

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
OCTOBER 8, 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
Tanya McNutt, Deputy City Secretary
Yvette Dela Torre, Deputy Local Registrar

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 7:00 p.m. on Thursday, October 8, 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.

Presentation to the Down Syndrome Association of Brazos Valley proclaiming October 2015 as Down Syndrome Awareness Month.

Mayor Berry presented the proclamation to representatives of the Down Syndrome Association of Brazos Valley members: Michael Schmitz, Dilon Dyke, Jacob Zapalac, and Stephanie Barbee.

Proclamation celebrating October 8, 2015 as Paint the Town Pink Day.

Mayor Berry presented the proclamation to the representatives of Pink Alliance, the Brazos Valley's advocate for breast health and cancer support, members: Doris Light, Carolyn Oatman, Patricia Gerling, Sally Dee Wade, Janie McDougal, Jeannie Kipp, and Reba Ragsdale.

Hear Visitors Comments

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Gary Collins.

CONSENT AGENDA

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

- September 21, 2015 Regular Meeting

2b. 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.

2c. Presentation, possible action, and discussion on a lease agreement with Wirestar Inc. for lease of City Fiber Optic Cable Facilities.

2d. Presentation, possible action, and discussion regarding approval of Change Order No. 3 to the construction contract with Angel Brothers, Inc. in the amount of \$78,811.17 for the Rock Prairie Road Rehabilitation project.

2e. Presentation, possible action, and discussion regarding approval of a recycling collection franchise ordinance and service agreement with CCAA, LLC., d/b/a Brazos Valley Recycling.

2f. Presentation, possible action, and discussion regarding approval of Change Order No. 1 to the design contract in the amount of \$11,285 for the Southland Drainage Improvements project.

2g. Presentation, possible action, and discussion authorizing the award of Bid No. 15-080 for the purchase of City branded uniforms for Parks athletic programs and for other City departments with CC Creations (\$40,000) and Monograms and More (\$40,000) and Promotional Designs, Inc. (\$40,000) for a combined annual estimated expenditure of \$120,000.

2h. Presentation, possible action, and discussion on the Arts Council of the Brazos Valley budget, and; presentation, possible action and discussion on the FY 16 General Fund (\$35,000) and hotel tax (\$96,000) funding agreements for the Arts Council of the Brazos Valley.

2i. Presentation, possible action, and discussion on the Bryan/College Station Chamber of Commerce budget and presentation, possible action and discussion on a FY 16 hotel tax funding agreement for \$25,000 with the Bryan/College Station Chamber of Commerce.

2j. Presentation, possible action, and discussion on a FY16 General Fund funding agreement for \$15,000 with the College Station Noon Lions Club.

2k. Presentation, possible action, and discussion on approving the budget of the Brazos Valley Convention and Visitors Bureau (CVB); and presentation, possible action and discussion on a funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau for FY16 in the amount of \$1,727,855.

2l. Presentation, possible action, and discussion on a funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau (CVB) for FY16 in the amount of \$350,000 to administer the CVB Grant Program.

2m. Presentation, possible action, and discussion on Resolution 10-08-15-2m, authorizing the expense of \$205,000 the Aggieland Humane Society, Inc., for animal shelter services.

2n. Presentation, possible action, and discussion on the FY16 sanitation fund funding agreement for \$56,690 with Keep Brazos Beautiful.

2o. Presentation, possible action, and discussion on the FY16 general fund funding agreement for \$350,000 with Research Valley Partnership (RVP).

2p. Presentation, possible action, and discussion on approving the Memorial for all Veterans of the Brazos Valley budget and presentation, discussion and possible action on a FY16 hotel tax funding agreement for \$25,000 with Memorial for All Veterans of the Brazos Valley.

2q. Presentation, possible action, and discussion on approving a contract for the grant of federal HOME Community Housing Development Organization (CHDO) Set-Aside funds with Elder-Aid, Inc. in the amount of \$159,598 for acquisition and rehabilitation of two (2) existing dwelling units to be used as affordable rental housing for income-eligible elderly households.

2r. Presentation, possible action, and discussion on approving a Change Order to the "Cayenta Software Implementation Services Agreement" between the City of College Station and N. Harris Computer Corporation (dba Cayenta). This Change Order will increase the contract by \$76,800 for a new total of \$711,752.

Item 2r was pulled from the Consent Agenda and was not discussed/voted on.

Items 2k & 2o were pulled for a separate vote.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items 2k, 2o, and 2r. The motion carried unanimously.

