



**Mayor**  
Ben White  
**Mayor Pro Tem**  
Lynn McIlhaney  
**City Manager**  
Glenn Brown

**Councilmembers**  
John Crompton  
James Massey  
Dennis Maloney  
Lawrence Stewart  
David Ruesink

**Agenda**  
**College Station City Council**  
**Regular Meeting**  
**Thursday, August 28, 2008 at 7:00 PM**  
**City Hall Council Chamber, 1101 Texas Avenue**  
**College Station, Texas**

1. Pledge of Allegiance, Invocation, Consider absence request.

**Presentation:** College Station Aquatics Awards.

Hear Visitors: A citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary by 6:30 pm. Please limit remarks to three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining to conclude your remarks. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager.

ON BEHALF OF THE CITIZENS OF COLLEGE STATION, HOME OF TEXAS A&M UNIVERSITY, WE WILL CONTINUE TO PROMOTE AND ADVANCE THE COMMUNITY'S QUALITY OF LIFE.

**Consent Agenda**

Individuals who wish to address the City Council on a consent or regular agenda item not posted as a public hearing shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary. The Mayor will recognize individuals who wish to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer will sound at 2 1/2 minutes to signal thirty seconds remaining for remarks.

2. Presentation, possible action and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

a. Presentation, possible action, and discussion of minutes for City Council Workshop and Regular Meetings August 18, 2008.

b. Presentation, possible action and discussion on an ordinance amendment to Chapter 10 of the Code of Ordinances adopting new Traffic Control Device Inventory Schedules XI, XII, and XIII.

c. Presentation, possible action and discussion on a bid award for the semi-annual purchase of electrical wire and cable maintained in inventory as follows: KBS Electrical \$119,710; Techline \$216,610; TEC \$12,465; Stuart C. Irby \$3,060 and Priester, Mell & Nicholson \$5,925.00. Total estimated semi-annual expenditure is \$357,770.

d. Presentation, possible action and discussion approving a bid award for the purchase of various electrical items maintained in inventory to Stuart C. Irby, Co., for \$50,430; HD Supply for \$18,074; KBS Electric for \$217,928; Techline for \$473,943; TEC for \$17,250; and Wesco for \$9,600 for a total annual estimated expenditures of \$787,225.

e. Presentation, possible action, and discussion regarding the renewal of annual price agreement for the installation of roadway traffic markings with Highway Technologies in an amount of not to exceed \$364,209.25.

f. Presentation, possible action, and discussion on the third and final reading of a Franchise Agreement Amendment to the Texas Commercial Waste, Recycling Franchise Agreement, regarding a cost increase of \$0.25 per household per month. The amendment will result in an increase from \$2.15 to \$2.40 to the City for curbside recycling collection services.

g. Presentation, possible action, and discussion of an ordinance calling a charter amendment election to be held on November 4, 2008.

h. Presentation, possible action and discussion regarding Change Order No. 2 to the construction contract (Contract No. 08-116) with Acklam Construction Company, Ltd., in the amount of \$86,160.50 for the Memorial Cemetery of College Station (Project No. GG-9905).

i. Presentation, possible action and discussion regarding awarding Bid #08-73, Contract #08-260 for Electric System Right-of-Way Clearing and Tree Trimming Contract award to Rios Tree Services, Inc. in the total amount of \$1,082,286.25 for a three year contract.

### **Regular Agenda**

Individuals who wish to address the City Council **on a regular agenda item not posted as a public hearing** shall register with the City Secretary prior to the Mayor's reading of the agenda item. The Mayor will recognize you to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer will sound at 2 1/2 minutes to signal thirty seconds remaining for remarks.

Individuals who wish to address the City Council on an item **posted as a public hearing** shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. The Mayor will recognize individuals who wish to come forward to speak for or against the item. The speaker will state their name and address for the record and allowed three minutes. A timer alarm will sound at 2 1/2 minutes to signal thirty seconds remaining to conclude remarks. After a public hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

If an individual does not wish to address the City Council, but still wishes to be recorded in the official minutes as being in support or opposition to an agenda item, the individual may complete the registration form provided in the lobby by providing the name, address, and comments about a city related subject. These comments will be referred to the City Council and City Manager.

1. Public hearing, presentation, possible action, and discussion regarding the service plan for 1.02 acres in the 3200 block of Rock Prairie Road West identified for annexation under the exempt status.
2. Public hearing, presentation, possible action, and discussion approving two ordinances. One vacating and abandoning a 1.04 acre variable width utility easement and another vacating a 0.326 acre variable width electrical easement. Both easements being located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision according to the plat recorded in Volume 1275, Page 15 of the Deed Records of Brazos County, Texas.
3. Public hearing, presentation, possible action, and discussion regarding an amendment to the Comprehensive Land Use Plan from Industrial / R & D, Single Family Residential Low Density, and Flooplain & Streams to Planned Development for 120.76 acres located at 1430 Harvey Mitchell Parkway generally located opposite the intersection with Holleman Drive.
4. Public hearing, presentation, possible action, and discussion on an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance Section 7.9.B.6 (Traffic Impact Analysis), Section 7.9.H (Submittal Requirements) and adding Section 7.12 (Traffic Impact Analysis).
5. Public hearing, presentation, possible action and discussion concerning approval to prepare bid documents and landscape construction drawings and advertise for the Dartmouth Street Extension Landscape and Irrigation Project construction bid.
6. Adjourn.

If litigation issues arise to the posted subject matter of this Council Meeting an executive session will be held.

APPROVED:

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City Manager

Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Thursday, August 28, 2008 at 7:00 PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this 25<sup>th</sup> day of August, 2008 at 3:00 pm.



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 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 August 25, 2008 at 3:00 pm 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 posting board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.  
By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public – Brazos County, Texas      My commission expires: \_\_\_\_\_

The 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.

**August 28, 2008**  
**Consent Agenda Item No. 2b**  
**Ordinance Amending Chapter 10 of the Code of Ordinances**

**To:** Glenn Brown, City Manager

**From:** Mary Ann Powell, First Assistant City Attorney

**Agenda Caption:** Presentation, possible action, and discussion regarding the Traffic Control Device Inventory Schedules XI, XII and XIII.

**Recommendation(s):** Approve the attached ordinance adopting new Traffic Control Device Inventory Schedules XI, XII and XIII identifying U-turn prohibitions, no parking zones and 2-hour parking areas, respectively.

**Summary:** Schedules XI, XII, and XIII in Chapter 10 of our code of ordinances sets out U-turn prohibitions, no parking zone areas and designated 2-hour parking areas, respectively. Over time, these schedules have become outdated and need to be made current. The attached ordinance does this.

**Budget & Financial Summary:** No financial impact.

**Attachments:** The ordinance and schedules XI, XII and XIII.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING CHAPTER 10, "TRAFFIC CODE" OF THE CODE OF ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, BY ADOPTING UPDATED TRAFFIC CONTROL DEVICE INVENTORY SCHEDULES XI, XII AND XIII, AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That Chapter 10, "Traffic Code", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

PART 2: That this ordinance shall take effect immediately from and after its date of final passage.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

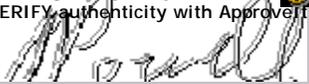
APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED:

E-Signed by Mary Ann Powell  
VERIFY authenticity with ApproveIt  


\_\_\_\_\_  
City Attorney

EXHIBIT "A"

I.

That Chapter 10, "Traffic Code", Section 2.N of the Code of Ordinances of the City of College Station, Texas, is hereby amended by deleting the paragraph in its entirety and replacing it as set out hereafter to read as follows:

"N. U-TURN PROHIBITIONS

The City hereby designates certain locations of city streets to be controlled by NO U-TURN signs. The designated no u-turn locations for the City of College Station are described in the Traffic Control Device Inventory -- Schedule XI (dated August 18, 2008) on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time-to-time by ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times."

II.

That Chapter 10, "Traffic Code", Section 4.E(1) of the Code of Ordinances of the City of College Station, Texas, is hereby amended by deleting the paragraph in its entirety and replacing it as set out hereafter to read as follows:

"E. NO PARKING

(1) The City hereby designates certain areas to be controlled by NO PARKING HERE TO CORNER or NO PARKING ANYTIME locations for the City of College Station are described in the Traffic Control Device Inventory – Schedule XII (dated August 18, 2008) on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time-to-time by ordinance of the City Council. A current schedule shall be maintained by the City Secretary at all times."

IV.

That Chapter 10, "Traffic Code", Section 4.G of the Code of Ordinances of the City of College Station, Texas, is hereby amended by deleting the paragraph in its entirety and replacing it as set out hereafter to read as follows:

“G. TWO-HOUR PARKING 8:00 a.m. – 5:00 p.m. MONDAY-FRIDAY

The City hereby designates certain areas as two-hour parking. The designated Two-Hour Parking locations for the City of College Station are described in the Traffic Control Device Inventory – Schedule XIII (dated August 18, 2008) on file in the office of the City Secretary. This schedule is hereby adopted and incorporated in this Code as if set out at length herein. The schedule may be amended from time-to-time by ordinance of the City Council. A current Schedule shall be maintained by the City Secretary at all times.”

**August 28, 2008**  
**Consent Agenda Item No. 2c**  
**Semi-Annual Electrical Wire and Cable**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action and discussion on a bid award for the semi-annual purchase of electrical wire and cable maintained in inventory as follows: KBS Electrical \$119,710; Techline \$216,610; TEC \$12,465; Stuart C. Irby \$3,060 and Priester, Mell & Nicholson \$5,925.00. Total estimated semi-annual expenditure is \$357,770.

**Recommendation(s):** Recommend award for lines 1 through 4 based on “Best Value” criteria and recommending award to the lowest responsible bidder meeting specifications for lines 5 through 29 as follows, with semi-annual estimated expenditures totaling \$357,770.00.

I.	KBS Electrical	\$119,710
II.	Techline	\$216,610
III.	TEC	\$ 12,465
IV.	Stuart C. Irby	\$ 3,060
V.	Priester, Mell & Nicholson	\$ 5,925
	<b>TOTAL</b>	<b>\$357,770</b>

**Summary:** Lines 4, 6 & 7, and 9 thru 13 are recommended for award based on “Best Value” to the City. Page 3 of the Bid Document Specifications under **Award of Contract** states “Contract may be awarded to the bidder who provides goods or services at the best value for the City”. In determining best value, the City, in specific, is referencing: **item h - delivery terms**, and **item f - the bidders past relationship with the City**. ICC Corp is not being recommended due to excessive lead times. ICC Corp. was awarded items on the previous six month contract and because of their failure to delivery timely, multiple emergency purchase orders had to be issued to different vendors to keep the crews supplied and avoid emergency situations from occurring in the City. All other lines will be awarded to the lowest responsible bidder meeting specifications.

These purchases will be made as needed during the term of the agreement. The electrical wire and cable are maintained in Electrical Inventory in an inventory account and expensed as necessary during the agreement period. The purchasing agreement period shall be for six-months with the option to renew for two additional six-month terms. Due to current market volatility, it is in the City’s best interest to enter into a six month agreement.

**Budget & Financial Summary:** Eight (8) sealed, competitive bids were received and opened on August 13, 2008. Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

**Attachments:** Bid Tabulation #08-86

**SEMI-ANNUAL BID FOR Electrical Wire/Cable**  
**DEPARTMENT:Public Utilities / Electrical**  
**BID: 08-86**

13-Aug-08

Item No.	Est. Ann. Quan.	Unit Meas	Description	K B S Electrical Bryan, TX Jimmy Huggins		HD/Hughes Supply Kerrville, TX Jason Leake		Techline Austin, Tx Scott Worm		American Wire Group Hallandale FL Bob Dorfman		Texas Electric Coop Georgetown, TX Roy Marshman		Stuart C. Irby Austin, TX Mike Abel		icc cable corp. Ft. Lee, NJ Dan Rodriguez		Priester, Mell and Nich. Austin, TX Ross Nicholson	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	50,000	FT	URD Cable, 1/0 AWG	2.2300	111,500.00	2.2800	114,000.00	2.10	105,000.00	3.1470	157,350.00	0.0000	0.00	0.00	0.00	2.2300	111,500.00	2.2500	112,500.00
2	3,000	FT	URD 500 MCM	4.5300	13,590.00	6.8700	20,610.00	5.83	17,490.00	6.1490	18,447.00	0.00	0.00	0.00	0.00	4.6500	13,950.00	6.7600	20,280.00
3	14,000	FT	URD 1000 MCM AL	7.5800	106,120.00	8.5900	120,260.00	8.14	113,960.00	11.7140	163,996.00	0.0000	0.00	0.00	0.00	8.0300	112,420.00	10.7700	150,780.00
4	25,000	FT	URD 2/0 AWG	1.2800	32,000.00	1.2100	30,250.00	1.14	28,500.00	3.1470	78,675.00	1.29	32,250.00	1.16	29,000.00	0.9800	24,500.00	1.5400	38,500.00
5	5,000	FT	URD 4/0 AWG	1.7600	8,800.00	1.6000	8,000.00	1.44	7,200.00	6.1490	30,745.00	1.80	9,000.00	1.59	7,950.00	1.5100	7,550.00	1.6500	8,250.00
6	7,000	FT	URD 350 MCM	1.3400	9,380.00	0.0000	0.00	1.10	7,700.00	11.7140	81,998.00	1.02	7,140.00	\$1.08	7,560.00	0.8000	5,600.00	2.7300	19,110.00
7	15,000	FT	URD 500 MCM AL	1.7800	26,700.00	1.4300	21,450.00	1.36	20,400.00	1.4950	22,425.00	1.51	22,650.00	1.4200	21,300.00	1.0200	15,300.00	0.0000	0.00
8	4,000	FT	OH Duplex, #6	0.2750	1,100.00	0.2600	1,040.00	0.24	960.00	0.5140	2,056.00	0.18	720.00	0.2600	1,040.00	0.2100	840.00	0.2100	840.00
9	5,000	FT	OH Triplex, #6	0.3950	1,975.00	0.3900	1,950.00	0.43	2,150.00	0.6590	3,295.00	0.28	1,400.00	0.3900	1,950.00	0.2800	1,400.00	0.4800	2,400.00
10	2,500	FT	OH Triplex, #2	0.6700	1,675.00	0.6500	1,625.00	0.62	1,550.00	0.9770	2,442.50	0.57	1,425.00	0.6000	1,500.00	0.5100	1,275.00	0.5600	1,400.00
11	2,000	FT	OH Triplex, 1/0	0.9900	1,980.00	0.9800	1,960.00	0.90	1,800.00	1.3280	2,656.00	0.89	1,780.00	0.9500	1,900.00	0.7800	1,560.00	0.9000	1,800.00
12	40,000	FT	477 MCM, AAC	1.0200	40,800.00	1.0200	40,800.00	0.96	38,400.00	1.1120	44,480.00	0.00	0.00	0.9900	39,600.00	0.8900	35,600.00	1.1100	44,400.00
13	6,000	FT	1/0 AWG, AAC	0.2960	1,776.00	1.2700	7,620.00	0.25	1,500.00	0.3870	2,322.00	0.27	1,620.00	0.2700	1,620.00	0.2400	1,440.00	0.2700	1,620.00
14	7,500	FT	#12 cu THWN Blk	0.0000	0.00	0.1900	1,425.00	0.11	825.00	0.1650	1,237.50	0.00	0.00	0.1600	1,200.00	0.00	0.00	0.13	975.00
15	7,500	FT	#12 cu THWN Wht	0.0000	0.00	0.1900	1,425.00	0.11	825.00	0.1650	1,237.50	0.00	0.00	0.1600	1,200.00	0.00	0.00	0.13	975.00
16	7,000	FT	#6 cu THWN Blk	0.0000	0.00	0.5100	3,570.00	0.48	3,360.00	0.6180	4,326.00	0.00	0.00	0.5100	3,570.00	0.00	0.00	0.00	0.00
17	7,000	FT	#6 cu THWN Wht	0.0000	0.00	0.5100	3,570.00	0.48	3,360.00	0.6180	4,326.00	0.00	0.00	0.5100	3,570.00	0.00	0.00	0.45	3,150.00
18	2,500	FT	#2 cu THWN Blk	0.0000	0.00	1.2300	3,075.00	1.12	2,800.00	1.3610	3,402.50	0.00	0.00	1.2200	3,050.00	0.00	0.00	1.11	2,775.00
19	10,000	FT	#2 cu THWN Wht	0.0000	0.00	1.2300	12,300.00	1.06	10,600.00	1.3610	13,610.00	0.00	0.00	1.2200	12,200.00	0.00	0.00	1.11	11,100.00
20	2,000	FT	#2 cu High Voltage	0.0000	0.00	1.5700	3,140.00	1.66	3,320.00	1.5930	3,186.00	0.00	0.00	1.5300	3,060.00	0.00	0.00	0.00	0.00

Substandard delivery

**Award Total to Vendor \$**      **\$ 119,710.00**      **\$216,610.00**      **\$12,465.00**      **\$3,060.00**      **5,925.00**

**Total Award Recommendation \$ 357,770.00**

- Low bid
- Disqualified bid due to past delivery issues
- Low bid after dis-qualified bids

**August 28, 2008**  
**Consent Agenda Item No. 2d**  
**Annual Agreement for Various Electrical Items**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action and discussion approving a bid award for the purchase of various electrical items maintained in inventory to Stuart C. Irby, Co., for \$50,430; HD Supply for \$18,074; KBS Electric for \$217,928; Techline for \$473,943; TEC for \$17,250; and Wesco for \$9,600 for a total annual estimated expenditures of \$787,225.

**Recommendation(s):** Staff recommends approving award to the lowest, responsible bidder meeting specifications per line item from Bid No. 08-74, as follows, with annual estimated expenditures totaling \$787,225.

I.	Stuart C. Irby, Co.	\$ 50,430
II.	HD Supply	\$ 18,074
III.	KBS Electric	\$217,928
IV.	Techline	\$473,943
V.	TEC	\$ 17,250
VI.	Wesco	\$ 9,600
	<b>TOTAL</b>	<b>\$787,225</b>

**Summary:** These purchases will be made as needed during the term of the annual agreement. These electrical items are maintained in the electrical inventory, stocked and expensed as necessary. The purchasing agreement period shall be for one year; renewable annually for two additional years – maximum three years.

**Budget & Financial Summary:** Seven (7) sealed, competitive bids were received and opened on August 8, 2008. Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

**Attachments:** Bid Tabulation 08-74

**ANNUAL PRICE AGREEMENT AND SPECIFICATIONS FOR VARIOUS ELECTRICAL ITEMS  
 BID TABULATION #08-74  
 ELECTRICAL**

Stuart C. Irby Co		HD Supply		KBS Electric		Techline		TEC		Wesco		Priester-Mell & Nicholson	
Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price

**Section I - Powder Coated Steel Street Light Poles**

Item No	Annual Est. Qty.	UO M	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price						
1	5	ea	Powder Coated Steel Street Light Pole as per spec	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,485.00	\$12,425.00	\$0.00	\$0.00	\$0.00	\$0.00
2	50	ea	Powder Coated Steel Street Light Pole as per spec	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,920.00	\$146,000.00	\$0.00	\$0.00	\$0.00	\$0.00
3	15	ea	Powder Coated Steel Street Light Pole as per spec	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,457.00	\$21,855.00	\$0.00	\$0.00	\$0.00	\$0.00
4	40	ea	Powder Coated Steel Street Light Pole as per spec	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$562.00	\$22,480.00	\$0.00	\$0.00	\$0.00	\$0.00

**Section II - Decorative Street Light Concrete Pole**

1	25	ea	Decorative Street Light Pole as per spec	\$0.00	\$0.00	\$0.00	\$0.00	\$2,370.00	\$59,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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**Group A - Crossarm Braces**

1	75	ea	Brace, Deadend, 8' Fiberglass	\$210.74	\$15,805.50	\$205.000	\$15,375.00	\$184.00	\$13,800.00	\$181.00	\$13,575.00	\$191.000	\$14,325.00	\$218.00	\$16,350.00	\$216.00	\$16,200.00
2	150	ea	Brace, Crossarm, 8" Fiberglass	\$94.61	\$14,191.50	\$92.40	\$13,860.00	\$87.00	\$13,050.00	\$85.50	\$12,825.00	\$82.50	\$12,375.00	\$98.00	\$14,700.00	\$96.00	\$14,400.00
3	50	ea	Brace, Crossarm, 10" Fiberglass	\$110.72	\$5,536.00	\$111.24	\$5,562.00	\$109.72	\$5,486.00	\$104.15	\$5,207.50	\$97.50	\$4,875.00	\$115.00	\$5,750.00	\$126.70	\$6,335.00
4	10	ea	Brace, Deadend, 10' Fiberglass	\$322.22	\$3,222.20	\$276.00	\$2,760.00	\$216.00	\$2,160.00	\$208.00	\$2,080.00	\$221.50	\$2,215.00	\$290.00	\$2,900.00	\$273.00	\$2,730.00

**Group B - Lamps & Light Fixtures**

1	500	ea	Light Bulb, Hi Pressure Sodium 100 Watt	\$8.42	\$4,210.00	\$8.14	\$4,070.00	\$7.60	\$3,800.00	\$8.00	\$4,000.00	\$0.00	\$0.00	\$8.50	\$4,250.00	\$8.25	\$4,125.00
2	300	ea	Light Bulb, Hi Pressure Sodium 200 Watt	\$9.50	\$2,850.00	\$10.38	\$3,114.00	\$8.15	\$2,445.00	\$8.80	\$2,640.00	\$0.00	\$0.00	\$9.75	\$2,925.00	\$9.28	\$2,784.00
3	300	ea	Light Bulb, Hi Pressure Sodium 400 Watt	\$8.97	\$2,691.00	\$8.96	\$2,688.00	\$8.30	\$2,490.00	\$8.68	\$2,604.00	\$0.00	\$0.00	\$9.15	\$2,745.00	\$8.78	\$2,634.00
4	50	ea	Light Fixture, Hi Pressure, Sodium 100 watt	\$0.00	\$0.00	\$88.10	\$4,405.00	\$81.00	\$4,050.00	\$77.84	\$3,892.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5	75	ea	Light Fixture, Hi Pressure, Sodium 200 watt	\$0.00	\$0.00	\$122.90	\$9,217.50	\$96.00	\$7,200.00	\$93.58	\$7,018.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6	75	ea	Light Fixture, Hi Pressure, Sodium, 400 watt	\$0.00	\$0.00	\$135.54	\$10,165.50	\$133.00	\$9,975.00	\$132.93	\$9,969.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7	10	ea	Light Fixture, Floodmaster, 400 watt	\$0.00	\$0.00	\$164.25	\$1,642.50	\$144.00	\$1,440.00	\$143.59	\$1,435.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**Group C - Meter Sockets**

1	75	ea	Socket, Meter, Overhead 200 amp	\$27.84	\$2,088.00	\$0.00	\$0.00	\$27.86	\$2,089.50	\$28.88	\$2,166.00	\$33.00	\$2,475.00	\$30.00	\$2,250.00	\$28.77	\$2,157.75
2	600	ea	Socket, Meter, Underground 200 amp	\$37.33	\$22,398.00	\$0.00	\$0.00	\$37.35	\$22,410.00	\$41.50	\$24,900.00	\$48.00	\$28,800.00	\$45.00	\$27,000.00	\$38.56	\$23,136.00
3	30	ea	Socket, Meter, URD or O/H	\$182.970	\$5,489.10	\$0.00	\$0.00	\$184.90	\$5,547.00	\$160.90	\$4,827.00	\$178.00	\$5,340.00	\$165.00	\$4,950.00	\$188.95	\$5,668.50
4	40	ea	Socket, Meter, 200 amp, Underground	\$91.08	\$3,643.20	\$0.00	\$0.00	\$92.00	\$3,680.00	\$138.69	\$5,547.60	\$154.50	\$6,180.00	\$144.00	\$5,760.00	\$94.06	\$3,762.40
5	50	ea	Socket Bases, 13 Terminal	\$189.92	\$9,496.00	\$0.00	\$0.00	\$189.90	\$9,495.00	\$190.50	\$9,525.00	\$212.00	\$10,600.00	\$198.00	\$9,900.00	\$196.13	\$9,806.50
6	30	ea	Socket Bases, Duplex	\$137.070	\$4,112.10	\$0.00	\$0.00	\$138.55	\$4,156.50	\$0.00	\$0.00	\$138.00	\$4,140.00	\$0.00	\$0.00	\$141.55	\$4,246.50

**ANNUAL PRICE AGREEMENT AND SPECIFICATIONS FOR VARIOUS ELECTRICAL ITEMS  
 BID TABULATION #08-74  
 ELECTRICAL**

Stuart C. Irby Co		HD Supply		KBS Electric		Techline		TEC		Wesco		Priester-Mell &	
Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price

**Group "A" Materials 15kV Underground Cable Accessories**

A-1	36	ea	Deadbreak T-OPII Connector	\$261.27	\$9,405.72	\$218.50	\$7,866.00	\$259.00	\$9,324.00	\$258.24	\$9,296.64	\$0.00	\$0.00	\$347.00	\$12,492.00	\$0.00	\$0.00
A-2	75	ea	Protective Cap	\$18.18	\$1,363.50	\$17.97	\$1,347.75	\$18.10	\$1,357.50	\$18.09	\$1,356.75	\$0.00	\$0.00	\$31.50	\$2,362.50	\$0.00	\$0.00
A-3	500	ea	Loadbreak Elbow	\$22.220	\$11,110.00	\$17.72	\$8,860.00	\$22.45	\$11,225.00	\$21.84	\$10,920.00	\$0.00	\$0.00	\$40.00	\$20,000.00	\$0.00	\$0.00
A-4	10	ea	Loadbreak Junction, 4-Way	\$146.14	\$1,461.40	\$138.93	\$1,389.30	\$143.00	\$1,430.00	\$129.00	\$1,290.00	\$0.00	\$0.00	\$232.00	\$2,320.00	\$0.00	\$0.00
A-5	10	ea	Loadbreak Junction, 2-Way	\$115.69	\$1,156.90	\$125.84	\$1,258.40	\$114.00	\$1,140.00	\$134.00	\$1,340.00	\$0.00	\$0.00	\$185.00	\$1,850.00	\$0.00	\$0.00
A-6	500	ea	Loadbreak Bushing Insert	\$19.040	\$9,520.00	\$20.87	\$10,435.00	\$19.15	\$9,575.00	\$19.35	\$9,675.00	\$0.00	\$0.00	\$34.75	\$17,375.00	\$0.00	\$0.00
A-7	20	ea	Rotable Two-Way Bushing Insert	\$96.57	\$1,931.40	\$162.62	\$3,252.40	\$94.75	\$1,895.00	\$91.10	\$1,822.00	\$0.00	\$0.00	\$194.00	\$3,880.00	\$0.00	\$0.00
A-8	750	ea	Elbow Cable Seal	\$7.39	\$5,542.50	\$9.61	\$7,207.50	\$8.73	\$6,547.50	\$7.45	\$5,587.50	\$8.20	\$6,150.00	\$12.25	\$9,187.50	\$0.00	\$0.00
A-9	100	ea	Elbow Arrester	\$65.200	\$6,520.00	\$56.34	\$5,634.00	\$61.30	\$6,130.00	\$54.83	\$5,483.00	\$0.00	\$0.00	\$99.50	\$9,950.00	\$0.00	\$0.00
A-10	100	ea	Insulated Standoff Bushing	\$36.10	\$3,610.00	\$28.84	\$2,884.00	\$36.10	\$3,610.00	\$26.75	\$2,675.00	\$0.00	\$0.00	\$47.50	\$4,750.00	\$0.00	\$0.00
A-11	20	ea	Parking Stand Arrester	\$219.33	\$4,386.60	\$0.00	\$0.00	\$214.60	\$4,292.00	\$132.25	\$2,645.00	\$0.00	\$0.00	\$199.00	\$3,980.00	\$0.00	\$0.00
A-12	24	ea	Cable Terminator Cold Shrink Type	\$195.33	\$4,687.92	\$135.00	\$3,240.00	\$142.90	\$3,429.60	\$128.39	\$3,081.36	\$142.75	\$3,426.00	\$158.00	\$3,792.00	\$0.00	\$0.00
A-13	100	ea	Cable Terminator, pole type	\$59.75	\$5,975.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	\$4,000.00	\$0.00	\$0.00	\$54.15	\$5,415.00	\$0.00	\$0.00
A-14	300	ea	Disconnectable Secondary Transformer 350 MCM	\$10.42	\$3,126.00	\$14.69	\$4,407.00	\$9.58	\$2,874.00	\$11.49	\$3,447.00	\$10.45	\$3,135.00	\$0.00	\$0.00	\$10.92	\$3,276.00
A-15	150	ea	Disconnectable Secondary Transformer 500 MCM	\$23.95	\$3,592.50	\$18.29	\$2,743.50	\$16.92	\$2,538.00	\$18.24	\$2,736.00	\$18.15	\$2,722.50	\$0.00	\$0.00	\$39.19	\$5,878.50
A-16	300	ea	Gelpport Insulated Secondary Conductor	\$32.840	\$9,852.00	\$0.00	\$0.00	\$33.49	\$10,047.00	\$33.14	\$9,942.00	\$33.25	\$9,975.00	\$32.00	\$9,600.00	\$0.00	\$0.00
A-17	50	ea	Inline Splice 5411A-C1-I/O	\$40.26	\$2,013.00	\$20.49	\$1,024.50	\$19.58	\$979.00	\$18.87	\$943.50	\$21.75	\$1,087.50	\$23.25	\$1,162.50	\$0.00	\$0.00
A-18	50	ea	Inline Splice 5418-1000-AL	\$277.50	\$13,875.00	\$276.40	\$13,820.00	\$297.00	\$14,850.00	\$256.00	\$12,800.00	\$292.25	\$14,612.50	\$308.00	\$15,400.00	\$0.00	\$0.00
A-19	50	ea	Splice Re-jacketing Kit	\$47.29	\$2,364.50	\$40.36	\$2,018.00	\$42.72	\$2,136.00	\$38.63	\$1,931.50	\$42.50	\$2,125.00	\$45.00	\$2,250.00	\$0.00	\$0.00
A-20	100	ea	Underground Faulted Circuit Indicator	\$0.00	\$0.00	\$159.10	\$15,910.00	\$168.20	\$16,820.00	\$119.50	\$11,950.00	\$0.00	\$0.00	\$0.00	\$0.00	\$161.00	\$16,100.00

**Group "B" Materials - Pad-mount Enclosure Junction Boxes & Pull Boxes**

B-1	15	ea	Pull Box, 36"x60"x48"	\$2,240.00	\$33,600.00	\$1,053.90	\$15,808.50	\$928.00	\$13,920.00	\$1,023.00	\$15,345.00	\$1,213.00	\$18,195.00	\$0.00	\$0.00	\$0.00	\$0.00
B-2	25	ea	Pull Box, 48"x96"x48"	\$3,417.00	\$85,425.00	\$2,679.97	\$66,999.25	\$2,460.00	\$61,500.00	\$2,686.00	\$67,150.00	\$2,922.00	\$73,050.00	\$0.00	\$0.00	\$0.00	\$0.00
B-3	5	ea	Pull Box, 60"x96"x60"	\$0.000	\$0.00	\$0.00	\$0.00	\$9,240.00	\$46,200.00	\$0.00	\$0.00	\$3,826.00	\$19,130.00	\$0.00	\$0.00	\$0.00	\$0.00
B-4	150	ea	Secondary Pedestal	\$0.00	\$0.00	\$110.00	\$16,500.00	\$101.00	\$15,150.00	\$106.00	\$15,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
B-5	5	ea	Torision-assist Lids	\$3,197.66	\$15,988.30	\$0.00	\$0.00	\$3,549.00	\$17,745.00	\$2,528.00	\$12,640.00	\$4,467.00	\$22,335.00	\$0.00	\$0.00	\$0.00	\$0.00

Bid incorrec

**Group "C" Materials - 15 kV Pad-mounted Switchgear**

C-1	3	ea	Pad-mounted Switchgear - PV142-376-12-9	\$39,155.38	\$117,466.14	\$0.00	\$0.00	\$0.00	\$0.00	\$28,475.00	\$85,425.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
C-2	2	ea	Pad-mounted Switchgear - PV143-376-12-11	\$34,644.60	\$69,289.20	\$0.00	\$0.00	\$0.00	\$0.00	\$25,675.00	\$51,350.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
C-3	1	ea	Pad-mounted Switchgear - PV142-376-12-9	\$39,975.000	\$39,975.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,700.00	\$28,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Lowest responsible bid  
 Semi-annual estimate by vendor  
 Total semi-annual estimate

**\$50,429.80**      **\$18,073.75**      **\$217,928.00**      **\$473,942.51**      **\$17,250.00**      **\$9,600.00**  
**\$787,224.06**

**August 28, 2008**  
**Consent Agenda Item No. 2e**  
**Renewal of Annual Blanket Purchase Order for Roadway Traffic Markings**

**To:** Glenn Brown, City Manager

**From:** Mark Smith, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion regarding the renewal of annual price agreement for the installation of roadway traffic markings with Highway Technologies in an amount of not to exceed \$364,209.25.

**Recommendation(s):** Staff recommends renewal of the annual price agreement with Highway Technologies in an amount of not to exceed \$364,209.25

**Summary:** On April 12, 2007 council approved an annual price agreement (Item 2.i) with Highway Technologies for traffic roadway markings in an amount not to exceed \$364,209.25. These markings are essential in guiding vehicular and bicycle traffic throughout the City.

This is the first renewal of the annual price agreement for traffic pavement markings. This renewal includes a 5% increase.

**Budget & Financial Summary:** Funding for the Annual Blanket Purchase Order for the installation of roadway traffic markings is provided from the operating budget of Traffic Operations Budget.

**Attachments:**

1. Renewal Acceptance

**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew Bid #07-58 (contract #07-149), for Traffic Marking and Pavement Striping Services in accordance with all, terms and conditions previously agreed to and accepted including a proposed 5% across the board increase due to increased material and delivery costs for fuel.

I understand this renewal term will be for a one year period beginning August 31, 2008 through August 30, 2009 and with the 5% (five percent) increase, the new total amount of the contract is \$364,209.25 (three hundred sixty four thousand two hundred nine and 25/100 dollars).

**HIGHWAY TECHNOLOGIES INC.**

  
\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE

7-15-08  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

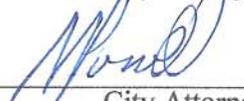
\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
DATE

**APPROVED:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
City Attorney

7-23-08  
DATE

\_\_\_\_\_  
Chief Financial Officer

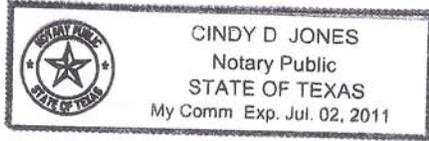
\_\_\_\_\_  
DATE

STATE OF TEXAS

CORPORATE ACKNOWLEDGMENT

COUNTY OF Texas

This instrument was acknowledged on the 15<sup>th</sup> day of July, 2008  
by Steve Meuth in his/her capacity as Region Director of  
Highway Technologies L.P., a TEXAS Corporation, on behalf of said corporation.



Cindy D. Jones  
Notary Public in and for the  
State of Texas

STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 200 ,  
by \_\_\_\_\_, in his capacity as Mayor of the City of College Station, a Texas  
home-rule municipality, on behalf of said municipality.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

\*\*\*\*\*

**August 28, 2008**  
**Consent Agenda No. 2f**  
**Franchise Agreement Amendment #1 to Texas Commercial Waste**  
**Recycling Collection Franchise**

**To:** Glenn Brown, City Manager

**From:** Mark Smith, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion on the third and final reading of a Franchise Agreement Amendment to the Texas Commercial Waste, Recycling Franchise Agreement, regarding a cost increase of \$0.25 per household per month. The amendment will result in an increase from \$2.15 to \$2.40 to the City for curbside recycling collection services.

**Recommendation(s):** Staff recommends approval of Franchise Agreement Amendment #1 to the Recycling Franchise Agreement.

**Summary:** In June 2008, staff received an increase request from Texas Commercial Waste requesting a cost increase of \$0.30 per household per month due to the high cost of petroleum products. The request stated that the high cost of oil has a direct impact on two items that are crucial to the curbside program: diesel fuel and clear plastic bags. On Tuesday July 8, 2008, staff met with Texas Commercial Waste and staff negotiated with Texas Commercial Waste to a \$0.25 increase instead of the \$0.30 initially requested. The \$0.25 increase will account for the following: \$0.20 for fuel, \$0.03 for plastic bags, and \$0.02 for miscellaneous items. This amendment will expire on July 1, 2009. Prior to expiration staff will re-evaluate the cost of service and determine if an additional amendment extending the cost increase will be developed for Council consideration.

As of 2006, Texas Commercial Waste has collected 2,545 tons of recycling commodities from the City's curbside program. Acceptable materials include newspapers, magazines, aluminum and steel cans, clear and brown glass, plastic bottles #1 and #2, and automobile batteries. Recycling revenues have increased 36% or \$14.01 per ton since 2006.

This Franchise Agreement was approved by Council on August 8, 2005 as agenda item #12.10. The term of this agreement is for a five (5) year period which began on October 1, 2005 and ending on September 30, 2010.

**Budget & Financial Summary:** Funds are available for the franchise amendment in the Sanitation Fund; however, a future budget amendment may be required. This franchise amendment will not require an increase in sanitation customer rates in FY09.

**Attachments:**

1. Franchise Agreement
2. Texas Commercial Waste Rate Increase Request

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE EXISTING NONEXCLUSIVE FRANCHISE WITH TEXAS COMMERCIAL WASTE FOR THE PURPOSE OF PROVIDING RECYCLABLE COMMODITIES COLLECTION TO DESIGNATED SINGLE-FAMILY, DUPLEX, FOURPLEX, AND HANDICAP RESIDENTIAL LOCATIONS TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEMIANNUAL REVIEW OF COSTS; PROVIDING FOR ACCEPTANCE BY TEXAS COMMERCIAL WASTE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

WHEREAS, Texas Commercial Waste (“Company”) is engaged in the business of providing recyclable commodities collection to designated single-family, duplex, four-plex, and handicap residential locations, and is using the public streets, alleys, grounds and rights-of-ways within the City for that purpose under the terms of a franchise ordinance duly passed by the governing body of the City and duly accepted by Company or its predecessor in interest; and

WHEREAS, the City and Company desire to amend said franchise ordinance to provide for a different consideration; now, therefore,

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

PART 1: The consideration payable by the City for the cost of recyclable collection provided by the Company by the franchise ordinance duly passed by the governing body of this City and accepted by Company or its predecessor in interest is hereby amended and changed to be Two dollars and Forty cents (\$2.40) per month per designated household for collection from designated households, as defined in the franchise ordinance in Section VI, “Rates To Be Charged By Contractor”.

PART 2: The consideration payable by the City for the cost of recyclable collection provided by the Company shall be reviewed semi-annually on the dates of May 1 and November 1 in order to determine if the amount of consideration is acceptable.

PART 3: This ordinance shall take effect on July 1, 2008. Company shall, within thirty (30) days from the receipt of this ordinance, file its written acceptance of this ordinance with the Office of the City Secretary in substantially the following form:

To the Honorable Mayor and City Council:

Texas Commercial Waste, acting by and through the undersigned authorized officer, hereby accepts in all respects, on this the \_\_\_\_ day of \_\_\_\_\_, 2008, Ordinance No. \_\_\_\_\_ amending the

current recyclable commodities collection franchise between the City of College Station and Texas Commercial Waste.  
Texas Commercial Waste

By \_\_\_\_\_

Owner

PART 4: In all respects, except as specifically and expressly amended by this ordinance, the existing franchise ordinance heretofore duly passed by the governing body of the City shall remain in full force and effect.

PART 5: The City shall provide a copy of this Ordinance to Mr. Ron Schmidt, Owner, Texas Commercial Waste, P.O. Box 645, Bryan, TX 77806, no later than ten (10) business days after its final passage and approval.

PART 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, this the 6<sup>th</sup> day of August, 2008, at which meeting a quorum was present and voting.**

APPROVED:

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED:

*Harry Cangel*  
\_\_\_\_\_  
City Attorney

ORDINANCE NO. \_\_\_\_\_

Page 3

First Consideration and Approval: \_\_\_\_\_

Second Consideration and Approval: \_\_\_\_\_

Third Consideration and Approval: \_\_\_\_\_



P.O. BOX 645  
BRYAN, TEXAS 77806  
(979) 775-7171 FAX (979) 822-5006

June 11, 2008

Mr. Glenn Brown  
City Manager  
City of College Station  
P.O. Box 9973  
College Station, Texas 77842

Certified Mail  
Return Receipt: 7001 2510 0008 7469 7843

Dear Mr. Brown,

We are presently nearing the end of the second year of a five year curbside recycling contract. At the time the City of College Station bid out this contract no provision was made for any type of rate escalation. This was due I'm sure to the fact that during the previous five year contract the economy was stable and our expenses remained fairly consistent.

As you are aware over the past 1 ½ years the cost of oil has increased at a rate no one could have foreseen. The cost of oil has a direct impact on two items that are crucial to the curbside program: diesel fuel and the clear plastic collection bags.

As a result we would respectfully request that the City of College Station take under consideration this extra ordinary circumstance and allow a rate increase of \$0.30 per household per month to the rate of \$2.15 we now charge.

I would also like to point out that due to the way the contract is structured the City of College Station has been able to take advantage of the unusually high commodity prices.

I hope this request meets with your approval as we would like to implement the new rate as soon as possible.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

Ron Schmidt  
General Manager

Cc: Pete Caler

Certified Mail  
Return Receipt: 7001 2510 0008 7469 7850

**Thursday, August 28, 2008  
Consent Agenda Item No. 2g  
Charter Amendment Election**

**To:** Glenn Brown, City Manager

**From:** Connie Hooks, City Secretary

**Agenda Caption:** Presentation, possible action, and discussion on an ordinance calling a special charter amendment election in the City of College Station on November 4, 2008.

**Summary:** At the July 10, 2008 City Council meeting, City Council directed staff to prepare an ordinance calling a charter amendment election on November 4, 2008. The purpose of the election is to ask the voters if the City Charter shall be amended to provide that city employees may apply and receive housing assistance or other assistance that is offered to other citizens.

**Recommendation:**

Modify the ordinance.

Adopt the ordinance.

Deny the ordinance.

