



**Mayor**  
Ben White  
**Mayor Pro Tem**

**Councilmembers**  
John Crompton  
James Massey  
Ron Gay  
Lynn McIlhaney  
Chris Scotti  
David Ruesink

**City Manager**  
Glenn Brown

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**Agenda**  
**College Station City Council**  
**Workshop Meeting**  
**Thursday, July 12, 2007, 3:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

1. Presentation, possible action, and discussion on items listed on the consent agenda.
2. Presentation, possible action, and discussion regarding an update on a proposed Red Light Camera program for the City of College Station.
3. Presentation, possible action and discussion regarding growth management strategies.
4. Presentation, possible action, and discussion on the proposed capital plan for 2007-2008 to 2012-2013.
5. Presentation, possible action, and discussion regarding the proposed Economic and Community Development Department's 2007-08 Action Plan and Budget and proposed amendments to the 2005-09 Consolidated Plan.
6. Council Calendars

July 16-17 Council Retreat, Marriott Woodlands Waterway Hotel  
July 18-20 Texas Transportation Forum – Austin: Mayor White, Lynn McIlhaney, Terry Childers  
July 18 Exploring History Lunch Lecture Series – CS Conference Center – 11:30 a.m. – 1:00 p.m.  
July 26 Council Workshop and Regular Meeting 3:00 and 7:00 p.m.  
July 29 Girls National Softball Tournament Opening Ceremony (TAMU Women's Softball Complex) 6:00 – 8:00 p.m.

7. 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.

8. Discussion, review and possible action regarding the following meetings: Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Cemetery Committee, City Center, CSISD/City Joint Meeting, Design Review Board, Fraternal Partnership, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, YMCA Coordinating Board(see attached posted notices for subject matters).
9. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending and contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Application with TCEQ in Westside/Highway 60 area, near Brushy Water Supply Corporation.
- b. Application for sewer package plant in Nantucket area.
- c. Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division, *College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District.*
- d. Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
- e. Sewer CCN request.
- f. Legal aspects of Lease Agreement for No. 4 Water Well and possible purchase of or lease of another water site.
- g. Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, *JK Development v. College Station.*
- h. Cause No. 06-002318-CV-272, 272<sup>nd</sup> Judicial District Court, Brazos County, Texas, *Taylor Kingsley v. City of College Station, Texas and Does 1 through 10, inclusive.*
- i. Cause No. 485, CC, County Court at Law No. 1, Brazos County, Texas, *City of College Station v. David Allen Weber, et al.*
- j. Bed & Banks Water Rights Discharge Permits for College Station and Bryan.
- k. Cause No. 07-001241-CV-361, 361<sup>st</sup> Judicial District Court, Brazos County, Texas *Gregory A. & Agnes A. Ricks v. City of College Station*

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action

The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Game Day

Personnel {Gov't Code Section 551.074}; possible action

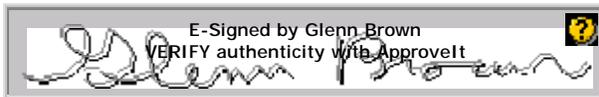
The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. Planning and Zoning Commission
- b. Zoning Board of Adjustments
- c. Parks and Recreation Board
- d. Construction Board of Adjustments and Appeals
- e. Mayor Pro Tem
- f. Internal Auditor

10. Final action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting will be discussed in tonight's Regular Meeting if necessary.

11. Adjourn.

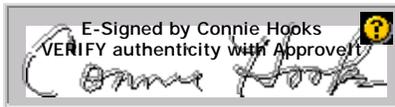
APPROVED:



City Manager

Notice is hereby given that a Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 12<sup>th</sup> day of July, 2007 at 3:00 p.m. at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 9<sup>th</sup> day of July at 2:30 p.m.



City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in

*Traditional Values, Progressive Thinking  
In the Research Valley*

College Station, Texas, and the City’s website, [www.cstx.gov](http://www.cstx.gov) . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on July 9, 2007 at 2:30 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF COLLEGE STATION, TEXAS

By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public – Brazos County, Texas

My commission expires: \_\_\_\_\_

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764-3517 or (TDD) 1-800-735-2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.

**July 12, 2007  
Workshop Agenda  
Red Light Camera Program**

**To:** Glenn Brown, City Manager

**From:** Jeff Kersten, Chief Financial Officer

**Agenda Caption:** Presentation, possible action, and discussion regarding an update on a proposed Red Light Camera program for the City of College Station.

**Recommendation(s):** Staff will update the Council on the progress made to date for implementation of a Red Light Camera program in College Station. Staff is looking for direction from Council on moving forward with the program and under what parameters based on the changes to State law.

**Summary:** Staff presented the concept of a Red Light Camera program for traffic safety to Council on November 20, 2006. An update was also provided at the March 22, 2007 City Council Meeting. Since that update the State Legislature has met and approved legislation impacting Red Light Camera programs. Council favored the idea of implementing such a program. Staff would like to present the progress made to date and an updated timeline for implementation.

**Budget & Financial Summary:** There is no financial impact at this time.

**Attachments:**

1. Highlights of Legislative Impact on Photographic Traffic Signal Enforcement

## **Highlights of Legislative Impact on Photographic Traffic Signal Enforcement**

HB 922 - Prohibits use of photographic enforcement for speed

HB 1052 - Requires posting of warning signs before photographic enforcement intersection(s)

SB 1119 – Adds Chapter 707 to the Transportation Code and authorizes a local government entity to use ordinance powers to implement a photographic traffic enforcement system. HB 992 and HB 1052 are also included within SB 1119.

Specifically:

- Authorizes civil penalty (by ordinance)
- May not agree to pay a contractor a percentage (or dollar amount) of fee
- Traffic study required
- Selection of intersection(s) based on volume, history and number of accidents
- Citizen advisory committee
- Signs at each intersection
- Written report (18 months of accident data sent to TxDOT within 6 months of installation)
- Annually monitor and report to TxDOT
- Yellow change intervals (based on Texas Manual on Uniform Traffic Control Devices)
- Fee(s) set at \$75; late fee \$25
- Fifty percent to State Comptroller (deposit in regional trauma account)
- Restricted use of City's revenue (may only be used to fund traffic safety programs, pedestrian safety programs, public safety programs, intersection improvements and traffic enforcement)
- Specific provisions required in the ordinance
- Specific language required on the notice of violation
- Appeal process
- Enforcement (the state or county may suspend the registration of a vehicle whose owner has failed to pay a notice)

**12 July 2007  
Workshop Agenda  
Growth Management Strategies**

**To:** Glenn Brown, City Manager

**From:** Bob Cowell, AICP, Director of Planning & Development Services

**Agenda Caption:** Presentation, possible action and discussion regarding growth management strategies.

**Recommendation(s):** After consideration and discussion of growth management options, provide policy direction to City staff.

**Summary:** On May 29, 2007, a joint meeting of the City Council, Planning and Zoning Commission, and Parks and Recreation Advisory Board was held to discuss growth management strategies for the City of College Station and its extra-territorial jurisdiction (ETJ). A report, compiled by Kendig Keast Collaborative, the City's Comprehensive Plan consultant, was presented for discussion.

After reviewing the report prepared by Kendig Keast Collaborative, staff prepared a memo recommending several growth management measures that can be employed prior to completion of the Comprehensive Plan (see attached) in order to incent development within the City limits and reduce the instance of and impacts of the development patterns that are occurring in the ETJ. At this time, staff is looking for specific direction on these measures from the City Council.

**Budget & Financial Summary:** N/A

**Attachments:**

1. KKC Growth Management Report
2. Growth Management Strategies Memo



CITY OF COLLEGE STATION  
*Planning & Development Services*

1101 Texas Avenue, P.O. Box 9960  
College Station, Texas 77842  
Phone 979.764.3570 / Fax 979.764.3496

## MEMORANDUM

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June 27, 2007

TO: Members of the City Council

FROM: Jennifer Prochazka, AICP, Senior Planner

SUBJECT: **Growth Management Strategies**

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On May 29, 2007, a joint meeting of the City Council, Planning and Zoning Commission, and Parks and Recreation Advisory Board was held to discuss growth management strategies for the City of College Station and its extra-territorial jurisdiction (ETJ). A report, compiled by Kendig Keast Collaborative, the City's Comprehensive Plan consultants, was presented for discussion.

The findings of the report concluded that development in the ETJ is, or is at least perceived to be, easier than development within the City limits. This is, in part, due to the availability of street and utility infrastructure, lack of development regulation and standards, lower land costs, fewer development fees and taxes, and an overall lack of development constraints in the ETJ. The City should incent development within the City limits by creating a compatible development environment in the ETJ and providing identifiable benefit to those that choose to develop in the City. Further, while encouraging development inside the City limits, quality development that will benefit the City both financially and aesthetically should be further incentivized.

The City must create a distinct line between the City and its rural ETJ and must provide a clear advantage for developing in the City limits. These recommendations are not intended to stop development, but guide it in areas that are more desired by the City because of decreased service costs and availability of services. As property is annexed, new growth areas will need to be identified so that over time, the City will be able to provide services in a way that maintains the City's fiscal health.

After reviewing the report prepared by Kendig Keast Collaborative, staff's recommendation is that the City employ several measures, prior to completion of the Comprehensive Plan, in order to incent development within the City limits and reduce the instance of and impacts of the development patterns that are occurring in the ETJ. At this time, staff is looking for specific direction on these measures from the Planning & Zoning Commission and City Council. The recommendations that follow have been separated into those that are recommended in the City limits and those that are recommended in the ETJ. Necessary ordinance or policy changes have also been included in the discussion.

### **Growth Management In The City's Extra-Territorial Jurisdiction**

The City's ability to manage growth in the ETJ is limited by the authority given to Texas cities in the Local Government Code (LGC). Cities cannot extend zoning or building codes into their ETJ, nor can they

directly regulate density. Texas cities are, however, authorized to regulate the subdivision of land in their ETJ. Because the City's ability to manage growth is limited, it must fully utilize the tools that are available.

In order to prevent unchecked growth and density in the ETJ and to prevent the proliferation of individually operated package sewer plants, the City has submitted an application requesting the Certificate of Convenience and Necessity (CCN) for sewer service in this area. The CCN would enable and require the City to serve sewer in the ETJ, when it is requested and is consistent with the sewer extension policy. In the CCN application, the City has certified that it has both the ability and desire to serve sewer in that CCN area. Extending sewer service into the ETJ, without controlling growth in another way, will likely spur urban density development outside of the City limits. Neither land use controls nor building codes can be employed outside of the City limits, creating concern for the public health, safety and welfare when densities are increased. In addition, the roadway and drainage infrastructure in the ETJ is not adequate to serve urban densities. If the CCN for sewer service is awarded to the City, the City should amend its Subdivision Regulations to control the potential density, as discussed below, and should create a sewer service extension policy that requires that the developer bear all costs of sewer extension and service.

In addition to pursuing the sewer CCN in the ETJ, there are two primary methods of managing growth in the ETJ, more aggressive use of the Subdivision Regulations and annexation.

#### **Subdivision Regulation Amendments**

**Minimum lot size and lot width** - Several amendments should be made to the Subdivision Regulations to address some of the density concerns in the ETJ, including creating a minimum lot size and expanding current lot widths. The benefits of reducing densities in the ETJ include reducing the number of structures that are built in an area that has no building or fire regulations, reducing traffic on substandard roadways, and reducing the amount of run-off in areas that lack the drainage infrastructure to accommodate it.

Creating a larger minimum lot size is consistent with the City's current Comprehensive Plan, which calls for rural densities in the ETJ, and is supported by the County's effort to increase the minimum lot size needed to have an on-site septic facility. Larger lot requirements may also address the concern of property becoming 'unreachable' and precluded from future growth or economic development activities by reserving locations for future utility extensions. Small lot, urban development in the ETJ can preclude annexation or extension of utilities that may be needed or desired beyond these areas in the future. In addition, requiring a larger lot size will likely reduce the instance of sewer extension requests in the ETJ because on-site septic facilities are more likely to be used. In the future, the land will likely be further subdivided and more densely developed and sewer would be extended at that time. Kendig Keast recommended, and staff concurs with, a minimum of twenty acres for lots developing in the ETJ.

Increasing the required minimum lot width in the ETJ is consistent with both TxDOT's and the City's access management policies created to reduce the number of access points to roadways. Staff recommends that the minimum lot width be determined by a sliding scale based on the design speed of the roadway, but in no case should the width of a lot in the ETJ be less than 400 feet.

**Remove urban density option** - A current exemption in the Subdivision Regulations that allows urban densities to be developed when urban roadway standards are used within the proposed development needs to be removed. The benefits of reducing densities in the ETJ include reducing traffic on substandard roadways, reducing the amount of run-off in areas that lack the infrastructure to accommodate it, and reducing the number of structures in an area that is not subject to building or fire codes.

**Concurrency / Adequate Public Facilities** – Staff recommends that the Subdivision Regulations be amended to include specific requirements to address the timing and quality of infrastructure extensions, called 'concurrency' or 'adequate public facilities.' This would require that proposed

developments in the ETJ verify that the infrastructure needed to meet the health and safety requirements of the development, including roadway infrastructure, is in place prior to approval.

The City must extend its utility master plans and thoroughfare plan further into the ETJ so that necessary easements and rights-of-way can be obtained as development occurs. These master plans are currently scheduled to be completed with the Comprehensive Plan update.

**Parkland Dedication** - Staff recommends extending parkland dedication requirements into the ETJ to make development in the ETJ more financially comparable to that within the City limits. Fees, instead of land dedications, are preferred for ETJ developments because of challenges related to the ownership and maintenance of land dedications outside of the City limits. Staff recommends that fee-in-lieu of land dedications be used to buy property further out in the ETJ for future park development or for the acquisition and development of community or regional parks in the area. Further, to ensure that these fee-in-lieu dedications are adequate for future acquisition and development, the existing parkland dedication fees need to be updated to reflect current land costs.

**Open Space Requirements** - Requiring open space with development, in addition to parkland dedication requirements, can create the open space that is desired by the community, without the burden of public ownership or maintenance on the City. This can be accomplished through an amendment to the Subdivision Regulations.

#### **Annexation**

The second growth management alternative in the ETJ, more aggressive annexation, would enable areas of higher density, where desirable, and require that development in those areas, once annexed, comply with City regulations, including zoning and land use, and building and fire codes. Additionally, police, fire, sanitation, and park services would be extended at the time of annexation and City property taxes would be assessed to the property owners. Generally, City facilities, such as roadways and parks, are already used by these residents without property tax revenue for the City.

Upon annexation, property is zoned as A-O Agricultural Open as a holding zone until it is appropriate for development. As is recommended in the next section, minimum lot sizes should be increased for the holding zone designation to reduce the densities in rural areas until adequate facilities and services can be provided.

As you may recall, the City is currently pursuing the annexation of over 6,700 acres in five different areas. That process should be complete in late 2007. City staff has also begun to identify additional areas that could be placed in a three-year annexation plan.

Annexation also leads to a larger ETJ, which further extends the City's subdivision authority and the potential to manage growth.

#### **Growth Management Inside The City Limits**

The City must clearly identify desired investment areas within the City limits, including areas that are contiguous to current development and easily served by existing public facilities and services, such as utilities, roadway and park infrastructure, and fire, police and sanitation services. Infill development and redevelopment within the core of the City should also be encouraged. Once these areas are identified, the City will be able to incent appropriate development in these areas. There are several tools that can be used to encourage development in areas within the City, including the following:

#### **Focus Capital Resources**

The City must be pro-active in incenting and encouraging growth in appropriate locations to occur by using capital funds to ensure that adequate infrastructure and services are available in these areas. The City needs to focus its resources ahead of growth to ensure that the property is ready for development and should not provide major utility extensions outside of these areas. Capital

funds must also be used in existing developed areas to maintain and upgrade existing infrastructure in order to maintain current facilities and services and encourage infill and redevelopment within the core of the City.

#### **Amendments to Subdivision Regulations**

**Concurrency / Adequate Public Facilities** - Staff recommends that additional requirements, such as adequate public facilities ordinances, apply in areas where development is desirable but difficult or too expensive to serve with current City resources. Adequate public facilities ordinances, also called concurrency, are used to address the timing and quality of infrastructure extensions. This would require that proposed developments verify that the infrastructure needed to support and serve the development, including roadway and utility infrastructure, is either in place prior to approval or that they be provided concurrent with development.

**Impact Fees & Oversized Participation**- Impact fees should be assessed in areas of the City to help finance the infrastructure needed to support growth, such as major roadways and primary utility infrastructure that are identified on the Thoroughfare and Master Utility Plans. In some growth areas, the City should construct improvements ahead of growth or provide needed oversized participation in order to attract development to these areas. In other areas, infrastructure should be extended with development and financed by that development, without the use of oversized participation funds. In still other areas, extension of infrastructure may be avoided all together.

#### **Zoning**

Areas not able to be currently served with adequate public facilities and services should retain their holding zone designation, A-O Agricultural Open. In some instances, these areas should retain this designation to create a more distinct difference between urban / suburban areas and rural areas, or to respond to environmental constraints. Minimum lot sizes should be increased for the City's holding zone and rural residential zoning districts in order to decrease the density of potential development. Staff recommends that the minimum lot size should be no less than twenty acres in the Agricultural-Open zoning district, as recommended by Kendig Keast Collaborative. Residential subdivisions zoned A-OR Agricultural-Open Residential should have a minimum lot size of 5 acres.

