

**BRYAN CITY COUNCIL
MINUTES OF REGULAR MEETING
DECEMBER 3, 2014**

A regular meeting of the Bryan City Council was held on Wednesday, December 3, 2014, in Room 305 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, Mike Southerland, Art Hughes and Chuck Konderla were present. Also present were Deputy City Manager Hugh Walker, City Attorney Janis Hampton and City Secretary Mary Lynne Stratta.

1. CALL TO ORDER

The meeting was called to order at 12:06 p.m.

2. CONSENT (AUTOMATIC APPROVAL) AGENDA

It was announced agenda item 2 c would not be considered since the first reading of the proposed ordinance was not approved. Agenda item 2 a was removed from the consent agenda for separate consideration at the request of two Councilmembers, following a withdrawn motion by Councilmember Konderla to approve the consent agenda. Councilmember Konderla moved to approve the remaining items on the consent agenda, being agenda items 2 b and 2 d. The motion was seconded by Councilmember Owens and carried unanimously.

b. Second and Final Reading of an Ordinance – Right-of-Way Abandonment (RA14-09)

Second and final reading of Ordinance No. 2079 providing for the abandonment of the following public right-of-way, to wit: 2,000 square feet of unimproved public alley right-of-way adjacent to Lots 4, 5, 9 and 10 in Block 10 of the Washington Heights Subdivision, extending 100 feet northeast from Red Oak Street between Madison and Wellington Avenues in Bryan, Brazos County, Texas; authorizing the conveyance thereof to the abutting property owners and providing for the terms and conditions of the abandonment and conveyance.

c. Second and Final Reading of an Ordinance – Oil and Gas Fund

This item was not considered since the proposed ordinance did not pass first reading.

d. Second and Final Reading of an Ordinance – Appointment of Municipal Court Judges

Second and final reading of Ordinance No. 2080 of the City Council of the City of Bryan, Texas, appointing municipal court judges for the Bryan Municipal Court of Record and setting length of term of appointment.

Council then considered the agenda item removed from the consent agenda for separate consideration.

a. Second and Final Reading of an Ordinance – Rezoning Request (RZ14-20)

Mayor Bienski moved to approve the second and final reading of Ordinance No. 2081 to amend Chapter 130, Zoning, of the City of Bryan Code of Ordinances by changing the zoning classification from a combination of Agricultural-Open District (A-O), Planned Development Mixed-Use District (PD-M), and Retail District (C-2) to Planned Development Mixed-Use District (PD-M) on 36.092 acres of land out of the John H. Jones Survey, A-26, adjoining the southwest side of South Traditions Drive, generally located southwest of its intersection with Club Drive in Bryan, Brazos, County, Texas. The motion was seconded by Councilmember Konderla. Councilmember Peña moved to postpone consideration until the City hired its own appraiser to appraise the value of the property. The motion was seconded by Councilmember Saenz. Councilmember Southerland moved to postpone consideration until the staff reviewed the rezoning to be certain it complied with the Chapter 380 agreement relative to this property. The motion was seconded by Councilmember Peña, who withdrew his motion to postpone consideration. The City Attorney explained the rezoning request had to be considered on its own merits and that the Chapter 380 agreement had no bearing on the rezoning. She advised the time to dispute the value of the property was at the time of sale. The motion to postpone failed to carry with three yeases (Councilmembers Saenz, Peña and Southerland) and four noes (Mayor Bienski and Councilmembers Owens, Hughes and Konderla). The main motion carried with four yeases (Mayor Bienski and Councilmembers Owens, Hughes and Konderla) and three noes (Councilmembers Saenz, Peña and Southerland).

3. REGULAR AGENDA

Consideration – Appointment of Councilmembers and Individuals to Boards and Committees

Councilmember Konderla moved to appoint Councilmembers to various board and committees as follows: Councilmember Mike Southerland – Brazos Valley Veterans Memorial Board, Brazos Valley Wide Area Communication System Board, City of Bryan/Bryan ISD Committee alternate member and Community Emergency Operation Center Policy Board; Councilmember Art Hughes – Bryan Business Council non-voting liaison, BTU Board non-voting liaison and Audit Committee; Councilmember Chuck Konderla – Texas A&M University Student Senate liaison, City of Bryan/Bryan ISD Committee, Intergovernmental Committee and Research Valley Partnership Technology Committee; Councilmember Rafael Peña – alternate as the Texas A&M University Student Senate liaison and City of Bryan/Bryan ISD Committee; Mayor Jason Bienski – Intergovernmental Committee; Councilmember Al Saenz – City of Bryan/Bryan ISD Committee and Texas Workforce Commission Special Task Force; and Councilmember Greg Owens – Audit Committee, Intergovernmental Committee, Research Valley Partnership Technology Committee and the Brazos County Public Health Board as soon as a position is vacated. The motion was seconded by Councilmember Saenz and carried unanimously. Then the Council voted to appoint Councilmember Konderla to the Audit Committee with four votes (Mayor Bienski and Councilmembers Owens, Hughes and Konderla) and three votes for Councilmember Southerland (Councilmembers Saenz, Peña and Southerland). Councilmember Hughes was named as Chair of the Audit Committee with six voting for the appointment and one against (Councilmember Saenz). Mr. Dennis Goehring was appointed to the Twin Cities Endowment, Inc., Board with four voting for his appointment (Mayor Bienski and Councilmembers Owens, Hughes and Konderla) and three voting for Alexander Rubio (Councilmembers Saenz, Peña and Southerland). Mayor Bienski moved to appoint Aliza Dirden to the Investment Committee. The motion was seconded by Councilmember Owens and carried unanimously.

4. ADJOURN

Without objection, the meeting adjourned at 12:28 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski