



**Mayor**  
Ron Silvia  
**Mayor Pro Tempore**

**City Manager**  
Tom Brymer

**Council Members**  
John Happ  
Ben White  
Ron Gay  
Susan Lancaster  
Chris Scotti  
Nancy Berry

---

**Draft Minutes**  
**College Station City Council**  
**Workshop and Regular Meetings**  
**Thursday, June 9, 2005 at 2:00 p.m. and 7:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

**COUNCIL MEMBERS PRESENT:** Mayor Silvia, Council members White, Lancaster, Scotti, Berry

**COUNCIL MEMBERS ABSENT:** Happ, Gay

**STAFF PRESENT:** City Manager Brymer, Assistant City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Assistant City Secretary Casares

Mayor Silvia called the meeting to order at 2:03 p.m.

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

12.1 – Presentation, discussion and possible action on approval of minutes for Workshop and Regular Meeting of January 27, 2005 and workshop and Regular Meeting of February 10, 2005.

Council member Berry pointed out a typographical error on the February 10, 2005 workshop minutes and made comments regarding a timeline for approving the City Council minutes.

**Workshop Agenda Item No. 2 – Presentation, discussion and possible action regarding approval of a request by St. Joseph Health System to temporarily change the name of Texas Avenue to Sister Gretchen Kunz parkway for one day only, June 13, 2005.**

Manager of Special Projects and Legislative Affairs Don Fazzino remarked that on June 13, 2005, Sister Gretchen, a long-time leader of St. Joseph Health System in Bryan, will resign her role as President and CEO of the Health System. Sister Gretchen's leadership has contributed to the development of our community as a regional medical center. In addition, she has served the community through the United Way, Habitat for Humanity, and the Rape Crisis Center. In honor of her spirit and determination, the members and leadership of the St. Joseph Health System requested a temporary name change for Texas Avenue to "Sister Gretchen Kunz Parkway" for one day, on June 13, 2005. TxDOT and the City of Bryan have also approved their request. Only one sign was planned at the corner of Texas Avenue and University Drive and the cost of the sign plus installation and removal for the day was paid for by the St. Joseph Health System.

Council member White moved to approve a request by St. Joseph Health System to temporarily change the name of Texas Avenue to “Sister Gretchen Kunz Parkway” for one day only, June 13, 2005. Council member Berry seconded the motion, which carried unanimously, 5-0.

FOR: Silvia, White, Lancaster, Scotti, Berry

AGAINST:

ABSENT: Happ, Gay

**Workshop Agenda Item No. 3 -- Presentation, discussion and possible action regarding a Joint Workshop with the Planning and Zoning Commission to discuss a status update of various development related topics as follows:**

- a. Overview and implementation plan for the Zucker Systems Organizational Review
- b. Overview and update on the Subdivision Regulations rewrite
- c. Overview of City-wide Thoroughfare Plan Issues
- d. Overview and status report of impact fees for the City of College Station
- e. Overview and status report of the preparation of a Neighborhood Overlay District Ordinance

Planning and Zoning Commission Chairman Scott Shafer, Committee members John Nichols and Bill Davis were present.

**A. Overview and implementation plan for the Zucker Systems Organizational Review.**

Director of Planning and Development Services Joey Dunn remarked that the Planning and Development Services Department recently received an organizational review from Paul Zucker, a well-known author and planning management consultant from San Diego, CA. Mr. Zucker conducted a series of customer focus groups, met with staff members, Planning and Zoning Commission, City Council, the Blue Ribbon Development Review Committee and key stakeholders from the development community. Also, he led a half-day staff training session on customer service.

The follow-up report outlined thirty-six (36) specific recommendations for improvements that would enhance the Planning and Development Services and the overall development process of the City of College Station. The recommendations were summarized in four areas:

- Customers
- Organizational Issues
- Process Issues
- Policy Issues

Mr. Dunn described the following recommendations of the Zucker Systems Organizational Review.

**Organizational Issues:**

**A. Building Division**

- Recommendation No. 1 – The Building Division continue to work to have all staff certified.
- Recommendation No. 2 - The Building Division should decide at some point in time whether or not a structural engineer should be added to the staff.

