

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
MAY 14, 2012

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, Deputy City Manager  
Frank Simpson, Deputy City Manager  
Carla Robinson, City Attorney  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**1. 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 5:02 p.m. on Monday, May 14, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**2. 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 5:02 p.m. on Monday, May 14, 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 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
- Shirley Maguire and Holly Maguire vs. City of College Station, Cause No. 11-0025 16-CV-272, in the 272nd District Court of Brazos County, Texas
- Tracy Lynn Sheets, City of College Station (Intervener) v. Get Lucky. L.L.C. d/b/a Lux Nightclub and Alex Taylor Ford

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

- Legal Advice regarding posting for events under the Open Meetings Act
- Legal issues related to the Brazos Valley Groundwater Conservation District

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

- Council Self-evaluation

The Executive Session adjourned at 6:00 p.m. on Monday, May 14, 2012.

### **3. Take action, if any, on Executive Session.**

No action was required from Executive Session.

### **4. Presentation proclaiming May as National Bike Month.**

Mayor Berry presented Marcy Halterman-Cox, with the Bicycle, Pedestrian and Greenways Advisory Committee with a proclamation proclaiming May as National Bike Month.

### **5. Presentation, possible action, and discussion on items listed on the consent agenda.**

Items 2b and 2c were pulled for additional clarification.

**2b:** Debbie Eller, Community Development Manager, explained that because we receive federal funds, we must make an effort to provide jobs to low income persons. When we contract for a construction project, we ask that contractor to make jobs available to low income persons who are qualified for that position. The contractors are not required to be Section 3 contractors; they are only required to abide by the law. We report those hires to HUD.

**2c:** Ben Roper, Director of Information Technology, reported no action was taken on the draft BVWACS budget because there was no super majority present. Board members were requested to take the proposed draft budget back to their respective governing bodies for consideration. The budget will still need to be approved by the governing board.

## **6. Presentation, possible action, and discussion on updates to the Strategic Plan and Budget processes.**

Bob Cowell, Executive Director of Planning and Development Services, provided an update on strategic plan items requiring additional council discussion, an update on the status of plan implementation, and an overview of the linkage between the strategic plan and FY13 budget development. Strategies warranting further discussion include diversification of economy, neighborhood parking issues, the capital plan, utility rates and tax rate, sustainability, street operations and maintenance, and becoming the employer of choice. In June, there will be final adjustments to the strategic plan, followed by the completion of the capital budget and the CMO proposed budget. Utility rates and tax rates will be discussed in August/September.

Jeff Kersten, Executive Director of Fiscal Services, reported that staff strives to prepare a balanced budget that meets the Council's strategic priorities and meets basic service levels within our available resources. The budget is a tool to position the City to meet its future needs with limited resources. The proposed budget calendar is:

- May 13 – Council Budget Process presentation
- June – Council strategic planning
- August 23 – Budget Public Hearing
- September 13<sup>th</sup> - Budget/Tax Rate Adoption
- Budget must be adopted by September 27.

Our current conditions indicate a moderate economic growth, moderate growth in sales tax, and property value growth is projected to be minimal. Key general fund revenues are broken down:

- Sales Tax 37.5%
- Property Tax 25.1%
- Utility Transfer 18.5%
- All other revenues 18.9%.

Existing property values are estimated to be fairly flat, and the final values will be certified by July 25. As for sales tax, FY12 is 5.53% above our estimate, and positive growth has been seen this last year. For FY13, a 2% growth in sales tax revenue is projected.

Mr. Kersten briefly discussed the budget reductions over the past few years. He stated that the budget policy will provide parameters for budget preparation. The budget will be prepared based upon the existing tax rate. He also discussed the Utility Transfer Policy and noted that future increases are based on higher electric sales. The fund balance policy has the General Fund and the Utility Fund at 15%.

FY13 budget issues include modest revenue increases, continuing electric transfer reduction, demand for services will continue, and additional General Fund reductions are needed to stay balanced. In order to identify potential budget reductions, we must evaluate service level impacts. Pay and benefits are the largest component of the operating budget. Formation of a Council Committee to review this component may be an option.

Our next steps are to monitor economic conditions, monitor revenues, identify service priorities, reduce expenditures as necessary, and to prepare the proposed budget and identify key budget decisions.

The workshop was recessed at 7:01 p.m. so that the Regular Meeting could begin on time.

Council reconvened the workshop at 8:44 p.m.

Council consensus for budget meetings dates was August 16 and 17 from 2:00 – 5:00 p.m. and on the 20th and 21st from 4:00 – 7:00 p.m. August 22 or 24 could be contingent dates.

## **7. Council Calendar**

- **May 15 Ribbon Cutting Ceremony - Reclaimed Water Program, 10:00 a.m.**
- **May 17 BCS Chamber of Commerce - Business After Hours at Benjamin Knox Gallery, 5:30 p.m.**
- **May 17 P&Z Workshop/Meeting in Council Chambers at 6:00 p.m. (Blanche Brick, Liaison)**
- **May 21 Intergovernmental Committee Meetings at noon.**
- **May 22 Special Council Workshop on Transportation at Carters Creek WWTP Training Room, 3:00 p.m. to 7:00 p.m.**
- **May 24 City Council Executive/Workshop/Regular Meeting at 5:00, 6:00 and 7:00 p.m.**

Council reviewed 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.**

There were no requests for future agenda items.

**9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of the Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Bryan/College Station Chamber of Commerce, BVSWMMA, BVWACS, Cemetery Committee, Code Review Committee, Convention & Visitors Bureau, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Neighborhood Parking Taskforce, Joint Relief Funding Review Committee, Landmark Commission, Library Board, 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 four or five persons will be leaving Monday for Salamanca, our Sister City. On May 31, there will be a membership meeting.

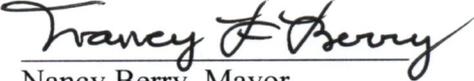
Councilmember Mooney reported on the CVB.

Councilmember Brick reported on the Bicycle, Pedestrian and Greenways Committee. They have concerns regarding funding on the Lick Creek Trail.

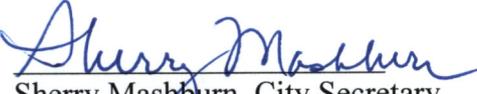
Mayor Berry reported on the Chamber of Commerce trip to Washington, D.C.

**10. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 9:04 p.m. on Monday, May 14, 2012.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
MAY 14, 2012

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 Neeley, City Manager  
Kathy Merrill, Deputy City Manager  
Frank Simpson, Deputy 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 7:01 p.m. on Monday, May 14, 2012 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**

Teri Gerst, 3923 Hawk Owl Cove, read a statement, attached.

Avery Pavliska, 1700 Purple Martin Cove, read a statement, attached.

Melanie Landis, 3929 Hawk Owl Cove, read a statement, attached.

Gary Ives, 3943 Blue Jay Court, read a statement, attached. He also provided the Council with a packet of information from the Springbrook Homeowners Association, including the ballot information packet sent to the homeowners, the ballot results sent to the homeowners, and questions related to street route options sent to City staff.

Mike Gerst, 3923 Hawk Owl Cove, read a statement, attached.

Karen Fawcett, 3905 Hawk Owl Cove, said she was excited about a new trail in Lick Creek Park. Driving to the park is not convenient. To do this, the neighborhood has to donate the right-of-way. An election was held and passed by almost 60% of the homeowners. But now a vocal minority has come forward to protest the trail.

Cecilia Yip, 1715 Cardinal Lane, stated her opposition to the proposed trail in the residential area. There are four other options available. This will create a safety issue for the homes along the trail, as well as those utilizing the trail. If a trail is built along the creek, there are problems with floods and other safety issues. She asked why her neighbor has the right to say who can come by her backyard. Also, she asked who will clean the litter in the creek.

Ken Tripp, 2924 Cain Road, spoke about the water park in the Barracks. He said there was a problem with water over Cain Road. The engineering in Barracks #2 is faulty. They need drainage relief there.

William Hauck, 3930 Hawk Owl, spoke about his concerns with the safety issues with the Lick Creek Trail. If someone falls ill while on the trail, what is the accessibility for emergency personnel to transport someone out. He asked for a moratorium because this is poorly planned.

## **CONSENT AGENDA**

### **2a. Presentation, possible action, and discussion of Minutes for:**

- **April 26, 2012 Workshop**
- **April 26, 2012 Regular Council Meeting**

### **2b. Presentation, possible action, and discussion regarding Resolution 05-14-12-2b, adopting Section 3 Plan Implementation Plan and Administrative Guide to comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3.**

### **2c. Presentation, possible action, and discussion regarding approval of the Brazos Valley Wide Area Communications System (BVWACS) Operating Budget for FY13 and authorizing the City's quarterly payments of approximately \$52,976 for an annual total of \$211,904.**

### **2d. Presentation, possible action, and discussion regarding participation in Intergovernmental Cooperative Purchasing Agreements with National Intergovernmental Purchasing Alliance (NIPA), National Joint Powers Alliance (NJPA) and U.S. Communities**

**Government Purchasing Alliance (U.S. Communities) and authorize the Executive Director of Business Services to apply for membership online on their website(s).**

**2e. Presentation, possible action, and discussion regarding the second renewal of bid #11-69 to Knife River to provide a six month agreement for the purchase of Type D Hot Mix Asphalt for the maintenance of streets in an amount not to exceed \$630,000 (\$63.00 per ton), and authorizing the City Manager to execute the renewal agreement on behalf of the City Council.**

Item 2b was pulled for a separate vote.

**MOTION:** Upon a motion made by Councilmember Lyles and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, with Councilmember Ruesink absent from the dais, to approve the Consent Agenda, less item 2b. The motion carried unanimously.

**(2b)MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted two (2) for and four (4) opposed, with Mayor Berry and Councilmembers Brick, Lyles and Schultz voting against, and Councilmember Ruesink absent from the dais, to postpone this item for a full workshop discussion. The motion failed.

**(2b)MOTION:** Upon a motion made by Councilmember Schultz and a second by Councilmember Lyles, the City Council voted five (5) for and two (2) opposed, with Councilmembers Fields and Mooney voting against, to adopt Resolution 05-14-12-2b, adopting Section 3 Plan Implementation Plan and Administrative Guide to comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3. The motion carried.

## **REGULAR AGENDA**

### **1. Presentation, possible action, and discussion regarding the annual report of the Youth Advisory Council.**

The City Council accepted the annual report of the Youth Advisory Council as presented by Emily Ryan, a senior at A&M Consolidated.

### **2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3415, vacating and abandoning a 0.1444 acre, 20-foot wide public utility easement recorded in Volume 2163, Pages 223-225, of the Official Records of Brazos County, Texas, and located along the southwest property line of a parcel of land situated in the J.E. Scott League, Abstract No. 50, and being an 0.986 acre tract as described by warranty deed recorded in volume 7609, page 150 of the Official Records of Brazos County, Texas.**

At approximately 7:43 p.m. Mayor Berry opened the Public Hearing.

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

**MOTION:** Upon a motion made by Councilmember Schultz and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2012-3415, vacating and abandoning a 0.1444 acre, 20-foot wide public utility easement recorded in Volume 2163, Pages 223-225, of the Official Records of Brazos County, Texas, and located along the southwest property line of a parcel of land situated in the J.E. Scott League, Abstract No. 50, and being an 0.986 acre tract as described by warranty deed recorded in volume 7609, page 150 of the Official Records of Brazos County, Texas. The motion carried unanimously.

**3. Presentation, and discussion regarding a proposed ordinance amending Chapter 11, "Utilities" Section 11-1, "General Provisions", sections B-D and K of the Code of Ordinances of the City of College Station, Texas, having the effect of raising utility deposit amounts for residential utility customers and raising the delinquent fee amount for commercial customers.**

Jeff Kersten, Executive Director of Fiscal Services, reported there has been an increase in write-offs due to non-payment of utility bills, and all good-paying customers pay for these write-offs. Currently, deposits are only required on late accounts, and staff is recommending changes to the deposit amounts. Additionally, the current disconnect/reconnect fee does not cover the cost of the disconnect/reconnect service, and staff is proposing a change in that as well to cover the cost of the service. These changes will reduce write-offs, which have been increasing. Implementation will be focused on new customers and high-risk accounts. Staff will also work toward educating customers on the changes.

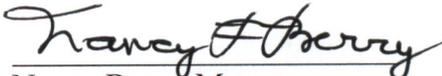
Council directed staff to draft an ordinance in incorporating these revisions for the Council's consideration at the May 24 meeting.

**4. Presentation, possible action and discussion regarding a recommendation for revision to the Naming Policy for City Facilities and Sub-facilities.**

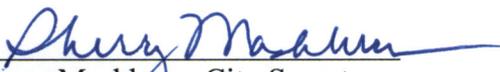
**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to postpone this item until the May 24 meeting with clarifying language. The motion carried unanimously.

**5. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:44 p.m. on Monday, May 14, 2012.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary

RESOLUTION NO. 05-14-12-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ADOPTING THE SECTION 3 IMPLEMENTATION PLAN AND ADMINISTRATIVE GUIDE TO COMPLY WITH 24 CFR, PART 135 OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 3**

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C 1701u)(Section3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds, and

WHEREAS, Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, the City of College Station has developed a Section 3 Implementation Plan and Administrative Guide in adherence to 24 CFR, Part 135 that more comprehensively addresses the standards and procedures prescribed in the Act; now, therefore,

BE IT RESOLVED by the City Council of the City of College Station, Texas authorizes the adoption and implementation of the Section 3 Implementation Plan and Administrative Guide to ensure compliance with Federal Law.

ADOPTED this 14<sup>th</sup> day of May, A.D. 2012.

ATTEST:

Sherry Maskell  
City Secretary

APPROVED:

Tracy T. Brown  
Mayor

APPROVED:

Alan C. Fales  
City Attorney



CITY OF COLLEGE STATION  
Home of Texas A&M University\*

College Station City Council Workshop Agenda

Sign In Sheet

Monday, May 14, 2012 at 5:00 p.m.

City Hall Council Chamber

Council Members

Blanche Brick

Jess Fields

Karl Mooney

Katy-Marie Lyles

Julie Schultz

Mayor

Nancy Berry

Mayor Pro Tem

David Ruesink

City Manager

David Neeley

	Name	Address	Email or Phone No.
1.	Cecilia Phip	1915 Cardinal Ln. C.S. TX 77845	ceciliatamy@gmail.com
2.	Mike Gruet	3923 Hawk Owl Cove CS	979-690-9125
3.	Teri Gruet	"	tgerst@suddenlink.net
4.	SARAH Dempsey	3915 Puffin Way	979-690-8063
5.	Kay McCulloch	3910 Pussin Way	979-690-9265
6.	Avery Pavliska	1700 Purple Martin Ct.	979-690-3905
7.	Karen Fawcett	3905 Hawk Owl Cove CS 77845	979-690-3038
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

\*\*\*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.



CITY OF COLLEGE STATION  
Home of Texas A&M University\*

# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 5/14/12  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Teri Genst Phone: 979-690-9125

Address: 3923 Hawk Owl Cove

Email: tgerst@suddenlink.net Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

## FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

## FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING  
*(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.)*
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. *(Time cannot be transferred to another speaker.)*

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

## MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station  
City Secretary's Office – City Hall  
1101 Texas Avenue, College Station, Texas 77840  
Fax: 979-764-6377  
Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

1

Teri Gerst, 3923 Hawk Owl Cove

Common sense means paying attention to the obvious.

When we purchased our home in the SpringBrook Subdivision, it made sense that we would pay more for the privilege of living along the quiet, private, natural beauty of a wooded area behind our home. It also made sense that we would pay higher property taxes for that privilege.

When we learned that this wooded greenbelt was privately owned by the SpringBrook Homeowners Association (SHOA) with a covenant in the Bylaws stating it would be maintained in a “natural state,” never to be developed or maintained by the City, it made sense to close the deal.

Since then, the following have not made sense:

- that our private property suddenly appeared on a public bond issue without notification to our homeowners
- that the City rushed us through our fact-gathering process, requiring us to make a decision without a commitment to a design plan
- that the City hired a consultant to perform a feasibility study on four possible routes through our neighborhood and then ignored all but the route through our greenbelt
- when the City’s catastrophic description of the dismantling of existing sidewalks, bike lanes, and beautiful greenery that are widely used in our neighborhood, created such an alarm to the point of causing serious dissension between homeowners
- when the City proclaimed that they would leave the Pebble Creek Parkway portion as is, even though it has similar infrastructure as SpringBrook. But for some reason our neighborhood streets must be met with bulldozers!
- for the City to spend millions of dollars destroying hundreds of naturally occurring trees to build a concrete path and then spend more money on replanting trees!
- when our HOA voting process suddenly turned ugly and one-sided driven by the SHOA Board’s list serve censorship, withholding of critical information from the membership, and using a legally questionable ballot.

What does make sense is this:

- for the City to focus its efforts on Segment B East of Hwy 6 which contains no housing developments, and which would be ideal for showcasing a number of nature and recreational trail design elements, thereby setting apart the City of College Station in innovation of trail-to-street and street-to-road connectivity to the new area high school and elementary schools.

If common sense means to pay attention to the obvious, we suggest the following:

- **SAVE** money by utilizing the already existing and widely-used multi-use hike and bike pathways that have pleasing qualities for all users.
- **SAVE** trees by not cutting down more than is necessary to accomplish the end goal of connectivity throughout the city.
- **MINIMIZE** construction and maintenance costs by limiting the project scope to Segment B.
- **SERVE** your citizens by considering friendly alternatives offered in this project that are protective of all homeowners impacted.
- **DECLINE** the dedication offer of this property.



CITY OF COLLEGE STATION  
Home of Texas A&M University\*

# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 5/14/12  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Avery Pavliska Phone: 979-690-3905

Address: 1700 Purple Martin Cove

Email: apavliska@tamv.edu Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

## FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

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OFFICE USE ONLY:  
(# in which received)

2

Avery Pavliska  
1700 Purple Martin Cove

In 2006, my husband and I purchased our very first home at 1700 Purple Martin Cove bright-eyed and excited about our future. We were expecting our first born and embarking on our journey of home ownership and parenthood at the same time.

When our realtor showed us the home, we fell in love immediately. It was—and is—a piece, our piece, of heaven! We are at the beginning of the cul-de-sac, wooded on all sides but for one next door neighbor. When we were told that this wooded area was privately owned by the HOA and would never be developed or changed, we offered full asking price and closed just a few months later.

Now, 6 years and two boys later, ages 5 and 2 ½ years old, we love our little piece of heaven just the same. Our boys, like most little boys, love the outdoors. They are outside looking for bugs, frogs, and flowers most days. Our home sits adjacent to the area that has been labeled as a “secondary entrance” by the project. I fear, that if developed—and 25-foot wide lanes carved out—our piece of heaven disappears. I see our beautiful view, our privacy, and my boys’ safety disappearing along with all those trees.

We live in a great neighborhood with bike lanes, nice homes, good schools, connective sidewalks, and most importantly an 18-acre natural greenbelt with everything two little boys love and this wide-eyed expectant mother bought into 6 years ago.

Please do not destroy it. It doesn’t make sense.



CITY OF COLLEGE STATION  
Home of Texas A&M University\*

# CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 5/14/12  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Melanie Landis Phone: 979-690-1649

Address: 3929 Hawk Owl Cove

Email: melanie.landis@blinn.edu Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

## FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

3

Speaker: Melanie Landis  
Address: 3929 Hawk Owl Cove

I have two points I would like the Council to consider regarding the Lick Creek project, especially that portion involving the greenbelt of the SpringBrook HOA.

My first point addresses both safety concerns and economic issues. Specifically, the trail is set to cross Longmire in the middle of the street at the bridge. People in the neighborhood know that much of the Longmire traffic does NOT travel at the posted 35 mph speed limit but typically at higher speeds. Originally the path design submitted by Halff & Associates included a blinking pedestrian sign at the bridge crossing. However, because of budgetary constraints, this sign has been removed from the proposed design. As our house is located at the bridge, personally my husband and I are quite pleased we won't have to look at blinking lights outside our windows. Personal opinion aside, the fact that a safety feature was scrubbed to save money underscores the concern that the construction may be done in a slip-shod manner to cut costs because the original funds budgeted for the project are no longer adequate to construct a safe and durable path. Additionally, we have been taught from early childhood by our parents and safety officers that one should cross a street at the corner. Therefore, compared with crossing at the bridge, the corner of Longmire and Eagle is a much safer crossing because stop signs already exist at two corners. It could be made even safer by making that corner a 4-way stop for better flow of pedestrian and bike traffic.

My second point addresses an on-going concern expressed previously by many of my neighbors, specifically, that many mature trees would be cut down to put in the creek path. As the City has been spending money to plant immature trees in other parts of town, it makes little sense to remove mature trees that are already in place and that add a beauty and a true natural environment to the neighborhood.

The safety issues, economic concerns, and loss of mature trees are reasons why the City Council should not accept the dedication of this land.



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**\*\* Please PRINT all information \*\***

Name: Gary Ives Phone: 690-7870

Address: 3923 Blue Jay Court

Email: gary-w-ives@tamuedu Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

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## **SpringBrook Homeowner's Association President's Comments to the City Council May 14, 2012**

I would like to thank the Council for this time. My name is Gary Ives, President of the SpringBrook Homeowner's Association. I live at 3943 Blue Jay Court, College Station, Texas.

Our HOA Board is in the extraordinarily difficult position of serving the best interests of the entire Membership, simultaneously committed to honoring the majority vote on the route of the Lick Creek Trail, while fulfilling our strong commitment to serve as advocates for those most directly impacted on the issues of privacy, safety and security, flooding, and the preservation of our greenbelt as a natural area.

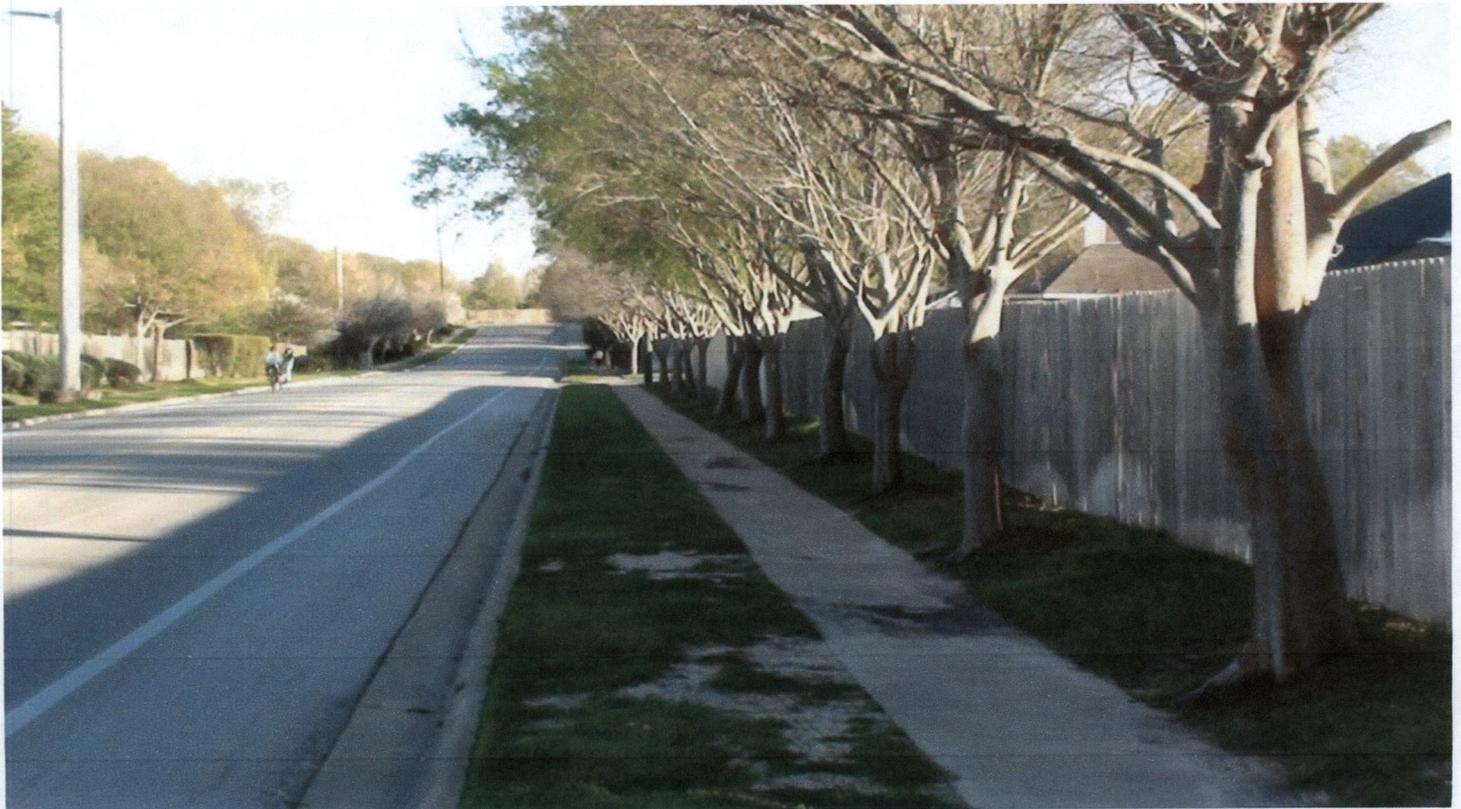
During the recent City Council meeting and in the lawsuit recently dismissed, a number of assertions were stated and allegations were made against myself and the SHOA Board to which we will soon make response by letter to the members of City Council.

Today, I would like to address one assertion made by several members of the group, that those of the SHOA Membership who do not live next to the creek "don't have a dog in the fight," to quote one of the speakers.

I truly believe that those who live away from the creek have as much at stake in the outcome of this question as those who live nearby. All our members pay dues. Those dues were increased in 2005, in large part for the stated purpose of maintaining the greenbelt, and we currently have \$6,000 of a \$25,000 operating budget dedicated to its maintenance. All our members are subject to the liability we are exposed to by our ownership of this area. Most of our Membership find our current trail to be unusable. Many consider the proposed City trail through our greenbelt to be a once in a lifetime opportunity for a million dollar amenity to our neighborhood, a plus to property values, and a plus to quality of life.

On the other hand, the alternative of routing the trail along our neighborhood streets has raised great alarm. It would directly abut the fence lines of our homeowners who back to Eagle, Longmire, and Barron. Most alarming is that, if routed along the west side of Longmire as proposed, it would mean the destruction of 32 healthy mature trees as well as the landscaping and irrigation our HOA has invested in over the years. Longmire is the "Main Street" of our community. For the preservation of the residential character of our neighborhood streets, the trail does not belong here. I would call on the Council to help us honor the majority vote of our Membership, and to help us address the concerns held by those of our Membership who would be most directly affected.

Again, thank you for this opportunity to speak.





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Name: Gary Ives Phone: 690-7870

Address: 3943 Blue Jay Ct

Email: gary-w.ives@tamuc.edu Comments:  WRITTEN  ORAL

Comments are presented for:  HEAR VISITORS  AGENDA ITEM # \_\_\_\_\_

**FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:**

*attached are:*

*Springtown Homeowners' Assoc:*

*1.) Ballot information packet sent to homeowners*

*2.) Ballot results sent to homeowners*

*3.) Questions re: street route options,  
sent to City Staff*

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Name: Mike Overst Phone: 979-690-9125

Address: 3923 Hawk Owl Cove

Email: mdgerst@gmail.com Comments:  WRITTEN  ORAL

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Mike Gerst, 3923 Hawk Owl Cove

You should have received a copy of a CD like this one.

In 2009, the prior SpringBrook HOA Board of Directors worked with Dr. Michael Murphy to conduct a Hike and Bike Trail Site Analysis for the portion of Lick Creek that is owned by the HOA. This is the same portion that the current Board of Directors desires to hand over to the City.

For those of you who are not familiar with Dr. Michael Murphy, he is a renowned Professor in the Department of Landscape Architecture & Urban Planning, College of Architecture, Texas A&M University. His primary engagement is with teaching design, construction, and theory and directing projects with the Department's Partnership for Community Outreach program. He tasked a graduate class with evaluating the SHOA Lick Creek Common Area for a Hike and Bike Trail. Specifically, they analyzed the site in terms of topography, soils and climate, hydrology, vegetation and wildlife, land use and land ownership, demographics, traffic and circulation, safety, and easements and right-of-way. They also provided assessments and recommendations of thoroughfare and bikeway design plans.

The CD you have contains four Graduate Student reports. Each is a very thorough study.

The CD also contains a letter sent by Dr. Sam Brody, an Associate Professor in the Department of Landscape & Urban Planning, College of Architecture, Texas A&M University. Dr. Sam Brody is an expert in environmental planning. He makes a number of points that relate trail building with increased flooding and erosion and the destruction of a protected forested bottom land and concludes that he thinks "an ecologically sensitive, high flood prone area does not seem like the best course of action."

I encourage you to take the time to review the contents of this CD. The students had every reason to be objective.

Thank you.



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Name: Karen Fawcett Phone: 9796903038

Address: 3905 Hawk Owl Cove

Email: digitgirl91@yahoo.com Comments:  WRITTEN  ORAL

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Name: Cecilia Yip Phone: 979 690-8894

Address: 1715 Cardinal Lane

Email: Cecilia.tamu@gmail.com Comments:  WRITTEN  ORAL

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Name: KEN TRIAP Phone: 219-2774

Address: 2924 CAIN RD

Email: \_\_\_\_\_ Comments:  WRITTEN  ORAL

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Name: William E. Hawk Phone: 979-690-2604

Address: 3930 Hawk Owl, C.S., TX 77845

Email: \_\_\_\_\_ Comments:  WRITTEN  ORAL

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