



Mayor
Ben White
Mayor Pro Tem
Dave Ruesink
City Manager
Glenn Brown

Council members
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart

Agenda
College Station City Council
Regular Meeting
Thursday, August 27, 2009 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

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

Consent Agenda

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

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

a. Presentation, possible action, and discussion of minutes for Council workshop meeting held on Thursday, July 23, 2009.

b. Presentation, possible action, and discussion regarding the approval of furniture purchases for the Municipal Court Renovations Project (GG-0701). Furniture purchases will be made through the TxMAS contract (state contract) to Vanguard Environments in an amount not to exceed \$130,000.00.

c. Presentation, possible action, and discussion on a change order to the Professional Services Contract 07-174 with Edwards and Kelcey in the amount of \$73,449 for the engineering services associated with the College Station Memorial Cemetery and Aggie Field of Honor.

d. Presentation, possible action, and discussion on a change order credit (reduction to the contract amount) in the amount of \$1,464.59 to Construction Contract 08-116 with Acklam Construction for the construction of the College Station Memorial Cemetery and Aggie Field of Honor.

e. Presentation, possible action, and discussion of a Resolution authorizing a special election to be held on November 3, 2009 in the City of College Station for the purpose of proposing ordinance, submitted as Section 83, initiative petition, providing that camera enforcement of red light violations shall be unenforceable; authorizing the Mayor to sign notice of election designating early voting and election day precincts; providing a severability clause; and providing an effective date.

f. Presentation, possible action and discussion of resolution adopting an interlocal agreement between the City of College Station and Brazos County for the conduct and management of the City of College Station special election to be held on Tuesday November 3, 2009.

g. Presentation, possible action, and discussion concerning a resolution to approve an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to construct the first phase of the University Drive Beautification Project at the interchange with HWY 6.

h. Presentation, possible action, and discussion regarding approval of a real estate contract in the amount of \$413,880 between the City of College Station (Buyer) and Janie A. Cargill and Thomas H. Cargill (Sellers) for the purchase of four lots at 310, 314 and 316 Spruce Street.

i. Presentation, possible action, and discussion to a change order to Contract #08-277 to Brazos Valley Services in the amount of \$113,912.94 for additional construction services related to the College Park/Breezy Heights Rehabilitation Project.

j. Presentation, possible action, and discussion on a change order to the Design Contract 08-266 with Jacobs Edwards & Kelcey in the amount of \$80,775, for the re-design of the Discovery Drive Phase I Extension and design of Raymond Stotzer Sidewalks & Traffic Signal.

k. Presentation, possible action and discussion approving a resolution awarding a construction contract for the Discovery Drive Extension Phase I to Brazos Paving, Inc. of Bryan, TX, in the amount of \$434,217.25.

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. Presentation possible action and discussion of an ordinance providing for a special election on an ordinance submitted by petition, providing that camera enforcement of red light violations shall be unenforceable.
2. Presentation, possible action, and discussion regarding a resolution of the City Council of the City of College Station, Texas repealing Resolution 8-23-2001-11.06 adopted on August 23, 2001 and establishing fees for development review applications, permits, and services provided by the Planning & Development Services Department and the Public Works Department.
3. Public hearing, presentation, possible action and discussion on the City of College Station 2009-2010 advertised ad valorem tax rate of \$0.439400 per \$100 valuation resulting in an increase in tax revenues. Also discussion and possible action on announcing the meeting date, time and place to adopt the tax rate.
4. Public hearing, presentation, possible action, and discussion on the City of College Station 2009-2010 Proposed Budget.
5. Public Hearing, possible action, and discussion on an ordinance Budget Amendment #4 amending ordinance number 3114 which will amend the budget for the 2008-2009 Fiscal Year and authorizing amended expenditures in the amount of \$1,623,743 and increase the number of regular full-time positions in the budget by two; and presentation, possible action and discussion on an interfund transfer.
6. 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 3.714 acres from R-1, Single-Family Residential and PDD, Planned Development District to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place and more generally located east of Scandia Apartments.
7. Adjourn.

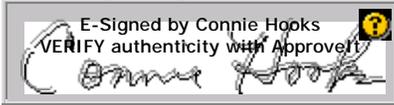
If litigation issues arise to the posted subject matter of this Council Meeting an executive session will be held.

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, August 27, 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 24th day of August, 2009 at 2:00 p.m.



City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on August 24, 2009 at 2:00 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 . Council meetings are broadcast live on Cable Access Channel 19.



Mayor
Ben White

Mayor Pro Tem

City Manager
Glenn Brown

Councilmembers
John Crompton
James Massey
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart
David Ruesink

**Draft Minutes
College Station City Council
Workshop Meeting
Thursday, July 23, 2009 3:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas**

COUNCIL MEMBERS PRESENT: Mayor White, Council members Maloney, Ruesink, Stewart, Lyles

COUNCIL MEMBERS ABSENT: Council members Crompton and Massey

STAFF PRESENT: City Manager Brown, Assistant City Manager Neeley, City Attorney Cargill, City Secretary Hooks, Members of Management Team

Workshop Item No. 1 -- Presentation, possible action, and discussion on items listed on the consent agenda.
The following items were removed for discussion.

2a. Council member Lyles asked staff to correct spelling for Past Kip Gilts on the July 9th minutes.

2b. Council member Ruesink asked questions about the membership and role of the Joint Relief Funding Review Committee. Asst. Director of Economic and Community Development Debbie Eller stated that the Committee is responsible for reviewing the applications from social service agencies. The membership included three members from Bryan and three members from College Station. The members are selected annually in March.

2d and 2e: Council member Ruesink asked staff to explain the vendor choices for outsourcing utility bill printing. Chief Financial Officer Jeff Kersten explained the customer has an option to view detailed bill on city's website.

2j. Council member Ruesink asked staff to explain the change order for concrete curb and gutter. Public Works Director Mark Smith explained that the contractor completed all work under original contract. However City needed additional quantity to complete a job to extend curb and gutter.

2m. Council member Ruesink inquired about the interlocal agreement with BVCOG on copier purchase. Asst. IT Director Erin Provasek said that the local vendors were given an option to bid.

2n. Council member Lyles inquired about the cost for HRD study on impact fees for water and wastewater. Mr. Coleman stated that discussion of the impact fees was scheduled for this workshop meeting.

Minutes

City Council Workshop Meeting

Thursday, July 23, 2009

2o. Council member Lyles inquired about funds for Twin Oaks Landfill Phase One. Executive Director of BVSWMA Pete Caler explained the funds were available in BVSWMA Solid Waste Fund

2p Council member Ruesink inquired about future of Rock Prairie Landfill. Mr. Caler said that this contract amends the scope of services to remove the transition plan for Rock Prairie Landfill to become a city park. Funds are not available.

2q. Council member Lyles inquired about funds for BVSWMA litigation. Mark Smith stated that the funds for Bickerstaff are available in property insurance fund and general fund.

2s. Council member Lyles inquired about the payments to Grimes County. Pete Caler explained that the Cities of Bryan and College Station negotiated the host fee in 2004. It was agreed that BVSWMA pay Grimes County a host fee in the form of a royalty for every ton of revenue generated municipal solid waste at the existing Rock Prairie Road Landfill.

Workshop Item No. 2 - Presentation, possible action and discussion regarding a proposal for pedestrian improvements on University Drive in the Northgate area.

Director of Public Works Mark Smith introduced the TxDot staff present in the audience.

Maury Jacob, TxDot landscape architect presented slides of conceptual designs for pedestrian improvements along University Drive adjacent to Northgate businesses and along College Main and Boyett. This plan proposed significant improvements to resolve major pedestrian safety issues. He also emphasized the pedestrian crossing hazards at College Main and Houston streets.

Bob Appleton, District Director of TxDot reiterated the importance of these plans to enhance the area for pedestrians.

Chuck Sippial representing TAMU welcomed the concept presented by TxDot.

Council concurred with the concept to find ways to increase public safety.

Workshop Item No. 3 - Presentation, possible action, and discussion regarding information about 2-1-1 Texas.

Allison Smith, Director of Information and Referral Services presented an overview of the 211 Texas Program.

Workshop Item No. 4 -- Presentation, possible action, and discussion regarding an update from the Youth Advisory Council on their activities of the past year.

Mike Mullins, Staff liaison to the Youth Advisory Committee, introduced members of the Committee. These individuals presented a brief report of their yearly activities.

Mayor and Council members encouraged the students to be the “sounding board” for students regarding interests and concerns and report to the City Council.

Minutes

City Council Workshop Meeting

Thursday, July 23, 2009

Workshop Item No. 5 -- Presentation, possible action, and discussion regarding a professional services contract with HDR Engineers to conduct a study to determine what amount is allowable, under State Law, to be charged for City-wide impact fees for water and wastewater.

Dave Coleman, Director of Water Services described the performance contract with HDR Engineers to continue study of the feasibility of impact fees for water and wastewater systems in College Station. The item was listed on the consent agenda.

Workshop Item No. 6 -- Presentation, possible action, and discussion concerning the city's anonymous reporting hotline for city employees.

Ty Elliott, the city's internal auditor presented a brief presentation on the new program implemented within the City organization that allows the use of an anonymous third party hotline for reporting employee concerns.

Workshop Item No. 7 -- Presentation, possible action, and discussion regarding a report from Mayor White on his trip as part of the Texas High Speed Rail and Transportation Corporation to Washington, D.C., on July 14 - 16, 2009. Topics which may be discussed are as follows:

Mayor White reported on his visit to Washington, D.C. as part of the Texas High Speed Rail and Transportation Corporation. He noted that a change in attitude at the federal level with focus on T Bone rail concept.

- 1) Met with members of Congress and key staff to continue the pursuit of funds for high speed rail, extension of federal support for the goals of the THSRTC and include the Brazos Express Corridor route which would run through the College Station/Bryan area.
- 2) Monitoring and support appropriation requests submitted by the High Speed Rail Congressional Caucus.
- 3) Seeking additional insight into the appropriation and allocation for funds for high speed rail within the American Recovery and Reinvestment Act.

Workshop Item No. 8 -- Council Calendar.

City Council members reviewed the upcoming calendar.

Workshop Item No. 9 – Future Agenda Items

Future appointments of council members to outside organizations will be held when all council members present.

Workshop Item No. 10 – Committee Reports.

Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Cemetery Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, BVSWMA, Signature Event Task Force, (Notice of Agendas posted on City Hall bulletin board).

Minutes
 City Council Workshop Meeting
 Thursday, July 23, 2009

Mayor White noted Council member Stewart reported that the Audit Committee heard report from Internal Auditor on the employee hotline.

Workshop Item No. 11 – Executive Session

Mayor and Council recessed from the workshop meeting at 5:00 pm and began executive session in the Administrative Conference Room.

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

- a. Application with TCEQ for permits in Westside/Highway 60 area, near Brushy Water Supply Corporation
- b. Sewer CCN permit requests for Brushy & Wellborn Services Areas
- c. Water CCN permit requests for Brushy & Wellborn Services Areas
- d. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
- e. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites
- f. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District
- g. TMPA v. PUC (College Station filed Intervention)
- h. City of Bryan suit filed against College Station, Legal issues and advise on Brazos Valley Solid Waste Management Agency contract, on proposed methane gas contract
- i. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site
- j. Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhaney, and Ben White
- k. Chavers et al v. Tyrone Morrows, Michael Ikner, City of Bryan, City of College Station, et al
- l. Rogers Sheridan v. Barbara Schob & Greg Abbott
- m. Clancey v. College Station, Glenn Brown, and Kathy Merrill
- n. Legal issues related to Economic Development Agreement between City of College Station & Sahara Realty

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

- a. Possible Purchase or Exchange of Property near E. University and Tarrow

Personnel {Gov't Code Section 551.074}; possible action The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Mayor ProTem

Minutes
City Council Workshop Meeting
Thursday, July 23, 2009

- b. Construction Board of Adjustments and Appeals
- c. Parks and Recreation Board

Workshop Item No. 12 -- Action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting may be discussed in tonight's Regular Meeting if necessary.

Council completed executive session prior to regular meeting at 6:55 pm. No action was taken.

Workshop meeting adjourned at 6:55 pm

PASSED AND APPROVED this 27th day of August 2009.

APPROVED:

Mayor Ben White

ATTEST:

City Secretary Connie Hooks

August 27, 2009
Consent Agenda Item No. 2b
Municipal Court Renovations (GG-0701)
Furniture Purchase

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding the approval of furniture purchases for the Municipal Court Renovations Project (GG-0701). Furniture purchases will be made through the TxMAS contract (state contract) to Vanguard Environments in an amount not to exceed \$130,000.00.

Recommendation(s): Staff recommends that the furniture be purchased off the TxMAS contract through Vanguard Environments in an amount not to exceed \$130,000.00

Summary: The Municipal Court Renovations project includes renovations to the first floor and build-out of the second floor. The second floor will office BSWMA, Public Works, and Capital Projects staff. Furniture contract pricing sheets are available in the City Secretary's Office. Substantial completion for the project is October 15, 2009.

Budget & Financial Summary: Funds are available and budgeted within the General Government Capital Improvements Project Fund as part of the Municipal Court Renovations Project (GG-0701). The project has a total budget of \$2,000,000.00. A total amount of \$1,782,846.82 has been spent or encumbered to date for the design and construction of the project, leaving a balance of \$217,153.18. The furniture will be purchased from the balance of the project.

Attachments:

None

August 27, 2009
Consent Agenda Item No. 2c
Project Number GG9905
College Station Memorial Cemetery and Aggie Field of Honor – Design Contract
Change Order

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 Professional Services Contract 07-174 with Edwards and Kelcey in the amount of \$73,449 for the engineering services associated with the College Station Memorial Cemetery and Aggie Field of Honor.

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

Summary: Additional engineering services from Edwards and Kelcey were needed throughout construction to ensure completion of the project, compliance with our design standards, and to accommodate changes requested by the City. A summary of the changes required is provided below.

1. Alternate drainage easement.
2. Revisions to the design of the entrance road.
3. Site Plan reports to obtain site development permit.
4. Extension of the water line across the site.
5. Extension of buried electrical infrastructure across the site.
6. Drainage improvements at the storm sewer discharge on the Smith Property.
7. Addition of a storm sewer in the Central Plaza.
8. Revisions to the maintenance road to, and fence surrounding, the oil well facilities on the western end of the property.
9. Additional construction administration services.
10. Revisions to the benches in the committal shelter.
11. Reduction in scope to eliminate engineer assistance during to the removal of underground storage tanks.

A detailed explanation of the services provided for each of the changes listed above is included in the attached proposal from Edwards and Kelcey dated June 11, 2009.

Budget & Financial Summary: Change Order No. 1 will increase the contract amount by \$73,449 for a revised contract total of \$572,366. Funds in the amount of \$9,930,000 are budgeted for this project in the General Government Capital Improvement Projects Fund. Funds in the amount of \$9,554,199.41 have been expended or committed to date, leaving a balance of \$375,800.59. There is another change order pending for this project for a \$3,682.87 credit. With the pending change orders, the available balance is \$306,034.46.

Attachments:

- 1.) Change Order
- 2.) Proposal from Edwards and Kelcey

3.)

CHANGE ORDER NO. 1

Contract No. 07-174

DATE: June 11, 2009

P.O.# 070721

PROJECT: Memorial Cemetery of College Station Project No. GG-9905

OWNER:

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

CONTRACTOR:

Edwards and Kelcey
526 E. University Dr., Ste 201A Ph: (979) 764-9119
College Station, TX 77840 Fax: (979) 764-9229

PURPOSE OF THIS CHANGE ORDER #1

- A. Drainage easement on Smith Tract and alternate drainage easement alignment on adjacent property if agreement with Smith property owners could not be reached.
- B. Revisions to plans to develop a 40 foot wide road to allow for parking on both sides of the entrance roadway.
- C. Preparation of a site plan, permit requests, Phase I and ultimate development grading layouts and landscaping plans, modifications to the hydraulic models, drainage report, driveway permit, detention analysis, exhibits, coordination, etc.
- D. Design of the extension of a water main from its current terminus on the Valley Park, LTD property to the east of the cemetery property to along the outside perimeter of the property for future extension and looping as well as extending mains to the central plaza facilities for fire protection.
- E. At the request of CSU, design of additional conduits, pull boxes and transformer foundations was necessary for the relocation of the power lines on and adjacent to the property to be upgraded and placed underground. This relocation removed aerial lines and poles from the interior of the property and placed them underground along the outside perimeter of the property.
- F. As a condition to achieve agreement with a new property owner of the tract receiving the outfall flows from Pond A (Smith Tract), the property owner required additional on-site improvements over what was agreed upon with the previous owner.
- G. The city desired for the storm water underdrain system for the central plaza to collect water and drain to Pond A rather than outfall to outside the perimeter loop road.
- H. Modifications to the plans for the maintenance driveway and fencing around the well site to achieve agreement with Enervest for release of a blanket easement on the property held by Enervest.
- I. Additional field reviews of construction and monthly summary reports as well as weekly construction status meetings for the project.
- J. Revised design for the benches in the Committal Shelter to convert from concrete foundations to steel foundations.
- K. Deduction in the original contract for the design and coordination fees associated with permitting of the removal of an underground storage tank (UST), as a UST could not be located in the field using both Ground Penetrating Radar and sample digging.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
A	LS	Drainage easement designs on Smith Tract	\$2,360.00			\$2,360.00
B	LS	Revised Entrance Roadway	\$4,596.00			\$4,596.00
C	LS	Site Plan and Other Reports / Submittals for Approval by City Development Services	\$30,492.00			\$30,492.00
D	LS	Water Main Extensions for College Station Utilities	\$18,240.00			\$18,240.00
E	LS	Underground Electrical Power Line Extensions for College Station Utilities	\$3,708.00			\$3,708.00
F	LS	Design and coordination of revisions required by Smith Tract owner.	\$5,990.00			\$5,990.00
G	LS	Underdrain Revisions at the Central Plaza	\$2,131.00			\$2,131.00
H	LS	Maintenance Road Driveway Revisions and Oilfield Facilities Fence Revisions	\$2,704.00			\$2,704.00

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
I	LS	Additional Construction Phase Services for Extended Construction Time and Coordination	\$19,422.00			\$19,422.00
J	LS	Redesign of Benches in Committal Shelter	\$2,806.00			\$2,806.00
K	LS	Deduction for UST Removal Permitting and Coordination	(\$19,000.00)			(\$19,000.00)
		Total Changes				\$73,449.00

THE NET EFFECT OF THIS CHANGE ORDER IS A 14.72% INCREASE

ORIGINAL CONTRACT AMOUNT	\$498,917.00		
Change Order No. 1	\$73,449.00	14.72%	CHANGE
REVISED CONTRACT AMOUNT	\$572,366.00	14.72%	TOTAL CHANGE

SUBSTANTIAL COMPLETION DATE September 30, 2008
 Revised Substantial Completion Date June 21, 2009

APPROVED

Michael A. Martin 6/11/09
 A/E CONTRACTOR Date

TRB 7/30/09
 PROJECT MANAGER Date

David L. ... 8/17/09
 CIP DIRECTOR FOR CRG Date

 DIRECTOR OF FISCAL SERVICES Date

Alan C. Falso
 CITY ATTORNEY Date

 MAYOR Date

 CITY SECRETARY Date

 CITY MANAGER Date



ENGINEERS
ARCHITECTS
PLANNERS
CONSTRUCTORS

526 University Drive East
Suite 201A
College Station, Texas 77840-1734

Voice 979.764.9119
Fax 979.764.9229
www.ekcorp.com

June 11, 2009

Mr. Philip Bargas, E.I.T.
Project Manager
Capital Projects Department - City of College Station
2613 Texas Avenue
College Station, Tx 77842

Reference: Memorial Cemetery of College Station
Project No. GG-9905
Supplemental Engineering Design Services Proposal

Dear Mr. Bargas:

Edwards and Kelcey is pleased to submit this revised proposal for supplemental engineering design services for the referenced project. We understand that the City of College needs development of several items for the project, including:

A. Drainage Easement on the Smith Tract

A drainage easement is needed to outfall the occasional overflow of Pond A during very high rain storms. An alignment traveling along the east property line of the Smith Tract will be developed.

- Identify the alignment for the storm drain system and develop a 20' x 300' drainage easement layout showing the location of the pipe, the end treatment, and general landmarks for the area.
- Analyze drainage on the property and assess the impacts of flows from the overflow pipe on the 190' wide channel on the Smith Property.
- Prepare a summary of the findings and present to the property owner.

B. Revised Entrance Roadway Designs for the 40 Foot Wide Option

The City took the option of a 40 foot wide entrance road upon receipt of bids to allow for parking on both sides of the entrance roadway. The plans need to be modified to show this wider roadway and include making revisions to other impacted sheets for possible conflicts with the wider roadway section. The wider roadway will begin just north of the entrance gate to allow for the maximum amount of parking with the least impact on redesign of the entryway, gates, and gate closure systems.

- Modify the layout to show the 40 foot wide pavement with a transition section north of the entryway gates.
- Make revisions to the plan and profile sheets of the entry roadway.
- Make revisions to other impacted sheets, including the water line sheets, storm drain plan and profile sheets, intersection layouts, electrical and communications lines layout sheets, and landscaping sheets.

C. Site Plan and Other Reports / Submittals for Approval by City Development Services

Subdivision plat approval and provision of inspection for the construction of the improvements for the

cemetery, requires a series of submittals and permit requests, which require the following items to be developed:

- Prepare a site plan layout to the requirements of the City development ordinance for the Phase I improvements.
- Prepare a site plan layout to the requirements of the City development ordinance for the ultimate development of the property.
- Prepare separate grading layouts for both the Phase I and ultimate development of the property.
- Prepare separate landscaping plans for both the Phase I and ultimate development of the property.
- Modify the landscaping plans and irrigation systems to meet requirements of the City ordinance.
- Driveway permit development with TxDOT and the associated coordination with the Area Office.
- Development of a hydraulic model and summary for the analysis of on site detention requirements.
- Preparation of a drainage report for the ultimate development of the property, including the development of the 26 page Technical Design Summary and associated exhibits, drainage models, analysis report, plan sheets, and recommendations.
- Development of the fire flow calculation model and associated report on the results.
- Submittals, coordination, and meetings with City staff.
- Printing and plotting of various submittals in the quantities requested by City staff.

D. Water Main Extensions for College Station Utilities

College Station Utilities requested for water mains to be extended from their current terminus on the Valley Park, LTD property to the east of the cemetery property to along the outside perimeter of the cemetery property for future extension and looping as well as extending mains to the central plaza facilities for fire protection. These extensions were in addition to the planned service line extensions of the water lines incorporated in the plans from another location at the property line.

- Design 8" PVC water main extensions and create plan and profile sheets.
- Incorporate water line details and standards in the design plans.
- Develop three additional alignment layouts based on direction from College Station Utilities and the Fire Marshall.
- Prepare quantity summaries and cost estimates of the improvements.
- Submittals, coordination, and meetings with College Station Utilities and other City staff.

We reduced the fee proposal to deduct an amount for the design cost for the water service line on the property from the Water Main Extensions portion of the supplemental, although we had already made the layouts of the water line on the originally-approved alignment from the west side of the Valley Park Ltd property along the north side of the 15' easement and to the central plaza. This reduces the total design cost of the water main extensions to \$18,240.00.

E. Underground Electrical Power Line Extensions for College Station Utilities

College Station Utilities requested for conduit, pull boxes, and transformer foundations to be added to the plans to allow for the relocation of the power lines on and adjacent to the property to be upgraded and placed underground. This relocation extended from their current terminus on the Valley Park, LTD property to the east of the cemetery property to along the outside perimeter of the property for future extension and looping as well as extending mains to the central plaza facilities for fire protection.

