

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
AUGUST 26, 2010

STATE OF TEXAS           §  
                                  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

John Crompton  
Jess Fields  
Dennis Maloney  
Katy-Marie Lyles  
Dave Ruesink

**City Staff:**

Glenn Brown, City Manager  
David Neeley, Assistant City Manager  
Harvey Cargill, City Attorney  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Clerk

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 2:05 p.m. on Thursday, August 26, 2010 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

Items 2c and 2f were pulled from the Consent Agenda.

2c. Jeff Kersten, Chief Financial Officer, explained the interest and fees in the proposed depository contract.

2f. Mayor Berry moved the discussion on this item to the Regular meeting at 7:00 p.m.

**2. Presentation, possible action, and discussion regarding the formation of a BVSWMA Inc.; a new Local Government Corporation for solid waste disposal.**

Mark Smith, Director of Public Works, provided the historical perspective regarding the mediation process between Bryan and College Station which ultimately led to an Interlocal Cooperative Agreement. Each city would provide input in the budgeting process, and the board would have seven members. Three members are appointed by each city, and the seventh member was agreed upon by the other six members. A tri-party Operations Agreement between the two cities and BVSWMA was approved in May/June. The Borrowed Employee Agreement is to be considered tonight. This document covers College Station employees used to operate the landfill operation, and sets out the framework; employees will remain College Station employees and report to College Station supervisors and will be paid by College Station. BVSWMA will reimburse College Station. The Executive Director will interact with employees through a College Station representative. College Station will retain disciplinary processes as well. Employees will retain College Station benefits such as TMRS. Through attrition, all employees will eventually become BVSWMA employees, but no hard date has been set for the purpose of protecting the benefits of those employees.

A joint meeting is scheduled for September 13, and the following items are needed for closing: 1) an operations agreement, including assignments and assumptions of contracts and payables; 2) a borrowed employee agreement; 3) a bill of sale for capital items to be transferred; 4) a special warranty deed for real property; 5) the agency must open a depository account; 6) transfer of TCEQ permits; and 7) a final settlement agreement and release (Bryan/College Station lawsuit would be dismissed).

Related issues include the Twin Oaks opening, gas to energy and carbon credits, and the Rock Prairie landfill closure. A tour will be available on September 13.

### **3. Presentation, possible action and discussion on the Cost Analysis of Responses to Residential Recycling Franchise RFP #10-43.**

Pete Caler, Assistant Director of Public Works, reported that the current recycling program had a five year agreement that expires this September. Staff prepared an RFP that was advertised nationally and only received two proposals. Curbside recycling has been in place since 1991 with a participation rate of 65% - 70%. 1,064 tons of recyclables were collected last year.

Texas Commercial Waste is proposing source separated collections at \$2.40 per home and 100% return in commodities. They will continue to collect the items currently being collected and would add phone books. There is a \$0.30 increase, but there is enough in our reserves to cover the additional cost. The pros for this proposal are a significantly lower cost, no present rate increase, and an established relationship. The con is this is a less convenient collection system.

Inland Service Corporation proposed single stream collection at \$4.27 per home and a zero percent return in commodities. They also provide radio frequency identification participation tracking. This proposal has a \$1.83 increase over the TCW proposal, and there is not enough in reserves to cover the additional cost. Pros include a very convenient collection system and additional materials are accepted. Cons include high cost and the need for a transition plan.

Staff recommends awarding the contract to Texas Commercial Waste since there is no rate increase, continuation of a long lasting relationship, and being the lowest cost proposal. They also recommend investigating a future partnership with BVCOG, BVSWMA, and the City of Bryan for single stream recycling.

**MOTION:** Upon a motion made by Councilmember Lyles and a second by Councilmember Ruesink, the City Council voted six (6) for and none (0) opposed, to approve a five-year Franchise Agreement with Texas Commercial Waste. The motion carried unanimously.

**4. Presentation, possible action, and discussion regarding a contract for an equipment upgrade and general renovation of the College Main Parking Garage Access and Exit System.**

David Gwin, Director of Economic and Community Development, reported the College Main parking garage is currently outfitted with a controlled access system. It is over ten years old, component repairs consume limited staff resources, and complete equipment replacement is required. New equipment will improve customer service and garage efficiency. Some elements will increase garage safety.

The proposed contract has five elements: 1) proposed operational functions; 2) equipment upgrades; 3) new amenities, 4) contract information; and 5) an implementation schedule. Operational functions will essentially remain the same: maintain controlled ingress and egress, and have distinct "peak" and "off-peak" operating periods (8pm – 3am Thu, Fr, Sat nights; a nightly flat rate system; full automatic pay stations and window cashiers; two additional credit card pay stations) (non-peak times include all other times and maintains the existing hourly rate systems).

The unreserved contract parking currently has a disjointed system, but the new system will integrate all systems. Equipment upgrades will include two new fully automatic pay stations, two new credit card pay kiosks, a ZipPark wireless event management system, new access control equipment, and new revenue control equipment.

New amenities will provide ZipPark for peak time/game day/special events and the ability to pre-sell parking online in the future.

