

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
JUNE 28, 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, absent
Julie Schultz, arrived after roll call
Dave Ruesink

City Staff:

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 4:37 p.m. on Thursday, June 28, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

Mayor Jason Bienski and representatives from Hot Dogs, Etc., presented hot dogs to the City Council.

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 4:40 p.m. on Thursday, June 28, 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
- 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 272nd District Court of Brazos County, Tx.
- Claim and potential litigation related to a June 24, 2011 collision with a city vehicle.

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

- Legal issues related to 2004 Economic Development Agreement Between College Station, RVP and Fidelis Ventures, LLC.

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 5:40 p.m. on Thursday, June 28, 2012.

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

No action was required from Executive session.

4. Recognition of the College Station business recipients of the Newman 10 Award.

Reba Ragsdale, representing the Bryan Rotary Club, announced the College Station businesses that received the Newman 10 Award:

- Brazosland Classic Realty
- Kellen Commercial Interiors
- The Pool Guy
- Celebrity Spa
- Keys and Walsh Construction

She also announced that Andrew Strong, CEO for Kaylon Biio, won the Research Valley Commercialization Rising Star Award.

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

No items were pulled.

6. Presentation and discussion on a report from the Brazos Animal Shelter regarding activities of the organization.

Victoria Greene, President of the Animal Shelter Board, presented the Mission Statement, "The Aggieland Humane Society, formally known as the Brazos Animal Shelter, provides humane shelter, care, and placement for stray and unwanted animals, and promotes the human animal bond and responsible pet ownership to enhance the quality of life for the people and animals in our community," and noted their vision is to be a leader among animal welfare organizations in Texas. The new Executive Director is Kathy Bice, and new and re-energized board leadership has been created with Victoria Greene, President; Molly Georgiades, Vice President/Treasurer; and Darby Roberts, Secretary.

Kathy Bice, Executive Director, reported the goal of the new business model is to save all adoptable animals, return lost pets to their owners, treat as many treatable animals as possible, and to be the City's Animal Shelter and community resource. Their new location is at 5359 Leonard Road in Bryan. The Town and Gown program enhances the community/University connection through volunteerism, internship, and teaching programs offered at Blinn and Texas A&M. There is a parks and tourism partnership; Weiner Fest provides a great partnership between the Humane Society and College Station. They assist Animal Control in health and safety programs, rabies observations, cruelty support, and they are working on increasing the number of pets with tags. The adoption program safely places pets into forever homes and keeps them off the streets and healthy.

7. Presentation and discussion regarding the proposed community Development FY 2013 (PY 2012) Action Plan and Budget.

Bob Cowell, Executive Director of Development Services, Debbie Eller, Assistant Director of Economic Development, and David Brower, Community Development Analyst, presented the FY 2012 Annual Action Plan and Budget. Since 1975 the City has received over \$32 million in Community Development Block Grant funding. Since 1992 the City has received over \$12 million in HOME funds. The total amount of funding received as of September 2012 is \$32,656,555 for CDBG. While CDBG funds may be used for a variety of community development activities, HOME funds may only be used for affordable housing activities. Our local objectives include economic opportunity, strong neighborhoods, and safe, decent, affordable housing. Funds for public facilities may be used to expand, improve and/or add public facilities and infrastructure. It must benefit low-to-moderate areas or low-to-moderate clientele. Improvements may include streets, parks, neighborhood/community centers, sidewalk projects, and facilities for persons with special needs. Absent these funds, these projects would either not be competed or would need to be paid for out of general fund revenues/local taxes. Current affordable housing programs include Down Payment Assistance, Tenant-Based Rental Assistance, Home Owner Minor Repair/Rehabilitation, Home Owner Reconstruction, Rental Rehabilitation, and New Construction (Non Profit Partners). Since 1979, the housing needs of 1,221 families have been met. In addition to helping families, this re-development has helped neighborhood integrity and the City tax rolls. Up to 15% of CDBG funds can be allocated for local non-profits. In Program Year 2012, \$201,215 was allocated to eleven local programs.

A one-year action plan for Program Year 2012/Fiscal Year re-validates and updates local needs, addresses specific goals outlined in the City's 2010-2014 Consolidated Plan and proposes activities for the upcoming year, represents annual formal application to the Department of HUD and lists funded activities and specific amounts, and provides for a regular public process. \$46,550 is the cut off for a low-to-moderate income family of four. The proposed budget for the FY 2012 budget is \$1,246,592 for CDBG and \$1,992,519 for HOME funds. Funding levels were recommended for external public services such as Big Brothers Big Sisters of South Texas, Brazos Maternal and Child Health Clinic, Brazos Valley Counseling Services, etc. Funding levels were also recommended for City public services such as Kids Klub and Lincoln Center.

Planned initiatives for 2012-2013 include:

- Support senior housing development
- Construction of new affordable houses through non-profit partners
- Four public facility activities including two Sidewalk Design and Construction Projects, one Street Rehabilitation Project, and one Park Improvement Project
- Continue Down-Payment Assistance, Homeowner Rehabilitation and Reconstruction, and Security Deposit Assistance programs
- Initiate a Rental Rehabilitation Program
- Continue to proactively manage costs
- Technical assistance for non-funded agencies

Next steps will be to make a formal application to HUD, and then to advertise for public comments from July 1 – August 1. A Public Hearing will be held July 10 at 6:00 p.m. at the Lincoln Center. The plan will be available for public view at City Hall, the Community Development office, and the Lincoln Center. Council approval is scheduled for August 9.

8. Council Calendar

- **July 4 City Offices Closed -HOLIDAY**
- **July 5 P&Z Workshop/Meeting in Council Chambers at 6:00 p.m. (Dave Ruesink, Liaison)**
- **July 12 City Council Executive/Workshop/Regular Meeting at 5:00, 6:00 and 7:00 p.m.**

Council reviewed the Council calendar. Julie Schultz is the liaison for the July 5 P&Z meeting.

9. 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.

10. 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, BVSWMA, BVWACS, 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 Mooney reported on BVSWMA.

Mayor Berry announced that the Rogue Riders were in town. Jay Socol, Director of Communications, reported on the events tomorrow to meet and greet the Rogue Riders.

11. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 8:10 p.m. on Thursday, June 28, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JUNE 28, 2012

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

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

City Staff:

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 7:17 p.m. on Thursday, June 28, 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.

MOTION: Upon a motion made by Councilmember Ruesink and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to approve the absence request from Katy-Marie Lyles. The motion carried unanimously.

Citizen Comments

Brian Leschber, 1716 Starling Drive, stated that his home backs up to the Springbrook HOA-owned portion of the Lick Creek floodway. He is one of the ten homeowners that have hired legal representation to stop the transfer of the floodway property to the City. He reported the

HOA refused an offer of \$5,000 for the property, which included allowing all HOA members access to the property. No counter offer was made. He requested the City consider that the floodway does flood during most rain events. The resulting debris and mud will need to be cleaned up after each event, requiring maintenance funds.

Rita Silbernagel, 1800 Holleman, #1216, expressed her concern related to the bus stop for route 27 near her apartment. She stated it is not safe to cross the street safely at that location. The nearest traffic light is at Texas, and no one is going to walk that far to cross at a light. In the afternoon, people have to wait two or three minutes before they can cross. Especially in this heat, people get irritated and will take chances. There needs to be a cross walk installed or something to facilitate a safe crossing.

CONSENT AGENDA

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

- **June 14, 2012 Workshop**
- **June 14, 2012 Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding Resolution 06-28-12-2b, to improve efficiency of contract administration procedures by omitting the need for contract resolutions for our two standard forms of agreement that have been adopted by Council, and to authorize staff to modify the Standard Form of Construction Services by adding a paragraph providing for the contract amount.

2c. Presentation, possible action and discussion regarding the approval of a contract between the City of College Station and Westnet Inc. for \$ 5 15.220.23 for the upgrading of the Fire Station Alerting System in all 6 Fire Stations and authorizing the City Manager to execute the contract on behalf of the City Council.

2d. Presentation, possible action, and discussion regarding approval of a supplement to the original contract with EnRoute Emergency Systems, for the purchase of a software interface between EnRoute's CAD system and the WestNet First-In alerting system in the amount of \$14,500.

2e. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Bryan Texas Utilities in the amount of \$60,000 for the purposes of BTU temporarily operating College Station's electric transmission system and authorizing the City Manager to execute the contract on behalf of the City Council.

2f. Presentation, possible action and discussion to consider an agreement for the Wellborn Special Utility District to transfer their water through the College Station water system.

2g. Presentation, possible action and discussion of the First Amendment to Water Code Section 13.255 Agreement Regarding Retail Water Service Areas entered into between the City and Wellborn Special Utility District regarding the provision of water service to approximately 1100 acres south of Greens Prairie Road and west of Arrington Road.

2h. Presentation, possible action and discussion to consider an agreement for the Wellborn Special Utility District to provide temporary water service to the Berry property.

Item 2e was pulled from the agenda.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda, less item 2e. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3420, vacating and abandoning a 0.20 Acre portion of Meadowland Street Right-of-way, which is located at 100 Meadowland Street between Hensel Street and University Drive within the North Park Subdivision according to the plat recorded in Volume 465, Page 37 of the Deed Records of Brazos County, Texas.

2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3421, vacating and abandoning a 0.34 acre public access easement located at 100 Meadowland Street between Hensel Street and University Drive. The 0.34 acre public access easement is a portion of the previously abandoned right-of-way of Meadowland Street reserved as public access easement per Ordinance No. 2010-3232 by the City of College Station.

3. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3422, vacating and abandoning a 484.5 square foot public utility easement, a 7,177 square foot public utility easement, a 0.59 acre public utility easement, and a 3,456 square foot public utility easement located at 100 Meadowland Street between Hensel Street and University Drive.

Agenda items 1, 2, and 3 were taken up together.

At approximately 7:34 p.m. Mayor Berry opened the Public Hearing.

Natalie Ruiz spoke on behalf of the applications.

There being no further comments, the Public Hearing was closed at 7:37 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Fields, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2012-3420, as amended, and Ordinances 2012-3421 and 2012-3422, as presented. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2012-3423, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official

Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning from C-1 General Commercial to R-4 Multi-Family for approximately 0.7 acres and. R-4 Multi-Family to C-1 General Commercial for approximately 0.85 acres for the properties located at 2041 Holleman Drive West and 1451 Harvey Mitchell Parkway South, generally located at the corner of Holleman Drive West and Harvey Mitchell Parkway South.

At approximately 7:40 p.m. Mayor Berry opened the Public Hearing.

Glenn Jones, agent for the owners, stated he was available for questions.

There being no further comments, the Public Hearing was closed at 7:40 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2012-3423, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning from C-1 General Commercial to R-4 Multi-Family for approximately 0.7 acres and. R-4 Multi-Family to C-1 General Commercial for approximately 0.85 acres for the properties located at 2041 Holleman Drive West and 1451 Harvey Mitchell Parkway South, generally located at the corner of Holleman Drive West and Harvey Mitchell Parkway South. The motion carried unanimously.

5. Presentation, possible action, and discussion regarding Resolution 06-28-12-05, approving a contract between the City of College Station and Freese and Nichols, Inc. in the amount of \$482,032 for the Drainage Master Plan and authorizing the City Manager to execute the contract on behalf of the City Council.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Ruesink, the City Council voted six (6) for and none (0) opposed, to adopt Resolution 06-28-12-05, approving a contract between the City of College Station and Freese and Nichols, Inc. in the amount of \$482,032 for the Drainage Master Plan and authorizing the City Manager to execute the contract on behalf of the City Council. The motion carried unanimously.

6. Presentation and discussion on upcoming Board and Commission appointments.

Shelley Major, Records Management Coordinator, updated the Council on the board appointments coming up. There are thirteen Council-appointed boards and commissions. To date, the City has received fifty-one applications for twenty-nine vacancies on nine boards. Qualified applicants must be a College Station resident and a qualified voter. Some boards/commissions may require specific expertise. Ms. Major provided a brief overview of each board/commission with vacancies. Friday, June 29, is the deadline for applications. Staff expects to put this on the July 12 agenda.

7. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:03 p.m. on Thursday, June 28, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

RESOLUTION NO. 06-28-12-2b

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, REVISING CITY COUNCIL CONTRACT APPROVAL PROCEDURES FOR CITY STANDARD FORM OF CONSTRUCTION AGREEMENTS FOR OVER \$50,000 AND ARCHITECTS AND ENGINEERING PROFESSIONAL SERVICES CONTRACTS; AMENDING THE STANDARD FORM OF CONSTRUCTION AGREEMENT FOR OVER \$50,000 BY ADDING A PARAGRAPH WITH THE CONTRACT AMOUNT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of College Station, Texas, has previously adopted standard contract forms for construction services and professional services, to-wit: (a) the Standard Form of Construction Agreement for over \$50,000 and (b) the Architects and Engineering Professional Services Contract; and

WHEREAS, the City Council of College Station, Texas, has previously adopted administrative procedures for adoption of changes to said contracts; and

WHEREAS, on or about November 10, 2011 the City Council adopted Resolution No. 11-10-11-2c authorizing the City Manager to execute said contracts on behalf of the City when the City Council has duly approved such contracts by adoption of a resolution; and

WHEREAS, on or about February 23, 2012 the City Council adopted Resolution No. 02-23-12-2d authorizing the City Manager to execute all contracts on behalf of the City when the City Council has duly approved such contracts; and

WHEREAS, the City Council desires to further improve efficiencies for approval of (a) Standard Form of Construction Agreements for over \$50,000 and (b) Architects and Engineering Professional Services Contracts by omitting the need for a City Council resolution; and

WHEREAS, the City Council desires to revise the Standard Form of Construction Agreement for over \$50,000 to add a paragraph with the contract amount; now, therefore,

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

PART 1: That the facts and recitations set forth in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof.

PART 2: That the City Council hereby finds that a passage of a City Council resolution to approve the following standard form contracts is no longer necessary, and said

contracts may be duly approved by City Council in the same manner as other standard and non-standard agreements without the necessity of a resolution:

- (a) Standard Form of Construction Agreement for over \$50,000 and
- (b) Architects and Engineering Professional Services Contract.

PART 3: That the City Council of the City of College Station hereby amends the Standard Form of Construction Agreement for over \$50,000 by adding a new paragraph 3.03 to Section 3 as more specifically set forth in Exhibit "A," attached hereto and made a part of this resolution for all purposes.

PART 4: That all previous resolutions in direct conflict with this resolution are hereby superseded and repealed, but only to the extent of such conflict.

PART 5: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 28th day of June, 2012.

ATTEST:



City Secretary

APPROVED:



MAYOR

APPROVED:



City Attorney

EXHIBIT "A"

That City of College Station Standard Form of Construction Agreement, Chapter 3, Award of Contract, is hereby amended by adding a subsection, to be numbered Subsection 3.03, which said subsection shall read as follows:

**"CITY OF COLLEGE STATION
STANDARD FORM OF CONSTRUCTION AGREEMENT**

....

3. AWARD OF CONTRACT

...

3.03. **Contract Amount.** Except in the event of a duly authorized change order approved by the City as provided in this Contract, and in consideration of the Contractor's final completion of all work in conformity with this Contract, the City shall pay the Contractor an amount not to exceed _____/100 Dollars (\$_____)."

RESOLUTION NO. 06-28-12-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A CONSULTANT CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DRAINAGE MASTER PLAN PROJECT.

WHEREAS, the City of College Station, Texas, solicited proposals for engineering services for the Drainage Master Plan Project; and

WHEREAS, the selection of Freese and Nichols, Inc. is being recommended as the most highly qualified provider of the engineering 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 Freese and Nichols, Inc. is the most highly qualified provider of the engineering services for the Drainage Master Plan Project based on demonstrated competence and qualifications.

PART 2: That the City Council hereby approves the consultant contract with Freese and Nichols, Inc. for an amount not to exceed \$482,032.00 for the engineering services related to the Drainage Master Plan Project.

PART 3: That the funding for this Consultant Contract shall be as budgeted from the Drainage Utility Fund in the amount of \$482,032.00.

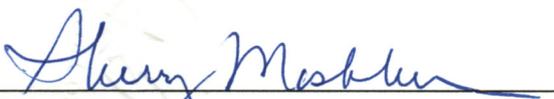
PART 4: That the City Council hereby authorizes the City Manager to execute the Consultant Contract.

PART 5: That this resolution shall take effect immediately from and after its passage.

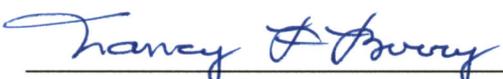
ADOPTED this 28th day of June, 2012.

