat

- 7.12. Presentation, discussion, and possible action on contracts for the City's purchase of single and three-phase transformers for Electric warehouse inventory with a total expenditure of \$482,081.50, awarded to Texas Electric Cooperatives, KBS Electrical Distributors, and Techline, Inc.

Sponsors: Timothy Crabb

Attachments: 1. 24-081 Bid Tab Transformer Award

8. Workshop Agenda.

- 8.1. Presentation, discussion, and possible action regarding the 2023 Incentive Compliance Report by the Brazos Valley Economic Development Corporation.

Sponsors: Michael Ostrowski

Attachments: 1. 2023 Compliance Report

- 8.2. Presentation, discussion, and possible action regarding an update from representatives of the Texas A&M University Student Government Association (SGA).

Sponsors: Bryan Woods

Attachments: None

9. Regular Agenda.

- 9.1. Presentation, discussion, and possible action regarding a resolution delegating to the City Manager the authority to make an electric utility Transmission Cost of Service (TCOS) refund payment in the amount of \$27,416,135.

Sponsors: Bryan Woods

Attachments: 1. College Station TCOS Resolution 9-26-24

- 9.2. Public Hearing, presentation, discussion, and possible action on Budget Amendment 3 amending Ordinance No. 2023-4457 amending the budget for the 2023-2024 Fiscal Year in the amount of \$39,097,273.
Sponsors: Mary Ellen Leonard
Attachments: 1. FY24 Budget Amendment #3 Ordinance 9-26-24
- 9.3. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan to include the Housing Action Plan as a Master Plan.
Sponsors: David Brower
Attachments: 1. Housing-Action-Plan
 2. Ordinance
- 9.4. Public Hearing, presentation, discussion, and possible action regarding a resolution authorizing the City of College Station to apply to the U. S. Department of Housing and Urban Development for the Pathways to Removing Obstacles to Housing Grant in the amount of \$3,600,000.
Sponsors: Raney Whitwell
Attachments: 1. Resolution - PRO Housing Grant
- 9.5. 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 M-1 Light Industrial to CI Commercial Industrial on approximately 11 acres located in the University Industrial Center, more generally located at 151 Graham Road.
Sponsors: Robin Macias
Attachments: 1. Aerial and Small Area Map
 2. Background Information
 3. Existing Future Land Use Map
 4. Rezoning Map
 5. Applicant's Supporting Information
 6. Rezoning Exhibit
 7. Graham Rd. Rezoning Ordinance
- 9.6. 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 CS BVSWM BoD 2024

10. Items of Community Interest and Council Calendar.

Items of Community Interest and Council Calendar: The Council may discuss upcoming events and 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. 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.

12. 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 20, 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."