

**BRYAN CITY COUNCIL
MINUTES OF WORKSHOP MEETING
SEPTEMBER 23, 2014**

A workshop meeting of the Bryan City Council was held on Tuesday, September 23, 2014, in the Council Chambers of the Bryan Municipal Building, a notice of said meeting having been posted at least 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Jason Bienski and Councilmembers Al Saenz, Ann Horton, Art Hughes and Chuck Konderla were present. Councilmembers Rafael Peña and Greg Owens were absent. Also present were City Manager Kean Register, City Attorney Janis Hampton and City Secretary Mary Lynne Stratta.

1. CALL TO ORDER

The meeting was called to order at 3:21 p.m.

2. PRESENTATION AND DISCUSSION REGARDING COUNCIL'S STRATEGIC PLAN – INFRASTRUCTURE STRATEGIC INITIATIVE

Public Works Director Jayson Barfknecht presented the proposed strategic initiative relative to infrastructure. He listed the key result areas, objectives, criteria and performance measures relative to this strategic initiative. Discussion followed about the infrastructure needs in districts one and two.

3. DISCUSSION REGARDING CONSENT/STATUTORY AGENDA ITEMS FOR REGULAR MEETING OF SEPTEMBER 23, 2014

Agenda item 9 c of the consent/statutory agenda for the regular meeting of September 23, 2014, was mentioned. No action was taken regarding this item.

4. ADJOURN

Without objection, the meeting adjourned at 3:32 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski

**BRYAN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 23, 2014**

A regular meeting of the Bryan City Council was held on Tuesday, September 23, 2014, in Room 305 and the Council Chambers of the Bryan Municipal Building, a notice of said meeting having been posted at least 72 hours in advance in accordance with Section 551, Texas Government Code. Mayor Jason Bienski and Councilmembers Al Saenz, Rafael Peña, Greg Owens, Ann Horton, Art Hughes and Chuck Konderla were present. Also present were City Manager Kean Register, City Attorney Janis Hampton and City Secretary Mary Lynne Stratta.

1. CALL TO ORDER

The meeting was called to order at 4:02 p.m.

2. EXECUTIVE SESSION

The meeting was called into executive session at 4:03 p.m. under the provisions of Section 551, Texas Government Code, to discuss under the authority of Section 551.071, consultation with attorney – receive legal advice regarding the Traditions Master Economic Development Agreement, receive legal advice regarding the Traditions Limited Partnership Agreement, receive legal advice regarding possible amendments to the reclaimed water agreement with Traditions Acquisition Partnership, Ltd., receive legal advice regarding Council ethics policy, receive legal advice regarding charter amendments that will appear on the November 4 ballot, receive legal advice regarding proposed amendments to groundwater district rules, receive legal advice concerning economic development negotiations on proposed central Bryan development projects, receive legal advice regarding Gunler bankruptcy; under the authority of Section 551.072, real estate – discussion regarding possible sale, lease and/or purchase of property in the Texas Triangle Park, central and north Bryan; under the authority of Section 551.074, personnel matters – discussion regarding duties and responsibilities of City Manager, City Secretary, City Internal Auditor and City Attorney, and discussion of appointment of BTU Board Chair; and under the authority of Section 551.087, economic development – discussion regarding possible economic development incentives in east, west, north and central Bryan and the Texas Triangle Park, and discussion regarding possible economic incentives related to a proposed community-wide private fiber optic broadband network.

3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION

The meeting was called into open session at 6:25 p.m. No action was taken regarding the items discussed in executive session.

4. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. FLAG AND TEXAS FLAG

Councilmember Chuck Konderla gave the invocation and Organizing Regent Pamela Schulte Marshall, Come and Take It Chapter of the National Society of the Daughters of the American Revolution, led the pledges.

5. PROCLAMATIONS AND PRESENTATIONS

Retired Community Librarian Clara B. Mounce donated her collection of children's books, many autographed by the authors, to the Carnegie Library in memory of Commander Claude E. Mounce. Mayor Bienski presented a proclamation in recognition of National Mental Illness Awareness Week.

6. HEAR CITIZENS

No citizens spoke under hear citizens.

