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**Mayor**

Nancy Berry

**Mayor Pro Tem**

John Crompton

**City Manager**

Glenn Brown

**Council members**

Jess Fields

Dennis Maloney

Katy-Marie Lyles

Dave Ruesink

**Agenda**  
**College Station City Council**  
**Regular Meeting**  
**Wednesday, November 10, 2010 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 5:30 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. Comments should not personally attack other speakers, Council or staff.

**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 August 17 & 18, 2010 Special Budget Workshop Meetings and October 25, 2010 Workshop and Regular Council Meeting.

- b. Presentation, possible action, and discussion regarding approval of a resolution authorizing staff to award professional services contract #11-044 with Prime Controls in the amount of \$72,430.00 for Professional Services Rehabilitating Water Wells 1, 2, 3, & 5 Motor Control Centers.

- c. Presentation, possible action and discussion regarding the renewal agreement for outsourcing the printing and mailing of Utility bills, late notices and inserts for an estimated annual expenditure of \$230,000 to Xpedient Mail.

d. Presentation, possible action, and discussion on a bid award for the annual agreement for various electrical items and electric meters to be stored in inventory as follows: Techline \$567,959.50; TEC \$101,774.50; TransAmerican Power Products, Inc. \$85,550.00; KBS \$51,880.50; Stuart C. Irby \$23,735.60 and HD Supply \$3,425.00. Total estimated annual expenditure is \$834,334.10.

e. Presentation, possible action, and discussion regarding a resolution awarding the bid and approval of a construction contract (Contract Number #11-035) with Orion Construction in the amount of \$51,690.00 for a new Playground at John Crompton Park.

f. Presentation, possible action and discussion on the third and final reading of a franchise agreement amendment with Texas Commercial Waste to add the collection of food waste for the purpose of recycling to its agreement.

g. Presentation, possible action and discussion on the third and final reading of a franchise agreement with Liquid Environmental Solutions for the collection of food waste for the purpose of recycling.

h. Presentation, possible action, and discussion on a deductive change order to the Construction Contract 09-307 with Doughtie Construction Company, Inc. for a credit in the amount of \$38,592.00, for the construction services of Areas 5 & 6 Utilities & Lift Station.

i. Presentation, possible action, and discussion renewing the Annual Contract for Janitorial services for all City offices for an annual expenditure of \$198,343.44.

j. Presentation, possible action, and discussion regarding a change order to the design contract (Contract No.07-263) with Mitchell and Morgan in the amount of \$4,240.00 for the Nantucket Gravity Sewer Line project.

k. Presentation, possible action, and discussion on a participation agreement between the City of College Station and the Estate of Gary Seaback for the extension of Victoria Avenue to William D. Fitch Parkway.

### **Regular Agenda**

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

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

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

1. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, specifically rezoning 3.957 acres from A-O Agricultural Open and P-MUD Planning Mixed Use District to PDD Planned Development District for hotel, multi-family, office, and general commercial uses, for 1502 Texas Avenue South, generally located on the west side of Texas Avenue South, south of Milliff Road.
2. Presentation, possible action, and discussion regarding selection of applicants to various Citizen Boards and Committees:  
CITIZEN MEMBERSHIP  
Cemetery Committee  
Construction Board of Adjustments and Appeals  
Design Review Board  
Historic Preservation Committee  
Medical Corridor Advisory Committee  
BVSWMA, Inc. Board of Directors  
Zoning Board of Adjustment
3. Public hearing, presentation, possible action, and discussion regarding 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, specifically rezoning 1.04 acres from A-O Agricultural Open to C-1 General Commercial generally located at 2270 Greens Prairie Road West.
4. Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 5,666 square foot, 20-foot wide public utility easement, which is located on Lots 3 & 4 of the Valley Park Center Subdivision according to the plat recorded in Volume 7675, Page 282 of the Deed Records of Brazos County, Texas.
5. Presentation, possible action, and discussion regarding annexation of portions of the College Station ETJ, southwest of the City limits including properties located on the west and east sides of FM2154, generally referred to as the Wellborn area.
6. Adjourn.

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

APPROVED:

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City Manager

Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Wednesday, November 10, 2010 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 5th day of November, 2010 at 5:00 p.m.

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov) . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on November 5, 2010 at 5:00 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 \_\_\_\_\_, 2010 By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

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

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



**Mayor**  
Nancy Berry  
**Mayor Pro Tem**  
John Crompton  
**City Manager**  
Glenn Brown

**Councilmembers**  
Jess Fields  
Dennis Maloney  
Katy-Marie Lyles  
Dave Ruesink

**Minutes**  
**City Council Special Budget Meeting**  
**Tuesday, August 17, 2010 at 3:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

**1. Call to order.**

Mayor Berry called the meeting to order at 3:05 p.m. and introduced the new City Secretary, Sherry Mashburn

**2. Presentation, possible action and discussion on the FY 2010-2011 Proposed Budget.**

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Lyles, the City Council voted one (1) for and five (5) opposed, with Mayor Berry, Council members Fields, Lyles, Maloney and Ruesink voting against, to add \$700,000 to the Public Works budget to address street rehabilitation. The motion failed.

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Lyles, the City Council voted one (1) for and five (5) opposed, with Mayor Berry, Council members Crompton, Lyles, Maloney and Ruesink voting against, to amend the motion to move \$700,000 from the Public Works fund or find other areas within the General Funds to forestall an effective tax rate increase. The motion failed.

As a result, the Transportation User Fee will remain on the ballot.

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**General Fund Financial Forecast**

**§ Revenues**

- Economic conditions result in lower revenue estimates
- Sales tax estimates lower
- Property Tax Rate increases included
- Permit revenues lower
- Investment earnings lower

City Council Minutes  
Tuesday, August 17, 2010

- § Expenditures
- Limited new expenditures
  - Limited pay plan
  - Increased health care and retirement costs
  - Includes Police continuation of Strategic Plan
  - Includes O&M for Fire Station #6
  - Possible savings of \$150,000 for delayed hires
  - No other new programs included

Property Tax Increases

- FY11 - 0.008143
- FY12 - 0.03
- FY13 - 0.01
- FY14 - 0.0045

Key General Fund Policy Decision Points

- § Police and Fire additional resources
- § Funded through Effective Tax Rate proposal and shift from Debt to O&M
- § Budget and Service Level reductions

Proposed General Debt Service Fund

- § FY 10 Debt Service Rate 22.9433 cents
- § FY 11 Debt Service Rate 22.0194 cents
- Satisfies FY 11 debt service requirement of \$12,581,958.
- § Parking Garage debt funded from parking revenues.
- § Cemetery debt service paid from tax rate
- § Proposed rate of 22.0194 will meet projected debt service requirements.
- 2003 and 2008 Bond Authorization
  - Certificates of Obligation for other projects
    - § Technology
    - § Facility Improvements
    - § Arts Council Building

Other Governmental Funds

- § Economic Development Fund
- General Fund transfer - \$200,000
    - Reduced by \$115,000
  - Water, Wastewater, Sanitation, Business Park transfers - \$295,000
  - Cash Assistance expenditures - \$655,000

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Fields, the City Council voted three (3) for and three (3) opposed, with Mayor Berry, Council members Lyles, and Ruesink voting against, to strike \$50,000 from the RVP Marketing Find. The motion failed.

City Council Minutes  
Tuesday, August 17, 2010

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Fields to reconsideration the motion, the City Council voted six (6) for and none (0) opposed, to strike \$50,000 from the RVP Marketing Fund. The motion carried unanimously..

Parks Xtra Education Fund

- Revenue - \$95,159
- Expenditures - \$95,351

General Government Capital Projects

- § 2008 Bond Authorization \$76,950,000
  - Streets and Transportation
  - Parks
  - Library
  - Fire Station
- § 7 Year Schedule
- § Operations and Maintenance

Hotel Tax Fund

- § Revenues: \$3,422,000
- § Expenditures: \$2,063,335
  - Special Events & Programs - \$357,816
  - Convention Center Land Debt Service - \$222,519
  - Convention & Visitors Bureau - \$1,060,000
  - Arts Council - \$289,000
  - George Bush Presidential Library - \$50,000
  - Veteran's Memorial - \$10,000
  - Other/Contingency - \$74,000

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted six (6) for and none (0) opposed, to move \$200,000 creating a fund within the HOT fund for the attraction of tournaments with parameters: at least 40 teams, 90% from out of town, and see \$10.00 return on each dollar spent. The motion carried unanimously.

Council consensus was to remove \$10,000 from the Veteran's Memorial since there is no program nor has there been a request)

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Maloney, the City Council voted five (5) for and one (1) opposed, with Council member Lyles voting against, to reduce the George Bush Library allocation to \$25,000 and charge the library to approach other entities for matching funds, (motion

## City Council Minutes

Tuesday, August 17, 2010

amended to amend the budget amount in the CVB as a direct pass through). The motion carried.

CVB Budget

**MOTION:** Upon a motion made by Councilmember Maloney and a second by Councilmember Fields, the City Council voted three (3) for and three (3) opposed, with Mayor Berry, Council members Lyles, and Ruesink voting against, to reduce the HOT contribution by \$60,000, so CVB budget is \$1 million. The motion failed.

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Fields, the City Council voted four (4) for and two (2) opposed, with Council members Lyles, and Ruesink voting against, to fund CVB at last year's base contributions of \$1,032,000. The motion carried.

Arts Council Budget

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted two (2) for and four (4) opposed, with Mayor Berry, Council members Lyles, Fields and Ruesink voting against, to move the budget (\$289,000) from HOT to General Fund (Parks Budget) as a pass through fund. The motion failed.

**MOTION:** Upon a motion made by Mayor Berry and a second by Councilmember Fields, the City Council voted four (4) for and two (2) opposed, with Council members Maloney and Lyles voting against, to move \$89,000 for O&M and \$200,000 to affiliates. The motion carried.

Electric FundRevenues: \$98,329,236

- Residential and Commercial assume 2% Growth
- FY11 Proposed rate increase of 6%
- Forecast Shows Future Rate Increases

Expenditures: \$98,349,929

- Operations & Transfers - \$84,882,785
  - Budget Reductions
  - Includes Purchased Power & Wheeling Costs
- Service Level Adjustments - \$84,500
  - Solar Photovoltaic Rebate Program
  - Transmission Operating Certification Training
- Pay Adjustments - \$91,168
- Debt Service - \$4,481,585

## City Council Minutes

Tuesday, August 17, 2010

– Return on Investment - \$8,809,891

Sanitation Fund

Revenues: \$7,107,394

§ No rate increase in the Proposed Budget

§ Forecast Shows Additional Future Rate Increases

Expenditures: \$7,014,768

§ Operations and Maintenance - \$6,183,049

– Budget Reductions

§ Service Level Adjustments - \$0

§ Pay Adjustments - \$79,271

§ Return on Investment - \$702,208

§ Keep Brazos Beautiful - \$50,240

3. **Presentation, possible action and discussion on the 2010-2011 ad valorem tax rate; and, if necessary, on calling two public hearings on a proposed ad valorem tax rate for 2010-2011.**

There was no discussion or action taken on this item.

4. **Executive Session will immediately follow the special meeting in the Administrative Conference Room.**

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

a. Electric Fund FY2010-2011 Proposed Budget

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

a. Bio-Corridor Prospects such as Pharmaceuticals and other high tech industries

5. **Action on executive session.**

No action was required from Executive Session.

City Council Minutes  
Tuesday, August 17, 2010

**6. Adjourn.**

Hearing no objections, Mayor Berry adjourned the Special Meeting at 8:55 p.m.

PASSED AND APPROVED this November 10, 2010

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor Nancy Berry



**Mayor**  
Nancy Berry  
**Mayor Pro Tem**  
John Crompton  
**City Manager**  
Glenn Brown

**Councilmembers**  
Jess Fields  
Dennis Maloney  
Katy-Marie Lyles  
Dave Ruesink

*Minutes*  
*City Council Special Budget Meeting*  
*Wednesday, August 18, 2010 at 3:00 p.m.*  
*City Hall Council Chambers, 1101 Texas Avenue*  
*College Station, Texas*

**1. Call to order.**

Mayor Berry called meeting to order at 3:12 p.m.

**2. Presentation, possible action and discussion on the FY 2010-2011 Proposed Budget.**

**Water Fund**

**Revenues: \$13,367,841**

- User fees from Water Customers
- Impact of Residential Conservation Rate
- FY11 Proposed Rate Increase
  - Residential 2%
  - Commercial 2%
  - Commercial Irrigation – 10% (estimated result 4% conservation)
- Forecast Shows Future Rate Increases

**Expenditures: \$17,804,090**

- Operations and Maintenance - \$6,158,634
  - Budget Reductions
- Service Level Adjustments - \$41,836
  - Impact Fee Study
  - Public Education/Conservation Programs
  - Rebate Program
- Pay Adjustments - \$33,723
- Debt Service - \$5,024,897
- Transfer to Capital Projects - \$5,250,000

Return on Investment - \$1,295,000

*City Council Minutes*  
 Wednesday, August 18, 2010

**Wastewater Fund**

**Revenues: \$12,203,190**

- § User Fees from Wastewater Users
- § FY11 Proposed Rate Increase of 3%
- § Forecast Shows Additional Future Rate Increases

**Expenditures: \$12,419,134**

- § Operations and Maintenance - \$6,081,403
  - Budget Reductions
- § Service Level Adjustments - \$87,535
  - Impact Fee Study
  - Public Education / Conservation Programs
  - Grease Sampling
  - Portable Generator for Lift Station
- § Pay Adjustments - \$50,359
- § Debt Service - \$4,203,437
- § Transfer to Capital Projects - \$825,000
- § Return on Investment - \$1,171,400

**Traffic Safety Fund**

§ **Revenue: \$1,603**

- Investment Earnings

§ **Expenditures: \$60,000**

- BCS Mobility Initiative
- Harvey Road Corridor Progression Study

**Wolf Pen Creek TIF**

- § Revenues - \$15,000
  - Investment Earnings
- § Expenditures: \$3,033,313
  - WPC Water Feature \$1.2 million
- § TIF expired December 31, 2009

**Court Funds**

- § Court Technology Fee Fund
- § Court Security Fee Fund
- § Juvenile Case Management Fee Fund
- § Municipal Court Fund
- § Police Seizure Fund

*City Council Minutes*

Wednesday, August 18, 2010

**Cemetery Funds**

- Memorial Cemetery Fund (pg 145)
  - Revenues \$266,247 (plot sales less than anticipated)
  - Expenditures \$2,764 (general & administrative expenses)
- Memorial Cemetery Endowment Fund (pg 226)
  - Revenues \$128,804 (plot sales less than anticipated)
  - Expenditures \$10,000 (advertising expenses)
  - Perpetual Care Cemetery Fund (pg 227)
  - Revenues \$35,000 (plot sales and investment income)
  - Expenditures \$0

**Internal Service Funds****Self-Insurance Funds****§ Property Casualty**

4 Revenues	\$1,754,600
4 Expenditures	\$1,342,775
4 Ending Working Capital	\$92,157
4 Reserve for possible claims	
4 Premium Increase for FY11	

**§ Actuarial Study****Employee Benefits**

– Revenues	\$8,227,507
– Increased City Contribution	\$ 903,890
– Expenditures	\$9,360,973
– BlueCross BlueShield of Texas	
– Increase in cost to employees in FY11	
– Multiple Options offered to employees in FY11	
– Claims costs increase	
– Ending Working Capital	\$1,824,805
§ Reserve for future claims and premium costs	

**Workers Compensation**

– Revenues	\$ 442,375
– Expenditures	\$ 654,911
– Ending Working Capital	\$1,840,483
§ Reserve for future claims	
– Claims and premiums	
– Actuarial Study	

**Unemployment Compensation**

– Revenues	\$ 36,756
– Expenditures	\$ 34,330

*City Council Minutes*

Wednesday, August 18, 2010

– Ending Working Capital	\$ 211,830
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**Equipment Replacement Fund****Revenues**

- 4 Fleet Rentals
- 4 Reduced Transfers In
- 4 Phone and Radio System
- 4 Copiers
- 4 Other

**Expenditures**

- 4 Fleet Purchases and Replacement
- 4 Proposed Budget includes Hybrid vehicles
- 4 Radio System Replacement
- 4 Other Equipment Purchases

**Utility Customer Service**

- 4 Provide utility metering, billing and collection customer services for the City utilities.

<b>Revenues</b>	\$2,258,503
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- Charges to the Electric, Water, Wastewater, Sanitation and Drainage Utilities

<b>Expenditures</b>	\$2,258,503
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- Operations and Maintenance - \$2,233,490
- Service Level Adjustments - \$ 0.00
- Pay Adjustments - \$ 25,013

**Fleet Services Fund**

- 4 Provide fleet support services to City operations

<b>Revenues</b>	\$1,576,232
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- 4 Charges for service received from other City departments

<b>Expenditures</b>	\$1,686,412
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- 4 Operations & Maintenance - \$1,609,236
- 4 Service Level Adjustments - \$50,000
  - 4 Fleet Wash Rack (split with Public Works Dept)
- 4 Pay Adjustments - \$27,176

**MOTION:** Upon a motion made and seconded, the City Council voted two (2) for and four (4) opposed, with Mayor Berry, Council member Fields, Lyles, and Ruesink voting against, move to construct trails in green area in park adjacent to Windwood Subdivision. The motion failed.

**MOTION:** Upon a motion made by Councilmember Maloney, the City Council voted six (6) for and zero (0) opposed, moved to send project to Parks Board for research. The motion was unanimous.

*City Council Minutes*  
Wednesday, August 18, 2010

3. **Presentation, possible action and discussion on the 2010-2011 ad valorem tax rate; and, if necessary, on calling two public hearings on a proposed ad valorem tax rate for 2010-2011.**

**Ad Valorum Tax Rate:**

ETR	44.7543
Current Rate	43.9400
Roll Back	46.4392
Proposed Rate	44.7543

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted six (6) for and zero (0) opposed, to move to not exceed ETR of 44.7543. The motion was unanimous.

4. **Executive Session will immediately follow the special meeting in the Administrative Conference Room.**

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

- a. Electric Fund FY2010-2011 Proposed Budget

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Bio-Corridor Prospects such as Pharmaceuticals and other high tech industries

5. **Action on executive session.**  
No action was required from Executive Session.

6. **Adjourn.**  
Hearing no objections, Mayor Berry adjourned the Special Meeting at 5:19 p.m.

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*City Council Minutes*

Wednesday, August 18, 2010

PASSED AND APPROVED this November 10, 2010

ATTEST:

APPROVED:

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City Secretary

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Mayor Nancy Berry

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
OCTOBER 25, 2010

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

John Crompton  
Jess Fields  
Dennis Maloney  
Katy-Marie Lyles  
Dave Ruesink

**City Staff:**

David Neeley, Assistant City Manager  
Carla Robinson, Interim City Attorney  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 3:05 p.m. on Monday, October 25, 2010 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**1. Presentation, possible action, and discussion on items listed on the consent agenda.**

Items 2b, 2i, 2j, 2p, and 2t were pulled from the Consent Agenda.

***Item 2b:*** Chuck Gilman, Director of Capital Projects, reported the land appraised at \$224,000 and the improvements at \$25,000 for a total of \$249,000 in appraised value.

***Item 2i:*** Jeff Kersten, Chief Financial Officer, reported that the City has partnered with Keep Brazos Beautiful for the past 19-20 years. This year's budgeted amount of \$50,240 includes \$30,000 for maintenance and operations. Bryan and the county also fund Keep Brazos Beautiful.

***Item 2j:*** Jeff Kersten, Chief Financial Officer, explained how we make certain that HOT funds go to the affiliates. The City has a funding agreement with the Arts Council. They administer

the funds, and they contract with each of the different affiliates. Our agreement with the Arts Council lays out the requirements for the use of the HOT for eligible items. These stipulations are in the affiliates' contracts as well. We are doing more now than we used to in order to assure the proper use of HOT funds.

**MOTION:** Upon a motion made by Councilmember Maloney and a second by Councilmember Ruesink, the City Council voted five (5) for and one (1) opposed, with Councilmember Fields voting against, to budget the Arts Council next year from the General Fund, with the HOT fund only going to those eligible entities that put heads in beds. The motion carried.

**Item 2p:** Debbie Eller, Assistant Director of Economic Development, briefly explained the direction they are taking. These funds would be returned to HUD if they are not used for the federal HOME Community Housing Development Organization.

**MOTION:** Upon a motion made by Mayor Berry and a second by Councilmember Fields, the City Council voted three (3) for and three (3) opposed, with Councilmembers Ruesink, Maloney, and Crompton voting against, to deny approval of the contract and allow the funds to return to HUD. The motion failed.

**Item 2t:** Troy Rother, Assistant City Engineer, reported this change was prompted during the Southside meetings, and this was an issue that came up.

## **2. Presentation, possible action, and discussion regarding the economic impact of home building presented by Dr. Elliot Eisenberg.**

Dr. Elliot Eisenberg discussed the impact that homebuilding has on local economic development. The construction phase creates jobs and generates revenue with the purchase of materials, local fees and taxes. The ripple phase (feedback from construction) includes the wages spent in the local economy. In the occupancy phase, earnings are spent in the local economy. Benefits of home construction are widespread, about half in the construction industry and the rest spread throughout the community.

Home construction can saddle local government with big costs (approximately \$5,600 per unit per year) in areas of education, public safety, utilities, etc. This does not include one-time costs associated with necessary infrastructure. However, by the end of the second year the debt has been extinguished; the economic impacts offset the fiscal costs. As the cost of new construction goes down, the longer it takes to pay off the debt.

Councilmember Crompton voiced his skepticism and said there were some conceptual differences. He contends that homes are not part of the basic economy; they are the result. People come to College Station because there is a job here, and because of that job, they build a home. He stated that economic models conveniently demonstrate whatever the sponsors of that model wish to portray. Councilmember Crompton reported that he had reviewed ninety-eight independent studies that looked at the impacts of homes and if they pay for themselves. He stated that Dr. Eisenberg's view is not the common view. Councilmember Crompton noted that College Station has been growing at a furious rate for the past twenty years, but the quality of

life has lessened. If homes are of such a benefit, why is the City short of tax money? The City is delaying road construction and other necessary infrastructure. If all this money was rolling in, we would not have this problem.

**3. Presentation, possible action, and discussion regarding the approval of a construction contract (11-013) with Brazos Paving in the amount of \$4,174,508.86 for the Barron Road Widening Phase 2 Project.**

Chuck Gilman, Director of Capital Projects, explained that the Barron Road Widening Phase 2 project consists of the widening of Barron Road between Decatur Drive and William D. Fitch from a 2-lane asphalt roadway to a 4-lane concrete roadway. Completion is anticipated in June 2012. The construction budget is \$9.7 million; the low bid is \$4.1 million. Savings may be used on other street or transportation projects. Recommendations for such will be brought back to Council for their consideration.

**4. Presentation, possible action, and discussion regarding the approach for the design of the Lick Creek Nature Center.**

Chuck Gilman, Director of Capital Projects, reported they are ready to begin development of a master plan for the Lick Creek Nature Center in fiscal year 2011. This will include indentifying major amenities, strategic placement of facilities, basic infrastructure needs, incorporating standards from the UDO, etc. Staff is recommending that Council appoint an advisory group to provide staff and the architect/engineer direction on the facility, including amenities, features, facility programming, and aesthetics. The overall budget is just under \$2.5 million. \$100,000 has been budgeted for FY2011 for the design approach. Operations and maintenance costs will depend on the design.

Council directed staff to move forward.

**5. Presentation, possible action, and discussion regarding the proposed park in Northgate (Park Zone 1).**

David Schmitz, Interim Director of Parks and Recreation, provided a brief history on the Northgate Redevelopment Plan. Staff feels that purchase of the Boyett property is necessary to implement the conceptual design of the park developed for the Northgate District. Funds for the purchase of the land are coming from the Neighborhood Parks Revolving Fund. These funds will be replenished. This is currently the only park in this zone to spend the Parkland Dedication funds. Staff recommends approval of the contract and moving forward to expand the park.

**6. Presentation, possible action, and discussion regarding the scope of work for a construction contract with Elliott Construction to replace water and wastewater lines in the Southwood area.**

David Coleman, Director of Water Services, briefed the City Council on the scope of work for this rehabilitation contract. This project will replace water and wastewater lines that have exceeded their useful service life, in the area north of Consolidated High School.

## 7. Council Calendar

- October 26-29 TML Annual Conference in Corpus Christi at 8:00 a.m.
- October 26 Lecture/Presentation by Curt Smith and Roman Popadiuk at George Bush Presidential Library at 6:00 p.m.
- October 28 Forum on Public Affairs featuring Laura Bush at George Bush Presidential Library, 5:30 p.m.
- November 4 Planning & Zoning Meeting in Council Chambers at 6:00 p.m.
- November 8 B/CS Chamber of Commerce Annual Banquet at the Hilton-College Station at 6:00 p.m.
- November 10 Workshop/Regular Council Meeting in Council Chambers at 3:00 & 7:00 p.m.
- November 11 Dedication of the Korean War Memorial on the Lynn Stuart Pathway, Veterans Park, 4:00 p.m.
- November 11 Reading of the Names at the Veterans Memorial, Adams Plaza, Veterans Park, 6:00 p.m.
- November 11 Veterans Memorial Day Ceremony at the American Pavilion, Veterans Park, 7:00 p.m.

There was no discussion on the Council calendar.

**8. Presentation, possible action, and discussion on future agenda items: a Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.**

No future items were brought forward.

**9. Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, BVSWMA, BVWACS. Cemetery Committee, Code Review Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Mayor's Council on Physical Fitness, Mayor's Development Forum, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Signature Event Task Force, Sister City Association, TAMU Student Senate, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Zoning Board of Adjustments.**

There were no meeting reports.

## 10. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, and §551.074-Personnel, the College Station City Council convened into Executive Session at 5:40 p.m. on Monday, October 25, 2010 in order to continue discussing matters pertaining to:

A. Consultation with Attorney to seek advice regarding pending or contemplated litigation regarding:

- City of Bryan's application with TCEQ for water & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan
- 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
- Water CCN / 2002 Annexation / Wellborn Water Supply Corporation
- Weingarten Realty Investors v. College Station, Ron Silvia, David Ruesink, Lynn McIlhane, and Ben White
- Chavers et al v. Tyrone Morrow, Michael Ikner, City of Bryan, City of College Station, et al
- Clancey v. College Station, Glenn Brown, and Kathy Merrill

B. Consultation with Attorney to seek legal advice regarding:

- Discussion of Legal Issues Regarding: Wellborn Incorporation Request
- Contemplated Litigation, Legal remedies available to abate weeds, rubbish, brush and other unsanitary matter from a lot in the College Hills residential area.
- Legal issues of purchase and lease back to Arts Council

C. Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer; to wit:

- City Manager

The Executive Session recessed at 6:58 p.m. on Monday, October 25, 2010 and reconvened at 10:20 to finish discussing the matters listed above. The Executive Session adjourned at 10:37 p.m. on Monday, October 25, 2010.

No action was required from Executive Session.

## **11. Adjournment**

There being no further business, Mayor Berry adjourned the workshop of the College Station City Council.

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Nancy Berry, Mayor

ATTEST:

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Sherry Mashburn, City Secretary

DRAFT

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
OCTOBER 25, 2010

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

John Crompton  
Jess Fields  
Dennis Maloney  
Katy-Marie Lyles  
Dave Ruesink

**City Staff:**

David Neeley, Assistant City Manager  
Carla Robinson, Interim City Attorney  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:05 p.m. on Monday, October 25, 2010 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**1. Pledge of Allegiance, Invocation, consider absence request.**

- **Presentation and Recognition of Capt. Greg Rodgers upon completion of the Executive Fire Officer Program.**

Chief R.B. Alley recognized Captain Greg Rodgers upon his completion of the prestigious Executive Fire Officer Program. He is one of 2,900 across the nation, and the third from College Station.

- **Citizen Comments**

Alston, Thoms, 224 Rustic Oaks, invited everyone to the Hot Rocks Cookoff. It is open to the public this Friday mid-afternoon through Sunday mid-afternoon. He invited all to come watch various experiments and Native American cooking techniques.

Jerry Cooper, 602 Bell Street, stated his concern with the erosion of older neighborhoods. Everything seems to favor turning them into rental neighborhoods. He suggested reform of the zoning laws for R1-Single Family. The first classification would be for owner-occupied homes with rules the same as those in the current ordinance. The second classification would be for commercial and rental properties. The rules could address the number of people living in homes, the number of parking spaces, safety requirements for multiple-tenant homes, and maintenance requirements.

Arthur Wright, 1008 Holt Street, stated if the Council enacts everything just mentioned by Mr. Cooper, then they will have done away with the free market system. He asked Council to please consider the impact to everyone.

### **CONSENT AGENDA**

**2a. Presentation, possible action, and discussion of minutes for August 12, 2010 Workshop and Regular meeting, August 16, 2010 Special meeting and October 14, 2010 Workshop and Regular meeting.**

**2b. Presentation, possible action, and discussion regarding approval of a real estate contract in the amount of \$265,000 between the City of College Station (Buyer) and Debra Lynn Boyett (Seller) for the purchase of Lot One (1), Block Eighteen (18), W. C. Boyett Estate Partition, also known as 502 Boyett Street.**

**2c. Presentation, possible action, and discussion regarding the approval of a construction contract (11-013) with Brazos Paving in the amount of \$4,174,508.86 for the Barron Road Widening Phase 2 Project.**

**2d. Presentation, possible action and discussion on the second reading of a franchise agreement with Liquid Environmental Solutions for the collection of food waste for the purpose of recycling.**

**2e. Presentation, possible action and discussion on the second reading of a franchise agreement amendment with Texas Commercial Waste to add the collection of food waste for the purpose of recycling to its agreement.**

**2f. Presentation, possible action, and discussion on approval of the 2010 Property Tax Roll in the amount of \$24,323,278.70.**

**2g. Presentation, possible action and discussion to approve Fiscal Year 2010-2011 expenditures for the Brazos County Health Department in the amount of \$351,500.**

**2h. Presentation, possible action and discussion on a resolution stating that the City Council has reviewed and approved the City's Investment Policy, Broker-Dealer List and Investment Strategy.**

**2i. Presentation, possible action and discussion on a funding agreement between the City of College Station and the Keep Brazos Beautiful for FY11 in the amount of \$50,240.**

**2j. Presentation, possible action and discussion on approving the budget of the Arts Council of Brazos Valley; and presentation, discussion and possible action on a funding agreement between the City of College Station and the Arts Council of Brazos Valley for FY11 in the amount of \$200,000 for Affiliate funding.**

**2k. Presentation, possible action, and discussion on a Construction Services Contract with Elliot Construction, Ltd. in the amount of \$3,792,932.70 for the construction of the Southwood 5-7 Utility Rehabilitation Project.**

**2l. Presentation, possible action, and discussion regarding approval of a resolution authorizing staff to award professional services contract #11-036 with Dunham Engineering in the amount of \$50,000 for engineering services to rehabilitate the three million gallon ground storage reservoir.**

**2m. Presentation, possible action, and discussion regarding the monthly report on irrigation water use at City of College Station facilities and properties.**

**2n. Presentation, possible action, and discussion regarding approval for the participation in the Brazos County Area 2011 Orthoimagery Project, consisting of area agencies contributing to a large area and detailed purchase of aerial imagery, and authorization for the City's portion of the project, not to exceed \$97,000, expensed to Kucera International Inc. in reference to the state contract.**

**2o. Presentation, possible action, and discussion on a HOME Tenant Based Rental Assistance (TBRA) Agreement between the City of College Station and Twin City Mission.**

**2p. Presentation, possible action, and discussion on a resolution approving a contract for the grant of federal HOME Community Housing Development Organization Set-Aside funds with EMBRACE Brazos Valley in the amount of \$198,607.50 for construction of affordable housing.**

**2q. Presentation, possible action, and discussion regarding the renewal of an annual blanket purchase order with Boundtree Medical L.L.C. for \$65,000.00 for EMS supplies.**

**2r. Presentation, possible action, and discussion regarding approval for the agreement with ESRI on their Small Government Enterprise Licenses Agreement that will change the method for licensing city use of ESRI mapping software at a maximum cost of \$132,000 over three years.**

**2s. Presentation, possible action, and discussion on the third reading of a ten (10) year franchise agreement with the City of Bryan for retail sale of electricity within the City of College Station and certificated to Bryan by the Public Utility Commission of Texas.**

**2t. Presentation, possible action, and discussion on an ordinance amending Chapter 10, Section 3E (2)(i)(15), of the College Station Code of Ordinances changing the posted speed limit on the section of Dexter Drive from 30 mph to 25 mph.**

**2u. Presentation, possible action and discussion regarding the approval of the FY 2010 Chapter 59 Asset Forfeiture Audit reporting form for the College Station Fire Department.**

Item 2b was pulled from the Consent Agenda.

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Lyles, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda, less item 2b. The motion carried unanimously.

**(2b)MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Ruesink, the City Council voted four (4) for and two (2) opposed, with Councilmembers Fields and Lyles voting against, to approve a real estate contract in the amount of \$265,000 between the City of College Station (Buyer) and Debra Lynn Boyett (Seller) for the purchase of Lot One (1), Block Eighteen (18), W. C. Boyett Estate Partition, also known as 502 Boyett Street. The motion carried.

**REGULAR AGENDA**

**1. Public Hearing, presentation, possible action, and discussion regarding the development of a residential rental property inspection program.**

At approximately 7:40 p.m. Mayor Berry opened the Public Hearing.

Celica Goode-Haddock, 5560 Timberwood, representing Decent Affordable Safe Housing (DASH), stated their concern that something be done with unsafe housing. They feel most landowners are doing a good job. They would like see a group of interested people, including staff, DASH, and owners of rental properties sit together and discuss this before it goes forward.

Devon Daniel, College Station resident, agrees with the city inspection program because it helps make housing better.

Lynne Powell, 2501 Texas Avenue South, owner of a property management company, said they manage over 700 properties, and they already inspect their properties. This program does not help them one bit. The City still does not contact them; the property owner is notified, and by time they hear about it, they have to deal with a fine. She is totally against this program as a manager and an owner.

Michael Luther, 614 Welsh, stated that neighborhood integrity goes far beyond what many think matters. He asked what is the difference between four family members or four non-related persons under one roof and the civil engineering load this creates. What is being asked for must go forward if College Station is to maintain the beautiful place it has always been.

Doug Pederson, 1507 S. College Avenue, Bryan, owner of Twin City Properties, stated that maintaining property is huge when speaking of rental properties. There are life-safety elements: smoke detectors, carbon monoxide detectors, HVAC inspections, operational doors and windows. He feels there is 96% compliance already. There are already laws in place by the

State of Texas that cover the landlord's duty to repair or remedy any conditions that affect health and safety. The Texas Property Code, Chapter 92, requires rental property owners to install and inspect smoke detectors. There are tools available through the Texas Apartment Association (TAA) Redbook. 88-90% of the local providers are members of the TAA. The TAA lease contract covers security devices, residence safety, etc., and the TAA Inventory and Condition form provides a checklist for safety related items. Other forms include Lead Hazard Information and Disclosures, Asbestos Addendum and the Mold Information and Prevention addendum. The City already has the UDO, International Property Maintenance Code, and the Code of Ordinances, Chapter 1, Provisions for Penalty of Provisions and Chapter 7, Health and Safety. We already have all the tools; we do not need a redundant program. He suggested his Pederson Point Plan. This is a point system. There would be no fees; when the code is violated, then a point is assigned to it with hefty fine. When all points are gone, then the owner loses the right to operate. We can already assess a \$2,000 per incidence fine for those 2% that are not compliant.

Bethany Owens, 2311 Morningside, Bryan, rental property owner and manager, reported she is designated as a certified apartment manager and supervisor and serves on professional boards. The Apartment Association adheres to a strict code of ethics. They want to provide a decent living environment for tenants. There are already laws that standardize what must be provided to residents. The City should focus efforts on those that do not. Its time is best served in cooperative efforts against substandard housing. They care about the community and would like to focus on those at fault. She donated a copy of the Redbook to the City.

Rosemarie Selman, 4275 Oak Lake Drive, stated her 100% agreement with Mr. Pederson and Bethany Owens.

Paul Morris, 1511 Wayfarer, stated his agreement with Mr. Pederson and Ms. Owens.

Frank Sheppard, 1403 Angelina Circle, stated his agreement with Mr. Pederson and Ms. Owens.

Dudley Smith, 1810 Shadowwood, owns and operates eight rental units with Harry and Judy Jones. He voiced his opposition to any move (by code, regulation, etc.) for inspecting rental properties. He asserted that the Redbook is emphatic about rules and regulations. He has not seen any benefit from the registration program. His daughter and her family live in a nice home he owns and has registered. However, his next door neighbor has four unrelated persons living there. It is not registered because the owner resides there with three friends. He is concerned with where the inspection program would stop. What is the basis? Who pays for it? What properties get captured? Are all rentals included regardless of age? He had specific questions for smoke alarm inspections; e.g. types and numbers in a 1,000 square foot home; where they should be placed; who checks the batteries, etc. He noted there is already a regulation for locks, keyless dead bolts and peep holes. He hopes that everyone recognizes that college students constitute the major rental population in College Station. He stated the students are highly selective and highly mobile; they are the economic engine that drives the economy of this town.

Robert Aueryt, 14695 Highway 30, stated that the City doesn't need to be in the rental inspection business. He has improved the City of College Station, and asked that the City leave him alone. The current proposal for inspections will result in tremendous legal liability for the City. We

should stay out of the quality control business. Most rental property owners do a good job on what they do; the City should pick on those that don't.

Scott Bowen, 2525 Arbor Drive, Bryan, stated his opposition to rental inspections. It is a violation of privacy and search and seizure laws. Fees will be passed on to the renters. Don't tell us what is safe, and what we are doing wrong. He has worked out things with his landlord, and the City did not have to get involved.

Kevin O'Neill, 1816 Brothers Blvd, #3, does not own any rental property and thinks this is a dopey idea.

Brad Corrier, 724 Plum Hollow, agreed with what was said by Doug Pederson. Everyone appreciates the safety concern of tenants, and there are state laws addressing these issues. The solution to the 4% of bad apples is to advertise to the tenants that the City can inspect the property free of charge. He asked, statistically, where is our problem? How many houses have burned down; how many have died from carbon monoxide poisoning? What is the percentage of landlord-neglected properties versus owner-occupied homes? He often sees the City proposing a solution when there is no problem.

Susan Irza, 605 Summerglen, reported there is rental property in her neighborhood. The City needs to remember these are businesses and need to be seen for what they are. They are ways to make money for those that do not live there. We live here and have to put up with the fact that oftentimes the properties are not maintained. The four things staff has outlined are good, but we also need to look at the roof, if the walls are sound, fire extinguishers, and pest control (rodent and insect infestations). If we allow self-reporting, it needs to be with a statistically appropriate program of random inspections by the City. She suggested we look at comparable cities with large universities so we aren't re-inventing the wheel all by ourselves. She asked if staff has looked at the report from the Center for Disease Control; they have a nice piece on rental properties. She reported that the State of Washington has just passed a state law requiring periodic rental inspections.

Sherry Ellison, 2705 Brookway Drive, reported she grew up in apartments and duplexes. As a college student, she lived in apartments. Co-workers have spoken of their problems getting repairs. She supports independent city health inspections. The owner would gain from such inspections because plumbing or electrical problems will be detected before they cause greater problems. Renters worry they will be blamed even they have not caused a problem. Rent might be increased or their contract not be renewed. Independent inspections would insure these repairs would be made.

Arthur Wright, 1008 Holt, said he has been in the rental business over 40 years and doesn't know anyone that has these scroungy homes we are talking about. If a tenant is in HUD housing, they are inspected every year, and they have been criticized for the hoops they must jump through. We don't need one more layer of people complaining to landlords. There are a lot of helicopter parents reporting problems because students don't have time to report to the landlord. He also noted the Redbook is updated every two years when laws change.

Buck Prewitt, 2302 Scotney Court, remarked that staff spoke to fifteen other cities and asked if they have same ratio of rental property to owner-occupied property. He also noted there is a \$15 charge whether it is one unit or 100 units. The registration fee is not equitable. Regarding annual inspections, an owner of 100 units will have to have qualified, licensed inspectors. We are just adding costs, and when those become a substantial amount, then it will be passed on.

John Ellison, 2705 Brookway Court, stated as a homeowner, he has noticed rental property in his neighborhood is not as well maintained on the outside. He worries about how it is on inside. Improper maintenance can result in fires, floods, and unsanitary conditions. Aluminum wiring is in older homes and needs to be inspected yearly. As the father of two children who went to college and rented apartments, in one apartment maggots were crawling in the refrigerator. In another, when the toilet was flushed, a brown ooze came up in the tub. People usually do not see the unit they are renting; they view the model. As a teacher, he comes into contact with lots of students. Students do not complain because when they do, they are offered the ability to shut up or go find another apartment. He noted that rental maintenance companies get a finder's fee every time they rent an apartment; this becomes a ploy to make money. He would like to see a good solid inspection that looks for major safety items.

Swiki Anderson, 1805 Hondo, noted that an all-electric unit will not create carbon monoxide. No one has addressed who is going to pay for all this. If a tenant wants an inspection, they can get one. He resents the \$15 fee.

Robert Striker, 2501 Antietam, spoke in favor of health and safety inspections of rental properties. He has witnessed the ebb and flow of real estate values over the years. There is evidence of owner-occupied property decreasing in value when it converts to rental. There is an obvious lack of curb appeal, and a general degradation of appearance and asset value affects everyone. The owner occupant in the neighborhood suffers the biggest loss of value, but there is a cash savings to the landlord investor each year in depreciated values. The value of property should be protected by whatever means possible, including limiting the number of unrelated tenant occupants, strict code enforcement, and registration of properties to include health and safety inspections that address the internal integrity of the rental property. The condition of the inside has a greater impact on the property value than the external appearance. We need to ensure a standard of occupancy that protects property value.

Jim Murphrey, 1015 Francis, stated his opposition to the inspection program. Any intervention the City does will take away citizen rights or invade the privacy of people. Control leads to more taxes, fees and fines. Control and collection of money is addictive. Does the city have the staff to do the kinds of inspections needed? He urged Council to review their role and stick with leadership and services, and not control and interference. A good approach is through education of the lease contract. Turn responsibility over to the tenant.

Tom Morgan, 1115 San Jacinto, Austin, General Counsel for the Texas Association of Realtors, applauded the City for looking at tenant safety. They do not take any position, but support the efforts of the local association to work with the City.

Jack Mullen, 2811 Adrienne Drive, said he is not a tenant or landlord, but asked that the City not punish the many for the ills of the few. He reiterated that we use current remedies. He urged the City to educate, not legislate. Use Twitter, newspaper articles, etc. to educate people on how to get their problem solved.

Don Jones, 804 Berry Creek, pointed out this issue was investigated thoroughly in 2004 by a task force charged with investigating neighborhood integrity. They voted 17-3 against a rental inspection program; however, they did vote for the rental registration program.

Charles Wilding, 4912 Augusta Circle, reported he has rental properties that he has made nice for tenants. He also purchased an historic home that was owner occupied and had graffiti inside and pigs outside. He does not want to make slumlord homes. Other homes in the area cannot be fixed because of city regulations and was told by staff that the City does not take property tax into consideration when permitting.

Ed Berry, 3803 Park Village Court, Bryan, representing the local Association of Realtors, stated his support of what Mr. Pederson and Mr. Corrier said earlier.

Barry Brannon, 3901 Windwood Circle, said he is already charged a registration fee for four duplexes. He wants to know who will do the inspections. He received a letter congratulating him on his nice yard. That's because he pays to have his yards mowed. He doesn't own hundreds of duplexes, only four. The City needs to focus on getting out of our hair. We don't need any more information. His tenants call him when there is a problem. They have his cell number, and he is available 24-7. He takes care of his property and so does everyone else as well.

A.C. Vinzant, 901 Glade, suggested utilizing the letter that goes out with the utility bill to educate people on the process. It should include the number for code enforcement. He also recommended posting notices of violations in common areas.

Henry Wittner, 2508 Raintree, stated his support of the inspection program. He said the City is collecting \$100,000 in registration fees and only paying \$10,000 for basic inspections. This needs more discussion. They will not find every problem every time, but they will find some. If repair costs drive up the rent, then there is a severe problem with the property.

There being no further comments, the Public Hearing was closed at 9:14 p.m.

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Lyles the City Council voted six (6) for and none (0) opposed, to charge a task force (comprised of Mr. Pederson plus his recommendation, Ms. Owens plus her recommendation, DASH, and staff) to identify the means of insuring the safety of the four items. The motion carried unanimously.

**2. Public Hearing, presentation, possible action, and discussion on an ordinance amending Chapter 10, of the College Station Code of Ordinances to remove parking on various streets in the Southside neighborhoods to improve emergency vehicle access.**

At approximately 9:54 p.m. Mayor Berry opened the Public Hearing.

Rodney Hill, 119 Lee, reported emergency vehicles have problems entering the street. The two-hour parking works very well. He supports the proposal.

Linda Harvell, 504 Guernsey, reported they are surrounded on three sides by students who are very social. Parking becomes a problem with the accessories that come with the rental property. Owners need to take responsibility for providing adequate parking for their rental property. She thanked the City for the good job of working with them.

Mike Newman, 211 Lee, thanked the City for the tremendous job they've done on the study, emphasizing safety. No parking on the east side and two-hour parking on west side is a perfect plan.

Sallie McGehee, 311 Lee, stated that parking on both sides is a traffic hazard. There is a parking hazard on both ends of the street; emergency vehicles have difficulty coming in.

Donna Hanna-Calvert, 1004 Hereford, encouraged the Council to implement the plan. She has been concerned for many years that emergency vehicles would not be able to enter with parking on both sides of the street. Parking on only one side of the street will help a great deal.

Mike Wheeler, 1003 Timm Drive, said it is essential for fire and police to enter. This will need to be extended throughout College Station. He is concerned with trash pick-up in five years. If they cannot access the garbage, it is left. He is also concerned with mail delivery. He is strongly in favor of rental registrations and inspections.

Jerry Cooper, 602 Bell Street, asked about parking being on the opposite side of the sidewalks. He asked that Planning and Development work on regulations for paving the areas in front of the homes so that it does not appear like parking lots.

Mike Luther, 614 Welsh, stated there must be accessibility to support resident safety. Emergency vehicles cannot get in due to traffic contamination. He noted that with parking on only one side of the street, the problem for the rental units will double. The civil engineering infrastructure for the area will only support so much.

Scott Bowen, 2525 Arbor Drive, Bryan, reported the student senate passed an emergency bill regarding the impact this plan will have on the students. The City is trying to apply a one-size-fits-all for the entire neighborhood. In extreme cases, it may make it difficult for students to live in these neighborhoods. He asked why cul-de-sacs are not included in this. He also noted that students did not appear to be included in the discussions. He asked Council to table this item to allow for more discussion with the students.

Jeanette, McMahon, 600 Park Place, reminded the Council that students live there two years tops, whereas she is a permanent resident. The students have to grow up and take responsibility, and consider their neighbors.

There being no further comments, the Public Hearing was closed at 10:18 p.m.

**MOTION:** Upon a motion made by Councilmember Maloney and a second by Councilmember Fields, the City Council voted six (6) for and none (0) opposed, to adopt the ordinance amending Chapter 10, of the College Station Code of Ordinances to remove parking on various streets in the Southside neighborhoods to improve emergency vehicle access, and to limit parking as proposed by staff. The motion carried unanimously.

**3. Presentation, possible action, and discussion regarding awarding a contract to HDR Engineers for \$55,600 to study City-wide impact fees, to give City Council the option of implementing impact fees, if they so desire.**

**MOTION:** Upon a motion made by Councilmember Crompton and a second by Councilmember Maloney, the City Council voted four (4) for and two (2) opposed, with Mayor Berry and Councilmember Fields voting against, to award a contract to HDR Engineers for \$55,600 to study City-wide impact fees. The motion carried.

**4. Presentation, possible action, and discussion regarding selection of applicants to various Citizen Boards and Committees.**

This item was postponed to the November 10 meeting.

**5. Presentation, possible action, and discussion to consider Citizens of Wellborn petition to incorporate.**

This item was not discussed.

**6. Adjournment.**

There being no further business, Mayor Berry adjourned the regular session of the College Station City Council at 10:37 p.m. on Monday, October 25, 2010.

\_\_\_\_\_  
Nancy Berry, Mayor

ATTEST:

\_\_\_\_\_  
Sherry Mashburn, City Secretary

**November 10, 2010**  
**Consent Agenda Item No. 2b**  
**Professional Services for Water Wells 1, 2, 3, & 5 Motor Control Centers**

**To:** Glenn Brown, City Manager

**From:** David Coleman, Director of Water Services.

**Agenda Caption:** Presentation, possible action, and discussion regarding approval of a resolution authorizing staff to award professional services contract #11-044 with Prime Controls in the amount of \$72,430.00 for Professional Services Rehabilitating Water Wells 1, 2, 3, & 5 Motor Control Centers.

**Relationship to Strategic Goals:** Financially sustainable city providing response to core services and infrastructure.

**Recommendation:** Staff recommends Council approve the Resolution.

**Summary:** The City's water supply is obtained from wells constructed from the early 1980's through the present in northwest Brazos County. Wells 1, 2, 3, & 5 have control components that are obsolete and have exceeded their service life. Prime controls will replace the control sections of the existing motor control centers for less than \$20,000.00 per well as opposed to an estimated \$500,000.00 per well for outright replacement of the motor control centers. This upgrade is necessary to ensure reliable performance of these water wells and timely repair in the event of component failure.

Prime controls will design, assemble, and test new control sections in their shop in Houston and use those sections to replace the existing sections wholesale and reconnect all relevant control wiring for a complete, functional control section as well as provide documentation including accurate schematics and device information.

These services are being obtained pursuant to the Government Services Agency Schedule 70, which meet purchasing requirements of the Local Government Code and represents an excellent value for our rate payers.

**Budget & Financial Summary:** Funds in the amount of \$80,000 have been budgeted in the Water Capital Improvement Projects Fund for this project. No funds have been expended or committed to date.

**Attachment:**

Resolution

Contract (On file in the City Secretary's Office)

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE WELLS 1, 2, 3, & 5 MOTOR CONTROL REHABILITATION PROJECT.**

WHEREAS, the City of College Station, Texas, selected from the Government Services Agency Schedule 70 that satisfies the competitive bidding requirements for the Water Wells 1, 2, 3, & 5 Motor Control Rehabilitation Project; and

WHEREAS, the selection of Prime Controls, LP is being recommended as the best value provider of the professional services for the Water Wells 1, 2, 3, & 5 Motor Control Rehabilitation 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 Prime Controls, LP is the best value provider of the services for Water Wells 1, 2, 3, & 5 Motor Control Rehabilitation Project; on the basis of Government Services Agency Schedule 70.

PART 2: That the City Council hereby approves the contract with Prime Controls, LP for an amount not to exceed \$72,430.00 for the Design and Construction Engineering Services related to the Water Wells 1, 2, 3, & 5 Motor Control Rehabilitation Project.

PART 3: That the funding for this Contract shall be as budgeted from the Water Capital Fund in the amount of \$72,430.00.

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

ADOPTED this 10th day of November, 2010.

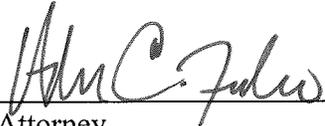
ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

**November 11, 2010**  
**Consent Agenda Item No. 2c**  
**Renewal Agreement for Printing and Mailing of Utility Bills and Inserts**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action and discussion regarding the renewal agreement for outsourcing the printing and mailing of Utility bills, late notices and inserts for an estimated annual expenditure of \$230,000 to Xpedient Mail.

**Relationship to Strategic Goals:** Goal I.1. Spending taxpayer money efficiently

**Recommendation(s):** Staff recommends approval of the renewal agreement with Xpedient Mail for Outsourcing the Printing and Mailing of Utility bills, late notices and inserts for an estimated annual expenditure of \$230,000.

**Summary:** Xpedient Mail uses the base bill product from Sungard Public Sector software to produce and mail the bills and notices. They also print the utility bill insert. In addition, Xpedient Mail provides City staff with exact duplicate (images) of the bill. This is the first renewal option.

**Budget & Financial Summary:** We are sending out approximately 420,000 utility bills and 72,000 late notices annually. Currently we spend approximately \$20,000 annually on supplies (paper, envelopes, etc), \$25,000 on professional services, \$30,000 for printing of the insert and \$150,000 on postage. Funds are budgeted and available in the Utility Customer Service and the Public Communications budget.

**Attachments:**

1. Renewal Agreement with Xpedient Mail



October 1, 2010

Brandon Warlick  
Xpedient Mail  
2900 Finfeather  
Bryan, TX 77801

**RE: Renewal – Contract No. 09-165  
Utility Bill Printing, Insertions and Mailing**

Dear Mr. Warlick:

The City of College Station appreciates the services provided by Xpedient Mail Services this past year. We would like to exercise our option to renew the referenced Contract No. 09-165 for an amount not to exceed Two Hundred Thirty Thousand and no/100 (\$230,000.00) (including postage) for the term of October 1, 2010 through September 30, 2011. This is the first renewal option.

If this meets with your company's approval, please complete this renewal agreement and return it to us at your earliest convenience.

Should you have any questions, please call me at 979.764.3557.

Sincerely,

  
Cheryl K. Turney, C.P.M.  
Purchasing Manager

Attachment

PO Box 9960  
1101 Texas Avenue  
College Station, TX 77842

[www.cstx.gov](http://www.cstx.gov)

\*\*\*\*\*

**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew Contract No. 09-165 for Utility Billing Printing, Insertions and Mailing and all other terms and conditions previously agreed to and accepted for an amount not to exceed Two Hundred Thirty Thousand and no/100 (\$230,000.00) (including postage).

I understand this renewal agreement will be for the period beginning October 1, 2010 through September 30, 2011. This is the first renewal term.

**XPEDIENT MAIL**

  
\_\_\_\_\_  
Authorized Signature

10/7/2010  
\_\_\_\_\_  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

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

\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

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

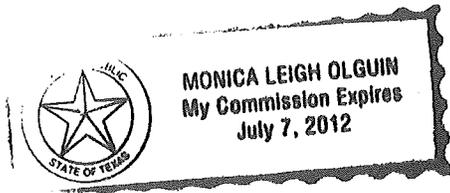
\_\_\_\_\_  
DATE

STATE OF TEXAS

CORPORATE ACKNOWLEDGMENT

COUNTY OF Brazos

This instrument was acknowledged on the 7<sup>th</sup> day of October, 2010,  
by Alton in his/her capacity as Mgr of  
Xpedient MAIL, a TEXAS Corporation, on behalf of said corporation.



Monica Olguin  
Notary Public in and for the  
State of Texas

STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 2010,  
by \_\_\_\_\_, in his capacity as Mayor of the City of College Station,  
a Texas home-rule municipality, on behalf of said municipality.

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

\*\*\*\*\*

**November 10, 2010**  
**Consent Agenda Item No. 2d**  
**Annual for Various Electrical Items and Electric Meters**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on a bid award for the annual agreement for various electrical items and electric meters to be stored in inventory as follows: Techline \$567,959.50; TEC \$101,774.50; TransAmerican Power Products, Inc. \$85,550.00; KBS \$51,880.50; Stuart C. Irby \$23,735.60 and HD Supply \$3,425.00. Total estimated annual expenditure is \$834,334.10.

**Relationship to Strategic Goals:** Goal I.1. Spending taxpayer money efficiently

**Recommendation(s):** Recommend award to the lowest responsible bidder meeting specifications as shown below.

I.	Techline	\$567,959.50
II.	TEC	\$101,774.50
III.	TransAmerican Power Products, Inc.	\$ 85,550.00
IV.	KBS	\$ 51,889.50
V.	Stuart C. Irby	\$ 23,735.60
VI.	HD Supply	\$ 3,425.00

**Summary:** These purchases will be made as needed during the term of the agreement. The various electrical items and electric meters are maintained in Electrical Inventory in an inventory account and expensed as necessary during the agreement period. The purchasing agreement period shall be for one (1) year with the option to renew for two additional one year terms.

**Budget & Financial Summary:** Nine (9) sealed, competitive bids were received and opened on October 18, 2010. Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

**Attachments:** Bid Tabulation No. 11-09



**City of College Station - Purchasing Division**  
**Bid Tabulation for #11-09**  
**"Various Electrical Items and Electric Meters"**  
**Open Date: Monday, October 18, 2010 @ 2:00 p.m.**

ITEM	QTY	UNIT	C/S STOCK #	DESCRIPTION	TransAmerican Power Products, Inc (Houston, TX)		Texas Electric Cooperative (TEC-US&S) (Georgetown, TX)		Texas Meter & Device Company (Waco, TX)		KBS Elect. Dist. (Bryan, TX)		Stuart C. Irby (Austin, TX)		HD Supply Utilities (San Antonio, TX)		Techline, Inc. (Austin, TX)		Wesco Distribution (San Antonio, TX)		Priester-Mell & Nicholson, Inc. (Austin, TX)		Comments	Delivery
					UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE		
<b>GROUP "A" MATERIALS (15 kv Underground Cable Accessories)</b>																								
A-1	40	Ea	285-022-00036	Deadbreak T-OPII Connector	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$265.00	\$10,600.00	\$274.12	\$10,964.80	No Bid	No Bid	\$240.00	\$9,600.00	No Bid	No Bid	No Bid	No Bid	does not meet specs, Cooper Only	4 wks
A-2	75	Ea	285-095-00004	Protective Cap	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$18.35	\$1,376.25	\$18.97	\$1,422.75	\$25.00	\$1,875.00	\$18.30	\$1,372.50	\$19.58	\$1,468.50	No Bid	No Bid		2 to 4 wks
A-3	400	Ea	285-082-00001	Loadbreak Elbow	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$21.90	\$8,760.00	\$21.80	\$8,720.00	No Bid	No Bid	\$20.50	\$8,200.00	\$23.83	\$9,532.00	No Bid	No Bid		2 to 4 wks
A-4	350	Ea	285-095-00006	Loadbreak Bushing Insert	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$18.95	\$6,632.50	\$18.95	\$6,632.50	\$23.00	\$8,050.00	\$19.00	\$6,650.00	\$22.89	\$8,011.50	No Bid	No Bid		6 to 8 wks
A-5	15	Ea	285-095-00007	Rotable Two-Way Bushing Insert	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$95.85	\$1,437.75	\$95.74	\$1,436.10	\$116.00	\$1,740.00	\$125.00	\$1,875.00	\$110.56	\$1,658.40	No Bid	No Bid		6 to 8 wks
A-6	500	Ea	285-082-00019	Elbow Cable Seal	No Bid	No Bid	\$11.20	\$5,600.00	No Bid	No Bid	\$8.40	\$4,200.00	\$8.02	\$4,010.00	\$8.00	\$4,000.00	\$8.00	\$4,000.00	\$8.88	\$4,440.00	\$7.00	\$3,500.00		???
A-7	75	Ea	285-082-00005	Elbow Arrester	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$61.10	\$4,582.50	\$61.05	\$4,578.75	No Bid	No Bid	\$55.00	\$4,125.00	\$60.34	\$4,525.50	No Bid	No Bid		2 to 4 wks
A-8	50	Ea	285-082-00022	Parking Stand Arrester	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$184.00	\$9,200.00	\$184.84	\$9,242.00	No Bid	No Bid	\$156.00	\$7,800.00	\$190.22	\$9,511.00	No Bid	No Bid		2 to 4 wks
A-9	50	Ea	285-082-00010	Cable Terminator, Cold Shrink Type	No Bid	No Bid	\$170.00	\$8,500.00	No Bid	No Bid	\$157.00	\$7,850.00	\$162.17	\$8,108.50	\$165.00	\$8,250.00	\$153.00	\$7,650.00	\$180.52	\$9,026.00	\$45.88	\$2,294.00		???
A-10	100	Ea	285-082-00003	Cable Terminator, Pole Type	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$48.60	\$4,860.00	\$40.98	\$4,098.00	\$41.00	\$4,100.00	\$41.00	\$4,100.00	No Bid	No Bid	No Bid	No Bid		8 to 10 wks
A-11	250	Ea	285-008-00007	Disconnect Secondary Transformer 350 MCM	No Bid	No Bid	\$9.94	\$2,485.00	No Bid	No Bid	\$9.35	\$2,337.50	\$9.46	\$2,365.00	\$9.60	\$2,400.00	\$10.60	\$2,650.00	No Bid	No Bid	\$10.30	\$2,575.00		4 to 6 wks
A-12	100	Ea	285-008-00008	Disconnect Secondary Transformer 500 MCM	No Bid	No Bid	\$17.94	\$1,794.00	No Bid	No Bid	\$15.90	\$1,590.00	\$17.84	\$1,784.00	\$16.25	\$1,625.00	\$15.70	\$1,570.00	No Bid	No Bid	No Bid	No Bid		2 wks
A-13	300	Ea	285-008-00012	Gelport Insulated Secondary Conductor	No Bid	No Bid	\$33.45	\$10,035.00	No Bid	No Bid	\$32.70	\$9,810.00	\$31.72	\$9,516.00	\$16.43	\$4,929.00	\$32.20	\$9,660.00	No Bid	No Bid	No Bid	No Bid	does not meet specs, Tyco Only	2 to 4 wks
A-14	40	Ea	285-076-00002	Inline Splice 5411A-C1-I/O	No Bid	No Bid	\$23.51	\$940.40	No Bid	No Bid	\$21.25	\$850.00	\$21.69	\$867.60	\$22.00	\$880.00	\$21.00	\$840.00	\$42.56	\$1,702.40	No Bid	No Bid		stk to 4 wks
A-15	50	Ea	285-076-00007	Inline Splice 5418-1000-AL	No Bid	No Bid	\$295.50	\$14,775.00	No Bid	No Bid	\$279.00	\$13,950.00	\$279.49	\$13,974.50	\$287.00	\$14,350.00	\$276.00	\$13,800.00	\$299.19	\$14,959.50	No Bid	No Bid		stk to 4 wks
A-16	50	Ea	285-076-00005	Splice Re-jacketing Kit, Cold Shrink Type	No Bid	No Bid	\$45.50	\$2,275.00	No Bid	No Bid	\$41.50	\$2,075.00	\$42.21	\$2,110.50	\$43.00	\$2,150.00	\$40.20	\$2,010.00	\$45.20	\$2,260.00	No Bid	No Bid		4 wks
A-17	50	Ea	285-111-00002	Underground Faulted Circuit Indicator	No Bid	No Bid	\$129.88	\$6,494.00	No Bid	No Bid	\$145.00	\$7,250.00	No Bid	No Bid	No Bid	No Bid	\$141.00	\$7,050.00	No Bid	No Bid	No Bid	No Bid		6 to 8 wks
<b>GROUP "B" MATERIALS (Pad-mount Enclosure Junction Boxes &amp; Pull Boxes)</b>																								
B-1	10	Ea	285-045-00007	Pull Box, 36"x60"x48"	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$935.00	\$9,350.00	\$2,750.00	\$27,500.00	\$1,000.00	\$10,000.00	\$940.00	\$9,400.00	\$1,000.00	\$10,000.00	\$1,853.00	\$18,530.00	min. \$500 per order	4 to 6 wks
B-2	20	Ea	285-045-00008	Pull Box, 48"x96"x48"	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$2,450.00	\$49,000.00	\$3,675.00	\$73,500.00	\$2,640.00	\$52,800.00	\$2,500.00	\$50,000.00	\$2,670.00	\$53,400.00	No Bid	No Bid	Units need to be same manufacture	2 to 3 wks
B-3	20	Ea	285-045-00012	Pull Box Extension 24" for a 48"x96"x48" Pull Box	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$1,824.00	\$36,480.00	No Bid	No Bid	\$1,966.00	\$39,320.00	\$1,444.00	\$28,880.00	\$1,975.00	\$39,500.00	No Bid	No Bid		2 to 3 wks
B-4	80	Ea	285-045-00009	Secondary Pedestal	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$104.00	\$8,320.00	No Bid	No Bid	\$98.00	\$7,840.00	\$94.50	\$7,560.00	\$99.00	\$7,920.00	No Bid	No Bid		2 to 3 wks
B-5	5	Ea	285-045-00013	Torision-assist Lids	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$3,880.00	\$19,400.00	\$4,200.00	\$21,000.00	\$3,030.00	\$15,150.00	\$3,500.00	\$17,500.00	\$4,073.00	\$20,365.00	No Bid	No Bid		2 to 3 wks
<b>GROUP "C" MATERIALS (G&amp;W 15 kv Pad-mounted SF6 Gas Insulated Switchgear)</b>																								
C-1	2	Ea	285-109-00003	Pad-mounted Switchgear - PVI42-376-12-9	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$32,275.40	\$64,550.80	\$32,100.00	\$64,200.00	\$31,150.00	\$62,300.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-2	2	Ea	285-109-00004	Pad-mounted Switchgear - PVI43-376-12-11	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$28,890.00	\$57,780.00	\$28,700.00	\$57,400.00	\$27,900.00	\$55,800.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-3	1	Ea	285-109-00005	Pad-mounted Switchgear - PVI42-376-12-9	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$32,327.00	\$32,327.00	\$32,100.00	\$32,100.00	\$31,200.00	\$31,200.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-4	2	Ea	285-109-00007	Pad-mounted Switchgear - PVI52-376-12-52F	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$40,984.30	\$81,968.60	\$40,706.00	\$81,412.00	\$39,532.00	\$79,064.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
<b>GROUP "CA" MATERIALS (15 kv Pad-mounted Solid Dielectric/EPDM Rubber Insulated Switchgear)</b>																								
C-1A	1	Ea		Pad-mounted Switchgear (Similar to C-1)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$63,982.00	\$63,982.00	\$63,285.00	\$63,285.00	\$30,521.00	\$30,521.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-2A	1	Ea		Pad-mounted Switchgear (Similar to C-2)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$57,750.80	\$57,750.80	\$57,200.00	\$57,200.00	\$27,686.00	\$27,686.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-3A	1	Ea		Pad-mounted Switchgear (Similar to C-3)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$64,100.00	\$64,100.00	\$63,400.00	\$63,400.00	\$30,521.00	\$30,521.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
C-4A	1	Ea		Pad-mounted Switchgear (Similar to C-4)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$72,273.00	\$72,273.00	\$71,500.00	\$71,500.00	\$57,900.00	\$57,900.00	No Bid	No Bid	No Bid	No Bid		12 to 14 wks
<b>GROUP "D" MATERIALS (Steel Street Light Poles)</b>																								
D-1	15	Ea	285-065-00004	Powder Coated Steel Street Light Pole 37.5'	\$1,400.00	\$21,000.00	No Bid	No Bid	No Bid	No Bid	\$2,340.00	\$35,100.00	\$2,146.00	\$32,190.00	\$2,035.00	\$30,525.00	\$2,272.00	\$34,080.00	\$2,339.78	\$35,096.70	No Bid	No Bid		10 to 12 wks
D-2	25	Ea	285-065-00005	Powder Coated Steel Street Light Pole as 45'	\$1,730.00	\$43,250.00	No Bid	No Bid	No Bid	No Bid	\$2,425.00	\$60,625.00	\$2,442.00	\$61,050.00	\$2,310.00	\$57,750.00	\$2,770.00	\$69,250.00	\$2,889.00	\$72,225.00	No Bid	No Bid		10 to 12 wks
D-3	30	Ea	285-065-00014	Powder Coated Steel Street Light Pole 35'	\$710.00	\$21,300.00	No Bid	No Bid	No Bid	No Bid	\$1,400.00	\$42,000.00	\$1,272.00	\$38,160.00	\$1,450.00	\$43,500.00	\$1,310.00	\$39,300.00	\$1,338.30	\$40,149.00	No Bid	No Bid		10 to 12 wks
D-4	25	Ea	285-065-00021	Breakaway Base, Transformer	No Bid	No Bid	\$384.75	\$9,618.75	No Bid	No Bid	\$485.00	\$12,125.00	\$501.00	\$12,525.00	No Bid	No Bid	\$515.00	\$12,875.00	\$498.92	\$12,473.00	No Bid	No Bid		6 to 8 wks
<b>GROUP "E" MATERIALS (Light Fixtures)</b>																								
E-1	50	Ea	285-056-00011	Light Fixture, Hi Pressure, Sodium 100 watt	No Bid	No Bid	\$125.35	\$6,267.50	No Bid	No Bid	\$77.20	\$3,860.00	\$141.00	\$7,050.00	No Bid	No Bid	\$75.60	\$3,780.00	\$129.46	\$6,473.00	\$91.00	\$4,550.00		5 to 6 wks
E-2	50	Ea	285-056-00006	Light Fixture, Hi Pressure, Sodium 200 watt	No Bid	No Bid	\$133.45	\$6,672.50	No Bid	No Bid	\$92.75	\$4,637.50	\$146.66	\$7,333.00	No Bid	No Bid	\$91.00	\$4,550.00	\$135.27	\$6,763.50	\$101.00	\$5,050.00		5 to 6 wks
E-3	50	Ea	285-056-00007	Light Fixture, Hi Pressure, Sodium 400 watt	No Bid	No Bid	\$151.75	\$7,587.50	No Bid	No Bid	\$130.25	\$6,512.50	\$171.00	\$8,550.00	No Bid	No Bid	\$130.50	\$6,525.00	\$156.83	\$7,841.50	\$133.30	\$6,665.00		4 to 6 wks
E-4	25	Ea	285-056-00008	Decorative Light Fixture, Metal Halide, 100 watt	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$765.00	\$19,125.00	No Bid	No Bid	\$97.00	\$2,425.00	does not meet specs, Hadco Only	6 to 8 wks
<b>GROUP "F" MATERIALS (Fiberglass Crossarms)</b>																								
F-1	60	Ea	285-047-00088	Heavy Duty Dead-end, 8', Fiberglass	No Bid	No Bid	\$190.75	\$11,445.00	No Bid	No Bid	\$180.50	\$10,830.00	\$185.00	\$11,100.00	No Bid	No Bid	\$177.00	\$10,620.00	\$188.17	\$11,290.20	\$217.00	\$13,020.00		stk to 8 wks
F-2	100	Ea	285-047-00093	Standard Duty Crossarm, 8', Fiberglass	No Bid	No Bid	\$76.00	\$7,600.00	No Bid	No Bid	\$82.30	\$8,230.00	\$89.47	\$8,947.00	No Bid	No Bid	\$88.50	\$8,850.00	\$90.43	\$9,043.00	\$92.00	\$9,200.00		1 wk
F-3	75	Ea	285-047-00094	Standard Duty Crossarm, 10', Fiberglass	No Bid	No Bid	\$93.25	\$6,993.75	No Bid	No Bid	\$101.10	\$7,582.50	\$103.15	\$7,736.25	No Bid	No Bid	\$103.00	\$7,725.00	\$104.26	\$7,819.50	\$113.00	\$8,475.00		4 wks
F-4	20	Ea	285-047-00099	Heavy Duty Dead-end, 10', Fiberglass	No Bid	No Bid	\$210.75	\$4,215.00	No Bid	No Bid	\$205.95	\$4,119.00	\$243.00	\$4,860.00	No Bid	No Bid	\$196.00	\$3,920.00	\$209.68	\$4,193.60	\$238.30	\$4,766.00		stk to 8 wks
<b>GROUP "G" MATERIALS (Meter Sockets)</b>																								
G-1	60	Ea	285-063-00003	Socket, Meter, Overhead 200 amp, 4 Terminal	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$25.95	\$1,557.00	\$26.69	\$1,601.40	\$27.70	\$1,662.00	\$26.5							



City of College Station - Purchasing Division  
 Bid Tabulation for #11-09  
 "Various Electrical Items and Electric Meters"  
 Open Date: Monday, October 18, 2010 @ 2:00 p.m.

