



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

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

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

**Draft Minutes
College Station City Council
Workshop Meeting and Regular Meetings
Thursday November 13, 2003 at 3:00 p.m. and 7:00 p.m.
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas**

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

STAFF PRESENT: City Manager Brymer, Assistant City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Director of Fiscal Services Cryan, Director of Public Works Smith, Director of Office of Technology and Information Services Burnside, Director of Human Resources O'Connell, Director of Parks and Recreation Beachy, Recreation Supervisor, Hudspeth, Development Review Manager Ruiz, Assistant to the City Manager Alexander, Assistant City Secretary Casares

Mayor Silvia called the meeting to order at 3:00 p.m.

Workshop Agenda Item No. 1 -- Discussion of consent agenda items listed for Regular Council Meeting.

Item No. 9.4 – Contract No. 03-167 - Discussion and possible action on a professional services contract with Epsilon Engineering, Inc. in the amount of \$699,973.00 to provide conceptual design and contract documents for the proposed Interchange at Highway 6 at Barron Road and a route study for Barron Road East Access.

City Engineer Bob Mosley described the process for final design with TxDot.

Item No.9.18 –Discussion and possible action on amendment to the Subdivision Regulations regarding certifications on plats.

Greenways Program Manager Judy Downs described the process for fee greenway dedication. Director of Public Works Mark Smith defined fee simple dedication of greenways and explained the developer's options for dedication.

City Manager Tom Brymer noted on Consent Item No. 9.15 staff discovered an error on the field note description; staff had contacted the surveyor for the corrected information.

Workshop Agenda Item No. 2 -- Presentation, discussion and possible action regarding benefits provided in the community by College of Medicine at the Texas A&M University System Health Science Center.

Dr. Christopher Colenda, Dean of the College of Medicine at Texas A&M University System Health Science Center presented a brief overview of the College of Medicine philosophy and potential impacts on the community.

No formal action was taken.

Workshop Agenda Item No. 3 -- Presentation, discussion and possible action amending the City of College Station Comprehensive Plan by adopting the F&B Small Area Plan in an area bounded by Turkey Creek Road, Harvey Mitchell Parkway (FM 2818), and Raymond Stotzer Parkway (FM 60).

Staff Planner Trey Fletcher explained the purpose of the plan was to project future land uses and evaluate thoroughfare plan issues. The proposed F&B Small Area Plan consists of approximately 213.42 acres with a significant portion of the study area in the extra-territorial jurisdiction and may be considered for annexation in the future. Generally described as the area lying between Turkey Creek Road and Harvey Mitchell Parkway (FM 2818 north of Raymond Stotzer Parkway (FM 60). Staff will use the finding of this planning effort to develop further land use assumptions and project anticipated utility needs. Through the F&B Small Area Plan, Staff will address the following:

- Revise/assign future land uses
- Evaluate/assign thoroughfare classifications
- Develop scenarios and projections for water distribution and sewer capacity

Mr. Fletcher noted the primary planning considerations for this study area were:

- Land use pattern
- Utilities/Infrastructure
- Potential Floodplain
- Traditions
- Easterwood Airport
- Gateway

Mr. Fletcher described the public input process, which included meetings with Texas A&M University and the City of Bryan.

No formal action was taken.

Workshop Agenda Item No. 4 -- Presentation, discussion and possible action on an ordinance amending Chapter 3 "Building Regulations", of the Code of Ordinances by amending certain sections as set out, adopting the 2002 National Electrical Code and related amendments.

Lance Simms remarked that the National Electrical Code is published by the National Fire Protection Association and updated every three years by issuing a new edition. The City of College Station is currently operating under the 1999 Edition of the National Fire Protection.

The 2002 National Electrical Code contains numerous changes when compared to the 1999 National Electrical Code, most of which are designed to provide clarity for existing code provisions. However there are new provisions and significant changes included into 2002 National Electrical Code. Mr. Simms described a summary of changes to the National Electrical Code.

