



College Station, TX

1101 Texas Ave
College Station, TX 77840

Amended Meeting Agenda Council Workshop

Thursday, August 14, 2014

4:30 PM

City Hall Council Chambers

1. Call meeting to order.
2. Executive Session will be held 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. The City of College Station v. Star Insurance Company, Civil Action No. 4:11 CV 02023, In the U.S. District Court for the Southern District, Houston Division
- b. Patricia Kahlden, individ. and as rep. of the Estate of Lillie May Williams Bayless v. Laura Sue Streigler, City of College Station and James Steven Elkins, Cause No. 11 003172 CV 272, In the 272nd District Court of Brazos County, Texas
- c. Deluxe Burger Bar of College Station, Inc. D/B/A Café Eccell v. Asset Plus Realty Corporation, City of College Station, Texas and the Research Valley Partnership, Inc., Cause No. 13 002978 CV 361, In the 361st Judicial District Court, Brazos County, Texas
- d. Margaret L. Cannon v. Deputy Melvin Bowser, Officer Bobby Williams, Officer Tristan Lopez, Mr. Mike Formicella, Ms. Connie Spence, Cause No. 13 002189 CV 272, In the 272nd District Court of Brazos County, Texas
- e. Bobby Trant v. BVSWMA, Inc., Cause No. 33014, In the District Court, Grimes County, Texas, 12th Judicial District

Legal Advice

- a. Legal advice regarding acquisition of property located generally northwest of the intersection of Rock Prairie Road and State Highway 6.

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. Property located generally northwest of the intersection of Rock Prairie Road and State Highway 6 in College Station, Texas

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. 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 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. Economic Incentives related to a proposed community wide private fiber optic broadband network

5:30 P.M.

3. Take action, if any, on Executive Session.
4. Presentation, possible action and discussion on items listed on the consent agenda.
5. [14-574](#) Presentation, possible action, and discussion regarding proposed changes to the City's smoking ordinance.
6. [14-587](#) Presentation, possible action, and discussion on the Fiscal Year 2015 BVSWMA, Inc. Proposed Budget.

Attachments: [BVSWMA FY15 Budget.pdf](#)

7. [14-595](#) Presentation, possible action, and discussion on the FY 2014-2015 Proposed Budget.

8. Council Calendar

August 18-21

City Council Budget Workshop Meeting, CSU Meeting Training Facility - Assembly Room - 1603 Graham Road, 3:00 p.m.

August 20

Economic Outlook Briefing Luncheon, CS Hilton, 11:30 p.m.

August 21

P&Z Workshop/Regular Meeting in Council Chambers, 6:00 p.m. (Liaison, Steve Aldrich)

August 25


Executive Session/Workshop/Regular Meeting at 4:30, 5:30 & 7:00 p.m.

9. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated 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.
10. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWM, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Gigabit Broadband Initiative, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Youth Advisory Council, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board).

11. Adjourn

The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED



City Manager

Notice is hereby given that an Amended Executive Session and Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 14th day of August, 2014 at 4:30PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this 11th day of August, 2014 at 4:00 p.m.



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 11, 2014 at 4:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



Legislation Details (With Text)

File #: 14-574 **Version:** 1 **Name:** E-Cigarettes
Type: Presentation **Status:** Agenda Ready
File created: 7/10/2014 **In control:** Council Workshop
On agenda: 8/14/2014 **Final action:**
Title: Presentation, possible action, and discussion regarding proposed changes to the City's smoking ordinance.
Sponsors: Chris Jarmon
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding proposed changes to the City's smoking ordinance.

Relationship to Strategic Goals: (Select all that apply)

- Good Governance
- Core Services and Infrastructure

Recommendation(s): Staff recommends that Council provide feedback on the proposed changes. No action is required at this time.

Summary:

On June 28, Council requested that staff provide some direction on the use of e-cigarettes.

