



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Workshop

Thursday, April 23, 2015

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. Deluxe Burger Bar of College Station, Inc. D/B/A Café Excell 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
- b. 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
- c. Bobby Trant v. BVSWMA, Inc., Cause No. 33014, In the District Court, Grimes County, Texas, 12th Judicial District
- d. Juliao v. City of College Station, Cause No. 14-002168-CV-272, In the 272nd District Court of Brazos County, Texas
- e. City of College Station, Texas, v. Embrace Brazos Valley, Inc., Cause No. 15-000804-CV-85, In the 85th Judicial District Court, Brazos County, Texas

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 in the west side ETJ area adjacent to the College Station, Brazos County, Texas, city limits on North Dowling Rd.

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) maybe discussed:

- a. Economic incentives for a proposed development located generally in the Business Center at College Station.
- b. Economic incentives for a proposed development located generally near the intersection of University Drive and State Highway 6 in College Station.

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. [15-0179](#) Presentation, possible action, and discussion regarding potential funding mechanisms to implement the Economic Development Master Plan.
Sponsors: City Manager's Office
Attachments: [4A and 4B Project Lists.docx](#)
6. [15-0204](#) Presentation, possible action, and discussion regarding the possible development of an ordinance establishing standards for permanent sites dedicated to mobile food vending.
Sponsors: Hitchcock

7. Council Calendar - Council may discuss upcoming events.
8. 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.
9. 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, BVSWMA, 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, Sister Cities Association, 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).

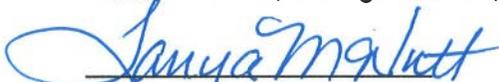
10. Adjourn

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

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on April 17, 2015 at 5:00 p.m.


City Secretary

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 3541 or (TDD) 1 800 735 2989. Agendas may be viewed on www.cstx.gov. Council meetings are broadcast live on Cable Access Channel 19.



Legislation Details (With Text)

File #:	15-0179	Version:	1	Name:	4A and 4B Board Discussion
Type:	Minutes	Status:		Status:	Agenda Ready
File created:	4/2/2015	In control:		In control:	City Council Workshop
On agenda:	4/23/2015	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding potential funding mechanisms to implement the Economic Development Master Plan.				
Sponsors:	City Manager's Office				
Indexes:					
Code sections:					
Attachments:	4A and 4B Project Lists.pdf				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding potential funding mechanisms to implement the Economic Development Master Plan.

Relationship to Strategic Goals:

- Financially Sustainable City
- Diverse Growing Economy
- Sustainable City

Recommendation:

Utilize the existing City Council Economic Development Committee as an advisory group to guide future economic development efforts. The Committee could provide initial guidance to establish the department, examine funding options and implementation efforts of the Master Plan.

Summary:

There are several options moving forward to direct the economic development efforts of College Station:

1. Reinstate the 4B Board that is currently dormant.
 2. Create an Economic Development Corporation (EDC) similar to the City of Bryan's Development Foundation.
 3. Utilize the City Council Economic Development Committee as an advisory group.
- The most pressing issue regarding implementing the Economic Development Master Plan is funding. Until we determine the most appropriate funding mechanisms and implementation steps moving forward, staff feels strongly that the city should avoid creating a separate entity and the associated bureaucracy that is required with a formal appointed board.

Background: The Economic Development Master Plan was adopted by City Council in September 2013. Due to budget constraints, an emphasis was placed on developing strategies that could be

implemented largely with existing staff and financial resources with the knowledge that implementation could have an overall cost that impacts other programs and responsibilities. The purpose of this agenda item is to explore potential funding mechanisms including traditional nonprofit development corporations.

The Development Corporation Act of 1979 authorized the creation of nonprofit development corporations to promote industry and manufacturing activities within a municipality. Development Corporations operate separately from the municipality with a board of directors to oversee their efforts. It is up to the individual municipality to fund these corporations. In 1987 the City established the College Station Industrial Development Foundation under this act.

In 1989 the Legislature amended the Act adding Section 4A to provide for a specific corporation and utilize a portion of local sales tax to fund their economic development efforts. The tax may be levied after approval by the voters via an election. Additional modifications in 1991 provided for a Section 4B corporation to also use sales tax to promote and fund a wider range of civic and commercial projects. See the attached summary for eligible projects funded through a 4A or 4B corporation.

In 1999 the City created the "College Station Business Development Corporation - 4B Board". This corporation was used as an advisory board to the City as well as assistance in the development of the College Station Business Center. However, a dedicated revenue stream via local sales tax was not implemented. The bylaws were specifically drafted to define the scope of the corporation and address specific areas of economic development as follows:

- o New strategic issues:
 - Create an overall ED Plan for 4B Board recruitment and marketing. As part of that plan, identify preferred images and businesses. This plan is required by the 4B Board bylaws.
 - Seek input from and provide information to local businesses and private developers. Examples of possible activities to implement this goal may include: conduct focus groups; conduct informational meeting about city ED services; receive input on program issues; and conduct annual existing business survey in conjunction with the EDC business retention division.
 - Establish regular line of communication between the 4B Board and the P&Z (joint meetings). An example of a topic to be covered during a joint meeting would be evaluation of availability of tracts which are comprehensive planned or zoned for retail and industrial uses.
- o Strategic Issues to be Continued:
 - Continue to develop new class "A" and class "B" business parks.
 - Re-examine Northgate Redevelopment Plan
 - Continue development of Hotel/Conference Center Project.

