



Mayor
Ben White
Mayor ProTem
Lynn McIlhaney
City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Lawrence Stewart
David Ruesink

Agenda
College Station City Council
Workshop Meeting
Thursday, February 12, 2009 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

1. Presentation, possible action, and discussion on items listed on the consent agenda.
2. Presentation, possible action, and discussion regarding an update on Arts Council of Brazos Valley projects, programs and activities.
3. Presentation, possible action and discussion regarding the FM 2818 grade separation project at Wellborn Road and the Union Pacific Railroad.
4. Presentation, possible action, and discussion regarding the Desired Future Condition of the Simsboro aquifer, including a presentation on the Economic Impact of Large Groundwater Withdrawal.
5. Presentation, possible action, and discussion on the Fiscal Year (FY) 2009-2010 Budget Review Process.
6. Presentation, possible action, and discussion on Convention Center financing options.
7. Council Calendar
 - February 13 11th Annual Crawfish Boil at the Brazos County Expo Complex, 5:30 p.m.
 - February 16 IGC Meeting at the BVCOG, 12:00 p.m.
 - February 16 Citizens University in Council Chambers, 5:30 p.m.
 - February 17 Council Transportation Committee Meeting in the Admin Conference Rm, 4:30 p.m.
 - February 17 CPAC Meeting at the Conference Center, 5:30 p.m.
 - February 19 Joint Council and P&Z Workshop in the Council Chambers, 5:00 p.m.
 - February 19 P&Z Workshop/Regular Meeting in the Council Chambers, 6:00 p.m.
 - February 23 Citizens University at the Police Dept., 5:30 p.m.
 - February 26 Council Workshop/Regular Meeting, 3:00 p.m. & 7:00 p.m.
8. Presentation, possible action, and discussion 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.

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City Council Workshop Meeting

Thursday, February 12, 2009

9. Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Cemetery Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, BVSWM, (Notice of Agendas posted on City Hall bulletin board).

10. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Application with TCEQ for permits in Westside/Highway 60 area, near Brushy Water Supply Corporation
- b. Sewer CCN permit requests
- c. Water CCN permit requests
- d. Water service application with regard to Wellborn Special Utility District.
- e. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
- f. Attorney-client privileged information and possible contemplated litigation of prior expenditures of College Station funds made by Paul Urso to Texcon
- g. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites
- h. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District
- i. JK Development v. College Station
- j. Taylor Kingsley v. College Station
- k. State Farm Lloyds as Subrogee of Mikal Klumpp v. College Station
- l. TMPA v. PUC (College Station filed Intervention)
- m. City of Bryan suit filed against College Station, Legal issues and advise on Brazos Valley Solid Waste Management Agency contract, on proposed methane gas contract
- n. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site
- o. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
- p. Attorney-client briefing of legal options for convention center funding.

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:

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City Council Workshop Meeting

Thursday, February 12, 2009

- a. Possible Sale of or Exchange of Property on E. University.

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:

- a. Lynntech Science Park.

11. Action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting will be discussed in tonight's Regular Meeting if necessary.

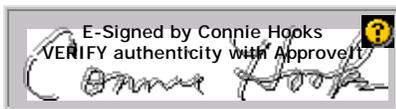
12. Adjourn.

APPROVED:

City Manager

Notice is hereby given that a Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 12th day of February, 2009 at 3:00 pm in the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 9th day of February, 2009 at 2:00 pm



City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on February 9, 2009 at 2:00 pm and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

This public notice was removed from the official board at the College Station City Hall on the following date and time: _____ by _____.

Dated this ____ day of _____, 2009.

CITY OF COLLEGE STATION, TEXAS

By _____

Subscribed and sworn to before me on this the ____ day of _____,

Notary Public – Brazos County, Texas My commission expires: _____

On Behalf of the Citizens of College Station, Home of Texas A&M University, We will continue to Promote and Advance the Community's Quality of Life

City Council Workshop Meeting

Thursday, February 12, 2009

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764-3517 or (TDD) 1-800-735-2989. Agendas may be viewed on www.cstx.gov. Council meetings are broadcast live on Cable Access Channel 19.

**February 12, 2009
Workshop Agenda Item 2
Arts Council Update**

To: Glenn Brown, City Manager

From: City Manager's Office

Agenda Caption: Presentation, possible action, and discussion regarding an update on Arts Council of Brazos Valley projects, programs and activities.

Recommendation(s): Staff recommends Council receive the information and provide any desired direction or feedback to the Arts Council of Brazos Valley.

Summary: Members of the Arts Council of Brazos Valley Board of Directors and staff will present a report on their projects, programs and activities. A brief update will also be given regarding name removal from the Arts Council Building.

Budget & Financial Summary: N/A

Attachments: N/A

**February 12, 2009
Workshop Agenda Item No. 3
TxDOT Update - 2154/2818 Grade Separation**

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action and discussion regarding the FM 2818 grade separation project at Wellborn Road and the Union Pacific Railroad.

Summary: Staff from the Texas Department of Transportation, Bryan District office will make a presentation describing the project, its status, its schedule and how local streets are affected during and after construction.

Budget & Financial Summary:

Attachments:

February 12, 2009
Workshop Agenda Item No. 4
Desired Future Condition of the Simsboro Aquifer

To: Glenn Brown, City Manager

From: Dave Coleman, Water Services Director

Agenda Caption: Presentation, possible action, and discussion regarding the Desired Future Condition of the Simsboro aquifer, including a presentation on the Economic Impact of Large Groundwater Withdrawal.

Recommendation: Receive the staff report and provide direction to City Manager.

Summary: The future of groundwater availability in this region will be determined over the next 18 months. State Law requires that each Groundwater Management Area must establish, by 1 September 2010, a "Desired Future Condition" (DFC) for the aquifers in their area. These DFCs will be used by the Texas Water Development Board to determine how much water can be withdrawn from each area, in order to maintain the specified DFC.

College Station relies on the Simsboro aquifer for the vast majority of our water supply. If the final DFC allows excessive withdrawal from the Simsboro, we fear that it would lead to depletion of the aquifer at some point in the future. To defend against this possibility, College Station joined with the City of Bryan and Texas A&M to study the potential economic impact of large withdrawals from the Simsboro aquifer. We jointly hired HDR Engineers, who has completed this study and concluded that moderate to severe economic impact could result, depending on how far the Simsboro declines:

- Moderate declines: Increased costs to rework wells and pump water farther
- Drastic declines: Construct an alternate water source, such as Millican Reservoir, which would be extremely costly

College Station will endeavor to establish a DFC that allows only moderate declines. We are represented in the DFC process by the Brazos Valley Groundwater Conservation District, which includes both Brazos and Robertson Counties. Our District falls into Groundwater Management Area 12 (GMA-12), which also includes four other adjacent Districts that lie above the Simsboro aquifer.

To date, GMA-12 has conducted one meeting to obtain stakeholder input, and College Station attended the meeting and advocated a moderate decline. However, other groups are adamantly advocating drastic declines – they want to base water availability on a concept called "Total Aquifer Storage" which they admit will lead to depletion of the aquifer. They justify their position by stating they are protecting the individual land owner's right to produce and sell the water under their property. This seems like a laudable goal, but if the pursuit of that goal leads to destruction of the resource, then we believe it is not prudent.

We request City Council's support to pursue Moderate Declines in the DFC process. If specific action becomes appropriate in the future, we will present that information with a recommendation.

Budget & Financial Summary: None.

Attachments: None.

February 12, 2009
Workshop Agenda Item No. 5
FY 2009 - 2010 Budget Review Process Discussion Follow-up

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion on the Fiscal Year (FY) 2009-2010 Budget Review Process.

Recommendation(s): Staff recommends the City Council receive the staff report and provide direction on revisions to the FY 2010 budget review process.

Summary: At the December 11, 2008 City Council Meeting a presentation was made on a proposed budget review schedule for Fiscal Year 2009-2010. The Council had discussion on when to schedule the budget review meetings.

Staff has prepared 2 budget review calendars based on the feedback received at the last meeting.

