



**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, May 28, 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 on an update regarding the Bicycle, Pedestrian and Greenway Master Plan.
  3. Presentation possible action and discussion regarding the apportionment of the costs of thoroughfare development.
  4. Presentation, possible action, and discussion regarding the Larry J. Ringer Library Interlocal Agreement Update Presentation.
  5. Presentation, possible action, and discussion regarding progress on regulatory changes for on-site sewer facilities.
  6. Presentation, possible action, and discussion regarding an update of the 2009 Bryan/College Station Chamber of Commerce Washington, D.C. trip taken May 11-14.
  7. Council Calendar
    - June 10 16<sup>th</sup> Annual Newman 10 Business Performance Awards Luncheon, CS Hilton, 12:00 p.m.
    - June 11 Council Workshop/Regular Meeting, 3:00 p.m. and 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.
  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
- 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, May 28, 2009

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, Signature Event Task Force, (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 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. Possible Purchase or Exchange of Property near E. University and Tarrow

Economic Development 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. Proposed Development located North and East of the Intersection of William D Fitch and State Hwy 6

*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, May 28, 2009

b. Arctic Wolf Ice Center

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 28<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 22<sup>nd</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 22, 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 28, 2009**  
**Workshop Agenda Item No. 2**  
**Bicycle, Pedestrian and Greenways Master Plan**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on an update regarding the Bicycle, Pedestrian and Greenway Master Plan.

**Recommendation(s):** N/A

**Summary:**

The Bicycle, Pedestrian and Greenways Master Plan, a component of the College Station Comprehensive Plan is currently being updated. The planning process began in November of 2008 with an inventory of existing bicycle, pedestrian and greenway facilities and the selection of a technical task force and staff resource team. The project scope and timeline are attached. The plan is proposed to be adopted in October of 2009.

Staff will provide an update on the planning process including an overview of proposed physical recommendations (bike facilities, sidewalks, trails, etc) formalized through the needs assessment process, the staff resource team, technical task force and second community meeting.

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

**Attachments:**

Project Scope and Timeline

# Bicycle, Pedestrian and Greenways Master Plan

## Project Scope and Timeline



SCOPE	Project Initiation Facility Inventory	Needs Assessment	System Recommendations	Policies & Procedures Operations & Maintenance Implementation	Plan Adoption
TIMELINE	Nov 08 – Jan 09	Feb/March	April/May	June-August	September-October
CITIZEN ENGAGEMENT		<ul style="list-style-type: none"> <li>• Focus Groups</li> <li>• Community Meeting</li> <li>• Online Survey</li> </ul>	<ul style="list-style-type: none"> <li>• Community Meeting</li> <li>• Online Comments to Draft Chapters</li> <li>• Stakeholder Meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Online Comments to Draft Chapters</li> </ul>	<ul style="list-style-type: none"> <li>• Public Hearings</li> <li>• Online Comments to Draft Plan</li> </ul>

**May 28, 2009**  
**Workshop Agenda Item No. 3**  
**City Streets Participation and Rough Proportionality**

**To:** Glenn Brown, City Manager

**From:** Mark Smith, Director of Public Works

**Agenda Caption:** Presentation possible action and discussion regarding the apportionment of the costs of thoroughfare development.

**Recommendation(s):** Staff is looking for policy direction from Council regarding development participation in light of past practice and the new "rough proportionality" rule.

**Summary:** Staff will make a presentation related to LGC Sec. 212.904 describing rough proportionality as well as past oversize participation practice and how they relate to thoroughfare development.

**Budget & Financial Summary:**

**Attachments:**

May 28, 2009  
Workshop Agenda Item No. 4  
Larry J. Ringer Library Interlocal Agreement Update Presentation

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding the Larry J. Ringer Library Interlocal Agreement Update Presentation.

**Recommendation(s):** Staff requests that the Council provide input and policy direction on the analysis provided by staff for the Interlocal Agreement that is currently in place with the City of Bryan for the operation of the Larry J. Ringer Library in College Station as a part of the Bryan+College Station Library System.

The Bryan+College Station Library Board, which is made up of four (4) Council appointed representatives from each city, last recommended approval of the current interlocal agreement in March 2006.

