



Mayor
Ben White
Mayor Pro Tem
Lynn McIlhaney
City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Lawrence Stewart
David Ruesink

Minutes
City Council Workshop & Regular Minutes
Monday, November 24, 2008 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor White, Mayor Pro Tem McIlhaney, Council members Maloney Crompton, Massey, Ruesink and Stewart

STAFF PRESENT: City Manager Brown, Assistant City Manager Merrill, Assistant City Manager David 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. with Council member Massey absent.

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

Consent Agenda Items No. 2a, 2d, 2g, and 2l were removed from the consent agenda and placed on future meeting agenda.

Mayor Pro Tem McIlhaney noted her abstention from Consent Item No. 2b.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion regarding the 2009 Planning & Zoning Commission Plan of Work.

John Nichols, Chairman of Planning and Zoning Commission called the meeting into order at 7:04 pm.

Bob Cowell, ACIP, Director of Planning and Development Services outlined the Plan of Work. Council and P&Z Commissioners discussed the Plan of Work format. The plan continues to align with the Department's Strategic Business Plan. Items are assigned within one of four categories: Community & Neighborhood Planning, Data Collection & Analysis, Development Services, and Outreach & Communications. They also discussed the additional descriptions that are provided to better track the purpose and progress of each item through the year. Staff recommended endorsement of the items contained within the 2009 P&Z Plan of Work.

Council member Crompton made a motion to approve the 2009 P&Z Plan of Work project. Mayor Pro Tem McIlhaney seconded the motion, which carried 6-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Maloney, Stewart and Ruesink

AGAINST: None

ABSENT: Council member Massey

John Nichols, Chairman of P&Z Commission adjourned their meeting at 3:35 p.m.

Workshop Agenda Item No. 3-- Presentation, possible action, and discussion on a Memorandum of Agreement between the City of College Station, Research Valley Partnership and Lynntech, Inc.

David Gwin, Director of Economic Development presented a Memorandum of Agreement which provided a general framework under which the City will facilitate reinvestment and new development in and around the former Westinghouse facility, located at 2501 Earl Rudder South. The agreement outlined those items for which each party shall be responsible and also identified specific performance for the private sector entity.

John Clanton, President of Lynntech made a few remarks about the concept plan.

No formal action was taken.

Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion on a resolution supporting the City's desire to become a certified "Film Friendly Texas" Community through the State of Texas Film Commission; and adoption of the Guidelines for Filming in the City of College Station.

David Gwin, Director of Economic Development explained the item. He stated that the convention and Visitors Bureau has been assisting local representatives to become a certified "Film Friendly Community", designated by the Texas Film Commission. He described the benefits of this designation. On-location filming in College Station has the potential to boost the local economy and provide numerous area-wide promotional opportunities. By becoming a certified Film Friendly Community, the City will be able to take advantage of many of the services provided by the Texas Film Commission which currently help to promote and market the community to the national entertainment industry. These include guidance and assistance in handling commercial filming opportunities; recognition on the Commission's website; and an opportunity to be featured as "Community of the Month" on the Commission's website.

Council concurred with staff's recommendation.

No formal action was taken. Consideration of the resolution was scheduled for the regular meeting.

Workshop Agenda Item No. 5 -- Presentation possible action and discussion of a plan to plant trees on public property along Texas Avenue between Harvey Road and Harvey Mitchell Parkway.

Mark Smith, Director of Public Works presented an updated plan to plant trees on public property along Texas Avenue between Harvey Road and Harvey Mitchell Parkway. Staff proposed a two phase process focused on "limited" areas and "unlimited" areas. The limited areas were those areas in the corridor where there are conflicts with utilities, sight triangles, poor topography; adjacent commercial property landscapes limited space availability. The unlimited areas were areas in the corridor where large shade trees are appropriate and where there are few topographic, space, utility or safety constraints.

Council directed staff to move forward with the plan to plant trees on public property.

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

Council member Maloney asked staff to look into the creation of a College Station Business Association.

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 (Notice of Agendas posted on City Hall bulletin board).

No discussion held.

