



Mayor
Ben White
Mayor Pro Tem
Dave Ruesink
City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart

Agenda
College Station City Council
Workshop Meeting
Thursday, August 27, 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 the European Union Center and Grant Symposium projects, programs and activities impacting the City of College Station.
3. Presentation, possible action, and discussion on the FY 2009-2010 Proposed Budget.
4. Presentation, possible action, and discussion on an update for Council regarding the public engagement process and park site recommendation.
5. Presentation, possible action and discussion regarding Cell Phone Use in School Zones.
6. Council Calendar
 - September 1 Special Council Meeting in Council Chambers, 6:00 p.m.
 - September 2 Dialogue Iftar Dinner at Pebble Creek Country Club, 7:30 p.m.
 - September 4 Senior Advisory Committee at CS Teen Center, 2:00 p.m.
 - September 7 City Offices Closed – Holiday
 - September 10 Council Workshop/Regular Meeting, 3:00 p.m. and 7:00 p.m.
7. 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.
8. 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

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, August 27, 2009

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).

9. 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. Rogers Sheridan v. Barbara Schob & Greg Abbott
- m. Clancey v. College Station, Glenn Brown, and Kathy Merrill
- n. Legal issues related to Economic Development Agreement between City of College Station & Sahara Realty
- o. Legal Aspects of Petition, Possibilities of and Restrictions on Political Activity regarding Upcoming City Election

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

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

11. Adjourn.

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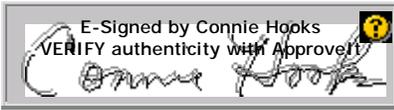
City Council Workshop Meeting
Thursday, August 27, 2009

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 27th day of August, 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 24th day of August, 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 August 24, 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. Council meetings are broadcast live on Cable Access Channel 19.

**August 27, 2009
Workshop Agenda Item 2
European Union Center/Grant Symposium Update**

To: Glenn Brown, City Manager

From: City Manager's Office

Agenda Caption: Presentation, possible action, and discussion regarding an update on the European Union Center and Grant Symposium projects, programs and activities impacting the City of College Station.

Recommendation(s): N/A

Summary: Mario Rojo del Busto, Director of International Faculty & Scholar Services for Texas A&M University, will update the Council on several upcoming symposiums being coordinated through the European Union Center as well as an event featuring a keynote speaker from Ciudad Real, Spain that will be addressing the B/CS Chamber of Commerce on European Union business issues.

Mr. del Busto is scheduled to be assisted with the presentation by:

- * Royce Hickman, President and CEO of the BCS Chamber of Commerce, member of the Fraternal Committee since its inception,
- * Guy Whitten, Director of the TAMU-European Union Center, who will provide an overview of the EU grant that lead to the symposiums,
- * Todd McDaniel, President and CEO of the Research Valley Partnership, member of the Fraternal Committee and Chair of the Wind Energy Symposium Workgroup,
- * John Happ, Director of the Easterwood Airport, member of the Fraternal Committee and Chair of the High Speed Rail Symposium Workgroup

The European Union Center (EUC) is one of three regional offices within the International Programs Office supporting Texas A&M University's internationalization efforts by fostering EU-related initiatives that enhance the University's academic, research, outreach, and service programs.

The mission of the EUC is to support and enhance the European educational, research, and outreach activities at Texas A&M University; increase the level of knowledge of the European Union, and promote a better understanding of the policies and issues that influence the transatlantic relationship.

Budget & Financial Summary: N/A

Attachments: N/A

**August 17, 2009
Workshop Agenda Item No. 3
FY 10 Proposed Budget Workshop**

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion on the FY 2009-2010 Proposed Budget.

Recommendation(s): Staff recommends the Council review the FY 10 Proposed Budget, and provide direction regarding any changes they would like to see incorporated into the budget.

Summary: This item is an opportunity for the City Council to provide input and direction on the FY 2009-2010 Proposed Budget.

The Proposed budget was presented to the City Council at the August 17th meeting, and a series of meetings have budget workshop meetings have been held to review the proposed budget.

The budget is scheduled for adoption on Thursday September 10.

Budget & Financial Summary: The budget is discussed in detail in the Proposed Budget document.

Attachments:

1. The Proposed Budget has been distributed under a separate cover

Please bring your copy of the proposed budget to the meeting.

August 27, 2009
Workshop Agenda Item No. 4
Project Numbers PK0911
College Station Skate Park Project

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion on an update for Council regarding the public engagement process and park site recommendation.

Recommendation(s): Staff recommends approval of the park location as being the Southwood Athletic Complex.

Summary: The College Station Skate Park Project was approved by the voters in the 2008 Bond Election. On June 11, 2009, the City Council approved a Professional Services Contract with Bleyl and Associates for the design of the facility. Staff is now complete with the public engagement and site evaluation portion of the conceptual design phase, and is prepared to move to the preliminary.

As part of the Conceptual Design Phase public meetings were held in mid July to seek public input on the location and potential design elements that the community would like to see incorporated into the design. Staff utilized multiple media outlets and City resources to advertise the public meetings.

The first meeting was held at the Exit Teen Center on July 13th and the second meeting occurred the following evening as a Public Hearing in front of the Parks and Recreation Advisory Board. In addition to the public meetings, Staff developed an on-line poll to gather input on a location, branding ideas and/or a name for the facility, and a keystone element in the park that will make this facility unique from other skating facilities across the state. Over one hundred individual responses were received through the online poll, and a variety of information was gathered.

The design team evaluated the comments received during the public meetings and the data collected from the on-line poll, and prepared a technical memorandum that includes a recommendation on the site based on the public input, information from staff, and their professional expertise. Southwood Athletic Complex is being recommended as the location for the new skate park.

Budget & Financial Summary: The budget for the skate park project is \$920,000. Funds in the amount of \$183,610.25 have been expended or committed to date, primarily for engineering, leaving a balance of \$736,389.75 for construction and related expenses.

Attachments:

1. Technical Memorandum developed by Design Team – Available in City Secretary's Office

College Station Skate Park
Site Location Factor Matrix

Consideration Factors	Factor Weight	Parks									
		Bee Creek		Southwood		Steave Beachy Central		W.A. Tarrow		Wolf Pen Creek	
		Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score
Parks and Recreation Staff Factors											
Convenience to Participants	4	4	16	5	20	3	12	1	4	2	8
Adequate Size for Facility	1	2	2	4	4	5	5	1	1	3	3
Access to Neighborhoods	3	5	15	3	9	1	3	2	6	4	12
Ease of Maintenance	4	2	8	4	16	5	20	3	12	1	4
Surrounding Recreational Activities	3	4	12	5	15	3	9	1	3	2	6
Adequate Existing Parking	5	4	20	5	25	3	15	2	10	1	5
Observed Skateboard Activity	4	4	16	5	20	3	12	1	4	2	8
Infrastructure Availability	3	1	3	5	15	2	6	4	12	3	9
Consulting Design Team Factors											
Visibility	1	2	2	4	4	5	5	1	1	3	3
Regional Access	3	1	3	5	15	4	12	2	6	3	9
Topography	4	3	12	5	20	1	4	2	8	4	16
Storm Drainage	4	1	4	5	20	2	8	3	12	4	16
Impact on Master Plans	2	2	4	5	10	3	6	4	8	1	2
Interaction with Ex. Recreational Facilities	4	4	16	5	20	3	12	1	4	2	8
Budget Considerations	5	4	20	5	25	1	5	2	10	3	15
Online Survey Results	4	2	8	5	20	1	4	1	4	2	8
Score Totals		161		258		138		105		132	
Rankings		2		1		3		5		4	

Notes:
 Weighting factors are from 1 (least significant) to 5 (most significant) in affecting project success
 Rankings are from 1 (least suited) to 5 (most suited) in addressing identified factors
 Online Survey Results reflect relative votes not sequential rankings.

