

MINUTES OF THE CITY COUNCIL WORKSHOP
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, 1st Assistant City Attorney
Tanya McNutt, Deputy City Secretary

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 3:05 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. Presentation, possible action, and discussion on items listed on the consent agenda.

Item 2g, was pulled from the Consent Agenda.

Mayor Berry stated we should not consider any changes to the animal shelter unless there is a certain reason for changes. Jeff Kersten explained the contract. Kathy Merrill explained the contract and the extended period of time.

2. Presentation, possible action and discussion regarding fiscal transparency and the feasibility of placing city checks online.

Jeff Kersten, Chief Financial Officer, generated a register of the normal weekly accounts payable "check run," which includes electronic funds transfers (EFT) and most wire transactions.

This would include items such as:

- Payments to vendors for goods and services;
- Payments to Outside Agencies per contractual terms and conditions;
- Travel reimbursements to employees;
- Refunds for deposits on utilities, facility rentals, etc.

The check register would be generated after each normal weekly "check run" and would go to Legal for review before posting on the website. The current plan is to post this information, together with budget and financial statement information, "one click" from the City's home page. Each week, that week's check register would be posted to the "front" page with the preceding week's register removed to the history page.

Also, Mr. Kersten explained ways to increase the City's fiscal transparency, to include placing the City's check register online. Staff is not proposing to include anything payroll related or electric power supply contract payments, as part of the online check register.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Lyles, the City Council voted five (5) for and none (0) opposed, to approve moving forward with fiscal transparency and the feasibility of placing the City check register online. The motion carried unanimously.

3. Presentation, possible action, and discussion regarding a ten (10) year franchise agreement with the City of Bryan for retail sale of electricity within the City of College Station in areas certificated to Bryan by the Public Utility Commission of Texas.

David Massey, Director of Public Utilities, presented an overview of the proposed electric franchise agreement with the City of Bryan. The franchise requires three readings to be approved by Council. The second reading of this franchise is on the Consent Agenda of today's Regular Council Meeting.

This Electric Power Franchise gives the City of Bryan the right to use public rights-of-way within specified areas of College Station in order to provide retail electric service to areas certificated to Bryan by the Public Utility Commission of Texas. This Franchise is for a period of ten years. The development of this Franchise with the City of Bryan has involved negotiations for many years between the electric utilities and legal staffs of both cities. The proposed Franchise defines such things as payments, utility construction and maintenance, conditions of right-of-way occupancy, street lighting, underground installations, records and reporting, insurance requirements, compliance and many other tangential issues associated with a franchise of this type. One important note is that this franchise only applies to areas defined as "Non-Core" areas within the City of College Station – areas that currently have Bryan electric power facilities within College Station. Staff feels that all relevant areas have been fully addressed in this document and recommends approval.

4. Presentation, possible action, and discussion regarding potential options for electric wind power rates.

David Massey, Director of Public Utilities, presented a brief overview, per Council's request, on premiums associated with the wind rates.

As Adopted January 2009:

| | 100% Wind | 50% Wind | 10% Wind |
|-------------------|------------|------------|------------|
| Program Cost | 2.50 cents | 1.25 cents | 0.25 cents |
| Green CS Adder | 0.50 cents | 0.35 cents | 0.10 cents |
| Total Premium | 3.00 cents | 1.60 cents | 0.35 cents |
| Cost per 1000 kwh | \$30.00 | \$16.00 | \$3.50 |

Effective February 1, 2010

| | 100% Wind | 50% Wind | 10% Wind |
|-------------------|------------|------------|------------|
| Program Cost | 0.50 cents | 0.25 cents | 0.05 cents |
| Green CS Adder | 1.50 cents | 0.75 cents | 0.15 cents |
| Total Premium | 2.00 cents | 1.00 cents | 0.20 cents |
| Cost per 1000 kwh | \$20.00 | \$10.00 | \$2.00 |

Current Wind Watts Premium

Utility Adder
Per KWH

- * 100% Wind: 0.5 cents
- * 50% Wind: 0.25 cents
- * 10% Wind: 0.05 cents

Council Adder
Per KWH

- * 100% Wind: 1.5 cents
- * 50% Wind: 0.75 cents
- * 10% Wind: 0.15 cents

Council directed staff to separate the tree program and the wind watts.

5. Presentation, possible action, and discussion regarding the future direction of the City's affordable housing activities.

David Gwin, Director of Economic and Community Development, explained the current and future affordable housing programming and provided input on the direction of these efforts.

Debbie Eller, Assistant Director of Economic and Community Development, provided a briefing on the results of the community planning process and a summary of the new Five-Year Consolidated Plan and one year Annual Action Plan. These Plans serve as strategic plans guiding community development activities in College Station over the next five years. City Council approved the 2010-2014 Consolidated Plan and PY 2010 Action Plan on July 22, 2010.

Also, the CDBG and HOME funds may only be used to: (1) benefit low- and moderate-income persons; (2) aid in the elimination of slum and blighting influences, and/or; (3) meet a particular urgent need. Further, CDBG funds may be used to meet local needs through a wide range of community development activities, while HOME funds may only be used for affordable housing activities.

Historically, the City has utilized these funds for a variety of programs and activities, including: affordable housing programs (homebuyer assistance, security deposit assistance, rehabilitation, new construction, and minor repairs); funding of direct services to low-income families; demolition; and park, street, infrastructure and public facility improvement in low-income areas of the city.

In 2008, Council directed the Economic and Community Development Department to create sustainable revenue sources to support future activities due to the significant and on-going decline of HUD resources. This direction was accomplished in part by providing assistance for housing activities through zero or low-interest loans and the retirement of 100% grant programs. Additionally, community development activities have been structured to generate program income when applicable.

6. Presentation, possible action, and discussion regarding basic public purchasing policies, procedures and statutes.

Mayor Berry pulled this item for placement on a future agenda.

7. Council Calendar

October 18 IGC Meeting at BVCOG at 12:00 p.m.

October 19 Council Transportation Committee Meeting in Council Chambers at 4:30 p.m.

October 19 Interfaith Dialog & Friendship Dinner and Awards Ceremony at Pebble Creek Country Club-4500 Pebble Creek Parkway at 6:30 p.m.

October 20 Small Business Summit at the Brazos Center-3232 Briarcrest Dr at 8:00 a.m.

October 20 BVSWMMA Inc. Board Meeting at the Public Works - Room 203 Municipal Court Bldg - 300 Krenek Tap at 11:00 a.m.

October 20 2010 Exploring History Lunch Lecture Series in CS Conference Center at 11:30 a.m.

October 21 Business After Hours -Chrome, A Salon Experience at 5:30 p.m.

October 21 Planning & Zoning Meeting in Council Chambers at 6:00 p.m.

October 25 Council Workshop/Regular Meeting in Council Chambers, 3:00 and 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 Veterans Memorial Day Ceremony at the American Pavilion, Veterans Park, 7:00 p.m.

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.

There was no discussion.

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, 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).

Council member Lyles reported on Arts Council.

Council member Maloney requested staff to add the Bicycle, Pedestrian, and Greenways Committee for Council to discuss.

10. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, and §551.074-Personnel, the College Station City Council convened into Executive Session at 5:00 p.m. on Thursday, October 14, 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 & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan
- 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
- Rachel Rahn v. Alma Martinez; The Arkitex Studio, Inc.; Charles Burris, AIA; Dr. Elton Abbott, AIA; and City of College Station, Texas: Cause No. 09-000656-CV-361, In the District Court of Brazos County Texas, 361st Judicial District

B. Consultation with Attorney to seek legal advice regarding:

- Discussion of Legal Issues Regarding: 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

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

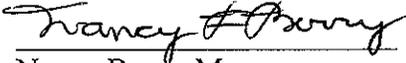
- City Manager
- Council Self-Evaluation
- City Attorney

The Executive Session adjourned at 7:00 p.m. on Thursday, October 14, 2010.

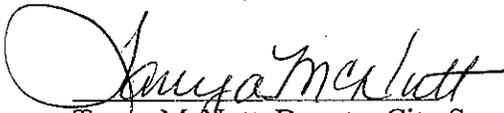
MOTION: Upon a motion made by Councilmember Ruesink and a second by Councilmember Fields, the City Council voted five (5) for and none (0) opposed, to approve Carla Robinson as Interim City Attorney for the City of College Station. The motion carried unanimously.

11. Adjournment

MOTION: There being no objection, Mayor Berry adjourned the workshop of the College Station City Council at 7:00 p.m. on Thursday, October 14, 2010. The motion carried unanimously.


Nancy Berry, Mayor

ATTEST:


Tanya McNutt, Deputy, City Secretary