



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 Meetings
Monday, August 18, 2008 at 3:00 PM & 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

STAFF PRESENT: City Manager Brown, Assistant City Manager Merrill, City Attorney Cargill Jr., City Secretary Hooks, Deputy City Secretary McNutt, Management Team

Mayor White called meeting to order at 3:00 p.m.

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

Mayor ProTem McIlhaney and Council member Ruesink inquired about consent item 2k in regards to the questions about contract for federal home community housing development organization.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion on the FY 2008-2009 Proposed Budget.

Jeff Kersten, Chief Financial Officer presented the Fiscal Year 2008-2009 Proposed Budget. He stated that the budget was compiled to reflect the City Council's vision and City Department's strategic business plans.

Operations & Maintenance \$196,555,178
Total Capital \$45,649,073

\$242, 204,251

2008-2008 Proposed Budget

Budget Pressures

Petroleum cost increases

Utility cost increases

Retirement cost increases

Maintain current services

Budget Increases

Police protection

Code enforcement

Workshop Agenda Item No. 3 -- Presentation, possible action, and discussion regarding past and current sign and banner standards.

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Bob Cowell, AICP, Director of Planning and Development Services presented an overview of the past and present sign and banner standards. Staff requested direction from Council on any changes in the practices and /or related to signs and banners they made want to change.

Council made no changes and no formal action was taken. Council did however request staff to see if the ordinance could be expanded to the ETJ.

Workshop Agenda Item No. 4 -- Presentation, possible action and discussion of the status of development and improvements in northwest College Station.

Mark Smith, Director of Public Works presented an overview of the status of utility extension initiatives, new cemetery construction and other development activity in the area around Hwy 60 and FM 2818. (Northwest College Station).

No formal action was taken.

Workshop Agenda Item No. 7 -- Presentation, possible action and discussion regarding possible agenda items for the upcoming meeting with the College Station School Board.

Council suggested the following agenda items for upcoming joint meeting with the College Station School Board:

1. Kids Klub, allocate monies from the enterprise fund.
2. Cooperative opportunities with the planning of new high school and establishing a committee for open line communication. .
3. Athletic fields and performing arts center.
4. Acquisition of parkland for both sides.
5. Transportation (their bus routes).
6. Sharing facility maintenance.
7. Ways to partnership with them.

Workshop Agenda Item No. 5 -- Presentation, possible action, and discussion regarding the status of the proposed landscape portions of the Texas Department of Transportation's (TXDOT) Wellborn Road (F.M. 2154) Widening Project and the Wellborn Road (F.M. 2154) and Harvey Mitchell Parkway (F.M. 2818) Grade Separation Project.

Tony Cisneros, Director of Parks and Recreation presented Council a proposal of the landscape portions associated with TxDOT Wellborn Road (F.M. 2154) widening project the Wellborn Road (F.M. 2154) and Harvey Mitchell Parkway (F.M. 2818) Grade Separation Project. No action was taken.

Workshop Agenda Item No. 8 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

At 4:33 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 attorney, to consider personnel matters, and discuss economic development negotiations.

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:

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- a. Application with TCEQ for permits in Westside/Highway 60 area, near Brushy Water Supply Corporation.
- b. Sewer CCN permits requests.
- c. Water CCN permits 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. Legal aspects of Water Well and possible purchase of or lease of water well sites.
- g. JK Development v. College Station.
- h. Taylor Kingsley v. College Station.
- i. State Farm Lloyds as Subrogee of Mikal Klumpp v. College Station.
- j. TMPA v. PUC (College Station filed Intervention).
- k. 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.

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. Wolf Pen Creek – Targeted Mixed Used Project.

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. Hotel and Convention Center.
- b. Proposed Development generally located North and East of the Intersection of William D Fitch and State Hwy 6.
- c. Proposed Development generally located Southeast of the Intersection of Earl Rudder Freeway and Southwest Parkway.

Workshop Agenda Item No 9 -- 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.

Council returned to open session at 6:55 pm No action was taken.

Workshop Agenda Item No. 10 -- Adjourn.

The workshop meeting concluded following the regular meeting. See regular meeting minutes for discussion of remaining workshop items.

Regular Minutes

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

Mayor White called the meeting to order at 7:00 p.m. Mayor White led the audience in the Pledge of Allegiance. Council member Ruesink provided the invocation.

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Wayne Larson, Public Communications Director recognized representatives from the Brazos Valley Bombers. Mayor White and the City Council were presented with a check for the funds collected from the sale of green jerseys at the "Green Night" Bombers baseball game.

Bob Cowell, AICP, Director of Planning and Development Services introduced Gabe Elliott, Assistant Director of Planning and Development Services.

Hear Visitors

No one spoke.