ITEM	QTY	UNIT	C/S STOCK #	DESCRIPTION	TransAmerican Power Products, Inc (Houston, TX)		Texas Electric Cooperative (TEC-US&S) (Georgetown, TX)		Texas Meter & Device Company (Waco, TX)		KBS Elect. Dist. (Bryan, TX)		Stuart C. Irby (Austin, TX)		HD Supply Utilities (San Antonio, TX)		Techline, Inc. (Austin, TX)		Wesco Distribution (San Antonio, TX)		Priester-Mell & Nicholson, Inc. (Austin, TX)		Comments	Delivery
					UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE		
6	80	Ea	285-061-00052	Class 200 Meters, 120-277V w/ Demand	No Bid	No Bid	\$84.00	\$6,720.00	\$155.00	\$12,400.00	No Bid	No Bid	No Bid	No Bid	\$173.00	\$13,840.00	No Bid	No Bid	\$134.41	\$10,752.80	\$141.20	\$11,296.00		???
7	12	Ea	285-061-00060	Class 320 Meters, 120-277V w/ Demand	No Bid	No Bid	\$84.00	\$1,008.00	\$170.00	\$2,040.00	No Bid	No Bid	No Bid	No Bid	\$230.00	\$2,760.00	No Bid	No Bid	\$166.66	\$1,999.92	\$141.20	\$1,694.40		???
8	20	Ea	285-061-00056	Class 200 Meters, 120-277V, Network w/ Demand	No Bid	No Bid	\$84.00	\$1,680.00	\$155.00	\$3,100.00	No Bid	No Bid	No Bid	No Bid	\$164.00	\$3,280.00	No Bid	No Bid	\$83.33	\$1,666.60	\$182.50	\$3,650.00		???
<b>GROUP "A" MATERIALS SUBTOTAL</b>					No Bid		\$52,898.40		No Bid		\$97,361.50		\$89,831.00		\$54,349.00		\$92,952.50		\$67,094.80		\$8,369.00			
<b>Manufacturer</b>							Varies by item: 3M, CMC, Tyco-Raychem, SEL				Varies by item: Cooper, 3M, CMC, Tyco, PDP, etc.		Varies by item: Cooper, 3M, Elastimold, CMC, Polaris, Tyco		Varies by item: Cooper, 3M, Elastimold, Polaris		Varies by item: Elastimold, 3M, Homac, Tyco, SEL, Armorcast, CDR		Varies by item: Hubbell, Elastimold, 3M		Varies by item: DSG-Canusa, Utilco			
<b>GROUP "B" MATERIALS SUBTOTAL</b>					No Bid		No Bid		No Bid		\$122,550.00		\$122,000.00		\$125,110.00		\$113,340.00		\$131,185.00		\$18,530.00			
<b>Manufacturer</b>											Hubbell/CDR		Quazite		CDR		Varies by item: Armorcast, CDR		Varies by item: Hubbell, Western Power Products		Diversitech			
<b>GROUP "C" MATERIALS SUBTOTAL</b>					No Bid		No Bid		No Bid		No Bid		\$236,626.40		\$235,112.00		\$228,364.00		No Bid		No Bid			
<b>Manufacturer</b>													G&W		G&W		G&W							
<b>GROUP "CA" MATERIALS SUBTOTAL</b>					No Bid		No Bid		No Bid		No Bid		\$258,105.80		\$255,385.00		\$146,628.00		No Bid		No Bid			
<b>Manufacturer</b>													G&W		G&W		Elastimold							
<b>GROUP "D" MATERIALS SUBTOTAL</b>					\$85,550.00		\$9,618.75		No Bid		\$149,850.00		\$143,925.00		\$131,775.00		\$155,505.00		\$159,943.70		No Bid			
<b>Manufacturer</b>					TAPP		Utility Metals		Trinity Transmission		Millerbernd		Union Metals		Valmont		Valmont							
<b>GROUP "E" MATERIALS SUBTOTAL</b>					No Bid		\$20,527.50		No Bid		\$15,010.00		\$22,933.00		No Bid		\$33,980.00		\$21,078.00		\$18,690.00			
<b>Manufacturer</b>							Cooper Lighting		Amer. Elect.		Cooper		Cooper		Varies by item: Am Electric, Hadco		Cooper		GE Lighting					
<b>GROUP "F" MATERIALS SUBTOTAL</b>					No Bid		\$30,253.75		No Bid		\$30,761.50		\$32,643.25		No Bid		\$31,115.00		\$32,346.30		\$35,461.00			
<b>Manufacturer</b>							PUP1		Varies by item: Mactean, PUP1		Mactean		Mactean		Shakespeare		Mactean		PUP1					
<b>GROUP "G" MATERIALS SUBTOTAL</b>					No Bid		No Bid		\$11,750.00		\$29,552.00		\$29,811.50		\$24,132.00		\$32,705.95		\$33,290.25		\$33,195.75			
<b>Manufacturer</b>							Meter Devices		Milbank		Milbank		Milbank		Durham		Durham		Milbank					
<b>GROUP "H" MATERIALS SUBTOTAL</b>					No Bid		No Bid		No Bid		\$7,100.00		No Bid		No Bid		\$7,500.00		No Bid		No Bid			
<b>Manufacturer</b>									GRA Services						BMK									
<b>GROUP "I" MATERIALS SUBTOTAL</b>					No Bid		\$71,068.00		\$100,060.00		No Bid		No Bid		\$101,700.00		No Bid		\$65,145.72		\$85,908.40			
<b>Manufacturer</b>							GE		LANDIS+GYR				GE		GE		Varies by item: Austin International, Elster							
<b>GRAND TOTAL</b>					\$85,550.00		\$184,366.40		\$111,810.00		\$452,185.00		\$935,875.95		\$927,563.00		\$842,090.45		\$510,083.77		\$200,154.15			
<b>Delivery</b>					10-12 Weeks		Varies by item 1-8 Weeks		Stock - 3 Weeks		Varies by item 2-12 Weeks		Varies by item 2-14 Weeks		Varies by item 1-12 Weeks		Varies by item Stock - 14 Weeks		Varies by item 1-12 Weeks		Varies by item 2-6 Weeks			
<b>Certification of Bid</b>					✓		✓		✓		✓		✓		✓		✓		✓		✓			

**NOTES:**  
 TransAmerican Power Products  
 »Bidder is offering a 2% 10 Days Prompt Pay Discount

**KBS Elect. Dist.**  
 »Bidder noted the following for Bid Item A-17, "Note A-17 Minimum Order 20 Ea."  
 »Bidder noted the following for Bid Items B-1 - B-5: "Freight Allowed on 5000.00 Combined Shipments"  
 »Bidder noted the following for Bid Items D-1 - D-3, "Minimum Load 10 Poles, Can Mix & Match"  
 »Bidder noted the following for Bid Items F-1 & F-4, "Minimum Order 25 Ea."  
 »Bidder miscalculated the extended price for Bid Item G-3 as \$3,787.50. The highlighted total above is correct.  
 »Bidder noted the following for Bid Item H-1: "25# Kit, Part A & Part B in Same Bucket"

**HD Supply Utilities**  
 »Bidder miscalculated the subtotal for Group B Materials as \$89,710.00. The highlighted total above is correct.  
 »Bidder miscalculated the Grand Total as \$892,163.00. The highlighted total above is correct.

**Techline, Inc.**  
 »Bidder also proposed Hapco as an alternate manufacturer for Bid Items D-1 - D-3.  
 D-1 \$1,999.30/Ea = \$29,990.40; D-2 \$2,437.60/Ea = \$60,940.00; D-3 \$1,152.80 = \$34,584.00  
 Subtotal for Group D if alternate manufacturer is accepted = \$138,389.40  
 Grand Total if alternate manufacturer is accepted = \$824,974.85

**Wesco Distribution**  
 »Bidder also proposed Richards as an alternate manufacturer for Bid Item A-3.  
 A-3 \$21.78/Ea = \$8,712.00  
 Subtotal for Group A if alternate manufacturer is accepted = \$65,734.80  
 »Bidder also proposed Elster as an alternate manufacturer in lieu of Austin International for Group I, Bid Items 5, 6 & 8.  
 5. \$150.54/Ea = \$12,043.20  
 6. \$150.54/Ea = \$12,043.20  
 8. \$159.34/Ea = \$3,186.80  
 Subtotal for Group I if alternate manufacturer is accepted = \$69,246.72  
 Grand total if alternate manufacturers are accepted for Groups A & I = \$514,184.77

**Priester-Mell & Nicholson, Inc.**  
 »Bidder miscalculated the extended price for Group I, Bid Item 5 as \$2,824.00, Bid Item 6 as \$2,824.00 and Bid Item 7 as \$2,824.00.  
 The highlighted totals above are correct.  
 »Bidder miscalculated the subtotal for Group I as \$70,094.00 and the Grand Total as \$184,339.75. The highlighted totals above are correct.

**November 10, 2010  
Consent Agenda Item No. 2e  
Construction Contract #11-035 for New Playground at  
John Crompton Park**

**To:** Glenn Brown, City Manager

**From:** David Schmitz, Interim Director, Parks and Recreation

**Agenda Caption:** Presentation, possible action, and discussion regarding a resolution awarding the bid and approval of a construction contract (Contract Number #11-035) with Orion Construction in the amount of \$51,690.00 for a new Playground at John Crompton Park.

**Recommendation(s):** Staff recommends approval of the resolution and award of the construction contract with Orion Construction for construction of a new Playground at John Crompton Park, in the amount of \$51,690.00 and ninety (90) construction days.

**Summary:** The proposed construction of a new playground with sidewalk at John Crompton Park.

**Budget & Financial Summary:** Twelve (12) sealed, competitive bids were received and opened on October 19, 2010. The bid summary is attached. Funds are available and budgeted from Zone 7 Parkland Dedication.

**Attachments:**

- 1) Resolution
- 2) Bid Number 11-13 Tabulation
- 3) Site Plan
- 4) Construction Contract 10-035  
(This contract will be available in the City Secretary's Office.)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING CONTRACT #11-035 FOR A NEW PLAYGROUND IN JOHN CROMPTON PARK, PROJECT NUMBER PK-0904, AND AUTHORIZING EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for construction of a new playground in John Crompton Park, 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 Orion Construction is the lowest, responsible bidder.

PART 2: That the City Council hereby approves the contract with Orion Construction in the amount of \$51,690.00 and ninety (90) calendar days for the labor, materials, and equipment required for the construction of the new playground at John Crompton Park.

PART 3: That the funding for this contract shall be as budgeted from the Zone 7 Park Land Dedication Fund in the amount of \$51,690.00.

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

ADOPTED this the 10th day of November, 2010.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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



**City of College Station - Purchasing Division**  
**Bid Tabulation for #11-13**  
**"Crompton Park Playground"**  
**Open Date: Tuesday, October 19, 2010 @ 2:00 p.m.**

ITEM	QTY	UNIT	DESCRIPTION	Orion Construction (Bryan, TX) LUMP SUM BID AMOUNT	JaCody, Inc. (College Station, TX) LUMP SUM BID AMOUNT	TF Harper & Associates (Austin, TX) LUMP SUM BID AMOUNT	TF Harper & Associates (Austin, TX) LUMP SUM BID AMOUNT	Marek Brothers Const., Inc. (College Station, TX) LUMP SUM BID AMOUNT	OCC Construction Corp. (College Station, TX) LUMP SUM BID AMOUNT	Stone Castle Constructors (Houston, TX) LUMP SUM BID AMOUNT	Acklam Construction Co, Inc. (College Station, TX) LUMP SUM BID AMOUNT	Wade Contractors, Inc. (Kingwood, TX) LUMP SUM BID AMOUNT	Quad-Tex Construction, Inc. (Bryan, TX) LUMP SUM BID AMOUNT	Dudley Construction, Ltd. (College Station, TX) LUMP SUM BID AMOUNT	Vox Construction, LLC (Bryan, TX) LUMP SUM BID AMOUNT
1	1	LS	Total bid amount to furnish and install playground equipment and sidewalks as detailed in the specifications and drawings.	\$51,690.00	\$52,116.00	\$52,856.00	**Alternate** \$57,657.00	\$54,775.00	\$55,939.00	\$58,907.20	\$59,650.00	\$60,380.00	\$62,930.00	\$65,000.00	\$65,827.00
<b>Certification of Bid</b>				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Acknowledged Addendums</b>				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Bid Bond</b>				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

**NOTES:**

TF Harper & Associates, LP

»Bidder is proposing Burke Custom Nucleus Structure #NU-1308-1015

»Bidder's alternate bid of \$57,657.00, proposes replacing the specified bonded shredded rubber surfacing with poured in place rubber surfacing with an additional cost of \$4,801.00.

Stone Castle Constructors

»Bidder is proposing Play & Park Structures, SuperMax equipment and Supermax bonded rubber surfacing.



**November 10, 2010**  
**Consent Agenda Item No. 2f**  
**Food Waste Collection Franchise Amendment – Texas Commercial Waste**

**To:** Glenn Brown, City Manager

**From:** Hayden Migl, Assistant to the City Manager

**Agenda Caption:** Presentation, possible action and discussion on the third and final reading of a franchise agreement amendment with Texas Commercial Waste to add the collection of food waste for the purpose of recycling to its agreement.

**Relationship to Strategic Goals:** V. Green Sustainable City

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

**Summary:** The proposed amendment would add the collection of food waste for the purpose of recycling to the list of services that can be provided by Texas Commercial Waste through its current non-exclusive franchise agreement. Texas Commercial Waste is currently limited to collecting only construction and demolition debris.

The company will be responsible for developing onsite collection of the food waste and that they are not collecting municipal solid waste.

Section 120 of the City Charter states that "The City of College Station shall have the power by ordinance to grant any franchise or right mentioned in the preceding sections hereof, which ordinance, however, shall not be passed finally until it shall have been read at three (3) separate regular meetings of the City Council."

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

**Attachments:**

1. Franchise Ordinance is on file in the City Secretary's Office

**November 10, 2010**  
**Consent Agenda Item No. 2g**  
**Food Waste Collection Franchise - Liquid Environmental Solutions**

**To:** Glenn Brown, City Manager

**From:** Hayden Migl, Assistant to the City Manager

**Agenda Caption:** Presentation, possible action and discussion on the third and final reading of a franchise agreement with Liquid Environmental Solutions for the collection of food waste for the purpose of recycling.

**Relationship to Strategic Goals:** V. Green Sustainable City

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

**Summary:** The proposed non-exclusive five (5) year franchise agreement allows for the collection of food waste for the purpose of recycling within the corporate limits of the City of College Station.

The company will be responsible for developing onsite collection of the food waste and that they are not collecting municipal solid waste.

Section 120 of the City Charter states that "The City of College Station shall have the power by ordinance to grant any franchise or right mentioned in the preceding sections hereof, which ordinance, however, shall not be passed finally until it shall have been read at three (3) separate regular meetings of the City Council."

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

**Attachments:**

1. Franchise Ordinance is on file in the City Secretary's Office

**November 10, 2010**  
**Consent Agenda Item No. 2h**  
**Areas 5 & 6 Utilities & Lift Station Change Order**  
**Project Numbers WF0805756 & WF0805744**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion on a deductive change order to the Construction Contract 09-307 with Doughtie Construction Company, Inc. for a credit in the amount of \$38,592.00, for the construction services of Areas 5 & 6 Utilities & Lift Station.

**Relationship to Strategic Goals:** Goal I, Financially Sustainable City Providing Response to Core Services and Infrastructure.

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

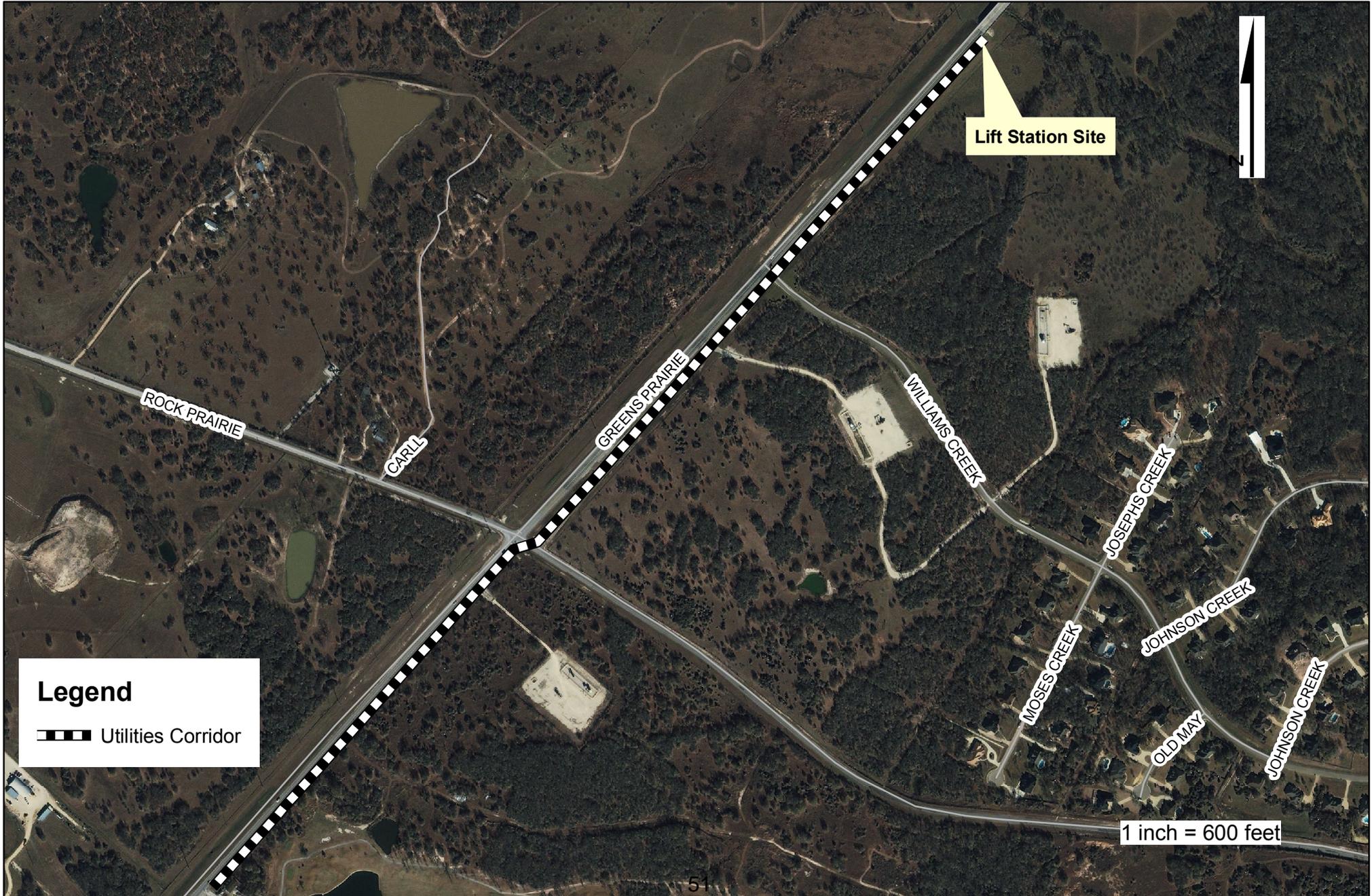
**Summary:** Construction of the Areas 5 & 6 Utilities & Lift Station is complete. This close-out change order is a credit to the contract for adjustments to bid quantities based on final quantities installed by the contractor. The quantity bid for rip rap lining of two creeks was higher than needed. Therefore, the contract with Doughtie Construction Company, Inc is being adjusted accordingly.

**Budget & Financial Summary:** This Change Order will decrease the contract amount by \$38,592.00 for a revised contract total of \$897,603.31.

**Attachments:**

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

# Areas 5 & 6 Utilities & Lift Station Project Location Map



CHANGE ORDER NO. 5 Contract # 09-307 DATE: October 21, 2010  
P.O.# 100309 PROJECT: Areas 5 & 6 Utilities & Lift Station

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

**CONTRACTOR:**  
Doughtie Construction Company, Inc.  
P.O. Box 1233  
Huntsville, TX 77342

Ph: (936) 295-9420  
Fax: (936) 295-5750

**PURPOSE OF THIS CHANGE ORDER:**

**A. Adjustment of quantities.**

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

ITEM NO.	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
12	SY	Dry Rip Rap Channel Lining	\$24.00	1288.0	168.0	-\$26,880.00
24	SY	Dry Rip Rap Channel Lining	\$24.00	756.0	268.0	-\$11,712.00
					TOTAL	-\$38,592.00

THE NET AFFECT OF THIS CHANGE ORDER IS A -4.18% INCREASE.

ORIGINAL CONTRACT AMOUNT	\$922,576.00		
Change Order No. 1	\$6,692.16	0.73%	CHANGE
Change Order No. 2	-\$1,370.00	-0.15%	CHANGE
Change Order No. 3	\$3,861.80	0.42%	CHANGE
Change Order No. 4	\$4,435.35	0.48%	CHANGE
Change Order No. 5	-\$38,592.00	-4.18%	CHANGE
<b>TOTAL:</b>	<b>\$897,603.31</b>	<b>-2.71%</b>	<b>TOTAL CHANGE</b>

**APPROVED**

  
CONSULTANT ENGINEER Date 10/24/10

  
CONSTRUCTION CONTRACTOR Date 10/21/10

  
PROJECT MANAGER Date 10/25/10

  
DEPARTMENT DIRECTOR Date 10/25/10

CHIEF FINANCIAL OFFICER Date

  
CITY ATTORNEY Date

MAYOR Date

CITY SECRETARY Date

CITY MANAGER Date

Item	Accounting Information	Original Contract plus Change Orders 1-4	Change Order #5	Contract
4	Wastewater - WW 213-9111-974.55-01	\$936,195.31	(\$38,592.00)	\$897,603.31
<b>TOTAL</b>		<b>\$936,195.31</b>	<b>(\$38,592.00)</b>	<b>\$897,603.31</b>

**November 11, 2010  
Consent Agenda Item No. 2i  
Janitorial Maintenance Services**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion renewing the Annual Contract for Janitorial services for all City offices for an annual expenditure of \$198,343.44.

**Relationship to Strategic Goals:** Goal I, Financially Sustainable City Providing Response to Core Services and Infrastructure.

**Recommendation(s):** Staff recommends renewal of the contract to Professional Floor and Janitorial Services for \$198,343.44.

**Summary:** This contract is for routine, daily cleaning of all City offices, restrooms, and meeting rooms. The contract also calls for periodic window washing, floor stripping and waxing and heavy carpet cleaning. This is the first renewal of the agreement with no price increase over last year.

Locations covered under this contract include:

City Hall	Community Development	Central Park Office
Utility Customer Service	Municipal Court	Public Works
Police Department	Lincoln Center (Floor only)	Dowling Road Pump Station
Library (Floors only)	Southwood Community Center	College Station Utilities
Carter Creek Waste Water	CSU Training Facility	

**Budget & Financial Summary:** Funds are available and budgeted in the Facilities Maintenance Division.

**Attachments:**

1. Renewal agreement



October 21, 2010

Professional Floor Service & Janitorial  
ATTN: Steve Taylor  
P.O. Box 4530  
Bryan, TX 77805

**RE: Renewal — Contract No. 09-189; RFP No. 09-62  
Annual Janitorial Maintenance Services**

Dear Steve Taylor:

The City of College Station appreciates the services provided by PROFESSIONAL FLOOR SERVICE & JANITORIAL this past year. Pending Council approval, we would like to exercise our option to renew the above referenced agreement for the term of October 1, 2010 through September 30, 2011. This is the first renewal option.

If this meets with your company's approval, please complete this renewal agreement (including notarization, and return it at your earliest convenience.

Should you have any questions, please call me at (979) 764-3557.

