



Mayor
Ben White
Mayor ProTem
Lynn McIlhaney
City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Lawrence Stewart
David Ruesink

Minutes
City Council Workshop & Regular Meeting
Thursday, April 9, 2009 3:00 & 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor White, Mayor ProTem McIlhaney, Council members Crompton, Maloney, Massey, Ruesink, Stewart

STAFF PRESENT: City Manager Brown, Assistant City Manager Merrill, Assistant City Manager Neeley, City Attorney Cargill Jr., City Secretary Hooks, Deputy City Secretary McNutt, Management Team

Mayor White called meeting to order at 3:00 p.m.

Workshop Agenda Item No. 1 -- Presentation, possible action, and discussion on items listed on the consent agenda.

Council member Maloney inquired about Consent item 2c – allocation of funds to law enforcement agencies in Brazos County.

Mayor ProTem McIlhaney stated she shall abstain from Consent item 2g, contract renewal with Blue Cross and Blue Shield.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion relating to receiving the annual audit reports and Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2008.

Introduced by Jeff Kersten, Chief Financial Officer. Mr. Kersten introduced Tom Wallis of Ingram, Wallis & Associates, C.P.A. Mr. Wallis presented the results of fiscal year 2008 audit and conditions outlined in the management letter.

Council member Stewart moved to approve the Annual Audit Report and the Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2008. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Workshop Agenda Item No. 3 -- Presentation, possible action, and discussion of design options for the Tauber & Stasney Street Rehabilitation Project.

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Chuck Gilman, Director of Capital Projects presented an overview of the stakeholder meeting with property owners or their designated representative(s) in the area surrounded by the rehab project. Staff developed several design alternatives to accomplish the goals of the project, and made attempts to meet the needs of the property owners, to the extent possible. A brief summary of the alternatives is listed below:

Option 1: Remove all the on-street parking, provide 8-foot wide sidewalks with street trees, new concrete pavement (width will vary since ROW width varies), replace/rehabilitate the utilities and allow for two-way traffic. Option does not require an amendment to the UDO. This option will require a small amount of additional ROW and/or an access easement along Tauber near Cherry Street. This option will result in the loss of approximately 202 parking spaces along Tauber and Stasney.

Option 2: Mill the old pavement and overlay with a new asphalt surface. Replace/rehabilitate the utilities. Address the pavement grade issues along Tauber between Cross and Cherry. Do not construct new sidewalks or install street trees. All head-in parking and parallel parking will remain. Maintain two-way traffic along Tauber and Stasney. This option will require a clarification to the definition of a rehabilitation project in the UDO. Option does not require additional ROW, and will not result in the loss of any parking spaces along Tauber or Stasney.

Option 3: Remove head-in parking along Tauber and Stasney, replace/keep parallel parking where possible along Tauber and Stasney as permitted by the UDO. Amend the Northgate Parking Plan to allow for on-street parking in NG-3 along one side of Tauber and one side of Stasney, provide 8-foot wide sidewalks with street trees, new concrete pavement, replace/rehabilitate the utilities and allow for two-way traffic. Maintain two-way traffic along Tauber and Stasney. This option does not require an amendment to the UDO. This option will require a small amount of additional ROW and/or an access easement along Tauber near Cherry Street. This option will result in the loss of approximately 137 parking spaces along Tauber and Stasney.

Bob Cowell, ACIP, Director of Planning and Development Services spoke about the parking and parallel parking.

Staff created these alternatives to assist the Council in determining the potential negative and positive impact of considering City funded capital projects, initiated to improve safety and the reliability of city services, as a rehabilitation project as defined in the UDO. Staff recommended that the Tauber and Stasney Street Rehabilitation Project proceed according to Option 3.

Fire Marshall Eric Hurt explained the purpose for one way streets, one side of street parking, and sidewalk accessibility.

Council member Maloney made a motion to approve option 3 and amend Northgate parking plan. Council member Stewart seconded the motion. Council member Crompton abstained from the vote.

Mayor ProTem McIlhaney, and Council members Massey, Ruesink and Crompton expressed concerns of voting in workshop session. Also, would like to see more input from citizens in a public hearing.

Council member Maloney withdrew motion and Council member Stewart withdrew his second.

Council directed staff to bring back as a regular agenda item for a public hearing on the April 23, 2009 meeting.