The Construction Board of Adjustments and Appeals and staff recommended approval.

No formal action was taken.

Workshop Agenda Item No. 5 -- Presentation, discussion and possible action regarding the appointment of a City of College Station representative to the Texas Municipal Power Agency Regional Park Project Advisory Board.

City Manager Tom Brymer explained that the Brazos Valley Council of Governments (BVCOG) is working to develop a regional park. An advisory board has been formed to provide input into the park development process. The Brazos Valley Council of Governments goal is to have representation on the board from each local government entity in the region. Currently, Mr. Beachy serves on the TMPA Regional Park Project Advisory board. However, the Brazos Valley Council of Governments had requested that a City Councilmember be appointed to the advisory board.

Mayor Pro Tem Hazen appointed Council member Scott Mears to the Texas Municipal Power Agency Regional Park Project Advisory Board. Council member Happ seconded the motion, which carried unanimously, 7-0.

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

Workshop Agenda Item No. 6 -- Council Calendars

2003 Council Meeting dates

Agenda Planning Calendar as of November 7, 2003

November 10 AMTRAK Presentation – 9:30 a.m. The Hilton

November 10 Canvass Election – 5:00 p.m. Council Chambers

November 11 Veteran’s Day Ceremony – 5:30 p.m. Veterans Park and Athletic Complex

November 12 McLane Leadership in Business Award Function – 6:00 p.m. Bush Conference Center

November 13 City Council Workshop and Regular Meeting

November 14 Employee Banquet – 6:30 p.m. Brazos Center

November 17 Intergovernmental Committee Meeting - Noon @ City of College Station

November 18 Chamber of Commerce Board Meeting – 8:00 a.m. Chamber of Commerce

November 18 “Exploring College Station History” Lecture Series – 7:00 p.m. CS Conference Center

November 19-22 TML Annual Conference and Exhibition – San Antonio
November 19 Leadership Brazos State and Local Govt. Day – 8:00-11:30 a.m. CS Municipal Court Building
November 19 “Exploring College Station History” Lecture Series 0 11:00 a.m. CS Conference Center
November 19 Research Valley Partnership Board of Directors Meeting – 3:00 p.m.
November 25 City Council Workshop and Regular Meeting
November 27 – 28 Thanksgiving Holiday
December 1 Dedication of the P. David Romei Arts Center – 4:00 p.m.
December 2 Transportation Committee Meeting – 5:00 p.m. City Hall
December 2 Keep Brazos Beautiful Annual Dinner – Time and Location TBA
December 4 City Council Workshop and Regular Meeting
December 9 – 13 National League of Cities – Nashville, Tennessee
December 16 Chamber of Commerce Board Meeting– 8:00 a.m. @ Chamber
December 17 Research Valley Partnership Board of Directors Meeting – 3:00 p.m.
December 18 City Council Workshop and Regular Meeting
December 24 – 25 Christmas Holiday City Hall Closed

Council reviewed the upcoming events.

Workshop Agenda Item No. 7 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

At 4:35 p.m., Mayor Silvia announced in open session that the Council would convene into executive session pursuant to Sections 551.071, 551.074 and 551.087 of the Open Meetings Act, to seek the advice of the city attorney with respect to pending and contemplated litigation, the evaluation of a public officer and to consider economic development negotiations.

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

Economic Incentive Negotiations {Gov’t Code Section 551.087}; possible action

The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect.

After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

1. Office Building - Crescent Pointe

Personnel {Gov't Code Section 551.074}; possible action

The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

1. City Attorney Evaluation
2. City Council Evaluation
3. City Manager Evaluation

Workshop Agenda Item No. 12 -- Final action on Executive Session, if necessary.

Council recessed from executive session at 6:50 p.m. No action was taken.

Regular Agenda

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. Joe Dan Franklin, College Station Police Chaplain presented the invocation.

Preston Tyree representing the League of American Bicyclists, presented a certificate recognizing the City of College Station designation as a Bicycle Friendly Community.

Mayor Silvia presented a proclamation for March of Dimes to Michael Neely, Director of March of Dimes.

Mayor Silvia along with John Woody and Carol Baker Roach presented gift certificates to the first place winners of the Kids Press Corp.

Mayor Jay Don Watson presented Mayor Silvia the Brazos Boot award.

8.1 Hear Visitors:

Sherry Ellison, 2705 Brookway Drive, publicly thanked Greenways Program Manager Judy Downs for her service regarding the public greenways within the City of College Station.

Consent Agenda

- 9.1 Approved by common consent minutes for the workshop and regular meeting of September 23, 2003.
- 9.2 Bid No. 04-05 – Approved by common consent the annual purchase agreement for various Automotive and Truck Parks in the amount of \$102,000.00.

- 9.3 Bid No. 04-08 – Approved by common consent the annual agreement to purchase prestressed spun cast concrete poles in the amount of \$78,774.00.
- 9.4 Contract No. 03-167 – Approved by common consent a professional services contract with Epsilon Engineering, Inc. in the amount of \$699,973.00 to provide conceptual design and contract documents (Plans, Specifications and Estimates) for the proposed Interchange at Highway 6 at Barron Road and a route study for Barron Road East Access.
- 9.5 Approved by common consent a Mutual Aid Agreement between all the entities, which comprise the Brazos County Interjurisdictional areas.
- 9.6 Approved by common consent **Joint Resolution No. 11-13-2003-9.6** establishing an Interjurisdictional Emergency Management Program.
- 9.7 Approved by common consent an interlocal agreement between the City of College Station and the Texas Department of Public Safety.
- 9.8 Approved by common consent **Resolution No. 11-13-2003-9.8** determining a public necessity to acquire a fee simple interest in certain property; giving notice of an official determination to acquire a fee simple interest in property for the Dowling Road 10 Million Gallon Ground Storage Tank Project; and establish procedures for the acquisition of a fee simple interest in property.
- 9.9 Approved by common consent **Resolution No. 11-13-2003-9.9** awarding a contract to Young Construction in the amount of \$186,056 for the rehabilitation of portions of Longmire Drive and Westridge Street.
- 9.10 Approved by common consent an advanced funding agreement with the Texas Department of Transportation to include the City of College Station Texas Avenue Utilities Relocation Project in the Texas Department of Transportation Texas Avenue Widening Project.
- 9.11 Approved by common consent **Resolution No. 11-13-2003-9.11** determining a public necessity to acquire a fee simple interest in certain property; giving notice of an official determination to acquire a fee simple interest in property for the Well No. 7 Project; and establish procedures for the acquisition of a fee simple interest in property.
- 9.12 Approved by common consent **Resolution No. 11-13-2003-9.12** determining a public necessity to acquire an exclusive public utility easement interest in certain property; giving notice of an official determination to acquire an exclusive public utility easement interest in property for the Well No.7 Collection Line Project; and establish procedures for the acquisition of an exclusive public utility easement interest in property.
- 9.13 Approved by common consent the first reading of an ordinance approving a Cable System franchise agreement with Cox Southwest Holdings, L.P. d/b/a Cox Communications which includes an EG fee and an increase in franchise fees.

- 9.14 Approved by common consent the renewal for employee life and accidental death (AD&D) insurance coverage.
- 9.15 Approved by common consent vacating and abandoning a portion of a twenty (20) foot wide sanitary sewer easement encompassing a total area of 0.18 acres in Lot 1, Block 1, Greensworld Subdivision Phase III, City of College Station.
- 9.16 Approved by common consent **Ordinance No. 2675** amending Chapter 3 “Building Regulations”, of the Code of Ordinances by amending certain sections as set out, adopting the 2002 National Electrical Code and related amendments.
- 9.17 Approved by common consnet **Resolution No. 11-13-2003-9.17** revising written policy regarding utility extension outside the city limits.
- 9.18 Approved by common consent an amendment to the Subdivision Regulations regarding certifications on plats.

Regular Agenda

Regular Agenda Item No. 10.1 -- Presentation, discussion and possible action regarding the Children’s Miracle Network Challenger Sports Series for youth with special needs.

Recreation Supervisor David Hudspeth remarked that the Children’s Miracle Network Challenger Sports series is a youth program for children with special needs from pre-K through the twelfth grade. The Parks and Recreation Department is currently providing for four (4) different Challenger activities per year. The Challenger Program Series began with the introduction of Challenger Basketball in February 2000. Since the fall of 2002 the series expanded, the program has served 87 different families with 23 different disabilities.

No formal action was taken.

Regular Agenda Item No. 10.2 -- Public hearing, discussion and possible action on an ordinance rezoning Castlegate Section 5 from A-O Agricultural Open to PDD Planned Development District consisting of 32.138 acres of the Robert Stevenson Survey A-54, generally located north of Greens Prairie Road, west of proposed State Highway 40.

Natalie Ruiz, Development Manager remarked that the applicant desire to develop this phase of Castlegate subdivision in the same fashion as the first four phases. The purpose and intent for the project states that, “The proposed Planned Development district is for a single family integrated residential community with amenities that provide for an enhanced quality of life.” The Planned Development District is the only available district that provides for the meritorious modifications of the regulations that allow for the developer to continue the development as it was originally envisioned and implemented in the previous Sections 1-4 of the Castlegate subdivision.

The Planning and Zoning Commission and staff recommended approval of the rezoning.

Mayor Silvia opened the public hearing.

Wallace Phillips, developer of Castlegate, spoke in favor of the rezoning.

Mayor Silvia closed the public hearing.

Council member Happ moved to approve **Ordinance No. 2677** rezoning Castlegate Section 5 from A-O Agricultural Open to PDD Planned Development District consisting of 32.138 acres of the Robert Stevens Survey A-54, generally located north of Greens Prairie Road, west of proposed State Highway 40. Council member Wareing seconded the motion, which carried unanimously, 7-0.

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

AGAINST: None

Regular Agenda Item No. 10.3 -- Public hearing, discussion and possible action on an ordinance rezoning the College Station Medical Center from R-4 Multi-Family and A-O Agricultural Open to C-1 General Commercial, consisting of 25.44 acres located at 1604 Rock Prairie Road.

Natalie Ruiz, Development Manager noted that hospitals were formerly allowed in multi-family zoning districts with a conditional use permit. The C-1 zoning request will bring the existing hospital land use into compliance with the Unified Development Ordinance and allowed for a planned addition.

The Planning and Zoning Commission and staff recommended approval.

Mayor opened the public hearing.

Tom Jackson, CEO of the College Station Medical Center, described the upcoming project and the expansion of services.

Rabon Metcalf, the project engineer, offered to answer any technical questions.

Closed the public hearing

Council member Massey moved to approve **Ordinance No. 2678** rezoning the College Station Medical Center from R-4 Multi-Family and A-O agricultural Open to C-1 General Commercial, consisting of 25.44 acres located at 1604 Rock Prairie Road. Mayor Pro Tem Hazen seconded the motion, which carried by a vote to 7-0.

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

AGAINST: None

Regular Agenda Item No. 10.4 -- Public hearing, discussion and possible action amending the City of College Station Comprehensive Plan by adopting the F&B Small Area Plan in an area bounded by Turkey Creek Road, Harvey Mitchell Parkway (FM 2818), and Raymond Stotzer Parkway (FM 60).

Staff Planner Trey Fletcher explained the purpose of the plan is to project future land uses and evaluate thoroughfare plan issues. The proposed F&B Small Area Plan consists of approximately 213.42 acres with a significant portion of the study area in the extra-territorial jurisdiction and may be considered for annexation in the future. Generally described as the area lying between Turkey Creek Road and Harvey Mitchell Parkway (FM 2818 north of Raymond Stotzer Parkway (FM 60). Staff will use the finding of this planning effort to develop further land use assumptions and project anticipated utility needs. Through the F&B Small Area Plan, Staff will address the following:

- Revise/assign future land uses
- Evaluate/assign thoroughfare classifications
- Develop scenarios and projections for water distribution and sewer capacity

Mr. Fletcher noted the primary planning considerations for this study area were:

- Land use pattern
- Utilities/Infrastructure
- Potential Floodplain
- Traditions
- Easterwood Airport
- Gateway

Mr. Fletcher described the public input process, which included meetings with Texas A&M University and the City of Bryan.

Mayor opened the public hearing. No one spoke. Mayor Silvia closed the public hearing.

Council member Happ moved to approve **Ordinance No. 2679** amending the City of College Station Comprehensive Plan by adopting the F&B Small Area Plan in an area bounded by Turkey Creek road, Harvey Mitchell parkway (FM 2818), and Raymond Stotzer Parkway. Council member Mears seconded the motion, which carried unanimously 7-0.

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

Regular Agenda Item No. 11 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Capital Improvement Program Citizen Advisory Committee, Cemetery Committee, College Station Business Development Corporation, Committee on Proposed Joint Community Information Center, Facade Improvement Program Advisory Committee, Historic Preservation Committee, Intergovernmental Committee, 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 and Zoning Board of Adjustments, International Festivals Committee.

Councilmember Massey presented highlights of the Intergovernmental Committee Meeting with College Station Independent School District.

Council member Happ conveyed comments regarding the Washington D.C. trip and the upcoming Transportation Summit. He also reported that the Cemetery Committee Meeting discussed the support of the Aggie Field of Honor and the proposed location.

Council member Wearing conveyed positive comments regarding the DARE Program held at the A&M Consolidated High School.

Council member Maloney presented an overview of the Planning and Zoning Commission and the Board of Health meetings.

Council member Mears expressed comments regarding the Sister Cities meeting.

Mayor Pro Tem Hazen conveyed positive comments of the joint meeting between the Planning and Zoning Commission and the Parks and Recreation Board regarding greenway dedication.

Mayor Silvia presented a brief overview of the MPO pertaining to a contract between the MPO and Brazos Transit and the movement of the local railroad in the downtown area. He also informed the Council members of the Brazos Animal Shelter meeting regarding to Woodstock concerns and upcoming events of the Brazos Valley Council of Governments.

Regular Agenda Item No. 12 -- The City of Council may convene the executive session following the regular meeting to discuss matters posted on the executive session agenda for November 13, 2003.

At 9:10 p.m., Mayor Silvia announced in open session that the Council would reconvene into executive session pursuant to Sections 551.071, 551.074 and 551.087 of the Open Meetings Act, to seek the advice of the city attorney with respect to pending and contemplated litigation, the evaluation of a public officer and to consider economic development negotiations.

Regular Agenda Item No. 13 -- Final action on executive session, if necessary.

Council returned to the regular meeting at 10:40 p.m. Council member Maloney made a motion to increase the base salary of the City Manager by 1%. Council member Massey seconded the motion, which carried unanimously, 7-0.

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

AGAINST: None

Mayor Pro Tem Hazen made a motion to increase the base salary of the City Attorney by 1%. Council member Massey seconded the motion, which carried unanimously, 7-0.

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

AGAINST: None

Regular Agenda Item No. 14 -- Adjourn.

Hearing no objections, the meeting adjourned at 10:42 p.m. on Thursday, November 13, 2003.

APPROVED:

Mayor Ron Silvia

ATTEST:

City Secretary Connie Hooks