

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
SEPTEMBER 10, 2015

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry, Mayor

**Council:**

Blanche Brick  
Steve Aldrich  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Kelly Templin, City Manager  
Carla Robinson, City Attorney  
Chuck Gilman, Deputy City Manager  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7:16 p.m. on Thursday, September 10, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

**1. Pledge of Allegiance, Invocation, consider absence request.**

Troop members from Boy Scout Troop 1222 led the assembly in the pledge of allegiance.

**Presentation regarding the sponsorship, involvement and support of the Texas Army National Guard to the 2015 Games of Texas hosted by Bryan/College Station/Texas A&M University as well as the relationship between the City and TAAF enabling us to host this economic boosting event.**

David Schmitz, Director of Parks and Recreation, recognized the organizations that helped with the Games of Texas: the Texas Army National Guard; the TAAF; and Parks staff. A presentation was also given to Mayor Berry and City Manager Kelley Templin.

**Presentation to the College Station Police Department proclaiming September 19, 2015 as Thank a Police Officer Day.**

Mayor Berry presented the proclamation to members of the College Station Police Department and encouraged the citizenry of College Station to take a moment to say “thank you” to our local law enforcement officers.

**Hear Visitors Comments**

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Sgt. Keelan L. Moss.

Michelle Raisor, 506 Bolton, on the closing of City pools. In the past, the pools stayed open later. The pools cannot even be rented, and there are no water aerobics. The City has three beautiful pools, and she does not understand why just one pool cannot remain open. She asked Council to re-open the pool at Rock Prairie.

Judith Beckmann, 9301 Amberwood Court, stated she has been before the Council before to request action regarding the unlawful use of an easement on her property.

**CONSENT AGENDA**

**2a. Presentation, possible action, and discussion of minutes for:**

- **August 19, 2015 Special Meeting (Budget Workshop)**
- **August 27, 2015 Workshop**
- **August 27, 2015 Regular Meeting**
- **September 2, 2015 Special Meeting (Tax Rate Public Hearing)**

**2b. Presentation, possible action, and discussion regarding ratification of a pole attachment license agreement with Cebridge Acquisitions, L.P., d/b/a Suddenlink Communications.**

**2c. Presentation, discussion and possible action on the Bylaws of The Research Valley Partnership, Inc. including Article III, Appointment and Qualifications of Directors.**

**2d. Presentation, possible action, and discussion regarding approval of Resolution 09-10-15-2d, changing the sales price of cemetery spaces for the College Station Municipal Cemetery System.**

**2e. Presentation, possible action, and discussion regarding the first of two readings of an ordinance amending the Residential Recycling Collection Franchise Agreement (Ordinance No. 2010-3268) with Texas Commercial Waste (TCW).**

**2f. Presentation, possible action, and discussion of a deductive change order to construction contract # 14-355 with Elliott Construction, LLC in the amount of \$60,690 for construction of the Cooner Street Reconstruction Project, No. ST-1201.**

2g. Presentation, possible action, and discussion regarding approval of Resolution 09-10-15-2g, authorizing City staff to negotiate for the purchase of land in fee simple interest and an easement needed for the Lick Creek Land Buffer Project.

2h. Presentation, possible action, and discussion on approving an annual blanket purchase order for the purchase of parts and repair services for City refuse trucks from Heil of Texas. Contract pricing for parts and labor are available from Heil of Texas through the BuyBoard Purchasing Cooperative (Contract 425-13). The estimated annual expenditure for parts and repair services for refuse trucks: \$60,000.

2i. Presentation, possible action, and discussion regarding the renewal of service contract 14-372 with Cal's Body Shop for annual automobile and truck paint and body repairs in an amount not to exceed \$60,000.

2j. Presentation, possible action, and discussion on Resolution 09-10-15-2j, selecting a depository bank, approving a bank depository contract, designating the City Manager or his Designee as the designated officer to administer the depository services for the City, and authorizing the maximum expenditure of funds for the term of the contract. Branch Banking & Trust "BB&T" is the bank being recommended as the City's depository bank. The contract is for a three year term with two one-year renewal options and it is anticipated that the cost for depository services will not exceed \$35,000 in any year of the contract.

2k. Presentation, possible action, and discussion on Ordinance 2015-3694, amending Chapter 10, "Traffic Code", Section 4 "Administrative Adjudication of Parking Violations", C "Hearing Officer; Powers, Duties and Functions", Subsection (2) "Parking Citations", Subsection (a).

