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**Mayor**

Nancy Berry

**Mayor Pro Tem**

John Crompton

**City Manager**

Glenn Brown

**Council members**

Jess Fields

Dennis Maloney

Katy-Marie Lyles

Dave Ruesink

**Agenda**

**College Station City Council**

**Workshop Meeting**

**Thursday, August 26, 2010 2:00 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 the formation of a BVSWMA Inc.; A new Local Government Corporation for solid waste disposal.
3. Presentation, possible action, and discussion on the Cost Analysis of Responses to Residential Recycling Franchise RFP #10-43.
4. Presentation, possible action, and discussion regarding a contract for an equipment upgrade and general renovation of the College Main Parking Garage Access and Exit System.
5. Presentation, possible action, and discussion regarding resolutions to be considered by the Texas Municipal League.
6. Council Calendar
  - August 31 Community Impact Awards Luncheon at Briarcrest Country Club at 11:45 a.m.
  - September 2 Planning & Zoning Meeting in Council Chambers at 6:00 p.m.
  - September 6 City Offices Closed - HOLIDAY
  - September 9 Council Workshop/Regular Meeting in Council Chamber at 3:00 & 7:00 p.m.
  - November 11 Dedication of the Korean War Memorial on the Lynn Stuart Pathway, Veterans Park, 4:00 p.m.
  - November 11 Reading of the Names at the Veterans Memorial, Adams Plaza, Veterans Park, 6:00 p.m.
  - November 11 Memorial Day Ceremony at the American Pavilion, Veterans Park, 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, BVSWMA, BVWACS. Cemetery Committee, Code

## City Council Workshop Meeting

Thursday, August 26, 2010

Review Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Mayor's Council on Physical Fitness, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Signature Event Task Force, Sister City Association, TAMU Student Senate, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Zoning Board of Adjustments, (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:

Litigation

- a. City of Bryan's application with TCEQ for water & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan
- b. 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
- c. Water CCN / 2002 Annexation / Wellborn Water Supply Corporation
- d. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
- e. Chavers et al v. Tyrone Morrow, Michael Ikner, City of Bryan, City of College Station, et al
- f. Clancey v. College Station, Glenn Brown, and Kathy Merrill

Legal Advice

- a. Discussion of Legal Issues Regarding: Wellborn Incorporation Request
- b. Contemplated Litigation, Legal remedies available to abate weeds, rubbish, brush and other unsanitary matter from a lot in the College Hills residential area.
- c. Legal issues of purchase and lease back to Arts Council
- d. Legal issues related to the Café Eccell lease

Personnel {Gov't Code Section 551.074}; possible action

The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Manager
- b. Council Self-Evaluation
- c. Planning and Zoning Commission
- d. Zoning Board of Adjustments
- e. Parks and Recreation Board

City Council Workshop Meeting  
Thursday, August 26, 2010

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Pharmaceutical Prospect for Bio-Corridor

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.

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 26<sup>th</sup> day of August, 2010 at 2:00 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 23rd day of August, 2010 at 1:00 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 August 23, 2010 at 1:00 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 \_\_\_\_\_, 2010.

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.

**August 26, 2010  
Workshop Agenda Item No. 2  
BVSWMA Update**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding the formation of a BVSWMA Inc.; A new Local Government Corporation for solid waste disposal.

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure

**Recommendation(s):** NA

**Summary:** Staff will make a presentation updating Council on our efforts to create the new BVSWMA Inc.

**Budget & Financial Summary:** NA

**Attachments:**

1.

**August 26, 2010**  
**Workshop Agenda Item No. 3**  
**Residential Recycling Franchise Cost Analysis**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on the Cost Analysis of Responses to Residential Recycling Franchise RFP #10-43.

**Relationship to Strategic Goals:** Green Sustainable City Goal.

**Recommendation(s):** Staff recommends approval of a five (5) year franchise agreement with Texas Commercial Waste for the collection, processing, and marketing of recyclable materials.

**Summary:** RFP #10-43 was opened on June 7, 2010 for the collection, processing, and marketing of residential recyclable commodities. Texas Commercial Waste and Inland Service Corp. were the only 2 responding firms, with Inland Service Corp. proposing automated single stream recycling collection. Staff reviewed and ranked the proposals based on the complete response to RFP. Based on our Cost Analysis services with Inland Service, Corp. Single Stream Service would require a rate increase that is not recommended at this time.

**Budget & Financial Summary:** Currently, Texas Commercial Waste charges the City \$485,000 annually for recycling services. Under the new franchise agreement, the City will pay an annual cost of \$576,240. Inland Service, Corp. would cost the City \$973,560 annually.

At present, the provision of recycling collection services and associated public education programs accounts for \$2.80 out of the \$14.40 monthly sanitation fee charged to each customer.

Staff is not recommending a rate increase at this time

**Attachments:**

None

**August 26, 2010**  
**Workshop Agenda Item No. 4**  
**College Main Parking Garage System Upgrade & General Renovation**

**To:** Glenn Brown, City Manager

**From:** David Gwin, Director of Economic and Community Development

**Agenda Caption:** Presentation, possible action, and discussion regarding a contract for an equipment upgrade and general renovation of the College Main Parking Garage Access and Exit System.

**Recommendation(s):** Staff recommends that the City Council receive a presentation on the project. This project is on the Consent Agenda for Council discussion and approval.