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Workshop Agenda Item No. 5 -- Presentation, possible action, and discussion on the application and acceptance of a U.S. Department of Justice, 2009 COPS Hiring Recovery Program (CHRP) Grant.

Scott McCollum, Assistant Chief of Police presented an overview 2009 COPS Hiring Recovery Program (CHRP) Grant. Up to \$1 billion in grant funding will be available for the hiring and rehiring of additional career law enforcement officers. There is no local match requirement for CHRP, but grant funding will only be provided for current entry-level salary and benefits. Therefore, any other associated costs will be the responsibility of the grantee agency. CHRP grants will provide 100 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for newly-hired, full-time sworn officer positions (including filling existing unfunded vacancies) or for rehired officers who have been laid off, or are scheduled to be laid off on a future date, as a result of local budget cuts. At the conclusion of federal funding, grantees must retain all sworn officer positions awarded under the CHRP grant for a period of at least 12 months beyond the time the funding expires for a given position. The College Station Police Department will be applying to fund 12 full time entry level police officers identified as staffing needs in the "Blueprint for the Future" but have not yet been funded. Staff requested Council's approval.

Council member Massey moved to approve **Resolution No. 04-09-09-05** on the submittal of application and acceptance of the 2009 COPS Hiring Program (CHRP) Grant. Council member Maloney seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhane, Crompton, Massey, Maloney, Stewart and Ruesink
AGAINST: None

At 4:25 p.m. Mayor White announced that the City Council would convene into executive session pursuant to Section 551.071 of the Open Meetings Act to seek the advice of our city attorney.

Workshop Agenda Item No. 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
- c. Water CCN permit requests
- 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

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- 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. Barron Road Widening Project Land Acquisition
- m. City of College Station v. David Allen Weber et al

Workshop Agenda Item No. 10 -- 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.

Council recessed from the executive session at 6:11 pm. No formal action was taken.

Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding ranking the large number of future workshop items and how to address.

City Manager Glenn Brown presented Council ranking of the items for planning purposes. Staff requested Council provide direction as to the ranking of the items.

Council directed staff to schedule several workshop meetings for the next six weeks to address the numerous workshop items. He advised staff to prepare written reports on less urgent items.

Mayor ProTem McIlhaney met with Northgate merchant association members on redevelopment issues in the area. She asked Council for their willingness to meet with the merchants in a workshop meeting. City Manager Brown concurred.

Workshop Agenda Item No. 6 -- Council Calendar

Council reviewed activity calendar.

Workshop Agenda Item No. 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.

No future agenda items.

Workshop Agenda Item No. 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 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).

Council member Ruesink requested the Mayors' of College Station and Bryan send a personal invitation to invite guests from Kazan, Russia, a sister city of B-CS. He also mentioned that the young adults from Griefswald, Germany were expected to arrive in College Station in the next few days.

Council member Stewart reported on the TML Region X meeting held April 2 at Creedmore Ranch.

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Mayor ProTem McIlhaney was named the Chairman of the Brazos Valley Council of Governments Transportation Committee. She mentioned the creation of youth summer program as a recipient of federal stimulus monies.

Workshop Agenda Item No. 11 – Adjourn.

The workshop meeting concluded at 6:55p.m.

Minutes of Regular Meeting

Regular Agenda Item No. 1 -- Pledge of Allegiance, Invocation, Consider absence request.

Mayor White called the meeting to order at 7:04 pm with all Council members present. Mayor White led the audience in the Pledge of Allegiance. Chief R.B. Alley provided the invocation.

Hear Visitors:

Jim Maness 1733 Arrington Road, President of Nantucket Homeowners Association introduced Jim Ash.

Jim Ash 804 Prestwick, addressed his concerns on Red Light Cameras in the City of College Station.

Doug Tremau, 715 University Drive announced an upcoming event in the community, Brazos Valley Senior Games.

