

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
MAY 16, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

City Staff:

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

TAMU Student Liaison

Wayne Beckermann, VP/Municipal Affairs

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 7:18 p.m. on Monday, May 16, 2016 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.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, to approve the absence request of Councilmember Benham. The motion carried unanimously.

Presentations:

Presentation proclaiming the National Public Works Week.

Mayor Berry presented the proclamation to representatives of the Public Works Department and proclaimed May 15-21, 2016 as National Public Works Week.

Presentation proclaiming May as National Bike Month.

Mayor Berry presented the proclamation to the Bicycle, Pedestrian, and Greenways Advisory Board and proclaimed May 2016 as National Bike Month.

Presentation of the Annual Arts Council Scholarships.

Chris Dyer, CEO, The arts Council, introduced the 2016 Arts Council College Arts Scholarship recipients: Ester Araujo, A&M Consolidated High School (attending Savannah College of Art and Design for Illustration); Bryson Bounds, A&M Consolidated High School (attending TAMU for Environmental Design & Architecture); and Mitchell Bradford, College Station High School (attending Abilene Christian for Theatre Performance).

Presentation of check by Brazos Valley Fashion Week for the Fun for All Playground.

Judy LeUnes, on behalf of the Brazos Valley Fashion Week, presented a check in the amount of \$42,361.02 to David Schmidt, Director of Parks and Recreation, for the Fun of All Playground. A brief video was also shown.

Hear Visitors Comments

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Pfc. James D. Parker.

CONSENT AGENDA

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

- **April 28, 2016 Workshop**
- **April 28, 2016 Regular Meeting**

2b. Presentation, possible action, and discussion on approval of Resolution 05-16-16-2b, allowing the mayor to sign an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) for the cost participation of the City of College Station and TXDOT in the University Drive Pedestrian Improvements Project.

2c. Presentation, possible action, and discussion regarding changes to the water service area boundaries between the City and Wellborn SUD in four locations.

2d. Presentation, possible action, and discussion regarding Change Order No. 2 with Elliott Construction, reducing contract number 15300300 by \$96,826 for the Graham Road Rehabilitation Project.

2e. Presentation, possible action, and discussion regarding a contract (Contract No. 16300351) with Crossroads Asphalt Preservation for the Surface Sealing of City Streets for a not to exceed amount of \$150,000.

2f. Presentation, possible action, and discussion on approving job order construction contract no. 16300389 for various facility corrective maintenance services from Jamail & Smith Construction, LP in the amount of \$182,645.29. Contract pricing is available from Jamail & Smith Construction, LP through an interlocal cooperative purchasing agreement the City has with Buyboard.

2g. Presentation, possible action, and discussion regarding a Professional Services Contract No. 16300390 with Binkley & Barfield, Inc. in the amount of \$66,895.25 for the professional engineering services related to the design of the traffic signal and intersection improvements at the intersections of FM 30 (Harvey Rd) at George Bush Drive East and FM 2818 (Harvey Mitchell Parkway) at Longmire Drive.

2h. Presentation, possible action, and discussion regarding a \$265,597.50 construction contract (No. 16300329) with Larry Young Paving, Inc. for sidewalk improvements along Langford Street.

2i. Presentation, possible action, and discussion regarding a construction contract (No. 16300337) with Brazos Paving, Inc., in the amount of \$680,335.37, for the construction of a new traffic signal at the intersection of State Highway 40 and Victoria Avenue.

2j. Presentation, possible action, and discussion on a construction contract (Contract No. 16300334) with Elliott Construction, LLC in the amount of \$2,451,453.51 for the Munson Avenue Rehabilitation Project and presentation, possible action, and discussion on Resolution 05-16-16-2j, declaring intention to reimburse certain expenditures with proceeds from debt.

2k. Presentation, possible action, and discussion on a lease with the Brazos Valley Solid Waste Management Agency for the use of the Twin Oaks Law Enforcement Training Facility by the Police Department.

2l. Presentation, possible action, and discussion regarding contract #16-068 with Layne Christensen Company for \$250,694 to repair the pumps in Wells 6 and 8.

2m. Presentation, possible action, and discussion regarding a Utility Agreement with the Brazos County Municipal Utility District No. 1 Board, addressing the provision of City water and sewer service to the Municipal Utility District.

2n. Presentation, possible action, and discussion regarding the appointment of the Executive Director of the Aggieldand Humane Society as the Local Rabies Control Authority (LRCA) for College Station.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3768, 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 PDD Planned Development District for approximately 26 acres being situated in the Samuel Davidson League, Abstract No. 13, Brazos County, Texas, said tract being a portion of the remainder of a called 33.70 acre tract described as third tract by a deed to Keren Eidson recorded in Volume 300, Page 609 of the deed records of Brazos County, Texas, generally located between Wellborn Road (FM 2154) and Royder Road, near Greens Prairie Road West.

