



Council questions and staff responses for items on December 9, 2021 City Council Meeting

Item 7.3- Presentation, discussion, and possible action on an amendment to a Frontier Communications agreement for internet services not to exceed \$187,164.

Sponsor: Sam Rivera

Question: What is Frontier's relationship with COCS?

Response: The city uses Frontier for internet access, all non-emergency phone line circuits, management of the Northgate emergency call boxes, and management (thru Brazos 911) of 911 emergency call lines. The agenda item in question only deals with our internet connection.

Item 7.5- Presentation, discussion, and possible action regarding a resolution and interlocal agreement renewing the annual reconfirmation and use of services and equipment to be provided by the City in the event of a radiological incident at the Texas A&M University Nuclear Science Center.

Sponsor: Richard Mann

Question: I understand that this addresses nuclear aspect specifically, but is this also the only time in the calendar year that we reconfirm our ILA on fire services between us and TAMU?

Response: Currently, this is the only item brought to council annual regarding Fire / EMS services to TAMU annually. This item specifically addresses response to the nuclear facility to demonstrate to the Nuclear Regulatory Commission that there is a response agreement / plan in place as required for the annual inspection of the nuclear facility. CMO is working with TAMU regarding a broader strategic MOU for Fire/EMS services to the main campus as an update to the 1971 agreement for fire service to the campus.

Item 7.6 - Presentation, discussion, and possible action regarding adoption of a resolution consenting to the issuance of bonds by the Brazos County Municipal Utility District No. 1 in an amount not to exceed \$1,590,000 for road improvements (the "Bonds").

Sponsor: Mary Ellen Leonard

Question: Do we have any financial obligation to these bonds? Why is our approval necessary? Are we the guarantor? Do we incur any fees?

Response: The city has no financial obligation on the bonds. We are not the guarantor and do not incur any fees. Per the development agreement, the city has to approve the bonds for the MUD district in case that area is ever annexed as the tax rate in that area would be different due to the MUD bonds.

Item 7.7- Presentation, discussion, and possible action regarding the award of a contract to TransGard LLC for the purchase, delivery, and installation of animal deterrent fencing at two (2) electric substations for an amount not to exceed \$120,072.

Sponsor: Timothy Crabb

Question: I noticed that birds were specifically mentioned, but I wondered if the “animal deterrent” would also address squirrels as they seemed to be the culprit in the last 2 electricity outages in Emerald Forest that occurred in just the last couple of weeks.

Response: If birds were mentioned in this item, it was purely an oversight. TransGard fencing in the substation is to “keep wildlife (snakes, squirrels, and other land animals) from entering substation areas and risking damages and/or outages”. The fencing is about 3’ high and will not prevent bird related outages in the substation, so the substation is still patrolled to try to prevent these. Since the installation of these fences in our other substations, we have eliminated the wildlife related outages we had seen in the past.

The installation of these fences in the substations will not affect outages in the field caused by wildlife.

Item 7.10- Presentation, discussion, and possible action regarding approval of Change Order 1 for the City’s annual price agreement with KBS Electrical Distributors, for electric warehouse inventory of Page 3 of 226 City Council - Amended Page 4 December 9, 2021, single-phase transformers in the amount of \$165,550 for an increase not to exceed total amount of \$820,090.

Sponsor: Mary Ellen Leonard

Question: The cover letter attached says according to State of Texas Local Gov’t Code 252 that Unit Bid Pricing cannot exceed original Unit Bid Pricing by more than 25%, yet the increase appears to be 25.31% which is more than the allowed 25%. I am sure the fault is in my understanding, but how can we be charged more than the gov’t code allows?

Response: Under a resolution adopted in November 2011, that states under the “Exceptions to Procedures” section in Exhibit A, CMO would only need to determine that a compelling business reason existed to deviate from the Ch. 252 requirements. Procurement is necessary to respond to fluctuating market conditions wherein potential delays in the normal process could affect CSU’s ability to provide services.

These are critical needs inventory items for electric. While 25% is the legal limit on a change order, the increase of 25.31% on the change order was proposed under the adopted resolution. The resolution is attached and should have been attached to the original coversheet.

Item 7.11- Presentation, discussion, and possible action on approval of a Chapter 380 Economic Development Agreement between the City of College Station and FUJIFILM Diosynth Biotechnologies Texas, LLC regarding approximately 12.45 acres on Biomedical Way on Lot 2, Block 1 of Traditions Phase 23 filed in volume 11293 page 184 of the Official Deed Records of Brazos County, Texas.

Sponsor: Natalie Ruiz

Question: On the development agreement with Fujifilm Diosynth Biotechnologies, I would like a clearer explanation of the table that shows the incentive value by year. I am not sure what “shared revenue” means (is this total tax revenues paid to the two cities?) and I don’t understand the twice repeated % values after each year of the agreement.

Response: The Interlocal Cooperation and Joint Development Agreement (ILA) for the Biocorridor provides for a 50%/50% sharing of the O&M portion of the total tax rate. Because this project is located in the Biorcorridor area, it is subject to the terms of the ILA. Therefore, the cash incentive calculation is really two pieces: the incentive, reflected on a percentage basis, considers the full debt side of the tax rate and half of the O&M side. For example, for Year 1, based on the ad valorem revenues, the total cash incentive is 90% of the debt side plus 90% of half of the O&M. The other half of the O&M revenues goes to the City of Bryan.

Staff will be available to discuss further in Executive Session Thursday.

Item 7.15- Presentation, discussion, and possible action regarding an amendment to the Development Agreement of the Brazos County Municipal Utility District No. 1 between the City of College Station, Texas and McAlister Opportunity Fund 2012, LP amending Exhibit “B” (the General Plan).

Sponsor: Molly Hitchcock

Question: Re: Southern Point annexation - isn’t it either agreed or assumed that when complete, SP will join COCS?

Response: Yes, the city stated its intent to annex the Brazos County MUD #1 through the Strategic Partnership Agreement (SPA) that it entered into with the MUD No. 1 Board on May 16, 2016. The SPA outlines the terms and conditions for the future annexation of the MUD by mutual consent

Item 8.1 Presentation, discussion, and possible action regarding options for Egremont Court.

Sponsor: Emily Fisher

Question: How old is this street? What year was it constructed?

Response: The street was completed 9 years ago in 2012. More details on this item will be given in the presentation to council.

Item 8.3- Presentation, discussion, and possible action regarding an appointment to the Brazos Central Appraisal District.

Sponsor: Ian Whittenton

Question: How did we solicit applicants for this opening? It is not , for instance , listed on the list of boards and commissions at [https://www.cstx.gov/departments city hall/committees](https://www.cstx.gov/departments_city_hall/committees) so I am wondering what the mechanism is to apply to this board and how the public outreach was done.

Response: In the past, we have not advertised for this appointment. We have received recommendations from either the Appraisal District or the Council. Ron Kaiser has been on the Board for 11 years and has expressed his desire to continue to serve. We have received an email from the Appraisal District stating they would be pleased to have him continue in that capacity, if that is Council's decision. Mr. Kaiser has stated this will be his last 2 years if appointed. In the future, we are looking at syncing this process to that of the other council appointed boards and committees.