**Summary:** After ten (10) years of heavy use, the current access and revenue control equipment in the College Main Parking Garage has reached the end of its service life. While this existing equipment is currently functional, staff has identified numerous mechanical elements which are severely outdated or currently malfunctioning regularly. This situation unnecessarily drains departmental resources and creates both an operational gap and frustrating experience for many of our parking customers.

Staff will provide a presentation to the Council describing the scope of work established in the proposed contract with ProTech Access to install the new system. This will include a detailed layout of all proposed equipment and operational methodologies.

**Budget & Financial Summary:** The cost of the new College Main Parking Garage Access/Exit System is \$345,353. This item is budgeted in the 2010 Parking Enterprise Fund.

**Attachments:**

No attachments.

**August 26, 2010  
Workshop Agenda Item No. 5  
TML Resolutions**

**To:** Glenn Brown, City Manager

**From:** Hayden Migl, Assistant to the City Manager

**Agenda Caption:** Presentation, possible action, and discussion regarding resolutions to be considered by the Texas Municipal League.

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

**Summary:** Prior to each state legislative session, the Texas Municipal League accepts resolutions from its members to be considered at its annual conference in the fall. In 2008, Council approved a resolution requesting that the State legislature provide greater flexibility to municipalities in the area of transportation funding. Staff is proposing that present this same resolution to TML.

This item also provides an opportunity for the City Council to discuss if they would like to suggest any additional resolutions to be considered by TML. Any resolutions will need to be approved at the first Council meeting in September to meet the September 13 deadline.

The City's state legislative consultants, Dan Shelley and Jennifer Rodriguez, are scheduled to attend the September 23 workshop meeting to update Council on expected legislative trends for the 2011 session, discuss issues the Council would like to address in the next session and answer any questions from the Council.

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

**Attachments:**

1. Letter from Texas Municipal League
2. Resolution – Transportation Funding



TEXAS MUNICIPAL LEAGUE

President **Debra McCartt**, Mayor, Amarillo  
Executive Director **Frank Sturzl**

**RECEIVED**

July 1, 2010

JUL -7 2010

**MEMORANDUM**

**TO:** TML Member Cities  
TML Regional Officers  
TML Affiliate Presidents

**FROM:** Frank Sturzl, Executive Director

**SUBJECT:** Resolutions for the 2010 TML Annual Conference

The TML Constitution states that resolutions for consideration at the Annual Conference must be submitted to the TML headquarters 45 calendar days prior to the first day of the Annual Conference. For 2010, this provision means that resolutions from any member city, TML region, or TML affiliate must arrive at the TML headquarters no later than **September 13, 2010**.

The TML Board of Directors has adopted several procedures governing the resolutions process. Please review the following items carefully and thoroughly.

1. Any city or other entity that submits a resolution **must** complete a resolution cover sheet. The cover sheet to be used is attached. Please feel free to make as many copies of this cover sheet as you desire.
2. The cover sheet must be attached to the resolution throughout each step of the resolutions process, including a TML regional meeting at which the resolution is considered.
3. No resolution can be considered by the TML Resolutions Committee unless it has prior approval of: (a) the governing body of a TML member city; (b) the governing body or membership of a TML affiliate; or (c) the membership of a TML region at a regional meeting.
4. The city or other entity that submits a resolution is encouraged to send a representative to the Resolutions Committee meeting to explain the resolution. The Resolutions Committee will meet at **2:00 p.m.** on **Tuesday, October 26, 2010**, at the **American Bank Center** in **Corpus Christi**.

If the procedures described above are not followed for any given resolution, that resolution is likely to be referred to some other TML committee for further study. In that case, the resolution would not be adopted during the 2010 conference.

You should also be aware that under the TML Constitution, resolutions received after the deadline of September 13, 2010, must not only have the attached cover sheet, but also must “state the reason precluding timely submission.” These late resolutions can be considered by the TML Resolutions Committee at the Annual Conference only if two-thirds of the Committee members present and voting agree to suspend the submission rule and consider the resolution.

If you have any questions or would like my assistance, please call Bennett Sandlin, TML general counsel, at any time – (512) 231-7400.

cc: TML Board of Directors

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, URGING THE TEXAS MUNICIPAL LEAGUE TO SUPPORT THE PASSAGE OF LEGISLATION THAT ALLOWS FOR MUNICIPALITIES TO UTILIZE ALL FUNDING RESOURCES, INCLUDING NEW, INNOVATIVE PROPOSALS, TO ADDRESS LOCAL TRANSPORTATION FUNDING NEEDS.**

WHEREAS, the City of College Station, is experiencing growth that requires greater transportation construction and maintenance than is currently being provided for.

WHEREAS, the City of College Station is seeking additional, innovative funding resources to address transportation needs.

BE IT RESOLVED by the City Council of the City of College Station, Texas:

- PART 1: That the City Council hereby urges the Texas Municipal League to support the passage of legislation that allows for greater flexibility by cities to fund local transportation projects.
- PART 2: That the City Council hereby supports legislation that would amend or otherwise modify the Tax Code to help cities fund transportation projects.
- PART 3: That the passage of such legislation would provide municipalities additional funding options and resources to address transportation needs that the State and Federal governments are unable to address.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2010.

ATTEST:

\_\_\_\_\_  
SHERRY MASHBURN, City Secretary

\_\_\_\_\_  
NANCY BERRY, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney