



**Mayor**  
Ben White  
**Mayor ProTem**  
Lynn McIlhaney  
**City Manager**  
Glenn Brown

**Councilmembers**  
John Crompton  
James Massey  
Dennis Maloney  
Lawrence Stewart  
David Ruesink

**Minutes**  
**City Council Workshop & Regular Meeting**  
**Thursday, January 8, 2009 3:00 & 7:00 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, 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.

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

Council member Maloney inquired about Consent Agenda Item 2f. He suggested a centralized facility for recycling drop off utilizing monies proposed for a study rather than conducting a study for city wide recycling. Council member Ruesink concurred. Staff explained the purpose of the study. Council recommended this item be returned back to staff for further review.

Council member Ruesink inquired about Consent Agenda Item 2k, the change order for police dept. renovations.

**Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion regarding College Station 2009 State Legislative Program.**

Mayor White welcomed Dan Shelley and Jennifer Shelley Rodriguez, our legislative liaisons' from Austin.

Assistant City Manager David Neeley provided an overview of the city's legislative priorities for the upcoming 2009 State Legislative Program. These priorities included: Transportation, Municipal Revenue, Erosion of Municipal Powers, Collective Bargaining, Annexation – Land Use Authority, and Un-funded Mandates.

Dan Shelley, the city's Legislative Liaison from Austin elaborated on David Neeley's presentation. He provided the timeline for the legislative session.

2009 legislative session dates of interest  
November 10, 2008 – Bill Pre-filing Begins  
January 13, 2009 – Session Begins

June 1, 2009 – Session Ends

June 21, 2009 – Last Day Governor can sign or veto bills passed during regular session

Council directed staff to include input from the School District and TAMU on legislative bills affecting the community.

**Workshop Agenda Item No. 3 -- Presentation, possible action, and discussion on the performance, progress and future plans of the Bryan/College Station Convention and Visitors Bureau (B/CSCVB).**

Economic and Community Development Director David Gwin introduced Shannon Overby, Executive Director of Convention and Visitors Bureau.

Ms. Overby presented an overview of the performance, progress and future plans of the Bryan/College Station Convention and Visitors Bureau.

Strategic Priorities:

Research:

- Destination image
- Product needs and development
- Economic impacts

Resources:

- Partners & Cooperative marketing and efforts
- In-kind / Donated

Destination Management:

- Industry Education & Service and Training
- Product development

Advocacy/Communication:

- Facilitation
- Benefits and Contributions of Tourism

No formal action was taken.

**Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding proposed changes to the City's smoking ordinance.**

Hayden Migl, Assistant to City Manager presented the proposed amendments to the current smoking ordinance. He noted that a public meeting was held on December 15 to gather citizen input about this issue. Due to some of the comments made by business owners at the meeting, staff proposed a slight modification to the regulations around entryways for bars and bar areas be reducing the distance smoking is prohibited to ten feet. This should allow a greater portion of the patios and porches to be used as well as allowing smoking on College Main when that road is blocked off to vehicular traffic.

Mr. Migl mentioned that a public hearing will be held at the January 22 City Council Meeting.

Council members agreed to the proposed change with the exception of Council member Maloney.

**Workshop Agenda Item No. 5 -- Presentation, possible action, and discussion regarding a proposed Tree Beautification Program, as requested by Council at the August 18, 2008 meeting.**

Parks and Recreation Director Tony Cisneros presented an overview of the proposed Tree Beautification Program. He explained the level of tree beautification efforts that will be provided for in the future, the focus and the funding. Staff requested direction from Council on the input and policy implementation of a proposed Tree Beautification Program for the State Highway 6 Corridor.

Council directed staff to implement the policy as well as Phase I of the proposed Tree Beautification Program.

**Workshop Agenda Item No. 6 -- Presentation, possible action, and discussion regarding on-going efforts to realize a signature event for the City.**

Director of Economic and Community Development David Gwin presented an update on the efforts toward a signature event within the City. He asked Council to consider the appointment of a Task Force Committee.

Council concurred with the appointment of four members of community to work with members of the Arts Council and the Convention and Visitors Bureau. These appointees were: Jim Petric, Steve Beachy, Paul Surf, and Andrew Pitts.

**Workshop Agenda Item No. 7 -- Council Calendar.**

Council reviewed their activity calendar.

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

No discussion held.

**Workshop Agenda Item No. 9 -- 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, (Notice of Agendas posted on City Hall bulletin board).**

No discussion held.

---

At 5:29 pm Mayor White announced that the City Council would convene into executive session pursuant to Section 551.071 and 551.087 of the Open Meetings Act to seek the advice of our city attorney and consider economic development incentives.

**Workshop Agenda Item No. 10 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.**

Thursday, January 8, 2009

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
- n. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site
- o. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White

Economic Development 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 open session. The following subject(s) may be discussed:

- a. Next Generation Industrial Park

**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.**

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

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

The workshop meeting adjourned following the regular meeting.

**Minutes of Regular Meeting**

**Regular Agenda Item No. 1 -- Pledge of Allegiance, Invocation, Consider absence request.**

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

Mayor White presented the Historic Home Marker #85 1203 Walton Drive to Tracy and Frank Chaska.