Sincerely,

Cheryl K. Turney, C.P.M.  
Assistant Finance Director

Attachment

PO Box 9960  
1101 Texas Avenue  
College Station, TX 77842

[www.cstx.gov](http://www.cstx.gov)

**RENEWAL ACCEPTANCE**

\*\*\*\*\*

By signing herewith, I acknowledge and agree to renew Contract No. 09-189 (RFP No. 09-62), for Annual Janitorial Maintenance Service in accordance with all terms and conditions previously agreed to and accepted for the period beginning October 1, 2010 through September 30, 2011 in the amount of One Hundred Ninety Eight Thousand Three Hundred Forty Three Dollars and 44/100 (\$198,343.44).

Professional Floor Service & Janitorial  
P.O. Box 4530  
Bryan, TX 77805

  
Steve Taylor

10-22-10  
DATE

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
DATE

**ATTEST:**

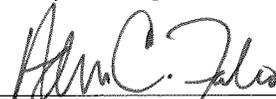
\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

  
City Attorney

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

PO Box 9960  
1101 Texas Avenue  
College Station, TX 77842

STATE OF TEXAS

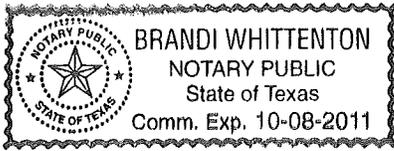
CORPORATE ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the 22<sup>nd</sup> day of October, 2010,

by Steve Taylor in his/her capacity as owner of

Professional Floor Services, a TEXAS Corporation, on behalf of said corporation.  
and Janitorial



Brandi Whittenton  
Notary Public in and for the  
State of Texas

STATE OF TEXAS

ACKNOWLEDGMENT

COUNTY OF BRAZOS

This instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 2010,

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

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

\*\*\*\*\*

PO Box 9960  
1101 Texas Avenue  
College Station, TX 77842

**November 10, 2010  
Consent Agenda Item No. 2j  
Nantucket Gravity Sewer Line Change Order  
Work Order Number WF1094676**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion regarding a change order to the design contract (Contract No.07-263) with Mitchell and Morgan in the amount of \$4,240.00 for the Nantucket Gravity Sewer Line project.

**Relationship to Strategic Goals:** Goal 1, Financially Sustainable City Providing Response to Core Services and Infrastructure

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

**Summary:** This change order for \$4,240.00 was approved by Council on October 14, 2010. The change order amount was correct but there was an error in the calculation for the percentage increase and total revised contract amount. This error was discovered by our purchasing department and corrected. The change order is being brought back to Council so that the corrected document can be approved and signed.

The Nantucket Gravity Sewer Line Project consists of the installation of a gravity flow sanitary sewer line for the purpose of eliminating an existing lift station and force main. The proposed gravity flow sewer line has been designed to accommodate the wastewater demand for this area at full development.

While boring under State Highway 6, the contractor did not maintain the required line and grade of the steel casing. The city requested additional input from Mitchell and Morgan, the engineer of record, to help resolve the issue and modify the original design to ensure the sewer line would function as intended. Mitchell and Morgan was also asked to coordinate with TCEQ and impacted private utility companies to resolve the issue. This change order is for the additional time required for the design modification and coordination. Since the modification to the design was required as a result of the contractor's performance, the cost of this change order to the design contract is being deducted from the construction contract.

**Budget & Financial Summary:** Change Order 2 will increase the contract amount by \$4,240.00 for a revised contract total of \$43,960.00. Funds in the amount of \$516,000 are budgeted in the Wastewater Capital Projects Fund for this project. Funds in the amount of \$412,543.93 have been expended or committed to date, leaving a balance of \$103,456.07 for this construction contract and future expenses.

**Attachments:**

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



Nantucket Gravity  
Sewer Line



CHANGE ORDER NO. 2

Contract No. 07-263

DATE: 10/20/2010

P.O.# 071198

PROJECT: Nantucket Gravity Sewer Line Project

Project No. WF1094676

**OWNER:**

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

**CONTRACTOR:**

Mitchell & Morgan  
511 University Drive, Ste. 204  
College Station, Texas 77840

Ph: (979) 260-6963  
Fax: (979) 260-3564

**PURPOSE OF THIS CHANGE ORDER:**

- A. Additional survey to locate and determine elevation of ETC gas line
- B. Modify design to resolve bore that was out of spec and coordinate modifications with TCEQ.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Additional survey	\$500.00	0	1	\$500.00
2	LS	Modify design and coordinate with TCEQ	\$110.00	0	34	\$3,740.00
					TOTAL	\$4,240.00

THE NET AFFECT OF THIS CHANGE ORDER IS A 18.08% INCREASE.

ORIGINAL CONTRACT AMOUNT	\$23,450.00	
Change Order No. 1	\$16,270.00	69.38% CHANGE
Change Order No. 2	\$4,240.00	18.08% CHANGE
REVISED CONTRACT AMOUNT	\$43,960.00	87.46% TOTAL CHANGE

ORIGINAL CONTRACT DESIGN TIME	105 Days
Change Order No. 1	730 Days
Change Order No. 2	261 Days
Revised Contract Design Time	1096 Days

ORIGINAL COMPLETION DATE	January 1, 2008
REVISED COMPLETION DATE	January 1, 2011

APPROVED

 2102710  
A/E CONTRACTOR

  
CITY ATTORNEY

N/A  
CONSTRUCTION CONTRACTOR

\_\_\_\_\_  
DIRECTOR OF FISCAL SERVICES

 Oct. 21, 2010  
PROJECT MANAGER

\_\_\_\_\_  
MAYOR

 10/25/10  
DEPARTMENT DIRECTOR FOR CAG

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

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

**November 10, 2010**  
**Consent Agenda Item No. 2k**  
**Victoria Avenue Extension Participation Agreement**

**To:** Glenn Brown, City Manager

**From:** Chuck Gilman, Director of Public Works

**Agenda Caption:** Presentation, possible action, and discussion on a participation agreement between the City of College Station and the Estate of Gary Seaback for the extension of Victoria Avenue to William D. Fitch Parkway.

**Relationship to Strategic Goals:** I. Financially Sustainable City Providing Response to Core Services and Infrastructure and IV. Improving Multi Modal Transportation

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

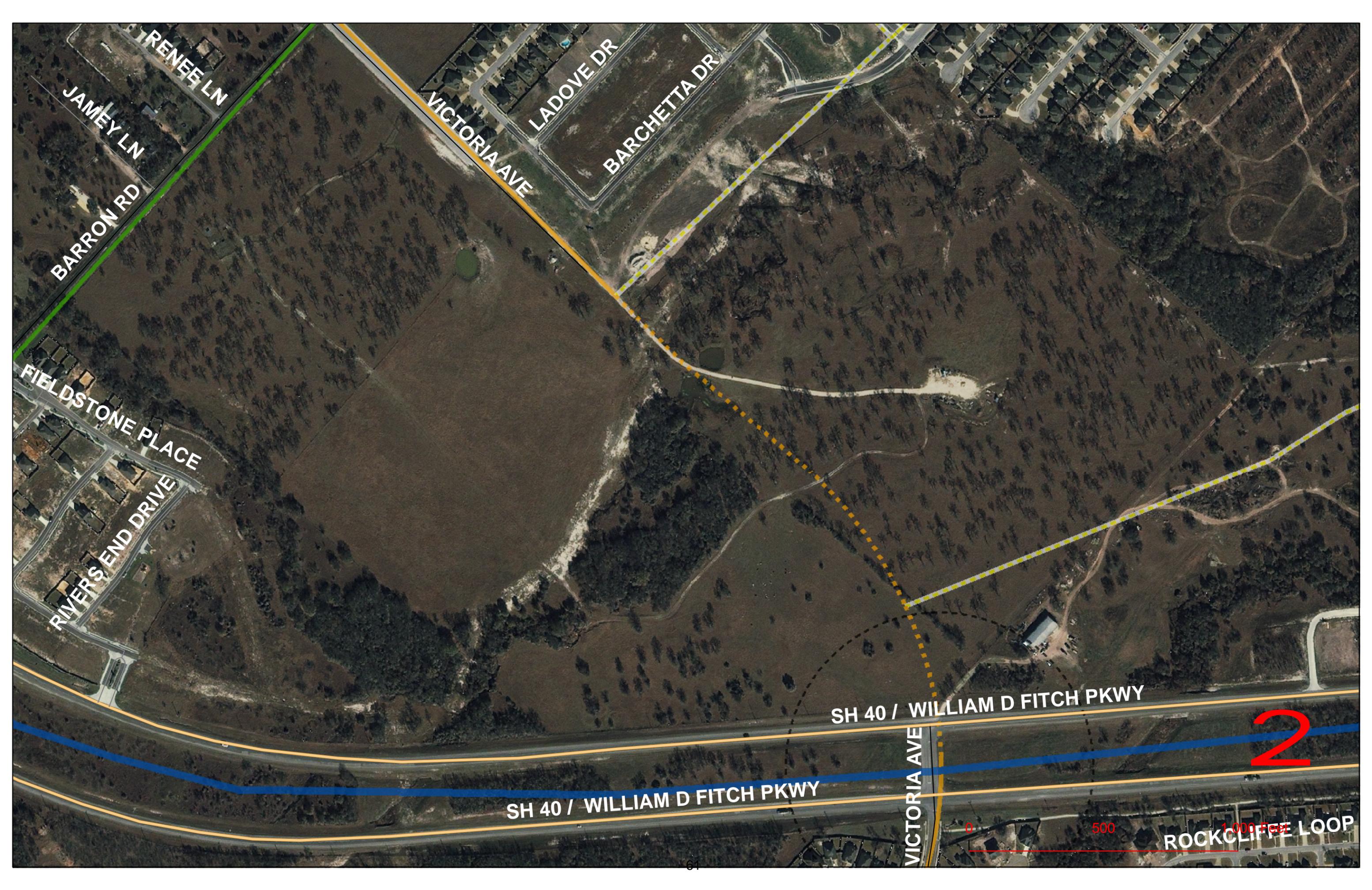
**Summary:** The City of College Station has an engineering consultant developing construction documents for the extension of Victoria Avenue (from the terminus to William D. Fitch) and the widening of Barron Road (from Decatur to William D. Fitch). The Estate of Gary Seaback owns approximately 94 acres between the existing terminus of Victoria Avenue and William D. Fitch Parkway. The design of the Victoria Avenue Extension Project is nearing completion. Currently the roadway extension is scheduled for completion prior to the opening of the CSISD High School located at the corner of Barron Road and Victoria Avenue.

This participation agreement provides for the Estate of Gary Seaback to dedicate approximately 4.589 acres of land to the City for right-of-way and 2.089 acres of land for a public utility easement. The City of College Station will accept responsibility for the design and construction the roadway extension and install a barbed wire fence along the right-of-way line to contain livestock that grazes on the property.

**Budget & Financial Summary:** Funds in the amount of \$2,455,000 are budgeted in the Streets Capital Improvement Projects Fund for the Victoria Avenue Project. These funds are part of the 2008 General Obligation Bond funds. Funds in the amount of \$322,695.45 have been expended or committed to date, leaving a balance of \$2,132,304.55 for future expenses. In addition, funds in the amount of \$228,375 are budgeted in the Water Capital Improvement Projects Fund and funds in the amount of \$25,556 are budgeted in the Wastewater Capital Improvement Projects Fund for the water and wastewater components of this project.

**Attachments:**

1. Victoria Avenue Participation Agreement – On file in City Secretary's Office
2. Project Location Map



TRENEE LN  
JAMEY LN  
BARRON RD

VICTORIA AVE  
LADOVE DR  
BARCHETTA DR

FIELDSTONE PLACE  
RIVERS END DRIVE

SH 40 / WILLIAM D FITCH PKWY

SH 40 / WILLIAM D FITCH PKWY

VICTORIA AVE

ROCKCLIFFE LOOP

2

0 500 1,000 Feet

**November 10, 2010  
Regular Agenda Item No. 1  
Aggieland Inn 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, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, specifically rezoning 3.957 acres from A-O Agricultural Open and P-MUD Planning Mixed Use District to PDD Planned Development District for hotel, multi-family, office, and general commercial uses, for 1502 Texas Avenue South, generally located on the west side of Texas Avenue South, south of Milliff Road.

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy

**Recommendation(s):** The Planning and Zoning Commission considered this item at their October 21, 2010 meeting and voted (3-3) on a motion to recommend approval of the rezoning request. Generally, the Commissioners expressed a desire to see the property rezoned, but disagreed on potential conditions related to the parking setback and driveway spacing.

Staff recommended approval of the PDD Planned Development District and associated Concept Plan, including the proposed meritorious modifications, with the following exceptions:

- Driveway spacing- driveways along Texas Avenue shall be consolidated into a single access point for traffic management and safety.
- Parking setback – parking located adjacent to Texas Avenue shall meet the minimum 10-foot parking setback in order to provide more space between the parking and the sidewalk and to provide for a more urban environment by reducing the amount of parking between the building and the street.

Staff recommends that the site be considered one building plot for purposes of signage, landscaping, and non-residential architectural requirements, and that the Concept Plan include a note regarding the building plot designation.

Additionally, staff recommends that the proposed modifications to Milliff Road not be included because connectivity in the area will be compromised, and the traffic generated by the site can be easily absorbed by Milliff Road and Texas Avenue. Staff recommends the street remain open and unrestricted. If the multi-family component is developed, based on previous Council action, it may be appropriate to revert back to the recommendation of building a cul-de-sac on Milliff Road. If the modifications to Milliff Road are constructed, Staff recommends that sidewalks be constructed on the south side of Milliff Road from Rosemary Lane to Texas Avenue to preserve pedestrian connectivity to the site. An updated TIA will be required during site plan review when the final land uses are determined. At that time, additional mitigation, such as right-turn deceleration lanes, may be required.

**Summary:** The Unified Development Ordinance provides the following review criteria for zoning map amendments:

#### **REVIEW CRITERIA**

- 1. Consistency with the Comprehensive Plan:** The Comprehensive Plan Future Land Use and Character Map designates the subject property as General Commercial and Natural Areas Reserved. The property is also considered to be within a Redevelopment Area on the City's Concept Map. The Comprehensive Plan states that "the focus of this area is bringing vertical mixed-use and other aspects of urban character to this portion of the City." The property owner's revitalization plans for the property include a renovation of the existing hotel, which he wishes to continue as a hotel use, and changing the use of the existing hospitality building to commercial, allowing for uses such as retail and restaurant. The proposed PDD allows for vertical mixed-use without rezoning of the property in the future.

The Comprehensive Plan states that Natural Areas Reserved is for areas that represent a constraint to development that should be preserved for their natural function or open space qualities including areas of floodplain, riparian buffers, and for recreation facilities. The small portion of the property designated as FEMA floodplain/floodway is not proposed for development.

- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The properties to the north and south of the subject property along Texas Avenue are currently zoned and developed as general commercial. Jack-In-The-Box is to the north adjacent to Aggieland Inn, Texas Avenue Crossing shopping center is across Milliff Road to the north, and vacant commercial zoned property is located just to the south at the corner of Redmond Drive and Texas Avenue. The properties to the west are zoned R-1 Single-Family Residential and R-6 High Density Multi-Family and are developed as single-family homes within the Redmond Terrace Subdivision and the Meridian Apartments, respectively. The PDD request proposes to maintain the existing building heights of five stories for the hotel and two stories for the retail structure. In addition, the Concept Plan includes street modifications to Milliff Road that convert it to a one-way from Rosemary Lane out of the neighborhood to rear of the commercial property while the remaining portion of Milliff Road out to Texas Avenue will remain open to two-way traffic. The City Council approved a similar street modification in December 2007 to mitigate the potential effects of additional traffic through the adjacent Redmond Terrace neighborhood with the existing P-MUD zoning on the subject property.
- 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 its access and visibility from Texas Avenue, a 6-Lane Major Arterial on the City's Thoroughfare Plan and one of the City's primary commercial corridors. The development is located in close proximity to Texas A&M University.

The development includes a renovation of the existing hotel, which will continue as a hotel use, and changing the use of the existing hospitality building to commercial, allowing for uses such as retail and restaurant. The intent of the rezoning is to allow for these improvements on the site without meeting the requirement to mix residential and non-residential use required by the existing P-MUD zoning.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing Planned Mixed-Use District P-MUD and associated concept plan include a mixed-use development that incorporate dormitory units, apartment units, and ground-floor retail, restaurant and office. The applicant has proposed renovation of the existing hotel structure to continue the hotel use and repurposing the existing hospitality structure for retail and restaurant uses. The existing P-MUD zoning requires a minimum of 20% residential land uses with development of the property.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property was zoned P-MUD in 2007. The mixed-use development that was proposed as a part of that P-MUD is no longer being pursued. The property is being sold and renovations to the site are planned.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The subject tract is located adjacent to a 6-inch water main along Texas Avenue and 6- and 16-inch water mains along Milliff Road. The subject tract is located adjacent to an 8-inch sanitary sewer main along Texas Avenue. The subject tract is located in the Wolf Pen Creek Drainage Basin. The northwest property corner is located within a FEMA designated Special Flood Hazard Area – Zone AE. The subject tract is located adjacent to Texas Avenue and Milliff Road.

A zoning Traffic Impact Analysis (TIA) was required and performed for this request based on the UDO requirement for any rezoning that will generate 150 trips in the peak hour threshold. The TIA results should be used by the Planning and Zoning Commission and City Council to discern potential traffic impacts of the rezoning on the surrounding transportation network, the availability of the transportation network infrastructure to serve the development, and to discern potential mitigation solutions. The results of the TIA are as follows:

1. A TIA was submitted as part of the original zoning request in July of 2007. It was amended in October 2010 to reflect the current proposal for the property. A significant reduction in trips generated resulted with the elimination of the multi-family component and parking garage. The number of hotel rooms was reduced from 167 existing rooms to 140 rooms proposed. The retail space has also been reduced from 37,000 square feet to 20,000 square feet.
2. The changes result in a total trip generation of 2,271 vehicles per day (vpd), with the assumption that 30% would utilize Milliff Road and 70% would access the site via Texas Avenue and proceed directly to the retail portion of the development. 30% of 2,271 vpd is 681 vpd - well under the volume capacity range of 1,000 vpd to 2,500 vpd for Milliff Road (classified as a local, residential roadway).
3. Texas Avenue is a Major Arterial with a capacity of 60,000 vpd, per the Bryan/College Station Unified Design Guidelines. 70% of the trips generated is 1,590 vpd. With the widening of Texas Avenue by TxDOT, 70% the trips generated by the site will be absorbed with no detrimental effect to Level of Service (LOS).
4. Both the 2007 TIA and the new 2010 scenario recommend a cul-de-sac be built on Milliff Road, 180 feet from Rosemary Lane, with that portion Milliff left to be converted to a one way street, to prevent cut-thru traffic. Staff believes that this modification is not necessary and is inappropriate. Under both scenarios, the anticipated volume on Milliff Road generated by the site can be easily absorbed by Milliff Road. By limiting access to Milliff Road, connectivity will be

compromised. Staff recommends the street remain open and unrestricted. If the multi-family component is developed, based on previous Council action, it may be appropriate to revert back to the recommendation of building a cul-de-sac on Milliff Road.

5. If the land uses remain as per the 2007 TIA, a right-turn deceleration lane will be required at the Texas Avenue driveway and may be required at the Milliff Road driveways. The Unified Development Ordinance requires a deceleration lane for any access with a peak hour ingress volume of 50 vehicles per hour (vph) (roadway with a posted speed of less than 40 miles per hour (mph)) or 25 vph (posted speed greater than 40 mph). This requirement will be worked out through the TIA at site plan when the final land uses are determined.
6. If the cul-de-sac is built, staff recommends sidewalks be built on the south side of Milliff Road, from Rosemary Lane to Texas Avenue to preserve pedestrian connectivity to the site.
7. Because the current driveways on Texas Avenue do not meet driveway spacing, staff recommends the consolidation of the driveways into a single access point.
8. Finally, staff recommends cross access be provided from the proposed site to Jack in the Box paralleling Milliff Road and cross access for the site to the tract south of the site. These have been provided on the Concept Plan.

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

The applicant has provided the following information related to the purpose and intent of the proposed zoning district:

“To provide a more sustainable mixed-use site along Texas Avenue that can respond to the needs of the College Station community and meet the intent of the Commercial / Redevelopment designation of the Comprehensive Plan. The PDD zoning will allow the property to ultimately develop into a more dense area with a mix of residential and commercial uses. Urban characteristics and design standards are proposed versus typical suburban development requirements.”

In addition to the purpose statement, the applicant has provided a statement related to the proposed redevelopment principles:

“Redeveloping an existing, aging, highly visible commercial center on Texas Avenue presents many opportunities and challenges. In an effort to focus redevelopment efforts, the following guiding principles are established:

- Maximize and recycle the current infrastructure – utilize existing buildings, utilities and parking lots.
- Maximize the number of parking spaces
- Improve the aesthetics of the site – concentrate landscaped areas along highly visible portions of the property such as Texas Avenue and Milliff Road.

The following uses are proposed with the PDD:

#### Non-Residential Uses:

General commercial  
General & specialty retail  
Restaurant  
Hotel & Accessory use  
Office  
Meeting / Special Event Facility  
Cell towers & related facilities

#### Residential Uses:

## Multi-Family

The applicant proposes that the multi-family uses be permitted with 100% non-residential uses on the ground floor, which may include hotel and associated hotel / residential uses such as meeting space, offices, lobby / reception area and similar uses.

The Concept Plan includes the reconfiguration of portions of the parking lot and cross access to the Jack in the Box site parallel to Milliff Road. An access easement exists on the property providing cross access to the property to the south.

The applicant proposes to utilize C-1 General Commercial as the base, underlying zoning district for standards not identified in the PDD. At the time of site plan and plat, the project will need to meet all applicable site, architectural and platting standards required by the Unified Development Ordinance except where meritorious modifications are granted with the PDD zoning. The applicant has requested the following meritorious modifications:

- **Section 7.2.1.9 "Minimum Off-Street Parking Requirements" of the Unified Development Ordinance**  
The applicant has proposed the following modified parking requirements based on the mix of uses with varying peak parking demands, as follows:
  - Residential Uses: .75 spaces/unit or hotel room
  - Non-Residential Uses: 1 space/400 square feet
- **Section 7.2.E "End Islands" and Section 7.2.E " Interior Islands" of the Unified Development Ordinance**  
The applicant is requesting that interior parking islands only be required for the parking areas between the buildings and Texas Avenue and that end islands be permitted at a reduced size (up to a minimum of 90 square feet) in order to maximize available parking on site.
- **Section 7.9.B.6.a "Parking Lots" of the Unified Development Ordinance**  
The applicant is requesting that the parking area between the existing hospitality building and Texas Avenue be permitted to utilize a 3-foot parking setback (instead of the required 10-foot) to retain the row of parking along the roadway. The proposal includes a row of shrubs to be planted for parking screening.
- **Section 7.6 "Buffer Requirements" of the Unified Development Ordinance**  
The applicant is proposing a wooden fence as a buffer between the multi-family property to the west. The applicant states that the existing parking location does not provide room for a buffer yard or substantial plantings. In addition, no buffer is being proposed between the adjacent single-family property due to the location of the floodway and floodplain.
- **Section 7.3.C.3 "Spacing of Driveway Access" of the Unified Development Ordinance**  
The applicant is requesting to maintain two existing driveways on Texas Avenue and two on Milliff Road. The applicant states that the southernmost access on Texas Avenue should remain open because it is a shared driveway with the property to the south and provides for emergency vehicle circulation. Also, the applicant states that the drives are needed to attract retailers. Staff recommends that the two existing driveways on Texas Avenue be consolidated to one driveway for traffic management and safety. Emergency

circulation and access to adjacent properties can still be provided with one consolidated driveway.