**Budget & Financial Summary:**

The Charter amendment election will be held on the same election as the federal election and City of College Station bond election on November 4, 2008. The cost to the City of College Station is approximately \$35,000 for election contract and personnel expenses.

**Attachments:**

Ordinance calling Charter Election.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, PROPOSING AN AMENDMENT TO THE CITY CHARTER; CALLING AN ELECTION ON SAID ISSUE; PROVIDING FOR PROCEDURES RELATING TO THE CONDUCT OF SAID ELECTION; PROVIDING FOR PUBLIC NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of College Station hereby calls a special election to allow the voters to determine whether the Charter should be changed as hereinafter set out below; and

WHEREAS, Section 9.004 of the LOCAL GOVERNMENT CODE, provides that a Charter election shall be held on or after the 30<sup>th</sup> day after the passage of this Ordinance; and,

WHEREAS, Section 41.001(a) of the ELECTION CODE provides that the next earliest time for the Charter election is the first Tuesday after the first Monday in November, the same being November 4, 2008; now, therefore,

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

- PART 1: That a special election is hereby ordered to be held on the 4<sup>th</sup> day of November, 2008, pursuant to the laws of the State of Texas and the Charter of the City of College Station, Texas. Such election shall be held for the purpose of amending the College Station City Charter.
- PART 2: That there shall be one ballot that contains all appropriate propositions available for qualified voters.
- PART 3: That said election shall be held in accordance with the Constitution and laws of the State of Texas and the City Charter, and all duly qualified voters of the City of College Station shall be entitled to vote; provided, however, that no voter shall be given a ballot containing any proposition on which the voter is ineligible to vote.
- PART 4: That the implementation and management of said election shall be by the Brazos County Clerk. The Brazos County Clerk is hereby designated as the Chief Election Official and Early Voting Clerk of the election to be held on November 4, 2008. The implementation, conduct and management of the election shall include, but not be limited to:
- A. The securing of qualified individuals to serve as election judges for each polling place within a voting precinct.
  - B. The securing of locations and facilities where the election is to be conducted.

- C. The securing of election materials and supplies requisite to the proper administration of the election, and the programming and preparation of direct recording voting equipment to be used in the election.
- D. The securing of a contract with Texas Voting Systems, Inc., for election services and supplies.

PART 5: The City Secretary is hereby responsible for any necessary submissions to the U.S. Department of Justice for preclearance under the Federal Voting Rights Act.

PART 6: Said election shall be held in the following election precincts and voting shall be conducted at the polling places shown below:

PART 7: Early voting shall be conducted by personal appearance and by mail. The Early Voting Clerk for said election shall be the Brazos County Clerk. She shall appoint employees and additional qualified individuals of the community to serve as deputy early voting clerks to assist her at the early voting polling places. The period for early voting shall be October 20, 2008 through October 31, 2008. Applications for ballot by mail shall be submitted to the Office of the Brazos County Clerk beginning Friday, September 5, 2008. The last day for the Brazos County Clerk to receive an application by mail is Tuesday, October 28, 2008

**EARLY VOTING BY PERSONAL APPEARANCE**

Brazos County Courthouse	300 E. 26 <sup>th</sup> Street Suite 108 Bryan, Texas
Arena Hall	Tabor Road and N. Earl Rudder Freeway Bryan, Texas
Galilee Baptist Church	804 N. Logan, Bryan, Texas
Grace Bible Church Southwood	1901 Harvey Mitchell Pkwy, College Station, Texas
Memorial Student Center	TAMU Campus, College Station, Texas

**Dates and Hours for Voting:**

October 20 – 24, 2008 Monday – Friday	8:00 am – 5:00 pm
October 25, 2008 Saturday	8:00 am – 8:00 pm
October 26, 2008 Sunday	10:00 am – 3:00 pm
October 27, 2008 – October 31, 2008 Monday – Friday	8:00 am – 8:00 pm

PART 8: In accordance with Section 123.001 of the TEXAS ELECTION CODE, the Hart Intercivic Direct Recording Electronic Voting System, Optical Scan Voting System and Electronic Management System for Brazos County, Texas, approved by the

Secretary of State on January 3, 2002, and identified as eSLATE, is hereby adopted for this election.

- PART 9: The special Charter election shall be held in accordance with the requirements for bilingual elections as set forth in the Voting Rights Act amendments for 1975 (42 U.S.C. § 1973aa-1a) and in Section 272.001 of the ELECTION CODE. All election forms and material shall be printed in both English and Spanish, and bilingual oral assistance shall be made available within the requirements of the law.
- PART 10: That the following proposed Charter change be submitted for vote on November 4, 2008:
- PART 11 (a): That Section 115, Personal Interest of Article XII, General Provisions, of the Charter of the City of College Station, Texas, be submitted for amendment, and if approved by a majority vote, be changed to add the following sentence to the end of Section 115.

**ARTICLE XII**  
**General Provisions**

The prohibitions of this section shall not be applicable to city employee who applies for and or receives housing assistance or any other assistance that is offered to the general public under the same terms and conditions that the assistance is offered to other citizens.

- PART 11 (b): That said amendment be presented for “YES” or “NO” vote, in the following form:

**PROPOSITION NO. I**

“Shall the Charter be amended to provide that city employees may apply and receive housing assistance or other assistance that is offered to other citizens?”

- PART 12: That a copy of this Ordinance shall be published in its entirety in the official newspaper of the City of College Station.
- PART 13: That this ordinance shall take effect immediately from and after its date of final passage.
- PART 14: That an election is hereby called on November 4, 2008, on said aforementioned Charter amendment. If said City Charter amendment shall receive a majority of “YES” votes, it shall be declared passed. Said amendment passing by a majority vote shall be entered upon the records of the City of College Station and declared by the City Council to be adopted and shall be effective henceforth.

ORDINANCE NO. \_\_\_\_\_

Page 4

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

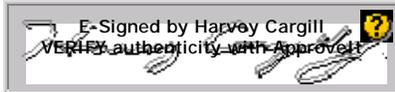
ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

APPROVED:



\_\_\_\_\_  
CITY ATTORNEY

**August 18, 2008**  
**Consent Agenda Item No. 2h**  
**Change Order #2**  
**Memorial Cemetery of College Station Construction Contract**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Capital Projects

**Agenda Caption:** Presentation, possible action and discussion regarding Change Order No. 2 to the construction contract (Contract No. 08-116) with Acklam Construction Company, Ltd., in the amount of \$86,160.50 for the Memorial Cemetery of College Station (Project No. GG-9905).

**Recommendation(s):** Staff recommends approval of change order #2 in the amount of \$86,160.50.

**Summary:** After construction began on site, modifications were made to the storm sewer alignment and depth, the storm water discharge point, and improvements to the channel downstream of the discharge point to accommodate a different alignment for storm sewer pipe required to obtain the necessary easements across private property.

In addition to the changes to the storm sewer system, the detention capacity of Pond A was increased by adding two feet of depth to the pond. This modification will ensure grave sites do not become inundated during a 100-year storm event. Also, additional sod is required on steeper slopes to reduce erosion around the perimeter of Pond A.

**Budget & Financial Summary:** The current budget for the Memorial Cemetery project is \$9,290,000. A total of \$9,287,572.81 has been expended or committed to date, leaving a balance of \$2,427.19. It is anticipated that an additional funds in the amount of approximately \$640,000 will be needed to complete the Memorial Cemetery project. This amount was not included in the original budget and is for items such as this and other change orders, the Construction Inspector, staff time, easement acquisition and soil testing. This additional appropriation will be brought forth to Council as part of the upcoming FY08 budget amendment. It is anticipated that funds generated by the Memorial Cemetery lot sales will be used to fund the additional anticipated expenses. However, if sufficient funds are not generated to support the additional expenses, additional Certificates of Obligation may be issued.

**Attachments:**

1. Change Order
2. Exhibit A.

**OWNER:**  
 City of College Station  
 P.O. Box 9960  
 College Station, Texas 77842

**CONTRACTOR:**  
 Acklam Construction, Inc.  
 18932 Highway 6 South Ph: (979) 690-8500  
 College Station, TX 77847 Fax: (979) 690-8510

**PURPOSE OF THIS CHANGE ORDER #2:**

- A1. Outfall improvements of storm drain system revisions, brush clearing, seeding, and stone riprap made on Smith tract as a condition of agreement to allow storm drain outfall on property; These were additional requirements demanded by new property owner after verbal agreement with previous property owner developed by ROW agent was not honored. (See item 1 through 8 below)
- A2. Lowering of Pond A and outfall storm drain system by 2' to increase pond storage capacity and reduce water on graves after 100 year rain storm as requested by Capital Projects. Also required additional sod to steeper slopes to reduce erosion and additional height for manholes on outfall line. (See item 9 through 14 below)
- Q1. Time Extension Only for Items A1 will be 7 calendar days.  
 Q2. Time Extension Only for Item A2 will be 7 calendar days.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Clear and Grub	\$2,200.00		1	\$2,200.00
2	SY	Rock rip rap (material)	\$32.00		235	\$7,520.00
3	SY	Prepare and install rip rap	\$28.00		235	\$6,580.00
4	EA	Sloped headwalls with flared wings				\$4,500.00
5	EA	MHA6 Manhole				\$3,700.00
6	LF	Lower storm drainage 24" RCP 2"	\$11.50		280	\$3,220.00
7	SY	Seeding	\$0.65		900	\$585.00
8	Days	Water Truck	\$150.00		10	\$1,500.00
		Plus 10% for sub-contractor				\$2,981.30
		Subtotal of 1 through 8				\$32,786.30
9	LS	Increase pond depth two feet	\$16,533.00		1	\$16,533.00
10	LS	Increase excavation around pond perimeter	\$12,000.00		1	\$12,000.00
11	LF	24" RCP two feet deeper	\$11.50		1074	\$12,351.00
12	LS	Added height to manholes and inlets on Line A2	\$3,250.00		1	\$3,250.00
13	LS	Added structural fill depth	\$650.00		1	\$650.00
14	SY	Solid sod	\$3.00		1246	\$3,738.00
		Plus 10% for sub-contractor	\$4,852.20		1	\$4,852.20
		Subtotal of 9 through 14				\$53,374.20
<b>TOTAL</b>						<b>\$86,160.50</b>

THE NET EFFECT OF THIS CHANGE ORDER IS A 1.22% INCREASE

ORIGINAL CONTRACT AMOUNT	\$7,072,579.00		
Change Order No. 1	(\$3,438.70)	-0.05%	CHANGE
Change Order No. 2	\$86,160.50	1.22%	CHANGE
REVISED CONTRACT AMOUNT	\$7,155,300.80	1.17%	TOTAL CHANGE

ORIGINAL CONTRACT TIME	240 Days
Time Extension No. 1	10 Days
Time Extension No. 2	14 Days
Revised Contract Time	264 Days

SUBSTANTIAL COMPLETION DATE	February 8, 2009
Revised Substantial Completion Date	March 4, 2009

APPROVED

*Michael A. Martin* 8/12/08

CITY CONTRACTOR *M. Acklam* 8/12/08

CONSTRUCTION CONTRACTOR *Charles Hudson* 8-12-08

PROJECT MANAGER *N/A*

CITY ENGINEER *Charles R. Sh* 12-Aug-08

DEPARTMENT DIRECTOR \_\_\_\_\_ Date \_\_\_\_\_

DIRECTOR OF FISCAL SERVICES *M Powell* 8-14-08

CITY ATTORNEY \_\_\_\_\_ Date \_\_\_\_\_

MAYOR \_\_\_\_\_ Date \_\_\_\_\_

CITY SECRETARY \_\_\_\_\_ Date \_\_\_\_\_

CITY MANAGER \_\_\_\_\_ Date \_\_\_\_\_

\*Items A1 and A2 on this Change Order are accepted by ratification for work already completed.

## ADJUSTMENT FOR CHANGES IN WORK

Project #: GG-9905                      Contract #: \_\_\_\_\_                      Revision: 5A  
 Project Title: Memorial Cemetery of College Station                      Date: 24-Jul-08  
 Contractor: ACKLAM CONSTRUCTION COMPANY, LTD.  
 Description of Change in Work: Increased scope of work at Smith property construction drainage easement.

Description	Qty Req'd	Unit	Unit Cost	Labor	M/E Other	Subcontract
Clear and grub		ls	\$2,200.00			\$2,200.00
Rock rip rap (material)	235	sy	\$32.00/sy			\$7,520.00
Prepare and install rip rap	235	sy	\$28.00/sy			\$6,588.00
Sloped headwalls with flared wings	1	ea.	\$4,500.00			\$4,500.00
MHA6 Manhole	1	ea.	\$3,700.00			\$3,700.00
Lower storm drainage						
24" RCP 2'	280	lf	\$11.50/lf			\$3,220.00
Seeding	900	sy	\$0.65/sf			\$585.00
Water Truck	10	days	\$150.00/day			\$1,500.00
<b>SUBTOTALS</b>						<b>\$29,813.00</b>

Remarks: _____	Subtotal ( labor + material + equipment)	_____ (A)
<u>Add 7 days to project completion</u>	Plus OH &P <u>15</u> % of Line A	_____ (B)
_____	Labor Burden <u>44.68</u> % of labor	_____ (C)
_____	Fringe Benefits      _____      % of labor	_____ (D)
_____	Sales Tax 8.25% of taxable items	_____ (E)
_____	Subtotal subcontract	<u>\$29,813.00</u> (F)
_____	Plus 10% of Line F Subcontract	<u>\$2,981.30</u> (G)
_____	Total (A+B+C+D+E+F+G)	<u>\$32,794.30</u>

## ADJUSTMENT FOR CHANGES IN WORK

Project #: GG-9905 Contract #: \_\_\_\_\_ Revision: 6A  
 Project Title Memorial Cemetery of College Station Date: 17-Jul-08  
 Contractor: ACKLAM CONSTRUCTION COMPANY, LTD.  
 Description of Change in Work: Pond "A" grading and storm drainage related modifications.  
easement.

Description	Qty Req'd	Unit	Unit Cost	Labor	M/E Other	Subcontract
Increase pond depth 2'		ls	\$16,533.00			\$16,533.00
Increase excavation around pond perimeter		ls	\$12,000.00			\$12,000.00
24" RCP 2' deeper	1074	lf	\$11.50/lf			\$12,351.00
Added height to manholes and inlets on Line A2		ls	\$3,250.00			\$3,250.00
Added structural fill depth at road		ls	\$650.00			\$650.00
Solid Sod	1246	sy	\$3.00			\$3,738.00
<b>SUBTOTALS</b>						<b>\$48,522.00</b>

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Subtotal ( labor + material + equipment)	_____	(A)
Plus OH &P <u>15</u> % of Line A	_____	(B)
Labor Burden <u>44.68</u> % of labor	_____	(C)
Fringe Benefits _____ % of labor	_____	(D)
Sales Tax 8.25% of taxable items	_____	(E)
Subtotal subcontract	<u>\$48,522.00</u>	(F)
Plus 10% of Line F Subcontract	<u>\$4,852.20</u>	(G)
<b>Total (A+B+C+D+E+F+G)</b>	<b><u>\$53,374.20</u></b>	

**August 28, 2008**  
**Consent Agenda Item No. 2i**  
**Electric System Right-of-Way Clearing**

**To:** Glenn Brown, City Manager

**From:** David Massey, Director of Electric Utilities

**Agenda Caption:** Presentation, possible action and discussion regarding awarding Bid #08-73, Contract #08-260 for Electric System Right-of-Way Clearing and Tree Trimming Contract award to Rios Tree Services, Inc. in the total amount of \$1,082,286.25 for a three year contract.

**Recommendation(s):** Staff recommends awarding Bid No. 08-73 for Electric system Right-Of-Way Clearing and Tree Trimming Contract with Rios Tree Services, Inc. in the amount of \$1,082,286.25 for a three year contract.

**Summary:** This contract is for three (3) years for labor and equipment necessary to provide Electric System Right-Of –Way Clearing of overhead power lines and the clearing of easements and right of ways for construction of new power lines. The bid requested firm pricing for three years with each year specifying areas of the electric system to be trimmed. Standard electric utility practices have recommended a three (3) year system trimming cycle.

**Budget & Financial Summary:** Request for bids were sent out and two (2) bids were received and opened on July 16, 2008. The majority of the tree trimming expenses will be funded out of the Electric Utility's Departmental Operating Budget. A minor portion will be funded out of the Electric Utility Capital Improvement Projects fund for new power line extensions. Funds will be budgeted for the tree trimming over a three year period.

**Attachments:**

- 1 Resolution
- 2 Bid Tab

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A SERVICE CONTRACT FOR THE ELECTRIC SYSTEM RIGHT-OF-WAY CLEARING AND TREE TRIMMING PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited bids for an Annual Price Agreement for Electric System Right-of-Way Clearing and Tree Trimming Project; and

WHEREAS, the selection of Rios Tree Services, Inc., is being recommended as the lowest responsible bidder for the services related to Electric System Right-of-Way Clearing and Tree Trimming Project; now, therefore,

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

PART 1: That the City Council hereby finds that Rios Tree Services, Inc., is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Rios Tree Services, Inc., for \$1,082,286.25 for the labor, materials and equipment required for the improvements related the Electric System Right-of-Way Clearing and Tree Trimming Project.

PART 3: That the funding for this Project shall be as budgeted from the Electric Utility Departmental Operating budget & the Electric Utility Capital Improvement Projects budget, in the amount of \$1,082,286.25.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2008.

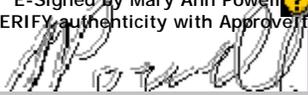
ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

APPROVED:

E-Signed by Mary Ann Powell  
VERIFY authenticity with ApproveIT  


City Attorney

**BID TABULATION**  
**Electric Utility Right of Way Clearing**  
**Bid No. 08-73**  
**3 Year Cycle**

16-Jul-08

	Rios Tree Service Circuit Total	Asplundh Tree Expert Co Circuit Total
<b>I 2008/09 Trimming Estimate</b>		
1 2102 Southgate	\$44,220.62	\$58,163.00
2 3208 Welsh North	\$31,447.11	\$36,850.00
3 2103 Carter's Grove	\$33,368.77	\$53,159.00
4 2104 College Hills	\$31,399.57	\$53,472.00
5 1101 Windwood	\$12,520.79	\$36,317.00
6 1102 Raintree	\$64,311.69	\$92,889.00
7 3103 Welsh South	\$32,626.88	\$69,532.00
8 Misc Hourly*	\$105,158.40	\$102,483.20
<i>2009 Subtotal</i>	<b>\$355,053.83</b>	<b>\$502,865.20</b>
<b>II 2009/10 Trimming Estimate</b>		
1 3104 Rio Grande	\$28,966.22	\$62,417.00
2 3101 Longmire	\$50,862.60	\$82,066.00
3 5207 Shenandoah	\$29,967.08	\$43,339.00
4 5310 Rock Praire	\$27,200.95	\$38,999.00
5 3102 Mile Drive	\$24,939.00	\$61,802.00
6 2309 Crystal Park	\$44,688.53	\$112,502.00
7 5312	\$36,848.02	\$62,738.00
8 4208 Woodcreek	\$11,382.31	\$17,852.00
9 Misc Hourly*	\$105,158.40	\$102,483.20
<i>2010 Subtotal</i>	<b>\$360,013.11</b>	<b>\$584,198.20</b>
<b>III 2010/11 Trimming Estimate</b>		
1 2207/08 Northgate/TX North	\$49,979.34	\$88,381.00
2 2311 2F	\$30,904.14	\$53,163.00
3 2312 East Bypass	\$12,057.89	\$22,122.00
4 2101 Holleman	\$15,131.79	\$39,389.00
5 3205 Langford	\$71,824.42	\$102,755.00
6 2203 Bee Creek	\$17,621.44	\$46,417.00
7 2310 Dartmouth	\$9,848.49	\$27,541.00
8 3207 Welborn	\$21,000.60	\$40,745.00
9 4101 Pebble Creek & Indus.	\$33,692.80	\$66,182.00
10 Misc Hourly*	\$105,158.40	\$102,483.20
<i>2011 Subtotal</i>	<b>\$367,219.31</b>	<b>\$589,178.20</b>
<b>GRAND TOTAL</b>	<b>\$1,082,286.25</b>	<b>\$1,676,241.60</b>

\* Misc Hourly rate was based on Payroll Charges and Equipment Charges as bid

<b>IV Payroll Charges</b>		
1 Class C Trimmer	\$16.93	\$16.74
2 Class B Trimmer	\$16.93	\$18.16
3 Class A Trimmer	\$21.70	\$19.57
4 Foreman	\$20.64	\$23.81
<b>V Equipment Charges</b>		
1 Hydraulic Dump Truck	\$38.72	\$12.50
2 Power Saw	\$4.10	\$0.75
3 Bucket Truck	\$14.64	\$18.40
4 Brush Chipper	\$24.72	\$3.70
5 Tractor/Mower	\$5.93	\$46.50
<i>Subtotal</i>	\$164.31	\$160.13
x 40 hours per week	\$6,572.40	\$6,405.20

**28 August 2008  
Regular Agenda Item No. 1  
Annexation Public Hearing**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Public hearing, presentation, possible action, and discussion regarding the service plan for 1.02 acres in the 3200 block of Rock Prairie Road West identified for annexation under the exempt status.

**Recommendation:** The Planning & Zoning Commission heard this item on 17 July and voted unanimously to recommend approval. Staff also recommended approval.

**Summary:** This is the second of two public hearings required by the TEXAS LOCAL GOVERNMENT CODE prior to initiating annexation proceedings. As part of the public hearings, staff will present an overview of the annexation service plan (see attached).

The purpose of the public hearings is to give individuals the opportunity to express their views regarding the proposed annexation and the service plan. Council is not expected to take any action at either public hearing. The final annexation ordinance is scheduled to be presented to Council on 25 September 2008.

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

**Attachments:**

1. Annexation Service Plan
2. Annexation Area Map

**CITY OF COLLEGE STATION SERVICE PLAN  
FOR THE AREA TO BE ANNEXED  
EFFECTIVE 25 SEPTEMBER 2008**

**I. ANNEXATION AREA**

The annexation area is located in the City of College Station's Extraterritorial Jurisdiction. The property is illustrated in Figure 1 and generally described below:

**General Description** – the front portion of Lot 7R of Block 2 of the Rock Prairie Road West Business Park., located in the 3200 block of Rock Prairie Road West, generally located on the south side of Rock Prairie Road West, approximately 2,000 feet west of the intersection of Rock Prairie Road and Wellborn Road and consisting of 1.02 acres.

**II. INTRODUCTION**

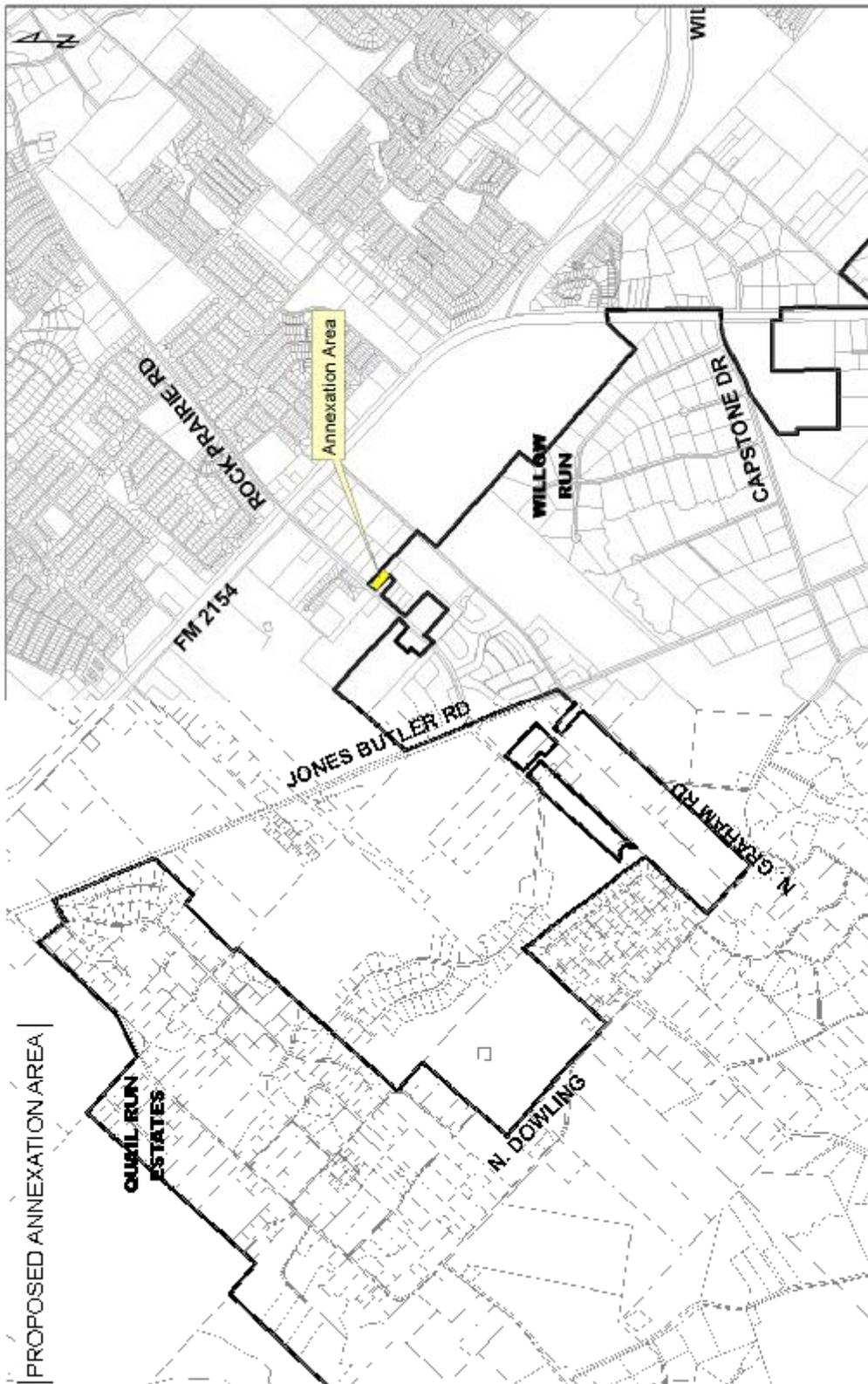
This service plan has been prepared in accordance with the TEXAS LOCAL GOVERNMENT CODE, Sections 43.021, 43.065, and 43.056(b)-(o) (Vernon 1999, AND VERNON SUPP. 2007, as amended from time to time). Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City in accordance with the following plan. This plan provides a program under which the City of College Station will provide full municipal services to the annexed area. All services will be provided within the time provided in TEXAS LOCAL GOVERNMENT CODE, Section 43.056(B).

This Service Plan does not:

- require the creation of another political subdivision;
- require a landowner in the area to fund the capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395, Texas Local Government Code; or
- provide services in the area in a manner that would have the effect of reducing by more than a negligible amount the level of fire and police protection and emergency medical services provided within the corporate boundaries of the municipality before annexation.

The level of services, infrastructure, and infrastructure maintenance provided to the annexed area is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those contemplated or projected in the annexed area.

FIGURE 1



### III. SERVICE COMPONENTS

This plan contains three service components: (1) Immediate Services, (2) Additional Services, and (3) Capital Improvement Program.

#### **Immediate Services**

As required by TEXAS LOCAL GOVERNMENT CODE, SECTION 43.056(B), certain municipal services will be provided by the City of College Station immediately upon the effective date of annexation. These services include:

- police protection;
- fire protection;
- emergency medical services;
- solid waste collection, except as provided by Subsection 43.056(o);
- operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;
- operation and maintenance of roads, and streets, including road and street lighting;\*
- operation and maintenance of public parks, playgrounds, and swimming pools; and
- operation and maintenance of any other publicly owned facility, building, or service.

**\*Note:** Street lighting will be maintained for fixtures located within the service territory of College Station Utilities.

#### **A. Police Protection**

Currently, the annexation area is under the jurisdiction of the Brazos County Sheriff's Department. Upon annexation the College Station Police Department will provide police service, including routine patrol, traffic enforcement, and dispatch response to emergency and non-emergency service calls.

#### **B. Fire Protection**

Currently, the annexation area is under the jurisdiction of Brazos County Emergency Services District No. 1. Upon the effective date of annexation, the College Station Fire Department will provide fire protection, including response to emergency calls for assistance, fire prevention education, pre-fire planning, and target hazard inspections. In general, the Fire Department's goal is to provide a fire response time of five minutes or less.

Construction and development activities undertaken after the effective date of annexation shall comply with all building, life safety and fire safety codes of the City of College Station.

#### **C. Emergency Medical Services**

Currently, the annexation area is under the jurisdiction of Brazos County Emergency Services District No. 1. Upon the effective date of annexation, the College Station Fire Department will provide emergency medical services (EMS). Each Fire Department ambulance, engine, and ladder truck is capable of providing EMS, including defibrillation, medical administration, IV therapy, advanced airway management, and initial treatment of injuries. In general, the Fire Department's goal is to provide an EMS response time of five minutes or less.

#### **D. Solid Waste Collection**

The annexation area is currently vacant and not provided with solid waste service. Upon the effective date of annexation, the College Station Public Works Department will provide fee-based solid waste collection service for future residential and/or commercial customers.

Residential Service – Residential solid waste collection (including brush and bulk items) is provided once per week. All residential service will be provided at a point of collection adjacent to, and accessible from, a public right-of-way or an improved surface acceptable to the City. Residential solid waste collection vehicles will not conduct operations on private property. However, residential service may be provided on private streets that comply with the Sanitation Division’s requirements for surface material, vehicle clearance and turning radii. In the case of multiple residences located on a privately owned road or drive, the City may require the establishment of a mass collection point at an area adjacent to the nearest public right-of-way. The City will provide residential solid waste containers.

Commercial Service - Containers and collection points may be located on private property, provided that it can be easily accessed from a public right of way, and both the route of access and the collection point meet the Sanitation Division’s requirements for approved surfaces, vehicle clearance and turning radii. The City will provide standard commercial containers.

In order to secure solid waste collection services in the annexed areas, each property owner must establish a utility account with the City of College Station. The City will not be responsible for damage to private drives, streets, or parking areas by service trucks servicing containers.

**E. Water and Wastewater Facilities**

The City of College Station will provide water and wastewater service to areas that are not located within the certificated service territory of another utility through existing facilities located within or adjacent to the area. The annexation area is within the certificated water service territory of Wellborn Special Utility District (WSUD), therefore, water service will be provided by WSUD. The annexation area is currently not provided with wastewater service. The level of wastewater service, infrastructure and infrastructure maintenance provided in the annexed area will be comparable to the level of services, infrastructure and infrastructure maintenance available in other parts of the City before annexation with topography, land use, and population density similar to those reasonably contemplated or projected in the area. Municipal services to be provided within the annexed area may be provided by any of the methods in which the City provides services to other comparable areas.

**F. Roads and Streets**

There are no roads or street included in the annexation area.

**G. Parks and Recreation Facilities**

There are no public parks, playgrounds or swimming pools in the area proposed for annexation.

**H. Other Publicly Owned Buildings and Facilities**

The City of College Station is not aware of the existence of any publicly owned buildings in the area proposed for annexation.

## **Additional Services**

### **A. Building Permitting and Inspections**

Currently, there is no permitting and inspection authority for the annexation area. Upon the effective date of annexation, the City will provide building permits and inspection services. This service will be made available to the annexed areas on the same basis and at the same level of service as similar facilities throughout the City. Service is provided on a “cost recovery” basis, and permit fees partially offset the costs of services delivered. Construction activities underway prior to annexation may continue provided that all construction after annexation must comply with City codes and ordinances.

All permits required by City codes and ordinances must be obtained for construction underway at the time of annexation.

### **B. Planning and Development Services**

Currently, there is no planning authority for the annexation area. Upon the effective date of annexation, planning and development services will be provided through the administration of the Unified Development Ordinance and the Subdivision Regulations, Chapter 9 of the College Station Code of Ordinances.

Upon the effective date of annexation, the property will be zoned A-O (Agricultural Open). The City's Comprehensive Plan will be used as the basis for evaluating rezoning requests after the property is annexed.

### **C. Animal Control**

The Police Department will provide animal control service upon the effective date of annexation. Animal control services include response and investigation of reported animal bites, response to reports of stray or “at large” animals, and response and investigation of animal cruelty and neglect reports.

### **D. Community Enhancement**

The Fire Department will provide Community Enhancement services upon the effective date of annexation. Community Enhancement services include response and investigation of sanitation issues, illegal signs, abandoned or inoperable motor vehicles, and zoning violations.

### **E. Recycling Collection**

For residential customers electing solid waste collection from the City of College Station, curbside recycling collection is also provided once per week. Items accepted in the curbside recycling program include:

- Newspapers and magazines
- Aluminum and steel food cans
- Clear and brown glass
- Plastic bottles
- Lead acid car batteries

#### **IV. WATER AND WASTEWATER SERVICE PROVISION**

This Water and Wastewater Service Plan (“Plan”) provides a program under which the City of College Station will provide full municipal services to the annexed area. For the purpose of this plan, “full municipal services” includes water and sewer services provided by the City within its full-purpose boundaries. The level of water and sewer service, infrastructure and infrastructure maintenance provided in the annexed area will be comparable to the level of services, infrastructure and infrastructure maintenance available in other parts of the City before annexation with topography, land use, and population density similar to those reasonably contemplated or projected in the area. Municipal services to be provided within the annexed area may be any of the methods by which the City provides services to other comparable areas. All services will be provided within the time provided in TEXAS LOCAL GOVERNMENT CODE SEC. 43.056(B). The City may extend facilities under this plan or otherwise serve this area through the use of *Impact Fees* as permitted under CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE.

Water and Wastewater facilities for future development that increases densities beyond the capital improvements specified in this plan will be extended in accordance with the City’s Water and Wastewater policy in existence at the time of development. The water and wastewater extension policy is discussed in Section V, Water and Wastewater Capital Improvements. In general, the policy for extension of utility service is “development driven” in that utility line extensions are typically installed by developers, in conjunction with major development projects. The City may accept ownership and maintenance of major facilities, such as gravity sewer lines, manholes, lift stations and/or wastewater package plants, as required by the particular development. The City may elect to pay for upgrades or oversize of infrastructure projects being installed by developers. As an area develops, developers or homeowners extend water distribution and wastewater collection lines to individual lots.

Until an area becomes densely populated, the cost of utility extension is not feasible to be borne by a few lot owners. Also, in the case of wastewater treatment, developments with large lots will normally be constructed with on-site sewage facilities that are privately owned and operated.

##### ***Water***

Water service in the annexation area is currently within the water service territory of WSUD. The City of College Station does not have the right to serve areas outside of our CCN, therefore, no water infrastructure will be provided to the annexation area following annexation.

##### ***Wastewater***

Currently, there is no wastewater service to the proposed annexation area. However, at just over an acre in size, it is large enough to be served by a private on-site sewer facility. The City of College Station recently extended the Steeplechase sewer line across Rock Prairie Road West, near I&GN Road and future development in the annexation area may access the existing public sewer line through a combination of gravity lines and/or force mains. Exhibit “A” illustrates this sewer service line.

As in other areas of College Station with similar topography, land use, and population density, the annexation area could be served by a private sewer treatment system. However, at the owner’s expense, the existing public sewer line on Rock Prairie Road West may also be utilized.

V. **CAPITAL IMPROVEMENTS**

Should the City make capital improvements to serve the annexed areas, the City reserves the right to levy an impact fee to the properties annexed according to Chapter 395 of the Texas Local Government Code and the City's Code of Ordinances. The City may, from time to time, include construction of new, expanded or replacement facilities in its Capital Improvements Program (CIP). Facilities to be included in the CIP shall be determined on a City-wide basis. Priorities shall be established by the CIP plans of the City, projected growth trends, and the City Council through its development plans and policies.

**A. Police Protection (including animal control)**

Police protection will be provided to the annexed areas through existing City facilities at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use and population density similar to those reasonable contemplated or projected in the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

**B. Fire Protection (including EMS and Community Enhancement)**

Fire protection will be provided to the annexed areas through existing City facilities and mutual aid agreements at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use and population density similar to those reasonable contemplated or projected in the area. It is anticipated that fire protection activities can be effectively provided within the current budget and staff appropriation.

**C. Solid Waste Collection**

Solid waste collection services will be provided to the annexed areas through the City's existing facilities or through franchise agreements with private services at a level of service comparable to the level of service in other parts of the City before annexation with topography, land use and population density similar to those reasonable contemplated or projected in the area. It is anticipated that solid waste collection can be effectively accommodated within the current budget and staff appropriation.

**D. Maintenance of Public Roads and Streets**

N/A – Roads and/or streets are not part of the annexation area.

**E. Parks, Playgrounds and Swimming Pools**

Parks and recreation services will be provided through the existing facilities at a level of service not less than exists in the area immediately preceding annexation.

Additional park development in the annexed areas will be addressed through the development standards and procedures of the City as residential development occurs. Such park development includes, but is not limited to, dedication of park land and/or money in lieu of land in accordance with the City of College Station Subdivision Regulations.

**F. Other Public Building and Facilities**

N/A - Public buildings and facilities are not included in the annexation area.

## **WATER AND WASTEWATER CAPITAL IMPROVEMENTS**

The water and wastewater utility extension policy of the City of College Station is as follows:

The cost of off-site extension of water and wastewater facilities to serve a lot, tract, plat, or land development shall be borne by the owner or developer of the lot, tract, plat, or land by direct installation or through the use of *Impact Fees*. Where such extension is consistent with plans for the development of the City and its utility system the City may, by decision of the City Council, participate in the cost of construction so as to provide for additional capacity for the overall development of an area.

The cost of water and wastewater facilities necessary to serve existing lots or new development within a subdivision plat or land development shall be borne by the lot owner or developer of the plat or land by direct installation or through the use of *Impact Fees*. Standard tap fees or other installation fees in effect on a citywide basis are in addition to impact fees levied.

### **ANNEXATION AREA**

#### ***Water***

The annexation is located within the water CCN service territory of WSUD. No water infrastructure will be provided to this area after annexation. Properties located within the water CCN service territory of WSUD will continue to be served by WSUD after annexation.

#### ***Wastewater***

The property within the annexation area is not currently served by sewer (private or public). Future development on the property may utilize a private on-site sewer treatment system or access the public sewer line in a manner consistent with the City's utility extension policy.

## **VI. LEVEL OF SERVICES TO BE PROVIDED**

It is the intent of the City of College Station to provide the level of services required by State law. The City Council finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with topography, land use, and population density reasonably similar to the annexed area and will not reduce the level of services available to the territory prior to annexation.

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

## **VII. TERM**

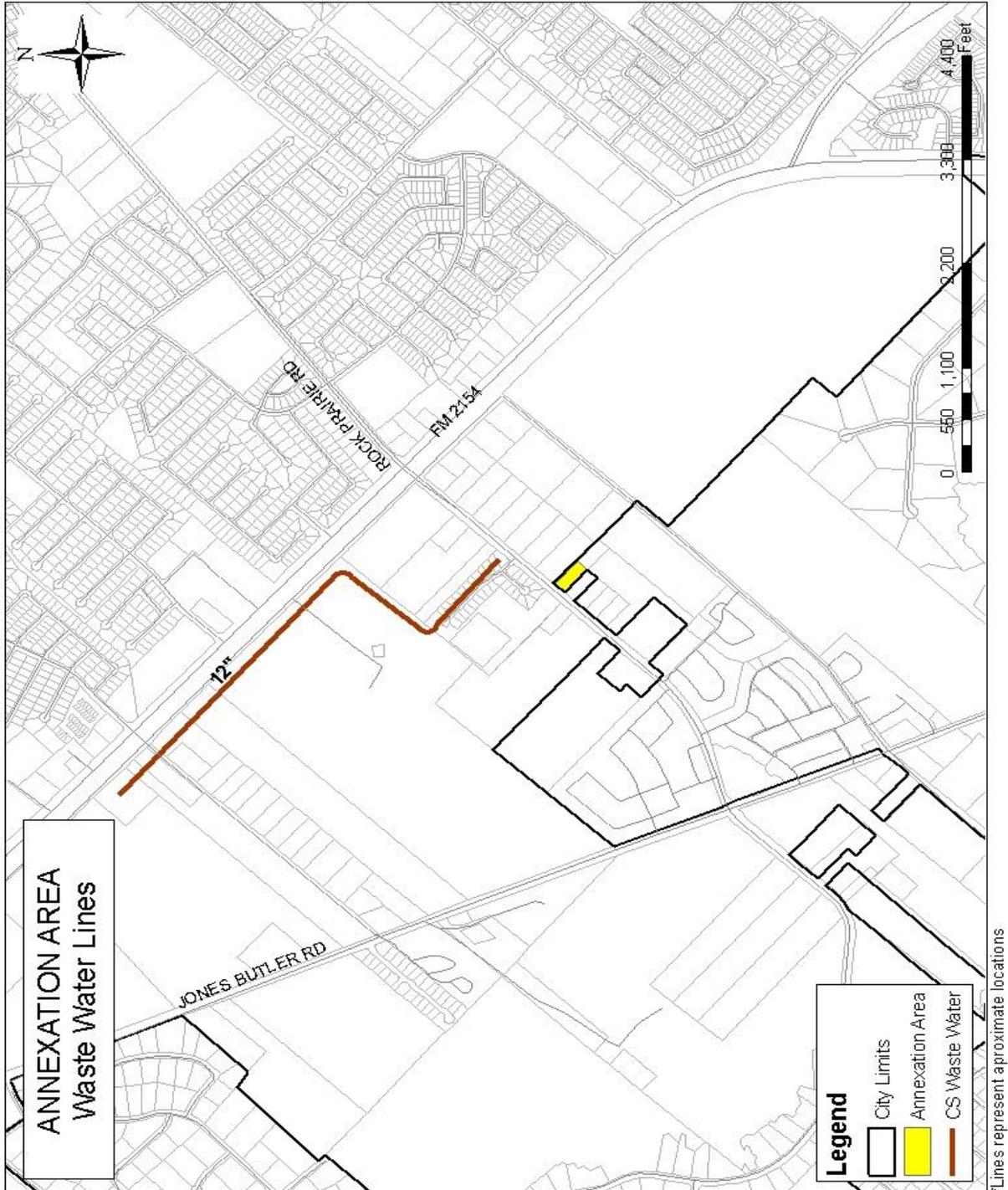
This service plan shall be valid for a term of ten (10) years. Renewal of the service plan shall be at the discretion of City Council.