7. REZONING REQUEST (RZ14-15)

a. Public Hearing – Rezoning Request (RZ14-15)

Mayor Bienski called for public comment regarding an ordinance to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Office District (C-1) to Retail District (C-2) on 1.918 acres of land adjoining the southwest side of the North Earl Rudder Freeway West Frontage Road, addressed as 1003 North Earl Rudder Freeway, between Symphony Park Drive and Long Drive, being the Department of Public Safety Area Office Subdivision in Bryan, Brazos County, Texas. No one spoke and the public hearing closed at 6:39 p.m.

b. First Reading of an Ordinance - Rezoning Request (RZ14-15)

Councilmember Horton moved to approve the first reading of an ordinance of the City of Bryan, Texas, amending Chapter 130, Zoning, of the City of Bryan Code of Ordinances, by changing the zoning classification from Office District (C-1) to Retail District (C-2) on 1.918 acres of land adjoining the southwest side of the North Earl Rudder Freeway West Frontage Road, addressed as 1003 North Earl Rudder Freeway, between Symphony Park Drive and Long Drive, being the Department of Public Safety Area Office Subdivision in Bryan, Brazos County, Texas. The motion was seconded by Councilmember Hughes and carried unanimously.

8. CONSENT (AUTOMATIC APPROVAL) AGENDA

Councilmember Peña made a motion to approve the consent agenda. The motion was seconded by Councilmember Saenz and carried unanimously.

a. Approval of Minutes – Workshop and Regular Meetings of September 9, 2014.

b. Consideration – Annual Payment for Environmental Systems Research Institute Maintenance and Support

Consider approving the budgeted payment of \$51,000.00 to Environmental Systems Research Institute (ESRI) for the second annual payment of a three-year term for ESRI maintenance as outlined in the Small Government Enterprise License Agreement (SG-ELA) in support of all the Geographic Information System (GIS) software utilized by the City. Source of Funds: General Fund - Information Technology Services.

c. Consideration – Annual Payment for Cisco Systems Maintenance and Support

Consider approving the budgeted payment of \$60,688.36 to Key Government Finance, Inc., for the fourth annual payment of a five-year term for Cisco maintenance for support of all Cisco hardware and software utilized by the City. Source of Funds: General Fund - Information Technology Services.

d. Consideration – Annual Maintenance and Support Agreement for Public Safety Software

Consider approving an agreement with Tiburon, Inc., in an amount not to exceed \$163,820.00, with the City of Bryan's portion being \$109,070.06 and Brazos County 911's portion being \$54,749.94, to provide software support and maintenance on software used by the City of Bryan's Police and Fire Departments and Brazos County 911. Source of Funds: General Fund - Information Technology Services.

e. Consideration – Annual Service Agreement with Motorola

Consider approving the annual service agreement with Motorola in the amount of \$55,226.88 for Fiscal Year 2015 maintenance of the City's mobile radios and portable radios. Source of Funds: General Fund.

f. Consideration – Annual Maintenance Agreement for Sungard HTE Application

Consider approving an annual maintenance agreement for Sungard HTE Application in the amount of \$94,127.35. Source of Funds: General Fund - Information Technology Services.

g. Consideration – Wireless/Cellular Services and Related Equipment

Consider approving the annual purchase for procurement of wireless/cellular services (voice and data) and related equipment through Verizon Wireless, L.L.C., and AT&T Mobility. The total estimated annual expenditure to procure said services is \$150,000 to be purchased through various purchasing cooperative contracts. Source of Funds: Various City Department Funds.

h. Consideration – Blanket Purchase Order for Netsync, Inc.

Consider approving a blanket purchase order for Netsync, Inc., in an estimated amount not to exceed \$200,000.00, the purchase of information technology equipment and services through the State of Texas Department of Information Resources contract. Source of Funds: General Fund - Information Technology Services.

i. Consideration – Blanket Purchase Order for Southern Computer Warehouse

Consider approving a blanket purchase order for Southern Computer Warehouse, in an estimated amount not to exceed \$200,000.00, for desktop/notebook computers and related peripherals through the State of Texas Department of Information Resources contract. Source of Funds: Various funding sources will be used, including grant funding, Information Technology department budget, other City department budgets and Court Technology funding.

j. Consideration – Blanket Purchase Order for Howard Technology Solutions

Consider approving a blanket purchase order for Howard Technology Solutions, in an estimated amount not to exceed \$100,000.00, for desktop/notebook computers and related peripherals through the State of Texas Department of Information Resources contract. Source of Funds: Various funding sources will be used, including grant funding, Information Technology department budget, other City department budgets and Court Technology funding.

k. Consideration – Blanket Purchase Order for GHA Technologies

Consider approving a blanket purchase order for GHA Technologies, in an estimated amount not to exceed \$150,000.00, for desktop/notebook computers and related peripherals through the GSA Federal Acquisition Service contract, pursuant to Section 211 of the e-Gov Act of 2002. Source of Funds: Various funding sources will be used, including grant funding, Information Technology department budget, other City department budgets and Court Technology funding.

