



*College Station, Embracing the Past,
Exploring the Future*

Mayor
Ron Silvia
Mayor Pro Tempore
Anne Hazen
City Manager
Thomas E. Brymer

City Council
John Happ
Robert Wareing
Scott Mears
Dennis Maloney
James Massey

Draft Minutes
College Station City Council
Workshop and Regular Meetings
Thursday, January 22, 2004 at 3:00 p.m. and 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL MEMBERS PRESENT: Mayor Silvia, Mayor Pro Tem Hazen, Council members Massey, Happ Wareing, Mears, Maloney, Massey

STAFF PRESENT: City Manager Brymer, Assistant City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Director of Development Services Templin, Director of Budget and Strategic Planning Kersten, Director of Public Relations and Communications Nugent, Director of Fiscal Services Cryan, Assistant to the City Manager Curtis, Assistant City Secretary Casares

Mayor Silvia opened the workshop meeting at 3:06 p.m.

Workshop Agenda Item No. 1 – Discussion of consent agenda items listed for Regular council Meeting.

No items were removed for discussion.

Workshop Agenda Item No. 2 – Presentation, discussion and possible action regarding the Bryan-College Station Convention and Visitors Bureau's Conference Center feasibility study and February 7, 2004 venue tax election called by Brazos County.

City Manager Brymer remarked that at the November 25, 2003 Council meeting, Council discussed the venue tax election called by Brazos County. At that time, the Council determined that it would not take any position on the venue tax for the Brazos Center until the results of the Convention and Visitors Bureau's conference center feasibility study was received.

Berry Biggar, President/CEO of the Convention and Visitor's Bureau presented an overview of the draft executive summary of the feasibility study and suggested criteria and process for the continuation of City of College Station's proposed Conference Center. Mr. Bigger remarked that the executive summary of the feasibility study from C.H. Johnson Consulting, Inc., and based on the market study, the consultants recommended "a high quality convention/conference facility". Also, the summary recommended approximately 200+ hotel rooms be developed proximate to, or integrated with the facility.

Randy Sims, 206 Hearthstone, conveyed positive comments regarding the venue tax election.

Council member Maloney moved to take a position of non-support of the proposed venue tax election. Mayor Pro Tem Hazen seconded the motion.

Following further comments by council, Council member Massey moved to table any consideration regarding the venue tax until further information was obtained. Mayor Pro Tem Hazen seconded the motion, which carried unanimously, 7-0.

FOR: Silvia, Hazen, Massey, Happ, Wareing, Mears, Maloney
AGAINST: None

Council recessed at 4:15 p.m. for a short break and returned to the workshop meeting at 4:30 p.m.

Workshop Agenda Item No. 3 – Presentation, discussion and possible action regarding goals and objectives of the Department of Public Communications.

Communications Director Becky Nugent presented an overview of the departments goals and objectives. Ms. Nugent also discussed Effective Communications, Short-term, Long-term Goals, Media policy and three areas of the City's Strategic Plan.

No formal action was taken.

Workshop Agenda Item No. 4 – Presentation, discussion and possible action providing Council direction and possible policy changes on the use and computation of user fees.

This item was postponed until the February 12, 2004 workshop meeting.

Workshop Agenda Item No. 5 -- Discussion and possible action on future agenda items – A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

Council member Mears and Council member Happ requested a joint meeting with the Planning and Zoning Commission regarding the review of the R-1 Zoning in the Unified Development Ordinance.

Mayor Pro Tem Ann Hazen requested an agenda item regarding student rental property in single family neighborhoods related to possible reduction of the number of unrelated individuals in a single family residents and regular inspection and licenses of rental property. Also, Mayor Pro Tem Hazen requested the establishment of the city's historical districts, including the University, as well as other possible avenues that other communities are pursuing.

Council member Wareing requested an agenda item regarding the review of the Council policy on adding future agendas items. City Manager Brymer noted that this item will be on the Council retreat agenda.

