

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
NOVEMBER 22, 2010

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

John Crompton
Jess Fields
Dennis Maloney
Katy-Marie Lyles
Jana McMillan

City Staff:

Glenn Brown, City Manager
Kathy Merrill, Assistant City Manager
Carla Robinson, Interim City Attorney
Sherry Mashburn, City Secretary
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 3:02 p.m. on Monday, November 22, 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 2b, 2d, 2f, 2g, 2h, 2j, 2o were pulled from the Consent Agenda.

Item 2g: Chief R.B. Alley, Fire Chief, explained the funding of the 2010 Homeland Security Grant Program.

Item 2h: David Schmitz, Interim Director of Parks and Recreation, explained the cost of the total project. The original equipment was purchased in the last three months. This came to Council because the installation and rubberized surfacing brought this over the \$50,000 limit.

Item 2j: Jeff Kersten, Chief Financial Officer, explained the majority of the funding is from the sanitation department.

Items 2b, 2d, 2f, and 2o were not discussed.

2. Presentation, possible action, and discussion regarding the general roles of the Research Valley Partnership and the City in economic development activities.

David Gwin, Director of Economic and Community Development, presented a brief overview of the RVP history which was incorporated in 1989 as the Bryan College Station Economic Development Corporation. It was formed to coordinate the regional economic development activities for both cities and the county. It was re-branded as the Research Valley Partnership in 2003. Their responsibilities include regional target industries such as biotechnology, customer service and back office operations, corporate headquarters and operations, technology transfer, etc. There are three major deliverable areas: Administration (planning, communications, compliance, finance); Corporate Relations (business development, marketing, communications, TAMU partnerships); and Innovation (RVIC, international gateway, TAMU partnerships, access to capital, Research Angel Fund and Aggie Angel Network and the emerging network fund). Administrative primary incentives per guidelines include tax abatement, performance-based financial assistance, developed land, and brokerage fees for locations in the Business Center at College Station. Cash incentives, per guidelines, may be granted from one city, or from Brazos County, or from one city and Brazos County, or the Brazos County Incentive Fund.

The City's responsibilities for target development encompass retail (meets sales tax, capital investment or payroll thresholds, fills leakage gaps, is entertainment related, and fulfills Specific Development Goals); tourism/hospitality asset development; commercial or special district development such as the Medical Corridor; historical/arts development, and redevelopment. Economic development deliverables include general economic development activities (with incentives, permit fast tracking, assistance with city codes and ordinances, networking, recruitment, administration of the Enterprise Zone Program, administration of TIRZ, PID, etc., and special event promotion/facilitation. Primary incentives that can be offered by the City are general incentives (utility infrastructure, road, drainage, or other infrastructure, waiver of permits and fees, expedited municipal planning, infrastructure over-sizing) and performance based incentives (tax abatements, etc.) Recent projects include TIPS, TIGM, Reynolds and Reynolds, Lynntech, and the Bio-Corridor Master Planning effort. Large-scale retail development has been accomplished with Gander Mountain, Lowes, and HEB. Examples of smaller-scale retail development include Ninfa's, Shiraz Shish Kabob, Fuzzy's Taco, Fuego Tortilla Grill, Genghis Grill, and Chuys. Reinvestment/Expansion efforts were provided to the Central Station Shopping Center, Walmart, The Med, and the proposed Post Oak Mall renovation. The Medical Corridor and the College Station Business Advisory Committee are a part of the long-term visioning and planning.

MOTION: Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted six (6) for and none (0) opposed, for the Council to work with Dr. Girior and the City of Bryan to directly negotiate the terms of engagement for the Research Valley Partnership. The motion carried unanimously.

Council also provided direction regarding future economic development engagement upon the appointment of the College Station Business Advisory Committee.

3. Presentation, possible action, and discussion regarding the process and timeline for determination of potential City-wide impact fees for Water and Wastewater.

David Coleman, Director of Water Services, reported that the City is a good candidate for impact fees. The policy question tonight is do we want to shift a portion of the cost to increase Water/Wastewater plant capacity away from the existing rate-payers and on to the new arrivals?

Tony Bagwell, HDR Austin, explained that an impact fee is a one-time, up-front payment levied on new or expanded development for its capital cost impact placed on the utility system. This helps growth to pay for itself. City-wide impact fees are considered because it increases equity among all the customers and helps to mitigate future rate increases. Overall fees are made up of component fees, such as water (supply/treatment, storage and transmission) and wastewater (treatment, pumping and interceptors). The maximum fee is determined by defining the impact fee service area and land use, projecting water and wastewater service demands, comparing existing capacity, identifying the amount and cost of existing available capacity and new facility needs, and then allocating current and future service demands to the facilities. Impact fees are typically assessed at the final plat and cannot be increased unless there is a change in demand. They are typically collected with the building permit, and as such, the actual collection of the impact fee usually occurs 12 to 18 months after the ordinance is adopted.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Lyles, the City Council voted four (4) for and two (2) opposed, with Councilmembers Fields and McMillan voting against, to proceed with the study. The motion carried.

4. Presentation, possible action, and discussion regarding an update on sustainability efforts and implementation of projects funded through the Energy Efficiency and Conservation Block Grant.

There was no discussion on this item.

5. Presentation, possible action, and discussion regarding potential amendments to the Bryan / College Station Convention and Visitors Bureau (CVB) By-Laws.

David Gwin, Director of Economic and Community Development, reminded the Council that an issue arose over the number of elected officials serving on the CVB in spring 2010. Staff presented the CVB's proposed amendments on June 10, 2010. Council embraced the amendments with several changes/clarifications. A redlined version was presented to the CVB, and they have agreed to not allow professional staff to serve on the Board of Directors. They also agree to include additional sections to the bylaws as they relate to matters of governance. However, they are unable to agree to reserving approval/veto power of bylaw changes. The Council was presented with two options: 1) approve the provision allowing the veto of

governance matters to be extended to both cities; or 2) rely on College Station's majority representation on the Executive Board to decide all matters.

MOTION: Upon a motion made by Councilmember Maloney and a second by Councilmember Fields, the City Council voted two (2) for and three (3) opposed, with Mayor Berry, and Councilmembers Lyles and McMillan voting against, and Councilmember Crompton abstaining, to retain veto power. The motion failed.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Fields, the City Council voted five (5) for and none (0) opposed, with Councilmember Crompton abstaining, to accept majority representation to make the decisions. The motion carried.

6. Presentation, possible action, and discussion regarding setting a date for a Council mid-year retreat and determining what items to include on the agenda.

Staff was directed to place on the December 9 agenda an item to discuss topics for the Council Retreat.

7. Council Calendar

- **November 11 Lecture: The Korean War and 60 Year ROK/USA Alliance at George Bush Library-Auditorium, 1000 George Bush Drive at 12:00 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.**
- **November 13 Brazos Valley Worldfest at the Wolf Pen Creek Amphitheater at 10:00 a.m.**
- **November 16 Economic Outlook Luncheon at Miramont Country Club-Bryan, 11:30 a.m.**
- **November 16 Council Transportation Committee Meeting in Council Chambers at 4:30 p.m.**
- **November 17 BVSWM Inc. Board Meeting at COB Municipal Building - Room 305, 11:00 a.m.**
- **November 17 2010 Exploring History Lunch Lecture Series at CS Conference Center, 11:30 a.m.**
- **November 18 Business After Hours - Holiday Lighting - City of Bryan at 5:30 p.m.**
- **November 18 Planning & Zoning Meeting in Council Chambers at 6:00 p.m.**
- **November 22 Council Workshop/Regular Meeting in Council Chambers at 3:00 and 7:00 p.m.**
- **November 23 B/CS Chamber-Annual Ag Breakfast at Brazos County Expo Center, 7:00 a.m.**
- **November 25 City Offices Closed - HOLIDAY**
- **November 26 City Offices Closed - HOLIDAY**

There was no discussion on the Council calendar.

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.

Councilmember Fields asked to discuss a Charter Review Commission at the Council Retreat. He also requested a future item on code enforcement.

Councilmember Crompton asked for staff to discuss the pros, cons, costs, and potential time tables for the City to initiate/accelerate the design work and acquiring the rights-of-way for developing the Bush/Wellborn and Rock Prairie Bridge intersections.

9. Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, 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, Mayor's Development Forum, 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.

Mayor Berry recommended that the Council view the CD on the Health Department.

Councilmember Maloney reported on the Wolf Pen Creek Oversight Committee.

Jess Fields reported on his attendance at Planning and Zoning.

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 5:11 p.m. on Monday, November 22, 2010 in order to continue discussing matters pertaining to:

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

- 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
- 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 seek legal advice; to wit:

- Discussion of Legal Issues Regarding: Wellborn Incorporation Request
- 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
- City Secretary
- City Council Self-Evaluation

The Executive Session adjourned at 6:54 p.m. on Monday, November 22, 2010.

No action was required from Executive Session.

11. Adjournment

MOTION: There being no objection, Mayor Berry adjourned the workshop of the College Station City Council at 6:54 p.m. on Monday, November 22, 2010.


 Nancy Berry, Mayor

ATTEST:


 Sherry Mashburn, City Secretary