At 4:28 pm Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, 551.072, and 551.087 of the Open Meetings Act to seek the advice of our city attorney, to consider competitive matters, and economic development negotiations.

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. Water service application with regard to Wellborn Special Utility District.
- e. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
- f. Attorney-client privileged information and possible contemplated litigation of prior expenditures of College Station funds made by Paul Urso to Texcon.
- g. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites.
- h. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District.
- i. JK Development v. College Station.
- j. Taylor Kingsley v. College Station.
- k. State Farm Lloyds as Subrogee of Mikal Klumpp v. College Station.
- l. TMPA v. PUC (College Station filed Intervention).
- m. 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. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site.
- n. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, Ben White

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. Purchase of one or more tracts near the Wolf Pen Creek area.

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. Next Generation Industrial Park.
- b. Hotel / Convention Center.

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.

At 6:50 pm, Council adjourned from the executive session and returned to Council Chambers. No formal action was taken.

Workshop Agenda Item No. 11 -- Adjourn.

The workshop meeting adjourned following the regular meeting.

Minutes of Regular Meeting

Regular Agenda Item No. 1 -- Pledge of Allegiance, Invocation, Hear visitors.

Mayor White called the meeting to order at 7:00 pm with all Council members present. Mayor White led the audience in the Pledge of Allegiance. Fire Chief R.B. Alley provided the invocation.

Hear Visitors:

Greg Taylor, 15796 I6 N, expressed his concern on the annexation proposal regarding the lack of adequate notification to potential property owners.

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. Presentation, possible action, and discussion on minutes for November 5, 2008 meeting. **(Item removed)**
- b. Approved the Group Long Term Disability Policy Renewals for the calendar years of 2006, 2007, 2008, and 2009. Mayor Pro Tem McIlhaney abstained.
- c. Approved the Equipment Replacement Fund contingency transfer in the amount of \$18,881.05 for a pilot project to move selected non-Public Safety users from the 800 MHz radio system to a commercial push-to-talk radio system.
- d. Presentation, possible action, and discussion concerning a resolution approving special warranty deeds conveying one-half undivided interest to the City of Bryan in land acquired by condemnation for Twin Oaks Landfill. **(Item removed)**
- e. Approved **Resolution No. 11-24-08-2e** on awarding Bid#09-05, installation of a traffic signal at the intersection of William D. Fitch Parkway and Lakeway Drive to lowest responsible bidder Bayer Construction in the amount of \$157,232.50.
- f. Approved **Resolution No. 11-24-08-2f** on amending the authorized representatives at TexPool.

- g. Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY09 in the amount of \$100,000. **(Item removed)**
- h. Approved the authorizing of the expenditures for the Brazos County Appraisal District in the amount of \$237,596 pursuant to Texas State Property Tax Code Section 6.06 (d).
- i. Approved **Resolution No. 11-24-08-2i** awarding the bid and approval of a contract (Contract Number 09-04) with The Ground Crew, L.L.C., from Bryan, Texas in the amount of \$92,987.55 and sixty (60) calendar days to complete the installation of trees, landscaping, and irrigation for the Dartmouth Street Extension Project Number ST-0211, and authorizing the expenditure of funds. The total amount of the contract includes a base bid of \$89,950.05 and acceptance of Alternate #1 (use of Palisades Zoysia sod instead of Bermuda sod) in the amount of \$3,037.50.
- j. Approved the City's proposed Housing Rehabilitation and Minor Home Repair Program Guidelines.
- k. Approved **Resolution No. 11-24-08-2k** supporting the City's desire to become a certified "Film Friendly Texas" Community through the State of Texas Film Commission; and adoption of the Guidelines for Filming in the City of College Station.
- l. Presentation, possible action and discussion regarding the approval of a resolution accepting from the Governors Division of Emergency Management (GDEM) the 2008 Homeland Security Grant Program –Sub-recipient of \$166,666.67 naming a City staff member as manager of those grant funds, and approving the 2008 City of College Station Equipment List for purchase. **(Item removed)**
- m. Approved the change order to Contract #04-086 in the amount of \$6,800.00 to BRW Architects for design work associated with Police Department Renovations Project.
- n. Approved the change order #2 to engineering design contract 07-152 with Malcolm-Pirnie, Inc in the amount of \$38,125 for construction inspection services on the Parallel Water Transmission Line.
- o. Approved **Resolution No. 11-24-08-2o** awarding a professional services contract to Malcolm Pirnie Inc. in the amount of \$50,000 to conduct a feasibility study for the use of saline (brackish) groundwater wells to increase our drinking water supply.
- p. Approved **Resolution No. 11-24-08-2p** that will authorize City staff to negotiate for the purchase of an easement needed for the Wellborn Widening Project.
- q. Approved **Resolution No. 11-24-08-2q** designating the Construction Manager at Risk as an alternative procurement method for the proposed renovation and expansion to the Utility Service Center.
- r. Approved the Real Estate Contract that will authorize and direct City staff to complete the purchase of right-of-way needed for the William D. Fitch Widening Phase II Project.
- s. Approved **Resolution No. 11-24-08-2s** approving a construction contract with Brazos Valley Services for the amount of \$3,749,256.38 for the construction of the WD Fitch Pkwy Widening Phase II Project.
- t. Approved the Change Order No. 4 to the construction contract (Contract No. 08-044) with JaCody, Inc. in the amount of \$156,468 for the CSU Meeting & Training Facility.