Electronic cigarettes, or e-cigarettes, are battery-powered devices that look like traditional cigarettes and are designed to simulate the feeling and experience of smoking. These devices lack tobacco, but may contain some amount of liquid or synthetic nicotine. The use of e-cigarettes is known as “vaping” because the heating element in the device, known as an atomizer, vaporizes the liquid solution present in the cartridge, allowing the user to create a cloud that resembles smoke. These devices are also referred to as vaporizing cigarettes or electronic vaping devices.

Staff is recommending that e-cigarettes be regulated under the City's smoking ordinance, and specifically, staff is recommending three (3) limitations on the use of e-cigarettes:

1. E-cigarettes cannot be sold to minors
2. Minors cannot be in possession of e-cigarettes
3. E-cigarettes are prohibited in the same places where tobacco cigarettes are prohibited

Budget & Financial Summary: n/a

Attachments:

1. Texas cities with e-cigarette regulations



Legislation Details (With Text)

File #: 14-587 **Version:** 1 **Name:** BVSWMA FY15 Budget
Type: Presentation **Status:** Agenda Ready
File created: 7/27/2014 **In control:** Council Workshop
On agenda: 8/14/2014 **Final action:**
Title: Presentation, possible action, and discussion on the Fiscal Year 2015 BVSWMA, Inc. Proposed Budget.
Sponsors: Donald Harmon
Indexes:
Code sections:
Attachments: [BVSWMA FY15 Budget.pdf](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on the Fiscal Year 2015 BVSWMA, Inc. Proposed Budget.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends the Council approve the FY2015 BVSWMA, Inc. Proposed Budget.

Summary:

The BVSWMA, Inc. proposed budget was considered and approved by the BVSWMA, Inc. Board of Directors on July 16, 2015.

According to the BVSWMA, Inc., By-Laws and Operating Agreement, the BVSWMA budget will be presented to the College Station and Bryan City Councils for consideration after being approved by the BVSWMA Board.

Budget & Financial Summary:

The FY2015 BVSWMA, Inc. Proposed Budget Revenue is \$7,195,750 and the Total Expenses are \$8,112,369.

Attachments:

1. BVSWMA, Inc. Proposed FY15 Budget

**BVSWMA, Inc.
FYE 2015 Budget**

**APPROVED AND ADOPTED BY VOTE OF THE BOARD OF
DIRECTORS OF THE BRAZOS VALLEY SOLID WASTE
MANAGEMENT AGENCY, INC. AT A REGULAR MEETING HELD OF
THE 16TH DAY OF JULY 2014.**

APPROVED:

Richard Floyd, Chairman

BVSWMA, Inc.
FYE 2015 Budget Overview

	Approved 2014 Budget	Projected 2014 Results	Proposed 2015 Budget
Revenue	\$ 6,878,600	\$ 7,285,752	\$ 7,195,750
Operating Expense	\$ 5,330,742	\$ 4,963,352	\$ 5,476,869
Capital Expense	\$ 3,485,000	\$ 3,000,000	\$ 2,635,500
Total Expense	\$ 8,815,742	\$ 7,963,352	\$ 8,112,369
Cash & Investments (Working Capital)		\$ 3,450,972	\$ 2,251,031
Reserves			
Rock Prairie Road Closure/Post Closure		\$ 3,634,524	\$ 3,134,524
Twin Oaks Closure & Post Closure		\$ 673,323	\$ 878,423
BDF - Interim cover & pre-closure		\$ -	\$ 52,793
BDF - Pipeline relocation		\$ -	\$ 63,351
BDF - Gas System		\$ -	\$ 167,177
Total Reserves		\$ 4,307,846	\$ 4,296,268
Total Reserves, Cash & Investments		\$ 7,758,818	\$ 6,547,299

