



**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**  
**Monday, May 18, 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 of resolution declaring results of City and School Election May 9, 2009.
3. Presentation of Service Awards to Mayor Pro Tem Lynn McIlhaney and Council member Dave Ruesink.
4. Oath of Office administered to newly elected Councilmember and presentation of Certificate of Election.
5. Presentation, possible action, and discussion regarding the El Camino Real de los Tejas Trail Project Presentation.
6. Presentation, possible action, and discussion regarding the update to the City of College Station Comprehensive Plan scheduled for May 28, 2009.
7. Presentation, possible action, and discussion regarding funding options for a potential Advanced Funding Agreement (AFA) with TxDOT for the widening of FM 60 from State Highway 6 to FM 158.
8. Presentation, possible action, and discussion regarding the Green College Station Parks and Recreation Department Program, as requested by Council at the August 28, 2008 meeting.
9. Council Calendar
  - May 19 Council Workshops in Council Chambers, 4:30 p.m.
  - May 21 Business After Hours at the Palace Theater, 5:30 p.m.
  - May 21 P&Z Commission Meeting Workshop/Regular, 6:00 p.m.
  - May 25 City Offices Closed – Holiday
  - May 28 City Council Meeting Workshop/Regular, 3:00 p.m. & 7:00 p.m.
10. 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.

*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  
Monday, May 18, 2009

11. 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, BVSWMA, Signature Event Task Force, (Notice of Agendas posted on City Hall bulletin board).
12. 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 for Brushy & Wellborn Services Areas
  - c. Water CCN permit requests for Brushy & Wellborn Services Areas
  - d. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
  - e. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites
  - f. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District
  - g. TMPA v. PUC (College Station filed Intervention)
  - h. 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
  - i. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site
  - j. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
  - k. Chavers et al v. Tyrone Morrows, Michael Ikner, City of Bryan, City of College Station, et al
  - l. Review of legal aspects of the Open Meetings Act
  - m. Rogers Sheridan v. Barbara Schob & Greg Abbott

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:

- a. 906 Ashburn, approximately 7.44 acres
- b. Possible purchase of land in the vicinity of Spruce Street and College Main

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c. Possible Purchase or Exchange of Property near E. University and Tarrow

13. 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.

14. 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 18<sup>th</sup> day of May, 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 15<sup>th</sup> day of May, 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](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on May 15, 2009 at 2:00 pm and remained so posted continuously for at least 72 hours proceeding 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: \_\_\_\_\_

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](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.

**May 18, 2009**  
**Workshop Agenda Item No. 2**  
**Canvass Resolution**

**To:** Glenn Brown, City Manager

**From:** Connie Hooks, City Secretary

**Agenda Caption:** Presentation, possible action, and discussion approving a resolution to canvass the results of the Election held on May 9, 2009.

**Recommendation:** Staff recommends approval and adoption of this resolution.

**Attachments:**

Resolution to be provided at the meeting.

**May 18, 2009**  
**Workshop Agenda Item No. 5**  
**El Camino Real de los Tejas Trail Project Presentation**

**To:** Glenn Brown, City Manager

**From:** Marco A. Cisneros, Director, Parks and Recreation

**Agenda Caption:** Presentation, possible action, and discussion regarding the El Camino Real de los Tejas Trail Project Presentation.

**Recommendation(s):** Staff requests that the Council provide input and policy direction on the presentation made by the Brazos County Historical Commission for the proposed El Camino Real de los Tejas Trail Project.

**Summary:** The Brazos County Historical Commission has been working on a new proposed historical project for the community called the El Camino Real de los Tejas Trail Project. This project has been identified as one of the projects that the National Park Service is working on for recognition at a national level with the possibility of National Park Service grant funding being made available to help with the development of the proposed historical project itself.

Ms. Barbara Althaus, a member of the Brazos County Historical Commission, will be making a presentation to the City Council to further explain this proposed historical project and its historical significance to the community. Of specific interest to the group is the fact that some of the historic trail portions are located on City of College Station property in the Bryan ETJ close to OSR in north Brazos County. The Commission is interested in asking the City to participate in the project and its required funding for a National Park Service grant. They are also working with the City of Bryan and Brazos County for the same level of support and funding for the grant application.

**Budget & Financial Summary:** The impact to the Parks and Recreation Department operations budget for the current or next fiscal year is dependent upon Council direction with respect to the future of this proposed project.

**May 18, 2009**  
**Workshop Agenda Item No. 6**  
**City of College Station Comprehensive Plan Update Briefing**

**To:** Glenn Brown, City Manager

**From:** Bob Cowell, AICP, Director of Planning & Development Services

**Agenda Caption:** Presentation, possible action, and discussion regarding the update of the City of College Station Comprehensive Plan, scheduled for May 28<sup>th</sup>, 2009

**Summary:** The City Council is scheduled to conduct a public hearing on the update to the City's Comprehensive Plan at the May 28<sup>th</sup>, 2009 Council meeting. The purpose of this workshop item is to provide an opportunity for staff to explain what type of information will be submitted on the 28<sup>th</sup>, what actions will be requested, and to answer any question about the process that the Council may have. There will be no action on the plan itself requested at this workshop.

**Budget & Financial Summary:** N/A

**Attachments:** N/A

**May 18, 2009**  
**Workshop Agenda Item No. 7**  
**FM 60 Widening Funding Options**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Capital Projects

**Agenda Caption:** Presentation, possible action, and discussion regarding funding options for a potential Advanced Funding Agreement (AFA) with TxDOT for the widening of FM 60 from State Highway 6 to FM 158.

**Recommendation(s):** Staff recommends funding this future AFA with Streets Capital Projects fund balance and utilizing a portion of the funds programmed for the University Drive Pedestrian Improvement Project, scheduled to begin in 2013; Barron Road East/Lakeway Extension project, scheduled to begin in 2012; and the Rock Prairie Road East Right-of-Way Acquisition, currently in progress; and considering additional future long term debt to address potential funding needs in these projects.

**Summary:** Texas Department of Transportation (TxDOT) has plans to widen FM 60 (University Drive) from State Highway 6 to FM 158. On February 14, 2008, the Council approved an AFA with TxDOT in the amount of \$484,200, which is approximately 10% of the cost for the right-of-way needed for the project and utility relocations.

The State of Texas recently made a proposal to provide \$8,000,000 available for the widening of FM 60 from State Highway 6 to FM 158, contingent upon the City of College Station and City of Bryan providing an additional \$2,500,000 each. At this time, it is anticipated that the funds will need to be available in the year 2012.

Staff will present several funding options for the \$2,500,000 needed for the AFA.

**Budget & Financial Summary:** The widening of this section of University Drive has been identified as a high priority project by the City and the project is on the MPO's priority project list. However, the project is not currently funded in the City's Capital Improvement plan. The Streets Capital Projects fund currently has a balance of approximately \$500,000 from other traffic and transportation projects that were delivered under budget. These funds could be redirected to the proposed AFA.

The University Drive Pedestrian Improvement Project was included in Proposition 1, Streets and Transportation, approved by the voters in November 2008. The scope of this project was derived from a report created in 2007, and contains many aesthetic elements and features that may be reduced and/or eliminated. Additionally, the improvements constructed in Phase I of this project by TxDOT could impact the scope of the project from College Main to South College.

The Barron Road East/Lakeway Street Extension Project was included in Proposition 1, Streets and Transportation, approved by the voters in November 2008. This project will provide for the extension of Barron Road East of SH 6 (Minor Arterial – 4 lanes with a

median) to Lakeway, and Lakeway (major collector – 4 lanes, no center turn lane or median) from Barron Road East to the property line of the College Station Business Park. It is anticipated that development would extend Lakeway from William D. Fitch to the property line of the College Station Business Park. However, if the segment of Lakeway between William D. Fitch and the property line of the College Station Business Park is not constructed by other prior to the year 2012, the City may elect to delay this project until the funding to construct additional segments of Lakeway to provide connectivity to William D. Fitch is identified.

The Rock Prairie Road East Right-of-Way (ROW) Acquisition project was approved by the voters in the 2003 Bond Election. The intent was to begin ROW and design in 2003, to be prepared for a proposition for the construction of Rock Prairie Road to be included on the ballot for the 2008 Bond Election. However, due to modifications to the classification of Rock Prairie Road, the Eastside Transportation Study, and revisions to the Transportation Plan as part of the Comprehensive Plan, the ROW acquisition and design is only partially complete, and all efforts to acquire ROW are currently suspended. It possible some of the ROW needed will be dedicated as the adjacent tracts develop, allowing for some of the funds allocated for this project to be shifted to the FM 60 Widening Project.

If it is determined that additional funds will be needed to complete the projects listed above, additional certificates of obligation could be issued to provide the funding to complete them. It will not be known if additional funds will be necessary for these projects until additional planning and design work is complete. There is capacity within the existing tax rate to issue additional certificates of obligation. Since some of the projects proposed in the 2008 bond authorization did not pass, leaving available some capacity to fund other projects if desired.

In summary, funding for the University Drive Widening project can come from a combination of savings from completed capital projects, and shifting funds from planned capital projects, while considering additional long term debt to make up possible shortfalls that may occur in those planned capital projects.

**Attachments:**

1. None

**May 18, 2009**  
**Workshop Agenda Item No. 8**  
**Green College Station Parks and Recreation**

**To:** Glenn Brown, City Manager

**From:** David Schmitz, Assistant Director, Parks and Recreation

**Agenda Caption:** Presentation, possible action, and discussion regarding the Green College Station Parks and Recreation Program, as requested by Council at the August 28, 2008 meeting.

**Recommendation(s):** Staff requests that the Council provide input and policy direction on the continuation of the Green College Station Parks and Recreation Program.

**Summary:** The City of College Station Parks and Recreation Department has set a goal as being recognized as having one of the "Greenest" Parks and Recreation Departments in Texas within the next three (3) years. The program focuses on the major categories of waste reduction and recycling, water conservation, land use, air quality and energy conservation. These categories align directly with the overall Green College Station Initiative.

**Budget & Financial Summary:** Funds for many of the program initiatives are provided annually to the Parks and Recreation Department through the General Fund budget. Specific capital items will be asked for through the submittal of SLA's in the Budget process.

**Attachments:**

- 1) Green PARD Plan of Action

GREEN PARKS & RECREATION DEPARTMENT PROGRAM  
PLAN OF ACTION

DATE	PROJECT DESCRIPTION	ESTIMATED COSTS	FUNDING
ONGOING	<ul style="list-style-type: none"> <li>1) Continually assess the Green PARD Program for effectiveness</li> <li>2) Utilize other cities' Green PARD programs as a benchmark for measurement and comparisons</li> <li>3) Seek sustainable funding sources to ensure the long term success of the Green PARD Program</li> <li>4) Review and modify policies and practices to lead toward resource efficiency, waste reduction and cost effectiveness</li> </ul>		<ul style="list-style-type: none"> <li>In-House</li> <li>In-House</li> <li>In-House</li> <li>In-House</li> </ul>
FY09	<ul style="list-style-type: none"> <li>1) Design Creek View Park to be "Green" with recycled benches and picnic tables, efficient irrigation system, solar powered trash compactors, LEED certified playground equipment, re-cycled rubber surfacing, Xeriscape sign beds and trees</li> <li>2) Design and plant trees (approx. 240) as part of the HWY6/University Dr. gateway project</li> <li>3) Re-use of WWTP sludge for fertilizer on athletic fields</li> <li>4) Reclaimed water project for irrigation of Veterans' Park</li> <li>5) Install LEED certified play unit at Windwood Park including re-cycled safety surfacing</li> <li>6) Use of re-cycle containers in Parks and facilities</li> <li>7) Convert current buildings (Office, Lincoln Center, Conference Center, EXIT Teen Center, etc.) to CFL's where appropriate</li> <li>8) Buy LED Christmas lights for replacements at the Christmas in the Park event</li> <li>9) Design and construct a Skatepark to include LED area lighting, re-cycled benches and tables, solar powered trash compactor, efficient irrigation system and trees</li> </ul>	<ul style="list-style-type: none"> <li>\$700,000</li> <li>\$300,000</li> <li>\$3,675,000</li> <li>\$60,000</li> <li>\$5,000</li> <li>\$5,000</li> <li>\$12,000</li> <li>\$920,000</li> </ul>	<ul style="list-style-type: none"> <li>Bond 2008 and Park Land Dedication</li> <li>CSU Wind Watts Gateway</li> <li>In-House</li> <li>Water Services</li> <li>Park Land Dedication</li> <li>General Fund</li> <li>General Fund</li> <li>CSU Wind Watts sponsorship</li> <li>Bond 2008</li> </ul>
FY10	<ul style="list-style-type: none"> <li>1) purchase 10 solar powered trash compactors</li> <li>2) design and construct LEED certified building at the S.C. Beachy Central Park athletic complex</li> <li>3) purchase of up to 3 mowers that are bio-diesel capable (TORO) - current "best choice" for availability of fuel and maintenance</li> </ul>	<ul style="list-style-type: none"> <li>\$50,000</li> <li>\$930,000</li> <li>\$80,000</li> </ul>	<ul style="list-style-type: none"> <li>FY10 SLA</li> <li>Bond 2008</li> <li>FY10 SLA</li> </ul>
FY11	<ul style="list-style-type: none"> <li>1) conduct in-depth study of the Green PARD Program to assess progress and future viability</li> <li>2) Future design of Lick Creek Park Nature Center to be a "Green" facility, including a full scale rainwater harvesting system</li> </ul>	<ul style="list-style-type: none"> <li>\$2,495,000</li> </ul>	<ul style="list-style-type: none"> <li>In-House</li> <li>Bond 2008</li> </ul>