Workshop Agenda Item No. 6 -- Council Calendars

Agenda Planning Calendar as of January 16, 2004

January 16 Chamber of Commerce Board Meeting, 8:00 a.m.
 January 19 Martin Luther King Jr. Day City Hall Closed
 January 20 Chamber of Commerce Board Meeting, 8:00 a.m.
 January 21 Chamber of Commerce 2004 Economic Outlook Conference, 7:45 a.m.
 January 21 Research Valley Partnership Board of Directors Meeting, 3:00 p.m.
 January 26 Citizens University Session 1, 5:30 p.m.
 January 30 Council Retreat 9:00 a.m. – 4:00 p.m.
 January 30 College Station Fire Department Annual Recognition Banquet, 6:00 p.m.
 February 2 Citizens University Session 2, 5:30 p.m.
 February 6 AMCC, Galveston
 February 9 Citizen's University Session 3, 5:30 p.m.
 February 12 City Council Workshop and Regular Meeting
 February 16 Intergovernmental Committee Meeting, 12:00 p.m., Brazos County
 February 26 City Council Workshop and Regular Meeting

Workshop Agenda Item No. 7 – Executive Session

At 5:50 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071 and 551.087 of the Open Meetings Act, to seek the advice of the city attorney with respect to pending and contemplated litigation and competitive matter.

Cause No. 52,434-361, Brazos County – College Station v. Wolf Pen Creek, Ltd., et al.
 Case No. G-02-108, U.S. District Court – Lester v. College Station and Piersall.
 Cause No. 02-001154-CV-85; Brazos County – Municipal Drilling vs. College Station
 Cause No. 02-001291-CV-361, Brazos County – Piersall v. College Station and Feldman
 Cause No. 02-002445-CV-272, Brazos County – Evelyn L. Bruce v. College Station, C.D. Henderson, Inc., and Scott Elliott, d/b/a Elliott Construction
 Cause No. 03-000617-CV-272, Brazos County – TCA Holdings, et al. v. College Station
 Cause No. 03-CV-129115, Fort Bend County – College Station v. Contract Land Staff, Inc.
 TCEQ Docket No. 2002-1147-UCR; Applications of Brushy Water Supply and College Station (Westside/Highway 60)
 TCEQ Docket No. 2003-0544MWD; Application of Nantucket, Ltd.
 TXU Lone Star Gas Rate Request.
 Wellborn Special Utility District

Competitive Matter {Gov't Code Section 551.086}; possible action

The City Council may deliberate, vote, or take final action on a competitive matter in closed session. The City Council must make a good faith determination, by majority vote of the City Council, that the matter is a Competitive Matter. A "Competitive Matter" is a utility-related matter that the City Council determines is related to the City of College Station's Electric Utility Competitive Activity, including commercial information, which if disclosed would give advantage to competitors or prospective competitors. The following is a general representation of the subject(s) to be considered as a competitive matter.

1. Marketing Plans and Strategy for College Station Electric Utilities

Workshop Agenda Item 8 --Final action on Executive Session, if necessary.

Council recessed from executive session at 6:55 p.m. No action was taken.

Regular Meeting

Mayor Silvia called the regular meeting to order at 7:00 p.m. with all council members present. He led the audience in the pledge of allegiance.

Mayor Silvia presented the Historic Home Plaque #73, 400 Walton Drive, to Mr. and Mrs. Hugh Lindsay.

Mayor Silvia presented the proclamation for School Board Recognition Month to Cheryl Wellford of the College Station School District.

Mayor Silvia presented the proclamation for Wear Red for Women Day to Abigail Johnson.

Mayor Silvia presented the proclamation for Larry Ringer Day to Larry Ringer former Council member and Mayor of College Station.

8. Hear Visitors:

Francine Ayres, 1023 Harrington, recommended that the City Council consider modifying the ordinance governing new construction and decrease the number of individuals living on a single family unit in order to preserve neighborhoods.