BVSWMA, Inc.
FYE 2015 Operations Budget

	Current Results FYE2014 (March)	Projected Results FYE2014	FYE2015 Budget		
Operating Revenue					
	April Volume				
Landfill Volume - Tons					
City of College Station	37,738	64,693.71	64,000		
City of Bryan	32,079	54,992.57	54,000		
Third Party	108,283	185,628.00	175,000		
	178,100	305,314	293,000		
Landfill Rates				TCEQ	Gate
City of College Station			\$ 20.25	\$ 0.94	\$ 21.19
City of Bryan			\$ 20.25	\$ 0.94	\$ 21.19
Third Party			\$ 25.75	\$ 0.94	\$ 26.69
Landfill Revenue					
City of College Station			1,296,000		
City of Bryan			1,093,500		
Third Party			4,506,250		
Total Landfill Revenue	3,496,874	6,993,748	6,895,750		
Compost Revenue	146,002	292,004	300,000		
Total Operating Revenue	3,642,876	7,285,752	7,195,750		
Operating Expenses					
Debt Service Interest Expense					
Debt Service Interest - City of College Station	87,205	174,410	163,910		
Debt Service: Interest - City of Bryan	92,566	185,131	176,531		
Total Debt Service	179,771	359,541	340,441		
Bad Debt					
Bad Debt	0	0	0		
Total Bad Debt	-	-	-		
Maintenance Expense					
Computer Software	4,748	9,496	10,000		
Office Maint-Other	0	0	3,000		
Office Maint-Equipment	373	745	3,000		
Office Maint-Furniture	0	0	1,000		
Office Maint-Computer	894	1,788	3,000		
Maint.-Building	12,147	24,294	15,000		
Maint.-Grounds	6,012	12,023	40,000		
Maint.-Fence & Gates	885	1,770	2,000		
V&E Maint-Machine/Tool	461	922	2,000		
V&E Maint-Heavy Equipment	154,900	309,801	220,000		
V&E Maint-Radios	1,412	2,824	10,000		
V&E Maint-Phones	0	0	1,000		
V&E Maint-Pages/Other	7,871	15,742	15,000		
V&E Maint-Pumps/Motors	8,715	17,431	10,000		
V&E Maint-Motor Vehicle	4,657	9,314	12,000		
V&E Maint-Other	813	1,626	1,000		
Wet Weather Access	43,303	50,000	50,000		
Other Total	0	0	-		
Total Maintenance Expense	247,190	457,774	398,000		
Other					
Contingency	0	0	150,000		
Closure Accrual - Twin Oaks	54,371	108,743	105,480		
Post-Closure Accrual - Twin Oaks	51,010	102,021	99,620		
Community Support KBB	992	1,984	0		
Community Support HHW	78,878	230,000	250,000		

