

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
OCTOBER 14, 2010

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

Jess Fields
Dennis Maloney
Katy-Marie Lyles
Dave Ruesink

City Staff:

Glenn Brown, City Manager
David Neeley, Assistant City Manager
Carla Robinson, Interim City Attorney
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:05 p.m. on Thursday, October 14, 2010 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

1. Pledge of Allegiance, Invocation, consider absence request.

- **Presentation in recognition of October as National Community Planning Month and recognition of the City's efforts at planning.**

Bob Cowell, ACIP, Director of Planning and Development, recognized the staff for their efforts in planning and receiving the National Community Planning Month.

- **Report from Sister Cities student group and presentation of gifts from the Mayor of Greifswald, Germany**

A student group presented gifts given from the Mayor of Greifswald of Germany, received from their amazing trip.

- Proclamation naming October as Breast Cancer Awareness (BCA) Month.

Mayor Berry presented breast cancer survivor, Patricia Gerling, a proclamation naming October as Breast Awareness (BCA) Month.

- Citizen Comments

There were no Citizen Comments.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for September 23, 2010 Workshop and Regular Meetings and October 6, 2010 Wellborn and Special Council Meeting.

2b. Presentation, possible action and discussion on the second and final renewal of bid #08-84 to Brazos Paving Inc. in an amount not to exceed \$411,000.00 for the annual blanket order of concrete curb/gutter & flatwork used to maintain City infrastructure.

2c. Presentation, possible action, and discussion of contract renewals for the installation of roadway traffic markings and traffic control to Highway Technology of Austin, Texas in the amount of \$163,182.50 and, traffic control services to N-Line Traffic Maintenance of Bryan, Texas in the amount of \$18,706.25.

2d. Presentation, possible action and discussion on approving the budget of the Arts Council of Brazos Valley; and presentation, possible action and discussion on two (2) operations and maintenance funding agreements between the City of College Station and the Arts Council of Brazos Valley for FY11 totaling \$164,000. (Pulled to future agenda)

2e. Presentation, possible action and discussion on a funding agreement between the City of College Station and the Research Valley Partnership for FY11 in the amount of \$300,000.

2f. Presentation, possible action and discussion on approving the budget of the Brazos Valley Convention and Visitors Bureau (CVB); and presentation, possible action and discussion on a funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau for FY11 in the amount of \$1,057,000.

2g. Presentation, possible action and discussion approving a resolution authorizing expenditures for the Brazos Animal Shelter in the amount of \$169,512.90.

2h. Presentation, possible action, and discussion on the second reading of a ten (10) year franchise agreement with the City of Bryan for retail sale of electricity within the City of College Station and certificated to Bryan by the Public Utility Commission of Texas.

2i. Presentation, possible action and discussion on the third and final reading of a franchise agreement with Professional Trash Valet, LLC dba Brazos Valley Trash Valet &

Recycling for the collection of recyclable commodities from multifamily apartments and commercial businesses.

2j. Presentation, possible action, and discussion regarding approval of Change Order No. 1 for a contract with Motorola Inc. for equipment and services to support Rebanding of the City's 800MHz Radio System, decreasing the original contract of \$258,191.28 by \$20,473.00.

2k. Presentation, possible action and discussion concerning approval of a Participation Agreement concerning improvements to Royder Road and Greens Prairie Trail between College Station Independent School District (CSISD) and the City of College Station.

2l. Presentation, possible action, and discussion regarding a change order to the design contract (Contract No.07-263) with Mitchell and Morgan in the amount of \$4,240.00 for the Nantucket Gravity Sewer Line project.

2m. Presentation, possible action and discussion on the first reading of a franchise agreement with Liquid Environmental Solutions for the collection of food waste for the purpose of recycling.

2n. Presentation, possible action and discussion on the first reading of a franchise agreement amendment with Texas Commercial Waste to add the collection of food waste for the purpose of recycling to its agreement.

Item 2d was pulled from the Consent Agenda.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Maloney, the City Council voted five (5) for and none (0) opposed, to approve the Consent Agenda, less item 2d. The motion carried unanimously.