**Summary:** The cities of Bryan and College Station have had an intergovernmental contract in place for the operation of the Bryan+College Station Library System since 1986. The Bryan+College Station Library System is made up of the Main Bryan Library, the Carnegie Library in Bryan and the Larry J. Ringer Library in College Station. The Library System Interlocal Agreement has been revised numerous times through the years in keeping with changes in operations in both cities. In brief, College Station owns the building, furnishings, equipment, van, land and book inventory at the Ringer Library. Bryan hires and manages the City of Bryan employees that work at the Ringer Library. Bryan also buys all library supplies and books and reports monthly library activities to the College Station staff liaison in the Parks and Recreation Department. College Station pays Bryan for these costs. The FY 09 Library Operations Budget is \$1,130,871 of which \$1,005,824 is paid to Bryan to cover the library operations costs.

A survey of the City's 10 benchmark cities showed that most other cities typically do not use this type of Interlocal Agreement in the provision of their library operations and programs. The other cities have their own stand alone library systems and operate them as such.

The policy issue is:

**Should the City continue to utilize the current Library Interlocal Agreement for the provision of its library services and operations?**

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

**Attachments:**

1. Current Library Interlocal Agreement, October 2006

**INTERGOVERNMENTAL CONTRACT  
BETWEEN BRYAN AND COLLEGE STATION**

This agreement is entered into by and between the City of College Station (hereinafter referred to as "COLLEGE STATION") and the City of Bryan (hereinafter referred to as "BRYAN") and shall be effective on the 1st day of October 2006.

**RECITALS**

WHEREAS, BRYAN and COLLEGE STATION are home rule municipalities as defined by the Texas Local Government Code;

WHEREAS, home rule cities are authorized to enter into contracts with one another for the performance of any governmental service, activity or undertaking;

WHEREAS, by voter approval of a referendum on the 25th day of March, 1995, COLLEGE STATION expanded library services and constructed its own library facility, hereinafter referred to as the Larry J. Ringer Library, within its city limits;

WHEREAS, BRYAN has operated a community library since 1903 and has received accreditation by the Texas State Library; and

WHEREAS, BRYAN has the expertise to manage a library system that is accredited by the Texas State Library; and

WHEREAS, BRYAN and COLLEGE STATION desire to partner together through a mutual agreement to provide a Bryan + College Station Library System:

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, the entities agree as follows:

**ARTICLE I. PREMISES**

- 1.01 COLLEGE STATION shall lease, own or otherwise provide premises to BRYAN suitable for use as a library. The premises shall, at a minimum, include 15,000 square feet of heated / air conditioned floor space. Said premises shall be located within the City limits of College Station as provided by the terms of this agreement.
- 1.02 In the event that COLLEGE STATION requires the relocation of the library, COLLEGE STATION shall pay the cost of said relocation.

- 1.03 In the event of termination of this agreement, COLLEGE STATION shall pay the cost of a final inventory and shall return to BRYAN any BRYAN Library system materials on the premises.
- 1.04 COLLEGE STATION shall be responsible for maintenance, repairs, and expansion of the grounds and the structures on the premises.
- 1.05 BRYAN shall be responsible for the routine janitorial service of the interior of the Larry J. Ringer Library building and any other buildings over which it has control.
- 1.06 BRYAN shall promptly notify COLLEGE STATION in the event any grounds or structural defect or flaw is discovered.

## ARTICLE II. EMPLOYEES

- 2.01 All employees engaged in such library service, whether working within BRYAN or COLLEGE STATION, shall be considered employees of BRYAN. Such employees shall work under the supervision and direction of the Community Librarian.
- 2.02 Upon the termination of this agreement, BRYAN's employees in good standing located at the Larry J. Ringer Library may elect to apply for employment with BRYAN, if positions are available. In any event, the said employees may apply for employment as library employees with COLLEGE STATION. Upon transfer of employment to COLLEGE STATION, COLLEGE STATION shall provide to its library employees the same benefits as provided to other COLLEGE STATION employees. COLLEGE STATION shall waive any waiting period for any and all benefits, unless otherwise required by law.

## ARTICLE III. BOOKS AND OTHER MATERIALS

- 3.01 All books (hereinafter referred to as materials) and other items of personal property (hereinafter referred to as physical assets) purchased with the designated Larry J. Ringer Library budgeted funds shall belong to and remain the property of COLLEGE STATION.