These extensions were in addition to the planned service line extensions of the water lines incorporated in the plans from another location at the property line.

- Develop layout sheets for the underground electrical power system to include conduit, transformer foundations, and pull boxes from information on number, location, and sizes of the various items as directed by College Station Utilities staff. Place the items to avoid conflicts with other utilities,

easements, and other existing and proposed structures.

- Incorporate electrical power system details and standards in the design plans.
- Prepare quantity summaries and cost estimates of the improvements.
- Submittals, coordination, and meetings with College Station Utilities and other City staff.

F. Revisions Required by the Owner on the Smith Tract

As a condition to achieve agreement with a new property owner of the tract receiving the outfall flows from Pond A (Smith Tract), the property owner required additional on-site improvements, including a storm system manhole, outfall wingwalls, additional riprap along a re-graded channel extension and realignment as well as brush clearing and re-establishment of the grass coverage. The additional services included:

- Revise the plan and profile sheets for additional on-site improvements to the Smith Property, including a storm system manhole, outfall wingwalls, additional riprap along a re-graded channel extension and realignment as well as brush clearing and re-establishment of the grass coverage.
- Additional modeling of the drainage outfall on the Smith Property to satisfy the owner and his engineer.
- Meetings in the field as well as other coordination with the property owner / representatives.
- Meetings and coordination with City staff.

G. Underdrain Revisions at the Central Plaza

The city desired for the storm water underdrain system for the central plaza to collect water and drain to Pond A rather than outfall to outside the perimeter loop road. The additional services include:

- New plan sheet to tie both gutter systems into one and extend to Pond A.
- Coordination and meetings

H. Maintenance Road Driveway Revisions and Oilfield Facilities Fence Revisions

In an effort to achieve agreement on a revised easement with the holder of a blanket easement on the entire property, Enervest, the city requested that revisions to the entrance driveway be made to allow for a long vehicle with a 50' turning radius to leave the property without leaving the concrete drive surface. TxDOT required that the driveway have only a 30' radius. They later agreed to allow for a 45' width driveway throat at the right of way line. Also, Enervest required additional land outside an earlier-agreed fence perimeter for oilfield maintenance operations during rare (5 to 10 year) intervals. Negotiations yielded a compromise to allow for the lay down of the northwest side fence during these operations and install sleeves for the fence poles to achieve a less-destructive method of achieving the use of this additional land. The additional services included:

- Revised maintenance road plan and profile sheet.
- Revised intersection layout sheet and revised fence layout sheet.
- Meetings and coordination with the City, TxDOT, and Enervest.

I. Additional Construction Phase Services for Extended Construction Time and Coordination

Construction assistance for the project was contracted for twelve (12) field reviews and six (6) monthly meetings. However, construction time has exceeded the original time in the contract, requiring additional field reviews and reporting. Furthermore, weekly meetings are now in place rather than monthly meetings for better coordination and communication between the owner, contractor, and engineer. The additional services to be provided include:

- Additional 6 field reviews of construction progress and 3 monthly progress summary reports.
- Additional 29 weekly / bi-weekly meetings and coordination with city staff, the contractor, and other interested parties.

J. Committal Shelter Bench Redesign

The design of the benches in the committal shelter called for permanent concrete supports in accordance with the master plan. These concrete supports were replaced with steel supports that allow for removal for maintenance or special uses.

K. Deduction for design and coordination of the removal of an underground storage tank

An abandoned underground petroleum storage tank, registered with the Texas Commission on Environmental Quality (TCEQ), was addressed in the environmental report as located on the property and specified on the design plans for removal by the construction contractor. The effort to provide the removal plan once the tank was located as well as the permitting and coordination with TCEQ was included in the original engineering contract. Efforts by various digging operations as well as a review contracted by the City with another firm for ground penetrating radar services could not identify the location of the tank. Therefore, the services in the amount of \$19,000.00 for planning, permitting, and coordination are not necessary and are proposed for removal from the engineering contract.

A total lump sum fee of \$73,449.00 is proposed for the additional services described above, which includes \$2,360.00 to develop the drainage analysis on the Smith Property; \$4,596.00 for modifications due to the wider entrance roadway; \$30,492.00 for site plan development, permitting, reports, coordination, and printing; \$18,240.00 for the water main extensions, quantities, cost estimates, and coordination; \$3,708.00 for the underground electrical layouts and coordination; \$5,990.00 for revisions to the improvements on the Smith Tract as a condition of signing the drainage easement; \$2,131.00 for the underdrain system revisions at the central plaza; \$2,704.00 for revisions to the plans and coordination of the maintenance road entrance driveway and oilfield facilities fence revisions; \$19,422.00 for additional field reviews and coordination meetings during construction; \$2,806.00 for redesign of the committal shelter benches; and a **deduction of \$19,000.00** for the development of the underground storage tank removal plan, removal oversight, and TCEQ permitting and coordination. The attached spreadsheet shows the expected level of effort and labor costs.

We look forward to this opportunity to provide additional professional services to the City of College Station on this important project. Please feel free to call if we can answer any questions or provide additional information.

Sincerely,

EDWARDS AND KELCEY



Michael A. Martin, P.E.
Project Director

Attachments: Fee Spreadsheet

Project: GG-9905 Design Consultant: Edwards and Kelcey	Project Manager	Principal	Project Architect	Senior Architect	Senior Engineer	Designer	Engineer In-Training	Tech / CADD Operator	Admin. Support	Subtotal (manhrs)	Estimated Sheets
Smith Property Improvements											
1 Smith Property Plan and Profile Sheets Modification	6				12		12			30	\$3,648.00
2 Modifications to Smith Property Drainage Model	2				5		4				\$1,346.00
3 Meetings with Property Owner/Engineer	6										\$996.00
Subtotal	14	0	0	0	17	0	16	0	0	30	\$5,990.00
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00		0
Total Pond A / Storm Drain Supplemental Services	\$2,324.00	\$0.00	\$0.00	\$0.00	\$2,210.00	\$0.00	\$1,456.00	\$0.00	\$0.00	\$5,990.00	
Underdrain Revisions											
1 Underdrain Layout Sheet	6						7			13	\$1,633.00
2 Meetings / Coordination	3									3	\$488.00
Subtotal	9	0	0	0	0	0	7	0	0	16	\$2,131.00
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00		1
Total Underdrain Revisions	\$1,494.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$637.00	\$0.00	\$0.00	\$2,131.00	1
Maintenance Road Driveway / Oilfield Fence Revisions											
1 Revised Plan Layout and Plan and Profile Sheets	8						6			14	\$1,874.00
2 Meetings / Coordination	5									5	\$830.00
Subtotal	13	0	0	0	0	0	6	0	0	19	\$2,704.00
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00		3
Total Maintenance Drive / Oilfield Fence Revisions	\$2,158.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$546.00	\$0.00	\$0.00	\$2,704.00	3
Construction Phase Services Additional Project Management											
1 Additional 6 Field Reviews and 3 monthly summaries	18									18	\$2,988.00
2 Weekly/BiWeekly Status Meetings (29) and coordination	99									99	\$16,434.00
Subtotal	117	0	0	0	0	0	0	0	0	117	\$19,422.00
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00		0
Total Supplemental Construction Phase Services	\$19,422.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19,422.00	0
Committal Shelter Bench Details											
1 Bench Detail Design Development and Submittals Review	1		10	2	3			3		19	\$2,806.00
Subtotal	1	0	10	2	3	0	0	3	0	19	\$2,806.00
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00		1
Total Committal Shelter Bench Supplemental Services	\$166.00	\$0.00	\$1,650.00	\$330.00	\$390.00	\$0.00	\$0.00	\$270.00	\$0.00	\$2,806.00	1
Deduction for Underground Storage Tank Removal Consulting											
1 UST Removal Permitting (Max) (CSC Engineering and Environ)										(\$15,000.00)	
2 Coordination with Regulatory Agencies (CSC Engineering and Env.)										(\$4,000.00)	
Subcontractor Total										(\$19,000.00)	
Total Supplemental Design and Coordination										\$73,449.00	25

**City of College Station, Texas
Cemetery Design Services, Project No. GG-9905**

Supplemental Fee Summary

Project: GG-9905 Design Consultant: Edwards and Kelcey	Project Manager	Principal	Project Architect	Senior Architect	Senior Engineer	Designer	Engineer In-Training	Tech / CADD Operator	Admin. Support	Subtotal (manhrs)	Estimated Sheets
Drainage Easement on Smith Property											
1 Layout of easement and follow-up coordination	4				4			2		10	1
2 Offsite Drainage Study and Submittal for property owner	6				4			2		6	2
Subtotal	10	0	0	0	4	0	0	90.00	0	16	3
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00	\$2,360.00	
Total Supplemental Drainage Easement	\$1,660.00	\$0.00	\$0.00	\$0.00	\$520.00	\$0.00	\$0.00	\$180.00	\$0.00		
Revised Entrance Roadway for 40' Width											
1 Plan and Profile Sheets	6				4			4		14	2
2 Related Sheets (Drainage, Utilities)	10				4			6		20	8
Subtotal	16	0	0	0	8	0	0	90.00	0	34	10
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00	\$4,596.00	
Total Supplemental 40' Entrance Road Redesign	\$2,656.00	\$0.00	\$0.00	\$0.00	\$1,040.00	\$0.00	\$0.00	\$900.00	\$0.00		
Development Services Site Plan and Permitting											
1 Site Plan Layout, Phase I	12				14			16		42	1
2 Site Plan Layout, Ultimate Development	12				14			16		42	1
3 Landscaping & Irrigation Plans Revisions/Coordination	6						12	30		30	9
4 Driveway Permit Development and Coordination	6						12	18		18	2
5 Detention Pond Analysis	6				24		12	8		50	0
6 Drainage Report	16				12		4	28		42	0
7 Fire Flow Report	4				10			18		18	0
8 Coordination / Meetings with City Staff	10						40	52		10	0
Subtotal	72	0	0	0	74	0	40	90.00	0	238	13
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00	\$29,892.00	
Total Supplemental Site Plan and Permitting	\$11,952.00	\$0.00	\$0.00	\$0.00	\$9,620.00	\$0.00	\$3,640.00	\$4,680.00	\$0.00		
Submittal Printings of Plans and Specifications										\$600.00	
College Station Utilities Water Main Design and Coordination											
1 Water Main Plan and Profile Sheets with Multiple Layouts	26				46			60		132	7
2 Water Main Quantities / Cost Estimate	2				4		4			10	1
3 Meetings / Coordination	8						4	60		8	8
Subtotal	36	0	0	0	50	0	4	90.00	0	150	8
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00	\$18,240.00	
Total Water Main Supplemental Services	\$5,976.00	\$0.00	\$0.00	\$0.00	\$6,500.00	\$0.00	\$364.00	\$5,400.00	\$0.00		
College Station Utilities Electrical Layouts and Coordination											
1 Underground Electrical Conduit Layout	4				10			12		26	1
2 Meetings / Coordination	4						0	12		4	1
Subtotal	8	0	0	0	10	0	0	90.00	0	30	1
Rate (Incl. Salary OH & Profit)	\$166.00	\$200.00	\$165.00	\$165.00	\$130.00	\$85.00	\$91.00	\$90.00	\$60.00	\$3,708.00	
Total Electrical Utility Supplemental Services	\$1,328.00	\$0.00	\$0.00	\$0.00	\$1,300.00	\$0.00	\$0.00	\$1,080.00	\$0.00		

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

CONTRACTOR:
 Edwards and Kelcey
 526 E. University Dr., Ste 201A Ph: (979) 764-9119
 College Station, TX 77840 Fax: (979) 764-9229

PURPOSE OF THIS CHANGE ORDER #1

- A. Drainage easement on Smith Tract and alternate drainage easement alignment on adjacent property if agreement with Smith property owners could not be reached.
- B. Revisions to plans to develop a 40 foot wide road to allow for parking on both sides of the entrance roadway.
- C. Preparation of a site plan, permit requests, Phase I and ultimate development grading layouts and landscaping plans, modifications to the hydraulic models, drainage report, driveway permit, detention analysis, exhibits, coordination, etc.
- D. Design of the extension of a water main from its current terminus on the Valley Park, LTD property to the east of the cemetery property to along the outside perimeter of the property for future extension and looping as well as extending mains to the central plaza facilities for fire protection.
- E. At the request of CSU, design of additional conduits, pull boxes and transformer foundations was necessary for the relocation of the power lines on and adjacent to the property to be upgraded and placed underground. This relocation removed aerial lines and poles from the interior of the property and placed them underground along the outside perimeter of the property.
- F. As a condition to achieve agreement with a new property owner of the tract receiving the outfall flows from Pond A (Smith Tract), the property owner required additional on-site improvements over what was agreed upon with the previous owner.
- G. The city desired for the storm water underdrain system for the central plaza to collect water and drain to Pond A rather than outfall to outside the perimeter loop road.
- H. Modifications to the plans for the maintenance driveway and fencing around the well site to achieve agreement with Enervest for release of a blanket easement on the property held by Enervest.
- I. Additional field reviews of construction and monthly summary reports as well as weekly construction status meetings for the project.
- J. Revised design for the benches in the Committal Shelter to convert from concrete foundations to steel foundations.
- K. Deduction in the original contract for the design and coordination fees associated with permitting of the removal of an underground storage tank (UST), as a UST could not be located in the field using both Ground Penetrating Radar and sample digging.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
A	LS	Drainage easement designs on Smith Tract	\$2,360.00			\$2,360.00
B	LS	Revised Entrance Roadway	\$4,596.00			\$4,596.00
C	LS	Site Plan and Other Reports / Submittals for Approval by City Development Services	\$30,492.00			\$30,492.00
D	LS	Water Main Extensions for College Station Utilities	\$18,240.00			\$18,240.00
E	LS	Underground Electrical Power Line Extensions for College Station Utilities	\$3,708.00			\$3,708.00
F	LS	Design and coordination of revisions required by Smith Tract owner.	\$5,990.00			\$5,990.00
G	LS	Underdrain Revisions at the Central Plaza	\$2,131.00			\$2,131.00
H	LS	Maintenance Road Driveway Revisions and Oilfield Facilities Fence Revisions	\$2,704.00			\$2,704.00

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
I	LS	Additional Construction Phase Services for Extended Construction Time and Coordination	\$19,422.00			\$19,422.00
J	LS	Redesign of Benches in Committal Shelter	\$2,806.00			\$2,806.00
K	LS	Deduction for UST Removal Permitting and Coordination	(\$19,000.00)			(\$19,000.00)
		Total Changes				\$73,449.00

THE NET EFFECT OF THIS CHANGE ORDER IS A 14.72% INCREASE

ORIGINAL CONTRACT AMOUNT	\$498,917.00		
Change Order No. 1	\$73,449.00	14.72%	CHANGE
REVISED CONTRACT AMOUNT	\$572,366.00	14.72%	TOTAL CHANGE

SUBSTANTIAL COMPLETION DATE September 30, 2008
 Revised Substantial Completion Date June 21, 2009

APPROVED

Michael A. Martin 6/11/09

 A/E CONTRACTOR Date

Paul B. 7/30/09

 PROJECT MANAGER Date

 CIP DIRECTOR Date

 DIRECTOR OF FISCAL SERVICES Date

 CITY ATTORNEY Date

 MAYOR Date

 CITY SECRETARY Date

 CITY MANAGER Date

August 27, 2009
Consent Agenda Item No. 2d
Project Number GG9905
College Station Memorial Cemetery and Aggie Field of Honor – Construction
Contract Change Order

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion on a change order credit (reduction to the contract amount) in the amount of \$1,464.59 to Construction Contract 08-116 with Acklam Construction for the construction of the College Station Memorial Cemetery and Aggie Field of Honor.

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

Summary: Construction is complete. This change order includes deleting common Bermuda sod and replacing it with common Bermuda hydromulch which will result in a credit to the city for \$37,292.25 (Items 1-4). This change order includes upgrading the entrance to the adjacent Cemetery property as part of the easement release agreement (Item 5 and 6). The drip irrigation was added for additional coverage needed around the Spirit Gate area (Item 7). The fire extinguisher was added to the Committal Shelter to meet building code (Item 8). It was determined that there was no underground storage tank and a credit was issued for its removal (Item 11). Fire lane and striping was added to the Central Plaza Loop, and a credit in the amount \$725 was issued (Items 10 and 12). Additional sidewalks were added around the interim columbaria for cleaner pedestrian access to the columbaria (Item 13). A credit for rejected plants is issued (Item 14). It was determined that plastic laminate countertop would be more suitable for a construction material on the gravesite locator kiosk (Item 15). Fire department access controls are added to the main gate and the two buildings (Items 17 and 20). Two door closers were added to the Committal Shelter to provide resistance for the swinging doors (Item 18). Three drainage sleeves were added to the retaining walls to relieve the ponding water adjacent to the walls.

Budget & Financial Summary: Change Order No. 7 will decrease the contract amount by \$3,682.87 for a revised contract total of \$7,362,757.88. Funds in the amount of \$9,930,000 are budgeted for this project in the General Government Capital Improvement Projects Fund. Funds in the amount of \$9,554,199.41 have been expended or committed to date, leaving a balance of \$375,800.59. There is a pending change order for professional engineering services in the amount of \$73,449 which, once applied, will decrease the balance to \$302,351.59. This change order will then increase the balance to \$306,034.46.

Attachments:

- 1.) Change Order

CHANGE ORDER NO. 7		Contract No. 08-116		DATE: 08/11/09		
P.O.# 080656		PROJECT: Memorial Cemetery & Aggie Field of Honor, Project No. GG9905				
OWNER: City of College Station P.O. Box 9960 College Station, Texas 77842			CONTRACTOR: Acklam Construction 18932 Highway 6 South College Station, Texas 77847 Ph: (979) 690-8500 Fax: (979) 690-8510			
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	SY	Credit to delete common bermuda	(\$2.85)	18646	13085	(\$37,292.25)
2	SY	Hydromulch Common Bermuda @ 1lb/1,000 SF	\$0.32	0	4242	\$1,357.44
3	SY	Hydromulch Common Bermuda @ 3500 lbs/acre	\$1.55	0	8843	\$13,706.65
4	SY	Erosion Control Blanket as Ditch Liner	\$1.65	0	1400	\$2,310.00
5	LS	Extend driveway to adjacent site, RCP drainage culvert, excavate earth subgrade, provide traffic control and fine grading	\$13,750.00	0	1	\$13,750.00
6	LS	Additional Hydromulch Common Bermuda @ 1lb/1000 SF	\$1,852.93	0	1	\$1,852.93
7	LS	Add Drip Irrigation system around Spirit Gate	\$2,200.00	0	1	\$2,200.00
8	EA	5lb ABC fire extinguisher in Committal Shelter	\$94.44	0	1	\$94.44
9	LS	Delete Special Matching color Caulking at Spirit Gate	(\$1,500.29)	0	1	(\$1,500.29)
10	LS	Credit to provide painted pavement striping and markers in lieu of thermal applied markers	(\$2,100.00)	0	1	(\$2,100.00)
11	LS	Credit for not removing underground storage tank	(\$5,500.00)	0	1	(\$5,500.00)
12	LS	Provide fire lane markings	\$1,375.00	0	1	\$1,375.00
13	LS	Install sidewalks to Interim Columbariums	\$9,353.85	0	1	\$9,353.85
14	LS	Credit for rejected plantings	(\$10,129.73)	0	1	(\$10,129.73)
15	LS	Provide plastic laminate countertop in the information center	\$710.60	0	1	\$710.60
16	LS	Furnish and install additional bermuda block sod at Central Plaza	\$2,508.00	0	1	\$2,508.00
17	LS	Add single gang F/S box to card reader	\$627.00	0	1	\$627.00
18	LS	Furnish and install two Dorma Closers at Committal Shelter	\$654.50	0	1	\$654.50
19	LS	Install three 6" drainage sleeves at retaining wall	\$1,661.04	0	1	\$1,661.04

20	LS	Fabricate existing fence panel to allow for Knox padlock	\$677.95	0	1	\$677.95
					TOTAL	(\$3,682.87)

THE NET AFFECT OF THIS CHANGE ORDER IS A -0.05% INCREASE.

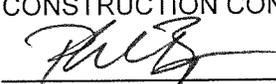
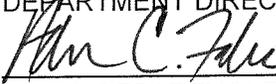
ORIGINAL CONTRACT AMOUNT	\$7,072,579.00		
Change Order No. 1	(\$3,438.72)	-0.05%	CHANGE
Change Order No. 2	\$86,160.50	1.22%	CHANGE
Change Order No. 3	\$69,259.47	0.98%	CHANGE
Change Order No. 4	\$1,230.00	0.02%	CHANGE
Change Order No. 5	\$73,557.30	1.04%	CHANGE
Change Order No. 6	\$64,164.02	0.91%	CHANGE
Change Order No. 7	(\$3,682.87)	-0.05%	CHANGE
REVISED CONTRACT AMOUNT	\$7,359,828.70	4.06%	TOTAL CHANGE

ORIGINAL CONSTRUCTION CONTRACT TIME 240 Days

ConstructionTime Extension No. 1 (CO #1)	10 Days
ConstructionTime Extension No. 2 (CO#2)	14 Days
ConstructionTime Extension No. 3 (CO#3, Item A2)	4 Days
ConstructionTime Extension No. 4 (CO#3, Item A4)	3 Days
ConstructionTime Extension No. 5 (CO#3, Item A5)	4 Days
ConstructionTime Extension No. 6 (CO#3, Item A6)	34 Days
ConstructionTime Extension No. 7 (CO#3, Item A10)	12 Days
ConstructionTime Extension No. 8 (CO#5, Item A)	5 Days
ConstructionTime Extension No. 9 (CO#5, Item B)	5 Days
ConstructionTime Extension No. 10 (CO#5, Item C)	10 Days
ConstructionTime Extension No. 11 (CO#5, Item D)	3 Days
ConstructionTime Extension No. 12 (CO#5, Item E)	3 Days
ConstructionTime Extension No. 13 (CO#5, Item G)	2 Days
ConstructionTime Extension No. 14 (CO#5, Item H)	6 Days
ConstructionTime Extension No. 15 (CO#5, Item I)	3 Days
ConstructionTime Extension No. 16 (CO#5, Item K)	2 Days
ConstructionTime Extension No. 17 (CO#5, Item L)	2 Days
ConstructionTime Extension No. 17 (CO#6, Item A)	7 Days
ConstructionTime Extension No. 17 (CO#6, Item D)	2 Days
ConstructionTime Extension No. 17 (CO#6, Item E)	2 Days
ConstructionTime Extension No. 18	10 Days
ConstructionTime Extension No. 19 (CO#7)	8 Days
Revised Contract Construction Time	151 Days

SUBSTANTIAL COMPLETION DATE 02/08/09
 Revised Substantial Completion Date 06/30/09

APPROVED

	8/19/09	_____	_____
CONSTRUCTION CONTRACTOR	DATE	CHIEF FINANCIAL OFFICER	DATE
	8-17-09	_____	_____
PROJECT MANAGER	DATE	CITY MANAGER	DATE
	8/17/09		8/17/09
DEPARTMENT DIRECTOR FOR CRG	DATE	CONSULTANT ENGINEER	DATE
	_____	_____	_____
LEGAL DEPARTMENT	DATE	MAYOR	DATE
_____	DATE	_____	_____
CITY SECRETARY	DATE		

August 27, 2009
Consent Agenda Item No. 2e
Resolution authorizing mayor to order election

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action, and discussion of a Resolution authorizing a special election to be held on November 3, 2009 in the City of College Station for the purpose of proposing ordinance, submitted as Section 83, initiative petition, providing that camera enforcement of red light violations shall be unenforceable; authorizing the Mayor to sign notice of election designating early voting and election day precincts; providing a severability clause; and providing an effective date.