REGULAR AGENDA

1. Presentation, possible action, and discussion on a resolution approving a preliminary official statement, and related material; and on an ordinance authorizing the issuance and sale of City of College Station, Texas General Obligation Refunding Bonds, Series 2010; establishing parameters regarding the sale of the bonds; approving the execution of an escrow agreement; and ordaining other matters related thereto, including immediate effectiveness.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Fields, the City Council voted five (5) for and none (0) opposed, to adopt a resolution approving a preliminary official statement, and related material; and to adopt an ordinance authorizing the issuance and sale of City of College Station, Texas General Obligation Refunding Bonds, Series 2010; establishing parameters regarding the sale of the bonds; approving the execution of an

escrow agreement; and ordaining other matters related thereto, including immediate effectiveness. The motion carried unanimously.

2. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, specifically rezoning 19.749 acres from A-O Agricultural Open and R-1 Single-Family Residential to PDD Planned Development District for multi-family, office, and general commercial uses, for 529 William D. Fitch Parkway, generally located on the north side of William D. Fitch Parkway, west of the Castle Rock Subdivision and wetlands mitigation area.

At approximately 8:10 p.m. Mayor Berry opened the Public Hearing.

Mary Koeninger, 4233 Little Rock Ct. CSTX, stated she is against building in the flood zone and R-4 construction at Phillips Square.

Tom Kisks, 4213 Rocky Creek Trail, CSTX, stated he is in support of the proposed rezone subject to all amendments specified by the P&Z Staff and Commission. He also supports the prohibition of flood plain construction and the substitution of town homes in lieu of apartments.

David W. Reynolds, 4232 Little Rock Cr. CSTX, presented a petition from the residents of Castle Rock Subdivision. He also commended staff and P&Z Commission.

Arianne Wiese, 4706 Scrimshaw, CSTX, represents a licensing agency and writes home insurance policies. Home insurance carriers do not ask you to have flood insurance.

J.R. Torres, 4312 Velencia Ct. CSTX, stated his support of the proposed rezoning.

Marty Cangelose, 404 Tarrow St., CSTX, explained that combining single family and multifamily is a good thing. The overall area will support the development.

Grant Graham 4107 Rock Mountain, CSTX, stated he is a resident of Castle Rock that is in support of the proposed rezoning and doesn't fear the development.

Heath Townsend 17896 Creel Crossing, CSTX, a builder of single family, and multifamily, is in support of the rezoning and sees no problems with single family and multifamily.

Jess Durton, Olden, Gooden Group, spoke on the development and the marketing side of the rezoning and how this will grow.

Verdon Golden, resident of Castle Gate, spoke on building a Class A asset and is in support of the proposed rezoning.

Joe Schultz, 3208 Innsbrock, CSTX, engineer, stated that the plan may be altered and a No Adverse Impact Study would be done.

Commission Stearns, with the P&Z Commission, explained the approval zone on this proposed rezoning.

Wallace Phillips, applicant, stated that he has met all of the requirements and requests approval from the City.

There being no further comments, the Public Hearing was closed at 8:55 p.m.

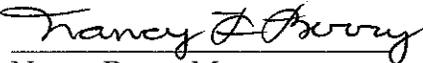
MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Ruesink, the City Council voted three (3) for and two (2) opposed, with Councilmembers Lyles and Fields voting against, to adopt the ordinance amending Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, specifically rezoning 19.749 acres from A-O Agricultural Open and R-1 Single-Family Residential to PDD Planned Development District for multi-family, office, and general commercial uses, for 529 William D. Fitch Parkway, generally located on the north side of William D. Fitch Parkway, west of the Castle Rock Subdivision and wetlands mitigation area, with conditions of mediatory of bike lanes, right and left turns, and donate a fence around the child's area of the park for safety. The motion carried.

3. Presentation, possible action, and discussion regarding the approval of a construction contract (10-251) with Dudley Construction in the amount of \$2,122,819.10 for the Water Reclamation Phase 1 Project.

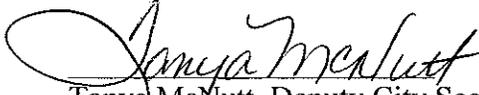
MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Lyles, the City Council voted five (5) for and none (0) opposed, to approve a construction contract (10-251) with Dudley Construction in the amount of \$2,122,819.10 for the Water Reclamation Phase 1 Project. The motion carried unanimously.

4. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the regular session of the College Station City Council at 9:15 p.m. on Thursday, October 14, 2010. The motion carried unanimously.


Nancy Berry, Mayor

ATTEST:


Tanya McNutt, Deputy City Secretary