2l. Presentation, possible action, and discussion on the Certification of Unopposed Candidates and Ordinance 2015-3695, ordering the cancellation of the General Election for Councilmember Place 4 and Councilmember Place 6 on November 3, 2015. (Presentación, posible acción y discusión acerca de la Certificación de Candidato Sin Oposición y una ordenanza 2015-3695, que ordene la cancelación de las Elecciones Generales para Miembro del Consejo Posición 4 y 6 el 3 de noviembre 2015.)

2m. Presentation, possible action, and discussion on Ordinance 2015-3696, amending Chapter 10 "Traffic Code", Section 4 "Administrative Adjudication of Parking Violations", C "Hearing Officer; Powers, Duties and Function", by amending the title of the Section C and by amending Subsection (9) "Certain Conduct Unlawful" by adding Subsection (E).

2n. Presentation, possible action, and discussion regarding an Economic Development Agreement between the City of College Station and the College Station Science Park, LLC regarding approximately 53.80 acres located at 2501 Earl Rudder Freeway South known as the College Station Science Park.

Item 2n was pulled and will be considered at the September 21<sup>st</sup> meeting.

Item 2c was pulled from Consent for a separate vote.

**MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2c and 2n. The motion carried unanimously.

**(2c)MOTION:** Upon a motion made by Councilmember Benham and a second by Mayor Berry, the City Council voted six (6) for and one (1) opposed, with Councilmember Schultz voting against, to reject the Bylaws of The Research Valley Partnership, Inc. including Article III, Appointment and Qualifications of Directors, and requested a comprehensive bylaw amendment that addresses: 1) methods of notification to the City and further definition of approval of Council with a 45-day window to respond; 2) voting representation on the Executive Committee for the City of College Station; and 3) an explanation of why the RVP needs a third self-appointed board member in addition the two they already have. The motion carried.

## **REGULAR AGENDA**

### **1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3697, vacating and abandoning a 0.138 acre portion of a variable width public utility easement which is located at 952 William D. Fitch Parkway further described on the plat of Lot 3A, Block 1, of the Caprock Crossing subdivision recorded in Volume 11714, Page 71, of the Official Records of Brazos County, Texas.**

Carol Cotter, Planning and Development, reported that this ordinance abandons a portion of a public utility easement located on Lot 3A, Block 1 of the Caprock Crossing Subdivision. The public utility easement abandonment will accommodate future development of the tract. There is currently a City of College Station water line and a Verizon telecommunication line running through this easement. A temporary blanket easement was previously dedicated for the entire site and will continue to provide access to public and private utilities until infrastructure is removed and relocated at the owners' expense, and new public utility easements are dedicated. The abandonment is conditioned on the relocation of this existing infrastructure and dedication of new Public Utility Easements. If either of these conditions are not met, the abandonment will be null and void.

Staff recommends approval of the ordinance.

At approximately 7:40 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:40 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Aldrich, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz abstaining, to adopt Ordinance 2015-3697, vacating and abandoning a 0.138 acre portion of a variable width public utility easement which is located at 952 William D. Fitch Parkway further described on the plat of Lot 3A, Block 1, of the Caprock Crossing subdivision recorded in Volume 11714, Page 71, of the Official Records of Brazos County, Texas. The motion carried.

### **2. Public Hearing, presentation, possible action and discussion on the City of College Station 2015 advertised ad valorem tax rate of \$0.4525 per \$100 valuation resulting in an increase in**

**tax revenues. Also discussion and possible action on announcing the meeting date, time and place to adopt the tax rate.**

Jeff Kersten, Assistant City Manager, reported the tax rate that the Council announced it would hold the public hearings on is \$0.452500 per \$100 assessed valuation. The notice of this public hearing was placed in the Eagle, as well as on the City's internet site, and the City's television channel. The first public hearing on the tax rate was held on Wednesday, September 2. The Council will vote on the tax rate on Thursday, September 21. The public hearing tax rate of \$0.452500 per \$100 assessed valuation will generate \$32,036,946 in taxes and will be used to fund the debt service of the City as well as a portion of the operations and maintenance costs of the General Fund.

At approximately 7:44 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:44 p.m.

Mayor Berry announced the tax rate will be voted on at the Monday, September 21, Regular Meeting at 7:00 p.m. in the Council Chambers at City Hall.

**3. Public Hearing, presentation, possible action, and discussion on the City of College Station FY2015-2016 Proposed Budget.**

Jeff Kersten, Assistant City Manager, reported that the Proposed Budget was presented to the Council on August 13, 2015. Three budget workshops were held to review the proposed budgets on August 17th, August 18th, and August 19th. The FY2015-2016 Budget is scheduled to be adopted on September 21, 2015.

