



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

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

**Agenda**  
**College Station City Council**  
**Regular Meeting**  
**Thursday, March 12, 2009 at 7:00 PM**  
**City Hall Council Chamber, 1101 Texas Avenue**  
**College Station, Texas**

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

**Presentation of the Texas Association of Governmental Information Technology Managers (TAGITM Excellence Award for 2008).**

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.

**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 approval of minutes for City Council Workshop and Regular Meetings February 26, 2009.

b. Presentation, possible action, and discussion regarding renewing the contract with Meyers & Associates for federal legislative and consulting services in the amount of \$78,000 plus expenses.

c. Presentation, possible action, and discussion regarding approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt for the Purchase and Installation of Fencing at Pebble Creek Park and Jack and Dorothy Miller Park in an amount not to exceed \$30,000.

d. Presentation, possible action, and discussion on a change order to the Construction Contract 08-285 with Brazos Valley Services in the amount of \$35,800, for the construction of the Well 7 Collection Line.

e. Presentation, possible action, and discussion regarding a Resolution setting a public hearing to update 03-02 Steeplechase Wastewater Impact Fee.

f. Presentation, possible action and discussion regarding renewal of an annual price agreement with Superior Crushed Stone, LC in an amount not to exceed \$500,200 for crushed stone to be used by various city departments.

g. Presentation, possible action, and discussion regarding the renewal of annual contract 08-041 with Elliot Construction Inc. for water and wastewater new service tap installation in the amount of \$362,250.

### **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 an Ordinance amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 2716 Barron Road located approximately 500 feet east of the intersection with William D. Fitch Parkway 1.5 acres from A-O, Agricultural-Open, to R-1, Single-Family Residential.
2. Public hearing, presentation, possible action, and discussion Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 2.419 acres at 2937 Barron Cut-Off Road located at the southwest corner of State Highway 40 and Barron Road from A-O, Agricultural-Open, to C-3, Light Commercial.

3. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 3.198 acres from R-1, Single-Family Residential and R-6, High Density Multi-Family to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B Park Place and more generally located east of Scandia Apartments.
4. Presentation, possible action, and discussion regarding membership in the Gulf Coast Highway Coalition.
5. Presentation, possible action, and discussion on an update regarding the Bicycle, Pedestrian and Greenway Master Plan.
6. Presentation, possible action and discussion approving a resolution awarding a construction contract for the Northgate Restrooms Project to Sword Construction LLC, of Kingwood, TX, in the amount of \$347,700.00 OR G.W. Williams, Inc. of College Station, TX in the amount of \$352,000.00 who is requesting consideration for local preference.
7. Presentation, possible action, and discussion increasing the FY 2009 Brazos Valley Solid Waste Management Agency administrative transfer expenditure line item and reimbursing the City of Bryan in the amount of \$179,786.00.
8. Presentation, possible action, and discussion to approve a resolution nominating a member of the Brazos Valley Groundwater Conservation District Board of Directors, subject to confirmation by the Brazos Valley Commissioners Court.
9. Adjourn.

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

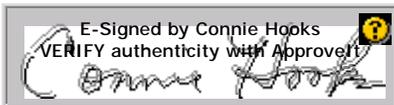
APPROVED:

---

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 Thursday, March 12, 2009 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 9<sup>th</sup> day of March, 2009 at 1:00 p.m.



---

City Secretary

*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*

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 March 9, 2009 at 1:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 2009 By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

**March 12, 2009**  
**Consent Agenda Item No. 2b**  
**Federal Legislative and Consulting Services**

**To:** Glenn Brown, City Manager

**From:** David Neeley, Assistant City Manager

**Agenda Caption:** Presentation, possible action, and discussion regarding renewing the contract with Meyers & Associates for federal legislative and consulting services in the amount of \$78,000 plus expenses.

**Recommendation(s):** Staff recommends renewing this contract with Meyers & Associates.

**Summary:** Staff has been and will continue to seek consultation and assistance from Meyers & Associates regarding the Stimulus Bill and opportunities for funding from this Bill. Also, staff believes that with the significant changes that are inherent in a changing administration, that we will benefit having a consultant in Washington D.C.

The current annual contract was executed in March of 2007 and provides for the opportunity of two (2) additional renewals for a total of three (3) years. This renewal is the third of the three renewal options.

The City was under a contract with Meyers & Associates in 2006 however the fee was reduced in the current contract from \$96,000/year to the current \$78,000/year.

Although the current contract allows for an annual a 3% cost of living adjustment, the Consultant has never requested it.

The City may terminate the proposed contract at any time with written notice.

**Budget & Financial Summary:** Funds are available and budgeted in the General Fund.

**Attachments:**

Renewal Agreement with Meyers & Associates

.....

**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew contract number 07-165, for Federal Legislative and Lobbying Services in accordance with all terms and conditions previously agreed to and accepted.

I understand this renewal term will be for the period beginning March 1, 2009 through February 28, 2010 for a total amount not to exceed Seventy Eight Thousand and no/100 (\$78,000) plus \$1,000 per month for expenses (excluding airfare).

**MEYERS AND ASSOCIATES**

  
Larry Meyers

2-12-09  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

  
City Attorney

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

\*\*\*\*\*

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/17/2009

**PRODUCER**  
State Farm Insurance Company  
Salma Yousufzai - Agent  
10204 Falls Road Potomac MD 20854  
(301) 983-8500 (301) 983-3975

**INSURED**  
Meyers & Associates & Meyers Inc  
412 1st Street SE Suite 100  
Washington DC 20003

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: State Farm Fire and Casualty Company 25143	25143
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	99 02 0956 1	11/01/2008	11/01/2009	EACH OCCURRENCE \$ 1,000,000.00 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000.00 MED EXP (Any one person) \$ 5,000.00 PERSONAL & ADV INJURY \$ 1,000,000.00 GENERAL AGGREGATE \$ 2,000,000.00 PRODUCTS - COMP/OP AGG \$ 2,000,000.00
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	99 BN 4214 0	08/01/2008	08/01/2009	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000.00 E.L. DISEASE - EA EMPLOYEE \$ 100,000.00 E.L. DISEASE - POLICY LIMIT \$ 500,000.00

### DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

And Named As Additional Insured:  
The City Of College Station TX  
RE: Renewal Contract No. 07-165

### CERTIFICATE HOLDER

City of College Station  
Attn: Cheryl K Turney  
PO Box 9960  
1101 Texas Ave  
College Station TX 77842

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE  
*Cheryl K Turney*

**March 12, 2009**  
**Consent Agenda Item No. 2c**  
**Reimbursement Resolution for the Purchase and Installation of Fencing at Pebble  
Creek Park and Jack and Dorothy Miller Park**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt for the Purchase and Installation of Fencing at Pebble Creek Park and Jack and Dorothy Miller Park in an amount not to exceed \$30,000.

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

**Summary:** The Interlocal Agreement between the City of College Station and the College Station ISD (CSISD) for the purchase and installation of fencing for the joint City/School Parks at Pebble Creek and Jack and Dorothy Miller Parks was approved by Council on February 12, 2009. The College Station Independent School District approved this Interlocal Agreement in February. It is anticipated that debt in the form of General Obligation Bonds approved by voters in the 2008 Bond Referendum will be issued for this project. On projects for which the expenditures will occur prior to the debt issue, a resolution declaring intention to reimburse certain expenditures with proceeds from debt must be adopted within 60 days of expenditure on the project. The resolution is typically adopted at the time the contract is awarded, but was left off of the agenda when the Interlocal Agreement was brought to Council.

**Budget & Financial Summary:** The "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is necessary for this item because the long term debt in the amount of \$30,000 has not been issued for the project. This debt is scheduled to be issued later this fiscal year.

**Attachments:**

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

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 \$30,000, 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 12th DAY OF MARCH, 2009.

\_\_\_\_\_  
Ben White, Mayor

ATTEST:

\_\_\_\_\_  
Connie Hooks, City Secretary

(Seal)

APPROVED:

  
\_\_\_\_\_  
Jeffrey A. Lynch  
McCull, Parkhurst & Horton L.L.P.  
Bond Counsel

**Exhibit "A"**

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

**Fencing for the Current Joint Park Properties / School Playgrounds Located at the Pebble Creek Elementary and Rock Prairie Elementary Schools.**

**March 12, 2009**  
**Consent Agenda Item No. 2d**  
**Project Number WF0353621**  
**Well #7 Collection Line Change Order #1**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on a change order to the Construction Contract 08-285 with Brazos Valley Services in the amount of \$35,800, for the construction of the Well 7 Collection Line.

**Recommendation(s):** Staff recommends approval of the change order.

**Summary:** Construction is near complete. This change order adjusts changes in quantities made necessary by field conditions. This change includes the addition of an 11.25 degree bend, addition of a 36" butterfly valve, and addition of 40 linear feet of 16" ductile iron pipe. The 11.25 degree bend was added to accommodate underground field conditions not foreseeable until construction commenced. The 36" butterfly valve was added to the project at the location of the Well No. 8 Collection Line tie in to the Well No. 7 Collection Line. This valve will ensure that Well No. 7 can remain in service when the Well No. 8 Collection line is built and tied in to the Well No. 7 Collection Line. The 16" ductile iron pipe was added to this contract to tie the collection line to Well No. 7. This line was credited to the city from the Well No. 7 contract.

**Budget & Financial Summary:** Change Order No. 1 will increase the contract amount by \$35,800 for a revised contract total of \$1,123,105.26. Water Capital Improvement Project Funds are budgeted and available to fund this change order.

**Attachments:**

- 1.) Change Order
- 2.) Project Location Map

CHANGE ORDER NO. 1 Contract No. 08-285 DATE: 02/19/09  
P.O.# 090225 PROJECT: Well 7 Collection Line, Project No. WT0203

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

**CONTRACTOR:**  
Brazos Valley Services  
6988 Raymond Stotzer Parkway  
College Station, Texas 77845  
Ph: (979) 255-9272 Fax: (979) 846-3159

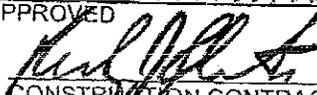
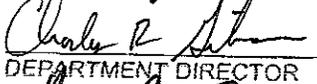
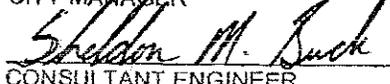
**PURPOSE OF THIS CHANGE ORDER:**  
A. Contractor needs additional materials not included in Bid Tabulation

ITEM NO.	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	11 1/4 Degree Ductile Iron Bend - Complete In Place	\$7,000.00	0	1	\$7,000.00
2	LS	36" Butterfly Valve - Complete in Place	\$24,000.00	0	1	\$24,000.00
3	LF	16" Ductile Iron Pipe - Complete in Place	\$120.00	46	40	\$4,800.00
<b>TOTAL</b>						<b>\$35,800.00</b>

THE NET AFFECT OF THIS CHANGE ORDER IS A 0.64% INCREASE.

ORIGINAL CONTRACT AMOUNT	\$1,087,305.26	
Change Order No. 1	\$35,800.00	3.29% CHANGE
REVISED CONTRACT AMOUNT	\$1,123,105.26	3.29% TOTAL CHANGE
ORIGINAL CONSTRUCTION CONTRACT TIME	210	
Construction Time Extension No. 1	0 Days	
Revised Contract Construction Time	210	
SUBSTANTIAL COMPLETION DATE	N/A	
Revised Substantial Completion Date	N/A	

APPROVED

	2/19/09	_____ CHIEF FINANCIAL OFFICER	_____ DATE
	2/20/09	_____ CITY MANAGER	_____ DATE
	20-Feb-09		2/19/09 DATE
	_____ DATE	_____ MAYOR	_____ DATE
_____ CITY SECRETARY	_____ DATE		



RYE LOOP

WELL 7 COLLECTION LINE

WELL 4

WELL 7

W OSR

CONQUISTADOR CR 14

RYE SCHOOL RD

**March 12, 2009**  
**Consent Agenda Item No. 2e**  
**Resolution Setting a Public Hearing – 03-02 Steeplechase Wastewater Impact Fee**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding a Resolution setting a public hearing to update 03-02 Steeplechase Wastewater Impact Fee.

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

**Summary:** The City of College Station Ordinance Chapter 15, Impact Fees, designates the Planning and Zoning Commission as the Advisory Committee for review, advisement, and monitoring of proposed and existing impact fees. In accordance with Local Government Code 395.047, 395.049, and 395.052, the advisory Committee met on February 5<sup>th</sup>, confirmed the need to update the subject impact fee, and requests City Council to set a public hearing. The public hearing is to consider the 5-year update report at the April 23<sup>th</sup> Council Meeting.

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

**Attachments:**

1. Resolution

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AUTHORIZING THE CITY OF COLLEGE STATION, TEXAS TO CALL FOR A PUBLIC HEARING ON AMENDMENT OF 03-02 STEEPLECHASE WASTEWATER IMPACT FEE.**

WHEREAS, the City Council of the City of College Station, Texas, has implemented impact fees in accordance with Chapter 395 of the Texas Local Government Code for the Steeplechase Wastewater area; and

WHEREAS, the Planning and Zoning Commission serving as the Impact Fee Advisory Committee acted on February 5, 2009, issuing its written comments regarding the need to update and review the land use assumptions, capital improvements and impact fee relating to the Steeplechase wastewater impact fee; and

WHEREAS, said Impact Fee Advisory Committee has filed its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee for the Steeplechase wastewater impact fee and forwarded said update to the City Council of the City of College Station; and

WHEREAS, the City Council of the City of College Station now desires to call for a public hearing regarding same in accordance with Chapter 395 Texas Local Government Code; now therefore

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

PART 1: That the facts and recitations set forth in the preamble of this resolution are hereby declared true and correct.

PART 2: The City Council of the City of College Station, Texas hereby adopts by resolution a call for a public hearing to be held during the regular Council session on April 23, 2009, at 7:00 p.m. in the City Council Chambers at 1101 Texas Avenue, College Station, Texas. The purpose of this public hearing is to receive public comment concerning the amendment of land use assumptions and a capital improvements plan and the imposition of impact fees for the water and sewer utilities. Public notice of such hearing will be made at least 30 days in advance of the hearing according to legal criteria set forth in Chapter 395.055 of the *TEXAS LOCAL GOVERNMENT CODE*.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

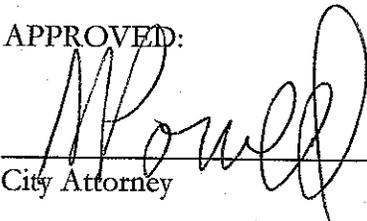
ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

**March 12, 2009**  
**Consent Agenda Item No. 2f**  
**Renewal of Annual Price Agreement for the Purchase of Crushed Stone**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action and discussion regarding renewal of an annual price agreement with Superior Crushed Stone, LC in an amount not to exceed \$500,200 for crushed stone to be used by various city departments.

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

**Summary:** Superior Crushed Stone, LC was the successful bidder for the FY2007 annual contract with the low bid of \$500,200.00. Crushed rock is used by the landfill, Street Division and College Station Utilities operations to maintain all weather roads and tipping areas, streets, and utilities. This renewal is the first of two optional annual renewals of the FY2007 contract (P.O. 080506). The contract provides for up to a 5% increase for renewal. This renewal does not increase the previous contract amount.

**Budget & Financial Summary:** Funds to purchase crushed stone are budgeted and available in the BSWMA (landfill expenditures will be less than \$50,000), General and Utilities Funds within the Operations Budgets.

**Attachments:**

1. Renewal Letter

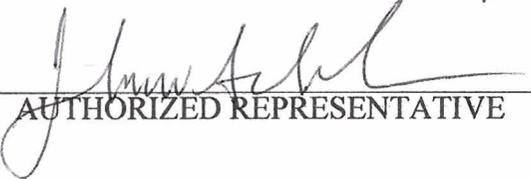
\*\*\*\*\*

**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew Bid #08-31, for crushed stone and limestone, in accordance with all terms and conditions previously agreed to and accepted.

I understand this renewal term will be for a one year period beginning March 3, 2009 through March 2, 2010, the total amount of the contract is \$500,200.00 (Five hundred thousand two hundred and no/200).

**SUPERIOR CRUSHED STONE, LC**

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

2-12-09  
\_\_\_\_\_  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

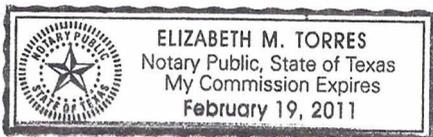
STATE OF TEXAS

CORPORATE ACKNOWLEDGEMENT

COUNTY OF TRAVIS

This instrument was acknowledged on the 12<sup>th</sup> day of February, 2009

by John Schuler in his/her capacity as Manager of Superior Crushed Stone, LLC, a Limited Liability Corporation, on behalf of said corporation.



Elizabeth Torres  
Notary Public in and for the  
State of TEXAS

STATE OF TEXAS

ACKNOWLEDGEMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

by \_\_\_\_\_ in the 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

\*\*\*\*\*

March 12, 2009

Consent Agenda Item No. 2g

Contract Renewal for Water/Wastewater New Service Taps

To: Glenn Brown, City Manager

From: David Coleman, Director of Water Services

**Agenda Caption:** Presentation, possible action, and discussion regarding the renewal of annual contract 08-041 with Elliot Construction Inc. for water and wastewater new service tap installation in the amount of \$362,250.

**Recommendation:** Staff recommends approval of the contract renewal.

**Summary:** The City of College Station contracted out the construction of new water and wastewater service taps in January, 2005. This service connects new customers to the City's water and wastewater main lines, and has proven to be a very effective and efficient method of providing outstanding customer service. The contractor is paid per tap as they are ordered, and \$362,250 is the maximum we expect to expend in the next year.

Elliot Construction, Inc. has agreed to the original terms and conditions. This is the second annual renewal term of three possible renewals, and staff recommends continuing this service that is working very well.

**Budget & Financial Summary:** Funds are available and budgeted in the Water Fund (\$181,125) and Wastewater Fund (\$181,125). Expenses are charged to the appropriate fund as new service taps are ordered by the City.

**Attachments:**

Renewal form

-----  
**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew Bid No. 08-41 (Contract No. 08-147), for the Installation of New Water and Wastewater Service Connection Taps in accordance with all pricing, terms and conditions previously agreed to and accepted.

I understand this renewal term will be for the period beginning May 1, 2009 through April 30, 2010.

**ELLIOTT CONSTRUCTION, LTD.**

*Scott Elliott*  
AUTHORIZED REPRESENTATIVE

2-9-09  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

*Adam C. Julio*  
City Attorney

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

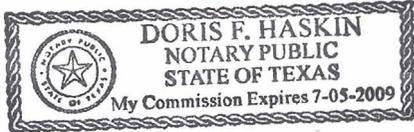
STATE OF TEXAS

Partnership  
~~CORPORATE~~ ACKNOWLEDGMENT

COUNTY OF Brazos

This instrument was acknowledged on the 9th day of February, 2009,

by Scott Elliott in his/~~her~~ capacity as President of  
Elliott Construction LTD, a TEXAS ~~Corporation~~ <sup>Partnership</sup>, on behalf of said ~~corporation~~ <sup>Partnership</sup>.



Doris Haskin  
Notary Public in and for the  
State of Texas

STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 2009,

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

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

\*\*\*\*\*

March 12, 2009  
Regular Agenda Item No. 1  
2716 Barron Road - Rezoning

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 amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 2716 Barron Road located approximately 500 feet east of the intersection with William D. Fitch Parkway 1.5 acres from A-O, Agricultural-Open, to R-1, Single-Family Residential.

**Recommendation(s):** The Planning and Zoning Commission recommended approval of the amendment by a vote of 6 to 0 at their February 19<sup>th</sup> meeting. Staff also recommended approval.

**Summary:**

**REVIEW CRITERIA**

1. **Consistency with the Comprehensive Plan:** The property is designated Single Family Medium Density on the Comprehensive Plan Land Use Map, which is to contain 3 to 6 dwelling units per acre. The proposed zoning to R-1 Single Family Residential is consistent with the Comprehensive Plan.
2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The property opposite Barron Road is developed as the Sonoma single family subdivision with lots averaging between 6,000 and 7,000 square feet in area. The property to the north (rear) of the 4.5 acre tract is developed as the Edelweiss Gartens subdivision and consists of lots of relatively similar size as Sonoma. To the east and west of the subject property, existing single family homes are developed on acreage tracts. Besides the A-OR Rural Residential Subdivision district which requires a minimum of 1 acre lots and the R-1b Single-Family Residential district which requires a minimum of 8,000 square foot lots, the proposed zoning is closest in intensity to the current zoning. The proposed R-1 Single Family Residential is compatible with other developed uses in the area.
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 suitable to single family residential development similar to other developments along Barron Road.
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 A-O Agricultural Open zoning district requires a minimum lot size of 5 acres. Though the current single family residence does not conform to the current zoning as it is located on a tract of less than 5 acres in area, the associated agricultural uses are compatible with neighboring uses. As this area of the City continues to develop, agricultural uses will be less prevalent.

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 request would allow the existing grandfathered use to help become conforming with current zoning regulations and allow the existing residence to be subdivided from the remainder of the tract. The subject 1.5 acres could be subdivided out of the existing 4.5 acre tract if the remaining 3 acres were consolidated with other neighboring A-O property.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject property is located adjacent to an existing 18-inch water main and across from a 6-inch sanitary sewer line. Barron Road is a minor arterial on the City's Thoroughfare Plan and the remaining funding for its widening to a minor arterial section was approved as part of the 2008 Bond Election.

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

**Attachments:**

1. Background Information
2. Aerial
3. Draft Planning and Zoning Commission Meeting Minutes, February 19, 2009
4. Ordinance

## BACKGROUND INFORMATION

### NOTIFICATIONS

Advertised Commission Hearing Date: February 19, 2009

Advertised Council Hearing Dates: March 12, 2009

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

Property owner notices mailed: 5  
Contacts in support: 0  
Contacts in opposition: 0  
Inquiry contacts: 2

### ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Single Family Medium Density	A-O Agricultural Open (remainder of tract)	Accessory agricultural buildings
South	Thoroughfare – Minor Arterial	N/A	Barron Road
East	Single Family Medium Density	A-O Agricultural Open	Single family residence
West	Single Family Medium Density	A-O Agricultural Open	Single family residence

### DEVELOPMENT HISTORY

**Annexation:** 1995

**Zoning:** A-O, Agricultural Open (as zoned upon annexation)

**Final Plat:** Not platted

**Site development:** Single family residence





**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Thursday, February 19, 2009,**  
**at 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

---

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

**COMMISSIONERS ABSENT:** Winnie Garner

**CITY COUNCIL MEMBERS PRESENT:** Lynn McElhane

**CITY STAFF PRESENT:** Senior Planner Lindsay Kramer, Staff Planner Jason Schubert, Matt Robinson and Lauren Hovde, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Director of Parks and Recreation Marco Cisneros, Director Bob Cowell, Assistant Director Lance Simms, First Assistant City Attorney Carla Robinson, Action Center Representative Carrie McHugh and Staff Assistant Brittany Caldwell

1. Call Meeting to Order.

Chairman John Nichols called the meeting to order at 7:15 p.m.

**Regular Agenda**

4. Public hearing, presentation, possible action, and discussion regarding a Rezoning of 1.5 acres from A-O, Agricultural-Open, to R-1, Single-Family Residential at 2716 Barron Road located approximately 500 feet east of the intersection with William D. Fitch Parkway. **Case #09-00500008 (JS)**

Jason Schubert, Staff Planner, presented the Rezoning and recommended approval.

There was general discussion regarding the Rezoning.

Chairman Nichols opened the public hearing.

Robbin Alcaraz, 2670 Barron Road, stated that he would like a fence built along the side of his property for privacy.

Steve Brock, applicant, stated that the Rezoning would not affect Mr. Alcaraz's property.

Chairman Nichols closed the public hearing.

Chairman Nichols asked if there were fencing requirements.

Mr. Schubert stated that there were not fencing requirements.

**Commissioner Greer motioned to recommend approval of the Rezoning. Commissioner Bauman seconded the motion, motion passed (6-0).**

7. Adjourn.

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

**Meeting adjourned at 9:15 p.m.**

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 Exhibits "A" and "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 12<sup>th</sup> day of March, 2009.

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 located at 2716 Barron Road is rezoned from A-O, Agricultural Open to R-1, Single-Family Residential and as shown graphically in Exhibit "B":

**FIELD NOTES  
1.50 Acres**

Being 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 and being part of the called 4.523 acre tract described in the deed from Dennis B. and Esther C. Herd to Steven J. and Sharon Brock recorded in Volume 6686, Page 70 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

**BEGINNING:** at a found 1/2-inch iron rod marking the east corner of the called 4.523 acre tract, the south corner of a called 0.44 acre Steve and Sharon Brock tract recorded in Volume 8903, Page 96 (O.R.B.C.) and being in the northwest margin of Barron Road (width varies);

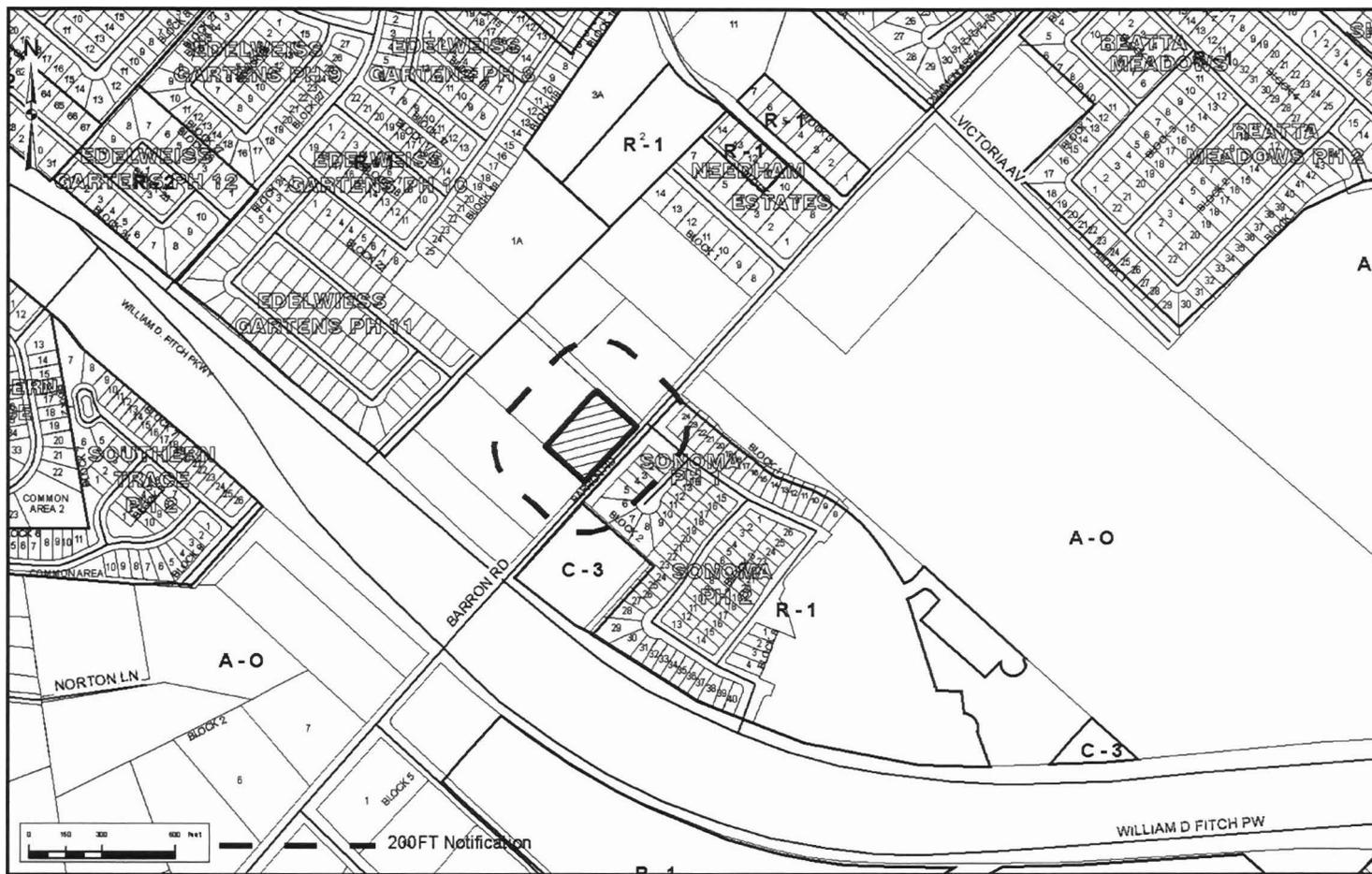
**THENCE:** S 42° 15' 28" W along the said northwest margin of Barron Road for a distance of 299.06 feet for the south corner of this tract, said corner also being the east corner of a called 5.00 acre Carnes tract recorded in Volume 433, Page 14 of the Brazos County Deed Records (B.C.D.R.);

**THENCE:** N 48° 19' 24" W along the common line of the called 4.523 acre and the 5.00 acre tracts for a distance of 218.31 feet for corner;

**THENCE:** N 42° 15' 28" E through the called 4.523 acre Brock tract for a distance of 299.56 feet for corner in southwest line of the called 0.44 acre Brock tract;

**THENCE:** S 48° 11' 31" E along the common line of the called 4.523 acre and 0.44 acre tracts for a distance of 218.31 feet to the POINT OF BEGINNING and containing 1.50 acres (65340.0 sq. ft.) of land, more or less.

EXHIBIT "B"



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

	DEVELOPMENT REVIEW	2716 BARRON RD	Case: 09-08	REZONING

March 12, 2009  
Regular Agenda Item No. 2  
2937 Barron Cut-Off Road - Rezoning

To: Glenn Brown, City Manager

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

**Agenda Caption:** Public hearing, presentation, possible action, and discussion Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 2.419 acres at 2937 Barron Cut-Off Road located at the southwest corner of State Highway 40 and Barron Road from A-O, Agricultural-Open, to C-3, Light Commercial.

**Recommendation(s):** The Planning and Zoning Commission recommended approval of the amendment by a vote of 5 to 1 at their February 19<sup>th</sup> meeting. Staff also recommended approval.

**Summary:**

**REVIEW CRITERIA**

1. **Consistency with the Comprehensive Plan:** This property recently underwent a Comprehensive Land Use Plan Amendment from Single Family Medium Density to Neighborhood Retail. C-3, Light Commercial, is consistent with the Neighborhood Retail designation.
2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The applicant believes C-3, Light Commercial, is a compatible use and will not disturb the character of the area. Staff agrees that when the surrounding area becomes fully developed, this would be a reasonable location for neighborhood conveniences. The land immediately surrounding the property is largely rural, but this will change as the land to the south subdivides for a medium-density residential development; but, at the corner of a planned collector and a highway, it is presently compatible to these roadways as a light commercial tract.
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 limited size of the subject property is appropriate for a C-3 development. The subject property is located at the intersection of Barron Road and William D. Fitch parkway which would provide a surplus of traffic for light commercial uses.
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 property is a rural homestead and it would be in keeping with the current neighborhood character for it to remain so at this time.
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

applicant has expressed that the subject property has minimal marketability under its current A-O, Agricultural-Open, zoning district, and that any buyer they may pursue would also choose to undergo a zoning change to become C-3.

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There is an existing 12-inch water main along the south side of Barron Cut-Off Rd. There are currently no existing sanitary sewer mains available to service this property. Drainage is generally to the southeast within the Spring Creek drainage basin. Development on this property will be required to comply with the City's drainage ordinance. All utilities shall be designed in accordance with BCS Unified Design Guidelines at the time of Platting and Site Development. The property proposes taking access from Barron Road and Barron Cut-off Road. Barron Road, a planned arterial, is currently built to county road standards.

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

**Attachments:**

1. Background Information
2. Aerial
3. Draft Planning and Zoning Commission Meeting Minutes, February 19, 2009
4. Ordinance

## BACKGROUND INFORMATION

### NOTIFICATIONS

Advertised Commission Hearing Date: February 19, 2009

Advertised Council Hearing Dates: March 12, 2009

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.

Property owner notices mailed: 7

Contacts in support: 0

Contacts in opposition: 0

Inquiry contacts: 0

### ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Minor Arterial	N/A	Barron Road
South	Single-Family Residential Medium Density	R-1	Undeveloped
East	Freeway/Expressway	N/A	William D. Fitch Parkway
West	Major Collector	N/A	Barron Cut-off Road

### DEVELOPMENT HISTORY

**Annexation:** June 1995

**Zoning:** A-O

**Final Plat:** Unplatted

**Site development:** Existing single family home



COMP PLAN

Case: 08-284

ED & PENNY THOMAS TRACT

DEVELOPMENT REVIEW





**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Thursday, February 19, 2009,**  
**at 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

---

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

**COMMISSIONERS ABSENT:** Winnie Garner

**CITY COUNCIL MEMBERS PRESENT:** Lynn McElhaneey

**CITY STAFF PRESENT:** Senior Planner Lindsay Kramer, Staff Planner Jason Schubert, Matt Robinson and Lauren Hovde, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Director of Parks and Recreation Marco Cisneros, Director Bob Cowell, Assistant Director Lance Simms, First Assistant City Attorney Carla Robinson, Action Center Representative Carrie McHugh and Staff Assistant Brittany Caldwell

1. Call Meeting to Order.

Chairman John Nichols called the meeting to order at 7:15 p.m.

7. Public hearing, presentation, possible action, and discussion regarding a Rezoning of 2.419 acres from A-O, Agricultural-Open, to C-3, Light Commercial at 2937 Barron Cutoff Road generally located at the southwest corner of William D. Fitch Parkway and Barron Road. **Case #09-00500004 (LH)**

Lauren Hovde, Staff Planner, presented the Rezoning and recommended approval.

Chairman Nichols opened the public hearing.

No one spoke during the public hearing.

Chairman Nichols closed the public hearing.

**Commissioner Bauman motioned to recommend approval of the Rezoning. Commissioner Greer seconded the motion, motion passed (5-1). Commissioner**

**Stearns was in opposition. He was in opposition of the Comprehensive Plan Amendment for the property as well.**

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", 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 12th day of March, 2009.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

  
\_\_\_\_\_  
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:

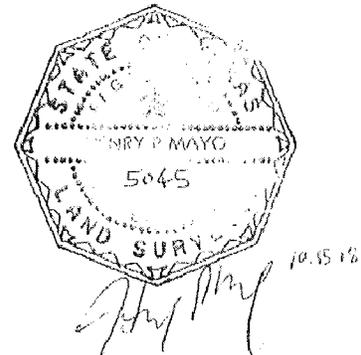
I.

