



College Station, TX

Meeting Agenda
City Council Workshop
<https://zoom.us/j/97220774495>

Phone 888 475 4499 with Webinar ID 972 2077 4495

November 12, 2020

4:00 PM

1101 Texas Ave, College Station,
TX 77840

***The City uses a third-party vendor to help host the meeting and if the call-in number is not functioning access will be through the internet link only.**

1. Call to Order.

- 1.1. Presentation, discussion, and possible action of an ordinance of the City Council of the City of College Station, Texas, canvassing returns and declaring results of the general and special runoff election, held on November 3, 2020 for the purpose of electing City Councilmembers, Place 1, 3, and 5; and for the purpose of electing a City Councilmember, Place 4. *Presentación, discusión acerca, y posible acción de una ordenanza del consejo de la ciudad de College Station, Texas, para escrutar los resultados de los votos y declarando los resultados de la elección general y las elecciones especiales de segunda vuelta, celebrada el 3 de noviembre de 2020 con el propósito de elegir a un Miembro del Concejo Municipal, Lugar 1, 3, y 5; y con el propósito del elegir un Miembro del Concejo Municipal, Lugar 4.*

Sponsors: Tanya Smith

Attachments: 1. Canvassing Ordinance Final
2. Ordenanza de escrutinio final

- 1.2. Issuance of Certificates of Election to elected City Council Member Places 1, 3, 4 and 5; and administer Oaths of Office. *(Entrega de los Certificados de las Elecciones a los Miembros del Consejo elegidos para los puestos número 1, 3, 4 y 5; y administrar los Juramentos al Cargo.)*

Sponsors: Tanya Smith

Attachments: None

2. Reception.

3. **Executive Session is closed to the public and will be held in the Council Chambers. The open meeting will resume no earlier than 5:00 pm.**

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.

Litigation

- a. Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas
- b. McCrory Investments II, LLC d/b/a Southwest Stor Mor v. City of College Station; Cause No. 17-000914-CV-361; In the 361st District Court, Brazos County, Texas
- c. City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas
- d. Carrie McIver v. City of College Station; Cause No. 18-003271-CV-85; In the 85th District Court, Brazos County, Texas

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 Secretary
- b. City Manager
- c. Council Self Evaluation

- 4. Reconvene from Executive Session and take action, if any.**
- 5. Presentation, discussion, and possible action on items listed on the consent agenda.**
- 6. Council Calendar - Council may discuss upcoming events.**
- 7. Discussion, review, and possible action regarding the following meetings:**

Animal Shelter Board, Arts Council of Brazos Valley, Architectural Advisory Committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Economic Development Corporation, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMMA, BVWACS, Census Committee Group, Compensation and Benefits Committee, Comprehensive Plan Evaluation Committee, Experience Bryan-College Station, Design Review Board, Economic Development Committee, Gulf Coast Strategic Highway Coalition, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Operation Restart, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Spring Creek Local Government Corporation, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Walk with the Mayor, YMCA, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board.)

- 8. 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 of the City of College Station, on November 6, 2020 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."

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A SPECIAL RUNOFF ELECTION AND THE GENERAL ELECTION, HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF ELECTING CITY COUNCILMEMBER, PLACE 4 FOR AN UNEXPIRED TERM IN A SPECIAL RUNOFF ELECTION; AND FOR ELECTING CITY COUNCILMEMBERS, PLACE 1, 3 AND 5 IN A GENERAL ELECTION.