Additionally, potential protection areas need to be identified, and appropriately zoned, to conserve resources, including floodplain, mature vegetation, natural features, wetlands and habitat areas.

Following feedback and direction regarding the aforementioned strategies, staff will develop specific recommendations for further consideration by the Commission and Council.

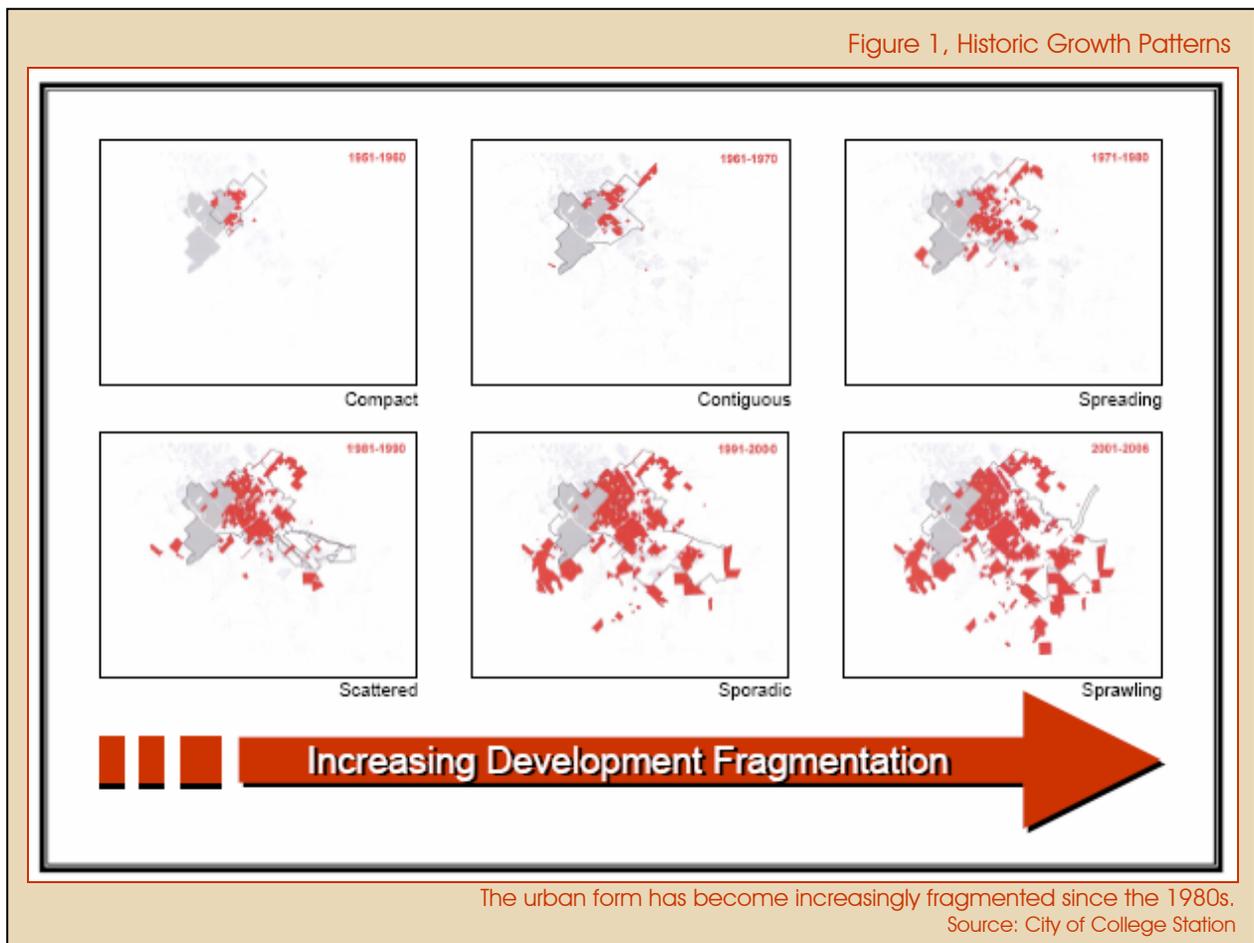
**TOOLBOX OF GROWTH MANAGEMENT TECHNIQUES  
CITY OF COLLEGE STATION, TEXAS**

*"The best way to predict your future is to create it."<sup>1</sup>*

**INTRODUCTION**

Over the course of the last six decades, College Station has experienced rapid growth, averaging 90 percent per decade. Excluding the 1940s (263 percent) and 1970s (111 percent), the average rate of growth per decade has been 42 percent. While the amount of growth has slowed since 1980, with 29 percent growth during the 1990s (compared to 111 percent and 41 percent during the 1970s and 1980s, respectively) it exceeds the rate of growth of Brazos County (34 percent) and Texas (22 percent).<sup>2</sup> From an economic perspective, the increase in population and corresponding employment growth is a positive indicator of the City's economic competitiveness and stability. A continuation of this economic growth is – and must remain – a primary goal of the community.

Figure 1, Historic Growth Patterns



<sup>1</sup> ~ Peter Drucker

<sup>2</sup> This is partially explained by the relative size of the respective jurisdictions.

A question confronting this community, however, is not only how to attract and sustain economic development but how to maximize its net fiscal benefits. The pattern of growth and efficiency of service provision are contributing factors, among others. As displayed in **Figure 1, Historic Growth Patterns**, beginning in the 1970s the form of development has become increasingly scattered. In fact, since the Year 2000, the number of platted lots in the ETJ has averaged 16.6 percent of the total annual platted lots.<sup>3</sup> As for the projected population, assuming a continuation of recent trends, the ETJ is expected to increase in population by 17 percent by the Year 2016.<sup>4</sup> The trend of peripheral growth is long-standing as development began to scatter in 1980s and has since increasing sprawled outward. Continuation of this pattern – and trend – will become increasingly problematic, resulting in an increased inefficiency of services thereby lessening the economic gain and placing a growing strain on the fiscal resources of the community.

### Reasons for the Growth Pattern

There are several reasons why this growth pattern has occurred, including, but not limited to, the following:

- ◆ There is a lure to green field development due to the ease of development approval, particularly since the City has no authority within its ETJ to regulate:
  - The use of any building or property for business, industrial, residential, or other purposes;
  - The bulk, height, or number of buildings constructed on a particular tract;
  - The size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of building floor space to the land square footage;
  - The number of residential units that can be built per acre of land; or
  - The size, type, or method of construction of a water or wastewater facility that can be constructed to serve a developed tract of land, subject to specified criteria.<sup>5</sup>
- ◆ The City's oversize participation ordinance allows the City to pay up to 100 percent of the total cost for any over-sizing of improvements that it requires in anticipation of future development. There are no stated exceptions or criteria regarding its cost effectiveness; financial feasibility; or conformance with utility master plans, the comprehensive plan, or other development policies. Furthermore, the current Comprehensive Plan does not define a designated growth area nor is it directly coordinated with the utility master plans. Therefore, there is no mechanism to coordinate the pattern and timing of development and ensure cost efficiency in the provision of adequate public facilities and services. This must be a focus of the current Comprehensive Plan, coordinated with updates of the City's water, wastewater, and drainage master plans.
- ◆ The City's decision to extend its Certificate of Convenience and Necessity (CCN) boundary for sewer service to coincide generally with its ETJ enables development to occur throughout the ETJ. While there are advantages by way of limiting the number of private package plants and controlling the quality of sewer infrastructure, this contributes to an inefficient pattern of development. Without a growth sequencing plan to direct the location and timing of development, consistent with the City's infrastructure planning and capital programming, the City has limited control of its development pattern.
- ◆ The fiscal impact analysis used to judge the feasibility of annexation appears to be an abbreviated model that does not fully account for the long-term operating and maintenance costs, the distance

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<sup>3</sup> Based upon plat data provided by the City

<sup>4</sup> Based on a City forecast, "Development Trends in the Extra-territorial Jurisdiction (ETJ)"

<sup>5</sup> Section 212.003, Extension of Rules to Extraterritorial Jurisdiction

required to extend utility services, or the timing of build-out. Further, the City's future land use plan and corresponding zoning districts are too general and thus, do not offer a clear indication of the likely uses and densities. Therefore, to more accurately determine the net fiscal benefit of annexation a more elaborate, robust model must be developed and used.

- ◆ There are both allowances and limitations within the zoning ordinance, including:
  - The minimum lot size within the Agricultural-Open "A-O" district is only five acres. Instead, the minimum lot size could be increased to 20 acres or larger ensuring preservation of the agricultural character and enabling the City to determine the timing by which facilities will be provided and urban development is allowed. Zoning, in this case, may serve as an effective growth management tool.
  - The Rural Residential Subdivision "A-OR" district allows a minimum lot size of one acre meaning that residences on septic systems and wells are permitted. Use of this district in the outlying areas of the corporate limits where adequate municipal facilities are not yet available is contributing to development fragmentation.
  - There are a relatively large number of use-based zoning districts. Essentially, this means that a zone change is necessary to respond to a shift in the market, which adds process and delays development. This is a disincentive for development to occur in the City rather than the ETJ where it is much easier and with less delay. Instead, the ordinance should allow more flexibility while increasing the development standards in line with the City's expectations and desired outcomes.
  - There is a multi-step process required for the Planned Mixed-Use "P-MUD" and Planned Development "PDD" districts, which lengthens the review and approval time, increases development costs, and is a disincentive for what is otherwise a preferred development type.
  - The ordinance allows for zoning classification at the time of annexation without any criteria as to when and under what circumstances the City will consider a change in zoning. Therefore, a zone change to a more intensive district may be allowed without consideration as to its consistency with the City's growth plan, capital improvement plan, or other criterion.
  - There are no incentives, such as density bonuses, integrated into the ordinance to encourage certain development types. An increased density in exchange for development clustering and increased open space could allow a rural development environment within the City limits rather than necessitating ETJ development to achieve this character.
  - The requirements for use transitions and buffering are generally ineffective providing reason to develop in the open countryside in relief of the impacts of abutting development.
- ◆ There are several rural water providers (Wellborn Special Utility District, Brushy Creek Water Supply Corporation, and Wickson Creek Special Utility District) and sewer providers (Carter Lake Water Supply Corporation and River Side Wastewater Treatment Plan) around the periphery of the City and ETJ, meaning that development may get access to public water and sewer systems that meets the standards of the Texas Council on Environmental Quality (TCEQ) without requiring connection to the City's utility systems.
- ◆ The Brazos County Health Department's requirements for permitting septic systems is a minimum of a one acre lot, whether there is public water available or a private well. This exceeds the State's one-half acre minimum, and is now being considered by the County Commission for an increase to a minimum of two acres. While an increase in the minimum allowable lot size for authorization to construct a septic system is both warranted and helpful, unless it is further increased it still allows rural development throughout the ETJ.

- ◆ There is a five-acre exemption of the platting requirements within State law that allows rural development to occur without platting and thus, without any provision for right-of-way dedication, delineation of easements, or other applicable – and warranted - development requirements.<sup>6</sup>
- ◆ The City’s parkland dedication requirements apply only within the City limits meaning that there are no requirements for the provision of parkland or payment in-lieu of land dedication. Therefore, effectively, this is an economic advantage for developing outside of the City limits to avoid payment of these fees.
- ◆ Development outside the City limits does not pay City taxes. Therefore, residents and businesses outside the City limits benefit from access to municipal facilities and services, such as parks, trails, libraries, and other community facilities, but do not share the tax burden associated with constructing and maintaining those facilities and services. Over time this increases the tax burden on in-City residents.
- ◆ Land is less expensive outside the City limits due, in part, to the absence of public infrastructure and improvements, which equates to cheaper development and hence, lower home costs.
- ◆ There is an attraction to the open, rural landscape, which will slowly disappear with increasing development over time and a lack of land use controls to protect the desirable character.

### Potential Implications of Sprawl

While the growth of the community has brought great opportunity, without adequate foresight and preparedness it may involve long-term consequences, including:

- ◆ Erosion of a defined community edge thereby blurring its boundaries and contributing to a loss of community identity. This can be most readily seen along each of the entrances into the community where there is a proliferation of uses extending well beyond the City limits.
- ◆ Degradation of environmental resources, e.g. floodplains, wetlands, habitat, vegetated areas, etc.
- ◆ Overwhelmed public infrastructure (e.g., roads, water, and wastewater systems) and services (e.g., police and fire protection, parks, libraries, and schools), in some cases, creating unsafe conditions.
- ◆ A lack of coordinated planning between individual developments leading to, among other things, a discontinuous and disjointed street system and inability to plan for linear linkages and greenways.
- ◆ Premature and unexpected shifts in traffic patterns causing congestion and environmental impacts as development occurs in an uncoordinated fashion before adequate road infrastructure is in place.
- ◆ The provision of private streets and infrastructure systems such as package treatment plants, for which the burden may shift to the City in future years without the requisite funding to pay for it.
- ◆ Cumulative impacts on the natural environment due to stormwater runoff and non-point source pollution of area streams and watercourses.
- ◆ Inefficient provision of services meaning a larger investment in infrastructure systems with fewer than the optimal number of connections to pay for it.
- ◆ Increased traffic, as vehicles have to traverse relatively longer distances to reach places of work, shopping, services, education, recreation, and entertainment. This means that more public dollars must be expended on road building, expansion, maintenance, street lighting, and traffic enforcement.
- ◆ Declining community character and agricultural operations, as formerly large, contiguous farms are broken up by scattered development and the proliferation of “exurban”, 5-plus acre lots. The agricultural industry is a significant sector of the regional economy, and the presence of local

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<sup>6</sup> Section 212.004. Plat required (a)

agricultural products is good for local consumers. Moreover, farming is an important part of the region's heritage that continues to contribute to the quality of life and identity of the community.

## **GROWTH MANAGEMENT APPROACHES**

Often, the elements that fuel growth (*e.g.*, community livability, quality schools, economic diversity, etc.) are slowly and ultimately sacrificed by the pattern, quality, and character of development. The integrity of public fiscal resources is also compromised because the new development is inefficient and does not contribute sufficient revenues to cover the costs of the services it demands. Modern "growth management" is a combination of techniques that allow municipalities to direct its pattern of growth and the timing of infrastructure provision, leading to better long-term economic sustainability. In broad terms, growth management techniques include:

- ◆ Comprehensive planning to establish the policy basis for the institution and administration of growth regulations;
- ◆ Regulatory approaches, including zoning and subdivision controls, which to varying degrees, directly impact the character, form, location, and quality of development.
- ◆ Annexation, which expands the geographic jurisdiction of the City to implement a full range of regulatory and fiscal approaches to growth management.
- ◆ Development and/or participation agreements, which provide for infrastructure funding (and may, in some instances, include land use controls).
- ◆ Impact fees, which provide funding for capital improvements that are needed to serve new development.
- ◆ Improvement districts and political subdivisions, which are independent entities that provide for infrastructure funding and operation.
- ◆ Interlocal cooperation contracts as a means for local governments to agree with other units of government with regard to providing administrative functions, infrastructure, and public services.
- ◆ Extension of publicly-owned utilities by way of capital improvement programming.

In Texas, state law provides a complex set of rules regarding which growth management techniques are available, and how those techniques may be implemented. The purpose of this issue paper is to summarize the provisions that may serve as viable and practical solutions for the City to manage its community character, efficient provision of adequate public infrastructure and services, and long-term fiscal health. This paper also establishes a framework for growth management, with strategic directions as to the changes in policies and practices to better manage future growth and development.<sup>7</sup>

There are an array of strategies for managing the pattern and timing of development, ranging from simply minimizing the impacts of growth without affecting the pattern to strictly controlling it. Given the limitations of Texas law there are few, if any, mechanisms currently available to entirely prevent sprawl. For the purposes of this discussion the growth management techniques are as follows:

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<sup>7</sup> This review of the applicable statutes is intended to provide a general overview of available tools and techniques, and shall not be considered legal advice with regard to the validity of any of the identified approaches or the potential legal consequences of implementing any particular approach. Potential risks are identified only if explicitly set out in the statutes. KKC recommends that the City consult with its attorney with respect to the legality and potential risks and exposures presented by any particular approach.

## Comprehensive Planning

Chapter 213 of the Texas Local Government Code contains a broad authorization to develop and adopt a Comprehensive Plan.<sup>8</sup> The statute allows the City to decide for itself what its Comprehensive Plan will address and how it will relate to the land development regulations. With regard to content, the statute says a Comprehensive Plan may:

- ♦ Include, but is not limited to, provisions on land use, transportation, and public facilities;
- ♦ consist of a single plan or a coordinated set of plans organized by subject and geographic area; and,
- ♦ be used to coordinate and guide the establishment of development regulations.

State law provides that “A municipality may define, in its charter or by ordinance, the relationship between a Comprehensive Plan and development regulations, and may provide standards for determining the consistency required between a plan and development regulations.” In other words, there is not a requirement that the comprehensive plan be applied in strict terms in all land use decision-making. However, there is latitude regarding the extent to which the land development regulations may be used to implement the plan. This is essential if the City is to successfully control its destiny.

In many cases, the availability of a particular growth management technique depends upon the type of municipality (e.g., general law or home rule), the population of the County, and the population and geography of the City.

The City of College Station is a home rule municipality with a 2000 population of 67,890 persons. Per Section 42.021 of the Texas Local Government Code, the extraterritorial jurisdiction (“ETJ”) extends 3½ miles from the City limits. College Station is located in Brazos County, which has a 2000 population of 152,415 persons.

It does not appear that the City Charter specifically authorizes the purpose or use of a Comprehensive Plan. While a plan is generally recognized as a “guide” for decision-making, given its relevance and essential role in managing the City’s growth and development, it is advisable for the City to specify its value in its long-range planning interests. Therefore, this may be an opportunity to make the plan for authoritative in land development decisions and capital expenditures.

The City’s Unified Development Ordinance (UDO) identifies as one of its objectives to “Implement the Comprehensive Plan through compliance with its individual elements.” Furthermore, the relationship between the UDO and Comprehensive Plan is expressed as follows:

- ♦ “It is intended that this UDO implement the City’s planning policies as adopted as part of the City’s Comprehensive Plan, as amended and periodically updated.
- ♦ The City’s Comprehensive Plan, and any associated plans or studies adopted by the City Council, shall be required to be amended prior to, or concurrent with, permitting development which would conflict with the plan.
- ♦ The alignments of proposed thoroughfares and bikeways on the “College Station Thoroughfare Plan map? And the “College Station Bikeway and Pedestrian Plan map” are generalized locations that are subject to modifications to fit local conditions, budget constraints, and right-of-way availability that warrant further refinement as development occurs. Alignments within 1,000 feet of the alignment shown on the aforementioned maps will not require a thoroughfare plan amendment.”<sup>9</sup>

<sup>8</sup> Chapter 213 is not the only source of authority to adopt a comprehensive plan. Home rule may also be a source of authority, which is accomplished via the City charter in some Texas communities, e.g. Georgetown.

<sup>9</sup> Section 1.6, Relationship to the Comprehensive Plan, Unified Development Ordinance, July 3, 2006

Therefore, to further strengthen the relationship between the Comprehensive Plan and UDO, the following should occur in the interest of better managing growth:

- ◆ Areas within the City limits that are not within the defined “growth area(s)” should be zoned Agricultural-Open “A-O”, provided the minimum lot size is increased from five to 20 acres, or more.
- ◆ The decision as to the zoning of newly annexed property must strictly adhere to the City’s growth plan. Annexation of land that is not within the defined “growth area(s)” must be zoned “A-O”, giving the City the decision as to the timing of development and its provision of services.
- ◆ The area defined as “Rural” on the Land Use Plan<sup>10</sup> should strictly adhere to the City’s growth plan. Those portions of this area that are inadequately served and are not feasible for the extension of adequate public facilities and services should be re-designated as Agricultural-Open.
- ◆ The Rural Residential Subdivision “A-OR” district should coincide with the boundaries of the “Rural” designation on the Land Use Plan. The ordinance should subsequently be revised to increase the minimum lot size from one to five acres, with density bonuses for development clustering and increased open space.
- ◆ The use designations on the Future Land Use Plan should be reconciled with the zoning districts. Rather than indicating land use with a general reference to density, both should more clearly define the intended character of development. In other words, low, medium, and high density residential should include additional performance standards to ensure the intended character. Standards such as maximum gross density and open space and floor area ratios will better ensure the development outcomes. Otherwise, if more than one zoning district is allowed and there are not definitive standards, there is no mechanism for the City to control the development character. As it relates to growth management this is essential as a means for improved utility systems planning (since the density and hence, infrastructure demands are known) as well as controlling the form and character of development.

The Comprehensive Plan offers the ability for the City to establish its growth policies, which must then be directly related to the zoning regulations to effectuate them. This must be accomplished in tandem with the City’s water, wastewater, and drainage master plans, as well as the capital improvement program. Generally, the Comprehensive Plan should direct development first, to the areas where there is already adequate infrastructure and secondly, to the areas that may be readily and efficiently served with public facilities and services. Targeted upgrades of the infrastructure may be required to facilitate an infill development program. Lastly, the areas around the periphery of the City that may not be efficiently served - or are simply premature for development – should be reserved in the near term for agricultural (Agricultural-Open) or very low intensity uses (Rural Residential Subdivisions) with infrastructure staging for longer-term development. The means of executing these general policies are described in detail below.

The City’s over-sizing policy should cite as an exception for refusing to extend water or wastewater mains consistency with the Comprehensive Plan. The update of the plan must then define the area for which urban development is to be accommodated. More specifically perhaps is the definition of the areas that are not intended for infrastructure investment during the horizon of the plan and thus, subject to the growth control mechanisms of this paper. In so doing, rather than responding to development, instead,

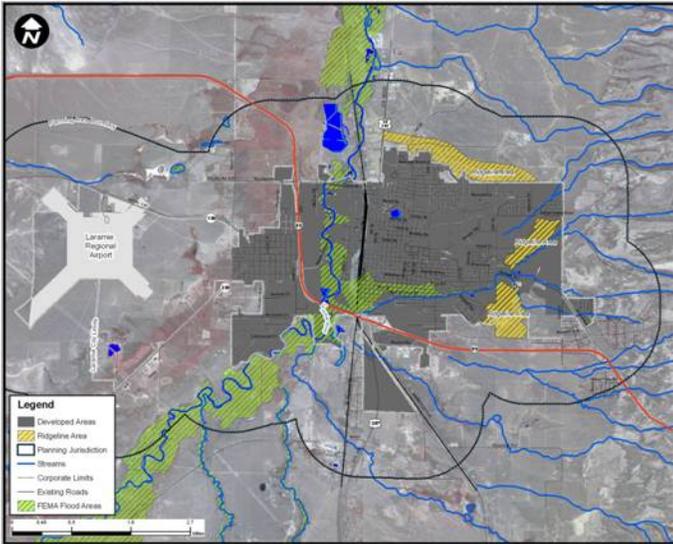
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<sup>10</sup> Land Use Plan, November 2004

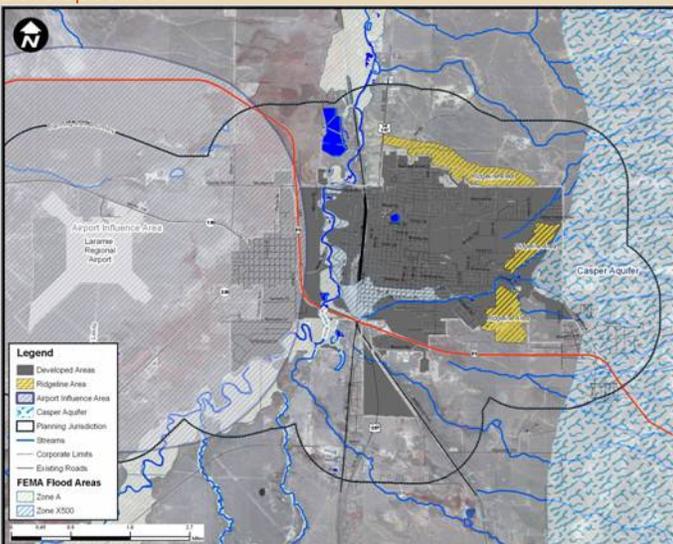
the City may proactively direct development to occur in appropriate locations and concurrent with the availability and provision of adequate public facilities and services.

Through the course of plan development the following areas should be identified and delineated, as displayed in the illustrative examples:

### Illustrative Examples of Area Delineations



Developed Area



Protection Area

- ♦ The **developed area** is where there is existing infrastructure. Remaining opportunities within this defined area would consist of infill development, redevelopment, and areas that are immediately contiguous to existing development. It is important to note that there is approximately 2,010 acres of vacant, residentially-zoned land within the City limits. This amount of developable land will support an additional population of 18,650 persons<sup>11</sup>, which is approximately 60 percent of a mid-range estimate of added population by the Year 2025. Therefore, the plan must quantify and determine the area necessary to support the projected population and employment increases, and coordinate the infrastructure plans accordingly.
- ♦ The **protection area** encompasses areas of floodplain, wetland, streams and drainage ways, or other natural areas that warrant permanent protection. These are areas where the City's zoning or subdivision regulations should prohibit development. The protection area may also include the Agricultural-Open "A-O" district that is intended to remain in agricultural use and where residential development is restricted.
- ♦ The **growth area** is where new growth is to be encouraged for which there are readily available services that may be efficiently extended. This is the area where the City will commit to extending infrastructure and improvements to support urban development. The size of this

area should support 20 years of development potential. This area may be further delineated to include five-year growth increments to be timed with the extension of facilities and services. It is common to upsize this area by 20 to 30 percent to allow market flexibility. The size and location of the growth areas need to be closely evaluated and clearly defined given the amount of currently available land. The City would also need to revisit these areas and make periodic adjustments.

<sup>11</sup> This assumes four units per acre and 2.32 persons per dwelling unit (U.S. Census, 2000)

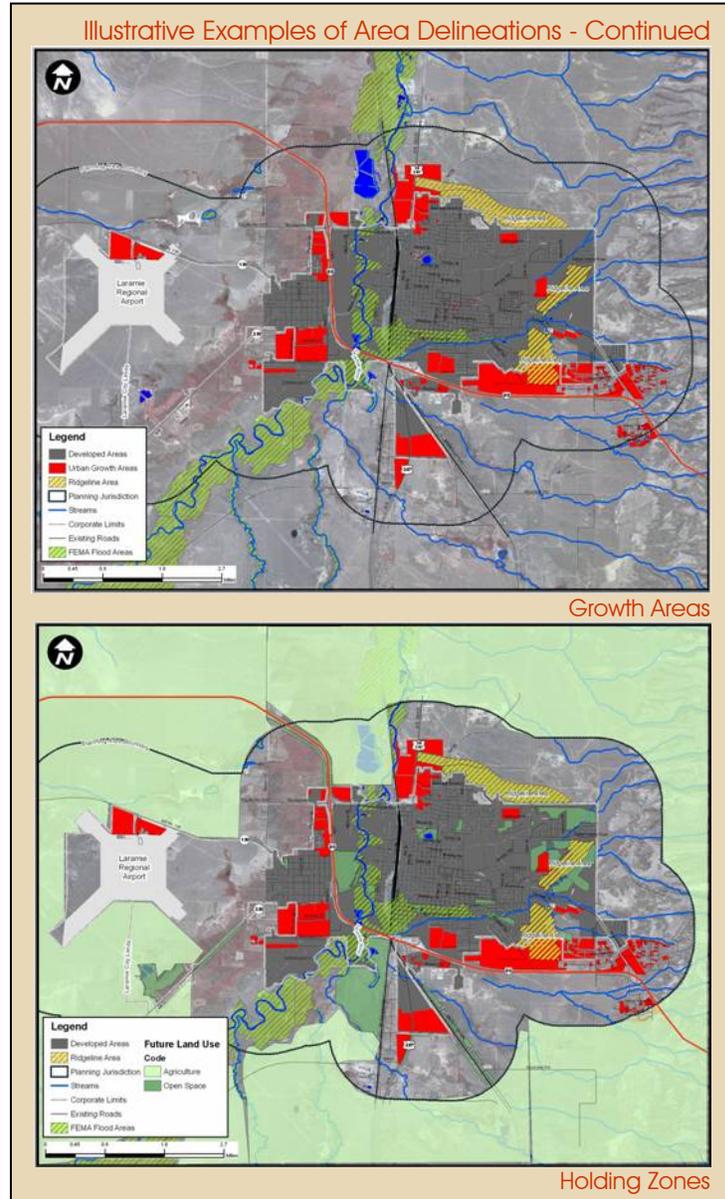
- ◆ The **holding zone** is all remaining land in the ETJ and outside of that identified above described areas. Due to the limitations of State law, this is the most difficult of the four areas to address. Given the reasons identified earlier, development may now occur within this area. Development in areas for which the City cannot readily and efficiently provide services is clearly premature and results in sprawl. Therefore, the question is to what extent the City is willing to enact control by the below described growth management techniques.

In order for the City to manage the location of development it must employ some of the techniques described below. Effectively, the strategy should direct a vast majority of development to occur in the developed and growth areas as infill or contiguous development. The controls must be designed to minimize the amount of urban development in the holding zone.

### Amendment of the Subdivision Regulations

The most readily available means for minimizing the impacts of peripheral growth is by way of amending the subdivision regulations. However, while certain controls may be put in place to solve anticipated problems, this approach will not have any material affect on the pattern or timing of urban growth. It remains though, a warranted and necessary step to ensure quality development and to ameliorate unnecessary problems.

Unlike zoning regulations, the value of the subdivision regulations is that they may be extended into the ETJ.<sup>12</sup> While subdivision controls typically include requirements for lot size, access, and infrastructure, State law also authorizes the City to adopt “other municipal ordinances relating to access to public roads or the pumping, extraction, and use of groundwater by persons other than retail public utilities . . . for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health” within the ETJ.<sup>13</sup>



<sup>12</sup> Unlike subdivision controls within the City, enforcement of the subdivision regulations in the ETJ is limited to injunctive relief (fines and criminal penalties in the ETJ are prohibited). See § 212.003(b) and (c), TLGC.

<sup>13</sup> Section 212.003, Texas Local Government Code

**Summary: Subdivision Controls**

<b>Purpose:</b>	Generally, the purpose of subdivision controls is to regulate the dimensions of lots and the provision of access, utilities, and public facilities.
<b>Strengths:</b>	Along with zoning, access management, and other regulatory tools, subdivision controls are an important means to ensure adequate infrastructure and regulate community character. Generally, utilities may not be connected to subdivided property without an approved plat.
<b>Weaknesses:</b>	Subdivision controls generally must stand alone in the ETJ (where zoning is not allowed without consent). Statutes do not allow regulation (without consent) as to land use, bulk, height, number of buildings, size of buildings, or residential units per acre in the ETJ.

Provided the Comprehensive Plan is sufficiently specific, subdivision controls can be a strong tool for ensuring that adequate water, sewer, and road service is provided to new development in the City, and more importantly, in the ETJ. This is so because State law provides that a plat *shall* be approved if:

- ◆ it conforms to the general plan of the municipality and its current and future *streets, alleys, parks, playgrounds, and public utility facilities*;
- ◆ it conforms to the general plan for the extension of the municipality and its roads, *streets, and public highways within the municipality and in its extraterritorial jurisdiction*, taking into account access to and extension of *sewer and water mains* and the instrumentalities of public utilities;
- ◆ it conforms to any [adopted subdivision] rules . . .<sup>14</sup>

By implication, the plat can be denied if the standards are not met. This requires a Comprehensive Plan that sufficiently defines the standards by which development must uphold. For instance, the thoroughfare plan must encompass the entire ETJ – and beyond in some cases – with denoted alignments of collector and arterial streets, and other regional, intra- and inter-state highways.



Access management standards applied within the ETJ would help to avoid unsafe conditions while preserving the capacity of the roadway.

Potential amendments to the subdivision regulations may include the following:

- (1) **Access management** standards could – and should – be imposed consistent or similar to those recommended by TxDOT. For example, if the spacing requirement between driveways is 360 feet (recommended for streets with 45 m.p.h. posted speed), then 100 to 200 foot frontage lots with individual drives would not be allowed. This would preserve the safety and traffic carrying capacity of roadways that may be improved to collector or arterial standards in the future. Strict application of spacing requirements would: (1) encourage platting (which is required when infrastructure – here, access streets – is dedicated); or (2) likely reduce lot depth, which would make more efficient use of the land.

<sup>14</sup> Section 212.010, Texas Local Government Code

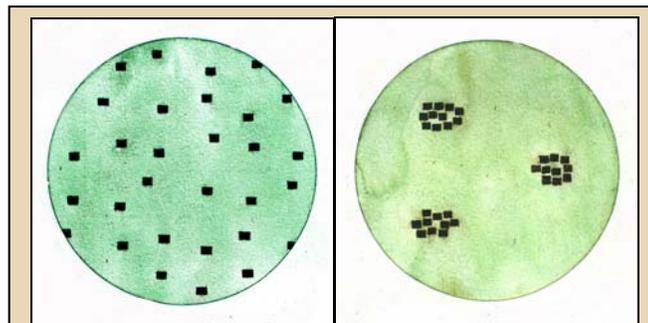
(2) Although the City is not allowed to directly regulate “the number of . . . units . . . per acre” in the ETJ, as a practical matter, because the City may regulate the dimensions and layout of the lots, density may be, more or less, influenced by authorized rules like minimum lot size, minimum lot width, and right-of-way dimensions.<sup>15</sup> Therefore, if the City were to require a **minimum lot size** of five acres, for instance, due to the capacity of the adjoining roadway and/or where there are not public water and sewer systems available, effectively, a relationship may be forged between lot size, infrastructure demands, and the availability of adequate public facilities. This authority is granted to the City “to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.”<sup>16</sup>

(3) Together with the requirements for an increased lot size could be an allowance – or incentive - for **development clustering**. The option would be given to the land owner as to whether they choose to develop with a large lot size or select a clustering option that allows more density. In other words, rather than constructing a rural large lot subdivision with no public open space, smaller lots would be required with a high ratio of public open space. The result allows the rural character to remain with the advantages of fewer required access points, less impervious cover, reduced water demands, increased recharge, and land conservation. Given certain performance standards, the open land could continue to be used for agricultural purposes.

(4) Through the delineation of “protection areas” the City may strengthen their standards relating to the protection and preservation of its resources. While the City has regulations for floodplain areas, there are few other standards for the delineation and protection of wetlands, habitats, mature vegetated areas, or other natural features. **Resource protection standards** would provide a method and means for requiring varying degrees of protection of resource features, depending on their scale and significance, with development flexibility and incentives by way of density bonuses for constructing on the developable portions of the site. The use of density bonuses

Section 212.004, of the Texas Local Government Code exempts from subdivision requirements “a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.” “Exempt” development encourages lots that are narrow and deep, with 100 to 200 feet of frontage and 2,178 to 1,089 feet of depth. This development form creates a number of challenges:

- ◆ Narrow lots often front on roads that are intended to serve a city wide mobility function. Connecting residential driveways to these roads invites future traffic conflicts.
- ◆ Narrow lots alter the rural character of the landscape – and the rural economy – in five ways:
  1. Buildings are closely spaced and close to the street blocking views from the street of the open spaces behind them;
  2. The lots are “too small to farm and too big to mow,” so it is not uncommon for the yards to be poorly maintained;
  3. The land within the lots is often lost to agricultural use because such uses generally need large, regularly-shaped parcels, and assembling a reasonable leasehold from separate residential landowners, 100 to 200 feet at a time, is not practical (especially since the early morning noise and dust from agricultural operations is ultimately likely to be a point of contention between the homeowner and the farmer);
  4. The new residential uses are usually not compatible with the existing agricultural uses, which generates increasing political pressure against agriculture; and
  5. When they reach a critical mass, the new residential uses attract supporting commercial uses that further squeeze agricultural land and agriculture-supportive commercial uses.



By clustering development open views may be protected thereby preserving a rural, open character.

<sup>15</sup> Such rules are permitted by Section 212.010(4), TLGC, which allows the same rules for subdivision in the ETJ as in the municipality. Of course, in the ETJ, these rules are limited by Section 212.003, TLGC, so, for example, if a developer found a market for multiple homes or buildings on a single lot in the ETJ, the City could not prohibit the development.

<sup>16</sup> Section 212.002, Rules, Subchapter A, Regulation of Subdivisions, Texas Local Government Code

may allow a higher gross density as an incentive by adjusting lots sizes or using different housing types in combination with an open space ratio.

- (5) A **development plat** is a way for the City to regulate development within the City limits and ETJ that may otherwise be exempt from the subdivision plat process.<sup>17</sup> The City has provisions for development plats, with stated exemptions. It is advisable for the City to reconsider the waiver allowance as well as the exemptions and instead, require submittal of a development plat for all projects in the ETJ. Such a requirement would be of great value to document all improvements, easements, and rights-of-way, and most importantly, because it must be approved to conform to: (1) the general plans, rules, and ordinances of the municipality concerning its current and future streets, sidewalks, alleys, parks, playgrounds, and public utility facilities; (2) the general plans, rules, and ordinances for the extension of the municipality or the extension, improvement, or widening of its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and (3) [the subdivision plat regulations]. The subdivision plat process does not allow the municipality to require building permits or enforce its building code in the ETJ.<sup>18</sup>
- (6) Incorporation of the **parkland dedication requirements** into the subdivision regulations, which will allow the dedication or fee in-lieu provisions to be extended into and throughout the ETJ. Effectively, this will ensure that development outside of the City limits is fulfilling its proportionate demands on the community's park system similar to the requirements for development inside the City. This would remove this current advantage for developing in the ETJ.

## Annexation

The means that most communities use to exercise control of the pattern and type of development outside of the City limits is to extend the City limits by annexation. Annexation allows the City the ability to impose its land development regulations, which provides an essential growth management tool to implement the Comprehensive Plan. Annexation also extends the City's ETJ enabling it to regulate the subdivision and development of land over a larger area. However, it is important to realize the stringent requirements mandated by State law for extending services to newly-annexed areas in a timely and adequate manner, which must be comparable to pre-existing services and service levels in similar incorporated areas. Requirements for annexation include:

- ◆ A three-year annexation plan to identify specific properties the City intends to annex following a three-year waiting period;
- ◆ Acting on annexation proposals within 31 days after the three-year waiting period to prevent the subject properties from becoming exempt from annexation for another five years;
- ◆ Inventorying all current services in the annexation area (including services provided by all entities, the condition of facilities, existing public safety response times, and current service costs);
- ◆ Preparing a municipal service plan for the targeted area within 10 months of receiving data for the service inventory;
- ◆ Immediately extending basic public services (police, fire, and EMS) and "full municipal services," including necessary capital improvements, within 2.5 years of annexation, unless certain exceptions apply (such as a negotiated service schedule for a requested annexation);
- ◆ Possibly negotiating agreements in lieu of annexation to formalize interim service provision and cost-sharing arrangements and possible compliance with City ordinances or development standards;

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<sup>17</sup> The authority to require a development plats is provided in Section 212.044, Local Government Code.

<sup>18</sup> Section 212.049, Texas Local Government Code

- ◆ Potentially entering into arbitration proceedings if annexation planning and negotiation is unsuccessful; and,
- ◆ Potentially negotiating “strategic partnership agreements” with special districts.

Of significance in the law is an exemption from the above requirements for annexation proposals that will involve fewer than 100 tracts of land where each tract contains at least one residential dwelling. With the exception of sizeable developments, most annexations are exempt from the above requirements. Also, the City may not annex more than 10 percent of its land area in any given year. If it does not annex all of the land that is allowed, the difference rolls over to the next year. If multiple carryovers are accumulated, the City can annex up to 30 percent of its land area in a single year.

State law provides for the minimum level of service that must be extended to the annexed areas, as described in **Table 1, Annexation Level of Service Requirements**.

Significantly, State law does “not require that a uniform level of full municipal services be provided to each area of the municipality if different characteristics of topography, land use, and population density constitute a sufficient basis for providing different levels of service.”<sup>19</sup> Therefore, the law appears to allow the City to annex territory and provide minimal services if those services are commensurate with that provided in areas of similar “topography, land use, and population density” within the City. Yet such a strategy is not necessarily without risk -- disputes with affected landowners over levels of service could expose the municipality to civil penalties, court costs, and attorneys’ fees.<sup>20</sup> Accordingly, the City should plan carefully and involve the City Attorney early in the process if it chooses a growth management strategy that involves providing a minimal (rural) level of service to a newly annexed area.

- ◆ Often, there are warranted reasons for considering annexation, including, among others, the ability to impose the City’s land development regulations along major transportation corridors and in prime development areas that may otherwise compromise the community’s long-term interests. There are several areas for which the City is now considering annexation. Since the primary purpose for annexing these areas is to exert control of probable growth areas, it is advisable for the City to employ

Table 1, Annexation Level of Service Requirements

Generally	
If the level of services, infrastructure, and infrastructure maintenance in the affected area before annexation was:	Then services, infrastructure, and infrastructure maintenance must be:
Lower than in the municipality	“Comparable to the level . . . available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the [annexed] area.”
Equal to the municipality	“[T]hat same [pre-annexation] level . . . .”
Superior to the municipality	
Re: services	“Comparable to the level . . . available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the [annexed] area.”
Re: operating and maintaining infrastructure	Equal to or superior to the pre-annexation level.

<sup>19</sup> Section 43.056(m), Texas Local Government Code

<sup>20</sup> Section 43.056(l), Texas Local Government Code

growth management techniques in these areas to prevent premature development. For instance, unless the City is prepared to extend full municipal facilities and services – and such are determined to be efficient and feasible – these area should be zoned for Agricultural-Open, which may serve as a holding zone until which time as the City determined development to be appropriate and of fiscal benefit.

## Zoning Regulations

Chapter 211 of the Texas Local Government Code authorizes the City to enact zoning regulations to control building height and size; lot coverage; yards and open spaces; population density; the location and use of buildings; the location of land that may be put to various business, industrial, residential, or other purposes; the extraction of groundwater (except by retail public utilities); and, in home-rule municipalities like College Station, the bulk of buildings. Zoning regulations are not authorized outside of the municipality’s corporate boundaries without the consent of the affected landowner(s).<sup>21</sup>

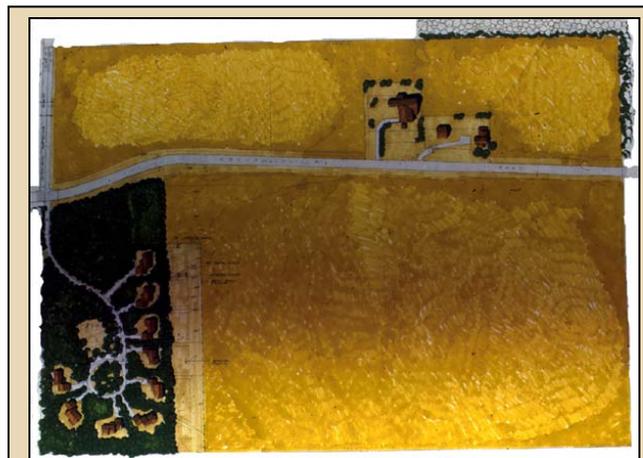
The Texas statutes set out several purposes for zoning. Zoning regulations must be designed to:

1. lessen congestion in the streets;
2. secure safety from fire, panic, and other dangers;
3. promote health and the general welfare;
4. provide adequate light and air;
5. prevent the overcrowding of land;
6. avoid undue concentration of population; or
7. facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

Source: Section 211.004, Compliance with Comprehensive Plan

In concert with annexation, all newly incorporated areas should to be zoned “A-O” Agricultural-Open, without consideration of any other zoning district classification unless merited by way of being within a defined “growth area.” However, to serve its growth management function, the minimum lot size must be increased from five to 20 or more acres. Therefore, the open, rural character of these areas would be maintained and their rezoning to another district classification could be timed with the City’s staged growth plan and infrastructure improvement plans.

The City could allow for very low density residential development in these agriculturally zoned areas by allowing extreme clustering. This enables there to be development value to this land and also allows for construction of additional homes. As an example, one dwelling unit per 20 acres with no required open space equates to a gross density of 0.050 units per acre. A one acre lot with a septic system and well and 85 percent open space allows an increase to 0.070 units per acre. Similarly, a one acre lot with a septic system and public water and 90 percent open space equates to the same 0.150 units per acre. Therefore, clustered residential development may be allowed with a corresponding high open space



Clustering allows development value while preserving the rural, open character.

<sup>21</sup> Generally, the power to zone may only be exercised within the municipality. “The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best for carrying out this subchapter.” § 211.005(a), TLGC (emphasis added). However, one way to enforce zoning regulations in the ETJ is to enter into a development agreement with the affected landowner pursuant to Subchapter G of Chapter 212 of the Texas Local Government Code. See § 212.172(b), TLGC.

requirement to preserve the agricultural character. Slightly higher levels of density may also be permitted to allow more development value without compromising the character of pattern of peripheral development.

The most viable means of growth management for the City, given the limitations of State law, is to annex the maximum allowable 30 percent of its land area, followed by annexations of the maximum allowed 10 percent each year until the incorporated area encompasses land sufficient to support 30 to 50 years of growth, all areas of strategic interest, and the defined long-term growth boundary. This strategy, however, requires the City to establish that there are areas within the corporate limits that have similar “topography, land use, and population density” to those being annexed for which there are minimal facilities and services being provided. If this is the case, a uniform level of municipal service is not mandated making large-scale annexation more feasible. If this cannot be established, a service plan must be prepared and robust cost-benefit analysis conducted to determine the feasibility of the annexations. Then, a policy decision would be necessary to consider the value of annexation and growth control versus the added cost for providing the state mandated services.

### Zoning Ordinance Simplification and Development Streamlining

If the City is to successfully entice development to occur within the City limits rather than the ETJ, its development processes and timing of approvals must not be a constraint. Since a plat is the only required approval for development (of less than five acre lots) in the ETJ, the complexity of the process and length of time to gain approval within the City may outweigh the benefits of in-City development (public utilities, improved emergency response times, increased convenience, zoning controls, etc.). Therefore, although the City’s current process is not atypical, there are significant improvements to be made, of which the more significant and relevant include the following:

- ◆ First and foremost, there are opportunities to reduce the number of zoning districts. The structure of the current districts requires a zone change should a property owner decide to development more than one use or to change the use. At the same time, use-based districts offer no assurance of the character of compatibility of abutting developments.
- ◆ The use-based districts may be consolidated into fewer districts that are based on the intended character of the district. For residential districts, character is defined by the allowable density and required open space ratio, as well as other performance standards relating to the floor area ratio (FAR), landscaping, etc. The character of non-residential districts is defined by the use intensity (measured by FAR) and a landscape surface ratio, along with standards relating to building scale, lighting, signage, and other design requirements. As displayed in **Figure 3, Illustrative District Classification**, within each district is allowed a range of development options, each with corresponding standards to retain the intended character. The benefits of this approach include:
  - Ability to determine the character of future development.
  - Increased certainty in the development process and assurance of outcomes.
  - Improved compatibility within and between districts.
  - Multiple development options within each district adding flexibility while preserving development character.
  - Fewer zoning map amendments.
  - Ability to preserve resources while achieving an equivalent or higher density.
  - Ability to better plan for infrastructure needs.
  - Allowance for mixed use without a separate Planned Development District zoning process.

Table 3, Illustrative District Classification

District and Development Type	Min. OSR	Density		Required Utilities	Minimum Site Area
		Max. Gross	Max. Net		
<b>Suburban (S)</b>					
Single-Family	0.10	1.92	1.92	public	15,000 sf
Cluster	0.30	2.17	2.17	public	5 ac
Planned	0.85	2.25	3.50	public	15 ac.
<b>Auto-Urban (AU)</b>					
Single-Family	0.10	2.61	2.90	public	20,000 sf.
Cluster	0.30	3.23	5.54	public	10,000 sf.
Planned	0.35	4.37	7.50	public	10,000 sf.
<b>Urban (U)</b>					
Single-Family	0.10	3.27	3.64	public	15,000 sf.
Cluster 1	0.25	4.15	5.54	public	8,000 sf.
Planned	0.35	5.56	8.50	public	6,000 sf.

Within the Suburban Residential zoning district, for example, are three development options, each with a corresponding lot size, open space ratio (OSR), and allowed intensity/density. Note the incentive for planned development by way of increased density while retaining 85 percent open space.

- Buffering commensurate with the level of impact.
- Lessens use incompatibility due to the cumulative nature of the current districts.
- ◆ The above approach incorporates planned development as an option that is permitted by right, subject to applicable standards. Density bonuses are used as an incentive for encouraging this type of development, offering more density in exchange for increased open space and amenities. Therefore, the approval process is streamlined by avoiding the timely zoning map amendment process.

### Adequate Public Facilities Requirements

An approach that may help to manage the pattern of growth is allowing development to occur only as adequate facilities and services are available. This requires other growth management provisions though,



Adequate public facilities requirements would essentially stage the scale of development concurrent with the requisite capacity improvements. This may be applied to roads, utilities, and schools, among others.

to determine where and when infrastructure will be provided. If the City commits to provide sewer service with an expanded CCN and water is readily available through other sources, then the question of adequate public facility availability is a moot point. If however, facilities are requested outside of the City's designated growth area, this mechanism may be effective if there is not other means of acquiring the requisite infrastructure.

Also known as concurrency requirements, essentially this mechanism ensures that infrastructure is existing or readily – and efficiently - available prior to or concurrent with development. Adequate Public Facilities Ordinances (APFOs) require applicants for new development to demonstrate that facilities and services will be available to serve the project at the time the development is available

for occupancy. Utilizing this system, the City is able to adopt level-of-service standards, which can be used as criterion for judging conformance with the subdivision regulations. The provisions of State law<sup>22</sup> allow the City to condition property development for a portion of the infrastructure costs, which supports this method. As an alternative, higher impact fees and/or increased developer participation in infrastructure construction and financing may be necessary to shorten development timeframes.

This approach is practical in that it ties development to the capacity of the infrastructure systems to support it. The value of this approach is its ability to establish a direct, causal link between the provision of public facilities and the public health, safety, and welfare. The general components include:

1. Determining a service threshold at which demand exceeds the desired capacity of public facilities, whether it is water and wastewater systems, roadways, parks, or schools. Generally, the difference between the established threshold and the existing level of service is the amount available for development.
2. Determining if there are projects that will be exempted or receive flexibility in meeting the threshold requirements by way of achieving other community objectives, such as infill development, mixed use, affordable housing, etc.
3. Determining the measures to remedy situations when the threshold is exceeded, including delay of development until such time as the project no longer exceeds the threshold, reducing the project's impact to the point that it meets requirements, or mitigating the impact of the project by upgrading public facilities or infrastructure.
4. Reserving the amount of capacity projected for a development during the time between approval of a project and its completion, which counts against the total capacity of public facilities in future applications for development. An expiration date for approved projects may be necessary so as not to unnecessarily burden or deny other projects.

Provisions related to adequate public facilities could be added to the subdivision regulations. For instance, the following – or similar – language could be used: *“The City does not directly regulate the use, density, or intensity of development in the ETJ. However, neither subdivision plat nor development plat approval shall be granted for property located in the ETJ unless all of the following are demonstrated:*

1. *The water service to or within the development is sufficient to provide necessary potable water and sufficient volume and pressure for fire flows to an appropriate number of appropriately spaced fire hydrants that are necessary to protect the development.*
2. *The wastewater service to or within the development is sufficient to protect the health of the residents or the general public.*
3. *The proposed subdivision plat or development plat has no material potential to cause contamination of a municipal water supply that the City has jurisdiction to protect.”*

### Market Performance Standards

This approach is an alternative to an APFO, which better addresses the conflict between property rights and the City's obligation to provide infrastructure and services in a fiscally responsible manner. It accomplishes the same things as performance standards in terms of added flexibility and clustering, but it alters the approach to density and infrastructure level of service.

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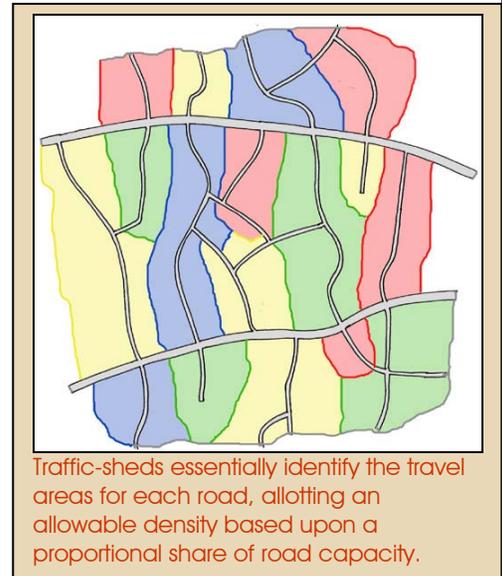
<sup>22</sup> Section 212.904, Apportionment of Municipal Infrastructure Costs

Many argue that the market is the best way to regulate development. This has merit only when all elements are properly priced in the market. A problem as it relates to infrastructure, though, is that support of development by adequate roads, police and fire services, schools, and other public services is not part of the market equation. For example, road improvement and long-term maintenance are not considered in a real estate transaction. A person who purchases a home on a gravel road does not necessarily pay less for the home. Therefore, when the road requires maintenance it becomes the City's obligation to make the improvements. Except for the most expensive housing, the tax revenue from residential development is insufficient to cover the requisite costly infrastructure improvements and service expansion.

A market performance ordinance addresses the capacity of infrastructure. Where growth occurs roads will eventually require widening or surface improvements as the traffic volumes exceed the road capacity. Therefore, market performance ordinances create what is known as traffic-sheds for unimproved and under-improved roads. Since the traffic volumes and capacity of the road may be known, there may be an allotment of dwelling units per acre based upon a proportionate share of the road capacity. Therefore, the capacity is spread evenly across all properties in the traffic-shed rather than on a first-come-first-serve basis as in the APFO approach.

Each landowner has the right to use their proportionate share of the available road capacity. Roads with very low capacity or where there is a very large area within the traffic-shed result in lower densities. The difference is that the market offers the landowner a range of options not available under other types of ordinances, including the following:

- ◆ The allowable density may be altered by improving the road as part of the development cost. If a few hundred feet of improvements are needed to improve capacity, the improvements will likely be funded. If there is a long distance that must be improved it is unlikely that it will be funded, meaning that the development pattern occurs in a more contiguous – rather than leapfrog - manner.
- ◆ A new road may be constructed to create a new traffic-shed, which may reduce the size of the traffic-shed allowing increased density. This option is available only where there is direct access to an improved collector or arterial roadway.
- ◆ Development may occur in phases reserving the balance of land for subsequent phases as additional capacity becomes available upon improvement of the road.
- ◆ Development may occur at the permitted density with large acreages. If the acreages are of sufficient size and have proper frontage, there may be added development potential upon improvement of the road.
- ◆ There may be a transfer of development rights to other property. Upon improvement of the road the agricultural area may receive additional density allowing development at that time.
- ◆ A landowner or group of landowners could form an improvement district to pay for road improvements, subject to City standards and criteria.



Since State law specifically indicates that “a municipality shall not regulate: ... (4) the number of residential units that can be built per acre of land”,<sup>23</sup> there would have to be a legal basis established for the ordinance based on the City’s jurisdiction to “promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.”<sup>24</sup>

### Impact Fees

Impact fees are charged to new development for the construction of new infrastructure that is needed to serve the development. They are related to special assessments, except that: (1) they are charged to new development upon approval rather than to all owners within a particular district; and (2) they may only be charged for the fair share of infrastructure required as a result of the new development. Provided in

**Table 2, Impact Fees**, is a summary of their purpose, strengths, and limitations.

Impact fees facilitate a planned, coordinated approach to providing infrastructure. In Texas, impact fees may be used to fund water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; storm water, drainage, and flood control facilities; and roadway facilities that are needed to serve new development according to a capital improvements plan (including planning, engineering, land acquisition, and construction).<sup>25</sup> They cannot be used to fund:

- ◆ Facilities that are not in the capital improvements plan;
- ◆ Repairs, operation, or maintenance of existing facilities;
- ◆ Upgrades to existing facilities to meet new standards;
- ◆ Upgrades to existing facilities to better serve existing development;

- ◆ Operating costs of the local government; and
- ◆ Payments on debt that is not related to expenditures that may be paid by impact fees.

Impact fees must be supported by technical analysis of qualified professionals, set out in a capital improvements plan. The plan must:

- ◆ Describe existing capital improvements and projected costs to meet existing needs (including stricter safety, efficiency, environmental, or regulatory standards, if applicable);
- ◆ Analyze the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements;
- ◆ Describe the capital improvements (including costs) that are necessitated by and attributable to new development based on the approved land use assumptions;
- ◆ Provide a definitive table that relates capital improvements costs to “service units” that will serve as the basis for impact fees;

<b>Summary</b>	
<b>Purpose:</b>	To allocate the costs of providing additional infrastructure to serve new development to that new development.
<b>Strengths:</b>	Fair share fee allocation; cash payments help avoid potentially dangerous piecemeal improvements to dedicated rights-of-way.
<b>Limitations:</b>	No street impact fees may be charged in the ETJ (where formerly rural roads are likely to be more easily overwhelmed by new development).

<sup>23</sup> Section 212.003, Extension of Rules of Extraterritorial Jurisdiction, Texas Local Government Code

<sup>24</sup> Section 212.002, Rules, Texas Local Government Code

<sup>25</sup> Impact fees for roadway facilities may not be charged in the extraterritorial jurisdiction. See § 395.011(b), TLGC.

- ◆ Estimate the total number of projected service units necessitated by and attributable to new development within the service area, based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria; and
- ◆ Project the demand for capital improvements required by new service units, over a reasonable period of time up to 10 years.

Impact fees use the same theoretical basis as adequate public facilities ordinances. Essentially, the City would establish the capacity of all applicable facilities and the required standard; for example, the level of service (LOS) for roads or number of acres of parks per one thousand persons. The impact fee is then established to generate the funds needed to provide the desired level of service for all facilities. Rather than exhausting capacity, impact fees require payment for a proportionate share of the burden created.

Since the City has impact fees for some defined service areas,<sup>26</sup> this instrument could be expanded to encompass other areas of the City and ETJ, as allowed by State law. Impact fees may be particularly appropriate for portions of the City's defined growth area for which there are no plans for infrastructure improvements within the five-year capital improvement program. This would essentially allow development to occur consistent with the growth plan, but without committing the City to prematurely construct such facilities and services. Specific criteria must be established as to the appropriateness of and under what circumstances the City may consider the use of impact fees to allow development to occur – or not occur – in areas outside of the defined growth area(s). This would be an essential prerequisite for the development of this program to ensure that the integrity of the City's growth strategy may be upheld.

### Conservation Easements

Conservation easements cover a broad range of purposes, whether it is for wildlife or resource management, scenic preservation, or to limit the use of land. A few communities are using conservation easements to control their growth and preserve their agricultural areas, such as Solebury Township in Bucks County, Pennsylvania. With a conservation easement, the landowner continues to own the land and is responsible to maintain it. The land remains on the tax roles although there may be significant tax advantages to the landowner for the dedication of an easement, which also lowers the cost of acquisition. An agricultural easement could allow the landowner the right to continue to farm the land and keep their home and buildings. It could also allow some additional development.

An important aspect of this concept is its flexibility. It can identify a variety of restrictions and development options that may be tailored to the needs of the landowner and the City as the agency accepting the conservation easement. This provides an opportunity to tailor the acquisition to meet landowner concerns and reduce the cost of the easement.

This instrument is most appropriate for and may best be used to supplement a host of other management techniques, rather than as an independent method of conserving resources and open space. For instance, there may be attractive incentives integrated into the zoning ordinance whereby density bonuses are offered in exchange for preservation of open space. This tool can and is being used effectively in some jurisdictions.

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<sup>26</sup> Chapter 15, Impact Fees

## Development Agreements

Development agreements are written contracts that can be used for a wide variety of purposes, including to impose land use and environmental controls (planning authority, existing zoning regulations, new land development regulations, or specific uses and development, and environmental regulations) over property in the ETJ in exchange for the provision of infrastructure and public services (e.g., streets; drainage; and water, wastewater, and other utilities), and/or a guarantee to annex the property (on agreed upon terms), or not to annex the property for a period of not more than 15 years. Development agreements run with the land, but do not bind end-buyers of fully developed lots, except with respect to land use and development regulations that apply to the lots. Provided in **Table 3, Development Agreements**, is a summary of their purpose, strengths, and limitations.

**Table 3, Development Agreements**

Summary	
<b>Purpose:</b>	Allow municipalities and developers within the ETJ to negotiate and agree to terms regarding annexation, land use controls, infrastructure and utilities.
<b>Strengths:</b>	Allows municipalities to exercise some control over the use, character and quality of the development within the ETJ, provided that the landowner consents.
<b>Limitations:</b>	Many limitations reduce the leverage of the municipality to encourage developers to enter into a development agreement.

Development agreements are contracts, and as such, require negotiation and execution by the City and developer. In many cases, there is little incentive for the developer to enter into a development agreement because the City has relatively little leverage. For example:

- ♦ The City may not condition the provision of municipal utilities on the execution of a development agreement.<sup>27</sup>
- ♦ No leverage is created by impact fees for roadway facilities because such fees “may not be enacted or imposed in the extraterritorial jurisdiction.” This is apparently so even if the roadway facilities are provided by development agreement.
- ♦ Developers have several alternatives to provide for infrastructure and utilities, such as a petition for the creation of a political subdivision (as described below). The City may place only very limited conditions on the formation of the political subdivision.<sup>28</sup>

This is not to say however, that the City has no leverage. Indeed, cooperation may bring mutual advantages to the City and developer, especially if the City is able to provide timely infrastructure and services on reasonable terms. Since the City may enter into development agreements with landowners in the ETJ<sup>29</sup> this may offer an opportunity for providing services in exchange for abiding by the City’s development regulations and meeting other community objectives, e.g. resource protection, etc.

## Improvement Districts

Improvement districts may be created to fund infrastructure improvements by special assessment against the property owners who principally benefit from them in fair proportion to the level of their benefit. Improvement districts are run by the governmental unit that creates them, in this case, the City. They have the power to impose a special assessment, but not to tax. Provided in **Table 4, Improvement Districts**, is a summary of their purpose, strengths, and limitations.

<sup>27</sup> “A municipality may not require [a development] agreement . . . as a condition for providing water, sewer, electricity, gas, or other utility service from a municipally owned or municipally operated utility that provides any of those services.” § 212.174, TLGC.

<sup>28</sup> The conditions do not involve land use controls or annexation.

<sup>29</sup> Development agreements are authorized by Subchapter G of Chapter 212, Texas Local Government Code.

Public improvements that may be funded by an improvement district include:

1. landscaping;
2. erection of fountains, distinctive lighting, and signs;
3. acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way;
4. construction or improvement of pedestrian malls;
5. acquisition and installation of pieces of art;
6. acquisition, construction, or improvement of libraries;
7. acquisition, construction, or improvement of off-street parking facilities;
8. acquisition, construction, improvement, or rerouting of mass transportation facilities;
9. acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements;
10. the establishment or improvement of parks;
11. projects similar to those listed in 1 through 10 above;
12. acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;
13. special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and
14. payment of expenses incurred in the establishment, administration, and operation of the district.

Summary	
<b>Purpose:</b>	To fund public improvements and programs by assessing those landowners who benefit from them.
<b>Strengths:</b>	Those who pay special assessments are those who directly benefit from the improvements funded by them; improvement districts are administered by the governmental unit that formed them.
<b>Limitations:</b>	Potentially lengthy process for improvement district formation.

And, in the case of home rule municipalities like College Station:

15. levying, straightening, widening, enclosing, or otherwise improving a river, creek, bayou, stream, other body of water, street, or alley; [and]
16. draining, grading, filling, and otherwise protecting and improving the territory within the municipality's limits.

The City may create an improvement district within its corporate limits or ETJ, after a process in which:

- ◆ A petition is initiated by the affected landowners or the local government;
- ◆ One or more public hearings are held regarding: the advisability of the improvement; the nature of the improvement; the estimated cost of the improvement; the boundaries of the public improvement district; the method of assessment; and the apportionment of costs between the district and the municipality or county as a whole;
- ◆ The local government issues an improvement order (by majority vote); and
- ◆ Notice of the order is published.<sup>30</sup>

An ongoing service plan must be approved by the City. The plan "must cover a period of at least five years and must also define the annual indebtedness and the projected costs for improvements." The

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<sup>30</sup> The local government may also undertake a feasibility study and appoint an advisory committee with regard to the formation of the improvement district. See §§ 372.007 and 372.008, TLGC.

service plan must include an assessment plan<sup>31</sup> and must “be reviewed and updated annually for the purpose of determining the annual budget for improvements.”

Use of this instrument may be feasible and warranted as a means for meeting the infrastructure needs within the City’s “growth area(s)” for which the City is not yet prepared to commit capital resources. This may include outlying portions of the “growth area(s)” where near-term infrastructure provision and service expansion is not yet feasible.

### Interlocal Cooperation Contracts

Interlocal cooperation contracts are authorized by Chapter 791, Texas Government Code (TGC). The purpose of the interlocal cooperation contract is to: “increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state.” Provided in **Table 5, Interlocal Cooperation Contracts**, is a summary of their purpose, strengths, and limitations. Chapter 791 provides broad authority for municipalities to contract with each other, with counties, with special districts and political subdivisions, with federally recognized

tribal governments that are located in the state of Texas, and with state agencies to provide “governmental function[s] or service[s] that each party to the contract is authorized to perform individually.” Such functions and services include:

- ◆ “Functions normally associated with the routine operation of government, including tax assessment and collection, personnel services, purchasing, records management services, data processing, warehousing, equipment repair, and printing.”
- ◆ “Police protection and detention services; . . . fire protection; . . . streets, roads, and drainage; . . . public health and welfare; . . . parks and recreation; . . . library and museum services; . . . records center services; . . . waste disposal; . . . planning; . . . engineering; . . . administrative functions; . . . public funds investment; . . . comprehensive health care and hospital services; or . . . other governmental functions in which the contracting parties are mutually interested.”

**Table 5, Interlocal Cooperation Contracts**

Summary	
<b>Purpose:</b>	To increase the efficiency of local governments by enhancing cooperation among them.
<b>Strengths:</b>	High degree of flexibility to contract in order to provide a wide variety of governmental services.
<b>Limitations:</b>	Interlocal cooperation contracts facilitate the use of other growth management tools, therefore their effectiveness depends largely upon how well they are implemented and what they provide for.

- ◆ Water supply and wastewater treatment, various types of correctional and criminal justice facilities, transportation infrastructure, and purchasing contracts.<sup>32</sup>

Growth management is most effective when approached from several levels of government. Therefore, interlocal cooperation contracts are advised between the City, Brazos County, as well as each of the applicable water control and improvement districts (WCIDs).

### STRATEGIC DIRECTIONS

To be completed...

<sup>31</sup> City and County owned property is not exempt from assessment. See §§ 372.014, TLGC.

<sup>32</sup> Sections 791.021 *et seq.*, TGC set out additional substantive and procedural requirements for these types of agreements.

**July 12, 2007  
Workshop Agenda Item  
Capital Plan Presentation**

**To:** Glenn Brown, City Manager

**From:** Jeff Kersten, Chief Financial Officer

**Agenda Caption:** Presentation, possible action, and discussion on the proposed capital plan for 2007-2008 to 2012-2013.

**Recommendation(s):** Staff recommends the City Council provide direction on the proposed capital project budget.

**Summary:** The capital improvement plan is one of the key planning elements for the City of College Station. The capital plan is one tool to implement the strategic priorities established by the City Council. It is also a tool to implement the comprehensive plan.

The capital plan includes all planned and authorized capital projects for a five year period. At this meeting staff will be presenting a summary of the capital projects budget for next year and the next five years.

This includes a summary of the following project categories:

- Streets, Traffic, Sidewalks, and Trails Capital Projects
- Parks and Parkland Dedication Capital Projects
- Facilities and Technology Capital Projects
- Electric, Water, Wastewater, and Drainage Capital Projects
- Landfill Capital Projects

There are also a group of unfunded projects that have been identified that will be provided.

This information will be presented to the Planning and Zoning Commission on July 5th and the Parks and Recreation Board in the near future.

**Budget & Financial Summary:** The proposed capital budget will be reviewed at the workshop.

Capital projects are funded in multiple ways including long term debt and existing cash resources. Long term debt includes General Obligation Bonds which can only be issued when there is voter authorization in a bond election. Certificates of Obligation and Utility Revenue Bonds are also long term debt mechanisms.

The long term debt is paid back through the property tax revenues, as well as utility revenues.

**Attachments:**

1. CIP Summary



CITY OF COLLEGE STATION  
OFFICE OF BUDGET & STRATEGIC PLANNING

## MEMORANDUM

**To:** Glenn Brown, City Manager  
**Through:** Jeff Kersten, Chief Financial Officer  
**From:** Courtney Kennedy, Budget & Management Analyst  
**Subject:** FY08 Proposed Capital Improvements Program  
**Date:** July 3, 2007

Please find attached a summary of the FY08 City of College Station Proposed Capital Improvements Program. The FY08 Proposed Capital Improvements Program is the result of a comprehensive review of the City's capital needs.

It is anticipated that the FY08 Proposed Capital Improvements Program will be presented to the Council during a July 12, 2007 workshop session. Prior to the workshop, the Planning and Zoning Commission will be given the opportunity to review the FY08 Proposed Capital Improvements Program at the July 5, 2007 workshop. It is also anticipated that the Program will be reviewed by the Parks Board in late July.

The attached documents are grouped as follows:

### FY08 Proposed Expenditure Summaries

The FY08 Proposed Expenditure Summaries are intended to provide a summarized version of the more comprehensive fund summaries typically presented in the budget document. They have been prepared as a supplementary item intended to provide a more concise presentation. The focus of the attached documents is future capital improvement projects. Projects that are anticipated to be completed in FY07 are not included on these summaries.

Project Expenditure Summary sheets are included for Streets, Sidewalks and Trail projects; Parks projects; Facility and Technology projects; Drainage Utility projects; BVSWMA projects; and Water and Wastewater Services projects.

In addition, a summary sheet is included for projects that have more than one funding source. This Combined Funding Expenditure Summary sheet is designed to provide an overview of the total funds anticipated to be expended on projects with multiple funding sources. These projects will also appear on the individual project Expenditure Summary sheets, but the funding included on the individual sheets reflects only the funding for that portion of the project.

### Unfunded Projects

The projects included on the Unfunded Projects list are not currently funded. These projects may be presented for consideration of funding in the future. This list will also be used as the starting point for determining which items may be considered for a future bond authorization. The budgets included with these projects are estimates and may change as the scope of the project is more clearly defined.

**COMBINED FUNDING SOURCE CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	<b>TOTAL PROJECT BUDGET AMOUNT</b>	<b>PAID TO DATE THROUGH FY06</b>	<b>ESTIMATE FY 06-07</b>	<b>PROJECTED FY 07-08</b>	<b>PROJECTED FY 08-09</b>	<b>PROJECTED FY 09-10</b>	<b>PROJECTED FY 10-11</b>	<b>PROJECTED FY 11-12</b>	<b>PROJECTED FY 12-13</b>
<b>PRIMARY FUNDING SOURCE - STREETS</b>									
COLLEGE PARK/BREEZY HEIGHTS (SOUTHSIDE)	5,930,000	313,651	1,628,307	3,988,042	0	0	0	0	0
CHURCH AVENUE REHAB	1,841,376	73,879	994,201	773,296	0	0	0	0	0
TAUBER AND STASNEY REHAB/NG SIDEWALKS	2,492,110	141,924	600,456	1,749,731	0	0	0	0	0
DARTMOUTH EXTENSION PHASE II	4,074,000	187,455	2,861,499	1,025,045	0	0	0	0	0
BARRON ROAD REHABILITATION	3,200,000	220,948	508,396	2,470,656	0	0	0	0	0
<b>PRIMARY FUNDING SOURCE - FACILITIES</b>									
FIRE STATION #3 RELOCATION	2,729,000	217,140	1,453,659	1,058,200	0	0	0	0	0
<b>PRIMARY FUNDING SOURCE - PARKS</b>									
UNIVERSITY PARK DEVELOPMENT	515,837	4,982	0	510,855	0	0	0	0	0
WOODLAND HILLS PARK DEVELOPMENT	349,000	0	0	349,000	0	0	0	0	0
<b>PRIMARY FUNDING SOURCE - DRAINAGE</b>									
BEE CREEK PHASES IV AND V	1,820,000	166,842	53,500	1,170,658	429,000	0	0	0	0
<b>PRIMARY FUNDING SOURCE - WATER/WASTEWATER</b>									
WILLIAM D FITCH EAST (AREA 6)	1,310,000	3,488	745,456	561,056	0	0	0	0	0
TEXAS AVENUE WATER/WASTEWATER LINE RELOC	3,317,254	3,276,799	13,485	13,485	13,485	0	0	0	0
SOUTH KNOLL/THE GLADE REHAB	2,940,400	0	0	1,534,200	1,406,200	0	0	0	0
<b>TOTAL PROJECTED EXPENDITURES</b>		<b>\$ 4,607,108</b>	<b>\$ 8,858,960</b>	<b>\$ 15,204,225</b>	<b>\$ 1,848,685</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>

**STREETS, TRAFFIC, SIDEWALKS, AND TRAILS CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	PROJECT NUMBER	PROJECT BUDGET AMOUNT	PAID TO DATE THROUGH FY06	ESTIMATE FY 06-07	PROJECTED FY 07-08	PROJECTED FY 08-09	PROJECTED FY 09-10	PROJECTED FY 10-11	PROJECTED FY 11-12	PROJECTED FY 12-13
<b>STREET REHABILITATION PROJECTS</b>										
	COLLEGE PARK/BREEZY HEIGHTS (SOUTHSIDE)	ST0507	2,500,000	160,416	248,864	2,090,719	0	0	0	0
1	CHURCH AVE REHAB PHASE II	ST0523	1,687,063	55,391	895,002	736,670	0	0	0	0
1	TAUBER AND STASNEY REHAB/NG SIDEWALKS	ST0505	2,252,110	101,032	472,654	1,678,424	0	0	0	0
SUBTOTAL			\$ 316,839	\$ 1,616,520	\$ 4,505,813	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<b>STREET EXTENSION PROJECTS</b>										
*	VICTORIA OP	ST9928	345,639	82,430	0	131,605	131,605	0	0	0
	DARTMOUTH EXTENSION PHASE II	ST0211	3,600,000	187,455	2,387,500	1,025,045	0	0	0	0
1	OVERSIZE PARTICIPATION	ST0519	2,347,569	0	0	540,000	540,000	540,000	727,569	0
	ARRINGTON/DECATUR EXTENSION	ST0606	4,110,000	290,981	1,147,855	2,671,164	0	0	0	0
	FUTURE STREET EXTENSION PROJECTS	ST0701	140,000	0	0	140,000	0	0	0	0
<b>ROCK PRAIRIE ROAD PROJECTS</b>										
1	ROCK PRAIRIE RD WIDENING	ST0417	2,969,000	532,473	270,317	1,118,700	1,047,510	0	0	0
<b>BARRON ROAD PROJECTS</b>										
*	BARRON ROAD RIGHT OF WAY	ST0006	431,000	150,881	150,000	130,119	0	0	0	0
1	BARRON ROAD REHABILITATION	ST0409	3,000,000	220,948	458,396	2,320,656	0	0	0	0
<b>GREENS PRAIRIE ROAD PROJECTS</b>										
1	WILLIAM D. FITCH PKWY WIDENING PH II	ST0520	3,300,000	0	0	508,500	1,395,750	1,395,750	0	0
CLOSED PROJECTS				3,837	0	0	0	0	0	0
SUBTOTAL			\$ 1,465,167	\$ 4,417,905	\$ 8,585,789	\$ 3,114,865	\$ 1,935,750	\$ 727,569	\$ 0	\$ 0
<b>STREET TXDOT PROJECTS</b>										
	TX AVE STREETScape PH II	ST9915	999,552	315,733	11,819	672,000	0	0	0	0
CLOSED PROJECTS										
SUBTOTAL			\$ 315,733	\$ 11,819	\$ 672,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

**STREETS, TRAFFIC, SIDEWALKS, AND TRAILS CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	PROJECT NUMBER	PROJECT BUDGET AMOUNT	PAID TO DATE THROUGH FY06	ESTIMATE FY 06-07	PROJECTED FY 07-08	PROJECTED FY 08-09	PROJECTED FY 09-10	PROJECTED FY 10-11	PROJECTED FY 11-12	PROJECTED FY 12-13
<b>TRAFFIC PROJECTS</b>										
	* TRAFFIC MGMT. IMPROVE.	ST0011	134,290	0	67,145	67,145	0	0	0	0
1	TRAFFIC SYSTEM SAFETY IMPR.	ST0511	240,395	0	40,395	100,000	100,000	0	0	0
1	NEW TRAFFIC SIGNAL PROJECTS	ST0512	1,034,551	0	174,551	500,000	170,000	0	0	0
1	NEW SIGNAL @ROCK PRAIRIE/RIO GRANDE	ST0414	120,000	25,051	0	94,949	0	0	0	0
1	NEW SIGNAL @WELSH/HOLLEMAN	ST0415	120,000	41,478	0	78,522	0	0	0	0
	SIGNAL @ GB DRIVE EAST & DOMINIK	ST0205	133,000	33,373	0	0	0	0	99,627	0
1	TRAFFIC SIGNAL COMMUNICATIONS	ST0411	140,000	22,605	30,000	50,000	37,395	0	0	0
SUBTOTAL			\$ 122,507	\$ 312,091	\$ 890,616	\$ 307,395	\$ 0	\$ 0	\$ 99,627	\$ 0
<b>SIDEWALKS &amp; TRAILS</b>										
	BIKE LOOP - 2005	ST0530	327,202	0	2,000	325,202	0	0	0	0
	MISC. BIKE TRAILS	ST9803	169,000	0	0	169,000	0	0	0	0
	PEDESTRIAN IMP ON UNIVERSITY DR - PHASE IA	ST0416	2,387,025	170,453	118,274	118,273	1,980,025	0	0	0
	COCS BEAUTIFICATION IMPROVEMENTS	ST0515	300,000	0	40,680	259,320	0	0	0	0
1	SIDEWALK IMPROVEMENTS	ST0517	160,793	14,112	46,681	0	100,000	0	0	0
1	SIDEWALK IMP ON SOUTHWEST PKWY	ST0702	107,000	0	0	107,000	0	0	0	0
1	HIKE AND BIKE TRAILS	ST0521	981,624	6,244	0	516,624	230,000	228,756	0	0
SUBTOTAL			\$ 190,809	\$ 207,635	\$ 1,495,419	\$ 2,310,025	\$ 228,756	\$ 0	\$ 0	\$ 0
<b>TOTAL PROJECTED EXPENDITURES</b>			<b>\$ 2,411,055</b>	<b>\$ 6,565,971</b>	<b>\$ 16,149,637</b>	<b>\$ 5,732,285</b>	<b>\$ 2,164,506</b>	<b>\$ 727,569</b>	<b>\$ 99,627</b>	<b>\$ 0</b>

\* - Indicates projects funded through November 1998 G.O. Bond Authorization

1 - Indicates projects funded through 2003 G.O. Bond Authorization

**PARKS CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	<u>PROJECT NUMBER</u>	<u>PROJECT BUDGET AMOUNT</u>	<u>PAID TO DATE THROUGH FY06</u>	<u>ESTIMATE FY 06-07</u>	<u>PROJECTED FY 07-08</u>	<u>PROJECTED FY 08-09</u>	<u>PROJECTED FY 09-10</u>	<u>PROJECTED FY 10-11</u>	<u>PROJECTED FY 11-12</u>	<u>PROJECTED FY 12-13</u>
<b>PARK PROJECTS</b>										
	FIELD REDEVELOPMENT	PK0300	ANNUAL	84,139	57,000	30,000	75,000	50,000	50,000	50,000
	UNIVERSITY PARK DEVELOPMENT	PK0410		4,982	0	395,018	0	0	0	0
1	VETERANS PARK PHASE II	PK0501		3,940,937	2,484,063	500,000	0	0	0	0
1	NEW FORESTRY SHOP CONSTRUCTION	PK0520		104	430,000	399,896	0	0	0	0
1	CENTRAL PARK SHOP RENOVATION	PK0521		0	0	40,000	0	0	0	0
	WOODLAND HILLS DEVELOPMENT	PK0523		0	0	315,000	0	0	0	0
	EASTGATE PARK IMPROVEMENTS PHII	TBD		0	0	180,000	0	0	0	0
	ADAMSON POOL BATH HOUSE REPLACE	PK0701		0	75,000	915,000	0	0	0	0
	THOMAS POOL BATH HOUSE REPLACEM	TBD		0	0	30,000	300,000	0	0	0
*	LINCOLN CENTER ENTRY SIDEWALK	TBD		0	0	15,000	0	0	0	0
*	LIONS PARK SWING SET	TBD		0	0	15,000	0	0	0	0
	<b>PARKS SUBTOTAL</b>			<u>\$ 4,030,162</u>	<u>\$ 3,046,063</u>	<u>\$ 2,834,914</u>	<u>\$ 375,000</u>	<u>\$ 50,000</u>	<u>\$ 50,000</u>	<u>\$ 50,000</u>
<b>PARKLAND DEDICATION PROJECTS</b>										
	<b>ZONE 1 PARK</b>	PK0051		3,947	-	0	3,947	0	0	0
	<b>ZONE 2 PARK</b>	PK0052		0	-	0	0	0	0	0
	UNIVERSITY PARK	TBD		115,837	0	0	115,837	0	0	0
	<b>ZONE 3 PARK</b>	PK0053		1,390	-	0	1,390	0	0	0
	CENTRAL PARK POND IMP/DISC GOLF	TBD		61,000	0	0	61,000	0	0	0
	<b>ZONE 4 PARK</b>	PK0054		32,033	0	0	32,033	0	0	0
	<b>ZONE 5 PARK</b>	PK0055		2,522	0	0	2,522	0	0	0
	<b>ZONE 6 PARK</b>	PK0056		1,878	-	0	1,878	0	0	0
	SOUTHWEST PARK DEVELOPMENT	TBD		202,761	0	0	202,761	0	0	0
	<b>ZONE 7 PARK</b>	PK0057		8,980	0	0	8,980	0	0	0
	<b>ZONE 8 PARK</b>	PK0058		0	0	0	0	0	0	0
	<b>ZONE 9 PARK</b>	PK0059		2,766	0	0	2,766	0	0	0
	WOODLAND HILLS PARK DEV.	PK0714		34,000	0	0	34,000	0	0	0
	<b>ZONE 10 PARK</b>	PK0060		125,574	0	0	125,574	0	0	0
	EDELWEISS GARTENS	PK0613		366,000	1,565	0	364,435	0	0	0
	<b>ZONE 11 PARK</b>	PK0061		2,819	0	0	2,819	0	0	0
	<b>ZONE 12 PARK</b>	TBD		0	0	0	0	0	0	0
	<b>ZONE 13 PARK</b>	TBD		617	0	0	617	0	0	0
	<b>ZONE 14 PARK</b>	PK0717		74,510	0	0	74,510	0	0	0
	<b>ZONE 15 PARK</b>	TBD		18,909	0	0	18,909	0	0	0
	<b>ZONE 16 PARK</b>	TBD		0	0	0	0	0	0	0
	<b>PARKLAND SUBTOTAL</b>			<u>\$ 1,565</u>	<u>\$ 0</u>	<u>\$ 1,053,978</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
	<b>TOTAL PROJECTED EXPENDITURES</b>			<u>4,031,726</u>	<u>3,046,063</u>	<u>3,888,892</u>	<u>375,000</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>

\* - Indicates projects funded through Community Development Block Grant funds.

1 - Indicates projects funded through November 2003 G.O. Bond Authorization

**FACILITY AND TECHNOLOGY CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

		<b>PROJECT BUDGET AMOUNT</b>	<b>PAID TO DATE THROUGH FY06</b>	<b>PROJECTED FY 06-07</b>	<b>PROJECTED FY 07-08</b>	<b>PROJECTED FY 08-09</b>	<b>PROJECTED FY 09-10</b>	<b>PROJECTED FY 10-11</b>	<b>PROJECTED FY 11-12</b>	<b>PROJECTED FY 12-13</b>
<b>PUBLIC FACILITY PROJECTS</b>										
LIBRARY BOOK DONATIONS	GG9901	291,348	126,014	20,000	20,000	20,000	20,000	20,000	20,000	20,000
NEW CEMETERY	GG9905	7,950,000	1,488,027	678,907	5,783,066	0	0	0	0	0
1 RELOCATION OF FIRE STATION #3	GG0401	2,701,000	214,770	1,428,030	1,058,200	0	0	0	0	0
1 POLICE STATION NEW ADDITION	GG0402	3,610,000	217,285	966,625	1,683,963	742,127	0	0	0	0
1 NEW CITY HALL	GG0408	4,300,000	40,871	88,513	61,487	0	2,109,129	2,000,000	0	0
NORTHGATE IMPROVEMENTS	TBD	625,000	3,839	0	621,161	0	0	0	0	0
MUNICIPAL FACILITY IMPROVEMENTS	GG0701	1,750,000	0	750,000	1,000,000	0	0	0	0	0
MUNICIPAL BUILDINGS REHAB & REMODEL	TBD	250,000	0	0	250,000	0	0	0	0	0
				<u>\$ 3,932,075</u>	<u>\$10,477,877</u>	<u>\$ 762,127</u>	<u>\$ 2,129,129</u>	<u>\$ 2,020,000</u>	<u>\$ 20,000</u>	<u>\$ 20,000</u>
<b>CONVENTION CENTER PROJECT</b>										
CONVENTION CNTR	GG0523	38,380,000	0	0	0	6,938,000	9,294,500	13,765,000	8,382,500	0
				<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 6,938,000</u>	<u>\$ 9,294,500</u>	<u>\$ 13,765,000</u>	<u>\$ 8,382,500</u>	<u>\$ 0</u>
<b>TECHNOLOGY PROJECTS</b>										
POLICE BOOKING	CO0515	141,000	98,579	0	42,421	0	0	0	0	0
MDT SYSTEM REPLACEMENT	CO0701	100,000	0	0	0	100,000	0	0	0	0
PD SCHEDULING SYSTEM	CO0703	71,300	0	0	0	71,300	0	0	0	0
AS400 ENHANCEMENT	TBD	250,000	0	0	0	250,000	0	0	0	0
UPS REPLACEMENT	CO0603	93,560	0	34,400	16,720	12,480	29,960	0	0	0
PBX (PHONE SYSTEM) REPLACEMENT	CO0400	990,328	918,689	36,498	35,141	0	0	0	0	0
RADIO SYSTEM REPLACEMENT	CO0601	4,885,000	209	100,000	4,784,791	0	0	0	0	0
WIRELESS INFRASTRUCTURE	CO0704	200,000	0	0	100,000	100,000	0	0	0	0
				<u>\$ 170,898</u>	<u>\$ 4,979,073</u>	<u>\$ 533,780</u>	<u>\$ 29,960</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL PROJECTED EXPENDITURES</b>				<u>4,102,973</u>	<u>15,456,950</u>	<u>8,233,907</u>	<u>11,453,589</u>	<u>15,785,000</u>	<u>8,402,500</u>	<u>20,000</u>

1 - Indicates projects funded through 2003 G.O. Bond Authorization

**DRAINAGE UTILITY  
CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

<u>PROJECT NUMBER</u>	<u>PROJECT BUDGET AMOUNT</u>	<u>PAID TO DATE THROUGH FY06</u>	<u>ESTIMATE FY 06-07</u>	<u>PROJECTED FY 07-08</u>	<u>PROJECTED FY 08-09</u>	<u>PROJECTED FY 09-10</u>	<u>PROJECTED FY 10-11</u>	<u>PROJECTED FY 11-12</u>	<u>PROJECTED FY 12-13</u>
BEE CREEK PH. IV & V.	SD0001 \$ 1,400,000	166,842	53,500	750,658	429,000	0	0	0	0
GREENWAYS PROJECTS	SD9903 \$ 3,640,000	2,319,746	6,554	300,000	300,000	300,000	413,700	0	0
MINOR DRAINAGE IMPROVEMENTS	SD0701 ANNUAL	0	100,000	200,000	150,000	0	0	0	0
COLLEGE PARK/BREEZY HEIGHTS	SD0601 \$ 485,000	18,053	219,319	247,628	0	0	0	0	0
WPC (REDMOND TERRACE)	SD0520 \$ 680,000	1,431	0	0	0	0	340,000	338,569	0
STORMWATER MAPPING	SD0523 \$ 150,000	0	0	50,000	50,000	50,000	0	0	0
BEE CREEK - Letter of Map Revisio	SD0703 \$ 82,000		50,000	32,000	0	0	0	0	0
<b>TOTAL EXPENDITURES</b>		<u>\$ 2,506,071</u>	<u>\$ 429,373</u>	<u>\$ 1,580,286</u>	<u>\$ 929,000</u>	<u>\$ 350,000</u>	<u>\$ 753,700</u>	<u>\$ 338,569</u>	<u>\$ 0</u>

**WATER SERVICES  
CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	<u>FY08 PROJECT BUDGET</u>	<u>Paid to Date Through FY06</u>	<u>ESTIMATE FY 06-07</u>	<u>PROJECTED FY 07-08</u>	<u>PROJECTED FY 08-09</u>	<u>PROJECTED FY 09-10</u>	<u>PROJECTED FY 10-11</u>	<u>PROJECTED FY 11-12</u>	<u>PROJECTED FY 12-13</u>
<b>PRODUCTION PROJECTS</b>									
<b>SOURCE AND SUPPLY PLANT - WSWOC</b>									
WELL #7	4,178,612	273,612	2,155,000	1,750,000	0	0	0	0	0
WELL #7 COLLECTION LINE	3,719,876	151,476	436,400	3,132,000	0	0	0	0	0
PARALLEL WELLFIELD COLL LINE PH I	4,260,191	17,691	719,500	3,523,000	0	0	0	0	0
PARALLEL WATER TRANS LINE - SH21 - VILLA MAI	10,042,964	2,071,564	3,859,300	4,112,100	0	0	0	0	0
LAND ACQUISITION - WELLS	5,522,614	22,614	500,000	2,500,000	2,500,000	0	0	0	0
WELL SITE DRAINAGE	250,000	0	0	250,000	0	0	0	0	0
<b>WATER PUMPING &amp; TREATMENT PLANT - WPWOC</b>									
GREENS PRAIRIE ELEVATED STORAGE ELECTRIC	75,000	0	0	75,000	0	0	0	0	0
<b>WATER GENERAL PLANT - WGWOC</b>									
SCADA REPLACEMENT	351,751	18,751	105,000	150,000	78,000	0	0	0	0
WATER PLANT SECURITY	1,492,969	910,664	350,000	232,305	0	0	0	0	0
SPPS FIBER OPTIC LINE	500,000	0	0	500,000	0	0	0	0	0
SUBTOTAL			<u>\$ 8,125,200</u>	<u>\$ 16,224,405</u>	<u>\$ 2,578,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>DISTRIBUTION PROJECTS</b>									
<b>TRANSMISSION &amp; DISTRIBUTION PLANT - WTWOC</b>									
OVERSIZED LINES PARTICIPATION	ANNUAL		225,497	100,000	100,000	100,000	100,000	100,000	100,000
VICTORIA WATER OP	100,000	18,061	12,000	30,000	39,939	0	0	0	0
WATER RECLAIM / IRRIGATION	2,715,730	41,730	284,000	2,390,000	0	0	0	0	0
BARRON ROAD WATER SERVICE EXT	2,383,253	1,136,925	856,328	390,000	0	0	0	0	0
<b>2002 ANNEXATION PROJECTS</b>									
WILLIAM D FITCH EAST (AREA 6)	672,000	2,944	258,000	411,056	0	0	0	0	0
SUBTOTAL			<u>\$ 1,635,825</u>	<u>\$ 3,321,056</u>	<u>\$ 139,939</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>
<b>REHABILITATION PROJECTS:</b>									
BARRON ROAD REHAB	100,000	0	25,000	75,000	0	0	0	0	0
BEE CREEK PHASES IV & V	120,000	0	0	120,000	0	0	0	0	0
TAUBER & STASNEY	120,000	21,403	48,597	50,000	0	0	0	0	0
TEXAS AVE. RELOCATION SOUTH	1,991,406	1,971,177	6,743	6,743	6,743	0	0	0	0
COLLEGE PARK/BREEZY HEIGHTS	1,640,000	68,572	580,062	991,366	0	0	0	0	0
SOUTH KNOLL/THE GLADE	1,725,000	0	0	900,000	825,000	0	0	0	0
SUBTOTAL			<u>\$ 660,402</u>	<u>\$ 2,143,109</u>	<u>\$ 831,743</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
CAPITAL PROJECTS CONTINGENCY	ANNUAL	0	246,000	150,000	150,000	150,000	150,000	150,000	150,000
<b>TOTAL PROJECTED EXPENDITURES</b>			<u>\$ 10,667,427</u>	<u>\$ 21,838,570</u>	<u>\$ 3,699,682</u>	<u>\$ 250,000</u>	<u>\$ 250,000</u>	<u>\$ 250,000</u>	<u>\$ 250,000</u>

**WASTEWATER SERVICES  
CAPITAL IMPROVEMENT PROJECTS  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	FY08 PROJECT BUDGET	Paid to Date Through FY06	ESTIMATE FY 06-07	PROJECTED FY 07-08	PROJECTED FY 08-09	PROJECTED FY 09-10	PROJECTED FY 10-11	PROJECTED FY 11-12	PROJECTED FY 12-13
<b>COLLECTION PROJECTS</b>									
<b>COLLECTION PLANT - SCWOC</b>									
OVERSIZE PARTICIPATION	ANNUAL	17,120	223,000	100,000	100,000	100,000	100,000	100,000	100,000
RAYMOND STOTZER WEST	1,978,000	0	0	978,000	1,000,000	0	0	0	0
<b>ANNEXATION PROJECTS</b>									
WILLIAM D FITCH EAST (AREA 6)	638,000	544	487,456	150,000	0	0	0	0	0
SUBTOTAL			\$ 710,456	\$ 1,228,000	\$ 1,100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
<b>REHABILITATION PROJECTS:</b>									
EMERALD PKWY / BENT OAK	141,094	4,844	6,250	130,000	0	0	0	0	0
LIFT STATION #2 REHAB	100,000	0	0	100,000	0	0	0	0	0
FOXFIRE LIFT STATION REHAB	100,000	0	0	100,000	0	0	0	0	0
BARRON ROAD REHAB	100,000	0	25,000	75,000	0	0	0	0	0
BEE CREEK PH IV & V WASTEWATER	300,000	0	0	300,000	0	0	0	0	0
CARTERS CREEK SCREW LIFT SYSTEM	1,453,164	903,380	250,000	299,784	0	0	0	0	0
CHURCH AVENUE REHAB - PHASE II	103,313	16,313	50,374	36,626	0	0	0	0	0
TEXAS AVE. RELOCATION SOUTH	1,325,848	1,305,621	6,743	6,743	6,743	0	0	0	0
TAUBER & STASNEY REHAB	120,000	19,489	74,190	26,321	0	0	0	0	0
COLLEGE PARK/BREEZY HEIGHTS	1,305,000	66,610	580,062	658,328	0	0	0	0	0
SOUTH KNOLL / THE GLADE	1,215,400	0	0	634,200	581,200	0	0	0	0
SUBTOTAL			\$ 992,619	\$ 2,367,002	\$ 587,943	\$ 0	\$ 0	\$ 0	\$ 0
<b>TREATMENT &amp; DISPOSAL PROJECTS</b>									
<b>TREATMENT &amp; DISPOSAL/PUMPING PLANT - SPWOC</b>									
CARTERS CREEK UV IMPROVEMENTS	1,900,000	75,667	500,000	1,324,333	0	0	0	0	0
CARTERS CREEK CLARIFIER IMP	205,000	0	175,000	30,000	0	0	0	0	0
CARTERS CREEK HEADWORKS IMP	1,325,000	0	0	125,000	1,200,000	0	0	0	0
CARTERS CREEK SERVICE WATER IMP	450,000	0	150,000	150,000	150,000	0	0	0	0
<b>SLUDGE TREATMENT &amp; DISPOSAL/PUMPING PLANT - SSWOC</b>									
CARTERS CREEK BLOWER OVERHAUL	140,000	0	80,000	60,000	0	0	0	0	0
LICK CREEK CENTRIFUGE IMP	400,000	0	0	50,000	350,000	0	0	0	0
<b>SEWER GENERAL PLANT - SGWOC</b>									
WASTEWATER PLANT SECURITY	419,167	391,767	7,400	20,000	0	0	0	0	0
SCADA REPLACEMENT	362,000	0	141,500	163,000	57,500	0	0	0	0
SUBTOTAL			\$ 1,053,900	\$ 1,922,333	\$ 1,757,500	\$ -	\$ -	\$ -	\$ -
CAPITAL PROJECTS CONTINGENCY	ANNUAL		\$ 148,500	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000
<b>TOTAL PROJECTED EXPENDITURES</b>			<b>\$ 2,905,475</b>	<b>\$ 5,667,335</b>	<b>\$ 3,595,443</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>

**BRAZOS VALLEY SOLID WASTE MANAGEMENT AGENCY (BVSWMA)  
FY08 - FY13 PROPOSED EXPENDITURE SUMMARY**

	<u>PROJECT NUMBER</u>	<u>REVISED BUDGET AMOUNT</u>	<u>PAID TO DATE THROUGH FY06</u>	<u>FY07 ESTIMATE</u>	<u>FY 08 PROJECTED</u>	<u>FY 09 PROJECTED</u>	<u>FY 10 PROJECTED</u>	<u>FY 11 PROJECTED</u>	<u>FY 12 PROJECTED</u>	<u>FY 13 PROJECTED</u>	
<b>ROCK PRAIRIE ROAD LANDFILL PROJECTS</b>											
	RPR GAS RECOVERY AND FINAL COVER	BV0403	8,000,000	3,206,936	41,842	0	0	0	4,000,000	0	0
	RPR GAS COLLECTION SYSTEM	BV0404	109,900	15,531	33,971	15,000	8,000	0	0	0	0
	SUBTOTAL		<u>\$ 3,222,467</u>	<u>\$ 75,813</u>	<u>\$ 15,000</u>	<u>\$ 8,000</u>	<u>\$ 0</u>	<u>\$ 4,000,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	
<b>HIGHWAY 30 LANDFILL PROJECTS</b>											
	HWY 30 PERMIT APPLICATION/LEGAL FEES	BV0502	1,996,136	176,552	1,291,459	305,100	71,985	74,518	76,522	0	0
	HWY 30 ACCESS	BV0601	2,609,660	0	121,000	1,168,330	1,320,330	0	0	0	0
	HWY 30 BUILDINGS & INFRASTRUCTURE	BV0602	3,785,690	0	25,000	1,266,710	2,368,980	125,000	0	0	0
	HWY 30 DESIGN SERVICES	BV0603	2,112,000	207,178	447,000	1,092,822	250,000	15,000	50,000	50,000	0
	HWY 30 CELL CONSTRUCTION	BV0701	8,704,154	0	0	0	2,452,537	2,452,537	0	1,899,540	1,899,540
	SUBTOTAL		<u>\$ 383,730</u>	<u>\$ 1,884,459</u>	<u>\$ 3,832,962</u>	<u>\$ 6,463,832</u>	<u>\$ 2,667,055</u>	<u>\$ 126,522</u>	<u>\$ 1,949,540</u>	<u>\$ 1,899,540</u>	
	<b>TOTAL PROJECTED EXPENDITURES</b>		<u><u>3,606,197</u></u>	<u><u>1,960,272</u></u>	<u><u>3,847,962</u></u>	<u><u>6,471,832</u></u>	<u><u>2,667,055</u></u>	<u><u>4,126,522</u></u>	<u><u>1,949,540</u></u>	<u><u>1,899,540</u></u>	

## FY08 UNFUNDED PROJECTS

<b>FY08 UNFUNDED PROJECTS-Streets</b>	<b>ESTIMATED PROJECT BUDGET AMOUNT*</b>
<b>TxDOT Right-of-Way Projects</b>	
TxDOT - HWY 30 Widening Right-of-Way	TBD
TxDOT - HWY 60 Widening Right-of-Way	TBD
TxDOT - Rock Prairie Rd U-Turns Right-of-Way	TBD
<b>Catch-Up Projects</b>	
ARRINGTON ROAD FROM GREENS PRAIRIE ROAD WEST TO ARRINGTON ROAD	1,656,000
HOLLEMAN DRIVE WEST FROM N. DOWLING ROAD TO FM 2818	2,192,000
BIRKDALE DRIVE FROM SH6 TO ST. ANDREWS	1,903,000
EAGLE AVENUE FROM VICTORIA AVENUE TO ALEXANDRIA AVE	1,214,000
ST. ANDREWS DRIVE FROM CONGRESSIONAL DRIVE TO BIRKDALE DRIVE	294,000
ROCK PRAIRIE RD WIDENING CONSTRUCTION	8,935,500
PEBBLE CREEK PKWY NORTH	6,000,000
ARNOLD ROAD FROM FARAH DRIVE TO NORMAND DRIVE	912,000
NORMAND DRIVE FROM ROCK PRAIRIE TO GRAHAM ROAD	1,362,000
VICTORIA AVENUE FROM SOUTHERN PLANTATION DRIVE TO SH40	1,609,000
GEORGE BUSH DRIVE EAST FROM DOMINIK TO UNIVERSITY OAKS BLVD	2,600,000
LAKEWAY DRIVE FROM ROCK PRAIRIE ROAD TO WD FITCH PKWY	10,115,000
<b>Other Identified Streets Projects</b>	
PEDESTRIAN IMP ON UNIVERSITY DRIVE PHASES 2 - 5	7,239,818
BARRON ROAD REHAB - PHASE II	7,904,000
ROW ACQUISITION	500,000
TRAFFIC SIGNALS	6,900,000
OVERSIZE PARTICIPATION	TBD
HIKE AND BIKE TRAILS	TBD
NORTHGATE STREET REHAB	TBD
BIRD POND FROM ROCK PRAIRIE TO BIRD POND	TBD
	61,336,318
SPRING CREEK CORPORATE CAMPUS INFRASTRUCTURE DEVELOPMENT (Streets, Water and WW)	4,500,000
 <b>FY08 UNFUNDED PROJECTS-Parks</b>	
ULTRA VIOLET (UV) LIGHT SANITATION FOR CS POOLS	216,000
LIGHT REPLCMT FOR 6 Y-BASEBALL FIELDS SOUTHWOOD ATHLETIC PARK	275,000
CENTRAL PARK SOFTBALL FIELD RESTROOM REPLACEMENT	677,000
NEW EAST DISTRICT MAINTENANCE SHOP	990,000
NEIGHBORHOOD PARK IMPROVEMENTS	2,000,000
SKATE PARK	550,000
JOINT CSISD - NEIGHBORHOOD PARK (ZONE 10)	500,000
PEBBLE CREEK BASKETBALL PAVILION	222,000
PAVILION COVER FOR 2 BASKETBALL COURTS AT SOUTHWOOD ATHLETIC PARK	550,000
PURCHASE 17 ACRES TO SOUTHWEST ATHLETIC PARK	800,000
NORTHGATE PARK ACQUISITION AND DEVELOPMENT	1,000,000
CASTLEGATE PARK PLAYGROUND COVER	28,000
LICK CREEK PARK PHASE II	1,530,000
ARBORETUM POND RENOVATION	280,000
BROTHERS POND PARK .3 MILE RUBBER RUNNING SURFACE	160,000
WOLF PEN CREEK PHASE III TRAILS	2,000,000
WOLF PEN CREEK FESTIVAL SITE	8,568,750
SOUTHEAST COMMUNITY PARK DEVELOPMENT	7,070,000
VETERANS PARK PHASE III	TBD
RENOVATION OF THE HOME ECONOMICS & LAB BUILDINGS AT LINCOLN CENTER	TBD
COMPLETION OF W.A. TARROW PARK MASTER PLAN	3,060,000
<b>CDBG Eligible Parks Projects</b>	
BASKETBALL PAVILLIONS @ FITCH PARK & COLLEGE HILLS ELEMENTARY SCHOOL	560,000
SOUTHWEST PARK DEVELOPMENT	200,000
ANDERSON PARK WALKING LOOP	59,000
LONGMIRE PARK AREA LIGHTS	75,000
MERRY OAKS PARK AREA LIGHTS	15,000
LEMONTREE PARK SWING SET	15,000
	31,400,750

**FY08 UNFUNDED PROJECTS-Technology**

MICROSOFT UPGRADE	202,150
CLUSTER SERVERS/SERVER CONSOLIDATION	200,000
CAD SYSTEM UPGRADE	500,000
TOPOGRAPHICAL/AERIAL MAPPING	300,000
CITIZEN REQUEST MANAGEMENT	50,000
ELECTRONIC TIMEKEEPING	250,000
VEHICLE TRACKING	110,000
DISTANCE LEARNING	100,000
INTERNET USE MONITORING	110,000
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	1,822,150

**FY08 UNFUNDED PROJECTS-Facilities**

NEW CITY HALL - ADD'L FUNDING	TBD
SENIOR CENTER CONSTRUCTION	7,700,000
LARRY J RINGER LIBRARY EXPANSION	6,000,000
FIRE STATION #6	3,850,000
POLICE ADMINISTRATION	6,470,000
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	24,020,000

**FY08 UNFUNDED PROJECTS-Water**

BARRON RD REHAB - PHASE II	150,000
WATER RESOURCES - CARRIZO2 & SPARTA 2	4,221,165
COOLING TOWERS EXPANSION	3,170,000
DOWLING RD 10MG STORAGE TANK	7,291,561
SPPS CHEMICAL SYSTEM REPLACEMENT	1,698,964
FM 60 WIDENING RELOCATION	535,000
PURCHASE ANNEXED AREAS	1,275,000
NANTUCKET EAST OF HARPER'S FERRY (AREA 3)	95,000
SOUTHWOOD 5-7	1,507,500
MCCOLLOCH	1,782,500
THE KNOLL	1,489,200
WELL #8	4,200,000
WELL#8 COLLECTION LINE	3,600,000
WATER SERVICE EXTENSION GREENS PRAIRIE RD	305,000
SH 40 WATER LINE	495,000
EMERGENCY ELECTRIC GENERATOR EXPANSION	700,000
SCADA MAN MACHINE INTERFACE	100,000
WELL #9	4,727,000
WELL #9 COLLECTION LINE	4,131,931
FM 2154 OVERPASS ADJUSTMENTS	195,000
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	41,669,821

**FY08 UNFUNDED PROJECTS-Wastewater**

BARRON RD REHAB - PHASE II	150,000
LICK CREEK REPLACEMENT TRUNK LINE	3,896,000
WESTMINSTER	319,314
COLLEGE STATION SLUDGE FACILITY	5,500,000
LICK CREEK IMPACT FEE LINE	1,144,000
SOUTHWOOD 5-7	1,794,000
MCCOLLOCH	1,476,500
THE KNOLL	1,654,600
CARTERS CREEK ATAD IMPROVEMENTS	900,000
CARTERS CREEK BLOWER BLDG IMPROVEMENTS	350,000
CARTERS CREEK CENTRIFUGE IMPROVEMENTS	1,815,000
LICK CREEK SLUDGE HOLDING TANK IMPROVEMENTS	225,000
CARTERS CREEK MAINTENANCE BLDG	275,000
CARTERS CREEK ELECTRICAL IMPROVEMENTS	1,300,000
CARTERS CREEK EQUIPMENT SHED	500,000
CARTERS CREEK FUELING STATION	150,000
PROCESS CONTROL IMPROVEMENTS	371,000
LICK CREEK GENERATOR REPLACEMENT	700,000
REMOTE PLANT SECURITY	200,000
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	22,720,414

**FY08 UNFUNDED PROJECTS-Electric**

Pebble Creek Pkwy Feeders (4)	1,600,000
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**TOTAL UNFUNDED PROJECTS**

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	189,069,453
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\*The project budgets presented are estimates and are subject to change when the project scope is more clearly determined.

**July 12, 2007**  
**Workshop Agenda**  
**Economic & Community Development 2007-08 Action Plan and Budget**

**To:** Glenn Brown, City Manager

**From:** David Gwin, Director of Economic and Community Development

**Agenda Caption:** Presentation, possible action, and discussion regarding the proposed Economic and Community Development Department's 2007-08 Action Plan and Budget and proposed amendments to the 2005-09 Consolidated Plan.

**Recommendation(s):** Review proposed Fiscal Year 2007-08 Action Plan and Budget and proposed Consolidated Plan amendments and provide direction. No formal action will be required at this meeting. Instead, staff will seek final approval at the August 6th Regular Meeting of the City Council Meeting.

**Summary:** Staff will present a proposed Action Plan and Budget for FY07-08 and amendments proposed for the 2005-09 Consolidated Plan. Included in the Plan are goals, objectives and funding recommendations for projects and programs. Each year, the City must submit to the U.S. Dept. of Housing & Urban Development (HUD), an Action Plan including descriptions of projects and activities to be funded with its grants. HUD requires that the Plan, Budget and amendments be delivered by August 16, 2007 therefore, the Action Plan and Budget are presented before the overall city budget. Grant amounts available include \$1,142,480 in Community Development Block Grant (CDBG) funds and \$664,681 in HOME Investment Partnership Grant (HOME) funds.

CDBG and HOME funds must be used to: (1) benefit low and moderate-income persons; (2) aid in the elimination of slum and blighting influences, and/or; (3) meet a particular urgent need. CDBG funds may be used to meet local needs through a wide range of community development activities, while HOME funds may only be used for affordable housing activities.

The proposed Plan and Budget were developed with input received from a series of public hearings, program committee meetings, needs assessments, and citizen surveys. The goals and objectives in the 2005-09 Consolidated Plan were also followed in preparing this year's Plan. These goals and objectives have been prepared to meet the specific needs of lower-income citizens, and to provide support for families working towards self-sufficiency and are now being presented to Council for discussion and input. Staff will return to Council at the August 6<sup>th</sup> meeting to make available its final draft of the Action Plan, Budget and amendments and to request approval.

Historically, the City has used these funds for a variety of programs and activities, including: affordable housing programs (homebuyer assistance, security deposit assistance, rehabilitation, replacement housing, new construction and emergency repairs); funding of direct services to low-income families; demolition; commercial rehabilitation; and park, street, utility, sidewalk and public facility improvements in low-income areas of the community.

**Budget & Financial Summary:** See attached financial summaries for the proposed FY07-08 Budget for CDBG and HOME funds. Staff will be prepared to answer questions regarding the proposed Plan, Budget and amendments.

**Attachments:**

Proposed FY07-08 Budget Summary for Action Plan & Budget

Proposed FY07-08 JRFRC Public Service Agency Funding Summary

Proposed FY07-08 Public Facility Funding Summary

Map of Eligible Community Development Areas

Hard Copy of Proposed Action Plan with Consolidated Plan Amendments (To be delivered with the City Council packets)

**Proposed FY07- 08 Budget Summary for Action Plan and Budget  
July 12, 2007**

<b>CDBG Allocation: \$1,142,480 HOME Allocation: \$664,681</b>				
<b>Project</b>	<b>Carry-over</b>	<b>New Allocation</b>	<b>Total Proposed FY 07-08</b>	<b>Comments</b>
<b>Owner Occupied Rehabilitation</b>	<b>\$105,935</b> \$75,911 CDBG \$30,024 HOME	<b>\$33,676</b> \$0 CDBG \$33,676 HOME	<b>\$139,611</b>	Funds to be used for 2 HOME rehabs at approximately \$25,000 each plus program delivery and 5 CDBG Minor Repairs at approximately \$5,000 each plus program delivery, advertising, and project soft costs.
<b>Optional Relocation Program</b>	<b>\$181,813</b> \$34,173 CDBG \$147,640 HOME	<b>\$56,540</b> \$28,327 CDBG \$28,213 HOME	<b>\$238,353</b>	Funds to be used for 2 ORP's at approximately \$70,000 each plus relocation expenses, demolition expenses, project soft costs and program delivery expenses.
<b>Demolition</b>	<b>\$40,868</b> CDBG	<b>\$0</b> CDBG	<b>\$40,868</b>	Funds to be used for approximately 3 demolitions of dilapidated structures.
<b>Acquisition</b>	<b>\$234,761</b> CDBG	<b>\$528,148</b> CDBG	<b>\$762,909</b>	Funds to be used for the purchase of lots for future development of affordable housing. Funds included for acquisition of Northgate properties for future redevelopment.
<b>Interim Assist.</b>	<b>\$5,000</b> CDBG		<b>\$5,000</b>	Funds available to meet an urgent community development need.
<b>Homebuyer Assistance</b>	<b>\$66,029</b> HOME	<b>\$23,261</b> HOME	<b>\$89,290</b>	Funds to be used to assist 10 first-time homebuyers with downpayment and closing costs averaging approximately \$8,500 each plus program delivery costs.
<b>CHDO</b>	<b>\$371,661</b> HOME	<b>\$99,702</b> HOME	<b>\$471,363</b>	Required allocations to eligible non-profit housing development organizations.
<b>New Construction</b>	<b>\$137,406</b> HOME	<b>\$380,127</b> HOME	<b>\$517,533</b>	Funds to be used in support of Housing Tax Credit developments and other affordable housing activities, plus program delivery costs.
<b>Code Enforcement</b>	<b>\$0</b> CDBG	<b>\$109,889</b> CDBG	<b>\$109,889</b>	Salary for 2.5 code enforcement positions and related activities in designated areas and/or L/M census tracts.
<b>Tenant Based Rental Assist.</b>	<b>\$14,265</b> HOME	<b>\$0</b> HOME	<b>\$14,265</b>	Security deposit assistance program administered by Twin City Mission for citizens relocating to one of the Housing Tax Credit properties in College Station. Assistance anticipated for approximately 75 households.
<b>CHDO Operating</b>	<b>\$44,029</b> HOME	<b>\$33,234</b> HOME	<b>\$77,263</b>	5% of the HOME grant is made available for CHDO eligible organizations for administrative expenses.
<b>Public Service Agency</b>	<b>\$0</b>	<b>\$171,372</b> CDBG	<b>\$171,372</b>	15% of the CDBG is set-aside for Public Service Agency funding as recommended by the Joint Relief Funding Review Committee.
<b>Administration</b>	<b>\$0</b>	<b>\$228,496</b> CDBG <b>\$66,468</b> HOME	<b>\$294,964</b>	Expenses to administer the CDBG & HOME grant programs in compliance with all applicable federal regulations including preparation of required reports and plans. Expenses include administrative support provided by local contractor - Project Unity.
<b>Public Facility</b>	<b>\$619,820</b> CDBG	<b>\$76,248</b> CDBG	<b>\$696,068</b>	Funds to be used for public facility activities in L/M areas or directly benefit L/M citizens plus program delivery costs. See Public Facility Summary for detail
<b>Affordable Housing</b>	<b>\$250,091</b>		<b>\$250,091</b>	Proceeds remaining from the sale of the Cedar Creek apartment complex. Available for affordable housing activities.
<b>Total</b>			<b>\$3,878,839</b>	

**Proposed FY 07- 08 JRFRC (Joint Relief Funding Review Committee)  
Public Service Agency Funding Summary**

Agency	Funding Request	Total Score	Rank	Recommended Funding	Description	Funding City
Hospice Brazos Valley - Non-Funded Hospice Care	\$40,000.00	588	1	\$40,000	Non-funded hospice care to low/moderate income Bryan/College Station patients: \$40,000	Bryan
Brazos Maternal & Child Health - The Prenatal Clinic	\$28,000.00	586.8	2	\$28,000	Obstetrical Ultrasounds: \$10,000 Vitamins, Medicines and Supplies: \$18,000	College Station
Scotty's House - Counseling for Victims of Child Abuse	\$21,907.00	580.8	3	\$21,907	Personnel - Counselor/Therapist: \$21,907	College Station
BV Food Bank - Backpack Program	\$25,886.00	561.6	4	\$24,392	Volunteer Coordinator: \$2,373; Program Assistant: \$7,613; Supplies: \$14,406.00	Bryan
Twin City Mission - The Bridge	\$36,674.28	559.2	5	\$35,174	Personnel- Case Manager II: \$32,174	CS \$26,883 Bryan \$8,291
Big Brother Big Sisters (BBBS) of Cental TX & BBBS of the BV	\$20,000.00	540	6	\$15,500	Personnel - Specialist: \$6,735, Enrollment Specialist: \$6,600, Satellite Director: \$2,165	College Station
BV Rehabilitation Center (BVRC)-Charitable Service	\$50,000.00	522	7	\$25,000	Reimbursement for charitable services: \$25,000	College Station
Mental Health Mental Retardation - Jail Diversion	\$29,108.00	488.4	8	\$26,500	Caseworker II: \$26,500 (salary only, no fringe)	Bryan
Rape Crisis Center - Counseling & Accompaniment Direct Aid	\$20,000.00	481.2	9	\$15,000	Office counseling - 2 assistantship students from A&M Ed. Psychology Dept.: \$14,400, Rent for office counseling to victims of sexual assault: \$600	College Station
A&M Church of Christ-Community Service Center College Station	\$15,000.00	310.8	10	\$0	Personnel Only - Community Service Center Coordinator: \$15,000	
<b>Total Requested</b>	<b>\$286,575</b>			<b>\$231,473</b>	<b>Total Recommended Funding</b>	

## Proposed FY07- 08 Public Facility Summary

Funds Remaining from FY06-07 \$619,820

FY07-08 Allocation	\$76,248
<b>Total Public Facility Funds Available for FY07- 08</b>	<b>\$696,068</b>

Balances Remaining in Previously Approved Activities:

Northgate Streets & Sidewalk Design Lincoln Center	\$ \$	146,434
Additional Parking Oaks Park Improvements Gabbard	\$ \$	34,850
Park Improvements <b>Total Encumbrances</b>	<b>\$</b>	<b>278,885</b>
<b>Unencumbered Public Facility Funds for FY07- 08</b>		<b>69,380</b>
		<b>529,549</b>
		<b>\$166,519</b>

Required FY07-08 Program Delivery/Staff Cost	\$11,519
<b>Available for New Projects in FY07- 08</b>	<b>\$155,000</b>

<b>Projects Recommended for FY07- 08 Funding</b>		
Prairie View Heights Lighting	\$	125,000
Lincoln Entry Sidewalk	\$	15,000
Lions Park Swing	\$	15,000
<b>Total Remaining</b>		<b>\$0</b>

\*\* Additional fund for Northgate Acquisition are budgeted under the Acquisition Project to maximize flexibility for future development.

\$

\$ \$ \$

# Map of Eligible Community Development Areas