The following property is rezoned from A-O, Agricultural Open to C-3, Light Commercial:

BEING A 2.419 ACRE TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE – ABSTRACT NO. 54, COLLEGE STATION, BRAZOS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 4.0 ACRE TRACT CONVEYED TO EDWARD E. THOMAS AND WIFE, PENNY SUE THOMAS, BY DEED RECORDED IN VOLUME 1577, PAGES 136 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS SHOWN IN EXHIBIT "A", AND GRAPHICALLY SHOWN IN EXHIBIT "B".

**EXHIBIT A:**

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



Edward and Penny Thomas Tract  
 Robert Stevenson League  
 College Station, Texas  
 15 October, 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 4.00 acre tract conveyed to Edward E. Thomas, Jr. and wife, Penny Sue Thomas by deed recorded in Volume 1577, Page 136 of the Official Public Records of Brazos County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod found (in 2000) at the most southerly corner of the said Thomas tract in the northeast line of Barron Cut-Off Road.

Thence N 47° 59' 49" W -- 296.72 feet along the northeast line of Barron Cut-Off Road to an angle point;

Thence N 10° 06' 18" W -- 18.51 feet continuing along the northeast line of Barron Cut-Off Road to a 1/2" iron rod with an orange plastic cap stamped "H.P. Mayo RPLS 5045" set (in 2000) at the intersection of the northeast line of Barron Cut-Off Road and the southeast line of Barron Road;

Thence N 41° 44' 12" E -- 322.03 feet along the southeast line of Barron Road to a 1/2" iron rod with an orange plastic cap stamped "H.P. Mayo RPLS 5045" set (in 2003) in the southwest line of William D. Fitch Parkway (State Highway No. 40);

Thence S 49° 15' 21" E -- 179.83 feet along the southwest right-of-way of William D. Fitch Parkway to a Brass ROW marker in concrete found (in 2000) at an angle point;

Thence S 51° 24' 07" E -- 133.31 feet continuing along the southwest right-of-way line of William D. Fitch Parkway to an iron rod with an aluminum cap stamped "TXDOT ROW Marker" found (in 2000) at the intersection of said right-of-way line and the southeast line of the said Thomas tract;

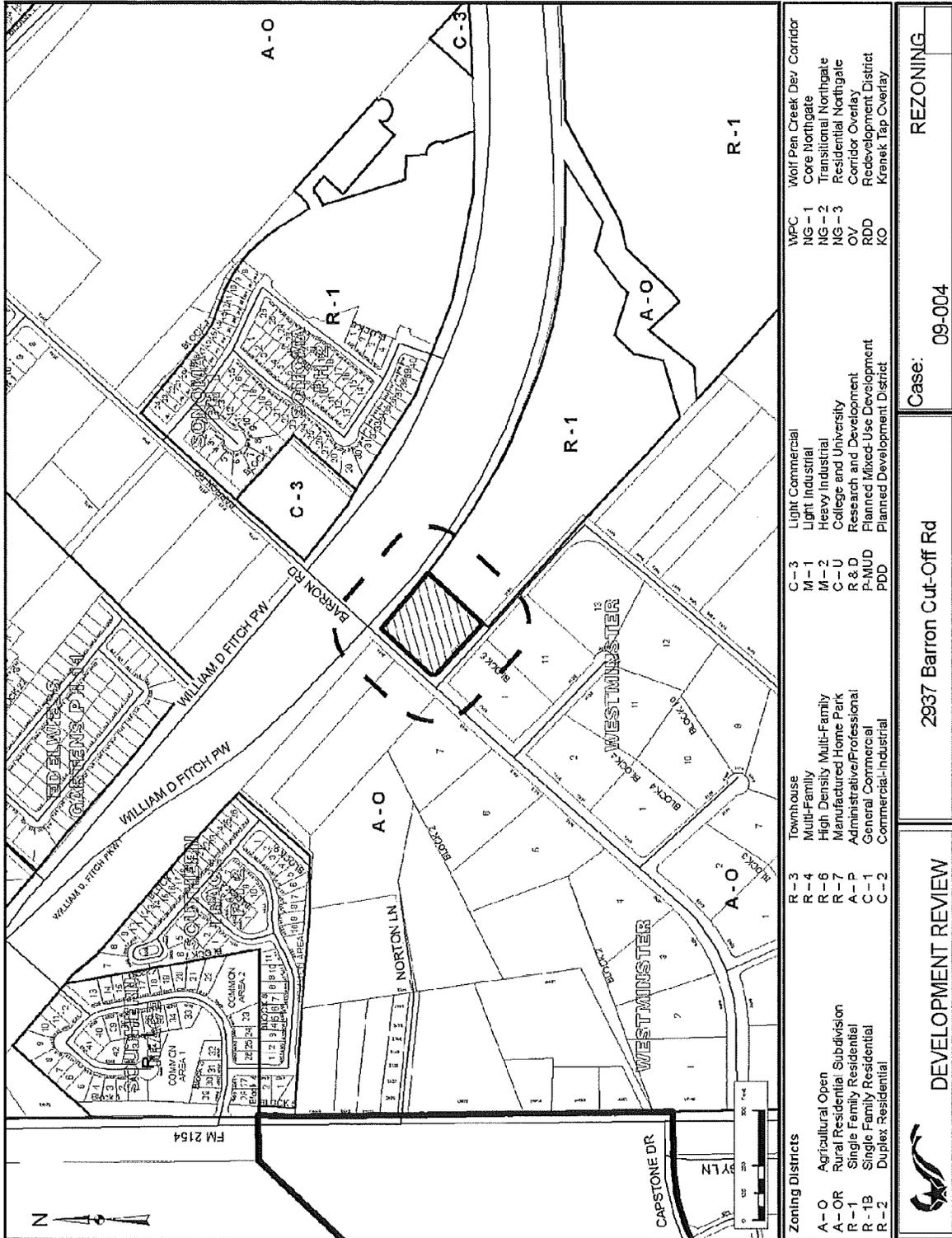
Thence S 42° 00' 38" W -- 345.27 feet along the line between the said Thomas tract and that 75.07 acre tract conveyed to BCS Development Company by deed recorded in Volume 7088, Page 259 of the Official Public Records of Brazos County, Texas, to the Point of Beginning and containing 2.419 acre of land more or less.

Bearings area Texas State Plane, Central Zone NAD-83 datum, based on GPS observations from City of College Station 1994 control monuments.

This document was prepared under 22 TAC §663.21 does not reflect the results of a current on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration the boundary of the political subdivision for which it was prepared.

See survey plat dated October 2008.

**EXHIBIT B:**



**March 12, 2009**  
**Regular Agenda Item No. 3**  
**Park Place – PDD Rezoning**

**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 amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 3.198 acres from R-1, Single-Family Residential and R-6, High Density Multi-Family to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B Park Place and more generally located east of Scandia Apartments.

**Recommendation(s):** The Planning and Zoning Commission recommended approval with conditions of the amendment by a vote of 6 to 0 at their February 19<sup>th</sup> meeting. The Planning and Zoning Commission's recommended to condition that a 5 foot sidewalk be constructed on the north side of the proposed street and extend to the back of the cul-de-sac. A 10-foot pedestrian access easement be dedicated that runs east from the end of the cul-de-sac to Park Place through the existing sidewalk and drive aisle and a 5 foot wide sidewalk and/or concrete area be installed and maintained through the length of the easement. Staff also recommended approval with the condition that a sidewalk and pedestrian access easement be provided at the back of the proposed cul-de-sac.

**Summary:**

**REVIEW CRITERIA**

1. **Consistency with the Comprehensive Plan:** The subject property is designated as Single-Family Residential, High-Density on the Land Use Plan and is proposed to be developed as such.
2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** Surrounding properties consist of R-1, Single-Family Residential and R-6, High-Density Multi-Family developments. There have been several R-1, Single-Family homes that have been redeveloped in the last 10 years. As shown on the Concept Plan, the proposed development will consist of single family homes that will conform to most R-1 standards.
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 suitable for the proposed zoning district due in part to the surrounding properties currently being developed as single-family residential and the proposed development being a continuation of that residential development. In addition, the proposed development is in close proximity to Texas A&M University and is keeping with the high density development surrounding the area.
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:** A portion of the request consists of four lots that are currently landlocked in their present configuration. Additionally three of the four lots currently landlocked are zoned R-6,

High-Density Multifamily. Development of these lots would be extremely difficult in their current configuration and mix of zoning designations. By incorporating these lots into the proposed Planned Development District, the applicant is proposing to create a development that is keeping in character with the existing single-family development. Additionally, a new residential cul-de-sac street is proposed to serve all lots created in this development.

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 marketability of Lots 29-32 is greatly diminished by the lack of street frontage. Additionally, Lots 30-32 are less than an acre combined and could be difficult to develop as a multi-family development. Lots 17, half of Lot 18, 23 and 24 are marketable as single-family residential and all have developed as such except for Lot 17.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is located adjacent to an 8-inch water main which runs along Park Place Drive. The subject tract is located adjacent to an 8-inch sanitary sewer main which is located along the western property line. The subject tract is located in the Wolf Pen Creek drainage basin. The tract is not encroached by any FEMA designated Special Flood Hazard Areas. Any development of the tract will be required to meet the City's storm water design requirements. The applicant has illustrated a detention facility located in the southwest corner of the tract in order to mitigate any post development run-off. The subject tract will take access to Park Place Drive, which is classified as a local or residential street. The applicant is proposing a new residential cul-de-sac street in order to serve the proposed lots.

The proposed land use will generate minimal traffic of 5.58 trips in the peak hour. However, the vehicles per day (vpd) is 9 units times 6.72 trips (as per ITE manual) which equals 60.48vpd. A TIA conducted in 2000 by WHM Consulting Traffic Engineers for the HEB development estimated 1,008 vpd on Park Place as a result of the HEB development. Traffic counts have not been performed since the HEB development to confirm these estimates for Park Place. Park Place is a local residential street with a range of 200 vpd to 1000 vpd according to the TIA. Assuming the 1,008 vpd with the additional 60.48 trips, 1,060.48 vpd would be anticipated.

The Transportation Planner recommends having pedestrian access at the end of the cul-de-sac for connectivity purposes.

#### **REVIEW OF CONCEPT PLAN**

The applicant's stated purpose of the development is to:

- 1) Complete the development of a residential area in close proximity to the Texas A&M University Campus;
- 2) Consolidate land-locked properties and replat so that public access is provided; and
- 3) To conform to existing neighborhood appearance, style and use.

To achieve the stated purpose of the development the applicant is requesting bulk and dimension variations to the Unified Development Ordinance, specifically to Section 5.2, Residential Dimensional Standards and Section 8, Subdivision Design and Improvements. The applicant is requesting to vary from the required 50 foot front setback requirement for an R-1, Single-Family Residential zoning district for the

proposed Lots 30R1, 30R2, 31R and 32R. The proposed lot widths for these four lots as shown on the concept plan range from 47.5 feet and 48 feet.

Variation from the required 8,500 minimum lot area in Section 8.2.A.11.b, Platting and Replatting within Older Residential Subdivisions, is being sought for proposed Lots 17R1, 17R2, 18R1, 18R2, 29R1 and 29R2. The lot area for these lots range from 5,137 to 8,241 square feet.

The last variation the applicant is requesting is to the requirement in Section 8.2.A.11.b, Platting and Replatting within Older Residential Subdivisions, that the proposed lots meet or exceed the average lot width of all lots along the street frontage in the block. The average lot width calculated for the block is 57.51 feet and the proposed lot widths range from 46.58 feet to 49.24 feet. These variations are being sought for proposed Lots 28R, 29R1, and 29R2.

The variations to the minimum 8,500 square foot lot area and the average lot width are not required for Lots 30-32 as they do not fall under Section 8.2.A.11.b, Platting and Replatting within Older Residential Subdivisions. This is due to the subject lots not being currently zoned or developed for single-family residential land uses.

The applicant has stated three community benefits as reasons to support the rezoning request. These benefits include increased pedestrian mobility due to construction of a sidewalk along the proposed cul-de-sac, access to land-locked property with alternative vehicular access to adjacent properties, and lastly improved drainage conditions.

The Unified Development Ordinance provides the following review criteria for PDD Concept Plans:

- 1. The proposal will constitute an environment of sustained stability and will be in harmony with the character of the surrounding area;** The applicant has proposed single-family residential homes for the proposed area to be rezoned, which is keeping with the current land uses for the surrounding neighborhood. Proposed lot frontages are short of minimum R-1 requirements, however the lot area for all lots exceed the minimum 5,000 square feet required in an R-1 zoning district. In addition, while the proposed lots are smaller than many of the lots existing along Park Place, there are several lots that are of similar size.
- 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:** The proposed Concept Plan is in conformity with the policies, goals and objectives of the Comprehensive Plan. As previously mentioned, the Comprehensive Land Use Plan calls for Single-Family Residential, High Density which is what is currently proposed on the Concept Plan.
- 3. The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development:** The proposed development calls for single-family residential homes, which would be a continuation of single-family residential homes in the area.
- 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:** The applicant has proposed a cul-de-sac that would provide access to all lots along the street. Currently four lots are landlocked

with limited or no access to them. With the proposed development this situation would be improved as each lot would have street frontage along the proposed cul-de-sac. In addition, alternative access would be available to Lots 11, half of Lot 18, 28 and 24.

5. **The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities:** The development includes a provision to include a sidewalk along the proposed cul-de-sac to increase pedestrian mobility. No other improvements have been proposed.
6. **The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity:** Drainage conditions in the area have been an issue in the past for the surrounding property and the applicant has proposed a detention facility to handle the impervious cover generated from this development. Additionally, the applicant has stated that the runoff that currently impacts Lot 18 would be improved as the runoff upstream of the property would be captured and conveyed around the property through underground drainage and curb-gutter flow.
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 applicant has stated in their community benefits that a sidewalk would be constructed along the proposed cul-de-sac. Currently there are no sidewalks or bikeways along Park Place and there are no bikeways or pedestrian paths identified on the Bicycle, Pedestrian and Greenways Master Plan for the area. In staff's opinion the addition of a sidewalk at the rear of the proposed cul-de-sac would help improve pedestrian mobility in the area. Staff would request that a pedestrian access easement at the end of the cul-de-sac be included to help with connectivity. As previously stated, the proposed traffic generated by this site is estimated to be minimal.

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

**Attachments:**

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Letters
4. Draft Planning and Zoning Commission Minutes, February 19, 2008
5. Ordinance

## BACKGROUND INFORMATION

### NOTIFICATIONS

Advertised Commission Hearing Date: February 19, 2009

Advertised Council Hearing Dates: March 12, 2009

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:

Wolf Pen Creek Neighborhood Association

Property owner notices mailed: 26  
 Contacts in support: 6  
 Contacts in opposition: 1  
 Inquiry contacts: 2

### ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
<b>North</b>	Local Street; Single-Family Residential, High-Density	R-1, Single-Family Residential	Park Place a local street, Single-Family Residences
<b>South</b>	Residential Attached	R-6, High Density Multi-Family	Tower Park Apartments
<b>East</b>	Local Street; Single-Family Residential, High Density	R-1, Single-Family Residential	Park Place a local street, Single-Family Residences
<b>West</b>	Residential Attached	R-6, High Density Multi-Family	Scandia Apartments

### DEVELOPMENT HISTORY

**Annexation:** 1956

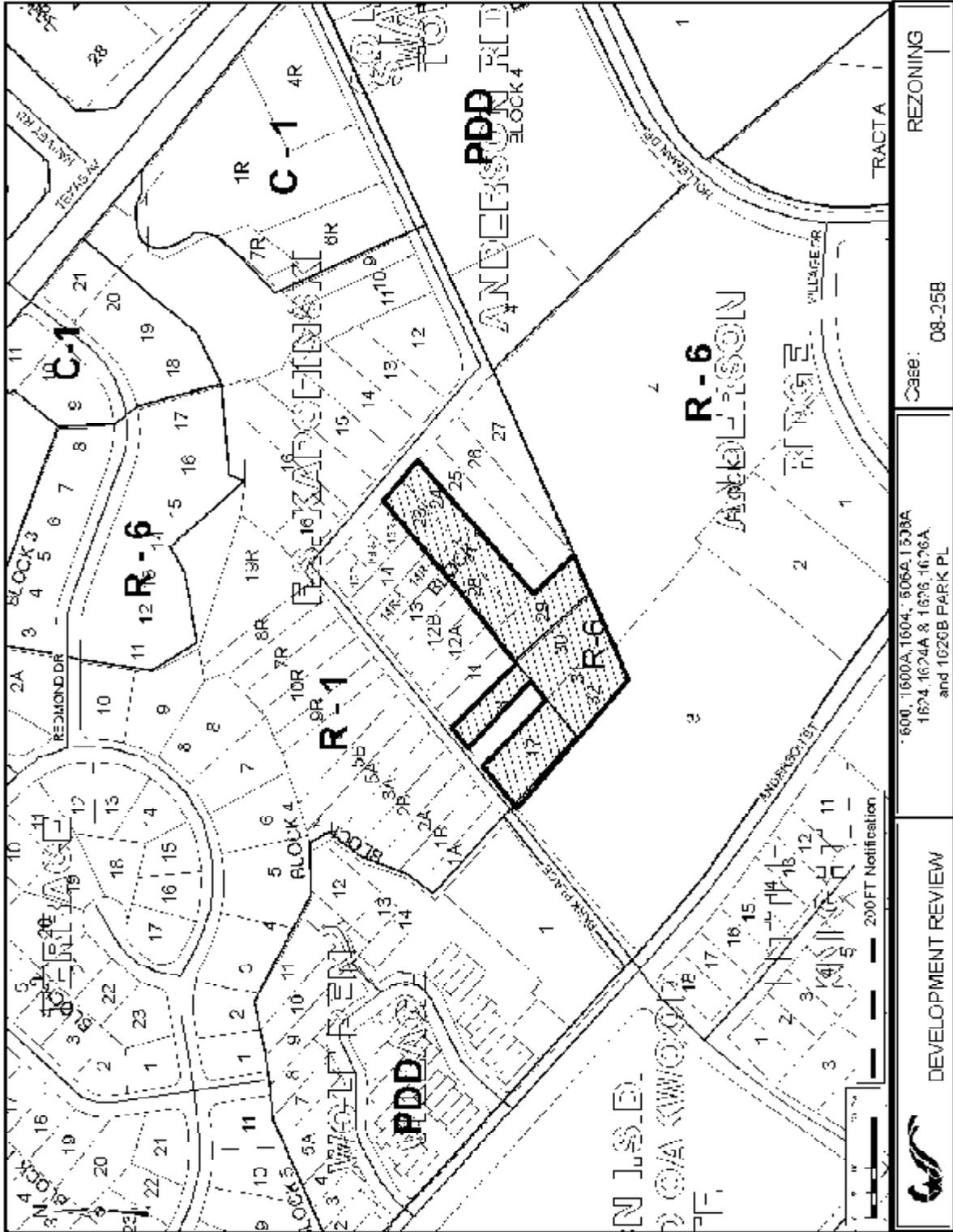
**Zoning:** R-1, Single-Family Residential to R-3, Apartment Building District (renamed to R-6, High-Density Multi-Family)

**Final Plat:** F.S. Kapchinski Subdivision 1959

**Site development:** Lots 17, 29, 30 are vacant and undeveloped. Lots 31 and 32 have structures that are currently vacant. Lots 23, 24, 28 are currently developed with single-family residences. Half of Lot 18 is currently developed as a single-family residence.



