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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, September 09, 2010 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 the FY 2010-2011 Proposed Budget.
3. Presentation, possible action, and discussion regarding an update on the Bryan-College Station Mobility Initiative.
4. Presentation, possible action, and discussion regarding the Unified Development Ordinance and the regulation of emerging commercial and industrial businesses including food trucks and micro-industrial uses (micro-breweries, micro-coffee roasting, etc.)
5. Presentation, possible action, and discussion on the FY 2010-2011 BVSWMA, Inc Proposed Budget.
6. Presentation, possible action, and discussion regarding the Asset Transfer Agreement between BVSWMA Inc., the City of College Station and the City of Bryan.
7. Council Calendar
 - September 10 Special BVSWMA Board Meeting at Public Works - Room 203 Municipal Court Bldg - 300 Krenek Tap, 11:30 a.m.
 - September 13 BVSWMA Luncheon/Tour, 12:00 p.m.
 - September 13 Joint BVSWMA Inc. Board, COB and COCS Council in Council Chambers, 4:30 p.m.
 - September 13 Special Meeting - Adoption of Budget in Council in Council Chambers, 6:00p.m.
 - September 15 BVSWMA Inc. Board Meeting at COB Municipal Building - Room 305, 11:00 p.m.
 - September 15 2010 Exploring History Lunch Lecture Series at CS Conference Center, 11:30 p.m.
 - September 16 Business After Hours - Sterling Automotive in Council Calendar, 5:30 p.m.
 - September 16 Planning & Zoning Meeting in Council Chambers, 6:00 p.m.
 - September 17 TTI - Environmental & Emissions Research Facility Grand Opening at TAMU Riverside Campus, 11:00 a.m.
 - September 20 IGC Meeting at BVCOG, 12:00 p.m.
 - September 21 Council Transportation Committee Meeting in Council Chambers, 4:30 p.m.
 - September 21 Celebrating the Arts 2010 at Miramont Country Club, 5:30 p.m.

City Council Workshop Meeting

Thursday, September 9, 2010

September 22 Joint BVSWMA Meeting with City of Bryan, City of College Station, County, 10:30 a.m.

September 23 Council Workshop/Regular Meeting in Council Chambers, 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 Veterans Memorial Day Ceremony at the American Pavilion, Veterans Park, 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, BVSWMA, BVWACS. Cemetery Committee, Code 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).
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:

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

City Council Workshop Meeting

Thursday, September 9, 2010

- 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

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

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 9th day of September, 2010 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 3rd day of September, 2010 at 5:00 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 September 3, 2010 at 5:00 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 _____

City Council Workshop Meeting
Thursday, September 9, 2010

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.

**September 9, 2010
Workshop Agenda Item No. 2
FY 11 Proposed Budget**

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion on the FY 2010-2011 Proposed Budget.

Recommendation(s): Staff recommends the Council review the FY 11 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 2010-2011 Proposed Budget.

The Proposed budget was presented to the City Council at the August 11th meeting, and a series of meetings have budget workshop meetings have been held to review the proposed budget.

Attached is a memo that outlines the changes the City Council provided direction on during the budget review process. The purpose of this meeting is to review those changes and identify any additional changes the City Council may wish to make to the FY 11 budget.

The budget is scheduled for adoption on Monday September 13th.

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
2. Memo of Proposed Changes

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



To: Glenn Brown, City Manager
From: Jeff Kersten, Chief Financial Officer
Date: September 3, 2010
Subject: FY 11 Proposed Budget Revisions

The City Council discussed a number of changes to the FY 11 Proposed Budget as part of the budget review process. As a result, the net operating and capital budget increased by \$85,237 to \$233,465,937 from \$233,380,700. These changes, along with some revisions identified by staff, are outlined below.

General Fund - Net Decrease of \$46,179:

Increase Budget for Animal Shelter Contract by \$27,085 - This is to align the budget with the revised contract for a set fee of \$169,512.90 for October 1, 2010 through September 30, 2011.

Decrease Budget for Concessions Subsidy of \$57,334 – The budgets for concessions revenue and expenditures were moved to the new Recreation Fund for FY11, along with the subsidy amount to be paid by the General Fund to cover the shortfall in revenues. The decision was made during the Budget Workshops to make the concessions a break-even division. As a result, the General Fund will no longer subsidize the concessions program.

Decrease Budget for Teen Programs by \$70,000 – The City Council determined that the teen programs should be more self sustaining by charging additional or increased fees to the users of the programs. The decrease in the budget is for temporary/seasonal employees and supplies previously used for the subsidized programs. The revenue and expenditure budgets for the Youth Recreation division will be moved to the Recreation Fund in FY11 and the fee revenues will be monitored to ensure they cover the program expenditures.

Increase Budget (1-time) for Teen Programs by \$30,000 – As stated above, the teen programs need to be more self-sustaining. This 1-time service level adjustment will allow for a transition period to design programming where user fees will cover the program costs.

Decrease Budget for TX21 funding by \$5,000 – Reduce payment to Tex-21. In FY09, the payment was \$10,000. In FY10, the payment is \$8,500. For FY11, the payment will be \$5,000.