Jessica Bullock, Planning and Development, reported that the applicant is requesting a Planned Development District zoning on approximately 26 acres to build a clustered single-family residential development in the Wellborn Community area. The PDD uses a base zoning district of Restricted Suburban with modification to make the zoning district compliant with the community plan.

The Planning and Zoning Commission considered this item on April 21, and voted 5-0 to recommend approval with the condition that a solid wood fence between six to eight feet in height be installed to the adjacent single-family property to the east, prior to issuance of building permits. with the condition that a solid wood fence between six to eight feet in height be installed to the adjacent single-family property to the east, prior to issuance of building permits.

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.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3768, 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 Rural to Planned Development District for approximately 26 acres being situated in the Samuel Davidson League, Abstract No. 13, Brazos County, Texas, said tract being a portion of the remainder of a called 33.70 acre tract described as third tract by a deed to Keren Eidson recorded in Volume 300, Page 609 of the deed records of Brazos County, Texas, generally located between Wellborn Road (FM 2154) and Royder Road, near Greens Prairie Road West, with the condition that a solid wood fence between six to eight feet in height be installed to the adjacent single-family property to the west, prior to issuance of building permits. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3769, 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 M1 Light Industrial and M2 Heavy Industrial to SC Suburban Commercial for approximately 0.50 acres being the JHW Commercial Subdivision, Lot 3, Block 1, generally located at 150 Graham Road.

Madison Thomas, Planning and Development, reported that the applicant is requesting a Suburban Commercial rezoning at this location to allow for future daycare and retail/office uses.

The Planning and Zoning Commission considered this item on April 21, and voted 5-0 to recommend approval.

At approximately 7:50 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:50 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3769, 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 Light Industrial and Heavy Industrial to Suburban Commercial for approximately 0.50 acres being the JHW Commercial Subdivision, Lot 3, Block 1, generally located at 150 Graham Road. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion regarding a Strategic Partnership Agreement with the Brazos County Municipal Utility District No. 1 Board, outlining the terms and conditions for annexation.

Lance Simms, Director of Planning and Development, reported that this is the second of two public hearings required before approving the Strategic Partnership Agreement (SPA) with Brazos County MUD No. 1. Formal approval of the SPA can occur after the second public hearing. In March of 2014, the City Council granted the landowner's petition to create Brazos County Municipal Utility District (MUD) No. 1 within the City's Extraterritorial Jurisdiction. As provided for in the City's adopted MUD policy, staff negotiated a Development Agreement with the developer to extend the City's planning authority over the MUD. In March of 2015, the City Council approved the Development Agreement which included a "form" of the Strategic Partnership Agreement (SPA) as an attachment. The SPA has since been approved by the MUD Board and needs to be approved by the City Council. The SPA outlines the terms and conditions for the future annexation of the MUD.

Staff recommends approval of the agreement.

At approximately 7:53 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:53 p.m.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Brick, the City Council voted six (6) for and none (0) opposed, to adopt the Strategic Partnership Agreement with the Brazos County Municipal Utility District No. 1 Board, outlining the terms and conditions for annexation. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3770, vacating and abandoning a 0.068 acre portion of a 10-foot wide Public Utility Easement, said portion being on Lot 1A, Block 1, Replat of Lot 1, Block 1, College Station

I.S.D., Willow Branch and Oakwood School Sites Subdivision, according to the plat recorded in Volume 6857, Page 25, of the Official Records of Brazos County, Texas, said tract also being a portion of a 10' Public Utilities Easement as shown on Lot 1, Block 1, of the plat of College Station I.S.D. Willow Branch and Oakwood School sites, according to the plat recorded in Volume 3588, Page 51, Official Records of Brazos County, Texas.

Carol Cotter, Planning and Development, reported that the public utility easement (PUE) abandonment will accommodate a building expansion on the CSISD property. It appears the PUE was intended for an existing water line that is offset from the PUE's current limits. As part of the abandonment, a 15-foot wide public utility easement dedication by CSISD to cover this existing line is being required. If the condition is not met, the abandonment will be null and void.

Staff recommends approval.

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

There being no comments, the Public Hearing was closed at 7:56 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3770, vacating and abandoning a 0.068 acre portion of a 10-foot wide Public Utility Easement, said portion being on Lot 1A, Block 1, Replat of Lot 1, Block 1, College Station I.S.D., Willow Branch and Oakwood School Sites Subdivision, according to the plat recorded in Volume 6857, Page 25, of the Official Records of Brazos County, Texas, said tract also being a portion of a 10' Public Utilities Easement as shown on Lot 1, Block 1, of the plat of College Station I.S.D. Willow Branch and Oakwood School sites, according to the plat recorded in Volume 3588, Page 51, Official Records of Brazos County, Texas. The motion carried unanimously.

5. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3771, amending Chapter 10, "Traffic Code," Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations for Certain Described Areas", (1) "Traffic Schedule XIV- No Parking Here to Corner or No Parking Any time" of the Code of Ordinances of the City of College Station, Texas by removing on-street parking along both sides of Jane Street between University Drive and Cooner Street and removing on-street parking along both sides of Eisenhower Street between University Drive and Cooner Street.

Danielle Singh, Planning and Development, reported that this ordinance amends Chapter 10 "Traffic Code," by removing parking from the 400 Block of Jane Street and the 400 Block of Eisenhower Street. This parking removal request is to allow emergency access to the proposed Embassy Suites development. Letters were mailed to the property owners adjacent to the area impacted by the parking removal. Additionally, on April 26th, the applicant held a meeting with the property owners to discuss the parking removal plan.

Staff recommends approval.

At approximately 8:01 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:01 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, to adopt Ordinance 2016-3771, amending Chapter 10, "Traffic Code," Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations for Certain Described Areas", (1) "Traffic Schedule XIV- No Parking Here to Corner or No Parking Any time" of the Code of Ordinances of the City of College Station, Texas by removing on-street parking along both sides of Jane Street between University Drive and Cooner Street and removing on-street parking along both sides of Eisenhower Street between University Drive and Cooner Street. The motion carried unanimously.

6. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3772, amending Chapter 10, "Traffic Code," Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations for Certain Described Areas", (1) "Traffic Schedule XIV - No Parking Here to Corner or No Parking at Any Time", of the Code of Ordinances of the City of College Station, Texas, to remove parking on the east side of Boyett Street from the corner of Boyett Street and Spruce Street extending 115 feet to the south to the property line at 504 Boyett Street.

Danielle Singh, Planning and Development, reported that this ordinance amends Chapter 10 "Traffic Code," by removing parking along Boyett Street adjacent to the property at 300 Spruce Street. This parking removal request is to allow aerial fire access to the proposed Northgate Park Apartments development. Letters were mailed to the property owners adjacent to the area impacted by the parking removal. Additionally, on December 30th, 2015, the applicant held a meeting with the property owners to discuss the plan to remove parking.

Staff recommends approval.

At approximately 8:04 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:04 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3772, amending Chapter 10, "Traffic Code," Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations for Certain Described Areas", (1) "Traffic Schedule XIV - No Parking Here to Corner or No Parking at Any Time", of the Code of Ordinances of the City of College Station, Texas, to remove parking on the east side of Boyett Street from the corner of Boyett Street and Spruce Street extending 115 feet to the south to the property line at 504 Boyett Street. The motion carried unanimously.

7. Presentation, possible action, and discussion on Ordinance 2016-3773, authorizing the issuance of up to \$30,500,000 in principal amount of "City of College Station, Texas Certificates of Obligation, Series 2016"; delegating the authority to certain City Officials to execute certain documents relating to the sale of the certificates; approving and authorizing instruments and procedures relating to the certificates; and enacting other provisions relating to the subject.

8. Presentation, possible action, and discussion on Ordinance 2016-3774, authorizing the issuance of up to \$56,000,000 in principal amount of “City of College Station, Texas General Obligation Improvement and Refunding Bonds, Series 2016”; delegating the authority to certain City Officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and other procedures relating to said bonds; and enacting other provisions relating to the subject.

Items 7 and 8 were taken together.

Jeff Kersten, Assistant City Manager, reported that on March 31, 2016 Council approved a resolution directing staff to advertise the issuance of CO's. On April 4 and April 11 such notice was published. It is at the recommendation of the City's Financial Advisor, Mr. Drew Masterson with First Southwest, that the City issue Certificates of Obligation for utility projects rather than Utility Revenue Bonds. This particular issue will provide resources for street, police station design and initial project costs, information technology, electric, and water improvements; and debt issuance costs.

Jeff Kersten, Assistant City Manager, reported that the City has the opportunity to refund a portion of its General Obligation Improvement Bonds, Certificates of Obligation and Utility Revenue Bonds in order to achieve savings due to lower interest rates that are currently available. The City's Financial Advisor, Drew Masterson with First Southwest, has presented the City with an opportunity to issue refunding bonds for several of our outstanding General Obligation Improvement Bonds, Certificates of Obligation and Utility Revenue Bond issues.

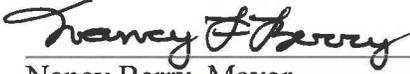
Staff recommends approval.