(2k)MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Schultz voting against, to approve the budget of the Brazos Valley Convention and Visitors Bureau (CVB),

and the funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau for FY16 in the amount of \$1,727,855. The motion carried.

(2o)MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Mooney, the City Council voted two (2) for and five (5) opposed, with Councilmembers Brick, Aldrich, Mooney, Nichols, and Schultz voting against, to approve the FY16 general fund funding agreement with the Research Valley Partnership (RVP) with modifications to section 3.1 in the amount of \$87,500.10, with 3 monthly installment payments of \$29,166.67 for the 1st quarter of October 1, 2015 to January 1, 2016. The motion failed.

(2o)MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to approve the FY16 general fund funding agreement for \$350,000 with the Research Valley Partnership (RVP). The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3708, amending Chapter 4, "Business Regulations," Section 4-20 "Mobile Food Vendors," and Chapter 12, "Unified Development Ordinance," Article 6 "Use Regulations," Section 12-6.3 "Types of Use," and Section 12-6.4 "Specific Use Standards" of the Code of Ordinances of the City of College Station, Texas, regarding mobile food vendors and mobile food courts.

Molly Hitchcock, Planning and Development, reported that the draft amendments allow for the pursuit of two different types of mobile food courts: short- and long-term. A short-term mobile food court (two years maximum) would be allowed to provide some customer amenities with the least amount of development required. A long-term mobile food court would be a permanently located business, allowed to provide the most amenities, and developed according to standards similar to those of brick-and-mortar restaurants. Both short-and long-term mobile food courts would not be allowed to develop by right, but would require permission to develop from the City Council through the Conditional Use Permit and site planning process.

The Planning and Zoning Commission considered this item at the October 1 meeting and voted unanimously. Staff recommends approval of the amendments.

At approximately 7:56 p.m., Mayor Berry opened the Public Hearing.

Diego Mendez, co-owner, 106 B Hardy, stated he has enjoyed working as mobile food vendor and would like to see the time extended from 2:00 a.m. to 3:00 a.m. when the establishments close.

Derek Barre, owner of DBQ, 1454 Puryear Dr., is in support of this mobile food vendor ordinance except for the portable bathrooms or the seven-day stipulations for leaving the area. He would like to see the food trucks stationary for a year before leaving for an inspection.

Blake Zeitman, 1, stated, as for sanitation, they are required to have washing stations, and the health department comes by every few months for an inspection.

There being no further comments, the Public Hearing was closed at 8:16 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3708, amending Chapter 4, "Business Regulations," Section 4-20 "Mobile Food Vendors," and Chapter 12, "Unified Development Ordinance," Article 6 "Use Regulations," Section 12-6.3 "Types of Use," and Section 12-6.4 "Specific Use Standards" of the Code of Ordinances of the City of College Station, Texas, regarding mobile food vendors and mobile food courts, with amendments:

- Sec. 12-6.4.(AC)(1)(a)(2)(b) to replace "at least once every seven (7) days" with "at least once a year";
 - To strike Sec. 12-6.4.(AC)(1)(a)(3)(h)(1), Sec. 12-6.4.(AC)(1)(a)(3)(h)(2), Sec. 12-6.4.(AC)(1)(a)(3)(h)(3) and Sec. 12-6.4(AC)(1)(b)(3)(g);
 - To add a new Sec.12-6.4.(AC)(1)(c) to read as follows:
- "c) Restroom and Hand Washing Facilities for Short-Term and Long-Term Mobile Food Courts.
- 1) Mobile food courts will provide at least two (2) handicapped accessible porta potties with one (1) mobile handwashing station for every ten (10) mobile food vendors.
 - 2) Mobile food courts that are within one hundred (100) feet of a public restroom facility may be exempted from the requirement for porta potties.
 - 3) Mobile food vendors shall comply with the Brazos County Health Department's requirements for hand washing facilities;"
- To amend Sec. 12-6.4.(AC)(1)(b)(2)(b) to replace "at least once every seven (7) days" with "at least once a year";
 - To rearrange and renumber Sec. 12-6.4 accordingly in light of these changes.

The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion on Resolution 10-08-15-02, that establishes the City Council determination that the use of certain Greenway areas is allowable and that no other feasible or prudent alternatives exist for Public Utility Easements for the construction of the Spring Creek Transmission Line and that all reasonable planning measures have been taken to minimize harm to such Greenways.

Tony Michalsky, Assistant Director of Electric Utilities, stated that this will establish boundaries for the crossing of the Spring Creek Transmission line through the Lick Creek Greenway property bordered by City property to the west and Brazos Valley Solid Waste Management Agency property to the east. This is the most cost effective route as other routes would require purchase of additional easements.

At approximately 8:41 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:41 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council seven (7) for and none (0) opposed, to adopt Resolution 10-08-15-02, that establishes the City Council determination that the use of certain Greenway areas is allowable and that no other feasible or prudent alternatives exist for Public Utility Easements for the construction of the Spring Creek Transmission Line and that all reasonable planning measures have been taken to minimize harm to such Greenways. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3509, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural to GS General Suburban for the property being a 4.322 acre tract in the Bald Prairie Subdivision, Lot 3A, in the City of College Station, Brazos County, Texas, and as recorded in Volume 6749, Page 20, of the Official Records of Brazos County, Texas, generally located between Passendale Lane and Leyla Lane.

Lance Simms, Director of Planning and Development, noted that this request is to rezone the subject property from R Rural to GS General Suburban.

The Planning and Zoning Commission considered this item at their September 17 meeting and unanimously recommended approval. Staff also recommends approval.

At approximately 8:44 p.m., Mayor Berry opened the Public Hearing.

Alton Ofczarzak, 4816 Close Quarter, applicant, state he was here to answer any questions.

There being no further comments, the Public Hearing was closed at 8:45 p.m.

MOTION: Upon a motion made by Councilmember Aldrich and a second by Councilmember Mooney, the City Council seven (7) for and none (0) opposed, to adopt Ordinance 2015-3709, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from R Rural to GS General Suburban for the property being a 4.322 acre tract in the Bald Prairie Subdivision, Lot 3A, in the City of College Station, Brazos County, Texas, and as recorded in Volume 6749, Page 20, of the Official Records of Brazos County, Texas, generally located between Passendale Lane and Leyla Lane. The motion carried unanimously.

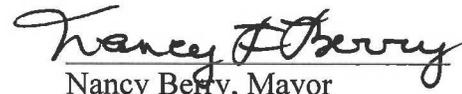
4. Presentation, possible action, and discussion regarding appointments to the Brazos Central Appraisal District.

The terms of the board of directors of the appraisal district expire on December 31, 2015. The City's current board appointee is Ronald Kaiser, and the Council must appoint one person for a two-year term.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Brick, the City Council voted seven (7) for and none (0) opposed, to appoint Dr. Ronald Kaiser to the Brazos Central Appraisal District Board of Directors. The motion carried unanimously.

5. Adjournment.

There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:46 p.m. on Thursday, October 8, 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, October 8, 2015 at 4:30 & 7:00 p.m.
City Hall Council Chamber

Council Members

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

Mayor

Nancy Berry
Mayor Pro Tem
Blanche Brick
Manager
Kelly Templin

	Name	Address	Email or Phone No.
1.	Blake Zeitman (Big Daddy Z's)	1205 Baywood Ct. 77705	ZShouseTX@gmail.com
2.	Alton Ofczarek	4816 Close Quarter	Atone@oakchb.com
3.			
4.			
5.			
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*****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.**



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CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 10/08/15
MM / DD / YY

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

Name: Ben Roper Phone: 979-777-0382

Address: 5449 Prairie Dawn CT, College Station Tx

Email: broper0001@hotmail.com Comments: WRITTEN ORAL

Comments are presented for: HEAR VISITORS AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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

OFFICE USE ONLY:
(# in which received)

1



CITY OF COLLEGE STATION
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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 10/8/15
MM/DD/YY

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

Name: Diego Mendez Phone: 979-450-3751

Address: 106 B Hardy

Email: diego.mendez86@yahoo.com Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 1

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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CITY OF COLLEGE STATION
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Public Hearing
CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: _____

10 / 08 / 15
MM / DD / YY

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

Name: DEREK BARRE Phone: 512-925-6909

Address: 1454 PURYEAR DRIVE CSTAT, TX 77840

Email: DBQCOLLEGESTATION@GMAIL.COM Comments: WRITTEN ORAL

Comments are presented for: HEAR VISITORS Public Hearing AGENDA ITEM# 1

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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Public Hearing
CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 10/8/15
MM/DD/YY

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

Name: Blake Zeitman Phone: 713-598-6255
Address: 1205 Baywood Ct. 77845
Email: 2Shousetx@gmail.com Comments: WRITTEN ORAL
Comments are presented for: HEAR VISITORS AGENDA ITEM # 1

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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CITY OF COLLEGE STATION
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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 10/08/15
MM / DD / YY

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

Name: ALTON OZARZALC Phone: 979-412-2320

Address: 4816 Close Quarter

Email: ALTON@Oakchb.com Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 3

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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