l. Consideration – Blanket Purchase Orders for Electrical Supplies

Consider approving the first extension for three separate blanket purchase orders for annual price agreements with Crawford Electric (\$50,000), primary vendor, and Dealers Electrical Supply (\$15,000) and Elliott Electric (\$15,000), secondary vendors, for electrical supplies in a total amount not to exceed \$80,000.00 for Fiscal Year 2015. Source of Funds: Water/Wastewater Fund and General Fund.

m. Consideration – Miscellaneous Blanket Purchase Orders

Consider authorizing the Purchasing Department to create blanket purchase orders for Fiscal Year 2015 for Verizon Southwest (\$125,000) for local phone services; Atmos Energy (\$125,000) for natural gas services; Brazos Valley Solid Waste Management Agency (\$1,500,000) for landfill disposal fees; BTU (\$4,000,000) for electric service; Texas Commission on Environmental Quality (\$100,000) for wastewater discharge permit fees; Texas Commission on Environmental Quality (\$60,000) for water system operating fees; Brazos Valley Groundwater Conservation District (\$225,000) for groundwater pumping fees, exempt from competitive bidding as described more fully in Texas Local Government Code, Chapter 252.022; and Documation, Inc., (\$75,000) for copiers and maintenance agreements, exempt from competitive bidding by the Interlocal Cooperative Act, Chapter 791 of the Texas Government. Source of Funds: Various Department Budgets.

n. Consideration – Property Insurance

Consider approving the Fiscal Year 2015 extension for the City of Bryan's property insurance to the Texas Municipal League – Intergovernmental Risk Pool in the estimated annual amount of \$126,776.00. Source of Funds: Fiscal Year 2015 Budget - All Funds.

o. Consideration – First Extension of Annual Contract for Demolition of Substandard Structures

Consider approving the first extension of annual contract with Jeffery Bailey Trucking, Inc., of Bryan, Texas, in an amount not to exceed \$100,000.00, for the demolition of substandard structures and related services. Source of Funds: General Fund.

p. Consideration – Annual Contract for Concrete Curb, Gutter and Flatwork

Consider approving an annual contract with Brazos Site Works of Bryan, Texas, entitled “Annual Contract for Concrete Curb, Gutter and Flatwork” in an amount not to exceed \$617,860.00. Source of Funds: General Fund – Streets & Drainage Department, Water Fund, and Wastewater Fund.

q. Resolution – 2015 Routine Airport Maintenance Program Grant

Adoption of Resolution No. 3571 of the City Council of the City of Bryan, Texas, authorizing the acceptance of the Texas Department of Transportation Grant for Routine Airport Maintenance Program utilized to offset the cost of airport maintenance of up to 50 percent or \$50,000.00 for Fiscal Year 2015.

r. Resolution – Easement Release (ER14-01)

Adoption of Resolution No. 3572 of the City Council of the City of Bryan, Texas, authorizing the release of a portion of a 20-foot wide public utility easement, 3,920 square feet, extending generally east of Memorial Drive in Lot 1 of Block F of St. Joseph Regional Health Center Subdivision in the 1400 block of Memorial Drive between East 29th and Kent Streets in Bryan, Brazos County, Texas.

s. Resolution – Easement Release (ER14-03)

Adoption of Resolution No. 3573 of the City Council of the City of Bryan, Texas, authorizing the release of a portion of a 20-foot wide by 125-foot long public utility easement extending across Block 142 in the Bryan Original Townsite, being 2,500 square feet of land located between North Parker Avenue and North Sims Avenue midway between West 23rd and West 24th Streets in Bryan, Brazos County, Texas.

t. Second and Final Reading of an Ordinance – Fiscal Year 2014 Budget Amendment

Second and final reading of Ordinance No. 2064 of the City of Bryan, Texas, amending Ordinance No. 2039; increasing expenditure appropriations for Fiscal Year 2014 from \$345,802,565 to \$359,182,373; total increase in appropriations being \$13,379,808, for funds used for services, programs, reimbursements and transfers. Source of Funds: Various City Department Funds.

