



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
Monday, November 24, 2008 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

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 on minutes for November 5, 2008 meeting.

b. Presentation, possible action, and discussion on obtaining approval for Group Long Term Disability Policy Renewals for the calendar years of 2006, 2007, 2008, and 2009.

c. Presentation, possible action and discussion on a Equipment Replacement Fund contingency transfer in the amount of \$18,881.05 for a pilot project to move selected non-Public Safety users from the 800 MHz radio system to a commercial push-to-talk radio system.

d. Presentation, possible action, and discussion concerning a resolution approving special warranty deeds conveying one-half undivided interest to the City of Bryan in land acquired by condemnation for Twin Oaks Landfill.

e. Presentation, possible action, and discussion on the award of Bid#09-05, installation of a traffic signal at the intersection of William D. Fitch Parkway and Lakeway Drive to lowest responsible bidder Bayer Construction in the amount of \$157,232.50.

f. Presentation, possible action and discussion on a resolution amending the authorized representatives at TexPool.

g. Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY09 in the amount of \$100,000.

h. Presentation, possible action and discussion to authorize the expenditures for the Brazos County Appraisal District in the amount of \$237,596 pursuant to Texas State Property Tax Code Section 6.06 (d).

i. Presentation, possible action, and discussion regarding a resolution awarding the bid and approval of a contract (Contract Number 09-04) with The Ground Crew, L.L.C., from Bryan, Texas in the amount of \$92,987.55 and sixty (60) calendar days to complete the installation of trees, landscaping, and irrigation for the Dartmouth Street Extension Project Number ST-0211, and authorizing the expenditure of funds. The total amount of the contract includes a base bid of \$89,950.05 and acceptance of Alternate #1 (use of Palisades Zoysia sod instead of Bermuda sod) in the amount of \$3,037.50.

j. Presentation, possible action, and discussion on the City's proposed Housing Rehabilitation and Minor Home Repair Program Guidelines.

k. Presentation, possible action, and discussion on a resolution supporting the City's desire to become a certified "Film Friendly Texas" Community through the State of Texas Film Commission; and adoption of the Guidelines for Filming in the City of College Station.

l. Presentation, possible action and discussion regarding the approval of a resolution accepting from the Governors Division of Emergency Management (GDEM) the 2008 Homeland Security Grant Program –Sub-recipient of \$166,666.67 naming a City staff member as manager of those grant funds, and approving the 2008 City of College Station Equipment List for purchase.

m. Presentation, possible action, and discussion regarding a change order to Contract #04-086 in the amount of \$6,800.00 to BRW Architects for design work associated with Police Department Renovations Project.

n.Presentation, possible action, and discussion regarding change order #2 to engineering design contract 07-152 with Malcolm-Pirnie, Inc in the amount of \$38,125 for construction inspection services on the Parallel Water Transmission Line.

o.Presentation, possible action, and discussion regarding a resolution to award a professional services contract to Malcolm Pirnie Inc. in the amount of \$50,000 to conduct a feasibility study for the use of saline (brackish) groundwater wells to increase our drinking water supply.

p.Presentation, possible action, and discussion regarding approval of a Resolution that will authorize City staff to negotiate for the purchase of an easement needed for the Wellborn Widening Project.

q.Presentation, possible action, and discussion regarding a resolution designating the Construction Manager at Risk as an alternative procurement method for the proposed renovation and expansion to the Utility Service Center.

r. Presentation, possible action, and discussion regarding approval of a Real Estate Contract that will authorize and direct City staff to complete the purchase of right-of-way needed for the William D. Fitch Widening Phase II Project.

s.Presentation, possible action, and discussion regarding a resolution approving a construction contract with Brazos Valley Services for the amount of \$3,749,256.38 for the construction of the WD Fitch Pkwy Widening Phase II Project.

t. Presentation, possible action, and discussion regarding Change Order No. 4 to the construction contract (Contract No. 08-044) with JaCody, Inc. in the amount of \$156,468 for the CSU Meeting & Training Facility.

u.Presentation, possible action, and discussion on the resolution approving the construction contract (Contract #09-032) with Brazos Valley Services in the amount of \$1,847,972.66 for the Barron Road Capacity Improvements Phase 1 Project.

v.Presentation, possible action, and discussion on a Professional Services Contract with Lockwood, Andrews, Newnam, Inc., in the amount of \$188,700, for the design of the Carters Creek Wastewater Treatment Plant Miscellaneous Improvements, and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

w. Presentation, possible action, and discussion on a Memorandum of Agreement between the City of College Station, Research Valley Partnership and Lynntech, Inc.

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 a resolution increasing the drainage utility rate..
2. Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 1.32 acres located at 300 Holleman Drive, located next to the Verizon building near Lassie Lane.
3. Public hearing, presentation, possible action, and discussion regarding an ordinance rezoning from A-O Agricultural Open to C-1 General Commercial Industrial for 2.056 acres located at 1780 Greens Prairie Road West, and more generally located near the northwest corner of the intersection of Greens Prairie Road and Arrington Road.
4. Public hearing, presentation, possible action and discussion regarding a Comprehensive Plan Amendment - Land Use for 2.70 acres located at 2875 Earl Rudder Freeway, and more generally located next to the North Forest Professional Park, from Floodplains & Streams and Single-Family Residential Medium Density to Office.
5. Public hearing, presentation, possible action, and discussion regarding an ordinance rezoning from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District for 120.77 acres located at 1430 Harvey Mitchell Parkway South generally located opposite the intersection with Holleman Drive.
6. Public hearing, presentation, possible action and discussion regarding an amendment to the Comprehensive Land Use Plan from Single-Family Residential Medium Density to Retail Regional West, and more generally located near the southwest corner of the intersection of Greens Prairie Road and Arrington Road.
7. Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 5.59 acres located on the northern corner of the intersection of State Highways 60 and 47.
8. Public hearing, presentation, possible action, and discussion on an amendment to the Unified Development Ordinance, Section 5.9, Single-Family Overlay Districts as it relates to the minimum number of petition signatures to request an overlay.

9. Presentation, possible action and discussion regarding the establishment of a neighborhood grant program and revisions to the current gateway grant program.
10. Presentation, possible action and discussion regarding a resolution of the City Council of the City of College Station, Texas, approving and setting fees for Parks and Recreation activities and facilities for Calendar Year 2009.
11. Presentation, possible action, and discussion Federal Emergency Management Agency's (FEMA) Community Rating System (CRS) program and consideration for a Resolution to support the application to and implementation of the CRS Program.
12. Presentation, possible action and discussion on appointments to the newly-created Landmark Commission.
13. Presentation, possible action, and discussion on appointment of citizen as member of Convention and Visitors Bureau.
14. Presentation, possible action, and discussion regarding the City's appointment to the Twin City Endowment.
15. Adjourn.

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

APPROVED:

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 Monday, November 24, 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 21st day of November, 2008 at 2:00 pm

E-Signed by Connie Hooks
VERIFY authenticity with ApproveIt!

Connie Hooks

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. The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on November 21, 2008 at 2:00 pm

and remained so posted continuously for at least 72 hours preceding 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 . Council meetings are broadcast live on Cable Access Channel 19.



Mayor
Ben White
Mayor ProTem
Lynn McIlhaney
City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Lawrence Stewart
David Ruesink

Draft Minutes
City Council Workshop & Regular Minutes
Wednesday, November 5, 2008 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor White, Mayor ProTem McIlhaney, Council members Maloney Crompton, Massey, Ruesink and Stewart

STAFF PRESENT: City Manager Brown, Assistant City Manager Merrill, Assistant City Manager David Neeley, City Attorney Cargill Jr., City Secretary Hooks, Deputy City Secretary McNutt, Management Team

Mayor White called meeting to order at 3:00 p.m.

Workshop Agenda Item No. 1 -- Presentation, possible action, and discussion on items listed on the consent agenda.

Consent Agenda Items No. 2i, 2 j, 2k, and 2l were removed from the agenda by staff. These items related to the Rock Prairie Road Landfill and Twin Oaks Construction Project.

Council member Crompton inquired about Consent Item No. 2n, funding to the Brazos County Health Department.

Mayor ProTem McIlhaney inquired about Consent Item No. 2h, Landfill compactor.

Workshop Agenda Item No. 2 -- Presentation, possible action, and discussion of a brief from TAMU Vice President of Student Affairs General Joe Weber on his plans and philosophy for the Division of Student Affairs which crosses a wide range of many services.

Hayden Migl, Assistant to City Manager introduced General Joe Weber, TAMU Vice President of Student Affairs .

General Weber presented his plans and philosophy for the Division of Student Affairs, which offers a wide range of functions such as student government, counseling, student activities, health services, Recreational Sports, and the operations of the Memorial Student Center.

No action was taken.

Workshop Agenda Item No. 3 -- Presentation, possible action and discussion on a briefing from Midway Companies regarding the proposed Campus Pointe development.

David Gwin, Director of Economic and Community Development introduced Brandon Houston with Midway Companies.

Randy Houston, representative of Midway Companies presented the proposed Campus Pointe Development. He also stated for several years, TAMU has been exploring the possibility of developing University-owned property located northeast of the intersection of University Drive and South College Avenue. The general area encompasses approximately 100 acres and is currently home to Hensel Park and partially developed as University-owned and managed student housing.

Mr. Houston stated that TAMU is considering entering into a long-term ground-lease with Midway Companies, for a dense mixed use development that could include a number of new uses such as: a hotel, retail shops, and offices. The goals of the joint venture are listed below:

Goals:

- Transportation efficiency
- Controlled site disturbance
- Storm water management
- Reduce heat islands / Indigenous landscape
- Water use reduction
- Energy Optimization
- Use of regional / local materials
- Optimization of daylight and views
- Indoor air quality

City of College Station participation opportunities:

Council members expressed comments to the developer about the city's recent initiative to have a city owned convention center.

Mr. Houston noted that this developer will seek City of College Station's participation in Site Development and Construction investments, Roadway and Infrastructure investments, and Operating Cost Assistance at Campus Pointe

No formal action taken.

Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding changes to the City's smoking ordinance.

Hayden Migl, Assistant to City Manager introduced Kristine Weaver, Regional Director of Government Relations with the American Cancer Society.

Ms. Weaver recognized Dr. Philip Huang, Medical Director and Health Authority for Austin/Travis County Health Department. He presented a variety of health statistics related to smoking and public safety.

Council indicated new interest in amending the current smoking ordinance providing non-smoking on all public places, with few exceptions. Council directed staff to engage stakeholders in a public hearing and requested the City Attorney draft language for the expanded ordinance.

Workshop Agenda Item No. 5 -- Presentation, possible action, and discussion regarding tree preservation in College Station and clarification on the policy options presented by staff.

Lindsay Boyer, Senior Planner described tree preservation ordinances from other communities. She highlighted comments made by stakeholders and the Planning and Zoning Commission, and staff commentary on items that could be included in a tree preservation ordinance for College Station.

Bob Cowell, ACIP, Director of Planning and Development Services made additional comments on ideas, suggestions, and issues for discussion with Council: These comments related to the following categories:

Protection Options:

- Specimen trees
- Tree stands
- Number of trees
- All trees of a specific size
- Canopy/shade covers
- Designated heritage/historic trees
- Other items to be considered
- Species to include/exclude
- Underbrush

Mitigation:

- Planting replacement trees (size, species)
- Maximum lot coverage
- Transplanting existing trees
- Fees (tree fund)
- Allow for alternate proposals
- Waivers to standards

Incentives:

- Density / Clustering bonuses
- Dimensional standard variations
- Buffer bonus
- Landscaping
- Parking spaces
- Subdivision design

Application Options:

- Commercial / multi-family
- Existing single-family
- New single-family
- Preservation zones
- Redevelopment
- Citywide

Council supported the continuance of developing the tree preservation ordinance that will accommodate the entire community, and in addition, establishing tree preservation zones.

No formal action was taken.

At 5:25 pm Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, 551.086, and 551.087 of the Open Meetings Act to seek the advice of our city attorney, to consider competitive matters, and economic development negotiations.

Workshop Agenda Item No. 10 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

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

- a. Application with TCEQ for permits in Westside/Highway 60 area, near Brushy Water Supply Corporation.
- b. Sewer CCN permit requests.
- c. Water CCN permit requests.
- d. Water service application with regard to Wellborn Special Utility District.
- e. Bed & Banks Water Rights Discharge Permits for College Station and Bryan

- f. Attorney-client privileged information and possible contemplated litigation of prior expenditures of College Station funds made by Paul Urso to Texcon.
- g. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites.
- h. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District.
- i. JK Development v. College Station.
- j. Taylor Kingsley v. College Station.
- k. State Farm Lloyds as Subrogee of Mikal Klumpp v. College Station.
- l. TMPA v. PUC (College Station filed Intervention).
- m. City of Bryan suit filed against College Station, Legal issues and advise on Brazos Valley Solid Waste Management Agency contract, on proposed methane gas contract. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site.

Competitive Matter {Gov't Code Section 551.086}; possible action The City Council may deliberate, vote, or take final action on a competitive matter in closed session. The City Council must make a good faith determination, by majority vote of the City Council, that the matter is a Competitive Matter. A "Competitive Matter" is a utility-related matter that the City Council determines is related to the City of College Station's Electric Utility Competitive Activity, including commercial information, which if disclosed would give advantage to competitors or prospective competitors. The following is a general representation of the subject(s) to be considered as a competitive matter.

- a. Power Supply

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

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

- a. Proposed Development generally located southeast of the Intersection of Earl Rudder Freeway and Southwest Parkway

Workshop Agenda Item No. 11 -- Action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting will be discussed in tonight's Regular Meeting if necessary.

Council recessed from the executive session at 6:55 pm.

Workshop Agenda Item No. 12 -- Adjourn.

The workshop meeting concluded following the regular meeting. See regular meeting minutes for discussion of remaining workshop items.

Minutes of Regular Meeting

Regular Agenda Item No. 1 -- Pledge of Allegiance, Invocation, Hear visitors.

Mayor White called the meeting to order at 7:00 p.m. Mayor White led the audience in the Pledge of Allegiance. Fire Chief R.B. Alley provided the invocation.

Presentations:

Mark Conlee, Mayor of the City of Bryan presented the Brazos Boot Award to Mayor White.

City Manager Glenn Brown presented the TML award for "Coffee with the Mayor" in recognition of City of College Station, Mayor White, Mark Beal, Chad, Mike Neu, Chad Cockrum and Peggy Calliham.

Mayor White presented the Texas Amateur Athletic Federation Awards and Recognition to the Parks and Recreation Department.

Mayor White also presented the Texas Amateur Athletic Federation Service Awards to David Gerling, Rec. Superintendent, in honor of 15 years of service.

Hear Visitors:

Buck Prewitt, 2302 Scotney Ct. - stated concern for lack of input by citizens prior to the adoption of the Traffic Impact Analysis.

Nathan Fort, Holleman Dr., TAMU student - requested Council consider a recycling program for Northgate District.

Regular Agenda Item No. 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. Approved minutes for the City Council Meetings of Thursday, October 23, 2008; Budget Workshop Meetings, August 20, 2008, August 21, 2008, September 8, 2008; and, Special Meeting September 17, 2008.

b. Approved the 2008 Property Tax Roll in the amount of \$22,074,830.98. This is the tax roll that will be generated by the tax rate of \$0.4394 per \$100 assessed valuation adopted by the City Council at its September 27, 2008 meeting.

c. Approved the renewal of an annual price agreement for Emergency Medical Supplies with Boundtree Medical (previously Tri-anim Health Services) for \$34,578.09 and Boundtree Medical for \$21,847.01 not to exceed \$56,425.10. Boundtree Medical merged with Tri-anim Health Services June 5, 2008.

d. Approved **Resolution No. 11-5-08-2d** on the renewal of an annual price agreement with Nafeco Inc., in an amount not to exceed \$56,448.00 for fire protective clothing.

e. Approved the renewal agreement with Mustang Rental Services of Texas, Ltd. for the rental of heavy machinery, Bid No. 07-112, for an annual expenditure of \$95,000.00.

f. Approved **Resolution No. 11-5-08-2f** declaring intention to reimburse certain Twin Oaks Landfill expenditures with proceeds from debt.

g. Approved **Resolution No. 11-5-08-2g** adopting the awarded contract #08-286 for the Eagle Avenue Extension Project to Brazos Paving in the amount of \$790,554.15.

h. Approved the purchase of an Articulated Landfill Compactor from Mustang Tractor & Equipment to be used by the Brazos Valley Solid Waste Management Agency in the amount of \$1,050,000.00.

i. Presentation, possible action, and discussion on a resolution approving testing and inspecting contract #09-028 with CSC Engineering & Environmental Consultants, Inc. in the amount of \$58,000.00 for the Rock Prairie Road Landfill.

j. Presentation, possible action, and discussion on a resolution approving consultant contract #09-029 with CSC Engineering & Environmental Consultants, Inc. in the amount of \$252,000.00 for the Twin Oaks Phase I Construction Project. (ITEM REMOVED BY STAFF, SCHEDULED FOR FUTURE COUNCIL MEETING)

k. Presentation, possible action, and discussion on a resolution approving testing and inspecting contract #09-030 with CSC Engineering & Environmental Consultants, Inc. in the amount of \$60,000.00 for the Twin Oaks Phase I Construction Project. (ITEM REMOVED BY STAFF, SCHEDULED FOR FUTURE COUNCIL MEETING)

l. Presentation, possible action, and discussion on a resolution approving professional services contract #09-031, with HDR Engineering, Inc in an amount not to exceed \$828,840.00 for Twin Oaks Landfill additional design/permitting, bidding and construction phase services. (ITEM REMOVED BY STAFF, SCHEDULED FOR FUTURE COUNCIL MEETING)

m. Approved funding agreement between the City of College Station and Keep Brazos Beautiful for FY09 in the amount of \$60,240.

n. Approved funding addendum that will authorize expenditures for the Brazos County Health Department in the amount of \$340,885.

Council member Massey made a motion to approve consent agenda items 2a thru 2h and 2m and 2n. Council member Maloney seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink.
AGAINST: None

Regular Agenda Item No. 1 -- Public hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning seven easements located at 1815 Brothers Boulevard. (WalMart).

Alan Gibbs, City Engineer, presented Council seven ordinances vacating and abandoning easements located at 1815 Brothers Blvd for the expansion of Wal-Mart.

Lisa Elledge, a Wal-Mart representative introduced Joe Groso, Civil Engineer. Mr. Groso presented the expansion plan of the Super Wal-Mart. Greg Oltman and Raymond Harris, Architects for the project presented the design of the Super Wal-mart.

Mr. Gibbs gave an explanation that all easements may not be vacated simultaneously due to the project differences.

Mayor White opened the public hearing. No one spoke. Mayor White closed the public hearing.

Council member Maloney made a motion to approve **Ordinance No.'s 3123, 3124, 3125, 3126, 3127, 3128, and 3129** for the seven abandoned easements located on 1815 Brothers Blvd. Mayor Pro Tem McIlhaney seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink.
AGAINST: None

Regular Agenda Item No. 2 -- Public hearing, presentation, possible action, and discussion regarding an ordinance to amend Chapter 9 of the City of College Station Code of Ordinances, Subdivision Regulations, and amend Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance (UDO) to remove master plans and amend standards relating to the Extraterritorial jurisdiction, including minimum lot size, minimum lot width, and urban street design.

Bob Cowell, ACIP, Director of Planning and Development presented an overview of the past several years College Station has experienced an increased rate of development in the ETJ. In an effort to address concerns identified by the Planning and Zoning Commission and the City Council, Council directed staff to retain a planning consultant to identify the reasons for this development and to identify options to better manage the development. This report, with its recommendations, was presented to the Parks and Recreation Board, the Planning and Zoning Commission, and the City Council in the summer of 2007. Council directed staff to engage with stakeholders and to bring forward ordinance revisions as needed. A number of stakeholder meetings were held as well as additional meetings with the Planning and Zoning Commission and the Council.

During these various meetings it was concluded consensus could be not likely reached on many of the issues identified in the report or on the specific standards identified in the report. Staff, therefore, offers the following as a partial (and less stringent) recommendation for implementing the recommendations contained within the report:

1. Removal of master plans as a requirement or option.
2. Establishment of a minimum lot size in the ETJ of 2 acre.
3. Establishment of a minimum lot width of 400' along thoroughfares and 100' along subdivision roads in the ETJ.
4. Removal of the urban street design as a requirement or option in the ETJ.

The remaining items contained in the report will be addressed through the development of the city Comprehensive Plan update and the subsequent ordinance revisions. These recommended changes to the UDO and Subdivision Regulations are designed to be supported by complimentary CCN and sewer extension policies and annexation policies that will be discussed at upcoming Council meetings.

David Coleman, Director of Water Services briefly explained the Aerobic system's spray, the lack of system maintenance, and resulting problems.

Don Plitt, Environmental Specialist with the Brazos County Health Department presented a report including inspections of on-site sewage facilities in the ETJ. 30%-50% of the facilities are non compliant. In response to City Council's questions, Mr. Plitt recommended at least a 1.5 acre lot size for residential development.

Mayor White opened the public hearing.

Citizens opposed to the 2 acre lot size:

Randy French, 4301 Cupstone
 Dorthea Robinson, Michthea Lane
 Jane Cohen, 3655 McCullough Road
 Matthew Moore, 4404 Spring Branch Ct.
 County Judge Randy Sims, 206 Hearths Tone Cir.
 Sherman Click, 4376 Bentwood
 Jim Maness, 1733 Arrington Rd
 Diane Goodman, 2181 Peach Creek
 Glenn Thomas, 1110 12th Man
 Lloyd Wassermann, 12318 N. Dowling
 ML Schohon, 4440 College Station
 Connie Hearne, 1008 Haywood
 Phillip Ross, 1414 Peach Creek Cut off
 Chuck Ellison 2902 Camille Dr.

Citizens for the 2 acre lot size:

Roger Bligh, 13613 Headwater
 James Sachtleben, 13922 Suzanne
 Debbie Wentling, 3622 Capstone Dr.
 Dave Wentling, 3622 Capstone Dr.
 Gary Kovar, 13822 Apricot Glen
 Oliver Longnecker, 13411 Headwater Ln.
 Phil Gougler, 13515 Headwater Ln.
 Nancy Todd, 13891 Apricot Glen
 Jeannie Longnecker, 13411 Headwater Ln.
 Steven Davee, 13786 Suzanne Pl.
 Jody Gougler, 13515 Headwater Ln.
 Tami Laza, 13858 Apricot Glen

Citizens opposed to the 2 acre lot size:

Keith Ellis, 101 Grove
Heath Shannon, 300 Greeson
Buck Prewitt, 2302 Scotney Ct.
Ken Davis, 11455 Deer Creek
Bruce Lesikar, 5707 Shellbournes Hill
Billy Chenault, 3413 Settlement Dr.
Deborah Voorhees, 4070 Sweetwater Dr.
George Richardson, 4070 Sweetwater Dr.
Randall Pitcock, 2414 Stone Castle

Mayor White closed the public hearing at 9:18 p.m.
Mayor White called for a 10 min recess.
Mayor White reopened the public hearing at 9:30 p.m.
Roger Bligh, 13613 Headwater, testified in support of 2 acre lot size
Mayor White closed the public hearing.

Mayor White suggested voting protocol as a separate vote for each staff recommendation. Council concurred.

Council member Crompton moved to approve **Ordinance No. 3130** on the removal of master plans as a requirement and removal of the urban street as a requirement in the ETJ. Council member Massey seconded the motion, which carried 7-0.

Mayor Pro Tem McIlhaney moved to approve **Ordinance No. 3131** on establishing the minimum lot size in the ETJ of one acre and establishing a minimum lot width of one-hundred feet (100'). Council directed staff to forward the issue to Commissioners Court and the Health Department. Council member Stewart seconded motion, which carried 6-1.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Massey, Maloney, Stewart and Ruesink.
AGAINST: Council member Crompton

Regular Agenda Item No. 3 -- Public Hearing, presentation, possible action, and discussion an ordinance amending City of College Station Code of Ordinances Chapter 13: Flood Hazard Protection: Section 5-E: Special Provisions for Areas of Special Flood Hazard, Section 5-G: Special Provisions for Floodways, and Section 5-H: Special Provisions for Areas of Shallow Flooding. (Zero-Rise Requirement).

Alan Gibbs, City Engineer presented an overview of the consideration of the Zero-Rise regulation to the Flood plain regulations. Specifically, the Special Flood Hazard Area (SFHA), which is commonly Zones AE and A as depicted on the Flood Insurance Rate maps (FIRMs). Development would still be allowed in the floodplain as long as it does not result in a net rise in the 100 year flood elevation.

Council expressed concerned with the affects of Zero-Rise on ETJ.
Alan Gibbs stated Zero-Rise will not affect the ETJ.

Mayor White opened the public hearing.
Chuck Ellison, 2902 Camille Dr. – voiced concern involving City property and eminent danger to residents
Rebecca Riggs, with Mitchell and Morgan – not opposed to the zero-rise but would like to see the Council delay action for further review.
Fred Paine, 1012 San Benito with Kling Engineering – hope for Councils consideration on the zero-rise.
Joe Schultz, 3208 Innsbrook, representing Wallace Phillips - requested the completion of the terms for zero-rise.

Veronica Morgan, with Mitchell and Morgan – offered various methods to accomplish the zero-rise.

Dale Browne, 1613 Peach Crossing with McClure and Brown Engineering – agreed with Veronica Morgan but would like Council to look at a grandfather clause.

Sherry Ellison, 2705 Brookway Dr. – not opposed to the zero-rise but concerned with a grandfather clause.

Matt Moore, 4401 Spring Branch Ct. – current landholder expressed concern with the affects of zero-rise.

Mayor White closed the public hearing.

Council member Maloney moved passage of the no adverse impact ordinance for 90 days and to revisit six to nine months to determine effectiveness. Council member Massey seconded the motion. Council member Maloney withdrew this motion.

Council member Maloney moved to direct staff to work with City Attorney to prepare an ordinance reflecting a grandfather clause and no adverse impact options. Council member Massey seconded the motion.

Council member Crompton moved approval of the ordinance as presented. Motion died for lack of second.

Council member Maloney moved to direct staff to coordinate with the City Attorney to create an ordinance containing zero-rise, the grandfather clause, and no adverse impact toolkit. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Regular Agenda Item No. 4 -- Public hearing, presentation, possible action, and discussion on an ordinance amending the Land Use Plan element of the Comprehensive Plan from Single-Family Medium Density and Floodplains & Streams to Regional Retail, Office and Residential Attached for 31.19 acres generally located at the northeast corner of William D. Fitch and its future intersection with Victoria Avenue.

Jennifer Prochazka, Senior Planner presented the Land Use Plan element of the Comprehensive Plan regarding a zoning change from Single-Family Medium Density, Floodplains & Streams to Regional Retail, Office and Residential. The property, 31.19 acres, is located at the northeast corner of William D. Fitch and its future intersection with Victoria. Staff recommended denial due to the incompatibility of rezoning.

Mayor White opened the public hearing.

Joe Schultz, 3208 Innsbrook, applicant spoke in support of rezoning.

Wallace Phillips, 4490 Castle Gate, the developer answered questions of the Council.

Mayor Pro Tem McIlhaney requested reevaluation by the P&Z Commission of the PDD comprehensive plan, the configuration of floodplain, and allowance of mixed use.

Mayor White closed the public hearing.

Council member Maloney moved to approve **Ordinance No. 3132** on the amendment of the Comprehensive Plan from Single-Family Medium Density and Floodplains & Streams to Regional Retail, Office and Residential for 31.19 acres located at the northeast corner of William D. Fitch and its future intersection with Victoria. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Regular Agenda Item No. 5 -- Public Hearing, presentation, possible action, and discussion an ordinance amending City of College Station Code of Ordinances Chapter 13: Flood Hazard Protection: Section 2:

Definitions, Section 5-B: Establishment of Areas of Special Flood Hazard Area, and Section 5-E: Special Provisions for Areas of Special Flood Hazard.

Alan Gibbs, City Engineer, presented a brief overview of the meeting with National Flood Insurance Program (NFIP) Coordinator and the Texas Water Development Board on August 18, 2008, where the state conducted a Community Assistance Visit (CAV) for FEMA. In the following meeting; the NFIP Coordinator, reviewed our local Ch. 13 Flood Hazard Protection Ordinance to propose an amended ordinance which identified needs to update the meeting with FEMA minimum standards. Staff recommended approval of this ordinance amendment.

Mayor White opened the public hearing. No one spoke. Mayor White closed the public hearing.

Council member Massey moved to approve **Ordinance No. 3133** to amend Chapter 13 of the Flood Hazard Protection as presented. Council member Maloney seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Regular Agenda Item No. 6 -- Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 20-foot wide public utility easement, which is centered on the lot line between Lots 6R and 7R, Block 2 of Rock Prairie West Business Park, Phase 1 Subdivision according to the plat recorded in Volume 6121, Page 222 of the Deed Records of Brazos County, Texas.

Alan Gibbs, City Engineer presented an easement abandonment that will accommodate the development of this subject tract as Aggie Pet Zone. He explained that there are no public or private utilities in the subject portion of easement to be abandoned. The 20-foot wide public utility easement abandonment is centered on the lot line between Lots 6R and 7R, Block 2 of Rock Prairie West Business Park. Staff recommended approval of the ordinance.

Mayor White opened the public hearing. No one spoke. Mayor White closed the public hearing.

Council member Maloney moved to approve **Ordinance No. 3134** to abandon the 20 ft public easement located on 3227 Rock Prairie Road West. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Workshop Agenda Item No. 6 -- Presentation, possible action, and discussion of the City Council's 2008-2009 Strategic Plan.

City Manager Glenn Brown presented modified version of the Council's 2008-2009 Strategic Plan. The Plan was revised by the City Council during the summer retreat.

Council member Crompton made a motion to approve the modified City Council 2008-2009 Strategic Plan. Council member Stewart seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Massey, Maloney, Stewart and Ruesink

AGAINST: None

Workshop Agenda Item No. 7 -- Council Calendar

Council reviewed calendar.

Workshop Agenda Item No. 8 -- Presentation, possible action, and discussion on future agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

Council member Massey - briefing on future agenda of land holdings of the City and reaffirm of their use.

Council member Massey - land development by the City of liquidate them.

Council member Crompton - stated for future agenda the discussion on the policy issues, illegal use of fields, maintenance of fields, and registration issues of the baseball fields and taxi businesses.

Mayor ProTem McIlhaney - TML conference update and the process for development of departments.

Council member Massey – defer this item to a midyear retreat. (City hall strategy)

Council member Ruesink – future workshop topic – jaywalking.

Workshop Agenda Item No. 9 -- Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Cemetery Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments (Notice of Agendas posted on City Hall bulletin board).

No discussion was held.

At 12:40 am on Thursday, November 6, 2008 Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, 551.086, and 551.087 of the Open Meetings Act to seek the advice of our attorney, to discuss competitive matters, and discuss economic development negotiations.

Regular Agenda Item No. 7 -- Adjourn.

Hearing no objections, Mayor White adjourned the meetings at 1:10 am on Thursday, November 6, 2008.

PASSED AND APPROVED this 24th day of November, 2008.

APPROVED

Mayor Ben White

ATTEST:

City Secretary Connie Hooks

**November 24, 2008
Consent Agenda Item No. 2b
Group Long Term Disability Insurance Policy
Renewals for Calendar Years 2006 – 2009**

To: Glenn Brown, City Manager

From: Kathy Merrill, Assistant City Manager

Agenda Caption: Presentation, possible action, and discussion on obtaining approval for Group Long Term Disability Policy Renewals for the calendar years of 2006, 2007, 2008, and 2009.

Recommendation(s): Staff recommends approval of the Group Long Term Disability Insurance Policy Renewals for 2006-2009.

Summary: Group Long Term Disability Insurance is income protection for eligible City employees. Under the Policy, employees may receive up to 60% of their current base salary after a 180 day period of permanent total disability for both on and off the job disabilities.

The original Group Long Term Disability Insurance Policy was approved by Council in 2005. Council also, subsequently, approved the Policy's renewal expenditures for the calendar years of 2006, 2007, 2008, and 2009. However, approval of the Policy renewals for the calendar years of 2006, 2007, 2008, and 2009 were not executed by Council.

The City's Legal Department has recommended Council's approval be obtained for the Group Long Term Disability Renewal Policy for the calendar years of 2006, 2007, 2008, and 2009. Execution will ensure the Policy has been accepted and acknowledged by Council.

Budget and Financial Summary: None

Attachments:

1. Rate Guarantee Agreements 2006 - 2009



Rate Guarantee Agreement

Standard Insurance Company
900 SW Fifth Avenue
Portland, OR 97204-1282

Employee Benefits Consultant: **Mitch McCauley**
Employee Benefits Service Representative: **Genoa Molden**
Employee Benefits Sales and Service Office: **Dallas**

Employer Name: **City of College Station, Texas, a Texas Home - Rule Municipality**

Group Number: **643568-B**

Standard Insurance Company ("The Standard") amends the above Employer's coverage under the Group Policy to make the following change(s):

Rate Guarantee Period: January 1, 2009 through December 31, 2009

Next Renewal: January 1, 2010

This agreement is approved by The Standard and subject to The Standard's usual underwriting requirements.

This agreement is issued by The Standard and is in effect by its terms without any further acceptance by the Employer, and a copy of this Agreement form should be attached to and made a part of the in force policy.

CITY OF COLLEGE STATION

By: _____
Mayor
Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____



City Attorney
Date: 11-20-08

Chief Financial Officer
Date: _____



Rate Guarantee Agreement

Standard Insurance Company
900 SW Fifth Avenue
Portland, OR 97204-1282

Employee Benefits Consultant: **Mitch McCauley**
Employee Benefits Service Representative: **Genoa Molden**
Employee Benefits Sales and Service Office: **Dallas**

Employer Name: **City of College Station, Texas, a Texas Home - Rule Municipality**

Group Number: **643568-B**

Standard Insurance Company ("The Standard") amends the above Employer's coverage under the Group Policy to make the following change(s):

Rate Guarantee Period: January 1, 2008 through December 31, 2008

Next Renewal: January 1, 2009

This agreement is approved by The Standard and subject to The Standard's usual underwriting requirements.

This agreement is issued by The Standard and is in effect by its terms without any further acceptance by the Employer, and a copy of this Agreement form should be attached to and made a part of the in force policy.

CITY OF COLLEGE STATION

By: _____
Mayor
Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____

Adm C. Fales

City Attorney
Date: *11-20-08*

Chief Financial Officer
Date: _____



Rate Guarantee Agreement

Standard Insurance Company
900 SW Fifth Avenue
Portland, OR 97204-1282

Employee Benefits Consultant: **Mitch McCauley**
Employee Benefits Service Representative: **Genoa Molden**
Employee Benefits Sales and Service Office: **Dallas**

Employer Name: **City of College Station, Texas, a Texas Home - Rule Municipality**

Group Number: **643568-B**

Standard Insurance Company ("The Standard") amends the above Employer's coverage under the Group Policy to make the following change(s):

Rate Guarantee Period: January 1, 2007 through December 31, 2007

Next Renewal: January 1, 2008

This agreement is approved by The Standard and subject to The Standard's usual underwriting requirements.

This agreement is issued by The Standard and is in effect by its terms without any further acceptance by the Employer, and a copy of this Agreement form should be attached to and made a part of the in force policy.

CITY OF COLLEGE STATION

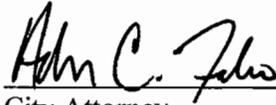
By: _____
Mayor
Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____



City Attorney
Date: 11-20-08

Chief Financial Officer
Date: _____



Rate Guarantee Agreement

Standard Insurance Company
900 SW Fifth Avenue
Portland, OR 97204-1282

Employee Benefits Consultant: **Mitch McCauley**
Employee Benefits Service Representative: **Genoa Molden**
Employee Benefits Sales and Service Office: **Dallas**

Employer Name: **City of College Station, Texas, a Texas Home - Rule Municipality**

Group Number: **643568-B**

Standard Insurance Company ("The Standard") amends the above Employer's coverage under the Group Policy to make the following change(s):

Rate Guarantee Period: January 1, 2006 through December 31, 2006

Next Renewal: January 1, 2007

This agreement is approved by The Standard and subject to The Standard's usual underwriting requirements.

This agreement is issued by The Standard and is in effect by its terms without any further acceptance by the Employer, and a copy of this Agreement form should be attached to and made a part of the in force policy.

CITY OF COLLEGE STATION

By: _____
Mayor
Date: _____

ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager
Date: _____

Adam C. Falco

City Attorney
Date: 11-20-08

Chief Financial Officer
Date: _____

November 24, 2008
Consent Agenda Item No. 2c
Equipment Replacement Fund Contingency Transfer to Fund a Pilot Project to Test Moving Non-Public Safety Users off the 800 MHz Radio System

To: Glenn Brown, City Manager

From: Ben Roper, Information Technology Director

Agenda Caption: Presentation, possible action and discussion on a Equipment Replacement Fund contingency transfer in the amount of \$18,881.05 for a pilot project to move selected non-Public Safety users from the 800 MHz radio system to a commercial push-to-talk radio system.

Recommendation(s): Staff recommends approval.

Summary: The City entered into an Inter-Local Agreement with Bryan, Brenham, Texas A&M University, Washington County, and Brazos County to create the Brazos Valley Wide Area Communications System (BVWACS). This new regional radio system will meet Department of Homeland Security interoperability communications requirements. As a result of the increased capability of the new system, the radio subscriber units will be more expensive than those presently in use.

In May, staff began researching communications options for possibly migrating non-public safety radio users off the 800 MHz system. This action will achieve small direct cost savings, allow the city to spread costs over 10 years, and lower the City's annual cost for the BVWACS.

This proposal is for a 10 month pilot project to test the feasibility of moving non-public safety users off the City's 800 MHz radio system. For the pilot, approximately ninety Parks and Recreation Department and Meter Services radios will be replaced by Nextel push-to-talk radios.

Budget & Financial Summary: Contingency funds to cover the pilot project cost have been identified in the Equipment Replacement Fund, and will be transferred to the appropriate account in the Equipment Replacement Fund.

This purchase is available through the Texas Department of Information Resources (DIR) contract DIR-SDD-611 which satisfies the City's requirement for competitive bidding/proposals.

Attachments:

Contingency Transfer Request form

REQUEST FOR CONTINGENCY TRANSFER

DATE: 24 November 2008

FROM: EQUIPMENT REPLACEMENT FUND CONTINGENCY ACCOUNT \$18,881.05
225-9111-939-10-10

TO:	225 6091 602 49 90	
	Purchase of Phones and Equipment	\$1,938.37
	Service Charges (Airtime)	\$ 16,942.68

JUSTIFICATION OF NEED FOR TRANSFER:

1. **Why is this request of such an emergency nature that it must be made immediately?**

This pilot program will allow us to determine the feasibility of moving non-public safety users off the city's 800 MHz radio system.

2. **Why was the item not budgeted in the normal budgetary process?**

Details for the pilot were not available during the budget process to allow participating departments to budget for operational costs.

3. **Justification as to why the transfer cannot be made within the division or department?**

There are a total of three departments involved in the pilot. There are costs for initial hardware, and monthly recurring charges for service. None of the participants budgeted funds for the pilot program.

Council Approval Required: yes

Date Approved by Council: 11/24/08

Requested by : IT Department

Budget Review: _____

Approved: Ben Roper
Department Head

Approved: _____
Budget Officer

Approved: _____
City Manager

November 24, 2008
Consent Agenda Item No. 2d
Land Acquired by Condemnation for Twin Oaks Landfill

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action, and discussion concerning a resolution approving special warranty deeds conveying one-half undivided interest to the City of Bryan in land acquired by condemnation for Twin Oaks Landfill and authorizing the mayor to sign said deeds.

Recommendation(s): Staff recommends approval of the resolution approving the special warranty deeds and authorizing the mayor to sign the special warranty deeds.

Summary: On October 23, 2008 Council approved a Resolution No. 10-23-08-3K authorizing the mayor to sign nine special warranty deeds conveying one-half undivided interest in land acquired by condemnation for the Twin Oaks Landfill to the City of Bryan. After Council approval, the City of Bryan requested changes to the language in the deeds including: (1) deleting a reference to the "Official Records" regarding the survey; (2) deleting Exhibit B (a copy of the resolution) from the deeds; (3) and shortening the conveyance language in the deeds for tracts 6, 15, and 18 to read "an undivided ½ interest in the Condemned Property described above". The changes requested by the City of Bryan are stylistic and do not change the substance of the deeds.

Budget & Financial Summary: N/A

Attachments:

1. A resolution with special warranty deeds will be distributed to the Council prior to the meeting.

**November 24, 2008
Consent Agenda Item No. 2e
Construction of New Traffic Signal**

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action, and discussion on the award of Bid#09-05, to Bayer Electric in the amount of \$157,232.50 for the installation of a traffic signal at the intersection of William D. Fitch Parkway and Lakeway Drive.

Recommendation(s): Staff recommends award of bid #09-05 to the lowest responsible bidder Bayer Construction in the amount of \$157,232.50.

Summary: Bids for the installation of this traffic signal were received from two construction companies. Third Coast Services of Pinehurst, Texas and Bayer Construction of Bryan both submitted bids. Bayer Construction was the lowest bidder in the amount of \$157,232.50

Budget & Financial Summary: Funds are available from 2003 General Obligation Bond Fund, Public Works, Traffic Division.

Attachments:

1. Resolution
2. Location map
3. Bid Tabulation

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING CONSTRUCTION CONTRACT #09-037 FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL PROJECT AT WILLIAM D. FITCH PARKWAY AND LAKEWAY DRIVE; AND AUTHORIZING THE EXPENDITURE OF FUNDS REGARDING SAME.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phases of a Traffic Signal Project; and

WHEREAS, the selection of BAYER CONSTRUCTION ELECTRICAL CONTRACTORS, INC. is being recommended as the lowest responsible bidder for the construction services related to the installation of a new traffic signals at William D. Fitch Parkway and Lakeway Drive; 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 BAYER CONSTRUCTION ELECTRICAL CONTRACTORS, INC. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with BAYER CONSTRUCTION ELECTRICAL CONTRACTORS, INC. for \$157,232.50 for the labor, materials and equipment required for the construction related to the Traffic Signal Project at the location of William D. Fitch and Lakeway Drive.

PART 3: That the funding for this Project shall be as budgeted from the 2003 General Obligation Bond Fund, Public Works Traffic Division, in the amount of \$157,232.50.

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

ADOPTED this _____ day of _____, A.D. 2008.