#### B. Change

- No specific recommendation was included; however it was stated that it takes time for staff to embrace and introduce change into an organization, as long as they feel they are in a safe and supportive environment.

#### C. City Attorney Office

##### Recommendation No. 3 -

- The City Attorney and Development Services should agree on items that need legal review.
- The City Attorney and Development Services should develop and agreement on procedures and particularly reasonable timelines for legal reviews, whenever possible, should take place in the early phases of a process, not the later phases.

#### D. Customer Relations

Recommendation No. 4 – The Planning and Development Services Department should examine the ideas outlined and develop an expanded customer relations and community outreach program.

- Holding routine monthly or bi-monthly meetings with the industry.
- Expanding the newsletter to include more planning information.
- Conducting a mail survey of customers
- Using counter comment cards which solicit customer feedback and suggestions.
- Creating and using email lists of all builders, developers, architects, planners, community organizations and special interest groups active in the community.

#### E. Engineers

Recommendation No. 5 – The current system of having engineers in Public Works should be continued and reviewed for productivity and coordination issues in 12 months.

#### F. Development Coordinator Function

Recommendation No. 6 – The Director, Development Coordinator and Development Coordinator staff should meet to discuss the issues outlined and development an action plan to address the issues.

- Staff in the back often does not want to help customers out at the front counter. The perception of staff not wanting to assist customers at the front counter has been alleviated with the implementation of the new Staff-on-Call function. Each Planner is responsible for scheduling Staff-on-Call shifts so all customers, both walk-in and those calling by phone, are addressed immediately Monday-Friday, 8:00 a.m. – 5:00 p.m.

G. Fees

No specific recommendation was included in this section; however, it was noted that our fees are extremely low, compared to other communities throughout the country.

H. Leadership

Recommendation No. 7 – The Director of Planning and Development Services and the City Manager should review; develop a plan to address transition issues. To be successful the Director must build trust and confidence with his staff.

I. Office Space

Recommendation No. 8 – The Department should continue to explore changes to the office space to present a more open atmosphere.

Recommendation No. 9 – The topic of professional appearance in the department should be a discussion topic for a future staff meeting or part of a staff retreat.

J. Organization

Recommendation No. 10 – The Director of Planning and Development services should review the organizational alternatives with an Assistant Director and a Planning Administrator position.

K. Other Departments

Recommendation No. 11 – The current activities underway aimed at increasing interaction with other departments should be continued.

L. Planning Commission

Recommendation No. 13 – The Department should hold discussion with the Planning Commission in relation to development of a methodical training program.

Recommendation No 14 – The Department should encourage the Planning Commission in their pursuit of a Plan of Work and coordinate this Plan with the City's Strategic Plan.

M. Staff Diversity

Recommendation No. 15 – Planners should be recruited using a national recruitment. The new Director of Planning and Development Services should complete a review of current staff backgrounds and prepare an approach for diversity.

N. Staffing Levels – No specific recommendation was included in this section. Staffing levels are adequate.

O. Technology

Recommendation No. 16 – Examine the technology and feasibility of having building inspection results automatically posted on the Internet.

Recommendation No. 17 – Explore the feasibility of optical scanning of files.

Recommendation No. 18 – Take minutes on a computer during the course of various meetings and purchase equipment as necessary for this function.

Recommendation No. 19 – A private consultant should be hired to help staff explore additional features that could be included in the HTE system.

P. Work Program

Recommendation No. 20 – The department should develop additional details for the Strategic Plan and discuss with staff the importance of the Strategic Plan and their role in it.

**IV Process Issues**

A. Conditional Use Permits

Recommendation No. 21 – The City should consider the desirability of having conditional use permits acted on by the Planning Commission.

B. Consistency and Predictability

Recommendation No. 22 – The road standards should be completed at an early date, similar to those undertaken for water and sewer.

Recommendation No. 23 – There should be weekly staff training for planners. This training should methodically review the UDO and also discuss the application of common sense interpretations.

Recommendation No. 24 – A new policy manual should be created for Planning and Development Services.

Recommendation No. 25 – Several private developers and business leaders working within College Station should be asked to conduct several training sessions for City Staff on the economics of development.

C. Decompress time frame for development review

Consideration should be given to the following process changes:

- The submittal requirements for each type of application should be reviewed and clarified as necessary. Projects should be screened against the submittal requirements either at time of application or within the same or next day of submittal.
- Projects should be triaged.
- Consideration should be given to change the current five day review time for most projects to either 7 or 10 days. The time for subsequent cycles or reviews should be at 5 days or less where feasible.

- Should any reviews be desired by the City Attorney, City Manager, or Economic Development Director, such reviews should optionally be included in the first cycle only. The Planning and Community Development Director needs to be sensitive as to when these reviews are necessary.

#### E. Miscellaneous Issues

Recommendation No. 28 – Planning and Development Services should take the lead in making certain the following issues have been addressed:

- Obtain as-built plans within 30 days of issuance of certificate of completion
- Correct “no man’s land” problem between easement and 5’ perimeter of building.
- Improve management and oversight of issues of “slab only” permits.

#### F. On-Call Planners

The report supports the Staffer-on-Call concept.

#### G. Parks

Recommendation No. 29 – Consideration should be given to delegating more decision on park dedication or fees to staff. It would also be useful to include a Parks Department staff liaison in development review for this purpose.

#### H. Phone Calls

Recommendation No. 30 – Adopt a policy that all staff involved in the development process return all phone calls the same day received.

#### I. Pre-Application

Recommendation No. 31 – The normal attendees at the pre-application meeting should meet to discuss and agree on improving the process. The Director of Planning and Development Services should lead the discussion.

- The filing deadline could be moved to Monday to increase the amount of staff time for review
- One person should clearly be designated as the chairperson of the meeting.
- A specific planner should be designated the project manager for each application.
- The notes for the meeting should be completed by the project manager planner rather than the Development Coordinator. The notes should be distributed to all participants and the applicant shortly after the meeting.
- The chairperson of the meeting should monitor attendance and discuss problems with department directors.
- All reviews should be as comprehensive and detailed as possible.

#### J. Standard Process

Recommendation No. 32 – Provide an opportunity for the developer to meet to review comments or discuss the project.

Recommendation No. 33 – Re-emphasize to all staff that first round reviews are to be comprehensive and new items are to be added in subsequent reviews unless the project changes.

K. We Team Report

Recommendation No. 34 – The City Manager should provide a specific action plan and response to all recommendations of the We Team.

L. Policy Issues

Recommendation No. 35 – The Planning and Development Services Department should take the lead in addressing policy issues.

- Subdivision must be in compliance with the Comprehensive Plan.
- Clarification on the City's Oversize Participation.
- The plans and ordinances do not necessarily reflect the vision of the City Council or City Manager.
- Permanent zoning at the time of annexation.

Mr. Dunn emphasized the department's focus toward implementation in four key areas.

1. Communications
2. Customer Service
3. Process
4. Training

**Subdivision Ordinance**

Director of Public Works Mark Smith remarked that the Subdivision Ordinance and Design Guidelines were key recommendations in the Zucker Report, We Team Report, Blue Ribbon Committee, and items in the City Council Strategic Plan. The goals of the subdivision ordinance regulations should reflect the City Council's vision of the community. Stakeholders were interviewed to receive input on key issues on the subdivision ordinance. Key issues discussed were Greenways, Parkland Dedication, Oversized Participation, the platting process, streetscape, access and mobility, finance assurance, warrantees, utilities, drainage, sidewalks, etc. Mr. Smith noted that issues are posted on a web-site for citizens to add their input. The Subdivision Ordinance revisions should be completed fall 2005.

The goals of the design guidelines were to adopt uniform design standards that apply to the cities of College Station and Bryan. The water and sewer design guidelines were adopted by City Council in February, 2004. Consideration of street design guidelines were scheduled for June 23, 2005 City Council meeting. Currently, the drainage guidelines are being discussed and the revisions should be final by the fall of 2005.

Council recessed for a short break at 3:25 p.m. and reconvened the workshop meeting at 4:40 p.m.

**City-Wide Thoroughfare Plan Issues.**

Transportation Planner Ken Fogle presented an overview of the City of College Station's Thoroughfare Plan Issues. He described significant roadways in the ETJ, Pebble Creek, South Pebble Creek, and Jones-Butler Road.

### **Impact Fees**

Senior Assistant City Engineer Alan Gibbs described the impact fee processes, five existing impact fees fee areas and possible future impact fee areas. He also explained the city's interest in a consultant contract that included a city-wide feasibility study, updates to current impact fee areas, and staff orientation training.

### **Neighborhood Overlay District**

Director of Planning and Development Services Joey Dunn remarked that the Neighborhood Issue Ad Hoc Task Force considered the number of unrelated persons living in a single family dwelling, property maintenance codes, rental registration and economic impacts. Staff included in an Neighborhood Overlay District ordinance "Create ordinance provision for cooperative efforts of property owners/residents to form overlay districts to facilitate the identification, protection, and preservation of neighborhood character, promote public health, conserve value of property, and enhance desirability of living in neighborhood residential areas". The neighborhood overlay district could address the number of unrelated individuals allowed in a single family dwelling units, on-street and off-street parking, site design and building and landscaping standards.

The Neighborhood Overlay District may include the following items:

- Grandfathering
- Application review and adoption process
- Further discussion among joint meeting of Bryan and College Station Planning and Zoning commissions
- Timeline for adoption of enabling ordinances – September 2005.

No formal action was taken.

Council recessed for a break at 5:00 p.m. and reconvened the workshop meeting at 5:12 p.m.

### **Workshop Agenda Item No. 4 – Presentation, discussion, and possible action regarding a legislative update.**

Manager of Special Projects and Legislative Affairs Don Fazzino presented a brief summary of the 79<sup>th</sup> Texas Legislative Session, United States 109<sup>th</sup> Legislative Session and Bryan College Station Chamber of Commerce Legislation Action Plan and their recent visit to Washington D.C. The Cities of College Station and Bryan, Brazos County, TAMU and both school districts created a list of the top seven issues of concern. The top seven issues of concern for the 79<sup>th</sup> Session were:

- Tax Appraisal Cap
- School Finance Reform
- Transportation

- Telecommunications
- Collective Bargaining
- Annexation
- Water

Council members appreciated the report and Don's efforts in communicating with area legislators. No formal action was taken.

**Workshop Agenda Item No. 5 -- Council Calendars**

Agenda Planning Calendar

June 4 Brazos County Branch of the NAACP 23<sup>rd</sup> Annual Freedom Fund Banquet 7:00 p.m. – 9:30 p.m. Hilton Hotel

June 8 Newman 10 Business Performance Awards Lunch 11:30 a.m. – 1:00 p.m. Hilton – Bluebonnet

June 9 – 10 TEX21 Statewide Quarterly Meeting – Lubbock – Holiday Inn Park Plaza

June 9 Workshop and Regular Council Meeting – 2:00 p.m.

June 13 – 14 Council Retreat-Del Lago

June 15 Intergovernmental Joint Retreat-BVCOG Office – 5 p.m. – 9 p.m. with meal

June 15 RVP – 3:00 p.m.

June 21 Chamber of Commerce Board Meeting– 8:30 a.m.

June 23 Health and Safety Expo – Brazos Center – 8:00 –4:00 p.m.

June 23 Workshop and Regular Council Meeting – 3:00 p.m.

June 24 Girls Fast Pitch Tournament/Opening Ceremonies 6p.m.-Central Park

**Workshop Agenda Item No. 6 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Department, Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Façade Improvement Program Advisory Committee, Fraternal Partnership, Historic Preservation Committee, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, 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.**

This item was postponed until the June 23, 2005 City Council meeting.

**Workshop Agenda Item No. 7 – Executive Session.**

At 5:45 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071, 551.072, 551.074 and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the purchase of real property, to consider economic development negotiations and the appointment and evaluation of public officer (s).

Consultation with Attorney (Gov't Code Section 551.071);

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.

Cause No. 03-002098-CV-85, Brazos Co., College Station v. Wellborn Special Utility District

Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Div., College

Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District

TCEQ Docket No. 582-04-2840, Application of Wellborn Special Utility District

Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, JK

Development v. College Station

GUD No. 9530 – Gas Cost Prudence Review, Atmos Energy Corporation

GUD No. 9560 – Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy

Corporation

Real Estate {Gov't Code Section 551.072}; possible action

The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Aggie Field of Honor

Land acquisition on Wellborn Road for proposed cemetery

Olden property located at the intersection of Rock Prairie and Greens Prairie Roads.

1.65 acres at the south corner of University Drive E. and Tarrow Street. 610 University Drive E., College Station, Texas

Easements for additional Electric Transmission Lines to serve the City of College Station and surrounding areas in the vicinity of State Highway 158 and State Highway 30.

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:

The proposed city conference center and associated privately developed hotel.

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:

Council self evaluation

Discussion on appointing Mayor Pro Tem

**Workshop Agenda Item No. 8 -- Final action on Executive Session, if necessary.**

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

**Regular Meeting**

Mayor Silvia called the regular meeting to order at 7:05 p.m. He led the audience in the pledge of allegiance. Council member Berry moved to approve Council members Happ and Gay absence request. Council member White seconded the motion which carried unanimously 5-0.

Mayor Silvia presented a proclamation for Army's 230<sup>th</sup> Birthday to Sergeant Dan Fortune.

Mayor Silvia presented a proclamation for Health and Safety Expo to Julie Williams and Sandra Gallaway from the City of College Station and Marcy Hosking of Brazos County.

**9. Hear Visitors**

Council did not receive any public comment.

**Consent Agenda**

- 12.1 Approved by common consent the minutes for Workshop and Regular Meeting of January 27, 2005 and Workshop and Regular Meeting of February 10, 2005.
- 12.2 Approved by common consent **Resolution No. 6-9-2005-12.02** approving the award of bid #05-86 to C&L Concrete Construction in an amount not to exceed \$418,800.00 for the annual blanket order of concrete curb/gutter and flatwork used to maintain city infrastructure.
- 12.3 Approved by common consent award to Wesco Distribution for the purchase of 18 distribution circuit breakers required for system replacements at Spring Creek Substation for a total of \$382,015.00.
- 12.4 Approved by common consent the purchase of four replacement copiers from IKON Office Solutions for a total price of \$46,492.
- 12.5 Approved by common consent the second reading of a franchise agreement with CCAA, LLC d/b/a Stop 'N Go Potties for collection, hauling and disposal services for residential construction debris solid waste in winch loaded roll-off containers.
- 12.6 Approved by common consent **Resolution No. 6-9-2005-12.06** a Juvenile Accountability Grant Resolution to approve application for educational program for First Offenders Program.
- 12.7 Approved by common consent **Resolution No. 6-9-2005-12.07** Determining Need that will authorize staff to continue negotiations for real property needed for the Brazos Valley Solid Waste Management Agency's municipal landfill on Rock Prairie Road. The property is owned by Dolly Olden and is located adjacent to the landfill on Rock Prairie Road.

**Regular Agenda**

**Regular Agenda Item No. 13.1 Presentation, discussion and possible action on an annual price agreement for various electrical materials maintained in inventory estimated to be \$133,975.05. One line item requires a tie breaking procedure.**

Buyer Alan Degelman remarked that the various electrical items are maintained in Electrical Inventory in an inventory account and expensed as necessary during the agreement period. The purchasing agreement period shall be for one year with up to two 1-year renewals.

Further action was required to break the tie on one (1) in Group C.

The bid tabulation resulted in two bidders furnishing identical bids for one of the electrical items bid, i.e. Group C: Item #1. Overhead socket meter 200 amp, 4 terminal. Local Government Code 271.901 "Procedure for Awarding Contract if Municipality of District Receives Identical Bids" requires the governing body of the municipality to enter into a contract with only one of the bidders, rejecting all other bids. If only one of the bidders submitting identical bids is a resident of the municipality, the City must select that bidder; however, neither bidder in this case is a local resident. The City must select from the identical bids by the casting of lots. The casting of lots must be in a manner prescribed by the Mayor and must be conducted in the presence of the Council. Group C, Item 1 has identical bids between KBS Electrical Supply and Priester, Mell & Nicholson. The casting of lots was necessary for this one (1) item only. All other items have a single apparent low bidder that staff is recommending award to.

Specifications are as follows with annual estimated expenditures totaling \$133,975.05.

I.	Hughes Supply	\$ 24,805.00
II.	Techline, Inc.	\$ 69,041.05
III.	KBS Electrical Supply	\$ 5,010.00 (\$3,067.50 to be decided)
IV.	Priester, Mell & Nicholson	\$ 32,051.50 (\$3,067.50 to be decided)

Mr. Degelman prepared a paper bag to be used as the casting of lots. He asked a member of the Boy Scouts of America to draw a card from the bag, KBS Electrical Supply in the amount of \$5,010.00

Council member Lancaster made a motion to award one in Group C to KBS Electrical Supply. Her motion also included the lowest responsible bidder meeting specifications for all other line items to the following firms:

I.	Hughes Supply	\$ 24,805.00
II.	Techline, Inc.	\$ 69,041.05

Council member Berry seconded the motion which carried unanimously, 5-0.

FOR: Silvia, White, Lancaster, Scotti, Berry  
 AGAINST: None  
 ABSENT: Happ and Gay

**Regular Agenda Item No. 13.2 – Presentation, discussion and possible action approving a real estate contract that will authorize the purchase of 5.83 acres of land to be used for the future expansion to John Crompton Park and 1.49 acres needed for the future extension of Jones-Butler Road. The property is located near the intersection of W. Holleman Drive and Jones-Butler Road. The purchase price for the property is \$87,470.00.**

Land Agent Mark McAuliffe described the real estate contract. As part of the contract, an additional 1.49 acre parcel of land needed for Jones-Butler Road would be dedicated to the City of College Station at no cost. The property owners of 5.83 acres are Brazos County Mohawk, Limited and the 1.49 acre right-of-way parcel that will be dedicated is owned by Brazos County Arapaho, Limited.

On April 14, 2005, Council authorized the construction contract to develop John Crompton Park on 9.4 acres previously accepted through the parkland dedication process. The park land being purchased is not needed immediately, but will serve to expand the facilities in the future. On June 27, 2002, Council approved a needs resolution that authorized the acquisition of the street right-of-way for Jones-Butler Road. FRQ advertising for engineering services to design the street is currently underway.

Council member White moved to approve a real estate contract authorizing the purchase of 5.83 acres of land for the expansion to John Crompton Park and 1.49 acres for future extension of Jones-Butler Road in the amount of \$87,470.00. Council member Lancaster seconded the motion which carried unanimously, 5-0.

FOR: Silvia, White, Lancaster, Scotti, Berry

AGAINST: None

ABSENT: Happ and Gay

**Regular Agenda Item No. 13.3 – Presentation, discussion and possible action regarding the election of Mayor Pro Tem by the City Council.**

This item was postponed until after the executive session.

**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 June 9, 2005.**

At 7:30 p.m., Mayor Silvia announced in open session that the City Council would reconvene into executive session pursuant to Sections 551.071, 551.072, 551.074 and 551.087 of the Open Meetings Act, to seek the advice of our attorney with respect to pending and contemplated litigation, to consider the purchase of real property, to consider economic development negotiations and the appointment and evaluation of public officer (s).

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

Council returned to the regular meeting at 10:10 p.m. Council member Berry moved to nominate John Happ as Mayor Pro Tem. Council member Lancaster seconded the motion, which carried unanimously, 5-0.

FOR: Silvia, White, Lancaster, Scotti, Berry

AGAINST: None

ABSENT: Happ and Gay

**Regular Agenda Item No. 14 – Adjourn**

Hearing no objections, the meeting adjourned at 10:12 p.m. Thursday, June 9, 2005.

APPROVED:

---

Mayor Ron Silvia

ATTENST:

---

City Secretary Connie Hooks