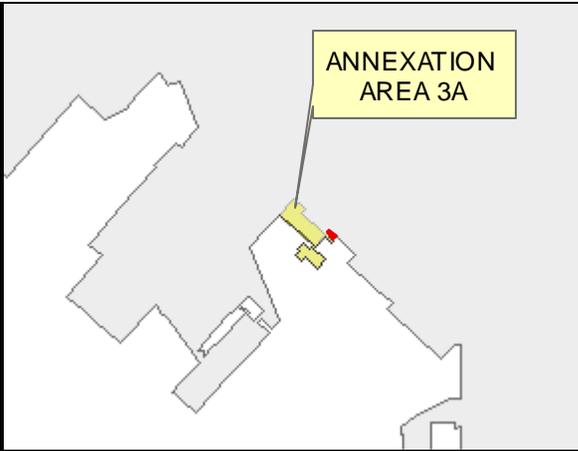
## **VIII. AMENDMENTS**

The service plan may be amended if the City Council determines at a public hearing that changed conditions or subsequent occurrences make this service plan unworkable or obsolete. The City Council may amend the service plan to conform to the changed conditions or subsequent occurrences pursuant to the TEXAS LOCAL GOVERNMENT CODE, Section 43.056 (Vernon 1999 and Vernon Supp. 2007).

**APPENDIX**

Exhibit "A"





**August 28, 2008**  
**Regular Agenda Item No. 2**  
**2950 Rock Prairie Road West Easement Abandonment**

**To:** Glenn Brown, City Manager

**From:** Mark Smith, Director of Public Works

**Agenda Caption:** Public Hearing, presentation, possible action, and discussion approving two ordinances. One vacating and abandoning a 1.04 acre variable width utility easement and another vacating a 0.326 acre variable width electrical easement. Both easements being located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision according to the plat recorded in Volume 1275, Page 15 of the Deed Records of Brazos County, Texas.

**Recommendation(s):** Staff recommends approval of the two ordinances.

**Summary:** The easements proposed to be abandoned are a 1.04 acre variable width utility easement and a 0.326 acre variable width electrical easement, which are located on Lot 1 & 2 of Block 1 of the Merker-Strawn Subdivision. The easements do not contain any facilities and all utility companies consent to the abandonment. The easements abandonment are proposed to facilitate redevelopment of the property.

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

**Attachments:**

1. Vicinity Map
2. 1.04 acre PUE abandonment location
3. 0.326 acre electric abandonment location
4. 1.04 acre Abandonment Ordinance
5. 1.04 acre Exhibit A
6. 0.326 acre Abandonment Ordinance
7. 0.326 acre Exhibit A
8. Application for Abandonment (available in the City Engineer's office)

HAUPT RD

MARTA ST

FREDRICK ST

EDELWEISS AVE

**2950 Rock Prairie Road West**

OLD WELLBORN RD

ROCK PRAIRIE RD

ROCK PRAIRIE RD

FM 2154

KEEPER LOOP

ROCK PRAIRIE RD W

GRAHAM RD N

**Vicinity Map**

**1 inch equals 200 feet**







ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 1.04 ACRE VARIABLE WIDTH UTILITY EASEMENT, SAID EASEMENT LIES ON LOTS 1 & 2, BLOCK 1, OF THE MERKER-STRAWN SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 1275, PAGE 15 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 1.04 acre Variable Width Utility Easement, said easement lies on Lots 1 & 2, Block 1, of the Merker-Strawn Subdivision, according to the plat recorded in Volume 1275, Page 15, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Utility Easement"); and

WHEREAS, in order for the Utility Easement to be vacated and abandoned by the City Council of the City of College Station, Texas, the City Council must make certain affirmative findings; now therefore,

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

PART 1: That after opening and closing a public hearing, the City Council finds the following pertaining to the vacating and abandoning of the Utility Easement described in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Utility Easement will not result in property that does not have access to public roadways or utilities.
2. There is no public need or use for the Utility Easement.
3. There is no anticipated future public need or use for the Utility Easement.
4. Abandonment of the Utility Easement will not impact access for all public utilities to serve current and future customers.

PART 2: That the Utility Easement as described in Exhibit "A" be abandoned and vacated by the City.

ORDINANCE NO. \_\_\_\_\_

Page 2

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED:

E-Signed by Carla A. Robinson  
VERIFY authenticity with Adobe

\_\_\_\_\_  
City Attorney

**METES AND BOUNDS DESCRIPTION  
OF A  
1.04 ACRE EASEMENT  
MERKER-STRAWN SUBDIVISION  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF A 16.00 FOOT WIDE UTILITY EASEMENT LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF LOT 1 AND LOT 2, BLOCK 1, MERKER-STRAWN SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 1275, PAGE 15 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

SAID EASEMENT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF ROCK PRAIRIE ROAD (100' R.O.W.) MARKING THE SOUTH CORNER OF SAID LOT 2 AND THE EAST CORNER OF A CALLED 3.00 ACRE TRACT AS DESCRIBED BY A DEED TO DAVID W. HOLMES AND NANCY J. HOLMES RECORDED IN VOLUME 1209, PAGE 529 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** N 45° 23' 39" W ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT FOR A DISTANCE OF 16.00 FEET TO A POINT ON THE NORTHWEST LINE OF AN EXISTING 16.00 FOOT WIDE UTILITY EASEMENT ACCORDING TO THE PLAT OF GANDY ROAD RECORDED IN VOLUME 352, PAGE 555 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

**THENCE:** N 45° 23' 39" W CONTINUING ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT FOR A DISTANCE OF 1038.68 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID LOT 2 AND SAID 3.00 ACRE TRACT, SAID IRON ROD FOUND BEING ON THE SOUTHEAST LINE OF THE REMAINDER OF A CALLED 136.063 ACRE TRACT AS DESCRIBED BY A DEED TO L. M. HAUPT, JR. AND WIFE, STELLA GEREN HAUPT, RECORDED IN VOLUME 171, PAGE 392 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** N 44° 11' 53" E ALONG THE COMMON LINE OF SAID LOT 2 AND SAID REMAINDER OF 136.063 ACRE TRACT FOR A DISTANCE OF 429.64 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID LOT 2 AND THE WEST CORNER OF A CALLED 12.40 ACRE TRACT AS DESCRIBED BY A DEED TO OSAGE, LTD. RECORDED IN VOLUME 1130, PAGE 570 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** S 45° 25' 30" E ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 12.40 ACRE TRACT FOR A DISTANCE OF 1040.12 FEET TO A POINT ON THE NORTHWEST LINE OF SAID EXISTING 16.00 FOOT WIDE UTILITY EASEMENT (352/555), FOR REFERENCE A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF ROCK PRAIRIE ROAD MARKING THE EAST CORNER OF SAID LOT 1 AND THE SOUTH CORNER OF SAID 12.40 ACRE TRACT BEARS: S 45° 25' 30" E FOR A DISTANCE OF 16.00 FEET;

**THENCE:** THROUGH SAID LOT 1 FOR THE FOLLOWING CALLS:

S 44° 23' 25" W FOR A DISTANCE OF 8.00 FEET TO A POINT;

N 45° 25' 30" W FOR A DISTANCE OF 326.00 FEET TO A POINT (THIS HEREIN DESCRIBED EASEMENT BEING 8.00 FEET WIDE DURING THIS CALL);

S 44° 22' 00" W FOR A DISTANCE OF 184.00 FEET TO A POINT (THIS HEREIN DESCRIBED EASEMENT RESUMES A 16.00 FOOT WIDTH WITH THIS CALL);

S 45° 25' 30" E FOR A DISTANCE OF 325.92 FEET TO A POINT ON THE NORTHWEST LINE OF SAID EXISTING 16.00 FOOT WIDE EASEMENT (352/555);

Exhibit A  
Sheet 2 of 3

S 44° 23' 25" W ALONG THE NORTHWEST LINE OF SAID EXISTING EASEMENT (352/555) FOR A DISTANCE OF 16.00 FEET TO A POINT WITHIN SAID LOT 2;

**THENCE:** THROUGH SAID LOT 2 FOR THE FOLLOWING CALLS:

N 45° 25' 30" W FOR A DISTANCE OF 341.91 FEET TO A POINT;

N 44° 22' 00" E FOR A DISTANCE OF 192.00 FEET TO A POINT;

N 45° 25' 30" W FOR A DISTANCE OF 682.08 FEET TO A POINT;

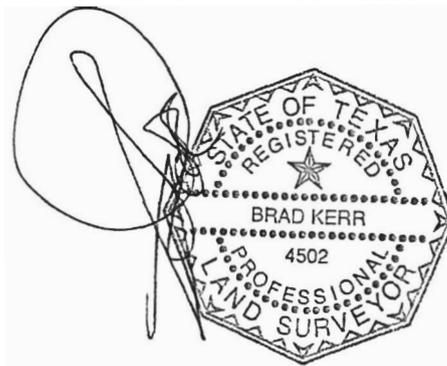
S 44° 11' 53" W FOR A DISTANCE OF 397.64 FEET TO A POINT;

S 45° 23' 39" E FOR A DISTANCE OF 1022.74 FEET TO A POINT ON THE NORTHWEST LINE OF SAID EXISTING EASEMENT (352/555);

S 44° 23' 25" W FOR A DISTANCE OF 16.00 FEET TO THE **POINT OF BEGINNING** CONTAINING 1.04 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND JANUARY 2008. SEE PLAT PREPARED JUNE 2008 FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON THE PLAT CAL BEARINGS OF MERKER-STRAWN SUBDIVISION, 1275/15.

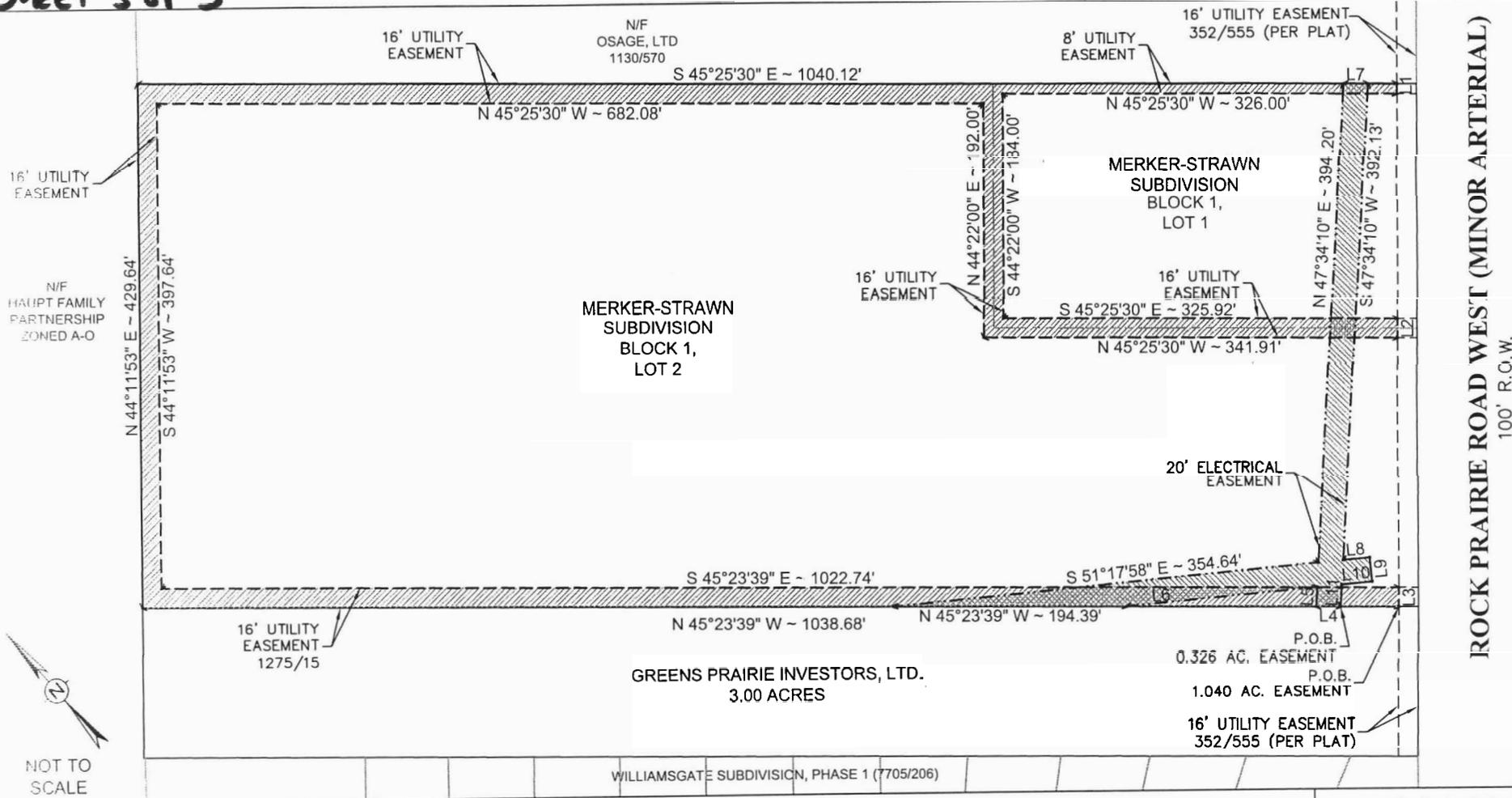
BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

C:/WORK/MAB/08-440B



# Exhibit A

## Sheet 3 of 3

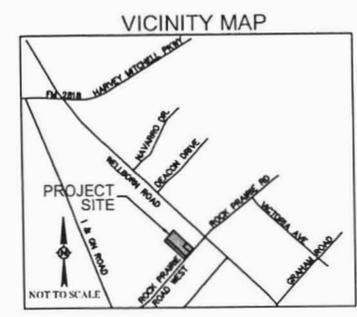


**ROCK PRAIRIE ROAD WEST (MINOR ARTERIAL)**  
 100' R.O.W.

LINE TABLE		
LINE	LENGTH	BEARING
L1	8.00'	S44°23'25"W
L2	16.00'	S44°23'25"W
L3	16.00'	S44°23'25"W
L4	20.03'	N45°23'39"W
L5	16.29'	N47°34'10"E
L6	158.17'	N51°17'58"W
L7	20.03'	S45°25'30"E
L8	21.68'	S51°17'58"E
L9	20.00'	S38°42'02"W
L10	24.80'	N51°17'58"W
L11	18.38'	S47°34'10"W

**LEGEND**

- ELECTRICAL EASEMENT LINE TO BE ABANDONED
- PUBLIC UTILITY EASEMENT LINE TO BE ABANDONED
- EASEMENT CORNER/ANGLE POINT
- EXISTING EASEMENT LINE
- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINES
- EXISTING LOT LINE



**EXHIBIT 2**  
**EASEMENT ABANDONMENT**  
 PUBLIC UTILITY EASMENT - 1.040 ACS.  
 ELECTRICAL EASEMENT - 0.326 ACS.

CRAWFORD BURNETT LEAGUE, A-7  
 BRAZOS COUNTY, TEXAS

NOT TO SCALE JUNE, 2008

OWNER/DEVELOPER:  
 Greens Prairie Investors, Ltd.  
 4380 College Station, TX 77845  
 (979) 686-7356

ENGINEER:  
**Civil Development, Ltd.**  
 Geiger L. Upton, P.E.  
 2033 Harvey Mitchell Parkway South  
 College Station, Texas 77845

SURVEYOR:  
 Brad Sany, SPS No. 4562  
 Kerr Surveying, LLC  
 P.O. Box 4234  
 College Station, TX 77841  
 (979) 268-2186

P.O. Box 11925, College Station, Texas 77842  
 (979) 764-2742 Fax: (979) 764-7759

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 0.326 ACRE VARIABLE WIDTH ELECTRICAL EASEMENT, SAID EASEMENT LIES ON LOTS 1 & 2, BLOCK 1, OF THE MERKER-STRAWN SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 1275, PAGE 15 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 0.326 acre of Variable Width Electrical Easement, said easement lies on Lots 1 & 2, Block 1, of the Merker-Strawn Subdivision, according to the plat recorded in Volume 1275, Page 15, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Electrical Easement"); and

WHEREAS, in order for the Electrical Easement to be vacated and abandoned by the City Council of the City of College Station, Texas, the City Council must make certain affirmative findings; now therefore,

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

PART 1: That after opening and closing a public hearing, the City Council finds the following pertaining to the vacating and abandoning of the Electrical Easement described in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Electrical Easement will not result in property that does not have access to public roadways or utilities.
2. There is no public need or use for the Electrical Easement.
3. There is no anticipated future public need or use for the Electrical Easement.
4. Abandonment of the Electrical Easement will not impact access for all public utilities to serve current and future customers.

PART 2: That the Electrical Easement as described in Exhibit "A" be abandoned and vacated by the City.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ORDINANCE NO. \_\_\_\_\_

Page 2

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED:



\_\_\_\_\_  
City Attorney

Exhibit A  
Sheet 1 of 3

**METES AND BOUNDS DESCRIPTION  
OF A  
0.326 ACRE EASEMENT  
MERKER-STRAWN SUBDIVISION  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF A 20.00 FOOT WIDE ELECTRICAL EASEMENT LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF LOT 1 AND LOT 2, BLOCK 1, MERKER-STRAWN SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 1275, PAGE 15 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

SAID EASEMENT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF ROCK PRAIRIE ROAD (100' R.O.W.) MARKING THE SOUTH CORNER OF SAID LOT 2 AND THE EAST CORNER OF A CALLED 3.00 ACRE TRACT AS DESCRIBED BY A DEED TO DAVID W. HOLMES AND NANCY J. HOLMES RECORDED IN VOLUME 1209, PAGE 529 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** N 45° 23' 39" W ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT FOR A DISTANCE OF 63.42 FEET TO THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

**THENCE:** N 45° 23' 39" W CONTINUING ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT FOR A DISTANCE OF 20.03 FEET TO A POINT;

**THENCE:** THROUGH SAID LOT 2 FOR THE FOLLOWING CALLS:

N 47° 34' 10" E FOR A DISTANCE OF 16.29 FEET TO A POINT;

N 51° 17' 58" W FOR A DISTANCE OF 158.17 FEET TO A POINT ON THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT;

**THENCE:** N 45° 23' 39" W ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 3.00 ACRE TRACT FOR A DISTANCE OF 194.39 FEET TO A POINT, FOR REFERENCE A 1/2 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID LOT 2 AND SAID 3.00 ACRE TRACT BEARS: N 45° 23' 39" W FOR A DISTANCE OF 620.36 FEET;

**THENCE:** THROUGH SAID LOT 2 AND THROUGH SAID LOT 1 FOR THE FOLLOWING CALLS:

S 51° 17' 58" E FOR A DISTANCE OF 354.64 FEET TO A POINT;

N 47° 34' 10" E FOR A DISTANCE OF 394.20 FEET TO A POINT ON THE COMMON LINE OF SAID LOT 1 AND A CALLED 12.40 ACRE TRACT AS DESCRIBED BY A DEED TO OSAGE, LTD. RECORDED IN VOLUME 1130, PAGE 570 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 3/8 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 12.40 ACRE TRACT AND SAID LOT 2 BEARS: N 45° 25' 30" W FOR A DISTANCE OF 996.57 FEET;

**THENCE:** S 45° 25' 30" E ALONG THE COMMON LINE OF SAID LOT 1 AND SAID 12.40 ACRE TRACT FOR A DISTANCE OF 20.03 FEET TO A POINT, FOR REFERENCE A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF ROCK PRAIRIE ROAD MARKING THE COMMON CORNER OF SAID LOT 1 AND SAID 12.40 ACRE TRACT BEARS: S 45° 25' 30" E FOR A DISTANCE OF 39.53 FEET;

**THENCE:** THROUGH SAID LOT 1 AND LOT 2 FOR THE FOLLOWING CALLS:

S 47° 34' 10" W FOR A DISTANCE OF 392.13 FEET TO A POINT;

Exhibit A  
Sheet 2 of 3

S 51° 17' 58" E FOR A DISTANCE OF 21.68 FEET TO A POINT;

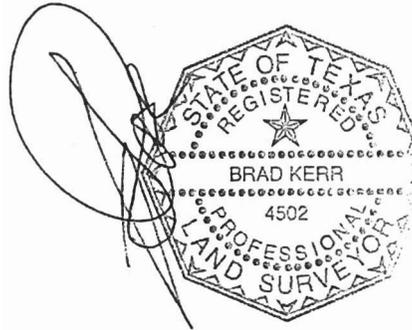
S 38° 42' 02" W FOR A DISTANCE OF 20.00 FEET TO A POINT;

N 51° 17' 58" W FOR A DISTANCE OF 24.80 FEET TO A POINT;

S 47° 34' 10" W FOR A DISTANCE OF 18.38 FEET TO THE **POINT OF BEGINNING** CONTAINING 0.326 OF AN ACRE OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND JANUARY 2008. SEE PLAT PREPARED JUNE 2008 FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON THE PLAT CAL BEARINGS OF MERKER-STRAWN SUBDIVISION, 1275/15.

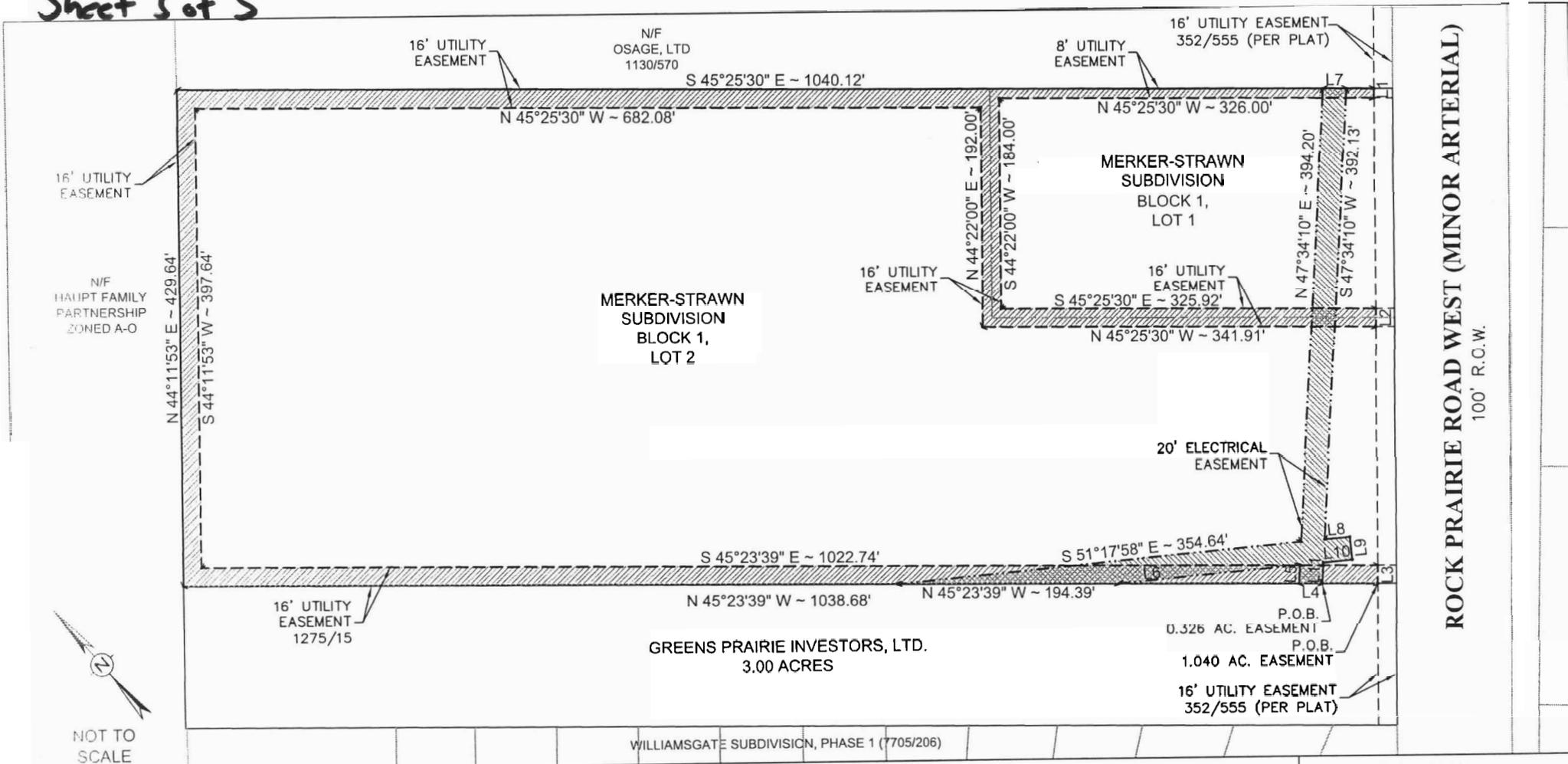
BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

C:/WORK/MAB/08-440A

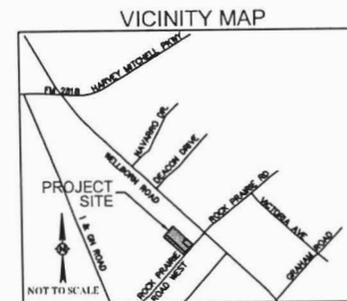
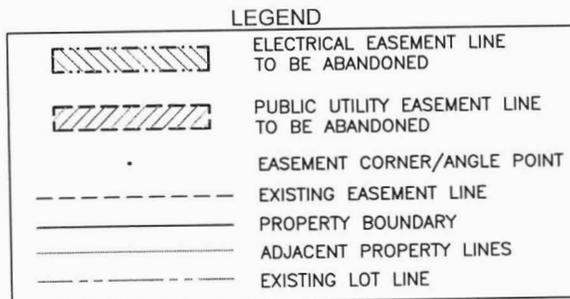


# Exhibit A

## Sheet 3 of 3



LINE TABLE		
LINE	LENGTH	BEARING
L1	8.00'	S44°23'25"W
L2	16.00'	S44°23'25"W
L3	16.00'	S44°23'25"W
L4	20.03'	N45°23'39"W
L5	16.29'	N47°34'10"E
L6	158.17'	N51°17'58"W
L7	20.03'	S45°25'30"E
L8	21.68'	S51°17'58"E
L9	20.00'	S38°42'02"W
L10	24.80'	N51°17'58"W
L11	18.38'	S47°34'10"W



**EXHIBIT 2**  
**EASEMENT ABANDONMENT**  
 PUBLIC UTILITY EASEMENT - 1.040 ACS.  
 ELECTRICAL EASEMENT - 0.326 ACS.

CRAWFORD BURNETT LEAGUE, A-7  
 BRAZOS COUNTY, TEXAS

NOT TO SCALE JUNE, 2008

**OWNER/DEVELOPER:**  
 Greens Prairie Investors, Ltd.  
 4480 Cambridge Drive  
 College Station, TX 77845  
 (979) 688-7230

**ENGINEER:**  
 ★ CIVIL DEVELOPMENT, L.L.C.  
 George L. Utter, P.E.  
 2033 Harvey Mitchell Parkway South  
 College Station, Texas 77840

**SURVEYOR:**  
 Brad Kay, SPLS No. 4902  
 Kay Surveying, LLC  
 P.O. Box 4334  
 College Station, TX 77841  
 (979) 268-3188

P.O. Box 11929, College Station, Texas 77842  
 (979) 764-7743 Fax: (979) 764-7709

**August 28, 2008**  
**Regular Agenda Item No. 3**  
**Comprehensive Plan Amendment for 1430 Harvey Mitchell Parkway**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Public hearing, presentation, possible action, and discussion regarding an amendment to the Comprehensive Land Use Plan from Industrial / R & D, Single Family Residential Low Density, and Floodplain & Streams to Planned Development for 120.76 acres located at 1430 Harvey Mitchell Parkway generally located opposite the intersection with Holleman Drive.

**Recommendation(s):** The Planning and Zoning Commission voted 4-0 to recommend approval as presented by Staff at their August 14<sup>th</sup> meeting. Staff recommended approval with the exception that the existing Floodplain & Streams area remains as designated. Approval is also recommended with the condition that the following purpose statement be included in the ordinance to provide guidance to development of the property: "The purpose of this Planned Development designation is for a multi-family development that may consist of single detached units, duplexes, and attached units associated with small-scale neighborhood commercial uses placed along the realigned Jones Butler Road and in relative proximity to Harvey Mitchell Parkway that support the development and surrounding neighborhoods. Residential uses are to be scaled, oriented, and buffered so as not to be intrusive to the surrounding single family developments. Natural areas are to be preserved and large open space green areas are to be provided for the efficient use of land and to serve as an amenity to the development, provide recreational opportunities, and preserve existing vegetation, floodplain, and drainage features."

**Summary:**

- 1. Changed or changing conditions in the subject area or the City:** In July 2006, the Council approved a land use amendment from Industrial / R&D and Floodplain & Streams to Residential Attached and Floodplain & Streams for approximately 43 acres for the multi-family development to the west of the subject property.

The subject property is adjacent to Harvey Mitchell Parkway, a Highway in this area on the Thoroughfare Plan. In October 2007, the City installed traffic signals on Harvey Mitchell Parkway at the intersections with Holleman Drive and Luther Street West. In February of this year, the Council approved a Thoroughfare Plan Amendment proposed by the applicant which realigns Jones Butler Road, a Major Collector, from intersecting Harvey Mitchell Parkway at its current location to the intersection Holleman Drive. N. Dowling Road, a Major Collector, was also realigned to terminate into the realigned Jones Butler Road and form a t-intersection. The Thoroughfare Plan was amended due to TxDOT plans to construct a bridge for Harvey Mitchell Parkway over Wellborn Road and the Union Pacific Railroad. This future elevated section would not allow for Jones Butler Road to continue directly through as currently exists.

In May of this year, Council approved an exchange of about 5 acres of land. This exchange was related to how the realigned streets in the Thoroughfare Plan amendment previously mentioned affected City plans for a new substation and expansion of the existing water facilities in the area and allowed the facilities to be more contiguous.

2. **Compatibility with the remainder of the Comprehensive Plan:** The Comprehensive Plan states the Industrial / Research & Development designation is for "medium to large-scale development of tax-generating developments such as industrial/R&D parks, technology centers, clean manufacturing, and assembly/distribution. These developments are very dependent upon good access to highways, rail lines, and/or airports." The subject property is large in scale and is located on a highway at an existing traffic signal and is in relative proximity to the airport. In addition, the subject property lies within the general flight path of the secondary runway of Eastwood Airport. An oil well is currently located in the northeast corner of the property and a future electric substation and expanded water facilities are anticipated east of the subject property. Conversely, the subject property is also in close proximity to Quail Run Estates and The Woodlands subdivisions, both single family residential developments with lots of at least one acre in size.

The Planned Development designation was added to the Comprehensive Plan in 2003 with the adoption of the "Opportunities for Mixed-Use in College Station" study. As stated in the study, Planned Development "is to be used where large areas of land may be developed with a mix, or collection, of uses, but not necessarily a mixed-use pattern. The planned development category emphasizes the need to master plan the area to ensure appropriate placement of different uses. The PDD zoning districts may be the best approach for zoning for development in these areas. The approach provides maximum flexibility for the market and developer while ensuring a compatible pattern of uses."

The Floodplain & Streams designation originated with the Comprehensive Plan in 1997 and is intended to protect the FEMA 100-year floodplain from development plus provide additional areas to be reserved for open space. The proposed amendment removes Floodplain & Streams from the property, converting it entirely to a Planned Development designation. With Planned Development on the Comprehensive Plan Land Use Map, a planned zoning district request will be required to rezone the property. These types of rezonings are accompanied by a concept plan that illustrate the general relationship of streets, buildings and uses, parking, open spaces, buffers, and other features. That concept plan will then serve as the basis for review of specific site development. When property with the Floodplain & Streams designation is rezoned, the general policy is to preserve the adopted FEMA 100-year floodplain area along with additional areas identified on the Greenways Master Plan as an A-O Agricultural Open zoning district. This helps preserve it as a natural drainage area and allow it to remain as open space.

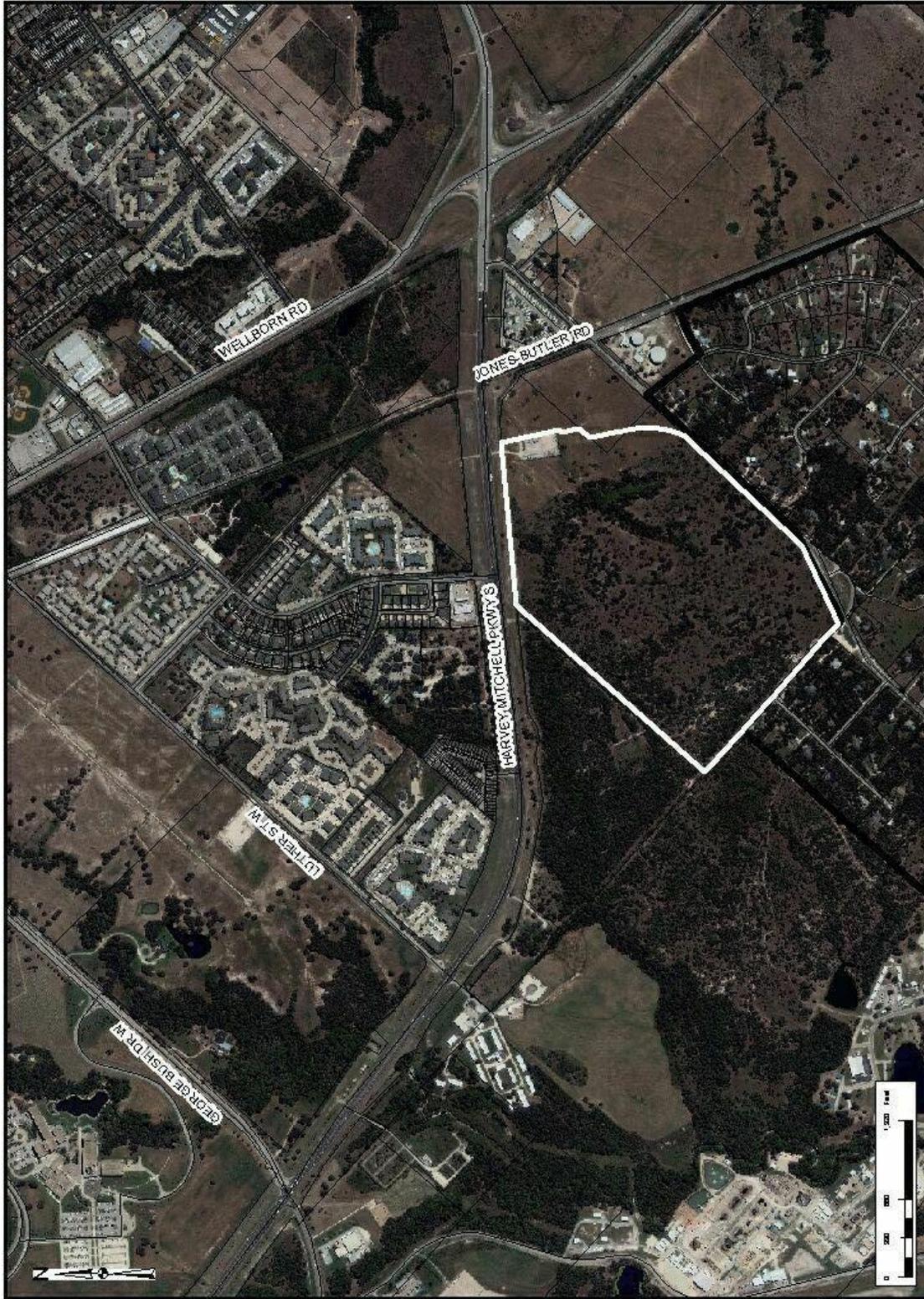
With Planned Development proposed on the Land Use Plan, it is important to provide an outline of the types of permitted uses, their relationship to one another and adjacent properties, and other characteristics that frame the unique nature of the area. As part of the attached support letter, the applicant states that the proposed Land Use Amendment is to allow a "master planned community [that] will consist of a cottage concept featuring arts & crafts-inspired architecture style with cottage, manor home, lodge and duplex units. There will be a resort style clubhouse, pool, and large open space green areas with all cottages set on private streets contained within a gated community. In addition, there will be a neighborhood style retail center to serve the cottage community and the surrounding neighborhoods." This statement provides a good description of the development the applicant is ultimately proposing but is more detailed than appropriate for Comprehensive Plan designations which are intended to be relatively general in nature. Based on the above description and using terms defined in

the Unified Development Ordinance, the proposal can be summarized as a multi-family development including single detached units, duplexes, and several units per building and neighborhood commercial that supports the development and surrounding neighborhoods. Amenities, open space, and buffer areas are integral to the relationship of these uses to each other, the natural drainage areas on the property, and the surrounding low density single family residential neighborhoods.

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

**Attachments:**

1. Aerial and Small Area Map (SAM)
2. Applicant Support Letter
3. Draft Planning & Zoning Commission Meeting minutes, August 14, 2008
4. Ordinance



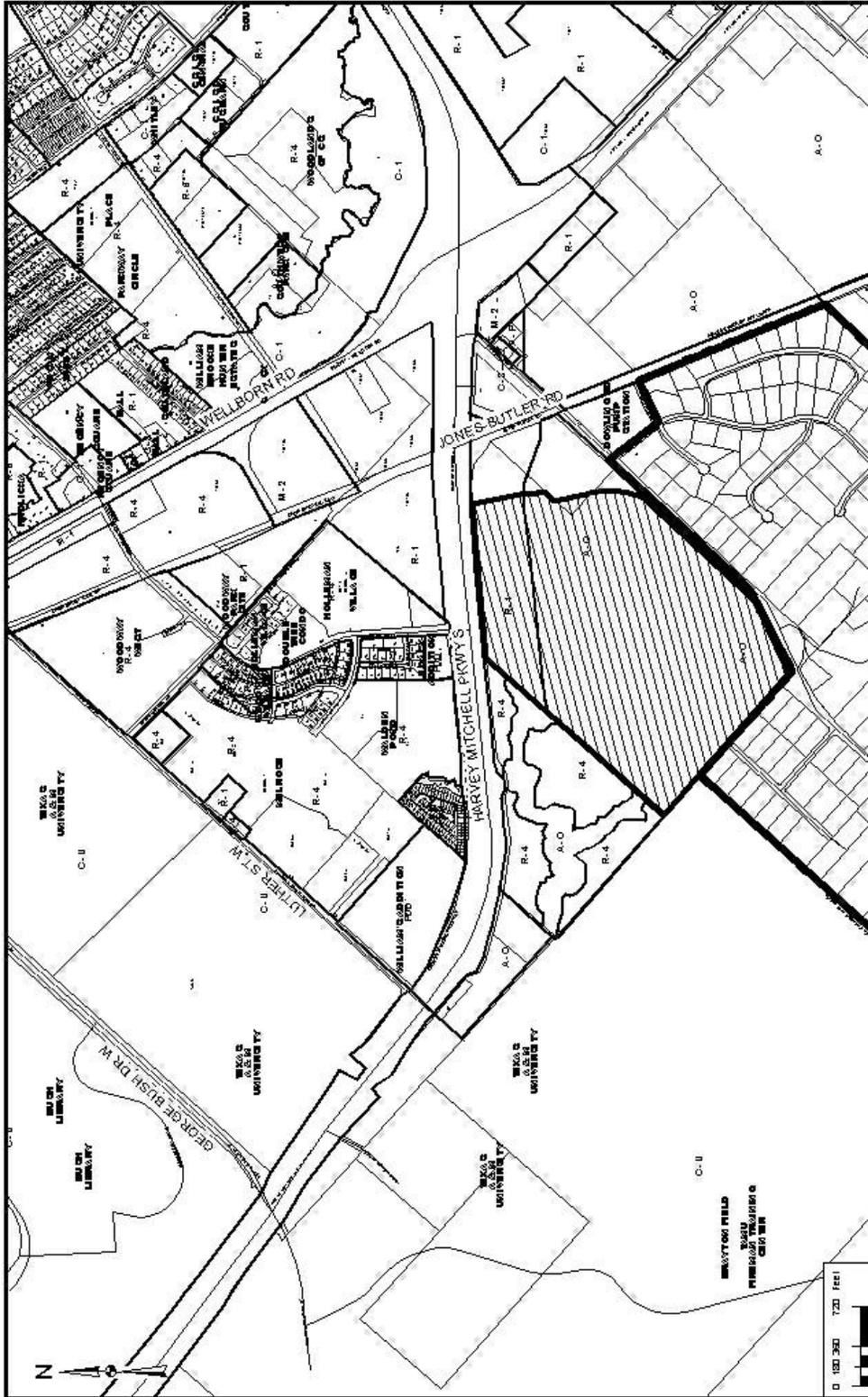
Case: 08-136

CAPSTONE FM 2818 DEVELOPMENT

DEVELOPMENT REVIEW

COMP PLAN





**Zoning Districts**

A-O	Agricultural Open	R-3	Townhouse	C-3	Light Commercial	WPC	Wolf Pen Creek Dev. Corridor
A-OR	Rural Residential Subdivision	R-4	Multi-Family	M-1	Light Industrial	NG-1	Core Northgate
R-1	Single Family Residential	R-6	High Density Multi-Family	M-2	Heavy Industrial	NG-2	Transitional Northgate
R-1B	Single Family Residential	R-7	Manufactured Home Park	C-U	College and University	NG-3	Residential Northgate
R-2	Duplex Residential	A-P	Administrative/Professional	R & D	Research and Development	OV	Corridor Overlay
		C-1	General Commercial	P-MUD	Planned Mixed-Use Development	RDD	Redevelopment District
		C-2	Commercial/Industrial	PDD	Planned Development District	KO	Kranek Tap Overlay

DEVELOPMENT REVIEW

CAPSTONE FM 2818 DEVELOPMENT

Case: 08-136

COMP PLAN



City of College Station  
Development Services  
1101 Texas Ave S.  
College Station, Texas 77840  
Attn: Jason Shubert

June 9, 2008

***RE: LAND USE PLAN AMENDMENT – HOLLEMAN @ FM2818***

Dear Jason,

Per our discussions over the past year, now that we have completed the Thoroughfare Plan Amendment, Preliminary Plat, Parks Board Parkland dedication approval and land swap with the City of College Station, we are moving to our next step in developing the Capstone-Cottages project. As you will recall, we processed the Preliminary Plat and Thoroughfare Plan Amendment first in order to accommodate the timeframe for the City of College Station Electrical Division substation project. We are now moving to the next step in the process, consisting of the change in land use designation on the property from Industrial R&D to Planned Development along with a subsequent rezoning.