RECITALS:

1. On July 23, 2020 the City Council adopted Ordinance No. 2020-4199 ordering a General and Special Runoff Election be held on November 3, 2020 for the purpose of electing City Councilmembers, Place 1, 3 and 5 in a general election and for the purpose of electing City Councilmember, Place 4 in a special runoff election.
2. On or about August 13, 2020 the City Council of the City of College Station, Texas adopted Ordinance No. 2020-4204 amending Ordinance No. 2020-4199 calling for a general and special runoff election to be held November 3, 2020 due to extending the dates and times of early voting; and making other provisions for conducting the election.
2. Notice of this election was duly published in The Eagle on September 30 and October 7, 2020 and in La Voz Hispana on October 2 and 9, 2020.
3. A copy of the notice was posted on the bulletin board at City Hall on September 28, 2020.
4. This election was duly and legally held on November 3, 2020, in conformity with the election laws of the State of Texas, and the results of the election have been certified and returned by the proper judges and clerks.
5. The City Council of the City of College Station, Texas with the following members present: Mayor Karl Mooney, Councilmembers Bob Brick, John Crompton, Linda Harvell, John Nichols, and Dennis Maloney have today considered the returns of the General and Special Runoff Election held on November 3, 2020.
6. It appears to the Council, and the Council finds, that the election was in all respects lawfully held.
7. It appears to the Council, and Council finds, that the tabulation of the results of the election is correct.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

SECTION 1. The General Election and Special Runoff Election of November 3, 2020 were duly called, notice of the elections was given in accordance with law, and the elections were held in accordance with law.

SECTION 2. The tabulation of votes cast in the General and Special Runoff Election held on November 3, 2020, for the purposes stated in Recitals above, a copy of which is attached to and made a part of this ordinance, is adopted as the official tabulations of the votes cast at the elections, and the tabulations will be filed and recorded in the official records of the City of College Station as the official canvass of the elections.

SECTION 3. The official canvass of the returns of the elections reflect the following:

A. For the City Councilmember, Place 4 an unexpired term, the following votes were cast:

Elizabeth Cunha _____

Joe Guerra Jr. _____

B. For the City Councilmember, Place 1 a two (2) year term:

Bob Brick _____

Jason Cornelius _____

C. For the City Councilmember, Place 3 a four (4) year term:

Dell Seiter _____

Linda Harvell _____

D. For the City Councilmember, Place 5 a four (4) year term:

Craig Regan _____

Brian Alg _____

John Nichols _____

SECTION 4. That _____ received a majority of the votes is elected to serve as City Councilmember, Place 4 for the current unexpired term; that _____ received a majority of the votes and is elected to serve as City Councilmember, Place 1; that _____ received a majority of the votes and is elected to serve as City Councilmember, Place 3; that _____ received a majority of the votes and is elected to serve as City Councilmember, Place 5.

PASSED, APPROVED AND ADOPTED this the 12th day of November 2020.

Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

ORDENANZA NO. _____

UNA ORDENANZA DEL CONSEJO DE LA CIUDAD DE COLLEGE STATION, TEXAS, SONDEANDO EL RECUENTO DE VOTOS Y DECLARANDO LOS RESULTADOS DE LAS ELECCIONES DE SEGUNDA VUELTA Y DE LAS ELECCIONES GENERALES, CELEBRADAS EL 3 DE NOVIEMBRE DE 2020, CON EL PROPÓSITO DE ELEGIR A UN MIEMBRO DEL CONSEJO PUESTO NÚMERO 4 PARA UN TÉRMINO QUE NO SE HA VENCIDO EN ELECCIONES DE SEGUNDA VUELTA; Y PARA ELEGIR A MIEMBROS DEL CONSEJO PUESTOS NÚMEROS 1,3 Y 5 EN ELECCIONES GENERALES.

ANTECEDENTES:

