



**Mayor**  
Ben White  
**Mayor ProTem**  
Lynn McIlhaney  
**City Manager**  
Glenn Brown

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

**Agenda**  
**College Station City Council**  
**Workshop Meeting**  
**Monday, November 24, 2008 3:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

1. Presentation, possible action, and discussion on items listed on the consent agenda.
2. Presentation, possible action, and discussion regarding the 2009 Planning & Zoning Commission Plan of Work.
3. Presentation, possible action, and discussion on a Memorandum of Agreement between the City of College Station, Research Valley Partnership and Lynntech, Inc.
4. 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.
5. Presentation possible action and discussion of a plan to plant trees on public property along Texas Avenue between Harvey Road and Harvey Mitchell Parkway.
6. Council Calendar

November 25	Quarterly Membership Breakfast at Brazos County Expo Complex, 7:00 a.m.
November 25	Council Transportation Committee meeting, 4:30 p.m.
November 27	City Offices Closed – Holiday
November 28	City Offices Closed – Holiday
December 01	College Station Fire Dept. Promotional, Retirement and Badge Pinning Ceremony
December 02	CPAC Meeting, 5:30 p.m.
December 04	Joint Council and P&Z Workshop, 5:00 p.m.
December 05	BVSWMA Policy Advisory Board Meeting, 1:30 p.m.
December 05	25 <sup>th</sup> Annual Christmas in the Park Holiday Celebration, Central Park, 6:00 p.m.
December 07	82 <sup>nd</sup> Annual Bryan-College Station Christmas Parade, 2:00 p.m.
December 09	THSRTC Quarterly Meeting, 11:30 a.m.
December 11	Council Workshop/Regular Meeting, 3:00 p.m. and 7:00 p.m.
7. Presentation, possible action, and discussion on future agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting

*Traditional Values, Progressive Thinking*  
*In the Research Valley*

8. 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).

9. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending 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.
- n. Weingarten Realty Investors v. College Station, Ron Silva, David Ruesink, Lynn McIlhaney, and Ben White.

Real Estate {Gov't Code Section 551.072}; possible action The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Purchase of one or more tracts near the Wolf Pen Creek area.

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. Next Generation Industrial Park.
- b. Hotel / Convention Center.

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

11. Adjourn.

APPROVED:

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

Notice is hereby given that a Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 24<sup>th</sup> day of November, 2008 at 3:00 pm in the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 21<sup>st</sup> day of November, 2008 at 2:00 pm



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

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on November 21, 2008 at 2:00 pm and remained so posted continuously for at least 72 hours preceeding the scheduled time of said meeting.

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

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

CITY OF COLLEGE STATION, TEXAS

By \_\_\_\_\_

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

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

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

**November 24, 2008  
Workshop Agenda Item No. 2  
2009 Planning & Zoning Commission Plan of Work**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding the 2009 Planning & Zoning Commission Plan of Work.

**Recommendation:** Staff recommends endorsement of the items contained within the 2009 P&Z Plan of Work.

**Summary:** The Planning and Zoning Commission adopted Rules and Procedures state that the Planning and Zoning Commission may adopt a Plan of Work. The Plan of Work should consider future tasks for a prescribed period and be updated and revised annually in coordination with the City Council Strategic Planning process.

Upon presentation of a draft Plan of Work by the Commission in a joint meeting with the City Council and the Planning and Zoning Commission, the Commission may adopt the Plan by majority vote of the members present.

The Planning and Zoning Commission met on October 14<sup>th</sup> in a mini-retreat specifically scheduled to begin developing its 2009 Plan of Work. As part of the development, the Commission was provided with the estimated workload in which the Planning & Development Services staff would have available to accomplishing the Plan of Work considering the Comprehensive Plan, Council initiated items, and other already programmed items. Through its mini-retreat and its two November Workshops, the Commission identified several items for consideration and has prioritized them accordingly.

The Plan of Work format continues to align with the Department's Strategic Business Plan. Items are assigned within one of four categories: Community & Neighborhood Planning, Data Collection & Analysis, Development Services, and Outreach & Communications. Also, additional descriptions are provided to better track the purpose and progress of each item through the year. A mid-year review of the Plan of Work is anticipated next summer to review the overall progress and adjust items as necessary.

The Planning and Zoning Commission is seeking input from the Council on the Plan of Work and concurrence with the same.

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

**Attachments:**

1. 2009 P&Z Plan of Work (draft)

## Council Initiated Items

- Subdivision Regulations - Multi-phased effort of ordinance amendments that will integrate the Regulations into the UDO, remove inconsistencies, and include revised processes and standards.
- Comprehensive Plan - Phase 2 results in the formulation and completion of planning documents that contain the chapters or elements of the Comprehensive Plan.
- Annexation - Identify other areas for potential exempt and 3-year plan annexations as directed through the Comprehensive Plan.
- CCN - adjusting CCN boundaries to city limits and expanding with annexations
- Growth Management – Ordinance and policy revisions to help channel urban development into the City and urban core in order to preserve the rural character of the county, provide for additional areas of future growth, and minimize the fiscal impact on City finances for the
- TIAs – ordinance amendments for traffic impact analysis for residential development
- Rental Registration - develop and implement rental registration program for single-family properties to enhance code enforcement efforts to reduce violations and provide local points of contacts for rental properties
- Nuisance Properties – policy discussion to further clarify and define nuisance properties and proper enforcement of nuisance properties
- Host Party Regulations – ordinance amendments to detail owner and occupant responsibilities for noise, trash, and other code violations for parties and large gatherings
- Historic Preservation – create a landmark commission, establishing the Historic Preservation program including the designation report and design guidelines
- Bicycle, Pedestrian, and Greenway Plan – Update, develop plans and implementation policies for non-motorized transportation routes, and greenway connections in the City
- Streetscape – review of current streetscape requirements
- Neighborhood/Corridor/District Plans - Development of Community and Neighborhood Planning tools to identify how and when plans would be started upon completion of Comprehensive Plan
- PDD/PMUD – review of PDD and PMUD procedures in City and other Texas cities to identify ways to increase use of the PDD and PMUD districts in the rezoning process
- Northgate Appearance - discussion on aesthetic standards of the Northgate district
- Landscaping Berms – amend landscaping and non-residential architectural standards to require berms instead of shrubs for the screening of parking areas from streets
- Parkland Dedication – review and revision of parkland dedication fees to reflect the rising cost of land and park development and additional requirements for community parks
- Floodplain Management Toolkit - series of ordinance amendments in order to reduce development impacts on the floodplain through requirements such as zero-rise
- Utility Impact Fees –consider possibility of expanding utility impact fees
- Transportation Impact Fees - create a transportation impact fee city-wide
- Green College Station – Comprehensive policy and ordinance revisions to focus on sustainable business practices and green building practices for City operations and facilities