- 3.02 BRYAN shall exercise the same degree of care in the keeping, preservation, and maintenance of materials and other physical assets as it exercises in the keeping, maintenance, and preservation of its own public library property.
- 3.03 The final authority for the selection of library materials rests with the Community Librarian.
- 3.04 The Larry J. Ringer Library will maintain a permanent book stock.

**ARTICLE IV. PROGRAMS AND OTHER SERVICES**

- 4.01 BRYAN shall operate the Bryan + College Station Library System including operation of the Twin City Inter-Library Loan Program, under direction of the BRYAN Division Manager of Library Services, herein referred to as the "Community Librarian".
- 4.02 BRYAN will house, operate, and maintain the main computer system used by the Bryan + College Station Library System to check in and out items, track book collections, and other collections, etc. BRYAN will perform system back-ups, generate overdue notices and other reports as necessary. Replacement of the main computer system and any other shared information technology may occur only with mutual agreement of both Cities.

**ARTICLE V. HOURS OF OPERATION**

- 5.01 The Larry J. Ringer Library shall maintain operating hours as the parties shall mutually agree upon, subject to appropriations made by the COLLEGE STATION City Council.

**ARTICLE VI. INSURANCE AND LIABILITY**

- 6.01 COLLEGE STATION shall maintain insurance on the premises, including the structures, as well as insurance for personal injury or property damage as it requires for other municipal property.
- 6.02 **Hold Harmless.** The parties agree to hold each other harmless from and against any and all claims, losses, damages, causes of action, suits and liabilities of every kind, including all expenses of litigation, court costs and

**attorney's fees, for injury or death of any person, for damage to any property, or for any breach of contract, arising out of or in connection with the work done under this Agreement, as permitted by law.**

- 6.03 The insurance benefits provided by BRYAN to the employees retained under the terms of this agreement shall be the same as provided to all other BRYAN employees
- 6.04 BRYAN shall, to the extent permitted by law, indemnify and hold COLLEGE STATION harmless from any liability incurred from the hiring, employment or termination of any employee under this agreement.

#### **ARTICLE VII. CONSIDERATION**

- 7.01 During the term of this agreement, COLLEGE STATION shall pay BRYAN a sum to be determined by the annual COLLEGE STATION budget for the operation of the Larry J. Ringer Library by BRYAN.
- 7.02. COLLEGE STATION will incorporate in its annual budget the proposed budget for the operation of the Larry J. Ringer Library. It is understood by the parties that the approval of the budget is a legislative function.

#### **ARTICLE VIII. BUDGET**

- 8.01 By April 30<sup>th</sup> of each year, BRYAN shall submit to COLLEGE STATION an annual budget request, in such reasonable detail as COLLEGE STATION may require. Said budget request shall include all costs necessary to operate the Larry J. Ringer Library in a professional manner, including those expenditures associated with operating the library and maintaining proper staffing levels. Projected expenditures shall be offset by credits as described below in section 8.04
- 8.02 Expenditures shall include a funding allocation to BRYAN as compensation for administering the Bryan + College Station Library System. This funding allocation will represent the indirect costs associated with operation of the Larry J. Ringer Library as computed by BRYAN using the same methodology applied

to the computation of indirect costs for all other cost centers in BRYAN. A portion of the indirect costs paid to BRYAN shall be used to purchase Bryan Library materials as provided in §9.02 herein.

- 8.03 Total Bryan + College Station Library System revenues will be allocated to each City respectively based upon the ratio of the present number of each City's books to the total number of books in the Bryan + College Station Library System. Restricted gift revenue will be excluded from this calculation.
- 8.04 At the time the budget is submitted, the BRYAN City Manager or his representative shall include a cover letter indicating what amounts, if any, remain unspent or unencumbered from the funds allocated to the Larry J. Ringer Library in the most recently closed fiscal year. Said funds shall be applied as a credit against the next fiscal year's allocation of funds. COLLEGE STATION's portion of actual revenue from the most recently closed fiscal year shall also be applied as a credit against the next fiscal year's allocation of funds. In the event the contract is terminated, all unspent or unencumbered funds and all remaining revenue allocations shall be promptly remitted to COLLEGE STATION. The computation of the actual amount to be paid by COLLEGE STATION to BRYAN each fiscal year shall be as described in "Exhibit A", which is attached hereto.
- 8.05 BRYAN will be responsible for staffing costs associated with the maintenance and operation of the main computer system. Bryan + College Station Library System shared information technology equipment, software and related maintenance costs shall be paid 50% by BRYAN and 50% by COLLEGE STATION. Information technology equipment specific to each location will be funded by each City respectively.
- 8.06 Funds provided to BRYAN for the operation of the Larry J. Ringer Library shall include funding for janitorial service.
- 8.07 COLLEGE STATION will be responsible for facility and grounds maintenance, repairs, and expansion costs for the Larry J. Ringer Library including costs associated with liability and property damage insurance as stated in Section 6.01.

- 8.08 COLLEGE STATION will be responsible for operation and equipment costs associated with the Twin City Inter-Library Loan Program.
- 8.09 COLLEGE STATION shall maintain an account for restricted gifts. The Community Librarian shall have access to the funds in that account; however, any expenditure that exceeds Five Hundred Dollars (\$500.00) which is not for library materials, shall be cleared through the COLLEGE STATION City Manager or his representative.
- 8.10 Funds appropriated for the Larry J. Ringer Library shall be applied to the Larry J. Ringer Library operation only, unless otherwise authorized by the COLLEGE STATION City Manager or his representative.
- 8.11 The proposed budget shall be submitted in a format prescribed by BRYAN and approved by COLLEGE STATION.
- 8.12 COLLEGE STATION will advise BRYAN of the approved annual budget promptly upon approval by the COLLEGE STATION City Council.
- 8.13 No budgetary transfer of funds involving capital accounts shall be made without the approval of the COLLEGE STATION City Manager or his representative.

ARTICLE IX. MANNER OF PAYMENT

- 9.01 In addition to the consideration paid herein, COLLEGE STATION shall pay to BRYAN the amount of forty thousand dollars (\$40,000) to be used by BRYAN for the purchase of Larry J. Ringer Library materials. Such amount shall be paid to BRYAN in four (4) equal payments due on the first day of October, January, April and June of each year.
- 9.02 The first forty thousand dollars (\$40,000) of the computed indirect costs paid to BRYAN shall be restricted for the purchase of BRYAN Library materials, and shall be paid 50% on October 1<sup>st</sup> and 50% on December 1<sup>st</sup> of each year. BRYAN Library materials purchased with these funds will remain the property of BRYAN.
- 9.03 The remaining amount to be paid to BRYAN as calculated by formula, which is attached hereto as "Exhibit A", shall be paid in twelve equal monthly payments on the first day of each month.

#### ARTICLE X. REPORTING AND ACCOUNTING

- 10.01 BRYAN, within twenty (20) days of the end of the previous month, shall send to the COLLEGE STATION City Manager or his representative a monthly expense budget report and account activity report.
- 10.02 BRYAN shall submit a semi-annual report of receipts and expenditures from the COLLEGE STATION restricted gifts accounts.
- 10.03 Promptly after the close of the BRYAN fiscal year, BRYAN shall furnish to COLLEGE STATION, in such reasonable detail as COLLEGE STATION may require, an accounting of the expenditures made and revenues generated hereunder as well as any credits remaining.
- 10.04 The COLLEGE STATION City Manager or his representative shall conduct an annual review of the Larry J. Ringer Library with the Community Librarian in February. The annual review shall include, but is not limited to, Library performance measures, Library goals, Library operation changes, and renewal of this agreement. Performance measures will be reported quarterly to the COLLEGE STATION City Manager or his representative

#### ARTICLE XI. ADVISORY BOARD

- 11.01 A Bryan + College Station Library Advisory Board was established effective January 1, 1998. The Advisory Board is comprised of eight (8) members serving two year terms with each respective City appointing four (4) members. To provide for continuity within the Advisory Board, the term of two (2) board members appointed by each City shall expire annually, leaving two (2) experienced board members appointed by each City on the Advisory Board.
- 11.02 The duties of the Bryan + College Station Library Advisory Board will be to encourage the development of the Bryan + College Station Library System; recommend to the City Councils policies and programs for the advancement of the Bryan + College Station Library System; cooperate with all other public and private groups in advancing the best interest of the Bryan + College Station

Library System; and render to the City Councils all recommendations it considers advisable regarding the Bryan + College Station Library System.

**ARTICLE XII. TERM**

- 12.01 This agreement shall renew annually and be effective from October 1st of each year until September 30th of each year.
- 12.02 Either party may terminate this agreement by written notice sent not less than six (6) months prior to the annual expiration date.
- 12.03 This agreement is the entire agreement of the parties and may be changed or amended only by written agreement of both parties.

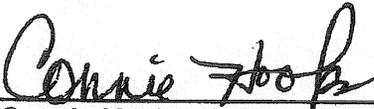
*(The remainder of this page intentionally left blank)*

**CITY OF COLLEGE STATION**

BY:   
Ron Silvia, Mayor

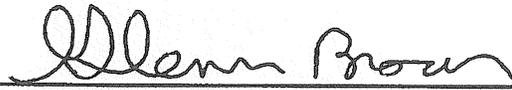
5/3/06  
Date

ATTEST:

  
Connie Hooks, City Secretary

5/3/06  
Date

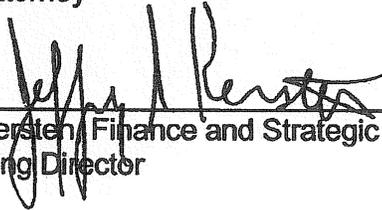
APPROVED:

  
Glenn Brown, City Manager

5/2/06  
Date

  
Carla A. Robinson  
City Attorney

05/02/06  
Date

  
Jeff Kersten, Finance and Strategic  
Planning Director

5-1-06  
Date

CITY OF BRYAN

BY: Russell Bradley, Mayor Pro Tem 5-9-06  
for Ernie Wentrcek, Mayor Date

ATTEST:

Mary H. Utta 5-10-06  
City Secretary Date

APPROVED AS TO FORM:

Phil Winters 5-6-06  
City Attorney Date

Exhibit A

- P = Amount COLLEGE STATION will pay BRYAN in upcoming fiscal year
- B = Approved Budget to operate Larry J. Ringer Library in upcoming fiscal year
- CB = Larry J. Ringer Library books & materials allocation.  
(payment schedule is defined in section 9.01 of the agreement)
- I = Estimated Indirect Costs in upcoming fiscal year
- BB = BRYAN library book and materials allocation  
(payment schedule is defined in section 9.02 of the agreement)
- R = Revenues from Bryan + College Station Library System in last closed fiscal year
- X = percentage of books in the Bryan + College Station Library System belonging to  
College Station in last closed fiscal year
- LB = Estimated Budget to operate Larry J. Ringer Library for the last closed fiscal year
- LE = Actual expenditures to operate the Larry J. Ringer Library in last closed fiscal  
year

$$P = ((B-CB) + (I-BB)) - ((R * X) + (LB - LE))$$

Example Computation using FY 2006 budget and applicable credits from FY 2004:

$$\begin{aligned} P &= ((B - CB) + (I - BB)) - ((R * x) + (LB - LE)) \\ P &= ((801,744 - 40,000) + (63,560 - 40,000)) - ((45,295 * .31) + (726,191 - 722,161)) \\ P &= (761,744 + 23,560) - (14,041 + 4,030) \\ P &= 785,304 - 18,071 \\ P &= 767,233 \end{aligned}$$

Monthly Payment amount = P/12

$$= 767,233/12$$

$$= 63,936$$

**May 28, 2009**  
**Workshop Agenda Item No. 5**  
**Update on Regulation of On-Site Sewer Facilities**

**To:** Glenn Brown, City Manager

**From:** Dave Coleman, Water Services Director

**Agenda Caption:** Presentation, possible action, and discussion regarding progress on regulatory changes for on-site sewer facilities.

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

**Summary:** On November 5, 2008, City Council established a minimum lot size for subdivision in the ETJ of one acre. Staff had recommended the minimum lot size be set at two acres, but County officials requested that City Council consider a 1-acre minimum lot size, which matches the County's minimum lot size for on-site sewer facilities (OSSF). This request came with a commitment to review and modify the County's regulations, to prevent aerobic spray fields from becoming health hazards.