Consent Agenda

- 11.1 Approved by common consent the minutes for Workshop and Regular meetings January 8, 2004.
- 11.2 Bid No. 04-17 – Approved by common consent annual purchase agreement for PVC pipe and fittings with an annual estimated expenditure totaling \$149,750.40.
- 11.3 Approved by common consent first renewal of Bid #03-38 for crushed stone to be used at the Rock Prairie Road Landfill for the amount of \$215,600.00 annually.
- 11.4 Approved by common consent an exemption from competitive bidding for professional legal services as allowed in LGC 252.022(a)(4) for professional services related to litigation on the City's Water Well No. 6 by the law firm Coats & Rose.
- 11.5 Approved by common consent a proposal for long term disability (LTD) insurance.

Regular Agenda

Regular Agenda Item No. 12.1 -- Public hearing, discussion and possible action on a rezoning from C-3 Light Commercial to PDD Planned Development district for the Space Control Limited located at 3820 and 3910 Harvey road.

Director of Development Services Kelly Templin remarked that the applicant began the development of a mini-storage warehouse facility at 3820 Harvey under the Zoning Ordinance, which allowed the use in C-3, however, the use is no longer permitted in C-3 under the Unified Development Ordinance. The development at 3920

Harvey is grandfathered, but the applicant would like to expand their business into the neighboring property at 3910 Harvey. The rezoning will bring the developing use into compliance with the Unified Development Ordinance and allow for the expansion of the business.

The Planning and Zoning Commission recommended approval of the rezoning request with the following land uses:

- Mini-Storage Warehouse
- Offices
- Personal Service Shops

Mayor Silvia opened the public hearing.

Jessica Jimmerson, a local planning consultant representing the applicant, described the proposed rezoning and pointed out that it is in compliance with the 30/60 plan, the PDD Policy, the UDO, the City's Comprehensive Plan, Strategic Plan and the Code of Ordinances.

John Vilas, Chairman of the Harvey Hillside Architectural Control Committee, residing at 15 Ranchero, concurred with the Staff's recommendations.

Mayor Silvia closed the public hearing.

Council member Massey moved to approve **Ordinance No. 2690** rezoning the Space Control Limited Located at 3820 and 3910 Harvey Road from C-3 Light Commercial to PDD Planned Development District. Council member Maloney seconded the motion, which carried unanimously, 7-0.

FOR: Silvia, Hazen, Massey, Happ, Wareing, Mears, Maloney

AGAINST: None

Regular Agenda item No 12.2 -- Public hearing, discussion and possible action on a rezoning for Tract 9, consisting of 9.62 acres, and Tract 7, consisting of 5.22 acres, of the Kenneth W. Schick Addition, generally located on the southeast corner of Southwest Parkway and Wellborn Road, from A-O Agricultural-Open and C-1 General Commercial to 11.98 acres R-4 Multi-Family and 2.86 acres A-O Agricultural-Open.

This item was removed by the applicant.

Regular Agenda Item No. 13 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, College Station Business Development Corporation, Facade Improvement Program Advisory Committee, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, The Research Valley Partnership, Transportation Committee, Wolf Pen Creek Oversight Committee, Zoning Board of Adjustments, International Festivals Committee.

Council member Maloney conveyed positive comments of the Research Valley Partnership Committee and the International Festivals Committee meetings.

Council member Massey presented highlights of the Intergovernmental Committee.

Regular Agenda Item No. 14 -- The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for January 22, 2004.

Executive session concluded prior to the regular meeting.

Regular Agenda Item No 15 -- Final action on executive session, if necessary.

No action was taken.

Regular Agenda Item No. 16 --Adjourn.

Hearing no objections, the meeting adjourned at 8:00 p.m. Thursday, January 22, 2004.

PASSED and APPROVED this 12th day of February, 2004.

APPROVED:

Mayor Ron Silvia

ATTEST:

City Secretary Connie Hooks