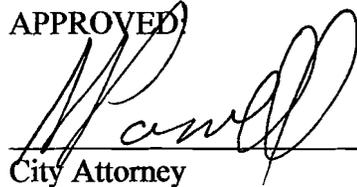
ATTEST:

APPROVED:

CONNIE HOOKS, City Secretary

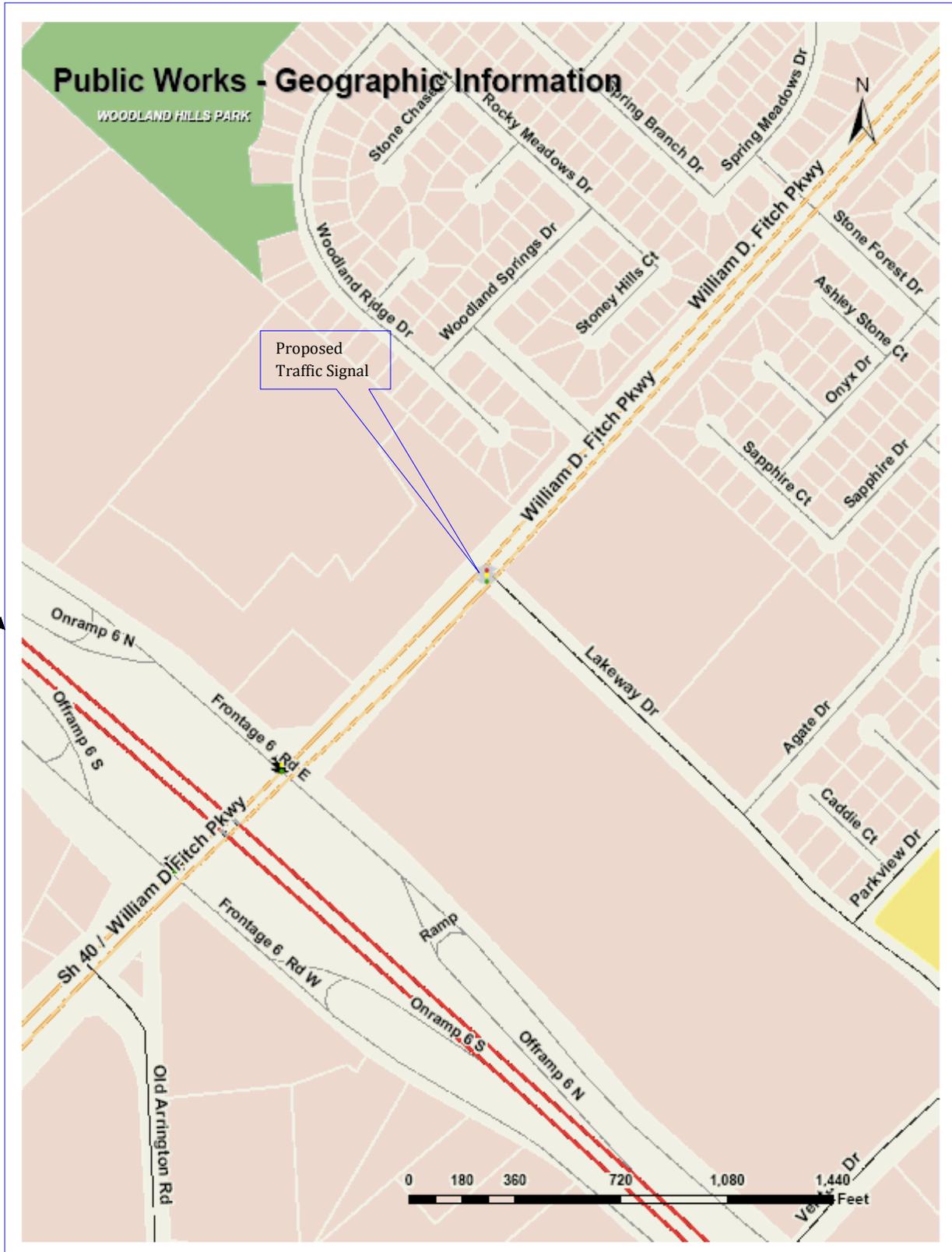
Ben White, Mayor

APPROVED:



City Attorney

NEW SIGNAL LOCATION WILLIAM D. FITCH AT LAKEWAY DRIVE



1



City of College Station - Purchasing Department
Bid Tabulation for #09-05
"Installation of Traffic Signals"
Open Date: Thursday, October 23, 2008 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Bayer Construction Electrical Contractors, Inc. (Bryan, TX)		Third Coast Services, LLC (Pinehurst, TX)	
				MATERIAL COST	INSTALLATION COST	MATERIAL COST	INSTALLATION COST
1	1	EA	"P" style NEMA traffic cabinet w/ detector rack & "EAGLE" MARC system comm. panel 12-ch. HI-TECH, including: NEMA loadswitches Texas Signal Equip., part #TSE-200, NEMA Transfer Relays part #TSE-FL, Conflict Monitor "Eberie" Design Inc. part #SSM-12E, NEMA flasher part #TSE-204 15, and Plug-in vehicle detector amplifiers, Sarasota part #222TxGP5 Dual Channel	\$5,500.00	\$1,000.00	\$5,500.00	\$1,482.00
2	1	EA	"EAGLE" 8 phase controller part #Genesis 3608 m10, w/ Conflict Monitor	\$2,500.00	\$250.00	\$2,500.00	\$18.53
3	6	EA	3-Section polycarbonate black color w/ 12" LED lens signal heads and black aluminum 3-Section backplates	\$2,800.00	\$800.00	\$3,780.00	\$444.60
4	4	EA	5-Section polycarbonate black color w/ 12" LED lens signal heads and black aluminum 5-Section backplates	\$3,000.00	\$1,000.00	\$4,200.00	\$296.40
5	4	EA	1-Section LED, 16-inch Dual Pedestrian Countdown signal heads with 9-inch full symbol Hand/Man, Leotek Model No. TP16H-CD, or equivalent	\$2,000.00	\$200.00	\$2,380.00	\$1,778.40
6	4	EA	Pedestrian pushbutton assemblies w/ educational sign, "Push Button to Cross Street", Texas MUTCD Sign R10-3e, 9"x15"	\$600.00	\$200.00	\$235.20	\$592.80



City of College Station - Purchasing Department
Bid Tabulation for #09-05
"Installation of Traffic Signals"
Open Date: Thursday, October 23, 2008 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Bayer Construction Electrical Contractors, Inc. (Bryan, TX)		Third Coast Services, LLC (Pinehurst, TX)	
				MATERIAL COST	INSTALLATION COST	MATERIAL COST	INSTALLATION COST
7			ASTRO-BRAC CABLE MOUNT ASSY				
	2	EA	AB-0133-1-way ped assy. w/ 23" tube, 84" cable	\$280.00	\$50.00	\$280.00	\$37.05
	1	EA	AB-0131-2-way ped assy. w/ 23" tube, 84" cable	\$140.00	\$25.00	\$280.00	\$18.53
	4	EA	AB-0125-5-62"	\$560.00	\$100.00	\$560.00	\$74.10
	6	EA	AB-0125-3-62"	\$840.00	\$150.00	\$840.00	\$111.15
8	4	EA	Streetscape signal poles, 30-ft long length, bronze color, powdered finish over galvanized steel w/ flanged base	\$16,216.00	\$4,000.00	\$16,216.00	\$2,964.00
9	4	EA	Streetscape mast arms, 45-ft long length, bronze color, powdered finish over galvanized steel w/ flanged base	\$9,408.00	\$4,000.00	\$9,408.00	\$2,964.00
10	2	EA	Aluminum pedestal pole, 11-ft long length	\$2,058.00	\$1,000.00	\$2,058.00	\$741.00
11	4	EA	Pull Boxes w/ locking cover, Type I (see specs.)	\$800.00	\$2,000.00	\$2,800.00	\$2,964.00
12	3	EA	Pull Boxes w/ locking cover, Type II (see specs.)	\$600.00	\$1,500.00	\$4,200.00	\$2,223.00
13	4	EA	Luminaires, 250 watt HPS w/ 15-ft long streetscape support arms, bronze color	\$2,268.00	\$2,000.00	\$2,268.00	\$592.80
14	1	EA	Metered Pedestal Pole, 4-Terminal, 125-amp, Twin Link Connectors, for Direct Burial	\$500.00	\$500.00	\$5,625.00	\$741.00
15	1550	LF	2" Dia. Gray PVC Sched. 40 Conduit	\$775.00	\$15,500.00	\$3,472.00	\$11,485.50
16	75	LF	3" Dia. Gray PVC Sched. 40 Conduit	\$75.00	\$750.00	\$231.00	\$555.75
17	380	LF	4" Dia. Gray PVC Sched. 40 Conduit	\$570.00	\$7,980.00	\$1,383.20	\$2,815.80
18	840	LF	7/c #14 AWG stranded signal cable IMSA 19-1 or equivalent	\$546.00	\$714.00	\$1,176.00	\$622.44
19	2300	LF	5/c #14 AWG stranded signal cable IMSA 19-1 or equivalent	\$1,265.00	\$1,035.00	\$2,576.00	\$1,704.30



City of College Station - Purchasing Department
Bid Tabulation for #09-05
"Installation of Traffic Signals"
Open Date: Thursday, October 23, 2008 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Bayer Construction Electrical Contractors, Inc. (Bryan, TX)		Third Coast Services, LLC (Pinehurst, TX)	
				MATERIAL COST	INSTALLATION COST	MATERIAL COST	INSTALLATION COST
20	575	LF	3/c #4 power cable	\$575.00	\$575.00	\$4,025.00	\$426.08
21	2930	LF	THHN 3-1/c #10 luminaire cable	\$879.00	\$2,051.00	\$2,461.20	\$2,171.13
22	1	EA	Installation of concrete signal controller foundation	\$300.00	\$1,700.00	\$700.00	\$1,482.00
23	4	EA	Installation of signal pole foundation 13' deep	\$2,800.00	\$6,500.00	\$4,368.00	\$9,633.00
24	1	EA	Installation of Reusable Helix Screw Foundation for Pedestal Pole	\$600.00	\$500.00	\$462.00	\$74.10
25	1	EA	Installation of pedestal pole foundation	\$200.00	\$1,000.00	\$420.00	\$148.20
26	1	EA	Left Turn Yield on Green Ball (30" x 36")	\$150.00	\$150.00	\$350.00	\$74.10
27	1	EA	U-Yield on Green Ball (30" x 36")	\$150.00	\$150.00	\$280.00	\$74.10
28	8	EA	Rackvision Video Processor Cards	\$3,840.00	\$1,000.00	\$3,840.00	\$148.20
29	4	EA	Video Camera w/ Zoom Lens and Mounting Brackets	\$5,020.00	\$2,000.00	\$5,020.00	\$296.40
30	4	EA	Quick Release Connector for Cameras	\$180.00	\$400.00	\$180.00	\$2.96
31	1	EA	9" Black and White Monitor	\$140.00	\$100.00	\$140.00	\$18.53
32	1	EA	VIVDS Power Panel w/ Lightning Protection	\$200.00	\$100.00	\$200.00	\$18.53
33	840	LF	Siamese Cable (3-Conductor 16 Gauge and 8281 Cable)	\$1,008.00	\$672.00	\$1,008.00	\$622.44
34	4	EA	Confirmation Lights w/ Power Cable	\$400.00	\$400.00	\$1,120.00	\$296.40
35	4	EA	Priority Control System Detector (3M Opticom Model 711)	\$5,500.00	\$400.00	\$6,092.80	\$296.40
36	825	LF	Model 739 Detector Cable (for 3M Opticom Priority Control Systems)	\$500.00	\$737.50	\$577.50	\$611.30



City of College Station - Purchasing Department
Bid Tabulation for #09-05
"Installation of Traffic Signals"
Open Date: Thursday, October 23, 2008 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Bayer Construction Electrical Contractors, Inc. (Bryan, TX)		Third Coast Services, LLC (Pinehurst, TX)	
				MATERIAL COST	INSTALLATION COST	MATERIAL COST	INSTALLATION COST
37	4	EA	High Intensity Street Name Sign Installations on Mast Arms (2- "William D. Fitch Pkwy"; 2- "Lakeway Dr.")	<i>\$1,200.00</i>	\$2,000.00	<i>\$1,200.00</i>	\$592.80
38	As Required	LS	Traffic control and construction barricades	\$2,500.00	\$2,500.00	\$700.00	\$2,964.00
39	As Required	LS	Misc. construction materials	\$4,000.00	\$6,100.00	\$2,380.00	\$741.00
TOTALS				\$83,443.00	\$73,789.50	\$107,492.90	\$55,918.82
TOTAL BID PRICE (Material Costs + Installation Costs)				\$157,232.50		\$163,411.72	
Executed 5% Bidder's Bond				✓		✓	
Certification from bid package				✓		✓	

Total number of calendar days to completion = 60 days

NOTE: Italicized figures include the cost of materials provided by the City of College Station.

**November 24, 2008
Consent Agenda Item No. 2f
TexPool Resolution**

To: Glenn Brown, City Manager
From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action and discussion on a resolution amending the authorized representatives at TexPool.

Recommendation(s): Staff recommends approval of the resolution.

Summary: Organized in 1989, TexPool is the largest and oldest local government investment pool in the State of Texas. TexPool currently provides investment services to over 1,700 communities throughout Texas. The State Comptroller oversees TexPool, and Federated Investors manage the daily operations of the pool under a contract with the Comptroller. TexPool is managed conservatively to provide a safe, efficient, and liquid investment alternative to Texas governments. The pool seeks to maintain a \$1.00 value per share as required by the Texas Public Funds Investment Act. TexPool investments consist exclusively of U. S. Government securities, repurchase agreements collateralized by U. S. Government securities, and AAA-rated no-load money market mutual funds. TexPool is rated AAAM by Standard & Poor's, the highest rating a local government investment pool can achieve. The weighted average maturity of the pool cannot exceed 60 days, with the maximum maturity of any investment limited to 13 months. TexPool, like the City, is governed by the Texas Public Funds Investment Act.

This resolution designates those employees that are able to act as authorized representatives for the City's TexPool accounts.

Budget & Financial Summary: None

Attachments:

Resolution



RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES

WHEREAS, City of College Station

(Participant Name & Location Number)

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

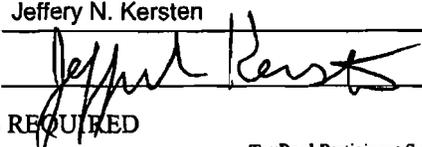
WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool *Prime*"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool *Prime* and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by all remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool *Prime* account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

I. Name	<u>Jeffery N. Kersten</u>	Title	<u>Chief Financial Officer</u>
Signature	<u></u>	Phone Number	<u>979-764-3745</u>

ORIGINALS REQUIRED

TEX - REP

TexPool Participant Services • Federated Investors Inc
1001 Texas Ave., Suite 1400 • Houston, TX 77002 • www.texpool.com • 1-866-839-7665

10/08

2. Name Cheryl A. Wright Title Treasurer
 Signature *Cheryl A. Wright* Phone Number 979-764-3554
 3. Name Brandi Whittenton Title Finance Staff Assistant
 Signature *Brandi Whittenton* Phone Number 979-764-3552
 4. Name _____ Title _____
 Signature _____ Phone Number _____

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Cheryl A. Wright
 Email cwright@cstx.gov Fax Number 979-764-3571

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name _____ Title _____

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the _____ day _____, 20 ____.

NAME OF PARTICIPANT: City of College Station

BY: _____
 Signature

 Printed Name
 Mayor
 Title

ATTEST: _____
 Signature

 Printed Name
 City Secretary
 Title

This document supersedes all prior Authorized Representative designations.

APPROVED:

Carla A. Robinson
 City Attorney

ORIGINALS REQUIRED

TEX – REP

TexPool Participant Services • Federated Investors Inc
 1001 Texas Ave., Suite 1400 • Houston, TX 77002 • www.texpool.com • 1-866-839-7665

10/08

November 24, 2008
Consent Agenda Item No. 2g
Budget Approval and Funding Agreement With the George Bush Presidential
Library Foundation

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY09 in the amount of \$100,000.

Recommendation(s): Staff recommends approval of the George Bush Presidential Library Foundation budget and the funding agreement for FY09.

Summary: As part of the 2008-2009 budget process the City Council approved funding for the George Bush Presidential Library Foundation in the amount of \$100,000.

Budget & Financial Summary: The funds for this agreement are budgeted and available in the 2008-2009 Hotel Tax Fund Budget. A total of \$100,000 is to be used for marketing and operational activities directly associated with the promotion of tourism and the hotel industry in College Station. State law requires that the City Council approve the budget of any organization that is to be funded through the Hotel Tax.

Attachments:

1. George Bush Presidential Library Foundation budget
2. George Bush Presidential Library Foundation Funding Agreement

MARKETING AND PUBLIC RELATIONS

Radio Advertising (KAMU) 3 spots per day @ \$5.00/ea. (General Museum info when not advertising exhibits)	\$	5,475.00
Professional Association Dues/Membership	\$	3,445.00
Presidential Corridor Association		
Texas Travel Industry Association		
B/CS Chamber of Commerce		
Texas Bluebonnet Travel Council		
East Texas Tourism Association		
International Association of Business Communicators		
Brenham Chamber of Commerce		
Eagle Advertising Program	\$	10,000.00
Graphic Design Services	\$	2,000.00
Suddenlink / K MAY Advertising	\$	5,000.00
KBTX-TV Advertising	\$	10,900.00
Discretionary Advertising (WAS)	\$	10,380.00
Display Banners to replace tabletop display	\$	1,800.00

TOTAL MARKETING BUDGET \$ 49,000.00

GRANT FUNDING

Baseball Brochure Design and Printing (100,000)	\$	8,500.00
Space Brochure Design and Printing (150,000)	\$	9,500.00
Promotional Kiosks and Video Production (Austin & Houston)	\$	25,000.00
Print Advertising (Southern Living, AAA Journeys, etc.)	\$	20,000.00
Trade Show Promotional Items	\$	4,000.00
Supplies (Paper, Postage, Toner, etc.)	\$	5,500.00
TTIA File Folder Program	\$	475.00
Certified Folder Program (Cooperative Effort with CVB and Messina Hof) Precision Litho (Printing)	\$	5,725.00
Travel and Tourism Trade Shows (Travel and Exhibitor Fees - Dan Dipert, Travel Summit, NAB, etc.)	\$	6,300.00
Houston Chronicle Advertising Wrap	\$	15,000.00

TOTAL GRANT FUNDED PROGRAMS \$ 100,000.00

**FUNDING AGREEMENT PROVIDING FOR THE PAYMENT AND USE
OF HOTEL TAX REVENUE BETWEEN THE CITY OF COLLEGE
STATION AND THE GEORGE BUSH PRESIDENTIAL LIBRARY
FOUNDATION FOR OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009**

THIS AGREEMENT is made between the CITY OF COLLEGE STATION, a Home Rule Municipal Corporation incorporated under the State of Texas (hereinafter referred to as the “City”), and The George Bush Presidential Library Foundation, d.b.a Bush Presidential Library Foundation, a Texas Non-Profit Corporation (hereinafter referred to as the “Agency”):

WHEREAS, Texas Tax Code §351.002 and §351.003(a) authorize City to levy by ordinance a municipal hotel occupancy tax (“hotel tax”) not exceeding seven percent (7%) of the consideration paid by a hotel occupant; and

WHEREAS, by ordinance, City has provided for the assessment and collection of a municipal hotel occupancy tax in the City of College Station of seven percent (7%); and

WHEREAS, Texas Tax Code §351.101(a) authorizes City to use revenue from its municipal hotel occupancy tax to promote tourism and the convention and hotel industry, yet limits such revenue use for historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums; and

WHEREAS, Agency is well equipped to perform those activities; and

WHEREAS, Texas Tax Code §351.101(c) authorizes City to delegate by contract with Agency; as an independent entity, the management or supervision of programs and activities of the type described hereinabove funded with revenue from the municipal hotel occupancy tax;

NOW, THEREFORE, IN CONSIDERATION of the performance of the mutual covenants and promises contained herein, City and Agency agree and contract as follows:

**ARTICLE I
DEFINITIONS**

1.1 The term “Agency” shall mean The George Bush Presidential Library Foundation, a Texas Non-Profit Corporation to which the City has delegated the management or supervision of programs and activities funded with Hotel Tax Revenue.

1.2 The term “City” shall mean the City of College Station, in the County of Brazos, and the State of Texas.

1.3 The term “Contract Quarter” shall refer to any quarter of the contract year in which this Agreement is in force. Contract Quarters will end on December 31st, March 31st, June 30th, and September 30th, of each contract year.

1.4 The term “Event” shall include any and all banquets, ceremonial dinners, promotional programs, or other public or private event hosted by Agency.

1.5 The term “Financial Activity Report” shall mean a quarterly report which includes a summary of Agency’s revenues and expenditures, and a summary of Agency’s assets and liabilities to be submitted to the City on the sample forms attached herein as Exhibit A or in a form agreed upon by Agency and City.

1.6 The term “Financial Records” shall mean invoices, receipts, bank statements, reconciliations, cleared checks, financial statements and audit reports.

1.7 The term “Hotel Tax Revenue” shall mean the gross monies collected and received by City as municipal hotel occupancy tax at the rate of seven percent (7%) of the price paid for a room in a hotel, pursuant to Texas Tax Code §351.003 (a) and City Ordinances. Hotel Tax Revenue will include penalty and interest related to the late payments of the tax revenue by the taxpayer.

1.8 The term “Narrative Summary of Activity Report” shall mean the quarterly summary report of the activities of Agency including a summary of how funds from City have been utilized to accomplish the Agency’s work. Such report shall be submitted on the form attached herein as Exhibit B.

1.9 The term “Performance Measure Report” shall mean the quarterly report to determine the levels of service that are being provided by Agency to be submitted to the City on the form attached herein as Exhibit C.

1.10 The term “Program Report” shall mean a report as required by Texas Tax Code §351.108 listing each of the Agency’s scheduled activity, program, or event that: is directly funded with Hotel Tax Revenue or has its administrative costs funded in whole or in part by the Hotel Tax Revenue and is directly enhancing and promoting tourism and the convention and hotel industry. Such report shall be submitted on the form attached herein as Exhibit D.

ARTICLE II. HOTEL TAX REVENUE PAYMENT

2.1 Consideration and Payment. For and in consideration of the activities to be satisfactorily performed by Agency under this Agreement, City agrees to pay to Agency a portion of the Hotel Tax Revenue collected by City in the total amount of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00), to be paid as follows:

(a) The total amount of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) from the City’s Hotel Tax Revenue. Payment will be made in four (4) installments of \$25,000.00 each.

2.2 Quarterly payments will be dependent upon the City receiving all reports required herein from the Agency. Quarterly reports are due no later than thirty (30) days after the end of each

Contract Quarter (no later than January 30th, April 30th, July 30th, October 30th, of each contract year.)

2.3 Other limitations regarding consideration.

- (a) It is expressly understood that this contract in no way obligates the General Fund or any other monies or credits of City.
- (b) City may withhold allocations if City determines that expenditures of Agency deviate materially from their approved budget or if the reports required herein are not submitted in a complete and timely manner.

**ARTICLE III
USE OF HOTEL TAX REVENUE**

3.1 Use of Funds. For and in consideration of the payment by City to Agency of the agreed payments of Hotel Tax Revenue specified above, Agency agrees to manage or supervise the programs and activities funded with Hotel Tax Revenue. Agency further agrees to use such Hotel Tax Revenue for historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

- (a) At or in the immediate vicinity of convention center facilities or visitor information centers; or
- (b) Located elsewhere in the City of College Station or its vicinity that would be frequented by tourists and convention delegates.
- (c) The City Council and City Manager or their designees shall have the right to attend Agency events or promotional programs as representatives of the City to promote tourism and the convention and hotel industry at no additional cost to the City.

3.2 Administrative Costs. The Hotel Tax Revenue received from City by Agency may be spent for Agency's day-to-day operations, supplies, salaries, office rental, travel expenses, and other administrative costs only if those administrative costs are incurred directly in the promoting of: tourism and the convention and hotel industry and the historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

- (a) At or in the immediate vicinity of convention center facilities or visitor information centers; or
- (b) Located elsewhere in the City of College Station or its vicinity that would be frequented by tourists and convention delegates.

3.3 Specific Restrictions on Use of Funds.

(a) That portion of total administrative costs of Agency for which Hotel Tax Revenue may be used shall not exceed that portion of Agency's administrative costs actually incurred in conducting the activities specified in §3.1 above.

(b) Hotel Tax Revenue may not be spent for travel for a person to attend an event or conduct an activity the primary purpose of which is not directly related to the promotion of tourism and the convention and hotel industry or the performance of the person's job in an efficient and professional manner.

ARTICLE IV RECORDKEEPING AND REPORTING REQUIREMENTS

4.1 Budget.

(a) Prior to execution of this Funding Agreement, Agency shall submit to the City Manager of City an annual budget to be approved by the City Council for each fiscal year, for such operations of Agency funded by Hotel Tax Revenues. This budget shall specifically identify proposed expenditures of Hotel Tax Revenue by Agency. In other words, City should be able to audit specifically the purpose of each individual expenditure of Hotel Tax Revenue from the separate account relating to Hotel Tax Revenue. City shall not pay to Agency any Hotel Tax Revenues as set forth in Article II of this Agreement during any program year of this Agreement unless a budget for such respective program year has been approved in writing by the College Station City Council. Approval of the budget by the City Council shall not preclude the Agency from reasonably reallocating funds within the budget among line items to meet changing conditions. Such reallocation shall not necessitate a new approval by the City Council. Failure to submit an annual budget may be considered a breach of contract, and if not remedied is considered grounds for termination of this Agreement as stated in paragraph 6.2 of this agreement.

(b) Agency acknowledges that the approval of such budget by the College Station City Council creates a fiduciary duty in Agency with respect to the Hotel Tax Revenue paid by City to Agency under this Agreement. Agency shall expend Hotel Tax Revenue only in the manner and for the purposes specified in this Agreement, Texas Tax Code §351.101(a), and in the budget as approved by City.

4.2 Separate Accounts. Agency shall maintain Hotel Tax Revenue paid to Agency by City in a separate account, or with segregated fund accounting, such that any reasonable person can ascertain the revenue source of any given expenditure.

4.3 Financial Records. Agency shall maintain a complete and accurate financial record of each expenditure of the Hotel Tax Revenue made by Agency. These funds shall be classified as restricted funds for audited financial purposes.

4.4 Agency shall maintain such records, accounts, reports, files or other documents for a minimum of five (5) years after the expiration of this agreement. City's right to access Agency's files shall continue during this five (5) year period and for as long as the records are retained by Agency.

4.5 Upon written request of the College Station City Council, or other person, Agency shall make such financial records available for inspection and review by the party making the request. Agency understands and accepts that financial records and any other records relating to this Agreement shall be subject to the Public Information Act, Texas Government Code, §552, as hereafter amended.

4.6 Program Report. Agency understands that such report shall be completed in its entirety and the original report shall be submitted to the City prior to any funds being disbursed.

4.7 Quarterly Reports. Agency shall submit the following to the City on a quarterly basis as provided in this Agreement:

- (1) Financial Activity Report.
- (2) Narrative Summary of Activity Report.
- (3) Performance Measure Report.

4.8 Agency shall respond promptly to any request from the City Manager of City, or designee, for additional information relating to the activities performed under this Agreement.

4.9 The Financial Activity Report, Narrative Summary of Activity Report and Performance Measure Report shall be submitted to the City within thirty (30) days of the end of each Contract Quarter (no later than January 30th, April 30th, July 30th, and October 30th of each contract year.)

4.10 A copy of the Agency's annual financial audit shall be made available to City no later than thirty (30) days following Agency's receipt of same.

4.11 If requested, Agency shall make an annual report and presentation to the City Council.

4.12 The City shall conduct a monitoring review of the Agency as deemed necessary by the City so as to evaluate Agency's compliance with the provisions of this Agreement. Said monitoring may consist of on-site monitoring reviews.

**ARTICLE V
AGENCY BOARD OF DIRECTORS**

5.1 Agency shall provide the City with an agenda of all regular and non-regular Board meetings five (5) days prior to the meeting with information as to the date, time and place of meeting. If a non-regular meeting is scheduled, Agency shall immediately notify the City of non-regular meeting. Said notification should be in writing via facsimile or e-mail; or orally by telephone, depending on Agency's own notification of the Board meeting.

5.2 Agency shall submit minutes of each Board of Directors meeting and Executive Committee meeting to the City within ten (10) days after approval of the minutes.

**ARTICLE VI
TERM AND TERMINATION**

6.1 Term. The term of this Agreement shall commence on October 1, 2008 and terminate at midnight on October 31, 2009. However, the program period shall commence on October 1, 2008 and terminate at midnight on September 30, 2009. Only those expenditures authorized by Chapter 351 of the Texas Tax Code which are actually incurred during the program period, for events and activities taking place within the program period, are eligible for funding under this Agreement, and any ineligible expenditures or unspent funds shall be forfeited to City upon termination of the Agreement.

6.2 Termination Without Cause.

(a) This Agreement may be terminated by either party, with or without cause, by giving the other party sixty (60) days advance written notice.

(b) In the event this Agreement is terminated by either party pursuant to §6.2(a), City agrees to reimburse Agency for any contractual obligations undertaken by Agency in satisfactory performance of those activities specified in hereinabove and that were approved by the Council through the budget, as noted in §4.1. This reimbursement is conditioned upon such contractual obligations having been incurred and entered into in the good faith performance of those services contemplated in §§3.1 and 3.2 above, and further conditioned upon such contractual obligations having a term not exceeding the full term of this Agreement.

(c) Further, upon termination pursuant to §6.2(a) of this agreement, Agency will provide the City:

(1) Within ten (10) business days from the termination notification, a short-term budget of probable expenditures for the remaining sixty (60) day period between termination notification and contract termination. This budget will be presented to Council for approval within ten (10) business days after receipt by City. If formal approval is not given within ten (10) business days and the budget does not contain any expenditures that would be prohibited by the Texas Tax

Code, and is within the current contractual period approved budget; the budget will be considered approved;

(2) Within thirty (30) days, a full accounting of all expenditures not previously audited by City;

(3) Within five (5) business days of a request from City, a listing of expenditures that have occurred since the last required reporting period;

(4) A final accounting of all expenditures and tax funds on the day of termination. Agency will be obligated to return any unused funds or funds determined to be used improperly. Any use of remaining funds by Agency after notification of termination is conditioned upon such contractual obligations having been incurred and entered into in the good faith performance of those services contemplated in 3.1 and 3.2 above, and further conditioned upon such contractual obligations having a term not exceeding the full term of this Agreement.

6.3 Automatic Termination. This Agreement shall automatically terminate upon the occurrence of any of the following events:

(a) The termination of the legal existence of Agency;

(b) The insolvency of Agency, the filing of a petition in bankruptcy, either voluntarily or involuntarily, or an assignment by Agency for the benefit of creditors;

(c) The continuation of a breach of any of the terms or conditions of this Agreement by either City or Agency for more than thirty (30) days after written notice of such breach is given to the breaching party by the other party; or

(d) The failure of Agency to submit quarterly reports which comply with the reporting procedures required herein and generally accepted accounting principles within thirty (30) days from the date City notifies Agency of such breach.

(e) The failure of Agency to submit a Quarterly Financial Activity Report as required by Texas Tax Code §351.101(c) within thirty (30) days from the date City notifies Agency of such breach.

6.4 Right to Immediate Termination Upon Litigation. Notwithstanding any other provision of this Agreement, to mitigate damages and to preserve evidence and issues for judicial determination, either party shall have the right to terminate this Agreement upon immediate notice to the other party in the event that any person has instituted litigation concerning the activities of the non-terminating party, and the terminating party reasonably believes that such activities are required or prohibited under this Agreement.

6.5 In the event that this Agreement is terminated pursuant to §§6.3 or 6.4 of this agreement, Agency agrees to refund any and all unused funds, or funds determined by City to have been used improperly, within thirty (30) days after termination of this Agreement.

ARTICLE VII HOLD HARMLESS

7.1 **Hold Harmless.** The parties agree to hold each other harmless from and against any and all claims, losses, damages, causes of action, suits and liabilities of every kind, including all expenses of litigation, court costs and attorney's fees, for injury or death of any person, for damage to any property, or for any breach of contract, arising out of or in connection with the work done under this Agreement, as permitted by law.

ARTICLE VIII GENERAL PROVISIONS

8.1 **Subcontract for Performance of Services.** Nothing in this Agreement shall prohibit, nor be construed to prohibit, the agreement by Agency with another private entity, person, or organization for the performance of those services described in §3.1 above. In the event that Agency enters into any arrangement, contractual or otherwise, with such other entity, person or organization, Agency shall cause such other entity, person, or organization to adhere to, conform to, and be subject to all provisions, terms, and conditions of this Agreement and to Tex. Tax Code § 351, including reporting requirements, separate funds maintenance, and limitations and prohibitions pertaining to expenditure of the agreed payments and Hotel Tax Revenue.

8.2 This Agreement and each provision hereof, and each and every right, duty, obligation, and liability set forth herein shall be binding upon and inure to the benefit and obligation of City and Agency and their respective successors and assigns.

8.3 The City and Agency attest that, to the best of their knowledge, no member of the City of College Station City Council and no other officer, employee or agent of the City, who exercises any function or responsibility in connection with the carrying out of the terms of this Agreement, has any personal interest, direct or indirect, in this Agreement.

8.4 Agency covenants and agrees that, during the term of this Agreement, it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or disability. Agency will take affirmative action to ensure that applicants who are employed are treated, during employment, without regard to their race, color, religion, sex, national origin or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation and selection. Agency agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination requirement.

8.5 Agency expressly agrees that, in all solicitations or advertisements for employees placed by or on behalf of Agency, there will be a statement that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin or disability.

8.6 Agency certifies that it will not limit services or give preference to any person assisted through this Agreement on the basis of religion and that it will provide no religious instruction or counseling, conduct no religious worship or services, and engage in no religious proselytizing in the provision of services or the use of facilities or furnishings assisted in any way under this Agreement.

8.7 No amendment to this Agreement shall be effective and binding unless and until it is reduced to writing and signed by duly authorized representatives of both parties.

8.8 This Agreement has been made under and shall be governed by the laws of the State of Texas.

8.9 Performance and all matters related thereto shall be in Brazos County, Texas, United States of America.

8.10 Each party has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this Agreement hereby represent that they have authorization to sign on behalf of their respective organizations.

8.11 Failure of any party, at any time, to enforce a provision of this Agreement, shall in no way constitute a waiver of that provision, nor in any way affect the validity of this Agreement, any part hereof, or the right of either party thereafter to enforce each and every provision hereof. No term of this Agreement shall be deemed waived or breach excused unless the waiver shall be in writing and signed by the party claimed to have waived. Furthermore, any consent to or waiver of a breach will not constitute consent to or waiver of or excuse of any other different or subsequent breach.

8.12 The parties acknowledge that they have read, understand and intend to be bound by the terms and conditions of this Agreement.

8.13 This Agreement and the rights and obligations contained herein may not be assigned by any party without the prior written approval of the other parties to this Agreement.

8.14 It is understood and agreed that this Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

8.15 If any provision of this Agreement shall be held to be invalid, illegal, or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The parties shall use

their best efforts to replace the respective provision or provisions of this Agreement with legal terms and conditions approximating the original intent of the parties.

8.16 It is understood that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter. No oral understandings, statements, promises, or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally. No verbal agreement or conversation with any officer, agent, or employee of any party before or after the execution of this Agreement shall affect or modify any of the terms or obligations hereunder.

8.17 Unless otherwise specified, written notice shall be deemed to have been duly served if delivered in person or sent by certified mail to the last business address as listed herein. Each party has the right to change its business address by giving at least thirty (30) days advance written notice of the change to the other party.

City: City of College Station
Attn: Susan Manna, Budget Analyst
Fiscal Services Department
Budget and Strategic Planning Division
1101 Texas Avenue
College Station, Texas 77840

Agency: The George Bush Presidential Library Foundation
1000 George Bush Drive West
College Station, TX 77845

Executed this the ____ day of _____, 2008.

**GEORGE BUSH PRESIDENTIAL
LIBRARY FOUNDATION**

CITY OF COLLEGE STATION

By: TERRI LACY, Sec-Treas
Printed Name: TERRI LACY
Title: Secretary - Treasurer
Date: 10-31-08

By: _____
Mayor

ATTEST:

City Secretary

APPROVED:

City Manager

Date

Alan C. Feltz

City Attorney

Date

Chief Financial Officer

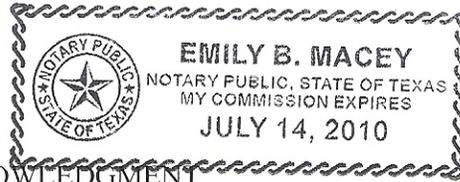
Date

STATE OF TEXAS)
)
COUNTY OF BRAZOS)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 31 day of October, 2008,
by Terra Lacy in his/her capacity as Secretary-Treasurer of The
George Bush Presidential Library Foundation.

Emily Macey
Notary Public in and for
the State of Texas



STATE OF TEXAS)
)
COUNTY OF BRAZOS)

ACKNOWLEDGMENT

This instrument was acknowledged before me on the ____ day of _____, 2008,
by _____ in his/her 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

Exhibit A

Statements of Financial Position

Outside Agency: _____

STATEMENTS OF FINANCIAL POSITION

Period _____

ASSETS	Current Period		Current Period		Year to Date		Year to Date	
	Hotel Tax		Non-Hotel Tax		Hotel Tax		Non-Hotel Tax	
Cash and cash equivalents								
Short-term investments								
Prepaid expenses								
Unconditional promises to give								
Cash restricted to purchase of equipment								
Long-term investments								
Contribution receivable—charitable lead trust								
Deposits on leased and other property								
Property and equipment								
TOTAL ASSETS								
LIABILITIES								
Accounts payable								
Compensation								
Refundable advances								
Long-term debt								
TOTAL LIABILITIES								
NET ASSETS								
Unrestricted								
Temporarily restricted								
Permanently restricted								
TOTAL NET ASSETS								
TOTAL LIABILITIES AND NET ASSETS								

Exhibit A

Statement of Financial Activities - Hotel Tax

Outside Agency: _____

STATEMENT OF ACTIVITIES

Period: _____

	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
REVENUES, GAINS, AND OTHER SUPPORT				
Contributions				
	—	—	—	—
	—	—	—	—
Capital campaign	—	—	—	—
Equipment acquisition	—	—	—	—
Endowment	—	—	-	—
Other	—	—	—	—
Federal financial assistance	—	—	—	—
Program service fees	—	—	—	—
Investment return	—	—	—	—
Change in value of split-interest agreement	—	—	—	—
Other	—	—	—	—
Net assets released from restrictions	—	—	—	—
Expiration of time restrictions	—	—	—	—
Restrictions satisfied by charitable lead trust receipts	—	—	—	—
Restrictions satisfied by payments	—	—	—	—
TOTAL REVENUES, GAINS, AND OTHER SUPPORT	—	—	—	—
EXPENSES				
Program services				
	—	—	—	—
	—	—	—	—
Supporting services				
Management and general	—	—	—	—
Fund-raising	—	—	—	—
TOTAL EXPENSES	—	—	—	—
CHANGE IN NET ASSETS	—	—	—	—
NET ASSETS AT BEGINNING OF YEAR	—	—	—	—
NET ASSETS AT END OF YEAR	—	—	—	—

Exhibit B
Narrative Summary of Activity Report

Please provide a narrative summary of the activities funded with the Hotel Tax Revenue.
Use additional sheets if more space is needed.

Exhibit C
Performance Measure Report

The George Bush Presidential Library Foundation				
Description & Budget Explanation:				
The George Bush Presidential Library Foundation will inform and enrich learners of all ages about American history the general role of the President, and the administration of George H.W. Bush.				
Yearly Budget Summary	FY06	FY07	FY08	FY09
	Actual	Actual	Actual	Estimate
	\$50,000	\$50,000	\$100,000	\$100,000
Quarterly Budget Summary	Quarter 1	Quarter 2	Quarter 3	Quarter 4
	Proposed	Proposed	Proposed	Proposed
	\$0	\$0	\$0	\$0

Program Name: The George Bush Presidential Library Foundation

Service Level: The George Bush Presidential Library Foundation will promote and enhance tourism via educational programs, exhibits, and promotional activities

Performance Measures:	Quarter 1	Quarter 2	Quarter 3	Quarter 4
	Actual	Proposed	Proposed	Proposed
Number of visitors				
Number of new exhibits				
Number of existing exhibits				
Number of advertising or promotional activities conducted				
Number of educational programs conducted				

November 24, 2008

Consent Agenda Item No. 2h

Authorize Brazos County Appraisal District Expenditures

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Presentation, possible action and discussion to authorize the expenditures for the Brazos County Appraisal District in the amount of \$237,596 pursuant to Texas State Property Tax Code Section 6.06 (d).

Recommendation(s): Staff recommends approval of the expenditures in the amount of \$237,596 to the Brazos County Appraisal District.

Summary: Chapter 6, Section 6.01 of the Texas State Property Tax Code calls for an appraisal district to be established in each county, and states, "The district is responsible for appraising property in the district for ad valorem tax purposes of each taxing unity that imposes ad valorem taxes in the district." Chapter 6.06(d) stipulates how the funding is allocated, "each taxing unit participating in the district is allocated a portion of the amount of the budget equal to the proportion that the total dollar amount of property taxes imposed in the district by the unit for the tax year in which the budget proposals is prepared bears to the sum of the total amount of property taxes imposed in the district by each participating unit for that year."

Budget & Financial Summary: Funds are available and budgeted in the General Fund, Finance Administration budget. Payments are made in four equal payments made at the end of each calendar quarter.

Attachments: Brazos County Appraisal District 2009 Statement

Brazos County Appraisal District
1673 Briarcrest Dr., Suite A-101
Bryan, Texas 77802
Telephone: (979) 774-4100
Facsimile: (979) 774-4196



Mark W. Price
Chief Appraiser

Mr. Glenn Brown
City of College Station
P O Box 9960
College Station, TX 77842

November 10, 2008

STATEMENT

Below are the quarterly payment amounts and due dates for the 2009 Brazos County Appraisal District Operating Budget, as mandated by State Law.

Section 6.06 State Property Tax Code states:

“Unless the governing body of a unit and the chief appraiser agree to a different method of payment, each taxing unit shall pay its allocation in four equal payments to be made at the end of each calendar quarter, and the first payment shall be made before January 1 of the year in which the budget takes effect. A payment is delinquent if not paid on the date it is due. A delinquent payment incurs a penalty of 5 percent of the amount of the payment and accrues interest at an annual rate of 10 percent. If the budget is amended, any change in the amount of a unit’s allocation is apportioned among the payments remaining.”

1 st Quarter due by December 31, 2008	\$ 59,399.00
2 nd Quarter due by March 31, 2009	\$ 59,399.00
3 rd Quarter due by June 30, 2009	\$ 59,399.00
4 th Quarter due by September 30, 2009	<u>\$ 59,399.00</u>
Total Allocation	\$ 237,596.00

November 24, 2008
Consent Agenda Item No. 2i
Approval of Contract #09-034 and Awarding of a Bid (#09-04) for the
Dartmouth Street Extension Landscaping and Irrigation Installation Project ST-0211

To: Glenn Brown, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding a resolution awarding the bid and approval of a contract (Contract Number 09-034) with The Ground Crew, L.L.C., from Bryan, Texas in the amount of \$92,987.55 and sixty (60) calendar days to complete the installation of trees, landscaping, and irrigation for the Dartmouth Street Extension Project Number ST-0211, and authorizing the expenditure of funds. The total amount of the contract includes a base bid of \$89,950.05 and acceptance of Alternate #1 (use of Palisades Zoysia sod instead of Bermuda sod) in the amount of \$3,037.50.

Recommendation: Staff recommends approval of the resolution and award of the construction contract with The Ground Crew, L.L.C., for the installation of landscaping and irrigation for the Dartmouth Street extension.

Summary: This item will provide for the installation of trees, irrigation, brick pavers, and shrubs for the Dartmouth Street extension. The acceptance of Alternate #1 will allow the city to implement a pilot program that utilizes a new turf (Palisades Zoysia sod) that should be better suited for a median-type landscape installation. This turf requires less mowing frequencies and watering cycles as compared to Bermuda turf. It is also more salt tolerant and heat tolerant than most other grasses. This project was initiated by the Capital Improvements Department.

Budget & Financial Summary: Four (4), sealed, competitive bids were received and opened on October 21, 2008. The bid summary is attached and includes the base bid and Alternate #1. Funds in the amount of \$100,000 are budgeted and available in the FY 2009 Streets Capital Projects Fund as part of the Dartmouth Extension project (ST0211).

Attachments:

1. Resolution Approving a Construction Contract
2. Bid Tabulation Number 09-04
3. Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING CONTRACT #09-034 FOR THE DARTMOUTH STREET EXTENSION LANDSCAPING AND IRRIGATION PROJECT NUMBER ST-0211, AND AUTHORIZING EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the installation of landscaping and irrigation for the Dartmouth Street extension, 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 The Ground Crew, L.L.C., is the lowest, responsible bidder.

PART 2: That the City Council hereby approves the contract with The Ground Crew, L.L.C., in the amount of \$92,987.55 and sixty (60) calendar days for the labor, materials, and equipment required for the installation of landscaping and irrigation for the Dartmouth Street Extension Project Number ST-0211. This includes Alternate Number 1.

PART 3: That the funding for this contract shall be as budgeted from the Streets Capital Fund in the amount of \$92,987.55.

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

ADOPTED this the 24th day of November, 2008.

ATTEST:

APPROVED:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY



City of College Station - Purchasing Department
Bid Tabulation for #09-04
"Dartmouth Street Landscape and Irrigation"
Open Date: Tuesday, October 21, 2008 @ 2:00 p.m.

				The Ground Crew, LLC (Bryan TX)		Texas Landscape Creations (College Station, TX)		Dudley Construction, Ltd. (College Station, TX)		Madison Construction, L.P. (Bryan, TX)	
Executed 5% Bidder's Bond				✓		✓		✓		✓	
Certification from bid package				✓		✓		✓		✓	
Acknowledged Addendum 1				✓		✓		✓		✓	
ITEM	QTY	UNIT	DESCRIPTION	UNIT BID PRICE	TOTAL BID AMOUNT	UNIT BID PRICE	BID AMOUNT	UNIT BID PRICE	TOTAL BID AMOUNT	UNIT BID PRICE	TOTAL BID AMOUNT
BASE BID											
1	55	EA	Oak Trees - 45 gal.	\$361.12	\$19,861.60	\$358.89	\$19,738.95	\$500.00	\$27,500.00	\$352.78	\$19,402.90
2	38	EA	Crepe Myrtle Trees - 30 gal.	\$128.65	\$4,888.70	\$206.58	\$7,850.04	\$280.00	\$10,640.00	\$249.53	\$9,482.14
3	20	EA	Savannah Holly Trees - 30 gal.	\$176.65	\$3,533.00	\$220.87	\$4,417.40	\$300.00	\$6,000.00	\$271.82	\$5,436.40
4	1	LS	Concrete & Brick Pavers	\$24,842.62	\$24,842.62	\$15,216.09	\$15,216.09	\$25,000.00	\$25,000.00	\$21,428.00	\$21,428.00
5	12	EA	Primrose Jasmine Shrubs - 15 gal. and Weed Cloth & Gravel	\$164.52	\$1,974.24	\$206.62	\$2,479.44	\$200.00	\$2,400.00	\$252.27	\$3,027.24
6	1	LS	Irrigation System	\$17,639.84	\$17,639.84	\$17,258.49	\$17,258.49	\$18,650.00	\$18,650.00	\$17,945.00	\$17,945.00
7	1	LS	Rip Rap & Weed Cloth	\$1,691.43	\$1,691.43	\$3,773.92	\$3,773.92	\$2,000.00	\$2,000.00	\$1,461.00	\$1,461.00
8	1	LS	Tif 419 Bermuda Sod	\$5,653.31	\$5,653.31	\$4,532.00	\$4,532.00	\$9,250.00	\$9,250.00	\$7,179.00	\$7,179.00
9	1	LS	Topsoil for Median	\$9,865.31	\$9,865.31	\$13,287.00	\$13,287.00	\$17,000.00	\$17,000.00	\$13,376.00	\$13,376.00
TOTAL BASE BID (ITEMS 1-9)					\$89,950.05		\$88,553.33		\$118,440.00		\$98,737.68
ADD ALTERNATE #1											
10	1	LS	Use Palisades Zoysia Sod Instead of Bermuda Sod	\$3,037.50	\$3,037.50	\$9,240.00	\$9,240.00	\$8,500.00	\$8,500.00	\$2,200.00	\$2,200.00
DEDUCT ALTERNATE #1											
11	-1	LS	Use 30 gal. Oak Trees Instead of 45 gal. Trees	\$4,495.00	-\$4,495.00	\$7,287.50	-\$7,287.50	\$12,200.00	-\$12,200.00	\$4,000.00	-\$4,000.00
DEDUCT ALTERNATE #2											
12	-1	LS	Use 45 gal. Regular Live Oak Trees Instead of High Rise Live Oak Trees	\$2,100.00	-\$2,100.00	\$0.00	\$0.00	\$2,000.00	-\$2,000.00	\$500.00	-\$500.00

*Total number of calendar days to substantial completion = 60 days

Notes - The Ground Crew, LLC

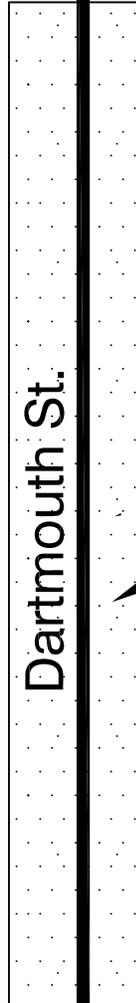
»Bidder miscalculated Bid Item #2 as \$4,888.68, Bid Item #3 as \$3,532.99, Bid Item #5 as \$1,974.22 and the Total Base Bid as \$89,950.00. The highlighted totals above are correct.

Notes - Texas Landscape Creations

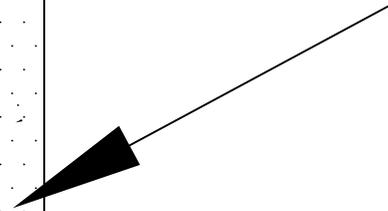
»Bidder miscalculated Bid Item #1 as \$19,738.71, Bid Item #2 as \$7,849.92, Bid Item #3 as \$4,417.36 and the Total Base Bid as \$88,552.93. The highlighted totals above are correct.

Texas Ave.

Krenek Tap Rd.



PROJECT AREA



FM 2818



NORTH

Dartmouth St. Extension PROJECT LOCATION MAP

November 24, 2008
Consent Agenda Item No. 2j
Housing Rehabilitation and Minor Home Repair Program Guidelines

To: Glenn Brown, City Manager

From: David Gwin, Director of Economic and Community Development

Agenda Caption: Presentation, possible action, and discussion the City's proposed Housing Rehabilitation and Minor Home Repair Program Guidelines.

Recommendation(s): Staff recommends approval of the guidelines.

Summary: Staff is proposing the attached Housing Rehabilitation and Minor Home Repair Guidelines, which utilize a combination of HOME Investment Partnership Program grant funds, Community Development Block Grant Funds and other appropriate resources to provide support, training, and counseling activities to low-income applicants seeking to repair or rehabilitate their sub-standard homes. The City will also, through this activity, seek to impede the continuation of slum and blighting influences and further enhance neighborhood integrity by helping to stabilize the housing stock. The proposed guidelines reflect direction provided by the City Council at their March 13, 2008 Workshop Meeting. Specifically, the guidelines incorporate the following:

- Provides technical and financial assistance to low-income, owner-occupant homeowners seeking to rehabilitate their sub-standard residential structure.
- Provides technical and financial assistance to low-income, owner-occupied homeowners requiring minor repair to alleviate an immediate health or safety issue.
- Allows for a loan of the City's HOME Investment Partnerships (HOME) Program and/or Community Development Block Grant (CDBG) funds.

Budget & Financial Summary: Federal HOME Investment Partnership Grant (HOME) funds, Community Development Block Grant (CDBG) funds, and other suitable resources will be used in combination to provide leveraged assistance to eligible developments. The proposed guidelines will help to ensure the long-term sustainability of the City's Community Development Program. Annual budget allocations and specific project commitments will be determined on a recurring basis by the City Council.

Attachment:

Attachment 1 – Draft Housing Rehabilitation and Minor Home Repair Guidelines

CITY OF COLLEGE STATION
HOUSING REHABILITATION AND MINOR HOME REPAIR PROGRAM
PROGRAM GUIDELINES

Unless herein stated otherwise, the requirements contained in 24 CFR Part 92 (Home Investment Partnerships Program) and 24 CFR Part 570 (Community Development Block Grant Program) will be followed.

A. STATEMENT OF PURPOSE & PROGRAM OVERVIEW

The City of College Station has established a Housing Rehabilitation and Minor Home Repair Program (HRMHRP) funded through the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME). Additionally, the City may utilize other appropriate local, state, or federal resources that may become available.

The HRMHRP is designed to combine various financial resources necessary to accomplish minor repair or significant rehabilitation of eligible, qualified, owner-occupied dwellings. The City's Economic and Community Development staff will assist homeowners in planning, implementing and managing the process to repair or rehabilitate their substandard dwellings. In addition, the City seeks to impede the acceleration of slum and blighting influences through this activity, as well as preserve and enhance neighborhood quality and integrity. Depending upon applicant eligibility and costs of the particular project, assistance may be available to applicants under the provisions of 24 CFR § 92.254 Qualification as affordable housing: Homeownership and 24 CFR § 570.202, Eligible Rehabilitation and Preservation Activities. Eligible project activities will comply with the respective program requirements published in the U.S. Code of Federal Regulations (CFR), as it may be modified over time. The basic goals of this Program are:

- To preserve and enhance the supply of affordable, decent, safe, and sanitary housing available to qualified low-income households.
- To provide support training and counseling activities to low-income applicants seeking to repair or rehabilitate their sub-standard homes.
- To provide applicants information regarding loan finance options to accomplish necessary rehabilitation activities required to bring their sub-standard dwelling into a code compliant standard condition.
- To provide applicants information on proactively managing the maintenance of their homes following repair or rehabilitation.