City staff recently met with the County Department of Health (Don Plitt, Ken Bost and others) and two of the County Commissioners (Lloyd Wasserman and Duane Peters) to discuss potential changes to the County's regulation of OSSF in the ETJ. The County Health Department has proposed three changes to their regulations. First, to prevent homes from being constructed before the spray field is designed, the OSSF permit fees can be structured to be highly punitive if the permit application is submitted after the slab is placed. Second, the OSSF application can be required to include a checklist of amenities to be added to the home, which can be used later to prevent amenities from being added that would interfere with the spray field. Third, the setback distance for the spray field can be increased, which necessitates a larger lot size for a larger home. City Staff feels these measures will be highly effective, and will report back when these measures are implemented by the County.

**Budget & Financial Summary:** None.

**Attachments:** None.

**May 28, 2009**  
**Workshop Agenda Item No. 6**  
**Update of 2009 Chamber of Commerce Washington, D.C. Trip**

**To:** Glenn Brown, City Manager

**From:** City Manager's Office

**Agenda Caption:** Presentation, possible action, and discussion regarding an update of the 2009 Bryan/College Station Chamber of Commerce Washington, D.C. trip taken May 11-14.

**Recommendation(s):** N/A

**Summary:** Mayor Ben White and City Manager Glenn Brown were a part of the Bryan/College Station Chamber of Commerce delegation to Washington, D.C. on May 11-14. The delegation participated in meetings with Congressman Edwards, Senator Hutchison, Senator Cornyn, every member of the Texas legislative delegation and federal agency officials.

This item serves as a report on the discussions they had. Attached is also the 2009 Legislative Action Plan distributed by the Chamber delegation to the legislators and officials.

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

**Attachments:**

1. Chamber of Commerce 2009 Legislative Action Plan

**- WORKFORCE DEVELOPMENT/EDUCATION -**

Bryan/College Station is home to Texas A&M University and Blinn College. The 60,000 college students and over 20,000 employees make higher education a major economic force in our community. Texas A&M University is one of the leading research centers in the country, and as such, its strategic capabilities as a center of excellence in many research areas should be encouraged and supported.

In the United States, 51.8 percent of those employed work for companies defined as small business. That compares to 48.5 percent for the state of Texas and 63.9 percent in Bryan/College Station. Two-thirds of all net new jobs over the last 25 years have been created by small businesses. We must create an environment in Texas that removes impediments to entrepreneurs and allow existing businesses to grow and thrive, thereby adding new jobs to the local economy.

✦ Support legislative initiatives that enhance Blinn College's ability to adequately service its entire service area and its ability to provide broadening workforce development/skills training (Institute of Technology) programs in the Research Valley.

✦ Provide relief for school districts by providing an escalating Cost of Education increase on an annual basis so that the target revenues can adjust to changing market conditions related to the costs of good and services.

✦ Support legislation for competitive grants to encourage business participation in education initiatives.

*The Bryan/College Station Chamber of Commerce*

**TEDI ELLISON**

Chairman, Board of Directors  
The Ellison Firm  
979.696.9889 [tedi@ellisonlaw.com](mailto:tedi@ellisonlaw.com)

**JAN LEE**

Board Chair Elect  
Dealers Lighting  
979.775.1697 [jlee@dealerselectrical.com](mailto:jlee@dealerselectrical.com)

**MARY LYNNE STRATTA**

Legislative Affairs Committee Co-Chairman  
City of Bryan  
979.209.5002 [mstratta@bryantx.gov](mailto:mstratta@bryantx.gov)

**MARTY CANGELOSE**

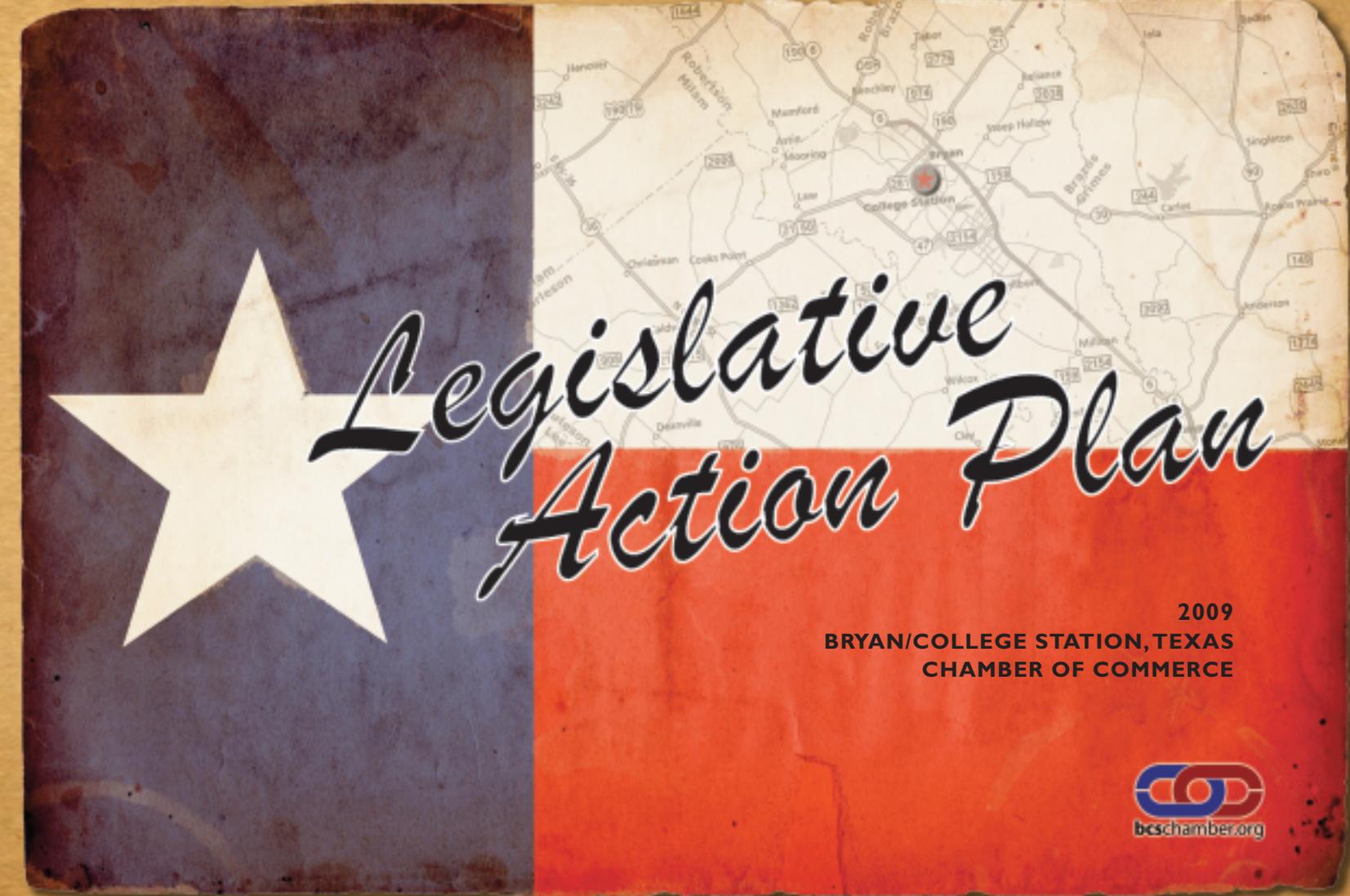
Legislative Affairs Committee Co-Chairman  
M.G. Cangelose & Associates  
979.260.1300 [marty@mgcangelose.com](mailto:marty@mgcangelose.com)

**ROYCE HICKMAN**

President/CEO  
B/C Station Chamber of Commerce  
979.260.5200 [royce@bcschamber.org](mailto:royce@bcschamber.org)

**DENA GASKIN**

Manager of Community Enhancement  
B/C Station Chamber of Commerce  
979.260.5200 [dena@bcschamber.org](mailto:dena@bcschamber.org)





## *The Bryan/College Station Chamber of Commerce*

has as its foremost mission the continuation and cultivation of a vigorous local economy and through its many programs enhances the ability of companies in the Brazos Valley to grow and prosper. One of the most important roles for our Chamber is to take a proactive approach to ensure that those who represent us nationally in Washington, D.C., state-wide in Austin and locally in Bryan/College Station hear about the business interests of our community.