Summary: During the August 17, 2009 council meeting, City Council directed staff to prepare ordinance calling special election on November 3rd 2009 ballot for the purpose of submitting question to voters regarding red light camera enforcement system in College Station.

Budget & Financial Summary: Brazos County is holding a constitutional amendment election on Tuesday November 3, 2009. The City may place this proposition on the ballot and join with the County to conduct the election. Cost to the City for this special election shall be approximately \$35,000.

Attachments:

Resolution to be provided prior to meeting

August 27, 2009
Consent Agenda Item No. 2f
Resolution and ILA November 3, 2009 special election

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action and discussion of resolution adopting an interlocal agreement between the City of College Station and Brazos County for the conduct and management of the City of College Station special election to be held on Tuesday November 3, 2009.

Summary: During the August 17, 2009 council meeting, City Council directed staff to prepare ordinance calling special election on November 3rd 2009 ballot for the purpose of submitting question to voters regarding red light camera enforcement system in College Station.

Budget & Financial Summary: Brazos County is holding a constitutional amendment election on Tuesday November 3, 2009. The City may place this proposition on the ballot and join with the County to conduct the election. Cost to the City for this special election shall be approximately \$35,000.

Attachments:

Resolution

Interlocal Agreement with Brazos County

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS; ADOPTING AN INTERLOCAL GOVERNMENT AGREEMENT WITH BRAZOS COUNTY FOR THE CONDUCT AND MANAGEMENT OF THE CITY OF COLLEGE STATION SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009.

WHEREAS, Brazos County will conduct a general election on Tuesday November 3, 2009; and

WHEREAS, the City of College Station City Council will be conducting a Special Election to be held on the same day; and

WHEREAS; the parties to this agreement desire that a joint election be held that is cost effective and convenient for the voters of both entities; now, therefore,

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

PART 1: That the interlocal government agreement shall be jointly signed by both parties which outline the terms and conditions upon which said election shall be conducted; and

PART 2: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 27th day of August, A.D. 2009.

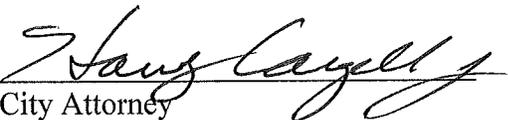
ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:


City Attorney

INTERLOCAL GOVERNMENT AGREEMENT
Joint Election

This agreement is made this _____ day of _____, 2009, by and between Brazos County ("the County") and the City of College Station ("the City").

WHEREAS, Brazos County will conduct a general election on Tuesday, November 3, 2009; and

WHEREAS, the City of College Station has called for a Special Election to be held within the city limits of College Station, Texas; and

WHEREAS, Brazos County and the City of College Station will hold elections on the same day; and

WHEREAS, the parties to this agreement desire that a joint election be held that is cost effective and convenient for the voters of the entities;

NOW, THEREFORE, IT IS AGREED that a joint election will be held by the County and the City under the following terms and conditions, and the parties hereto agree with said conditions:

1. That there shall be one ballot that contains all appropriate races and propositions available for qualified voters of the two entities.
2. That there shall be one set of voting equipment to be used at the common polling places.
3. That election forms to be used and records to be maintained in a manner convenient and adequate to record and report the results of the election for the County and the City.
4. That the joint tabulation of the precinct results shall be in a manner to facilitate the independent canvass of returns by the two entities.
5. That each entity shall be responsible for the preparation, publication and Spanish translations of its own Notice of Election and Order of Election.
6. That the implementation, conduct and management of said election shall be by the Brazos County Clerk. The Brazos County Clerk is hereby designated as the Chief Election Official and Early Voting Clerk for the two entities for the elections to be held on November 3, 2009. The implementation, conduct and management of the election shall include, but not be limited to:
 - A. The securing of qualified individuals to serve as election judges for each polling place.

- B. The securing of locations and facilities where the election is to be conducted.
 - C. The securing of the election materials and supplies requisite to the proper administration of the election, and the programming and preparation of direct recording voting equipment to be used in the election.
 - D. The securing of a contract with Texas Voting Systems, Inc., for election services and supplies.
 - E. The Brazos County Clerk will be responsible for the conduct of joint early voting by personal appearance and by mail, with the Brazos County Courthouse, Arena Hall, Galilee Baptist Church, Memorial Student Center, and Grace Bible Church as the locations for early voting by personal appearance.
7. The amount to be paid by the City to the County for services rendered by the County in the November 3, 2009, election is:
- A. Brazos County will first fund all costs in full, other than the publication of each entity's Notice of Election.
 - B. The City of College Station will reimburse the County for certain costs as follows:
One-half (1/2) the cost for payment of the early voting election workers and the cost of one (1) election day worker per CS polling place.
 - C. One-half (1/2) the cost of expenses paid to Texas Voting Systems for election services and supplies.
 - D. Each entity shall fund one-half (1/2) the expenses of the election day polling places within the City limits, when that entity has items appearing on the ballot for that precinct.
 - E. One-half (1/2) of the cost of publication for all jointly required notices.
 - F. One-half (1/2) the cost of the Early Ballot Board, Central Counting Station, and the tabulation supervisor and data processing manager.
 - G. Administrative fee of 10% as allowed in the Texas Election Code.
8. Each entity shall be responsible for any necessary submissions to the U.S. Department of Justice for preclearance under the Federal Voting Rights Act.
9. The financial obligations of the parties under this agreement are payable from current revenues of the respective parties.

10. That the undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

APPROVED AND AGREED this _____ day of _____, 2009.

BRAZOS COUNTY

Karen McQueen, County Clerk

CITY OF COLLEGE STATION

ATTEST:

Mayor

City Secretary

APPROVED:



City Attorney

August 27, 2009
Consent Agenda Item No. 2g
University Drive Beautification Project
Advanced Funding Agreement

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion concerning a resolution to approve an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to construct the first phase of the University Drive Beautification Project at the interchange with HWY 6.

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

Summary: The AFA is required by TxDOT for improvements made within the TxDOT right-of-way. The University Drive Beautification project design includes hardscape structures, landscaping, and utility work to provide irrigation and lighting to the quadrants. The first phase of the project will include site preparation, trees and shrubs, irrigation, and water bores to provide irrigation to each quadrant.

Budget & Financial Summary: Funds in the amount of \$324,000.00 are budgeted for the University Drive Beautification Project (ST0515) from the Streets Capital Improvement Projects Fund. In addition, \$50,000 has been allocated from the Electric Fund. The total project budget is \$374,000. Funds in the amount of \$63,913.98 have been expended or committed to date, leaving a balance of \$310,086.02 for construction and other future expenses.

Attachments:

- 1.) Advance Funding Agreement
- 2.) Resolution
- 3.) Project Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ALLOWING THE MAYOR TO SIGN AN ADVANCE FUNDING AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF COLLEGE STATION FOR CONSTRUCTION OF THE UNIVERSITY DRIVE BEAUTIFICATION PROJECT AT STATE HIGHWAY 6.

WHEREAS, the City Council of the City of College Station, Texas, supports the City plan to construct the University Drive Beautification Project consisting of landscape amenities in the SH6 and University Drive interchange; and

WHEREAS, the City Council of the City of College Station, Texas, agrees to fund the University Drive Beautification Project 100% of the value of the project; now, therefore,

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

PART 1: That the City Council hereby approves the Advance Funding Agreement.

PART 2: That the City Council hereby approves of the Mayor signing the agreement.

PART 3: That the City Council hereby agrees to fully fund the University Drive Beautification Project construction costs.

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

ADOPTED this 27th day of August, A.D. 2009.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

City Attorney

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

STATE OF TEXAS §
COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
FOR A LOCAL GOVERNMENT TO
CONSTRUCT AN ON-SYSTEM IMPROVEMENT
WITH 50% to 100% LOCAL FUNDS**

THIS AGREEMENT (the Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation hereinafter called the "State", and the City of College Station, acting by and through its duly authorized officials, hereinafter called the "Local Government."

WITNESSETH

WHEREAS, Transportation Code, Section 201.209 authorizes the State and a Local Government to enter into agreements to increase the efficiency and effectiveness of government within the scope of their authorized duties; and,

WHEREAS, Texas Transportation Code, Section 222.052 allows a Local Government to contribute funds for the development and construction of the public roads and state highway system; and,

WHEREAS, the Local Government has provided for the design and construction of landscape amenities within the State right of way of the SH 6 interchange with FM 60 (University Drive) (the Project) to improve the safety and operations of the public roads and state highway system as approved by a resolution or ordinance which is attached hereto and made a part hereof as Attachment "A"; and,

WHEREAS, on November 16, 2006, the Texas Transportation Commission passed Minute Order 110753, authorizing the State to enter into the necessary agreements with the Local Government to allow the Local Government to make such improvements at its own cost;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

- 1. Period of the Agreement.** This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the Project is completed or unless terminated as provided herein.
- 2. Scope of Work.** The Local Government will fund and develop the Project described as the design and construction of landscape amenities. The project is at the location described in Project Location Map, attached hereto and made a part hereof as Attachment "B".

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

3. Right of Way.

Right-of-way and real property acquisition shall be the responsibility of the Local Government. Title to right-of-way and other related real property must be acceptable to The State before funds may be expended for the improvement of the right of way or real property. If the Local Government is the owner of any part of the project site under this Agreement, the Local Government shall permit The State or its authorized representative access to occupy the site to perform all activities required to execute the work.

All parties to this agreement will comply with and assume the costs for compliance with all the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Title 42 U.S.C.A. Section 4601 et seq., including those provisions relating to incidental expenses incurred by the property owners in conveying the real property to the Local Government, and benefits applicable to the relocation of any displaced person as defined in 49 CFR Section 24.2(g). Documentation to support such compliance must be maintained and made available to The State and its representatives for review and inspection.

- A. The Local Government shall assume all costs and perform necessary requirements to provide any necessary evidence of title or right of use in the name of the Local Government to the real property required for development of the Project. The evidence of title or rights shall be acceptable to The State, and be free and clear of all encroachments. The Local Government shall secure and provide easements and any needed rights of entry over any other land needed to develop the Project according to the approved Project plans. The Local Government shall be responsible for securing any additional real property required for completion of the Project.
- B. In the event real property is donated to the Local Government after the date of The State's authorization, the Local Government will provide all documentation to The State regarding fair market value of the acquired property. The State will review the Local Government's appraisal, determine the fair market value and credit that amount towards the Local Government's financial share. If donated property is to be used as a funding match, it may not be provided by the Local Government. The State will not reimburse the Local Government for any real property acquired before execution of this agreement and The State's issuance of a letter of funding authority.
- C. The Local Government shall prepare real property maps, property descriptions, and other data as needed to properly describe the real property and submit them to The State for approval prior to the Local Government acquiring the real property. Tracings of the maps shall be retained by the Local Government for a permanent record.
- D. The Local Government agrees to make a determination of property values for each real property parcel by methods acceptable to The State and to submit to The State a tabulation of the values so determined, signed by the appropriate Local Government representative. The tabulations shall list the parcel numbers, ownership, acreage and recommended compensation. Compensation shall be shown in the component parts of land acquired, itemization of improvements acquired, damages (if any) and the amounts by which the total compensation will be reduced if the owner retains improvements. This tabulation shall be accompanied by an

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

explanation to support the determined values, together with a copy of information or reports used in calculating all determined values.

Expenses incurred by the Local Government in performing this work may be eligible for reimbursement after the Local Government has received written authorization by The State to proceed with determination of real property values. The State will review the data submitted and may base its reimbursement for parcel acquisitions on these values.

- E. Condemnation shall not be used to acquire real property for this Project.
- F. Reimbursement for real property costs will be made to the Local Government for real property purchased in an amount not to exceed eighty percent (80%) of the cost of the real property purchased in accordance with the terms and provisions of this agreement. Reimbursement will be in an amount not to exceed eighty percent (80%) of The State's predetermined value of each parcel, or the net cost thereof, whichever is less. In addition, reimbursement will be made to the Local Government for necessary payments to appraisers, expenses incurred in order to assure good title, and costs associated with the relocation of displaced persons and personal property as well as incidental expenses.
- G. If the Project requires the use of real property to which the Local Government will not hold title, a separate agreement between the owners of the real property and the Local Government must be executed prior to execution of this Agreement. The separate agreement must establish that the Project will be dedicated for public use for a period of not less than 10 (ten) years after completion. The separate agreement must define the responsibilities of the parties as to the use of the real property and operation and maintenance of the Project after completion. This agreement must be approved by The State prior to its execution. A copy of the executed agreement shall be provided to The State.

4. Project Funding.

- a. The Local Government shall provide 100% (one-hundred percent) of the necessary funds for development of the Project, including but not limited to: survey, right of way acquisition, required utility work, environmental assessment and remediation, preliminary and final design work; all letting to contract costs; all construction bid item costs; all construction contract management costs; all construction bid item change order costs, should they become necessary; and, all construction bid item material and equipment testing costs. An Estimated Project Budget is attached as Attachment C.
- b. The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

- 5. Project Responsibilities.** The Local Government is responsible for all aspects of the Project unless otherwise indicated in this Agreement.

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

a. Utilities.

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or state funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State's request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is completed.

The Local Government will be responsible for all costs associated with additional adjustment, removal, or relocation during the construction of the project, unless this work is provided by the owners of the utility facilities:

- i. per agreement;
- ii. per all applicable statutes or rules, or;
- iii. as specified otherwise in a LPAFA.

Prior to letting a construction contract for a local project, a utility certification must be made available to the State upon request stating that all utilities needing to be adjusted for completion of the construction activity have been adjusted.

b. Environmental Assessment and Mitigation.

- i. The Local Government must comply with all applicable federal, state, and local environmental laws and regulations and permitting requirements.
- ii. The Local Government is responsible for coordination and environmental clearance.
- iii. The Local Government is responsible for identification and assessment of any environmental problems associated with the Project, and for the cost of any environmental problem's mitigation and remediation.
- iv. The Local Government is responsible for providing any public meetings or public hearings, if required.
- v. The Local Government shall provide the State with written certification from appropriate regulatory agency(ies) that identified environmental problems have been remediated.

c. Compliance with Texas Accessibility Standards and ADA.

The Local Government shall ensure that the plans for and the construction of the Project are in compliance with the Texas Accessibility Standards (TAS) issued by the Texas Department of Licensing and Regulation, under the Architectural Barriers Act, Article 9102, Texas Civil Statutes. The TAS establishes minimum accessibility requirements to be consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

d. Preliminary Engineering.

- i. The Local Government will be responsible for the preparation of all the engineering contract documents required for the construction of the Project.

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

- ii. The Local Government shall prepare the preliminary engineering, specifications and estimates (PS&E) to be let by the Local Government in accordance with the latest AASHTO or State standards or the Local Government's standards, as approved by the State. The Local Government shall submit shop drawings for all materials intended for use on the traffic signals and related items to the State for the State's approval, prior to fabrication and/or use.
- iii. The Local Government shall submit the completed PS&E to the State for review and approval. The Local Government shall not advertise for the construction contract until the State has approved the PS&E documents.
- iv. The State shall review all plan work and associated documentation in a timely manner.

e. Bidding.

The Local Government shall have its own construction contract letting and award procedures approved by the State or the Local Government shall agree to use the applicable Local Government Project Procedures provided by the State at the following website: <http://the State-webdev/business/localgov.htm>. The Local Government shall advertise for construction bids, issue bid proposals, receive and tabulate the bids and award a contract for construction of the Project in accordance with existing procedures and applicable laws.

The Local Government shall notify the State once the project is advertised for bids. Once the bid tabulations have been received, the Local Government shall obtain approval from the State prior to awarding the contract to the successful bidder. The Local Government must submit a right of way certification stating that right of way acquisition is complete or no right of way is needed before the State will approve the bid.

f. Construction.

- i. The State will be responsible for auditing and construction oversight.
- ii. The Local Government shall notify the State before actual construction work on State right of way begins. Said notification shall include, but is not limited to: invitation to all pre-letting and pre-construction meetings; invitation to all work-in-progress meetings; and a minimum of 3 workdays notice prior to performing major items of work (such as placing or modifying traffic control plans, pouring any concrete items, and/or performing any work items on the existing or proposed traffic signal system) on the project.
- iii. The Local Government shall submit all change order plan work and associated items to the State for their review and approval prior to enacting any change order associated with the project. The Local Government or its engineer will supervise and inspect all work performed by the construction contractor and will provide such engineering, inspection and testing services as may be required to ensure that the construction of the Project is accomplished in accordance with the approved PS&E. The Local Government shall test (or cause to be tested) all construction bid item materials and equipment in accordance with The State testing standards. The Local Government shall provide written results of the various tests to the State within 3 workdays following the completion of each test. In cases where a material or an equipment test indicates that the material or equipment fails to meet The State standards, the Local Government shall recommend a course of corrective action to the State. The State shall have the authority to accept or reject the corrective action. If

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

the corrective action plan is rejected by the State, the Local Government shall continue to seek-out a corrective action plan until it develops one that is acceptable to the State. All costs associated with material and/or equipment corrective actions shall be borne solely by the Local Government.

- iv. The Local Government shall inspect all construction bid item work to ensure that it is performed in accordance with applicable The State standards and specifications.
- v. The Local Government shall submit all concrete mix designs to the State for approval, prior to use on the project.
- vi. The State shall have and retain oversight of all inspection of all items of work performed within the State right-of-way.

The State shall periodically inspect the project's signs, barricades and traffic control plan to ensure compliance with the Texas Manual on Uniform Traffic Control Devices (TxMUTCD). The State shall attend all pre-work and pre-construction meetings.

6. Final Inspection. The Local Government shall request by letter within fifteen (15) days of physical completion of the work that the local State office perform its final inspection and acceptance.

7. Project Maintenance. The Local Government shall be responsible for maintenance of the Project.

The State reserves the right to reconstruct, incorporate or remove the Project if it becomes necessary because of the construction of a future highway improvement project. The State will not compensate the Local Government for the loss of, or any changes to, the Project. The State will make every effort to return to the Local Government the items furnished by the Local Government for their use at this or another location. The State's actions will be governed by the rules, policies and procedures in effect at the time of the future highway improvement project.

8. Termination of this Agreement. This Agreement shall remain in effect until the Project is completed and accepted by all parties, unless the:

- a. Agreement is terminated in writing with the mutual consent of the parties;
- b. Agreement is terminated because the Local Government has breached the contract.

If the Agreement is terminated then the Local Government must reimburse the State for all Project costs incurred by the State.

9. Amendments. Amendments to this Agreement due to changes in the character of the work or terms of the Agreement, or responsibilities of the parties relating to the Project must be enacted through a mutually agreed upon, written amendment.

10. Remedies. This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

11. Notices. All notices to either party by the other required under this Agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to such

CSJ: 0049-12-081
 District: 17 (Bryan)
 Code Chart 64: 09050 (College Station)
 Project: CC 49-12-81
 CFDA: N/A

party at the following addresses:

Local Government:	State:
Glenn Brown City Manager City of College Station P.O. Box P.O. Box 9960 College Station, Texas 77842-9960	Robert A. Appleton, P.E. Director of Transportation Planning and Development 1300 North Texas Avenue Bryan, Texas 77803-2760

All notices shall be deemed given on the date so delivered or so deposited in the regular mail, unless otherwise provided herein. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

12. **Legal Construction.** In case one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal or unenforceable provision.
13. **Responsibilities of the Parties.** The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.
14. **Ownership of Documents.** Upon completion or termination of this Agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this Agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.
15. **Compliance with Laws.** The parties shall comply with all applicable federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.
16. **Sole Agreement.** This Agreement constitutes the sole and only Agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.
17. **Retention of Records and Inspection.** The Local Government shall keep a complete and accurate record to document the performance of the work and to expedite any audit that might be conducted. The Local Government shall maintain all books, documents, papers, accounting records and other documentation relating to costs. Records shall include, but

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

not be limited to, diaries, materials received (invoices), test reports, manufacturer's certificates, warranties, change orders, and time extensions. The Local Government shall make such materials available to the State, the Local Government, or their duly authorized representatives for verification, review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this contract or until any impending litigation, or claims are resolved.

18. Insurance.

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

19. Debarment Certification: The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the [Contractor, Local Government, Engineer, or whatever] certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive Federal funds and, when requested by the State, to furnish a copy of the certification.

20. Signatory Warranty. The signatories to this Agreement warrant that each has the authority to enter into this Agreement on behalf of the party represented.

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

IN TESTIMONY HEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE LOCAL GOVERNMENT

Name of the Local Government City of College Station

By _____ Date _____

Typed or Printed Name and Title Ben White, Mayor, City of College Station

ATTEST:

Connie Hooks, City Secretary
Date: _____

APPROVED:

City Manager

Date: _____

City Attorney

Date: 8-4-09

Chief Financial Officer

Date: _____

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

ATTACHMENT A
Resolution or Ordinance

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ALLOWING THE MAYOR TO SIGN AN ADVANCE FUNDING AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF COLLEGE STATION FOR CONSTRUCTION OF THE UNIVERSITY DRIVE BEAUTIFICATION PROJECT AT STATE HIGHWAY 6.

WHEREAS, the City Council of the City of College Station, Texas, supports the City plan to construct the University Drive Beautification Project consisting of landscape amenities in the SH6 and University Drive interchange; and

WHEREAS, the City Council of the City of College Station, Texas, agrees to fund the University Drive Beautification Project 100% of the value of the project; now, therefore,

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

- PART 1: That the City Council hereby approves the Advance Funding Agreement.
- PART 2: That the City Council hereby approves of the Mayor signing the agreement.
- PART 3: That the City Council hereby agrees to fully fund the University Drive Beautification Project construction costs.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 17th day of August, A.D. 2009.