	DEVELOPMENT REVIEW	Case: 06-258 REZONING
	1600, 1600A, 1604, 1606A, 1608A 1624, 1624A & 1626, 1626A, and 1626B PARK PL	



	DEVELOPMENT REVIEW	REZONING
Case: 08-25B	600, 1600A, 1604, 606A, 1538A 1624, 1624A & 1626, 1626A and 1626B PARK PL	

Dear city council , and planning and zoning committee. My name is Luis Rodriguez and I am owner of 1613 Park Place formally 1615 park place it had an address change with all the development that has gone on over there. Please do not allow this development to occur if it does it could flood us. I know that that area flooded in the 1980's and so did the Meridian Apartments at that time. There is already too much traffic on that street, it is too narrow. Is the developer willing to pay for widening the street or willing to give the city some of his frontage to widen the street. The planner I spoke with said he was trying to acquire more property for instance lot 17 and make a road through that . The problem with that would be the traffic, and drainage could he guarantee that it would not flood or would we have another Main Street Homes issue like on Koppee Bridge Road? I know that you guys and gals care about what the property owners think . I do too that is why I talked to some of the neighbors yesterday and asked them what they thought. Please consider making the street only one side parking like you did to one of the streets on Horse Haven by Academy. Please object the zoning request. I can not attend the planning and zoning meeting that is why I am writing this letter but I will be at the city council meeting. Thanks in advance the Rodriguez family.

*Luis Rodriguez N E family*

**WOLF PEN CREEK HOMEOWNERS ASSOCIATION**

1516 Wolf Run, College Station, TX 77840

16 February 2009

Matt Robinson, Project Manager  
Planning & Development Services Department  
City of College Station  
1101 Texas Avenue  
College Station, TX 77840

**Case Number 08-258 Rezoning of land off Park Place**

The Association was grateful for the courtesy notification about this proposed rezoning. The matter was fully explored at a meeting of the Board of Directors on Thursday 12 February 2009, and I have been instructed to make the following observations on behalf of the Board. Please include them in the package to be considered by P+Z.

**1 While the Association is not directly impacted by the proposed re-zoning, and recognizes the advantages of urban density, the additional development along that section of Park Place does seem excessively dense.**

**2 Whether the proposed re-zoning is improved or not, the routine habit of parking along both sides of Park Place creates a situation that is difficult for ordinary traffic, and must be impossible for emergency vehicles, creating a hazardous situation.**

**3 Any proposed site plan for the development should provide for off-street visitor parking as well as for adequate resident parking.**

**4 The additional housing that would follow a rezoning will add to the traffic volume and has the potential to create a traffic hazard at the intersection of Anderson Street and Park Place, and at the two right-angle bends on Park Place itself.**

Thank you again for the opportunity to comment on this case.



David G. Woodcock  
President

02/16/09



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**Thursday, February 19, 2009,**  
**at 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

---

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

**COMMISSIONERS ABSENT:** Winnie Garner

**CITY COUNCIL MEMBERS PRESENT:** Lynn McElhaneey

**CITY STAFF PRESENT:** Senior Planner Lindsay Kramer, Staff Planner Jason Schubert, Matt Robinson and Lauren Hovde, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Director of Parks and Recreation Marco Cisneros, Director Bob Cowell, Assistant Director Lance Simms, First Assistant City Attorney Carla Robinson, Action Center Representative Carrie McHugh and Staff Assistant Brittany Caldwell

1. Call Meeting to Order.

Chairman John Nichols called the meeting to order at 7:15 p.m.

**Regular Agenda**

2. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

3. Public hearing, presentation, possible action, and discussion regarding a Rezoning from R-1, Single-Family Residential and R-6, High Density Multi-Family to PDD, Planned Development District for 3.198 acres located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B Park Place and more generally located east of Scandia Apartments. **Case #08-00500258 (MR)**

Matt Robinson, Staff Planner, presented the Rezoning and recommended approval with the condition that a sidewalk and pedestrian access easement be provided at the back of the cul-de-sac as described in the staff report.

Chairman Nichols suggested building the sidewalk to connect the other sidewalk behind the cul-de-sac.

Commissioner Greer expressed concern regarding parking on Park Place and the proposed cul-de-sac.

Commissioner Woodfin asked where the water would flow.

Josh Norton, Assistant City Engineer, stated that water would be going to the high point of the property.

The Commissioners expressed concern about the traffic that the development would generate on Park Place.

Joe Guerra, Transportation Planner, stated that the development would generate approximately 61 trips per day. He said that he made these calculations by using the Institute of Transportation Engineers Trip Generation Report.

There was general discussion regarding the Rezoning.

Chairman Nichols opened the public hearing.

Rabon Metcalf, RME Consulting, stated that there are parking issues because Park Place does not meet the standards that are required today. He said that there will be a minimum of four parking spaces provided per dwelling unit. He also said that the developer would alleviate any drainage problems because they would be over-detaining.

Reverend Thompson, 1628 Park Place, College Station, Texas; Cedrick Johnson, 1629 Park Place, College Station; Pamela Chmelar, 1602 Park Place, College Station, Texas. Some of the concerns of the citizens were traffic, parking issues, and drainage.

Vernon Thompson stated that he was in support of the project.

Glen Hudson, 2020 Oakwood Trail, stated the he owns rental property on Park Place and was in support of the project.

Chairman Nichols closed the public hearing.

Commissioner Woodfin asked what the fire hydrant requirements were. He also suggested that the sidewalk go on the north side of the property rather than the south side.

Mr. Norton stated that a new hydrant would be installed.

**Commissioner Stearns motioned to recommend approval of the Rezoning as presented with the condition that the 5-foot sidewalk be constructed on the north side of the proposed street and extend to the back of the cul-de-sac. A 10-foot pedestrian access easement be dedicated that runs east from the end of the cul-de-sac to Park Place through the existing sidewalk and drive aisle. A 5-foot wide**

**sidewalk and/or concrete area be installed and maintained through the length of the easement. Commissioner Woodfin seconded the motion, motion passed (6-0).**

**Commissioner Slack motioned to recommend that a study be done regarding parking issues on Park Place. Commissioner Greer seconded the motion, motion passed (6-0).**

4. Adjourn.

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

**Meeting adjourned at 9:15 p.m.**

**Approved:**

---

John Nichols, Chairman  
Planning and Zoning Commission

**Attest:**

---

Brittany Caldwell, Staff Assistant  
Planning and Development Services

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", 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 12th day of March, 2009

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 R-6, High Density Multi-family to PDD, Planned Development District:

3.198 Acre Tract  
J.E. Scott Survey, A-50  
Crawford Burnett League, A-7  
College Station, Brazos County, Texas

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE J.E. SCOTT SURVEY, ABSTRACT NO. 50 AND THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO.7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF LOT 17, THE NORTHEAST ½ OF LOT 18, LOTS 23 &24 AND LOTS 28, 29, 30, 31 & 32, BLOCK 1, F.S. KAPCHINSKI SUBDIVISION, ACCORD TO THE PLAT RECORDED IN THE VOLUME Y, PAGE 618-A OF THE MECHANIC'S LIEN RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "B" SHOWN GRAPHICALLY IN EXHIBIT "C" AND WITH A CONCEPT PLAN AS DESCRIBED AND SHOWN GRAPHICALLY IN EXHIBIT "D".

**EXHIBIT "B"**

**METES AND BOUNDS DESCRIPTION  
OF A  
3.198 ACRE TRACT  
J. E. SCOTT SURVEY, A-50  
CRAWFORD BURNETT LEAGUE, A-7  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE J. E. SCOTT SURVEY, ABSTRACT NO. 50 AND THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF LOT 17, THE NORTHEAST ¼ OF LOT 18, LOTS 23 & 24 AND LOTS 28, 29, 30, 31 & 32, BLOCK 1, F. S. KAPCHINSKI SUBDIVISION, ACCORD TO THE PLAT RECORDED IN VOLUME Y, PAGE 618-A OF THE MECHANIC'S LIEN 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 MARKING THE SOUTH CORNER OF SAID LOT 32. FOR REFERENCE, THE CITY OF COLLEGE STATION GPS MONUMENT NO. 220 BEARS: S 00° 17' 05" E FOR A DISTANCE OF 3760.61 FEET;

**THENCE: N 47° 25' 50" W ALONG THE COMMON LINE OF SAID LOT 32 AND A CALLED 6.95 ACRE TRACT OF LAND DESCRIBED BY A DEED TO SCANDIA APARTMENTS, INC., RECORDED IN VOLUME 2469, PAGE 45 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS FOR A DISTANCE OF 179.65 FEET TO A ½ INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID LOT 32 AND THE SOUTH CORNER OF SAID LOT 17;**

**THENCE: N 47° 24' 51" W ALONG THE COMMON LINE OF SAID LOT 17 AND SAID 6.95 ACRE TRACT FOR A DISTANCE OF 208.10 FEET TO AN "X" FOUND IN APRON OF CURB ON THE SOUTHEAST LINE OF PARK PLACE (30' R.O.W.) MARKING THE WEST CORNER OF SAID LOT 17;**

**THENCE: N 51° 17' 02" E ALONG THE SOUTHEAST LINE OF PARK PLACE FOR A DISTANCE OF 112.82 FEET TO A NAIL FOUND IN CONCRETE MARKING THE NORTH CORNER OF SAID LOT 17 AND THE WEST CORNER OF SAID LOT 18;**

**THENCE: S 47° 29' 03" E ALONG THE COMMON LINE OF SAID LOTS FOR A DISTANCE OF 208.26 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID LOT 17 AND THE SOUTH CORNER OF SAID LOT 18;**

**THENCE: N 51° 16' 51" E ALONG THE SOUTHEAST LINE OF SAID LOT 18 FOR A DISTANCE OF 52.33 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED BY A DEED TO THOMAS G. SITTON, RECORDED IN VOLUME 5186, PAGE 64 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;**

**THENCE: N 47° 34' 10" W THROUGH SAID LOT 18 AND ALONG THE SOUTHWEST LINE OF SAID SITTON TRACT FOR A DISTANCE OF 208.44 FEET TO A LEAD PLUG FOUND ON THE SOUTHEAST LINE OF PARK PLACE;**

**THENCE: N 51° 18' 53" E ALONG THE SOUTHEAST LINE OF PARK PLACE FOR A DISTANCE OF 52.10 FEET TO A HOLE ON TOP OF CURB FOUND MARKING THE NORTH CORNER OF SAID LOT 18;**

**THENCE: S 47° 31' 38" E ALONG THE NORTHEAST LINE OF SAID LOT 18 FOR A DISTANCE OF 208.33 FEET TO A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF SAID LOT 29 MARKING THE EAST CORNER OF SAID LOT 18;**

**THENCE: N 51° 13' 50" E ALONG THE NORTHWEST LINE OF SAID LOT 29 FOR A DISTANCE OF 87.28**

FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID LOT 29 AND THE WEST CORNER OF SAID LOT 28;

**THENCE:** ALONG THE NORTHWEST LINE OF SAID LOT 28 FOR THE FOLLOWING CALLS:

N 51° 14' 56" E FOR A DISTANCE OF 121.21 FEET TO A 5/8 INCH IRON ROD FOUND;

N 51° 10' 19" E FOR A DISTANCE OF 52.54 FEET TO A 1/2 INCH IRON ROD FOUND;

N 51° 42' 31" E FOR A DISTANCE OF 17.17 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID LOT 28 AND SAID LOT 23;

**THENCE:** ALONG THE NORTHWEST LINE OF SAID LOT 23 FOR THE FOLLOWING CALLS:

N 51° 34' 27" E FOR A DISTANCE OF 34.40 FEET TO A 5/8 INCH IRON ROD FOUND;

N 51° 34' 51" E FOR A DISTANCE OF 52.35 FEET TO A 1 INCH AXLE FOUND;

N 50° 56' 42" E FOR A DISTANCE OF 104.30 FEET TO A COTTON SPINDLE FOUND IN ASPHALT ON THE SOUTHWEST LINE OF PARK PLACE (32' R.O.W.) MARKING THE NORTH CORNER OF SAID LOT 23;

**THENCE:** S 47° 33' 38" E ALONG THE COMMON LINE OF SAID LOTS 23, 24 AND PARK PLACE FOR A DISTANCE OF 110.21 FEET TO A LEAD PLUG AND TACK FOUND MARKING THE EAST CORNER OF SAID LOT 24;

**THENCE:** S 50° 09' 21" W ALONG THE SOUTHEAST LINE OF SAID LOT 24 FOR A DISTANCE OF 394.31 FEET TO A 5/8 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF SAID LOT 29 MARKING THE SOUTH CORNER OF SAID LOT 24;

**THENCE:** S 40° 58' 14" E ALONG THE NORTHEAST LINE OF LOT 29 FOR A DISTANCE OF 128.99 FEET TO A 5/8 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF LOT 4, BLOCK 1, ANDERSON RIDGE SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOLUME 392, PAGE 789 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID IRON ROD FOUND MARKING THE EAST CORNER OF SAID LOT 29;

**THENCE:** S 65° 01' 38" W ALONG THE COMMON LINE OF SAID LOT 29 AND SAID LOT 4 FOR A DISTANCE OF 85.42 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID LOT 29 AND THE EAST CORNER OF SAID LOT 30;

**THENCE:** S 65° 01' 23" W ALONG THE COMMON LINE OF SAID LOTS 30, 31 AND SAID LOT 4 FOR A DISTANCE OF 131.38 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID LOT 4;

**THENCE:** S 63° 15' 27" W ALONG THE SOUTHEAST LINE OF SAID LOTS 31 AND 32 FOR A DISTANCE OF 78.28 FEET TO THE POINT OF BEGINNING CONTAINING 3.198 ACRES OF LAND. SEE PLAT PREPARED OCTOBER, 2008, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION (NAD-83).

BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

C:\WORK\08-676.MAB

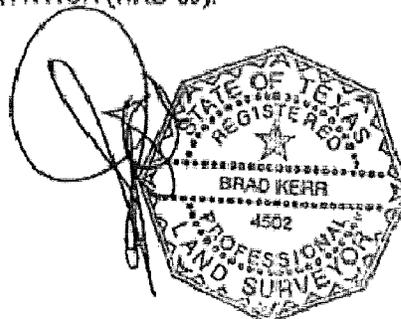
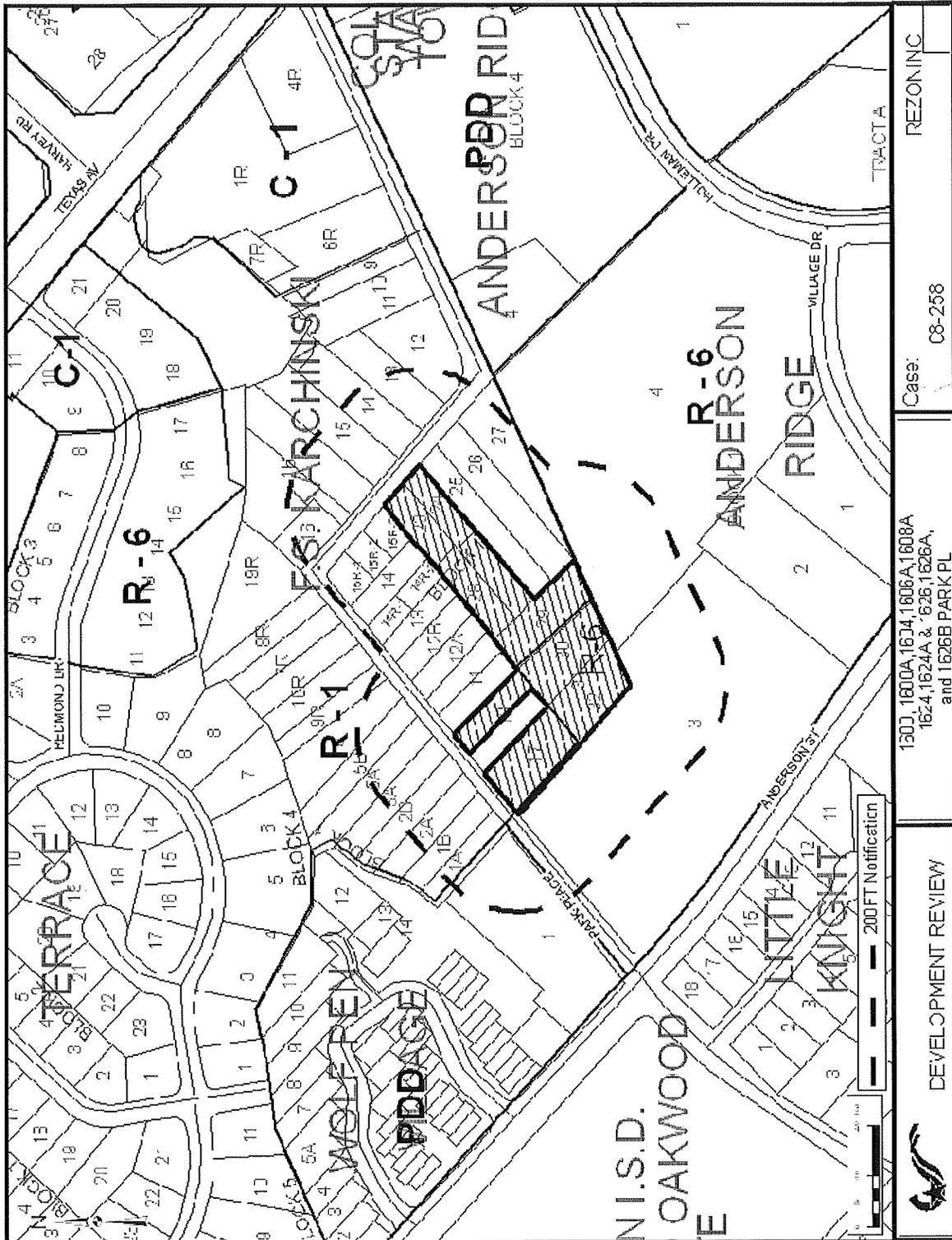


EXHIBIT "C"



REZONING

Case: C8-258

1303, 1600A, 1634, 1606A, 1608A, 1624, 1624A & 1626, 1626A, and 1626B PARK PL

DEVELOPMENT REVIEW



EXHIBIT "D"

NOTE: The R-1 Zoning District Regulations shall be applicable except as specifically modified in the attached.

- Purpose Statement: The purpose of the proposed development is to:
- a) To complete the development of a residential area close in proximity to the Texas A&M University Campus.
  - b) To consolidate land-locked property and replat so that public access is provided.
  - c) To conform with existing neighborhood appearance, style, and use.

**Approved Meritorious Modifications to Subdivision and/or Site Development Standards:**

For lots 17R1, 17R2, 18R1, 29R1, and 29R2

Minimum lot area variance from required 8,500 square foot minimum, per Unified Development Ordinance (UDO) Section 8.2.A.11.b, Platting and Replatting within Older Residential Subdivisions, to allow for a minimum 5,100 square foot lot area.

For lots 28R, 28R1, and 29R2:

Minimum lot width variance from the required calculated average lot width of 57 feet, per UDO Section 8.2.A.11.b, Platting and Replatting within Older Residential Subdivisions, to allow for a minimum 43 foot lot width.

For lots 30R1, 30R2, 31R and 32R:

Minimum lot width variance from the required lot width of 50 feet, per UDO Section 5.2, Residential Dimensional Standards, to allow for a minimum 47 foot lot width.



**March 12, 2009**  
**Regular Agenda Item No. 4**  
**Gulf Coast Strategic Highway Coalition Membership**

**To:** Glenn Brown, City Manager

**From:** David Neeley, Assistant City Manager

**Agenda Caption:** Presentation, possible action, and discussion regarding membership in the Gulf Coast Highway Coalition.

**Recommendation(s):** Council Transportation Committee during its January meeting recommended membership and instructed staff to bring the item back to Council for consideration.

**Summary:** The Gulf Coast Strategic Highway Coalition began as a Texas/Louisiana group to support a project linking England Air Park to Fort Polk to Fort Hood to Fort Bliss – and connecting them to their deployment ports at Corpus Christi and Beaumont. Opportunity now exists for this proposal to be part of a new East-West interstate highway corridor. US Senators Kay Bailey Hutchison, John Cornyn, David Vitter and Mary Landrieu have introduced federal legislation to designate Strategic I-14 as a federal high priority corridor and a future part of the Interstate System. The planned route will provide the nation a new route unlikely to be interrupted by Gulf Storms as has Interstate 10 over the past several storm seasons.

The Texas Transportation Commission has concluded a feasibility study for the east-west corridor stretching from El Paso through Central Texas to a Sabine River crossing just south of Toledo Bend Reservoir, and for connectors to Texas Ports. Public meeting with elected officials and community leaders along the proposed route have begun. The current route alignment calls for the Highway to follow existing roadway between Hearne to just north of College Station on to Madisonville. TxDot has begun work on design for a Sabine River bridge near Burr Ferry where the Gulf Coast route would cross. Design work is also being done on a new Neches River bridge on US 190 west of the City of Jasper.

Judge Thompson, County Judge, Polk County and Gary Bushell made a presentation to the Council Transportation Committee on January 13, 2009. Judge Thompson representative of the GCSHC requested College Station's membership so that College Station can have a place at the table during upcoming route and alignment debates. The Cities of Bryan, Huntsville, Jasper, Corpus Christi, along with the Counties of Tyler, Polk, Walker and San Patricio, the Killeen Economic Development Corporation, the Coastal Bend Council of Governments and the Port of Corpus Christi are all members of the Coalition.

Being a member would give College Station a place at the table to ensure a route benefiting College Station and the Brazos Valley.

**Budget & Financial Summary:** \$10,000 annually

2008-2009 Funding source - General Fund Contingency (membership was not anticipated or budgeted this year).

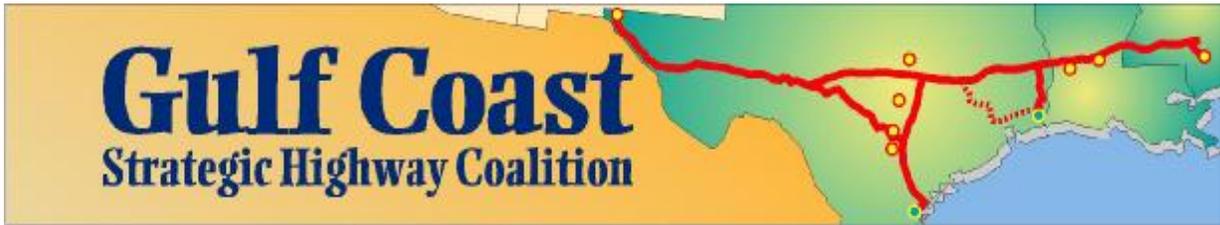
Annual membership in the future will be budgeted if Council decides to become member.

**Attachments:**

**Letter – John P. Thompson – County Judge, Polk County**

**GCSHC Membership Invoice**

**GCSHC Project Update – January 2009**



Polk County Courthouse • 101 West Church St., Ste. 300 • Livingston, Texas 77351  
(936) 327-6813 • Fax (936) 327-6891 • [www.gulfcoaststrategichighway.org](http://www.gulfcoaststrategichighway.org)

February 20, 2009

David Neeley  
Assistant City Manager  
P.O. Box 9960  
1101 Texas Avenue  
College Station, Texas 77840

Dear David,

Our effort to link our military forts to one another and to their strategic deployment ports continues to make progress.

This past year TxDOT concluded a contract with Wilbur Smith Associates for a 2.5 million dollar feasibility study, which began this past summer. They have begun to hold meetings with local elected officials and community leaders along the proposed route. They joined us in a five-state meeting in Baton Rouge on December 1, which included the Executive Director of TxDOT, the Secretary of Transportation for the state of Louisiana, the Executive Director of the Mississippi Department of Transportation, Deputy Executive Director of Alabama and representatives of the Georgia DOT by phone.

Our project was presented to the TxDOT 2030 Committee stressing the importance of movement of equipment to the strategic ports of Corpus Christi and Beaumont. The TxDOT 2030 Committee is assessing the transportation needs of Texas.

We have requested that the Freight Shuttles Partners, LLC consider our routes for inclusion in their routes for the Universal Freight Shuttle. We are asking our members to pass resolutions of support, which they can submit, to TxDOT with their response to TxDOT's request for information about environmentally friendly ways to move freight in Texas.

Thank you for time on the March 12 City Council agenda. Enclosed is a statement for the 2009 dues to our coalition, should the Council decide to join our effort.

Sincerely,

John P. Thompson  
Chairman  
County Judge, Polk County

# Deep East Texas Council of Governments

# INVOICE

210 Premier Drive  
Jasper, Texas 75951  
Phone 409-384-5704  
Fax 409-384-5390

INVOICE: City of College  
Station  
DATE: February 20, 2009

**Bill To:**

City of College Station  
David Neeley, Assistant City Manager  
P.O. Box 9960  
College Station, TX 77840

**For:**

**Gulf Coast Strategic Highway Coalition Dues**

DESCRIPTION	AMOUNT
Gulf Coast Strategic Highway Coalition Dues for 2009	\$10,000.00
<b>TOTAL</b>	<b>\$10,000.00</b>

Make all checks payable to Deep East Texas Council of Governments  
Mail payment to: Deep East Texas Council of Governments, 210 Premier Drive, Jasper, Texas 75951

**THANK YOU!**



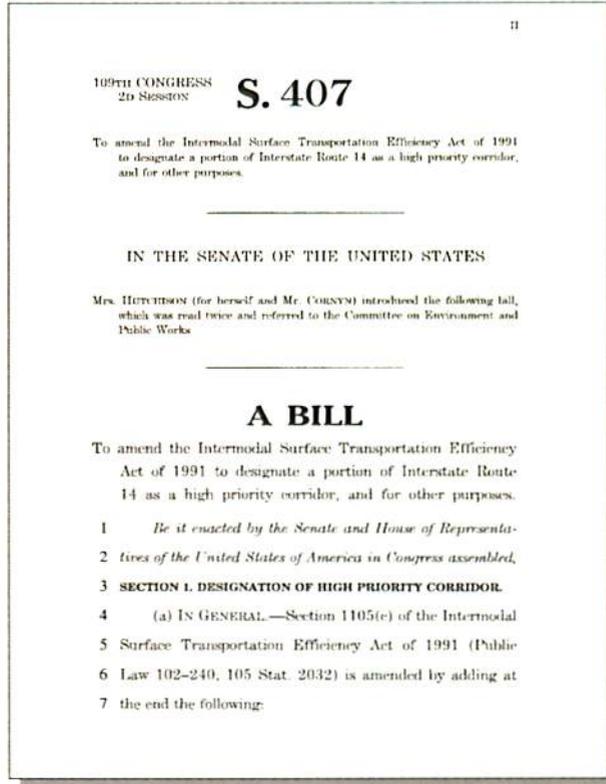
- The Gulf Coast Strategic Highway Coalition began as a Texas/Louisiana group to support a project linking England Air Park to Fort Polk to Fort Hood to Fort Bliss – and connecting them to their deployment ports at Corpus Christi and Beaumont.
- We now see the opportunity for this proposal to be part of a new East-West interstate highway corridor.
- Georgia interests have pursued a new Interstate 14 east/west highway from Augusta to Natchez, Mississippi. When combined these two projects would provide a corridor from the transportation hub in El Paso to the Atlantic Coast.

[www.gulfcoaststrategichighway.org](http://www.gulfcoaststrategichighway.org)

# Priority Corridor Legislation Introduced



U.S. Senators Kay Bailey Hutchison, John Cornyn, David Vitter and Mary Landrieu have introduced legislation to designate Strategic I-14 as a federal high priority corridor.



- U.S. Senators Kay Bailey Hutchison, John Cornyn, David Vitter and Mary Landrieu have introduced legislation to designate Strategic I-14 as a federal high priority corridor and a future part of the Interstate Highway System.
- This is the same congressional designation given to I-69 in 1991
- (A portion of this route in Georgia and Alabama has already been designated as part of Priority Corridor #6. Another portion in Louisiana is Priority Corridor #75.)

## Strategic I-14 With Ports & Forts Connectors



- The full reach of this project will provide the nation a new East-West transportation corridor serving domestic commerce, interregional mobility, international trade and military deployments.
- It will provide interconnection between most of the nation’s deployable U.S. Army forces and their strategic deployment ports.
- The Gulf Coast Strategic Highway System is envisioned to have a dedicated freight element along portions of the route with initial system development contemplated in Texas.
- (Gen. Barry McCaffrey, USA (Ret.), has been briefed on this overall transportation proposal and has offered to be it’s advocate with the Department of Defense.)

# A Route Away From Threat of Hurricanes



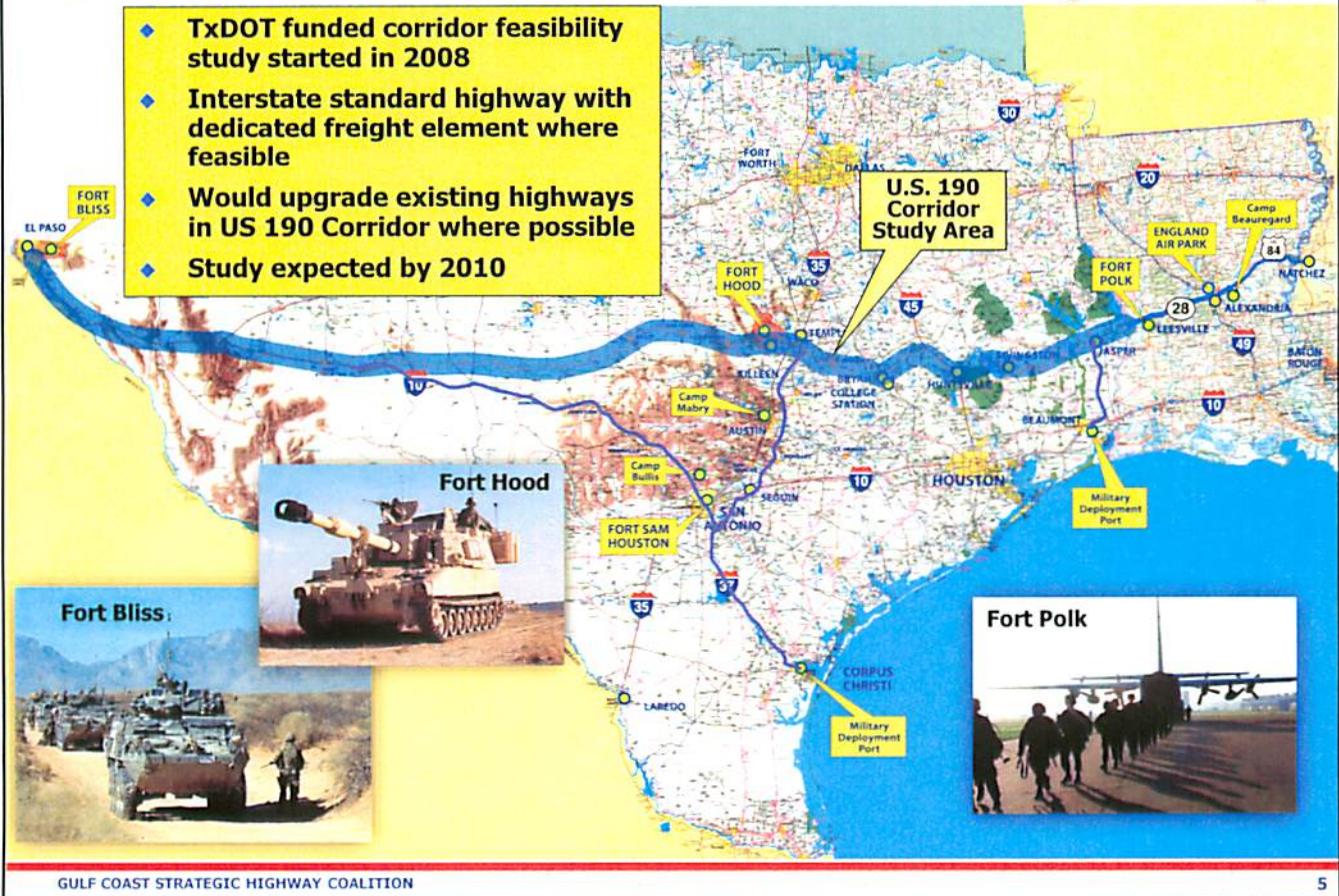
GULF COAST STRATEGIC HIGHWAY COALITION

4

- The planned route will provide the nation a new East-West route unlikely to be interrupted by Gulf storms.
- Interstate 10 and other major routes were closed by severe hurricane damage during the 2004 and 2005 storm seasons.

