



Mayor

Ben White

Mayor Pro Tem

Dave Ruesink

City Manager

Glenn Brown

Councilmembers

John Crompton

James Massey

Dennis Maloney

Katy-Marie Lyles

Lawrence Stewart

Minutes

City Council Workshop Meeting

Thursday, August 27, 2009 at 3:00 p.m.

City Hall Council Chambers, 1101 Texas Avenue

College Station, Texas

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

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

1. Presentation, possible action, and discussion on items listed on the consent agenda.
Item No. 2g -- Council member Massey inquired about TxDot beautification project on University Drive and maintenance responsibility. Chuck Gilman, Director of Capital projects explained that City will assume maintenance after the completion of the project.

2. Presentation, possible action, and discussion regarding an update on the European Union Center and Grant Symposium projects, programs and activities impacting the City of College Station.
Mario Rojo Del Busto, Director of International Faculty & Scholar Services for Texas A&M University updated the Council on several upcoming symposiums being coordinated through the European Union Center. John Happ, Director of the Easterwood Airport, Royce Hickman, Executive Director of Chamber of Commerce, and Chuck Martinez from Research Valley Partnership expressed support of the symposiums.

No formal action was taken.

4. Presentation, possible action, and discussion on an update for Council regarding the public engagement process and park site recommendation.

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Chuck Gilman, Director of Capital Projects presented an overview of the data collected from an on-line poll and comments received during public meetings. Staff recommended approval of the skate park location at Southwood Athletic Complex and to proceed with preliminary design of the College Station Skate Park at the Southwood Athletic Complex.

Council directed staff to proceed with the process of the construction of College Station Skate Park. No formal action was taken.

5. Presentation, possible action and discussion regarding Cell Phone Use in School Zones.

Mark Smith, Director of Public Works reported on new state legislation to the Transportation Code, allowing Cities to enforce the prohibition of wireless communication devices by drives in school zones

Clark Ealy, Superintendent of CSISD stated the school's support of the legislation. However, no discussion between school and city has been held about funding the posting of signs, etc.

Jeff Capps, Interim Chief of Police commented about the enforcement. There are several exemptions in the new law that may require an officer to ask the driver of vehicle additional questions before citing an individual.

With a 4-3 vote, Council recommended the issue be discussed by the Transportation Committee for research and review, and bring back to Council at a later date. No formal action was taken.

3. Presentation, possible action, and discussion on the FY 2009-2010 Proposed Budget.

Jeff Kersten, Chief Financial Officer presented an overview of the FY '10 proposed budget. Staff sought Council direction regarding changes to the budget. Mr. Kersten reviewed the following items.

Budget Issues

- General Fund Financial Forecast
 - Fire Station #6 Operations and Maintenance
 - Police Blue Print Implementation
 - Revised General Fund Financial Forecast
- General Fund Purchased Services
- Legal Fees
- Enterprise Fund for Athletics
- Parks and Recreation Costs
- Property Taxes paid by Residents and Investors
- Historic Program Service Levels
- Cost of Rental Facility for Senior Center
- Convention and Visitors Bureau Funding
- Arts Council Building

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- Arts Council Funding – Council recommended 7-0 for Option 2
- Bush Library Funding
- Veteran's Memorial Funding

No formal action was taken.

6. Council Calendar

Council reviewed upcoming events.

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.

Councilmember Lyles made a motion for a future workshop item on the proposed convention center. Councilmember Massey seconded motion, which failed, 1-6.

FOR: Council member Lyles

AGAINST: Mayor White, Council members Crompton, Massey, Maloney, Ruesink, Stewart

Council member Massey made a motion for a future workshop item to discuss the animal control ordinance. Council member Maloney seconded motion, which carried 7-0.

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, BVSWMA, Signature Event Task Force, (Notice of Agendas posted on City Hall bulletin board).

No discussion was held.

At 5:30 pm, Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, and 551.072 of the Open Meetings Act to seek the advice of our city attorney, and to consider the purchase of real property.

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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 for Brushy & Wellborn Services Areas
- c. Water CCN permit requests for Brushy & Wellborn Services Areas
- d. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
- e. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites
- f. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District
- g. TMPA v. PUC (College Station filed Intervention)
- h. 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
- i. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site
- j. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
- k. Chavers et al v. Tyrone Morrows, Michael Ikner, City of Bryan, City of College Station, et al
- l. Rogers Sheridan v. Barbara Schob & Greg Abbott
- m. Clancey v. College Station, Glenn Brown, and Kathy Merrill
- n. Legal issues related to Economic Development Agreement between City of College Station & Sahara Realty
- o. Legal Aspects of Petition, Possibilities of and Restrictions on Political Activity regarding Upcoming City Election

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

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third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Possible Purchase or Exchange of Property near E. University and Tarrow

10. **Action on executive session or any workshop agenda item not completed or discussed in today's workshop meeting may be discussed in tonight's Regular Meeting if necessary.**

Council recessed from the executive session at 7:00 p.m. No formal action was taken.

11. **Adjourn.**

The workshop meeting concluded at 7:00 p.m.

PASSED AND APPROVED this September 1, 2009

ATTEST:


City Secretary Connie Hooks
Deputy

APPROVED:


Mayor Ben White