- u. Approved **Resolution No. 11-24-08-2u** on the construction contract (Contract #09-032) with Brazos Valley Services in the amount of \$1,847,972.66 for the Barron Road Capacity Improvements Phase 1 Project.
- v. Approved **Resolution No. 11-24-08-2v** on a Professional Services Contract with Lockwood, Andrews, Newnam, Inc., in the amount of \$188,700, for the design of the Carters Creek Wastewater Treatment Plant Miscellaneous Improvements, and approved **Resolution No. 11-24-08-2v-a** declaring intention to reimburse certain expenditures with proceeds from debt.
- w. Approved the Memorandum of Agreement between the City of College Station, Research Valley Partnership and Lynntech, Inc.

Council member Crompton moved to approve consent agenda items 2b thru 2w with the exception of items 2a, 2d, 2g, & 2l. Council member Massey seconded the motion, which carried 7-0. Mayor Pro Tem McIlhaney abstained from consent agenda item 2b.

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

Regular Agenda Item No. 1 -- Public hearing, presentation, possible action and discussion regarding a resolution increasing the drainage utility rate.

Mark Smith, Director of Public Works presented the resolution authorizing the increase of drainage utility rate from \$3.50 to \$5.00 per month for a single family residence, from \$1.57 to \$2.25 per month for a multi-family residence and \$1.65 to \$2.35 per 1000 sf per month for commercial properties. He explained that the rates have not increased since the designation of the drainage utility fee in 1996. He also added that the population growth has rapidly increased and the fees must be in compliance with the stormwater pollution prevention plan.

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

Council member Crompton moved to approve **Resolution No. 11-24-08-01** authorizing the increase in drainage utility rates as presented. Council member Maloney seconded the motion, which carried 7-0.

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

Regular Agenda Item No. 2 -- Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 1.32 acres located at 300 Holleman Drive, located next to the Verizon building near Lassie Lane.

Molly Hitchcock, Planning Administrator presented an amendment to the comprehensive land use plan for 1.32 acres located at 300 Holleman Drive. She explained the various types of rezoning in this area and the mixed use in the area for Wolf Pen Creek. P&Z Commission and staff recommended denial of the request.

John Nichols, Chairman of P&Z Commission stated that P&Z recommended denial of the applicant request on the amendment to the comprehensive land use plan.

Mayor White opened the public hearing.

Jason McAllister, 636 San Mario Ct., VP of the Oldham Group explained the retail component of this property. Jane Kee, IPS Group asked Council to consider what type of zoning it wants for the area, considering traffic volume.

Bo Miles, IPS Group and local developer and contractor at 341 Landsburg, stated that the project construction proposes to build and share with the Wolf Pen Creek Corridor.

Scott Ball, IPS Group and owner of Wolf Creek Condo Development at 4711 Johnson Creek Loop, inquired about the Council's vision of the Corridor.