Regular Agenda Item No. 2 -- Presentation, possible action and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

- a. Approved minutes for City Council Workshop and Regular Meeting March 26, 2009.
- b. Approved **Resolution No. 04-09-09-2b** authorizing implementation of an Identity Theft Program for Utility Customer Services.
- c. Approved inter-local agreement with Brazos County and the City of Bryan for the purpose of application and acceptance of a U.S. Department of Justice, 2009 Justice Assistance Grant (JAG).
- d. Approved **Resolution No. 04-09-09-2d** for a Strong & Sustainable Neighborhoods Grant Program.
- e. Approved Change Order No. 1 to Professional Services Contract 09-025 with Malcolm Pirnie, Inc., in the amount of \$38,488 for the design of the Groundwater Well No. 8.
- f. Approved Change Order No. 1 to Professional Services Contract 07-086 with Malcolm Pirnie, Inc., in the amount of \$32,455 for the design of the Parallel Wellfield Collection Line.
- g. Approved the medical and dental Administrative Services Agreement contract renewal with Blue Cross and Blue Shield for claims administration for the calendar year 2009, in the amount of \$415,531.
- h. Approved the renewal of an annual price agreement with Vulcan Materials Company in an amount not to exceed \$217,500 at \$43.50 per ton for cover stone, trap rock for the maintenance of streets.

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i. Approved **Resolution No. 04-09-09-2i** to appoint election workers for the May 9, 2009 general municipal election, general school officer election, and special school bond election.

j. Approved supplement to the Inter Local Government Agreement between the City of College Station and College Station Independent School District for the purpose of adding two newly created precincts to the Notice of Election for joint election on Saturday May 9, 2009.

k. Approved the Wickson Creek Special Utility District Water Service Application for the BVSWMMA Twin Oaks Landfill in Grimes County.

Council member Massey moved to approve consent agenda items 2a thru 2k. Council member Stewart seconded the motion, which carried 7-0. Mayor ProTem abstained from consent item 2g.

FOR: Mayor White, Mayor ProTem McIlhane, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

ABSTAINED from consent item 2g: Mayor ProTem McIlhane

Regular Agenda Item No. 1 -- Public hearing, presentation, possible action, and discussion regarding an ordinance vacating and abandoning a 0.26 acre, 20 foot wide Public Utility Easement, which is located on Lot 9R of Block 1 of the Gateway Phase 1 Subdivision according to the plat recorded in Volume 7945, Page 172, of the Deed Records of Brazos County, Texas.

Alan Gibbs, City Engineer presented the application for abandonment of 0.26 acre, twenty foot wide public utility easement and right-of-way, located on Lot 9R of Block 1 of the Gateway Phase 1 Subdivision. Staff requested Council approval.

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

Council member Massey moved to approve **Ordinance No. 3176** to vacate and abandon a 0.26 acre, 20 foot wide Public Utility Easement, located on Lot 9R of Block 1 of the Gateway Phase 1 Subdivision. Mayor ProTem McIlhane seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhane, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Regular Agenda Item No. 2 -- Presentation, possible action and discussion regarding a resolution adopting a Regional Watershed Storm water Education Strategy.

Alan Gibbs, City Engineer reported that the City of College Station is in the second fiscal year of the five year Storm Water Management Program (SWMP) implementation to eliminate pollution. This program was mandated by the State in 2007 and regulates several local entities including the Cities of College Station and Bryan, Brazos County, Texas Department of Transportation, and Texas A&M University. The noted local entities of the Cities of College Station and Bryan, Brazos County, Texas Department of Transportation, and Texas A&M University have met and expressed interest to form the Brazos Basin Stormwater Education Committee. The merit of the joint committee would be to combine resources and to provide a unified message as each entity satisfies its respective SWMP. The resolution under consideration would formally support the City of College Station joining the committee.

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Mayor ProTem McIlhaney moved to approve **Resolution No. 04-09-09-02** supporting the City of College Station joining the Brazos Basin Stormwater Education Committee. Council member Ruesink seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink
AGAINST: None

Regular Agenda Item No. 3 -- Presentation, possible action, and discussion to expand the proposed milling and overlaying of streets within the project boundaries of the College Park – Breezy Heights utility and street rehabilitation project.

Chuck Gilman, Director of Capital Projects presented details on expanding the proposed milling and overlaying program within the project boundaries of the College Park – Breezy Heights utility and street rehabilitation project and the needs of the neighborhood. Staff requested approval of expanding this project.

Council member Maloney made a motion to approve expanding the milling and overlaying program within the project boundaries. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink
AGAINST: None

Regular Agenda Item No. 4 -- Adjourn.

Hearing no objections, Mayor White adjourned the meetings at 7:46 p.m. on Thursday, April 9, 2009.

PASSED AND APPROVED this 23rd day of April, 2009.

APPROVED

Mayor Ben White

ATTEST:

City Secretary Connie Hooks