

**BRYAN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 11, 2014**

The Bryan City Council met in regular session on Tuesday, November 11, 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 in attendance. 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 4:05 p.m.

2. EXECUTIVE SESSION

The meeting was called into executive session at 4:06 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 proposed amendments to groundwater district rules, receive legal advice regarding payments and reimbursements under the Tax Increment Reinvestment Zone (TIRZ) #22 finance and project plan, and receive legal advice regarding Gunler bankruptcy; under the authority of Section 551.072, real estate – discussion regarding possible sale, lease, conveyance and/or purchase of property in the Texas Triangle Park, central, west, east 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, City Attorney; discussion regarding the annual performance reviews of the City Secretary, City Attorney, and City Internal Auditor; discussion regarding annual performance review of the City Manager and employment contract; discussion regarding appointment of Municipal Court Associate Judges and service contract, and discussion regarding appointments to quasi-judicial boards including Board of Sign Control and Appeals, BTU Board of Directors and Planning and Zoning Commission; 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.

3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION

The meeting was called into open session at 6:10 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

Monsignor John McCaffrey, St. Joseph Catholic Church, gave the invocation and representatives of the William Joel Bryan Chapter 14, Sons of the Republic of Texas, led the pledges.

5. PROCLAMATIONS AND PRESENTATIONS

A proclamation recognizing Mr. Steve Gongora for his dedication to the community was presented.

6. HEAR CITIZENS

Mr. Larry Gilbert, 2902 Highway 21 West, and Mr. Victor Thomas, 1802 Pin Oak, asked that a traffic count be conducted on Martin Luther King Boulevard to determine traffic volume and that the street be reconstructed with concrete.

7. CONSENT (AUTOMATIC APPROVAL) AGENDA

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

- a. **Approval of Minutes** – Workshop and Regular Meetings of October 14, 2014, Special Meeting of October 20, 2014, and Workshop and Regular Meetings of October 28, 2014.
- b. **Consideration - Blanket Purchase Order with Motorola for Replacement of Fire Department and Police Department Mobile and Portable Radios**

Consider approving a blanket purchase order (BPO) with Motorola, in an amount not to exceed \$600,000, for the replacement of Fire Department and Police Department mobile and portable radios due to the Intent-to-Cancel Notice from Motorola concluding support for the City's mobile and portable radios effective December 31, 2018. Source of Funds: General Fund.

- c. **Consideration - Extension of Annual Price Agreement for Mowing Services with Green Team, Inc.**

Consider approving a second extension of the annual price agreement between the City of Bryan and Green Team, Inc., for right-of-way mowing services in an amount not to exceed \$62,528. Source of Funds: General Fund.

8. STATUTORY AGENDA

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

- a. **Consideration – Fiscal Year 2015 Funding for Brazos Central Appraisal District**

Consider approving expenditures for the Brazos Central Appraisal District (BCAD) for services provided to the City of Bryan in the amount of \$245,604 for Fiscal Year 2015 pursuant to Chapter 6.06 (D) of the Property Tax Code. Source of Funds: General Fund.

- b. **Consideration - Extension of Annual Price Agreement for Mowing Services with Rios Tree Service, Inc.**

Consider approving a second extension of the annual price agreement between the City of Bryan and Rios Tree Service, Inc., for right-of-way mowing services in an amount not to exceed \$316,846.16. Source of Funds: General Fund.

c. First Reading of an Ordinance – Commercial Color Palette

First reading of an ordinance of the City of Bryan, Texas, amending Chapter 62, Land Site Development, by adding Article X, Division 3, Subsections 62-680 through 62-688, of the City of Bryan Code of Ordinances, providing for the establishment of an exterior commercial color palette; providing for penalty; providing for publication; and providing an effective date.

d. First Reading of an Ordinance – Building Design Standards

First reading of an ordinance of the City of Bryan, Texas, amending Chapter 2, Administration, by adding Division 16, Subsections 2-410 through 2-412, and Chapter 62, Land and Site Development, by adding Article X, Division 1, Subsections 62-670 through 62-679, and Article X, Division 2, of the City of Bryan Code of Ordinances, providing for the establishment of building design standards and a design review board; providing a penalty clause; providing for publication; and providing an effective date.

9. REGULAR AGENDA

Consideration – Appointment of Individuals to Various Advisory Boards and Committees

Councilmember Peña moved to nominate Police Chief Eric Buske to serve on the 9-1-1 Board of Managers and to reappoint Councilmember Konderla, Lance Parr, Ron Schmidt and Richard Cortez to serve on the Bryan Animal Center Advisory Committee. The motion was seconded by Councilmember Saenz and carried unanimously. The Council then voted to approve the nomination of Anna Laxson to the Joint Relief Funding Review Committee and Mike Southerland to the Twin Cities Endowment, Inc., Board.

10. COUNCIL COMMITTEE REPORTS

Councilmember Horton reported on a recent meeting of the City of Bryan/Bryan ISD Joint Committee.

11. CITY MANAGER REPORT

Mr. Register did not provide a report.

12. ITEMS OF COMMUNITY INTEREST

Councilmembers mentioned the following items of community interest: dedication of the Vietnam Veterans Memorial in downtown Bryan, new exhibit at the African American Museum, First Friday in downtown, town hall meetings, other Veterans Day events, Milam Elementary School government study, Aggies Go to War feature film, third grade dictionary project, presentation to Huntsville Rotary Club, state of the City report, and the Bryan-College Station Chamber of Commerce banquet. Veterans were thanked for their service to our country. Colonel Bentley Nettles was congratulated on winning the Congressional Veteran Commendation. BTU was congratulated on an outstanding customer service rating. Mr. Steve Gongora was again thanked for his service to the community. The Bryan High School football team was congratulated for winning the Brazos Boot in the “cross town showdown” with A&M Consolidated High School and for winning the district championship. City staff was thanked for hosting a fundraiser for the local United Way.

At 6:51 p.m., the meeting was reconvened in executive session 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 payments and reimbursements under the Tax Increment Reinvestment Zone (TIRZ) #22 finance and project plan, and receive legal advice regarding Gunler bankruptcy; under the authority of Section 551.072, real estate – discussion regarding possible sale, lease, conveyance and/or purchase of property in the Texas Triangle Park, central, west, east 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, City Attorney; discussion regarding the annual performance reviews of the City Secretary, City Attorney, and City Internal Auditor; discussion regarding annual performance review of the City Manager and employment contract; discussion regarding appointment of Municipal Court Associate Judges and service contract, and discussion regarding appointments to quasi-judicial boards including Board of Sign Control and Appeals, BTU Board of Directors and Planning and Zoning Commission; 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.

The meeting was called into open session at 9:51 p.m. in the Council Chambers. At this time, Councilmember Peña was absent, having left the meeting following executive session. Councilmember Horton moved to approve a new five-year contract with City Manager Kean Register under the same terms and conditions as the prior contract, with a six percent increase in salary. The motion was seconded by Councilmember Konderla and carried with five yeases, one no (Councilmember Saenz) and one absent (Councilmember Peña). Mayor Bienski moved to reappoint Kevin Krolczyk and Prentiss Madison to the Planning and Zoning Commission. The motion was seconded by Councilmember Hughes and carried with all present voting aye. The Council then voted to approve the nomination of Kyle Incardona to the Planning and Zoning Commission.

13. ADJOURN

Without objection, the meeting was adjourned at 9:55 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski