

MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
DECEMBER 18, 2012

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields, absent  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

David Neeley, City Manager  
Kathy Merrill, Deputy City Manager  
Frank Simpson, Deputy City Manager  
Carla Robinson, City Attorney  
Sherry Mashburn, City Secretary

**1. Call to Order and Announce a Quorum is Present**

With a quorum present, the Special Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 2:14 p.m. on Tuesday, December 18, 2012 in the College Station Utility Services Training Center, 1603 Graham Road, College Station, Texas 77842.

**2. Presentation, possible action, and discussion regarding the City's State Legislative Plan for the 83<sup>rd</sup> Legislature.**

Jason Stuebe, Assistant to the City Manager, presented the 2013 State Legislative Plan. The purpose is to influence legislation at the state level that may impact the city. The plan covers five primary areas: general administration, economic development, law enforcement, public utilities and infrastructure, and parks and recreation.

General administration will cover election law (monitor the modification of election laws including proposals related to Senate Bill 100 and support or oppose as necessary), open meetings and open records law (support only changes to the open meetings and records

requirements that do not increase the burden on cities to comply), annexation (oppose legislation that restricts current annexation law), appraisal and revenue caps (oppose legislation that imposes revenue or appraisal caps, limiting the City's ability to raise and collect the necessary revenue to provide services), municipal authority (oppose legislation that diminishes municipal authority, including the ability to enact and enforce ordinances and restrict zoning authority), unfunded mandates (oppose legislation with unfunded mandates), vital statistics and records (oppose legislation that consolidates local registrar functions and erodes local control), newspaper notices (support legislation that allows municipalities to rely more on posting notices online), the Texas Windstorm Insurance Amendment (oppose legislation creating a statewide disaster pool), and payday lending regulation (support legislation stopping usurious lending by payday and auto title lenders).

The City positions on economic development will be to support: locally initiated legislation for economic development purposes, legislation that promotes economic development opportunities through the expansion of state economic development funds, and legislation beneficial to TAMU and Blinn College. The City will oppose attempts to restrict the use of economic development tools such as tax abatement and/or TIRZ's.

On Law Enforcement issues, the City will monitor and likely support many initiatives proposed by the Texas Police Chiefs Association.

For Public Utilities and Infrastructure issues, as they relate to Water/Wastewater, the City will monitor and support legislation that protects our ability to provide an adequate water supply, promote water conservation, and maintain local authority. The City will also support legislation pertaining to the State Water Plan as long as it does not create any unnecessary burdens for local governments or water systems.

Intergovernmental partners include TML, The Bryan/College Station Chamber of Commerce, Blinn College, and the City of Bryan. Staff will provide regular updates as the session progresses.

**MOTION:** Upon a motion by Councilmember Mooney, and a second by Councilmember Schultz, the Council voted six (6) for and none (0) against, to approve the City's State Legislative Plan for the 83<sup>rd</sup> Legislature as presented. The motion carried unanimously.

### **3. Presentation, possible action, and discussion regarding options and enhancements for the Utility Dispatch outage reporting and tracking system.**

Tim Crabb, Interim Director of Electric Utilities, reported on the proposed Utility Dispatch Phone System Upgrade. The current system was installed in 2001. It has been updated, but not upgraded. It was designed with fourteen phone lines coming in. The customer's phone number is used for identification. The system is only turned on for large outages. The current cost is \$5,000/year for OMS support, but the hardware is out of date. A system our size needs at least forty-eight phone lines. Automatic data information for all outages is not available, and phone number identification only works on 15%-20% of the customers. The lack of use on a daily basis has created issues when it is needed.

The first issue is to be able to identify the customers. He reiterated that only 15%-20% can be identified by phone number. Also, street addresses have too many variables. 80% of customers can be identified by the system if we go to using the Account Number for identification. The customer will need to be educated on using Account Number when calling in.

Three options were presented. Option 1 is to update the current system. Cost for the first year is \$19,800 including training. Every year after that is \$10,500 for support and maintenance plus maintain fourteen lines on the CISCO system.

Option 2 is to purchase new equipment and software (new lines, voice recognition, caller ID, Text to Speech), training for dispatchers, a new direct line to serve 48 vs 14 lines, and the ability to turn on and turn off as needed. The first year cost is \$122,500 including training. Every year after that is \$39,000 for support, phone lines and maintenance.

Option 3 is a Hosted Call Center (the Cloud). It has the same benefits as the new IVR system. Training for dispatchers is on OMS, but not IVR. Unlimited number of lines will be available. It would always be on, and all outage data would be collected. A new 800 number would be required to call in to Dispatch. The first year cost is \$29,000 including training. Every year after that is \$14,800 for calls, support, and maintenance.

**MOTION:** Upon a motion by Councilmember Benham, and a second by Councilmember Mooney, the Council voted six (6) for and none (0) against, to approve Option 3. The motion carried unanimously.

**4. Presentation, possible action, and discussion of information about payday and auto title lending businesses, as well as efforts other cities are undertaking to bring about regulation of this industry.**

Alison Prince, Vice President Community Impact, United Way of the Brazos Valley, spoke on financial stability committee and payday and auto title lending activities. She requested Council support for a resolution that will be coming before the Council at the January 10 meeting. The resolution requests the State Legislature and Governor to take action to stop usurious lending by payday and auto title lending activities that exploit economically vulnerable College Station citizens. Payday loans are small cash advances, with two-week loan terms. It is unsecured, but a postdated check is required. With an auto title loan, the car title is used as collateral. It has a one month loan term. If the borrower defaults, the lender can take the car. These types of loans create a cycle of debt wherein high fees are paid month after month. From January 2012 – June 2012, there were 14,000 payday loans in Bryan/College Station, and \$1.3 million in fees alone were paid. 101 vehicles were repossessed.

**5. Presentation, possible action, and discussion regarding approval of an engagement letter between the City of College Station and Allen Boone Humphries Robinson, LLP in the amount of \$105,000 to provide services to the City in connection with the creation of two municipal management districts related to the Medical District and authorizing the City Manager to execute the engagement letter on behalf of the City Council.**

This item was pulled from the agenda, was not discussed and no action taken.

**6. Presentation, possible action, and discussion regarding an amendment to the Interlocal Cooperation and Joint Development Agreement for the Joint Research Valley BioCorridor Development Project.**

Frank Simpson, Deputy City Manager, noted this was to clarify the original intent of the Agreement. City Attorney Carla Robinson reported that the City of Bryan City Council has already approved this amendment.

**MOTION:** Upon a motion by Councilmember Schultz, and a second by Councilmember Nichols, the Council voted six (6) for and none (0) against, to approve the amendment to the Interlocal Cooperation and Joint Development Agreement for the Joint Research Valley BioCorridor Development Project. The motion carried unanimously.

**7. Presentation, possible action and discussion regarding Year-end budget savings distribution to eligible employees.**

**MOTION:** Upon a motion by Councilmember Nichols and a second by Councilmember Schultz, the Council voted six (6) for and none (0) against, to approve the year-end budget savings distribution to eligible employees. The motion carried unanimously.

**8. Presentation, possible action, and discussion regarding Resolution 12-18-12-08, creating a City Council Economic Development Committee; Resolution 12-18-12-08a, creating a Budget and Finance Committee; Resolution 12-18-12-08b, creating a Compensation and Benefits Committee; and Resolution 12-18-12-08c, creating a Transportation and Mobility Committee.**

**MOTION:** Upon a motion by Councilmember Brick, and a second by Councilmember Mooney, the Council voted six (6) for and none (0) against, to adopt Resolution 12-18-12-08, creating a City Council Economic Development Committee; Resolution 12-18-12-08a, creating a Budget and Finance Committee; Resolution 12-18-12-08b, creating a Compensation and Benefits Committee; and Resolution 12-18-12-08c, creating a Transportation and Mobility Committee. The motion carried unanimously.

**9. Presentation, possible action, and discussion regarding the appointment of Councilmembers to boards and commissions.**

**MOTION:** Upon a motion by Councilmember Mooney, and a second by Councilmember Benham, the Council voted six (6) for and none (0) against, to make the following appointments to external committees and the newly created internal committees:

- Brazos County Health Department: John Nichols, Blanche Brick
- Intergovernmental Council: Karl Mooney
- Economic Development: Karl Mooney, Julie Schultz
- Budget and Finance: John Nichols, James Benham

- Compensation and Benefits. Blanche Brick, Julie Schultz
- Transportation and Mobility: Blanche Brick, John Nichols

The motion carried unanimously.

## **10. Executive Session**

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.072-Real Estate; and §551.087-Economic Development Negotiations, the College Station City Council convened into Executive Session at 3:55 p.m. on Tuesday, December 18, 2012 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
- Chavers v. Randall Hall et al, Case No. 10 CV -3922; Thomas Chavers et al. v. Kalinec Towing Company, Inc. et al, Cause Number 201237978, In the 270 District Court of Harris County, Texas.
- College Station v. Star Insurance Co., Civil Action No. 4:11-CV-02023
- Shirley Maguire and Holly Maguire vs. City of College Station, Cause No. 11-002516-CV-272, in the 272<sup>nd</sup> District Court of Brazos County, Texas
- Patricia Kahlden, individ. and as rep. of the Estate of Lillie May Williams Bayless v. Laura Sue Streigler, City of College Station and James Steven Elkins, No. 11-003172-CV-272, in the 272<sup>nd</sup> District Court of Brazos County, Tx.
- Claim and potential litigation related to a June 24, 2011 collision with a city vehicle.
- State v. Carol Arnold, Cause Number 11-02697-CRF-85, in the 85<sup>th</sup> District Court, Brazos County, Texas

B. Deliberation on the deliberate the purchase, exchange, lease or value of real property; to wit:

- Property located generally in the area north of University Drive, east of Agronomy Road, and west of Wellborn Road.

C. Deliberation on economic development negotiations regarding an offer of financial or other incentives for a business prospect; to wit:

- Discuss economic development incentive negotiations with TAMU
- Economic Development prospect in the Biocorridor

The Executive Session adjourned at 4:37 p.m. on Tuesday, December 18, 2012.

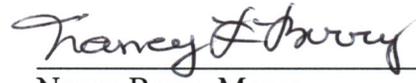
## **11. Action on Executive Session.**

**MOTION:** Upon a motion by Councilmember Brick, and a second by Councilmember Schultz, the Council voted six (6) for and none (0) against, to approve the settlement of Maguire vs. City of College Station in an amount not to exceed \$130,000 and to authorize the City Manager to

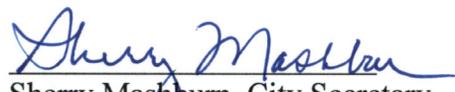
execute any documents necessary for the settlement on behalf of the City. The motion carried unanimously.

**12. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the Special Meeting of the College Station City Council at 4:38 p.m. on Tuesday, December 8, 2012.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary



CITY OF COLLEGE STATION  
Home of Texas A&M University

College Station City Council Special Agenda  
**Sign In Sheet**  
Thursday, December 18, 2012 at 2:00 p.m.  
City Hall Council Chamber

**Mayor**  
Nancy Berry  
**Mayor Pro Tem**  
Karl Mooney  
**City Manager**  
David Neeley

**Council Members**  
Blanche Brick  
Jess Fields  
John Nichols  
Julie Schultz  
James Benham

	Name	Address	Email or Phone No.
1.	Alison Prince - United Way	909 E Southwest Pkwy	aprince@uwv.org
2.	Tara Lazaro - United Way + BUCAA	909 E. Southwest Pkwy	ida@bucaa.org
3.	Paul Turney, BVAHC/W.W.	4021 E. 29th, Bryan	pturney@bvahc.org
4.	Chris Vlahos	2800 S. Texas Ave	979 450 9462
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**\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.**