To support the meritorious modifications requested, the applicant has provided the following as "Community Benefits and Innovative Design Concepts:"

- Revitalizing an underperforming property along Texas Avenue, a Primary Image Corridor and within a designated Redevelopment area.
- Implementing the newly adopted Comprehensive Plan and taking advantage of a market-based opportunity to redevelop the property in a more realistic and staged plan that utilizes the existing infrastructure.
- Creating a zoning district that encourages the utilization of more urban characteristics and design standards within close proximity to Texas A&M University.
- The proposed PDD and Concept Plan introduces a more urban environment as envisioned in the City's Comprehensive Plan specifically in designated redevelopment areas. The mixing of uses, especially the proposed hotel and complimentary retail/restaurant uses, provides community benefits such as the reduction of traffic and the aesthetic improvements along a primary image corridor. The guests of the hotel are able to walk to restaurants and other retail uses within the immediate vicinity.
- The PDD lays the groundwork for a more sustainable mixed-use development including a vertical mix of land uses if the future market demands, without additional rezoning.

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 Concept Plan proposes a revitalization of the property, including renovations to the existing hotel tower, conversion of the existing conference facilities to commercial, and improvements to the parking and landscaping. The zoning allows for future conversion to a mixed-use development that may include a mix of multi-family, office, and commercial uses. An environment with a mix of uses potentially allows better opportunities for residents to shop, dine, and work where they live, thus reducing traffic on nearby streets and encouraging a more walkable environment.
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 general conformity with the policies, goals, and objectives of the Comprehensive Plan. The Future Land Use and Character Map designates the majority of the property for General Commercial. Additionally, the property is within a Redevelopment Area on the City's Concept Map. The Comprehensive Plan states that "the focus of the area is bringing vertical mixed-use and other aspects of urban character to this portion of the City." The proposed rezoning allows for the development of a mixed-use project in the future without further rezoning.

A small portion of the property is shown as Natural Areas – Reserved because it is located in FEMA floodplain/floodway. Generally, the policies in the Comprehensive Plan do not support development of FEMA designated floodplain. No development is proposed in this area.

3. **The proposal is compatible with existing or permitted uses on abutting sites and will not adversely affect adjacent development:** The proposed development

will retain the existing structures. The existing hotel structure will be revitalized and continue to be used as a hotel. The existing hospitality structure will be repurposed as a commercial structure, primarily for retail and restaurant use. The proposed uses are similar to existing uses 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:** No dwelling units are proposed with the development. The PDD zoning allows for the property to be used for vertical mixed-use in the future without further rezoning. At that time, residential units would have access to Milliff Road and Texas Avenue through the parking lot.
5. **The development includes provision of adequate public improvements, including, but not limited to, parks, schools, and other public facilities:** None proposed.
6. **The development will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity:** The subject property and surrounding area is designated for General Commercial uses and Natural Areas-Reserved. Besides the requested meritorious modifications, the proposed development will meet all City requirements.
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 TIA has demonstrated that the vehicle trips generated by the proposed development can be absorbed by the existing street network without compromising the level of service of the roadways.

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

**Attachments:**

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Draft Planning & Zoning Commission meeting minutes (October 21, 2010)
4. Proposed Concept Plan
5. Ordinance

**BACKGROUND INFORMATION**

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

None

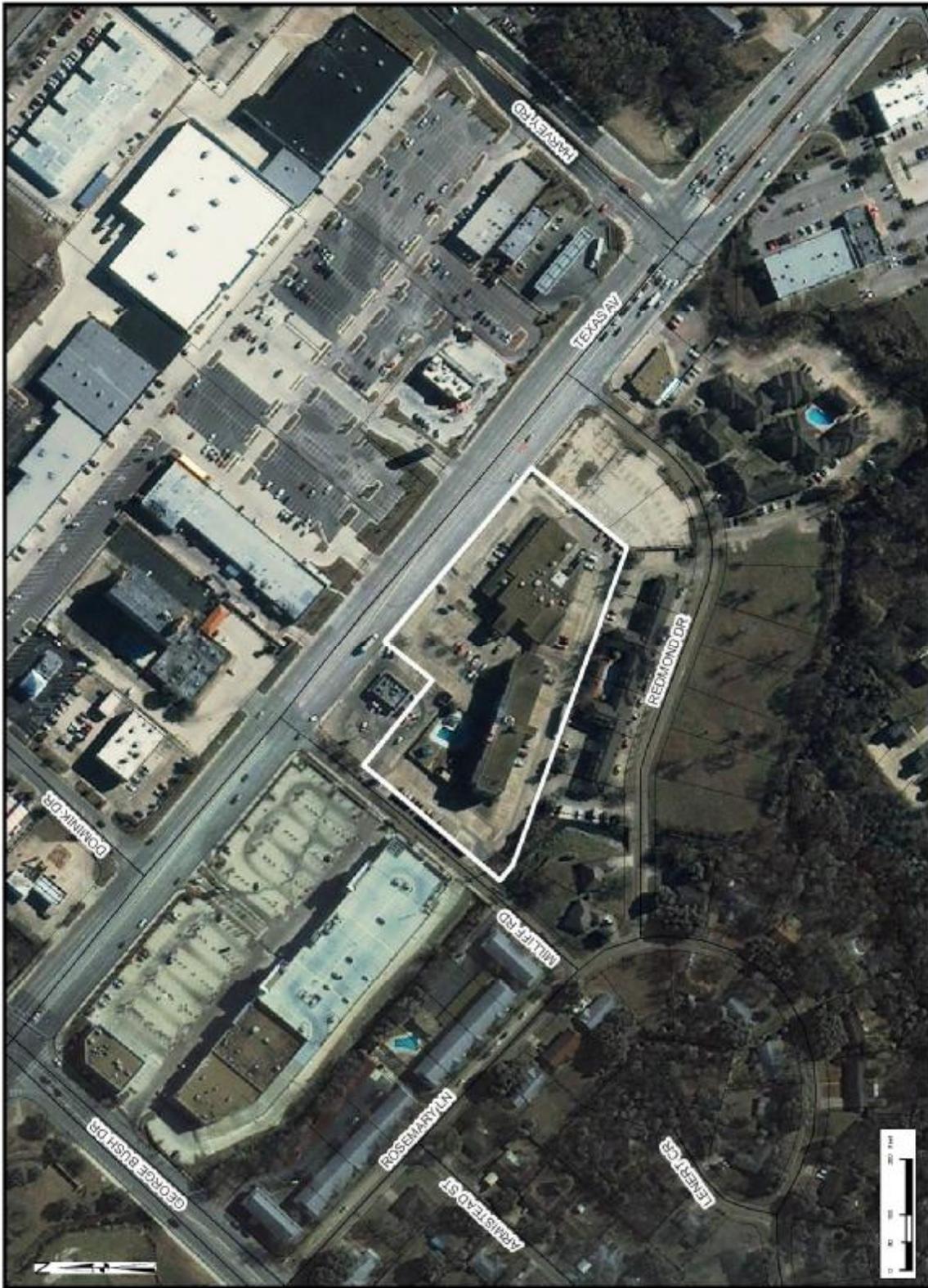
Property owner notices mailed: 12  
 Contacts in support: None as of date of Staff Report  
 Contacts in opposition: None as of date of Staff Report  
 Inquiry contacts: Two as of date of Staff Report

**ADJACENT LAND USES**

Direction	Comprehensive Plan	Zoning	Land Use
North	General Commercial and Natural Areas Reserved in a Redevelopment Area	C-1 General Commercial	Jack In The Box and Milliff Road
South	General Commercial and Natural Areas Reserved in a Redevelopment Area	R-6 High Density Multi-Family and C-1 General Commercial	Meridian Apartments and vacant property
East	General Commercial in a Redevelopment Area across Texas Avenue, a 6-Lane Major Arterial	C-1 General Commercial and RDD Redevelopment District across Texas Avenue	Central Station shopping center across Texas Avenue
West	Natural Areas Reserved	R-1 Single Family Residential and R-6 Multi-Family Residential	Single-Family homes and Meridian Apartments

**DEVELOPMENT HISTORY**

Annexation: 1956  
 Zoning: C-1, General Commercial; Ramada Inn site rezoned to P-MUD, Planned Mixed Use and A-O, Agricultural Open in July 2007  
 Final Plat: Property is not currently platted.  
 Site development: Property is currently developed as a hotel with associated conference facilities.



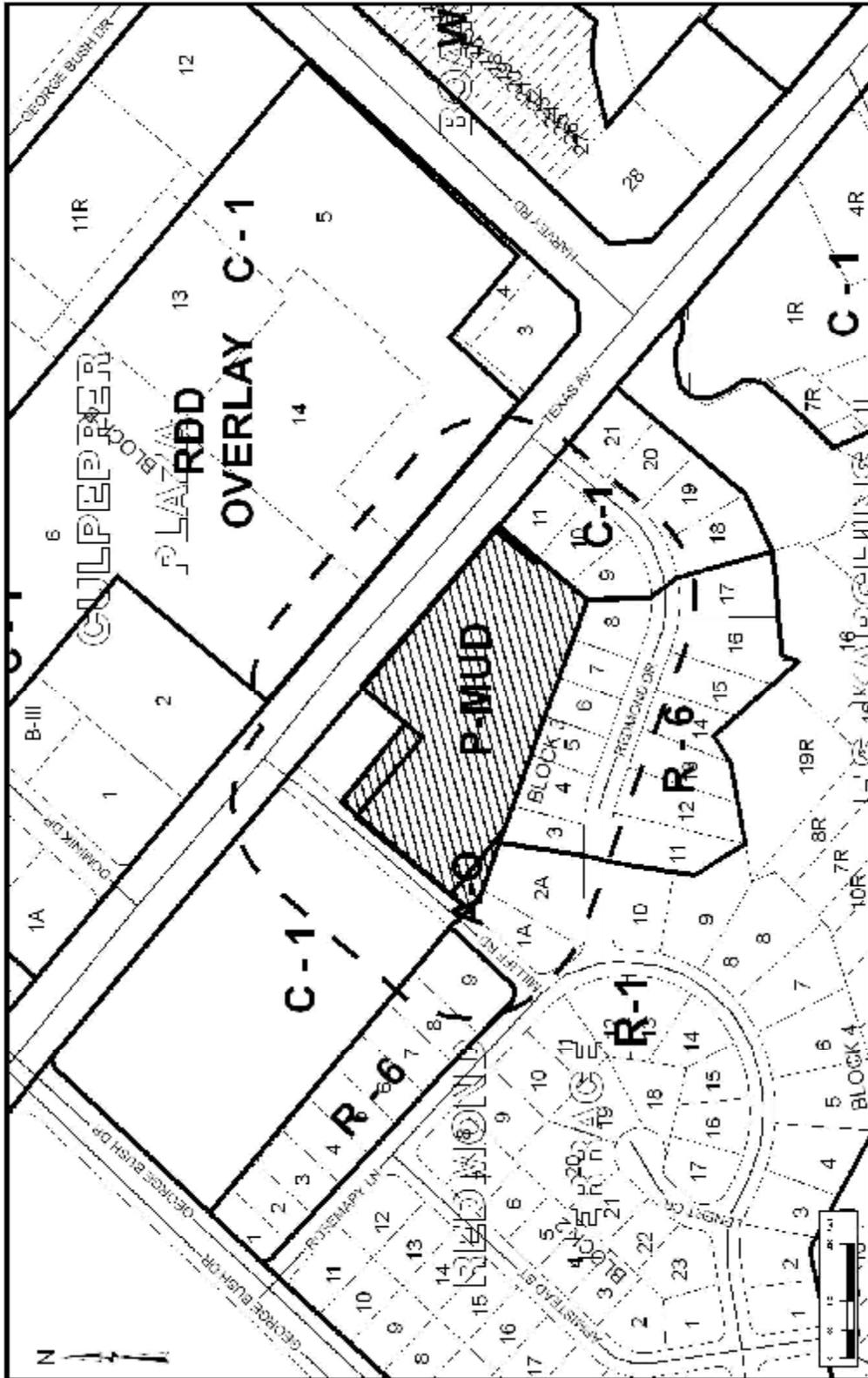
Case: 10-199

REZONING

AGGIELAND INN

DEVELOPMENT REVIEW





Zoning Districts	100-house	Light Commercial	W/C
A-0 Agricultural Open	R-7 Multi-Family	C-3 Light Commercial	W/C
A-0R Agricultural Open	R-4 Medium Density Multi-Family	M-1 Light Industrial	MG-1
A-1R Rural Residential Subdivision	R-3 High Density Multi-Family	M-2 Heavy Industrial	MG-2
R-1 Single Family Residential	R-7 Manufactured Home Park	C-1 College and University	MG-3
R-1B Single Family Residential	A-P Agricultural/Professional	R-2 Research and Development	CV
R-2 Duplex Residential	C-1 Commercial	P-1 Planned Mixed-Use Development	RDD
	C-2 Commercial-Industrial	POD Planned Development District	KC
			Krenk "ap Overlay"

	DEVELOPMENT REVIEW	AGGIELAND INN	Case: 10-199	REZONING
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**MINUTES**  
**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**October 21, 2010, 7:00 p.m.**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas**

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**COMMISSIONERS PRESENT:** Chairman Scott Shafer, Hugh Stearns, Jodi Warner, Craig Hall, and Bo Miles

**COMMISSIONERS ABSENT:** Mike Ashfield

**CITY COUNCIL MEMBERS PRESENT:** None

**CITY STAFF PRESENT:** Jennifer Prochazka, Lauren Hovde, Matt Robinson, Matthew Hilgemeier, Joe Guerra, Erika Bridges, Josh Norton, Carol Cotter, City Engineer Alan Gibbs, Molly Hitchcock, Lance Simms, Bob Cowell, Mary Ann Powell, Kerry Mullins, and Brittany Caldwell

**Regular Agenda**

7. Public hearing, presentation, possible action, and discussion regarding a rezoning from A-O Agricultural Open and P-MUD Planned Mixed Use District to PDD Planned Development District for 3.957 acres located at 1502 Texas Avenue South. Case #10-00500199 (JP)

Senior Planner Prochazka presented the rezoning and recommended approval of the rezoning and the associated Concept Plan, including the proposed meritorious modifications, with the following exceptions:

- Driveways along Texas Avenue shall be consolidated into a single access point for traffic management and safety.
- Parking located adjacent to Texas Avenue shall meet the minimum 10-foot parking setback in order to provide more space between the parking and the sidewalk and to provide for more urban environment by reducing the amount of parking between the building and the street.

She also recommended that the site be considered one building plot and Milliff Street remain open and unrestricted.

There was general discussion amongst the Commission regarding the rezoning.

Chairman Shafer opened the public hearing.

Natalie Ruiz, agent for property owner, stated that it is not economically feasible to invest in redeveloping the existing hotel into residential units. The potential buyer is proposing to utilize the existing infrastructure with minor modifications. She said that the hotel would be renovated and the hospitality area would be redeveloped into retail spaces. She expressed concern about closing the southernmost driveway connection at Texas Avenue and the 10-foot parking setback.

Jesse Durden, Oldham Goodwin Group, stated that he believes this scenario would prevent foreclosure. He also said that removing the southernmost driveway connection at Texas Avenue could potentially cause legal problems with the southern property owner because it is a legal shared access.

Commissioner Stearns suggested that there be a pedestrian connection to Jack in the Box.

Lloyd Smith, 1609 Armestead Street, College Station, Texas, stated that he was in favor of the proposal, but was concerned about traffic on Milliff Street. He said that Milliff Street needed to be made a one-way street.

Vernie Bodden, Oldham Goodwin Group, stated that if this rezoning does not go forward the property is in threat of foreclosure and could potentially become an eyesore in the community.

Chairman Shafer closed the public hearing.

There was general discussion amongst the Commission regarding the rezoning.

**Commissioner Stearns motioned to recommend approval of the rezoning with staff recommendations with the condition that there be pedestrian access to Jack in the Box and cell towers be restricted to allow the current tower on site. Commissioner Slack seconded the motion.**

Commissioner Miles was concerned about removing the southernmost driveway connection at Texas Avenue.

Commissioner Hall said that he thinks that two driveway accesses to the property is a reasonable request.

Commissioner Warner stated that she was concerned about the 10-foot parking setback because the extra parking is needed, as well as the driveway.

**The motion failed (3-3). Commissioners Miles, Hall, and Warner were in opposition.**

# CONCEPT PLAN

## AggieLand Inn

Redmond Terrace First Installment-  
A Portion of the Community Shopping Center  
City of College Station  
Brazos Co., Texas  
1502 Texas Avenue South  
College Station, Texas  
Total Acreage: 3.957 Acres

Property Owner:  
SPG Developments, LLC  
309 Redmond Drive  
College Station, Texas 77840  
(979) 268-2000

IPS Group  
511 University Drive East, Ste. 205  
College Station, Texas 77845  
(979) 846-9259

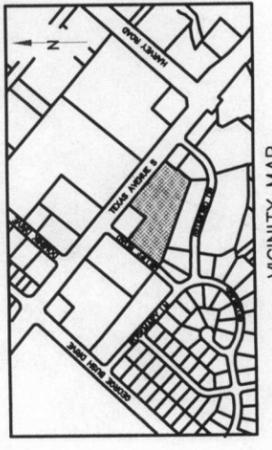
Goodwin-Lasiter, Inc.  
3600 State Hwy 6 South, Ste. 102  
College Station, Texas 77845  
(979) 696-6767

Submittal Date: 9/13/2010  
Resubmittal Date: 10/4/2010

Notes:

1. A small portion in the southwest corner of the site is located in the 100 Year Floodway. There will be no improvements constructed in this area. There will be some improvements to the driveway within the 100 Year Flood Plain.
2. All parking will be artificially lit. No ambient lighting will spill across the line into the adjacent residential area.
3. Building heights will be in accordance with the currently developed - 5-story hotel tower and adjacent (locally residential) building.
4. Signs will meet the C-1 Commercial sign standards.
5. Millif Road may be converted to a one-way street section approximately 180 feet from the intersection of Millif Road and Rosemary Drive. The street section will be restricted to one-way by use of striping and signage only - no barriers or devices that may restrict fire and emergency access will be permitted.

10-199  
10-4-10  
9:45  
AC



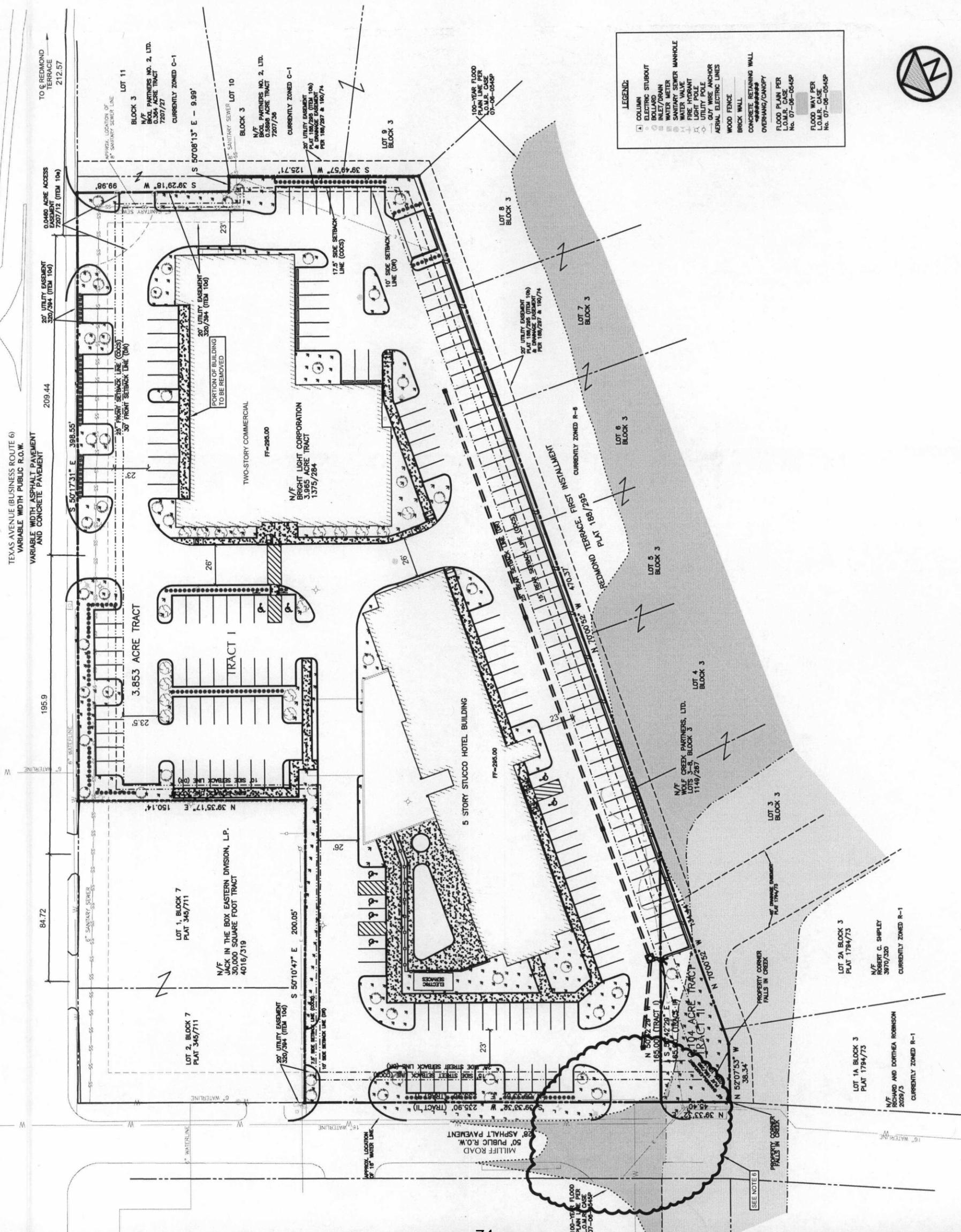
VICINITY MAP  
N.T.S.

LEGEND:

□	COLUMN
○	CASTING STUBOUT
●	BOLLARD
○	INLET/RAIN
○	WATER METER
○	SANITARY SEWER MANHOLE
○	WATER VALVE
○	WATER METER
○	UTILITY POLE
○	UTILITY POLE
○	AERIAL WIRE ANCHOR
○	AERIAL ELECTRIC LINES
○	WOOD FENCE
○	BRICK WALL
○	CONCRETE RETAINING WALL
○	CONCRETE RETAINING WALL
○	OVERHANG/CANOPY
○	FLOOD PLAIN PER L.O.M.R. CASE No. 07-06-0545P
○	FLOOD WAY PER L.O.M.R. CASE No. 07-06-0545P



N.T.S.