# Texas U.S. 190 Corridor Feasibility Study

- ◆ TxDOT funded corridor feasibility study started in 2008
- ◆ Interstate standard highway with dedicated freight element where feasible
- ◆ Would upgrade existing highways in US 190 Corridor where possible
- ◆ Study expected by 2010

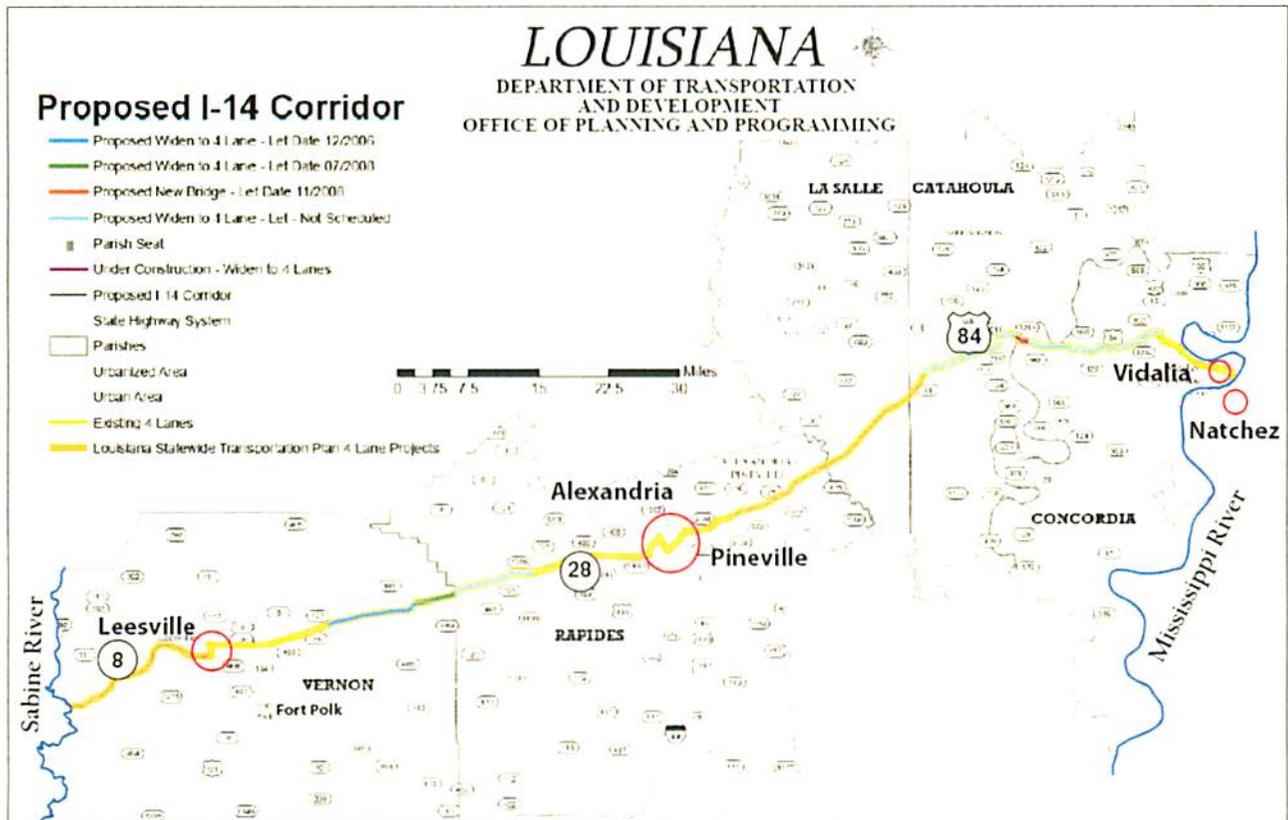


GULF COAST STRATEGIC HIGHWAY COALITION

5

- The Texas Transportation Commission has awarded a contract for a feasibility study for the east-west corridor stretching from El Paso through Central Texas to a Sabine River crossing just south of Toledo Bend Reservoir, and for connectors to Texas ports.
- The study is underway and consultants are looking at an interstate standard highway with a dedicated freight element.
- The route would follow upgradable existing highways everywhere possible to limit the requirement for new right of way and to maximize benefits to local communities.
- The Texas improvements would link to improvements already being made by the State of Louisiana.

# Proposed I-14 Corridor in Louisiana

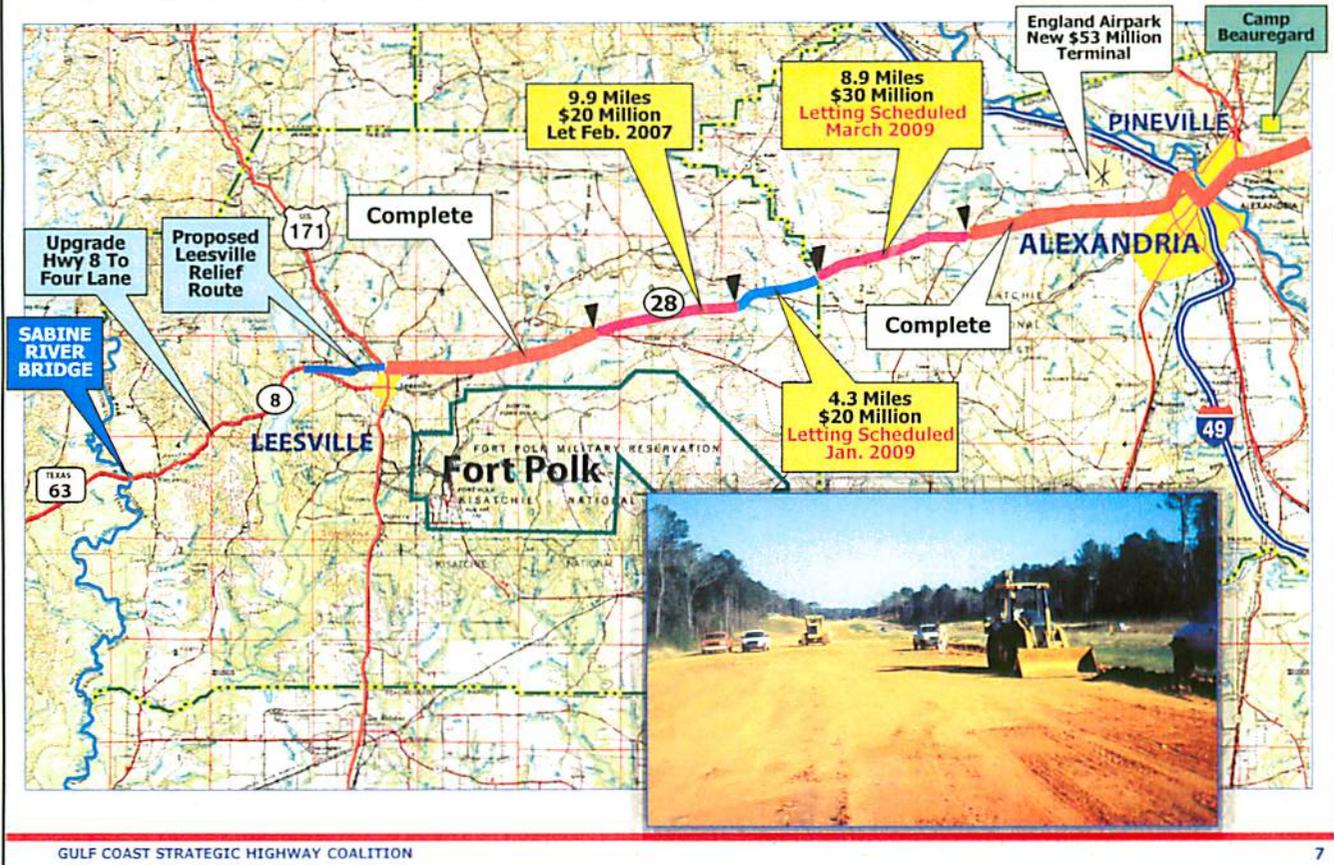


GULF COAST STRATEGIC HIGHWAY COALITION

6

- Louisiana has included the Proposed Interstate 14 Corridor in its planning documents and anticipates the route will follow Highways 8, 28 and US 84 starting at the Sabine River and passing through Leesville, Alexandria, Pineville, and Vidalia before crossing the Mississippi River at the Vidalia-Natchez Bridge.

# Highway 28 Upgrade Advancing



- Louisiana Highway 28 is rapidly being converted to a four-lane divided roadway from Leesville to Alexandria --- a total of 52 miles. This portion of the route is federal Priority Corridor #75.
- The State of Louisiana has committed the funding necessary to complete these improvements. The final two sections of LA 28 will be under contract in early 2009 with the entire length scheduled for completion to four-lane divided by 2013.

## Progress on Sabine & Neches & Bridges



US 190 Neches Bridge

Sabine Bridge on LA 8/TX 63

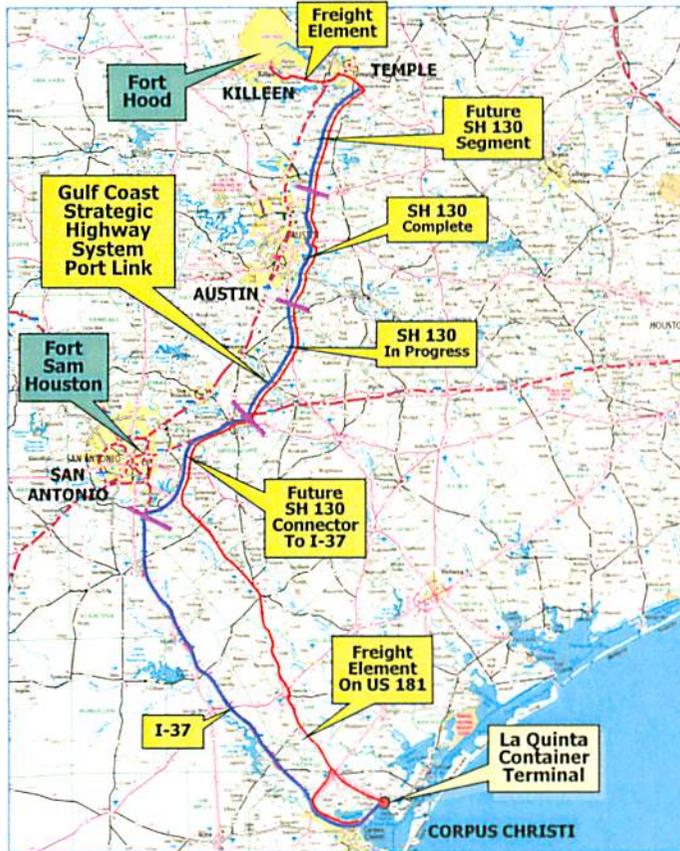
- ◆ **TxDOT working on design for new Sabine River bridge near Burr Ferry**
- ◆ **Design work started on U.S. 190 bridge over Neches River west of Jasper**
- ◆ **Design and environmental clearance expected to take two years**
- ◆ **Construction could start in three years**

GULF COAST STRATEGIC HIGHWAY COALITION

8

- TxDOT has begun work on design for a Sabine River bridge near Burr Ferry where the Gulf Coast route would cross.
- Design work is also being done on a new Neches River bridge on US 190 west of the City of Jasper.
- Design and environmental studies will take about two years.
- Bridge construction could start in about three years.

## San Antonio & Killeen Support Port Link



- ◆ San Antonio Chamber has endorsed North-South strategic route proposal
- ◆ Killeen, a coalition member, supports freight connector to the Port of Corpus Christi
- ◆ Corpus Christi Mayor and Chamber back the Fort Hood to Port linkage
- ◆ Port of CC has made major investments to support US Army deployments

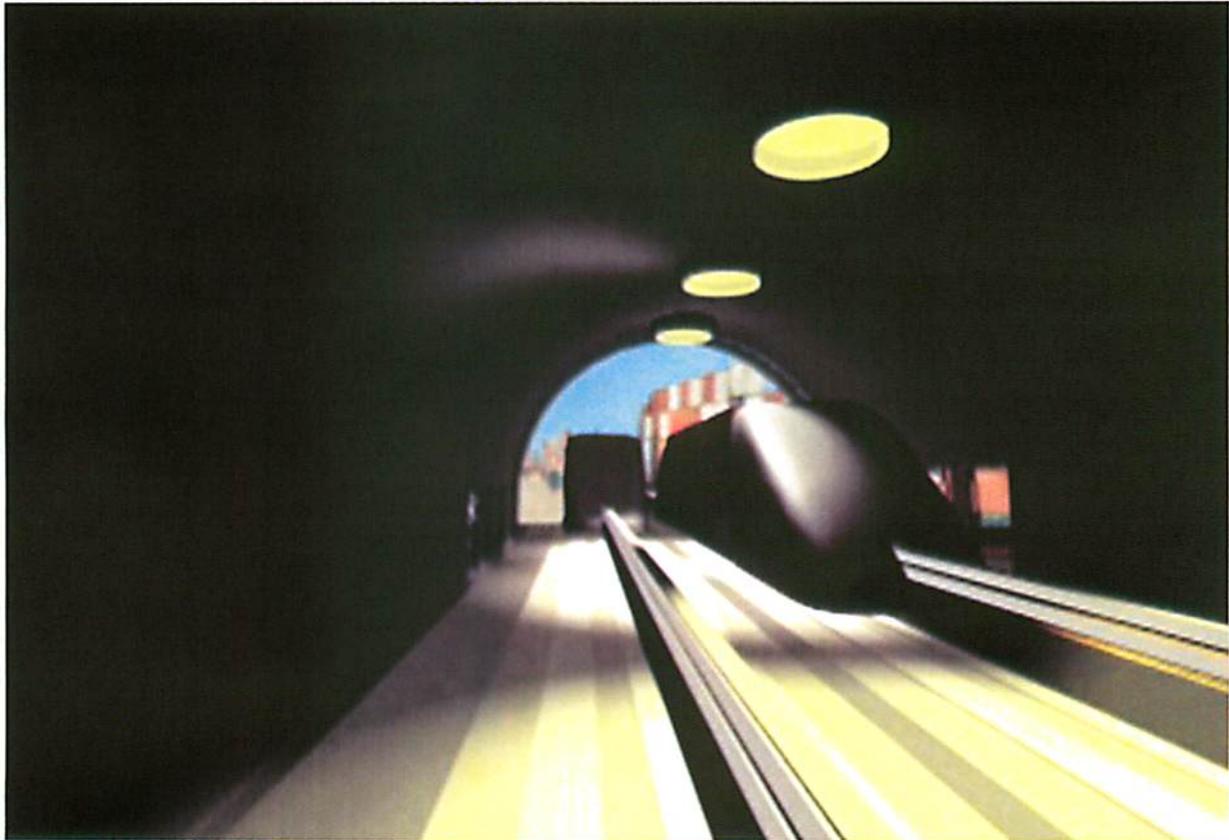


GULF COAST STRATEGIC HIGHWAY COALITION

9

- A great deal of the linkage between the Port of Corpus Christi and Fort Hood has been completed or is under construction (Interstate 37 and SH 130).
- Planning needs to continue for linking I-37 to SH 130 around the southeast side of San Antonio.
- SH 130 needs to be extended from Georgetown to US 190 at Belton. The portion from Belton to Killeen is now at interstate highway standard and addition of a dedicated freight element is proposed.
- The dedicated freight element in South Texas would follow US 181 through Wilson, Karnes, Bee and San Patricio counties to link to port facilities on both sides of Corpus Christi Bay.

## Universal Freight Shuttle

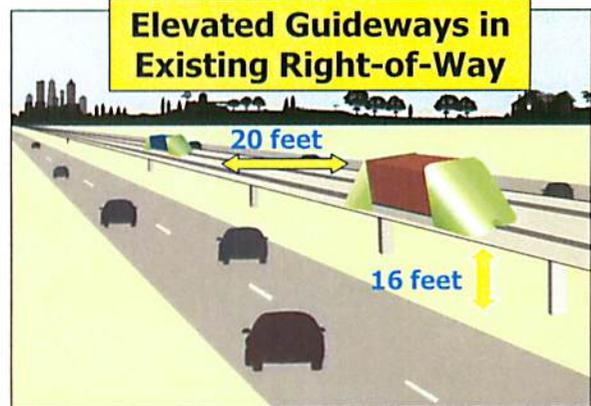
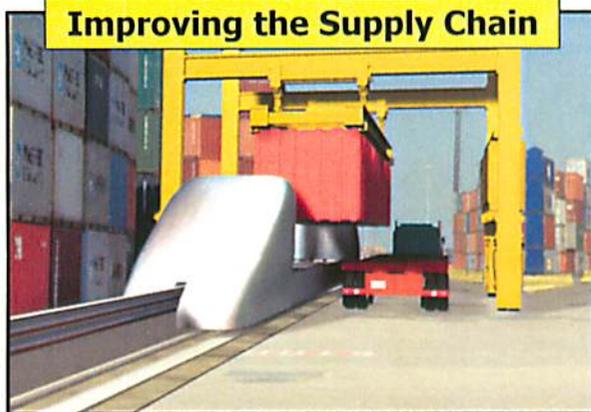


GULF COAST STRATEGIC HIGHWAY COALITION

10

The Gulf Coast Strategic Highway Coalition believes a new technology – the Universal Freight Shuttle – shows great promise for providing a dedicated freight component to the GCSH routes. The freight shuttle is being developed by the Texas Transportation Institute (TTI) at College Station. The Freight Shuttle Development Corp. has selected a site at the Port of Corpus Christi to build a full-size prototype guideway for testing and proving.

## ZAI's Proposed Freight Shuttle System

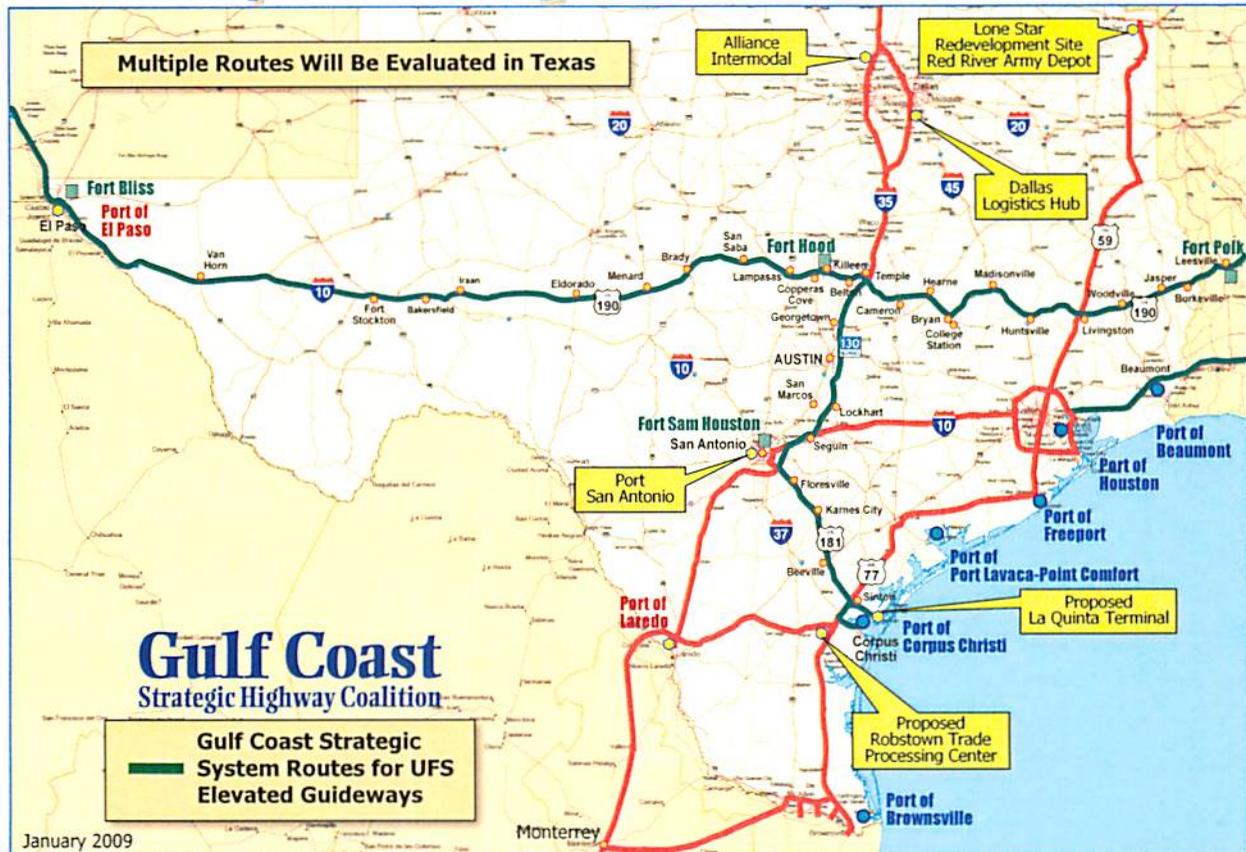


GULF COAST STRATEGIC HIGHWAY COALITION

11

- Fully automated freight transportation system.
- Design operating speed is 62 mph (100 km/hr).
- The system is designed to carry loads equal to current highway load limits.
- All electric with a full load power cost of less than 10 cents per mile.
- Design capacity will be approximately 20,000 units per day to and from a network terminal location.
- Can handle standard sea containers or trailers.
- Elevated guideways can be located over existing highway right-of-way.

# Conceptual Freight Shuttle Network



- A number of conceptual routes are being assessed and could be built as part of a network of Universal Freight Shuttle routes in Texas and beyond.
- The Coalition supports an east-west route following US 190 and a connection to the Port of Beaumont.
- The Freight Shuttle Network proposed by ZAI would provide dedicated freight linkage between the Port of Corpus Christi and San Antonio.
- A Freight Shuttle Network extension between San Antonio and Killeen would provide dedicated freight service between Fort Hood and the Port of Corpus Christi, one of its strategic deployment ports.

## State DOTs Share Strategic I-14 Plans



Meeting at  
LDOTD in  
Baton Rouge



(l-r) Larry Brown, Mississippi DOT;  
William Ankner, Louisiana DOT; Amadeo  
Saenz, TxDOT; Don Arkle, Alabama DOT

- ◆ **Texas, Louisiana, Mississippi, Alabama and Georgia DOT executives shared plans at Dec. 2008 meeting**
- ◆ **With the routes in Texas and Louisiana already decided, participants agreed to work together to settle on a well connected route through Mississippi, Alabama & Georgia following existing highways**
- ◆ **Formation of a coalition involving grassroots supporters in all five states was proposed**

GULF COAST STRATEGIC HIGHWAY COALITION

13

- Top level representatives of all five state Departments of Transportation participated in a planning session in Baton Rouge on December 1<sup>st</sup>.
- They shared updates on projects they have underway along the corridor.
- With the route in Texas and Louisiana long decided, the transportation leaders agreed to work together to settle on a well connected route through Mississippi, Alabama and Georgia. It is likely to follow existing highways including US 84, I-59, US 80 and Georgia state highways.
- Participants concluded that it would be very valuable if a coalition is established including grassroots supporters in all five states.

# I-14/Gulf Coast Strategic Highway System



- ◆ **Connects U.S. Army posts to Strategic Military Ports**
- ◆ **Provides relief routes for Interstate traffic at points outside of air quality non-attainment areas**
- ◆ **Provides opportunities for economic development in areas where growth has failed to occur**



For Further Information Contact Gary Bushell  
(512) 478-6661, email: gebushell@aol.com

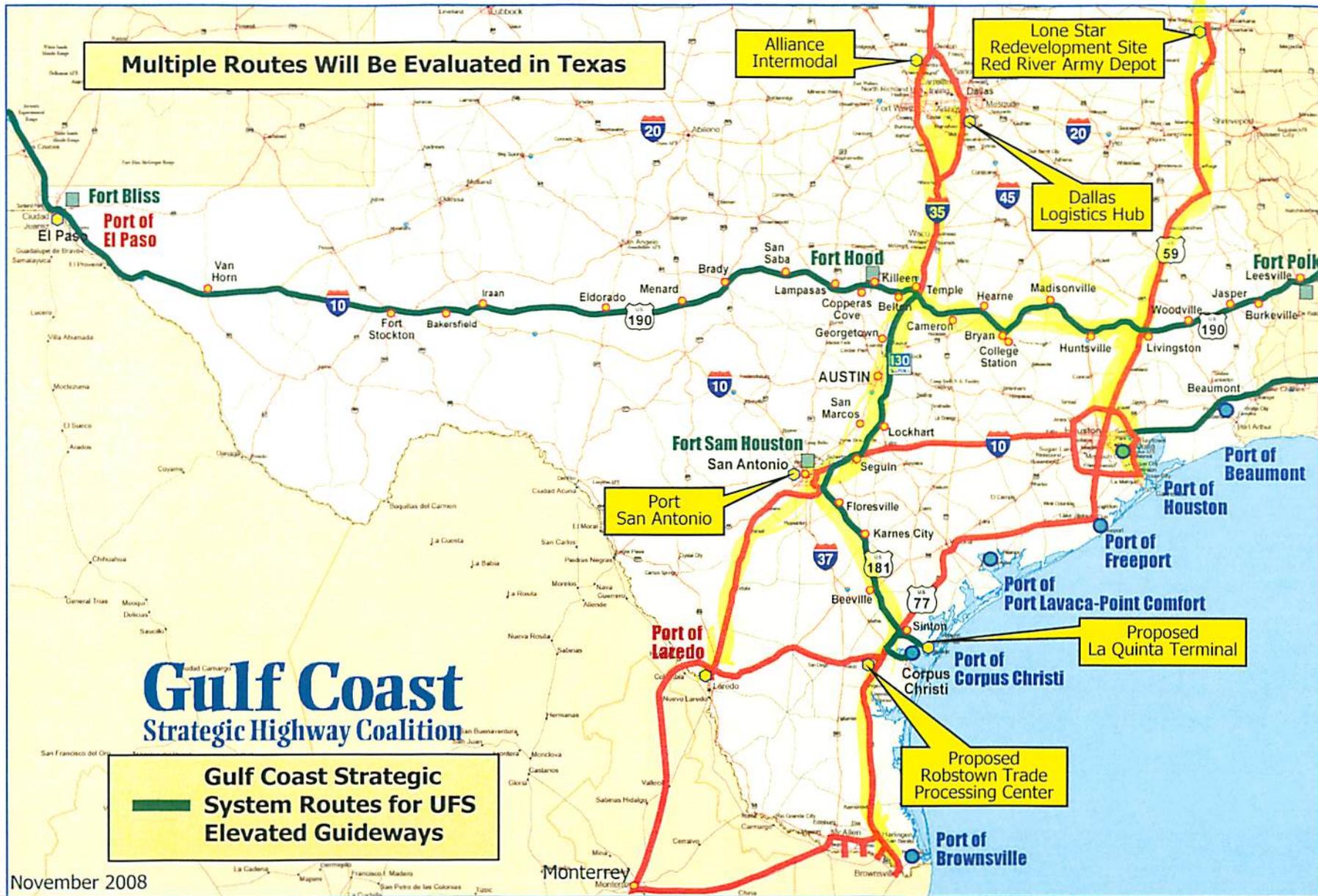
[www.gulfcoaststrategichighway.org](http://www.gulfcoaststrategichighway.org)

GULF COAST STRATEGIC HIGHWAY COALITION

14

- In summary, the I-14/Gulf Coast Strategic Highway System will connect Army facilities in these states to each other and to strategic Texas ports.
- It will provide relief routes for Interstate traffic at points outside of air quality non-attainment areas.
- It will provide east-west interstate highway standard capacity unlikely to be interrupted by Gulf storms.
- It provides opportunities for economic development and growth for areas along the route that have not enjoyed the economic boom of the past two decades.

# Conceptual Freight Shuttle Network



November 2008

**March 12, 2009**  
**Regular Agenda Item No. 5**  
**Bicycle, Pedestrian and Greenways Master Plan**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on an update regarding the Bicycle, Pedestrian and Greenway Master Plan.

**Recommendation(s):** N/A

**Summary:**

The Bicycle, Pedestrian and Greenways Master Plan, a component of the College Station Comprehensive Plan is currently being updated. The planning process began in November with an inventory of existing bicycle, pedestrian and greenway facilities and the selection of a technical task force and staff resource team. The project scope and timeline are attached. The plan is proposed to be adopted in September of 2009.

Staff will provide an update on the planning process including an overview of initial results from the needs assessment currently being conducted through focus group meetings, an online survey and the first community meeting.

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

**Attachments:**

Project Scope and Timeline

# Bicycle, Pedestrian and Greenways Master Plan

## Project Scope and Timeline



SCOPE	Project Initiation Facility Inventory	Needs Assessment	System Recommendations	Policies & Procedures Operations & Maintenance Implementation	Plan Adoption
TIMELINE	Nov 08 – Jan 09	Feb/March	April/May	June-August	September
CITIZEN ENGAGEMENT		<ul style="list-style-type: none"> <li>• Focus Groups</li> <li>• Community Meeting</li> <li>• Online Survey</li> <li>• Online Comments to Draft Chapters</li> </ul>	<ul style="list-style-type: none"> <li>• Community Meeting</li> <li>• Online Comments to Draft Chapters</li> <li>• Stakeholder Meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Online Comments to Draft Chapters</li> </ul>	<ul style="list-style-type: none"> <li>• Public Hearings</li> <li>• Online Comments to Draft Plan</li> </ul>

**March 12, 2009**  
**Regular Agenda Item#6**  
**Northgate Restrooms Project**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Capital Improvement Department

**Agenda Caption:** Presentation, possible action and discussion approving a resolution awarding a construction contract for the Northgate Restrooms Project to Sword Construction LLC, of Kingwood, TX, in the amount of \$347,700.00 OR G.W. Williams, Inc. of College Station, TX in the amount of \$352,000.00 who is requesting consideration for local preference.

**Recommendation(s):** Council has requested that Staff inform Council when there is an opportunity for a local preference award.

**Summary:** The Northgate Restrooms Project consists of the construction of Public Restrooms east of the City owned surface lot on Church Avenue; a new masonry dumpster enclosure; expansion of the promenade area with brick pavers; improvements to 15 existing tree wells on the promenade; changes in parking configuration for handicap parking spaces; tree plantings and irrigation on the promenade; a new 8-foot wide sidewalk along Church Avenue with brick pavers, tree grates and trees; and the paving over of area that was considered for a water feature.

In June 2008 staff delivered a presentation to update the Council on the status of the restroom siting study, and to seek direction on the staff recommendation to include many of the aforementioned promenade improvements with the construction of the restroom. At that time, the conceptual cost estimate for the project, including the miscellaneous improvements to the promenade was \$315,500. Once detailed design was complete the A/E estimate for the entire improvement project was \$330,861.28. Based on the A/E estimate, the anticipated cost of the restroom building is \$133,504.00.

The low bidder for the project was Sword Construction with a proposal in the amount of \$347,700.00. G.W. Williams, a firm with its principal place of business within the City limits of College Station, submitted a proposal in the amount of \$352,000.00. G.W. Williams is requesting consideration for local preference.

**Budget & Financial Summary:** Funds in the amount of \$350,000.00 were budgeted for this project from Certificates of Obligation. Professional Services accounted for an expenditure of \$22,900.00. This leaves \$327,100 remaining in the project budget. Funds in the amount of \$81,000 have been identified in the Northgate Improvements Project Budget and will be transferred into the Northgate Restrooms Project budget to cover the construction contract, staff time, materials testing and potential change orders.

**Attachments:**

- 1.) Resolution G.W. Williams
- 2.) Resolution Sword Construction
- 3.) Bid #09-38 Bid Tab
- 4.) Affidavit from G.W. Williams
- 5.) A/E Estimate at Final Design



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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE NORTHGATE RESTROOMS PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Northgate Restrooms Project; and

WHEREAS, the selection of Sword Construction, LLC is being recommended as the lowest responsible bidder for the construction services related to Northgate Restrooms 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 Sword Construction, LLC is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Sword Construction, LLC for \$347,700.00 for the labor, materials and equipment required for the improvements related the Northgate Restrooms Project.

PART 3: That the funding for this Contract shall be as budgeted from certificates of Obligation in the amount of \$347,700.00.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

*Carla A Robinson*  
\_\_\_\_\_  
City Attorney

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE NORTHGATE RESTROOMS PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Northgate Restrooms Project; and

WHEREAS, the selection of G.W. Williams, Inc. is being recommended as the lowest responsible bidder for the construction services related to Northgate Restrooms 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 G.W. Williams, Inc. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with G.W. Williams, Inc. for \$352,000.00 for the labor, materials and equipment required for the improvements related the Northgate Restrooms Project.

PART 3: That the funding for this Contract shall be as budgeted from certificates of Obligation in the amount of \$352,000.00.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2009.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

*Carla A Robinson*  
\_\_\_\_\_  
City Attorney



**City of College Station - Purchasing Department**  
**Bid Tabulation for #09-38**  
**"Northgate Public Restrooms"**  
**Open Date: Thursday, February 26, 2009 @ 2:00 p.m.**

				<b>Sword Construction, LLC (Kingwood, TX)</b>	<b>G.W. Williams, Inc. (College Station, TX)</b>	<b>JaCody, Inc. (College Station, TX)</b>	<b>Marek Brothers Construction, Inc. (College Station, TX)</b>	<b>Dudley Construction, Ltd. (College Station, TX)</b>
<b>ITEM</b>	<b>QTY</b>	<b>UNIT</b>	<b>DESCRIPTION</b>	<b>TOTAL BID AMOUNT</b>	<b>TOTAL BID AMOUNT</b>	<b>TOTAL BID AMOUNT</b>	<b>TOTAL BID AMOUNT</b>	<b>TOTAL BID AMOUNT</b>
1	1	LS	Construction of Northgate Public Restrooms	\$347,700.00	\$352,000.00	\$399,811.00	\$444,850.00	\$450,000.00
Total Number of Calendar Days to Substantial Completion				180	105	210	160	120
<b>Executed 5% Bidder's Bond</b>				✓	✓	✓	✓	✓
<b>Certification from bid package</b>				✓	✓	✓	✓	✓
<b>Acknowledged Addendums 1-4</b>				✓	✓	✓	✓	✓

**Application For Local Preference Consideration**

Section 271.9051 of the Texas Local Government Code  
“CONSIDERATION OF LOCATION OF BIDDERS PRINCIPAL PLACE OF BUSINESS”:

**If you DO NOT have your principal place of business located within the City of College Station city limits – STOP – DO NOT fill out this form.**

In accordance with Section 271.9051 of the Texas Local Government Code, if a local government receives one or more bids from a bidder whose principal place of business is in the local government and whose bid is within five percent of the lowest bid price received from a bidder who is not a resident of the local government, the local government may enter into a contract with (a) the lowest bidder or (b) the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

**THIS “APPLICATION FOR LOCAL PREFERENCE CONSIDERATION” DOES *NOT* MEAN THAT THE CITY OF COLLEGE STATION WILL AWARD BIDS/PROPOSALS TO ONLY THOSE BUSINESSES LOCATED WITHIN THE CITY LIMITS. THE CITY COUNCIL OF COLLEGE STATION RESERVES THE RIGHT TO AWARD TO THE LOWEST RESPONSIBLE BIDDER *OR* TO THE BIDDER WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THE CITY OF COLLEGE STATION.**

BIDDERS WHO WISH TO QUALIFY UNDER THE LOCAL PREFERENCES LAW MUST HAVE THEIR PRINCIPAL PLACE OF BUSINESS LOCATED WITHIN THE COLLEGE STATION CITY LIMITS.