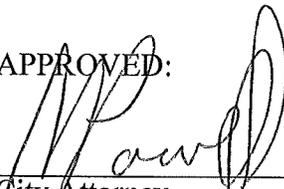
ATTEST:

APPROVED:

City Secretary

MAYOR

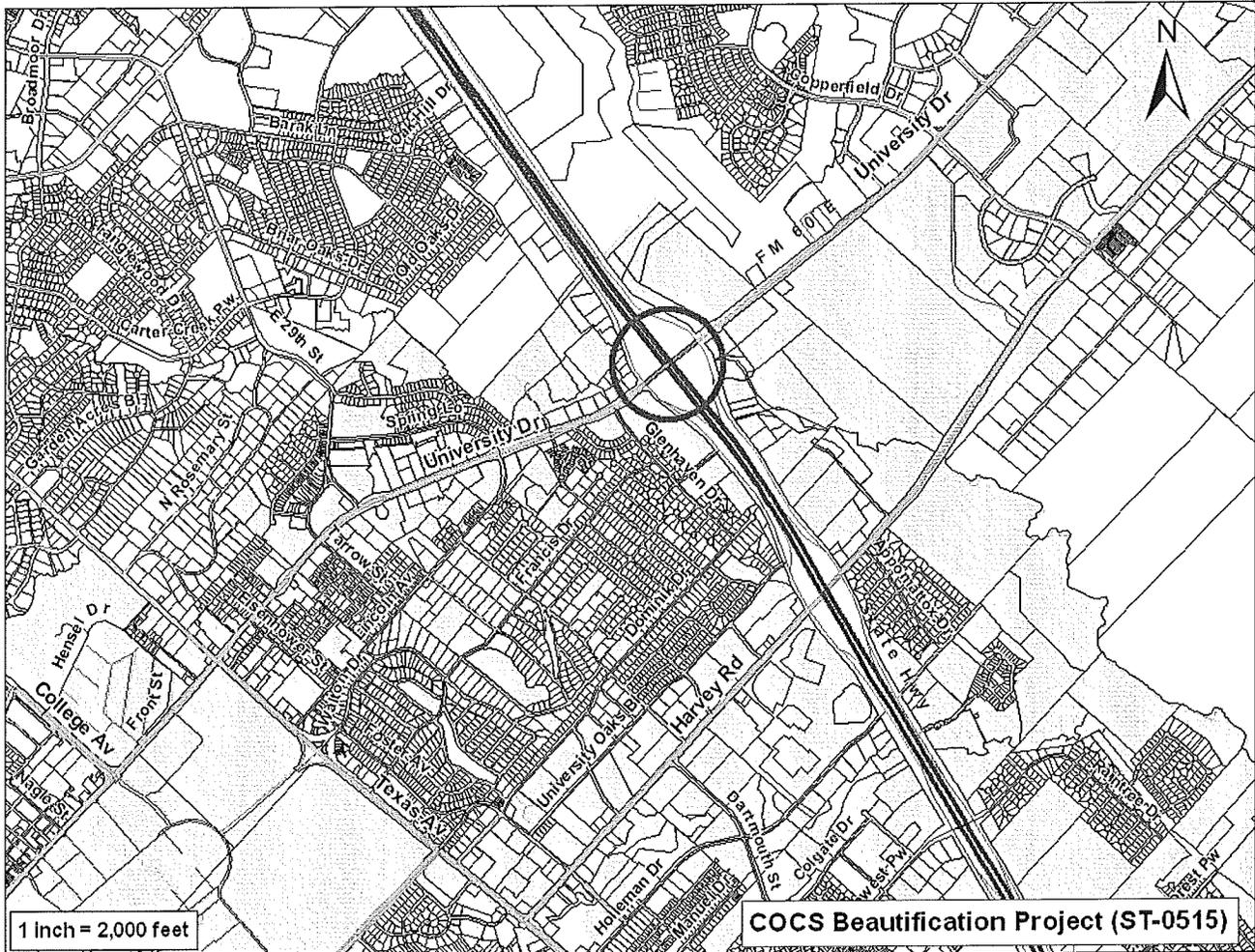
APPROVED:



City Attorney

CSJ: 0049-12-081
District: 17 (Bryan)
Code Chart 64: 09050 (College Station)
Project: CC 49-12-81
CFDA: N/A

ATTACHMENT B
Project Location Map
Showing Project



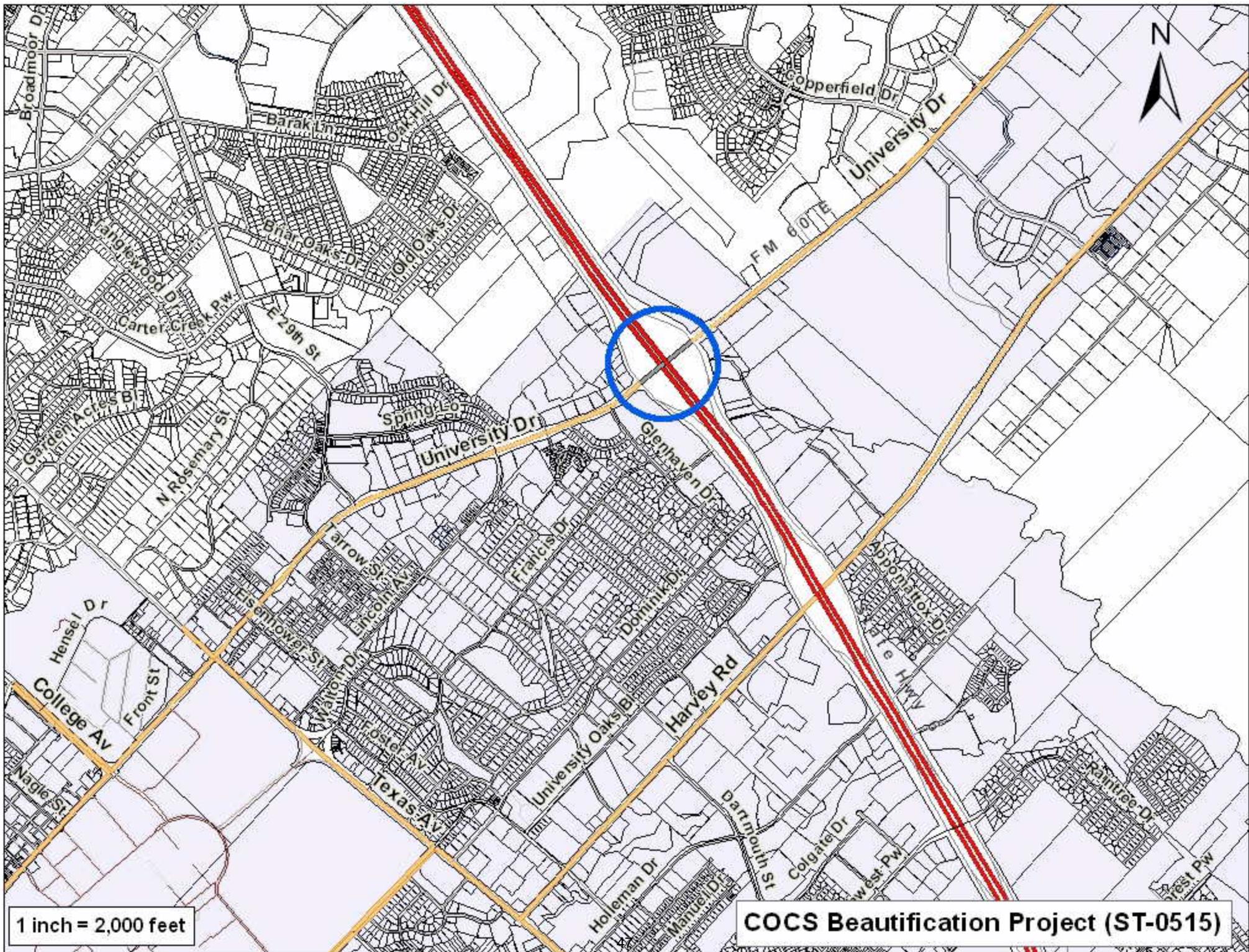
CSJ: 0049-12-081
 District: 17 (Bryan)
 Code Chart 64: 09050 (College Station)
 Project: CC 49-12-81
 CFDA: N/A

ATTACHMENT C

Estimated Project Budget

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
PS&E (including design surveys, preliminary and final design)	\$60,000	0%	\$0	0%	\$0	100%	\$60,000
Subtotal	\$60,000		\$0		\$0		\$60,000
Construction	\$295,000	0%	\$0	0%	\$0	100%	\$295,000
Direct State Costs (including limited construction oversight, inspection and material testing)	Waived	0%	\$0	0%	\$0	0%	\$0
Indirect State Costs (no local participation required except for service projects)	Waived	0%	\$0	0%	\$0	0%	\$0
Subtotal	\$295,000		\$0		\$0		\$295,000
TOTAL	\$355,000		\$0		\$0		\$355,000

This is an estimate only; the cost to the Local Government will be based on actual charges to the Project.



August 27, 2009
Consent Agenda Item No. 2h
Northgate Park Project
Real Estate Contract

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion regarding approval of a real estate contract in the amount of \$413,880 between the City of College Station (Buyer) and Janie A. Cargill and Thomas H. Cargill (Sellers) for the purchase of four lots at 310, 314 and 316 Spruce Street.

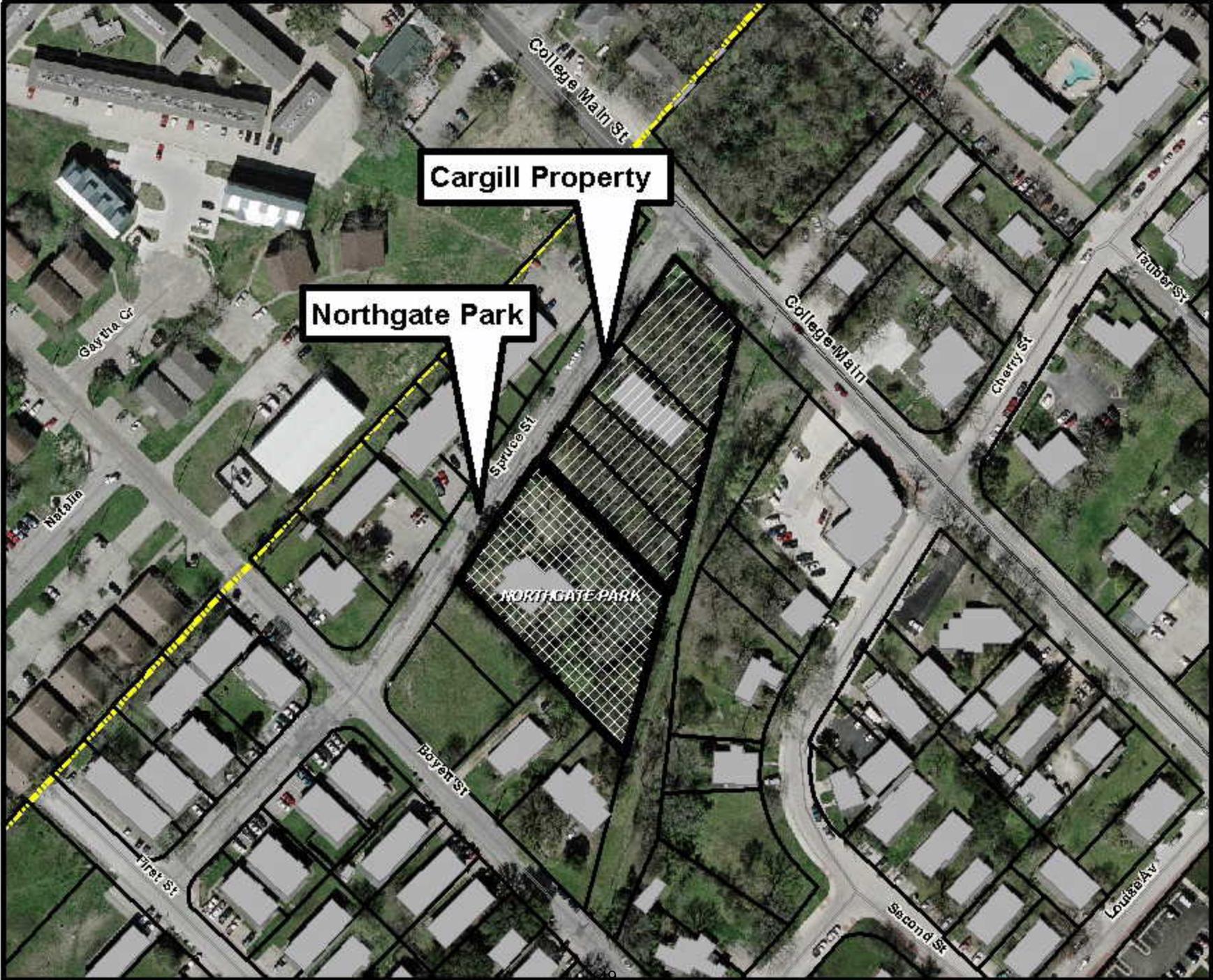
Recommendation(s): Staff recommends approval of the contract which will authorize the Mayor to execute the contract and will authorize the City Attorney to complete the transaction.

Summary: At its meeting on March 8, 2007, City Council authorized the purchase of three lots on Spruce Street for the purpose of developing a neighborhood park in Northgate. At another meeting on May 18, 2009, Council directed staff to proceed with negotiations on additional property in an effort to enlarge the site. Staff has completed negotiations for the purchase of four lots with the stipulation the Sellers lease-back Lots 9 and 10 until August 31, 2011. The two lots are improved with a home will be relocated to the Sellers ranch after expiration of the lease-back period. Therefore, the seller will have the opportunity to occupy and/or lease that portion of the property until August 31, 2011.

Budget & Financial Summary: The purchase price for the property is \$413,880, which is subject to change if the size of the site varies from the estimate. Additional funds in the amount of \$15,000 will be required for surveying, environmental study, title insurance, closing costs and other fees. Funds for this purchase are budgeted in the Parks Capital Improvement Projects Fund as part of the Neighborhood Parks Revolving Fund project. The total budget for this project is \$1,000,000 and \$500,000 of this budget was included in the FY09 budget for this purchase.

Attachments: Project Map
Real Estate Contract – Available in City Secretary's Office

Northgate Park - Cargill Property



August 27, 2009
Consent Agenda Item No. 2i
College Park-Breezy Heights Rehabilitation Project

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action, and discussion to a change order to Contract #08-277 to Brazos Valley Services in the amount of \$113,912.94 for additional construction services related to the College Park/Breezy Heights Rehabilitation Project.

Recommendation(s): Staff recommends approval of this change order to expand the milling and overlaying program within the project boundaries and parts of the surrounding area.

Summary: On April 9, 2009 Staff delivered a presentation to Council proposing to use a portion of these excess Street Funds to mill and overlay other streets within the project boundaries and immediately adjacent to the project boundaries that are need of repair and repair and replace curbs and gutter in the neighborhood. The Council agreed with the proposal and directed Staff to proceed.

Additional surveying and engineering was needed to complete the replacement of the curb and gutter, and the pavement replacement along Welsh between Park Place and Angus. Staff wanted to continue to expedite the construction efforts in the neighborhood, and divided the work into two change orders. On June 25, 2009 staff brought forward a change order in the amount of \$428,938.50 for additional milling and overlaying (excluding Welsh Street) in the neighborhood.

This change order will include the pavement replacement along Welsh, curb and gutter work throughout the neighborhood, and serves to adjust some of the quantities that exceeded the original estimates due to unforeseen site conditions – additional asphalt pavement, lime stabilization of the roadway subgrade, removing and replacing two additional light poles, increased concrete work curbs and driveway and an electrical repair and relocation near the corners of Eleanor/Luther and Montclair

Budget & Financial Summary: The original contract for construction services was \$4,116,581.28. Change order 1 increased the contract by 10.4% to a total of \$4,545,519.78. This Change Order will increase the contract by an additional \$113,912.94. The current budget for the College Park-Breezy Heights Rehabilitation project is \$5,843,045. Funds in the amount of \$5,197,514.83 have been expended or committed to date, leaving a balance of \$645,530.17 for this change order and future expenses. The funding sources for this project include the Streets, Drainage, Water and Wastewater Capital Improvement Project Funds. This change order will be applied to the portion of the project funded by the Streets Capital Fund, which has a balance of \$149,564.50.

Attachments:

1. Location Map of the College Park Breezy Heights Rehabilitation Project
2. Change Order

College Park/Breezy Heights Rehabilitation Project Location Map



CHANGE ORDER NO. 2		Contract No. 08-277		DATE: 11 August 2009		
P.O.# 081170		PROJECT: College Park/Breezy Heights Rehabilitation				
OWNER: City of College Station P.O. Box 9960 College Station, Texas 77842			CONTRACTOR: Brazos Valley Services PO Box 985 Bryan, TX 77805 Ph: (979) 255-3977 Fax: (936) 399-7012			
PURPOSE OF THIS CHANGE ORDER:						
<p>A. STREET ITEMS: As portions of the street improvements associated with the College Park/Breezy Heights Rehabilitation Project approach their conclusion, certain line items require quantity adjustments for overruns and in one instance a deduction for work that was removed from the project. Increases include items for lime stabilization of the roadway subgrade, moving light poles, increased concrete for curbing, increased removal of existing concrete beyond that which was originally anticipated, increased concrete for driveway repairs and transitions, increased asphalt mill and overlay and an electrical repair and relocation. Of particular note is an increase to the asphalt mill and overlay quantities, where base failure along a portion of West Dexter resulted in a few hundred feet of the road needing 6-inches of asphalt to be placed as opposed the originally planned 2-inches. Also, Welsh Street from Park Place to Angus is being added to the milling and overlaying expansion program that was Change Order 1 for this project.</p>						
ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
11	SY	6" lime stabilized subgrade with minimum 6% lime by weight compacted to an apparent dry density of 98% ASTM D698 standard proctor density @ optimum moisture content, including related items and appurtenances, complete in place	\$4.00	9336	9476	\$558.72
12	TONS	Lime for subgrade stabilization (27 lbs/SY), complete in place	\$157.00	126	131	\$794.42
17	EA	Existing light pole to be removed and replaced	\$2,500.00	6	8	\$5,000.00
18	EA	Existing power pole to be removed and reset, complete in place	\$5,000.00	3	0	(\$15,000.00)
19	SY	6" reinforced concrete paving, including related items & appurtenances, complete in place	\$38.00	5705	6276	\$21,698.00
20	LF	6" dowel on curb including related items and appurtenances, complete in place	\$3.50	4420	5139	\$2,516.50
35	SY	Remove and dispose of existing concrete sidewalk, including related items and appurtenances, complete in place	\$10.00	42	105	\$630.00
37	SY	Reinforced concrete paving (6" thick) for existing driveway for smooth transition from new driveway turnout to locations shown on plans including expansion joints, control joints, including related items & appurtenances, complete in place	\$40.00	317	546	\$9,168.80
122A	SY	Mill & dispose of 2" existing asphalt concrete (TxDOT Specification Item 354) including related items & appurtenances, complete in place	\$2.50	9164	11342	\$5,445.00
123A	SY	RC-15 Asphalt tack coat (0.15 gal/SY), including related items & appurtenances, complete in place	\$2.00	9164	11342	\$4,356.00
124A	SY	2" Type D HMAc asphalt pavement, including related items & appurtenances, complete in place	\$11.00	9164	11342	\$23,958.00
123A2	SY	RC-15 Asphalt tack coat (0.15 gal/sy) including related items & appurtenances, complete in place	\$2.00	48102	52461	\$8,718.00
122A2	SY	Mill & Dispose of 2" of existing asphalt concrete (Tx DOT specification item 354) including related items & appurtenances, complete in place	\$2.00	37299	41658	\$8,718.00
124A2	SY	2" Type D HMAc Asphalt pavement including related items & appurtenances, complete in place	\$7.50	37299	41658	\$32,692.50
CO2-1	LS	Electrical Repair/Relocation	\$4,659.00	0	1	\$4,659.00
					TOTAL	\$113,912.94
THE NET AFFECT OF THIS CHANGE ORDER IS 2.77% INCREASE.						
ORIGINAL CONTRACT AMOUNT			\$4,116,581.28			
Change Order No. 1			\$428,938.50	10.42%	CHANGE	
Change Order No. 2			\$113,912.94	2.77%	CHANGE	
REVISED CONTRACT AMOUNT			\$4,545,519.78	13.19%	TOTAL CHANGE	
ORIGINAL CONTRACT TIME			275	Days		
Time Extension No. 1			62	Days		
Revised Contract Time			337			
Revised Substantial Completion Date			10/12/09			
APPROVED						
A/E CONTRACTOR		Date	LEGAL	Date		
CONTRACTOR		Date	CITY MANAGER	Date		
PROJECT MANAGER		Date	MAYOR	Date		
DEPARTMENT DIRECTOR		Date	CITY SECRETARY	Date		
CHIEF FINANCIAL OFFICER		Date				

August 27, 2009
Consent Agenda Item No. 2j
Discovery Drive Phase I Extension / Raymond Stotzer Sidewalks & Traffic Signal

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 Design Contract 08-266 with Jacobs Edwards & Kelcey in the amount of \$80,775, for the re-design of the Discovery Drive Phase I Extension and design of Raymond Stotzer Sidewalks & Traffic Signal.

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

Summary: Once the construction documents for the project were complete, Texas A&M University re-evaluated the proposed roadway system through the undeveloped portion of campus north of the new TIPS building, and requested a change to the scope of this project. The University requested that Discovery Drive north of Raymond Stotzer terminate immediately past the driveway entrance to the new TIPS building; thereby deleting the remainder of the roadway across Whites Creek and the connection to the existing transportation system behind the Large Animal Clinic. In lieu of constructing the longer roadway, the University requested that pedestrian sidewalks be added to the north side of Raymond Stotzer from Agronomy Road to the new TIPS facility, and a new traffic signal at the Large Animal Hospital driveway and Raymond Stotzer Parkway that will allow for better turning movements and access/egress from the clinic.

Staff met with TxDOT to discuss the new signal along Raymond Stotzer, and completed a warrant study to confirm a traffic signal at the intersection is necessary. The warrant study concluded a signal is warranted at this intersection and TxDOT agrees with the results of the study. This contract amendment will allow the design engineer to revise the design drawings for Discovery Drive (Phase I of the project) and begin design on the sidewalks and the traffic signal at the Raymond Stotzer and the Large Animal Clinic (Phase II of the project).

Budget & Financial Summary: Change Order No. 1 will increase the contract amount by \$80,775 for a revised contract total of \$461,644. Funds in the amount of \$2,000,000.00 are currently budgeted for this project in the Street Projects Fund. \$352,105.30 has been expended to date, leaving a balance of \$1,647,894.70.

Attachments:

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

CHANGE ORDER NO. 1 Contract # 08-266 DATE: August 10, 2009
P.O.# 081022 PROJECT: Discovery Drive Phase I / Raymond Stotzer Sidewalks & Traffic Signal Improvements

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

CONTRACTOR:
Jacobs Edwards & Kelcey
526 University Drive, Ste. A201
College Station, TX 77840

Ph: (979) 764-9119
Fax: (979) 764-9229

PURPOSE OF THIS CHANGE ORDER:

A. The Discovery Drive Extension project was designed through 100% Plans, Specifications, Estimates and bidding documents for an extension of a road approximately 2,100 feet to connect to the Large Animal Hospital driveway on the Texas A&M Campus. Prior to bidding, Texas A&M re-evaluated the proposed roadway system through the undeveloped area of campus and requested that the roadway be shortened to end immediately past the driveway entrance to the TIPS Building. As a result, the design plans, specifications, estimates and bidding documents needed to be modified to reflect the new scope. Phase I has been reduced to account for this change of scope. Phase II Sidewalk improvements and Traffic Signal Design Plans, Specifications, Estimates and bidding documents will be change ordered into this project at the request of Texas A&M University. The sidewalks include approximately 2,600 linear feet of sidewalk including curb ramps and driveways if needed along Raymond Stotzer from Agronomy Road to the TIPS Building. The three-direction traffic signal will allow for turning movements between Raymond Stotzer Parkway and the Large Animal Hospital driveway.

***** (Please use accounting information at end of this change order.) *****

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Revised Phase I Design	\$60,229.00	0.0	1.0	\$60,229.00
1	LS	Phase II Sidewalk and Traffic Signal Design	\$88,867.00	0.0	1.0	\$88,867.00
1	LS	Phase I Reductions	(\$68,321.00)	0.0	1.0	(\$68,321.00)
					TOTAL	\$80,775.00

THE NET AFFECT OF THIS CHANGE ORDER IS A 21.21% INCREASE.

ORIGINAL CONTRACT AMOUNT	\$380,869.00		
Change Order No. 1	\$80,775.00	21.21%	CHANGE
TOTAL:	\$461,644.00	21.21%	CHANGE

APPROVED

Michael H. Martin 8/10/09
A/E CONTRACTOR Date

J.C. Hall 8/10/09
PROJECT MANAGER Date

Charles R. Miller 10-Aug-2009
DEPARTMENT DIRECTOR Date

CHIEF FINANCIAL OFFICER Date

John C. Hall
CITY ATTORNEY Date

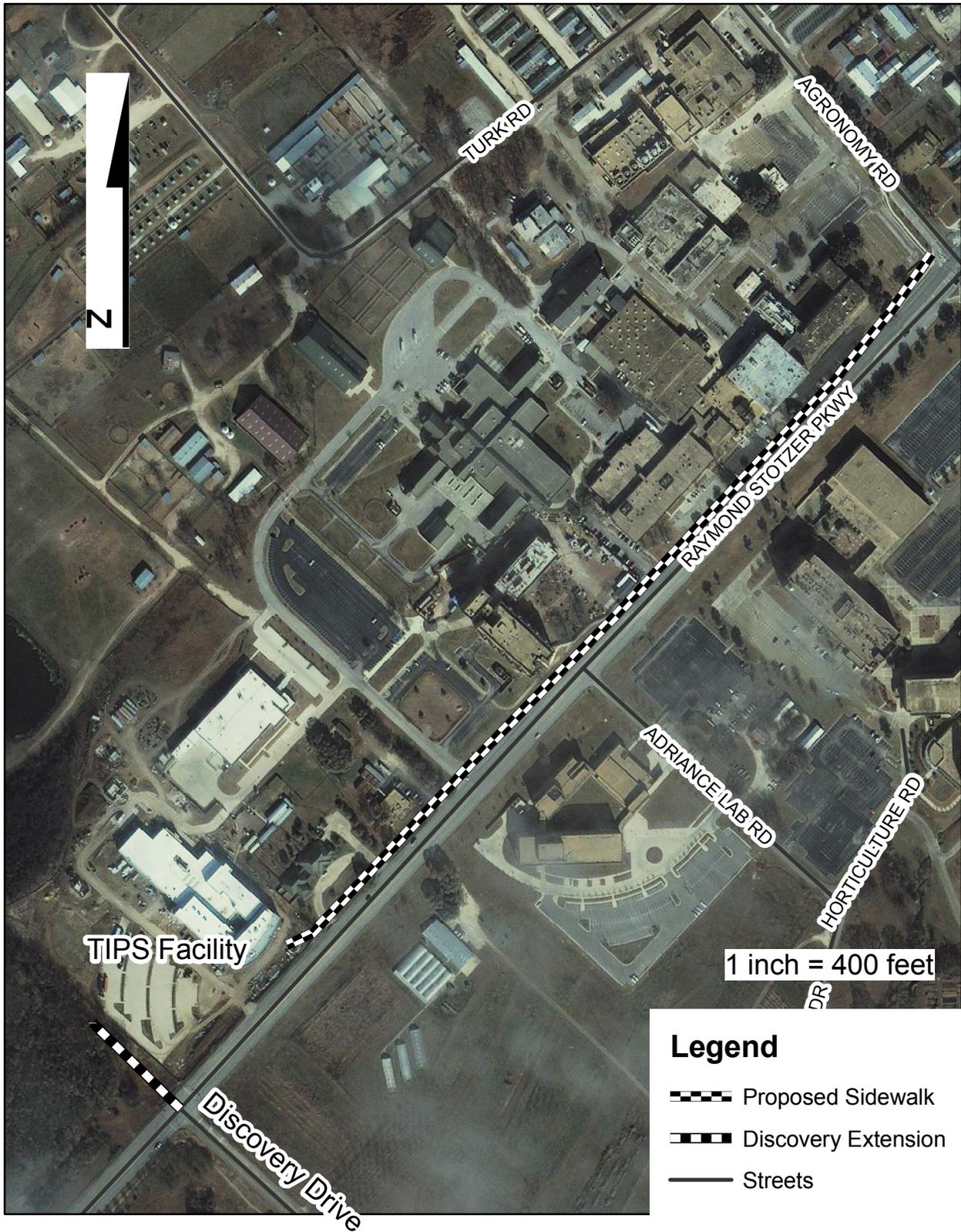
MAYOR Date

CITY SECRETARY Date

CITY MANAGER Date

Item	Accounting Information	Original Contract	Change Order #1	Contract
1	Streets - ST 139-9111-971.30-10	\$380,869.00	\$80,775.00	\$461,644.00
TOTAL		\$380,869.00	\$80,775.00	\$461,644.00

Discovery Drive Extension Phase I Project Location Map



August 27, 2009
Consent Agenda Item No. 2k
Project Number ST0804
Discovery Drive Extension Phase I Construction Contract

To: Glenn Brown, City Manager

From: Chuck Gilman, Director of Capital Projects

Agenda Caption: Presentation, possible action and discussion approving a resolution awarding a construction contract for the Discovery Drive Extension Phase I to Brazos Paving, Inc. of Bryan, TX, in the amount of \$434,217.25.

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

Summary: Brazos Paving, Inc is the low bidder with a base bid of \$430,717.25 with an alternate bid item to be included at an additional cost of \$3,500.00 for a total cost of \$434,217.25. The alternate bid item is to fast track a portion of the construction to allow certain personnel to access Texas A&M University's new TIPS facility through the two northbound lanes of Discovery Drive for a special event at the TIPS Building on December 3, 2009.

Budget & Financial Summary: Funds in the amount of \$2,000,000.00 were budgeted for this project from the Streets Capital Improvements Funds. \$434,217.25 is proposed for the construction of Discovery Drive Phase I. Funds in the amount of \$352,105.30 have been expended or committed to date, leaving a balance of \$1,647.894.70 for this construction contract and future expenses.

Attachments:

- 1.) Resolution Brazos Paving, Inc.
- 2.) Bid #09-80 Bid Tab
- 3.) A/E Estimate at Final Design
- 4.) Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DISCOVERY DRIVE EXTENSION PHASE I PROJECT.

WHEREAS, the City of College Station, Texas, solicited bids for the Discovery Drive Extension Phase I project; and

WHEREAS, the selection of Brazos Paving, Inc. is being recommended as the lowest responsible bidder for the Discovery Drive Extension Phase I Project; now, therefore,

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

PART 1: That the City Council hereby finds that Brazos Paving, Inc. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the construction contract with Brazos Paving, Inc. for an amount not to exceed \$434,217.25 for the labor, materials, and equipment required for the construction related to the Discovery Drive Phase I Extension Project.

PART 3: That the funding for this construction contract shall be as budgeted from the Streets Capital Improvements Fund in the amount of \$434,217.25.

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:



City Attorney



Item No.	Est. Quan.	Unit Meas.	Description	Brazos Valley Services		Brazos Paving		Knife River	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
General Items									
1	1	LS	Mobilization	\$18,645.00	\$18,645.00	\$23,050.00	\$23,050.00	\$55,200.00	\$55,200.00
2	4	MO	Barricades, signs, and traffic handling	\$1,650.00	\$6,600.00	\$800.00	\$3,200.00	\$1,300.00	\$5,200.00
			<i>Sub Total</i>		\$25,245.00		\$26,250.00		\$60,400.00
Removal Items									
3	10.25	Sta	Preparing ROW	\$500.00	\$5,125.00	\$1,720.00	\$17,630.00	\$530.00	\$5,432.50
4	1,485	SY	Remove and replace existing soil (2' depth)	\$10.00	\$14,850.00	\$14.65	\$21,755.25	\$11.00	\$16,335.00
			<i>Sub Total</i>		\$19,975.00		\$39,385.25		\$21,767.50
Roadway Items									
5	141	CY	Excavation (Roadway)	\$6.00	\$846.00	\$7.50	\$1,057.50	\$7.00	\$987.00
6	479	CY	Embankment (select roadway fill) complete and in place	\$6.00	\$2,874.00	\$5.00	\$2,395.00	\$7.75	\$3,712.25
7	2,867	SY	Lime Trt (Exst mat) (6"), complete and in place	\$4.50	\$12,901.50	\$4.60	\$13,188.20	\$5.20	\$14,908.40
8	2,647	SY	7" JPCC Pavement, complete and in place	\$34.00	\$89,998.00	\$28.35	\$75,042.45	\$33.00	\$87,351.00
9	952	LF	Concrete mono curb, complete and in place	\$4.00	\$3,808.00	\$3.50	\$3,332.00	\$4.00	\$3,808.00
10	2	EA	Curb Ramps (BCS), complete and in place	\$500.00	\$1,000.00	\$378.00	\$756.00	\$560.00	\$1,120.00
11	1	EA	Curb Ramps (TY 7), complete and in place	\$500.00	\$500.00	\$1,060.00	\$1,060.00	\$560.00	\$560.00
12	2	EA	Curb Ramps (TY 9) complete and in place	\$500.00	\$1,000.00	\$612.50	\$1,225.00	\$570.00	\$1,140.00
13	1,084	SF	CONC Sidewalk (4") complete and in place	\$3.50	\$3,794.00	\$3.70	\$4,010.80	\$28.00	\$30,352.00
			<i>Sub Total</i>		\$116,721.50		\$102,056.95		\$143,938.65
Drainage Items									
14	382	CY	Excavation (channel), complete and in place	\$6.00	\$2,292.00	\$4.50	\$1,719.00	\$4.00	\$1,528.00
15	38.40	CY	Rock riprap (18"), complete and in place	\$40.00	\$1,536.00	\$86.00	\$3,302.40	\$74.00	\$2,841.60
16	3.10	CY	Riprap (Stone common) (DRY) (12"), complete and in place	\$40.00	\$124.00	\$100.00	\$310.00	\$84.00	\$260.40
17	408	LF	RC Pipe (CL III) (18"), complete and in place	\$45.00	\$18,360.00	\$42.00	\$17,136.00	\$40.00	\$16,320.00
18	22	LF	RC Pipe (CL III) (24"), complete and in place	\$60.00	\$1,320.00	\$50.50	\$1,111.00	\$57.00	\$1,254.00
19	5	EA	Curb inlet Type C, complete and in place	\$2,500.00	\$12,500.00	\$2,800.00	\$14,000.00	\$2,900.00	\$14,500.00
20	5.00	EA	Extension Type E, complete and in place	\$1,500.00	\$7,500.00	\$500.00	\$2,500.00	\$900.00	\$4,500.00
21	1	EA	Type M Manhole, complete and in place	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$2,750.00	\$2,750.00
22	1	EA	Set (TY II) (24") (RCP) (4-1) (P), complete and in place	\$1,500.00	\$1,500.00	\$1,250.00	\$1,250.00	\$800.00	\$800.00
23	1	LS	Television storm sewer systems	\$1,500.00	\$1,500.00	\$1,185.00	\$1,185.00	\$900.00	\$900.00
			<i>Sub Total</i>		\$49,132.00		\$44,513.40		\$45,654.00
Signing and Striping Items									
24	661	LF	REFL PAV Mrk TY 1 (W) 8" (SLD) (100MIL), complete and in place	\$1.75	\$1,166.75	\$1.65	\$1,090.65	\$1.55	\$1,024.55
25	304	LF	REFL PAV Mrk TY (W), 12" (SLD) (100MIL), complete and in place	\$3.75	\$1,140.00	\$3.58	\$1,088.32	\$3.40	\$1,033.60
26	102	LF	REFL PAV Mrk TY 1 (W) 24" (SLD) (100MIL), complete and in place	\$6.25	\$637.50	\$6.00	\$612.00	\$5.75	\$586.50
27	7	EA	REFL PAV Mrk TY 1 (W) (Arrow) (100MIL), complete and in place	\$125.00	\$875.00	\$120.00	\$840.00	\$115.00	\$805.00
28	5	EA	REFL PAV Mrk TY 1 (W) (WORD) (100MIL), complete and in place	\$185.00	\$925.00	\$181.50	\$907.50	\$170.00	\$850.00
29	1,146	LF	REFL PAV Mrk TY 1 (Y) 4" (SLD) (100MIL), complete and in place	\$0.85	\$974.10	\$0.75	\$859.50	\$0.75	\$859.50
30	156	LF	REFL PAV Mrk TY 1 (Y) 24" (SLD) (100MIL), complete and in place	\$5.50	\$858.00	\$5.50	\$858.00	\$5.20	\$811.20
31	1,146	LF	Pavement sealer 4", complete and in place	\$0.50	\$573.00	\$0.40	\$458.40	\$0.35	\$401.10
32	661	LF	Pavement sealer, 8", complete and in place	\$0.75	\$495.75	\$0.65	\$429.65	\$0.65	\$429.65
33	304	LF	Pavement sealer 12", complete and in place	\$1.50	\$456.00	\$1.50	\$456.00	\$1.40	\$425.60
34	258	LF	Pavement sealer 24", complete and in place	\$3.40	\$877.20	\$3.30	\$851.40	\$3.15	\$812.70
35	7	EA	Pavement sealer (Arrow), complete and in place	\$75.00	\$525.00	\$66.00	\$462.00	\$62.50	\$437.50
36	5	EA	Pavement sealer (Word), complete and in place	\$100.00	\$500.00	\$93.50	\$467.50	\$88.50	\$442.50
37	59	EA	REFL PAV MRKR TY 1-C, complete and in place	\$7.75	\$457.25	\$7.70	\$454.30	\$7.30	\$430.70
38	68	EA	REFL PAV MRKR TY 11-A-A, complete and in place	\$7.75	\$527.00	\$7.70	\$523.60	\$7.30	\$496.40
39	1,146	LF	Pav Surf Prep for MRK (4"), complete and in place	\$0.25	\$286.50	\$0.22	\$252.12	\$0.20	\$229.20
40	661	LF	Pav Surf Prep for MRK (8"), complete and in place	\$0.50	\$330.50	\$0.45	\$297.45	\$0.40	\$264.40
41	304	LF	Pav Surf Prep for MRK (12"), complete and in place	\$0.75	\$228.00	\$0.65	\$197.60	\$0.65	\$197.60
42	258	LF	Pav Surf Prep for MRK (24"), complete and in place	\$1.20	\$309.60	\$1.10	\$283.80	\$1.00	\$258.00
43	7	EA	Pav Surf Prep for MRK (Arrow), complete and in place	\$25.00	\$175.00	\$22.00	\$154.00	\$21.00	\$147.00
44	5	EA	Pav Surf Prep for MRK (Word), complete and in place	\$35.00	\$175.00	\$33.00	\$165.00	\$31.00	\$155.00
45	1	EA	Instl OM ASSM (OM-2Z (FLX) (SRF), complete and in place	\$100.00	\$100.00	\$440.00	\$440.00	\$78.00	\$78.00
			<i>Sub Total</i>		\$12,582.15		\$12,148.79		\$11,175.70
Erosion and Sedimentation Control									
46	0.62	AC	Hydro-mulch seeding, complete and in place	\$2,450.00	\$1,519.00	\$2,178.00	\$1,350.36	\$1,600.00	\$992.00
47	32	LF	Rock filter dams (install) (TY 2), complete and in place	\$50.00	\$1,600.00	\$20.00	\$640.00	\$30.00	\$960.00
48	32	LF	Rock filter dams (remove)	\$5.00	\$160.00	\$10.00	\$320.00	\$10.50	\$336.00
49	5	EA	Storm drain inlet protection, complete and in place	\$100.00	\$500.00	\$80.00	\$400.00	\$47.00	\$235.00
50	782	LF	Temporary sediment control fence, complete and in place	\$3.00	\$2,346.00	\$2.50	\$1,955.00	\$1.60	\$1,251.20
51	78	SY	Construction exits (install) (TY 1), complete and in place	\$25.00	\$1,950.00	\$18.00	\$1,404.00	\$20.00	\$1,560.00
52	78	SY	Construction exits (remove)	\$5.00	\$390.00	\$4.50	\$351.00	\$8.00	\$624.00
			<i>Sub Total</i>		\$8,465.00		\$6,420.36		\$5,958.20
Small Sign Items									
53	4	EA	Small road sign support and assemblies, complete and in place	\$450.00	\$1,800.00	\$440.00	\$1,760.00	\$415.00	\$1,660.00
54	40	LF	Dead end type III barricades, complete and in place	\$65.00	\$2,600.00	\$60.50	\$2,420.00	\$57.00	\$2,280.00
			<i>Sub Total</i>		\$4,400.00		\$4,180.00		\$3,940.00



Item No.	Est. Quan.	Unit Meas.	Description	Brazos Valley Services		Brazos Paving		Knife River	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
Signal Items									
55	26	LF	Drill shaft (TRF SIG POLE) (36"), complete and in place	\$385.00	\$10,010.00	\$125.00	\$3,250.00	\$360.00	\$9,360.00
56	279	LF	Conduit (PVC) (Sch 40) (2"), complete and in place	\$7.10	\$1,980.90	\$7.15	\$1,994.85	\$6.75	\$1,883.25
57	95	LF	Conduit (PVC) (Sch 40) (2") BORE, complete and in place	\$23.00	\$2,185.00	\$22.00	\$2,090.00	\$21.00	\$1,995.00
58	39	LF	Conduit (PVC) (Sch 40) (3"), complete and in place	\$11.00	\$429.00	\$11.00	\$429.00	\$10.50	\$409.50
59	47	LF	Conduit (PVC) (Sch 40) (4"), complete and in place	\$12.00	\$564.00	\$12.10	\$568.70	\$11.50	\$540.50
60	16	LF	Conduit (PVC) (Sch 40) (4") BORE, complete and in place	\$27.50	\$440.00	\$27.50	\$440.00	\$26.00	\$416.00
61	171	LF	Elec cond (No. 4) BARE, complete and in place	\$2.25	\$384.75	\$2.20	\$376.20	\$2.00	\$342.00
62	342	LF	Elec cond (No. 4) INSULATED, complete and in place	\$2.80	\$957.60	\$2.75	\$940.50	\$2.60	\$889.20
63	480	LF	Elec cond (No. 8) BARE, complete and in place	\$1.70	\$816.00	\$1.65	\$792.00	\$1.55	\$744.00
64	1236	LF	Elec cond (No. 8) INSULATED, complete and in place	\$2.25	\$2,781.00	\$2.20	\$2,719.20	\$2.10	\$2,595.60
65	2	EA	Ground box (TY C) (122311) W/apron, complete and in place	\$715.00	\$1,430.00	\$715.00	\$1,430.00	\$680.00	\$1,360.00
66	1	EA	Ground box (TY C) (162911) W/apron, complete and in place	\$775.00	\$775.00	\$770.00	\$770.00	\$730.00	\$730.00
67	1	EA	Installation of highway traffic signals (SYSTEM), complete and in place	\$16,500.00	\$16,500.00	\$16,500.00	\$16,500.00	\$15,600.00	\$15,600.00
68	3	EA	Back Plate (3 SEC) (12"), complete and in place	\$94.00	\$282.00	\$93.50	\$280.50	\$89.00	\$267.00
69	3	EA	Back Plate (5 SEC) (12"), complete and in place	\$140.00	\$420.00	\$137.50	\$412.50	\$130.00	\$390.00
70	3	EA	Veh sig sec (12") LED (Gm Arw), complete and in place	\$282.00	\$846.00	\$275.00	\$825.00	\$260.00	\$780.00
71	6	EA	Veh sig sec (12") LED (Gm), complete and in place	\$282.00	\$1,692.00	\$275.00	\$1,650.00	\$260.00	\$1,560.00
72	3	EA	Veh sig sec (12") LED (yel arw), complete and in place	\$282.00	\$846.00	\$275.00	\$825.00	\$260.00	\$780.00
73	6	EA	Veh sig sec (12") LED (Yel), complete and in place	\$282.00	\$1,692.00	\$275.00	\$1,650.00	\$260.00	\$1,560.00
74	6	EA	Veh sig sec (12") LED (Red), complete and in place	\$282.00	\$1,692.00	\$275.00	\$1,650.00	\$260.00	\$1,560.00
75	746	LF	Trf sig cbl (TY A) (14 AWG) (2 CONDR), complete and in place	\$2.25	\$1,678.50	\$2.20	\$1,641.20	\$2.10	\$1,566.60
76	2898	LF	Trf sig cbl (TY A) (14 AWG) (7 CONDR), complete and in place	\$5.00	\$14,490.00	\$4.95	\$14,345.10	\$3.65	\$10,577.70
77	1	EA	Ins trf sig pl am (s) 1 arm (44") LUM, complete and in place	\$13,200.00	\$13,200.00	\$13,200.00	\$13,200.00	\$10,400.00	\$10,400.00
78	4	EA	Ped detect (2" push button), complete and in place	\$245.00	\$980.00	\$242.00	\$968.00	\$230.00	\$920.00
79	1	EA	Reloc trf sig pl am (s) slng mst arm pole, complete and in place	\$3,502.00	\$3,502.00	\$3,850.00	\$3,850.00	\$3,650.00	\$3,650.00
80	3	EA	Removal of ground boxes	\$275.00	\$825.00	\$275.00	\$825.00	\$260.00	\$780.00
81	3000	LF	Removal of cables	\$0.60	\$1,800.00	\$0.55	\$1,650.00	\$0.50	\$1,500.00
82	1	EA	Removal of signal head assm	\$1,320.00	\$1,320.00	\$1,320.00	\$1,320.00	\$1,250.00	\$1,250.00
83	1	EA	Removal of traffic signal pole fnd	\$2,250.00	\$2,250.00	\$2,200.00	\$2,200.00	\$2,100.00	\$2,100.00
84	1	EA	Vivds camera assembly, complete and in place	\$2,750.00	\$2,750.00	\$2,750.00	\$2,750.00	\$2,600.00	\$2,600.00
85	1015	LF	Vivds communications cable (Coaxial) with Integra, complete and in place	\$2.25	\$2,283.75	\$2.20	\$2,233.00	\$2.00	\$2,030.00
86	4	EA	LED countdown pedestrian signal module, complete and in place	\$715.00	\$2,860.00	\$715.00	\$2,860.00	\$675.00	\$2,700.00
			<i>Sub Total</i>		\$94,662.50		\$87,435.75		\$83,836.35
Waterline Items									
87	130	LF	Jack & bore (30"), complete and in place	\$320.00	\$41,600.00	\$338.00	\$43,940.00	\$360.00	\$46,800.00
88	263	LF	Trench excavation protection, complete and in place	\$1.00	\$263.00	\$1.25	\$328.75	\$1.25	\$328.75
89	159	LF	18" PVC C905 CL235 DR18 WL, complete and in place	\$121.00	\$19,239.00	\$44.60	\$7,091.40	\$48.00	\$7,632.00
90	226	LF	12" PVC C900 CL 200 DR14 WL, complete and in place	\$25.00	\$5,650.00	\$30.65	\$6,926.90	\$39.00	\$8,814.00
91	1	EA	18"x45" MJ BEND, complete and in place	\$1,400.00	\$1,400.00	\$1,050.00	\$1,050.00	\$1,400.00	\$1,400.00
92	2	EA	12"x45" MJ BEND, complete and in place	\$650.00	\$1,300.00	\$525.00	\$1,050.00	\$530.00	\$1,060.00
93	1	EA	18" PLUG, complete and in place	\$200.00	\$200.00	\$250.00	\$250.00	\$300.00	\$300.00
94	1	EA	12" PLUG, complete and in place	\$200.00	\$200.00	\$230.00	\$230.00	\$300.00	\$300.00
95	1	EA	18"x18" MJ TEE, complete and in place	\$2,000.00	\$2,000.00	\$1,947.00	\$1,947.00	\$2,100.00	\$2,100.00
96	1	EA	12"x6" MJ TEE, complete and in place	\$750.00	\$750.00	\$540.00	\$540.00	\$750.00	\$750.00
97	1	EA	18"x12" MJ REDUCER, complete and in place	\$900.00	\$900.00	\$800.00	\$800.00	\$1,200.00	\$1,200.00
98	1	EA	24"x18" MJ TAPPING VALVE and sleeve w/box, complete and in place	\$15,400.00	\$15,400.00	\$15,400.00	\$15,400.00	\$12,000.00	\$12,000.00
99	1	EA	12" GATE VALVE & box, complete and in place	\$1,860.00	\$1,860.00	\$1,910.00	\$1,910.00	\$2,000.00	\$2,000.00
100	1	EA	Fire hydrant assembly, complete and in place	\$3,000.00	\$3,000.00	\$2,850.00	\$2,850.00	\$2,700.00	\$2,700.00
			<i>Sub Total</i>		\$93,762.00		\$84,314.05		\$87,384.75
Illumination Items									
101	14	LF	Drill shaft (24"), complete and in place	\$230.00	\$3,220.00	\$128.60	\$1,800.40	\$200.00	\$2,800.00
102	2	EA	Install roadway illumination assembly, complete and in place	\$8,250.00	\$16,500.00	\$8,250.00	\$16,500.00	\$7,800.00	\$15,600.00
103	3	EA	Install ground box TY C (162911), complete and in place	\$725.00	\$2,175.00	\$715.00	\$2,145.00	\$680.00	\$2,040.00
104	320	LF	Conduit (PVC) (Sch 40) (1 1/2"), complete and in place	\$6.60	\$2,112.00	\$6.60	\$2,112.00	\$6.25	\$2,000.00
105	660	LF	Elec cond (No. 8) INSULATED, complete and in place	\$1.40	\$924.00	\$1.38	\$910.80	\$1.30	\$858.00
106	330	LF	Elec cond (No. 8) BARE, complete and in place	\$1.65	\$544.50	\$1.65	\$544.50	\$1.55	\$511.50
			<i>Sub Total</i>		\$25,475.50		\$24,012.70		\$23,809.50
Total General Items (1-2)					\$25,245.00		\$26,250.00		\$60,400.00
Total Removal (3-4)					\$19,975.00		\$39,385.25		\$21,767.50
Total Roadway (5-13)					\$116,721.50		\$102,056.95		\$143,938.65
Total Drainage (14-23)					\$49,132.00		\$44,513.40		\$45,654.00
Total Signing & Striping (24-45)					\$12,582.15		\$12,148.79		\$11,175.70
Total Erosion & Sedimentation Control (46-52)					\$8,465.00		\$6,420.36		\$5,958.20
Small Signs (53-54)					\$4,400.00		\$4,180.00		\$3,940.00
Total Signals (55-86)					\$94,662.50		\$87,435.75		\$83,836.35
Total Waterline (87-100)					\$93,762.00		\$84,314.05		\$87,384.75
Total Illumination (101-106)					\$25,475.50		\$24,012.70		\$23,809.50
Total Base Bid					\$450,420.65		\$430,717.25		\$487,864.65



Item No.	Est. Quan.	Unit Meas.	Description	Brazos Valley Services		Brazos Paving		Knife River	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
Alternate 1									
107	2867	SY	HMAC TY C (4") (Bond Breaker), complete and in place	\$17.86	\$51,204.62	\$21.00	\$60,207.00	\$13.40	\$38,417.80
108	210	CY	Excavation (Roadway)	\$6.00	\$1,260.00	\$7.50	\$1,575.00	\$4.25	\$892.50
109	-99	CY	Embankment (select roadway fill) complete and in place	\$6.00	-\$594.00	\$5.00	-\$495.00	\$15.00	-\$1,485.00
Alternate 2									
110	1	LS	Accelerated Construction Alternate	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$7,500.00	\$7,500.00
Alternate 3									
111	2647	SY	Continuously reinforced concrete pavement (8") complete and in place	\$36.00	\$95,292.00	\$40.50	\$107,203.50	\$36.90	\$97,674.30
Bid Certification				Yes		Yes		Yes	
Delivery Date				4 months ARO		4 months ARO		4 months ARO	
Bid Bond				Yes		Yes		Yes	
Addendums Acknowledged				3		3		3	



Cell: F61

Comment: csciulli:
Total Price calculated incorrectly

Cell: F128

Comment: csciulli:
Contractor added Waterline Items incorrectly.