Mayor White closed the public hearing.

Mayor Pro Tem McIlhaney made a motion to refer the item back to P&Z for more discussion and have a further look into the corridor and the adjacent tracts. Council member Stewart seconded motion, which carried 4-3.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Stewart and Ruesink

AGAINST: Maloney, Crompton, and Massey

Regular Agenda Item No. 3 -- Public hearing, presentation, possible action, and discussion regarding an ordinance rezoning from A-O Agricultural Open to C-1 General Commercial Industrial for 2.056 acres located at 1780 Greens Prairie Road West, and more generally located near the northwest corner of the intersection of Greens Prairie Road and Arrington Road.

Molly Hitchcock, Planning Administrator presented the staff report. The property owner has requested a rezoning for 2.056 acres located at 1780 Greens Prairie Road from A-O Agricultural Open to C-1 General Commercial Industrial. P&Z Commission and staff recommended approval of this request.

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

Council member Maloney made a motion to approve **Ordinance No. 3135** rezoning from A-O Agricultural Open to C-1 General Commercial Industrial for 2.056 acres located at 1780 Greens Prairie Road West, and more generally located near the northwest corner of the intersection of Greens Prairie Road and Arrington Road. 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 -- Public hearing, presentation, possible action and discussion regarding a Comprehensive Plan Amendment - Land Use for 2.70 acres located at 2875 Earl Rudder Freeway, and more generally located next to the North Forest Professional Park, from Floodplains & Streams and Single-Family Residential Medium Density to Office.

Molly Hitchcock, Planning Administrator presented an amendment of the Comprehensive Plan Amendment Land Use for 2.70 acres located at 2875 Earl Rudder Freeway. P&Z Commission and the Staff recommended approval of the request to change the land use designation of the 1.69 acre portion currently designated as Single Family Residential Medium Density to Office. Staff recommended denial of the request to change the land use designation of the 1.01 acre portion currently designated as Floodplains & Streams to Office.

John Nichols, Chairman of P&Z Commission described the outcome of the Planning and Zoning Commission's decision which was a tie vote of 3-3.

Mayor White opened the public hearing.

Fred Bayless, 7610 River Ridge, representative of the property owner Dr. Salzar, requested Council's consideration to approve the rezoning to allow applicant to realign the property. He indicated that the property owner is willing to donate a portion of the greenways property to the City..

Joe Schultz, 3208 Innsbrook, described the subject property.

Mayor White closed the public hearing.

Council Member Maloney made a motion to approve **Ordinance No. 3136** as recommended by staff and Planning and Zoning Commission to change the land use designation of the 1.69 acre portion from Single Family Residential Medium Density to Office. Council member Stewart seconded the motion, which carried 5-1. Mayor Pro Tem McIlhaney abstained from discussion and vote.

FOR: Mayor White, Massey, Maloney, Stewart and Ruesink

AGAINST: Crompton

Mayor Pro Tem McIlhaney abstained

Regular Agenda Item No. 5 -- Public hearing, presentation, possible action, and discussion regarding an ordinance rezoning from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District for 120.77 acres located at 1430 Harvey Mitchell Parkway South generally located opposite the intersection with Holleman Drive.

Bob Cowell, AICP, Director of Planning and Development presented a rezoning of 120.77 acres located at 1430 Harvey Mitchell Parkway South from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District. P&Z Commission and Staff recommended approval of the request with three conditions: the width of the buffer areas be a minimum of 35 feet, the maximum square feet of retail for area F1 be limited to 75,000 square feet, and the connection road to Place Properties is constructed as a private drive instead of the a public street and its alignment not be restricted to the proposed location but will be located at any point between to two properties such that the connection is made.

Veronica Morgan with Mitchell and Morgan presented a video of the rezoning and development of Capstone.

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

Council member Massey moved to approve **Ordinance No. 3137** to rezone 120.77 acres located at 1430 Harvey Mitchell Parkway South generally located opposite the intersection with Holleman Drive. from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District. Council member Maloney seconded the motion, which carried 7-0.

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

AGAINST: None

Mayor White called for a recess 8:50 p.m.

Mayor White reconvened the meeting at 9:00 p.m.