ATTEST:

APPROVED:

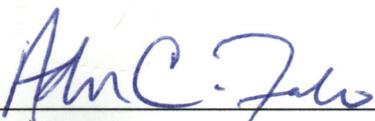


City Secretary



Mayor

APPROVED:



City Attorney



CITY OF COLLEGE STATION
Home of Texas A&M University

College Station City Council Workshop Agenda

Sign In Sheet

Thursday, June 28, 2012 at 4:30 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 Neelley

	Name	Address	Email or Phone No.
1.	JASON BIANSKI	City of Bryan	
2.	REBA RAGSDALE	BRYAN ROTARY	
3.	TERI GERST	3923 Hawk Owl Cove	
4.	MIKE GERST	" "	
5.	Sarah Dempsey	3715 Puffinway	
6.	Kay McCulloch	3910 Puss in Way	
7.	Rita Silbermugel	1800 Hollemann Drive	
8.	Brian Lescher	1716 Starling Dr.	
9.	Bethany Owens	BCSAA	
10.	Steven O'Neal	3917 Hawk Owl Cove	
11.	J. Beckmann	93	
12.	Patrick Mohoney	2709 Cardinal Ln	
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*

College Station City Council Regular Agenda

Sign In Sheet

Thursday, June 28, 2012 at 7:00 p.m.

City Hall Council Chamber

Mayor

Nancy Berry

Mayor Pro Tem

David Ruesink

City Manager

David Neeley

Council Members

Blanche Brick

Jess Fields

Karl Mooney

Katy-Marie Lyles

Julie Schultz

	Name	Address	Email or Phone No.
1.	J. Beckmann	9301 Amberwood Ct	
2.			
3.			
4.			
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6.			
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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.



Absence Request Form For Elected and Appointed Officers

Name KatyMarie Lyles

Request Submitted on June 25, 2012

I will not be in attendance at the meeting of June 28, 2012 _____
(Date)

for the reason(s) specified:

UMARMY Mission Trip

KM Lyles _____
Signature

This request shall be submitted to the office of the City Secretary or Board Secretary one week prior to the meeting date.



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

CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 06/28/12
MM / DD / YY

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

Name: Brian Leschber Phone: (979) 575-0061

Address: 1716 Starling Dr. CS, TX 77845

Email: bleschber@kbsi.com Comments: WRITTEN ORAL

Comments are presented for: HEAR VISITORS AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

Submitted written letter to Council

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

OFFICE USE ONLY:
(# in which received)

1

Madame Mayor and City Council members,

My home, along with 51 others, backs up to the SpringBrook HOA owned portion of the Lick Creek floodway. You have heard in preceding months many parties come forth with persuasive arguments both against and for this trail. I am one of the 10 homeowners that have hired legal representation to stop what we felt was an engineered sham vote to allow the HOA board, particularly president, Gary Ives, and vice president, Noel Baumann, to hand over the floodway property to the city, no matter what the impact is to their neighbors that back up to it the land.

As a Council, you requested the HOA board and the floodway-backing owners group come together to work out an amenable solution to the problem. Instead of coming into the mediation process in good faith to this end, the HOA board went into it with no intention of negotiating or mediating anything.

Yesterday, we received notification from the HOA board's attorney, stating that they refused our offer of \$5,000 cash for the property which included providing all SpringBrook HOA members access to the property, without them incurring any maintenance or insurance costs. The HOA board stated that the offer was not in the best interests of the HOA membership. They made no counter offer, but simply refused and declined ours.

Our group was already upset about this situation before mediation, and even more so now to the point of being increasingly determined to pursue keeping control of the property. As a group, we are actively investigating initiation of legal action in district court to see this out to an amicable end for the floodway-backing owners we are directly & indirectly fighting for.

As stewards of our City, I respectfully request that, aside from all the turmoil and division this proposed project has caused in our neighborhood that you consider this – during most rain events, the floodway does in fact flood. The proposed trail will be covered with debris, trees and mud after each event. Do you want to be remembered as the Council that built a trail that no one could use, because the City does not have enough maintenance funds to clean it after each rain?

Thank you,

Brian Leschber (1716 Starling Dr., College Station, TX)



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

CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 06/28/12
MM / DD / YY

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

Name: Rita Silbernagel Phone: (763) 226-9876

Address: 1800 Holleman Drive #1216, CS Tx 77840

Email: ritas1985@gmail.com Comments: WRITTEN ORAL

Comments are presented for: HEAR VISITORS AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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

OFFICE USE ONLY:
(# in which received)

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