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. Approved minutes of Regular Meeting, August 6, 2008.

b. Approved calling a public hearing on the City of College Station 2008-2009 Proposed Budget for Thursday September 11, 2008.

c. Approved **Ordinance No. 3094** ratifying revisions to the ByLaws for the Parks and Recreation Advisory Board.

d. Approved change order to Contract #08-063 with R.M. Dudley Construction, for changes in the scope of work related to the development of the University, Edelweiss Gartens, and Woodland Hills Neighborhood Parks in the amount of \$46,870.83.

e. Approved contract with Sungard Public Sector (SPS), formerly Sungard HTE, for the purchase of imaging interfaces for the Financial and Community Services applications in use by the Fiscal Services and the Planning and Development Services Departments in an amount not to exceed \$29,580.00.

f. Approved **Resolution No. 8-18-08-2f** for the Annual Reconfirmation and use of Service and Equipment to be provided by the City of College Station in the Event of a Radiological Incident at the Texas A&M University Nuclear Science Center.

g. Approved **Resolution No. 8-18-08-2g** on the renovations and building maintenance of Fire Stations #1, Fire Station #2, and Fire Station #5 with a Buy Board Standard Hours Contract price agreement with Jamail / Smith Construction, in the amount of \$ 99,493.94.

h. Approved an Emergency Law Enforcement Assistance Interlocal Agreement.

i. Approved second reading of a Franchise Agreement Amendment to the Texas Commercial Waste, Recycling Franchise Agreement, regarding a cost increase of \$0.25 per household per month. The amendment will result in an increase from \$2.15 to \$2.40 to the City for curbside recycling collection services.

j. Approved **Resolution No. 8-18-08-2j** on the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to install, as part of the F.M. 2154 (Wellborn Road)/F.M. 2818 (Harvey Mitchell Parkway) interchange construction project, landscape and hardscape improvements in the vicinity of the new interchange in an amount not to exceed \$382,054.00.

k.Approved contract for federal HOME Community Housing Development Organization (CHDO) set-aside funds to the Brazos Valley Community Action Agency (BVCAA) in the amount of \$200,415.30 for the construction of affordable housing, and \$66,805.10 in CHDO operating funds.

A motion was made by Council member Massey to approve consent agenda items 2a thru 2k and seconded by Council member Ruesink, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Maloney, Crompton, Stewart, Massey, Ruesink
AGAINST: None

Regular Agenda Item No. 1 -- Public hearing, presentation, possible action, and discussion of an ordinance rezoning Lot 9 of the Bald Prairie Subdivision, consisting of 2.93 acres, from A-O Agricultural-Open to R-1 Single-Family Residential for the properties located at 13881, 13889, 13909 Renee Lane, generally located on the east side of Renee Lane.

Jennifer Prochaska, Staff Planner described the purpose of the request for rezoning from A-O Agricultural-Open to R-1 Single-Family Residential on 2.93 acres, located at 13881, 13889, and 13909 Renee Lane. Staff recommended approval of the rezoning request as submitted.

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

A motion was made by Council member Maloney to approve **Ordinance No. 3095** on the rezoning of 13881, 13889 and 13909 Renee Lane as presented. Seconded by Council member Massey, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Maloney, Crompton, Stewart, Massey, Ruesink
AGAINST: None

Regular Agenda Item No. 2 -- Public hearing, presentation, possible action and discussion on an ordinance rezoning 0.4848 acres from R-1, Single Family Residential to R-4, Multi-Family Residential located at 1475 Harvey Mitchell Parkway at the northwest corner of Jones Butler Road and FM 2818.

Lindsay Boyer, Staff Planner described the purpose of the request for rezoning 0.4848 acres from R-1, Single Family Residential to R-4, Multi-Family Residential located at 1475 Harvey Mitchell Parkway at the northwest corner of Jones Butler Road and FM 2818. Staff recommended approval of the rezoning request.

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

A motion was made by Council member Massey to approve **Ordinance No. 3096** rezoning the property located at 1475 Harvey Mitchell Parkway and seconded by Council member Stewart, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Maloney, Crompton, Stewart, Massey, Ruesink
AGAINST: None

Regular Agenda Item No. 3 -- Public hearing, presentation, possible action, and discussion regarding the service plan for 1.02 acres in the 3200 block of Rock Prairie Road West identified for annexation under the exempt status.

Lance Simms, Assistant Director of Planning and Development Services explained that this item was on the agenda as one of two public hearings for the proposed annexation on 1.02 acres in the 3200 block of Rock Prairie Road West. Public hearings were required by the Texas Local Government Code prior to initiating annexation proceeding.

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

No formal action was taken.

Regular Agenda Item No. 4 -- Public hearing, presentation, possible action, and discussion on an ordinance amending the Comprehensive Land Use Plan for 39.873 acres from Rural Residential to Single-Family Residential, Medium Density, Single-Family Residential, High Density, Residential Attached and Planned Development for commercial and office uses for the property located at 11800 Jones Butler Road generally located on Jones Butler Road near Cain Road.

Lindsay Boyer, Staff Planner presented an ordinance to amend the Comprehensive Land Use Plan for 39.873 acres from Rural Residential to Single-Family Residential, Medium Density, Single-Family Residential, High Density, Residential attached and Planned Development for commercial and office uses for the property located at 11800 Jones Butler Road.