Regular Agenda Item No. 6 -- Public hearing, presentation, possible action and discussion regarding an amendment to the Comprehensive Land Use Plan from Single-Family Residential Medium Density to Retail Regional West, and more generally located near the southwest corner of the intersection of Greens Prairie Road and Arrington Road.

Molly Hitchcock, Planning Administrator presented an amendment to 34.6 acres located at 1775 Greens Prairie Road West. She also stated that Part of the amendment will not be discussed due to posting error but rezoning of the Retail Region could be discussed. P&Z recommendation failed on a 3-3 vote and staff recommended denial due to the compatibility.

Parviz Vessali, applicant at 110 Pershing, gave Council an overview for the purpose of the rezoning to retail and explained to Council that they are only approving the Retail Regional use not on the Residential.

John Nichols Chairman P&Z Commission stated that the item before them was for an amendment to the Comprehensive Land Use Plan.

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

Council member Crompton moved to deny applicants request. Motion failed due to lack of second.

Mayor Pro Tem McIlhaney moved to refer back to P&Z to look at PDD which would contain Mix-Use, Retail, Residential and Office. Council member Stewart seconded the motion, which carried 4-3.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Stewart and Ruesink

AGAINST: Maloney, Crompton, and Massey

Regular Agenda Item No. 7 -- Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 5.59 acres located on the northern corner of the intersection of State Highways 60 and 47.

Molly Hitchcock, Planning Administrator presented the staff report. The Comprehensive Land use Plan amendment is for 5.59 acres located on the northern corner of the intersection of State Hwy 60 and 47 from Industrial R&D to Residential. P&Z Commission and Staff recommended denial of the amendment due to compatibility.

Switzer Deason, 1017 Lyceum Ct., applicant, stated that the area land uses had changed and it was compatible with the Residential District.

John Nichols, Chairman of P&Z Commission, stated his support of retirement community in the community. However, the proposed area is not the appropriate location.

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

Council member Maloney made a motion to deny the request of rezoning the 5.59 acres located on the northern corner of the intersection of State Highways 60 and 47. Council member Massey seconded the motion, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 8 -- Public hearing, presentation, possible action, and discussion on an amendment to the Unified Development Ordinance, Section 5.9, Single-Family Overlay Districts as it relates to the minimum number of petition signatures to request an overlay.

Bob Cowell, AICP, Director of Planning and Development Services presented an overview of the revised Single-Family Overlay District and the language to reduce the percentage of owners required to sign for a petition requesting an overlay rezoning. The amendment will reduce the requirement from 60% to 50% plus one (1).

John Nichols, Chairman of P&Z Commission explained the P&Z decision on the denial of the amendment by a vote of 6-1.

Mayor White opened the public hearing.

Lisa Yeagin Robinson, 605 Guernsey, opposed to amendment.

Sherry Ellison, 2705 Brookway Dr., supports the amendment.

James R. Robinson, 605 Guernsey, opposed to amendment.

Henry Wittner, Press of Raintree Homeowners Association, supported the amendment.

Mayor White closed the public hearing.

Council member Crompton moved to approve **Ordinance No. 3138** to amend the Single-Family Overlay District as it related to the minimum number of petition signatures of 50 percent plus one to request an overlay.. Council member Maloney seconded the motion, which carried 4-3.

FOR: Mayor Pro Tem McIlhaney, Crompton, Massey and Maloney

AGAINST: Mayor White, Stewart and Ruesink

Regular Agenda Item No. 9 -- Presentation, possible action and discussion regarding the establishment of a neighborhood grant program and revisions to the current gateway grant program.

Bob Cowell presented an overview of the establishment of a neighborhood grant program and revisions to the current gateway grant program.

Barbara Moore, Neighborhood and Community Relations Coordinator explained the Grant funding of \$15,000.

