



**Mayor**

Ben White

**Mayor Pro Tem**

Lynn McIlhaney

**City Manager**

Glenn Brown

**Councilmembers**

John Crompton

James Massey

Dennis Maloney

Lawrence Stewart

David Ruesink

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**Minutes**

**City Council Workshop & Regular Meetings  
Thursday, August 28, 2008 at 2:00 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 2:00 p.m.

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

Mayor Pro Tem McIlhaney inquired about consent agenda item 2h on the second change order of the Memorial Cemetery construction contract.

Chuck Gilman, Director of Capital Projects, spoke on the contract for the Memorial Cemetery.

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

Introduced by Bob Cowell, AICP, Director of Planning and Development Services.

Jason Schubert, Staff planner, presented Council an overview of the Non-residential Architecture Standards.

Non-residential architecture standards include:

- Façade design, materials and colors
- Screening
- Building mass and design
- Pedestrian/Bike facilities
- Traffic impact analysis
- Parking lots

Staff requested direction from Council on any revisions to the current policies, practices and standards contained in the UDO regarding Non-Residential Architectural Standards.

Council made no changes but requested staff to review sign regulations that may apply to the ETJ.

**Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion regarding trends for next year's legislative session and drafting resolutions to be considered by the Texas Municipal League.**

Assistant to the City Manager Hayden Migl introduced Dan Shelley and Jennifer Rodriguez, the city's state legislative lobbyists.

Dan Shelley presented an update on the expected legislative trends for the 2009 legislative session. He answered questions of the Council.

Council directed staff to prepare resolutions in support of specific topics and conveyed to Texas Municipal League.

**Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding changes to the Single-Family Overlay ownership signature requirement and fees.**

Bob Cowell, AICP, Director of Planning and Development Services presented changes to the Single-Family Overlay ownership signature requirements and fees. Staff requested direction from Council on the percentage requirements for the Single-Family Overlay ordinance and on an appropriate fee for a Single-Family Overlay ordinance and on an appropriate fee for a Single-Family Overlay rezoning application.

Council member Crompton moved to approve the change to fifty percent plus one on the petition requirement and expand the grant program to assist those eligible to apply for gateway grant program or other grant programs they may be eligible. Council member Maloney seconded the motion, motion passed (7-0).

**Workshop Agenda Item No. 5 -- Presentation, possible action and discussion regarding the Streetscape Plan and current streetscape standards and practices in College Station.**

Bob Cowell, AICP, Planning and Development Services, presented the Streetscape plan and current streetscape standards and practices in College Station.

Capital Improvements Project Director Chuck Gilman highlighted current projects: William D. Fitch widening, Dartmouth Street Extension, Eagle Avenue Extension, Church Avenue rehabilitation, Tauber and Stasney Street rehabilitation and Arrington/Decatur Road Extension. Future projects include: Landscape budget on future capital projects is 10% of construction cost, Comprehensive plan developing context sensitive design process and standards and CIP projects will be based on context and meet Council guidance.

Tony Cisneros, Park and Recreation Director presented Council an overview of the Urban Landscapes, which are: Design and Budget considerations, Construction details, Maintenance considerations, Ongoing costs, Changing Landscape Standards, Capital construction cost 1/8 mile, Landscape maintenance cost 1/8 mile,

Staff recommended Council provide direction on any revisions to the current policies, practices and standards related to streetscape.

Council's recommendation included: landscape current projects as presented, design guidelines for future projects, and to deliver final design presentation for landscape projects.

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

David Gwin, Director of Economic and Community Development presented a request for proposals to recruit firms that are experienced in producing events similar to the signature event envisioned for College Station. Staff requested Council's direction on the City's plans for producing and hosting a signature event and to provide general input on the direction of this effort. Council directed staff to prepare a request for proposal package.

No formal action was taken.

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At 4:45 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 discuss real estate matters, and discuss economic development negotiations.