1. El 23 de julio de 2020, el Consejo de la Ciudad adoptó la Ordenanza Número 2020-4199, ordenando Elecciones Generales y Elecciones de Segunda Vuelta para celebrarse el 3 de noviembre de 2020, con el propósito de elegir a miembros del Consejo de la Ciudad para los Puestos Números 1,3 y 5 en elecciones generales; y con el propósito de elegir a un Miembro del Consejo para el Puesto Número 4 en elecciones de segunda vuelta.
2. El 13 de agosto de 2020, o aproximadamente esa fecha, el Consejo de la Ciudad de College Station, Texas, adoptó la Ordenanza Número 2020-4204 como enmienda a la Ordenanza Número 2020-4199 convocando a elecciones generales y elecciones de segunda vuelta a celebrarse el 3 de noviembre de 2020, con el propósito de extender las fechas y horarios de votaciones tempranas; y para realizar otras estipulaciones para llevar a cabo las elecciones.
2. Notificación de estas elecciones se publicó debidamente en el periódico *The Eagle* el 30 de septiembre y el 7 de octubre de 2020; y en *La Voz Hispana* el 2 y el 9 de octubre de 2020.
3. Una copia de la notificación se colocó en el tablón de anuncios de la Municipalidad el 28 de septiembre de 2020.
4. Estas elecciones se celebraron de manera debida y legalmente el 3 de noviembre de 2020, de acuerdo con las leyes de elecciones del Estado de Texas, y los resultados de las elecciones han sido certificados y contados por los jueces y oficiales apropiados.
5. El Consejo de la Ciudad de College Station, Texas, con los siguientes miembros presentes: Alcalde Karl Mooney, Miembros del Consejo Bob Brick, John Crompton, Linda Harvell, John Nichols y Dennis Maloney han considerado hoy los recuentos de los votos emitidos en las Elecciones Generales y en las Elecciones Especiales de Segunda vuelta celebradas el 3 de noviembre de 2020.
6. Le parece al Consejo, y el Consejo concluye, que las elecciones fueron celebradas legalmente en todo aspecto.
7. Le parece al Consejo, y el Consejo concluye, que la tabulación del recuento de votos de las elecciones es correcta.

CÚMPLASE POR EL CONSEJO DE LA CIUDAD DE COLLEGE STATION, TEXAS:

SECCIÓN 1. Las Elecciones Generales y las Elecciones Especiales de Segunda Vuelta del 3 de noviembre fueron debidamente convocadas, la notificación de las elecciones se dio de acuerdo con la ley y las elecciones se celebraron de acuerdo con la ley.

SECCIÓN 2. La tabulación de los votos emitidos en las Las Elecciones Generales y las Elecciones Especiales de Segunda Vuelta del 3 de noviembre, para los propósitos declarados anteriormente en Antecedentes, una copia de la cual se adjunta y se hace parte de esta ordenanza, se adopta como la tabulación oficial de los votos emitidos en las elecciones, y la tabulación se archivará y se registrará en los registros oficiales de la Ciudad de College Station como el sondeo oficial de las elecciones.

SECCIÓN 3. El sondeo oficial del recuento de votos de las elecciones refleja lo siguiente:

A. Para el cargo de Miembro del Consejo Puesto número 4, término sin vencer, los siguientes votos se emitieron:

Elizabeth Cunha _____

Joe Guerra Jr. _____

B. Para el cargo de Miembro del Consejo Puesto Número 1, término de dos (2) años:

Bob Brick _____

Jason Cornelius _____

C. Para el cargo de Miembro del Consejo Puesto Número 3, término de cuatro (4) años:

Dell Seiter _____

Linda Harvell _____

D. Para el cargo de Miembro del Consejo Puesto Número 5, término de cuatro (4) años:

Craig Regan _____

Brian Alg _____

John Nichols _____

SECCIÓN 4. Que _____ recibió una mayoría de los votos y es electo para servir como Miembro del Consejo Puesto Número 4 para el término aún sin vencer; que _____ recibió una mayoría de los votos y es electo para servir como Miembro del Consejo Puesto Número 1; que _____ recibió una mayoría de los votos y es electo para servir como Miembro del Consejo Puesto Número 3; que _____ recibió una mayoría de los votos y es electo para servir como Miembro del Consejo Puesto Número 5.

PASADO, APROBADO Y ADOPTADO este décimo segundo (12) día del mes de noviembre de 2020.

Alcalde

DOY FE:

Secretaria de la Ciudad

APROBADO:

Abogado de la Ciudad