The first version has the budget workshop meetings being held on August 13th, August 14th, August 20th and August 21st. The first 2 workshops would cover the General Fund and the discussion on the tax rate would occur on August 17th after the General Fund discussion.

The second version has the budget workshop meetings on July 27th, July 28th, and August 13th and August 14th. The discussion on the tax rate would occur on August 17th after all the budget workshop meetings.

Budget & Financial Summary: Revisions to the budget review calendar will not have any budget impact.

Attachments:

1. Version 1 - Draft Budget Calendar for FY 2009 – 2010
2. Version 2 - Draft Budget Calendar for FY 2009 – 2010

MILESTONE DATES FOR FY10 BUDGET PROCESS

- Thur, March 26** Council FY10 Budget Policy discussion
- Wed, April 8** Base Budget and SLA Kickoff Meetings
- Fri, April 24** Base Budgets and SLAs due from Departments to Budget Team - Cat 1
Fri, May 1 Base Budgets and SLAs due from Departments to Budget Team - Cat 2
Fri, May 8 Base Budgets and SLAs due from Departments to Budget Team - Cat 3
Note: the departments will be categorized based on the time they need to prepare their budgets - this gives the Budget Team more time to prepare the information for the CMO meetings
- Tue, May 26 - Fri, May 29** Departmental Budget meetings with CMO
- Thur, June 25** Present preliminary budget issues to Council
- Mon, July 27** Budget Workshop #1 - Present Proposed Budget to Council
Tue, July 28 Budget Workshop #2
- Thur, Aug 13** Budget Workshop #3 - General Fund
Fri, Aug 14 Budget Workshop #4 - General Fund
- Mon, Aug 17** Council determines public hearing tax rate
- Wed, Aug 19** Publish 1st Tax Notice (Notice of Public Hearing on Tax Increase)
Note: must be 7 days prior to public hearing
- Thur, Aug 27** Public hearing on budget
Public Hearing on tax increase - #1
- Tues, Sept 1** Public Hearing on tax increase - #2 (special council meeting)
Note: must be at least 3 days after public hearing #1
- Wed, Sept 2** Publish 2nd Tax Notice (Notice of Tax Revenue Increase)
Note: must be 7 days prior to meeting to adopt tax rate
- Thur, Sept 10** Adoption of Budget
Adoption of Tax Rate
Note: must be 3-14 days after public hearing #2 and before 9/29

BLUE - regularly scheduled Council meeting

RED - special Council meeting

MILESTONE DATES FOR FY10 BUDGET PROCESS

- Thur, March 26** Council FY10 Budget Policy discussion
- Wed, April 8** Base Budget and SLA Kickoff Meetings
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- Tue, May 26 - Fri, May 29** Departmental Budget meetings with CMO
- Thur, June 25** Present preliminary budget issues to Council
- Thur, Aug 13** Budget Workshop #1 - General Fund
Fri, Aug 14 Budget Workshop #2 - General Fund
- Mon, Aug 17** Council determines public hearing tax rate
- Wed, Aug 19** Publish 1st Tax Notice (Notice of Public Hearing on Tax Increase)
Note: must be 7 days prior to public hearing
- Thur, Aug 20** Budget Workshop #3
Fri, Aug 21 Budget Workshop #4
- Thur, Aug 27** Public hearing on budget
Public Hearing on tax increase - #1
- Tues, Sept 1** Public Hearing on tax increase - #2 (special council meeting)
Note: must be at least 3 days after public hearing #1
- Wed, Sept 2** Publish 2nd Tax Notice (Notice of Tax Revenue Increase)
Note: must be 7 days prior to meeting to adopt tax rate
- Thur, Sept 10** Adoption of Budget
Adoption of Tax Rate
Note: must be 3-14 days after public hearing #2 and before 9/29

BLUE - regularly scheduled Council meeting

RED - special Council meeting

**February 12, 2009
Workshop Agenda Item No. 6
Convention Center Financing Options**

To: Glenn Brown, City Manager

From: David Gwin, Director of Economic Development

Agenda Caption: Presentation, possible action, and discussion on Convention Center financing options.

Recommendation(s): N/A

Summary: N/A

Budget & Financial Summary: N/A

Attachments: N/A