**Reason for Land Use Plan Amendment:**

In looking at the adjacent land uses, they consist of single family residential property, multi-family residential, an oil well, water pump station and a recreational vehicle park. We would like to develop a master planned residential community on this property and believe that it fits well with these adjacent uses, and actually better than industrial uses. The master planned community will consist of a cottage concept featuring arts & crafts-inspired architectural style with cottage, manor home, lodge and duplex units. There will be a resort style clubhouse, pool, and large open space green areas with all cottages set on private streets contained within a gated community. In addition, there will be a neighborhood style retail center to serve the cottage community and the surrounding neighborhoods.

**Explain the Changed Conditions:**

There are several changed conditions that have occurred in the area since the 1997 Comprehensive Plan. The first change occurred in 2006 when the City Council approved a Comprehensive Land Use Plan Amendment to change the land use designation of the adjacent 43 acre property from Industrial R&D to Residential Attached. This was followed immediately with a subsequent rezoning of 34 acres to R-4 and the remainder to A-O for this same property.

In addition to this Comprehensive Plan and zoning change there has been another changed condition in the immediate area. This occurred with the plans for the proposed TXDOT bridge project at FM 2818 and Wellborn Road. The scope of this project with its elevated bridge crossing the railroad tracks and Wellborn Road will greatly affect the access to this property. As a direct result of this upcoming bridge project and the decision to not allow Jones-Butler to connect north-south under the bridge, the Thoroughfare Plan was amended through this property to allow access from Jones-Butler to the existing signal at Holleman Drive. This new alignment allows for better access and circulation from the south along Jones-Butler to FM2818. As an industrial piece of property, one of the attractions of this site was the ability to have the large single tract

with access to FM2818 for development as a warehousing operation, light manufacturing, scientific testing or other large research and development venture. With the new bridge location and access to FM2818 essentially limited to the new Holleman/Jones-Butler/FM2818 intersection an industrial user would not likely be a good candidate for the property. Other areas of the city and the TAMU Research Park that are more attractive from an access standpoint and adjacency issues that are more conducive to a light industrial or warehousing operation.

*How does the request further the Goals and Objectives of the CS Comprehensive Plan?*

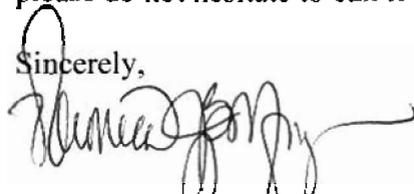
There are several objectives within the CS Comprehensive Plan that this request will help further. First, Goal #3 states that “College Station should continue to protect, preserve and enhance existing and future neighborhoods”. Under this goal, Objective 3.1 states that “College Station should continue to protect the integrity of residential areas by minimizing intrusive and incompatible land uses and densities”. A move to change this property designation to Planned Development from Industrial R&D should help further this objective. Objective 3.2 states that “College Station should encourage compatible in-fill development, such as small-scale neighborhood retail, adjacent to residential neighborhoods with appropriate buffering.” Here again utilizing this property as planned development with residential and a small commercial component adjacent to FM2818 will help further this goal as well. Lastly, City Council has stated on numerous occasions that they would prefer to see student development closer to campus in an effort to minimize their traffic impacts on our thoroughfare system. This property is located in an area that would further this goal as well.

*Why is Planned Development more appropriate than Industrial R&D?*

From the perspective of the adjacent neighborhoods (Quail Run and the Woodlands in particular) this land use change should be a positive change. Rather than having an industrial user at their front door they will now have a Planned Development project wherein as part of its zoning approval, a concept plan of the site depicting the location of buildings, parking, buffering, open space and densities will be shown at the public hearing. This Planned Development land use is the only land use designation that requires the submittal of a concept plan showing adjacent property owners the plan for the property. As an industrial property with zoning either M-1 or M-2 there is no site plan that shows the adjacent neighbors what use or layout is planned for the site, and the unknowns of that process produce uncertainty and concern among neighbors.

We believe that for this area of College Station with its adjacent users and the large thoroughfares which surround and bisect the property that Planned Development is a much more appropriate land use designation than Industrial R&D. We appreciate your consideration of this request and as always please do not hesitate to call if you have any questions.

Sincerely,



Veronica J.B. Morgan, P.E.  
Managing Partner

Cc: file

Ben Walker, Capstone Development  
Bruce Smith, TLS Properties



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Thursday, August 14, 2008**  
**at 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Acting Chairman Noel Bauman, Paul Greer, Doug Slack and Hugh Stearn

**COMMISSIONERS ABSENT:** Chairman Nichols, Bill Davis and Thomas Woodfin

**CITY COUNCIL MEMBERS PRESENT:**

**CITY STAFF PRESENT:** Senior Planners Jennifer Prochazka and Lindsay Boyer, Staff Planners Jason Schubert and Matt Robinson, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Director Bob Cowell, Assistant Director Lance Simms, Assistant Director Gabriel Elliott, Planning Administrator Molly Hitchcock, First Assistant City Attorney Carla Robinson, Action Center Representative Kerry Mullins and Staff Assistant Brittany Caldwell

1. Call Meeting to Order.

Acting Chairman Bauman called the meeting to order at 7:00 p.m.

2. Public hearing, presentation, possible action, and discussion regarding an amendment to the Comprehensive Land Use Plan from Industrial / R & D, Single Family Residential Low Density, and Floodplain & Streams to Planned Development for 120.76 acres located at 1430 Harvey Mitchell Parkway generally located opposite the intersection with Holleman Drive. **Case #08-500136 (JS)**

Jason Schubert, Staff Planner, presented the Comprehensive Land Use Plan Amendment and recommended approval with the exception that the Floodplain & Streams area remains as designated and with the condition that the purpose statement proposed in the Staff Recommendation be incorporated into the ordinance to provide guidance in the development of the property.

Acting Chairman Bauman opened the public hearing

Veronica Morgan, Mitchell & Morgan, stated that the applicant would like more flexibility on the floodplain designation. She also said that she wanted to clarify that the “small-scale neighborhood commercial uses” stated in the Staff Recommendation would allow a small pantry grocery store.

Commissioner Greer asked if an Environmental Impact Study had been done.

Ms. Morgan stated that the Environmental Impact Study had been done. She also stated that a flood study and drainage study would be done.

Acting Chairman Bauman closed the public hearing.

Mr. Schubert stated that the “small-scale neighborhood commercial uses” will serve the development as well as surrounding neighborhoods. He said that the applicant will need to clarify the zoning district and uses.

There was general discussion regarding the Floodplain & Streams.

Commissioner Strong said that he had concerns about connectivity and wants to encourage student living closer to campus.

**Commissioner Slack motioned to recommend approval of the Comprehensive Land Use Plan Amendment as presented by Staff. Commissioner Greer seconded the motion, motioned passed (4-0).**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE COMPREHENSIVE PLAN LAND USE MAP, FOR THE AREA LOCATED AT 1430 HARVEY MITCHELL PARKWAY, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That the "Comprehensive Plan of the City of College Station" be amended by amending the "Comprehensive Plan Land Use Map" as set out in Exhibits "A" and "B", for the identified area and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28<sup>th</sup> day of August, 2008.

ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
MAYOR

APPROVED:

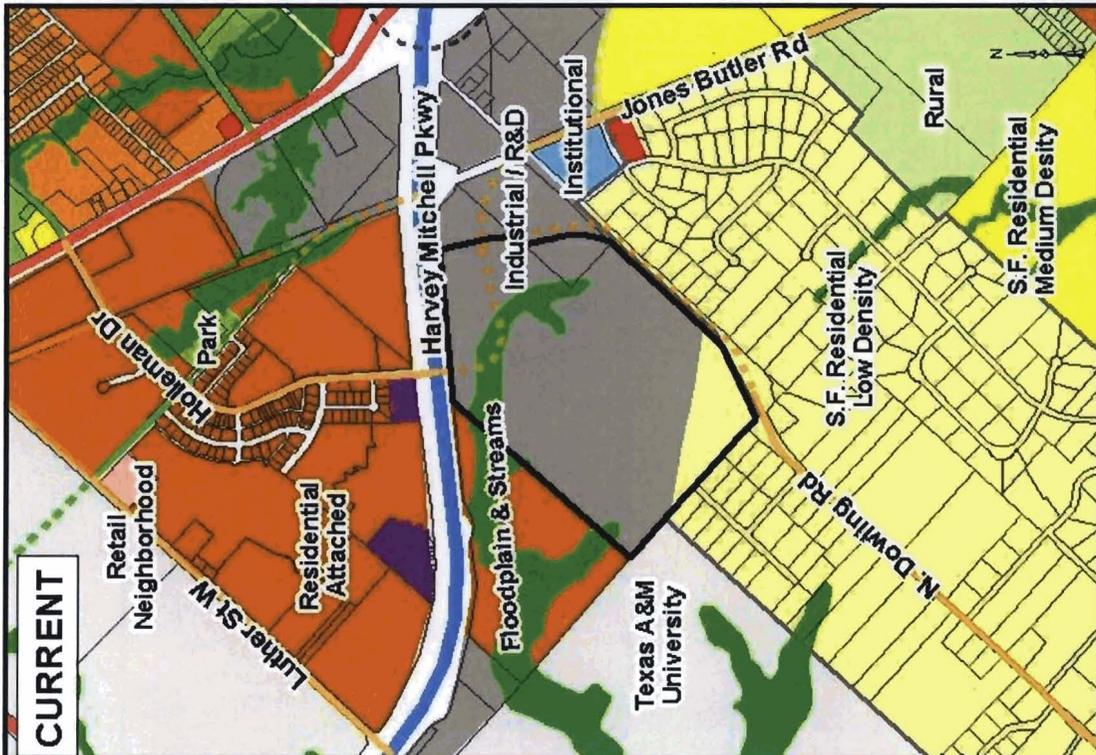
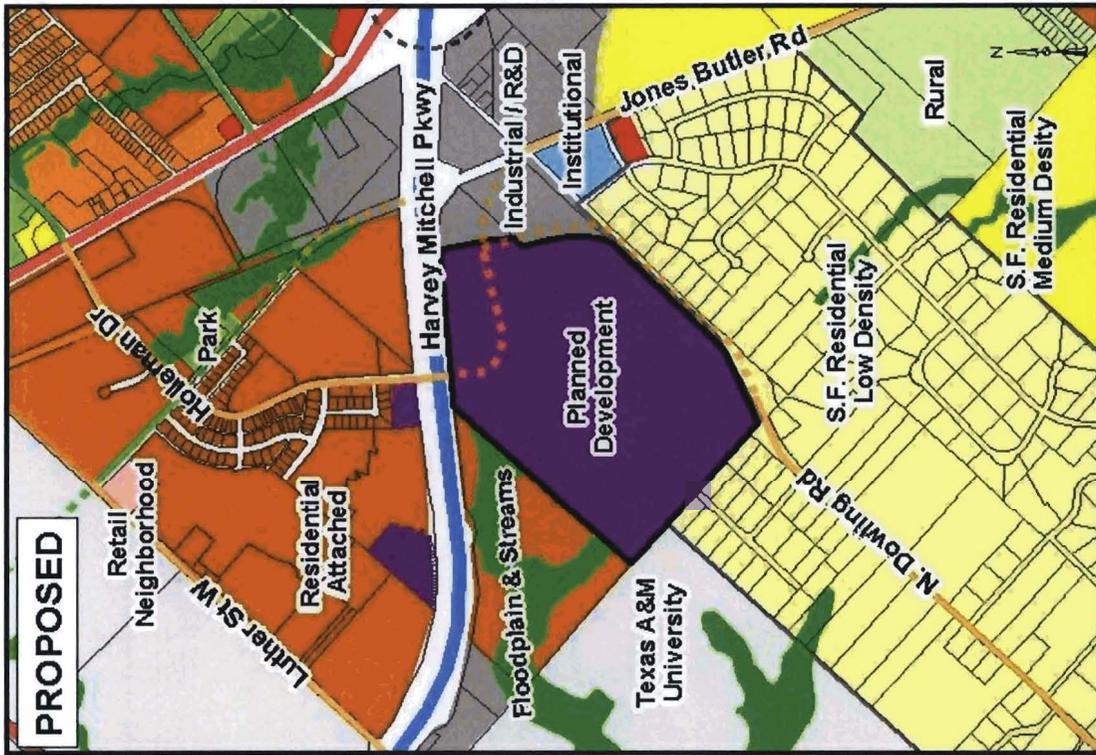
  
\_\_\_\_\_  
City Attorney

**EXHIBIT "A"**  
**AMENDED AREA OF**  
**COLLEGE STATION LAND USE MAP**

That the "Comprehensive Plan" of the City of College Station, Texas, is hereby amended by amending the College Station Land Use Plan Map as follows:

The 120.76 acres generally located at 1430 Harvey Mitchell Parkway is amended from Industrial/R&D, Single Family Residential Low Density, and Floodplain & Streams to Planned Development, as shown on the attached Exhibit "B".

EXHIBIT "B"



Case: 08-136

1430 Harvey Mitchell Parkway  
Comprehensive Plan Amendment

**August 28, 2008**  
**Regular Agenda Item No. 4**  
**UDO Amendment, Section 7.9.B.6 (Traffic Impact Analysis), Section 7.9.H**  
**(Submittal Requirements) and adding Section 7.12 (Traffic Impact Analysis)**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, public hearing, possible action, and discussion on an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance Section 7.9.B.6 (Traffic Impact Analysis), Section 7.9.H (Submittal Requirements) and adding Section 7.12 (Traffic Impact Analysis)

**Recommendation(s):** The Planning & Zoning Commission heard this item at their meeting on July 17, 2008 and voted 6-0 to recommend approval with the recommendation that the Council consider amending the trip generation table for single family residential developments to be based on prevailing development densities versus zoning based densities. Staff recommended approval of the ordinance as presented.

**Summary:** In May 2008 the Council instructed staff to bring forward the proposed TIA text amendment as presented to Council in February 2008. In June of 2007 at their annual review of the UDO the Council instructed the staff to begin preparation of an amendment to the UDO to increase the requirements related to traffic impact analyses. Specifically, the Council instructed staff to draft language that would require a TIA when a rezoning is requested. In August of 2007 the Council instructed staff to include the following in the revised text:

1. apply to all rezoning requests that are projected to generate at least 250 vehicle trips in the peak hour.
2. apply to all site plan requests that are projected to generate at least 250 vehicle trips in the peak hour.
3. require evaluation of specific impact on near-by residential streets.

As instructed by Council staff conducted a series of stakeholder meetings to solicit input on the proposed ordinance. Following that input staff presented the recommended Ordinance to Council in February 2008. At that meeting the Council referred the item back to the Planning and Zoning Commission for further consideration. In May of 2008 the Council instructed staff to bring forward the proposed TIA text amendment as presented to Council in February 2008. This item was presented to the Planning & Zoning Commission at their meeting on July 17<sup>th</sup>, 2008 where they recommended approval, further recommending that the Council consider revising the trip generation table for single family residential uses.

As requested staff has prepared language for the Council's consideration. Specifically, staff has proposed the elimination of Sections 7.9.B.6 and 7.9.H.1.h of the UDO and replacement with the new section 7.12 (attached).

The proposal identifies the applicability to all rezoning and site plan proposals projected to exceed 250 vehicle trips in the peak hour. The proposal establishes the trip generation rates that shall be used for rezoning requests, identifies what is required to be included in the TIA, specifies how the TIA will be analyzed, and how traffic impacts are to be mitigated.

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

**Attachments:**

1. Red-Lined Version of current UDO section
2. Ordinance
3. P&Z Draft Minutes (July 17, 2008)

#### ~~1. Traffic Impact Analysis~~

~~This section establishes requirements and procedures pertaining to traffic impact analysis (TIA) for non-residential developments. These requirements are intended to inform the applicant of the City's expectations, expedite the City staff's review process of TIA reports, provide standard criteria for evaluating development proposals, and establish equitable mitigation and cost sharing policies.~~

~~The TIA is intended to develop public/private partnerships to coordinate land use and transportation facility development. Both the City of College Station and the land developer share in the responsibility to consider all reasonable solutions to identified transportation problems.~~

##### ~~a. Purpose~~

~~This process is done simultaneously with the submittal of a site plan. The goal of this study is to look at a specific development of known size and use and to determine the effect of that use on the existing roadway system. It uses existing traffic volumes and assumes the existing roadway configuration to be used for analysis. This process should ensure that the roadway system is adequate to accommodate the proposed use and may recommend mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service).~~

##### ~~b. Objective~~

~~A TIA is intended to define the immediate impacts of the proposed development and any necessary transportation improvements (public or private) required to ensure a satisfactory level of service on all affected thoroughfares. A TIA is designed to mitigate traffic impacts by optimizing roadway capacity, access design, and traffic control. A TIA may not be used to deny development permitted by zoning, nor shall it be used to modify road design contrary to the Comprehensive Plan. Specific improvements to the existing roadways consistent with the Thoroughfare Plan may be needed to gain approval of site plan proposals.~~

##### ~~c. Definitions~~

- ~~1) Trip Generation Rates - The City's criteria for trip generation for various categories of land use and density shall be those set forth in the latest edition of the trip generation informational report published by the Institute of Transportation Engineers (ITE) unless the proposed use does not have a corresponding rate in the Trip Generation Manual. Alternate trip generation rates shall not be accepted but shall instead be adopted for City-wide use on the basis of a general study of local conditions.~~
- ~~2) Design Year - The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy.~~
- ~~3) Base Volumes - Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy. When available, all base data shall be supplied by the City Traffic Engineer. In all cases when ground counts are needed and are not available, the developer or his agent shall be required to collect such data.~~
- ~~4) Level of Service (LOS) - Level of service is a measure of the level of congestion experienced on roadways. The desirable~~

minimum level of service of the City of College Station is Level of Service D in the peak hour. Level of service shall be measured of both link and intersection operations.

~~d. Applicability~~

~~A TIA will be required for non-residential site plans submitted for approval that generate 5,000 trips or more per day. A TIA may be required for non-residential site plans submitted for approval that generate less than 5,000 trips per day, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator or his designee.~~

~~All TIAs shall be performed by a consultant qualified to perform such studies. Requirements for mitigating negative traffic impacts shall apply to all cases. In certain cases, due to project phasing, a TIA might be required with a concept plan submittal.~~

~~It is the responsibility of the applicant to demonstrate that a TIA is not required for a non-residential site plan application, as defined in Section 3.5. In cases where a TIA is required, the site plan application will be considered incomplete until the TIA is submitted.~~

~~e. Methodology~~

~~A pre-submission consultation with the Administrator or his designee is required. Details of the required analysis and the study area will be determined at this meeting. In certain instances, traffic from other approved but not built developments may have to be accounted for in traffic assignments. Staff may also require specific assumptions such as percent trucks be altered to match local conditions. Peak hour analysis might be directed to reflect the peak 15 minutes for certain types of land uses. All of these types of issues will be addressed at the pre-submission consultation.~~

~~f. The following procedures shall be followed in preparing traffic impact studies submitted to the City:~~

~~Content:~~

- ~~1) Study Area – A map(s) shall be included delineating the TIA study area and all existing and planned streets therein. The study area will be defined in the pre-submission consultation meeting with the Administrator or his designee;~~
- ~~2) Existing Zoning and Development – Describe existing zoning including land area (gross and net) by zoning classification, square footages, numbers of hotel rooms, dwelling units, etc. Also, describe any existing development on-site and how it will be affected by development proposals;~~
- ~~3) Thoroughfare Network – Describe existing thoroughfares, signals and signal phasing, and traffic volumes within the study area;~~
- ~~4) Proposed Development – Describe the proposed development including land area (gross and net), square footage, number of hotel rooms, dwelling units, etc. Also describe roadway conditions as expected by date of occupancy. Indicate roadway and intersection capacities at study date;~~
- ~~5) Impact Determination – Determine the level of service for all thoroughfares and intersections in the study area. The analysis shall contain the following minimum information:
  - ~~(a) Proposed Trip Generation – Calculate total trip generation by use (assuming full development and occupancy) and report any reductions for passer-by, mixed~~~~

~~use, etc. Show trip generation by use in tabular form with land use trip generation rates and trips generated.~~

~~(b) Trip Distribution and Assignment — Trips generated by the proposed development are to be added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.~~

~~(c) Level of Service Analysis — Show in tabular form, 24 hour and peak hour V/C ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, background traffic, background plus project traffic. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.~~

~~(d) Conclusions — Provide a summary of points of conflict and congestion. Identify all thoroughfare links or intersections exceeding a Level of Service D and the percent increase in total traffic produced by the proposed site plan. Identify any operational problems (e.g., drives, median openings, and signalization) within the study area.~~

#### ~~6) Mitigation~~

~~(a) Traffic levels exceeding Level of Service D, where the development is contributing 5% or more of the total trips shall be mitigated to predevelopment levels. Problems demonstrated by the TIA can be corrected by:~~

~~(b) Access Management requirements in addition to those provided in Article 7.3 and the City of College Station Engineering Design Guidelines relating to driveway and median opening spacing.~~

~~(c) Modifying density or intensity of use (e.g., reduction in square footage or percentage of commercial use);~~

~~(d) Phasing construction until additional roadway capacity becomes available;~~

~~(e) On-site improvements including access controls and site circulation adjustments; and~~

~~(f) Off-site improvements including the construction of additional lanes where the surrounding thoroughfares are not fully developed or intersection improvements, including signalization, where the surrounding area is approaching full development.~~

#### ~~7) Costs of Mitigation~~

~~Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost-sharing policies.~~

### Submittal Requirements

When non-residential architectural standards are applicable, submitted site plans shall include the following, in addition to other site plan application requirements:

Accurate building footprint(s);

Mechanical screening details;  
Detention pond screening details  
Location and number of bicycle parking facilities;  
Park lot configuration in compliance with 7.9.B.6 Parking Lots, if applicable (120 parking spaces or more);  
Additional landscaping requirements, if applicable (50,000 square feet and greater);  
Location of pedestrian walkways, if applicable (50,000 square feet and greater);  
~~Traffic Impact Analysis, if applicable (5,000 trips per day or greater);~~  
Location and details of public plaza and amenities, if applicable (150,000 square feet and greater).