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

A motion was made by Council member Maloney to approve **Ordinance No. 3097** on amending the Comprehensive Land Use Plan for 39.873 located at 11800 Jones Butler Road as presented and seconded by Council member Stewart, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 5 -- Presentation, possible action, and discussion approving a Resolution Determining Need that identifies a tract of land needed for the Bee Creek Greenway Project.

Vanessa Garza, Staff Planner presented a resolution identifying a tract of land needed for the Bee Creek Greenway Project.

A motion was made by Council member Stewart to approve **Resolution No. 8-18-08-05** authorizing staff to negotiate for purchase of land needed for the Bee Creek Greenway Project and seconded by Mayor ProTem McIlhaney, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 8 -- Presentation, possible action, and discussion approving a Real Estate Contract with Eddy Vivian Young and Katherine Jackson that will authorize the purchase of real estate needed for the future extension of Eisenhower Street.

Bob Cowell, AICP, Director of Planning and Development presented Council a contract with Eddy Vivian Young and Katherine Jackson that will authorize the purchase of real estate needed for the future extension of Eisenhower Street. Staff recommended approval of contract with Eddy Vivian Young and Katherine Jackson.

A motion was made by Council member Maloney to approve the contract authorizing the purchase of real estate needed for the future extension of Eisenhower Street and seconded by Council member Stewart, which carried 7-0.

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

AGAINST: None

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Regular Agenda Item No. 9 -- Presentation, possible action and discussion of an ordinance calling a bond election on November 4, 2008 and consideration of a bond election communication plan.

Mark Smith, Director of Public Works described the bond election propositions proposed for a November 4, 2008 election date. He also presented a brief overview of the projects that would be carried out over the next seven years if bonds were approved.

Wayne Larson, Director of Public Communications presented the marketing campaign for the bond election.

Council deferred action on this item and placed on the budget workshop meeting of August 20, 2008.

Regular Agenda Item No. 10 -- Presentation, possible action and discussion of appointment of Council member to Wolf Pen Creek TIF Board.

Connie Hooks, City Secretary stated that a vacancy existed on the Wolf Pen Creek Tax Increment Finance B.

A motion was made by Council member Massey to appoint Marc Chaloupka for a two year term on the Wolf Pen Creek TIF Board. Seconded by Council member Maloney, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 6 -- Presentation, possible action, and discussion to approve an ordinance by the City Council of the City of College Station, Texas, issuing \$26,440,000 City of College Station Certificates of Obligation, Series 2008.

Introduced by Jeff Kersten, Chief Financial Officer.

Drew Masterson, City's Financial Advisor with First Southwest presented an ordinance on the issuing City of College Station Certificates of Obligation, Series 2008.

A motion was made by Council member Massey to approve **Ordinance No. 3098** issuing \$26,440,000 City of College Station Certificates of Obligation, Series 2008. Seconded by Council member Stewart, which carried 7-0.

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

AGAINST: None

Regular Agenda Item No. 7 -- Presentation, possible action and discussion to approve an ordinance by the City Council of the City of College Station, Texas, issuing \$9,455,000 City of College Station General Obligation Bonds, Series 2008.

Drew Masterson, City's Financial Advisor with First Southwest presented an ordinance on the issuing City of College Station General Obligation Bonds, Series 2008.

A motion was made by Mayor ProTem McIlhaney to approve **Ordinance No. 3099** issuing \$9,455,000 City of College Station General Obligation Bonds, Series 2008. Seconded by Council member Massey, which carried 7-0.

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

AGAINST: None

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Workshop Agenda Item No. 6 -- Presentation, discussion and possible action regarding the production and hosting of a signature community event in the City of College Station.

Tabled item to next Council Meeting of August 28, 2008.

Workshop Agenda Item No. 10 -- Council Calendar.

Council reviewed calendar.

Workshop Agenda Item No. 11 -- 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 Crompton made a motion to have budgeted cost of action items with the timeline on the water conservation plan as a workshop item. Seconded by Council member Stewart, which carried 7-0.

Mayor ProTem McIlhaney made a motion to have a workshop discussion about available resources for public private partnerships. Seconded by Council member Maloney, which carried 7-0.

Council member Maloney made a motion to have a workshop to discuss the role and responsibilities of each committee served by City Council members. Seconded by Council member Crompton, which carried 7-0.

Workshop Agenda Item No. 12 -- 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).

Council member Maloney and Mayor ProTem McIlhaney summarized topics of interest from their attendance at the Transportation Summit in Irving.

Workshop Agenda Item No. 13 -- Adjourn.

Hearing no objections, Mayor White adjourned the meetings at 8:48 p.m. on Monday, August 18, 2008.

PASSED AND APPROVED this 28th day of August, 2008.

APPROVED

Mayor Ben White

ATTEST:

City Secretary Connie Hooks