This program is designed to provide technical and financial assistance to low-income, owner-occupant homeowners seeking to rehabilitate their sub-standard residential structures into decent, safe and sanitary dwelling units. Technical and financial assistance is also available to low-income, owner-occupant homeowners requiring minor repair to alleviate an immediate health or safety issue as determined by program staff and/or other qualified City staff. This program is available on a city-wide basis and is limited to only those properties located within the

municipal boundaries of the city. Properties that lie partially within the city limits may be considered on a case-by-case basis.

All eligible HRMHRP applicants (with the exception of Minor Home Repair applicants) shall be required to participate in the same homeowner and homebuyer education and counseling sessions as other housing assistance program applicants.

The HRMHRP financial assistance shall be managed as follows:

Program staff will assist qualified and approved applicants to rehabilitate their substandard housing by requiring the applicant to enter into a rehabilitation assistance agreement with the City. The agreement will allow the use of program funds for rehabilitation and associated program delivery costs of the project. The agreement must be approved and executed prior to the commencement of any rehabilitation activities. All project costs (excluding staff time and soft costs necessary for program delivery) shall be compiled at project completion into a permanent financing loan, secured by a lien. Repayment of the loan shall be in accordance with the terms and conditions defined in program legal instruments. Applicants will have the option of pre-payment of costs at any time during the project, and prior to permanent financing, if they so desire.

Upon completion of construction activities, applicant shall close on the loan.

Household income shall determine the loan structure:

- For households earning 61% to 80% of the Area Median Income:
A fixed rate repayment loan bearing interest at the Applicable Federal Rate at the time of funding.
- For households earning 51% to 60% of the Area Median Income:
A 0%-interest repayment loan.
- For households earning up to 50% of the Area Median Income:
A deferred-payment, 0%-interest loan. This loan will be deferred and payable in full at the cessation of owner occupancy, or sale or transfer of the property.

Front End Ratio: The loan shall be structured to ensure that the total of all housing payments shall not exceed thirty-five percent (35%) of the applicant's gross monthly income.

Back End Ratio: The loan shall be structured to ensure that the total of all housing payments, plus consumer debt payments, shall not exceed forty-five percent (45%) of the applicant's gross monthly income.

The mortgage note and deed restrictions shall be serviced and enforced either by the Economic and Community Development, a commercial lending institution or by a not-for-profit entity.

B. DESIGNATED AUTHORITY

Administrative authority for implementation of this Program will rest with the Office of City Manager or its designee. The Economic and Community Development Department will serve as the designated office for approval of

contractual agreements and budget changes as needed to accomplish project completion, in accordance with Council approved procedures.

The Director of Economic and Community Development (Director) will be responsible for authorizing the amount of assistance to be made available to the project in accordance with the implementing procedures. This determination will be based upon evaluations of the costs to be incurred by providing the housing assistance and upon the demonstrated needs of eligible applicant(s).

The Director will also be responsible for approval of applicant eligibility for this program and final approval of selection of applicants to be assisted. This will be based upon relative need of applicants for the specific housing assistance sought.

C. PROGRAM IMPLEMENTATION PROCESS

Steps in implementing the Program will be as follows:

The Department of Economic & Community Development (Department) will create and maintain applications for all housing assistance programs. All applicants shall submit a completed application to the Department, and await an evaluation of eligibility by the appropriate staff member(s). For this particular Program, applicants are required to hold majority title interest to an improved property within the corporate limits of College Station, which is their permanent place of residence, prior to submitting an application. A \$20 non-refundable application fee will be required to process the application under this program.

Program staff will evaluate all applications for eligibility and prioritize the processing of applications based upon completeness and accuracy of information/documentation and demonstrated housing need. Program staff will process applications as expeditiously as possible, considering funding limitations and other staff responsibilities as assigned.

Applicant(s) will be notified by phone if they are eligible for participation in the program. If the applicant(s) are not eligible, they will be notified in writing, with an explanation of why they do not qualify. Non-qualification issues may include (but are not limited to) income, assets, deed restrictions, title concerns, environmental concerns and/or household make-up.

Once the applicant is deemed eligible, they will be required to sign an agreement with the City committing to attend homeowner education classes before commencing with the rehabilitation process of their property (homeowner education classes will not be required of those applicants receiving minor home repair assistance). The City will provide homeowner education classes to explain the financial, tax burden, maintenance and code compliance responsibilities of homeownership. Only upon completion of the required classes, will the applicant(s) be able to continue with the program implementation process. If the applicant decides to discontinue the homeownership education classes by failure to attend mandatory classes, the City will notify them in writing that they have been removed from participation in the program.

Following completion of the required homeowner education classes, program staff will meet with the applicant(s) to explain the basic goals and objectives of the Program and further assess the needs of the applicant(s) household that will occupy the dwelling once completed. After the household needs are fully assessed, staff will assess the project site to determine any additional rehabilitation needs of the home in order to fully realize a decent, safe and

sanitary unit. Program staff will make every effort, while crafting a plan for the home rehabilitation, to incorporate the City's most current Green Building Standards into the project scope. Any incentives offered from federal, state or local agencies for conformance with Green Build Standards shall be accessed by the program as appropriate and when applicable.

Applicant(s) will be involved in several meetings with program staff to ensure proper steps are followed in the rehabilitation process of their homes. The applicant may also be required to accompany program staff to appear before City planning boards and/or commissions to request variances or approval of special circumstantial development needs.

Once the rehabilitation plan has been completed, and any other City required approvals have been accomplished, program staff will place the project out for bid to approved contractors in compliance with the City's procurement and process regulations. Prior to bid, program staff will prepare a construction estimate by which to compare submitted bid amounts. Should submitted bids prove to be more than 10% of the construction estimate, the applicant will have the option to reject all bids and re-bid the project, or select the lowest responsible bidder (if program staff deems the lowest responsible bid reasonable within the project estimate). Applicant (Owner) will then enter into a construction contract with the lowest responsible bidder (Contractor), allowing the City to be the Owner Representative through the construction process, attending to progress payments and change orders in a timely manner on behalf of the Owner. For projects involving only minor repair, repair work shall be done in accordance with the City prepared scope of work and in accordance with City Purchasing policies.

Program staff will obtain all required close-out documents at project completion and the loan closing will be scheduled.

Homeowners will be required to comply with all terms and conditions of their program agreement until all of the terms of their loan have been satisfied. Due to the type and source of funding, homeowners provided assistance through this program can expect rigorous enforcement of the terms and conditions of their loans.

D. APPLICANT ELIGIBILITY CRITERIA

Eligible applicants of this Program must meet the following qualifications:

1. **Income:** An applicant must have a gross income of 80 percent or less than of the College Station/Bryan area median income as reported by HUD. Income will be determined by the provisions of 24 CFR § 92.203 (Income determinations) and 24 CFR § 5.609 (Annual income).
2. **Assets:** Applicants will not be eligible for this Program if, upon application, they have assets exceeding \$20,000 on hand. Retirement funds in IRS recognized retirement accounts are excluded.
3. **Principal Residence and Homestead:** Applicants will be required to certify that they intend to occupy the new reconstructed dwelling as their principal residence upon project completion. Occupancy will be determined through verification of utility consumption, and other verifications determined acceptable and/or necessary by the City, on an annual basis.
4. **Credit:** Qualified applicants will have an average FICO credit score of no less than 600, with no bankruptcies, foreclosures, student loan delinquencies, income tax delinquencies, child support delinquencies or

repossessions within the previous two years. The Director may waive this requirement if necessary to accomplish other City or program objectives, or under extraordinary circumstances.

5. **Employment History:** Applicants must have an employment history in the same job, or in the case of professional, salaried employees (as defined in 29 CFR § 541 meeting any of the requirements in Subparts B,C,D,E, or F), in the same field of employment, for a minimum of twelve (12) months.
6. **Student Loans:** Student loans, which are currently deferred at the time of application, will be included in the debt ratio calculation as if in repayment status.
7. **Citizenship:** In order to receive Program assistance, applicants must be United States Citizens, U.S. Non-Citizen Nationals, or Qualified Aliens as defined by Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Qualified alien status will be verified by the Citizenship and Immigration Services division of the U.S. Department of Homeland Security.

E. ELIGIBLE PROPERTY CRITERIA

Property eligible for Program assistance is subject to the requirements of 24 CFR § 92.254 (Qualification as affordable housing: Homeownership) and as follows:

1. **Location:** The Program will be implemented on a city-wide basis within the corporate limits of the City of College Station. Properties that lie partially within the corporate limits will be considered on a case-by-case basis. However, program preference will rest with properties wholly in the City.
2. **Property Type:** Eligible properties must be improved, single-family residential lots, which are:
 - a. The principle residence of the applicant, and
 - b. Substandard but structurally sound, and
 - c. Have all utility service connections available to the property.
3. **Title:** The applicant household must hold majority title to the property. An existing mortgage will not prohibit participation in the program.
4. All eligible properties, following rehabilitation, shall not exceed 95 percent of the maximum amount insurable under Section 203(b) of the National Housing Act (FHA lending limit) for the College Station/Bryan area.
5. **Manufactured Housing:** Manufactured housing units are not eligible for program assistance unless:
 - a. the property on which the manufactured home sits is owned by the applicant; and
 - b. the property is properly zoned; and
 - a. the applicant has resided in the home and on that site for not less than two years, prior to the application date, and
 - b. the applicant and subject property are only eligible for minor repair assistance under program guidelines.

F. LOAN INSTRUMENTS

The HRMHRP shall use loan instruments (real estate lien note, deed-of-trust, mechanic's lien contract, mechanic's lien note and transfer of lien) adapted to this program in order to provide financial assistance to eligible applicants and to comply with the provisions of 24 CFR § 92.254(a)(5)(ii)(A) (Recapture, Net Proceeds).

Affordability shall be determined by ensuring the total PITI (principal, interest, taxes, and insurance) payment (front ratio) of the permanent financing is not less than 20% but not more than 35% of the monthly income of the eligible applicant. With Director approval, the upper percentage may be slightly exceeded under extenuating circumstances that demonstrate the buyer's ability to handle higher payments. The maximum total debt-to-income ratio (back ratio) is 45% (depending on credit score, Director may require a lower percentage).

Program loan instruments shall require that the property must be maintained to meet all applicable City codes, including code enforcement ordinances, community appearance and development standards.

Refinancing of the first mortgage for the purpose of the reduction of monthly payments, term or interest rate is acceptable, however, refinancing which results in any cash being received by the homeowner is not allowed.

The City shall have the prior right to purchase the ownership interest in the property from the initial HRMHRP homeowner for the amount specified in a firm contract between the homeowner and a prospective buyer. The City shall have 10 business days after receiving notice of the firm contract to decide whether to exercise its right and 60 additional calendar days to complete closing of the property.

Military Deployment - In the event that the homebuyer is deployed on active duty, the homebuyer may, at their discretion, rent the home during the time of deployment to an income-eligible applicant if the homebuyer's monthly mortgage payment will exceed 30% of gross monthly income after deployment. The maximum rent will be determined by published maximum HUD rents for the area. The Department of Economic and Community Development will verify income eligibility of the rental applicant and will file a copy of the deployment orders in the homebuyer's client file. If the home is rented to an income-eligible applicant, or is occupied by the homebuyer's dependents, the rehabilitation loan will continue to be deferred.

G. FEASIBILITY OF REHABILITATION

1. Feasibility of rehabilitation of property to minimum program standards will be made following a detailed inspection of the property by program staff. This inspection includes completing a list of deficiencies which must be corrected in order to bring the structure into compliance with HUD requirements and all applicable City of College Station codes and expectations.
2. Feasibility of rehabilitating structures under established program limits will be determined by an assessment of the following two criteria:
 - a. The estimate of costs needed for all required repairs and renovations (or to remedy immediate threats to health and safety in emergency cases) must fall within program limits.
 - b. For all required repairs and renovations, rehabilitation costs shall not exceed 75% of the total estimated post-rehabilitation value for the structure.

Units not meeting these standards will be determined infeasible for rehabilitation assistance and, therefore, considered only for minor home repair assistance or reconstruction assistance. Applicants owning manufactured housing units may, in some extreme instances, be eligible for minor home repair, but are not eligible for rehabilitation assistance.

H. SELECTION OF RECIPIENTS FOR ASSISTANCE

1. Recipients for assistance of this program will be taken from the applications of eligible homeowners residing in substandard structures determined to be structurally sound by program staff.
2. The number of recipients to receive assistance will be subject to general availability of funds.
3. Economic & Community Development staff will evaluate all applications of eligible homeowners whose structures are determined to be feasible to rehabilitate. Based upon this evaluation, a recommendation will be made to the Director as to the order of applicants to be assisted. Generally, those in the most imminent danger to personal health or safety will be extended priority under the program.
4. Criteria to be used to make this evaluation will include the following items listed in priority order:
 - a. Degree of threat to health and safety of occupants presented by continuance of residing in the structure. This will include evaluation of factors such as availability of basic services including water, sewer, electricity, and structural deficiencies of the home.
 - b. Health and handicapping disabilities of occupants which necessitates the home to undergo handicapped accessible construction because of the owner's existing situation.
 - c. Time and date that all application requirements are met.
 - d. Time and date of application.

I. FORMS OF ASSISTANCE AND ALLOWABLE EXPENSES

1. Minor home repair assistance shall be in the form of a grant, through federal CDBG funds. The allowable budget authority for minor repair assistance shall not exceed Three Thousand and No/100 Dollars (\$3,000.00) per applicant for eligible project costs.
2. The primary form of general housing rehabilitation assistance will be federal CDBG and/or HOME funds to pay for eligible program costs. The allowable budget authority for rehabilitation assistance shall not exceed Thirty Thousand and No/100 Dollars (\$35,000.00) per applicant for eligible project costs (excluding program staff costs). Since each rehabilitation project is unique in preparation, size and duration, additional costs may be required to carry a project from commencement to completion. These additional costs will be financed by owner proceeds or by an additional loan from a private lender. Under no circumstances will the owner be able to finance more debt than is allowed under Program debt to income ratios.

- Large households that qualify for a rehabilitation requiring additional bedrooms as mandated by the City's building code occupancy requirements may be eligible for up to an additional Five Thousand and No/100 Dollars (\$5,000.00) in hard construction costs.
 - Households with handicapped or special needs members may qualify to receive an additional Five Thousand and No/100 Dollars (\$5,000.00), in hard construction costs, to address accessibility and / or special needs.
 - These additional funds are to be used only for large household and handicap/special needs accommodations, as determined feasible by the Director after examination and verification of household needs by Program staff.
3. The City of College Station shall hold first lien position on the loan for the duration of the lien period. However, in extreme and isolated situations where first lien position is not feasible, the City may accept a lower lien position subject to the review and approval of the Director. The lien shall be released when the following conditions are met:
- the homeowner resides in the home for the entire loan lien period; and
 - the property is maintained to meet any and all applicable City code requirements including those as may be revised; and
 - loan payments are paid in a timely manner; and
 - homeowner provides annual documentation of adequate homeowner's insurance, including casualty and fire coverage, with the City listed on the Certificate of Insurance to be notified in case of policy cancellation and as additionally insured; and
 - homeowner provides annual documentation demonstrating that property taxes (and/or applicable payment plans) are current.
4. If the owner expires during the lien period, or is medically unable to occupy the structure, the controlling or surviving household / family member(s) may occupy the property regardless of income status.
5. Program intent is to maintain owner-occupancy in the rehabilitated dwellings. In the event of a sale, transfer of ownership or renting of the property during the lien period, the following conditions must apply to avoid default:
- The owner must sell or offer the assumption of the loan to a low/moderate income household for their homestead and approved by the Director; and
 - The owner shall give the city a first right of refusal to purchase the ownership interest in the property from the homeowner for the amount specified in a firm contract between the homeowner and a prospective buyer. The city shall have 10 business days after receiving notice of the firm contract to decide whether to exercise its right and 60 calendar days to complete closing of the property.

6. If within the lien period the homeowner defaults on the loan, the loan will be called due in full and foreclosure proceedings may be initiated. The City will make every effort to work with the homeowner to avoid foreclosure and will examine each situation on a case by case basis.

J. REHABILITATION AGREEMENT

Each applicant assisted through this Program will sign a Rehabilitation Agreement with the City which defines the overall terms and conditions of the City providing the HRMHRP assistance. Other construction documents will be required to be executed by the applicant during the rehabilitation assistance process, but the Rehabilitation Agreement will be solely between the City and the applicant, and will be the primary instrument submitted for City Manager approval, before the project may commence.

K. FINAL INSPECTION - CERTIFICATE OF OCCUPANCY

The City of College Station will be responsible for final inspection of all housing units made available through the program to determine that the unit meets all City of College Station and HUD requirements. Final payment will not be made until the City of College Station has issued a Certificate of Occupancy for the renovated unit and all items identified in a punch list have been corrected. The owner will also be required to sign-off on the final progress payment document to the contractor. The Certificate of Occupancy will serve as evidence to HUD of the City's determination that the renovated structure is no longer substandard, but has become code compliant and a decent, safe, and sanitary dwelling.

November 24, 2008
Consent Agenda Item No. 2k
Certified "Film Friendly Texas" Community
and Adoption of Guidelines for Filming

To: Glenn Brown, City Manager

From: David Gwin, Director of Economic and Community Development

Agenda Caption: Presentation, possible action, and discussion on a resolution supporting the City's desire to become a certified "Film Friendly Texas" Community through the State of Texas Film Commission; and adoption of the Guidelines for Filming in the City of College Station.

Recommendation(s): Staff recommends approval of the Resolution and that the City Council take action to adopt the attached Guidelines, which are required to be considered for "Film Friendly Texas" Certification.

Summary: Since early March, the Bryan-College Station Convention & Visitors Bureau has assisting local representatives to become a certified "Film Friendly Community" as designated by the Texas Film Commission.

The City is home to several unique assets that could be promoted to media production companies and utilized for on-location filming. On-location filming in College Station has the potential to boost the local economy and provide numerous area-wide promotional opportunities.

By becoming a certified Film Friendly Community, the City will be able to take advantage of many of the services provided by the Texas Film Commission which currently help to promote and market the community to the national entertainment industry. These include guidance and assistance in handling commercial filming opportunities; recognition on the Commission's website; and an opportunity to be featured as "Community of the Month" on the Commission's website.

Budget & Financial Summary: The adoption of the Resolution and proposed Guidelines are intended to be cost neutral. It is also important to note that this certification is intended to be an economic driver that would have a long-term, positive effect on the local economy through additional tourism and production-related expenditures. Any fiscal impact incurred by the City will be in part offset by the fee and use rate schedule included in the Guidelines. This schedule includes a \$25 application fee and the rate schedule for the use of City property includes a \$500 disruptive use fee for any public building, a \$250 per day fee for the partial non-disruptive use of a public building, a \$50 per day fee for the total closure of a public street or right-of-way, and a \$25 per day fee for the partial closure or obstruction of a public street or right-of-way. In addition the applicant will agree to pay for the costs of any Police, Fire, Public Works or other City personnel assigned to the project.

Attachments:

1 – Resolution

2 – Guidelines for Filming

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, IN SUPPORT OF THE CITY'S ECONOMIC DEVELOPMENT EFFORTS TO BECOME CERTIFIED BY THE STATE OF TEXAS FILM COMMISSION AS A "FILM FRIENDLY TEXAS" COMMUNITY AND APPROVING THE CITY'S GUIDELINES FOR COMMERCIAL FILMING.

WHEREAS, the City of College Station, Texas, has many unique assets that distinguish the community as a favorable location for various media projects; and

WHEREAS, a goal of the City of College Station, Texas, is to provide opportunity for economic development and increase the overall exposure of the community; and

WHEREAS, the State of Texas Film Commission requires interested municipalities to adopt Guidelines for Filming in order to become a "Film Friendly Texas" community; and

WHEREAS, the City of College Station, Texas, recognizes the economic benefit to the community to be gained from encouraging the use of the City for commercial filming and taping of movies, television programs, commercials, training films and related activities; and

WHEREAS, the City of College Station, Texas, desires to encourage commercial filming and taping of movies, television programs, commercials, training films and related activities within the City; and

WHEREAS, the purpose of the Guidelines for Commercial Filming, attached hereto as Exhibit A, is to set out a process to be followed for approval to film or tape movies, television programs, commercials, training films and related activities, using City-owned property, personnel and equipment; and

WHEREAS, the City Council of the City of College Station, Texas, has reviewed the City's Guidelines for Commercial Filming; now, therefore,

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

- PART 1: That the City Council hereby approves the City's Guidelines for Commercial Filming, attached hereto as Exhibit A, as required to be considered for "Film Friendly Texas" certification by the State of Texas Film Commission.
- PART 2: That the City of College Station, Texas, supports promoting the community for various media projects.
- PART 3: 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:

Carla A. Robinson
City Attorney

EXHIBIT A

Guidelines for Commercial Filming



CITY OF COLLEGE STATION

**GUIDELINES FOR
COMMERCIAL FILMING**

**EFFECTIVE
November 24, 2008**

CONTENTS

I. PURPOSE

II. CITY CONTROL/CITY MANAGER AUTHORITY

III. PERMIT REQUIREMENTS

IV. FEES

V. USE OF CITY EQUIPMENTL

VI. USE OF CITY PERSONNELY

VII. USE OF CITY PROPERTY OTHER THAN EQUIPMENT

VIII. SPECIAL EQUIPMENT AND VEHICLES

IX. TRAFFIC ROUTING

X. HOURS OF FILMING

XI. NOTIFICATION OF NEIGHBORS

XII. CERTIFICATE OF INSURANCE

XIII. HOLD HARMLESS AGREEMENT

XIV. LIABILITY



I. PURPOSE

The following guidelines are intended to protect the personal and property rights of the residents and businesses of College Station. The City Manager, or his/her designee, reserves the right to impose additional requirements in the interest of public health, safety and welfare if deemed necessary.

These guidelines cover requests for commercial use of City-owned property (streets, right-of-ways, and public buildings), equipment and personnel in the filming or taping of movies, television programs, training films, commercials, and related activities.

If the filming or taping of movies, television programs, training films, commercials and related activities includes a parade or special event as defined in the City of College Station Code of Ordinances, or if any provision of the Code of Ordinances otherwise applies, the requirements of the Code of Ordinances must be met. In the event of a conflict between these Guidelines and the Code of Ordinances, the requirements of the Code of Ordinances will control.

II. CITY CONTROL/CITY MANAGER AUTHORITY

The City Manager, or his/her designee, may authorize the use of any street, right-of-way, or public building, equipment or personnel for commercial uses in the filming or taping of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager, or his/her designee, may require that any or all of the conditions and/or remuneration as specified on the application be met as a prerequisite to that use.

The City of College Station shall have full control over the use of public streets and buildings of the City while being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or taping or to order cessation of filming or taping if the City determines such filming or taping to be detrimental to public health, safety and welfare.

City departments (i.e., Police, Fire, Building) shall have access to all structures and/or devices and equipment to be used in connection with the filming or taping if required by the City Manager, or his/her designee.

III. PERMIT REQUIREMENTS

Before filing an application for a permit to film or tape a movie, television program, training film, commercial and related activities in College Station, the Department of Economic and Community Development must be contacted to discuss the production's specific filming or taping requirements and the feasibility of filming or taping in the community.

Any commercial producer who desires to undertake a commercial film or tape production in the City of College Station is required to complete and return the attached application for filming to the Department of Economic and Community Development within the following:

- **For commercials or episodic television** a minimum of two (2) business days prior to the commencement of filming or taping or any substantial activity related to the project.
- **For feature films and training films** a minimum of five (5) business days prior to the commencement of filming or taping or any substantial activity related to the project.

IV. FEES

An application processing fee of \$25 must accompany each application for filming or taping in the City of College Station. The City Manager, or his/her designee, may waive this fee for not-for-profit organizations.

V. USE OF CITY EQUIPMENT

The applicant will pay for the costs of any City equipment assigned to the project (whether specifically requested by the applicant or not). Fees for the use of any City equipment, including Police squad cars and fire equipment, will be established by the City Manager in a fee schedule. A security deposit may be required. The applicant shall pay in full, promptly upon receipt of an invoice, the charges incurred.



VI. USE OF CITY PERSONNEL

The applicant will pay for the costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the applicant or not). The City Manager, or his/her designee, has the authority to require additional City personnel assigned to the project if it is determined to be in the interest of public safety, health and welfare. Fees for the use of any City personnel will be established by the City Manager in a fee schedule. The applicant shall pay in full, promptly upon receipt of an invoice, the charges incurred.

VIII. USE OF CITY PROPERTY OTHER THAN EQUIPMENT

The City Manager, or his/her designee, may authorize the use of any street, right-of-way, or public building, or use of the College Station, Texas name, trademark or logo, for commercial uses in the filming or taping of movies, television programs, commercials, or training films and related activities. Fees for the use of any City property other than equipment will be established by the City Manager in a fee schedule. A security or damage deposit may be required based on production activity. The applicant shall pay in full, promptly upon receipt of an invoice, the charges incurred.

Depending upon the extent of the use of City property, the applicant shall reimburse the City according to the following rate schedule:

- A. Total or disruptive use (regular operating hours) per day of a public building: \$500 per day
- B. Partial or non-disruptive use of a public building: \$250 per day
- C. Total closure of public street or right-of-way (including parking lots and on-street parking): \$50 per day
- D. Partial closure or obstruction of public street or right-of-way (including parking lots and on-street parking): \$25 per day
- E. Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks and other large vehicles) \$50 per day / per block or lot

The applicant agrees that the City of College Station shall have full control over the use of the name, trademark and logo, public streets, right-of-ways and buildings of the City while being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or taping or to order cessation of filming or taping if the City determines such to be hazardous to the public health, safety and welfare.

VIII. SPECIAL EQUIPMENT AND VEHICLES

The applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming or taping including their proposed hours of use and their proposed parking locations. Such locations will need to be specifically approved by the City so as to maintain traffic safety. On-street parking or use of public parking lots is subject to City approval. The use of exterior lighting, power generators, or any other noise or light producing equipment requires on-site approval of the City.



IX. TRAFFIC ROUTING

The applicant shall coordinate a Traffic Routing Plan with Traffic Operations, Police and Fire Departments for all proposed productions that may affect a public roadway. The Traffic Routing Plan will specifically address the planning and safe, efficient and environmentally compatible operation of traffic around the production site. The Traffic Routing Plan must be approved by the City Manager, or his/her designee.

X. HOURS OF FILMING/TAPING

Unless permission has been obtained from the City in advance and affected property owners are notified, filming or taping will be limited to the following hours: Monday thru Friday 7:00 a.m. to 9:00 p.m. and Saturday, Sunday and holidays 8:00 a.m. to 8:00 p.m.

XI. NOTIFICATION OF NEIGHBORS

The applicant shall provide a short written description to be approved by the City Manager, or his/her designee, of the schedule for the proposed production to the owners and residents of each property in the affected neighborhood (as defined by boundaries set by the City Manager, or his/her designee). The applicant, or his/her designee, shall communicate with owners and residents of all such property and submit as part of this application a report noting any owner or resident's comments along with the address and phone numbers of all such property owners and residents and their signatures.

XII. CERTIFICATE OF INSURANCE

The applicant shall attach a certificate of insurance, naming the City of College Station as an additional insured, in an amount not less than \$1,000,000 general liability, including bodily injury and property damage with a \$5 million umbrella; and automobile liability (if applicable) in an amount not less than \$1,000,000 including bodily injury and property damage.

XIII. HOLD HARMLESS AGREEMENT

The applicant shall sign the following Hold Harmless Agreement holding the City of College Station harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

I certify that I represent the firm which will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of the City of College Station, Texas, and that I and my firm will indemnify and hold harmless The City of College Station, Texas for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping pursuant to this permit.

Signed: _____

Title: _____

Date: _____

County of _____,

State of _____

I, _____, certify that _____ signed the above statement in my presence on _____, 20____.



Seal:

Notary Public

XIV. LIABILITY

The applicant agrees to pay in full, promptly upon receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its condition as found prior to the production.

November 24, 2008
Consent Agenda Item No. 2L
Homeland Security Grant Program

To: Glenn Brown, City Manager

From: Robert Alley, Fire Chief

Agenda Caption: Presentation, possible action and discussion regarding the approval of a resolution accepting from the Governors Division of Emergency Management (GDEM) the 2008 Homeland Security Grant Program –Sub-recipient of \$166,666.67 naming a City staff member as manager of those grant funds, and approving the 2008 City of College Station Equipment List for purchase.

Recommendation(s): Staff recommends acceptance of the grant from the Governors Division of Emergency Management (GDEM), and recommends that the Emergency Management Coordinator be designated as the “Grant Manager” for the administration of this grant. It is also recommended that the attached 2008 City of College Station Equipment list be approved for purchase.

Summary: The City of College Station has been awarded the FY08 Homeland Security program Grant of \$166,666.67 through GDEM. The funding will be used by city departments to purchase equipment that will enhance our planning, training and response capabilities to terrorist threats or catastrophic events. Attached is the equipment list for the FY-08 Homeland security Grant Program which funds are to be expended. The period of performance of this agreement shall end on January 15, 2011.

Budget & Financial Summary: This is an equipment grant and the City of College Station has no matching funds committed. Dependent upon equipment requested, future budgets might include requests for O&M for equipment obtained.

Attachments:

Resolution

2008 Homeland Security Grant Program Notice of Sub-recipient Award – 6-SR 15976-01

2008 City of College Station Equipment List

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ACCEPTING THE 2008 HOMELAND SECURITY GRANT PROGRAM SUB-RECIPIENT AWARD FOR THE PURCHASE OF RESPONSE EQUIPMENT AND AUTHORIZING A CONTACT PERSON FOR THE CITY.

WHEREAS, the Office for Domestic Preparedness, a component of the U.S. Department of Homeland Security, has awarded the Governor's Division of Emergency Management (GDEM) the 2008 Homeland Security Grant Program; and

WHEREAS, the Governor's Division of Emergency Management (GDEM) has served the City of College Station with a Notice of Sub-recipient Award for the 2008 Homeland Security Grant Program in the amount of \$166,666.67 to be used in this performance period ending on January 15, 2011; and

WHEREAS, the intent of this sub-grant is to aid in the City's ability to enhance its capacity to prevent, respond to and recover from acts of terrorism and natural disasters; now, therefore,

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

- PART 1: That the City Council hereby accepts the Sub-recipient Award for the 2008 Homeland Security Grant Program in the amount of \$166,666.67 from the Governor's Division of Emergency Management (GDEM).
- PART 2: That the City Council hereby approves the 2008 City of College Station Equipment List for purchase to aid in the City's ability to enhance its capacity to prevent, respond to and recover from acts of terrorism and natural disasters.
- PART 3: That the City Council hereby authorizes the Emergency Management Coordinator to serve as the Grant Manager for the City of College Station to sign agreements with the Governor's Division of Emergency Management and hereby designates said position to receive this award on behalf of the City of College Station.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ORDINANCE NO. _____

Page 2

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

November 24, 2008
Consent Agenda Item No. 2m
Project Number GG0402
Change Order No. 3 for the Police Department Renovations

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding a change order to Contract #04-086 in the amount of \$6,800.00 to BRW Architects for design work associated with Police Department Renovations Project.

Recommendation(s): Staff recommends approval of this item.

Summary: The renovations of the Police Department will be completed in 5 separate phases. During the demolition portion of the third phase of construction, demolition of an existing wall revealed a four (4) inch diameter electrical conduit that had not been noted on existing plans of the building. Examination of the conduit by the architect, contractor and City staff yielded the conclusion that the conduit could not be moved or removed from the location it occupied. This required the architect to redesign the third phase of the project. The architect is seeking a change for added drafting work associated with the redesign of the third phase of the project.

At the request of the Police Department Staff, the front lobby was asked to redesigned to provide a more open and inviting setting to the general public. The architect provided a redesign of the front lobby to accomplish this goal. The architect is seeking a change for additional drafting services associated with the new design for the front lobby.

Budget & Financial Summary: Funds are budgeted and available in the General Government Capital Improvement Projects Fund as part of the Police Department Renovations Project. The current project budget is \$3,686,000.00. Funds in the amount of \$3,004,521.22 have been expended or committed to date, leaving a balance on \$681,478.78.

Attachments:

1. Change Order No. 3

CHANGE ORDER NO. 3 Contract No. 04-086 DATE: 27 October 2008
P.O.# 041049 PROJECT: Police Department Renovations, Project No. GG0402

OWNER: City of College Station
P.O. Box 9960 College Station, Texas 77842
CONTRACTOR: BRW Architects
2700 Earl Rudder Freeway S. Suite 4000 College Station TX 77845
Ph: (979) 694-1791
Fax: (979) 694-8293

PURPOSE OF THIS CHANGE ORDER:

A. Second Floor Redesign: Item 1 pertains to architectural fees associated with the need to redesign portions of the second floor of the P.D. renovation project. During demolition the contractor uncovered a four inch electrical conduit that had not been documented on as built plans of the Police Station. The architect had to redesign the layout of the second floor offices and hallways to keep the conduit enclosed within the walls of the building structure. Original plans, had they not been altered would have placed this conduit in the middle of a proposed office.

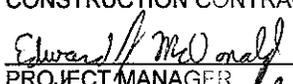
B. Front Lobby Redesign: Item 2 pertains to the redesign of the front lobby area of the Police Station. The Police Chief did not like the proposed lobby redesign and in accordance with the direction of an open department believed the Front Lobby area needed to be redesigned to be more inviting to the general public. The architect revisited this design and achieved a redesign achieving the goals envisioned by the Department for this area.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Second Floor Redesign	\$4,900.00	0	1	\$4,900.00
2	LS	Front Lobby Redesign	\$1,900.00	0	1	\$1,900.00
TOTAL						\$6,800.00

THE NET AFFECT OF THIS CHANGE ORDER IS A 2.48% INCREASE.

ORIGINAL CONTRACT AMOUNT	\$273,784.00		
Change Order No. 1	\$2,160.00	0.79%	
Change Order No. 2	\$128,153.00	46.81%	
Change Order No. 3	\$6,800.00	2.48%	CHANGE
REVISED CONTRACT AMOUNT	\$410,897.00	50.08%	TOTAL CHANGE

APPROVED

 A/E CONTRACTOR _____ Date _____	 CITY ATTORNEY _____ Date _____
<i>N/A</i> CONSTRUCTION CONTRACTOR _____ Date _____	CHIEF FINANCIAL OFFICER _____ Date _____
 27-Oct-2008 PROJECT MANAGER _____ Date _____	MAYOR _____ Date _____
 30-Oct-2008 DEPARTMENT DIRECTOR _____ Date _____	CITY SECRETARY _____ Date _____
	CITY MANAGER _____ Date _____

November 24, 2008

Consent Agenda Item No. 2n

Change Order #2 to Engineering Design Contract for Parallel Transmission Line

To: Glenn Brown, City Manager

From: David Coleman, Director of Water Services

Agenda Caption: Presentation, possible action, and discussion regarding change order #2 to engineering design contract 07-152 with Malcolm-Pirnie, Inc in the amount of \$38,125 for construction inspection services on the Parallel Water Transmission Line.

Recommendation: Staff recommends Council approve this change order.

Summary: On September 27, 2007 City Council approved an amendment to the engineering design contract for the Parallel Water Transmission Line, to provide a full time, on site construction project representative (or inspector). This inspector was hired by our design firm, Malcolm-Pirnie Inc, and the project is now nearing final completion. This project is the final phase of our parallel water transmission line, which extends from State Highway 21 to Villa Maria, and will complete the parallel transmission infrastructure from Sandy Point Pump Station to Dowling Road Pump Station.

The project has been highly successful, but requires significant additional inspection work to coordinate work after hours, and to liaison with multiple property owners along the route. Additional funds in the amount of \$38,125 must be added to our design contract to compensate for work that is beyond our original expectations.

Given the highly specialized and critical nature of this element of our water system infrastructure, this cost is a prudent investment, and staff recommends approval.

Budget & Financial Summary: Funds in the amount of \$9,138,793 are currently budgeted in the Water Capital Improvement Projects Fund for this project. \$8,955,743.50 has been expended or committed to date, leaving a balance of \$183,049.50.

Attachment:

Change order 2

CHANGE ORDER NO. 2
CONTRACT # 07-152

DATE: 11/24/08

PROJECT DESCRIPTION: PARALLEL WATER
TRANSMISSION LINE PHASE III

P.O.# 070673

W/O # WF0352317

OWNER:

City of College Station
PO Box 9960
College Station, TX 77482

CONTRACTOR:

Malcolm Pirnie, Inc.
1700 W. Loop S, Suite 1450
Houston, Tx 77027

Ph: 713-960-7439

PURPOSE OF THIS CHANGE ORDER:

Item 1: To increase quantity of service hours performed by Resident Project Representative (inspector) during construction of project.

ITEM NO.	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	305	Construction inspection hours	\$ 125	2080	2385	\$38,125
2			\$			
3			\$			

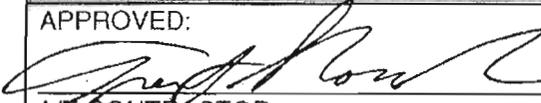
THE NET AFFECT OF THIS CHANGE ORDER IS A % (Increase or Decrease).

ORIGINAL CONTRACT AMOUNT	\$ 438,432.00		
Contract Amendment #1	\$ 240,000.00	55	% of Original Contract Amount
Change Order No. 1	\$ 18,900.00	4.3	% of Original Contract Amount
Change Order No. 2	\$ 38,125.00	8.6	% of Original Contract Amount
REVISED CONTRACT AMOUNT	\$ 735,457.00		

ORIGINAL CONTRACT TIME	365 Days
Change Order No. 1 Time Extension or Reduction	0 Days
Change Order No. 2 Time Extension or Reduction	Days
Change Order No. 3 Time Extension or Reduction	Days
REVISED CONTRACT TIME	365 Days

ORIGINAL SUBSTANTIAL COMPLETION DATE Not applicable
REVISED SUBSTANTIAL COMPLETION DATE Not applicable

APPROVED:

 11-11-08

Date

Date

DIRECTOR OF FISCAL SERVICES



Date

CITY ATTORNEY

Date

CITY MANAGER

Date

MAYOR

Date

CITY SECRETARY

Date

CONSTRUCTION CONTRACTOR

Date

PROJECT ENGINEER

Date

CITY ENGINEER

 12 Nov 08

Date

DEPARTMENT DIRECTOR/ADMINISTRATOR

November 24, 2008
Consent Agenda Item No. 2o
Saline Well Feasibility Study

To: Glenn Brown, City Manager

From: David Coleman, Director of Water Services

Agenda Caption: Presentation, possible action, and discussion regarding a resolution to award a professional services contract to Malcolm Pirnie Inc. in the amount of \$50,000 to conduct a feasibility study for the use of saline (brackish) groundwater wells to increase our drinking water supply.

Recommendation: Staff recommends approval of this resolution.

Summary: As discussed with City Council several times over the past year, the College Station water supply must be increased to accommodate rapid growth. We are pursuing additional traditional Simsboro water wells, but the Simsboro aquifer is reaching its maximum permitted withdrawal limit, and alternative water sources must be investigated.

This study will provide an expert evaluation on the feasibility of using brackish groundwater for future water supplies for the City. This groundwater is from the same Simsboro aquifer as the existing water wells, but we are proposing to drill a well much further south, where the aquifer is deeper and has a high salt content, which makes it non-potable. This water would require a special treatment process to make the water potable, and technological advances in water treatment may now make operating these brackish groundwater wells economically viable.

Malcolm Pirnie Inc. will provide an assessment of the various alternatives available to use this brackish groundwater supply. The study will include construction cost estimates and approximate efficiency of operating the latest generation of reverse osmosis filtration now available in the water treatment industry. These costs and benefits can then be analyzed by staff to determine the best course of action for the development of future water supplies for the City. This study supports the Water Services Department Strategic Business Plan.

Malcolm Pirnie was determined to be the most qualified firm to conduct this study based on previous, and on-going, work they have with the City.

Budget & Financial Summary: A Service Level Adjustment (SLA) in the amount of \$35,000 was approved in FY09 for this study. The additional needed funds will come from funds budgeted in the Water Services operating budget on an annual basis for professional services special studies.

Attachment:
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE SALINE WELL FEASIBILITY STUDY PROJECT.

WHEREAS, the City of College Station, Texas, solicited proposals for the completion of a feasibility study for using saline, or brackish, groundwater to augment existing water supplies (the "Saline Well Feasibility Study Project"); and

WHEREAS, the selection of Malcolm Pirnie Inc. is being recommended as the most highly qualified provider of the Saline Well Feasibility Study 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 Malcolm Pirnie Inc. is the most highly qualified provider of the services for the Saline Well Feasibility Study Project on the basis of demonstrated competence and qualifications.

PART 2: That the City Council hereby approves the contract with Malcolm Pirnie Inc. for an amount not to exceed \$50,000.00 for the Professional services related to the Saline Well Feasibility Study Project.

PART 3: That the funding for this Contract shall be as budgeted from the Water Services Operating Fund in the amount of \$50,000.00.

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

ADOPTED this 24th day of November, A.D. 2008.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

Carla A. Robinson

City Attorney

November 24, 2008
Consent Agenda Item No. 2p
Resolution Determining Need (Easement Acquisition)
Wellborn Widening Project (Water Line Relocation)

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding approval of a Resolution that will authorize City staff to negotiate for the purchase of an easement needed for the Wellborn Widening Project.

Recommendation(s): Staff recommends approval of the Resolution.

Summary: The Wellborn Widening Project entails the relocation of a water line that was in conflict with TxDOT's plans for widening Wellborn Road, from FM 2818 to SH 40. The old water line has been abandoned and most of the new water line has already been relocated. This remaining section of the water project was delayed because of a conflict between the Union Pacific Railroad and adjoining landowners. The new water line is needed to increase our capacity for transporting fresh water from the Dowling Road Treatment Plant to the water tower on SH 6 and WD Fitch Parkway.

Authorization of the attached resolution will enable staff to proceed with negotiations for the thirty foot (30') wide permanent public utility easement and the thirty foot (30') wide temporary construction easement along the west side of Wellborn Road and the Union Pacific Railroad, south of Rock Prairie Road.

Budget & Financial Summary: \$4,250,000 is currently budgeted for this project in the Water Capital Improvement Projects Fund. Funds in the amount of \$3,454,913.62 have been expended or committed to date, leaving a balance of \$795,086.38 for land acquisition and the remaining line relocation.

Attachments: Resolution Determining Need with Exhibit "A"
Project Maps (2)

RESOLUTION DETERMINING NEED

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, RELATING TO: (1) THE AUTHORITY OF THE CITY TO INITIATE, COMPLETE, AND ACQUIRE, BY PURCHASE OR CONDEMNATION, RIGHT-OF-WAY AND EASEMENT INTEREST IN CERTAIN PROPERTY FOR THE WELLBORN WIDENING PROJECT; (2) A DECLARATION THAT PUBLIC NECESSITY EXISTS FOR THE CITY TO ACQUIRE SUCH INTEREST, THROUGH PURCHASE OR CONDEMNATION; AND (3) ESTABLISHING PROCEDURES FOR THE ACQUISITION OF SUCH INTEREST IN THE PROPERTY.

WHEREAS, the City of College Station, Texas (“City”) is a home rule municipality duly incorporated and chartered under the Constitution and laws of Texas; and

WHEREAS, the City owns, operates, constructs, re-constructs, repairs and maintains a city water system as a public service; and

WHEREAS, the City’s ownership, operation, construction, re-construction, repair, and maintenance of the city water system is a benefit to the public; and

WHEREAS, the City, through a condemnation proceeding, may exercise the power of eminent domain to acquire property in order to carry out the ownership, operation, construction, re-construction, repair, and maintenance of its water system pursuant to Chapter 251 of the Texas Local Government Code, Chapter 21 of the Texas Property Code, and Article II of the City’s Charter; and

WHEREAS, the City is engaged in the following project regarding improvements to the Wellborn Widening Project, including ownership, operation, construction, re-construction, repair, and maintenance of the water system and installation of other public utilities, (the “Project”); and

WHEREAS, the City determines that the best interests and needs of the public, including the health, safety and welfare of the public, require that the City carry out the Project, through the City’s acquisition, by purchase or condemnation proceeding, of the right-of-way and easements as provided in Exhibit A, attached hereto and incorporated herein by reference for all purposes (the “Right-of-Way and Easements”); now, therefore;

BE IT RESOLVED by the City Council of the City of College Station, Texas:

- PART 1: That the City Council of the City of College Station, Texas, hereby officially determines that there is a public necessity for the Right-of-Way and Easements, and the public welfare and convenience will be served by the acquisition of the Right-of-Way and Easements.
- PART 2: That the City Manager is hereby authorized to contract, on behalf of the City of College Station, with a professional appraiser for the appraisal services, with a professional real estate agent to act as a Land Agent for the City and with attorneys for preparation of title opinions needed by the City from time to time in connection with acquisition of the Right-of-Way and Easements.
- PART 3: That the City's Land Agent or other staff appraiser is hereby authorized and directed to examine the independent appraisal reports as they are submitted to the City to determine whether said appraisal reports are supported by sufficient data. Based upon such examination of said appraisal reports, the Land Agent or other staff appraiser shall make a recommendation to the City Manager as to the establishment and approval of the amount of the just compensation for the Right-of-Way and Easements.
- PART 4: After consideration of said recommendation, the City Manager shall establish and approve the amount determined for acquisition of the Right-of-Way and Easements.
- PART 5: Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the Right-of-Way and Easements, the City's Land Agent or other staff appraiser is authorized to communicate a written offer to the property owners for the acquisition of such interest at the full amount determined and established to be just compensation therefore and to negotiate with said owners on behalf of the City.
- PART 6: That the Mayor after approval by City Council, or the City Manager as delegated, is hereby authorized to execute all documents necessary to acquire said Right-of-Way and Easements for the Project, on behalf of the City of College Station.

PART 7: That, if necessary, and should a property owner fail to accept a bona fide, good faith offer from the City to purchase the required Right-of-Way and Easements, City representatives shall have the authority to initiate and complete condemnation proceedings against said owner, in order to acquire through condemnation all required property interests and title regarding such property.

PART 8: That the City Manager be and is hereby authorized to sell any such surplus improvements, or order the demolition thereof, if any, located on the real property acquired in connection with this Project.

PART 9: 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:

Carla A Robinson

City Attorney

EXHIBIT "A" to RESOLUTION DETERMINING NEED

Permanent Public Utility Easement – Thirty Feet (30') in Width

Tract Name: Ellington and Hill Tract

Property Owner (current or former): BETTY SUE ELLINGTON SCHUETTE, Individually and as Independent Executrix of the ESTATE OF VERNA LILLIAN ELLINGTON, Deceased, and PEGGY ANN ELLINGTON SORENSON and MARTHA JANE ELLINGTON HILL

Note: The above mentioned Permanent Public Utility Easement is more particularly described by field notes and plat, attached hereto and incorporated herein.

Temporary Construction Easement – Thirty Feet (30') in Width

Being a thirty foot (30') wide strip of easement extending along and adjoining the south and southwest side of the above mentioned Permanent Public Utility Easement.

Joe Orr, Inc.
Surveyors & Engineers
2167 Post Oak Circle
College Station, Texas
(979) 690-3378/693-2777

Proposed 30' Easement
Ellington and Hill Tract
Robert Stevenson League A-54
College Station, Texas
11 August, 2008

All that certain tract or parcel of land lying and being situated in the Robert Stevenson League, Abstract no. 54, in College Station, Brazos County, Texas, being a part of that tract conveyed to Verna T. Ellington and Betty Sue Ellington Hill by deeds recorded in Volume 3082, Page 5 and Volume 7464, Page 275 of the Official Records of Brazos County, Texas, being an easement thirty feet (30') in width lying along and adjoining the westerly right-of-way line of the Union Pacific Railroad extending from the southeast line of North Graham Road to the northwest line of that 4.301 acre tract conveyed to Wellborn Water Supply Corporation by deed recorded in Volume 2700, Page 114 of the Official Public Records of Brazos County, Texas, and being more particularly described as follows:

Beginning at the intersection of the west right-of-way line of the Union Pacific Railroad (200' width) as recorded in Volume U, Page 387 of the Deed Records of Brazos County, Texas and the northwest line of the said Wellborn Water Supply Corporation tract at a point located S 43° 08' 52" W – 74.80 feet from a ½" iron rod found (1996) at a fence corner marking the north corner of the said Wellborn Water tract, a ¾" pipe found (1996) at a cross-tie fence corner post at the west corner of the said Wellborn Water tract bears S 43° 08' 52" W – 517.34 feet, and from where the City of College Station 1994 GPS monument no. 117 bears N 61° 49' 43" W – 6053.6 feet.

Thence S 43° 08' 52" W – 43.36 feet along the northwest line of the said Wellborn Water Supply Corporation tract;

Thence N 0° 37' 47" W – 1215.40 feet parallel to and 130' from the centerline of said railroad right-of-way to the beginning of a tangent curve to the left (R=2711.26 feet);

Thence along the arc of said curve through a central angle of 46° 25' 42", the chord of which bears N 23° 50' 38" W – 2137.39', to the end of said curve;

Thence N 47° 03' 29" W – 1928.21 feet continuing parallel and 130 feet from the centerline of said railroad right-of-way to the southeast line of North Graham Road from where a tree at the fenced west corner of the said Ellington and Hill tract bears S 41° 08' 39" W – 2049.5 feet;

Thence N 41° 08' 39" E – 30.01 feet along the southeast line of North Graham Road to the southwest right-of-way line of said railroad;

Thence along the southwest right-of-way line of said railroad as follows;

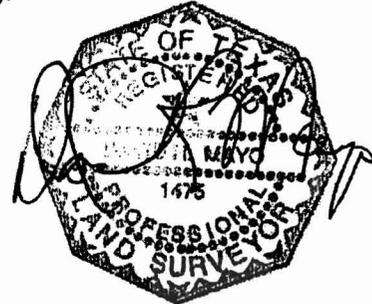
S 47° 03' 29" E – 1929.15 feet to the beginning of a tangent curve to the right (R=2741.26');

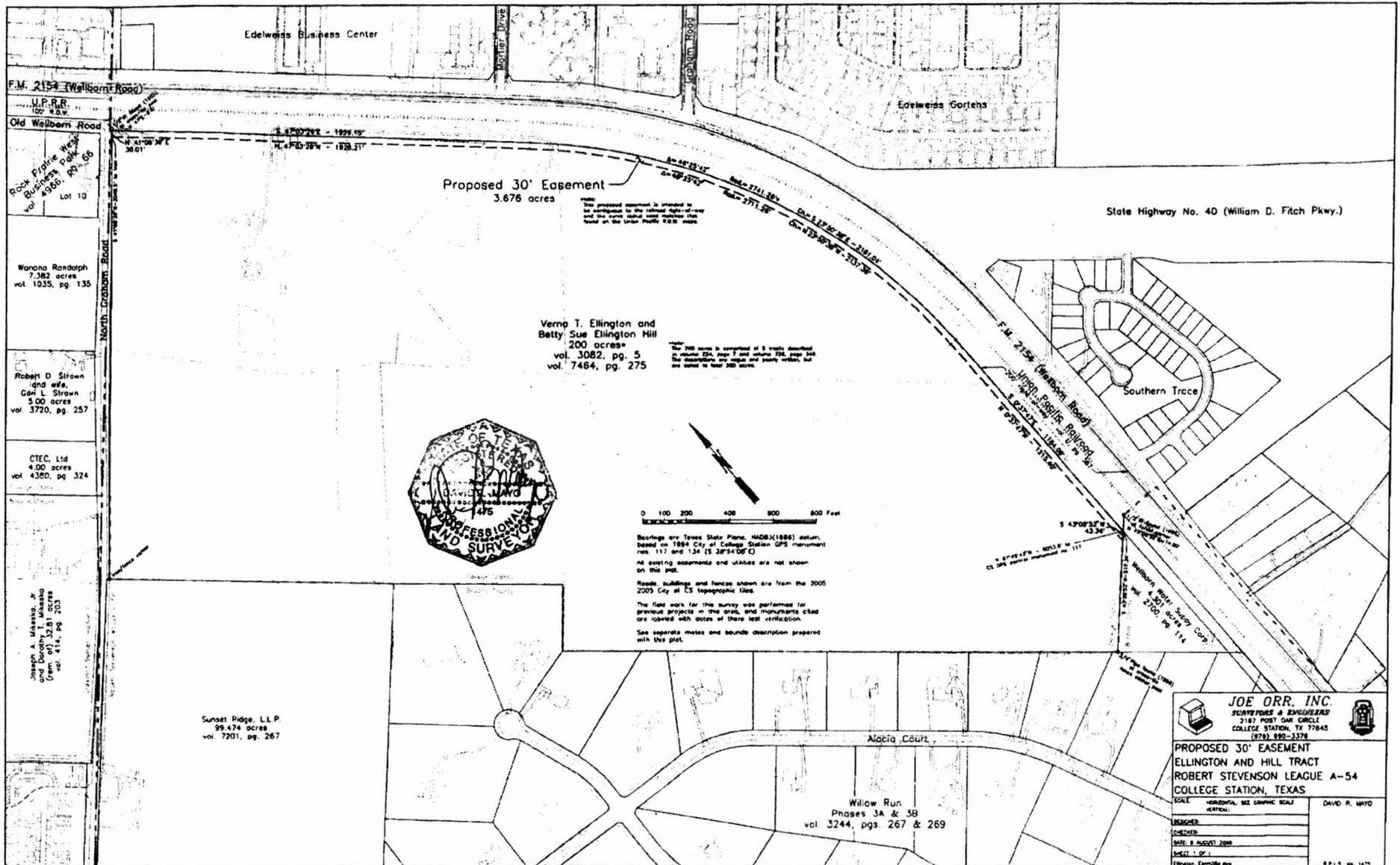
Along the arc of said curve through a central angle of 46° 25' 42", the chord of which bears S 23° 50' 38" E – 2161.04', to the end of said curve;

S 0° 37' 47" E – 1184.09 feet to the Point of Beginning and containing 3.676 acres of land more or less.

Bearings are Texas State Plane, NAD83(1986) datum, based on 1994 City of College Station GPS monument nos. 117 and 134 (S 28° 54' 08" E).

See separate survey plat dated August 2008.





Proposed 30' Easement
3.676 acres

Vern T. Ellington and Betty Sue Ellington Hill
200 acres
vol. 3082, pg. 5
vol. 7464, pg. 275



0 100 200 400 600 800 Feet

Bearings are Texas State Plane, NAD83(1988) datum, based on 1984 City of College Station GPS monument nos. 117 and 134 (S 28°54'00" E).

All existing easements and utilities are not shown on this plat.

Existing buildings and fences shown are from the 2005 City of ES topographic files.

The field work for this survey was performed for previous projects in the area, and monuments cited are labeled with dates of their last verification.

See separate metes and bounds description prepared with this plat.

JOE ORR, INC.
SURVEYING & ENGINEERING
2187 POST OAK CIRCLE
COLLEGE STATION, TX 77845
(979) 690-3378

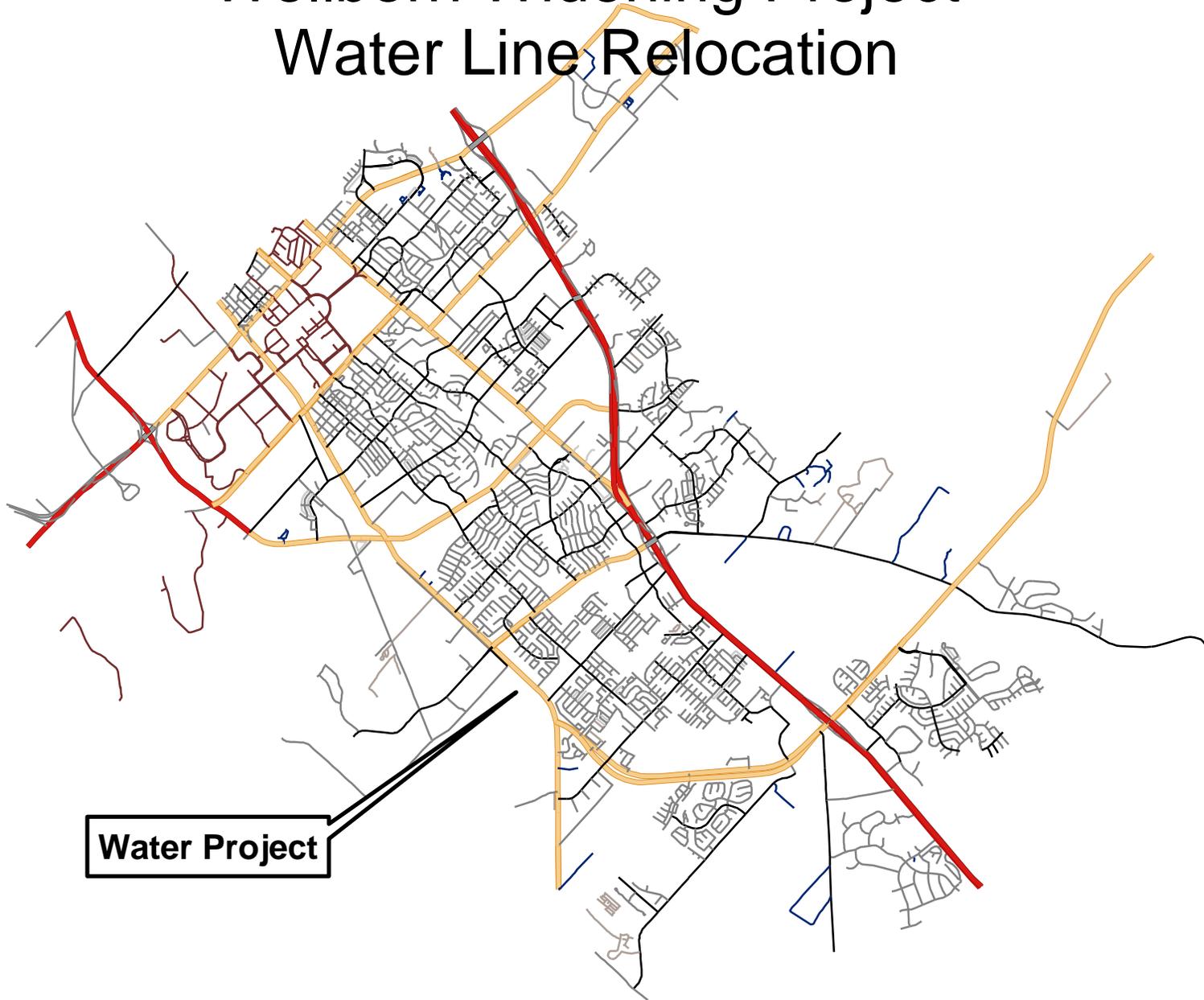
PROPOSED 30' EASEMENT
ELLINGTON AND HILL TRACT
ROBERT STEVENSON LEAGUE A-54
COLLEGE STATION, TEXAS

SCALE: HORIZONTAL: SEE GRAPHIC SCALE
VERTICAL: _____

DESIGNED: _____
CHECKED: _____
DATE: 8 AUGUST 2008
SHEET: 1 OF 1
CONTRACT: C-080208-001

DAVID R. MAYO
S.P.S. No. 1172

Wellborn Widening Project Water Line Relocation



4

Wellborn Widening Project Water Line Relocation



November 24, 2008
Consent Agenda Item No. 2q
Renovation and Expansion to the Utility Service Center
Alternate Bid Method

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding a resolution designating the Construction Manager at Risk as an alternative procurement method for the proposed renovation and expansion to the Utility Service Center.

Recommendation: Staff recommends approval of this resolution.

Summary: This item provides for the use of Construction Manager at Risk as an alternative procurement method for the proposed renovation and expansion to the Utility Service Center. In entering into a contract for the construction of a facility a governmental entity may use Construction Manager at Risk for construction services if the method provides the best value for the governmental entity.

There are several reasons that the Construction Manager at Risk method will prove to be the best value for this project:

1. This process allows the general construction contractor to provide consultation during and after the design of the building.
2. Due to the volatility of construction cost for supplies and labor, this method will provide the City with combined design/construction cost estimates early in the process.
3. This process will allow the City to consider other evaluation factors in awarding this contract, other than the lowest, responsible bid. Factors that we may consider include; proposed construction contract amount and contract time, contractor experience and qualifications, contractor current work schedule and record, contractor key personnel, contractor references and reputation, contractor safety record, contractor financial resources. We will also be able to negotiate terms, conditions, and pricing utilizing the Construction Manager at Risk method of procurement. Negotiation of terms, conditions, and pricing is not available under the traditional competitive bidding process.
4. This process is expected to expedite the construction time frame.

Budget & Financial Summary: Funds in the amount of \$200,000 are included in the FY09 Electric Capital Improvement Project Fund for the design of the renovations to the Utility Service Center. It was projected that an additional \$2,000,000 would be requested during the FY10 budget for the construction of the renovations. However, if the Construction Manager at Risk contract is brought to Council in FY09, the construction budget will be included on a FY09 budget amendment to ensure that the budget is appropriated at the time the contract is brought forth to Council.

Attachment:
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, DETERMINING THAT THE CONSTRUCTION MANAGER AT-RISK METHOD PROVIDES FOR THE BEST VALUE TO THE CITY OF COLLEGE STATION FOR THE RENOVATION AND EXPANSION OF THE UTILITY SERVICE CENTER BUILDING; AND AUTHORIZING THE USE OF THIS METHOD IN ACCORDANCE WITH SECTION 271.118 OF THE TEXAS LOCAL GOVERNMENT CODE.

WHEREAS, the City Council of the City of College Station, Texas, has determined a need to renovate and expand the Utility Service Center Building; and

WHEREAS, the City has determined that using the construction manager-at-risk method as specified by Texas Local Government Code Section 271.118 is the best value and therefor best method for this project; and

WHEREAS, the City Council has determined that the construction manager-at-risk method provides the best value to the City for the renovation and expansion to the Utility Service Center Building as permitted by Texas Local Government Code Section 271.118; 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 the use of the Construction Manager-at-Risk method provides the best value to the City for the renovation and expansion of the Utility Service Center Building project.

PART 2: That the City Council hereby authorizes the use of the Construction Manager-at-Risk method for the renovation and expansion to the Utility Service Center Building project and directs staff to take any and all reasonable measures to implement same.

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, A.D. 2008.

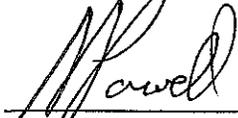
ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:



City Attorney

November 24, 2008
Consent Agenda Item No. 2r
Real Estate Contract (Right-of-Way Acquisition)
William D Fitch Widening Phase II Project
Pebble Creek Development Company (Landowner)

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding approval of a Real Estate Contract that will authorize and direct City staff to complete the purchase of right-of-way needed for the William D. Fitch Widening Phase II Project.

Recommendation(s): Staff recommends approval of the Real Estate Contract.

Summary: The William D. Fitch Widening Phase II Project includes widening the roadway from Pebble Creek Parkway through Rock Prairie Road. The existing two lane roadway and open-ditch drainage system will be upgraded to a four lane divided roadway with a raised median. This project will also include the relocation of utilities. The new roadway is needed to increase capacity of traffic in the area.

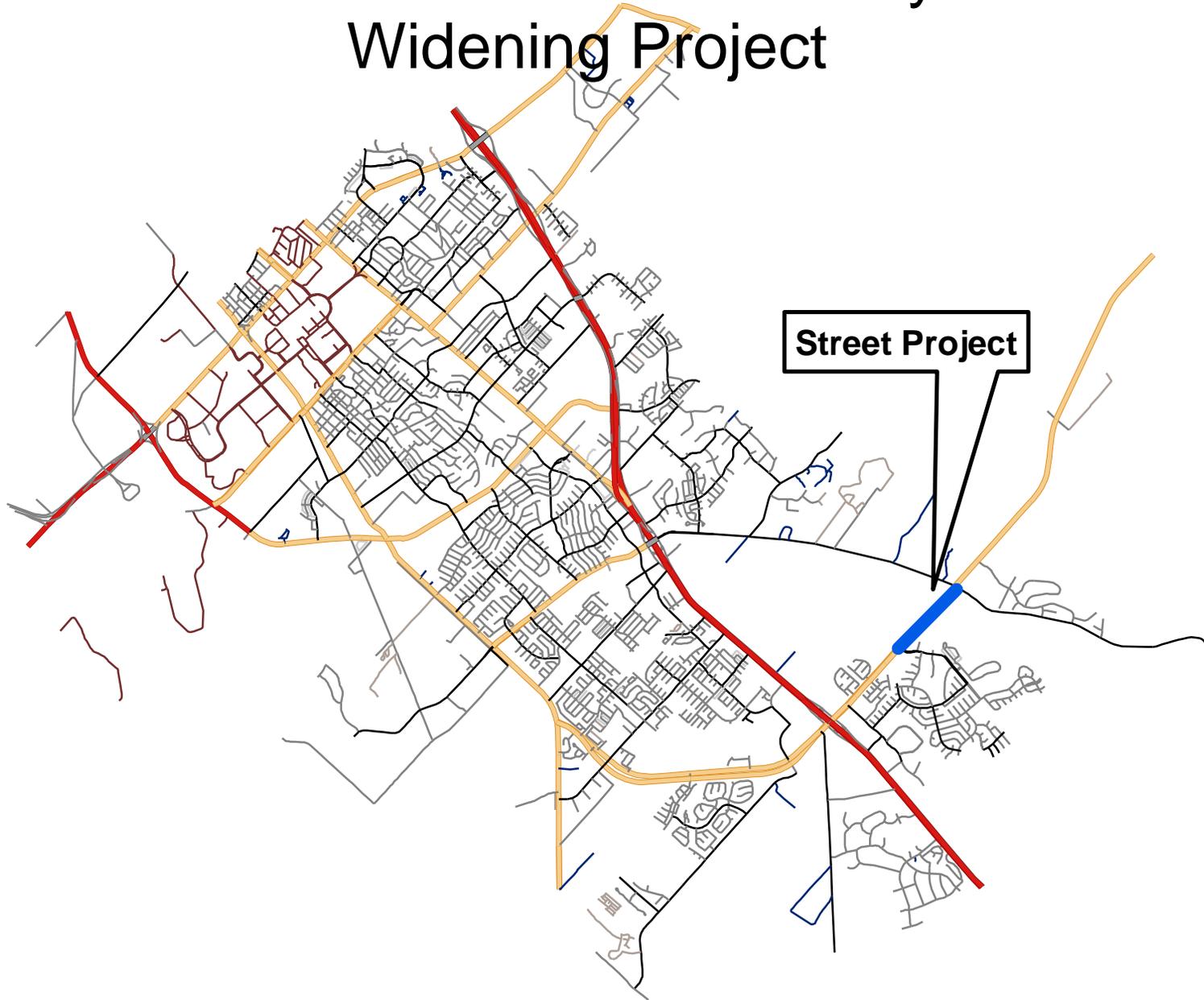
Authorization of the attached real estate contract will enable staff to proceed with purchase of the 50' wide (1.618 acre) right-of-way parcel from Pebble Creek Development Company. The property is located on the southeast side of William D. Fitch Parkway at Rock Prairie Road.

This property and the adjoining right-of-way tract owned by Pebble Creek Country Club are the only two needed for the project.

Budget & Financial Summary: The purchase price for this property is seventy thousand eight hundred forty six dollars (\$70,846.00). An additional three thousand dollars \$3,000 is expected to be used for closing costs (title insurance, escrow fees, etc). Funds in the amount of \$4,530,000 are currently budgeted in the Streets Capital Improvement Project Fund for this project. \$351,692.53 has been expended or committed to date, leaving a balance of \$4,178,307.47 for this land purchase and construction.

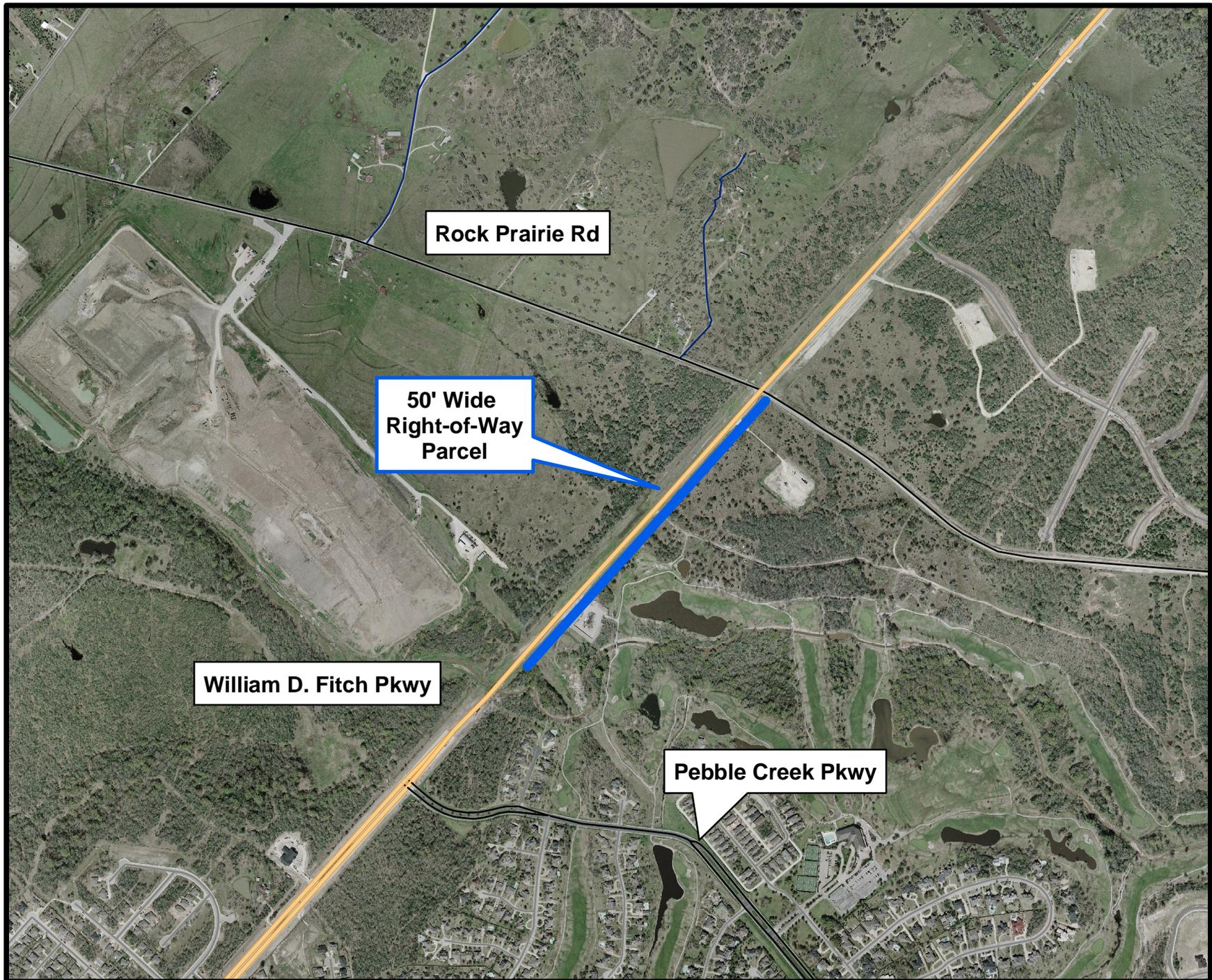
Attachments: Real Estate Contract – Located in City Secretary's Office
Project Maps (2)

William D. Fitch Parkway Widening Project



4

William D. Fitch Parkway Widening



**November 24, 2008
Consent Agenda Item No. 2s
William D. Fitch Pkwy Widening Phase II
Construction Contract**

To: Glenn Brown, City Manager

From: Chuck Gilman, Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding a resolution approving a construction contract with Brazos Valley Services for the amount of \$3,749,256.38 for the construction of the WD Fitch Pkwy Widening Phase II Project.

Recommendation(s): Staff recommends Council approval of the resolution and award of the construction contract to Brazos Valley Services.

Summary: William D. Fitch Pkwy Widening Phase II (ST-0520) will widen W.D. Fitch Pkwy for approximately 4400 linear feet from Pebble Creek Pkwy to Rock Prairie Road from two lanes to four with a raised median. The project includes a bridge, sidewalks, landscaping, bike lanes, and a sanitary sewer and water line crossing at Rock Prairie Rd.

Budget & Financial Summary: Three (3) competitive bids were produced in response to Bid No. 09-06. Brazos Valley Services was the low bid at \$3,749,256.38. Funds have been budgeted in the amount of \$4,530,000 from the Streets Capital Improvement Projects Fund. An additional \$25,000 is budgeted in the Water Capital Improvement Projects Fund, and \$38,000 is budgeted in the Wastewater Capital Improvement Projects Fund as part of the WD Fitch East (Area 6) project. It is anticipated that approximately \$10,000 in additional budget will be needed for the Water portion of the project. This budget will be transferred from Water Capital contingency. Funds in the amount of \$351,692.53 have been expended or committed to date in the Streets Capital Improvement Projects Fund, leaving a balance of \$4,178,307.47. No funds have been expended or committed to date on the Water or Wastewater portions of this project.

Attachments: Resolution
Project Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE WILLIAM D. FITCH PKWY WIDENING PHASE II PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the William D. Fitch Pkwy Widening Phase II Project; and

WHEREAS, the selection of Brazos Valley Services is being recommended as the lowest responsible bidder for the construction services related to the William D. Fitch Pkwy Widening Phase II 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 Brazos Valley Services is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Brazos Valley Services for \$3,749,256.38 for the labor, materials and equipment required for the improvements related the William D. Fitch Pkwy Widening Phase II Project.

PART 3: That the funding for this Contract shall be as budgeted from the Capital Projects Fund, Street Division, in the amount of \$3,689,980.38; Utility Revenue Bond, Water Division in the amount of \$28,408.00; and Utility Revenue Bond, Wastewater Division in the amount of \$30,868.00.

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

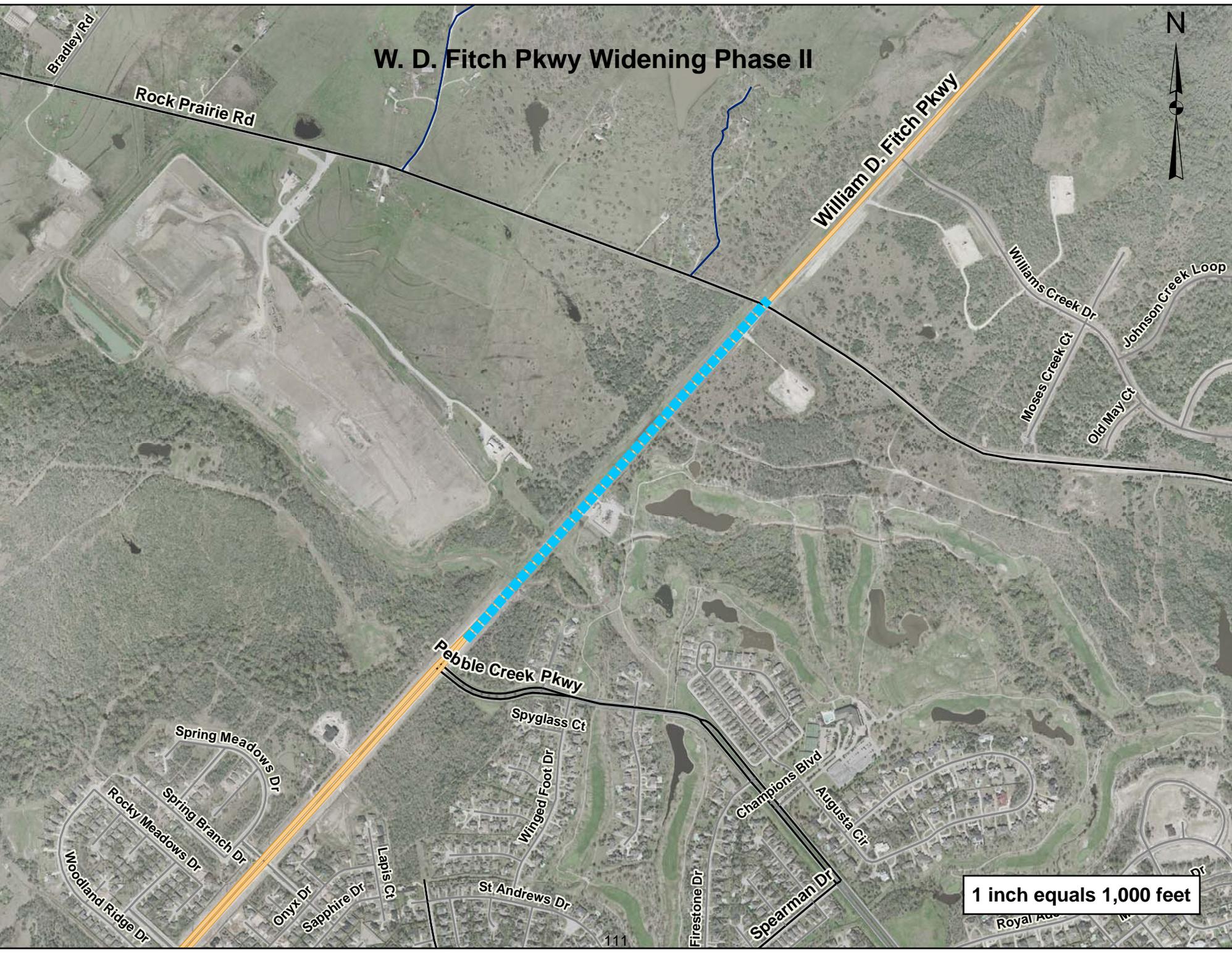
MAYOR

APPROVED:

Carla A. Robinson

City Attorney

W. D. Fitch Pkwy Widening Phase II



William D. Fitch Pkwy

Rock Prairie Rd

Pebble Creek Pkwy

1 inch equals 1,000 feet

Bradley Rd

Williams Creek Dr

Johnson Creek Loop

Moses Creek Ct

Old May Ct

Spring Meadows Dr

Spring Branch Dr

Rocky Meadows Dr

Spyglass Ct

Winged Foot Dr

Champions Blvd

Augusta Cir

Onyx Dr

Sapphire Dr

Lapis Ct

St Andrews Dr

Firestone Dr

Spearman Dr

Royal Ave

**November 24, 2008
Consent Agenda Item No. 2t
Change Order to the CSU Meeting & Training
Facility 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. 4 to the construction contract (Contract No. 08-044) with JaCody, Inc. in the amount of \$156,468 for the CSU Meeting & Training Facility.

Recommendation(s): Staff recommends approval of Change Order #4 to the JaCody, Inc. contract in the amount of \$156,468.

Summary: This change order is for modifications to the HVAC system in the CSU Meeting and Training Facility. A design error in the mechanical system has resulted in a redesign that will require new air handler and condenser units, modifications to the duct work, additional electronic controls, heaters, and structural platforms to support air handler units. Costs incurred due to error in the design will be borne by the design consultant.

Budget & Financial Summary: Funds in the amount of \$2,500,000 are currently budgeted for this project in the Electric Utility Capital Improvement Projects Fund. Funds in the amount of \$2,192,722.97 have been expended or committed to date, leaving a balance of \$307,277.03. It is anticipated that a portion of the cost for this change order will be reimbursed by the design consultant.

Attachments: Change Order #4
Project Location Map

CSU Meeting and Training Facility Site Map



November 24, 2008
Consent Agenda Item No. 2u
Barron Road Capacity Improvements Phase 1 Contract

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion on the resolution approving the construction contract (Contract #09-032) with Brazos Valley Services in the amount of \$1,847,972.66 for the Barron Road Capacity Improvements Phase 1 Project.

Recommendation(s): Staff recommends award of the contract to the lowest, responsible bidder meeting specifications, Brazos Valley Services.

Summary: This contract is for the capacity improvements of Barron Road from Decatur to State Highway 6. Improvements include the construction of a four-lane road with a raised center median, bike lanes, sidewalks, and street lighting. Sealed competitive bids were received from five (5) contracting firms and the summary of the results is as follows:

Brazos Valley Services	\$1,847,972.66
Brazos Paving, Inc.	\$1,880,388.73
Knife River	\$1,889,164.00
Glenn Fuqua, Inc.	\$2,166,919.10
Dudley Construction, Ltd.	\$2,447,313.60

Budget & Financial Summary: Funds in the amount of \$3,000,000 are budgeted in the Streets Capital Improvement Projects Fund for the Barron Road Design and Capacity Improvements. These funds are part of the 2003 General Obligation Bond funds. Funds in the amount of \$695,695.62 have been expended or committed to date, leaving a balance of \$2,304,304.38. In addition, funds in the amount of \$100,000 are budgeted in the Water Capital Improvement Projects Fund and funds in the amount of \$100,000 are budgeted in the Wastewater Capital Improvement Projects Fund for the water and wastewater components of this project. No water or wastewater funds have been expended or committed to date. These portions of the project are anticipated to come in significantly under budget.

Attachments:

1. Resolution
2. Bid Tab
3. Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE BARRON ROAD CAPACITY IMPROVEMENTS PHASE 1 PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Barron Road Capacity Improvements Phase 1 Project; and

WHEREAS, the selection of Brazos Valley Services is being recommended as the lowest responsible bidder for the construction services related to the Barron Road Capacity Improvements Phase 1 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 Brazos Valley Services is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Brazos Valley Services for \$1,847,972.66 for the labor, materials and equipment required for the improvements related the Barron Road Capacity Improvements Phase 1 Project.

PART 3: That the funding for this Project shall be as budgeted from the Streets Capital Improvement Projects Fund in the amount of \$3,000,000.00, from the Water Capital Improvement Projects Fund in the amount of \$100,000.00, and from the Wastewater Capital Improvement Projects Fund in the amount of \$100,000.00.

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

ADOPTED this 24 day of November, A.D. 2008.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson
City Attorney



City of College Station - Purchasing Department
Bid Tabulation for "Barron Road Phase I"
Open Date: Tuesday, October 21, 2008 at 2:00pm

Item No.	Est. Quan.	Unit Meas.	Description	Brazos Valley Services		Knife River		Dudley Construction Ltd.		Brazos Paving Inc.		Glenn Fuqua, Inc.	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
General Items													
1	1	LS	Mobilization	\$108,000.00	\$108,000.00	\$130,000.00	\$130,000.00	\$113,193.22	\$113,193.22	\$91,250.00	\$91,250.00	\$200,000.00	\$200,000.00
2	1	LS	Traffic Control	\$40,000.00	\$40,000.00	\$61,000.00	\$61,000.00	\$46,547.58	\$46,547.58	\$84,450.00	\$84,450.00	\$50,000.00	\$50,000.00
3	1	LS	Erosion and Sedimentation Control	\$16,000.00	\$16,000.00	\$15,000.00	\$15,000.00	\$27,277.15	\$27,277.15	\$17,730.00	\$17,730.00	\$22,000.00	\$22,000.00
4	5,021	SY	Final Block Sodding	\$4.00	\$20,084.00	\$3.20	\$16,067.20	\$3.28	\$16,468.88	\$4.00	\$20,084.00	\$3.00	\$15,063.00
5	5,021	SY	Furnish and place topsoil (4")	\$2.00	\$10,042.00	\$0.80	\$4,016.80	\$2.35	\$11,799.35	\$3.60	\$18,075.60	\$1.50	\$7,531.50
6	168	LF	4" PVC Piping for Irrigation Sleeves w/bends, caps & fittings	\$15.00	\$2,520.00	\$19.00	\$3,192.00	\$13.08	\$2,197.44	\$14.00	\$2,352.00	\$15.00	\$2,520.00
Electrical Items													
7	9	EA	Street Light Illumination Assembly	\$3,600.00	\$32,400.00	\$3,450.00	\$31,050.00	\$5,197.38	\$46,776.42	\$3,420.00	\$30,780.00	\$3,200.00	\$28,800.00
8	4	EA	Install Pull Box	\$2,100.00	\$8,400.00	\$2,000.00	\$8,000.00	\$2,474.61	\$9,898.44	\$1,990.00	\$7,960.00	\$1,850.00	\$7,400.00
9	1,728	LF	1" PVC Conduit (schedule 40) bore, with bends, caps & fittings	\$7.50	\$12,960.00	\$7.00	\$12,096.00	\$3.30	\$5,702.40	\$7.05	\$12,182.40	\$6.50	\$11,232.00
10	105	LF	1" PVC Conduit (schedule 40) bore, with bends, caps & fittings	\$13.00	\$1,365.00	\$12.50	\$1,312.50	\$4.540	\$476.70	\$12.420	\$1,304.10	\$11.500	\$1,207.50
11	2,832	LF	2" PVC Conduit (schedule 40) with bends, caps & fittings	\$5.50	\$15,576.00	\$5.20	\$14,726.40	\$3.71	\$10,506.72	\$5.18	\$14,669.76	\$4.80	\$13,593.60
12	700	LF	2" PVC Conduit (schedule 40)	\$16.00	\$11,200.00	\$15.20	\$10,640.00	\$3.37	\$2,359.00	\$15.12	\$10,584.00	\$14.00	\$9,800.00
13	9,816	LF	4" PVC Conduit (schedule 40) with bend, caps, & fittings	\$5.75	\$56,442.00	\$5.50	\$53,988.00	\$9.62	\$94,429.92	\$5.40	\$53,006.40	\$5.00	\$49,080.00
14	3,766	LF	Electrical Conductor (#6 insulated)	\$2.00	\$7,532.00	\$1.75	\$6,590.50	\$2.07	\$7,795.62	\$1.75	\$6,590.50	\$1.62	\$6,100.92
15	9	EA	Street Light Concrete Foundation	\$1,015.00	\$9,135.00	\$980.00	\$8,820.00	\$489.10	\$4,401.90	\$972.00	\$8,748.00	\$900.00	\$8,100.00
16	45	LF	Jack, Bore, or Tunnel Pipe (12") (Std Casing)	\$310.00	\$13,950.00	\$300.00	\$13,500.00	\$135.23	\$6,085.35	\$362.00	\$16,290.00	\$275.00	\$12,375.00
Drainage Items													
17	140	CY	Drainage Channel Excavation	\$10.00	\$1,400.00	\$4.00	\$560.00	\$35.590	\$4,982.60	\$40.00	\$5,600.00	\$20.000	\$2,800.00
18	530	LF	Trench Safety Protection	\$1.00	\$530.00	\$1.00	\$530.00	\$1.55	\$821.50	\$1.25	\$662.50	\$4.00	\$2,120.00
19	387	LF	18" Reinforced Concrete Pipe (Sewer) (CI III)	\$56.51	\$21,869.37	\$41.00	\$15,867.00	\$70.87	\$27,426.69	\$66.85	\$25,870.95	\$42.00	\$16,254.00
20	1,043	LF	24" Reinforced Concrete Pipe (Sewer) (CI III)	\$60.60	\$63,205.80	\$51.50	\$53,714.50	\$82.11	\$85,640.73	\$93.60	\$97,624.80	\$48.00	\$50,064.00
21	402	LF	30" Reinforced Concrete Pipe (Sewer) (CI III)	\$73.52	\$29,555.04	\$69.00	\$27,738.00	\$98.77	\$39,705.54	\$105.00	\$42,210.00	\$70.00	\$28,140.00
22	145	LF	36" Reinforced Concrete Pipe (Sewer) (CI III)	\$98.20	\$14,239.00	\$83.00	\$12,035.00	\$158.15	\$22,931.75	\$132.25	\$19,176.25	\$120.00	\$17,400.00
23	64	LF	42" Reinforced Concrete Pipe (Sewer) (CI III)	\$128.00	\$8,192.00	\$111.00	\$7,104.00	\$185.19	\$11,852.16	\$145.65	\$9,321.60	\$200.00	\$12,800.00
24	133	LF	48" Reinforced Concrete Pipe (Sewer) (CI III)	\$172.00	\$22,876.00	\$135.00	\$17,955.00	\$210.77	\$28,032.41	\$184.80	\$24,578.40	\$210.00	\$27,930.00
25	13	EA	Type C Inlet	\$2,300.00	\$29,900.00	\$3,200.00	\$41,600.00	\$4,140.09	\$53,821.17	\$3,020.00	\$39,260.00	\$2,900.00	\$37,700.00
26	14	EA	Type E Inlet Extension	\$1,000.00	\$14,000.00	\$830.00	\$11,620.00	\$1,247.82	\$17,469.48	\$3,545.00	\$49,630.00	\$900.00	\$12,600.00
27	4	EA	Type H Inlet w/Grate	\$3,500.00	\$14,000.00	\$2,400.00	\$9,600.00	\$3,532.090	\$14,128.36	\$5,100.00	\$20,400.00	\$2,200.00	\$8,800.00
28	7	EA	Type M Manhole	\$3,300.00	\$23,100.00	\$3,100.00	\$21,700.00	\$3,982.73	\$27,879.11	\$3,700.00	\$25,900.00	\$3,000.00	\$21,000.00
29	2	EA	Concrete Collar	\$1,200.00	\$2,400.00	\$980.00	\$1,960.00	\$1,565.87	\$3,131.74	\$580.00	\$1,160.00	\$1,000.00	\$2,000.00
30	1	LS	Televise Storm Sewer Systems	\$8,000.00	\$8,000.00	\$5,300.00	\$5,300.00	\$6,859.22	\$6,859.22	\$3,580.00	\$3,580.00	\$6,000.00	\$6,000.00
31	1	EA	SET (TY II) (48 IN) (RCP) (6:1)	\$5,000.00	\$5,000.00	\$8,300.00	\$8,300.00	\$4,982.31	\$4,982.31	\$7,150.00	\$7,150.00	\$4,000.00	\$4,000.00
32	44.4	CY	12" Stone Rip Rap	\$50.00	\$2,220.00	\$100.00	\$4,440.00	\$114.59	\$5,087.80	\$102.00	\$4,528.80	\$100.00	\$4,440.00
33	15.3	CY	6" Concrete Rip Rap	\$300.00	\$4,590.00	\$375.00	\$5,737.50	\$78.41	\$1,199.67	\$101.00	\$1,545.30	\$450.00	\$6,885.00
Street Items													
34	25	Sta	Prepare Site	\$2,000.00	\$50,000.00	\$1,100.00	\$27,500.00	\$1,935.98	\$48,399.50	\$2,900.00	\$72,500.00	\$2,000.00	\$50,000.00
35	2,077	CY	Excavation (Roadway)	\$10.00	\$20,770.00	\$8.60	\$17,862.20	\$5.69	\$11,818.13	\$17.00	\$35,309.00	\$20.00	\$41,540.00
36	2,156	CY	Embankment (Final) (Dens Cont) (Ty C)	\$10.00	\$21,560.00	\$4.70	\$10,133.20	\$11.39	\$24,556.84	\$9.75	\$21,021.00	\$25.00	\$53,900.00
37	18,326	SY	Lime Treatment of Existing Material (6")	\$4.20	\$76,969.20	\$4.30	\$78,801.80	\$5.22	\$95,661.72	\$4.85	\$88,881.10	\$4.90	\$89,797.40
38	7,170	SY	Lime Treatment of Existing Material (6")	\$1.00	\$7,170.00	\$2.25	\$16,132.50	\$20.96	\$150,283.20	\$3.15	\$22,585.50	\$1.50	\$10,755.00
39	1,658	SY	HMA Ty D, (2")	\$12.00	\$19,896.00	\$11.25	\$18,652.50	\$16.01	\$26,544.58	\$13.40	\$22,217.20	\$12.00	\$19,896.00
40	1,737	SY	HMA Ty B (6")	\$36.00	\$62,532.00	\$29.40	\$51,067.80	\$53.38	\$92,721.06	\$33.00	\$57,321.00	\$39.00	\$67,743.00
41	126	SY	HMA Ty B (8")	\$60.00	\$7,560.00	\$50.50	\$6,363.00	\$64.77	\$8,161.02	\$43.60	\$5,493.60	\$49.00	\$6,174.00
42	70	LF	Concrete Curb and Gutter (Ty II)	\$20.00	\$1,400.00	\$26.00	\$1,820.00	\$19.96	\$1,397.20	\$18.00	\$1,260.00	\$12.00	\$840.00
43	2,238	SF	Concrete Sidewalk (4")	\$4.00	\$8,952.00	\$4.60	\$10,294.80	\$3.99	\$8,929.62	\$4.25	\$9,511.50	\$6.00	\$13,428.00
44	2	EA	Curb Ramp (Ty 8)	\$800.00	\$1,600.00	\$820.00	\$1,640.00	\$392.07	\$784.14	\$890.00	\$1,780.00	\$1,000.00	\$2,000.00
45	8	EA	Curb Ramp (Ty 8)	\$1,000.00	\$8,000.00	\$775.00	\$6,200.00	\$392.07	\$3,136.56	\$675.00	\$5,400.00	\$1,200.00	\$9,600.00
46	178	SY	Colored and Patterned Concrete	\$125.00	\$22,250.00	\$92.00	\$16,376.00	\$254.23	\$45,252.94	\$84.50	\$15,041.00	\$100.00	\$17,800.00
47	7,170	SY	Salvage, Hauling and Stockpiling Reclaimable Asphalt	\$3.50	\$25,095.00	\$2.40	\$17,208.00	\$8.16	\$58,507.20	\$2.15	\$15,415.50	\$3.00	\$21,510.00
48	5.2	Sta	Backfill Pavement Edges (Ty A or B)	\$800.00	\$4,160.00	\$285.00	\$1,482.00	\$2,046.31	\$10,640.81	\$2,180.00	\$11,336.00	\$300.00	\$1,560.00
49	14,360	SY	Concrete Pavement (8")	\$52.21	\$749,735.60	\$57.30	\$822,828.00	\$65.40	\$939,144.00	\$42.00	\$603,120.00	\$60.00	\$861,600.00
50	2	EA	Driveways (Conc)	\$4,000.00	\$8,000.00	\$4,200.00	\$8,400.00	\$711.76	\$1,423.52	\$2,850.00	\$5,700.00	\$6,000.00	\$12,000.00
51	85	SY	Cut and Restore Pavement	\$40.00	\$3,400.00	\$51.00	\$4,335.00	\$106.76	\$9,074.60	\$55.40	\$4,709.00	\$70.00	\$5,950.00
52	766	SY	Intersections (CONC)	\$40.00	\$30,640.00	\$60.00	\$45,960.00	\$51.25	\$39,257.50	\$29.75	\$22,788.50	\$100.00	\$76,600.00
53	40	LF	Typical Pedestrian Guard Rail	\$150.00	\$6,000.00	\$142.00	\$5,680.00	\$85.41	\$3,416.40	\$160.00	\$6,400.00	\$200.00	\$8,000.00
54	40	LF	Raised Concrete Curb	\$50.00	\$2,000.00	\$41.00	\$1,640.00	\$7.47	\$298.80	\$34.00	\$1,360.00	\$50.00	\$2,000.00
55	5887	LF	Concrete Curb (Mono) (Ty II)	\$3.00	\$17,661.00	\$4.20	\$24,725.40	\$5.04	\$29,670.48	\$3.55	\$20,898.85	\$6.00	\$35,322.00