**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, December 16, 2008.
- b. Approved contract with Sungard Public Sector (SPS), formerly Sungard HTE, for the purchase of the imaging interface for the Utilities applications in use by the Fiscal Services Department in an amount not to exceed \$14,790.00.
- c. Approved Change Order to an existing Landscape Maintenance Service Contract with Green Teams, Inc. (d.b.a: The Greenery), in the amount of \$42,324.00 to add the annual landscape maintenance functions for: Dartmouth Street Extension, University Park, Edelweiss Gartens Park, Crescent Pointe Park, and Woodland Hills Park.
- d. Approved ratification of a contract to provide non-alcoholic beverages for resale at City operated concession stands for a period of six years beginning in January 2007.
- e. Approved **Resolution No. 01-08-09-2e** awarding the bid and approval of a construction contract (Contract Number #09-059) with South Construction, Inc. in the amount of \$96,832, for construction improvements in Oaks Park and Lions Park, PK0705 / PK0704.
- f. Presentation, possible action, and discussion to approve contract #09-039 in an amount not to exceed \$63,500.00 with R.W. Beck Incorporated to provide a recycling feasibility study. The study includes an analysis of drop-off and on-site recycling programs for the multifamily and commercial sectors. **(ITEM REMOVED)**
- g. Approved annual price agreement renewals for the purchase of various automotive and truck parts. The annual estimated expenditure for NAPA Auto Parts is \$113,500.00 and the annual estimated expenditure for Truckmotive, Inc. is \$48,500.00.
- h. Approved the City's proposed Housing Reconstruction Loan Program Guidelines.

Thursday, January 8, 2009

- i. Approved HOME Investment Partnership Program Tenant Based Rental Assistance (TBRA) Agreement between the City of College Station and Twin City Mission.
  
- j. Approved **Resolution No. 01-08-09-2j** awarding an engineering contract for the design of the Koppe Bridge Lift Station Project to Mitchell & Morgan, L.L.P., in an amount not to exceed \$60,700.00.
  
- k. Approved change order to Contract #07-273 in the amount of \$31,538.05 to JaCody, Inc. for construction work associated with Police Department Renovations Project.
  
- l. Approved **Resolution No. 01-08-09-2L** on Construction Contract with D&S Contracting, Inc., in the amount of \$136,050.20, for the construction of the Southwest Parkway Sanitary Sewer Line Replacement Project.
  
- m. Approved authorizing additional expenditures of \$25,000.00 for the purchase of replacement parts and/or components for existing sanitation trucks from Heil of Texas, making the annual estimated expenditure for Heil of Texas \$74,950.00.
  
- n. Approved **Resolution No. 01-08-09-2n** supporting legislative action to create programs and provide funding for the enhancement of public transportation including relocation of freight rail lines.

Council member Maloney made a motion to approve consent agenda items 2a thru 2e and 2g thru 2n. 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. 1 -- Presentation, possible action, and discussion on an amendment to the contract with the Texas Department of State Health Services for the Mayor's Council on Physical Fitness Grant Contract.**

Director of Parks and Recreation Tony Cisneros presented a proposed contract amendment for the Phase II work plan that increases the contract amount by \$50, 000 for a total contract of \$73, 280 with the Texas Department of State Health Services for the Mayor's Council on Physical Fitness Grant Contract.

Council member Massey moved to approve the amended contract with the Texas Department of State Health Services. 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. 2 -- Public hearing, presentation, possible action, and discussion regarding current UDO requirements and code enforcement practices in the Northgate area.**

Director of Planning and Development Services Bob Cowell presented an overview of the current UDO requirements and code enforcement practices in the Northgate area. Council provided staff with concerns of inefficiencies in code enforcement action of trash, public restrooms, and aesthetics.

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

Assistant Director of Public Works Pete Caler explained the section regarding sanitation violations and the Northgate refuse containers.

Council supported Option No. 1 proposed by staff.

**Regular Agenda Item No. 3 -- Presentation, possible action, and discussion regarding a proposed maintenance plan for the Northgate Commercial District.**

David Gwin, Director of Economic and Community Development presented an overview of developing a long-term plan to better address the overall appearance of the public areas and assets in Northgate. The overall intent of this plan is to be more strategic and seek to maximize the very limited pool of available

resources. The plan addresses the maintenance needs of Northgate and four components believed to be critical for the long-term success of this endeavor as follows:

- 1.) General Solid Waste Management
- 2.) Bird Management and Associated Maintenance
- 3.) Maintenance of Property Assets; including:
  - a. the Surface Parking Lot
  - b. Patricia Street Promenade
  - c. Second Street Promenade
  - d. First Street/Old City Hall
  - e. Spruce Street Park
- 4.) Private Sector Engagement & Potential Partnership

Council member Maloney moved to approve the proposed maintenance plan for the Northgate Commercial District. 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. 4 -- Presentation, possible action and discussion regarding an overview of a planned new website for the City.**

Director of Public Communications Wayne Larson presented an overview of launching a new website for the City of College Station. The website aligns with these City Council Strategic Issues: Effective Communications, Destination Place to Live and Work, Exceptional Infrastructure and Core Services, Diverse Growing Economy, Neighborhood Integrity, and Green College Station. Also, the features of the new website will include: Enhanced homepage, new navigational dropdowns, rotating photographs, more-efficient links for top destinations of website users, and efficient ways to communicate.

No formal action was taken.

**Regular Agenda Item No. 5 -- Presentation, possible action, and discussion regarding the City's appointment of a chair to the Landmark Commission.**

City Secretary Connie Hooks requested Council appoint a Committee Chair from the existing membership.

Council member Crompton moved to appoint Scott Shafer Chairman on the Landmark Commission. Council member Maloney seconded the motion, which carried 6-0.

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

**Regular Agenda Item No. 6 -- Adjourn.**

Hearing no objections, Mayor White adjourned the meetings at 8:45 pm on Thursday, January 8, 2009.

PASSED AND APPROVED this 22<sup>nd</sup> day of January, 2009.

APPROVED

\_\_\_\_\_  
Mayor Ben White

ATTEST:

\_\_\_\_\_  
City Secretary Connie Hooks