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," BY DELETING SECTION 7.9.B.6, "TRAFFIC IMPACT ANALYSIS,," AMENDING SECTION 7.9.H, "SUBMITAL REQUIREMENTS," AND ADDING SECTION 7.12, "TRAFFIC IMPACT ANALYSIS" TO THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That Chapter 12, "Unified Development Ordinance," be amended so as to delete Section 7.9.B.6, "Traffic Impact Analysis,," amend Section 7.9.H, "Submittal Requirements," and add Section 7.12, "Traffic Impact Analysis" to the Code of Ordinances of the City of College Station, Texas, as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 28<sup>th</sup> day of August, 2008.

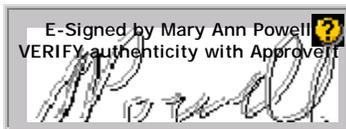
APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED:



ORDINANCE NO. \_\_\_\_\_

Page 2

\_\_\_\_\_  
City Attorney

**EXHIBIT "A"****I.**

That Section 7.9.B.6, "Traffic Impact Analysis," of Chapter 12, "Unified Development Ordinance," of the Code of Ordinances of the City of College Station, Texas, is hereby deleted.

**II.**

That Section 7.9.H, "Submittal Requirements," of Chapter 12, "Unified Development Ordinance," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read in its entirety as follows:

**H. Submittal Requirements**

1. When non-residential architectural standards are applicable, submitted site plans shall include the following, in addition to other site plan application requirements:
  - a. Accurate building footprint(s);
  - b. Mechanical screening details;
  - c. Detention pond screening details;
  - d. Location and number of bicycle parking facilities;
  - e. Park lot configuration in compliance with 7.9.B.7 Parking Lots, if applicable (120 parking spaces or more);
  - f. Additional landscaping requirements, if applicable (50,000 square feet and greater);
  - g. Location of pedestrian walkways, if applicable (50,000 square feet and greater);
  - h. Location and details of public plaza and amenities, if applicable (150,000 square feet and greater).
2. When non-residential architectural standards are applicable, submitted building plans shall include the following, in addition to other building permit application requirements:
  - a. Scaled building elevations for each façade, depicting the following:
    - 1) Required architectural relief; and
    - 2) Location of building materials.
  - b. Accurate building footprint(s);
  - c. Sample building materials and color details; and
  - d. Table of vertical square footage and percentage of building materials for each façade.

### III.

That Section 7.12, "Traffic Impact Analysis," of Chapter 12, "Unified Development Ordinance," of the Code of Ordinances of the City of College Station, Texas, is hereby added to read as follows:

#### 7.12 Traffic Impact Analysis

This section establishes requirements and procedures pertaining to traffic impact analysis ("TIA"). This Article is intended to inform the applicant of the City's expectations to ensure adequate traffic flow and connectivity attributable to their proposal, expedite the City's review of TIA reports, provide standard criteria for evaluating proposals, and identify various mitigation measures.

The TIA is intended to coordinate proposed land use with the transportation needs resulting therefrom. Both the City of College Station and the developer share responsibility to identify and solve transportation issues arising from development.

College Station requires TIAs accompany certain zoning applications and certain site plan applications. The TIA required for each complements the overall goal of ensuring adequate transportation facilities are in place. Below is an elaboration of some of the purposes.

#### A. Purpose

##### 1. Zoning TIA

The goal of submitting a TIA when making a zoning request is to determine the effect allowed uses within various proposed zones will have on existing roadway systems, and to ensure there is a balance between future land uses and future transportation systems. Zoning applications that are required to have a TIA performed are evaluated using both current and long-term traffic scenarios.

The TIA will determine whether acceptable levels of service are being maintained for traffic flow in the area. Different mitigation solutions will be analyzed where service levels fall below acceptable standards. A TIA for a zoning request should not recommend mitigation methods that are inconsistent with the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission and the City Council shall consider the TIA in approving or disapproving zoning changes to the degree allowed by law.

##### 2. Site Plan TIA

The goal of a TIA when submitting a site plan is to determine the effect a specific proposed development will have on current and future land development and roadway systems. Generally, it uses current and anticipated near-term traffic volumes and roadway configurations for the analysis. The process should ensure that the roadway system is adequate to accommodate the proposed use.

Different mitigation measures may be recommended where the TIA shows levels of service falling below acceptable minimums. Different mitigation techniques that may be recommended include adding turn lanes, improving driveway access, providing connectivity, modifying traffic control devices, etc. A TIA for a site plan should not recommend mitigation methods that are inconsistent with the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning

Commission shall consider the TIA in approving or disapproving site plans to the degree allowed by law.

**B. Definitions**

1. **Trip Generation Rates** - Trip Generation Rates means the rate of vehicular traffic generated from the proposed rezoning or proposed site plan. For Zoning TIAs, these rates are shown by zoning district in the tables below. Site plan TIAs shall use those rates set forth in the latest edition of the Trip Generation informational report published by the Institute of Transportation Engineers (ITE) unless the proposed use does not have a corresponding rate in the Trip Generation report. Alternate trip generation rates shall not be accepted.

<b>Table 1 Trip Generation: Residential Land Uses</b>				
Zoning Classification	Maximum Units / Acre	ITE Land Use Code	Trip Rate / Unit	Trip Rate / Acre
A-O	0.2	210	1.01	0.2
A-OR	1.0	210	1.01	1
R-1	8.0	210	1.01	8
R-1B	6.0	210	1.01	6
R-2	12.0	210	1.01	12
R-3	14.0	230	0.52	7.3
R-4	20.0	220	0.62	12.4
R-6	30.0	220	0.62	18.6
R-7	Determined by Administrator			
P-MUD	Determined by Administrator			

<b>Table 2 Trip Generation: Non-Residential Land Uses</b>				
Zoning Classification	Maximum Units/Acre*	ITE Land Use Code	Trip Rate / KSF	Trip Rate / Acre
A-P	16,000 sf	710	1.55	25
C-1	13,500 sf	820	3.75	50
C-2	16,000 sf	710	1.55	25
C-3	11,000 sf	820	3.75	40
M-1	N/A	110	N/A	7.5
M-2	N/A	120	N/A	2.2
C-U	Determined by Administrator			
R&D	N/A	760	N/A	16.8
PDD	Determined by Administrator			

\* Density maximum calculated based on existing (2007) developments in the City of College Station.

2. **Design Year** - The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy, and shall include consideration of nearby development that has been approved and will impact the proposed project's area of traffic impact.
3. **Peak Hour** – Peak hour means the time of day during the weekday that generates the most vehicular traffic. Typically, this is either between 7:00

to 9:00 am or 4:00 p.m. to 6:00 pm.

4. **Base Volumes** - Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy plus volumes generated by nearby future development (all phases) that has been approved by the City. When available, all base data shall be supplied by the City Traffic Engineer. In all cases when traffic counts are needed and are not available, the developer or his agent shall be required to collect such data.
5. **Level of Service (LOS)** - Level of Service means the measure of the level of congestion experienced on roadways as measured by both link and intersection operations as presented in the latest edition of the Transportation Research Board's Highway Capacity Manual.

### C. **Applicability**

#### 1. **Zoning TIA**

Any zoning request which is expected to generate at least 250 trips in the a.m. or p.m. peak hour requires a TIA. A TIA is not required if a zoning request is for property designated "Redevelopment" on the Land Use Plan in the Comprehensive Plan and is expected to generate less than 250 additional trips in the a.m. or p.m. peak hour than those generated by the currently approved use(s) on the property.

A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated for all the proposed districts. A TIA may be required for a zoning request that generates less than 250 trips in the peak hour, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not required for a rezoning request. In cases where a TIA is required, the rezoning application will be considered incomplete until the TIA is submitted.

#### 2. **Site Plan TIA**

Any proposed development excluding developments located in the zoning classifications of NG-1, NG-2, or NG-3 shown on a site plan which is expected to generate at least 250 trips in the a.m. or p.m. peak hour requires a TIA. A TIA may be required for site plans submitted for approval that generate less than 250 trips in the a.m. or p.m. peak hour where the peaking characteristics could have a detrimental impact on the area's vehicular transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not required for a rezoning request. In cases where a TIA is required, the site plan application will be considered incomplete until the TIA is submitted.

### D. **Methodology**

1. **Professional Engineer to perform TIA.** All required TIAs shall be

performed by a professional engineer licensed in the State of Texas qualified to perform such analyses. Qualifications may include, but are not limited to certification as a Professional Traffic Operations Engineer or Professional Transportation Planner by the Transportation Professional Certification Board or certification by the Texas Department of Transportation to conduct traffic engineering studies.

2. **Pre-submittal meeting.** A pre-submission consultation with the Administrator is required at the time of the Pre-Application Conference to discuss relevant aspects of the TIA. Details of the procedures, assumption used, data to be collected method of analysis and identification of the study area will be determined at this meeting. Traffic from other approved but not built nearby developments will be accounted for in the TIA as determined by the Administrator. The Administrator may require other specific assumptions such as the percent of trucks to be altered to match local conditions. The City may require analyses of peak 15 minute intervals for certain types of land uses that generate major traffic surges such as, but not limited to stadiums, movie theaters, arenas, and schools.
3. **Zoning TIA Content**
  - a. **Study Area** - A map(s) delineating the TIA study area and all existing and planned streets therein. The study area shall be determined based upon identifying the geographical area most affected by the proposed zoning request as determined by the Administrator after conferring with the applicant.
  - b. **Existing Zoning** - A description by zoning classification of the existing zoning in the area proposed for rezoning.
  - c. **Proposed Zoning** – A description of the proposed zoning including land area by zoning classification.
  - d. **Thoroughfare Network** - A description of the existing and proposed thoroughfares, and traffic volumes within the study area.
  - e. **Impact Determination** - A description of the volume/capacity (V/C) ratio for all thoroughfares and delay projections for intersections in the studied area to determine if a Level of Service D is maintained. The analysis shall contain the following minimum information:
    - 1) **Proposed Trip Generation** - Show in tabular form trip generation rates (see Table 1 or 2, as applicable) and the total trips generated based on proposed zoning.
    - 2) **Existing Trip Generation** – Show in tabular form trip generation rates (see Table 1 or 2, as applicable) and the total trips generated based on existing zoning.
    - 3) **Net Increased Trip Distribution and Assignment** - Show proposed trip generation minus existing trips and the calculation of new trips generated. The net increase in trips generated by the zoning request is to be added to the base volumes projected by design year. Twenty-four hour and peak hour volumes must be calculated. Distribution and assignment calculations must be provided.

- 4) **Level of Service Analysis** - Show in tabular form peak hour Level of Service for existing and proposed zoning. Calculations shall include all thoroughfare links and intersections. Calculate level of service and percentage change (when compared to base volumes) for each link and intersection.
  - 5) **Neighborhood Traffic Analysis** – If a proposed rezoning could increase the traffic on a minor collector or residential street at least ten percent (10%), a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic levels of the affected streets. If the projected traffic levels exceed the limits indicated in the BCS Design Guidelines, mitigation to lower this traffic shall be required.
  - 6) **Conclusions** - Summarize points of conflict and congestion, identify all thoroughfare links and intersections exceeding Level of Service D and the percentage change by the proposed zoning change.
- f. **Mitigation** - A description of the mitigation techniques to achieve acceptable service thresholds shall be shown. Traffic produced by the proposed zoning request plus current traffic levels should not fall below a Level of Service D. Locations not meeting the Level of Service D where the proposed zoning contributes five percent (5%) or more of the traffic should be mitigated by the applicant. Acceptable methods of mitigating negative traffic impacts include but are not limited to the following:
- 1) Modifying the zoning request to meet Level of Service D.
  - 2) Modify the access plan.
  - 3) Limit development densities within one or more zoning classifications or land parcels.
  - 4) Making minor thoroughfare or intersection improvements, such as adding or relocating turn lanes, acceleration and deceleration lanes and median openings.

Amendments to the City's Thoroughfare Plan shall not be accepted as a means of mitigating negative impacts.

- g. **Planning and Zoning Commission Report** - The Planning and Zoning Commission shall make a report to the City Council on all TIAs it considers in conjunction with requests for rezoning. The Planning and Zoning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of the TIA.

Where the identified impacts of the proposed zoning cannot be adequately mitigated, the Planning and Zoning Commission may recommend to the City Council one or more of the following actions:

- 1) Denial of the zoning case in total or in part.
- 2) Any other action deemed appropriate to mitigate negative traffic impacts.

4. **Site Plan TIA Content** - Submittals of TIAs for site plans shall include the following:
- a. **Study Area** - A map(s) delineating the TIA study area and all existing and planned streets therein. The study area will be determined by identifying the geographical area most affected by the proposed development shown on the site plan as determined by the Administrator after conferring with the applicant. In general the study area will cover all intersections through which at least ten percent (10%) of the proposed development's site traffic passes, and shall extend to at least the first traffic signal in each direction if within one mile of the site.
  - b. **Existing Zoning and Development** - A description of existing zoning including land area (gross and net) by zoning classification, square footage, density of hotel rooms, dwelling units, etc. Also, a description of development currently within the proposed site plan, including showing how it will be affected by the new development proposal;
  - c. **Thoroughfare Network** - A description of existing thoroughfares, signals, signal phasing and traffic volumes within the study area;
  - d. **Proposed Development** - A description of the proposed development including land area (gross and net), square footage, density of hotel rooms, dwelling units, etc. Also a description of anticipated roadway conditions expected by the date of occupancy of the proposed development shall be included. Roadway and intersection capacities shall be shown;
  - e. **Proposed access** – Identification of the location and number of lanes and proposed traffic controls for each point of access serving the proposed development, including proposed modifications to adjacent roads shall be included. All access points shall meet the current access management and roadway design policies of the entity responsible for the condition of that portion of roadway.
  - f. **Impact Determination** - A determination of the Level of Service for all thoroughfares and intersections in the study area shall be included, as shall an evaluation of pedestrian, bicycle, and motor vehicle safety conditions adjacent to the site. The analysis shall contain the following minimum information:
    - 1) **Proposed Trip Generation** - A calculation of the total trip generation by use within the study area assuming full development and occupancy. Show any reductions attributed to passers-by, mixed use, etc. Show trip generation by use in tabular form with land use trip generation rates and trips generated.
    - 2) **Trip Distribution and Assignment** - A calculation of trips generated by the proposed development as added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.
    - 3) **Level of Service Analysis** - A depiction shown in tabular form, twenty-four hour and peak hour volume/capacity ratios for links and intersections within the study area. This analysis should be

done for the following traffic conditions: existing traffic, existing traffic plus projected traffic. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

- 4) **Neighborhood Traffic Analysis** – If the TIA calculations show that a proposed site plan increases traffic on a minor collector or residential street by at least ten percent (10%), a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic levels of the affected streets. If the projected traffic levels exceed the limits indicated in the BCS Design Guidelines mitigation to lower this traffic may be required.
  - 5) **Conclusions** - A provision of a summary of findings showing all adjacent streets and intersections noting those that exceed a Level of Service D, the percent increase in total traffic produced by the proposed site plan, and the adequacy of site access. Identification of any safety and operational problems (e.g., drives, sight distances, median openings, and signalization) within the study area shall be shown.
- g. Mitigation** - A description of the mitigation techniques meeting acceptable service thresholds shall be shown. Traffic levels exceeding a Level of Service D where the development is contributing five percent (5%) or more of the total trips should be mitigated to predevelopment levels by the applicant. Acceptable methods of mitigating negative traffic impacts include the following:
- 1) Modifying the density or intensity of use, such as a reduction in square footage or percentage of commercial use to meet a minimum Level of Service D;
  - 2) Phasing construction until additional roadway capacity becomes available;
  - 3) Making on-site improvements including access controls and site circulation adjustments;
  - 4) Making off-site improvements including the construction of additional lanes, modifying signalization, etc.
- h. Costs of Mitigation** - Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

**E. Criteria for Approval.**

The City shall consider the following standards in determining whether a proposed rezoning or submitted site plan meets an acceptable Level of Service:

1. **Design Requirement.** The proposed rezoning of site plan is consistent with the City's adopted access management and design requirements and is consistent with the design requirements on Texas Department of Transportation on roads maintained by such agency.
2. **Level of Service D.** The desirable minimum Level of Service for the City

of College Station is a Level of Service D as that term is described in the Transportation Research Board's Highway Capacity Manual.

3. **Determination of adequate mitigation.** Notwithstanding anything to the contrary herein, the appropriate Administrator and the appropriate reviewing body, where required, shall determine whether adequate mitigation has occurred to meet an acceptable level of service utilizing the requirements set forth herein.



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Thursday, July 17, 2008**  
**at 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Chairman John Nichols, Noel Bauman, Paul Greer, Doug Slack, Hugh Stearn and Thomas Woodfin

**COMMISSIONERS ABSENT:** Bill Davis

**CITY COUNCIL MEMBERS PRESENT:** Larry Stewart

**CITY STAFF PRESENT:** Senior Planners Jennifer Prochazka and Lindsay Boyer, Staff Planners Jason Schubert and Lauren Hovde, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Director Bob Cowell, Assistant Director Lance Simms, Planning Administrator Molly Hitchcock, First Assistant City Attorney Carla Robinson, Action Center Representative Kerry Mullins and Staff Assistant Brittany Caldwell

1. Call Meeting to Order.

Chairman John Nichols called the meeting to order at 7:12 p.m.

Public hearing, presentation, possible action, and discussion regarding an ordinance amendment to Chapter 12 of the Code of Ordinances, Unified Development Ordinance Section 7.9.B.6, Traffic Impact Analysis; Section 7.9.H, Submittal Requirements; and adding Section 7.12, Traffic Impact Analysis. **Case #08-00500001 (BC)**

Director Cowell presented the ordinance amendment regarding Traffic Impact Analysis.

Commissioner Woodfin stated that he was in favor of the ordinance amendment, but said that the existing model does not need to be replicated.

Commissioner Stearns stated that developers need to be given options.

Chairman Nichols opened the public hearing.

Sherry Ellison, 2705 Brookway Drive, stated that she supported the ordinance amendment and said that it would be beneficial to new developments.

Ed Theriot, Mitchell Planning Group, stated that he was representing the Home Builders Association. He expressed concern about the cost, timing and discretion in the ordinance.

Randy French, 4301 Cupstone, stated that he did not believe that the Traffic Impact Analysis was need for residential developments. He also expressed concern about the cost. He said that staff should be able to make those decisions.

Chairman Nichols closed the public hearing.

**Commissioner Bauman motioned to recommend approval of the ordinance amendment with the condition that staff present an alternative to the maximum units per acre for residential developments so that it would reflect current as-built conditions. Commissioner Slack seconded the motion.**

**Commissioner Stearns stated that the trips generated needed to be reduced.**

**Commissioner Stearns motioned to amend the existing motion to state that the trip generation be reduced to 50 trips during peak time. Commissioner Slack seconded the motion, motion failed (1-5). Commissioner Stearns was in favor of the amended motion.**

**The original motion passed (6-0).**

Adjourn.

**Commissioner Bauman motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motioned passed (6-0).**

**Meeting adjourned at 10:15 p.m.**

**Approved:**

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John Nichols, Chairman  
Planning and Zoning Commission

**Attest:**

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Brittany Caldwell, Staff Assistant  
Planning and Development Services

**August 28, 2008**  
**Regular Agenda Item No. 5**  
**Dartmouth Street Extension Landscape and Irrigation**  
**Conceptual Design Presentation**

**To:** Glenn Brown, City Manager

**From:** Marco A. Cisneros, Director, Parks and Recreation

**Agenda Caption:** Public Hearing, presentation, possible action and discussion concerning approval to prepare bid documents and landscape construction drawings and advertise for the Dartmouth Street Extension Landscape and Irrigation Project construction bid.

**Recommendation(s):** Staff recommends proceeding with the final production of the bid package and advertisement for the construction bid for this landscape construction project.

**Summary:** The Dartmouth Street Extension Landscape and Irrigation Construction Project will cover the area of Dartmouth from Krenek Tap Road to Harvey Mitchell Parkway. The design includes the installation of brick pavers, trees shrubs and turf as well as the irrigation improvements as required to support the new landscape improvements.

**Budget & Financial Summary:** The construction cost is estimated at \$96,500. Funds have been budgeted in the amount of \$100,000 from the Street Capital Projects Fund.

**Attachments:**

- 1.) Project Map



Krenek Tap Road

Dartmouth Street Extension

Texas Avenue

Harvey Mitchell Parkway