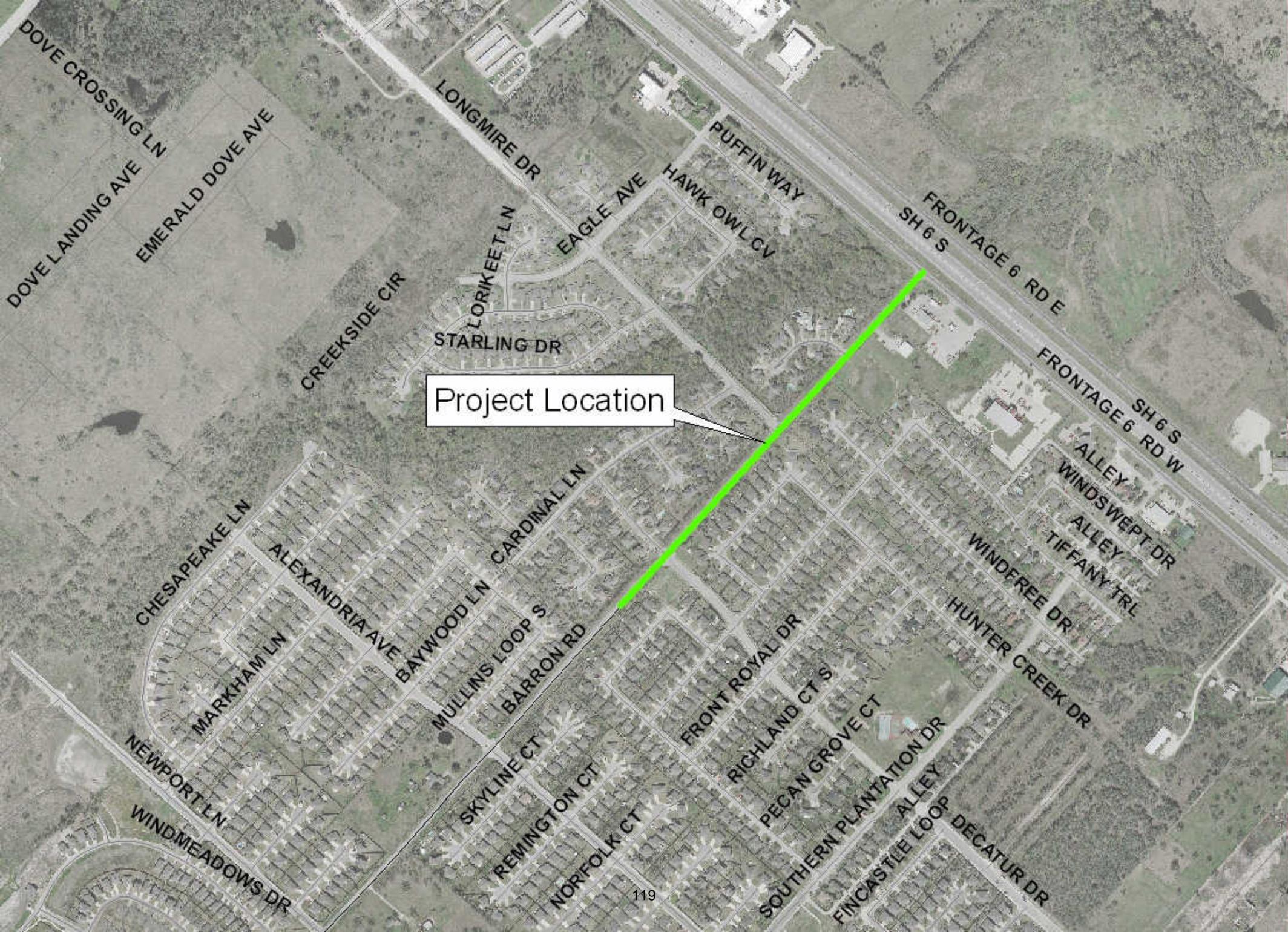


**City of College Station - Purchasing Department
 Bid Tabulation for "Barron Road Phase I"
 Open Date: Tuesday, October 21, 2008 at 2:00pm**

Item No.	Est. Quan.	Unit Meas.	Description	Brazos Valley Services		Knife River		Dudley Construction Ltd.		Brazos Paving Inc.		Glenn Fuqua, Inc.	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
General Items													
Signing and Striping Items										\$0.00			
56	21	EA	Small Road Sign Supports and Assemblies	\$630.00	\$13,230.00	\$610.00	\$12,810.00	\$797.17	\$16,740.57	\$605.00		\$580.00	\$12,180.00
57	750	LF	Type I ReflectORIZED Pavement Markings (W) (4") (Brk)	\$0.75	\$562.50	\$0.70	\$525.00	\$0.89	\$667.50	\$0.70	\$525.00	\$0.65	\$487.50
58	4083	LF	Type I ReflectORIZED Pavement Markings (W) (4") (Sld)	\$0.75	\$3,062.25	\$0.70	\$2,858.10	\$0.93	\$3,797.19	\$0.70	\$2,858.10	\$0.65	\$2,653.95
59	653	LF	Type I ReflectORIZED Pavement Markings (W) (8") (Sld)	\$1.50	\$979.50	\$1.40	\$914.20	\$2.13	\$1,390.89	\$1.40	\$914.20	\$1.30	\$848.90
60	104	LF	Type I ReflectORIZED Pavement Markings (W) (24") (Sld)	\$8.00	\$832.00	\$7.60	\$790.40	\$9.96	\$1,035.84	\$7.55	\$785.20	\$7.00	\$728.00
61	7	EA	Type I ReflectORIZED Pavement Markings (W (Arrow)	\$141.00	\$987.00	\$98.00	\$686.00	\$73.21	\$512.47	\$97.20	\$680.40	\$125.00	\$875.00
62	6	EA	Type I ReflectORIZED Pavement Markings (W) (Bike Arw)	\$85.00	\$510.00	\$65.00	\$390.00	\$85.41	\$512.46	\$65.00	\$390.00	\$75.00	\$450.00
63	6	EA	Type I ReflectORIZED Pavement Markings (W) (Bike Sym)	\$113.0000	\$678.00	\$81.5000	\$489.00	\$93.2100	\$559.26	\$81.0000	\$486.00	\$100.0000	\$600.00
64	5	EA	Type I ReflectORIZED Pavement Markings (W) (Word)	\$200.00	\$1,000.00	\$163.00	\$815.00	\$213.53	\$1,067.65	\$162.00	\$810.00	\$180.00	\$900.00
65	4276	LF	Type I ReflectORIZED Pavement Markings (Y) (4") (Sld)	\$0.75	\$3,207.00	\$0.70	\$2,993.20	\$0.93	\$3,976.68	\$0.70	\$2,993.20	\$0.65	\$2,779.40
66	532	LF	Type I ReflectORIZED Pavement Markings (Y) (24") (Sld)	\$8.00	\$4,256.00	\$7.00	\$3,724.00	\$9.25	\$4,921.00	\$7.02	\$3,734.64	\$7.00	\$3,724.00
67	666	LF	Type II ReflectORIZED Pavement Markings (W) (12") (Sld)	\$3.00	\$1,998.00	\$5.50	\$3,663.00	\$7.13	\$4,748.58	\$5.40	\$3,596.40	\$3.00	\$1,998.00
68	9061	LF	Pavement Sealer 4"	\$0.40	\$3,624.40	\$0.35	\$3,171.35	\$0.47	\$4,258.67	\$0.36	\$3,261.96	\$0.33	\$2,990.13
69	593	LF	Pavement Sealer 8"	\$0.90	\$533.70	\$0.65	\$385.45	\$0.85	\$504.05	\$0.65	\$385.45	\$0.80	\$474.40
70	666	LF	Pavement Sealer 12"	\$2.25	\$1,498.50	\$2.20	\$1,465.20	\$2.85	\$1,898.10	\$2.16	\$1,438.56	\$2.00	\$1,332.00
71	640	LF	Pavement Sealer 24"	\$4.50	\$2,880.00	\$4.35	\$2,784.00	\$5.69	\$3,641.60	\$4.32	\$2,764.80	\$4.00	\$2,560.00
72	7	EA	Pavement Sealer (Arrow)	\$75.00	\$525.00	\$54.50	\$381.50	\$71.18	\$498.26	\$54.00	\$378.00	\$65.00	\$455.00
73	6	EA	Pavement Sealer (Bike Arrow)	\$45.00	\$270.00	\$32.60	\$195.60	\$42.71	\$256.26	\$32.50	\$195.00	\$40.00	\$240.00
74	6	EA	Pavement Sealer (Bike Symbol)	\$40.00	\$240.00	\$38.00	\$228.00	\$49.82	\$298.92	\$38.00	\$228.00	\$35.00	\$210.00
75	5	EA	Pavement Sealer (Word)	\$85.00	\$425.00	\$71.00	\$355.00	\$92.53	\$462.65	\$70.20	\$351.00	\$75.00	\$375.00
76	90	EA	Refl Pav Mrkr Ty II-C-R	\$8.00	\$720.00	\$6.50	\$585.00	\$8.54	\$768.60	\$6.50	\$585.00	\$7.00	\$630.00
77	218	EA	Refl Pav Mrkr Ty II-A-A	\$8.00	\$1,744.00	\$6.50	\$1,417.00	\$8.54	\$1,861.72	\$6.50	\$1,417.00	\$7.00	\$1,526.00
Work Zone Pavement Marking Items										\$0.00			\$0.00
78	1040	LF	Removable Work Zone Pavement Marking (W) (4") (Sld)	\$0.80	\$832.00	\$0.75	\$780.00	\$1.00	\$1,040.00	\$0.76	\$790.40	\$0.70	\$728.00
79	100	LF	Removable Work Zone Pavement Marking (W) (8") (Sld)	\$1.50	\$150.00	\$1.75	\$175.00	\$2.28	\$228.00	\$1.72	\$172.00	\$1.30	\$130.00
80	4556	LF	Removable Work Zone Pavement Marking (Y) (4") (Sld)	\$0.75	\$3,417.00	\$0.75	\$3,417.00	\$1.00	\$4,556.00	\$0.76	\$3,462.56	\$0.65	\$2,961.40
81	133	LF	Removable Work Zone Pavement Marking (Y) (24") (Sld)	\$9.60	\$1,276.80	\$9.80	\$1,303.40	\$12.81	\$1,703.73	\$9.75	\$1,296.75	\$8.50	\$1,130.50
Waterline Items													
82	40	LF	18" Di Pipe (Non-Struct) w/bend, fittings, etc	\$312.50	\$12,500.00	\$275.00	\$11,000.00	\$361.47	\$14,458.80	\$303.75	\$12,150.00	\$230.00	\$9,200.00
General (Items 1-6)					\$196,646.00		\$229,276.00		\$217,483.62		\$233,941.60		\$297,114.50
Electrical (Items 7-16)					\$168,960.00		\$160,723.40		\$188,432.47		\$162,115.16		\$147,689.02
Drainage (Items 17-33)					\$265,077.21		\$245,761.00		\$355,952.24		\$378,198.60		\$260,933.00
Street (Items 34-55)					\$1,155,350.80		\$1,195,102.20		\$1,609,079.82		\$1,050,048.75		\$1,408,015.40
Signing and Striping (Items 56-77)					\$43,762.85		\$41,626.00		\$54,378.92		\$28,777.91		\$39,017.28
Work Zone Pavement Marking (Items 78-81)					\$5,675.80		\$5,675.40		\$7,527.73		\$5,721.71		\$4,949.90
Water Line (Item 82)					\$12,500.00		\$11,000.00		\$14,458.80		\$12,150.00		\$9,200.00
Total Base Bid					\$1,847,972.66		\$1,889,164.00		\$2,447,313.60		\$1,870,953.73		\$2,166,919.10
Bid Certification					✓		✓		✓		✓		✓
Bid Bond					✓		✓		✓		✓		✓
Addendums Acknowledged					✓		✓		✓		✓		✓

Brazos Paving miscalculated item #8 as \$7,690.00; incorrectly added Street Items (34-55) as \$1,047,048.75 and Total Base Bid as \$1,880,388.73

Glenn Fuqua, Inc. miscalculated line #57 as \$468; incorrectly added Signing and Striping (Items 56-77) as \$38,997.78; and Total Base Bid as \$1,166,899.60



DOVE CROSSING LN
DOVE LANDING AVE
EMERALD DOVE AVE

LONGMIRE DR

PUFFIN WAY

EAGLE AVE

HAWK OWL CV

FRONTAGE 6 RD E
SH 6 S

CREEKSIDE CIR

LORIKEET LN

STARLING DR

Project Location

FRONTAGE 6 RD W
SH 6 S

CHESAPEAKE LN

ALEXANDRIA AVE

BAYWOOD LN

CARDINAL LN

ALLEY
WINDSWEPT DR
ALLEY
TIFFANY TRL

MARKHAM LN

MULLINS LOOP S

BARRON RD

FRONT ROYAL DR

WINDFREE DR

HUNTER CREEK DR

NEWPORT LN

SKYLINE CT

REMINGTON CT

NORFOLK CT

RICHLAND CT S

PECAN GROVE CT

SOUTHERN PLANTATION DR

ALLEY

FINCASTLE LOOP
DECATUR DR

WINDMEADOWS DR

November 24, 2008
Consent Agenda Item No. 2u
A Resolution approving a Professional Services Contract for
Carters Creek Wastewater Treatment Plant Miscellaneous
Improvements and a Resolution Declaring Intention to Reimburse Certain
Expenditures with Proceeds From Debt

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion on a Professional Services Contract with Lockwood, Andrews, Newnam, Inc., in the amount of \$188,700, for the design of the Carters Creek Wastewater Treatment Plant Miscellaneous Improvements, and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Recommendation(s): Staff recommends approval of the professional services contract and recommends approval of the resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Summary: The scope of the Carters Creek Wastewater Treatment Plant Miscellaneous Improvements is for design and construction of improvements to the gravity thickener, clarifiers, autothermal thermophilic aerobic digestion system, service water (non-potable) system, and process controls. With the projected design budget of \$188,700, Lockwood, Andrews, Newnam, Inc. was contacted to submit a proposal for designing the project based upon their prior experience of designing other wastewater treatment plants within the City.

Budget & Financial Summary: For ease of project administration and economies of scale, several projects have been combined to be included in this Carters Creek (CC) Wastewater Treatment Plant Miscellaneous Improvements project. These projects include CC Clarifier Improvements, CC Service Water Improvements, CC Process Control Improvements and CC ATAD Improvements. The total current project budget for these improvements is \$1,183,000. No funds have been expended or committed to date. The P.O. for the project design is \$188,700. This item replaces the standard terms, conditions and specifications that were attached to the P.O. with those in the Professional Services Contract and requires no additional funds. The "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is necessary for this item because a portion of the long term debt has not been issued for the project. This debt is scheduled to be issued later this fiscal year.

Attachments:

- 1.) Resolution
- 2.) Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE CARTERS CREEK WASTEWATER TREATMENT PLANT MISCELLANEOUS IMPROVEMENTS.

WHEREAS, the City of College Station, Texas, requested a proposal from Lockwood, Andrews, & Newman, Inc. for the design and construction phase services based upon their previous experience designing various wastewater treatment plants for the City and their familiarity with this Project; and

WHEREAS, the selection of Lockwood, Andrews, & Newnam, Inc. is being recommended as the most highly qualified provider of the design and construction phase services; now, therefore,

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

PART 1: That the City Council hereby finds that Lockwood, Andrews, & Newnam, Inc. is the most highly qualified provider of the services for Carters Creek Wastewater Treatment Plant Miscellaneous Improvements Project on the basis of demonstrated competence and qualifications and their previous experience designing various wastewater treatment plants for the City and their familiarity with this Project.

PART 2: That the City Council hereby approves the contract with Lockwood, Andrews, & Newnam, Inc. for an amount not to exceed \$188,700.00 for the design and construction phase services related to the Carters Creek Wastewater Treatment Plant Miscellaneous Improvements Project.

PART 3: That the funding for this Contract shall be as budgeted from the Water Capital Improvement Projects Fund in the amount of \$188,700.00.

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:

Carla A. Johnson

City Attorney

RESOLUTION NO. _____

**RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES WITH
PROCEEDS FROM DEBT**

WHEREAS, the City of College Station, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (collectively, the "Project") prior to the issuance of obligations by the City in connection with the financing of the Project from available funds;

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

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

Section 1. The City reasonably expects it will incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$1,200,000, for the purpose of paying the aggregate costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance of this Statement after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 24th DAY OF NOVEMBER, 2008.

Ben White, Mayor

ATTEST:

Connie Hooks, City Secretary

(Seal)

APPROVED:



McCall, Parkhurst & Horton L.L.P.
Bond Counsel

Exhibit "A"

The projects to be financed that are the subject of this Statement are:

Carters Creek Wastewater Treatment Plant Miscellaneous Improvements

November 24, 2008
Consent Agenda Item No. 2w
Memorandum of Agreement with Lynntech, Inc.

To: Glenn Brown, City Manager

From: David Gwin, Director of Economic and Community Development

Agenda Caption: Presentation, possible action, and discussion on a Memorandum of Agreement between the City of College Station, Research Valley Partnership and Lynntech, Inc.

Recommendation(s): Staff recommends approval.

Summary: This Memorandum of Agreement (MOA) provides a general framework under which the City will facilitate reinvestment and new development in and around the former Westinghouse facility, located at 2501 Earl Rudder South. The agreement outlines those items for which each party shall be responsible and also identifies specific performance for the private sector entity.

Per the MOA, Lynntech will make no less than \$3,000,000 in capital improvements to the facility. Lynntech will also maintain 120 jobs in College Station and create an additional 30 jobs with a gross new payroll of \$2,250,000 over the next three years. The Research Valley Partnership will make a 4% loan of \$500,000 to Lynntech for a 3-year term. The City of College Station will waive development fees related for the occupation of the facility, provide an expedited level of service for project review and permitting, assist with the development of a Master Plan and marketing strategy for the property, as well as explore any number of appropriate financial assistance tools once the specifics behind the reinvestment plan are better refined and established.

Budget & Financial Summary: As referenced above, Lynntech, under the agreement, will make no less than \$3,000,000 in capital improvements, maintain 120 jobs in College Station, and create an additional 30 jobs with a gross new payroll of \$2,250,000 over the next three years. The exact costs to the City are unknown as of yet; however, as they are determined staff will return to the Council for their specific approval. This project will bring a marginalized property back into productive use in the community.

Attachments:

Memorandum of Agreement

MEMORANDUM OF AGREEMENT

BETWEEN

THE RESEARCH VALLEY PARTNERSHIP, INC., THE CITY OF COLLEGE
STATION, TEXAS

AND

LYNNTECH, INC.

In order to facilitate Lynntech, Inc.'s location of research, development, commercialization, and production activities to the former Westinghouse facility located at 2501 Earl Rudder South in College Station, Texas (the Facility) and the future development of Lynntech Science Park on the undeveloped property at said address (the Property), The Research Valley Partnership, Inc. (RVP), City of College Station, Texas (City), and Lynntech Inc.(Lynntech) agree as follows:

Article 1

Lynntech shall occupy and be in operation at the Facility by September 1, 2009; shall make a minimum new investment at the Facility of \$3,000,000 by no later than September 1, 2009; shall retain its employment headcount of 120 jobs; shall create 30 new jobs (10 jobs per year) with a gross new payroll of \$2,250,000 (\$750,000 per year) over a period of three years beginning September 1, 2009; and shall work in partnership with the City on the future development of the Lynntech Science Park at the Property.

Article 2

The RVP shall loan Lynntech five-hundred thousand dollars (\$500,000) at four (4) percent interest with an amortization of ten (10) years and a three (3) year term. This loan will be used by Lynntech for real and personal property improvements associated with its occupancy and operations at the Facility.

Article 3

The City shall provide an enhanced level of service to expedite the redevelopment and new investment processes for Lynntech at the Facility and will pro-actively support the same in any future development of the Property; shall waive development fees payable to the City associated with the immediate reuse of the Facility by Lynntech and aggressively manage any fees associated with the future development of the Property by Lynntech for a term to be mutually agreed upon at a subsequent date; shall assist with the development and implementation of a Master Plan and general marketing strategy for the Property; and, once a final Master Plan and development schedule is established, shall cooperatively explore the creation of a Tax

Increment Reinvestment Zone (TIRZ) and/or other appropriate financial tools to better promote and support the long-term development of the Property by Lynntech.

The parties to this Memorandum of Understanding agree to the negotiation and consideration of future agreements and instruments to give further effect and specificity to the foregoing.

IN WITNESS WHEREOF, the undersigned being duly authorized by the respective parties, have signed this Memorandum of Agreement.

**THE RESEARCH VALLEY PARTNERSHIP,
INC.**

By: _____

Kenny Mallard
Chairman, RVP Board of Directors

Date: _____

RECOMMEND APPROVAL:

Todd E. McDaniel
President/CEO, RVP
Date: _____

CITY OF COLLEGE STATION

By: _____

Mayor

Date: _____

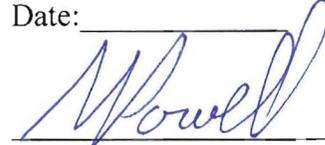
ATTEST:

City Secretary
Date: _____

APPROVED:

City Manager

Date: _____

A handwritten signature in blue ink, appearing to read "Powell", is written over a horizontal line.

City Attorney

Date: _____

Chief Financial Officer

Date: _____

LYNNTECH, INC.

John Clanton

President/CEO

Date: _____

November 24, 2008
Regular Agenda Item No. 1
Drainage Utility Rate Resolution

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, public hearing, possible action and discussion regarding a resolution increasing the drainage utility rate.

Recommendation(s): Staff recommends approval of the resolution increasing the drainage utility rate from \$3.50 to \$5.00 per month for a single family residence, from \$1.57 to \$2.25 per month for a multi-family residence and \$1.65 to \$2.35 per 1000 sf for month for commercial properties.

Summary: The drainage utility rate increase was discussed in our recent budget workshops. Projected revenues are included in the approved budget. The drainage utility was adopted by the City in 1996. The rates have not changed since that time. An increased rate is needed to provide revenues for increased maintenance costs and for the construction of drainage improvements as well as for activities required for our compliance with the stormwater pollution prevention plan (SWP3) mandated by the Clean Water Act.

A public hearing is required for adjusting the drainage utility rate. Public notification was made in compliance with State law by publishing notice of this public hearing on the following dates;

- MONDAY, OCTOBER 20th, 2008
- MONDAY, OCTOBER 27th, 2008
- MONDAY, NOVEMBER 3rd, 2008

Budget & Financial Summary:

The proposed rate increase will generate approximately \$500,000 in additional revenue in the current fiscal year.

Attachments:
Rate Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE SCHEDULE OF DRAINAGE CHARGES FOR THE CITY OF COLLEGE STATION, TEXAS, MUNICIPAL DRAINAGE UTILITY SYSTEM AGAINST ALL REAL PROPERTY WITHIN THE CITY OF COLLEGE STATION, TEXAS, SUBJECT TO THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE CH. 402.041, ET SEQ., SUBCHAPTER C; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of College Station, Texas, adopted Ordinance No. 2187 on the 27th day of June, 1996 establishing a municipal drainage utility system to protect the public health and safety from the loss of life and property caused by surface water overflows and surface water stagnation; and

WHEREAS, the City Council of the City of College Station, Texas, will periodically review and establish by resolution a schedule of drainage charges against all real property in the city subject to charges pursuant to Tex. Local Gov't. Code Ch. 402, subchapter C.; and

WHEREAS, in accordance with Section 402.041 et seq of the Texas Local Government Code, published notice and public hearings were duly held where input from any and all interested persons had an opportunity and did so speak regarding this matter; and

WHEREAS, the City Council of the City of College Station, Texas, finds that the schedule of charges set forth hereinbelow, and the rates set upon which such schedule of charges was calculated, are equitable for similar real property in all areas of the City of College Station, Texas; now, therefore,

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

PART 1: That the basic drainage charges to be levied on a monthly basis are as follows:

- A. Single Family Residential Rate \$5.00
- B. Multi-Family Residential Rate \$2.25

PART 2: That all other lots, tracts and parcels of land within the City of College Station, Texas, shall be considered and charged on the basis of the commercial use in accordance with the following schedule of drainage charges which are hereby levied against all such remaining lots, tracts or parcels of land within the City of College Station, Texas:

- A. Land Use Square footage
- Commercial \$2.35/1000 sq.ft./month

PART 3: That the City Council hereby agrees these rates shall be effective on December 1, 2008.

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

ADOPTED this _____ day of _____, A.D. 2008.

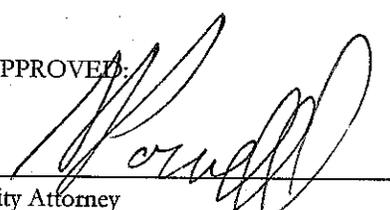
ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:



City Attorney

November 24, 2008
Regular Agenda Item No. 2
Comprehensive Plan Amendment for 300 Holleman Drive

To: Glenn Brown, City Manager

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

Agenda Caption: Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 1.32 acres located at 300 Holleman Drive, located next to the Verizon building near Lassie Lane.

Recommendation(s): The Planning & Zoning Commission considered this item at their November 20th meeting where a motion was made and seconded to approve the request, that motion failed 4-2. Staff recommended denial of the request.

Summary:

REVIEW CRITERIA

1. Changed or changing conditions in the subject area or the City: The subject property is on the periphery of the Wolf Pen Creek (WPC) corridor. Development in WPC has become more residential in nature than the corridor plan anticipated, but in July of this year, after concerns were discussed about public investments in the area being made largely to the benefit of private residential developments, the City Council directed staff to pursue mixed use development that would increase commercial presence in the district.

The planned land uses for the property on this block face of Holleman have changed over the years as a result of public input, development, City Council decisions, and planning study that have resulted in some eventual discrepancies between planned and developed land uses. To touch upon some of the more major historical land use elements of the block face: The property was originally shown as Low Density Residential. Property on the western portion of the block was rezoned to C-1 General Commercial in 1984, against the Comprehensive Plan (the telephone building had been at the corner of Lassie and Holleman since the 1970s). Holleman from Texas Ave. to State Highway 6 was included in the Wolf Pen Creek Corridor Study (begun in 1987), which eventually led to the adoption of the Wolf Pen Creek Master Plan in 1988. The WPC Master Plan encompassed the corner of Holleman and Dartmouth, but it did not include the western portion of the block face. In 1994, property mid-block was rezoned from C-1 to R-5 Apartment Medium Density. Fire Station #1 developed under a Conditional Use Permit (granted in 1995) in the R-5 district. In 1997, a new Comprehensive Plan was adopted that reflected the Wolf Pen Creek Overlay at the Holleman/Dartmouth corner, Residential Attached for the R-5 and C-1 properties to the boundary of the Verizon property, and Industrial R&D for the Verizon property. In the same year, a proposed hotel/conference center spurred a rezoning of all of the R-5 to expand the Wolf Pen Creek district further west on this Holleman block face from Dartmouth. The Land Use Plan was updated to reflect the expanded WPC Overlay. The land use designations from 1997 are the land use designations still in effect today (moving eastward)—Industrial R&D, Residential Attached, and WPC. The properties are still zoned the same as in 1997—C-1 from Lassie east down the block until turning into WPC.

2. Compatibility with the remainder of the Comprehensive Plan: Residential Attached is compatible with the abutting Residential Attached on paper, but it most likely may only be compatible in the distant future since the property to the east has recently

developed as an office use in compliance with its C-1 zoning classification. In the near future, a Plan change could result in an undesirable development pattern. While a Comprehensive Plan is supposed to project land use and associated needs for the next 20 years, in reality, the current Comprehensive Plan has an expectancy of less than one year.

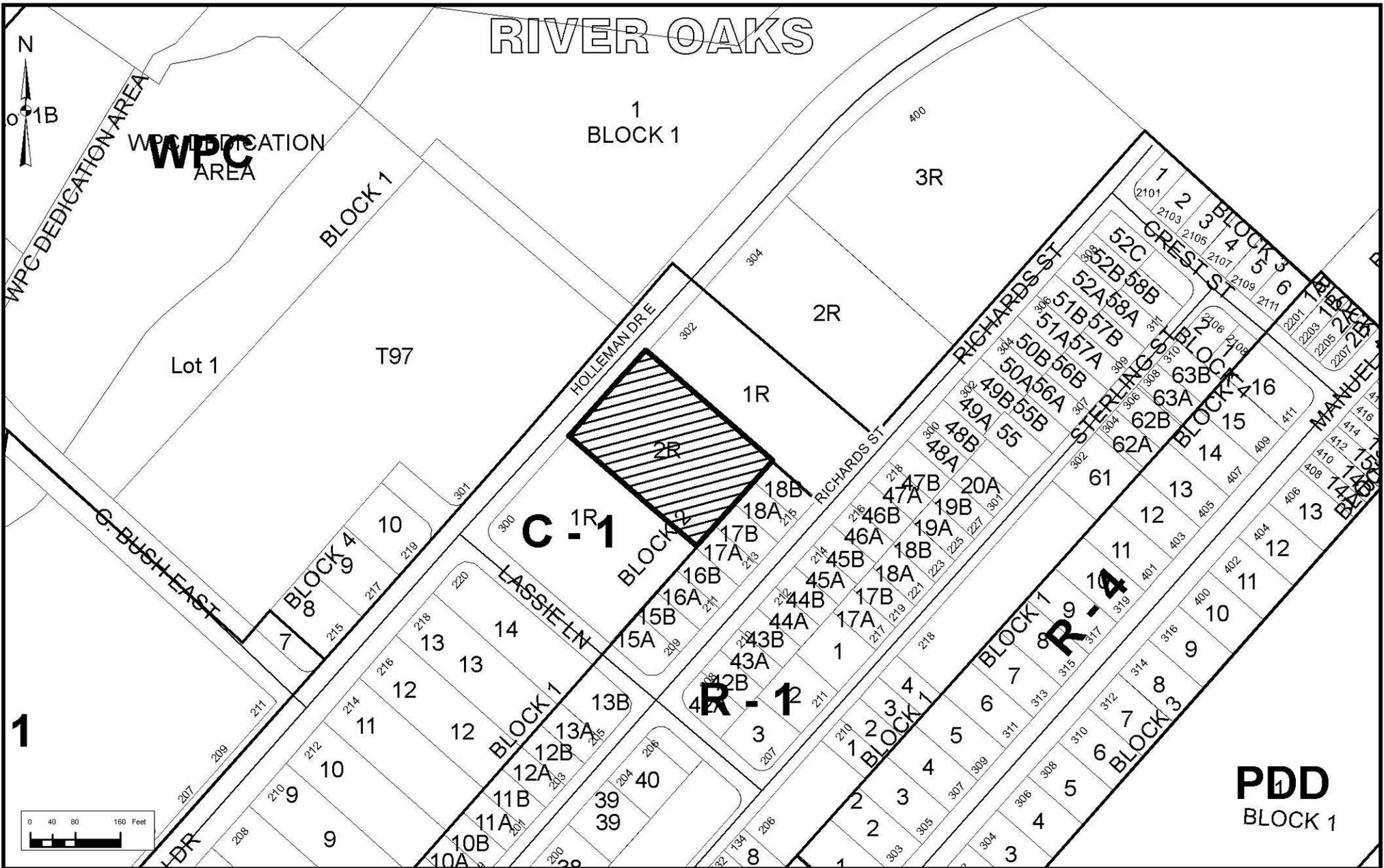
The development of land within existing service areas is encouraged by the Comprehensive Plan. Because of this property's infill nature, an access easement was required during platting from the Verizon property for safe access via Lassie. Existing driveways already on Holleman, a minor arterial, challenge the safety of this tract's direct access and the safety of those traveling on Holleman. The Comprehensive Plan encourages access management, but discourages the mixing of residential and non-residential traffic.

Budget & Financial Summary: N/A

Attachments:

1. Small Area Map
2. Ordinance

RIVER OAKS



Zoning Districts

A - O Agricultural Open
 A - OR Rural Residential Subdivision
 R - 1 Single Family Residential
 R - 1B Single Family Residential
 R - 2 Duplex Residential

R - 3 Townhouse
 R - 4 Multi-Family
 R - 6 High Density Multi-Family
 R - 7 Manufactured Home Park
 A - P Administrative/Professional
 C - 1 General Commercial
 C - 2 Commercial-Industrial

C - 3 Light Commercial
 M - 1 Light Industrial
 M - 2 Heavy Industrial
 C - U College and University
 R & D Research and Development
 P-MUD Planned Mixed-Use Development
 PDD Planned Development District

WPC Wolf Pen Creek Dev. Corridor
 NG - 1 Core Northgate
 NG - 2 Transitional Northgate
 NG - 3 Residential Northgate
 OV Corridor Overlay
 RDD Redevelopment District
 KO Krenek Tap Overlay



DEVELOPMENT REVIEW

HOLLEMAN PLACE CONDOS

Case:

08-260

COMP PLAN

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE LAND USE PLAN, FOR THE AREA LOCATED NEAR THE CORNER OF LASSIE LANE AND HOLLEMAN DRIVE, 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 "**Land Use Plan**" 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 24 day of November, 2008.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

Harry Cerviel

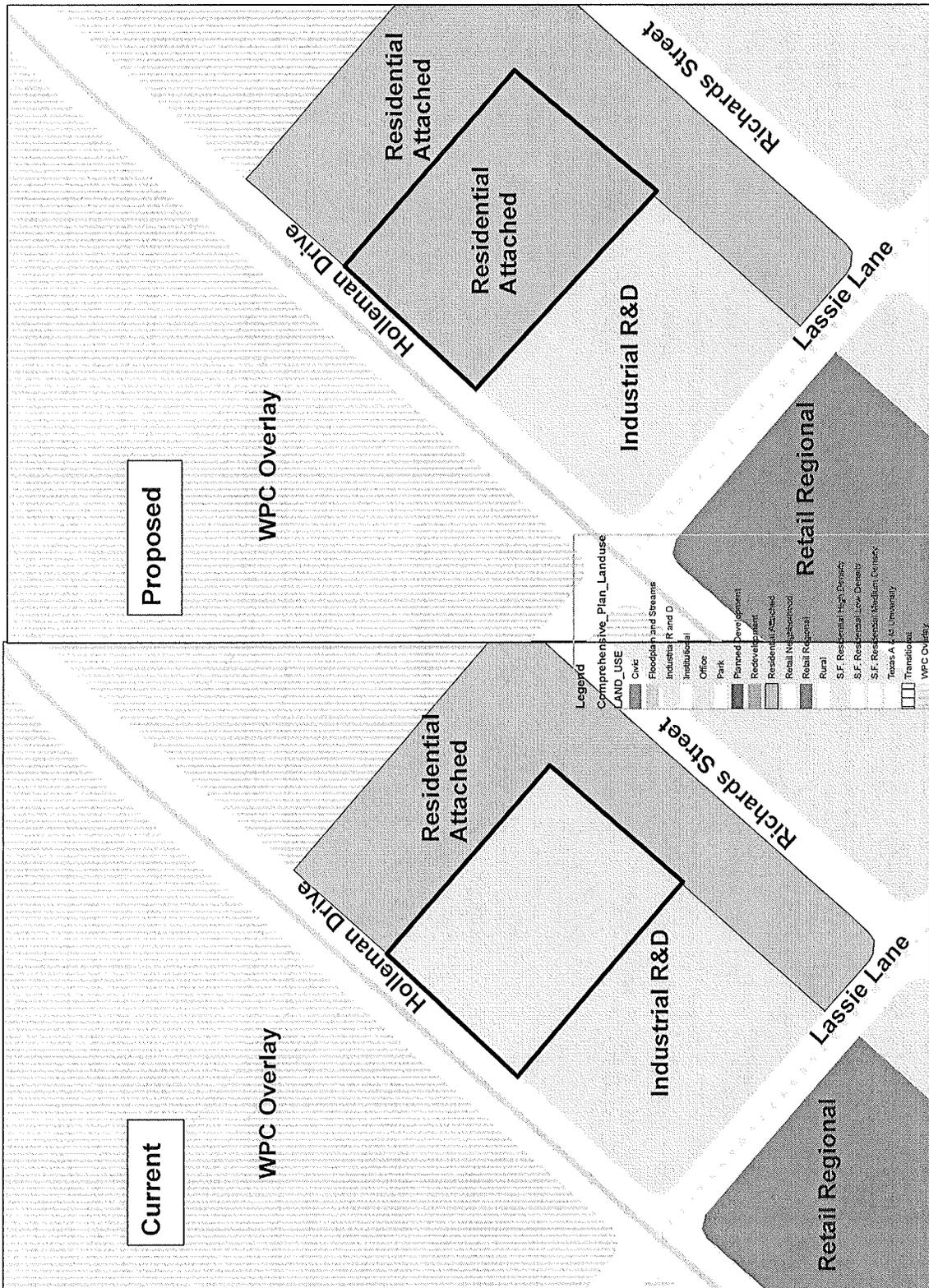
City Attorney

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 1.32 acres, located near the corner of Lassie Lane and Holleman Drive, is amended from Industrial to Residential Attached, as shown on the attached Exhibit "B".

EXHIBIT "B"



Case #08-00500260

300 Holloman Drive-
Land Use Plan Amendment



November 24, 2008
Regular Agenda Item No. 3
Rezoning for 1775 Greens Prairie Road West

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 ordinance rezoning from A-O Agricultural Open to C-1 General Commercial Industrial for 2.056 acres located at 1780 Greens Prairie Road West, and more generally located near the northwest corner of the intersection of Greens Prairie Road and Arrington Road.

Recommendation(s): The Planning and Zoning Commission considered this item at their November 20th meeting and voted 6-0 to recommend approval of the request. Staff also recommended approval of the request.

Summary: The request was analyzed based on the following review criteria:

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The Comprehensive Plan designates the subject property as Retail Regional. C-1 General Commercial is the typical district for this land use designation. Greens Prairie Road West, a minor arterial on the Thoroughfare Plan, abuts the property along the southwest and William D. Fitch Parkway, a highway, and the old Green Prairie Road right-of-way abuts the property to the north.
2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The adjacent property to the east and to the west (across old Greens Prairie Road) are already zoned C-1 General Commercial. Other properties in the vicinity across Greens Prairie Road West are zoned A-O Agricultural Open and developed as single family homes on large tracts of land.
3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The subject property is a remainder portion of a tract when Greens Prairie Road was realigned due to the construction of William D. Fitch Pkwy (State Hwy 40). The rezoning of the subject property to C-1 General Commercial could allow it to be developed in conjunction with the neighboring C-1 property to the east. In addition, Forest Ridge Elementary is located on land zoned as C-1 which was anticipated to serve some of the commercial demand of the Castlegate subdivision before it was given to the CSISD.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject property is just over 2 acres of A-O Agricultural Open land that is almost surrounded by major thoroughfares. The long-term use of this property for strictly agricultural uses is not appropriate.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** As stated above, the subject property is surrounded by major thoroughfares. Rezoning

the property to C-1 will increase the marketability of the property for development with other commercial properties in the area.

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There is an existing sanitary sewer main available to serve this property. Property is located in Wellborn Special Utility District CCN for water service. Drainage is mainly to the north within the Spring Creek drainage basin. All utilities shall be designed in accordance with BCS Unified Design Guidelines at the time of platting and site development. Access to the property will be from the Greens Prairie Road West, a minor arterial which can carry 5,000 to 30,000 vehicles per day. Though this application proceeded the effective date of the new TIA ordinance, a TIA would not have been required as the threshold of 150 trips in the peak hour is not met. Based on rough estimates, C-1 General Commercial property of this size could generate about 100 trips in the peak hour, though this can vary greatly based upon the type of use developed. At the time of site plan, a TIA may be required based upon the size and use proposed.

Budget & Financial Summary: N/A

Attachments:

1. Aerial and Small Area Map (SAM)
2. Item Background
3. Ordinance

ITEM BACKGROUND

NOTIFICATIONS

Advertised Commission Hearing Date: November 20, 2008

Advertised Council Hearing Dates: November 24, 2008

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

Castlegate HOA

Gardens at Castlegate HOA

Property owner notices mailed: Five
Contacts in support: None
Contacts in opposition: None
Inquiry contacts: None

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	N/A	N/A	old Greens Prairie Road right-of-way
South	Thoroughfare – Minor Arterial	N/A	Greens Prairie Road W
East	Retail Regional	C-1 General Commercial	detention pond for Greens Prairie Center
West	Thoroughfare – Minor Arterial	N/A	Greens Prairie Road W

DEVELOPMENT HISTORY

Annexation: 2002
Zoning: A-O Agricultural Open (when annexed)
Final Plat: Not platted
Site development: Vacant

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and Exhibit "B", attached hereto and made a part of this ordinance for all purposes.

PART 2: 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 _____ day of _____, 2008.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open to C-1 General Commercial, as shown graphically in Exhibit "B":

**METES AND BOUNDS DESCRIPTION
OF A
2.056 ACRE TRACT
AUGUSTUS BAILLE SURVEY, A-75
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE AUGUSTUS BAILLE SURVEY, ABSTRACT NO. 75, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 10 ACRE TRACT AS DESCRIBED BY A DEED TO KENNETH WOLF RECORDED IN VOLUME 265, PAGE 539 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF THE REMAINDER OF A CALLED 24.7 ACRE TRACT AS DESCRIBED BY A DEED TO KENNETH WOLF AND WIFE, NORMA C. WOLF RECORDED IN VOLUME 257, PAGE 20 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½ INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF THE ORIGINAL RIGHT-OF-WAY OF GREENS PRAIRIE ROAD MARKING THE NORTH CORNER OF SAID REMAINDER OF 10 ACRE TRACT AND THE WEST CORNER OF LOT 1, BLOCK 2, GREENS PRAIRIE CENTER, ACCORDING TO THE PLAT RECORDED IN VOLUME 7574, PAGE 76 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 48° 38' 22" E ALONG THE COMMON LINE OF SAID REMAINDER OF 10 ACRE TRACT AND SAID LOT 1 FOR A DISTANCE OF 322.95 FEET TO A ½ INCH IRON ROD FOUND ON THE CURRENT NORTHERLY LINE OF GREENS PRAIRIE ROAD (100' R.O.W. PER 6112/260), SAID IRON ROD FOUND MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 800.00 FEET;

THENCE: ALONG THE EXISTING NORTH LINE OF GREENS PRAIRIE ROAD FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20° 53' 31" FOR AN ARC DISTANCE OF 291.71 FEET (CHORD BEARS: S 72° 38' 02" W – 290.09 FEET) TO A 5/8 INCH IRON ROD SET MARKING THE ENDING POINT OF SAID CURVE;

S 83° 01' 42" W FOR A DISTANCE OF 100.00 FEET TO A 5/8 INCH IRON ROD SET MARKING THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 900.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15° 05' 47" FOR AN ARC DISTANCE OF 237.13 FEET (CHORD BEARS: S 75° 29' 58" W – 236.45 FEET) TO A 2 INCH METAL POST FOUND ON THE ORIGINAL SOUTHEAST LINE OF GREENS PRAIRIE MARKING THE MOST WESTERLY CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 43° 14' 52" E ALONG THE ORIGINAL SOUTHEAST LINE OF GREENS PRAIRIE ROAD

08.235
10.6.08
10:00
CC

FOR A DISTANCE OF 360.91 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID REMAINDER OF 24.7 ACRE TRACT AND SAID REMAINDER OF 10 ACRE TRACT;

THENCE: N 46° 46' 21" E CONTINUING ALONG THE ORIGINAL SOUTHEAST LINE OF GREENS PRAIRIE ROAD FOR A DISTANCE OF 158.34 FEET TO THE **POINT OF BEGINNING** CONTAINING 2.056 ACRES OF LAND AS SURVEYED ON THE GROUND JULY 2008. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION. SEE PLAT PREPARED JULY 2008, FOR MORE DESCRIPTIVE INFORMATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR

D:\work\mab\08-505A.mab

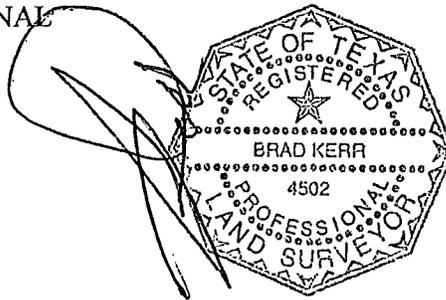
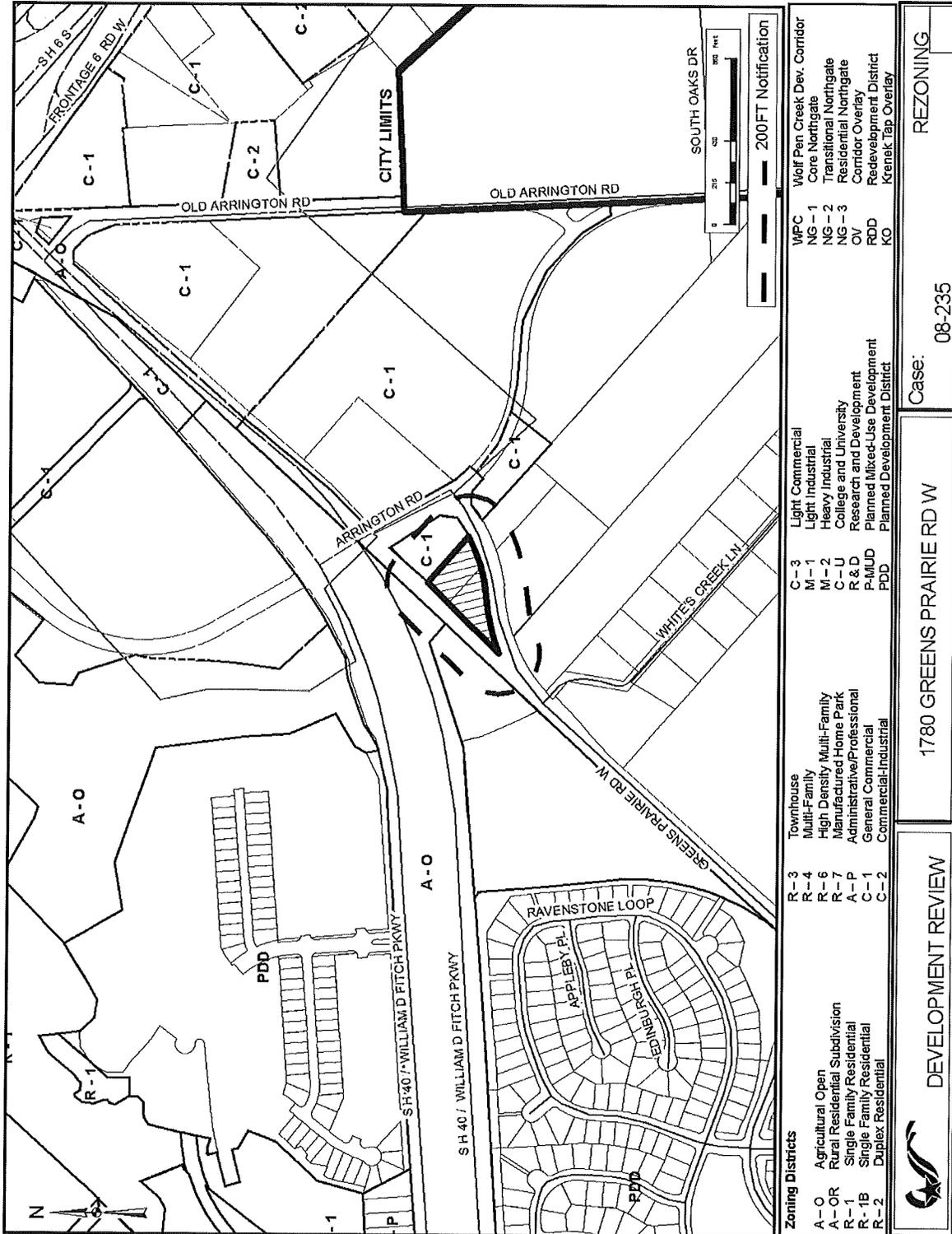


EXHIBIT "B"



Zoning Districts	A - O A - OR R - 1 R - 1B R - 2	Agricultural Open Rural Residential Subdivision Single Family Residential Single Family Residential Duplex Residential
	R - 3 R - 4 R - 6 R - 7 A - P C - 1 C - 2	Townhouse Multi-Family High Density Multi-Family Manufactured Home Park Administrative/Professional General Commercial Commercial-Industrial
	C - 3 M - 1 M - 2 C - U R & D P-MUD PDD	Light Commercial Light Industrial Heavy Industrial College and University Research and Development Planned Mixed-Use Development Planned Development District
	MPC NG - 1 NG - 2 NG - 3 OV RDD KO	Wolf Pen Creek Dev. Corridor Core Northgate Transitional Northgate Residential Northgate Corridor Overlay Redevelopment District Krenek Tap Overlay
DEVELOPMENT REVIEW		REZONING
1780 GREENS PRAIRIE RD W		Case: 08-235

November 24, 2008
Regular Agenda Item No. 4
2875 Earl Rudder Freeway Comprehensive Plan Amendment

To: Glenn Brown, City Manager

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

Agenda Caption: Public hearing, presentation, possible action and discussion regarding a Comprehensive Plan Amendment - Land Use for 2.70 acres located at 2875 Earl Rudder Freeway, and more generally located next to the North Forest Professional Park, from Floodplains & Streams and Single-Family Residential Medium Density to Office.

Recommendation(s): The Planning & Zoning Commission heard this item at their November 20th meeting where a motion was made and seconded to approve the request to change a portion of the site to Office while denying any change to the area currently identified as Floodplain & Streams. The motion filed with a 3-3 vote. Staff recommended approval of the request to change the land use designation of the 1.69 acre portion currently designated as Single Family Residential Medium Density to Office. Staff is recommending denial of the request to change the land use designation of the 1.01 acre portion currently designated as Floodplains & Streams to Office.

Summary: The request was analyzed based on the following review criteria:

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The adjacent property to the north was rezoned from R-1, Single-Family Residential to A-P, Administrative Professional in 2003. Since that time, the property to the north has developed under the A-P, Administrative Professional zoning classification. Current land uses in that area are office buildings and a medical clinic. Additionally, the property further to the south located along the Frontage Road of Earl Rudder Freeway and Emerald Parkway has been developed under the Office land use designation. It also includes various office buildings and medical clinics.

2. **Compatibility with the remainder of the Comprehensive Plan:** The Office land use designation is intended to permit medium-scale development of tax-generating developments such as office parks, corporate offices, and office lease space. These uses are usually dependent on good access to highways and local arterials. The proposed Office land use would take access to the Frontage Road along Earl Rudder Freeway.

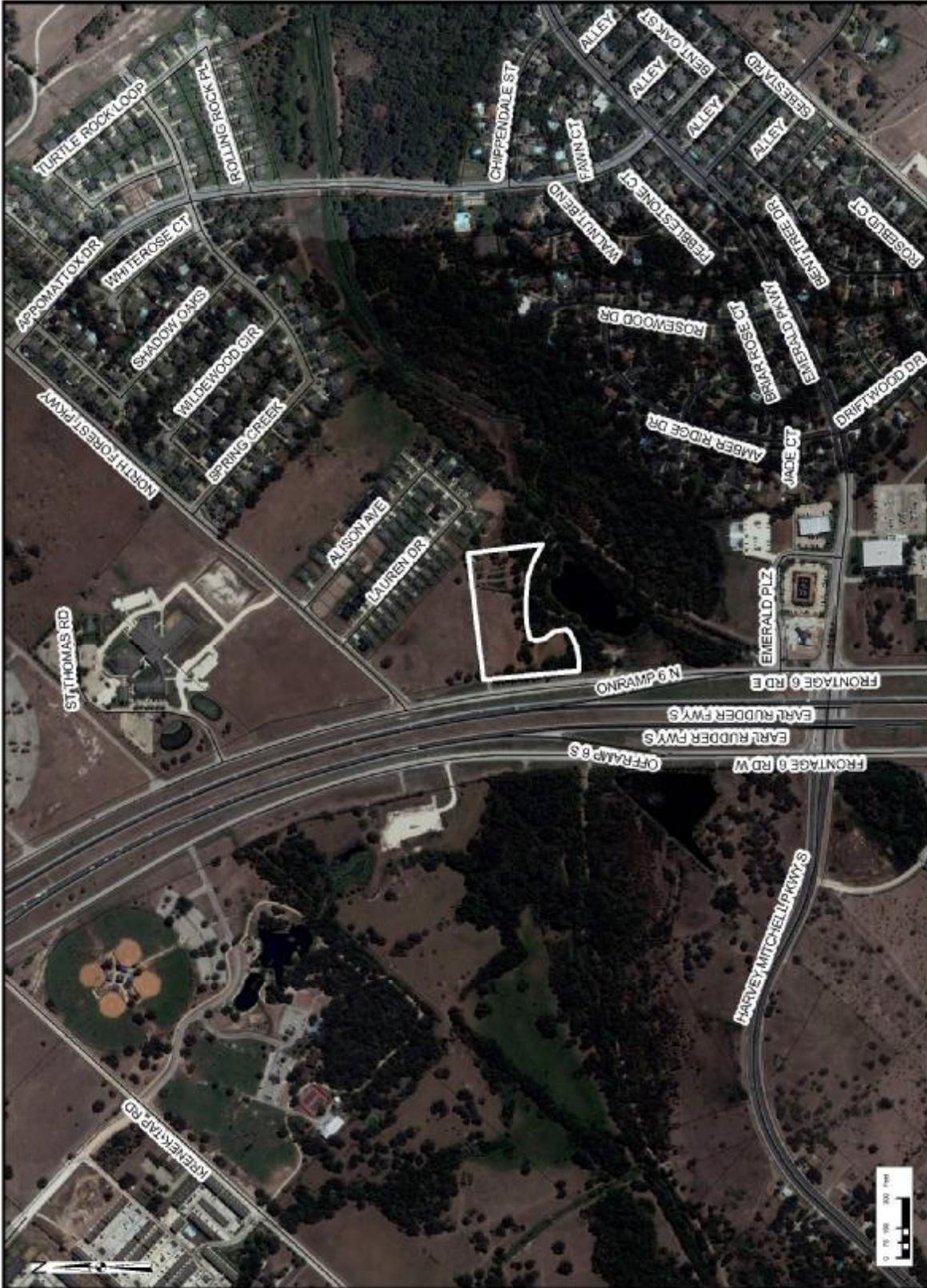
However, the proposal includes reclassification of a significant portion of floodplain. The Comprehensive Plan states that the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA), plus additional areas reserved for open space be designated as Floodplains & Streams. As shown on the applicant's proposed land use map, 1.01 acres of the proposed 2.70 acres to be amended is classified as Floodplains & Streams.

Budget & Financial Summary: None

Attachments:

1. Small Area Map & Aerial

2. Proposed Land Use Plan Amendment
3. Ordinance



COMP
PLAN

Case: 08-201

EARL RUDDER FWY NEXT
TO NORTH FOREST PKWY

DEVELOPMENT REVIEW



Item Background

NOTIFICATIONS

Advertised Commission Hearing Date: November 20, 2008

Advertised Council Hearing Dates: November 24, 2008

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

None

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: None

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Single-Family Residential Medium Density	A-P, Administrative Professional	Offices, North Forest Professional Park, Medical Clinic
South	Floodplain & Streams	R-1, Single-Family Residential	Floodplain
East	Single Family Residential Medium Density	R-1, Single-Family Residential	Single-Family residences, North Forest Subdivision
West	Thoroughfare - Freeway	N/A	Earl Rudder Freeway

DEVELOPMENT HISTORY

Annexation: 1971 and 1977

Zoning: R-1, Single-Family Residential (for western area annexed in 1971), A-O, Agricultural Open (for eastern area annexed in 1977).

Final Plat: Unplatted

Site development: Largely vacant with a fill pile from the adjacent property located in the middle of the site.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE LAND USE PLAN, FOR THE AREA LOCATED AT 2875 EARL RUDDER FREEWAY, 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 _____ day of _____, 2008.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:



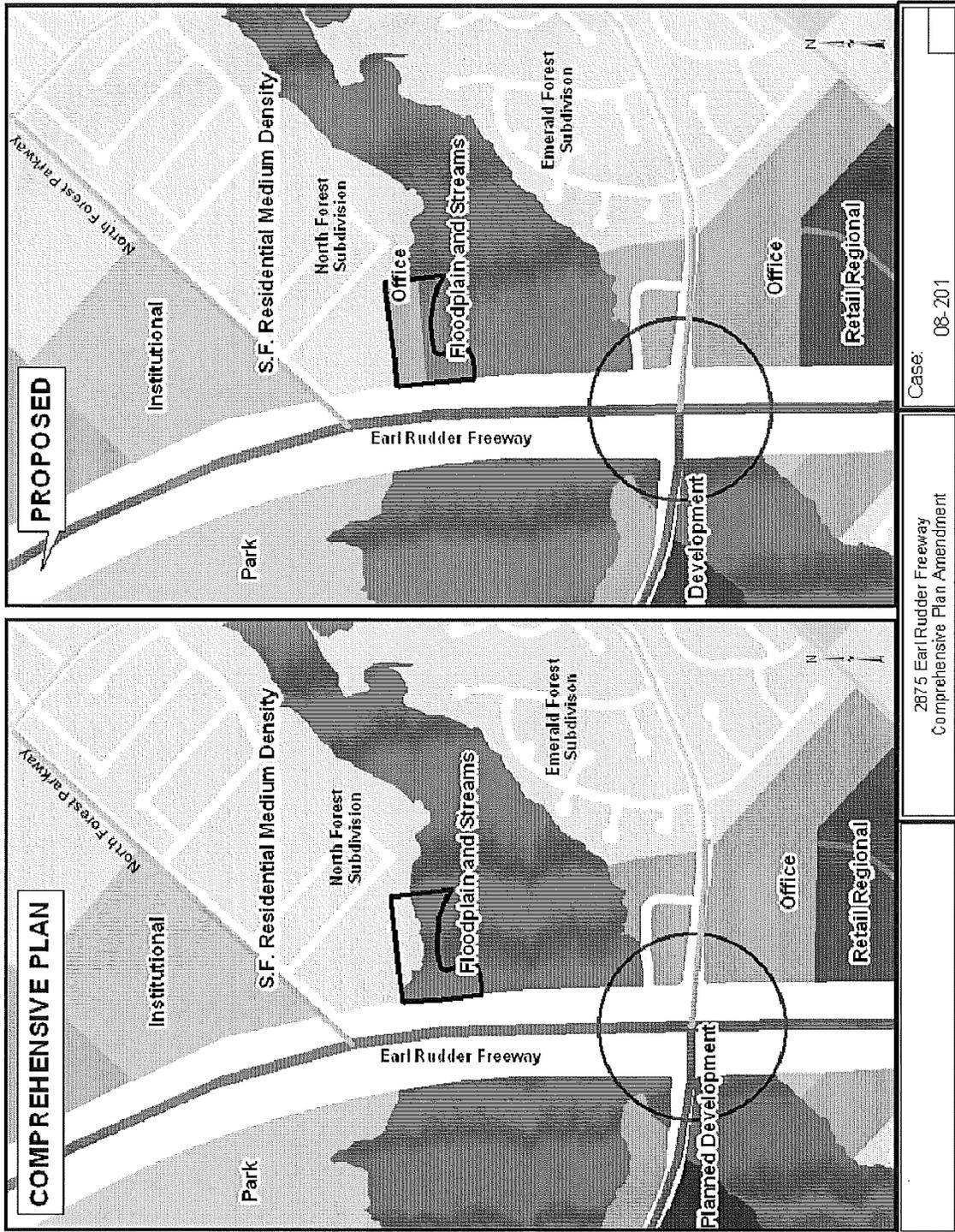
City Attorney

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 2.70 acres generally located at 2875 Earl Rudder Freeway is amended from Single Family Residential Medium Density and Floodplains & Streams to Office, as shown on the attached Exhibit "B".

EXHIBIT "B"



November 24, 2008
Regular Agenda Item No. 5
Rezoning 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 ordinance rezoning from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District for 120.77 acres located at 1430 Harvey Mitchell Parkway South generally located opposite the intersection with Holleman Drive.

Recommendation(s): The Planning and Zoning Commission at their November 6th meeting voted 6-1 to recommend approval as presented by Staff. Staff recommended approval of the request with three conditions. With the permission of the applicant, these three conditions have been incorporated into the request and ordinance under consideration.

Summary: The request was analyzed based on the following review criteria:

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** A Comprehensive Plan Amendment was approved by Council on August 28th for the subject property. The amendment changed the land use from Industrial / R&D and Single Family Residential Low Density to Planned Development, while retaining Floodplain & Streams designation. The following purpose statement was included in the ordinance:

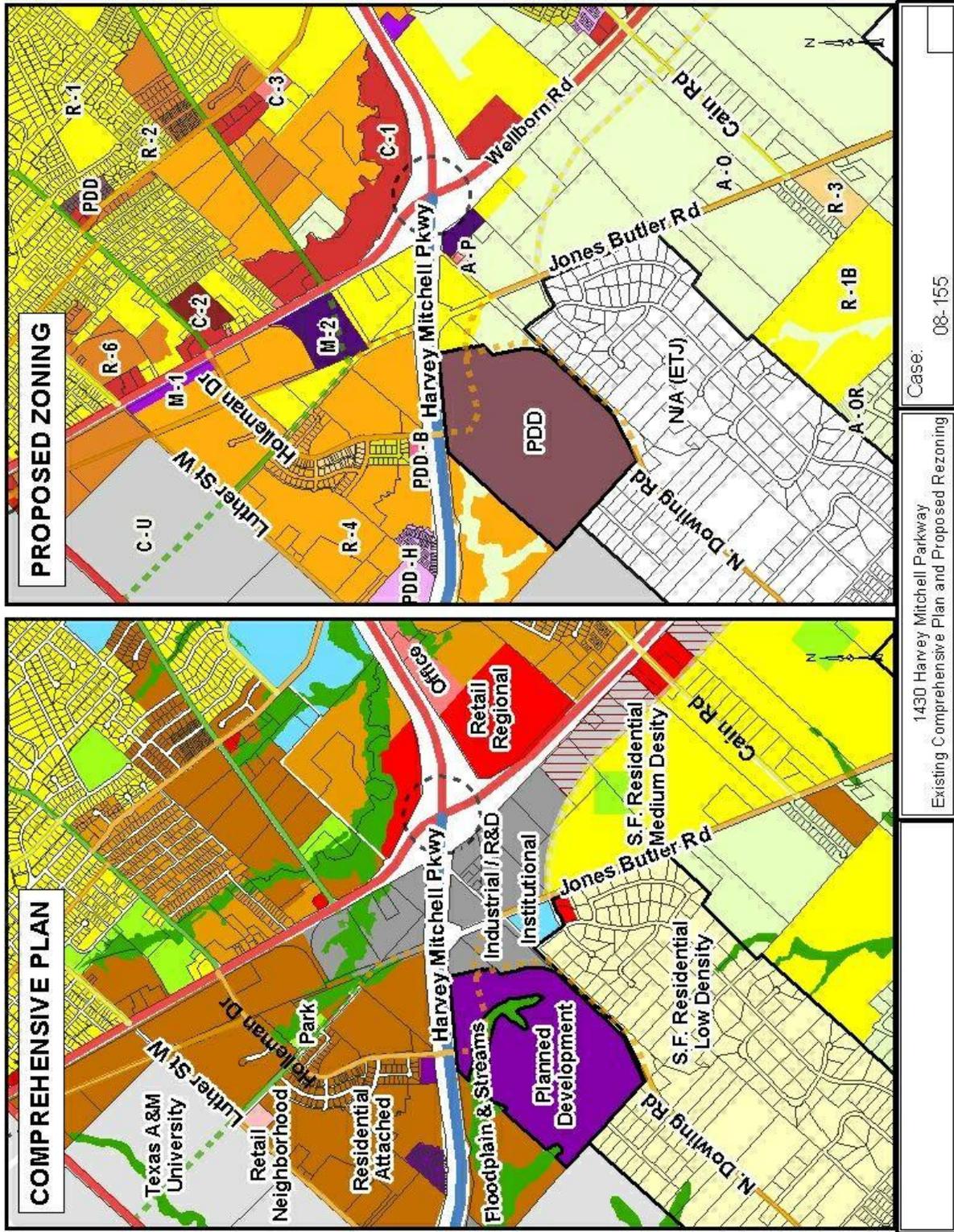
The purpose of this Planned Development designation is for a multi-family development that may consist of single detached units, duplexes, and attached units associated with small-scale neighborhood commercial uses placed along the realigned Jones Butler Road and in relative proximity to Harvey Mitchell 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.

The proposed PDD rezoning consists of residential and commercial uses. The residential uses are based on the R-4 Multi-family zoning district and are types of uses (single detached, duplex, and attached units) consistent with the purpose statement stated above. The commercial uses are based on the C-3 Light Commercial district with modifications for some additional C-1 General Commercial uses in areas F1 and F2. The purpose statement above indicates that the commercial uses are to be small-scale and are to serve and support the development and surrounding neighborhoods. The C-3 Light Commercial zoning district is considered the district in the Unified Development Ordinance (UDO) for neighborhood commercial uses and is limited to five contiguous acres. All areas are relatively small, and although F1 is larger in scale, it is bisected by a street. The proposed commercial should only serve surrounding neighborhood needs

and not be at a regional scale or draw a large amount of patrons from the entire City. While it appears that commercial uses in this area of the City are currently underserved, the proposed amount and intensity of commercial is not to supplant the sixty-plus acres of Regional Retail designated on the Land Use Map just over a half mile away at the northeast and southeast corners of the intersection of Harvey Mitchell Parkway and Wellborn Road, or also the larger amount which is already zoned C-1 General Commercial beyond that (see Figure 1). Limitation to the amount and intensity of commercial uses to meet these concerns will be described in the Concept Plan discussion later in this report.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The present zoning for the subject property is R-1 Single Family Residential and A-O Agricultural Open. The property to the east is owned by the City of College Station and will be utilized for a future electric substation and expansion of the existing water facilities. The property to the north and west is zoned and developed as residential multi-family. The remaining property to the south and southwest is outside the City limits and is therefore not zoned but is developed as rural residential subdivisions. The proposed PDD zoning district and uses can be compatible with the adjacent area in as much as the Concept Plan accounts for a proper intensity, transition, and buffering. Discussion of these items will be detailed later.
3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The subject property is located off Harvey Mitchell Parkway, a Highway, and adjacent to existing residential multi-family development. The property is in relative proximity to Texas A&M University but is also adjacent to larger lot (one-plus acre) subdivisions and close to the Easterwood Airport. These surroundings allow the type of development to be suitable in general though it needs to be tempered and transitioned so as not to negatively affect the surrounding large lot single family neighborhoods.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing R-1 Single Family Residential and A-O Agricultural Open districts were the base zoning districts applied to the property when each portion was respectively annexed. They are not appropriate as long-term zoning districts for this area as it is along Harvey Mitchell Parkway, a Highway, and at the intersection with Holleman Drive, a Major Collector.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property owner has brought forward the request to develop and further market the property. The applicant has performed a market study for the commercial portion of the development and has provided the study to the City. The study is based on existing market conditions and states that this property could fill a demand of 77,000 square feet of retail and restaurants. The market study, however, does not consider the placement of this demand in relation to other properties already planned or zoned for commercial in this area of the City.

Figure 1: Existing Comprehensive Plan and Proposed Zoning in Area



Case: 08-155
 1430 Harvey Mitchell Parkway
 Existing Comprehensive Plan and Proposed Rezoning

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject property is located adjacent to a 36-inch water main along the north and east property lines and a 10-inch water main along the west property line. The subject property is also located adjacent to 6-inch sanitary sewer main located along the east property line, and an 18-inch water main along the southwest property line. These utilities are in compliance with the City's Master Utility Plan. The subject property is located in the Whites Creek Drainage Basin and development of the subject property is required to meet the minimum standards of the City's Storm Water Design Guidelines. The subject property is encroached by a Special Flood Hazard Area - Zone A, in which no base flood elevations have been determined, per FEMA FIRM Panel 182C. The subject property is located adjacent to North Dowling Road (Major Collector), Harvey Mitchell Parkway (freeway), and Jones Butler Road/Holleman Drive extension (major collector). The Dowling/Holleman re-alignment, as approved by Council in February of this year, is illustrated on the City's Thoroughfare Plan as a major collector.

REVIEW OF CONCEPT PLAN

If the rezoning is approved, the proposed Concept Plan will be part of the rezoning ordinance for the property. The Concept Plan illustrates and notes many specific items of consideration in the development of the subject property. In proposing a PDD, an applicant may also request variations to the general platting and site development standards provided that those variations are outweighed by demonstrated community benefits of the proposed development. The complete list of requested variances can be found on the attached Bulk and Dimensions Variance Request letter. The Unified Development Ordinance provides the following review criteria as the basis for reviewing PDD and P-MUD Concept Plans:

1. The proposal will constitute an environment of sustained stability and will be in harmony with the character of the surrounding area;
2. The proposal is in conformity with the policies, goals, and objectives of the Comprehensive Plan, and any subsequently adopted Plans, and will be consistent with the intent and purpose of this Section;
3. The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development;
4. Every dwelling unit need not front on a public street but shall have access to a public street directly or via a court, walkway, public area, or area owned by a homeowners association;
5. The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities;
6. The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity; and
7. The development will not adversely affect the safety and convenience of vehicular, bicycle, or pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

The Concept Plan proposes three residential areas designated as A1, A2, and A3 that are based on the uses permitted in the R-4 Multi-family zoning district. The applicant is

requesting a variance to the R-4 Multi-family district uses to allow single detached and duplex units (not individually platted) on R-4 district lots. This variance will help provide a mixture of housing types for the development. The residential areas will have a maximum density of 20 units per acres, which is consistent with the R-4 district, and are proposed to be gated residential developments. Each residential area is proposed to be oriented around a large open space/green area and have bike/hike trails to utilize the large open spaces provided and interconnect the residential areas to each other and the commercial areas along and across Holleman Drive. Sidewalks are proposed along the internal drive aisle and parking areas of area A2. The applicant proposes to site plan the residential areas separately and Staff understands that areas A1 and A3 will be sold off to be developed by others.

A thirty-five-to-fifty-foot wide buffer area is proposed along the existing North Dowling Road and along the Cedar Ridge (The Woodlands) development to the west to buffer the proposed multi-family areas from the adjacent single-family residential neighborhoods. This buffer area is proposed to consist of a separating berm averaging 4 feet in height with a fence located on the development side of the berm and existing vegetation retained that is "of size and type to obtain landscape points"; however, consistent with the City's buffer ordinance, landscape points will not be accrued where buffers would be required. The berm is not proposed as continuous but will "vertically meander and roll along the buffer to create interest as opposed to creating a wall" effect. The berm along North Dowling Road buffer will be along 70 percent of its length.

The maximum height of buildings in all areas of the development will be limited to three stories with a range of heights of ten to seventy feet to allow architecture elements and features to exceed the three-story limit. This height is similar to those of the adjacent Place Properties development to the west and the maximum three-story height along with the described buffer area will help limit the visual impact to the single family developments and the encroachment of higher structures in proximity to Easterwood Airport.

Most of the Floodplain & Streams shown on the Comprehensive Plan on the property has been retained as natural drainage areas to serve as open space, areas for hike/bike paths, and locations for the required water detention facilities. Some areas have been specifically identified as maintaining existing vegetation. Additional open space / water detention area beyond the Floodplain & Streams boundaries has been provided in the area west of A1, though a large part of the drainage in F1, however, is proposed to be placed in a box culvert and reclaimed for commercial use. Though the use of much of the existing natural drainage areas for water detention appears to be a benefit, it is unknown what the indirect consequence of altering existing drainage flows will have on existing vegetation and erosion of current topography.

Six commercial areas are proposed and are designated as B1, B2, B3, B4, F1, and F2. All but area F1 is on the same side of Holleman Drive as the proposed residential. The applicant proposes to allow each area to site plan separately. Parking for all areas but F2 will be provided on the interior of the commercial areas and between buildings but not in front of commercial buildings along the roadways. In addition, a variance to reduce the required parking at the commercial locations is sought to create a more pedestrian friendly environment. Staff supports this variance through administrative procedures allowed in the UDO, since alternate modes of travel are provided, sufficient vehicular connectivity can be provided, and the intensity of commercial development is being limited as described below.

When combining all commercial areas, Staff estimates that over fifteen acres are proposed, with the majority of that in area F1. As discussed previously in the report, the amount of commercial is a concern as the bulk and intensity of the proposed uses will serve a larger than neighborhood scale and will result in additional traffic generated from points further away. Again, the corners of the intersection of Harvey Mitchell Parkway and Wellborn Road are designated as the regional scale commercial in the area and will have the transportation capacity to serve it. Given the amount of commercial land area proposed on the property, Staff is concerned that too many retail activities on this property could undermine already established commercial areas in other parts of the City or minimize the viability of already designated Retail Regional in the area. To address these issues, the proposed limit to the square feet of retail uses in area F1 is to 75,000 square feet.

The applicant has proposed C-3 Light Commercial uses only for areas B1, B2, B3, and B4. Areas F1 and F2 are also based on C-3 Light Commercial uses, though a number of C-1 General Commercial uses such as drive-thru windows, hotels, theatres and car washes have been added. A complete list is available on the attached variance letter. Staff agrees with the proposed land uses since the development is intended to be neo-traditional in design and automobile dominant uses should be limited when adjacent to the residential areas.

Public roads are proposed through F1, between A2 and A3, and a loop street around the B2 and B3 areas off Holleman Drive. The loop street will accommodate potential bus service from Texas A&M University to the residential areas and parallel parking is proposed along the loop street. A private drive connection is proposed to the Place Property development which is northwest of the subject property. This connection provides a community benefit by allowing additional access to Harvey Mitchell Parkway at the Holleman Drive signalized location and better access to the neighborhood commercial proposed by this development.

The applicant has requested block length variances along Holleman Drive and North Dowling Road. Block length is a requirement of the Subdivision Regulations in part so that a network of streets is available to the public and emergency responders so multiple routes of travel are possible. This helps alleviate the concentration of traffic to only a few roadways and intersections that result in unnecessary congestion and decreased safety. In commercial and multi-family developments, the maximum block length permitted is eight-hundred feet. The block length along Holleman Drive and F1 is constrained by the drainage and driveway alignments in the area. The applicant has expressed concerns that streets connections on the southwest side of Holleman Drive that continue through to North Dowling Road will result in cut-thru traffic and hinder their gated developments. Staff believes the proposed street provides necessary connectivity around their gated communities and could be refined in a fashion that limits it from being a simple, direct connection that may result in short-cuts. Though as proposed compliance block length requirements is not met, there are floodplain, drainage and other constraints on this property that Staff supports the request for the block length variances with the streets that are proposed.

Through the Subdivision Regulations, connection into existing street stubs is required in the platting process. The applicant is requesting a variance so that the connection to Cedar Ridge Drive on the west of the property will not be required. Since the direct connection of multi-family development to a small development of large lot single family homes is undesirable and substantial elevation changes exist in the connection area, Staff supports this particular variance request.

Budget & Financial Summary: N/A

Attachments:

1. Aerial and Small Area Map (SAM)
2. Draft Planning & Zoning Commission Meeting minutes, November 6, 2008
3. Ordinance



REZONING
Case: 08-155

COTTAGES OF COLLEGE STATION

DEVELOPMENT REVIEW





MINUTES
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, November 6, 2008
at 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman John Nichols, Bill Davis, Noel Bauman, Paul Greer, Doug Slack, Thomas Woodfin and Hugh Stearns

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: None

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

1. Call Meeting to Order.

Chairman Nichols called the meeting to order at 7:10 p.m.

11. Public hearing, presentation, possible action, and discussion regarding a rezoning from R-1 Single Family Residential and A-O Agricultural-Open to PDD Planned Development District for 120.77 acres located at 1430 Harvey Mitchell Parkway South generally located opposite the intersection with Holleman Drive. **Case #08-00500155 (JS)**

Jason Schubert, Staff Planner, presented the rezoning and recommended approval with three conditions: the width of the buffer areas be a minimum of 35 feet; the maximum square feet of retail for area F1 (as described in the applicant's letter) be limited to 75,000 square feet; and the connection road to Place Properties is constructed as a private drive instead of a public street and its alignment not be restricted to the proposed location but will be located at any point between the two properties such that the connection is made.

There was general discussion regarding the rezoning.

Chairman Nichols opened the public hearing.

Veronica Morgan, 511 University Drive, gave a DVD presentation. She stated that it was a pedestrian type of community where trails go out to where the general public will have access to them.

Chairman Nichols closed the public hearing.

Commissioner Stearns expressed concern about the traffic generated by the development and connectivity.

Commissioner Slack stated that the development was a good design and he liked that it was being developed as one property.

Commissioner Davis motioned to recommend approval of the rezoning with the three conditions listed by staff. Commissioner Bauman seconded the motion, motion passed (6-1). Commissioner Stearns was in opposition.

14. Adjourn.

Commissioner Davis motioned to adjourn the meeting. Commissioner Bauman seconded the motion, motion passed (7-0).

Meeting adjourned at 11:00 p.m.

Approved:

John Nichols, Chairman
Planning and Zoning Commission

Attest:

Brittany Caldwell, Staff Assistant
Planning and Development Services

DRAFT

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; 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," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", Exhibit "B", and Exhibit "C", attached hereto and made a part of this ordinance for all purposes.

PART 2: 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 24th day of November, 2008.

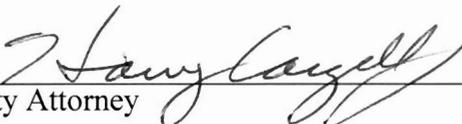
APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from R-1 Single-Family Residential and A-O Agricultural Open to PDD Planned Development District, as shown graphically in Exhibit "B", and with a Concept Plan as described and shown graphically in Exhibit "C":

**METES AND BOUNDS DESCRIPTION
OF A
120.76 ACRE TRACT
CRAWFORD BURNETT SURVEY, A-7
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF AN ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT SURVEY, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 134.041 ACRE TRACT AS DESCRIBED BY A DEED TO TLS PROPERTIES LTD. RECORDED IN VOLUME 3091, PAGE 243 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, A PORTION OF A CALLED 10.7466 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 6950, PAGE 42 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF A CALLED 5.000 ACRE TRACT AS DESCRIBED BY A DEED TO THE CITY OF COLLEGE STATION RECORDED IN VOLUME 8222, PAGE 226 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF DOWLING ROAD (A COUNTY MAINTAINED PUBLIC ROAD – VARIABLE WIDTH R.O.W.) MARKING THE SOUTH CORNER OF SAID REMAINDER OF 134.041 ACRE TRACT AND AN ANGLE POINT IN THE NORTHWEST LINE OF DOWLING ROAD;

THENCE: N 48° 14' 40" W ALONG THE SOUTHWEST LINE OF SAID REMAINDER OF 134.041 ACRE TRACT, SAME BEING THE NORTHEAST LINE OF THE WOODLANDS, ACCORDING TO THE PLAT RECORDED IN VOLUME 393, PAGE 521 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND THE EXTENSION OF SAID NORTHEAST LINE, FOR A DISTANCE OF 1243.67 FEET TO A CONCRETE MONUMENT FOUND MARKING THE NORTH CORNER OF THE WOODLANDS AND THE EAST CORNER OF A CALLED TRACT OF LAND OWNED BY THE TEXAS A&M UNIVERSITY SYSTEM;

THENCE: N 48° 24' 12" W ALONG THE COMMON LINE OF SAID REMAINDER OF 134.041 ACRE TRACT AND SAID TEXAS A&M TRACT FOR A DISTANCE OF 496.23 FEET TO THE REMAINS OF AN OLD FENCE POST FOUND MARKING THE SOUTH CORNER OF A CALLED 43.633 ACRE TRACT AS DESCRIBED BY A DEED TO BVP 2818 PLACE, LP, RECORDED IN VOLUME 7943, PAGE 180 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 41° 44' 04" E ALONG THE COMMON LINE OF SAID REMAINDER OF 134.041 ACRE TRACT AND SAID 43.633 ACRE TRACT FOR A DISTANCE OF 2114.76 FEET TO A 5/8 INCH IRON ROD FOUND ON THE SOUTH LINE OF FM 2818 (HARVEY MITCHELL PARKWAY – VARIABLE WIDTH R.O.W.) MARKING THE NORTHWEST CORNER OF SAID REMAINDER OF 134.041 ACRE TRACT AND THE EAST CORNER OF SAID 43.633 ACRE TRACT;

THENCE: ALONG THE SOUTH LINE OF FM 2818 FOR THE FOLLOWING CALLS:

N 83° 49' 00" E FOR A DISTANCE OF 302.72 FEET TO A CONCRETE RIGHT-OF-WAY MARKER FOUND;

N 84° 44' 20" E FOR A DISTANCE OF 1136.72 FEET TO A 5/8 INCH IRON ROD FOUND;

THENCE: THROUGH SAID REMAINDER OF 134.041 ACRE TRACT FOR THE FOLLOWING CALLS:

S 11° 48' 11" E FOR A DISTANCE OF 502.09 FEET TO A 5/8 INCH IRON ROD FOUND;

S 78° 11' 49" W FOR A DISTANCE OF 17.00 FEET TO A 5/8 INCH IRON ROD SET;

S 11° 48' 11" E FOR A DISTANCE OF 155.74 FEET TO A 5/8 INCH IRON ROD SET ON THE COMMON LINE OF SAID REMAINDER OF 134.041 ACRE TRACT AND SAID 10.7466 ACRE TRACT.

FOR REFERENCE A 5/8 INCH IRON ROD FOUND ON THE WESTERLY LINE OF JONES BUTLER ROAD MARKING THE COMMON CORNER OF SAID REMAINDER OF 134.041 ACRE TRACT AND SAID 10.7466 ACRE TRACT BEARS: N 42° 32' 57" E FOR A DISTANCE OF 574.71 FEET;

THENCE: S 42° 32' 57" W ALONG THE COMMON LINE OF SAID REMAINDER OF 134.041 ACRE TRACT AND SAID 10.7466 ACRE TRACT FOR A DISTANCE OF 196.78 FEET TO A 5/8 INCH IRON ROD SET, FOR REFERENCE A 5/8 INCH IRON ROD FOUND MARKING A COMMON CORNER OF SAID 10.7466 ACRE TRACT AND SAID 5.000 ACRE TRACT BEARS: S 42° 32' 57" W FOR A DISTANCE OF 212.49 FEET;

THENCE: S 10° 56' 18" E THROUGH SAID 10.7466 ACRE TRACT FOR A DISTANCE OF 439.12 FEET TO A 5/8 INCH IRON ROD SET WITHIN SAID 5.000 ACRE TRACT MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 575.00 FEET;

THENCE: THROUGH SAID 5.000 ACRE TRACT AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32° 27' 42" FOR AN ARC DISTANCE OF 325.77 FEET (CHORD BEARS: S 05° 17' 33" W - 321.43 FEET) TO A 5/8 INCH IRON ROD SET ON THE NORTHWEST LINE OF DOWLING ROAD MARKING THE ENDING POINT OF SAID CURVE;

THENCE: S 43° 01' 08" W ALONG THE NORTHWEST LINE OF DOWLING ROAD FOR A DISTANCE OF 94.15 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 5.000 ACRE TRACT;

THENCE: S 43° 01' 19" W CONTINUING ALONG THE NORTHWEST LINE OF DOWLING ROAD FOR A DISTANCE OF 1262.08 FEET TO A 1/2 INCH IRON ROD FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE: S 62° 44' 18" W CONTINUING ALONG THE NORTHWEST LINE OF DOWLING ROAD FOR A DISTANCE OF 736.81 FEET TO THE **POINT OF BEGINNING** CONTAINING 120.76 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/07-895Z.MAB

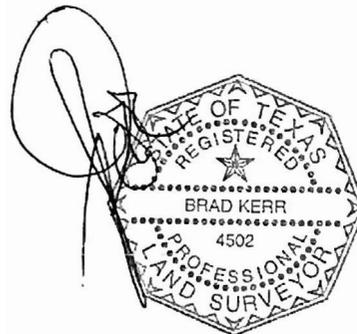
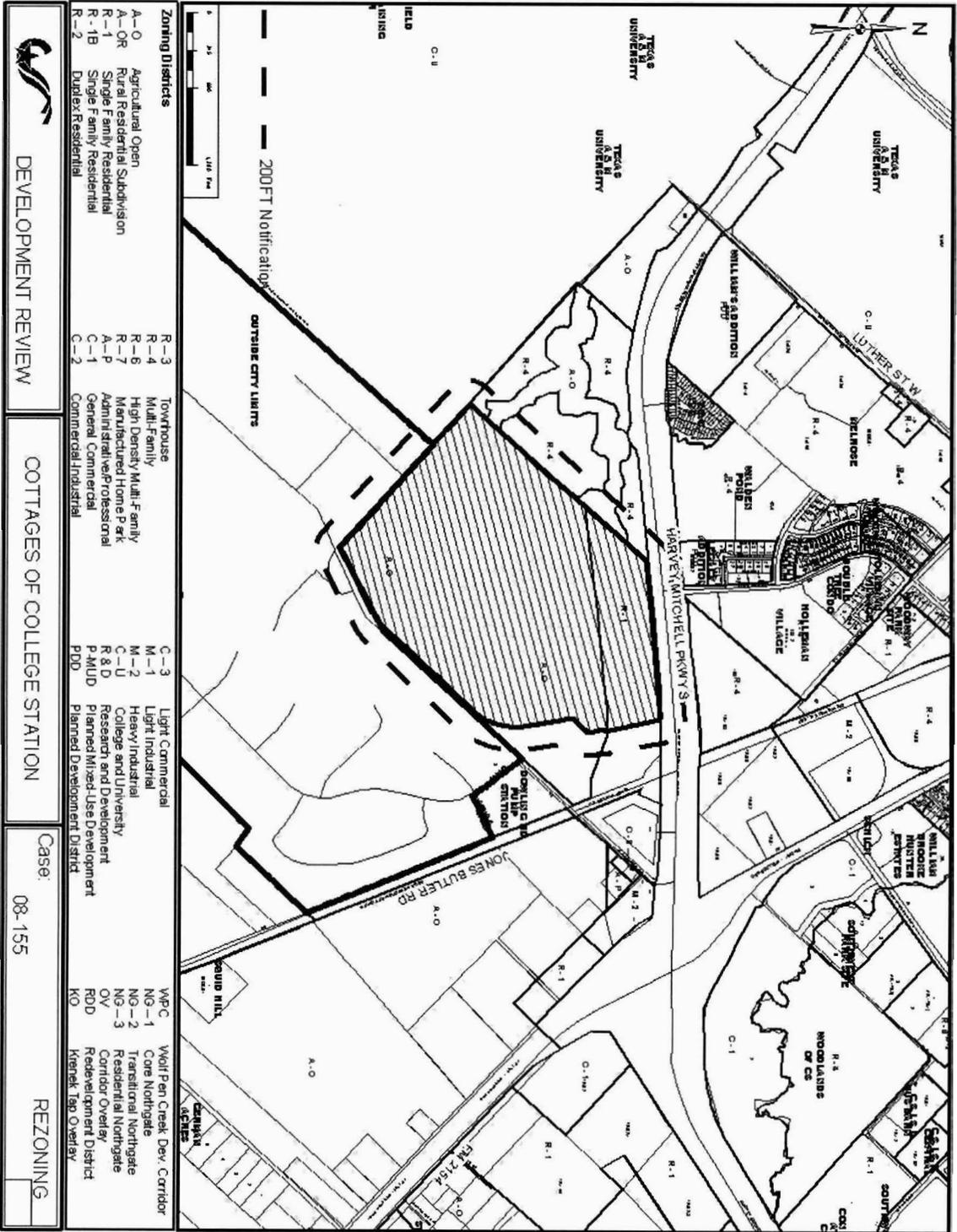


Exhibit "B"



Zoning Districts	Description	Case:	REZONING
A-0	Agricultural Open	08-155	
A-OR	Rural Residential Subdivision		
R-1	Single Family Residential		
R-1B	Single Family Residential		
R-2	Duplex Residential		
R-3	Townhouse		
R-4	Multi-Family		
R-6	High Density Multi-Family		
R-7	Manufactured Home Park		
A-P	Administrative/Professional		
C-1	General Commercial		
C-2	Commercial Industrial		
C-3	Light Commercial		
M-1	Light Industrial		
M-2	Heavy Industrial		
C-U	College and University		
R-8 D	Research and Development		
P-MUD	Planned Mixed-Use Development		
PDD	Planned Development District		
WPC	Wolf Pen Creek Dev. Corridor		
NG-1	Core Northgate		
NG-2	Transitional Northgate		
NG-3	Residential Northgate		
OV	Corridor Overlay		
RDD	Redevelopment District		
KO	Krenak Tap Overlay		

DEVELOPMENT REVIEW

COTTAGES OF COLLEGE STATION

Case: 08-155

REZONING



Exhibit "C"**Statement of Purpose & Intent:**

This Planned Development District is for multi-family developments that will consist of single detached units, duplexes, and attached units associated with neighborhood commercial uses that support the development and surrounding neighborhoods. Residential uses are scaled, oriented, and buffered so as not to be intrusive to the surrounding single family developments. Natural areas are preserved and large open space green areas are 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.

General Concepts not already shown or noted on the Concept Plan:

Residential uses are located in areas A1, A2, and A3. Residential areas will meet the R-4 Multi-family zoning district uses and requirements, which allow up to 20 dwelling units per acre.

Retail uses are located in areas B1, B2, B3, B4, F1, and F2. Areas B1, B2, B3, and B4 are will meet the C-3 Light Commercial zoning district uses and requirements. Areas F1 and F2 will also meet the C-3 Light Commercial district requirements with additional uses and/or modifications from uses permitted in the C-1 General Commercial district. In addition to C-3 Light Commercial uses, F1 and F2 are also permitted the following uses:

- Car Wash;
- Commercial Amusements;
- Drive-in / thru window;
- Fuel Sales (as per Specific Use Standards for C-1);
- Health Club / Sports Facility, Outdoor;
- Hotel;
- Night Club, Bar or Tavern (only with a Conditional Use Permit);
- Restaurants (with no Specific Use Standards for C-3); and
- Theater

Area F1 is limited to 100,000 square feet of gross floor area that may be comprised of any combination of the following uses:

- Animal Care Facility, Indoor;
- Art Studio / Gallery;
- Car Wash;
- Commercial Amusements;
- Day Care, Commercial;
- Drive-in / thru window;
- Dry Cleaners & Laundry;
- Educational Facility, Indoor Instruction;
- Educational Facility, Primary & Secondary;

- Governmental Facilities;
- Health Care, Medical Clinics;
- Health Club / Sports Facility, Indoor;
- Health Club / Sports Facility, Outdoor;
- Hotel;
- Night Club, Bar or Tavern;
- Personal Service Shop;
- Places of Worship;
- Printing / Copy Shop;
- Radio / TV / Studio;
- Restaurants; and
- Theater

Square feet of uses permitted in area F1 as described previously, but not listed in the limitation above will not count toward the 100,000 square feet maximum. In addition, all areas (residential and retail) may be developed in phases and receive site plan approval separately.

Approved Meritorious Modifications to Subdivision and/or Site Development Standards:

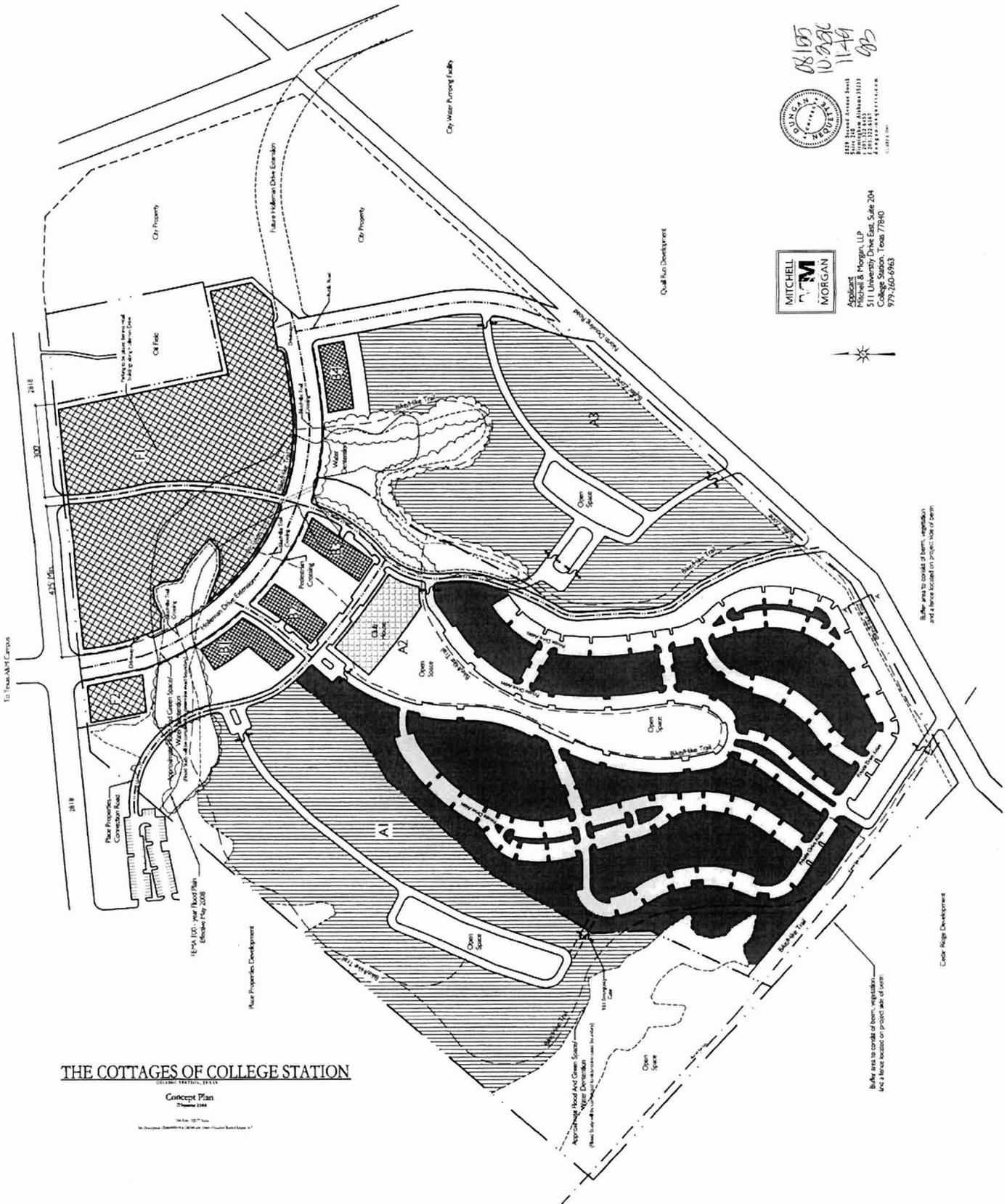
Residential Areas (A1, A2, and A3):

- Allow single detached units and duplex units on multi-family lots without being platted individually (Unified Development Ordinance (UDO) Section 5.1.G Multi-family (R-4) and Section 6.2.C Use Table);
- Allow 20-foot curb radii at intersections to create a more pedestrian friendly environment (UDO Section 7.3.C.7 Geometric Design of Driveway Access);
Block length variances along North Dowling Road and Holleman Drive (Subdivision Regulations Section 8-J Blocks); and
- Not require street connection to stub of Cedar Ridge Drive (Subdivision Regulations 8-G.2 Relation of adjoining Street Systems).

Retail Areas (B1, B2, B3, B4, F1, and F2):

- Reduction in required parking to create a more pedestrian friendly environment (Unified Development Ordinance (UDO) Section 7.2.I Number of Off-Street Parking Spaces Required)
- Allow for parallel parking on looped street around areas B1, B2, and B3 (Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications); and
- Block length variances along the Holleman Drive (Subdivision Regulations Section 8-J Blocks).

Concept Plan Approved with the Planned Development District:



08/15/05
10/22/06
11-19
GDS



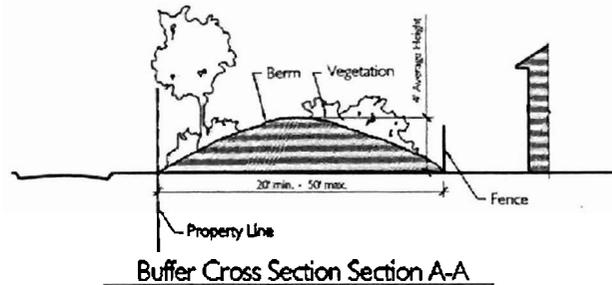
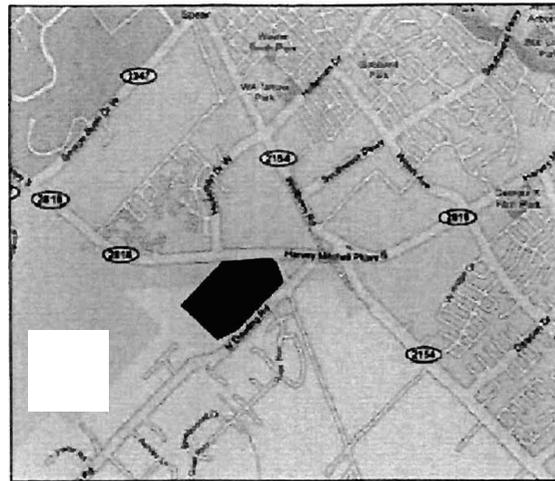
 2009 200 Year Flood Map
 Applicant: Mitchell & Morgan, LP
 11 University Drive East, Suite 204
 College Station, Texas 77906
 979-865-6963

THE COTTAGES OF COLLEGE STATION
 CONCEPT PLAN
 Concept Plan
 10/22/06

NOTES:

1. Sidewalks within A2 will exist along all private drive aisles and adjacent to all parking locations
2. A trail system will connect each block of A1/A2 and A3 for pedestrian use and will provide a route for both bike and pedestrian traffic to the retail locations
3. Roadways behind the entry gates will be Private Drive Aisles and all boulevard entrances to gates will be private.
4. All structures will be a maximum of 3 stories tall and may have architectural elements above the three stories that could be as tall as 70 feet above ground level (i.e. cupolas, etc.)
5. Parking for the commercial areas (F1, B1-B4) shall be located in a manner so as to be located on the interior of the commercial area or at the drive entrances between buildings but not located parallel to Holleman and FM 2818 and in front of the commercial buildings along these roadways.
6. The looped roadway around B2/B3/Clubhouse and B1 will be public and will provide a route for bus service. Parallel parking will be provided on this looped street.
7. The buffer areas shown will be designed as shown in the cross section A-A. Any existing vegetation that is of size and type to obtain landscape points will be retained (as opposed to retaining all existing vegetation which consists mostly of invasive non-desireable species) in the buffer area. The berm will vertically meander and roll along the buffer area to create interest as opposed to creating a "wall". 70% of the N. Dowling frontage will contain the "bermed" buffer
8. The open space in A2 may be altered in a fashion to create individual neighborhoods surrounding an open space. The total open space area shall be generally of the same size as that shown.