Decrease Budget for Gulf Coast Highway Coalition funding by \$5,000 – Reduce payment to Gulf Coast Highway Coalition. In FY09, the payment was \$10,000. In FY10, the payment is \$5,000. For FY11, the payment will be \$5,000.

Increase Budget for Street Rehab by \$50,000 – By removing the budget from the Economic Development Fund for the \$50,000 marketing payment to the Research Valley Partnership, these funds can be transferred back to the General Fund and added to the budget for street rehab.

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1101 TEXAS AVENUE
COLLEGE STATION, TEXAS 77842

www.cstx.gov

Decrease Library Budget by \$14,276 - The Proposed Budget included preliminary figures sent by Bryan for the Library Funding. The final figures received from Bryan were \$14,276 less - due to an error in calculation of indirect costs charged to the various libraries. This correction was identified after the proposed budget was presented to the City Council. *This is a staff identified revision.*

Decrease Fire Department Budget by \$45,562 and Increase IT Department Budget by \$3,794 - The Proposed Budget included a position for the Assistant Emergency Management Coordinator that is being eliminated as part of an ongoing City budget streamlining effort. Therefore, the Fire Department Budget will be reduced by \$45,562 for salaries and benefits, as well as by 1 FTE. The employee in that position has moved to the IT Department to fill an open position, and the IT Budget will be increased by \$3,794 to keep the employee's salary and benefits whole. *This is a staff identified revision.*

Increase City Secretary Department Budget by \$40,114 – This is the Records Management Coordinator position that was put on hold in the FY11 Proposed Budget (no FTE impact). It is recommended that funding be provided for this position due to the increased attention that needs to be given to records management in the City Secretary's Office, and the shifting of duties including Citizen's University, and others to the City Secretary's Office. *This is a staff identified revision.*

Equipment Replacement Fund – Net Increase of \$44,416:

Increase Budget for purchase of Police Vehicle and Equipment by \$44,416 – The purchase of the police vehicle and damaged equipment that was involved in an accident last January was inadvertently left off of the FY11 Fleet Replacement Schedule (page 243 of Proposed Budget). The vehicle replacement cost, along with some of the equipment that was unsalvageable totals approximately \$44,416. Funds to cover these costs will be transferred from the Property Casualty Fund and is currently budgeted in claims expenditures. *This is a staff identified revision.*

Economic Development Fund – Net Decrease of \$50,000:

Decrease Budget for payment to Research Valley Partnership for Marketing by \$50,000 – Included in the Proposed Budget was a payment to the Research Valley Partnership for marketing expenses that will not be needed. This budget was set aside by a previous Council in the event of a change in the way the City works with the Research Valley Partnership.

Recreation Fund – Net Change of \$0:

Move the Revenue and Expenditure Budgets for the Youth Recreation Division and the Senior Services Division to the Recreation Fund from the Parks and Recreation Department of the General Fund. Budgeted revenue totaling \$2,100 from teen center memberships and \$160 from senior services programs will be moved to the Recreation Fund. Budgeted expenditures totaling \$169,632 (reduced by \$70,000 and increased by \$30,000 see above) for the teen programs and \$58,346 for the senior programs will also be moved to the Recreation Fund. A total subsidy of \$227,978 from the General Fund will be budgeted in the Recreation Fund and the General Fund, resulting in a \$0 overall budget impact. Indirect costs have not been moved to the Recreation Fund at this time – more time is needed to determine the indirect costs that would be associated with these programs. By moving these budgets from the General Fund to the Recreation Fund, these programs will be more closely monitored and the funds/fees received for each of these areas will be used only to create new and/or enhance existing programs offered to teens as well as seniors.

Remove Subsidy from the Concessions Program. The Council directed this program to be self-sustaining. As a result, the General Fund will no longer subsidize the program. The Concessions revenue budgets will be increased and/or the expenditure budgets will be decreased based on the break-even plan that is being developed. The impact on the budget will be \$0 since the subsidy amount will be offset by the increased revenues in this fund.

Hotel Tax Fund – Net Increase of \$137,000:

Increase Budget for a Revolving Tournament fund by \$200,000 – The City Council provided direction to appropriate funds to be used to bring future sports tournaments into the City. These tournaments must have a minimum of 40 teams and at least 90% of these teams must come from outside of College Station.

Decrease Budget to Remove the Contribution to the Veteran’s Memorial of \$10,000 – There was not an approved funding request made by the Brazos Valley Veteran’s Memorial for FY11.

Decrease Budget to Remove the Funding for the Bush Library by \$50,000 – The decision was made to remove the funding from the Hotel Tax Fund to the Bush Library, and to increase the contribution to the CVB to fund the Bush Library as a direct pass through.

Increase Budget to Fund a Direct Pass Through from the CVB to the Bush Library by \$25,000 – This increases the appropriation to the Convention and Visitors Bureau to fund the direct pass through to the Bush Library (see above).