August 27, 2009
Workshop Agenda Item No. 5
Cell Phone Use in School Zones

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action and discussion regarding Cell Phone Use in School Zones

Recommendation(s): Staff seeks Council's direction regarding the enforcement of the recent amendment to the Transportation Code prohibiting the use of wireless communication devices by drivers in school zones.

Summary: In the last legislative session, House Bill 55 was approved. The new law makes it an offense to use a cell phone without a hands free device while driving in a school zone. There are several exceptions that allow certain emergency uses. In order to enforce this provision, the City must install signage that meets guidelines described in the legislation.

Staff met to discuss this issue. We discussed enforcement, cost of implementation and alternatives. Enforcement may be problematic due to the allowance of exemptions. To enforce the law the City is required to install signs at a total of 52 locations throughout the City. Each installation would cost from \$200 to \$1,000 depending on the specific type of installation.

Budget & Financial Summary: The cost of installing the signage ranges between \$10,400 and \$52,000. Funds are not currently budgeted for the purchase and installation of the signs.

Attachments:

1. House Bill 55
2. Signage

1 AN ACT

2 relating to an offense of using a wireless communication device
3 while operating a motor vehicle.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 545.425, Transportation Code, is amended
6 to read as follows:

7 Sec. 545.425. USE OF WIRELESS COMMUNICATION DEVICE; OFFENSE
8 [BY CERTAIN MOTORISTS]. (a) In this section:

9 (1) "Hands-free device" means speakerphone capability
10 or a telephone attachment or other piece of equipment, regardless
11 of whether permanently installed in the motor vehicle, that allows
12 use of the wireless communication device without use of either of
13 the operator's hands.

14 (2) "Wireless communication device" means a device
15 that uses a commercial mobile service, as defined by 47 U.S.C.
16 Section 332.

17 (b) Except as provided by Subsection (c), an operator may
18 not use a wireless communication device while operating a motor
19 vehicle within a school crossing zone, as defined by Section
20 541.302, Transportation Code, unless:

21 (1) the vehicle is stopped; or

22 (2) the wireless communication device is used with a
23 hands-free device.

24 (b-1) A municipality, county, or other political

1 subdivision that enforces this section shall post a sign that
2 complies with the standards described by this subsection at the
3 entrance to each school crossing zone in the municipality, county,
4 or other political subdivision. The department shall adopt
5 standards that:

6 (1) allow for a sign required to be posted under this
7 subsection to be attached to an existing sign at a minimal cost; and

8 (2) require that a sign required to be posted under
9 this subsection inform an operator that:

10 (A) the use of a wireless communication device is
11 prohibited in the school crossing zone; and

12 (B) the operator is subject to a fine if the
13 operator uses a wireless communication device in the school
14 crossing zone.

15 (c) An operator [~~A person~~] may not use a wireless
16 communication device while operating a passenger bus with a minor
17 passenger on the bus unless [~~except in case of emergency or if~~] the
18 passenger bus is stopped [~~not in motion~~].

19 (d) It is an affirmative defense to prosecution of an
20 offense under this section that:

21 (1) the wireless communication device was used to make
22 an emergency call to:

23 (A) an emergency response service, including a
24 rescue, emergency medical, or hazardous material response service;

25 (B) a hospital;

26 (C) a fire department;

27 (D) a health clinic;

1 (E) a medical doctor's office;

2 (F) an individual to administer first aid
3 treatment; or

4 (G) a police department; or

5 (2) a sign required by Subsection (b-1) was not posted
6 at the entrance to the school crossing zone at the time of an
7 offense committed in the school crossing zone.

8 (e) This section does not apply to:

9 (1) an operator of an authorized emergency vehicle
10 using a wireless communication device while acting in an official
11 capacity; or

12 (2) an operator who is licensed by the Federal
13 Communications Commission while operating a radio frequency device
14 other than a wireless communication device.

15 (f) This section preempts all local ordinances, rules, or
16 regulations that are inconsistent with specific provisions of this
17 section adopted by a political subdivision of this state relating
18 to the use of a wireless communication device by the operator of a
19 motor vehicle.

20 SECTION 2. The change in law made by this Act applies only
21 to an offense committed on or after the effective date of this Act.
22 An offense committed before the effective date of this Act is
23 governed by the law in effect when the offense was committed, and
24 the former law is continued in effect for that purpose. For
25 purposes of this section, an offense was committed before the
26 effective date of this Act if any element of the offense was
27 committed before that date.

1 SECTION 3. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 55 was passed by the House on May 15, 2009, by the following vote: Yeas 106, Nays 32, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 55 on May 29, 2009, by the following vote: Yeas 138, Nays 4, 1 present, not voting.

Chief Clerk of the House

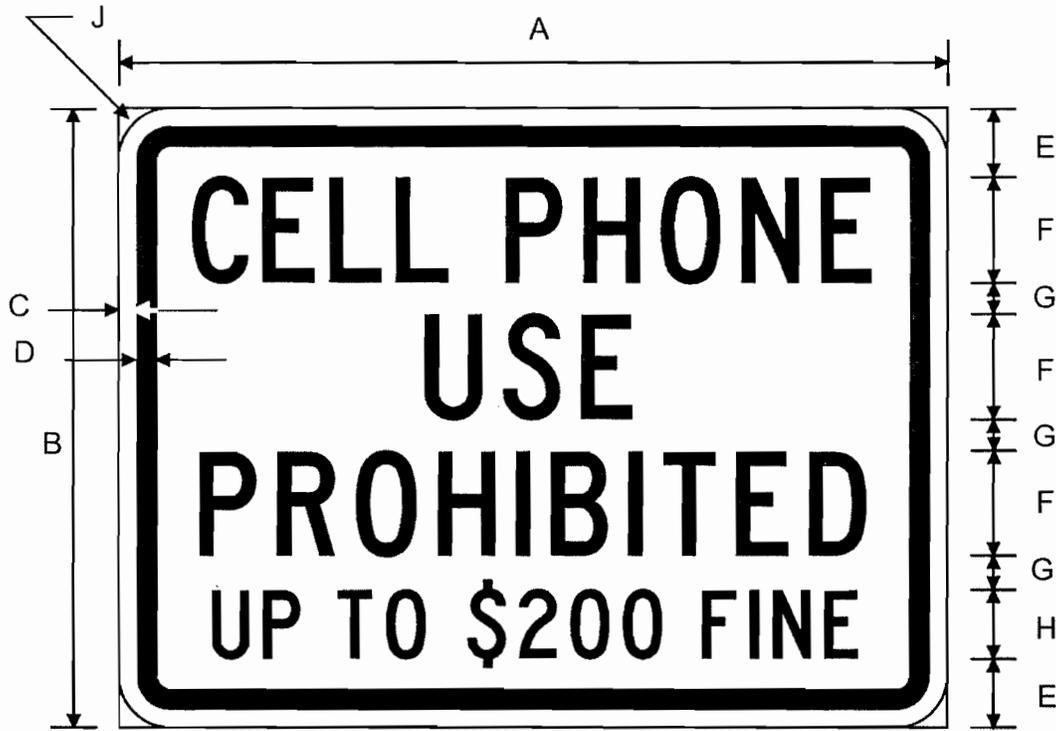
I certify that H.B. No. 55 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 27, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor



S7-1T



A	B	C	D	E	F	G	H	J
24	18	.375	.625	2	3C	1	2C	1.5
36	18	.375	.625	2	3C	1	2C	1.5
48	36	.75	1.25	4	5C	3	4C	3

COLORS: LEGEND - BLACK
 BACKGROUND - WHITE (RETROREFLECTIVE)