**Workshop Agenda Item No. 8 -- 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 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. 11 -- 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.**

No formal action was taken.

**Workshop Agenda Item No. 12 -- Adjourn.**

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

**Regular Minutes**

**Regular 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.

**Hear Visitors**

No one spoke.

**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. Approved minutes for City Council Workshop and Regular Meetings August 18, 2008.
- b. Approved **Ordinance No 3101** on the amendment to Chapter 10 of the Code of Ordinances adopting new Traffic Control Device Inventory Schedules XI, XII, and XIII.
- c. Approved bid award for the semi-annual purchase of electrical wire and cable maintained in inventory as follows: KBS Electrical \$119,710; Techline \$216,610; TEC \$12,465; Stuart C. Irby \$3,060 and Priester, Mell & Nicholson \$5,925.00. Total estimated semi-annual expenditure \$357,770.
- d. Approved bid award for the purchase of various electrical items maintained in inventory to Stuart C. Irby, Co., for \$50,430; HD Supply for \$18,074; KBS Electric for \$217,928; Techline for \$473,943; TEC for \$17,250; and Wesco for \$9,600 for a total annual estimated expenditures of \$787,225.
- e. Approved the renewal of annual price agreement for the installation of roadway traffic markings with Highway Technologies in an amount of not to exceed \$364,209.25.
- f. Approved **Ordinance No. 3102** on the third and final 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.

g. Approved **Ordinance No. 3103** ordering a charter amendment election to be held on November 4, 2008.

h. Approved Change Order No. 2 to the construction contract (Contract No. 08-116) with Acklam Construction Company, Ltd., in the amount of \$86,160.50 for the Memorial Cemetery of College Station (Project No. GG-9905).

i. Approved **Resolution No. 8-28-08-2i** on awarding Bid #08-73, Contract #08-260 for Electric System Right-of-Way Clearing and Tree Trimming Contract award to Rios Tree Services, Inc. in the total amount of \$1,082,286.25 for a three year contract.

A motion was made by Council member Massey to approve consent agenda items 2a thru 2i, which the changes to item 2a. 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. 1 -- 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.**

Introduced by Bob Cowell, AICP, Director of Planning and Development Services.

Lance Simms, Assistant Director of Planning and Development Services presented the last public hearing required by Texas Local Government Code prior to initiating annexation proceedings for a service plan of 1.02 acres in the 3200 block of Rock Prairie Road West identified for annexation under the exempt status.

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

No formal action was taken.

**Regular Agenda Item No. 2 -- Public hearing, presentation, possible action, and discussion approving two ordinances. One vacating and abandoning a 1.04 acre variable width utility easement and another vacating a 0.326 acre variable width electrical easement. Both easements being located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision according to the plat recorded in Volume 1275, Page 15 of the Deed Records of Brazos County, Texas.**

Introduced by Mark Smith, Director of Public Works.

Alan Gibbs, City Engineer presented two ordinances to vacate and abandon an easement of 1.04 acres and .326 acres located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision. (West of Wellborn and adjacent to Rock Prairie Road).

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

A motion was made by Council member Maloney to approve **Ordinance 3104 & 3105** vacating and abandoning the easements of 1.04 acres and .326 acres located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision. 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. 3 -- Public hearing, presentation, possible action, and discussion regarding an amendment to the Comprehensive Land Use Plan from Industrial / R & D, Single Family Residential Low Density, and Floodplain & Streams to Planned Development for 120.76 acres located at 1430 Harvey Mitchell Parkway generally located opposite the intersection with Holleman Drive.**

Introduced by Bob Cowell, AICP, Director of Planning and Development Services.