Vicinity Map



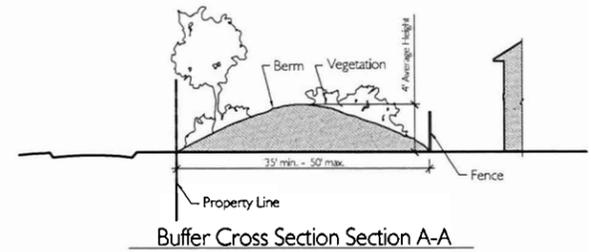
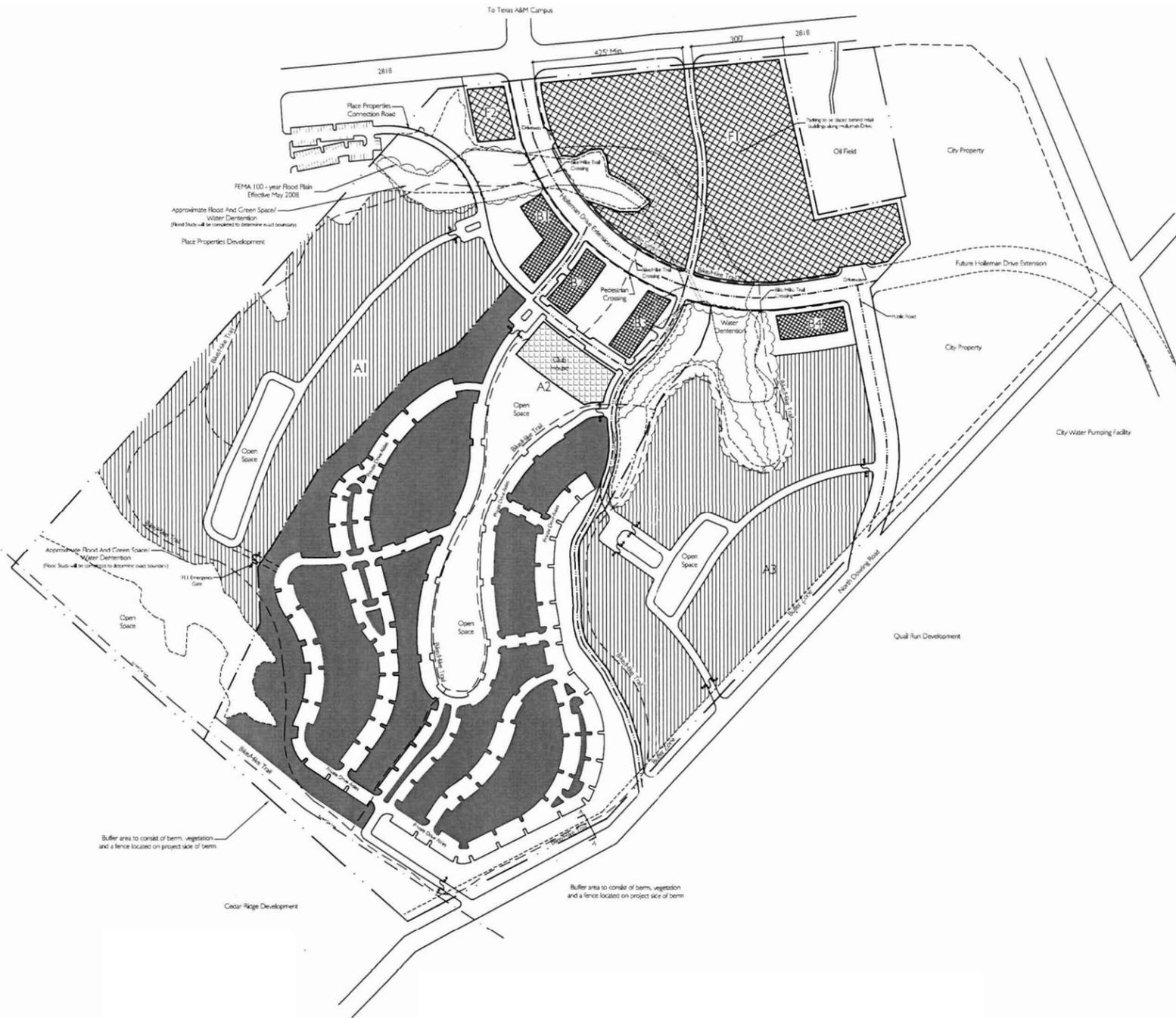
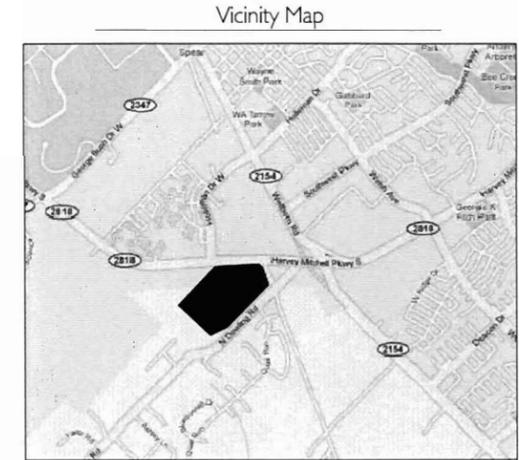
-  B1-B4 denotes Commercial Structure Locations
* Limited to C-3 zoning uses
-  F1-F2 denotes Commercial Structure Locations
* Limited to C-3 zoning plus restricted C-1 uses (see rezoning request letter)
-  A1 and A3 - Apartment Structure Developments
- Actual layout to be determined at time of development
- Development up to 20 Units per acre
-  A2 - Cottage Development Living Units Location
- Developed up to 20 units per acre
-  Cottage Development Amenity Structures Location
- i.e. Clubhouse, Pool, etc.
-  Private Roads
-  Public Roads
-  Entry Gate



Developer
 Capstone Development
 431 Office Park Drive
 Birmingham, AL. 35223
 205-414-6400

NOTES:

1. Sidewalks within A2 will exist along all private drive aisles and adjacent to all parking locations
2. A trail system will connect each block of A1/A2 and A3 for pedestrian use and will provide a route for both bike and pedestrian traffic to the retail locations
3. Roadways behind the entry gates will be Private Drive Aisles and all boulevard entrances to gates will be private.
4. All structures will be a maximum of 3 stories tall and may have architectural elements above the three stories that could be as tall as 70 feet above ground level (i.e. copulas, etc.)
5. Parking for the commercial areas (F1, B1-B4) shall be located in a manner so as to be located on the interior of the commercial area or at the drive entrances between buildings but not located parallel to Holleman and FM 2818 and in front of the commercial buildings along these roadways.
6. The looped roadway around B2/B3/Clubhouse and B1 will be public and will provide a route for bus service. Parallel parking will be provided on this looped street.
7. The buffer areas shown will be designed as shown in the cross section A-A. Any existing vegetation that is of size and type to obtain landscape points will be retained (as opposed to retaining all existing vegetation which consists mostly of invasive non-desireable species) in the buffer area. The berm will vertically meander and roll along the buffer area to create interest as opposed to creating a "wall". 70% of the N. Dowling frontage will contain the "bermed" buffer.
8. The open space in A2 may be altered in a fashion to create individual neighborhoods surrounding an open space. The total open space area shall be generally of the same size as that shown.
9. The Place Properties connection road may be placed in an alternate alignment other than that shown given that it provides thru access from the town square area (labeled as B1, B2, B3) through or adjacent to Tract A1 and connects to Place properties.



- B1-B4 denotes Commercial Structure Locations
* Limited to C-3 zoning uses
- F1-F2 denotes Commercial Structure Locations
* Limited to C-3 zoning plus restricted C-1 uses (see rezoning request letter)
- A1 and A3 - Apartment Structure Developments
- Actual layout to be determined at time of development
- Development up to 20 Units per acre
- A2 - Cottage Development Linking Units Location
- Developed up to 20 units per acre
- Cottage Development Amenity Structures Location
- i.e. Clubhouse, Pool, etc.
- Private Roads
- Public Roads
- Entry Gate



Developer
Capstone Development
431 Office Park Drive
Birmingham, AL. 35223
205-414-6400

Current Property Owner
TLS Properties - Bruce Smith
P.O. Box 19572
Houston, TX. 77224
713-461-5606

THE COTTAGES OF COLLEGE STATION

COLLEGE STATION, TEXAS

Concept Plan
22 September 2008

Site Area - 120.77 Acres
Site Description - Remainder of a 134.041 acre Tract - General Business League A-7



Applicant
Mitchell & Morgan, LLP
511 University Drive East, Suite 204
College Station, Texas 77840
979-260-6963



2829 Second Avenue South
Suite 240
Birmingham Alabama 35233
t 205.322.6455
f 205.322.6167
dungan-nequette.com
NUMBER 0066



November 24, 2008
Regular Agenda Item No. 6
Comprehensive Plan Amendment for Greens Prairie Road and Arrington Road

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 Single-Family Residential Medium Density to Retail Regional and Single-Family Residential Medium Density for 34.6 acres located at 1775 Greens Prairie Road West, and more generally located near the southwest corner of the intersection of Greens Prairie Road and Arrington Road.

Recommendation(s): The Planning and Zoning Commission considered this item at their November 20th meeting and a motion to deny the request failed on a 3-3 vote. With a failed vote to approve the request, this proceeds as a recommendation for denial. Staff recommended denial of the request.

Summary: The request was analyzed based on the following review criteria:

Review Criteria

- 1. Changed or changing conditions in the subject area of the City:** In December 2005, Council approved two Comprehensive Plan land use amendments in the vicinity for what is now part of the Greens Prairie Center subdivision to the east. One amendment replaced about 23 acres of Institutional with Retail Regional while the second changed over 37 acres of Single-Family Residential Medium Density to Retail Regional as well. As part of the second application, an additional request for 16 acres to be designated Residential Attached was denied and kept as Single-Family Residential Medium Density. The 16 acres that was considered for Residential Attached then is now requested as Retail Regional under this request as Tract 2 and a portion of Tract 1.

In 2006, William D. Fitch Parkway (State Highway 40) was completed near this tract to the north. Due to the proximity of Arrington Road to the intersection of State Highway 40 and State Highway 6, Arrington Road, a major collector, has been realigned as part of the development of Greens Prairie Center to the northeastern boundary of the subject property and was completed in October of this year.

On November 5th, the Council approved a Comprehensive Plan land use amendment for about 31 acres of land about a mile to the west at the northeast corner of the future intersection of Victoria Avenue and William D. Fitch Parkway. As part of the request, almost 20 acres was designated as Retail Regional and a little less than 6 acres each of Office and Residential Attached.

- 2. Compatibility with the remainder of the Comprehensive Plan:** The Comprehensive Plan defines Retail Regional as areas permitting regional scale development of tax generating developments such as retail centers, service commercial, restaurants, etc. These uses are generally dependent on good access to highways and major arterials. The subject property is adjacent to Greens Prairie Road West, a minor arterial, the newly realigned Arrington Road, a major collector, and is in relative

proximity to William D. Fitch Parkway, a highway. It is also adjacent to existing land designated as Retail Regional and zoned C-1 General Commercial. The additional Retail Regional proposed in Tracts 1 and 2 add 27 acres to a large, mostly undeveloped, commercial area centered on the intersection of State Highway 6 and William D. Fitch Parkway/State Highway 40. That intersection is about one-half mile away from the subject property and all the land between the two is already zoned C-1 General Commercial. When considering all four corners of that intersection, over 300 acres is currently zoned C-1 General Commercial, which is an amount almost equivalent to the land area of 4 Post Oak Malls. While the subject property is adjacent to a minor arterial and major collector, this does not preclude the existing Single-Family Residential Medium Density designation. Examples of this include existing single family subdivisions along Greens Prairie Road, Barron Road, and Southwest Parkway (all minor arterials) and along Longmire Drive, Victoria Avenue, and Deacon Drive (all major collectors). The addition of more Retail Regional will not help transition from the higher intensity uses at highway intersections to the larger lot subdivisions to the south and west.

The proposed Single-Family Residential High Density designation is for single-family detached residential developments with densities ranging from 7 to 9 dwelling units per acre. Staff has also interpreted this designation to include townhomes which are single family units but are attached. Tract 3 proposes about 7.4 acres of Single-Family Residential High Density behind the Retail Regional. Higher intensity land uses should be located between this designation and the thoroughfares. This land use would be more appropriate as portions of Tracts 1 and 2 to provide a better transition from the commercial areas.

Budget & Financial Summary: N/A

Attachments:

1. Aerial and Small Area Map (SAM)
2. Proposed Land Use Plan Amendment
3. Ordinance



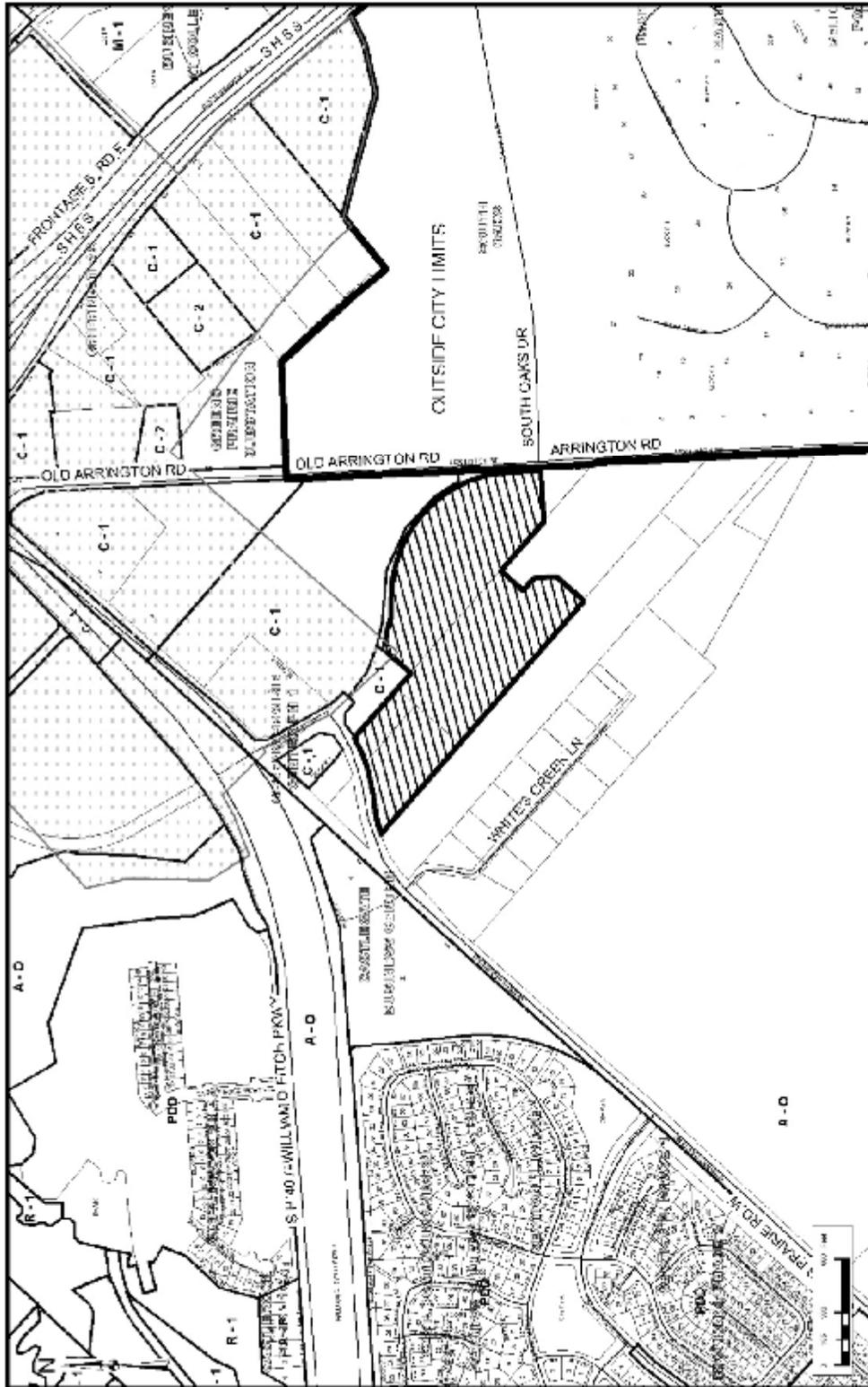
Case: 08-237

GREENS PRAIRIE @ ARRINGTON

DEVELOPMENT REVIEW



COMP PLAN



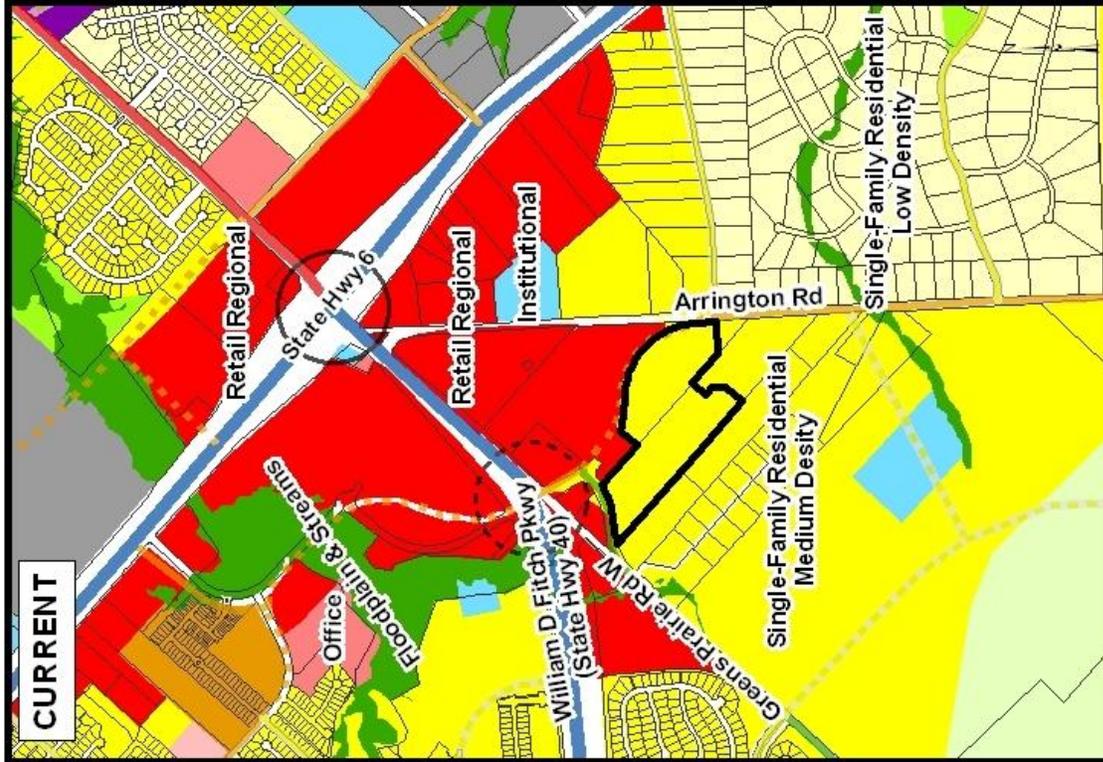
Zoning Districts	R-3	Townhouses	C-5	Light Commercial	WPC
A-O	R-4	Multi-Family	M-1	Light Industrial	WPC - Wolf Pen Creek Dev. Corridor
A-OH	R-6	High Density Multi-Family	M-2	Light Industrial	NC-1 - Core Northgate
A-UH	R-7	Manufactured Home Park	M-3	Light Industrial	NC-2 - Transitional Northgate
R-1	R-7	Administrative/Professional	M-4	Light Industrial	NC-3 - Residential Northgate
R-1B	A-P	General Commercial	M-5	Light Industrial	OV - Corridor Overlay
R-2	C-1	Commercial/Industrial	M-6	Light Industrial	RDD - Redevelopment District
	C-2	Commercial/Industrial	M-7	Light Industrial	KO - Krenak Tap Overlay
			M-8	Light Industrial	
			M-9	Light Industrial	
			M-10	Light Industrial	
			M-11	Light Industrial	
			M-12	Light Industrial	
			M-13	Light Industrial	
			M-14	Light Industrial	
			M-15	Light Industrial	
			M-16	Light Industrial	
			M-17	Light Industrial	
			M-18	Light Industrial	
			M-19	Light Industrial	
			M-20	Light Industrial	
			M-21	Light Industrial	
			M-22	Light Industrial	
			M-23	Light Industrial	
			M-24	Light Industrial	
			M-25	Light Industrial	
			M-26	Light Industrial	
			M-27	Light Industrial	
			M-28	Light Industrial	
			M-29	Light Industrial	
			M-30	Light Industrial	
			M-31	Light Industrial	
			M-32	Light Industrial	
			M-33	Light Industrial	
			M-34	Light Industrial	
			M-35	Light Industrial	
			M-36	Light Industrial	
			M-37	Light Industrial	
			M-38	Light Industrial	
			M-39	Light Industrial	
			M-40	Light Industrial	
			M-41	Light Industrial	
			M-42	Light Industrial	
			M-43	Light Industrial	
			M-44	Light Industrial	
			M-45	Light Industrial	
			M-46	Light Industrial	
			M-47	Light Industrial	
			M-48	Light Industrial	
			M-49	Light Industrial	
			M-50	Light Industrial	
			M-51	Light Industrial	
			M-52	Light Industrial	
			M-53	Light Industrial	
			M-54	Light Industrial	
			M-55	Light Industrial	
			M-56	Light Industrial	
			M-57	Light Industrial	
			M-58	Light Industrial	
			M-59	Light Industrial	
			M-60	Light Industrial	
			M-61	Light Industrial	
			M-62	Light Industrial	
			M-63	Light Industrial	
			M-64	Light Industrial	
			M-65	Light Industrial	
			M-66	Light Industrial	
			M-67	Light Industrial	
			M-68	Light Industrial	
			M-69	Light Industrial	
			M-70	Light Industrial	
			M-71	Light Industrial	
			M-72	Light Industrial	
			M-73	Light Industrial	
			M-74	Light Industrial	
			M-75	Light Industrial	
			M-76	Light Industrial	
			M-77	Light Industrial	
			M-78	Light Industrial	
			M-79	Light Industrial	
			M-80	Light Industrial	
			M-81	Light Industrial	
			M-82	Light Industrial	
			M-83	Light Industrial	
			M-84	Light Industrial	
			M-85	Light Industrial	
			M-86	Light Industrial	
			M-87	Light Industrial	
			M-88	Light Industrial	
			M-89	Light Industrial	
			M-90	Light Industrial	
			M-91	Light Industrial	
			M-92	Light Industrial	
			M-93	Light Industrial	
			M-94	Light Industrial	
			M-95	Light Industrial	
			M-96	Light Industrial	
			M-97	Light Industrial	
			M-98	Light Industrial	
			M-99	Light Industrial	
			M-100	Light Industrial	

DEVELOPMENT REVIEW

GREENS PRAIRIE @ ARRINGTON

Case: 08-237

COMP PLAN



Case: 08-237

1775 Greens Prairie Road W
Comprehensive Plan Amendment

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 1775 GREENS PRAIRIE ROAD WEST, 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 _____ day of _____, 2008.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:



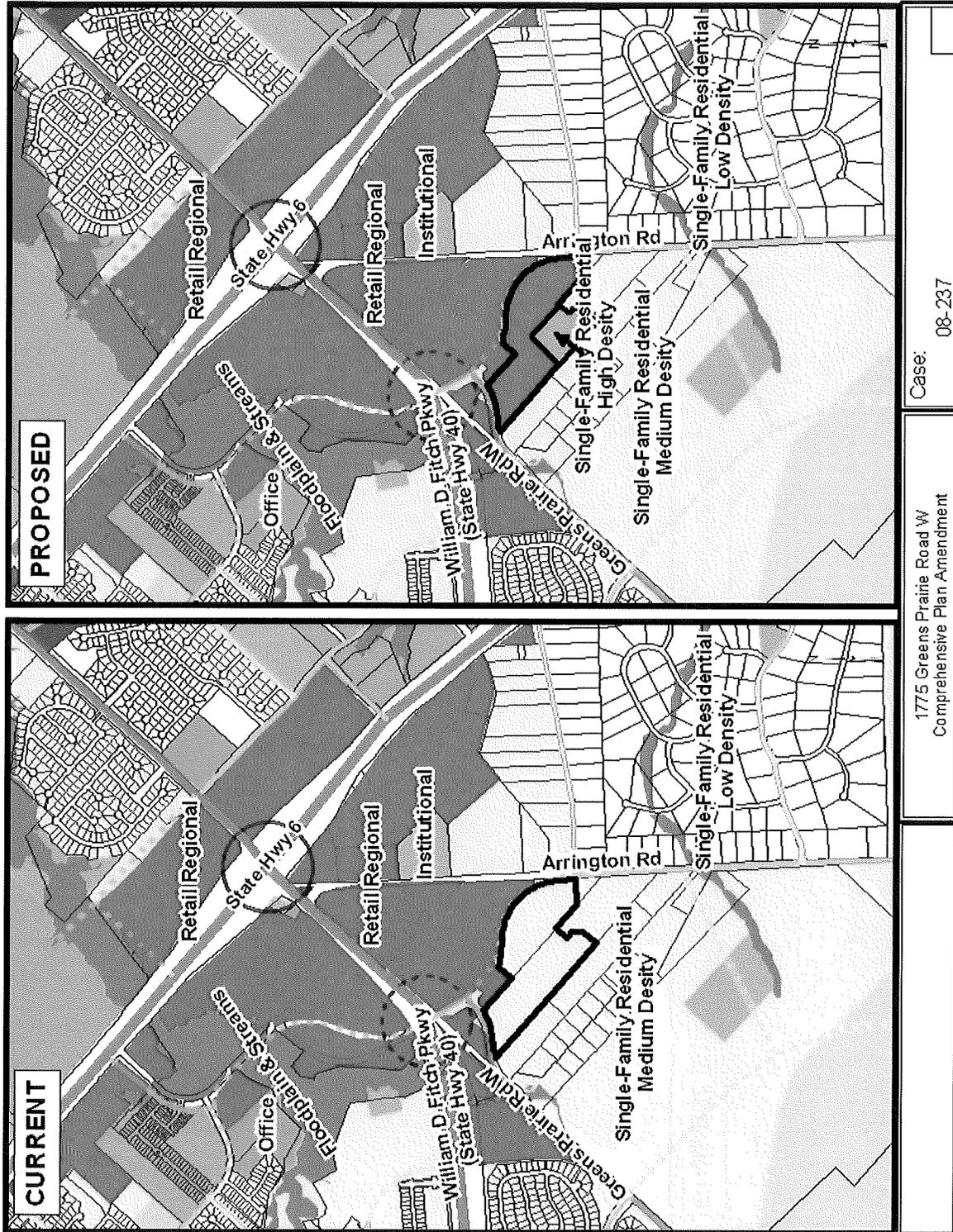
City Attorney

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 34.602 acres generally located at 1775 Greens Prairie Road West is amended from Single-Family Residential Medium Density to 27.187 acres of Retail Regional and 7.415 acres of Single-Family Residential High Density, as shown on the attached Exhibit "B".

EXHIBIT "B"



Case: 08-237

1775 Greens Prairie Road W
Comprehensive Plan Amendment

November 24, 2008
Regular Agenda Item No. 7
Comprehensive Plan Amendment for the Corner of State Highways 60 and 47

To: Glenn Brown, City Manager

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

Agenda Caption: Public hearing, presentation, possible action and discussion on a Comprehensive Land Use Plan amendment from Industrial R&D to Residential Attached for 5.59 acres located on the northern corner of the intersection of State Highways 60 and 47.

Recommendation(s): The Planning & Zoning Commission considered this request at their November 20th, 2008 meeting where they made a recommendation to deny with a 6-0 vote. Staff recommended denial of the request.

Summary:

REVIEW CRITERIA

1. Changed or changing conditions in the subject area or the City: Since the time the current Comprehensive Plan was adopted, a few changes have occurred in this area. Easterwood Airport expanded its runways to provide expanded air service to the region. The City acquired approximately 57 acres off of SH 60 between Harvey Mitchell Parkway and Turkey Creek Road for the new Memorial Cemetery and Aggie Field of Honor, and the City Council amended the Land Use Plan and Thoroughfare Plan for the cemetery to reflect Institutional and remove two unnamed minor collectors.

The City has also experienced a decrease in the amount of property designated for Industrial R&D. Whereas there were just over 1,500 acres designated for Industrial R&D less than five years ago, there are approximately 1,400 today. At about 245 acres, the subject tract and its immediate surrounds represent one of the larger blocks of Industrial R&D outside of the Business Center at College Station and the property acquired for a second business park (which is no longer moving forward).

Near the subject tract, Texas A&M has developed a Health Science Center campus plan for property in Bryan close to the College Station City limit. While not yet under construction, clearing has begun for the first buildings' locations.

2. Compatibility with the remainder of the Comprehensive Plan: A Residential Attached designation would not be consistent with the existing Comprehensive Land Use Plan. Industrial Research & Development, the current designation on the Land Use Plan, is described as:

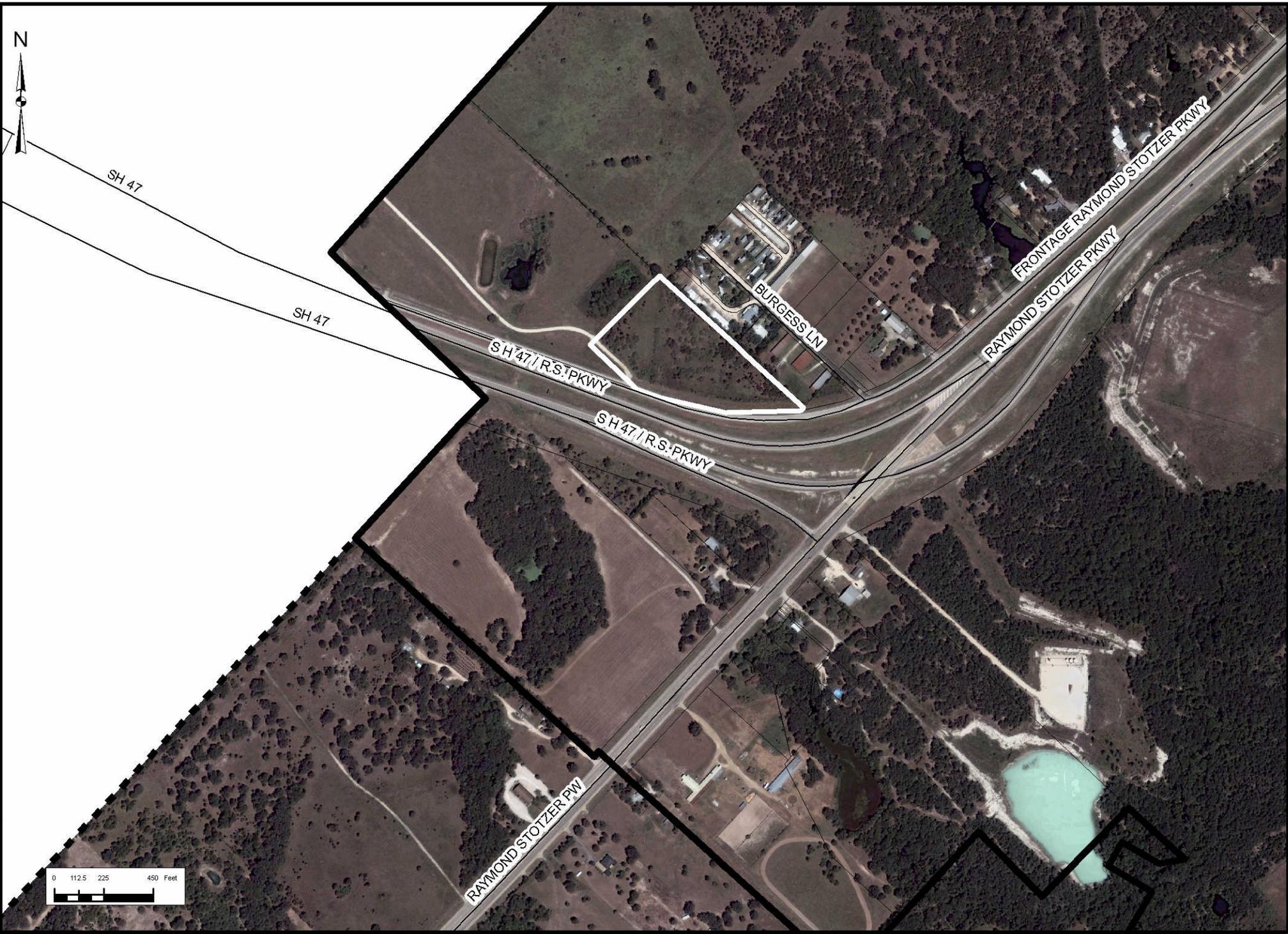
Areas permitting medium to large-scale development of tax-generating developments such as industrial/R&D parks, technology centers, clean manufacturing, and assembly/distribution. These developments are very dependent upon good access to highways, rail lines, and/or airports.

At the corner of two highways, this tract has the access promoted for non-residential uses. In close proximity to the airport, it is in a position to take advantage of the transportation network needed to move people and goods in an efficient and expeditious manner. The Comprehensive Plan does not encourage residential land uses against highways and in near proximity to airports.

Budget & Financial Summary: N/A

Attachments:

1. Area map and aerial photo
2. Ordinance



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE LAND USE PLAN, FOR THE AREA LOCATED ON THE CORNER OF STATE HIGHWAY 47 AND STATE HIGHWAY 60, IS AMENDED FROM INDUSTRIAL R&D TO RESIDENTIAL ATTACHED, 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 "**Land Use Plan**" 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 24 day of November, 2008.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

Harry Cargill

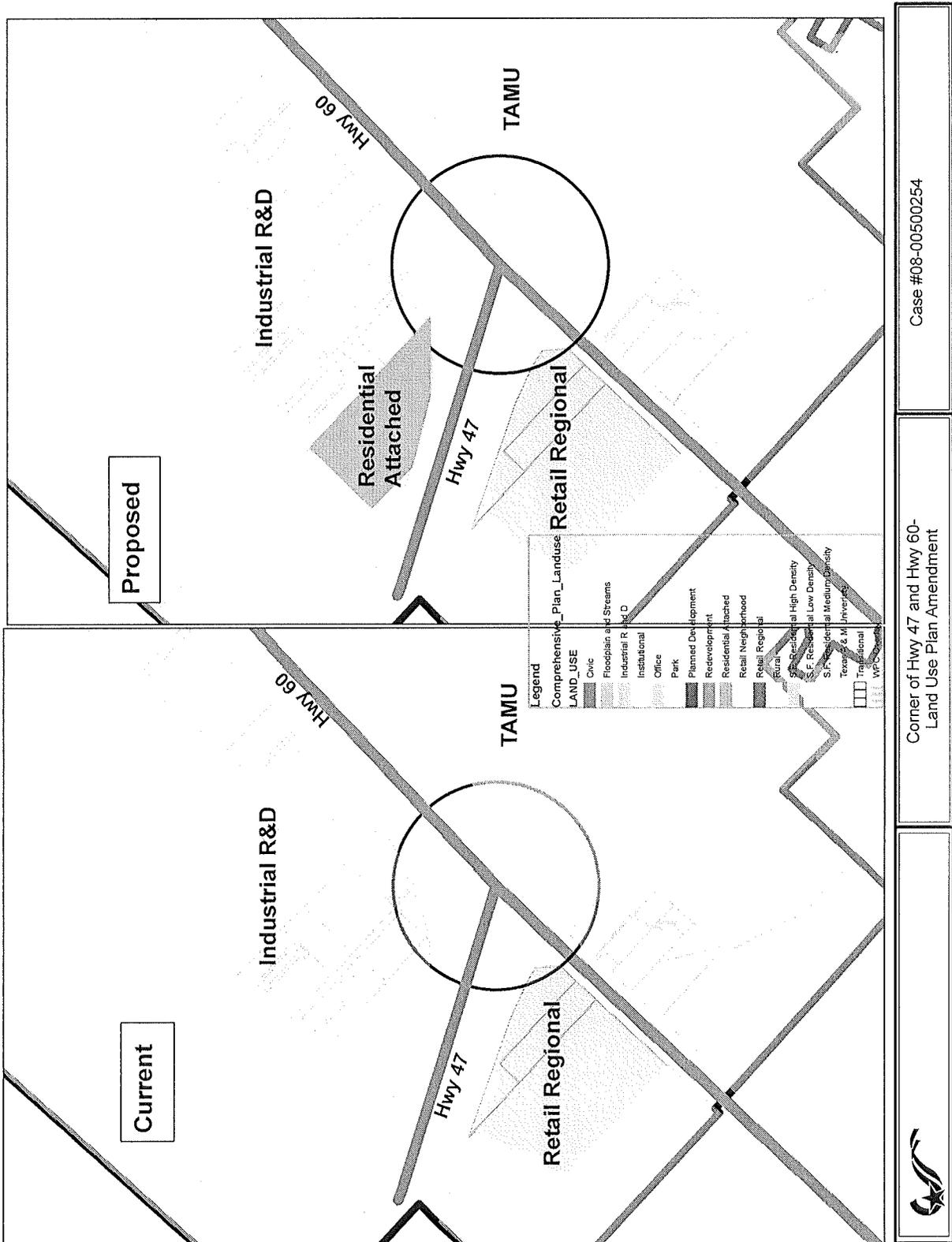
City Attorney

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 5.591 acres, located on the corner of State Highway 47 and State Highway 60, is amended from Industrial to Residential Attached, as shown on the attached Exhibit "B".

EXHIBIT "B"



Case #08-00500254

Corner of Hwy 47 and Hwy 60-
Land Use Plan Amendment



November 24, 2008
Regular Agenda Item No. 8
Single-Family Overlays

To: Glenn Brown, City Manager

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

Agenda Caption: Public hearing, presentation, possible action, and discussion on an amendment to the Unified Development Ordinance, Section 5.9, Single-Family Overlay Districts as it relates to the minimum number of petition signatures to request an overlay.

Recommendation(s): The Planning and Zoning Commission recommended denial of the amendment by a vote of 6 to 1 at their November 6th meeting.

Summary: At the direction of City Council, Staff has revised the Single-Family Overlay District language to reduce the percentage of owners required to sign for a petition requesting an overlay rezoning. The amendment will reduce the requirement from 60% to 50% +1.

At the Planning and Zoning Commission, there were significant concerns about increasing the infringement on private property rights by lowering the requirement by both the Commission and members of the community.

Budget & Financial Summary: N/A

Attachments:

1. Draft Planning and Zoning Commission Meeting Minutes, November 6, 2008
2. Ordinance



MINUTES
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, November 6, 2008
at 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman John Nichols, Bill Davis, Noel Bauman, Paul Greer, Doug Slack, Thomas Woodfin and Hugh Stearns

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: None

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

12. Public hearing, presentation, possible action, and discussion on an amendment to Chapter 12, City of College Station, Unified Development Ordinance Section 5.9, Single-Family Overlay Districts as it relates to the minimum number of petition signatures to request an overlay. **Case #08-00500001 (LK)**

Lindsay Kramer, Senior Planner, presented the ordinance amendment to the Single-Family Overlay Districts. She stated that that amendment will reduce the percentage of owners required to sign for a petition requesting an overlay rezoning from 60% to 50% +1.

There was general discussion regarding the ordinance amendment.

Chairman Nichols opened the public hearing

Steven Schloss, 402 W. Dexter Drive, College Station, Texas; James Robinson, 605 Guernsey, College Station, Texas; Lisa Robinson, 605 Guernsey, College Station, Texas; and David Hart, 1306 Bayou Woods, College Station, Texas. Some of the concerns of the citizens were fairness issues and not being able to have diversity in neighborhoods.

Sherry Ellison, 2705 Brookway Drive, College Station, Texas, spoke in favor of the ordinance amendment and stated that older neighborhoods have more of a problem getting signatures.

Chairman Nichols closed the public hearing.

Commissioner Bauman stated that he believes that the current percentage is too low and that the amendment is being done for specific neighborhoods.

Commissioner Davis stated that he was uncomfortable not being able to have the super majority signing the petition. He said that there is a reason people are not participating.

Commissioner Stearns stated that he did not like the requirement that absentee owners had to sign the petition because they do not live there and know the neighborhood.

Commissioner Slack stated that he did not believe that the ordinance has been in act long enough to make changes. He said that preserving neighborhoods is critical.

Commissioner Greer stated that reducing the percentage requirement makes it too easy.

Commissioner Bauman motioned to recommend denial of the ordinance amendment. Commissioner Davis seconded the motion, motion passed (6-1). Commissioner Stearns was in favor of the ordinance amendment.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 5.9, "SINGLE FAMILY OVERLAY DISTRICTS," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS 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," Section 5.9, "Single Family Overlay Districts," 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 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 _____ day of _____, 2008.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 5.9, "Single-Family Overlay Districts," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending Section 5.9.C.3 to read as follows:

- 3.** Petition for a Single-Family Overlay District must be signed by at least fifty percent plus one (50% + 1) of the total number of property owners in the proposed district area.

November 24, 2008
Regular Agenda Item No. 9
Strong and Sustainable Neighborhoods Grant Program

To: Glenn Brown, City Manager

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

Agenda Caption: Presentation, possible action and discussion regarding the establishment of a neighborhood grant program and revisions to the current gateway grant program.

Recommendation(s): Staff recommends that City Council approve the strong and sustainable neighborhoods grant program as detailed in the information presented by staff.

Summary: At their August 26th meeting, the City Council directed staff to revise the current gateway grant program and to expand it into a neighborhood grant program where additional items (such as defraying the costs of petitioning for the single-family overlay) could be considered for funding assistance by the City.

Staff has prepared a proposal that if accepted by Council will enable funding of a variety of physical and non-physical neighborhood projects. As envisioned the program would continue to be a cost sharing program (for example if a neighborhood seeks funding to defray the costs associated with application for the single family overlay which currently costs \$500, if awarded a grant the neighborhood would only be responsible for 50% of the costs). Staff believes this cost-sharing effort allows limited funds to aid a larger number of neighborhoods, is consistent with the Council's policy of cost recovery, and helps to ensure there is an "investment" in the process made by the neighborhoods.

Staff is proposing there be three types of projects eligible under the grant program – Physical (gateways for example), Non-physical (application fees for example), and Community-building (neighborhood clean-up for example).

Staff is proposing two funding cycles with half of the budgeted funds available in the first round and all remaining funds available in the second round. Staff is proposing that half of the budgeted funds be available for physical projects and that the remaining half be split evenly between non-physical and community building projects. Staff is proposing that a review committee consisting of representatives from a variety of city departments be established to review applications and to award grants. This review would be based on an established set of criteria.

Staff is also proposing a variety of revisions to the current gateway program that will provide more accountability for the program and better define the roles of all parties involved.

Budget & Financial Summary: \$15,000 is currently budgeted for the Gateway Grant program. Staff proposes that these funds be used for the Neighborhood Grant Program, with a minimum of 50% remaining available for the Gateway Grant program.

Attachments:

1. Draft Strong and Sustainable Neighborhoods Grant Program Overview



Strong & Sustainable Neighborhoods Grant Program

Origin & Purpose

The Strong & Sustainable Neighborhoods Grant Program assists associations and neighborhood groups with physical/ non-physical and community building projects. This program is a matching grant program, creating a partnership between the neighborhoods and the City to accomplish common goals.

Goals

- Strengthen & improve neighborhood associations
- Improve the appearance of city neighborhoods
- Strengthen the relationship between the HOA and the City government
- Stimulate inter-neighborhood cooperation
- Encourage new communities to develop their own neighborhood associations
- Stimulate interaction between all College Station HOAs/Neighborhood associations

Who can apply?

All neighborhoods are eligible to apply for assistance through the program. Neighborhood and Homeowners associations that are registered with the City's Neighborhood Partnership Program (NPP) will be given priority status in selection. Neighborhoods that are not a part the NPP are eligible for funds for non-physical and community building projects but not for physical projects including Gateway Grants.

What are considered Non- Physical Projects ?

These are projects that are intended to strengthen the quality of life and/or integrity of a neighborhood. Some examples are one-time events such as a festival, a celebration, application for a zoning overlay, a training sessions or a workshop. Twenty-five percent (25%) of the budgeted funds to the grant program will be dedicated for non-physical projects.

What are considered Physical Projects?

These are projects that are intended to enhance the physical aspects of a neighborhood. Some examples are beautification projects, landscaping, neighborhood clean ups or a tangible building project such as a gateway or entry-way improvement. Fifty percent (50%) of the budgeted funds to the grant program will be dedicated for Physical Projects.

What are considered Community Building Projects?

These projects are intended to bring the community together to work on a project. Some examples are a neighborhood clean-up, a drive to increase resident membership or participation in an association, developing a neighborhood newsletter for distribution, community gardens or a neighborhood forum. Twenty-five percent (25%) of the budgeted funds will be dedicated for Community Building Projects.

What activities or groups are ineligible for funding?

- Political Campaigning
- Alcohol purchases
- Association business expenses or trips
- Individuals persons or individual businesses
- Religious organizations

Application Granting Process

How does it work?

The program is a fifty percent (50%) matching funds program that assists neighborhood/homeowners associations to obtain funds for projects that will benefit the neighborhood and its residents.

Non-Physical

The maximum amount available for Non-Physical is \$500.00. Volunteer hours and in-kind donations may be allowed as matching funds in the manner and to the extent provided for by the City.

Physical

The maximum amount available for Physical Projects is \$7500.00. Volunteer hours and in-kind donations up to twenty-five percent (25%) of the value of the neighborhood's share may be allowed in the manner and to the extent provided for by the City.

Community-Building

The maximum amount available for Community Building Projects is \$500.00. Volunteer hours and in-kind donations may be allowed as matching funds in the manner and to the extent provided for by the City.

Grants will be evaluated on the following criteria:

- Registered with the City's Neighborhood Partnership Program (20 points) (Note: this is required for all applications for Physical Projects)
- Neighborhood Participation & Involvement (20 Points)
- Community Benefit (10 Points)
- Matching donations and volunteer hours contributed towards the event (5 Points)
- Project consistency with established Program goals (10 Points)

Grant Application Deadline

There will be two funding cycles annually, one in the Spring and another in the Fall, with the specific submittal dates established annually by the Neighborhood Services Office.

The applications will be turned in to the Neighborhood Services Offices in City Hall at 1101 Texas Avenue, College Station, TX 77842 by 5:00 PM on the deadline date.

The first funding cycle will award up to half of the budgeted funds to the program. The second funding cycle will use all remaining funds. At least one half of the funds budgeted will be used to annually fund physical projects.

Notification of Awards

Applicants will be notified of award status within six weeks of the submittal date for applications.

Contract for Funds

Once an award for grant funds has been made, a contract or funding agreement will be issued to the association or group, detailing the use of funds, time lines to complete projects, and other important information. *Until a funding agreement or contract is signed by all parties, the City has no responsibility to reimburse the organization for any expenses or funds incurred or spent before the agreement is official. These funds cannot be used to cover past events or expenses.*

November 24, 2008
Regular Agenda Item No. 10
Presentation, Possible Action and Discussion Regarding a Resolution Approving
and Setting User Fees for the Parks and Recreation Department
Calendar Year 2009

To: Glenn Brown, City Manager

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

Agenda Caption: Presentation, possible action and discussion regarding a resolution of the City Council of the City of College Station, Texas, approving and setting fees for Parks and Recreation activities and facilities for Calendar Year 2009.

Recommendation(s): Staff recommends approval of the resolution and fees schedule as submitted. The Parks and Recreation Advisory Board also recommends approval of the fees as proposed.

Summary: The Parks and Recreation Department conducts annual reviews of user fees to determine direct costs, as well as local "market" rates for individual programs and facilities. Further the Parks and Recreation Advisory Board established a departmental fee policy statement to provide guidance in the establishment of fees. This policy is consistent with the City's fiscal and budgetary policy. The Board reviewed the proposed fees on October 20, 2008 and voted 6-0 (Jody Ford, Wayne Williams, and George Jessup absent) to recommend approval of the fees as submitted for Calendar Year 2009.

The Municipal Cemetery System fees were an addition made to the Parks and Recreation Department User Fees Schedule in order to view the Department's User Fees Schedule in its' entirety.

Budget & Financial Summary: The proposed user fees for Calendar Year 2009 include changes that are detailed in Attachment 2 (Exhibit A). If approved, the new fees will become effective January 1, 2009.

Attachments:

1. Resolution
2. Exhibit A - Parks and Recreation Department Fees for Calendar Year 2009.
3. Parks and Recreation Department User Fees comparison from previous years.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING AND SETTING FEES FOR PARKS AND RECREATION ACTIVITIES.

WHEREAS, the schedule of fees in the attached Exhibit A provides for Parks and Recreation related fees consistent with the adopted fiscal and budgetary policy; now, therefore,

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

- PART 1: That the City Council hereby approves and adopts the Parks and Recreation Fees Schedule attached as Exhibit A.
- PART 2: That the fees provided for in the attached Exhibit A shall take effect for programs beginning after January 1, 2009.

ADOPTED this 24th day of November, A.D. 2008

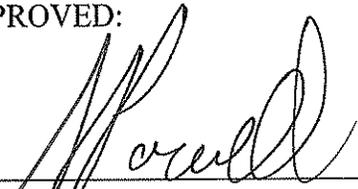
ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

Exhibit A

PARKS AND RECREATION DEPARTMENT

2009 USER FEES

ACTIVITY / FACILITY	2009 Fees
---------------------	-----------

ADULT SPORTS PER TEAM

1. Flag Football	\$380
2. Volleyball	\$190
3. Softball	
Play-Off League: Spring and Summer / Fall	\$355
Fast Pitch: Spring and Summer / Fall	\$395
4. Outside League Field Redevelopment Fee Per Team	\$75
5. Adult Sports Transfer/Cancellation Fee	\$10

ATHLETIC FIELDS

- ~ In addition to the rental fees, a deposit will be charged and paid by the renter in advance of any tournament. The deposit will vary depending on the type and size of the tournament.
- ~ In addition to the rental and deposit fees, additional fees may be assessed to the renter depending on the length and type of tournament in order to cover expenses incurred by the City for personnel and supplies needed to facilitate the tournament.
- ~ Game field prep and light fees are included in the daily rental fee, but not in hourly rental fees.

1. Athletic Field Rentals	
One (1) Field: Per Day/Per Weekend	\$110 per day
One (1) Field: Per Hour up to 10 Hours	\$15 per hour
2. Athletic Field Rental Deposit	Varies
3. Lights for Field Rentals (Per Hour/Per Field)	\$15 per hour
4. Game Field Prep Fee per Field	\$45 per field
5. Bee Creek Batting Cage Rental: Per Hour	\$10 per hour
6. Veterans Park "Package" Day Rental – All 9 Soccer Fields and the ~ American Pavilion	\$1000
7. Key Fee (New and Replacement Fee)	\$10 each
8. Parking Fee (Wayne Smith Complex) Per Day	\$5

CEMETERY FEES

1. College Station Cemetery	
~ Standard Space	\$950
~ Cremate Space	\$300
~ Infant Space	\$150
2. Memorial Cemetery of College Station	
~ Standard Space	\$950
~ Infant Space	\$150
3. Aggie Field of Honor	
~ Standard Space	\$2000
~ Cremate Space	\$1200
4. Filing Fee – The Brazos County Clerk’s Office sets and Administers this fee, which is subject to change without notice. (First two pages / Each Page thereafter).	\$15/\$4

CONFERENCE CENTER

- ~ The room deposit is \$100 on Room 127 and \$50 each on all other rooms including the kitchen.
- ~ Deposits are refundable upon compliance with all rules, regulations, and clean-up requirements by client and caterer.
- ~ Deposits are refunded less the cancellations fee of \$10, if the reservation is cancelled sixty (60) days prior to the event.
- ~ An additional fee of \$25 is charged if additional time is needed between the hour of 5 p.m. and 6 p.m., and is based upon availability.

1. Commercial Rental Rates (Companies or Businesses)

Room 101:	
Monday – Thursday: 4 Hours or Less	\$55
8 am – 5 pm	\$65
6 pm – Close	\$70
Friday Rate: 8 am – Close	\$75
Saturday Rate: 8 am – Close	\$150
Room 102*, 103, 104, 106*	
Monday – Sunday: 4 Hours or Less	\$45
8 am – 5 pm	\$55
6 pm – Close	\$60
Room 105:	
Monday – Sunday: 4 Hours or Less	\$55

	8 am – 5 pm	\$65
	6 pm – Close	\$70
Room 127:		
Monday – Thursday: 4 Hours or Less		\$125
	8 am – 5 pm	\$165
	6 pm – Close	\$175
Friday Rate:	8 am – Close	\$225
Saturday Rate:	8 am – Close	\$450
2. Non-Commercial Rental Rates		
(Individuals or groups / not companies or businesses)		
Room 101:		
Monday – Thursday: 4 Hours or Less		\$25
	8 am – 5 pm	\$40
	6 pm – Close	\$35
Friday Rate:	8 am – Close	\$75
Saturday Rate:	8 am – Close	\$150
Room 102*. 103, 104, 106*		
Monday – Sunday: 4 Hours or Less		\$20
	8 am – 5 pm	\$35
	6 pm – Close	\$30
Room 105:		
Monday – Sunday: 4 Hours or Less		\$25
	8 am – 5 pm	\$40
	6 pm – Close	\$35
Room 127:		
Monday – Thursday: 4 Hours or Less		\$60
	8 am – 5 pm	\$110
	6 pm – Close	\$80
Friday Rate:	8 am – Close	\$225
Saturday Rate:	8 am – Close	\$450
3. Kitchen Rental		\$20
4. Sunday Surcharge		
1 – 5 Consecutive Hours		\$60
1 – 5 Hours Split, or over 5 Consecutive Hours		\$85
5. Transfer / Cancellation, Set-up Change Fee		\$10
6. Alcohol Deposit (if alcohol is served)		\$50
7. Catering Deposit		\$50
8. Multi-media Projector Deposit		\$50
9. Vendor or Exhibitors Tables		\$10
10. Miscellaneous Charges		
Copies (Per Copy)		\$.10*
Faxes ~ Local (Per Page).		\$1
~ Long Distance (First Page / Each Additional Page)		\$2 / \$ 1
~ Trip Charge (For Food)		\$10
Coffee Service (Per Cup)		.50 cents

*Per Section 111.61 of the Texas Administrative Code

INSTRUCTION FEES PER PERSON

1. Swim Lessons 25-Minute Lesson / 45-Minute Lesson*	\$40 / \$45
2. Stroke Clinic	\$45
3. USTA Tennis League	\$90
4. Tennis Lessons	\$65
5. Water Fitness Pass ~ Fall, Spring, Summer Passes	\$80 / \$60
Winter Pass (Morning / Evening Only)	\$60 / \$45
6. Instruction Transfer / Cancellation Fee	\$10

* Children ages 5 and under attend only a 25-minute lesson. All other lessons are 45 minutes in length.

LINCOLN CENTER

- ~ All rooms are subject to an after-hour charge of \$20 per hour. The after-hour charge is based on any request to use facilities beyond the Center's normal operating hours.
- ~ Special Event fee includes the rental of the gym, Community Room, sound system, and 450 chairs.

1. School Year Membership Pass:	
Youth (17 & Under)	\$20
Low Income Eligible	\$10
2. Summer Membership Pass	
Resident – Brazos County	\$50
Non-Resident	\$100
3. Late Pick-up Fee	
1 st Fifteen Minutes	\$5
Each Additional Minute Thereafter	\$1
4. Adult (18 & Over) Annual (12 Month) Membership Pass	\$40
5. Non-Member Guest Pass Per Day (Youth or Adult)	\$2
6. Gym Deposit Per Day (8 hour block)	\$250
Half Court Rental Per Hour (4 Hour Maximum)	\$25
Full Court Rental Per Hour (4 Hour Maximum)	\$35
Gym Event	\$.35/Chair
All Day Usage (More than 4 Hours)	\$225
Concession Usage	\$20
7. Game Room/Multi-purpose Room Rental Per Hour (4 hour maximum)	
Deposit	\$75
8. Community Room Rental Per Hour (3 hour maximum)	\$25/hour
Deposit	\$100
Kitchen Fee	\$20
9. Special Event Fee (Funerals, weddings, parties)	\$250
10. Miscellaneous Charges	
Copies (Per Copy)	\$.10*
Faxes ~ Local (Per Page)	\$1.00
Local Distance (Per Page)	\$2 First Pg/\$1 Addt'l Pgs.

*Per Section 111.61 of the Texas Administrative Code

PAVILION RENTALS PER DAY

- ~ Deposits are refundable if the facility is left clean and damage-free, and keys are returned.
- ~ Deposits are refundable if reservation is cancelled seven (7) days prior to the rental date.
- ~ () –The parenthesis by each pavilion shows the limit of occupants that the pavilion can facilitate.

1. Bee Creek (100) / Oaks (40) / W.A. Tarrow Pavilion (100)	
Monday – Thursday	\$75
Friday – Sunday, and Holidays	\$100
Deposit	\$150
2. Central (200) / Southwood Pavilions (300)	
Monday – Thursday	\$125
Friday – Sunday, and Holidays	\$200
Deposit	\$150
3. John Crompton Park Pavilion (80)	
Monday – Thursday	\$100
Friday – Sunday, and Holidays	\$150
Deposit	\$150
4. American Pavilion in Veterans Park (500)	
Monday – Thursday	\$200
Friday – Sunday, and Holidays	\$300
Deposit	\$300
5. Pavilion Transfer/Cancellation Fee	\$10
6. Dog Park Rentals –	
Steeplechase Park and University Park) Per Day	\$110

RACE EQUIPMENT RENTALS

1. Printing Stop Watch / Non-Printing Stop Watch	\$10 / \$5
2. Cones (10)	\$10
3. Bases, Poles, and Flagging (10)	\$10
4. Big Time Clock	\$50
5. Water Cooler / Ice Chest	\$5 / \$5
6. Tables	\$10
7. Traffic Flags and Vests (10)	\$5
8. Rental Package #1: Big time clock, 1 printing stopwatch, 10 cones, 10 bases/poles and flagging, 2 water coolers, 2 tables, 10 traffic flags and vests	\$75
9. Rental Package #2: Big time clock, 2 printing stopwatches, 30 cones, 20 bases/poles and flagging, 6 water coolers, 4 tables, 15 traffic flags and vests	\$100
10. Rental Package #3: Big time clock, 4 printing stopwatches, 60 cones, 30 bases/poles and flagging, 12 water coolers, 6 tables, 20 traffic flags and vests	\$125

SWIMMING POOLS

* Adamson passes are also valid at Southwood Hallaran and Thomas pools, excluding the CSISD Natatorium. All discount passes are priced for 25 swims.

1. General Admission Per Person (Ages 3 and up)	
Hallaran / Thomas	\$2.50
Natatorium	\$2
Adamson	\$5
2. Discount Pass – 25 Swims	
Hallaran / Thomas	\$50
Natatorium	\$40
*Adamson	\$85
3. Family Season Pass	

Hallaran/Thomas Pass or Natatorium Pass	\$125 / \$125
* Adamson	\$200
4. Individual Season Pass	
Hallaran / Thomas	\$60
* Adamson	\$80
5. Babysitter Season Pass	
Hallaran / Thomas	\$40
* Adamson	\$50
6. Special Day Care Fee @ Adamson Lagoon Per Child	\$2.75
7. Pool Rentals (2 Hour Period. Limited weekend availability)	
Thomas/Hallaran: 25 people or fewer	\$125
50 people or fewer	\$150
51 – 76 people	\$225
77 – 102 people	\$300
Each hour after initial 2 hours	
Natatorium:	
25 people or fewer	\$100
50 people or fewer	\$125
51 – 76 people	\$175
77 – 102 people	\$225
Each hour after initial 2 hours	\$100
Adamson:	
99 people or fewer	\$300
199 or fewer	\$350
299 or fewer	\$425
300+	\$600
Each hour after initial 2 hours	\$150
8. Pool Parties Per Person – (2 Hour Period)	
General Party:	
Southwood and Thomas	\$5.50
Adamson Lagoon	\$7.50
Theme Party:	
Southwood and Thomas	\$6.50
Adamson Lagoon	\$8.50
Catered General Party: Southwood and Thomas	\$7
Adamson Lagoon	\$9.25
Catered Theme Party: Southwood and Thomas	\$7.75
Adamson Lagoon	\$10
Pavilion Party (Four-table limit): First table	\$20
Additional tables (Max of 3)	\$10
9. Junior Lifeguard Program per Person Per Session	\$75
10. Junior Lifeguard Level 2, Per Session	\$25 + Cert. Fees
11. "Lifeguard for a Day", Per Person for 1.0 Hour	No Cost
12. Other Pool Fees	
Texas Superguard Competition Per Person	\$20
Swim Diaper Fee Per Diaper	\$1
Tube Rental Fee	\$1
~ Deposit	\$2
Locker Rental Fee	\$1
~ Deposit	\$2
Duck Derby (Sponsor a duck July 4 th) Per Person	\$2
Itzy Bitzy Tiny Cutie Bathing Beauty & Handsome Boy Contest on July 4 th , Per Person	\$3
"Schools Out Blow Out" at Adamson Lagoon	\$200

Pool Trout Fish-out Per Person (Ages 3 and Up)	\$3
Over the 5-fish limit (Per Fish)	\$1.50
13. Educational Class Rental Per Hour	\$25
14. Adamson Lagoon Summer Day Camp Use, Per Child	\$2
15. Natatorium Team Use Fee, Per Person, Per Season	\$10

TEEN CENTER (THE EXIT)

- ~ All rental rates are based on a party of 1 – 25 people. Additional fees are added per hour for over 25 attendees. Any rental expecting more than 100 attendees must have prior Supervisor approval.
- ~ Deposits are refundable if the facility is left clean and damage-free.
- ~ Fees are assessed for special events and field trips

1. Annual Membership Pass	\$20
2. Non –Member Fee Per Day	\$2
3. Meeting Room Rental, Per Hour	\$15
- Deposit	\$50
4. Dance/Game Room Rental. Per Hour	\$30
- Deposit	\$50
5. Whole Facility Rental Per Hour (Excludes Computer Lab)	\$75
- Deposit	\$75
6. Additional Attendance Fee Per Hour	\$10

VENDOR PERMITS & COMMISSIONS

1. Vendor Permit	\$50
2. Commissions: (Gross Sales minus Sales Tax)	
Food and Drinks	10 – 15 %
Other Goods	10 – 15 %
Alcoholic Beverages	20 – 25 %

WOLF PEN CREEK AMPHITHEATER

- ~ A percentage of ticketing and fees for service personnel and vending charges will be added accordingly for amphitheater rentals.
- ~ A percentage of the gate will be negotiated for commercial events.
- ~ Non Commercial defined as: Non-profit, student, civic or private.
- ~ Security deposits are based upon participants/attendees.

1. Amphitheater Rentals Per Day:	
Private Rental	\$300 / \$400
Non Commercial ~ Benefit Rental	\$600 / \$700
Professional/Commercial Rentals	\$1,000 / \$1,100
2. Green Room Meetings Four Hours or Less	
Non Commercial	\$75 / \$100
Commercial.	\$100 / \$150
3. Green Room Meetings Up to Twelve Hours	
Non Commercial	\$200 / \$250
Commercial	\$250 / \$300
4. Green Room Social Events ~ Four Hours or Less	

Non Commercial	\$100 / \$125
Commercial	\$125 / \$175
5. Green Room Social Events Up to Twelve Hours	
Non Commercial	\$250 / \$300
Commercial	\$300 / \$350
6. Deposit for all Amphitheater or Green Room Rentals	
7. The Plaza at Wolf Pen Creek	
Rental (Includes Pavilion and Restrooms)	\$100 / \$150
Deposit (Security, Damage, Clean-Up)	\$100
8. Other Non-typical Events	
9. Discounts for Three or More Dates Reserved	15 %
10. Alcohol Surcharge for any Function	\$50

XTRA EDUCATION CLASSES

~ All Xtra Education class fees will be set accordingly to the individual needs of each class
~ Based upon 100% Cost Recovery

YOUTH SPORTS PER CHILD

1. Basketball / Flag Football / Youth Volleyball / Girl's Softball	\$55
2. Challenger Sports (Basketball, Bowling Soccer)	\$15
3. Outside League Redevelopment Fee Per Child	\$10
4. Swim Team	\$100
5. Youth Sports Transfer / Cancellation Fee	\$10

Cemetery Fees approved by Cemetery Advisory Committee ~ October 7, 2008

Cemetery Fees approved by City Council ~ October 23, 2008

All other Fees approved by Parks and Recreation Advisory Board ~ October 20, 2008

All other Fees approved by City Council ~ November 24, 2008 (?)

PARKS & RECREATION DEPARTMENT USER FEES
Draft Fees ~ Effective January 1, 2009

ACTIVITY/FACILITY	2006	2007	2008	2009
ADULT SPORTS PER TEAM				
1. Flag Football	\$355	\$375	\$380	\$380
2. Volleyball	\$175	\$185	\$190	\$190
3. Softball				
Play-Off League: Spring and Summer / Fall	\$340	\$350	\$355	\$355
Fast Pitch: Spring and Summer / Fall	\$380	\$390	\$395	\$395
4. Outside League Field Redevelopment Fee Per Team	\$75	\$75	\$75	\$75
5. Adult Sports Transfer/Cancellation Fee	\$10	\$10	\$10	\$10

ATHLETIC FIELDS				
~ In addition to the rental fees, a deposit will be charged and paid by the renter <u>in advance of any tournament</u> . The deposit will vary depending on the type and size of the tournament.				
~ In addition to the rental and deposit fees, additional fees may be assessed to the renter depending on the length and type of tournament in order to cover expenses incurred by the City for personnel and supplies needed to facilitate the tournament.				
~ Game field prep and light fees are included in the daily rental fee, but not in hourly rental fees.				
1. Athletic Field Rentals				
One (1) Field: Per Day / Per Weekend	\$100 per day	\$100 per day	\$100 per day	\$110 per day
One (1) Field: Per Hour up to 10 Hours	\$10 per hour	\$10 per hour	\$10 per hour	\$15 per hour
2. Athletic Field Rental Deposit	Varies	Varies	Varies	Varies
3. Lights for Field Rentals (Per hour/Per field)	\$10 per hour	\$10 per hour	\$10 per hour	\$15 per hour
4. Game Field Prep Fee per Field	\$45 per field	\$45 per field	\$45 per field	\$45 per field
5. Bee Creek Batting Cage Rental: Per Hour	N/A	\$10 per hour	\$10 per hour	\$10 per hour
6. Veterans Park "Package" Day Rental – All 9 Soccer Fields and the American Pavilion	N/A	N/A	\$1,000	\$1,000
7. Key Fee (New and Replacement Fee)	N/A	N/A	N/A	\$10 each
8. Parking Fee (Wayne Smith Complex) Per Day	N/A	N/A	N/A	\$5

CEMETERY FEES				
1. College Station Cemetery				
Standard Space	\$600	\$600	\$600	\$950
Cremate Space	\$250	\$250	\$250	\$300
Infant Space	\$100	\$100	\$100	\$150
2. Memorial Cemetery of College Station				
Standard Space				\$950
Infant Space				\$150
3. Aggie Field of Honor				
Standard Space				\$2000
Cremate Space				\$1200
4. Filing Fee – The Brazos County Clerk's Office sets and administers this fee, which is subject to change without notice. (First two pages / Each Page thereafter)			\$15 / \$4	\$15 / \$4

CONFERENCE CENTER				
~ The room deposit is \$100 on Room 127 and \$50 each on all other rooms including the kitchen.				
~ Deposits are refundable upon compliance with all rules, regulations, and clean-up requirements by client and caterer.				
~ Deposits are refunded less the cancellation fee of \$10, if the reservation is cancelled sixty (60) days prior to the event.				

~ An additional fee of \$25 is charged if additional time is needed between the hour of 5 p.m. and 6 p.m., and is based upon availability.					
1. Commercial Rental Rates (Companies or Businesses)					
Room 101:					
Monday - Thursday:	4 Hours or Less	\$55	\$55	\$55	\$55
	8 am - 5 pm	\$65	\$65	\$65	\$65
	6 pm - Close	\$70	\$70	\$70	\$70
Friday Rate:	8 am - Close	\$75	\$75	\$75	\$75
Saturday Rate:	8 am - Close	\$150	\$150	\$150	\$150
Room 102*, 103, 104, 106*					
Monday - Sunday:	4 Hours or Less	\$45	\$45	\$45	\$45
	8 am - 5 pm	\$55	\$55	\$55	\$55
	6 pm - Close	\$60	\$60	\$60	\$60
Room 105:					
Monday - Sunday:	4 Hours or Less	\$55	\$55	\$55	\$55
	8 am - 5 pm	\$65	\$65	\$65	\$65
	6 pm - Close	\$70	\$70	\$70	\$70
Room 127:					
Monday - Thursday:	4 Hours or Less	\$125	\$125	\$125	\$125
	8 am - 5 pm	\$165	\$165	\$165	\$165
	6 pm - Close	\$175	\$175	\$175	\$175
Friday Rate:	8 am - Close	\$225	\$225	\$225	\$225
Saturday Rate:	8 am - Close	\$450	\$450	\$450	\$450
2. Non-Commercial Rental Rates (Individuals or groups / not companies or businesses.)					
Room 101:					
Monday - Thursday:	4 Hours or Less	\$25	\$25	\$25	\$25
	8 am - 5 pm	\$40	\$40	\$40	\$40
	6 pm - Close	\$35	\$35	\$35	\$35
Friday Rate:	8 am - Close	\$75	\$75	\$75	\$75
Saturday Rate:	8 am - Close	\$150	\$150	\$150	\$150
Room 102*, 103, 104, 106*					
Monday - Sunday:	4 Hours or Less	\$20	\$20	\$20	\$20
	8 am - 5 pm	\$35	\$35	\$35	\$35
	6 pm - Close	\$30	\$30	\$30	\$30
Room 105:					
Monday - Sunday:	4 Hours or Less	\$25	\$25	\$25	\$25
	8 am - 5 pm	\$40	\$40	\$40	\$40
	6 pm - Close	\$35	\$35	\$35	\$35
Room 127:					
Monday - Thursday:	4 Hours or Less	\$60	\$60	\$60	\$60
	8 am - 5 pm	\$110	\$110	\$110	\$110
	6 pm - Close	\$80	\$80	\$80	\$80
Friday Rate:	8 am - Close	\$225	\$225	\$225	\$225
Saturday Rate:	8 am - Close	\$450	\$450	\$450	\$450
3. Kitchen Rental					
		\$20	\$20	\$20	\$20
4. Sunday Surcharge					
	1-5 Consecutive Hours	\$60	\$60	\$60	\$60
	1-5 Hours Split, or over 5 Consecutive Hours	\$85	\$85	\$85	\$85
5. Transfer/Cancellation, Set-up Change Fee					
		\$10	\$10	\$10	\$10
6. Alcohol Deposit (If alcohol is served)					
		\$50	\$50	\$50	\$50
7. Catering Deposit					
		\$50	\$50	\$50	\$50
8. Multi-media Projector Deposit					
		\$50	\$50	\$50	\$50
9. Vendor or Exhibitors Tables					
		\$10	\$10	\$10	\$10
10. Miscellaneous Charges					
	Copies (Per Copy)		\$.10*	\$.10*	\$.10*
	Faxes ~ Local (Per Page)	\$2	\$1	\$1	\$1

~ Long Distance (First Page / Each Additional Page)		\$2 / \$1	\$2 / \$1	\$2 / \$1
~ Trip Charge (For Food)			\$5	\$10
Coffee Service (Per Cup)			.50 cents	.50 cents
*Per Section 111.61 of the Texas Administrative Code				

INSTRUCTION FEES PER PERSON				
1. Swim Lessons 25-Minute Lesson / 45-Minute Lesson*	\$40	\$40	\$35 / \$45	\$40 / \$45
2. Stroke Clinic	\$45	\$45	\$45	\$45
3. USTA Tennis League	\$90	\$90	\$90	\$90
4. Tennis Lessons	\$50	\$65	\$65	\$65
5. Water Fitness Pass ~ Fall, Spring, Summer Passes	\$80 / \$60	\$80 / \$60	\$80 / \$60	\$80 / \$60
Winter Pass (Morning / Evening Only)		\$60 / \$45	\$60 / \$45	\$60 / \$45
6. Instruction Transfer/Cancellation Fee	\$10	\$10	\$10	\$10
* Children ages 5 and under attend only a 25-minute lesson. All other lessons are 45 minutes in length.				

LINCOLN CENTER				
~ All rooms are subject to an after-hour charge of \$20 per hour. The after-hour charge is based on any request to use facilities beyond the Center's normal operating hours.				
~ Special Event fee includes the rental of the gym, Community Room, sound system, and 450 chairs.				
1. School Year Membership Pass:				
Youth (17 & Under)	\$10	\$20	\$20	\$20
Low Income Eligible	\$5	\$10	\$10	\$10
2. Summer Membership Pass				
Resident – Brazos County	\$30	\$50	\$50	\$50
Non-Resident		\$100	\$100	\$100
3. Late Pick-up Fee				
1st Fifteen Minutes			\$5.00	\$5.00
Each Additional Minute Thereafter			\$1.00	\$1.00
4. Adult (18 & Over) Annual (12 Month) Membership Pass	\$15	\$25	\$40	\$40
5. Non-Member Guest Pass Per Day (Youth or Adult)	\$1	\$2	\$2	\$2
6. Gym Deposit Per Day (8 hour block)	\$250	\$250	\$250	\$250
Half Court Rental Per Hour (4 hour maximum)	\$20	\$20	\$25	\$25
Full Court Rental Per Hour (4 hour maximum)	\$25	\$30	\$35	\$35
Gym Event	\$.30/Chair	\$.35/Chair	\$.35/Chair	\$.35/Chair
All Day Usage (More than 4 hours)	\$175	\$200	\$225	\$225
Concession Usage	\$20	\$20	\$20	\$20
7. Game Room / Multi-purpose Room Rental Per Hour (4 hour minimum)	\$10/hour	\$15/hour	\$20/hour	\$20/hour
Deposit	\$50	\$75	\$75	\$75
8. Community Room Rental Per Hour (3 hour maximum)	\$20/hour	\$25/hour	\$25/hour	\$25/hour
Deposit	\$75	\$100	\$100	\$100
Kitchen Fee	\$20	\$20	\$20	\$20
9. Special Event Fee (Funerals, weddings, parties)	\$150	\$150	\$250	\$250
10. Miscellaneous Charges				
Copies (Per Copy)	\$.10	\$.10*	\$.10*	\$.10*
Faxes ~ Local (Per Page)	\$2.00	\$1.00	\$1.00	\$1.00
~ Long Distance (Per Page)		\$2 First pg / \$1 Addtl pgs	\$2 First pg / \$1 Addtl pgs	\$2 First pg / \$1 Addtl pgs
*Per Section 111.61 of the Texas Administrative Code				

PAVILION RENTALS PER DAY				
~ Deposits are refundable if the facility is left clean and damage-free, and keys are returned.				
~ Deposits are refundable if reservation is cancelled seven (7) days prior to rental date.				
~ () – The parenthesis by each pavilion shows the limit of occupants that the pavilion can facilitate.				

1. Bee Creek (100) / Oaks (40) / W.A. Tarrow Park Pavilion (100)				
Monday – Thursday	\$75	\$75	\$75	\$75
Friday – Sunday & Holidays	\$100	\$100	\$100	\$100
Deposit	\$100	\$150	\$150	\$150
2. Central (200) / Southwood Pavilions (300)				
Monday – Thursday	\$125	\$125	\$125	\$125
Friday – Sunday, and Holidays	\$200	\$200	\$200	\$200
Deposit	\$100	\$150	\$150	\$150
3. John Crompton Park Pavilion (80)				
Monday – Thursday	\$100	\$100	\$100	\$100
Friday – Sunday, and Holidays	\$150	\$150	\$150	\$150
Deposit	\$100	\$150	\$150	\$150
4. American Pavilion in Veterans Park (500)				
Monday – Thursday	N/A	\$200	\$200	\$200
Friday – Sunday, and Holidays	N/A	\$300	\$300	\$300
Deposit	N/A	\$300	\$300	\$300
5. Pavilion Transfer/Cancellation Fee	\$10	\$10	\$10	\$10
6. Dog Park Rentals – (Steeplechase Park and University Park) Per day				\$110

RACE EQUIPMENT RENTALS				
1. Printing Stop Watch / Non-printing Stop Watch	\$10 / \$5	\$10 / \$5	\$10 / \$5	\$10 / \$5
2. Cones (10)	\$10	\$10	\$10	\$10
3. Bases, Poles, and Flagging (10)	\$10	\$10	\$10	\$10
4. Big Time Clock	\$50	\$50	\$50	\$50
5. Water Cooler / Ice Chest	\$5 / \$5	\$5 / \$5	\$5 / \$5	\$5 / \$5
6. Tables	\$10	\$10	\$10	\$10
7. Traffic Flags and Vests (10)	\$5	\$5	\$5	\$5
8. Rental Package #1: Big time clock, 1 printing stopwatch, 10 cones, 10 bases/poles and flagging, 2 water coolers, 2 tables, 10 traffic flags and vests.	\$75	\$75	\$75	\$75
9. Rental Package #2: Big time clock, 2 printing stopwatches, 30 cones, 20 bases/poles and flagging, 6 water coolers, 4 tables, 15 traffic flags and vests.	\$100	\$100	\$100	\$100
10. Rental Package #3: Big time clock, 4 printing stopwatches, 60 cones, 30 bases/poles and flagging, 12 water coolers, 6 tables, 20 traffic flags and vests.	\$125	\$125	\$125	\$125

SWIMMING POOLS

*Adamson passes are also valid at Southwood Hallaran and Thomas pools, excluding the CSISD Natatorium. All discount passes are priced for 25 swims.

1. General Admission Per Person (Ages 3 and up)				
Hallaran/Thomas	\$2.50	\$2.50	\$2.50	\$2.50
Natatorium	\$2	\$2	\$2	\$2
Adamson	\$5	\$5	\$5	\$5
2. Discount Pass – 25 Swims				
Hallaran/Thomas	\$50	\$50	\$50	\$50
Natatorium	\$40	\$40	\$40	\$40
*Adamson	\$85	\$85	\$85	\$85
3. Family Season Pass				
Hallaran/Thomas Pass or Natatorium Pass	\$125 / \$125	\$125 / \$125	\$125 / \$125	\$125/\$125
*Adamson	\$200	\$200	\$200	\$200
4. Individual Season Pass				
Hallaran/Thomas	\$60	\$60	\$60	\$60
*Adamson	\$80	\$80	\$80	\$80
5. Babysitter Season Pass				

Hallaran/Thomas	\$30	\$30	\$30	\$40
*Adamson	\$40	\$40	\$40	\$50
6. Special Day Care Fee @ Adamson Lagoon Per Child	\$2.75	\$2.75	\$2.75	\$2.75

7. Pool Rentals (2 Hour Period. Limited weekend availability.)				
Thomas/Hallaran: 25 people or fewer	\$100	\$100	\$100	\$125
50 people or fewer	\$125	\$125	\$125	\$150
51-76 people	\$175	\$175	\$175	\$225
77-102 people	\$225	\$225	\$225	\$300
Each hour after initial 2 hours	\$75	\$75	\$75	\$100
Natatorium: 25 people or fewer	\$90	\$90	\$100	\$100
50 people or fewer	\$100	\$100	\$125	\$125
51-76 people	\$125	\$125	\$175	\$175
77-102 people	\$150	\$150	\$225	\$225
Each hour after initial 2 hours	\$75	\$75	\$75	\$100
Adamson: 99 people or fewer	\$275	\$275	\$275	\$300
199 or fewer	\$325	\$325	\$325	\$350
299 or fewer	\$425	\$425	\$425	\$425
300+	\$525	\$525	\$525	\$600
Each hour after initial 2 hours	\$125	\$125	\$125	\$150
8. Pool Parties Per Person – (2 Hour Period)				
General Party: Southwood and Thomas	\$5.00	\$5.00	\$5.00	\$5.50
Adamson Lagoon	\$6.75	\$7.00	\$7.00	\$7.50
Theme Party: Southwood and Thomas	\$6.00	\$6.00	\$6.00	\$6.50
Adamson Lagoon	\$7.75	\$8.00	\$8.00	\$8.50
Catered General Party: Southwood and Thomas	\$6.50	\$6.50	\$6.50	\$7
Adamson Lagoon	\$8.75	\$8.75	\$8.75	\$9.25
Catered Theme Party: Southwood and Thomas	\$7.25	\$7.25	\$7.25	\$7.75
Adamson Lagoon	\$9.50	\$9.50	\$9.50	\$10
Pavilion Party (Four-table limit): First table	\$15	\$15	\$20	\$20
Additional tables (Max of 3)	\$5	\$5	\$10	\$10
9. Junior Lifeguard Program Per Person Per Session	\$70	\$70	\$75	\$75
10. Junior Lifeguard Level 2, Per Session	\$70	\$70	\$25 + Cert. Fees	\$25 + Cert. Fees
11. "Lifeguard for a Day", Per Person for 1.0 Hour		\$2	No Cost	No Cost
12. Other Pool Fees				
Texas SuperGuard Competition Per Person	\$20	\$20	\$20	\$20
Swim Diaper Fee Per Diaper	\$1	\$1	\$1	\$1
Tube Rental Fee	\$1	\$1	\$1	\$1
Deposit	\$2	\$2	\$2	\$2
Locker Rental Fee	\$1	\$1	\$1	\$1
Deposit	\$2	\$2	\$2	\$2
Duck Derby (Sponsor a duck July 4th) Per Person	\$2	\$2	\$2	\$2
Itzy Bitzy Tiny Cutie Bathing Beauty & Handsome Boy Contest on July 4th, Per Person	\$3	\$3	\$3	\$3
"Schools Out Blow Out" at Adamson Lagoon	\$200	\$200	\$200	\$200
Pool Trout Fish-out Per Person (Ages 3 and up)	\$3	\$3	\$3	\$3
Over the 5-fish limit (Per fish)	\$1.50	\$1.50	\$1.50	\$1.50
13. Educational Class Rental Per Hour	\$25	\$25	\$25	\$25
14. Adamson Lagoon Summer Day Camp Use, Per Child	NA	\$2	\$2	\$2
15. Natatorium Team Use Fee, Per Person, Per Season	NA	\$10	\$10	\$10

TEEN CENTER (THE EXIT)

~ All rental rates are based on a party of 1-25 people. Additional fees are added per hour for over 25 attendees. Any rental expecting more than 100 attendees must have prior Supervisor approval.

<i>~ Deposits are refundable if the facility is left clean and damage-free.</i>				
<i>~ Fees are assessed for special events and field trips.</i>				
1. Annual Membership Pass	\$10	\$20	\$20	\$20
2. Non-Member Fee Per Day	\$1	\$2	\$2	\$2

3. Meeting Room Rental, Per Hour	\$15	\$15	\$15	\$15
Deposit	\$50	\$50	\$50	\$50
4. Dance/Game Room Rental. Per Hour	\$25	\$25	\$25	\$30
Deposit	\$50	\$50	\$50	\$50
5. Whole Facility Rental Per Hour (Excludes Computer Lab)	\$50	\$50	\$50	\$75
Deposit	\$75	\$75	\$75	\$75
6. Additional Attendance Fee Per Hour			\$10	\$10

VENDOR PERMITS & COMMISSIONS				
1. Vendor Permit	\$50	\$50	\$50	\$50
2. Commissions: (Gross Sales minus Sales Tax)				
Food & Drinks				10 - 15 %
Other Goods				10 - 15 %
Alcoholic Beverages				20 - 25 %

WOLF PEN CREEK AMPHITHEATER				
<i>~ A percentage of ticketing and fees for service personnel and vending charges will be added accordingly for amphitheater rentals.</i>				
<i>~ A percentage of the gate will be negotiated for commercial events.</i>				
<i>~ Non Commercial defined as: Non profit, student, civic or private.</i>				
<i>~ Security deposits are based upon participants/attendees.</i>				
1. Amphitheater Rentals Per Day:			Mon-Thur / Fri-Sun	Mon-Thur / Fri-Sun
Private Rental	\$200 / \$250	\$250	\$300 / \$400	\$300 / \$400
Non Commercial ~ Benefit Rental	\$425 / \$525	\$600	\$600 / \$700	\$600 / \$700
Professional/Commercial Rentals	\$800 / \$900	\$1,000	\$1,000 / \$1,100	\$1,000 / \$1,100
2. Green Room Meetings Four Hours or Less				
Non Commercial			\$75 / \$100	\$75 / \$100
Commercial			\$100 / \$150	\$100 / \$150
3. Green Room Meetings Up to Twelve Hours				
Non Commercial			\$200 / \$250	\$200 / \$250
Commercial			\$250 / \$300	\$250 / \$300
4. Green Room Social Events ~ Four Hours or Less				
Non Commercial			\$100 / \$125	\$100 / \$125
Commercial			\$125 / \$175	\$125 / \$175
5. Green Room Social Events ~ Up to Twelve Hours				
Non Commercial			\$250 / \$300	\$250 / \$300
Commercial			\$300 / \$350	\$300 / \$350
6. Deposit for all Amphitheater or Green Room Rentals			Varies - \$100 - \$600	Varies - \$100 - \$600
7. The Plaza at Wolf Pen Creek				
Rental (Includes Pavilion and Restrooms)			\$100 / \$150	\$100 / \$150
Deposit (Security, Damage, Clean-up)			\$100	\$100
8. Other Non-typical Events			Rate based on event	Rate based on event
9. Discounts for Three or More Dates Reserved			15%	15%
10. Alcohol Surcharge for any Function			\$50	\$50

XTRA EDUCATION CLASSES

~ All Xtra Education class fees will be set according to the individual needs of each class.

Based upon 100 % Cost Recovery.

YOUTH SPORTS PER CHILD				
1. Basketball / Flag Football / Youth Volleyball / Girl's Softball	\$50 / \$45 \$55 / \$50	\$55 / \$50	\$55 / \$50	\$55
2. Challenger Sports (Basketball, Bowling, Soccer)	\$15	\$15	\$15	\$15
3. Outside League Field Redevelopment Fee Per Child	\$10	\$10	\$10	\$10
4. Swim Team	\$100 / \$90	\$100 / \$90	\$100 / \$90	\$100
5. Youth Sports Transfer/Cancellation Fee	\$10	\$10	\$10	\$10

Cemetery Fees approved by Cemetery Advisory Committee ~ October 7, 2008**Cemetery Fees approved by City Council ~ October 23, 2008****All Other Fees approved by Parks and Recreation Advisory Board ~ October 20, 2008****All Other Fees approved by City Council ~**

November 24, 2008
Regular Agenda Item No. 11
FEMA Community Rating System (CRS) Application

To: Glenn Brown, City Manager

From: Mark Smith, Director of Public Works

Agenda Caption: Presentation, possible action, and discussion Federal Emergency Management Agency's (FEMA) Community Rating System (CRS) program and consideration for a Resolution to support the application to and implementation of the CRS Program.

Recommendation(s): Staff recommends approval of the Resolution.

Summary: Flood insurance is available to all citizens of College Station through the National Flood Insurance Program (NFIP). Availability of this insurance is based on the City having adopted the minimum standards for floodplain management set forth in 44 Code of Federal Regulations 60.3.d.

A program within NFIP is the CRS. The CRS program recognizes cities that implement and enforce flood protection above the minimum requirements and rewards these cities' citizens with the opportunity to purchase flood insurance at reduced rates. The amount of reduction varies between 5-45% depending on the floodplain management activities of the city.

The City of College Station's current floodplain management requirements do exceed FEMA minimums, and by staff estimation should make the City eligible for acceptance into the CRS program with an estimated 5-15% rate reduction. To join the program we must first submit an application to the NFIP's Insurance Services Office, Inc. If the application is acceptable then a formal inspection of our records and practices will be reviewed by a team from the NFIP. Based on their findings we will receive a participation rating and our citizens will receive reduced insurance rates.

Budget & Financial Summary: N/A

Attachments:

1. Resolution
2. CRS Application (Complete Application available at the City Engineer's Office)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE APPLICATION TO AND THE IMPLEMENTATION OF THE COMMUNITY RATING SYSTEM FOR THE CITY OF COLLEGE STATION TO PROVIDE THE CITIZENS OF COLLEGE STATION THE OPPORTUNITY TO OBTAIN FLOOD INSURANCE AT REDUCED RATES.

WHEREAS, the City Council of the City of College Station, Texas, has adopted Chapter 13 Flood Hazard Ordinance, in the City of College Station Code of Ordinances, in accordance with the Federal Emergency Management Agency ("FEMA" hereinafter) and Code of Federal Regulation 44.60.3.d; and

WHEREAS, the U.S. Department of Homeland Security through the FEMA has established the Community Rating System ("CRS" hereinafter) as defined in the Federal Insurance Administration's FIA-15/2006 Manual which allows affected property owners to purchase flood insurance at reduced rates; now, therefore,

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

- PART 1: That the City of College Station will prepare and submit a CRS Application to FEMA.
- PART 2: That the City Manager is authorized to execute any documents related to the CRS program.
- PART 3: 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:



City Attorney

November 24, 2008
Regular Agenda Item No. 12
Appointments to the Landmark Commission

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action and discussion on appointments to the newly-created Landmark Commission.

Summary: On September 11, 2008, the City Council approved an amendment to the Unified Development Ordinance that will enable historic preservation in College Station through the creation of a Historic Preservation (HP) Overlay District. A Landmark Commission was created through this amendment to provide expertise regarding historic preservation as it relates to zoning and development. The Commission's main duties will be to survey and maintain an inventory of significant historical and cultural resources in College Station, act in an advisory role in regards to the protection of historic resources, make recommendations to the Planning and Zoning Commission regarding the application of the HP Overlay, make recommendations to state and federal governments regarding national historic recognition, make recommendations to Council regarding the use of donated funds to promote the use of Historic Preservation Overlay districts, and act upon requests for Certificates of Appropriateness and Certificates of Demolition.

Applications and a memo identifying the qualifications of applicants will be provided at the meeting.

November 24, 2008
Regular Agenda Item No. 13
Member to Convention and Visitors Bureau

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action, and discussion regarding appointment to the Brazos Valley Convention and Visitor Bureau.

This item is on the agenda for City Council to appoint one person to the Brazos Valley Convention and Visitors Bureau.

Current member Steve Moore is the current appointee to the Board and his term expired. The nominating committee of the Brazos Valley Convention and Visitor Bureau Board met and recommend with the entire Board's endorsement that the City of College Station reappoint Steve Moore to a new term of two years, effective October 1, 2008 ending September 30, 2010.

Mr. Moore has agreed to continue service.

No applications received for this position.

If Council desires, staff will advertise for the position and place this item on the December 11 agenda.

Attachments:

Membership list

Letter from CVB

715 University Drive East
College Station, Texas 77840

P 979.260.9898
800.777.8292
F 979.260.9800



Board Appt. - Steve
Moore

July 22, 2008

Mr. Glenn Brown
City Manager
City of College Station
1101 Texas Avenue
College Station, Texas 77842

Dear Mr. Brown:

Pursuant to the Bylaws of the Brazos Valley Convention & Visitors Bureau, this letter is being sent concerning the requirement of appointing a member to the Board of Directors of the Brazos Valley Convention & Visitors Bureau by the City of College Station. I have attached a copy of Section 5.02, 5.03 and 5.04 of our Bylaws for your reference.

The term of one of the City of College Station's current appointees to our Board, Mr. Steve Moore, will be expiring as of September 30, 2008. The nominating committee of the Brazos Valley Convention & Visitor Bureaus Board has met and it is their recommendation, endorsed by the entire Board, that the City of College Station reappoint Steve Moore to a new term of 2 years, effective October 1, 2008 ending September 30, 2010. This is allowed for as stated in Section 5.03 (2) of the Bylaws.

Mr. Moore has represented the interests of the City of College Station, the tourism industry and our organization with the highest degree of integrity and professionalism and has contributed valuable guidance and governance ensuring for all the continued growth of the industry and both the economic and social contributions it provides to the city.

It is our hope that this request is met favorably with you and the City Council and we look forward to your positive reply. In the meantime, should you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully yours,

C. Scott Shafer
Nominating Committee Chair
Brazos Valley Convention & Visitors Bureau

cc: Board of Directors





BRYAN COLLEGE STATION
CONVENTION AND VISITORS BUREAU

AGGIELAND AND SO MUCH MORE. IN AGGIELAND, "HOWDY" IS MORE THAN A GREETING IT'S A GENUINE SPIRIT NO ONE FORGETS.

	HOME
	ABOUT US
	ACCOMMODATIONS
	ATTRACTIONS
	CALENDAR OF EVENTS
	MEETING PLANNING
	SPORTS EVENT PLANNING
	TOUR PLANNING
	RESTAURANTS
	SHOPPING
	TRANSPORTATION
	RECREATIONAL OPPORTUNITIES
	ENTERTAINMENT
	NEWCOMER INFORMATION
	NEWS
	LINKS
	CONTACT US
	PHOTO GALLERY
	VISITOR PLANNING GUIDE
	DESTINATION VIDEO

2003 POWERED BY
J8KNOWLEDGE
TECHNOLOGIES, INC

★ ABOUT US

Board Agendas:
[November 2007](#)
[January 2008](#)
[July 2008](#)
[September 2008](#)
[November 2008](#)

Steve Moore
Chair
10/01/2006 - 10/30/2008

Kay Conlee
Treasurer
10/01/2006 - 10/30/2008

David Ruesink
Executive Board
10/01/2007 - 10/30/2009

Hunter Goodwin
Executive Board
10/01/2006 - 10/30/2008

C. Scott Shafer
Executive Board
10/01/2007 - 10/30/2009

Steve Wiley
Board Member
10/01/2007 - 10/30/2009

John Welsh
Board Member
10/01/2006 - 10/30/2008

Kevin Hurley
Board Member
10/01/2006 - 10/30/2008

Guadalupe Reyes, Jr.
Board Member
10/01/2007 - 10/30/2009

Dr. Roman Popadiuk
Board Member
10/01/2007 - 10/30/2009

Christopher Lampo
Board Member
10/01/2006 - 10/30/2008

Bobby Bisor
Ex-Officio

David Walkins
Ex-Officio

David Gwin
Ex-Officio

Hayden Migl

CATEGORIES

- [CVB Staff](#)
- [CVB Services](#)
- [CVB Board](#)

November 24, 2008
Regular Agenda Item No. 14
Appointment to Twin City Endowment

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action, and discussion regarding the City's appointment to the Twin City Endowment.

Recommendation(s): Staff recommends the appointment of Wayne Rife to serve as the City's representative on the Twin City Endowment.

Summary: College Station is currently represented on the Twin City Endowment Board by Harry Green. The Mayor received verbal resignation from Mr. Green notifying the City that as of December 31, 2008, his term will expire.

Mr. Green has served in this position for the last six years and he is not seeking reappointment.

Wayne Rife has expressed interest in serving on this Board and his application is attached. Board members' have three year terms and typically the City had not solicited applications community wide for this appointment.

Twin City Endowment is requesting the City provide the name of the City's appointment for the 2009 - 2012 term as soon as possible.

Budget & Financial Summary: No direct impact on the City, however, budget oversight is an important activity of the board members.

Attachments:

1. Wayne Rife's Application (this will be provided to Council prior to the meeting)