

**BRYAN CITY COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 27, 2015**

A regular meeting of the Bryan City Council was held on Tuesday, January 27, 2015, in Room 305 and the Council Chambers of the Bryan Municipal Building. A notice of the meeting was 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 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 3:40 p.m.

2. EXECUTIVE SESSION

The meeting was called into executive session at 3:41 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 Council ethics policy, receive legal advice regarding possible tri-party agreement between Blinn College, Rivergate Church and the City, receive legal advice regarding compliance with the Texas Open Meetings Act, and receive legal advice regarding utilization of lease revenue bonds; 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, and Council self-evaluation, and discussion regarding appointment of individuals to the Design Review Board; under the authority of Section 551.086, competitive matters – discussion regarding competitive matters related to Bryan Texas Utilities; 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. AND TEXAS FLAGS

Pastor Michael Gillen, Abundant Life Assembly of God, gave the invocation and Mrs. Doris Emshoff, William Scott Chapter of the Daughters of the American Revolution, led the pledges.

5. PROCLAMATIONS AND PRESENTATIONS

Texas A&M University students presented information regarding the Big Event and a video produced by the City's Communications and Marketing Department was shown.

6. HEAR CITIZENS

Ms. Debra Miller, 714 Williamson Drive, spoke about the condition of Martin Luther King Boulevard. Dr. Barret Lyne, 18075 FM 974, spoke about the need for a Council water committee and the City of San Antonio taking water from the local aquifer.

7. CONSENT (AUTOMATIC APPROVAL) AGENDA

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

a. Approval of Minutes – Special Meeting of January 12, 2015, and Workshop and Regular Meetings of January 13, 2015

b. Consideration – Contract for Water Storage Tank Rehabilitation

Consider approving a professional services contract for specification development and project management for the rehabilitation of an existing 500,000 gallon ground storage tank and a 1,000,000 gallon elevated storage tank with Dunham Engineering, Inc., in an amount not to exceed \$90,000. Source of Funds: Water Services Operating Budget.

c. Second and Final Reading of an Ordinance – Right-of-Way Abandonment (RA14-01)

Second and final reading of Ordinance No. 2083 of the City of Bryan, Texas, providing for the abandonment of the following public right-of-way, to wit: a 0.07 acre portion of a 20-foot wide public alley right-of-way extending east-to-west between North Houston and North Texas Avenues in Block 43 of the Bryan Original Townsite, as well as a 12-foot wide portion of East 24th Street and a 15-foot wide portion of North Houston Avenue rights-of-way cumulatively 0.13 acre in size, both lying adjacent to Block 43 of the Bryan Original Townsite between North Texas Avenue and North Houston Avenue and East 23rd and East 24th Streets, respectively, authorizing the conveyance thereof to the abutting property owner and providing for the terms and conditions of abandonment and conveyance.

d. Second and Final Reading of an Ordinance - Updating Bryan-College Station Public Library System Fines and Fees

Second and final reading of Ordinance No. 2084 of the City of Bryan, Texas, rescinding Ordinance No. 1647, establishing fines, fees and charges to be charged and collected by the Bryan-College Station Public Library System.

8. STATUTORY AGENDA

Councilmember Peña moved approval of the statutory agenda. The motion was seconded by Councilmember Konderla and carried unanimously.

a. Consideration – Contract for Highway Safety Improvement Grant Project

Consider awarding an engineering design contract for the Highway Safety Improvement Grant Project to HDR, Inc., in an amount not to exceed \$196,712.00. Source of Funds: Transportation Fee.

b. Resolution – Owner-Requested Annexation (ANNEX 15-01)

Adoption of Resolution No. 3591 of the City Council of the City of Bryan granting a petition seeking annexation of 2.032 acres of vacant land out of Maria Kegans Survey, Abstract No. 28, adjoining the southeast side of Elmo Weedon Road approximately 825 feet to 1,050 feet north from its intersection with State Highway 30/F.M. 158 in Brazos County, Texas, lying adjacent and contiguous to the present corporate limits of the City of Bryan; adopting a timetable for completing annexation and directing City staff to perform activities necessary for the initiation of annexation proceedings, as required by State law. (*Adopción de resolución numero 3591 del Consejo Municipal de la ciudad de Bryan concediendo una petición solicitando anexión de 2.032 acres de terreno vacío del Maria Kegans Survey, Abstract No. 20 contiguo a lado sureste del camino Elmo Weedon aproximadamente 825 pies a 1,050 pies al norte desde su intersección con la carretera estatal 30/F.M. 158 en el condado de Brazos, Texas adyacente y contiguo a los límites corporativos actuales de la ciudad de Bryan, y adoptar un horario de trabajo para cumplir la anexión y dirigiendo a personal de la ciudad para llevar a cabo las actividades necesarias para la iniciación de los procedimientos de anexión, como requerido por ley estatal.*)

c. First Reading of an Ordinance – Amending Chapter 98 of the Bryan City Code of Ordinances