Cell: F131

Comment: csciulli:
Contractor calculated incorrectly

Cell: F141

Comment: csciulli:
Contractor calculated incorrectly

Cell: F146

Comment: csciulli:
Contractor calculated incorrectly

Cell: J147

Comment: csciulli:
Contractor calculated incorrectly

DISCOVERY DRIVE EXTENSION (PHASE I)
Preliminary Estimate of Probable Construction Cost

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
GENERAL					
	MOBILIZATION (7%)	LS	1	\$32,882.20	\$32,882.20
	BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	4	\$5,000.00	\$20,000.00
REMOVALS					
	PREPARING ROW	STA	10.25	\$1,500.00	\$15,375.00
	REMOVE AND REPLACE EXIST SOIL (2' DEPTH)	SY	1,485.0	\$13.35	\$19,824.75
ROADWAY					
	EXCAVATION (ROADWAY)	CY	141	\$10.00	\$1,410.00
	EMBANKMENT (SELECT ROADWAY FILL)	CY	479	\$10.00	\$4,790.00
	LIME TRT (EXST MATL)(6")	SY	2,867	\$4.55	\$13,044.85
	7" JPCC PAVEMENT	SY	2,647	\$50.00	\$132,350.00
	CONCRETE MONO CURB	LF	952	\$4.25	\$4,046.00
	CURB RAMPS (BCS)	EA	2	\$1,250.00	\$2,500.00
	CURB RAMPS (TY 7)	EA	1	\$1,250.00	\$1,250.00
	CURB RAMPS (TY 9)	EA	2	\$1,250.00	\$2,500.00
	CONC SIDEWALK (4")	SF	1,084	\$4.75	\$5,149.00
DRAINAGE					
	EXCAVATION (CHANNEL)	CY	382	\$15.00	\$5,730.00
	ROCK RIPRAP (18 IN)	CY	38.4	\$125.00	\$4,800.00
	RIPRAP (STONE COMMON) (DRY) (12 IN)	CY	3.1	\$250.00	\$775.00
	RC PIPE (CL III) (18 IN)	LF	408	\$55.00	\$22,440.00
	RC PIPE (CL III) (24 IN)	LF	22	\$65.00	\$1,430.00
	CURB INLET TYPE C	EA	5	\$2,900.00	\$14,500.00
	EXTENSION TYPE E	EA	5	\$1,000.00	\$5,000.00
	TYPE M MANHOLE	EA	1	\$3,000.00	\$3,000.00
	SET(TY II)(24 IN)(RCP)(4:1)(P)	EA	1	\$850.00	\$850.00
	TELEWISE STORM SEWER SYSTEMS	LS	1	\$1,500.00	\$1,500.00
PAVEMENT MARKING					
	REFL PAV MRK TY I (W) 8" (SLD) (100MIL)	LF	661	\$1.40	\$925.40
	REFL PAV MRK TY I (W) 12"(SLD) (100MIL)	LF	304	\$4.00	\$1,216.00
	REFL PAV MRK TY I (W) 24"(SLD) (100MIL)	LF	102	\$7.50	\$765.00
	REFL PAV MRK TY I (W) (ARROW) (100MIL)	EA	7	\$115.00	\$805.00
	REFL PAV MRK TY I (W) (WORD) (100MIL)	EA	5	\$175.00	\$875.00
	REFL PAV MRK TY I (Y) 4" (SLD) (100MIL)	LF	1,146	\$0.70	\$802.20
	REFL PAV MRK TY I (Y) 24" (SLD) (100MIL)	LF	156	\$7.50	\$1,170.00
	PAVEMENT SEALER 4"	LF	1,146	\$0.35	\$401.10
	PAVEMENT SEALER 8"	LF	661	\$0.75	\$495.75
	PAVEMENT SEALER 12"	LF	304	\$2.15	\$653.60
	PAVEMENT SEALER 24"	LF	258	\$4.30	\$1,109.40
	PAVEMENT SEALER (ARROW)	EA	7	\$62.50	\$437.50
	PAVEMENT SEALER (WORD)	EA	5	\$75.00	\$375.00
	REFL PAV MRKR TY I-C	EA	59	\$7.00	\$413.00
	REFL PAV MRKR TY II-A-A	EA	68	\$7.00	\$476.00
	PAV SURF PREP FOR MRK (4")	LF	1,146	\$0.10	\$114.60
	PAV SURF PREP FOR MRK (8")	LF	661	\$0.15	\$99.15
	PAV SURF PREP FOR MRK (12")	LF	304	\$0.35	\$106.40
	PAV SURF PREP FOR MRK (24")	LF	258	\$0.55	\$141.90
	PAV SURF PREP FOR MRK (ARROW)	EA	7	\$25.00	\$175.00
	PAV SURF PREP FOR MRK (WORD)	EA	5	\$30.00	\$150.00
	INSTL OM ASSM (OM-2Z)(FLX)SRF	EA	1	\$100.00	\$100.00
SW3P					
	HYDRO-MULCH SEEDING	AC	0.62	\$4,305.00	\$2,669.10
	ROCK FILTER DAMS (INSTALL) (TY 2)	LF	32	\$25.00	\$800.00
	ROCK FILTER DAMS (REMOVE)	LF	32	\$6.50	\$208.00
	STORM DRAIN INLET PROTECTION	EA	5	\$150.00	\$750.00
	TEMPORARY SEDIMENT CONTROL FENCE	LF	782	\$2.50	\$1,955.00
	CONSTRUCTION EXITS (INSTALL) (TY 1)	SY	78	\$15.00	\$1,170.00
	CONSTRUCTION EXITS (REMOVE)	SY	78	\$6.00	\$468.00
SMALL SIGNS					
	SMALL ROAD SIGN SUPPORT AND ASSEMBLIES	EA	4	\$750.00	\$3,000.00
	DEAD END TYPE III BARRICADES	LF	40	\$30.00	\$1,200.00
TRAFFIC SIGNAL					
	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	26.00	\$200.00	\$5,200.00
	CONDUIT (PVC) (SCH 40) (2")	LF	279	\$5.50	\$1,534.50
	CONDUIT (PVC) (SCH 40) (2") BORE	LF	95	\$16.50	\$1,567.50
	CONDUIT (PVC) (SCH 40) (3")	LF	39	\$9.00	\$351.00
	CONDUIT (PVC) (SCH 40) (4")	LF	47	\$7.50	\$352.50
	CONDUIT (PVC) (SCH 40) (4") BORE	LF	16	\$18.50	\$296.00
	ELEC CONDR (NO. 4) BARE	LF	171	\$1.75	\$299.25
	ELEC CONDR (NO. 4) INSULATED	LF	342	\$1.75	\$598.50
	ELEC CONDR (NO. 8)BARE	LF	480	\$1.15	\$552.00
	ELEC CONDR (NO. 8) INSULATED	LF	1,236	\$1.15	\$1,421.40
	GROUND BOX (TY A) (122311) W/ APRON	EA	2	\$650.00	\$1,300.00
	GROUND BOX (TY C) (162911) W/ APRON	EA	1	\$700.00	\$700.00
	INSTALLATION OF HIGHWAY TRAFFIC SIGNALS (SYSTEM)	EA	1	\$12,500.00	\$12,500.00
	BACK PLATE (3 SEC) (12")	EA	3	\$80.00	\$240.00
	BACK PLATE (5 SEC) (12")	EA	3	\$120.00	\$360.00
	VEH SIG SEC (12 IN) LED (GRN ARW)	EA	3	\$225.00	\$675.00
	VEH SIG SEC (12 IN) LED (GRN)	EA	6	\$225.00	\$1,350.00
	VEH SIG SEC (12 IN) LED (YEL ARW)	EA	3	\$225.00	\$675.00
	VEH SIG SEC (12 IN) LED (YEL)	EA	6	\$225.00	\$1,350.00
	VEH SIG SEC (12 IN) LED (RED)	EA	6	\$225.00	\$1,350.00
	TRF SIG CBL (TY A) (14 AWG) (2 CONDR)	LF	746	\$1.00	\$746.00

DISCOVERY DRIVE EXTENSION (PHASE I)
Preliminary Estimate of Probable Construction Cost

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
	TRF SIG CBL (TY A) (14 AWG) (7 CONDR)	LF	2,898	\$2.00	\$5,796.00
	INS TRF SIG PL AM (S) 1 ARM (44') LUM	EA	1	\$7,000.00	\$7,000.00
	PED DETECT (2 INCH PUSH BUTTON)	EA	4	\$200.00	\$800.00
	RELOC TRF SG PL AM (S) SNGL MST ARM POLE	EA	1	\$2,000.00	\$2,000.00
	REMOVAL OF GROUND BOXES	EA	3	\$200.00	\$600.00
	REMOVAL OF CABLES	LF	3,000	\$0.25	\$750.00
	REMOVAL OF SIGNAL HEAD ASSM	EA	1	\$500.00	\$500.00
	REMOVAL OF TRAFFIC SIGNAL POLE FND	EA	1	\$500.00	\$500.00
	VIVDS CAMERA ASSEMBLY	EA	1	\$2,000.00	\$2,000.00
	VIVDS COMMUNICATIONS CABLE (COAXIAL) WITH INTEGRA	LF	1,015	\$2.25	\$2,283.75
	LED COUNTDOWN PEDESTRIAN SIGNAL MODULE	EA	4	\$650.00	\$2,600.00
WATERLINE					
	JACK & BORE (30")	LF	130	\$275.00	\$35,750.00
	TRENCH EXCAVATION PROTECTION	LF	263	\$1.80	\$473.40
	18"PVC C905 CL235 DR18 WL	LF	159	\$75.00	\$11,925.00
	12"PVC C900 CL200 DR14 WL	LF	226	\$50.00	\$11,300.00
	18"X45° M.J. BEND	EA	1	\$2,000.00	\$2,000.00
	12"X45° M.J. BEND	EA	2	\$700.00	\$1,400.00
	18" PLUG	EA	1	\$1,100.00	\$1,100.00
	12" PLUG	EA	1	\$350.00	\$350.00
	18"X18" M.J. TEE	EA	1	\$3,700.00	\$3,700.00
	12"X6" M.J. TEE	EA	1	\$900.00	\$900.00
	18"X12" M.J. REDUCER	EA	1	\$1,500.00	\$1,500.00
	24"X18" M.J. TAPPING VALVE AND SLEEVE W/BOX	EA	1	\$7,500.00	\$7,500.00
	12" GATE VALVE & BOX	EA	1	\$2,000.00	\$2,000.00
	FIRE HYDRANT ASSEMBLY	EA	1	\$3,250.00	\$3,250.00
ILLUMINATION					
	DRILL SHAFT (24 IN)	LF	14	\$150.00	\$2,100.00
	INSTALL ROADWAY ILLUMINATION ASSEMBLY	EA	2	\$4,500.00	\$9,000.00
	INSTALL GROUND BOX TY C (162911)	EA	3	\$600.00	\$1,800.00
	CONDUIT (PVC)(SCH 40)(1 1/2")	LF	332	\$5.00	\$1,660.00
	ELEC CONDR (NO. 8) INSULATED	LF	694	\$1.15	\$798.10
	ELEC CONDR (NO. 8) BARE	LF	347	\$1.15	\$399.05
	ELC SRV TY A 240/480 060 (NS)SS(E)PS(U)	EA	1	\$6,300.00	\$6,300.00

General	\$52,882.20
Removal	\$35,199.75
Roadway	\$167,039.85
Drainage	\$60,025.00
Signing and Striping	\$11,807.00
Erosion and sedimentation Control	\$8,020.10
Small Signs	\$4,200.00
Signal	\$58,248.40
Waterline	\$83,148.40
Illumination	\$22,057.15
Total Base	\$502,627.85

ALTERNATE 1

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
	HMAC TY C (4") (BOND BREAKER)	SY	2867	\$17.60	\$50,459.20
	EXCAVATION (ROADWAY)	CY	210	\$10.00	\$2,100.00
	EMBANKMENT (SELECT ROADWAY FILL)	CY	(99)	\$10.00	-\$990.00
	SUBTOTAL				\$51,569.20
	MOBILIZATION (7%)	LS	1	\$3,609.84	\$3,609.84
	TOTAL ALTERNATE #3				\$55,179.04

ALTERNATE 2

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
	ACCELERATED CONSTRUCTION ALTERNATE	LS	1		\$0.00
	TOTAL ALTERNATE #4				\$0.00

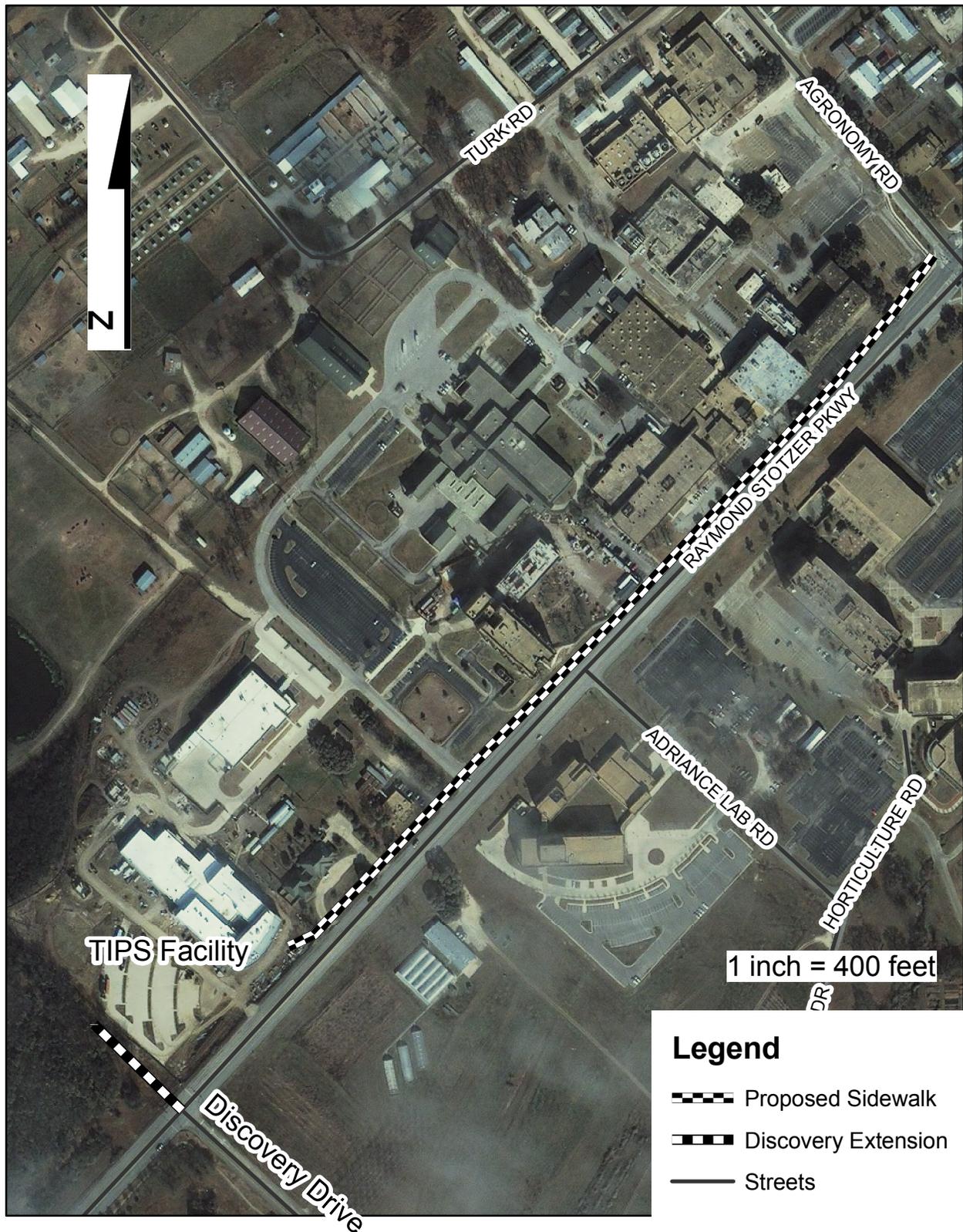
ALTERNATE 3

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
	8" CRCP	SY	2,647	\$60.00	\$158,820.00
	MOBILIZATION (7%)	LS	1	\$11,117.40	\$11,117.40
	TOTAL ALTERNATE #5				\$169,937.40

Total Base with Alternate Pavement \$530,950.75

Alternate 1	\$55,179.04
Alternate 2	\$0.00
Alternate 3	\$169,937.40

Discovery Drive Extension Phase I Project Location Map



**August 27, 2009
Regular Agenda Item 1
Ordinance providing for a Special Election
November 3, 2009**

To: Glenn Brown, City Manager

From: Connie Hooks, City Secretary

Agenda Caption: Presentation, possible action and discussion of an ordinance of the City of College Station, Texas, providing for a special election on an ordinance, submitted as Section 83, initiative petition, providing that camera enforcement of red light violators shall be unenforceable.

Summary: During the August 17, 2009 council meeting, City Council directed staff to prepare ordinance calling special election on November 3rd 2009 ballot for the purpose of submitting question to voters regarding red light camera enforcement system in College Station.

Budget & Financial Summary: Brazos County is holding a constitutional amendment election on Tuesday November 3, 2009. The City may place this proposition on the ballot and join with the County to conduct the election. Cost to the City for this special election shall be approximately \$35,000.

Attachments:
Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, PROVIDING FOR A SPECIAL ELECTION ON AN ORDINANCE, SUBMITTED AS SECTION 83, INITIATIVE PETITION, PROVIDING THAT CAMERA ENFORCEMENT OF RED LIGHT VIOLATIONS SHALL BE UNENFORCEABLE.

WHEREAS, the City Secretary has certified a petition that has been submitted as Section 83, Initiative Petition, under Article X of the City Charter of the City of College Station, Texas; and,

WHEREAS, the City Council has decided to submit the issue to the voters for their consideration on November 3, 2009; now, therefore,

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

SECTION 1: That the following issue shall be submitted for consideration and voted on in the following format:

“The powers granted under City Ordinance 3017, Titled Section 11 Automatic Traffic Signal Enforcement, which amended Chapter 10 “Traffic Code” of the Code of Ordinances of the City of College Station, Texas enacted 10/25/08, shall henceforth be deemed and declared unenforceable.”

“For the Ordinance”

“Will ban the use of cameras to enforce Red Light Violations.”

“Against the Ordinance”

“Will allow the use of cameras to enforce Red Light Violations.”

SECTION 2: That an election is hereby called on November 3, 2009, on said ordinance. If said ordinance shall receive a majority of “For the Ordinance” votes, it shall be declared passed. Said ordinance passing by a majority of votes shall be entered upon the records of the City of College Station and declared by the City Council of College Station be adopted and shall be effective thereof. If said ordinance shall fail to receive a majority of votes, the results shall also be entered on the records of College Station, Texas.

SECTION 3: That this ordinance shall take effect immediately from and after its passage.

PASSED, ADOPTED, AND APPROVED this 27th day of August, 2009.

ATTEST:

APPROVED:

CONNIE HOOKS, City Secretary

BEN WHITE, Mayor

APPROVED:


CITY ATTORNEY

August 27, 2009
Regular Agenda Item No. 2
Development Fee Resolution

To: Glenn Brown, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding a resolution of the City Council of the City of College Station, Texas repealing Resolution 8-23-2001-11.06 adopted on August 23, 2001 and establishing fees for development review applications, permits, and services provided by the Planning & Development Services Department and the Public Works Department.

Recommendation(s): Staff recommends approval.

Summary: This resolution increases fees for development review services in two phases. The first phase will be effective on October 1, 2009 and the second phase will be effective on October 1, 2010. At the July 6 City Council Workshop meeting, staff presented information for consideration on current development review revenues and costs, compliance with Council established cost recovery policies, comparison to benchmark communities, and to made recommendations regarding revisions to the current fee structure. At that meeting, Council directed staff to bring back a resolution that addressed the discrepancy between development review costs and current revenue.

The last comprehensive review of development fees was in 2001 with the DMG-Maximus study. Other discussions regarding fees have occurred with the planning of each budget, though no proposals for amending the development fee structure has been presented since 2003. Costs (personnel, postage, legal notice requirements, etc) have continued to increase during this timeframe, resulting in an ever-increasing subsidization of services through the general fund. The Council has had a long-standing policy regarding "User Based Fees and Service Charges" calling for a review of such fees at least every three years. Further, this policy classifies building and development fees as "full fee support", that establishes a policy of 80-100% cost recovery through fees. When fully implemented, this resolution should result in an 80% cost recovery.