### P&Z Initiated Items

- Connectivity - Review of Connectivity Report/Study and evaluation of possible policies, criteria and/or ordinances to facilitate all transportation modes.
- Subdivision Regulation Standards – Discussion of current minimum subdivision regulation standards and comparison to best-practices cities and how College Station’s regulations might be revised to reach an optimum standard rather than minimum standard
- Economic statistics and data – information about fiscal impact analysis models, employment information, and indicators maintained by the City
- Impact Studies – education and discussion of feasibility of utilizing impact studies to help guide development decisions - to include Economic, Environmental, and Community impacts studies
- Data collection, - develop geographic portrayal of physical changes in the City and to the City’s plans– such as land uses, comprehensive plan changes, demographics, infrastructure, etc

### Staff Initiated Items

- Pervious parking options – discussion and ordinance amendments to allow for parking on pervious surfaces such as grasscrete for commercial and residential properties to reduce surface drainage run-off
- Rough Proportionality - defining of rough proportionality for development requirements
- Certificates of Occupancy – review and revision of Certificate of Occupancy process to improve process
- BTU Service Area – discussion of responsibilities for street lighting costs when outside of CSU service area

### Pending P&Z initiated Items

- Greenways - Discuss ways to encourage greenway dedication and development with commercial development
- Contextual Residential Standards - Explore potential building mass, setback, and standards for residential structures in relation to the context in which they are placed.
- Park Development - In collaboration with Parks Board, discuss how neighborhood and community parks serve the community and challenges in park funding and maintenance.
- Parking Ordinance Update - Survey peer cities and evaluate parking standards for different types of uses, particularly standards for shopping centers.
- Neighborhood Fencing – Develop fencing and landscaping options for neighborhood perimeter fencing to reduce the “canyon effect” on City streets
- Housing Affordability – Discuss how housing affordability is measured and provide information on affordability of homes in the College Station and Bryan housing markets
- Employment Zoning - Evaluate zoning districts for permitted service/industrial based uses and identify land use characteristics for appropriate placement.

**November 24, 2008**  
**Workshop Agenda Item No. 3**  
**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

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  
Workshop Agenda Item No. 4  
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 been 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, a \$25 per day fee for the partial closure or obstruction of a public street or right-of-way, and a \$50 per day / per block fee for the use of City parking lots, areas and/or City streets for the purposes of parking film vehicles. 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**

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### **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  
Workshop Agenda Item No. 5  
Texas Avenue Streetscape**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation possible action and discussion of a plan to plant trees on public property along Texas Avenue between Harvey Road and Harvey Mitchell Parkway.

**Recommendation(s):** Staff recommends that Council direct staff implement the proposed plan.

**Summary:** On April 10, 2008 a plan was presented to the City Council that described the project proposed by our consultant, Land Design Partners. Council directed staff to proceed with the project at that time. Subsequent to this direction, the consultant presented staff with a maintenance and operating cost for the proposed project. That cost was estimated to be in excess of \$80,000 per year. In addition, closer review of the plan revealed that the proposed design conflicted with existing landscapes on both private properties as well as some City owned projects. City staff conducted a thorough review and evaluation of the plans in order to find opportunities to reduce maintenance costs as well as to resolve conflicts within the plan.

Staff is proposing that we break the project into two parts. These would be pretty much the same sections that were presented to Council back in April. In April, the project was broken into "limited" areas and "unlimited" areas. The limited areas were those areas in the corridor where there are conflicts with utilities, sight triangles, poor topography, adjacent commercial property landscapes and limited space availability. The unlimited areas are areas in the corridor where large shade trees are appropriate and where there are few topographic, space, utility or safety constraints. Those areas include:

- Intersection of Texas Avenue & FM 2818
- Area in front of the Police Station
- Adjoining property on Krenek Tap Road
- Wolf Pen Creek at Texas Avenue & Harvey Road

We propose that we ask Land Design Partners to prepare tree planting plans for these "unlimited areas" where the new plantings will be totally under the control and maintenance of the City. We feel that this could be accomplished within the existing contract amount without a change order. Our direction would be to prepare a plan that we can implement within the upcoming tree planting season.

**Budget & Financial Summary:** A total of \$672,000 is budgeted for this project. The estimated annual operating and maintenance impact of this project is \$15,000.

**Attachments:**

Location Map

GEORGE BUSH DR

HARVEY RD

HOLLEMAN DRE

TEXAS AVE S

BRENTWOOD DR E

SOUTHWEST PKWY E

KRENEK TAP RD

HARVEY MITCHELL PKWY S

**PROJECT LIMIT**

**PROJECT LIMIT**