

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
OCTOBER 27, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Jess Fields, arrived after roll call
Karl Mooney
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 3:00 p.m. on Thursday, October 27, 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.

Councilmembers Mooney and Ruesink reported they would be abstaining from item 2f.

2. Presentation, possible action, and discussion regarding disposal of approximately 65 acres of City-owned property located on Rock Prairie Road adjacent to Lick Creek Park.

Bob Cowell, Director of Planning and Development Services, reported on City-owned property on Rock Prairie Road. The property is 65 acres adjacent to Lick Creek Park. The City's Comprehensive Plan identifies this property as Restricted Suburban. The current zoning is

Agricultural Open. Staff is recommending a complete environmental assessment, appraisal of the property, re-zoning the property to R1-B, establish development requirement such as minimum lot size, provide for a buffer to Lick Creek Park, etc., pedestrian access to Lick Creek Park, and offer the property for sale through bid. He stated they are not recommending a minimum lot size of 8,000 square feet consistent with a R1-B zoning, but believe the lot size should compare favorably with the larger lot sizes in nearby developments.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted five (5) for and two (2) opposed, with Councilmembers Brick and Ruesink voting against, to approve the staff recommendation to initiate the re-zoning of the subject property and draft restrictions, but to consult with and keep in the loop the Lick Creek Nature Center Advisory Committee. The motion carried.

3. Presentation, possible action, and discussion regarding the 2011 Christmas at the Creek event.

Sheila Walker, Special Events Coordinator, reported on the upcoming Christmas at the Creek event. In the past 27 years, there have been more than 2.5 million visitors at the Christmas in the Park event. It has been a family tradition and free to everyone. It has a non-commercial atmosphere. 2011 will be a year of transition. The Stephen C. Beachy Central Park will have the Tower of Power and a small drive-through light display. The Wolf Pen Creek corridor will have lights, entertainment, shopping, hayrides, a live nativity scene, and Santa. Christmas in the Park outgrew Central Park many years ago. Wolf Pen Creek affords the City the opportunity to grow Christmas in the Creek as a premiere holiday festival for the Brazos Valley. There is better visibility for entertainment. They are incorporating the great elements from the past plus there will be three entertainment stages. There are better facilities and more parking. There will be an upscale art sale, gourmet food, and a gift shop at the Art Center. There will be an opportunity to expand the baking contest. There will also be some budget savings. Our Community Partners will be doing Presents with Purpose for alternative gift giving choices, and there will be an expansion of Pet Night.

Scott Hooks, with Parks and Recreation, provided greater detail on the events at both parks, detailing where everything will be. He provided information on how the parking for Wolf Pen Creek will be handled and how to access the park.

An example of the pole banners was provided. The Holiday Happening guide was also shown. These will be in the Eagle as an insert and distributed through participating merchants.

The kick off for the event will be on December 2, at 5:15 p.m. with the Mayor's reception in the Green Room.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Ruesink, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve the Christmas at the Creek event. The motion carried.

4. Presentation, possible action, and discussion regarding the Council's Strategic Plan 2012 Update.

Bob Cowell, Director of Planning and Development, updated the Council on the 2012 Strategic Plan. Work completed to date includes: the annual strategic plan workshop, budget workshops, the Council workshop update, and staff review and revision of the draft plan. The strategic plan includes the community vision, the organizational mission and core values, Council strategic initiatives, the desired outcome or goal for each initiative, strategies for each goal, performance measures, plan monitoring, and recognition of excellence. There are six initiatives noted: 1) financially sustainable city; 2) core services and infrastructure; 3) neighborhood integrity; 4) diverse growing economy; 5) improve mobility; and 6) sustainable City. Each of these initiatives had listed goals, with those needing additional discussion and Council direction highlighted in blue. Performance measures include effectiveness and workload indicators. Progress in implementing the plan will be monitored by regular reports and updates such as annual reports, a mid-year review and update, quarterly reports, the annual budget, and department business/service plans. Next steps include the adoption of the updated plan, and then begin crafting a new document - the policy action plan.

Mayor Berry requested an item to be added to initiative #5, Improve Mobility. She would like to see a mobility wayfinding system to identify points of interest.

Councilmember Fields asked to clarify the goal to support and implement green building practices under initiative #6, Sustainable City, and to have further discussion on alternative energy sources such as wind power.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to accept the strategic plan presentation with the understanding that additional workshop discussions will occur. The motion carried.

5. Council Calendar

- **November 3 Planning & Zoning Commission Meeting in Council Chambers at 6:00 p.m.**
- **November 7 Annual BICS Chamber Banquet at the CS Hilton at 6:00 p.m.**
- **November 10 City Council Workshop/Regular Meeting at 3:00 and 6:00 p.m.**

Council reviewed the Council calendar.

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 to discuss Council attendance to various boards and committees to which they are appointed.

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, BSWMA, 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 Ruesink reported that the Salamanca delegation will arrive November 14. A reception will be held at President Laughton's house on November 15. Both city councils will be invited to attend. Salamanca will be officially brought in as a sister city.

Mayor Berry reported on the RVP board meeting citing possible prospects that may be coming.

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 4:55 p.m. on Thursday, October 27, 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

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

- Legal issues regarding possible revenue sharing and legislation in bio-corridor
- Legal issues related to the sale and purchase of Chimney Hill property

- Legal issues related to the expiration of the Wolf Pen Creek Tax Increment Reinvestment Zone

C. Deliberation Regarding Personnel; to wit:

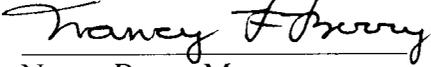
- Internal Auditor
- Council Self-Evaluation
- City Secretary

The Executive Session adjourned at 7:03 p.m. on Thursday, October 27, 2011.

No action was required from Executive Session.

9. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 10:03 p.m. on Thursday, October 27, 2011.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
OCTOBER 27, 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, Assistant 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 7:09 p.m. on Thursday, October 27, 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.

Presentations and Recognitions:

- **Proclamation recognizing the Pink Alliance Breast Cancer Support Group and proclaiming PINK OUT DAY.**

Mayor Berry read and presented the proclamation to Reba Ragsdale, Pink Alliance Board Member and seventeen-year breast cancer survivor; Cheryl Pederson, Pink Alliance Board Member; and Kaitlin Horner, Aggieland Outfitters.

- **Proclamation proclaiming November 6th, 2011 as POPPY DAY.**

Mayor Berry read and presented the proclamation to American Legion Auxiliary president, Earnestine Hanks; Second Vice President, Sherally Haskin; Historian, Mary Ruth Rosier; Sergeant at Arms, Irene Porter; and Veteran, Ron Pollard. The American Legion Auxiliary presented the Mayor with a Certificate of Appreciation.

Citizen Comments

There were no Citizen Comments.

CONSENT AGENDA

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

- **October 13, 2011 Workshop and Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding approval of the Housing Program Reconstruction Guidelines.

2c. Presentation, possible action, and discussion regarding approval of the revised Rehabilitation and Minor Home Repair Program Guidelines.

2d. Presentation, possible action, and discussion on approval of the 2011 Property Tax Roll in the amount of \$24,979,684.54.

2e. Presentation, possible action and discussion on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY 12 in the amount of \$50,240.

2f. Presentation, possible action and discussion on a funding agreement between the City of College Station and College Station Noon Lions Club for FY 12 in the amount of \$10,000.

2g. Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY12 in the amount of \$50,000.

2h. Presentation, possible action, and discussion on approving the budget of the Memorial for all Veterans of the Brazos Valley; and presentation, discussion and possible action on a funding agreement between the City of College Station and the Memorial for all Veterans of the Brazos Valley for FY12 in the amount of \$25,000.

2i. Presentation, possible action, and discussion on Resolution 10-27-11-2i, awarding bid #12-009 to Brazos Paving, Inc. in an amount not to exceed \$534,400 for the annual contract for a blanket purchase order for concrete curb, gutter and flatwork used to maintain City infrastructure.

2j. Presentation, possible action and discussion on Resolution 10-27-11-2j, stating that the City Council has reviewed and approved the City's Investment Policy, Broker-Dealer List and Investment Strategy.

Items b, c, e, f, and g were pulled for a separate vote.

MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less items b, c, e, f, and g. The motion carried unanimously.

(2b, 2c, 2e, 2g)MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Lyles, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve items 2b, 2c, 2e, and 2g. The motion carried.

(2f)MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Lyles, the City Council voted four (4) for and one (1) opposed, with Councilmember Fields voting against and Councilmembers Mooney and Ruesink abstaining, to approve item 2f. The motion carried.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion on the Annual Review of the Unified Development Ordinance (UDO) and the Annual Review of the Comprehensive Plan.

At approximately 7:42 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:43 p.m.

No action was required.

2. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3375, amending the College Station Comprehensive Plan by amending the Thoroughfare Plan for the following thoroughfares: Raintree Drive, Birkdale Drive, Corsair Drive, Deacon Drive, Dartmouth Drive, F.M. 60, on-grade railroad crossing at Southwest Parkway and Wellborn Road.

At approximately 8:16 p.m., Mayor Berry opened the Public Hearing.

Don Jones, 804 Berry Creek, representing one of the landowners, reported that the request goes back to the mid-90's. Union Pacific refuses to build a grade crossing at Southwest Parkway and Wellborn Road. The cost to do a grade-separated crossing increases the construction costs, which would be borne by a combination of landowners and the City, not TXDOT. This would also result in an unsightly infrastructure.

There being no further comments, the Public Hearing was closed at 8:19 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2011-3375, amending the College Station Comprehensive Plan by amending the Thoroughfare Plan for the following thoroughfares: Raintree Drive, Birkdale Drive, Corsair Drive, Deacon Drive, Dartmouth Drive, F.M. 60, on-grade railroad crossing at Southwest Parkway and Wellborn Road. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3376, amending the College Station Comprehensive Plan Chapter 2 "Community Character" by amending the text and concept map regarding the expansion of Growth Area IVY Growth Area V, and the Land Use designation change of the Richards Subdivision area.

At approximately 9:06 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:06 p.m.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2011-3376, amending the College Station Comprehensive Plan Chapter 2 "Community Character" by amending the text and concept map regarding the expansion of Growth Area IVY Growth Area V, and the Land Use designation change of the Richards Subdivision area. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3377, amending Code of Ordinance Chapter 7 "Heath and Sanitation" Section 5 "Food Establishments."

At approximately 8:58 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:58 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to adopt Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3377, amending Code of Ordinance Chapter 7 "Health and Sanitation" Section 5 "Food Establishments." The motion carried unanimously.

5. Presentation, possible action, and discussion regarding Resolution 10-27-11-2, approving and setting user fees for the Parks and Recreation Department's 2012 programs and facilities.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Brick, the City Council voted seven (7) for and none (0) opposed, to adopt Resolution 10-27-11-

2, approving and setting user fees for the Parks and Recreation Department's 2012 programs and facilities. The motion carried unanimously.

6. Presentation, possible action and discussion regarding the appointment to the Board of Directors for the Brazos County Appraisal District.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to re-appoint Ronald Kaiser. The motion carried unanimously.

7. Presentation, possible action, and discussion on appointments to the Brazos Valley Animal Shelter Board.

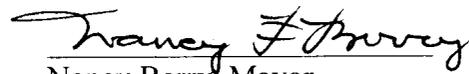
MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Lyles, the City Council voted seven (7) for and none (0) opposed, to postpone this item to the next meeting and to accept Judy LeUnes' resignation. The motion carried unanimously.

8. Presentation, possible action, and discussion regarding appointments to the Brazos Valley Solid Waste Management Agency Board of Directors.

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 appoint Karl Mooney and Steve Beachy. The motion carried unanimously.

9. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:36 p.m. on Thursday, October 27, 2011.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

RESOLUTION NO. 10-27-11-2i

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE ANNUAL CURB, GUTTER AND FLATWORK REPAIR PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Annual Curb, Gutter and Flatwork Repair Project; and

WHEREAS, the selection of Brazos Paving, Inc. is being recommended as the lowest responsible bidder for the construction services related to the Annual Curb, Gutter and Flatwork Repair Project; 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 Brazos Paving, Inc. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Brazos Paving, Inc. for \$534,400.00 for the labor, materials and equipment required for the improvements related the Annual Curb, Gutter and Flatwork Repair Project.

PART 3: That the funding for this Contract shall be as budgeted from the General, Drainage and Utility Funds, Street, Drainage, Water and Wastewater Divisions, in the amount of \$534,400.00.

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

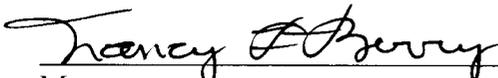
ADOPTED this 27th day of October, 2011.

ATTEST:

APPROVED:

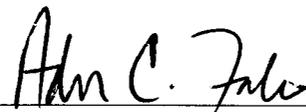


City Secretary



Mayor

APPROVED:



City Attorney

RESOLUTION NO. 10-27-11-2j

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE CITY'S INVESTMENT POLICY, BROKER/DEALER LIST AND INVESTMENT STRATEGY FOR FISCAL YEAR 2012 AND AUTHORIZING ITS IMPLEMENTATION.

WHEREAS, the goal of the City of College Station is to create an Investment Policy to insure the safety of all funds entrusted to the City, while making available those funds for the payment of all necessary obligations of the City, and providing for the investment of all funds not immediately required in interest bearing securities; and

WHEREAS, the safety of the principal invested shall always be the primary concern of the City of College Station; and

WHEREAS, the management of monies in order to insure maximum cash availability and maximum yields on a short term investment is a primary goal of the City of College Station; and

WHEREAS, the Investment Policy for Fiscal Year 2012 designates the Chief Financial Officer or his Designee as the Investment Officer of the City and authorizes the Investment Officer to carry out the responsibilities of investing the City's funds; and

WHEREAS, the Investment Policy for Fiscal Year 2012 contains the City's Collateral Policy as required pursuant to Texas Government Code, Chapter 2257.

WHEREAS, the City Council of the City of College Station has reviewed the City's Investment Policy for Fiscal Year 2012, Broker/Dealer List for Fiscal Year 2012 and the City's Investment Strategy for Fiscal Year 2012; 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 City's Investment Policy, Broker/Dealer List and the Investment Strategy for Fiscal Year 2012.

PART 2: That the City Council hereby approves the designation of the Chief Financial Officer or his Designee as the Investment Officer of the City and authorizes the Investment Officer to carry out the responsibilities of investing the City's funds consistent with the City's Investment Policy.

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 27th day of October, A.D. 2011.

ATTEST:


City Secretary

APPROVED:


Mayor

APPROVED:


City Attorney

RESOLUTION NO. 10-27-11-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING AND SETTING FEES FOR THE PARKS AND RECREATION DEPARTMENT'S PROGRAMS AND FACILITIES FOR CALENDAR YEAR 2012.

WHEREAS, the proposed fees for Parks and Recreation programs and facilities for Calendar Year 2012 are consistent with the adopted fiscal and budgetary policy; now, therefore,

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

PART 1: That the City Council hereby approves and adopts the Parks and Recreation Department proposed fees for programs and facilities; and

PART 2: That the fees shall take effect for programs and facilities beginning January 1, 2012.

ADOPTED this 27th day of October, 2011.

ATTEST:

APPROVED:

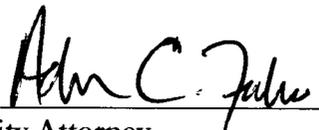


City Secretary



Mayor

APPROVED:



City Attorney