Budget & Financial Summary: The fee schedule included in the resolution should result in a revenue increase for the FY10 budget year.

Attachments:

1. Resolution
2. Comparison of Current Fees with Proposed Fees

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, (1) REPEALING RESOLUTION NO. 8-23-2001-11.06 ADOPTED ON AUGUST 23, 2001 AND (2) ESTABLISHING FEES FOR DEVELOPMENT REVIEW APPLICATIONS AND PERMITS.

WHEREAS, the City Council of the City of College Station, Texas, establishes application and permit fees for development review and related applications by resolution of the City Council; and,

WHEREAS, the schedule of fees in the attached Exhibit A and Exhibit B provide for development application and permit fees; now, therefore,

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

PART 1: That RESOLUTION NO. 8-23-2001-11.06 adopted on August 23, 2001 is hereby REPEALED.

PART 2: That the City Council hereby approves and adopts the development fee schedules attached as Exhibit A and Exhibit B.

PART 3: That the fees provided for in Exhibit A shall be effective October 1, 2009 through September 30, 2010.

PART 4: That the fees provided for in Exhibit B shall take effect on October 1, 2010.

ADOPTED this 27th day of August, A.D. 2009.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson

City Attorney

Exhibit A

Case Type	Fee Effective October 1, 2009 Through September 30, 2010
Administrative Adjustment	\$67
Alternative Parking Plan	\$67
Rezoning	\$835
PDD Amendment - Staff Review Only	\$125
PDD Amendment - P&Z/Council Review	\$225
Comprehensive Plan Amendment	\$835
Conditional Use Permit	\$835
Preliminary Plat	\$668
Design Review Board	\$250
Development Plat	\$668
Final Plat	\$668
Final plat (minor or amending)	\$500
Zoning Letter	\$67
Site Plan	\$668
Non-Residential Architectural (NRA) Review*	\$250
Sign Permit except for banner sign	\$53 permit fee + \$42 review fee
Banner Permit Fee	\$200
Portable Storage Container Permit Fee	\$40
Zoning Board of Adjustment	\$250
Written Interpretation	\$75
License to Encroach	\$543
PIP Permit	\$250
Oil & Gas Permit	\$2,000
Oil & Gas Permit – Annual Renewal	\$300
ROW/Easement Abandonment	\$500
Variance – Subdivision Regulations	\$167
Development Permit/Public Infrastructure Review & Inspection Fee	$\frac{3}{4}$ of one percent of infrastructure cost (\$600 minimum)
Electrical Permit	\$37 plus 2 cents per sq. ft over 2,000 sq. Ft.
Plumbing Permit	\$20 plus \$4 per fixture
Mechanical Permit	\$24 plus \$5 per \$1,000 valuation
Irrigation Permit	\$20
Reinspection Fee	\$27
Construction Board of Adjustments and Appeals	\$480
Parade Permit	\$90

*Excludes existing projects involving painting only

Exhibit B

Case Type	Fee Effective · October 1, 2010
Administrative Adjustment	\$93
Alternative Parking Plan	\$93
Rezoning	\$1,165
PDD Amendment - Staff Review Only	\$175
PDD Amendment - P&Z/Council Review	\$315
Comprehensive Plan Amendment	\$1,165
Conditional Use Permit	\$1,165
Preliminary Plat	\$932
Design Review Board	\$350
Development Plat	\$932
Final Plat	\$932
Final plat (minor or amending)	\$700
Zoning Letter	\$93
Site Plan	\$932
Non-Residential Architectural (NRA) Review*	\$350
Sign Permit except for banner sign	\$72 permit fee + \$58 review fee
Banner Permit Fee	\$200
Portable Storage Container Permit Fee	\$40
Zoning Board of Adjustment	\$350
Written Interpretation	\$105
License to Encroach	\$757
PIP Permit	\$350
Oil & Gas Permit	\$2,000
Oil & Gas Permit – Annual Renewal	\$300
ROW/Easement Abandonment	\$700
Variance – Subdivision Regulations	\$233
Development Permit/Infrastructure Review & Inspection Fee	one percent of the infrastructure cost (\$600 minimum)
Electrical Permit	\$37 plus 2 cents per sq. ft. over 2,000 sq. ft.
Plumbing Permit	\$20 plus \$4 per fixture
Mechanical Permit	\$24 plus \$5 per \$1,000 valuation
Irrigation Permit	\$20
Reinspection Fee	\$27
Construction Board of Adjustments & Appeals	\$480
Parade Permit	\$90

*Excludes existing projects involving painting only

Development Fee Resolution – Fee Comparison

Case Type	Current Fees	FY 2010 Fees	FY 2011 Fees
Administrative Adjustment	NA	\$67	\$93
Alternative Parking Plan	NA	\$67	\$93
Comprehensive Plan Amendment	NA	\$835	\$1165
Non-Residential Architectural Review	NA	\$250	\$350
Written Interpretation	NA	\$75	\$105
Conditional Use Permit	\$300	\$835	\$1165
Site Plan	\$200	\$668	\$932
Master Plan*	\$400	NA	NA
Preliminary Plat	\$400	\$668	\$932
Final Plat	\$400	\$668	\$932
Final Plat –Minor or Amending	\$300	\$500	\$700
Variance – Subdivision Regulations	\$100	\$167	\$233
Development Permit/Public Infrastructure Review & Inspection Fee	\$600	¾ of one % of infrastructure cost (\$600 minimum)	1 % of the infrastructure cost (\$600 minimum)
Rezoning	\$500	\$835	\$1165
PDD Amendment – Staff Review Only	\$75	\$125	\$175
PDD Amendment - P&Z/Council Review	\$135	\$225	\$315
Zoning Board of Adjustment	\$150	\$250	\$350
License to Encroach	\$325	\$543	\$757
ROW/Easement Abandonment	\$300	\$500	\$700
Oil & Gas Permit	\$2,000	no change	no change
Oil & Gas Annual Renewal	\$300	no change	no change
PIP Permit	\$150	\$250	\$350
Design Review Board	\$150	\$250	\$350
Zoning Letters	\$43.30	\$67	\$93
Sign Permits	\$25 review fee + value based permit fee	\$42 review fee + \$53 permit fee	\$58 review fee + \$72 permit fee
Electrical Permit	\$37 + 2 cents per sq. ft. over 2,000 sq. ft.	no change	no change
Plumbing Permit	\$20 + \$4 per fixture	no change	no change
Mechanical Permit	\$24 +\$5 per 1,000 valuation	no change	no change
Irrigation Permit	\$20	no change	no change
Reinspection Fee	\$27	no change	no change
Construction Board Variance	\$480	no change	no change
Parade Permit	\$90	no change	no change

*Master Plans are no longer required

August 27, 2009
Regular Agenda Item No. 3
Public Hearing #1 for FY 10 Ad Valorem Tax Revenue Increase

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Public hearing, presentation, possible action and discussion on the City of College Station 2009-2010 advertised ad valorem tax rate of \$0.439400 per \$100 valuation resulting in an increase in tax revenues. Also discussion and possible action on announcing the meeting date, time and place to adopt the tax rate.

Recommendation(s): Hold public hearing and receive citizen input on the tax rate.

Summary: The Texas Property Tax Code requires that if an entity wishes to increase tax revenues over the effective tax rate then that entity must call and hold two public hearings on the proposed tax rate. Following each public hearing the City Council must announce the meeting date, time and place to adopt the tax rate.

The tax rate that the City Council announced it would hold a public hearing on is \$0.439400 per \$100 assessed valuation.

The notice of this public hearing was placed in the Eagle, as well as on the City's internet site, and the City's television channel.

The second public hearing on the tax rate is scheduled for Tuesday September 1st. The City Council will vote on the tax rate on Thursday September 10.

Budgetary and Financial Summary: The public hearing tax rate of \$0.439400 per \$100 assessed valuation will generate \$23,639,141 in taxes. The property taxes are used to fund the general debt service of the City as well as a portion of the operations and maintenance costs of the General Fund.

Attachments: N/A

August 27, 2009
Regular Agenda Item No. 4
Public Hearing for FY 09 - FY 10 Proposed Budget

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Public hearing, presentation, possible action, and discussion on the City of College Station 2009-2010 Proposed Budget.

Recommendation(s): Hold public hearing on Proposed Budget and receive citizen input.

Summary: The City Charter requires that the City Council call and hold a public hearing on the proposed budget; and that after such public hearing, the Council may insert or decrease items so long as the total of any increases and insertions do not increase the total budget by more than 3%.

The Proposed Budget was presented to the City Council on August 17, 2009. Four budget workshops were scheduled to review the proposed budgets. The four workshops were scheduled for July 7th, August 17th, August 20th, and August 21st.

On August 17, 2009, the City Council called a public hearing on the FY 09-10 Proposed Budget. A notice announcing the public hearing was published in accordance with City Charter requirements.

The FY 2009-2010 Budget is scheduled to be adopted on September 10, 2009.

Budgetary and Financial Summary: The following is an overall summary of the proposed budget.

Subtotal Operation and Maintenance:	\$206,289,546
<u>Subtotal Capital:</u>	<u>53,210,063</u>
Total Proposed Budget:	\$259,499,609

Attachments: Please bring Proposed FY 09-10 Budget.

August 27, 2009
Regular Agenda Item No. 5
Public Hearing and Consideration of Budget Amendment # 4

To: Glenn Brown, City Manager

From: Jeff Kersten, Chief Financial Officer

Agenda Caption: Public Hearing, presentation, possible action, and discussion on an ordinance Budget Amendment #4 amending ordinance number 3114 which will amend the budget for the 2008-2009 Fiscal Year and authorizing amended expenditures in the amount of \$1,623,743 and increase the number of regular full-time positions in the budget by two; and presentation, possible action and discussion on an interfund transfer.

Recommendation(s): Staff recommends the City Council hold the public hearing on Budget Amendment #4, and approve the budget amendment ordinance. Staff recommends the City Council approve the budget transfers.

Summary: The proposed budget amendment is to increase the appropriations for the items listed below by \$1,623,743 and to increase the number of regular full-time positions in the budget by two. The charter of the City of College Station provides for the City Council to amend the annual budget in the event there are revenues available to cover increased expenditures and after holding a public hearing on such budget amendment. A number of items have been identified that need to be considered in a budget amendment. In addition, an interfund transfer is included. Interfund transfers do not increase or decrease the overall budget. Rather, the interfund transfer shifts resources between funds. Interfund transfers require Council approval and are therefore included as part of this Budget Amendment documentation. Attached is a list of the items in the proposed budget amendment as well as those in the proposed budget transfer.

Budget & Financial Summary: The City has resources or can reasonably expect resources to cover each of the appropriations in this budget amendment. Budget transfers do not affect the overall budget within a fund; they shift resources within the fund.

Attachments:

1. Budget Amendment #4 Detail List, Budget transfer detail list
2. Ordinance

Fiscal Year 2008-2009 Budget Amendment and Transfer #4 Detail Listing

The proposed budget amendment is to increase the appropriations for the items listed below by \$1,623,743. In addition, an interfund transfer item is included below. Budget transfers do not increase or decrease the overall budget. Rather, the transfers shift resources within a fund. When budget adjustments between Departments and/or funds are necessary, Council approval is required. Increases to personnel also require Council approval. Therefore, these items are included as part of this Budget Amendment documentation.

1. Replacement of Police Patrol Car - \$28,011 (Budget Amendment)
This item is to appropriate budget in the Equipment Replacement Fund for the replacement of a Police patrol vehicle that was totaled in a crash on January 19, 2009. The total amount approved for the replacement of the vehicle is \$28,011. Of this amount, \$16,794 that was recovered from the insurance settlement from the crash will be transferred from the Property and Casualty Fund, and the remaining \$11,217 is available in the fund balance of the Equipment Replacement Fund. Approval of the transfer of funds from the Property Casualty Fund to the Equipment Replacement fund is included in this item.
2. Red Light Camera Vendor Service Fees - \$95,000 (Budget Amendment)
This item is to appropriate budget in the Red Light Camera fund for the vendor service fees for the 5 additional red light cameras that were put into operation on May 28, 2009. The vendor service fee is \$4,750 per month per camera. This item will be funded by the Red Light Camera citation revenue that will be collected from the implementation of these cameras in FY09.
3. Credit Card Charges for Hotel Tax Payments: \$20,000 (Budget Amendment)
This item is to appropriate budget in the Hotel Tax Fund for the costs associated with Hotel Tax payments made to the city via credit card. This item will be offset by the revenues associated with these fees and the funds are available in the Hotel Tax Fund balance.
4. 2009 Police Department Justice Assistance Grant (JAG) Grant: \$92,235 (Budget Amendment)
This item appropriates the resources for the City's portion of the 2009 Edward Byrne Memorial Justice Assistance Grant Program award (1st allocation grant number: 2009-SB-B9-0783; 2nd allocation grant number: 2009-H1485-TX-DJ) through their inter-local agreement application with the City of Bryan and Brazos County. Grant funds will be primarily used for technology enhancements and field operations equipment. In addition, this item increases the police federal grant revenue budget by the same amount. The grant funds are available in the American Recovery and Reinvestment Act of 2009 (ARRA) Fund.
5. CDBG Acquisition: \$299,821 (Budget Amendment)
This item increases the FY 2008 Community Development budget to include \$299,821 of Community Development Block Grant - Recovery funds received from the U. S. Department of Housing and Urban Development. These funds have been allocated to Acquisition and will be used for the purchase of real property that will be the home for the new mixed use development as proposed in the Substantial Amendment to the 2008 Annual Action Plan approved by City Council on May 28, 2009. Additionally, unused funds in the amount of \$133,197 previously allocated to Public Service (\$2,707), Administration (\$52,285), Code Enforcement (\$48,096), and Public Facility (\$30,109) in the FY 08 budget allocation will be transferred to Acquisition to assist with the purchase.
6. Victoria Avenue: \$145,000 (PK0903) - (Streets Capital Improvement Projects Fund: \$125,000; Water Capital Improvement Projects Fund: \$15,000; Wastewater Capital Improvement Projects Fund: \$5,000) (Budget Amendment)

This project was approved as part of the 2008 GOB Authorization. The total budget for this project is \$2,455,000. An appropriation of \$175,000 was included on FY09 Budget Amendment #1 for the design of the project. The design contract approved by Council on May 18, however, was in the amount of \$272,000. The additional appropriation to the Streets Capital Improvement Projects Fund will cover the additional budget needed for the design contract and other expenses incurred prior to construction. This item will appropriate this portion of the budget for the project in the Streets Capital Improvement Projects Fund. Funds will come from GOB debt that is scheduled to be issued in FY09. In addition, it is anticipated that funds will be needed for the replacement of a water line and rehabilitation of a wastewater line. Accordingly, this item will appropriate \$15,000 to the Water Capital Improvement Projects Fund and will appropriate \$5,000 to the Wastewater Capital Improvement Projects Fund for these improvements.

7. **Parkland Zone 4 - Windwood Park (PK0916): \$42,465 (Budget Amendment)**
This item will appropriate a portion of the budget for the Windwood Park Improvements project. It is estimated that the project will cost \$76,500. A portion of the budget (\$34,035) is already budgeted in Parkland Zone 4 and has been transferred to the Windwood Park project. Funds for the remaining portion of the project budget are available in the Parkland Dedication Zone 4 Fund balance, but are not budgeted. This item will appropriate the funds for this project in the Zone 4 Parkland Dedication Fund.
8. **Parkland Zone 10 - Southern Oaks Trail/Lights (PK0905): \$20,000 (Budget Amendment)**
This item will appropriate a portion of the budget for the Southern Oaks Park Trail/Lights project. It is estimated that the project will cost \$130,000. A portion of the budget (\$110,000) is already budgeted in Parkland Zone 10 as part of the Southern Oaks Park Trail/Lights project. Funds for the remaining portion of the project budget are available in the Parkland Dedication Zone 10 Fund balance, but are not budgeted. This item will appropriate the funds for this project in the Zone 10 Parkland Dedication Fund.
9. **Neighborhood Park Improvements (PK0910): \$30,000 (Budget Amendment)**
On February 12, 2009, Council approved an 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. The funds for this project were to come from the Neighborhood Park Improvements project which was approved as part of the 2008 GOB authorization. A FY09 appropriation of \$290,000 was approved as part of FY09 Budget Amendment #1 for Neighborhood Park Improvements. Those funds, however, were earmarked for other projects. This item will appropriate to the Parks Capital Improvement Projects Fund the additional budget needed for this fencing. Funds will come from GOB debt that is scheduled to be issued in FY09.
10. **Oaks Park Improvements (PK0705): \$2,177 (Budget Amendment)**
This item will appropriate a portion of the budget for the Oaks Park Improvements project. It is estimated that the project will be over budget by \$2,177. This project is a CDBG funded project. The additional CDBG funds for the project are available as another CDBG funded project (Prairie View Lighting) is estimated to come in under budget. This item will appropriate the additional budget for the Oaks Park Improvements project in the Parks Capital Improvement Projects Fund, which will be reimbursed with CDBG funds once the project is complete.
11. **City Hall UPS Replacement (CO0603): \$39,018 - (\$19,509 in the Equipment Replacement Fund and \$19,509 in the General Government Capital Improvement Projects Fund) (Budget Amendment)**
Due to the unexpected failure of the City Hall Uninterruptable Power Supply (UPS) unit, a replacement UPS was needed. Typically the UPS units have an expected life of approximately nine years. This unit was purchased and installed in FY04, but as the unit is located adjacent to a mechanical room with high humidity and no temperature control, the operating was not ideal. This may have resulted in a shorter than expected life span. As replacement

of this unit was not budgeted for FY09, this item will appropriate budget for replacement. The cost of the replacement of the unit is approximately \$19,509. Funds for the replacement have been set aside for this purpose in the Equipment Replacement Fund. This item will appropriate budget in both the Equipment Replacement Fund and in the General Government CIP Fund. The appropriation is needed in both Funds as funds will be transferred from the Equipment Replacement Fund to the General Government CIP Fund, which is the fund out of which the unit was purchased.

12. Broker's Fee for Sale of Fire Station #3: \$25,000 (Budget Amendment)

On March 26, 2009, Council approved the sale of Fire Station #3 in the amount of \$525,000. \$25,000 of this was for the broker fee associated with the sale. This item will appropriate budget for the broker fee in the General Government Capital Improvement Projects Fund, which is the fund to which the broker fee will be applied. The revenue received for the sale was also posted to this fund and will offset this expenditure.

13. W. King Cole Culvert Replacement: \$72,800 (Budget Amendment)

Each fiscal year, when available, funds are budgeted in the Drainage Fund for Minor Drainage Improvements. These funds are used for unplanned drainage projects that arise throughout the fiscal year. In FY09, \$200,000 was budgeted for Minor Drainage Improvements. \$7,800 of this amount has already been committed to another Minor Drainage Improvement project. Recently, due to the failure of the culvert, it was determined that the culvert on W. King Cole needs to be replaced. This project is estimated to cost \$265,000. This item will appropriate in the Drainage Fund the additional \$72,800 that is anticipated will be needed for this project. The funds for this project are available in the fund balance of the Drainage Fund.

14. Residual Equity Transfer \$141,641 (Budget Amendment)

On May 18, 2009, Council approved the dissolution of the Northgate TIF Fund. Council also approved the transfer of the balance of the Northgate TIF Fund to the Convention Center Fund for expenditure. This item will appropriate budget in the Northgate TIF Fund to reflect the transfer of the fund balance to the Convention Center Fund.

15. Northgate District Management Full-Time Equivalent (FTE) Employee Additions: 1 FTE employee

This item increases the FTE personnel count by 1 FTE employee in the Northgate Parking Enterprise Fund. The FTE position created will be a District Coordinator, and is part of the implementation of Economic & Community Development's Northgate District Management Model. In FY09, this position will be funded from salary savings in vacant temporary positions. Future funding for this position is available in the fund balance of Northgate Parking Enterprise Fund.

16. Economic Development Full-Time Equivalent (FTE) Employee Addition: 0.5 FTE employee

This item increases the FTE personnel count by 0.5 FTE employee in the General Fund. The FTE position created will be an Economic Development Specialist, and will assist with Economic & Community Development's implementation of the Community Service Worker Program. In FY09, this position will be funded from salary savings in a vacant manager position within the department. Future funding for this position is available in the fund balance of the General Fund.

17. Community Development Full-Time Equivalent (FTE) Employee Addition: 0.5 FTE employee

This item increases the FTE personnel count by 0.5 FTE employee in the Community Development Fund. The FTE position created will be a Community Development Specialist. This position was approved in the FY10 Community Development Budget & Action Plan that was approved by Council on July 23, 2009. Funding for this position is available from Community Development Block Grant and HOME Grant funds.

18. Legal Fees: \$570,575 (Budget Amendment)

This item is to appropriate budget in the Property and Casualty Fund for professional legal services for litigation. Funds for this item are available in the Property and Casualty Fund balance.

Fiscal Year 2008-2009 Budget Transfer Detail Listing

19. Parking Garage Debt Service: \$285,548 (Budget Interfund Transfer)

This item is to appropriate budget in the Parking Garage Fund for a portion of the Parking Garage debt service payment. The debt service for the Parking Garage is currently paid from two sources – the General Debt Service Fund and the Parking Garage Fund. Accordingly, a portion of the debt service payment for the Parking Garage is currently budgeted in the Debt Service Fund. In an effort to better account for the debt service, in FY09 and future years, the debt service payment for the Parking Garage will be made directly out of the Parking Garage Fund. This item will appropriate additional budget to the Parking Garage Fund to reflect the payment of the full debt service. The funds already transferred to the Debt Service Fund from the Parking Garage Fund, as well as the portion of the Parking Garage debt service that will be paid in FY09 using General Debt Service funds, have been transferred to the Parking Garage Fund. This item will establish the corresponding budget.

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT 4) AMENDING ORDINANCE NUMBER 3114 WHICH WILL AMEND THE BUDGET FOR THE 2008-2009 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

WHEREAS, the City Council of the City of College Station, Texas, approved its Budget Ordinance for the 2008-2009 Fiscal Year on September 25, 2008; and

WHEREAS, the City Council of the City of College Station, Texas, desires to amend the approved Budget Ordinance; and

WHEREAS, this amendment was prepared and presented to the City Council and a public hearing held thereon as prescribed by law and the Charter of the City of College Station, Texas, after notice of said hearing having been first duly given; now, therefore,

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

Part 1: That Part 1 of the Budget Ordinance for the 2008-2009 Fiscal Year is amended to read as follows:

"PART 1: That the proposed budget as amended by the City Council of the City of College Station, which is made a part hereof to the same extent as if set forth at length herein, is hereby adopted and approved, a copy of which is on file in the Office of the City Secretary in College Station Texas. Amended appropriations for fiscal year 2008-2009 for the ARRA (American Recovery and Reinvestment Act) of 2009 Fund are \$92,235; for the Red Light Camera Fund are \$1,170,401; for the Northgate TIF Fund are \$141,641; for the Hotel Tax Fund are \$9,299,826; for the Community Development fund are \$4,324,338; for the General Government Projects Fund are \$7,535,213; for the Parks Projects Fund are \$2,510,488; for the Streets Projects Fund are \$2,524,564; for the Parkland Dedication Fund are \$1,007,422; for the Property & Casualty Fund are \$1,344,612; for the Equipment Replacement Fund are \$4,540,113; for the Water Projects Fund are \$12,186,159; for the Sewer Projects Fund are \$5,979,656; and for the Drainage Utility Fund are \$2,156,494. Amended regular full and part-time positions is 868.5. All other appropriations as originally adopted and amended by the City Council remain in full force and effect."

Part 2: That this ordinance shall become effective immediately after passage and approval.

