



Mayor
Ron Silvia
Mayor Pro Tempore
John Happ
Interim City Manager
Glenn Brown

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

Minutes
College Station City Council
Workshop and Regular Meetings
Thursday, November 10, 2005 at 03:00 pm
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL MEMBERS PRESENT: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry

COUNCIL MEMBERS ABSENT: Mayor Pro Tempore John Happ.

STAFF PRESENT: Interim City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, and Assistant City Secretary Casares.

Mayor Silvia called the workshop meeting to order at 3:04 pm.

Workshop Agenda Item No. 1 -- Presentation, discussion, and possible action on items listed on the consent agenda.

12.3 - Presentation, discussion and possible action on a non-standard professional service contract #05-297 for Permitting, Mitigation Planning and Engineering Design Services at the State Highway 30 Landfill Project to HDR Engineering, Inc. in an amount not to exceed \$1,662,000.00.

Assistant Public Works Director Pete Caler explained that the funds are available in the BVSWMA Capital Improvements Fund.

12.4 - Presentation, discussion, and possible action on renewal of contract for administrative fees for employee health and dental insurance with Blue Cross Blue Shield, employee prescription drug plan with Pharmacare, and employee assistance program with Interface, and the approval of expenditures for projected claims. Annual administrative fees will be \$350,940.84, and projected claims costs will be \$4,434,884.52.

Human Resources Director Julie O'Connell noted that the employees insurance will not increase for the year 2006. She described the Projected Program Costs for Administrative Fees.

12.5 - Presentation, discussion and possible action on renewal of contract for stop-loss insurance with Blue Cross Blue Shield of Texas for our self-funded employee medical plan, with an annual premium of \$277,117.

Human Resources Director Julie O'Connell described the projected program costs for stop loss.

12.6 - Presentation, discussion and possible action on renewal of contract for long term disability insurance (LTD) with The Standard Insurance Company with an annual premium of \$53,103.

Human Resources Director Julie O'Connell explained that the City of College Station does collaborate with the City of Bryan on long term disability insurance.

Workshop Agenda Item No. 2 -- Presentation, discussion, and possible action of Streaming Media Option for Public Communications.

Director of Public Communications and Marketing Becky Nugent described the streaming media program that broadens external and internal access to meetings and programming broadcast on CSTV 19. The addition of this service will offer meetings live over the internet and searchable archives that allow sections of meetings to be retrieved using a simple keyword search.

Ms. Nugent introduced Mr. Emery Jones, Chief Financial Officer with Granicus, Inc.

Mr. Jones presented a demonstration of the Streaming Media Option for external and internal access.

Workshop Agenda Item No. 3 -- Presentation, discussion, and possible action on the status of the Strategic Plan.

Director of Finance and Strategic Planning Jeff Kersten presented an overview of the Strategic Planning Process, Mission Statement, and Vision Statements.

No formal action was taken.

Workshop Agenda Item No. 4 -- Presentation, discussion, and possible action on the Key Result Area for Strategic Plan for Economic Development.

Director of Community and Economic Development Kim Foutz presented an overview of the Economic Development Department's ongoing efforts and past results. Additionally, existing policies include incentive guidelines, roles of different organizations, and a brief history of economic development in the community. Ms. Foutz also discussed potential areas of economic development to focus on.

Ms. Foutz described the following recommendations on top priorities:

College Station Economic Development Roles
Infrastructure & Support Systems
Development of a comprehensive, inclusive economic development master plan for College Station.

The City Council members concurred with the recommended top priorities.

No formal action was taken

Workshop Agenda Item No 5 -- Presentation, 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 White moved to request a future agenda item on signage regulations. Council Member Gay seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry
Against:

Council members concurred to have a joint meeting with Planning and Zoning Commission on November 17, 2005 at 4:00 p.m.

Council Member White moved to request a future agenda item regarding Security and Tourism. Council Member Lancaster seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry
Against:

Council Member Gay moved to request an agenda item regarding risk management. Council Member White seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry.
Against:

Council Member Gay moved to request a future agenda item on the Texas Avenue Construction schedule and quarterly updates. Council Member White seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry.
Against:

Workshop Agenda Item No. 6 -- Council Calendars Agenda Planning Calendar

Nov. 7 George Bush Presidential Library Foundation Program on Volunteerism w/guest speaker, J. Dennis Hastert, Speaker of the House of Representatives Annenberg Conference Center - noon

Nov. 8 2005 Constitutional Amendment Election

Nov. 8 Annual Chamber Banquet - 6:00 p.m. College Station Hilton

Nov. 8 Dignity Memorial Escape School - Memorial Funeral Chapel - 6:30 p.m.

Nov. 8 Neighborhood Partnership Seminar Supper - Online Streaming Video - City Hall Council Chambers - 6:00 - 8:00 p.m.

Nov. 9 BVCOG 38th Annual Meeting and Luncheon 11:30 - 1:30

Nov. 10 Workshop and Regular Council Meeting - 3:00 p.m.

Nov. 11 Veterans Day Ceremony 6 p.m. - Veterans Park and Athletic Complex

Nov. 14 IGC w/both Councils and Commissioners Court - 6:00 p.m.-Wayfinding Analysis and Program Design

Nov. 16 Leadership Brazos Local Govt Day, 8:15 a.m. City Hall

- Nov. 19 Employee Annual Banquet - Brazos Center - 6:00 p.m.
- Nov. 21 Intergovernmental Committee Meeting, Brazos Center noon
- Nov. 22 Workshop and Regular Meetings 3:00 p.m. and 7:00 p.m.
- Nov. 24-25 Thanksgiving Holiday - Offices Closed
- Nov. 30 The Wells Fargo Program on Ethics w/Dennis Ross Presidential Library Center 6:00

Council members reviewed the upcoming events.

Workshop Agenda item No. 7 -- Discussion, review and possible action regarding the following meetings: Brazos County Health Dept., Brazos Animal Shelter, Brazos Valley Council of Governments, Cemetery Committee, City Center, Design Review Board, Facade 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, Wolf Pen Creek TIF Board, Zoning Board of Adjustments.

Council member Gay announced that the Transportation Committee meeting will be held on Tuesday, November 15, 2005.

Council member Berry reminded the City Council about the Joint Intergovernmental Committee meeting on Monday, November 14, 2005.

Mayor Silvia presented highlights of the Brazos Valley Council of Government meeting he recently attended.

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Executive Session

At 4:55 p.m., Mayor Silvia announced in open session that the City Council would convene into executive session pursuant to Sections 551.071, 551.074, and 551.087 of the Open Meeting Act, to seek the advice of the city attorney with respect to pending and contemplated litigation, the appointment and evaluation of public officer(s) and to consider economic negotiations.

- a. - TCEQ Docket No. 2002-1147-UCR, Applications of Brushy Water Supply and College Station (Westside/Highway 60)
- b. - TCEQ Docket No. 2003-0544MWD, Application of Nantucket, Ltd.
- c. - TXU Lone Star Gas Rate Request
- d. - Cause No. 03-002098-CV-85, Brazos County, College Station v. Wellborn Special Utility District
- e. - Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division, College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District
- f. - Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, JK Development v. College Station
- g. - GUD No. 9530 - Gas Cost Prudence Review, Atmos Energy Corporation

- h. - GUD No. 9560 - Gas Reliability Infrastructure Program (GRIP) rate increases, Atmos Energy Corporation
- i. - Cause No. GN-502012, Travis County, TMPA v. PUC (College Station filed Intervention 7/6/05)
- j. - Gas Reliability Infrastructure Program (GRIP) 2004
- k. - Resolution ordering Atmos Energy to show just cause

Economic Incentive Negotiations

The proposed City convention center and associated privately developed hotel

Personnel

Council Self-evaluation

City Council returned from executive session at 7:04 p.m. Council member Gay made a motion for the Mayor to send a letter to Brushy Water Supply Corporation stating that the City of College Station is ready and willing to purchase the Brushy Water System. In doing so, the City will pay off all federal debt. The City will provide reliable service, better water pressure, at less cost to the Brushy customers. We believe that this will result in advantages for all customers of Brushy Water Supply Corp. and the citizens of College Station.

Mayor Silvia called the regular meeting to order at 7:05 p.m. He led the audience in the pledge of allegiance.

Pledge of Allegiance, Invocation, Consider absence requests, and International Student Presentation

Director of A&M International Programs Linda Edwards introduced the international students from Turkey. Tufan Adiguzel, Fatih Mutlu, and Burcu Keskin presented an overview and a video of the Republic of Turkey.

Hear Visitors

Maggie Charleton, 1611 Treehouse, addressed the City Council regarding the language on election signs displayed about propositions in November constitutional amendment election. Shannon Schunicht, 408 Eisenhower addressed the City Council regarding development in Northgate and its impact on the natural aesthetics.

Council Member Scotti moved to approve Mayor Pro Tem Happ absence request. Council Member Berry seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry

Against:

Consent Agenda

12.1 - Approved by common consent minutes for City Council Workshop and Regular Meeting October 24, 2005.

12.2 - Approved by common consent Resolution No. 11-10-2005-12.02 appointing Virginia Kettler as the City's representative to the Brazos County Appraisal District (BCAD) Board of Directors for a two-year term commencing on January 1, 2006; and providing an effective date.

12.3 - Approved by common consent a non-standard professional services contract #05-297 for Permitting, Mitigation Planning and Engineering Design Services at the State Highway 30 Landfill Project to HDR Engineering, Inc. in an amount not to exceed \$1,662,000.00.

12.4 - Approved by common consent the renewal of contract for administrative fees for employee health and dental insurance with Blue Cross Blue Shield, employee prescription drug plan with Pharmacare, and employee assistance program with Interface, and the approval of expenditures for projected claims. Annual administrative fees will be \$350,940.84, and projected claims costs will be \$4,434,884.52.

12.5 - Approved by common consent renewal of contract for stop-loss insurance with Blue Cross Blue Shield of Texas for our self-funded employee medical plan, with an annual premium of \$277,117.

12.6 - Approved by common consent on renewal of contract for long term disability insurance (LTD) with The Standard Insurance Company with an annual premium of \$53,103.

12.7 - Approved by common consent renewal of contract for employee life, accidental death & dismemberment (AD&D), voluntary life and AD&D, and dependent life insurance with the Standard Insurance Company, with an annual premium of \$84,960.

12.8 - Approved by common consent the renewal agreement with Sims Plastics of Waco for the annual purchase of concrete meter boxes to be maintained in inventory, Bid No. 04-93, for an annual expenditure of \$79,815.75.

Regular Agenda

Regular Agenda Item No. 13.1 -- Public hearing, presentation, discussion, and possible action on a Comprehensive Plan Amendment to amend the Land Use Plan from Single-family Residential Medium Density to Residential Attached for 2755 Barron Road, a 41.16-acre tract generally located at the southeast corner of Barron Road and State Highway 40. (05-165)

Senior Planner Trey Fletcher noted that the property owner is requesting to amend the Land Use Plan from Single-family Residential Medium Density to Residential Attached to develop a subdivision consisting of a mix of single family and duplex residential dwellings. The 41.16-acre tract is located between State Highway 40 and the second planned High School, south of Barron Road.

The Planning and Zoning Commission and staff recommended denial of the request.

Mayor Silvia opened the public hearing.

No one spoke.

Mayor Silvia closed the public hearing.

Council Member Berry moved to deny the Comprehensive Plan Amendment to amend the Land Use Plan from Single-family Residential Medium Density to Residential Attached for 2755 Barron Road, a 41.16-acre tract generally located at the southeast corner of Barron Road and State Highway 40. (05-165) Council Member White seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry

Against:

Regular Agenda Item No. 13.2 -- Public hearing, presentation, discussion, and possible action on an ordinance denying the proposal by Atmos Energy Corporation to implement interim (GRIP) Gas Reliability Infrastructure Program rate adjustments for gas utility investment in 2004, and becoming a member of the Atmos Cities Steering Committee.

Manager of Special Projects and Legislative Affairs Don Fazzino remarked that Atmos Energy Corp., Mid-Tex division filed with the City of College Station, Texas, a request pursuant to Texas Utilities Code for an annual gas reliability infrastructure program (GRIP) rate increase for customers on the company statewide gas utility system to be effective February 15, 2006. The Gas Utility Regulatory Act grants local regulatory authorities the right to intervene in rate proceedings filed at the Railroad Commission, and the City of College Station will cooperate with other cities in a coalition known as the Atmos Cities Steering committee, in order to respond to company actions and act on any appeal of the cities, actions to the Commission.

Mayor Silvia opened the public hearing.

No one spoke.

Mayor closed the public hearing.

Council Member Gay moved to approve Ordinance No.2844 denying the proposal by Atmos Energy Corporation to implement interim (GRIP) Gas Reliability Infrastructure Program rate adjustments for gas utility investment in 2004, and becoming a member of the Atmos Cities Steering Committee. Council Member White seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry

Against:

Regular Agenda Item No. 13.3 -- Public hearing, presentation, discussion, and possible action regarding a resolution ordering Atmos Energy Corporation to show cause regarding the reasonableness of its existing natural gas distribution rates.

Manager of Special Projects and Legislative Affairs Don Fazzino remarked that the proposed resolution requires Atmos Mid-Tex Division to file a rate filing package with the City of College Station in order for the City to determine whether Atmos rates are excessive. The rates that Atmos presently charges are approved by the Railroad Commission in GUD No. 9400, based upon TXU Gas cost of service, not Atmos cost. Since acquiring the TXU Gas assets, Atmos has made numerous public statements that it has reduced its operating expenses and that it is making higher than expected revenues from its Texas Systems. The rate case requested by

the resolution establishes a test year ending June 30, 2005, and requires the filing by Atmos by December 31, 2005.

Staff recommended approval of the proposed resolution.

Mayor Silvia opened the public hearing.

The following citizen addressed the City Council.

Mr. David Parks, 1213 Lancelot, Atmos Energy

Mayor Silvia closed the public hearing.

Council Member Gay moved to approve Resolution No. 11-10-2005-13.03 ordering Atmos Energy Corporation to show cause regarding the reasonableness of its existing natural gas distribution rates. Council Member Lancaster seconded the motion, which carried unanimously, 6-0.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, Council Member Scotti, and Council Member Berry
Against:

Regular Agenda Item No. 13.4 -- Presentation, discussion, and possible action on an ordinance amending Chapter 3 "Building Regulations" of the City Code providing criteria and process for the abandonment of easements and rights-of-way.

Director of Public Works Mark Smith noted that the current administrative process provides an application form and process for easement abandonment. The current fee for abandonment of \$300.00 covers the administrative costs to process the abandonment but it does not cover the value of the property being abandoned. The proposed ordinance provides for the City to require that a fee equal to the value of the property being abandoned be paid or for a substitute easement or right-of-way to be granted.

Staff recommended approval of the proposed ordinance. Council Member White moved to Ordinance No. 2845 amending Chapter 3 "Building Regulations" of the City Code providing criteria and process for the abandonment of easements and rights-of-way. Council Member Lancaster seconded the motion, which carried 5-1.

For: Mayor Ron Silvia, Council Member White, Council Member Gay, Council Member Lancaster, and Council Member Berry
Against: Council Member Scotti

Regular Agenda Item No. 13.5 -- Presentation, discussion, and possible action on an arbitrage rebate payment owed on the 1999 General Obligation Bonds, 1999 Certificates of Obligation, 2000 General Obligation Bonds, and 2000 Certificates of Obligation. The total amount owed on the 1999 Bonds is \$90,579.62, and the total amount owed on the 2000 bonds is \$52,224.20.
This item was removed from the regular agenda by staff.

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 November 10, 2005.

Council completed the executive session prior to the regular meeting.

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

Refer to end of workshop session for any action taken.

Regular Agenda Item No. 16 -- Adjourn.

Hearing no objections, the meeting adjourned at 8:01 p.m. on Thursday, November 10, 2005.

PASSED AND APPROVED this 12th day of January, 2006.

APPROVED:

Mayor Ron Silvia

ATTEST:

City Secretary Connie Hooks

DRAFT