



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

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

Minutes
City Council Workshop Meeting
Thursday, March 11, 2010 at 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

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

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

1. Presentation, possible action, and discussion on items listed on the consent agenda.

Item No. 2e – Wolf Pen Creek Festival area. Council member Crompton inquired about the feasibility of utilizing the festival area for a community farmers market. Gilman stated that this use was a part of the specifications.

2. Presentation, possible action, and discussion regarding a request for consent to incorporate submitted to the Council by "Citizens for Wellborn", including consideration of pros and cons for the City should consent be granted and a discussion of alternatives (to incorporation), means of addressing objectives stated by "Citizens for Wellborn" and consideration of Resolutions for and against the granting of consent for incorporation.

City Manager Glenn Brown stated two decision points for City Council to consider:

- Whether to grant consent to incorporate
- Best interests for current and future citizens of College Station.

Mr. Brown explained the state law related to extra territorial jurisdictions and incorporation process. Staff recommended the following steps be considered by Council:

City Council not grant consent to Wellborn residents to incorporate
City Council provide direction regarding actions relative to alternatives to incorporation presented

Mr. Brown further stated that the recommendations are based on information gathered from the entire City Management Team, home builders/developers, property owners in proposed municipality and in remaining ETJ, and Citizens for Wellborn.

The next presenter, Bob Cowell, ACID, Director of Planning and Development Services presented an overview of the issues listed below:

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- The Citizens for Wellborn Request and Context
- Pros and Cons of Incorporation for the City
- Stated Objectives for Incorporation
- Alternatives to Incorporation & Relationship to Stated Objectives such as:
 - *Annexation
 - *Non-Annexation Development Agreement
 - *Public Improvements Districts
 - *Grant Funding
 - *Limited-Purpose Annexation

Mr. Cowell presented slides depicting the history of annexation and the potential areas subject to future annexation in ten years or more according to the comprehensive plan.

Mr. Cowell reiterated staff's belief that incorporation of adjacent municipality is a negative and there is no compelling argument put forth as to benefit the residents of College Station. He expressed other negative factors to College Station citizens if Wellborn were incorporated.

Council discussed the alternatives to protect the integrity of historic core area, ranch lands, and agricultural areas in Wellborn. Mr. Cowell noted that a small area plan may be completed in nine months.

Council member Lyles moved to direct the staff to engage with the Wellborn residents toward the formation of a small area plan. Council member Crompton seconded the motion which carried 7 - 0.

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

3. Presentation, possible action, and discussion regarding modifications to Chapter 7 Health & Sanitation, Section 1 through 3 of the City of College Station Code of Ordinances as it relates to noise and nuisance.

Item removed for future agenda.

Council recessed for a short break at 5:00 pm.

Council continued with discussion of next item at 5:05 pm.

4. Presentation, possible action, and discussion regarding the adoption of the Wolf Pen Creek Water Feature and Festival Area Master Plan as an element of the Wolf Pen Creek Master Plan.

Chuck Gilman, Capital Improvements Director presented budgetary information and the recommendation for Council approval of the water feature and festival area master plan as an element of the Wolf Pen Creek Master Plan. City Council directed staff to move forward with construction plans.

5. Presentation, possible action, and discussion regarding a possible City response to the Google Fiber Request for Information (RFI).

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Ben Roper, Director of Information Technology Services presented the staff's interest to respond to Google Fiber Request for Information. The stated goal of this Google project is to provide fiber to home connections that would provide at least a Gigabit per second of throughput, compared to traditional high bandwidth connections that deliver from approximately 1 – 3 megabits per second throughput. Council directed staff to move forward.

6. **Council Calendar**

Council reviewed upcoming events.

At 5:46 pm, Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, 551.074, and 551.087 of the Open Meetings Act to seek the advice of our city attorney, economic development negotiations, and to consider the evaluation of public officers.

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. City of Bryan's application with TCEQ for water & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College and certify City of Bryan
- b. Discussion of Legal Issues Regarding: Wellborn Incorporation Request
- c. Water CCN / 2002 Annexation / Wellborn Water Supply Corporation
- d. Sewer CCN permit requests for Brushy & Wellborn Services Areas
- e. Water CCN permit requests for Brushy & Wellborn Services Areas
- f. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites
- 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. Verizon v. City of College Station
- o. Legal Aspects of Brazos Valley Convention & Visitors Bureau Articles of Incorporation and Bylaws
- p. Contemplate Litigation, Legal remedies available to abate weeds, rubbish, brush and other unsanitary matter from a lot in the College Hills residential area.

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Personnel {Gov't Code Section 551.074}; possible action

The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Secretary

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. Proposed Area Bio-Technology Corridor
- b. Spring Creek Business Park, location of Education Prospect

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 executive session at 6:40 p.m. to continue Workshop meeting until 7:00 p.m.

No formal action was taken from executive session.

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, Code Review Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, 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).

Council member Maloney reported that the Transportation Committee held discussion on taxi cab operations in the city.

Council member Lyles reported on the Health Board meeting and Arts Council interview process for an executive director.

The Workshop Agenda items below were completed after regular agenda at 11:00 p.m.

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.

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Council member Crompton moved for a future agenda item on Convention Center request for proposals. Council member Lyles seconded the motion, which carried 5-2.

FOR: Mayor Ben White, Mayor Pro Tem Ruesink, Crompton, Lyles and Stewart

AGAINST: Massey and Maloney

Council member Massey moved for a future agenda item meeting protocol for hear visitors section of agenda and its council meeting procedures. Council member Stewart seconded the motion, which carried 7-0.

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

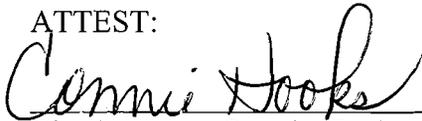
AGAINST: None

11. **Adjourn.**

Hearing no objections, Mayor White adjourned the meeting at 11:05 p.m. on Thursday, March 11, 2010.

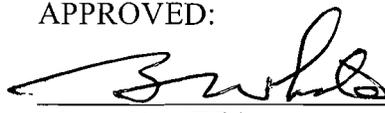
PASSED AND APPROVED this April 8, 2010

ATTEST:



City Secretary Connie Hooks

APPROVED:



Mayor Ben White