



CITY OF COLLEGE STATION
Home of Texas A&M University

Mayor
Ben White
Mayor Pro Tem

City Manager
Glenn Brown

Council members
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart
David Ruesink

Minutes
College Station City Council
Regular Meeting
Thursday, July 23, 2009 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

COUNCILMEMBERS PRESENT: Mayor White, Council members Ruesink, Stewart, Maloney, Lyles

COUNCILMEMBERS ABSENT: Crompton and Massey

STAFF PRESENT: City Manager Brown, Assistant City Manager Neeley, City Attorney Cargill, Jr., City Secretary Hooks, Members of Management Team

1. Fire Chief R.B. Alley provided the invocation. Council member Ruesink made a motion to approve the absence requests of Massey and Crompton. Council member Maloney seconded the motion which carried unanimously, 5-0.

Mayor White, City Manager Brown and members of the Historic Preservation Committee presented the Historic Building Marker No. 9 to members of the Pleasant Grove Baptist Church.

Hear Visitors:

Gloria Lefner of 2109 Langford spoke about drainage ditch issues near Dexter Park and her home.

Brian Alg, 2003 Longmire Court expressed concern about the City leadership vision regarding future capital projects such as the Convention Center.

Consent Agenda

Motion made by Council member Ruesink to approve Consent Agenda Items No. 2a – 2u as presented. Seconded by Council member Stewart. Motion carried unanimously, 5-0.

2. a. Approved minutes for Council meetings held on Monday, July 6, 2009 and Thursday, July 9, 2009.
- b. Approved **Resolution No. 7-23-2009-2b** adopting the Economic and Community Development Department's proposed FY 2010 Action Plan and Budget.
- c. Approved Semi-Annual Report on Impact Fees 92-01, 97-01, 97-02B, 99-01, 03-02, and **Resolution No. 7-23-2009-2c** to support and execute a Compliance Certification Letter to the Attorney General.

- d. Approved the award of services contract for RFP 09-56 Outsourcing the Printing and Mailing of Utility Bills, late notices and inserts for an estimated annual expenditure of \$230,000 to Xpedient Mail.
- e. Approved ratification of a month-to-month renewal agreement and authorization of expenditures for Utility Bill Printing, Inserting and Mailing with Pinnacle Data Systems, LLC for \$20,000.00 per month.
- f. Approved award of Bid #09-71 for steel distribution poles (Group A) to Transamerican Power Products for \$116,815; self supporting steel distribution poles (Group B) to Transamerican for \$58,610; fiberglass composite distribution poles (Group C) to HD Supply for \$77,100; and self supporting fiberglass distribution poles (Group D) to Techline for \$9,675 for an estimated annual amount of \$262,200.
- g. Approved letter of agreement with Ingram, Wallis & Co., P.C. for Professional Auditing Services for one year period and option of four (4) one-year renewals. Estimated fee costs for the five years are:
FY 09 - \$94,750
FY10 - \$98,500
FY11 \$103,000
FY12 \$109,000
FY13 \$114,000
- h. Approved the award of Bid No. 09-54A for purchase of various items for the Dowling Road Substation project to J.H. Davidson & Assoc \$44,340, FAPCo, LLC \$61,050, Areva T&D \$107,282, and Wesco, Inc. \$245,149 for a total of \$457,821.
- i. Approved the award of Bid No. 09-54B for the purchase of circuit switchers for the Dowling Road Substation project to KBS Electric in the amount of \$167,237.40.
- j. Approved Change Order No. 1 to Contract No. 08-278 to Brazos Paving, Inc. Annual blanket purchase order for concrete curb/gutter & flatwork, used to maintain City infrastructure. This action increases the total amount of the contract from \$411,000 to \$513,750 an increase of \$102,750.
- k. Approved the ratification of month-to-month renewal agreement and authorization of expenditures with Shelby Building Maintenance dba Professional Floor Service for \$16,679.00 per month.
- l. **Approved Resolution No. 7-23-2009-2L** to name the Brazos Animal Shelter as the Local Rabies Control Authority for the City of College Station, replacing the Chief of Police as the Local Rabies Control Authority.
- m. Approved the purchase of copy machines from DocuMation in an amount not to exceed \$76,061.00. This purchase is made pursuant to our Interlocal Agreement with Purchasing Solution Alliance (a program of the Brazos Valley Council of Governments).
- n. Approved **Resolution No. 7-23-2009-2n** to award a professional services contract to HDR Engineers in the amount of \$49,671 to conduct a study to determine what amount is allowable under State Law, to be charged for City-wide impact fees for water and wastewater.

- o. Approved the amendment to Professional Services Contract #06-175 with Strong Surveying, Inc. for Twin Oaks Landfill Phase One Survey Support to include the City of Bryan on the contract in an amount not to exceed \$174,000.00.
- p. Approved the amendment to Professional Services Contract #05-033 with CSC Engineering and Environmental Consultants, Inc. for Program Management and Technical Services for the Development of the Twin Oaks Landfill Project to include the City of Bryan on this contract not to exceed \$1,127,500.00, and to amend the scope of services to remove the transition planning for the Rock Prairie Landfill to become a City of College Station park.
- q. Approved the authorization of funds for professional services from Coats, Rose, Yale, Ryman & Lee PC for litigation concerning the Brazos Valley Solid Waste Management Agency (BVSWMA) in the amount of \$90,000.00. Approved the ratification of \$56,808.46 expended and provide funds for additional legal costs associated with this project through September 30, 2009.
- r. Approved the authorization of funds for professional services from Bickerstaff, Heath, Delgado & Acosta, LLP. for litigation concerning the Brazos Valley Solid Waste Management Agency (BVSWMA) in the amount of \$45,000.00 for total funds of \$297,000.00. Funds used for additional legal costs associated with this project through September 30, 2009.
- s. Approved BVSWMA royalty payments to Grimes County for FY2009 in an amount not to exceed \$250,000, which amount includes ratification of a total of \$104,383.95 in royalty payments made to Grimes County in FY2009, and approval of \$31,349.50 in royalty payments to Grimes County to correct payments made from October 2006 to the present.
- t. Approved BVSWMA Twin Oaks Landfill Construction Contract #08-232 Change Order #3 with C. Watts & Sons Construction Co. Inc. in the amount of \$199,844.00.
- u. Approved **Ordinance No. 3192** amending the electric rate schedule to Chapter 11 "Utilities" of the Code of Ordinances of the City of College Station for small power production and cogeneration facilities less than or equal to 100 kW; and, (2) the addition of an electric rate schedule to Chapter 11 "Utilities" of the Code of Ordinances of the City of College Station for small renewable energy (SRE) customers connecting single phase distributed generation from renewable sources less than or equal to 20 kW. (Renewable energy technologies include those derived directly from the sun, wind, geothermal source, hydroelectric source, wave or tidal energy; or on biomass or biomass based waste products including landfill gas.)

Regular Agenda

1. Public Hearing, presentation, possible action, and discussion on consideration of an ordinance amending Chapter 10, "Traffic Code," to remove parking on both sides of Welsh Avenue beginning at the intersection with Holleman Drive and extending north 100 feet.

Troy Rother, Traffic Engineer presented this item. Staff recommended approval of the ordinance amendment to improve mobility in the area by removing parking on both sides of Welsh Avenue beginning with Holleman Drive and extending north 100 feet. The on-street parking on both sides of the street has caused problems with traffic moving through the signalized intersection at Holleman and Welsh.

Mayor White opened the public hearing. No one spoke. He closed the public hearing.

Council member Lyles made a motion to approve **Ordinance No. 3193** amending Chapter 10, "Traffic Code" to remove parking on both sides of Welsh Avenue beginning at the intersection with Holleman Drive and extending north 100 feet. Motion seconded by Councilmember Stewart. Motion carried unanimously, 5-0.

FOR: White, Lyles, Maloney, Stewart, Ruesink

AGAINST: None

ABSENT: Crompton and Massey

2. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, the Unified Development Ordinance, Section 5.5 "Planned Districts (P-MUD and PDD)," of the Code of Ordinances, related to PDD Planned Development Districts.

Senior Planner Jennifer Prochaska presented this item. She stated that the Comprehensive Plan was adopted with a focus on community character and the creation of places of distinction. The city's existing zoning districts may no longer be the most relevant tools to implement the Comprehensive Plan and like that existing zoning districts will need to be amended and new zoning district created. During the interim, the Planned Development District may be an effective tool to help College Station realize the goals of the Comprehensive Plan. The UDO, Section 5.5 (Planned Districts (P-MUD and PDD) includes restrictions that limit what elements can be included in a PDD. The current ordinance does not allow PDDs to guarantee specific building characteristics or apply additional development standards through the rezoning process. In order to use the PDD to implement the Comprehensive Plan, the restrictions should be removed. The Planning and Zoning Commission unanimously recommended approval at their July 2, 2009 meeting. Staff also recommended approval.