In 2003, the Texas Legislature modified the Act to prohibit 4A and 4B corporations from providing cash grants or land incentives to "non-primary" employers such as retail and redevelopment projects. A "project" in which a 4B corporation provides incentives shall only be for the creation or retention of "primary jobs" that are suitable for development, retention, or expansion of manufacturing and industrial facilities. Corporations were still allowed to provide incentives to tourism projects and to provide infrastructure to retail projects. Infrastructure is defined as streets, rail spurs, water and electric utilities, gas utilities, drainage and related improvements, and telecommunications and internet improvements. As a result, the city re-evaluated the role of the College Station Business

Development Corporation and placed the corporation into a dormant status. The city also dispersed other responsibilities of the 4B Board as follows:

1. Develop a resource list of business people/consultants to be utilized based on their expertise.
2. Utilize the RVP for land transactions. (As a result the RVP changed their bylaws to provide this service.)
3. Receive policy direction from Council through workshops, strategic planning, citizen surveys and evaluation of specific projects.

In 2010 the city once again examined the options of how to support economic development efforts including creating a non-profit corporation similar to Bryan's EDC or creating a citizen's advisory committee. At that time the decision was made to create the College Station Business Advisory Committee. The role of this committee was strictly advisory to the staff and the City Council with their primary function as strategic planning. Projects included Economic Development Strategic Plan, the Medical Corridor Study and identification of areas for future growth. In 2011 the majority of the Economic Development department was dissolved due to budget constraints. In September 2013, the Economic Development Strategic Plan was adopted and incorporated into the City's Comprehensive Plan.

Budget & Financial Summary:

Funding for current economic development efforts are limited; however, specific initiatives will be discussed through the upcoming budget process.

Attachments:

Summary of 4A and 4B Projects (Excerpt - Primer for Local Officials)

How does the “Type A” tax differ from the “Type B” tax?

This practitioners guide offers a quick snapshot of what you can do with economic development sales tax dollars. It is not intended as a substitute for your EDC’s legal counsel or the Office of the Attorney General Economic Development Handbook.

Type A Eligible Projects

- Land, buildings, equipment, facilities, improvements, and expenditures that are for the creation and retention of primary jobs and suitable for the development, retention, or expansion of the following types of projects: manufacturing, industrial, research & development, recycling, small warehouses, distribution centers, regional or national corporate headquarter facilities, closed or realigned military bases, and primary job training facilities by higher education institutions
- Job training classes and career centers (no primary job requirement)
- Business airport facilities and port-related facilities
- Clean-up of contaminated project sites (with a special election and specific ballot language)
- Infrastructure assistance to retail or commercial projects
- Business-related sewer utilities and site improvements
- Beach remediation in Gulf communities required or suitable to promote or develop new or expanded business enterprises
- Projects designed to attract new military missions, prevent the closure of existing missions, and redevelop a closed or realigned military base
- General airport facilities for communities located 25 miles from the US/Mexico border only
- Light rail, commuter rail, or motor buses
- Type B projects with voter approval
- As described on page 1, the City of Port Arthur is authorized to use the economic development sales tax on certain general infrastructure, job training and university housing projects

Type B Eligible Projects

- Everything authorized under Type A , including retail and commercial projects with the same restrictions
- Water supply facilities (with a special election and specific ballot language)
- Projects that improve a community’s quality of life, including parks, professional and amateur sport and athletic facilities, tourism and entertainment facilities, affordable housing, and other improvements or expenditures that promote new or expanded business activity that create or retain primary jobs
- Projects designed to attract new military missions, prevent the closure of existing missions, and redevelop a closed or realigned military base
- Sewer or solid waste disposal facilities in Hidalgo County
- Direct incentives for retail in communities with fewer than 20,000 residents and certain land-locked cities
- Hangers, airport maintenance and repair facilities, air cargo facilities, related infrastructure located on or adjacent to an airport facility
- Airport facilities provided that the eligible municipality enter into an approved development agreement with an entity that acquires a leasehold or other possessory interest from the economic development corporation
- Rail ports, rail switching facilities, marine ports, and inland ports

1979

Development Corporation Act passed, authorizing cities to create economic development corporations.

1989

4A tax authorized to provide funding source for recruiting and retaining manufacturing and industrial projects.

1991

4B tax authorized for broader community development projects.

1997

State reporting requirement enacted.

4A corporations authorized to undertake 4B projects with voter approval.

1999

Allowable 4A and 4B projects expanded to include targeted infrastructure, job creation, and retention, job training, and educational facilities.



Legislation Details (With Text)

File #: 15-0204 **Version:** 1 **Name:** Mobile Food Vending Park Discussion
Type: Presentation **Status:** Agenda Ready
File created: 4/15/2015 **In control:** City Council Workshop
On agenda: 4/23/2015 **Final action:**
Title: Presentation, possible action, and discussion regarding the possible development of an ordinance establishing standards for permanent sites dedicated to mobile food vending.
Sponsors: Molly Hitchcock
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the possible development of an ordinance establishing standards for permanent sites dedicated to mobile food vending.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendation: Staff recommends the City Council receive the information and provide direction as desired.

Summary: As a future agenda item at the January 8, 2015 workshop meeting of City Council, Councilman Benham requested staff report information to Council related to food truck operators and a designated parking area.

At the workshop, City Council will be provided with an overview of the City's ordinances regulating food trucks, a summary of how other communities regulate food truck parks, and a discussion of options and considerations for possible food truck parks in College Station.

Budget & Financial Summary: N/A

Attachments: N/A