MOTION: Upon a motion made by Councilmember Aldrich and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3773, authorizing the issuance of up to \$30,500,000 in principal amount of “City of College Station, Texas Certificates of Obligation, Series 2016”; delegating the authority to certain City Officials to execute certain documents relating to the sale of the certificates; approving and authorizing instruments and procedures relating to the certificates; and enacting other provisions relating to the subject. The motion carried unanimously.

MOTION: Upon a motion made by Councilmember Aldrich and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3774, authorizing the issuance of up to \$56,000,000 in principal amount of “City of College Station, Texas General Obligation Improvement and Refunding Bonds, Series 2016”; delegating the authority to certain City Officials to execute certain documents relating to the sale of the Bonds; approving and authorizing instruments and other procedures relating to said bonds; and enacting other provisions relating to the subject. The motion carried unanimously.

9. Adjournment.

There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:24 p.m. on Monday, May 16, 2016.


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
Monday, May 16, 2016 at 4:30 & 7:00 p.m.
City Hall Council Chamber

Mayor
Nancy Berry
Mayor Pro Tem
John Nichols
Manager
Kelly Templin

Council Members
Blanche Brick
Steve Aldrich
Karl Mooney
Julie Schultz
James M. Benham

	Name	Address	Email or Phone No.
1.	Judy Welles	1356 S Oaks Dr., CS 77845	979-492-2889
2.	Larry Ringer	4717 St. Andrews Dr CS 77845	979-690-7043
3.	Lindsay Zahn	3813 Stony Creek CS 77845	255-8669
4.	Mailey Phillips	753 N. 2nd St	512-916-7413
5.	Jailene Lopez	2600 Pedernales Dr	979-574-9280
6.	Lacey Corbett	1801 Francis Cir.	979-846-9746
7.			
8.			
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

Absence Request Form For Elected and Appointed Officers

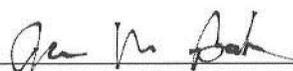
Name : James Benham

Board or Committee: City Council

I will NOT be in attendance at:

the City Council meeting held on 5/16/2016.

for the reason(s) specified:



Signature of officer

5/16/16

Date

This request shall be submitted to the office of the City Secretary or Board Secretary one week prior to meeting date.

Signature Certificate

Document Reference: YNU37DJN3K4XFWEC8AFFKD

RightSignature
Easy Online Document Signing



James Benham
Party ID: VP2JPCI6G4WX29ED9CMRE3
IP Address: 50.24.72.71
VERIFIED EMAIL: james@jbknowledge.com

Electronic Signature:

Multi-Factor
Digital Fingerprint Checksum

3610d8fb4dddc3301d96623a058a72a62ecc0bcf



Timestamp

2016-05-16 12:09:44 -0700

2016-05-16 12:09:44 -0700

2016-05-16 12:09:26 -0700

2016-05-16 11:12:22 -0700

Audit

All parties have signed document. Signed copies sent to: James Benham and Samantha Klein.

Document signed by James Benham (james@jbknowledge.com) with drawn signature. - 50.24.72.71

Document viewed by James Benham (james@jbknowledge.com). - 50.24.72.71

Document created by Samantha Klein (samantha.klein@jbknowledge.com). - 23.92.1.14



This signature page provides a record of the online activity executing this contract.

Sherry Mashburn

From: Samantha Klein <samantha.klein@jbknowledge.com>
Sent: Monday, May 16, 2016 4:12 PM
To: Sherry Mashburn
Subject: Re: Monday's Council meeting

Sherry,

He sent me this: "Please fill out my absence request for the council meeting tomorrow. No reason needed."

I'd be happy to write in business conflict if you need me to though. That's always what it ends up being.

Hope you're doing well!

Samantha Klein | Executive Assistant/Office Manager

JBKnowledge, Inc.
Email - samantha.klein@jbknowledge.com



On May 16, 2016, at 2:27 PM, Sherry Mashburn <smashburn@cstx.gov> wrote:

I meant "happen" to know ;-)

From: Sherry Mashburn
Sent: Monday, May 16, 2016 2:14 PM
To: 'Samantha Klein' <samantha.klein@jbknowledge.com>
Subject: RE: Monday's Council meeting

The reason is blank. Would you have to know what it is?

From: Samantha Klein [<mailto:samantha.klein@jbknowledge.com>]
Sent: Monday, May 16, 2016 2:15 PM
To: Sherry Mashburn <smashburn@cstx.gov>
Cc: Tanya McNutt <tmcnutt@cstx.gov>
Subject: Re: Monday's Council meeting

Sherry,

Please see James' Absence Request Form below.

Thank you!

Samantha Klein | Executive Assistant/Office Manager



CITY OF COLLEGE STATION
Home of Texas A&M University

CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 05/16/2016
MM / DD / YY

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

Name: Ben Roper Phone: 979-764-3538

Address: 5449 Prairie Dawn CT, CS, Tx 77845

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)

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