This is a large contract with a total contract amount of \$345,353. The new annual service agreement will cost \$29,293 in the first year; \$43,991 in the second year; and \$45,091 in the third year.

The implementation schedule is 15 weeks from start to finish: six weeks for engineering and assembly and eight - nine weeks for on-site installation, staging and training.

The marketing campaign provides enhanced advertising for the Northgate parking assets coinciding with the garage renovation; works with merchants to raise awareness; prepares an in-house marketing campaign (Channel 19, CSTX Facebook/Twitter/etc.); and secures print and social media advertising; e.g. The Battalion.

**5. Presentation, possible action, and discussion regarding resolutions to be considered by the Texas Municipal League.**

Hayden Migl, Assistant to the City Manager, reported that we currently have a transportation funding resolution being forwarded to TML. He noted any additional resolutions need to be approved at the first Council meeting in September.

Councilmember Maloney proposed the following for consideration: support of Tax Infrastructure Investment Zones; support the imposition of a gas tax for road projects in that taxing entity; and support the collection of a sales tax on new and used car sales dedicated to infrastructure/road projects in the city. Council consensus was to take these forward.

**6. Council Calendar**

- **August 31 Community Impact Awards Luncheon at Briarcrest Country Club at 11:45 a.m.**
- **September 2 Planning & Zoning Meeting in Council Chambers at 6:00 p.m.**
- **September 6 City Offices Closed - HOLIDAY**
- **September 9 Council Workshop/Regular Meeting in Council Chamber at 3:00 & 7:00 p.m.**
- **November 11 Dedication of the Korean War Memorial on the Lynn Stuart Pathway, Veterans Park, 4:00 p.m.**
- **November 11 Reading of the Names at the Veterans Memorial, Adams Plaza, Veterans Park, 6:00 p.m.**
- **November 11 Memorial Day Ceremony at the American Pavilion, Veterans Park, 7:00 p.m.**

Council was asked to look at calendars to see if they wish to re-schedule the November 11 Regular Council meeting.

**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 Crompton requested a workshop item on outsourcing parking operations and a review of power supply issues. He also requested appointing a panel of experts for an overview of the electric utility

Councilmember Lyles requested information on the status of texting while driving. Mr. Brown reported it was scheduled for an upcoming workshop.

Councilmember Fields requested an item on wind options.

Councilmember Maloney requested items related to City-initiated zoning of C1 for: from Texas along Highway 30 to Highway 6; Highway 60 from 2818 on the north and south sides; and

discussion on a next generation business park south of town (possible partnership with City of Navasota).

**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, BVSWMA, BVWACS, Cemetery Committee, Code Review Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Mayor's Council on Physical Fitness, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Signature Event Task Force, Sister City Association, TAMU Student Senate, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board).**

Councilmember Ruesink reported on the CVB meeting he attended yesterday. Two new staff will come on in September, and they are looking at restructuring personnel. The CVB is looking at new businesses working with the Biomedical corridor and a regional fair drawing state and national shows. They are also looking at ways A&M and the CVB can work together on the use of facilities for major enterprises coming to College Station, sporting venues in particular.

## **9. Executive Session**

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.074-Personnel, and §551.087-Deliberation Regarding Economic Development Negotiation, the College Station City Council convened into Executive Session at 4:25 p.m. on Thursday, August 26, 2010 in order to continue discussing matters pertaining to:

A. Consultation with Attorney to seek advice regarding pending or contemplated litigation regarding:

- City of Bryan's application with TCEQ for water and sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan.
- 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.
- Water CCN/2002 Annexation/Wellborn Water Supply Corporation.
- Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White.
- Chavers et al v. Tyrone Morrow, Michael Ikner, City of Bryan, City of College Station, et al
- Clancey v. College Station, Glenn Brown, and Kathy Merrill.

B. Consultation with Attorney to see legal advice regarding:

- Discussion of Legal Issues; to wit: Wellborn Incorporation Request.

- Contemplated litigation. Legal remedies available to abate weeds, rubbish, brush and other unsanitary matter from a lot in the College Hills residential area.
- Legal issues of purchase and lease back to Arts Council.
- Legal issues related to the Café Eccell lease.

C. Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer; to wit:

- City Manager.
- Council Self-Evaluation.
- Planning and Zoning Commission.
- Zoning Board of Adjustments.
- Parks and Recreation Board.

D. Deliberation on officer of possible incentives to entities considering locating, staying, or expanding in the College Station community; to wit:

- Pharmaceutical Prospect for Bio-Corridor.

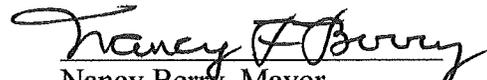
The Executive Session adjourned at 6:55 p.m. on Thursday, August 26, 2010.

**10. Reconvene and Consider Action on Items Discussed During Executive Session.**

Action on Executive Session or any workshop item not completed or discussed in the workshop meeting may be discussed in the following Regular Meeting, if necessary.

**11. Adjournment**

**MOTION:** There being no objection, Mayor Berry adjourned the workshop of the College Station City Council at 6:55 p.m. on Thursday, August 26, 2010. The motion carried unanimously.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary