



Mayor
Ben White
Mayor Pro Tem
David Ruesink
City Manager
Glenn Brown
City

Councilmembers
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart

Minutes
City Council Workshop Meeting
Thursday, September 24, 2009 at 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor Ben 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. 2b – Council member Stewart inquired if the requested change order for additional design and surveying, work associated with the Southwood 5-7 Utility Rehabilitation Project was completely covered within the budget. Chuck Gilman, Director of Capital Projects responded that the budget included monies to allocate to this project.

Item No. 2k – Mayor Pro Tem Ruesink inquired if a cost analysis was prepared on janitorial services and if it's more cost effective to contract outside services. Director of Public Works stated that the City has hired janitorial services for many years. City Manager Glenn Brown also concurred with Mr. Smith that outsourcing is more cost effective. Staff will look into an analysis for next year.

Item No. 2p - Council member Lyles inquired on the amount of funds to Coats Rose Ryman and Lee for professional legal services for the Weingarten Realty lawsuit through September 30, 2009. City Attorney Harvey Cargill requested Council discuss-in executive session.

2. Presentation, possible action, and discussion regarding a resolution of the City Council of the College Station, Texas approving and setting fees for Parks and Recreation activities and facilities for Calendar Year 2010.

Tony Cisneros, Director of Parks and Recreation presented an overview of fees for calendar year 2010 and the Tiered Priority Structure of the Parks and Recreation Department Priority of Usage Policy. The Parks and Recreation Advisory Board and Staff recommended approval of resolution and fees schedule as submitted. Council expected to hold public hearing and consider resolution on October 8.

Following lengthy discussion, Council gave the following direction to staff:

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1. Recommended a calculation of regular rate for non-residents from 30% to 50% higher than discounted rates for College Station residents and based on proforma to be provided by staff. (4-3 vote)
2. Team membership of 75%/25% for College Station resident teams but higher rate for non-resident players. (6-1 vote)
3. Recommended a joint meeting with Parks & Recreation Advisory Board and City Council to hold discussion on private use and boot camps. (7-0 vote)
4. Recommended staff prepare a final cost service analysis for PARD fees for FY10.

Discussion concluded.

3. Presentation, possible action, and discussion regarding a proposed Highway 6/University Drive Tree Beautification Project update presentation.

Tony Cisneros, Director of Parks and Recreation presented Council an update of the proposed Highway 6/University Drive Tree Beautification Project. Staff requested Council to consider postponing this project indefinitely until such time as funding for the required operations and maintenance were identified.

Options to consider:

1. Proceed with the project and maintain to City standards.
2. Proceed with the project and maintain to State standards.
3. Postpone the project until O&M funding has been identified.

Council member Crompton made a motion to move forward with the proposed Highway 6/University Drive Tree Beautification Project and maintained in a hybrid manner, with concentration of maintenance on exterior of property. Council member Maloney seconded the motion, which carried 5 - 2.

FOR: Mayor Ben White, Mayor Pro Tem Ruesink, Crompton, Maloney and Stewart
AGAINST: Council members Lyles and Massey

4. Presentation, possible action, and discussion on an update regarding the Central College Station Neighborhood Plan and its associated Phase 1 Report.

Lindsay Kramer, Senior Planner presented an update on the progress of neighborhood planning. Staff has begun work on the Central College Station Neighborhood Plan, which area is bounded by Harvey Mitchell Parkway, Texas Avenue, Rock Prairie Road, and Wellborn Road. Staff recommended Council to provide any further direction or clarification deemed appropriate for the Central College Station Neighborhood Plan.

Council directed staff to move forward. No formal action was taken.

6. Presentation, possible action, and discussion concerning the City Internal Auditor's Fiscal Year 2010 Audit Plan.

Ty Elliott, Internal Auditor presented an overview of FY 2010 Audit Plan which included the following.

- Utility Billing Cash Handling Audit
- Purchasing Audit Follow Up
- Municipal Court Cash Handling Audit
- Fuel Asset Management Audit Follow Up
- Parks and Recreation Cash Handling Audit
- Citywide

On Behalf of the Citizens of College Station, Home of Texas A&M University, We will continue to Promote and Advance the Community's Quality of Life

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Council member Massey moved to approve the FY10 Audit Plan. Council member Stewart seconded the motion, which carried 7 - 0.

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

5. Presentation, possible action, and discussion on an update regarding the Bicycle, Pedestrian and Greenway Master Plan.

Council pulled item to send back to the Transportation Committee. The remaining Workshop agenda items were discussed following the regular meeting.

10. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

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.

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

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- 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 issues related to the real estate contract between City of College Station and CHSC, Ltd.

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

11. 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 returned to open session at 7:00 pm. No action was taken.

12. Adjourn.

The workshop meeting adjourned at the same time as the regular meeting.

PASSED AND APPROVED this October 19, 2009

ATTEST:



 City Secretary Connie Hooks

APPROVED:



 Mayor Ben White