To accomplish this, the following “Legislative Action Plan” has been approved by the Bryan/College Station Board of Directors based on input from a survey of our Chamber membership, community leaders and our elected officials. The Chamber’s mission statement to enhance the economic well-being of the businesses in the communities it serves was the guiding principle and the areas of legislative action selected include Transportation, Healthcare, Taxation, Energy and Workforce Development/Education and few additional miscellaneous issues.

The purpose of the Action Plan is to summarize the important legislative goals in each area of concern. The Legislative Affairs Committee has been in discussions for the past several months on both the short-term and long-term impact of the issues in the document. While in Austin on February 3-4, 2009, the delegation will meet personally with state Senators, Representatives, their staff and relevant agencies to discuss the specifics of legislation that impact the businesses of our community.

Tedi Ellison  
Chairman, Board of Directors

Royce Hickman  
President/CEO

### - TRANSPORTATION -

Bryan/College Station in Brazos County is still one of the fastest growing metro areas in the State of Texas. Our community has experienced a 14% growth rate since 2000 and is the largest MSMO without access to an interstate highway.

To meet the needs and challenges of a Twenty-First Century Texas, our complete transportation infrastructure must be strengthened. Further development of our roads, bridges, railways and airways depends on a solid plan, built by solid transportation policy. Support of public transportation systems including air, cargo rail and high speed rail (Texas T-Bone) ultimately lessens the burden on congested roadways and provides businesses multiple service options.

- ✦ Due to this lack of interstate highway access, 4-lane divided highway linkage is extremely important for local businesses for many purposes including delivery of goods, shipment of supplies and safety of commuting workers. There is a community-wide request for continued support of funding for the final segment linking Bryan/College Station with Interstate 45 through Madisonville, Texas (Madison County).
- ✦ Support limitations on the use of motor fuel taxes, except for the constitutionally-required percentage used to fund our education system, by reducing diversions to the fullest extent.
- ✦ Support of a new legislative initiative sponsored by the Texas Airports Association, a south Texas Senator, and our local Representative to create a permanent Airport Development Fund. This fund would direct the revenue currently collected on aviation-related sales and franchise taxes from the general fund into a TxDOT fund dedicated for the sole purpose of providing airport development grants for the 327 publicly owned airports in Texas.

### - HEALTHCARE -

Bryan/College Station has nearly 400 healthcare providers, including two full service hospitals and one specialty hospital which deliver a level of care usually available only in a major metropolitan area. Our business community continues to be concerned about the medically uninsured, mental health services and medical service reimbursement. Competitive forces, along with transparency, must be available to provide consumers the opportunity to make informed decisions about their own healthcare in pricing and provider performance. Emphasis on employee wellness must also be a high priority to combat the rising costs to employers providing medical coverage to their employees and their families.

- ✦ Support measures that would increase the efficiency and cost-effectiveness of health services and health insurance. Oppose any measures that increase costs for Texas employers and their employees and families.
- ✦ Provide more competitive grant programs to encourage businesses to offer wellness programs and preventive services to employees.
- ✦ Support legislation and appropriations to expand state funding to increase the number of physicians, nurses, physician assistants and other healthcare professionals educated by public colleges and universities.

### - TAXATION -

Over the past five years, Texas has overcome challenges and turned hard times into a thriving economy. The \$10 billion shortfall that threatened the state in 2003 is today a memory. Before the 2009 session even begins, Texas has \$3 billion held aside for property tax relief, with an additional \$7 billion in reserve for the appropriations process. Though the franchise tax was the best option at the time, we can make modifications this session that will make the new system more fair for businesses of all sizes.

- ✦ Support reinstating the research and development tax credit (provided under the previous franchise tax) and allow it to be carried forward.
- ✦ Oppose any additional tax burdens on businesses in order to maintain an equitable tax system that protects our citizens, businesses, cities, counties and state.

### - ENERGY -

Energy powers our economy and our lives—without it, we are quite literally in the dark. However, policy alone cannot overcome the energy challenges that we face as a nation. Without access to affordable and reliable supplies of domestic energy, Texas businesses are forced to move elsewhere, taking jobs and support for the economy with them and impacting our State’s competitiveness.

- ✦ Support the production of adequate supplies of all forms of energy at competitive prices.
- ✦ Eliminate tax inequities between energy sources.
- ✦ Require retail electric utility providers in Texas to have alternatives in place to maintain service to customers in the event of significant failure of the utility provider’s facilities or equipment.