First reading of an ordinance of the City of Bryan, Texas, amending Sections 98-121 and 98-122 of Chapter 98 of the Bryan City Code of Ordinances; transferring authority to hear and act upon appeals of interpretations of and variances denied under the requirements of Chapter 98 (Signs) of the Bryan City Code of Ordinances from the Board of Sign Control and Appeals to the Zoning Board of Adjustment.

d. First Reading of an Ordinance – Amending Chapter 50 of the Bryan City Code of Ordinances

First reading of an ordinance of the City of Bryan, Texas, amending Chapter 50 of the Bryan City Code, “Health and Sanitation,” Article II, “Food Service Establishments”, Section 50-23 and 50-24, requiring closure by food establishments operating without a permit and the payment of re-inspection fees; providing procedures for the suspension and revocation of food establishment permit to include a hearing process upon the revocation of a food establishment permit and reapplication procedures to include payment of required fees and an opening compliance inspection; establishing the failure to pay required fees as grounds for a permit suspension; repealing all ordinances or parts of ordinances in conflict therewith; providing a savings clause; providing a severability clause; providing for codification; finding and determining that the meetings at which the ordinance is passed are open to the public as required by law; and providing for an effective date.

9. REGULAR AGENDA

a. Consideration – Direction to City Manager Regarding Pool Repairs and Opening Dates

Councilmember Southerland moved to provide direction to the City Manager to have all city pools repaired and open to the public for use by May 30, 2015, with the funding source of the General Fund reserve up to \$1,500,000. The motion was seconded by Councilmember Peña. Discussion followed about the condition of Sadie Thomas Pool and it was noted that if the pool could not be repaired and had to be rebuilt, the rebuild could not be completed by the end of May. Mr. Register assured the Council that as soon as the pool consultant provided his report, the City

would proceed with obtaining bids for the work and bringing contracts forward for Council consideration. It was stressed the focus of the Council was to have all four City pools open. Mr. Register advised the staff would do everything possible to complete that task. The motion carried unanimously.

b. Consideration – Council Water Committee

Councilmember Southerland moved to direct the City staff to prepare for City Council consideration an ordinance or resolution creating a standing Council committee to act in an advisory capacity to the City Council on specific issues regarding water services or water/wastewater issues. The motion was seconded by Councilmember Konderla. Councilmembers shared their thoughts about the operation of the committee. Councilmember Southerland withdrew the motion and then moved that the staff be directed to formulate an ordinance creating a Council standing water committee that will act on the direction of the Council, but can bring forward issues to the Council itself for Council assignment consideration, and that shall meet at least quarterly or more often as needed. The motion was seconded by Councilmember Konderla and carried unanimously.

10. COUNCIL COMMITTEE REPORTS

Councilmembers Saenz, Konderla, Southerland, Hughes and Owens presented reports on recent meetings of the Brazos County Board of Health, Bryan Animal Center Advisory Board, Brazos Valley Wide Area Communications System Board, Brazos Valley Solid Waste Management Agency Board of Directors and the City of Bryan Audit Committee, respectively.

11. CITY MANAGER REPORT

Mr. Register provided an update on several capital improvement projects.

12. ITEMS OF COMMUNITY INTEREST

Councilmembers shared the following items of community interest: Brazos Valley African American Museum banquet, downtown Bryan Mardi Gras celebration and Valentine’s Day festivities, Lunar New Year celebration in downtown Bryan, town hall meetings, annual Martin Luther King march, Environmental Services staff kudos, the Big Event registration, Upper Burton Creek Neighborhood Association concerns, feedback about citizen concerns, meeting with the Police Chief, grand opening of Children’s Museum and their Daddy-Daughter Dance, etc. Councilmember Saenz was wished a happy birthday.

13. ADJOURN

Without objection, the meeting was adjourned at 7:07 p.m.

City Secretary Mary Lynne Stratta

Mayor Jason P. Bienski