PASSED and APPROVED this _____ day of _____ 2009.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Harry Cayell

City Attorney

August 27, 2009
Regular Agenda Item No. 6
F.S. Kapchinski – 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 3.714 acres from R-1, Single-Family Residential and PDD, Planned Development District to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place and more generally located east of Scandia Apartments.

Recommendation(s): The Planning and Zoning Commission unanimously recommended approval of the amendment by a vote of 7 to 0 at their August 6th meeting. Staff also recommended approval.

Summary:

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The subject property is designated as General Suburban on the Future Land Use and Character Map, which calls for an intense level of development activity consisting of single-family residential lots with a minimum 5,000 square feet. The subject property is proposed to be developed with lot sizes ranging from 5,137 square feet to 13,288 square feet.
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 residences 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 called for in the Future Land Use and Character Map.
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 incorporation of Lot 25 into the existing Planned Development District would be keeping in character with the existing single-family development in the area and a continuation of the proposed development in the original concept plan.

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:** Lot 25 is currently developed as a single-family land use and would continue as such with the proposed amendment.
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 in the peak hour. However, the vehicles per day (vpd) is 10 units times 6.72 trips (as per ITE manual) which equals 67.2 vpd. 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 67.2 trips, 1,067.2 vpd would be anticipated.

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.

In March of 2009, a rezoning from R-1, Single-Family Residential and R-6, Multi-family High-Density to PDD, Planned Development District was approved for the subject property. Since that time the developer has acquired Lot 25 and intends to include the lot in the proposed development. To achieve the stated purpose of the development, the applicant is requesting dimension variations to the Unified Development Ordinance, specifically to Section 8, Subdivision Design and Improvements and to Section 7 General Development Standards.

Under the previous rezoning, general and bulk variations were granted to the required 8,500 minimum lot area (Lots 17R1, 17R2, 18R1, 18R2, 29R1 and 29R2), the required 50 foot front setback requirement for an R-1, Single-Family Residential zoning district (Lots, 30R1, 30R2, 31R and 32R), and the requirement to meet or exceed average lot width as part of replatting in an older residential subdivision (Lots 28R, 29R1 and 29R2).

The applicant is requesting a variation 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 56.08 feet and the proposed lot widths

range from 43.75 feet to 45.16 feet. These variations are being sought for proposed Lots 24R2 and 25R2. Previous lot widths approved for the development ranged from 46.58 feet up to 62.24 feet.

The second variation the applicant is requesting is to Section 7.1.D.1.e, which states that "where an existing block was created by an approved plat prior to July 15, 1979, a new (infill) single-family dwelling unit shall use the adjacent lots to determine the appropriate front setback". This requirement means that the new dwelling unit can be set no closer to the street or farther back from the street than the nearest neighboring units. The estimated required setback for Lot 25R1 is 84.20 feet and 82.80 feet for Lot 25R2. For Lot 25R1, the applicant has proposed a 68.60 foot setback, a variation of 15.60 feet. The proposed setback for Lot 25R2 is 80.30 feet, a variation of 2.50 feet.

The applicant has stated four 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 and through to Park Place, access to land-locked property with alternative vehicular access to adjacent properties, improved drainage conditions and the demolition of the existing driveway off of Park Place to Lots 23 and 24 as requested by the adjacent landowner.

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. The proposed lot frontages for lots 24R2 and 25R2 are short of minimum R-1 requirements, but are similar in width to what was approved previously for the PDD. The lot areas for the two additional lots exceeds the minimum 5,000 square feet required in an R-1 zoning district and are of similar size to existing lots in the neighborhood.
- 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 Future Land Use and Character Map calls for General Suburban, 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:** As part of the previous rezoning a cul-de-sac will provide access to all lots along the street. While lot 25R2 will not have its own driveway, it will take access to its rear parking through a 20' driveway between lots 24R2 and 28R. In addition, lots 23 and 24R1 will now take access from the cul-de-sac as the shared driveway that currently exists off of Park Place is proposed to be removed.

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. The proposed sidewalk will continue through a 10' pedestrian access easement between lots 24R2, 25R2, 24R1 and 25R1.
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. In an effort to alleviate or reduce any potential noise or privacy concerns, the applicant has proposed a 10-foot buffer yard with plantings along the parking area adjacent to Lot 26.
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 proposed addition of a sidewalk at the rear of the proposed cul-de-sac will help improve pedestrian mobility in the area. The proposed traffic generated by this site is estimated to be minimal. In addition, since the time the original rezoning was approved, City Council approved the removal of on-street parking along both sides of Park Place. However, there have been issues with continued parking on the street and at this time it is too early to determine if this has improved circulation and safety in the neighborhood.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Draft Planning and Zoning Commission Minutes, August 6, 2009
4. Ordinance

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: August 6, 2009
 Advertised Council Hearing Dates: August 27, 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: 33
 Contacts in support: None at time of Staff Report
 Contacts in opposition: None at time of Staff Report
 Inquiry contacts: 2

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	General Suburban and Natural Area-Reserved	R-1, Single-Family Residential	Park Place a local street, Single-Family Residences
South	Urban	R-6, High Density Multi-Family	Tower Park Apartments
East	General Suburban and Natural Area-Reserved	R-1, Single-Family Residential	Park Place a local street, Single-Family Residences
West	Urban	R-6, High Density Multi-Family	Scandia Apartments

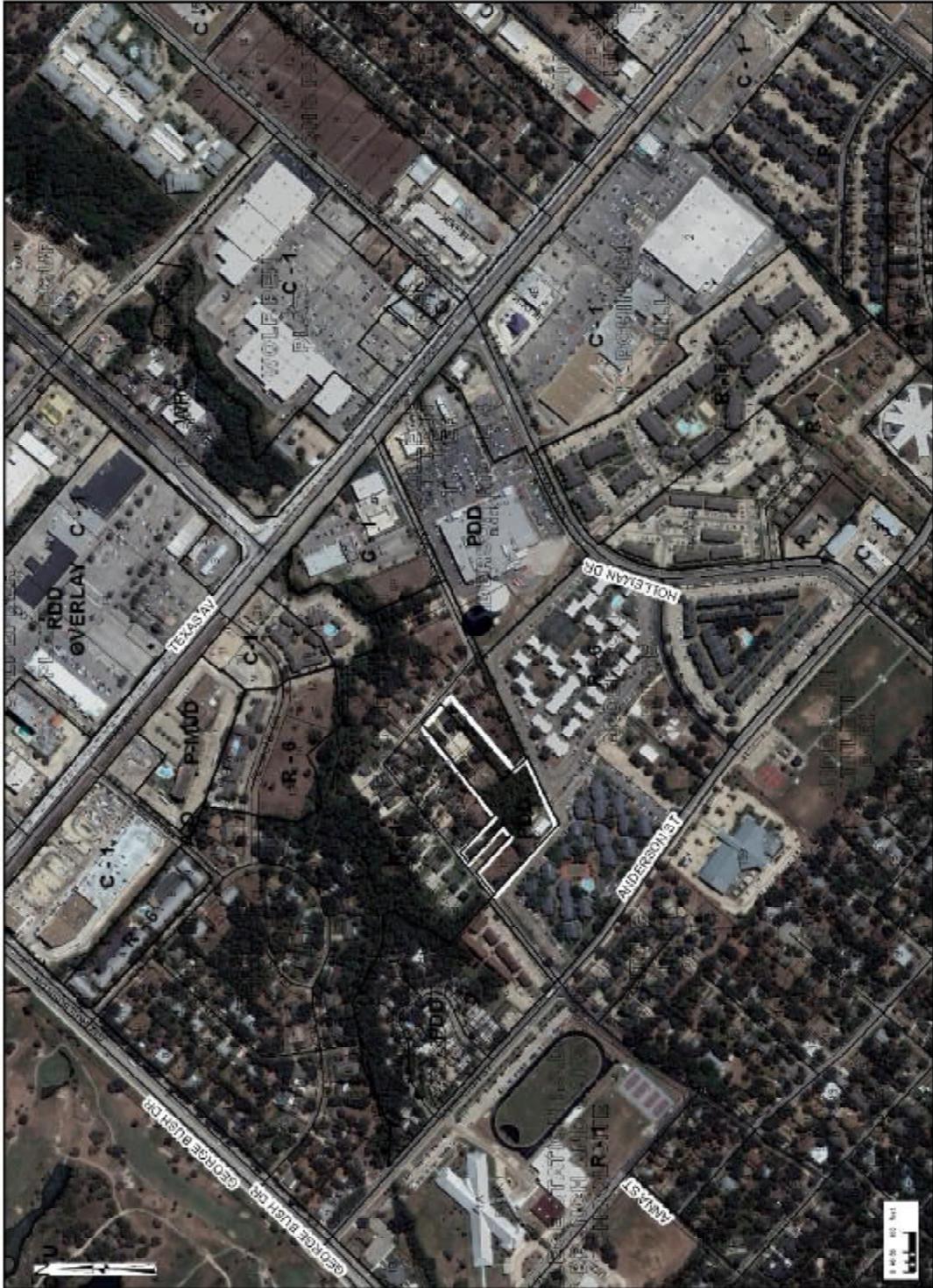
DEVELOPMENT HISTORY

Annexation: 1956

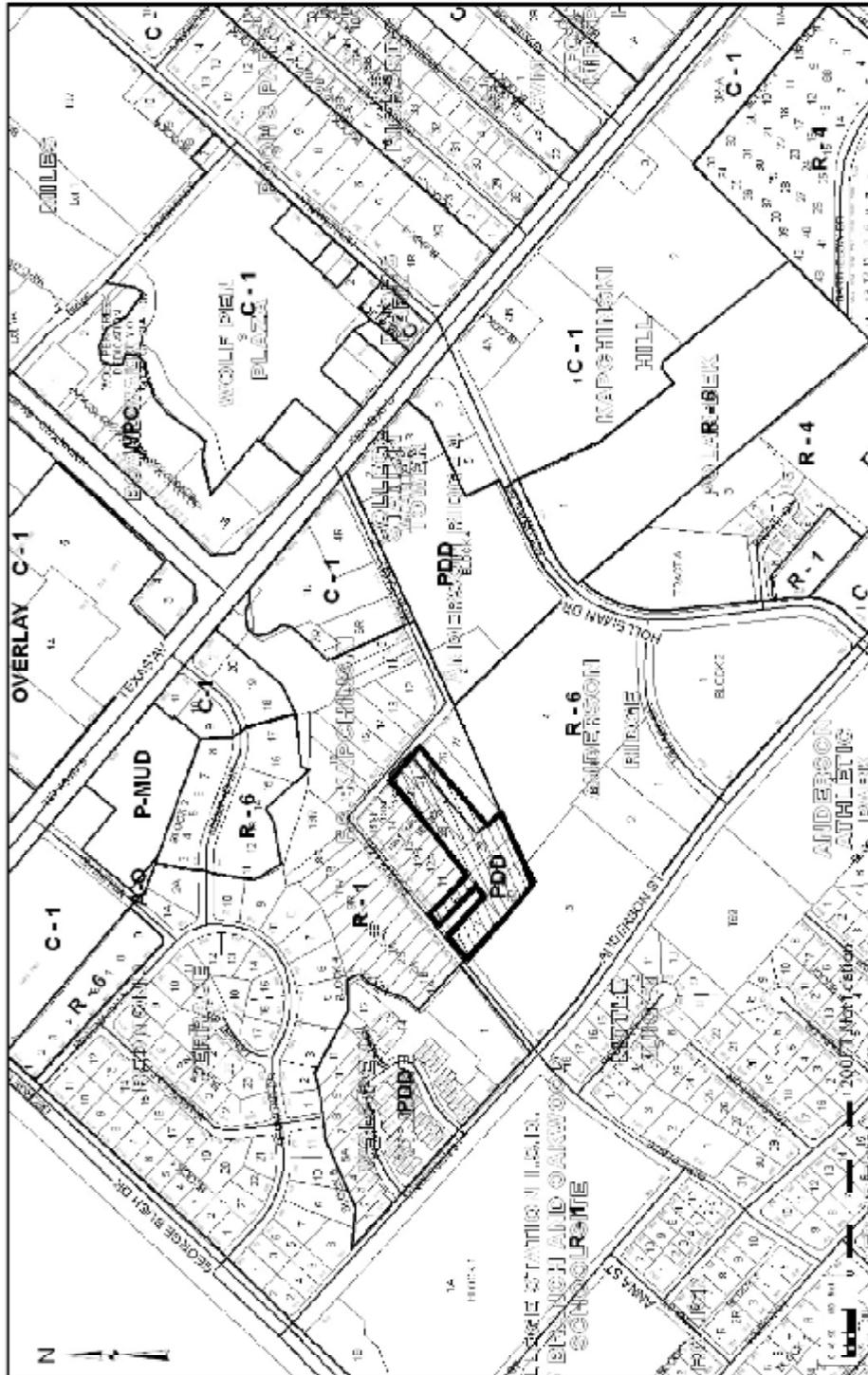
Zoning: R-1, Single-Family Residential to R-3, Apartment Building District (renamed to R-6, High-Density Multi-Family) to PDD, Planned Development District (2009). The proposed rezoning is an amendment to the existing PDD in order to include an additional lot and make minor changes to the Concept Plan. These changes include mitigating the effects of the proposed parking lot on the adjacent tract, lot width revisions and an increased detention area.

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 Lots 18 and 25 are currently developed as single-family residences.



	DEVELOPMENT REVIEW	Case: 09-141	REZONING
	FS KAPCHINSKI BLK1 LOT 17, PART OF 18 23-25 AND 28-32		



Zoning Districts	R-3 Townhouse	C-3 Light Commercial	WPC Wolf Pen Creek Dev. Corridor
A-0 Agricultural Open	R-4 Multi-Family	M-1 Light Industrial	NG-1 Core Northgate
A-OR Rural Residential Subdivision	R-5 High Density Multi-Family	M-2 Heavy Industrial	NG-2 Transitional Northgate
R-1 Single Family Residential	R-6 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	G General Commercial	P-MUD Planned Mixed-Use Development	RDO Redevelopment District
	C-1 Commercial Industrial	PDD Planned Development District	KO Korak Top Overlay


DEVELOPMENT REVIEW

FS KAPCHINSKI BLK1 LOT 17, PART OF 18 Case: 09-141

REZONING

23-25 AND 28-32



MINUTES
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, August 6, 2009,
7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: Chairman John Nichols, Doug Slack, Paul Greer, Mike Ashfield, Scott Shafer, Tom Woodfin, and Hugh Stearns

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: Dennis Maloney & Larry Stewart

CITY STAFF PRESENT: Senior Planner Jennifer Prochazka, Staff Planners Jason Schubert, Matt Robinson, and Matthew Hilgemeier, Assistant City Engineer Josh Norton, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Director Bob Cowell, Assistant City Attorney Adam Falco, Action Center Representative Carrie McHugh, and Staff Assistant Brittany Caldwell

1. Call meeting to order.

Chairman John Nichols called the meeting to order at 7:05 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 PDD, Planned Development District to PDD, Planned Development District for 3.714 acres located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place and more generally located east of Scandia Apartments. **Case #09-00500141 (MR)**

Matt Robinson, Staff Planner, presented the Rezoning and recommended approval.

There was discussion regarding the flooding on Pamela Chmelar's lot.

Chairman Nichols opened the public hearing.

Rabon Metcalf, RME Consulting Engineer, stated that the infrastructure currently was not constructed, but when constructed would retain most of the run-off that was causing the flooding on Pamela Chmelar's lot. He said that the street is proposed to be curb and gutter.

Cedric Johnson, 1629 Park Place, said that he was appreciative of the parking changes that were made on Park Place.

Pamela Chmelar, 1602 Park Place, stated that flooding still occurs behind her house and she needs assurance that this won't continue happening.

Commissioner Stearns asked how flooding was going to be prevented during construction.

Mr. Metcalf stated that a channel would be constructed to prevent flooding during construction.

Chairman Nichols closed the public hearing.

Commissioner Greer motioned to approve the Rezoning. Commissioner Woodfin seconded the motion, motion passed (7-0).

4. Adjourn.

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

Meeting adjourned at 9:17 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 _____ day of August, 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 PDD, Planned Development District 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 "C" SHOWN GRAPHICALLY IN EXHIBIT "E" AND WITH A CONCEPT PLAN AS DESCRIBED AND SHOWN GRAPHICALLY IN EXHIBIT "F".

EXHIBIT "B"

0.51 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 COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF LOT 25, BLOCK 1, F.S. KAPCHINSKI SUBDIVISION, ACCORDING 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 IN EXHIBIT "D" SHOWN GRAPHICALLY IN EXHIBIT "E" AND WITH A CONCEPT PLAN AS DESCRIBED AND SHOWN GRAPHICALLY IN EXHIBIT "F".

EXHIBIT "C"

**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

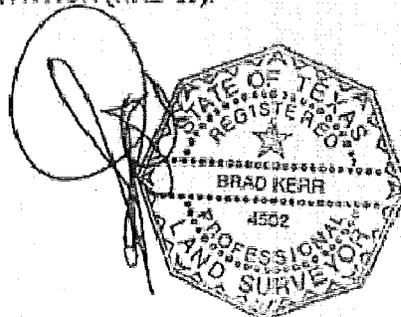


EXHIBIT "D"

**METES AND BOUNDS DESCRIPTION
OF A
0.51 ACRE TRACT
LOT 25, BLOCK 1
F. S. KAPCHINSKI SUBDIVISION
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF LOT 25, BLOCK 1, F. S. KAPCHINSKI SUBDIVISION, ACCORDING 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 ON THE SOUTHWEST LINE OF PARK PLACE (32' R.O.W. AT THIS POINT) MARKING THE EAST CORNER OF SAID LOT 25 AND THE NORTH CORNER OF LOT 26, BLOCK 1;

THENCE: S 49° 30' 31" W ALONG THE COMMON LINE OF SAID LOT 25 AND LOT 26 FOR A DISTANCE OF 400.15 FEET TO A 5/8 INCH IRON ROD FOUND ON THE NORTHEAST LINE OF LOT 29, BLOCK 1, MARKING THE COMMON CORNER OF SAID LOTS 25 AND 26;

THENCE: N 41° 09' 39" W ALONG THE COMMON LINE OF SAID LOT 25 AND LOT 29 FOR A DISTANCE OF 58.49 FEET TO A 5/8 INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID LOT 25 AND THE SOUTH CORNER OF LOT 24, BLOCK 1;

THENCE: N 50° 09' 20" E ALONG THE COMMON LINE OF SAID LOT 25 AND LOT 24 FOR A DISTANCE OF 394.32 FEET TO A RAM NAIL FOUND ON THE SOUTHWEST LINE OF PARK PLACE MARKING THE COMMON CORNER OF SAID LOTS 25 AND 24;

THENCE: S 47° 23' 13" E ALONG THE SOUTHWEST LINE OF PARK PLACE FOR A DISTANCE OF 54.43 FEET TO THE POINT OF BEGINNING CONTAINING 0.51 OF AN ACRE OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND JUNE, 2009. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/09-358.MAB

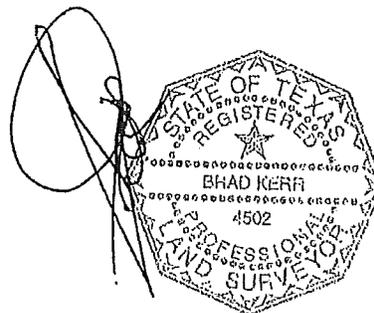
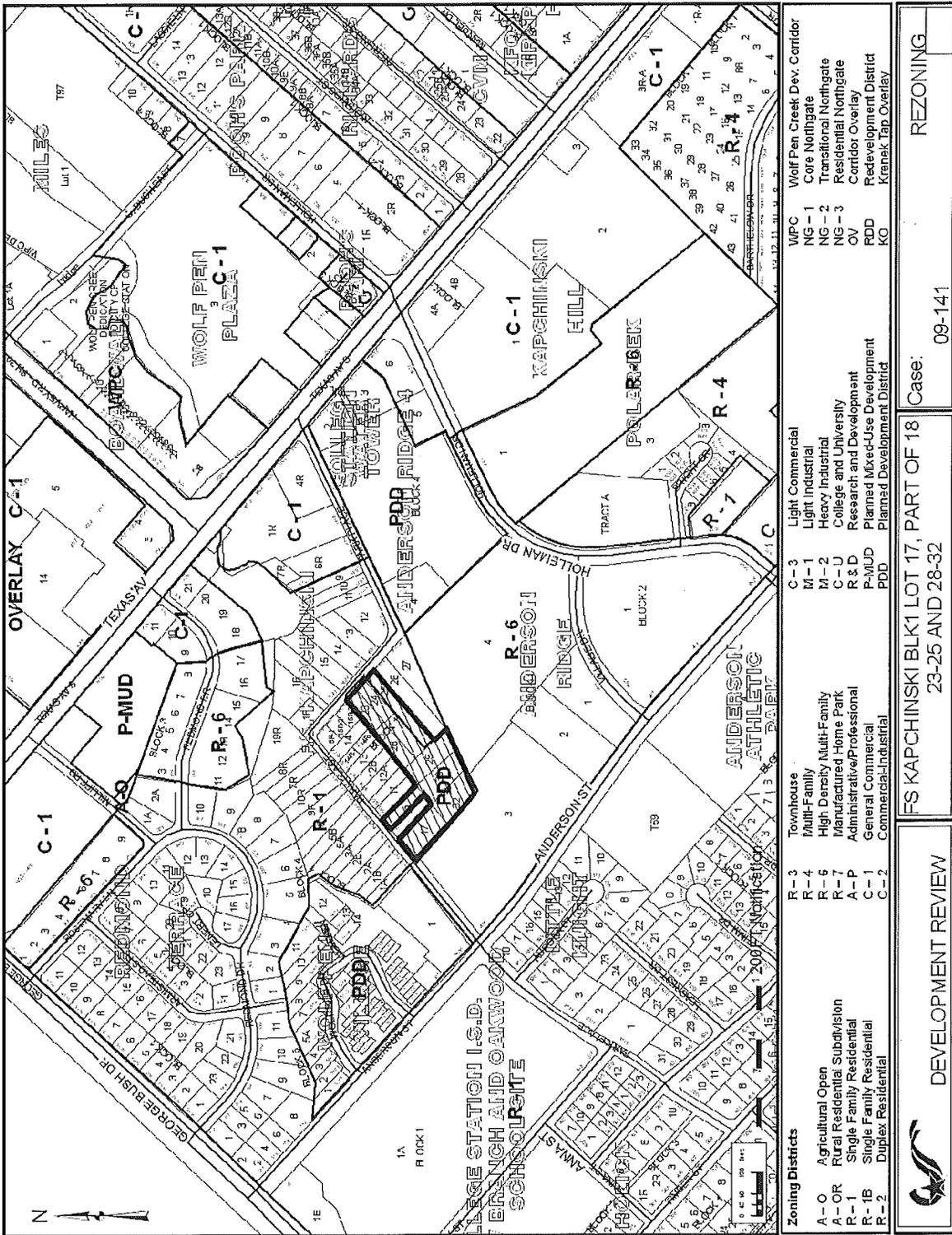


EXHIBIT "E"



DEVELOPMENT REVIEW

FS KAPCHINSKI BLK1 LOT 17, PART OF 18
23-25 AND 28-32

Case: 09-141

REZONING

EXHIBIT "F"

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, 18R2, 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 24R2, 25R2, 28R, 28R1, and 29R2:

Minimum lot width variance from the required calculated average lot width of 56 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.

For lots 25R1 and 25R2:

Maximum front yard setback as determined by nearest neighboring units per UDO Section 7.1.D.1.e. Required Yards (Setbacks), to allow for a front setback of 68 feet for lot 25R1 and a 80 feet for lot 25R2.