The total proposed budget is \$304,116,435. Operations and Maintenance is \$217,465,476 and Capital is \$86,650,959.

At approximately 7:47 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:47 p.m.

**4. Presentation, possible action, and discussion regarding appointments to:**

- **Brazos Valley Solid Waste Management Agency**
- **Bryan-College Station Convention and Visitors Bureau**

**MOTION:** Upon a motion made by Mayor Berry and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed, to re appoint Karl Mooney to the BVSWMA, The motion carried unanimously.

Council appointed John Nichols, Jim Lewis, and Jim Ross to the CVB.

**5. Adjournment.**

There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 7:59 p.m. on Thursday, September 10, 2015.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary



CITY OF COLLEGE STATION  
Home of Texas A&M University

College Station City Council Workshop & Regular Agenda  
Sign In Sheet

Thursday, September 10, 2015 at 4:30 & 7:00 p.m.  
City Hall Council Chamber

Mayor

Nancy Berry  
Mayor Pro Tem  
Blanche Brick  
Manager  
Kelly Templin

Council Members

Steve Aldrich  
Karl Mooney  
John Nichols  
Julie Schultz  
James M. Benham

	Name	Address	Email or Phone No.
1.	Judith Beckmann	9301 Amberwood Ct	
2.	Michelle Raisor	506 Bolton Ave	695-8095
3.	Jamya Barret	UNDERWOOD HALL (TAMU)	(817) 210-8851
4.	Makaha Mepheron	TAMU Underwood Hall	920 2872135
5.	Elizabeth Isham	4593 Barnstable Hr.	
6.	Joanna Chambers	3801 Caddo Cove	
7.	Rachel Grant	3500 Graz Dr	
8.	KATHY LEWIS	4318 Parnell Dr	
9.			
10.			
11.			
12.			
13.			
14.			
15.			

\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen  
Speakers Form next to sign in sheet.



CITY OF COLLEGE STATION  
Home of Texas A&M University®

# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 09/10/15  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Ben Roper Phone: 979-777-0382

Address: 5449 Prairie Dawn Ct, College Station 77845

Email: bropen0001@hotmail.com Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

## FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

## FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING  
*(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.)*
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. *(Time cannot be transferred to another speaker.)*

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

## MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station  
City Secretary's Office – City Hall  
1101 Texas Avenue, College Station, Texas 77840  
Fax: 979-764-6377  
Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

1



CITY OF COLLEGE STATION  
Home of Texas A&M University

# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 9-10-15  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Michelle RAISOR Phone: 695-8095

Address: 506 Bolton, CS 77840

Email: michelle.raisor@blinn.edu Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

## FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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OFFICE USE ONLY:  
(# in which received)

2



# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 09 10 15  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Judith Beckmann Phone: \_\_\_\_\_  
Address: 9301 Amberwood Ct CS TX 77845  
Email: \_\_\_\_\_ Comments:  WRITTEN  ORAL  
Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

**FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:**

\_\_\_\_\_  
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OFFICE USE ONLY:  
(# in which received)

3

**AFFIDAVIT OF CONFLICT OF INTEREST**

**STATE OF TEXAS  
COUNTY OF BRAZOS**

I, Julie Schultz as a member of the City of College Station  
make this affidavit and hereby, on oath,  
state the following: I have a substantial interest in a business entity or real property that  
would be peculiarly affected by a vote or decision of the City Council as  
those terms are defined in Chapter 171, *Texas Local Government Code*.

Date of Meeting: Sept. 10, 2015

Agenda Item Number: 1

The business entity or real property is (name and address or lot description):  
Schultz Engineering, LLC

I have a substantial interest in this business entity or real property for the following  
reasons: (Check all that are applicable.)

- I own 10% or more of the voting stock or shares of the business entity and the  
above-referenced agenda item involves this business entity;
- I own either 10% or more or \$15,000 or more of the fair market value of the  
business entity and the above-referenced agenda item involves this business  
entity;
- Funds received by me from the business entity exceed 10% of my gross  
income for the previous year and the above-referenced agenda item involves  
this business entity;
- Real property is involved and (I/we) have an equitable or legal ownership with  
a fair market value of \$2,500 or more and the above-referenced agenda item  
involves this real property;
- A relative of mine has a substantial interest in the business entity or real  
property that would be affected by a decision of the public body of which I am a  
member.

Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from  
voting on any decision involving this business entity and from any further participation  
on this matter whatsoever.

Signed this 10 day of Sept, 2015.

Julie Schultz  
Signature of Official

Council Member  
Title Place 5