Goals:

Strengthen & improve neighborhood associations

Improve the appearance of city neighborhoods

Strengthen the relationship between the HOA and the City government

Stimulate inter-neighborhood cooperation

Encourage new communities to develop their own neighborhood associations

Stimulate interaction between all College Station HOAs/Neighborhood associations

Council member Crompton made a motion to approve the report on neighborhood grant programs and revisions to the current gateway grant program. Council member Stewart seconded the motion, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 10 -- Presentation, possible action and discussion regarding a resolution of the City Council of the City of College Station, Texas, approving and setting fees for Parks and Recreation activities and facilities for Calendar Year 2009.

Tony Cisneros, Director of Parks and Recreation presented an annual review of the user fees to determine direct costs, as well as local "market" rates for individual programs and facilities. Further the Parks and Recreation Advisory Board established a departmental fee policy statement to provide guidance in the establishment of fees. This policy is consistent with the City's fiscal and budgetary policy. The Parks and Recreation Advisory Board also recommended approval of the fees as submitted for Calendar Year 2009. The Municipal Cemetery System fees were also added to the list of parks user fees.

Council requested staff to change fee amount to \$10.00 for parking on football weekends.

Council member Crompton moved to approve **Resolution No. 11-24-08-10** with suggested changes to parking fees. Mayor Pro Tem McIlhaney seconded the motion, which carried 7-0.

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

Regular Agenda Item No. 11 -- Presentation, possible action, and discussion of Federal Emergency Management Agency's (FEMA) Community Rating System (CRS) program and consideration for a Resolution to support the application to and implementation of the CRS Program.

Alan Gibbs, City Engineer presented the staff report explaining the application process and recommendations. The Community rating system recognizes cities that implement and enforce flood protection above the minimum requirements and rewards these cities' citizens with the opportunity to purchase flood insurance at reduced rates. The amount of reduction varies between 5% to 45% depending on the floodplain management activities of the city.

The City of College Station's current floodplain management requirements do exceed FEMA minimums, and by staff estimation should make the City eligible for acceptance into the CRS program with an estimated 5-15% rate reduction. To join the program we must first submit an application to the NFIP's Insurance Services Office, Inc. If the application is acceptable then a formal inspection of our records and practices will be reviewed by a team from the NFIP. Based on their findings we will receive a participation rating and our citizens will receive reduced insurance rates.

Council member Maloney made a motion to approve **Resolution No. 11-24-08-11** for the FEMA Community rating system application. Council member Massey seconded the motion, which carried 7-0.

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

Regular Agenda Item No. 12 -- Presentation, possible action and discussion on appointments to the newly-created Landmark Commission.

Bob Cowell, AICP, Planning and Development Services Director presented a list of applicants for the newly created Landmark Commission.

Council member Massey made a motion to appoint the following citizens to the Landmark Commission. Council member Maloney seconded the motion, which carried 7-0.

- Shawn Carlson: 06-11
- Bill Lancaster: 06-12
- Scott Shafer: 06-10
- Joseph Williams: 06-12
- Wajahat Mirza: 06-11
- Jerry Cooper: 06-12
- Gaines West: 06-12

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

Regular Agenda Item No. 13 -- Presentation, possible action, and discussion on appointment of citizen as member of Convention and Visitors Bureau.

Connie Hooks, City Secretary stated that the Brazos Valley Convention and Visitors Bureau endorsed the reappointment of Steve Moore as the City of College Station's representative.

Council member Massey moved to approve the reappointment of Steve Moore to the Brazos Valley Convention and Visitors Bureau for a two year term. Council member Ruesink seconded the motion, which carried 7-0.

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

Regular Agenda Item No. 14 -- Presentation, possible action, and discussion regarding the City's appointment to the Twin City Endowment.

Connie Hooks, City Secretary sought Council consideration of an appointment to the Twin City Endowment Board. Staff recommended Wayne Rife to serve as the City's representative on the Twin City Endowment Board.

Council member Maloney moved to approve the appointment of Wayne Rife to the Twin City Endowment Board replacing Harry Green. Council member Ruesink seconded the motion, which carried 7-0.

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

Regular Agenda Item No. 15 -- Adjourn.

Hearing no objections, Mayor White adjourned the meetings at 11:13 pm on Monday, November 24, 2008.

PASSED AND APPROVED this 11th day of December, 2008.

APPROVED

Mayor Ben White

ATTEST:

City Secretary Connie Hooks