**If your principal place of business is within the College Station city limits AND you want to apply for local preference consideration, then you MUST complete this form:**

In order to receive consideration, bidders must submit the attached affidavit to:

Purchasing Dept.  
City of College Station  
P.O. Box 9960  
1101 Texas Avenue  
College Station, TX 77842

**AFFIDAVIT**

*Complete all areas below. Incomplete affidavits may be rejected.*

Local Business Name (sometimes referred to herein as "bidder"): G. W. Williams, Inc.

Local Physical Address (must be within the City limits): \_\_\_\_\_

4090 Raymond Stotzer Parkway; College Station, TX 77845

1. Is the above address the principal place of business for the business named above?  
 Yes      No
2. Year your business was established in the City of College Station: 1999
3. Has bidder, in the last twenty-four (24) months, claimed or represented to any other entity seeking or requesting bids or proposals that your principal place of business was in any city or location other than the City of College Station?  Yes  No
4. Does your business have more than one office in the State of Texas?  Yes  No  
If Yes, identify the office location considered as the point-of sale for the purpose of sales tax calculation: \_\_\_\_\_
5. How many residents of the City of College Station are employed at the above business location?  
2
6. Was the local business required to pay business and/or real property tax for the most recent tax year?  Yes  No  
If Yes, did the local business pay any of this tax to the City of College Station?  Yes  No
7. Please provide any additional economic development benefits to the City of College Station.  
We will be using local subcontractors from College Station and Bryan.  
\_\_\_\_\_  
\_\_\_\_\_

Under penalty of perjury, the undersigned states that the foregoing statements are true and correct. It is further acknowledged that any person, firm, corporation or entity intentionally submitting false information to the City in an attempt to qualify for eligibility may be prohibited from bidding on projects with the City of College Station.

Authorized Signature: *Gary Williams* Date: 3/2/2009

Printed Name and Title: Gary Williams - President

ESTIMATE OF PROBABLE COST

1/16/2009

For City of College Station  
Public Restrooms, Northgate Area  
College Station, TX

Current Facility Design

<u>DESCRIPTION</u>	<u>PRICE</u>
DEMOLITION	\$52,190.40
All Demolition for Project	
SITE PAVING	\$23,633.40
All paving, flatwork, asphalt	
SITE CURBING	\$4,170.31
All site curbing	
SITE PAVERS	\$28,654.35
Pavers for all Hardscaping	
TOTAL BLDG.	\$133,504.00
Including all Arch, MEP for RR	
TOTAL ENCLOSURE	\$26,928.00
Including all Arch & Elec Dumpster Area	
LANDSCAPING/IRRIGATION	\$18,625.00
All Landscaping & Irrigation incl. Tree Relocations	
<b>TOTAL:</b>	<b>\$287,705.46</b>
<b>CONTINGENCY (15%):</b>	<b>\$330,861.28</b>

**March 12, 2009**  
**Regular Agenda Item No. 7**  
**BVSWMA Administrative Transfer to City of Bryan**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion increasing the FY 2009 Brazos Valley Solid Waste Management Agency administrative transfer expenditure line item and reimbursing the City of Bryan in the amount of \$179,786.00.

**Recommendation(s):** Staff makes no recommendation on increasing the FY 2009 Brazos Valley Solid Waste Management Agency (BVSWMA) administrative transfer expenditure line item and reimbursing the City of Bryan in the amount of \$179,786.00.

**Summary:** On December 5, 2008 the BVSWMA Policy Advisory Board voted to recommend to the City Councils of College Station and Bryan that the FY 2009 BVSWMA administrative transfer expenditure line item be increased and reimbursed to the City of Bryan in the amount of \$179,786.00. The reimbursement recommendation passed with a 2-1 vote, with College Station voting against.

On January 13, 2009 the City of Bryan City Council voted to approve the administrative transfer increase and a BVSWMA budget amendment in the amount of \$179,786.00.

The administrative transfer amounts will refund the City of Bryan for costs incurred in the operations and management of BVSWMA, and would be identical to the amounts that are paid to the City of College Station in the areas of City Secretary, Internal Audit, Fiscal Administration, City Manager, Legal, Public Communications, and Public Works Administration. City of Bryan costs would be reimbursed as outlined in the following table:

<b>Administrative Reimbursement</b>	<b>City of Bryan</b>
City Secretary	\$ 23,898
Internal Audit	\$ 4,336
Fiscal Admin.	\$ 13,311
City Manager	\$ 39,834
Legal	\$ 11,414
Public Communications	\$ 19,757
Public Works Admin.	\$ 67,236
Total BVSWMA increase in reimbursements to COB General Fund	<u>\$179,786</u>

**Budget & Financial Summary:** The additional funds are not currently expensed in the FY2009 BVSWMA budget and approval of this action will require a future budget amendment.

**Attachments:**

1. BVSWMA Policy Advisory Board Meeting Minutes – December 5, 2008

**Minutes**  
**Brazos Valley Solid Waste Management Agency**  
**December 5, 2008**  
**City of College Station**  
**Council Chambers**  
**1:30 p.m.**

**Board Members Present:** Mayor Ben White (Chairman), City of College Station Mayor; Mark Conlee, City of Bryan Mayor and Jason Bienski, City of College Station Council Member.

**Others Present:** Pete Caler, College Station Assistant Director of Public Works/BVSWMA Director; Shelia McQueen, BVSWMA Program Coordinator; Jeff Kersten, City of College Station Chief Financial Officer; Mark Smith, City of College Station Public Works Director; Linda Huff, City of Bryan Public Works Director; Glenn Brown, City of College Station City Manager; Harvey Cargill, City of College Station, City Attorney; Mary Ann Powell, City of College Station First Asst. City Attorney; Samantha Norejo, ABC40 News Anchor; Connie Hooks, City of College Station City Secretary; Mary Lynn Stratta, City of Bryan City Secretary; Janice Hampton, City of Bryan Attorney; Ben Hardeman, City of Bryan Council Member; and Samantha Best, City of College Station Landfill Superintendent, Jay Marcotte, City of Bryan, Assistant Director of Public Works.

**Members Absent:** Bill Pendley, Grimes County Commissioner.

**Agenda Item 1:** Mayor Ben White called the meeting to order at 1:33pm.

**Agenda Item 2:** Presentation, possible action and discussion of the minutes for meeting held on September 9, 2008.

Councilman Bienski made a motion to amend the minutes to reflect City of Bryan changes as presented in hard copy (attached). Motion to approve by Jason Bienski, second Mayor Conlee. The motion passed unanimously.

**Agenda Item 3:** Under advice from the City of Bryan's Austin, TX Attorney Item 3 was removed.

**Agenda Item 4:** Presentation, possible action and discussion regarding a BVSWMA Directors report:

Pete Caler gave the BVSWMA Policy Board of Directors a report of the operational status of the Rock Prairie Road Landfill Facility and the development status of the Twin Oaks Landfill Project. The results of the flyover done in October 2008 of the Rock Prairie Road Landfill, the results showed that 16% more waste was compacted and the landfill has another 24 months of remaining capacity as of November 2008, so long as the operation continues to experience this same level of compaction in the interim.

Pete discussed the composting rebate program which will bring money back into BVSWMA and offset some composting costs. The paperwork for the composting rebate and 10' height increase is under review and awaiting approval from TCEQ.

The special waste rate increase at the Rock Prairie Road Landfill went into effect on November 1, 2008. The quarterly amount of special waste, not including contaminated soil, accepted from August to October 2008 was 2061.95 tons and during the same period in 2007 2915.82 tons were accepted.

The site operating plan is still under review at TCEQ. Mr. Caler stated the SOP must be updated to reflect new rules. He stated there had been no new modifications since the mediated settlement and does not foresee any new modifications in the near future. However, he stated if there are additional modifications, he will notify Linda Huff immediately.

Mr. Caler reported there was a delay with the construction contracts because of bond issues but that has been resolved and the contracts were being routed for signature.

The petroleum pipeline relocation will occur in about 5 years.

Mr. Caler reported on the 404 permit and said that mitigation of fields, streams and lady tresses had to be addressed. He stated that the 404 permit has been issued with certain activities that must be completed by BSWMA and that to accomplish this; property in northeast Brazos County must be purchased. He stated the real estate documents for this were being developed, with a survey currently being performed. He estimated that the real estate contract and the conveyance of the conservation easement would go to both councils in January. In response to a question from Mayor Conlee, Mr. Caler explained that the property was on Wixon Creek, just north of Highway 21 and consisted of about 58 acres. Bryan's City Attorney reported she had heard about the potential purchase months ago but no recent communications have been made to the Bryan City Attorney's office about this issue. Mr. Caler responded he would make sure that Ms. Hampton had updated documents to review. In response to a question from Ms. Huff, Mr. Caler reported that BSWMA would have to maintain the property and pay monies for conservation monitoring in perpetuity by the appropriate land conservancy.

Pete also brought to our attention that an incorrect statement was made in the Wickson Waterline section of the report. Where it reads "The agreements are being reviewed by both Cities City Attorney offices it should read "*College Station Legal department is currently working on an agreement to purchase an easement for \$16,000*". Mr. Cargill said for that amount, only College Station needed to approve the purchase. Mr. Cargill stated this was for the Wixon waterline easement, and it was clarified that College Station Legal Department was working to develop a simple contract to convey the easement directly from the owners to Wixon. Ms. Hampton reported this was the first she had heard of this item, and that pointed out the City of Bryan must approve any transactions involving property and had no input in the amount to be offered for the easement. It was reported that BSWMA is paying Wixon to extend the water line.

A preconstruction meeting was held by HDR Engineering for the Twin Oaks Landfill project on November 21, 2008. Attendees were staff member from both Cities, HDR staff, C. Watts and Sons (general contractor) staff and subcontractors.

Mr. Caler reported that both councils would need to approve two service contracts for condemnation services. Bryan staff explained the additional information needed

regarding the contracts. Concern was expressed that Bryan staff had not seen an engagement letter for attorney fees and that no scope of work for the contract was defined. Mr. Caler also reported another upcoming contract was the Rock Prairie Road groundwater contract for both councils to consider, as well as the Twin Oaks phase I testing contract, to be followed by the HDR Twin Oaks permitting construction phase contract.

Mr. Caler then reported that they were trying to develop an electrical easement with Mid South Synergy to get electric service on the property for construction. He then talked about petroleum pipeline that would require relocation because the pipeline runs through portion of the future sectors of Twin Oaks. He stated that the pipeline would have to be relocated in about five years. He stated they were communicating with the pipeline company and working with attorney Ernie Bruchez to work out the agreements so that that when the time comes, it can be moved.

No action taken.

**Agenda Item 5: Presentation, possible action and discussion regarding BVSWMA Operating Budget Administration transfers and an amendment to the FY 09 BVSWMA Annual Operating Budget General Administration Transfer Line Item.**

City of Bryan submitted their own cost allocation spreadsheet on how funds should be reimbursed to certain employees.

The City of Bryan representatives expressed concern about what they considered to be excessive amounts for administrative transfers to certain departments within the City of College Station, such as City Secretary, Internal Audit, Legal, and Communications. Mr. Kersten reported that the City of College Station had done a cost allocation study to determine the amounts. It was pointed out that the City of Bryan also incurs administrative costs relative to work associated with BVSWMA but there are no reimbursements to City of Bryan. Mayor White stated that College Station would examine the figures again to determine if they were appropriate.

There was discussion on who owns the City of Bryan Compost Facility. It was determined that the City of Bryan owns the assets and both Cities own the property.

Mayor Mark Conlee made a motion to duplicate the noted reimbursement that the City of College Stations pays to their employees to the City of Bryan employees, second Jason Bienksi. Motion passes 2-1, Mayor White voting against.

**Agenda Item 6: Presentation, possible action and discussion regarding the authorization of payment from the BVSWMA Fund for a City of Bryan compost Operations Invoice in the amount of \$160,000.00**

Linda Huff mentioned the Bryan Compost Facility had a loss this past FY of \$132,000.00. They receive reimbursement money from TCEQ in the amount of \$50,000. City of Bryan proposed that BVSWMA pay them \$80,000.00 for 2 years totaling \$160,000.00, since College Station did not make the reimbursement last year, and instead of Bryan being reimbursed by TCEQ that money will go to BVSWMA. College Station requested updated information on the compost facility operation. Ms. Huff stated

data had been submitted previously on that topic but that additional information would be submitted, and Mr. Brown stated that College Station had agreed to the \$80,000 per year figure. It was pointed out that the compost facility greatly benefits BVSWMA by keeping these materials out of the landfill, but Bryan alone has been absorbing the loss each year.

Councilmember Bienski made a motion that \$132,000 for 2008 and \$132,000 for 2009 be paid to the City of Bryan, and the \$50,000 yearly rebate be paid back to BVSWMA, with appropriate information to the cities to justify the payment. The motion was seconded by Mayor Conlee. It was stated that if the numbers were different than those stated in the motion, final approval would be made by the city councils. The motion carried unanimously.

**Agenda Item 7: Presentation, possible action and discussion a proposed BVSWMA Budget Amendment in the amount of \$80,000.00 for FY 2009.**

This item ties in with Item 6, Mayor Conlee makes a motion to amend the budget by setting the current amount of \$80,000.00 to \$132,000.00 reimbursement to the City of Bryan Compost Facility, second Jason Bienski. This amended amount will be determined by both City Councils. It was stated that should the figure change, the council would approve the correct number to be reimbursed to Bryan for the operating loss at the compost facility. The motion carries unanimously.

**Agenda Item 8: Presentation, possible action and discussion on future agenda items.**

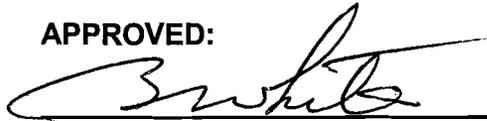
Mayor Ben White suggested meeting in March 2009 or sooner.

Mayor Mark Conlee wants to be educated on the carbon credits and current situation of the carbon credits.

**Agenda Item 9:** Adjourned at 2:36pm.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.**

**APPROVED:**



**Mayor Ben White**

**March 12, 2009**  
**Regular Agenda Item 8**  
**Appointment to Brazos Valley Groundwater**  
**Conservation District Board**

**To:** Glenn Brown, City Manager

**From:** David Neeley, Assistant City Manager

**Agenda Caption:** Presentation, possible action, and discussion to approve a resolution nominating a member of the Brazos Valley Groundwater Conservation District Board of Directors, subject to confirmation by the Brazos Valley Commissioners Court.

**Recommendation:** Staff recommends Council approve this resolution.

**Summary:** Mr. Dave Coleman is presently serving as the College Station representative on the Board of Directors for the Brazos Valley Groundwater Conservation District. The fact that he is a City employee has placed severe restrictions on his ability to be an effective advocate for the City, and he will tender his resignation when a suitable replacement is finalized. The new member must be nominated by the City to fill Mr. Coleman's term, which expires on January 1, 2011. As required by House Bill 1784, section 2.11(3), this nomination by the City must be confirmed by the Brazos Valley Commissioners Court.

Staff recommends that the City's representative be well versed in the importance of groundwater issues to the City, has proven over many years to use sound judgment and to always be fair minded, and dedicated to represent the best interests of College Station's water needs.

Staff is gathering a list of potential candidates and will forward the list to Council early next week.

**Budget & Financial Summary:** Not applicable.

**Attachments:**  
Resolution

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, NOMINATING \_\_\_\_\_ AS THE CITY'S REPRESENTATIVE TO THE BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS.

WHEREAS, The City Council of the City of College Station strives through its *Vision Statements* to provide high quality, customer focused basic city services at a reasonable cost, including effective water services; and

WHEREAS, The City Council of the City of College Station adopted, as part of the Comprehensive Plan, *Utility Goal #1* that states "College Station should continue to provide the quantity and quality of utilities needed to assure public health, safety, and accommodation of growth"; and

WHEREAS, House Bill 1784, section 2.11(e) establishes one seat on the Brazos Valley Groundwater Conservation District Board to be a representative of the City of College Station, which must be appointed by the City Council and confirmed by the Brazos County Commissioners Court; and

WHEREAS, Mr. David Coleman, the City's current representative on the Brazos Valley Groundwater Conservation District Board, is resigning and a new representative must be appointed; and

WHEREAS, The City Council is confident that \_\_\_\_\_, will fairly and accurately represent the interests of College Station and all municipalities and water users within the Brazos Valley District, and the City Council pledges that \_\_\_\_\_ will give adequate time and resources to fulfill every obligation and duty of Board membership; now, therefore,

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

PART 1: That the City Council hereby agrees that membership on the Brazos Valley Groundwater Conservation District Board is essential in meeting the City's Utility Goals.

PART 2: That the City Council hereby nominates \_\_\_\_\_ as the City's representative to fill the voting member position representing the City of College Station with the Brazos Valley Groundwater Conservation District Board of Directors.

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

PART 4: That the City Council hereby requests the Brazos County Commissioners Court confirm this appointment.

ADOPTED this 12<sup>th</sup> day of March, A.D. 2009.

ATTEST:

APPROVED:

\_\_\_\_\_  
CONNIE HOOKS, City Secretary

\_\_\_\_\_  
BEN WHITE, Mayor

APPROVED:

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