Community Support - Misc	9,141	11,000	11,000
	0	0	0
	0	0	0
	0	0	0
Total Other	194,392	453,747	616,100
Purchased Services			
Advertise-Promotional	6,056	12,112	4,000
Insurance-Premium	29,489	58,978	60,000
Other Serv-Other	815	1,631	25,000
Other Serv-Contract Labor	25,069	35,000	25,000
Other Serv-Security	1,826	2,000	1,000
Printing-External	800	1,600	6,000
Printing-Signs & Banners	362	724	2,500
Prof Serv-Audit	12,950	12,950	15,000
Prof Serv-Engineering	116,206	232,411	250,000
Prof Serv-Legal	12,755	50,000	35,000
Prof Serv-Medical	0	0	1,000
Prof Serv-Spec Studies	0	35,000	40,000
Prof Serv-Other	63,561	127,122	150,000
Rentals-Buildings & Structures	0	0	-
Rentals-Equipment	14,132	28,264	20,000
Sundry-Credit Card Fees	7,216	14,432	15,000
Sundry-Freight	3,484	6,968	6,000
Sundry-Permits & Licenses	2,588	5,177	5,000
Sundry-Penalty & Interest	104	207	500
Sundry-Postage	627	1,253	3,000
Tech Serv-Janitorial	3,526	7,053	8,000
Tech Serv-Pest Control	1,290	2,580	2,800
Tech. Svcs.-Inspect & Lic. Fees	545	1,090	10,000
Training-In-house Training	0	0	1,000
Training-Memberships	3,486	4,000	4,000
Training-Outside Training	5,175	7,500	5,000
Training-Subscriptions	0	0	500
Training-Travel & Lodging	861	7,500	10,000
Util Serv-Cable Services	806	1,613	2,000
Util Serv-Disposal Fees	6,123	12,246	20,000
Util Serv-Electric	25,743	51,487	75,000
Util Serv-Local Phone	614	3,500	3,500
Util Serv-Long Distance Phone	0	0	-
Util Serv-Mobile Phone	4,037	8,073	8,000
Util Serv-Water	6,864	13,728	25,000
Total Purchased Services	357,109	746,196	838,800
Salaries & Benefits			
Administrative	115,629	231,258	242,000
Fulltime Labor	413,139	826,277	864,000
Overtime	172,432	344,864	360,000
Bonuses	0	0	0
FICA/Medicare & Unemployment	53,895	107,789	128,000
Retirement	81,666	163,333	215,000
Group Health Insurance	122,799	245,597	360,000
Group Life Insurance	2,818	5,635	7,000
Workers Compensation	43,524	87,048	70,000
Unemployment Compensation	0	0	0
Education Reimbursement	0	0	0
Group LT Disability	2,816	5,631	6,000
Taxable Employee Benefits	1,125	2,250	33,000
Total Salaries & Benefits	1,009,841	2,019,682	2,285,000
Supplies			
Office Supplies - General	3,021	6,041	25,000
Office Supplies - Computer	308	616	0
Office Supplies - Educate	0	0	0

Office Supplies-Minor Equipment	7,714	15,428	0
Office Supp.-Computer Hardware	1,260	2,519	0
Office Supp.-Computer Software	0	0	0
Office Supplies - Other	374	747	0
Botanical	0	0	0
V&E-Oil	20,961	41,923	30,000
V&E-Fuel	2,114	4,228	10,000
V&E-Diesel	300,532	601,064	700,000
V&E-Minor Tools	7,966	15,932	10,000
V&E-Other	1,266	2,533	2,000
Awards-Service	0	0	0
Awards-Recognition	513	1,027	5,000
Award-Clothing	0	0	0
Clothing-Accessory	10,727	12,000	0
Clothing-Uniforms	0	0	12,000
Chemical-Janitorial	2,497	4,995	4,000
Chemical-Botanical	16,049	32,099	2,500
Chemical-Pesticide	213	426	2,000
Chemical-Other	0	0	300
Crew-First Aid	0	0	0
Crew-Safety	1,584	3,168	5,000
Crew-Other	0	0	0
Misc Supply-Promo Mater	0	0	10,000
Misc Supply-Goodwill	353	707	1,000
Misc Supply-Food & Ice	3,157	6,313	5,000
Misc Supply-Other	1,938	3,876	5,000
Misc Supply-Survey	92	185	500
Total Supplies	382,640	755,826	829,300
Total Operating Expenses before Amort & Dep	2,370,944	4,792,767	5,307,641
Net Operating Income (Loss) before Amort & Dep	1,271,932	2,492,985	1,888,109
Amortization & Depreciation			
Amortization Exp - LF	16,120	32,240	32,000
Depreciation Exp - LF	848,790	1,697,580	1,700,000
Depreciation Exp - Compost	52,377	104,755	105,000
Total Amortization & Depreciation	917,287	1,834,575	1,837,000
Operating Income (Loss)	354,645	658,411	51,109
Non-operating Revenue (Expenses)			
Interest Income	\$ 5,970	\$ 11,939	\$ -
Increase/decrease in FMV	\$ -	\$ -	\$ -
Gain (loss) sale assets	\$ -	\$ -	\$ -
Rental Lease Royalty Income	\$ 1,661	\$ 3,322	\$ -
Non Operating Revenue	\$ 468	\$ 935	\$ -
Host Fees	\$ (85,293)	\$ (170,586)	\$ (169,228)
Total Non-operating Revenue (Expense)	\$ (85,293)	\$ (170,586)	\$ (169,228)
Change in Net Assets Before Capital Outlays	269,352	487,825	-118,119

BVSWMA, Inc.
10-Year Capital and Reserves Projection

Interim Closure allocation	-	-	-	-	-	-	-	-	-	-	-	-
Pipeline Relocation Allocation	-	-	-	-	-	-	-	-	-	-	-	-
Gas System Allocation	-	-	-	-	-	-	-	-	-	-	-	-

Ending Balance - Reserves & Allocations

Rock Prarie Road Closure/Post Closure	3,634,524	3,134,524	3,026,524	2,918,524	2,810,524	2,702,524	2,594,524	2,486,524	2,378,524	2,270,524	2,162,524	2,054,524
Twin Oaks Closure/Post Closure	673,323	878,423	1,087,625	1,301,011	1,518,665	1,740,671	1,967,118	2,198,094	2,433,690	2,673,997	2,919,111	3,169,126
Interim Closure allocation	-	52,793	106,641	161,567	217,591	274,736	333,023	392,477	453,119	514,974	578,066	642,420
Pipeline Relocation Allocation	-	63,351	127,970	193,880	261,109	329,683	399,628	470,972	543,743	617,969	693,680	770,905
Gas System Allocation	-	167,177	337,698	511,629	689,039	869,997	1,054,574	1,242,843	1,434,877	1,630,751	1,830,543	2,034,331

Working Capital - exclusive of Reserves & Allocations

Starting Cash & Investments	\$ 4,565,972	3,450,972	2,251,031	1,707,618	2,426,948	1,530,546	1,365,842	1,942,833	1,453,580	1,158,841	1,639,525	1,386,813
Equipment Replacement	\$ (35,000)	(1,375,500)	(890,000)	(395,500)	(1,272,000)	(799,000)	(830,000)	(1,170,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)
Debt Service	\$ (215,000)	(460,000)	(480,000)	(445,000)	(470,000)	(485,000)	(505,000)	(525,000)	(545,000)	(565,000)	(595,000)	(620,000)
Capital Projects	\$ (1,465,000)	(800,000)	(700,000)	-	(750,000)	(750,000)	-	(750,000)	(750,000)	-	(750,000)	(750,000)
Cash from Operations	\$ 600,000	1,435,559	1,526,587	1,559,830	1,595,598	1,869,295	1,911,991	1,955,747	2,000,261	2,045,684	2,092,288	2,141,329
Ending Cash & Investments	3,450,972	2,251,031	1,707,618	2,426,948	1,530,546	1,365,842	1,942,833	1,453,580	1,158,841	1,639,525	1,386,813	1,158,143



Legislation Details (With Text)

File #: 14-595 **Version:** 1 **Name:** Proposed Budget
Type: Presentation **Status:** Agenda Ready
File created: 7/28/2014 **In control:** Council Workshop
On agenda: 8/14/2014 **Final action:**
Title: Presentation, possible action, and discussion on the FY 2014-2015 Proposed Budget.
Sponsors: Jeff Kersten
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on the FY 2014-2015 Proposed Budget.

Recommendation(s): Staff recommends the Council receive the FY 2014-2015 Proposed Budget presentation.

Summary: Staff will present an overview of the City of College Station FY 2014-2015 Proposed Budget. The City's charter says the City Manager will prepare and submit a proposed budget to the City Council no later than 30 days prior to the end of the fiscal year. The budget is being presented on August 14th. The calendar for the budget process includes a public hearing on September 11. Adoption of the Budget is scheduled for September 22. According to the charter, final action on the Proposed Budget must take place on or before September 27. Budget workshop meetings are scheduled for August 18th, August 19th, and August 20th to review the proposed budget, and the key budget decision points.

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

Reviewed and Approved by Legal: N/A

Attachments:

1. The Proposed Budget will be distributed under separate cover.