Jason Schubert, Staff Planner presented an overview of how the Planning and Zoning Commission voted 4-0 and recommended approval as presented by Staff at their August 14<sup>th</sup> meeting. Staff recommended approval with the exception that the existing Floodplain & Streams area remains as designated. Approval is also recommended with the condition that the following purpose statement be included in the ordinance to provide guidance to development of the property: "The purpose of this Planned Development designation is for a multi-family development that may consist of single detached units, duplexes, and attached units associated with small-scale neighborhood commercial uses placed along the realigned Jones Butler Road and in relative proximity to Harvey Mitchell Parkway that support the development and surrounding neighborhoods. Residential uses are to be scaled, oriented, and buffered so as not to be intrusive to the surrounding single family developments. Natural areas are to be preserved and large open space green areas are to be provided for the efficient use of land and to serve as an amenity to the development, provide recreational opportunities, and preserve existing vegetation, floodplain, and drainage features."

Mayor White opened the public hearing.

Veronica Morgan, Managing Partner of Mitchell and Morgan group spoke on behalf of the applicant on issues related to thoroughfare plan.

Mayor White closed the public hearing.

A motion was made by Council member Massey to approve **Ordinance No. 3106** on the amendment to the Comprehensive Land Use Plan from Industrial / R&D, Single Family Residential Low Density, and Floodplain & Streams to Planned Development for 120.76 acres located at 1430 Harvey Mitchell Parkway. 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. 4 -- Public hearing, presentation, possible action, and discussion on an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance Section 7.9.B.6 (Traffic Impact Analysis), Section 7.9.H (Submittal Requirements) and adding Section 7.12 (Traffic Impact Analysis).**

Bob Cowell, AICP, Director of Planning and Development Services presented an ordinance to amend the trip generation table for Single Family Residential Developments to be based on prevailing development densities versus zoning based densities. The Planning and Zoning Commission approved 6-0 on the recommendation to the City Council and Staff as well recommended approval of this ordinance.

Mayor White opened the public hearing.

Sherry Ellison, 2705 Brookway Dr. stated her support of Traffic Impact Analysis.

William Lowery, 1314 Angelina Crt., stated his support of Traffic Impact Analysis but felt ordinance needed to be strengthened.

Ed Theriot, Mitchell Planning Group, stated that he was representing the Home Builders Association. He expressed concern about the cost, timing and discretion in the ordinance.

Council expressed their concerns on the 250 vehicle trips in the peak hours. Council directed staff to refine the trip rates.

A motion was made by Council member Crompton to table this item for further research and discussion with key stakeholders that presented information at this meeting. 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. 5 -- Public hearing, presentation, possible action and discussion concerning approval to prepare bid documents and landscape construction drawings and advertise for the Dartmouth Street Extension Landscape and Irrigation Project construction bid.**

Tony Cisneros, Parks and Recreation Director presented Council the final production of the bid package and advertisement for the construction bid for the Dartmouth Street Extension Landscape and Irrigation Project. Staff recommended proceeding to prepare bid documents and advertisement.

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

A motion was made by Council member Maloney to approve the final production of the bid package and advertisement. Council member Massey seconded the motion, which carried 7-0.

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

Council returned to the workshop agenda for completion.

**Workshop Agenda Item No. 7 -- Presentation, possible action, and discussion regarding an update from representatives on committees that Council members are appointed to as well as providing direction to those committees.**

Deferred to September 11, 2008 meeting.

**Workshop Agenda Item No. 8 -- Council Calendar.**

Wednesday, September 17 -- Public hearing on Tax rate.

**Workshop Agenda Item No. 9 -- 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 Massey made a motion to have a discussion on the developments in Northwest College Station to a future agenda. Council member Maloney seconded the motion, which carried 7-0.

Council member Massey inquired on updates on Neighborhood Integrity Strategies.

**Workshop Agenda Item No. 10 -- 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 was held.

Hearing no objections, Mayor White adjourned the meetings at 9:08 p.m. on Thursday, August 28, 2008.

PASSED AND APPROVED this 11<sup>th</sup> day of September, 2008.

APPROVED

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Mayor Ben White

ATTEST:

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City Secretary Connie Hooks