Mayor White opened the public hearing.

Brian Alg, 2003 Longmire Court, stated concern about the city's involvement in placing restrictions on infrastructure in private development.

Mayor White closed the public hearing.

Council member Maloney moved approval of **Ordinance No. 3194** amending Chapter 12, the Unified Development Ordinance, Section 5.5 "Planned Districts (P-MUD and)PDD," of the Code of Ordinances, related to PDD Planned Development Districts. Motion seconded by Council member Stewart. Motion carried unanimously, 5-0.

FOR: White, Maloney, Stewart, Ruesink, Lyles

AGAINST: None

ABSENT: Crompton and Massey

3. Presentation, possible action, and discussion to approve a resolution providing an exception to Policy to allow Mr. Thomas and Ms. Palasota to construct sewer infrastructure necessary to connect their homes to the City sewer system.

Dave Coleman, Director of Water Services explained that the staff recommended to City Council the approval of a resolution providing an exception to policy allowing Mr. Thomas and Ms. Palasota to construct sewer infrastructure necessary to connect their homes to the City sewer system. The homes

Thursday, July 23, 2009

are located along Cheyenne Drive and Buggy Lane in the area of Wellborn Road and Capstone, in the city's extraterritorial jurisdiction. The City does not hold the CCN for this area, and an exception to Policy is required.

Mayor White opened the floor to applicant, Ed Thomas of 14222 Bugey Lane. He requested Council support of his request. Mr. Thomas made special comments about Lance Simms, City's Building Official and his courteous service.

Motion made by Council member Maloney to approve **Resolution No. 7-23-2009-03** as presented providing an exception to policy to allow Ed Thomas and Carolyn Palasota to construct sewer infrastructure necessary to connect their homes to the City sewer system. Motion seconded by Council member Ruesink, which carried unanimously, 5-0.

FOR: White, Maloney, Ruesink, Stewart, Lyles

AGAINST: None

ABSENT: Crompton and Massey

4. Presentation, possible action, and discussion regarding sunset review of Council Committees and selection of Council appointed representatives to fill vacancies on the following committees and boards.

Arts Council of the Brazos Valley

Audit Committee

Brazos County Health Department

BVWMA Policy Advisory Board

Intergovernmental Committee

Convention and Visitors Bureau Board of Directors

Research Valley Partnership Board of Directors

Sister Cities Association

Transportation Committee

Wolf Pen Creek Oversight Committee

City/CSISD Subcommittee

This item was deferred to next regular council meeting, August 17, 2009.

5. Presentation, possible action, and discussion of City Council making appointments to citizen committees. These include:

Cemetery Committee

Construction Board of Adjustments and Appeals

Parks and Recreation Board

Historic Preservation

Research Valley Partnership Board

Convention and Visitors Bureau

Council member Lyles made the motion to appoint to the Cemetery Committee, Sarah Adams, Virginia Reese, Kathleen Ireland for two year term and Matthew Crowley one year term. Motion seconded by Council member Stewart, which carried unanimously, 5-0.

Council member Maloney moved to appoint Earl Apgar as Chairman, Louis Hodges, James McGinnis, Anne Steen, Meredith Waller, and Ernie Wright for two year term, and Libby Vastano and Hillary Jessup for one year term. Motion seconded by Council member Lyles, which carried unanimously, 5-0.

Council member Lyles made a motion to appoint Richard Dabney, Mike Lane, and Oran Mikael for two year term on the Construction Board of Adjustments and Appeals. Motion seconded by Maloney, which carried unanimously, 5-0.

Council member Lyles made a motion to appoint Jody Ford to the Parks and Recreation Board for a one year term. Motion seconded by Stewart, which carried unanimously, 5-0.

Council members Crompton and Massey were absent from the meeting.

6. Presentation, possible action, and discussion of Mayor Pro Tem appointment.

This item was deferred to next regular council meeting, August 17, 2009.

7. Adjourn.

Being no further business, Mayor White closed the regular meeting at 7:40 p-m.

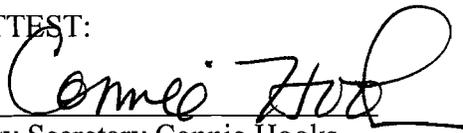
PASSED AND APPROVED this 17th day of August, 2009.

APPROVED:



Mayor Ben White

ATTEST:


City Secretary Connie Hooks