9. STATUTORY AGENDA

Councilmember Peña made a motion to approve the statutory agenda. The motion was seconded by Councilmember Saenz and carried unanimously.

a. Consideration – 2014 Street Maintenance Crack Seal Contract

Consider approving a contract with RHB Construction, Inc., in an amount not to exceed \$137,250.00, for 2014 Street Maintenance Crack Seal, City Project No. 332-D3-1402. Source of Funds: Transportation Fee.

b. Consideration – First Street Utility and Street Rehabilitation Contract

Consider approving a contract with Elliott Construction, L.L.C, in an amount not to exceed \$414,078.50, for First Street Utility and Street Rehabilitation, City Project No. 332-411-425-611-DE-1401. Source of Funds: Transportation Fee and Wastewater Fund.

c. Consideration – CALJO, Inc., Chapter 380 Economic Development Agreement

Consider approving a Chapter 380 Economic Development Agreement with CALJO, Inc., d/b/a Calloway-Jones Funeral Home and Crematory, for the redevelopment of the existing funeral home facility located at 3001 South College Avenue in Bryan, Brazos County, Texas, to include reimbursement payments to the developer equal to fifty percent of the City ad valorem tax collected on the increased value of the property, up to fifty percent of the cost of the rehabilitation and renovation of the property; reimbursements conditioned upon a total increase of at least \$1,000,000 in the appraised value of the property. Source of Funds: General Fund.

d. First Reading of an Ordinance – Right-of-Way Abandonment (RA14-03)

First reading of an ordinance of the City of Bryan, Texas, providing for abandonment of portions of public street right-of-way for West 23rd Street and North Parker Avenue, adjacent and north and east of Block 142 in the Bryan Original Townsite in Bryan, Brazos County, Texas; authorizing the conveyance thereof to the abutting property owner; providing for terms and conditions of abandonment and conveyance.

e. First Reading of an Ordinance – Right-of-Way Abandonment (RA14-04)

First reading of an ordinance of the City of Bryan, Texas, providing for abandonment of an approximately 50-foot wide and 196-foot long segment of public street right-of-way for Koch Street and an approximately 50-foot wide and 200-foot long segment of public street right-of-way for De Lee Street, extending generally west of Memorial Drive between Kent and 29th Streets in Bryan, Brazos County, Texas; authorizing the conveyance thereof to the abutting property owner; providing for terms and conditions of abandonment and conveyance.

10. REGULAR AGENDA

a. Second and Final Reading of an Ordinance – Property Tax Rate for Taxable Year 2014

Councilmember Horton moved to approve the second and final reading of Ordinance No. 2065 of the City Council of the City of Bryan, Texas, fixing the tax levy of the City of Bryan, Texas, for the Taxable Year 2014 at \$0.629990 per \$100 of assessed valuation. The motion was seconded by Councilmember Hughes. The motion carried with the vote as follows: Saenz – aye; Peña – aye; Owens – aye; Bienski – aye; Hughes – aye; Konderla – aye; and Horton – aye. No one voted against the motion.

b. Consideration – Ratification of Tax Rate

Councilmember Konderla moved to approve ratification of the property tax rate of \$0.629990 per \$100 of assessed valuation to provide property tax revenues in support of the Fiscal Year 2015 Budget. The motion was seconded by Councilmember Saenz and carried unanimously.

c. Consideration – Texas Reds and Hotel Tax Fund (HOT)

This item was not considered or discussed.

11. COUNCIL COMMITTEE REPORTS

Councilmember Horton reported on recent meetings of the Intergovernmental Committee and the City of Bryan Audit Committee. Councilmember Konderla provided a report on a recent meeting of the Bryan Animal Center Advisory Committee.

12. CITY MANAGER REPORT

Mr. Register reported the Public Works Department laid the foundation for the Vietnam Veterans Memorial at the Clara B. Mounce Library.

13. ITEMS OF COMMUNITY INTEREST

Council shared the following items of community interest: Best of Bryan photo contest, Bryan ISD student recovery program, downtown Bryan’s designation as a Texas Cultural Arts District, town hall meetings, Texas Reds Steak and Grape Festival, Fiestas Patrias parade, Bryan-College Station Chamber of Commerce Lobsterfest, National Night Out, dedication of the Pandemic Influenza Vaccine Facility as part of the Center for Innovation in Advanced Development and Manufacturing, SOS Ministries banquet, Suddenlink’s announcement of the delivery of high speed internet to the Bryan-College Station community, Brazos Valley Council of Governments meeting, third phase of downtown redevelopment, and NerdWallet’s designation of Bryan as the 17th fastest growing city in the U.S. Bryan Independent School District graduate Brandy Drozd was congratulated on winning the world championship in women’s skeet shooting. Mr. Cody Schaffner was commended for saving the life of a nine-year old from near drowning. Clara Mounce was again thanked for the book donation to the Carnegie Library.

14. ADJOURN

Without objection, the meeting adjourned at 7:11 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski