

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
SEPTEMBER 22, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Jess Fields
Karl Mooney, excused absence
Katy-Marie Lyles
Julie Schultz
Dave Ruesink

City Staff:

David Neeley, City Manager
Kathy Merrill, Assistant City Manager
Frank Simpson, Assistant City Manager
Carla Robinson, 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 3:10 p.m. on Thursday, September 22, 2011 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.

2b: Lance Simms, Assistant Director of Planning and Development Services, reported the definition was being tweaked to align with state law. The current ordinance allows for exceptions such as the hobbyist that has antique or specialty vehicles.

2e: Chuck Gilman, Director of Capital Projects, reported on the traffic counts, patterns and movements that were included in the report to TXDOT. The only public comment received to date has been a concern related to acceleration lanes on the service road. Staff will be watching this. There will be an opportunity for stakeholder input.

2f: Jeff Capps, Police Chief, provided a very brief overview of the funding request for the Brazos County Animal Shelter and how those funds will be expended based on actual costs.

2i: Chuck Gilman, Director of Capital Projects, explained that the original “guaranteed maximum price” meant the design could not come in over \$6 million. The deductive change order for the new contract amount is \$5,895,352. Any increase change order would have to come back before Council.

2j: Jeff Kersten, Director of Finance, explained this is an annual item to identify some of the exemptions from competitive bidding. This is an estimate for a blanket purchase order. He also explained some of the one-source vendors.

2. Presentation, possible action, and discussion regarding approval of the Offer of Settlement included in a filing with the Federal Energy Regulatory Commission (FERC) pertaining to an emergency transmission interconnection with ETI (Entergy). This approval must be given prior to the formal filing of the document at FERC.

David Massey, Electric Division Manager, reported on the Entergy transmission interconnection and FERC filing. Hurricane Ike created widespread power outages in East Texas, and one of the hardest hit was the Entergy System, which is not in the ERCOT Power Grid. Many local Entergy customers had long outages. In 2009, the Texas Legislature directed the Public Utility Commission (PUC) and ERCOT to study possible solutions and look for the most feasible least cost solution. Entergy’s western most service area had a lack of local generation, and there is no interconnection between ERCOT and SERC in this area. The proposed solution, based upon ERCOT studies of the transmission system, is for an interconnection at the College Station switch. There are special conditions of use, such as a declared emergency by the Governor. Federal approval is required. Filings at the PUC have been completed, and College Station has been instructed to proceed with the interconnection. College Station will be paid for all costs through a transmission cost of service filing. We must file an Offer of Settlement with the Federal Energy Regulatory Commission (FERC) in order to go forward. Outside legal counsel has been retained to handle filings at FERC and the PUC. The Interconnection Agreement will be coming before Council in the next few months. Construction is expected to be completed by May 2012.

3. Presentation, possible action, and discussion on appointing Council Liaison to Council and/or Citizen Committees.

Council consensus was to postpone appointment of Council liaisons until after the Sunset Advisory Commission reports their findings. Council will continue to attend meetings on a rotating basis at the Design Review Board, Parks and Recreation Board, Planning and Zoning Commission, and the Zoning Board of Adjustments. Councilmember Schultz will act as an interim liaison for the Historic Preservation Committee.

4. Presentation, possible action, and discussion regarding the Council’s development of their Strategic Plan.

Bob Cowell, Director of Public Works, provided an overview of the Council Strategic Plan. At the July 12 Council Retreat the Council affirmed the community vision, organizational mission and core values. The Council identified goals and desired outcomes for each of the six strategic initiatives:

- Financially Sustainable City
- Providing Core Services and Infrastructure
- Neighborhood Integrity
- Diverse Growing Economy
- Improving Mobility
- Sustainable City

Staff identified strategies for each initiative. The timeline for the completion of the plan has the staff developing and refining actions for strategies in October and developing the draft plan update. The draft Plan Update is expected to be presented to the Council for action. Policy items for Council consideration in order to develop the Council Plan of Work are scheduled for November. Implementation and maintenance of the Plan will utilize staff-developed business plans and performance measures and benchmarks. There will be quarterly reporting of those performance measures and benchmarks. Then, in January or February, the Council will conduct a Plan Workshop to prepare for the FY13 budget.

5. Council Calendar

- **September 23 Grand Opening of the Agriculture & Life Sciences Complex at 600 John Kimbrough Boulevard, 3:00 pm**
- **September 26 CSFD Annual Fallen Firefighter Memorial Service at Fire Station 2 - Rio Grande and Harvey Mitchell Parkway, 12:00 pm**
- **September 27 CSFD's Fire Station 6 Groundbreaking Ceremony at 610 University Drive, 9:00 am**
- **September 29 Chamber of Commerce Legislative Luncheon, Briarcrest Country Club, 12:00 p.m.**
- **September 29 Proclamation Reading/Signing - National Night Out at Brazos County Building – Atrium, 3:00 pm**
- **October 3 2011 Fall Girls Softball Opening Ceremonies Invitation at Stephen C. Beachy Central Park Field 3, 5:45 pm**
- **October 4 National Night Out at CSPD, front door entrance, 5:00 pm**
- **October 6 Planning & Zoning Commission Meeting in Council Chambers at 6:00 pm**
- **October 11-14 TML Annual Conference in Houston at 8:00 pm**
- **October 13 City Council Workshop/Regular Meeting in Chambers at 3:00 & 7:00 pm**

Council reviewed the Council calendar. The Health Department meeting has moved to September 28.

6. 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 Lyles requested an item about dedicating a percentage of franchise fees for road maintenance for the FY13 budget. There was Council consensus to place this on the agenda.

7 Discussion, review and possible action regarding the following meetings: Animal Shelter Board, 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, 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, Zoning Board of Adjustments.

Councilmember Lyles stated that the Arts are back. She provided a brief report on the Celebration of the Arts event.

Councilmember Ruesink reported on the IGC. They want uniform food establishment ordinances in the surrounding area. The high speed rail quarterly meeting will be in College Station in December.

Councilmember Schultz reported on the RVP.

Councilmember Fields reported on the TAMU Student Senate and stated they are looking forward to working with the City.

8. 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 4:54 p.m. on Thursday, September 22, 2011 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
- Clancey v. College Station, Glenn Brown and Kathy Merrill, Civil Action No. 09-CV-01480

- Rachel Rahn v. Alma Martinez, The Arkitex Studio, Inc. et al, cause No. 09-000656-CV361
- Chavers et al v. Tyrone Morrow et al, No. 10-20792; Chavers v. Randall Hall et al, Case No. 10 CV-3922
- College Station v. Star Insurance Co., Civil Action No. 4:11-CV-02023
- Woodruff v. College Station, Cause No. 10-000515-CV-272
- Ongoing criminal investigation of municipal court missing funds
- PUCT Docket No. 39066

B. Consultation with Attorney to seek legal advice; to wit:

- Legal issues regarding possible revenue sharing and legislation in bio-corridor
- Texas Reliability Entity Compliance Issues
- Legal Issues Concerning Use of Community Development Funds related to the Holleman Street Property

C. Deliberation Regarding Personnel; to wit:

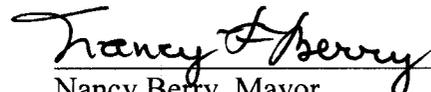
- Council Self Evaluation
- Internal Auditor

The Executive Session adjourned at 7:00 p.m. on Thursday, September 22, 2011.

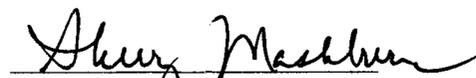
No action was required from Executive Session.

8. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 7:00 p.m. on Thursday, September 22, 2011.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
SEPTEMBER 22, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

Blanche Brick
Jess Fields
Karl Mooney
Katy-Marie Lyles
Julie Schultz
Dave Ruesink

City Staff:

David Neely, City Manager
Kathy Merrill, Assistant City Manager
Frank Simpson, Assistant City Manager
Carla Robinson, 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 Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:13 p.m. on Thursday, September 22, 2011 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.

Citizen Comments

There were no Citizen Comments.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **September 8, 2011 Workshop and Regular Council Meeting**
- **September 15, 2011 Joint Meeting with Planning and Zoning**

2b. Presentation, possible action, and discussion regarding Ordinance 2011-3369, amending Chapter 10, "Traffic Code", Section 5, "Junked Motor Vehicle Regulations", Section A, "Definitions", of the Code of Ordinances of the City of College Station, Texas.

2c. Presentation, possible action, and discussion on Ordinance 2011-3370, amending Chapter 1, "General Provisions", of the Code of Ordinances of the City of College Station, Texas by repealing Section 15, "Disposition of Abandoned or Unclaimed Property; Disposition of Salvage or Surplus Property; and Disposition of Seized Weapons, Explosive Weapons, or other Prohibited Contraband"; providing a severability clause; and providing an effective date.

2d. Presentation, possible action, and discussion regarding Resolution 09-22-11-2d, approving payment of statewide transmission settlement charges in Docket 39066 of the Public Utilities Commission of Texas and authorizing Joe Pratt of the legal firm of Bickerstaff Heath Delgado Acosta LLP to be the legal signatory for the City of College Station in the final settlement document. The net total charges for College Station in this settlement will be \$500,945.00.

2e. Presentation, possible action, and discussion on Resolution 09-22-11-2e for a Professional Services Contract 11-349 with Kimley-Horn and Associates, Inc. for \$452,900.00 for design, bidding, and construction administration for improvements to the Rock Prairie Road Bridge, and approval of Resolution 09-22-11-2e-a, declaring intention to reimburse certain expenditures with proceeds from debt.

2f. Presentation, possible action, and discussion approving Resolution 09-22-11-2f, authorizing expenditures for the Brazos Animal Shelter in the amount of \$169,512.90 for Fiscal Year 2012.

2g. Presentation, possible action, and discussion regarding Resolution 09-22-11-2g, approving the Offer of Settlement included in a filing with the Federal Energy Regulatory Commission (FERC) pertaining to an emergency transmission interconnection with ETI (Entergy). This approval must be given prior to the formal filing of the document at FERC.

2h. Presentation, possible action, and discussion regarding the approval of additional legal expenses related to the emergency transmission interconnection with Entergy. Total expenses through FY11 are anticipated to be \$75,000 with Duncan, Weinberg, Genzer & Pembroke, P.C.

2i. Presentation, possible action, and discussion on a deductive change order in the amount of \$104,648.00 to set the guaranteed maximum price to \$5,895,352.00 for the construction of the Fire Station No. 6 Project.

2j. Presentation, possible action and discussion to authorize expenditure of funds for FY'12, items exempt from competitive bidding as described more fully in Texas Local Government Code, Chapter 252.022; and other expenditures for interlocal contracts or fees mandated by state law that are greater than \$50,000.

2k. Presentation, possible action, and discussion regarding a change order to the professional services contract with HDR, Inc. (Contract # 10-152) in the amount of \$76,670 for the Lick Creek Wastewater Treatment Plant Miscellaneous Improvements Project.

2l. Presentation, possible action, and discussion regarding ratification of an increase in PO 110969 to a new total of \$54,823 for repairs to the Carters Creek centrifuge, and approval of a contingency transfer from the Wastewater Operating Fund in the amount of \$28,745.

Items 2e and 2i were pulled from the Consent Agenda for clarification. They were not voted upon separately.

John Polasek, 3302 Coastal Drive, provided written comments (attached) regarding item 2e.

Judy LeUnes, with the Brazos Animal Shelter, spoke regarding item 2f to provide an update to the Council regarding the euthanasia rate and feline adoption rate. They are looking at changing how they report their rates.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action and discussion concerning approval of a professional services contract for the Improvements to the Rock Prairie Road Bridge.

At approximately 7:44 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:44 p.m.

2. Presentation, possible action, and discussion on Ordinance 2011-3371, adopting the City of College Station 2011-2012 Budget; and presentation, possible action and discussion ratifying the property tax revenue increase reflected in the budget.

Taylor Cotton, 2149 Rockcliffe Loop, an endodontist, stated he feels strongly about fluoridation, which is named as one of the top ten health recommendations. There is solid research supporting fluoridation, and is very important in the lifetime of a patient. It is very important for kids

because it is taken up systemically and over their lifetime it promotes strengthened teeth. He would like to have an opportunity to provide better data.

Jennifer Hathaway, 1719 Broadmoor, dentist for 18 years, stated she had the benefit of water fluoridation growing up in Bryan. She is the current president of the local dental society, and they endorse this as an invaluable public service. She also wants to meet with Bryan and College Station to educate the Councils. 0.4 ppm is considered suboptimal and can be supplemented with toothpaste, mouthwash, and the dentist. These supplements are not enough. She asked the Council to keep the community informed, and if fluoridation is taken out, then please let the public know so they can make the best decisions for their families.

Larry Kalke, 1109 Rock Prairie, pediatric dentist, specializes in early childhood care. One piece of the public health care puzzle is fluoridation. 0.4 ppm is not optimal. Keeping fluoridation can reduce health care costs by 50%. Dental problems are preventable.

Dr. Grant Wolfe, 2101 Texas Avenue, stated this is an educated progressive community. Fluoridation is a public health measure that benefits people of all ages. He encouraged the Council to keep fluoridation in the budget.

Bill Birdwell, 2705 Osler Blvd., practicing dentist for 36 years, said this is an issue near and dear to his heart. They have established a dental care plan for low income patients. There is no question that fluoride is important to low income kids. They are the ones drinking the tap water that is fluoridated. The Department of State Health Services recommends a minimum of 0.7 ppm. It takes \$40,000 to restore fluoridation to the budget and important to the children of the community. Staff's blog comments were sensational and inflammatory. The kids served in the area are what matter.

Karl Goldapp, 2908 Adrienne, stated that he is a water customer of College Station. He requested Council to approve the budget as presented, which includes removing fluoridation. There are high risk groups to be considered. There are no definitive studies that prove fluoridation alone does not prevent dental disease. High risk groups include formula fed infants who can exceed safe levels. The older population can accumulate high levels and are at risk for osteoporosis. Money does not need to be spent to study this any further; Fairbanks, Alaska has already done that.

Bob Slentz, 912 Trellis Gate, stated that research shows the chemical used to add fluoride is very hazardous chemical. Fluoridation is not mandated by the EPA or any other federal agency. The National Kidney Association conducted a study that shows amounts less than 0.2 ppm can be harmful. Individuals with chronic kidney disease need to be notified. Home water filters do not remove fluoride from the water. Those individuals that don't want to use fluoride have no choice. He noted that European countries do not use fluoride, and their rates of dental disease compare on an equal basis with our rates.

John Case, 2002 Indian Trail, pediatric dentist and orthodontist, stated he was here when Council voted in the 1980's to add fluoride. If this is about the budget, the safety and efficiency of fluoride has been proven. He appreciates the Council is watching every dollar, but what will it

cost the citizen for treatment, missed school and work, plus pain and disease. He agreed that it is important to get the right dose. Fluoride is a naturally occurring substance, and this has a long track record. As dentists, they'd be busier if there wasn't fluoride in water.

Sherry Ellison, 2705 Brookway Drive, stated that most citizens cannot provide or hire City services. Everyone depends on the parks and library for entertainment. She said we don't want the fees to be too high, and the City has not stopped growing. The citizens depend on the City for water, electric, and trash. Also, the Fire and Police provide an incredible service. She asked the Council to vote to ensure the budget continues to provide the City's many services. Also, she thinks fluoride is a great improvement over dentures.

Ketan Sultawala, 17290 Eagle Pass Drive, pediatric dentist, stated he sees a lot of kids with severe dental disease. This is an epidemic in our area. Dental decay has been around a long time. In 2003, the Surgeon General made a report that led to an oral health initiative. This framework was to promote prevention against tooth decay. It also talks about nutrition and applying fluoride varnish. The other component is fluoride in the water. Fluoridation provides a 20-45% reduction overall to decay.

MOTION: Upon a motion made by Councilmember Brick and a second by Mayor Berry, the City Council voted one (1) for and six (6) opposed, with Mayor Berry and Councilmembers Fields, Mooney, Lyles, Schultz, and Ruesink voting against, to restore the amount needed to continue the fluoridation program. The motion failed.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Fields, the City Council voted five (5) for and one (1) opposed, with Councilmember Schultz voting against and Councilmember Brick abstaining, to reduce the funding to the RVP to \$325,000. The motion carried.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to increase the budget for the Internal Audit Department for one additional employee. The motion carried unanimously.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Schultz, the City Council voted three (3) for and four (4) opposed, with Mayor Berry and Councilmembers Fields, Mooney, and Ruesink voting against, to add \$10,000 to the Christmas in the Park program to maintain a more decorated presence in Central Park. The motion failed.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Ordinance 2011-3371, accepting the proposed budget as amended. The motion carried.

MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to ratify the property tax revenue increase. The motion carried unanimously.

3. Presentation, possible action, and discussion on approval of Ordinance 2011-3372, adopting the City of College Station 2011-2012 ad valorem tax rate of \$0.437995 per \$100 assessed valuation, the debt service portion being \$0.201536 per \$100 assessed valuation and the operations and maintenance portion being \$0.236459 per \$100 assessed valuation.

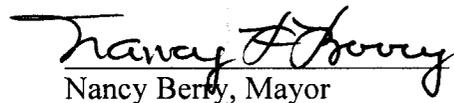
MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Lyles, the City Council voted six (6) for and none (0) opposed, with Councilmember Ruesink absent from the dais, to adopt Ordinance 2011-3372, adopting the City of College Station 2011-2012 ad valorem tax rate of \$0.437995 per \$100 assessed valuation, the debt service portion being \$0.201536 per \$100 assessed valuation and the operations and maintenance portion being \$0.236459 per \$100 assessed valuation. The motion carried.

4. Presentation, possible action, and discussion regarding Ordinance 2011-3373, amending Chapter 11, "Utilities" Section 2, "Water and Sewer Services," of the Code of Ordinances of the City of College Station, Texas having the effect of raising rates for wastewater service, with effective date of January 1, 2012.

MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Lyles, the City Council voted six (1) for and one (1) opposed, with Councilmember Fields voting against, to adopt Ordinance 2011-3373, amending Chapter 11, "Utilities" Section 2, "Water and Sewer Services," of the Code of Ordinances of the City of College Station, Texas having the effect of raising rates for wastewater service, with effective date of January 1, 2012. The motion carried.

5. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 10:03 p.m. on Thursday, September 22, 2011.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

RESOLUTION NO. 09-22-11-2d

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE PAYMENT OF TRANSMISSION SETTLEMENT CHARGES IN DOCKET 39066 OF THE PUBLIC UTILITIES COMMISSION OF TEXAS AND AUTHORIZING JOE PRATT OF THE LEGAL FIRM OF BICKERSTAFF HEATH DELGADO ACOSTA LLP TO BE THE LEGAL SIGNATORY FOR THE CITY OF COLLEGE STATION IN THE FINAL SETTLEMENT DOCUMENT.

WHEREAS, the Public Utilities Commission of Texas in Docket 39066 has determined revised transmission charges for the time period September through December 1999; and

WHEREAS, all transmission-owning utilities in the Electric Reliability Council of Texas (except San Antonio City Public Service) have agreed to the statewide transmission settlement pertaining to PUCT Docket 39066; and

WHEREAS, the City of College Station has been a party to the statewide transmission settlement pertaining to PUCT Docket 39066; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1: That the City Council hereby approves the statewide transmission settlement charges pertaining to PUCT Docket 39066 as shown in Attachment A.
- PART 2: That the City Council hereby authorizes payment of \$500,945 to the transmission-owning utilities in the Electric Reliability Council of Texas with payments to each entity as shown in Attachment A .
- PART 3: That the City Council hereby authorizes Joe Pratt of the legal firm of Bickerstaff Heath Delgado Acosta LLP to be the legal signatory for the City of College Station in the final settlement document for PUCT Docket 39066.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 22nd day of September, A.D. 2011.

ATTEST:


City Secretary

APPROVED:


MAYOR

APPROVED:


City Attorney

RESOLUTION NO. 09-22-11-2e

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE ROCK PRAIRIE ROAD BRIDGE IMPROVEMENTS.

WHEREAS, the City of College Station, Texas, solicited proposals for the design and construction phase services; and

WHEREAS, the selection of Kimley-Horn and Associates, Inc. is being recommended as the most highly qualified provider of the design and construction phase services; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1: That the City Council hereby finds that Kimley-Horn and Associates, Inc. is the most highly qualified provider of the services for Rock Prairie Road Bridge Improvements Project on the basis of demonstrated competence and qualifications.
- PART 2: That the City Council hereby approves the contract with Kimley-Horn and Associates, Inc. for an amount not to exceed \$452,900.00 for the design phase services related to the Rock Prairie Road Bridge Improvements Project.
- PART 3: That the funding for this Contract shall be as budgeted from the Streets Fund in the amount of \$452,900.00.

PART 4: That this resolution shall take effect immediately from and after its passage.

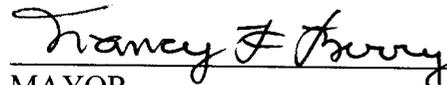
ADOPTED this 22nd day of September, A.D. 2011.

ATTEST:

APPROVED:

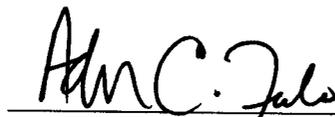


City Secretary



MAYOR

APPROVED:



City Attorney

RESOLUTION NO. 09-22-11-2e-a

RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES WITH
PROCEEDS FROM DEBT

WHEREAS, the City of College Station, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (collectively, the "Project") prior to the issuance of obligations by the City in connection with the financing of the Project from available funds;

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS THAT:

Section 1. The City reasonably expects it will incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$575,000, for the purpose of paying the aggregate costs of the Project.

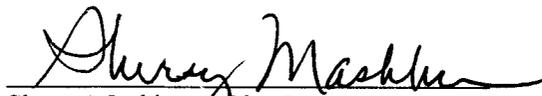
Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance of this Statement after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 22nd DAY OF SEPTEMBER, 2011.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

(Seal)

APPROVED:



McCall, Parkhurst & Horton L.L.P.
Bond Counsel

Exhibit "A"

The projects to be financed that are the subject of this Statement are:

Rock Prairie Road Bridge Improvements - environmental clearance, design, bidding, and post-engineering construction phase services oversight of improvements to the Rock Prairie Road Bridge over State Highway 6

RESOLUTION NO. 09-22-11-2f

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS AUTHORIZING ANNUAL EXPENDITURE TO THE BRAZOS ANIMAL SHELTER FOR ANIMAL SHELTER SERVICES PROVIDED TO THE CITY OF COLLEGE STATION BY THE BRAZOS ANIMAL SHELTER.

WHEREAS the City of College Station entered into an Agreement for Animal Shelter Services with the Brazos Animal Shelter on March 10, 2011.

WHEREAS Section 5 of the Agreement says the City shall pay a fee for Animal Shelter Services to be established annually by separate resolution; now, therefore,

BE IT RESOLVED by the City Council of the City of College Station, Texas:

- Part 1: That the City Council of the City of College Station authorize the expenditure for Fiscal Year 2011-2012 in the amount of \$169,512.90, to be payable in 12 equal installments of \$14,126.07.
- Part 2: That funds are budgeted and available in the Fiscal Year 2011-2012 Approved Budget in the General Fund Police Department Budget.
- Part 3: That this resolution is to be effective for the 2011-2012 Fiscal Year from October 1, 2011 – September 30, 2012.
- Part 4: The City and Brazos Animal Shelter representatives agree to meet quarterly during Fiscal Year 2011-2012 to ensure the funding level agreed upon is appropriate.
- Part 5: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 22nd day of September, A.D. 2011.

ATTEST:


City Secretary

APPROVED:


Mayor

APPROVED:


City Attorney

RESOLUTION NO. 09-22-11-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE OFFER OF SETTLEMENT BETWEEN THE CITY OF COLLEGE STATION (COLLEGE STATION) AND ETI (ENTERGY) INCLUDED IN A FILING WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC) PERTAINING TO AN EMERGENCY TRANSMISSION INTERCONNECTION WITH ENTERGY.

WHEREAS, the Governor of Texas on June 19, 2009 signed into law Senate Bill 1492 and House Bill 1831 requiring the Public Utilities Commission of Texas (PUCT) to investigate areas prone to natural disasters and to recommend solutions; and

WHEREAS, the PUCT has issued an order approving the emergency transmission interconnection between College Station and Entergy as contained in PUCT Dockets 39383 and 39382; and

WHEREAS, FERC must approve all interconnections between ERCOT and other power pools; and

WHEREAS, College Station and Entergy have negotiated an Offer of Settlement setting out the terms and conditions under which Entergy will interconnect with the City; and

WHEREAS, College Station plans to make an interconnection filing at FERC in which the Offer of Settlement between College Station and Entergy is contained; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That the City Council hereby approves the Offer of Settlement between College Station and Entergy as part of an interconnection filing with FERC.

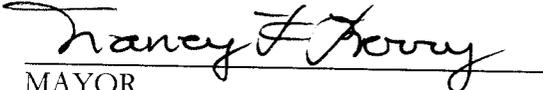
PART 2: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 22nd day of September, A.D. 2011.

ATTEST:


City Secretary

APPROVED:


MAYOR

APPROVED:

Carla A Robinson
City Attorney