Decrease Budget for Contribution to the Convention and Visitors Bureau by \$28,000 – This restores the contribution to the amount paid in FY10 – which had been reduced by approximately 5% of non-salary related costs. In FY11, the Convention and Visitors Bureau had submitted a request to add back the \$28,000 to the budget in order to implement new marketing plans.

Change Funding for Arts Council by Increasing the Affiliate Funding Amount by \$19,000 and Reducing the Administrative Funding Amount by \$19,000 – Arts Council funding in the Proposed Budget was \$289,000 from the Hotel Tax Fund. The Council provided direction to increase the Affiliate funding by \$19,000 and to decrease the O&M funding by \$19,000 for a total net change of \$0.

These revisions were detailed in this memo so that the Council can consider them as they move forward with adopting a budget on September 13.

September 9, 2010
Workshop Agenda Item No. 3
Bryan-College Station Mobility Initiative

To: Glenn Brown, City Manager

From: Hayden Migl, Assistant to the City Manager

Agenda Caption: Presentation, possible action, and discussion regarding an update on the Bryan-College Station Mobility Initiative.

Relationship to Strategic Goals: IV. Improving Multi Modal Transportation

Recommendation(s): N/A

Summary: Terry Childers from the Texas Transportation Institute (TTI) will make a presentation briefing Council on progress that has been made to launch this initiative.

The Bryan-College Station Mobility Initiative has been launched to focus on increasing mobility, regional cooperation, and improving safety for all users of the community transportation systems. The project, when fully deployed, will result in the establishment of a Transportation Management Center (TMC) located in the TTI TransLink Laboratory facility.

Budget & Financial Summary: A service level adjustment of \$50,000 to be funded from the Traffic Safety Fund is included in the Fiscal Year 2010-2011 proposed budget for College Station's participation in the B/CS Mobility Initiative.

Attachments: N/A

September 9, 2010
Workshop Agenda Item No. 4
Food Truck and Micro-Industrial Uses Discussion

To: Glenn Brown, City Manager

From: Bob Cowell, AICP, CNU-A, Director of Planning & Development Services

Agenda Caption: Presentation, possible action, and discussion regarding the Unified Development Ordinance and the regulation of emerging commercial and industrial businesses including food trucks and micro-industrial uses (micro-breweries, micro-coffee roasting, etc.)

Relationship to Strategic Goals: Diverse growing economy

Recommendation(s): Staff recommends that the Council provide direction regarding the pursuit and scope of any desired Ordinance amendments related to the operation of food trucks and micro-industrial uses.

Summary: In recent months staff has become aware of potential commercial ventures that may not currently be permitted by City Code and/or may be significantly constrained by City code. These uses include food trucks, which could include trucks that visit construction sites, trucks that offer mobile outlets associated with local or national restaurants, push cart vendors, etc. These also include small-scale industrial uses; these "micro-industrial" uses include uses that are "basic" industrial in nature (i.e., not associated with a restaurant), such as beer brewing, coffee production, etc. but small or low-intensity in scale.

Current City ordinances permit food truck type uses on a limited and temporary basis, through the itinerant vendor process, which essentially limits the conduct of the business to no more than 21 days in a given year. The indication is that most of these emerging uses are likely to require substantially more than 21 days of operation in a given year. Current city ordinances limit basic industrial uses to areas zoned for heavy industry with no consideration given to scale or intensity of the use.

Expansion of these uses would permit additional business opportunities and could generate additional tax revenues for the City. Potential problems associated with expansion of these uses could include increased litter, competition with "brick and mortar" restaurants, incompatible uses, etc.

Staff is seeking direction from the Council on determining if it is desirable to expand these uses and if so, what (if any) parameters regarding their operations should be established. Depending on Council direction, staff will either make no adjustments to current Code or will pursue the development of text amendments that will be presented and discussed in public hearings at a later date.

Budget & Financial Summary: N/A

Attachments: Food truck examples

FOOD TRUCK EXAMPLES



**September 9, 2010
Workshop Agenda Item No. 5
FY 11 Proposed BVSWMA, Inc Budget**

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion on the FY 2010-2011 BVSWMA, Inc Proposed Budget.

Recommendation(s): Staff recommends the Council review the FY 11 BVSWMA, Inc. Proposed Budget.

Summary: The BVSWMA, Inc proposed budget was presented to the BVSWMA, Inc. Board of Directors on August 18th.

According to the By-Laws of BVSWMA, Inc, after the board approves the budget the budget will be presented to the 2 City Council's for approval. The BVSWMA, Inc Board of Directors is scheduled to adopt the budget at the September 15th Board Meeting.

The budget as approved by the BVSWMA, Inc Board will be presented to the City Council for consideration at the September 23 City Council Meeting.

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

Attachments:

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

**September 9, 2010
Workshop Agenda Item No. 6
BWSWMA Asset Transfer Agreement**

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action, and discussion regarding the Asset Transfer Agreement between BWSWMA Inc., the City of College Station and the City of Bryan.

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

Recommendation(s): NA

Summary: Staff will present proposed language in the Asset Transfer Agreement that expresses the intent that College Station has use of the Rock Prairie Landfill property as a park after the landfill closes.

Budget & Financial Summary: NA

Attachments:

1.