SEE NOTE 6

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 10th day of November, 2010

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED:

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

**EXHIBIT "A"**

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

The following property is rezoned from A-O Agricultural Open and P-MUD Planned Mixed-Use District to PDD Planned Development District, with the restrictions listed in Exhibit "B" and in accordance with the Concept Plan shown in Exhibit "C" and Exhibit "D" and the Concept Plan Notes listed in Exhibit "E", and as shown graphically in Exhibit "F":

**3.853 Acres from P-MUD Planned Mixed Use District to PDD Planned Development District**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE I. E. SCOTT LEAGUE, ABSTRACT NO. 30, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE COMMUNITY SHOPPING CENTER (RESERVED) TRACT, BEDWIND TERRACE, FIRST INSTALLMENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 183, PAGE 295 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 0.963 ACRES AS DESCRIBED BY A DEED TO BRIGHT LIGHT CORPORATION RECORDED IN VOLUME 197, PAGE 784 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF TEXAS AVENUE (VARIABLE WIDTH R.O.W.) MARKING THE MOST EASTERLY NORTH CORNER OF SAID 0.963 ACRE TRACT AND THE EAST CORNER OF LOT 1, BLOCK 1, BEDWIND TERRACE, FIRST INSTALLMENT ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 183, PAGE 711 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 50° 17' 11" E ALONG THE SOUTHWEST LINE OF TEXAS AVENUE FOR A DISTANCE OF 594.23 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF A CALLED 0.164 ACRE TRACT AS DESCRIBED BY A DEED TO BECK PARTNERS NO. 2 L.P. RECORDED IN VOLUME 750, PAGE 37 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 17° 29' 18" W ALONG THE COMMON LINE OF SAID 0.963 ACRE TRACT AND SAID 0.164 ACRE TRACT FOR A DISTANCE OF 99.98 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 0.164 ACRE TRACT;

THENCE: S 57° 02' 13" E CONTINUING ALONG THE COMMON LINE OF SAID 0.963 ACRE TRACT AND SAID 0.164 ACRE TRACT FOR A DISTANCE OF 9.97 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF LOT 10, BLOCK 1, BEDWIND TERRACE, FIRST INSTALLMENT (PLAT 183/295);

THENCE: S 15° 46' 37" W ALONG THE COMMON LINE OF SAID 0.963 ACRE TRACT AND SAID LOT 10 FOR A DISTANCE OF 125.71 FEET TO A 3/8 INCH IRON ROD FOUND MARKING THE COMMON CORNER OF LOT 5 AND LOT 3, BLOCK 1, AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: N 72° 02' 52" W ALONG THE COMMON LINE OF SAID 0.963 ACRE TRACT AND SAID LOT 1 FOR A DISTANCE OF 470.27 FEET TO A POINT MARKING THE EXTENSION OF THE NORTHEAST LINE OF A 4550 FOOT WIDE CHANNEL EASEMENT (PLAT 183/295);

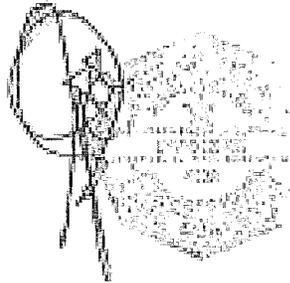
THENCE: N 50° 42' 25" W THROUGH SAID 0.963 ACRE TRACT AND ALONG THE NORTHEAST LINE OF SAID CHANNEL EASEMENT AND THE EXTENSION THEREOF FOR A DISTANCE OF 122.00 FEET TO A POINT ON THE SOUTHEAST LINE OF MILLIFF ROAD MARKING THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: N 59° 31' 32" E ALONG THE SOUTHEAST LINE OF MILLIFF ROAD FOR A DISTANCE OF 311.50 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE WEST CORNER OF LOT 2, BLOCK 1, BEDWIND TERRACE, FIRST INSTALLMENT ADDITION (PLAT 342/711);

THENCE: S 20° 10' 47" E ALONG THE COMMON LINE OF SAID 0.963 ACRE TRACT AND SAID LOT 2, BLOCK 1, FOR A DISTANCE OF 200.00 FEET TO A POINT IN THE CORNER OF AN EXISTING CONCRETE RETAINING WALL MARKING THE SOUTH CORNER OF THE AFOREMENTIONED LOT 1, BLOCK 1;

THENCE: S 20° 33' 17" E ALONG THE COMMON LINE OF SAID 1.945 ACRE TRACT AND SAID LOT 1, BLOCK 1, FOR A DISTANCE OF 120.14 FEET TO THE POINT OF BEGINNING CONTAINING 1.133 ACRES OF LAND, MORE OR LESS, AS SUBSEVED ON THE GROUND MAY, 2007. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR No. 4903  
 12 WOODROSE LANE - 573A ROAD



**0.104 Acres from A-O Agricultural-Open to PDD Planned Development District**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE J. H. SCOTT LEAGUE, ABSTRACT NO. 51, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE COMMUNITY SHOPPING CENTER (RESERVED) TRACT, REDMOND TERRACE, FIRST INSTALLMENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 188, PAGE 200 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 1.945 ACRES AS DESCRIBED BY A DEED TO BRIGHT LIGHT CORPORATION RECORDED IN VOLUME 1375, PAGE 214 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF MILLIFF ROAD (30' R.O.W.) MARKING THE MOST WESTERLY NORTH CORNER OF SAID 1.945 ACRE TRACT AND THE WEST CORNER OF LOT 2, BLOCK 1, REDMOND TERRACE, FIRST INSTALLMENT ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 145, PAGE 711 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 77° 17' 27" W ALONG THE SOUTHEAST LINE OF MILLIFF ROAD FOR A DISTANCE OF 135.80 FEET TO A POINT ON THE NORTHEAST LINE OF A CALLED 45.80 FOOT WIDE CHANNEL EASEMENT (PLAT 18809) MARKING THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

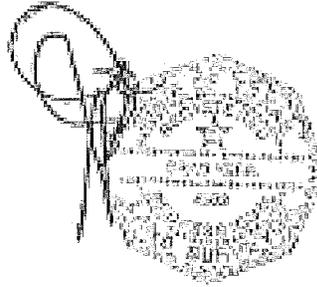
THENCE: S 20° 43' 29" E THROUGH SAID 1.945 ACRE TRACT AND ALONG THE NORTHEAST LINE OF SAID CHANNEL EASEMENT AND THE EXTENSION THEREOF FOR A DISTANCE OF 165.00 FEET TO A POINT ON THE COMMON LINE OF SAID 1.945 ACRE TRACT AND LOT 1, BLOCK 1, REDMOND TERRACE, FIRST INSTALLMENT, (PLAT 18809), FOR REFERENCE A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF SAID 1.945 ACRE TRACT BEARS: S 70° 29' 32" E FOR A DISTANCE OF 470.17 FEET;

TRANCE: N 07° 07' 32" W ALONG THE COMMON LINE OF SAID 1.983 ACRE TRACT AND SAID BLOCK 3 FOR A DISTANCE OF 114.44 FEET TO A POINT MARKING AN ANGLE POINT IN THE NORTHEAST LINE OF LOT 1A, BLOCK 3, RICHMOND TERRACE, FIRST INSTALLMENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 1794, PAGE 31 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

TRANCE: W 17° 07' 33" W ALONG THE COMMON LINE OF SAID 1.983 ACRE TRACT AND SAID LOT 1A FOR A DISTANCE OF 18.34 FEET TO A POINT ON THE SOUTHWEST LINE OF MILLIFF ROAD MARKING THE WEST CORNER OF SAID 1.968 ACRE TRACT;

TRANCE: N 29° 31' 33" E ALONG THE SOUTHWEST LINE OF MILLIFF ROAD FOR A DISTANCE OF 43.40 FEET TO THE POINT OF BEGINNING CONTAINING 0.104 OF AN ACRE OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND MAY, 1997. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD REER  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502  
D:\WORK\444027-4578.MXD



**EXHIBIT "B"****Purpose & Intent:**

"To provide a more sustainable mixed-use site along Texas Avenue that can respond to the needs of the College Station community and meet the intent of the Commercial / Redevelopment designation of the Comprehensive Plan. The PDD zoning will allow the property to ultimately develop into a more dense area with a mix of residential and commercial uses. Urban characteristics and design standards are proposed versus typical suburban development requirements.

Redeveloping an existing, aging, highly visible commercial center on Texas Avenue presents many opportunities and challenges. In an effort to focus redevelopment efforts, the following guiding principles are established:

- Maximize and recycle the current infrastructure – utilize existing buildings, utilities and parking lots.
- Maximize the number of parking spaces
- Improve the aesthetics of the site – concentrate landscaped areas along highly visible portions of the property such as Texas Avenue and Milliff Road."

**Permitted Uses:**Non-Residential Uses:

General commercial  
General & specialty retail  
Restaurant  
Hotel & Accessory use  
Office  
Meeting / Special Event Facility  
Cell towers & related facilities

Residential Uses:

Multi-Family

The multi-family uses shall be permitted with 100% non-residential uses on the ground floor, which may include hotel and associated hotel / residential uses such as meeting space, offices, lobby / reception area and similar uses.

**Height:** The range of future building heights is from 2 to 5 stories (existing height of structures).

**Meritorious Modifications Granted:**

- **Section 7.2.I.9 “Minimum Off-Street Parking Requirements” of the Unified Development Ordinance**

Modified parking requirements based on the mix of uses with varying peak parking demands, as follows:

- Residential Uses: .75 spaces/unit or hotel room
- Non-Residential Uses: 1 space/400 square feet

- **Section 7.2.E “End Islands” and Section 7.2.E “Interior Islands” of the Unified Development Ordinance**

Interior parking islands are only required for the parking areas between the buildings and Texas Avenue and end islands are permitted at a reduced size (up to a minimum of 90 square feet) in order to maximize available parking on site.

- **Section 7.9.B.6.a “Parking Lots” of the Unified Development Ordinance**

The parking area between the existing hospitality building and Texas Avenue is permitted to utilize a 3-foot parking setback (instead of the required 10-foot) to retain the row of parking along the roadway. A row of shrubs is required to be planted for parking screening.

- **Section 7.6 “Buffer Requirements” of the Unified Development Ordinance**

A wooden fence will be provided as a buffer between the multi-family property to the west due to the existing parking location and a lack of space for a buffer yard or substantial plantings. In addition, no buffer is required between the adjacent single-family property due to the location of the floodway and floodplain.

- **Section 7.9.E.4 “Pedestrian Facilities”**

The 10-foot sidewalk and associated trees in tree wells are not required.

- **Section 7.3.C.3 “Spacing of Driveway Access” of the Unified Development Ordinance**

The two existing driveways on Texas Avenue and the two existing on Milliff Road are permitted to remain with the redevelopment of the property. Cross Access Easements to adjacent commercial tracts are required.

**Community Benefits and Innovative Design Concepts:**

- Revitalizing an underperforming property along Texas Avenue, a Primary Image Corridor and within a designated Redevelopment area.
- Implementing the newly adopted Comprehensive Plan and taking advantage of a market-based opportunity to redevelop the property in a more realistic and staged plan that utilizes the existing infrastructure.
- Creating a zoning district that encourages the utilization of more urban characteristics and design standards within close proximity to Texas A&M University.

- The proposed PDD and Concept Plan introduces a more urban environment as envisioned in the City's Comprehensive Plan specifically in designated redevelopment areas. The mixing of uses, especially the proposed hotel and complimentary retail/restaurant uses, provides community benefits such as the reduction of traffic and the aesthetic improvements along a primary image corridor. The guests of the hotel are able to walk to restaurants and other retail uses within the immediate vicinity.
- The PDD lays the groundwork for a more sustainable mixed-use development including a vertical mix of land uses if the future market demands, without additional rezoning.

**Additional Conditions:**

- The site is considered one building plot for purposes of signage, landscaping, and non-residential architectural requirements.
- If the multi-family component is developed, a cul-de-sac will be constructed on Milliff Road based on the previous P-MUD zoning on the property (Ordinance # 2990). When the modifications to Milliff Road are constructed, sidewalks shall also be constructed on the south side of Milliff Road from Rosemary Lane to Texas Avenue to preserve pedestrian connectivity to the site.
- An updated TIA will be required during site plan review when the final land uses are determined. At that time, additional mitigation, such as right-turn deceleration lanes, may be required.

**EXHIBIT "C"**

**CONCEPT PLAN**  
**Aggield Inn**

Redmond Terrace First Installment  
A Portion of the Community Shopping Center  
City of College Station  
Brazos Co., Texas South  
1502 Texas Avenue South  
College Station, Texas  
Total Acreage: 3.957 Acres

**Property Owner:**  
SPG Developments, LLC  
309 Redmond Drive  
College Station, Texas 77840  
(979) 268-2000

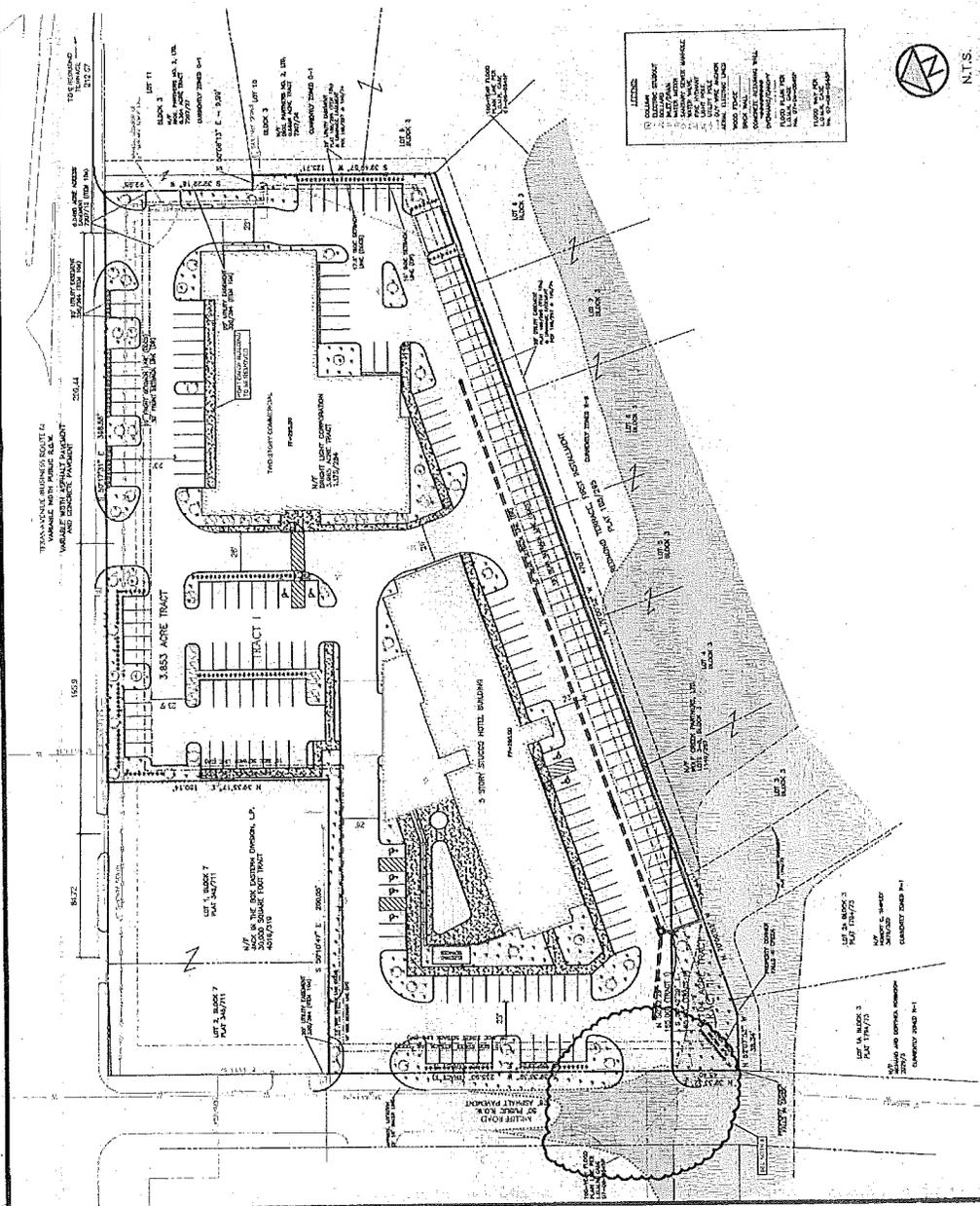
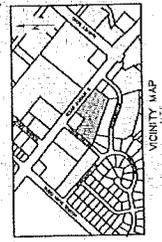
**IPS Group**  
511 University Drive East, Ste. 205  
College Station, Texas 77845  
(979) 846-9259

**Goodwin-Lasler, Inc.**  
3800 State Hwy 6 South, Ste. 102  
College Station, Texas 77845  
(979) 695-6767

Submittal Date: 9/13/2010  
Resubmittal Date: 10/4/2010

1. Land conditions: The landowner certifies that the site is suitable for the use proposed.
2. Use: The proposed use is consistent with the applicable zoning ordinance.
3. Traffic: The proposed use will not create an excessive traffic volume.
4. Safety: The proposed use will not create a safety hazard.
5. Other: The proposed use will not create any other adverse effects.

10.19.9  
10.4.10  
9.45  
AC



- LEGEND**
- 1. EXISTING BUILDING
  - 2. EXISTING DRIVE
  - 3. EXISTING SIDEWALK
  - 4. EXISTING CURB
  - 5. EXISTING LANDSCAPE
  - 6. EXISTING UTILITY
  - 7. EXISTING TREE
  - 8. EXISTING FENCE
  - 9. EXISTING SIGN
  - 10. EXISTING LIGHT
  - 11. EXISTING SIGNAGE
  - 12. EXISTING SIGNAGE
  - 13. EXISTING SIGNAGE
  - 14. EXISTING SIGNAGE
  - 15. EXISTING SIGNAGE
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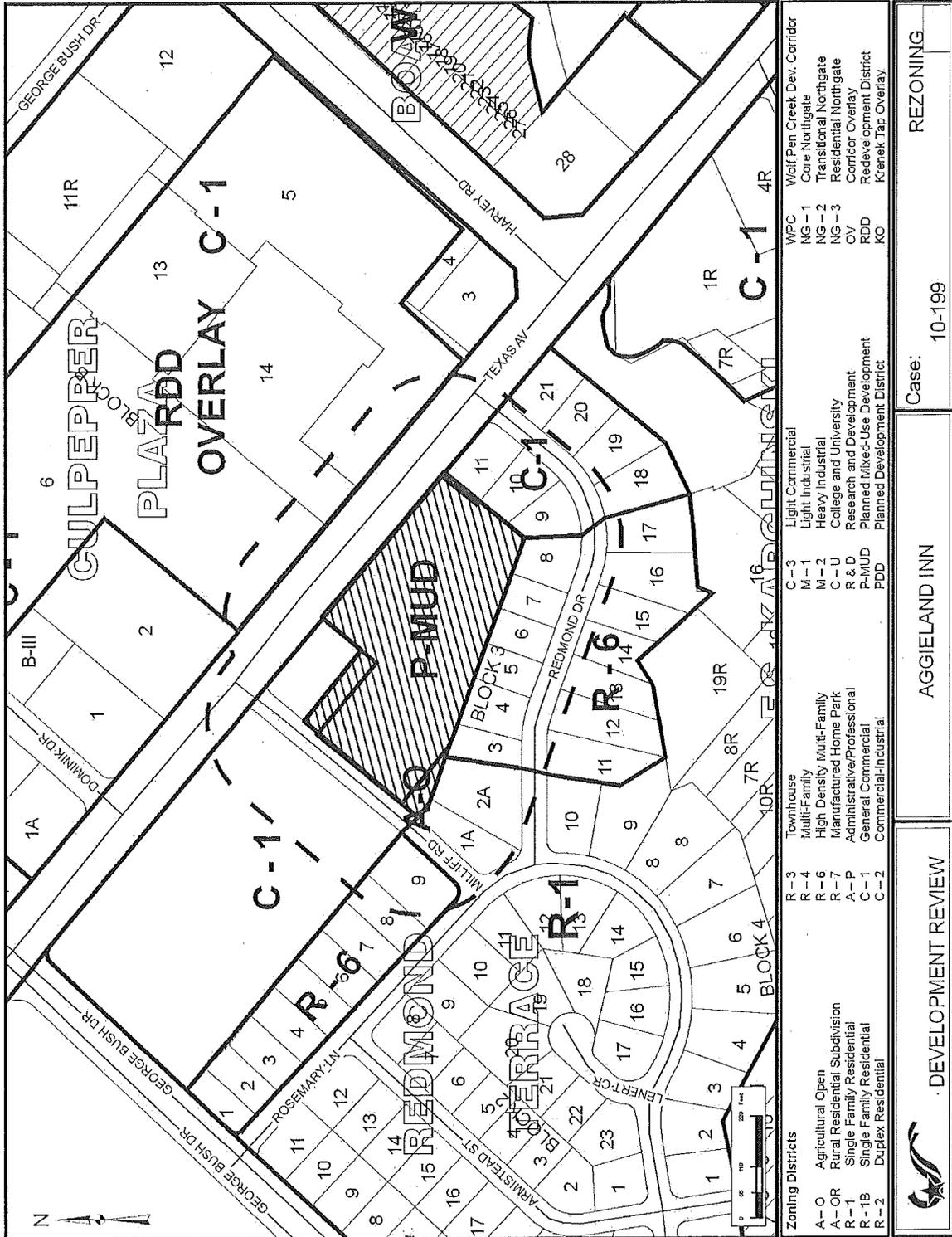


**EXHIBIT "E"**

## Notes:

1. A small portion in the southwest corner of the site is located in the 100 Year Floodway. There will be no improvements constructed in this area. There will be some improvements to the driveway within the 100 Year Flood Plain.
2. All parking will be artificially lit. No ambient lighting will spill across the line into the adjacent residential area.
3. Building heights will remain as currently developed -- 5-story hotel tower and 2-story retail (formerly hospitality) building.
4. Signage will meet the C-1 Commercial sign standards.
5. Milliff Road may be converted to a one-way street section approximately 180 feet from the intersection of Milliff Road and Rosemary Drive. The street section will be restricted to one-way by use of striping and signage only - no barriers or devices that may restrict fire and emergency access will be permitted.

EXHIBIT "F"



REZONING

Case: 10-199

AGGIELAND INN

DEVELOPMENT REVIEW



-----Original Message-----

From: "Bob Appleton" <[Bob.Appleton@txdot.gov](mailto:Bob.Appleton@txdot.gov)>

To: Joe Guerra <[Jguerra@cstx.gov](mailto:Jguerra@cstx.gov)>

Cc: Chad Bohne <[Chad.Bohne@txdot.gov](mailto:Chad.Bohne@txdot.gov)>

Sent: 10/26/2010 9:01:15 AM

Subject: Re: Aggie-land Inn on Texas Ave

Joe,

The existing driveways fall significantly short of meeting TxDOT's minimum connection spacing for the posted speed on Texas Avenue. More than four decades of research conducted throughout the United States have shown that access management improves roadway safety. These safety benefits are attributable to improved access design, fewer traffic conflict locations, and higher driver response time to potential conflicts. Additionally, access management can delay or prevent costly roadway improvements, reduce delay, pollution, and congestion, make pedestrian and bicycle travel safer, and improve the appearance of a transportation corridor. All of this will have a positive economic effect on market areas and can help attract investment through the enhanced image of the locale.

TxDOT supports the city's efforts to reduce the number of driveways on Texas Avenue.

Bob A.

**November 10, 2010**  
**Regular Agenda Item No. 2**  
**Appointment of Citizens to Various Boards and Committees**

**To:** Glenn Brown, City Manager

**From:** Sherry Mashburn, City Secretary

**Agenda Caption:** Presentation, possible action, and discussion regarding selection of applicants to various Citizen Boards and Committees.

**CITIZEN MEMBERSHIP**

Cemetery Committee  
Construction Board of Adjustments and Appeals  
Design Review Board  
Historic Preservation Committee  
Medical Corridor Advisory Committee  
BVSWMA, Inc. Board of Directors  
Zoning Board of Adjustment

**Attachments:**

Notebook of Citizen Committee applications provided prior to meeting.

**November 10, 2010  
Regular Agenda Item No. 3  
Rezoning for 2270 Greens Prairie Road**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Public hearing, presentation, possible action, and discussion regarding an 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, specifically rezoning 1.04 acres from A-O Agricultural Open to C-1 General Commercial generally located at 2270 Greens Prairie Road West. Case #10-00500190

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy

**Recommendation(s):** The Planning and Zoning Commission considered this item at their October 21, 2010 meeting and voted 6-0 to recommend approval of the rezoning request. Staff also recommended approval of this rezoning request.

**Summary:** The Unified Development Ordinance provides the following review criteria for zoning map amendments:

**REVIEW CRITERIA**

**1. Consistency with the Comprehensive Plan:** The subject property was previously developed as part of the Greens Prairie Road right-of-way until 2005, when Green Prairie Road was realigned to its current location. At that time, the City abandoned this portion of right-of-way and the applicant acquired the property through the Quit Claim process. The subject property is located between two properties which are zoned C-1 General Commercial and owned by the applicant. A change from an A-O Agricultural Open zoning classification to a C-1 General Commercial will allow the applicant to combine the three properties into one building plot for future development (See graphic below).



The City of College Station Future Land Use and Character Map designates the subject property as Urban, while the City of College Station Concept Map classifies this area as Growth Area II. The Urban land use designation generally allows for areas that have a very intense level of development activities. These areas will tend to consist of townhomes, duplexes, and high-density apartments. The Comprehensive Plan states that the Urban portion of Growth Area II should be used for intense land use activities including general commercial activities, office uses, and vertical mixed-use. The applicant's request to change the zoning classification to C-1 General Commercial will allow the property to develop in a manner that is consistent with the Urban land use designation.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The subject property is bounded to the east and west by property that is currently zoned C-1 General Commercial. Both properties are owned by the applicant and are undeveloped at this time. The property located to the southwest of the subject property is developed as the Forest Ridge Elementary. Rezoning the subject property from A-O Agricultural Open to C-1 General Commercial would be a continuation of the adjacent properties' zoning classification.
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 requested change to a C-1 General Commercial zoning classification represents uses that the Comprehensive Plan anticipates as being suitable for this area. The change from an Agricultural Open zoning classification to a General Commercial zoning classification will allow the applicant to consolidate the subject property with the adjacent vacant property for future development.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject property consists of land that was previously classified as the Greens Prairie Road public right-of-way prior to that road being realigned in 2005. Due to the small size (1.04 acres) and narrow configuration of the subject property (approximately 85 feet wide by approximately 630 feet long), there is not adequate space available for the type of uses allowed in A-O Agricultural Open zoning district. Furthermore, because the subject property is surrounded by properties that are currently zoned C-1 General Commercial, those uses allowed in the Agricultural zoning district would not be suitable in this location.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The potential for this property to develop as a use allowed by its current A-O, Agricultural Open zoning classification is limited due to the property's small size and unique location. While there is vacant, commercially-zoned property located adjacent to the subject property, the proposed rezoning will allow the applicant to consolidate the subject property and the adjacent property currently zoned C-1 General Commercial, which is owned by the applicant, into one lot for future development.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Water service is currently not available to serve the subject property; however, there is an existing 8-inch waterline approximately 500 feet to the west which may be extended to the tract at the time of site development. These utilities will be required to be designed and constructed in accordance with the BCS Unified Design Guidelines. The subject tract has an existing 8-inch sanitary sewer line crossing the property on the north side, which is adequate for the proposed use. The property is located within the Spring Creek Sanitary Sewer Impact Fee Area. The property is located within the Spring Creek Drainage Basin; however, it does not appear that any portion of the tract is designated as FEMA Special Flood Hazard Area. Development of the tract will be required to meet the requirements of the City's Storm Water Design Guidelines, and site development impacts on the drainage system will be evaluated further at that time.

This property has frontage on Greens Prairie Road, which is classified as a Major Collector on the City of College Station Thoroughfare Plan. A traffic impact analysis was not required for the subject property due to the proposed size of the project. By itself, the subject property did not generate enough trips (52 trips per peak hour) to surpass the UDO threshold of 150 vehicles trips per the peak hour and therefore a traffic impact analysis was not required to rezone the property from A-O Agricultural Open to C-1 General Commercial. However, a traffic impact analysis may be required at time of site plan, when the subject property is combined with the adjacent commercial properties to form one larger building plot.

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

**Attachments:**

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Ordinance

**NOTIFICATIONS**

Advertised Commission Hearing Date: October 21, 2010  
 Advertised Council Hearing Dates: November 10, 2010

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

Castlegate Homeowner Association

Property owner notices mailed: 9  
 Contacts in support: Zero at the time of writing this staff report.  
 Contacts in opposition: Zero at the time of writing this staff report.  
 Inquiry contacts: One at the time of writing this staff report.

**ADJACENT LAND USES**

<b>Direction</b>	<b>Comprehensive Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Freeway/Expressway	A-O Agricultural Open	William D. Fitch Parkway
<b>South</b>	Estate	A-O Agricultural Open	Large-lot home sites
<b>East</b>	Growth Area II / Urban	C-1 General Commercial	Vacant
<b>West</b>	Growth Area II / Urban and Institutional	C-1 General Commercial	Vacant and Forest Ridge Elementary

**DEVELOPMENT HISTORY**

**Annexation:** 2002  
**Zoning:** Agricultural Open (2002)  
**Final Plat:** N/A  
**Site development:** Vacant

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

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", and Exhibit "B", and as shown graphically on Exhibit "C", attached hereto and made a part of this ordinance for all purposes.

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

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010

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 described below and more particularly in Exhibit "B" and shown graphically on Exhibit "C", is rezoned from A-O Agricultural Open to C-1 General Commercial:

1.04 Acres  
Augustas Babilie Survey, A-75  
Robert Stevenson League, A-54  
College Station, Brazos County, Texas

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE AUGUSTAS BABILIE SURVEY, A-75 ROBERT STEVENSON SURVEY, A-54, BRAZOS COUNTY, TEXAS, SAID TRACT BEING ALL OF A CALLED 0.320 ACRE TRACT AS DESCRIBED BY A DEED TO VEERANI, L.L.C. RECORDED IN VOLUME 7969, PAGE 238 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.148 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.536 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC, RECORDED IN VOLUME 9468, PAGE 243 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND ALL OF A CALLED 1524.5 SQUARE FOOT TRACT AS DESCRIBED BY A DEED TO TEXAS HOTEL MANAGEMENT LP. RECORDED IN VOLUME 9478, PAGE 114 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. THE 1.04 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B", AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "C".

**Exhibit "B"**

**METES AND BOUNDS DESCRIPTION  
OF A  
1.04 ACRE TRACT  
AUGUSTUS BABILLE SURVEY, A-75  
ROBERT STEVENSON LEAGUE, A-54  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE AUGUSTUS BABILLE SURVEY, ABSTRACT NO. 75, AND THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING ALL OF A CALLED 0.320 ACRE TRACT AS DESCRIBED BY A DEED TO VEERANI, L.L.C. RECORDED IN VOLUME 7969, PAGE 238 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 0.148 ACRE TRACT DESCRIBED AS TRACT ONE AND ALL OF A CALLED 0.536 ACRE TRACT DESCRIBED AS TRACT TWO BE A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC, RECORDED IN VOLUME 9468, PAGE 243 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND ALL OF A CALLED 1524.5 SQUARE FOOT TRACT AS DESCRIBED BY A DEED TO TEXAS HOTEL MANAGEMENT LP. RECORDED IN VOLUME 9478, PAGE 114 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

**BEGINNING AT A ½ INCH IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 0.320 ACRE TRACT AND THE COMMON CORNER OF LOTS 1 AND 2, BLOCK 1, CASTLEGATE BUSINESS CENTER, ACCORDING TO THE PLAT RECORDED IN VOLUME 5793, PAGE 187 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;**

**THENCE: ALONG THE COMMON LINE OF SAID 0.320 ACRE TRACT AND SAID LOT 1, CASTLEGATE BUSINESS CENTER, FOR THE FOLLOWING CALLS:**

**N 42° 44' 04" E FOR A DISTANCE OF 111.37 FEET TO A ½ INCH IRON ROD FOUND;**

**N 43° 54' 55" E FOR A DISTANCE OF 246.20 FEET TO A ½ INCH IRON ROD FOUND;**

**N 43° 56' 45" E FOR A DISTANCE OF 218.86 FEET TO A ½ INCH IRON ROD FOUND;**

**N 43° 48' 16" E FOR A DISTANCE OF 75.27 FEET TO A ½ INCH IRON ROD FOUND ON THE SOUTHERLY LINE OF STATE HIGHWAY NO. 40 (VARIABLE R.O.W.) MARKING THE EAST CORNER OF SAID LOT 1, CASTLEGATE BUSINESS CENTER;**

**THENCE: S 49° 00' 05" E ALONG THE SOUTHERLY LINE OF STATE HIGHWAY NO. 40 FOR A DISTANCE OF 13.91 FEET TO A TXDOT MARKER FOUND ON THE NORTHWEST LINE OF SAID 0.536 ACRE TRACT MARKING THE MOST EASTERLY CORNER OF SAID 0.320 ACRE TRACT;**

**THENCE: N 55° 48' 47" E ALONG THE SOUTHERLY LINE OF STATE HIGHWAY NO. 40, SAME BEING THE NORTHWEST LINES OF SAID 0.536 ACRE TRACT, SAID 0.148 ACRE TRACT AND SAID 1524.5 SQUARE FOOT TRACT, FOR A DISTANCE OF 337.00 FEET TO A TXDOT BRASS MONUMENT FOUND ON THE NORTHWEST LINE OF LOT 1, BLOCK 1, GREENS PRAIRIE CENTER, PHASE 1, ACCORDING TO THE PLAT RECORDED IN VOLUME 7574, PAGE 76 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;**

**THENCE: S 41° 18' 59" W ALONG THE COMMON LINE OF SAID 1524.5 SQUARE FOOT TRACT AND SAID LOT 1, GREENS PRAIRIE CENTER, PHASE 1, FOR A DISTANCE OF 108.61 FEET TO A ½ INCH IRON ROD**

**Exhibit "B" continued**

FOUND MARKING THE COMMON CORNER OF SAID LOT 1 AND A CALLED 2.056 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO BRAZOS TEXAS LAND DEVELOPMENT, LLC RECORDED IN VOLUME 8813, PAGE 126 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND THE MOST EASTERLY CORNER OF SAID 0.148 ACRE TRACT;

THENCE: S 46° 45' 45" W ALONG THE COMMON LINE OF SAID 0.148 ACRE TRACT AND SAID 2.056 ACRE TRACT FOR A DISTANCE OF 158.50 FEET TO A ½ INCH IRON ROD FOUND MARKING THE COMMON CORNER OF SAID 0.148 ACRE TRACT AND SAID 0.536 ACRE TRACT;

THENCE: S 43° 14' 52" W ALONG THE COMMON LINE OF SAID 0.536 ACRE TRACT AND SAID 2.056 ACRE TRACT FOR A DISTANCE OF 360.91 FEET TO A ½ INCH IRON ROD FOUND ON THE EXISTING NORTHERLY LINE OF GREENS PRAIRIE ROAD (100' R.O.W.) MARKING THE SOUTH CORNER OF SAID 0.536 ACRE TRACT;

THENCE: N 48° 48' 36" W THROUGH THE OLD ABANDONED RIGHT-OF-WAY OF GREENS PRAIRIE ROAD AND ALONG THE SOUTHWEST LINE OF SAID 0.536 ACRE TRACT FOR A DISTANCE OF 63.84 FEET TO A POINT ON THE SOUTHEAST LINE OF SAID 0.320 ACRE TRACT MARKING THE WEST CORNER OF SAID 0.536 ACRE TRACT;

THENCE: S 42° 35' 22" W ALONG THE SOUTHEAST LINE OF SAID 0.320 ACRE TRACT FOR A DISTANCE OF 360.98 FEET TO A POINT ON THE EXISTING NORTHWEST LINE OF GREENS PRAIRIE ROAD MARKING THE MOST SOUTHERLY CORNER OF SAID 0.320 ACRE TRACT;

THENCE: N 26° 42' 10" W ALONG THE WEST END OF SAID 0.320 ACRE TRACT FOR A DISTANCE OF 28.50 FEET TO THE POINT OF BEGINNING CONTAINING 1.04 ACRES OF LAND, MORE OF LESS. 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/10-336.MAB

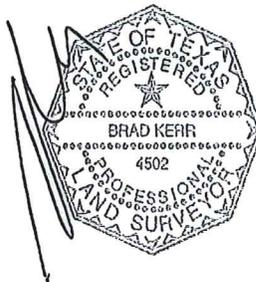
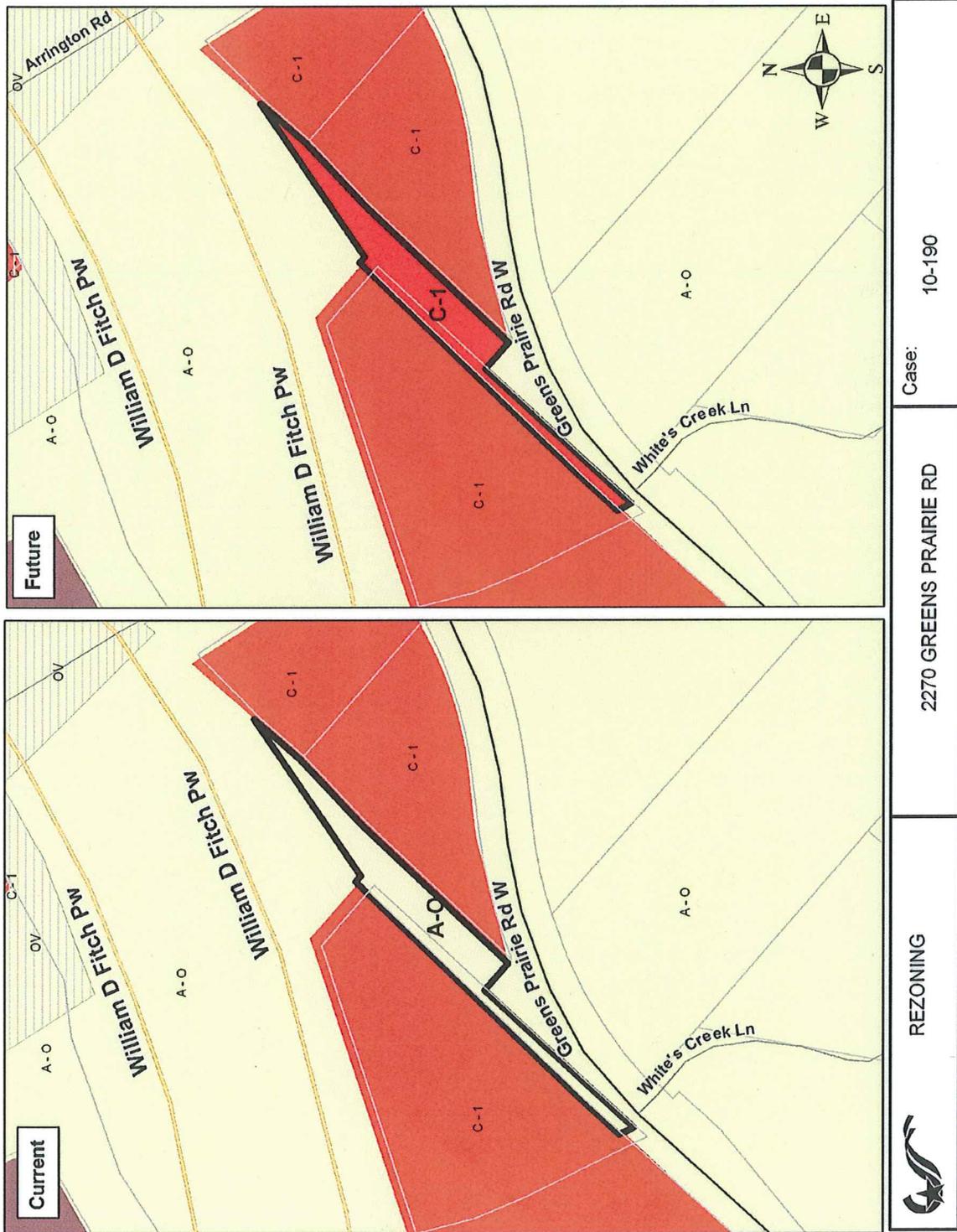


EXHIBIT "C"



**November 10, 2010**  
**Regular Agenda Item No. 4**  
**Valley Park Center, Lots 3 & 4 – 20 ft Public Utility Easement Abandonment**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 5,666 square foot, 20-foot wide public utility easement, which is located on Lots 3 & 4 of the Valley Park Center Subdivision according to the plat recorded in Volume 7675, Page 282 of the Deed Records of Brazos County, Texas.

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

**Summary:** This easement abandonment accommodates future development of this subject tract. There are no public or private utilities in the subject portion of easement to be abandoned.

The 5,666 square foot, 20-foot wide public utility easement, which is located on Lots 3 & 4 of the Valley Park Center Subdivision according to the plat recorded in Volume 7675, Page 282 of the Deed Records of Brazos County, Texas.

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

**Attachments:**

1. Attachment 1 - Vicinity Map
2. Attachment 2 - Location Map
3. Attachment 3 - Ordinance
4. Attachment 4 - Ordinance Exhibit "A"
5. Attachment 5 - Application for Abandonment (On file with the City Secretary)

**SCALE:**  
1:5,000

Site Location

HARVEY MITCHELL PKWY S

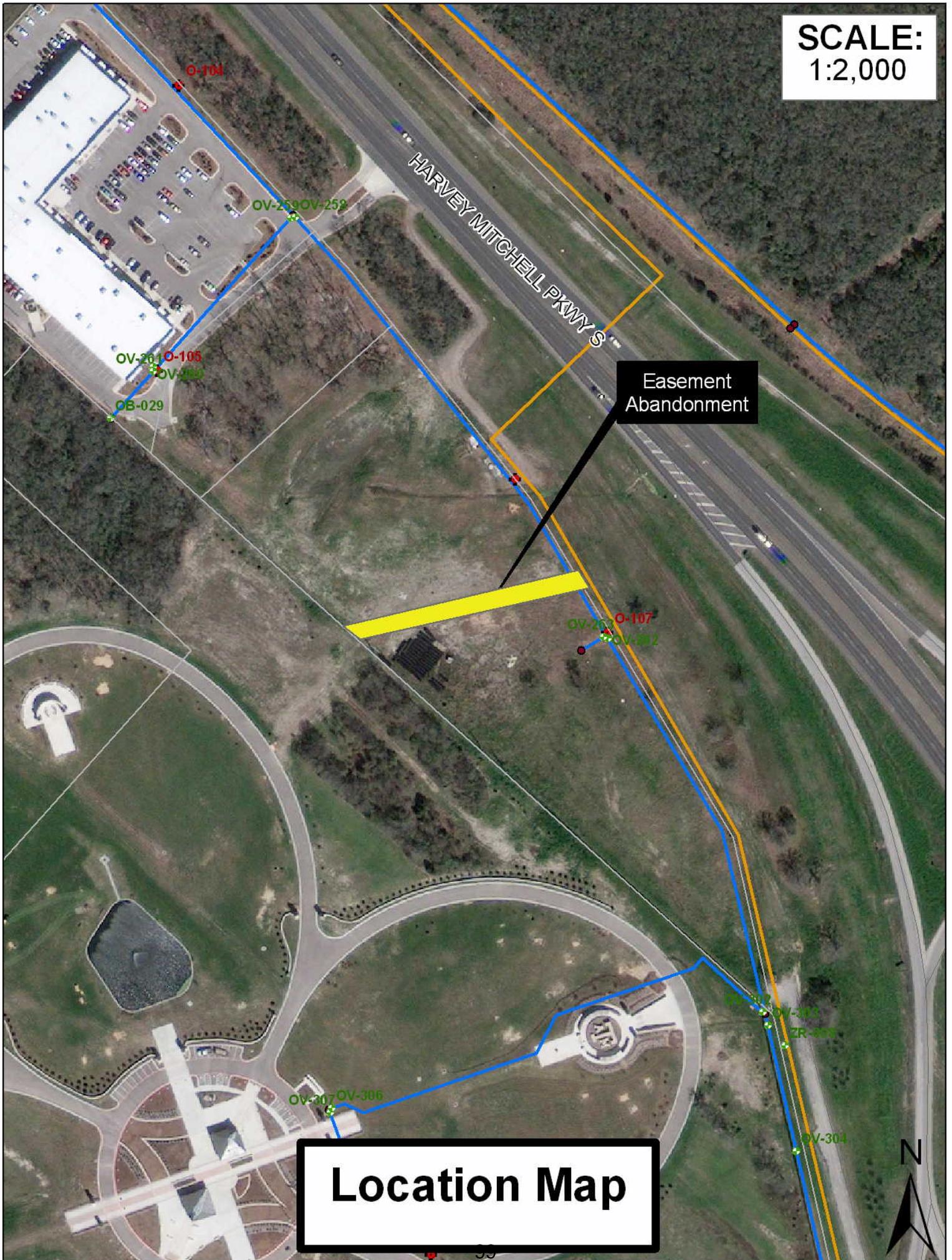
Raymond Stotzer Pw

Turkey Creek Rd

# Vicinity Map



**SCALE:**  
1:2,000



**Easement  
Abandonment**

**Location Map**

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

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 5,666 SQUARE FOOT, 20-FOOT WIDE PUBLIC UTILITY EASEMENT, WHICH IS LOCATED ON LOTS 3 & 4 OF THE VALLEY PARK CENTER SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOLUME 7675, PAGE 282 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 5,666 square foot, 20-foot wide public utility easement, which is located on Lots 3 & 4 of the Valley Park Center Subdivision according to the plat recorded in Volume 7675, Page 282 of the Deed Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Easement"); and

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

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

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

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

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

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

Page 2

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED:

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

# Exhibit A- Sheet 1 of 3



700 University Dr. East, Suite 110C  
College Station, Texas 77840-1848

TEL 979 731 8000  
FAX 979 846 2893

AUSTIN  
HOUSTON  
SAN ANTONIO  
COLLEGE STATION  
DALLAS  
BRENNHAM  
ROSENBERG  
THE WOODLANDS

Valley Park  
P.U.E. Abandonment  
0.1301 Acre

Joseph Scott League  
Abstract No. 50  
September 24, 2008  
Rev May 14, 2009

STATE OF TEXAS           §

COUNTY OF BRAZOS       §

A **METES AND BOUNDS** description of a 0.1301 acre tract of land, being a portion of an existing 20-foot wide Public Utility Easement to be abandoned, being out of Lot 3 and Lot 4 of "Valley Park Center", a plat of said subdivision being recorded in Volume 7675, Page 282, of the Official Public Records of Brazos County (O.P.R.B.C.), in the Joseph Scott League, Abstract 50, College Station, Brazos County, Texas said 0.1301-acre being more particularly described as follows (all bearings being based on the plat of said "Valley Park Center"):

**COMMENCING** a 5/8-inch iron rod with "Jones & Carter, Inc." cap found in the southwesterly right-of-way line of F.M. Highway 2818 at the most southerly corner of Lot 4 of said "Valley Park Center", said corner also being a northeasterly corner of a called 18.481-acre tract described in a deed to the City of College Station, Texas, recorded in Volume 7488, Page 273, of the O.P.R.B.C.;

THENCE, North 10°44'12" W, 255.39 feet, along the southwesterly right-of-way line of F.M. Highway 2818 and the northeasterly line of Lot 3, to a 5/8-inch iron rod with "Jones & Carter, Inc." cap found next to a concrete monument for an angle point in said right-of-way;

THENCE, North 28°21'37" W, 423.55 feet, continuing along the southwesterly right-of-way line of said F.M. Highway 2818 and the northeasterly line of Lot 3, to the common north corner of said Lot 3 and Lot 4

THENCE, South 79°10'58" W, 20.98 feet, leaving the southwesterly right-of-way line of F.M. Highway 2818, along the common lot line between Lot 3 and Lot 4, to the **POINT OF BEGINNING** of the herein described tract in the northeasterly line of a 20-foot wide public utility easement (P.U.E.) dedicated by the plat said "Valley Park Center", said P.U.E being parallel to and 20 feet southwesterly of the southwesterly right-of-way line of said F.M. Highway 2818;

THENCE, South 28°21'37" East, 10.49 feet, along said 20-foot P.U.E. to a point for corner, said point also being in the southeasterly line of a 20-foot wide P.U.E. also dedicated by the plat of "Valley Park Center", said P.U.E. being centered and 10 feet on either side of the common lot line between said Lot 3 and Lot 4;

THENCE, South 79°10'58" West, 279.55 feet, along the southeasterly line of said P.U.E. centered on the lot line between Lot 3 and Lot 4, to a point for corner in the northeasterly line of another 20-foot wide P.U.E. dedicated by the plat of said "Valley Park Center", said P.U.E.

# Exhibit A - Sheet 2 of 3



lying 20 feet northeasterly of and parallel to the southwesterly line of said "Valley Park Center" common with the southwesterly lines of Lot 3 and Lot 4;

THENCE, North 45°29'00" West, along the northeasterly line of said P.U.E., at 12.16 feet, pass the lot line common to said Lot 3 and Lot 4, and continue in all 24.32 feet, to a point for corner in the northwesterly line of said 20-foot P.U.E. centered on the common lot line between Lot 3 and Lot 4;

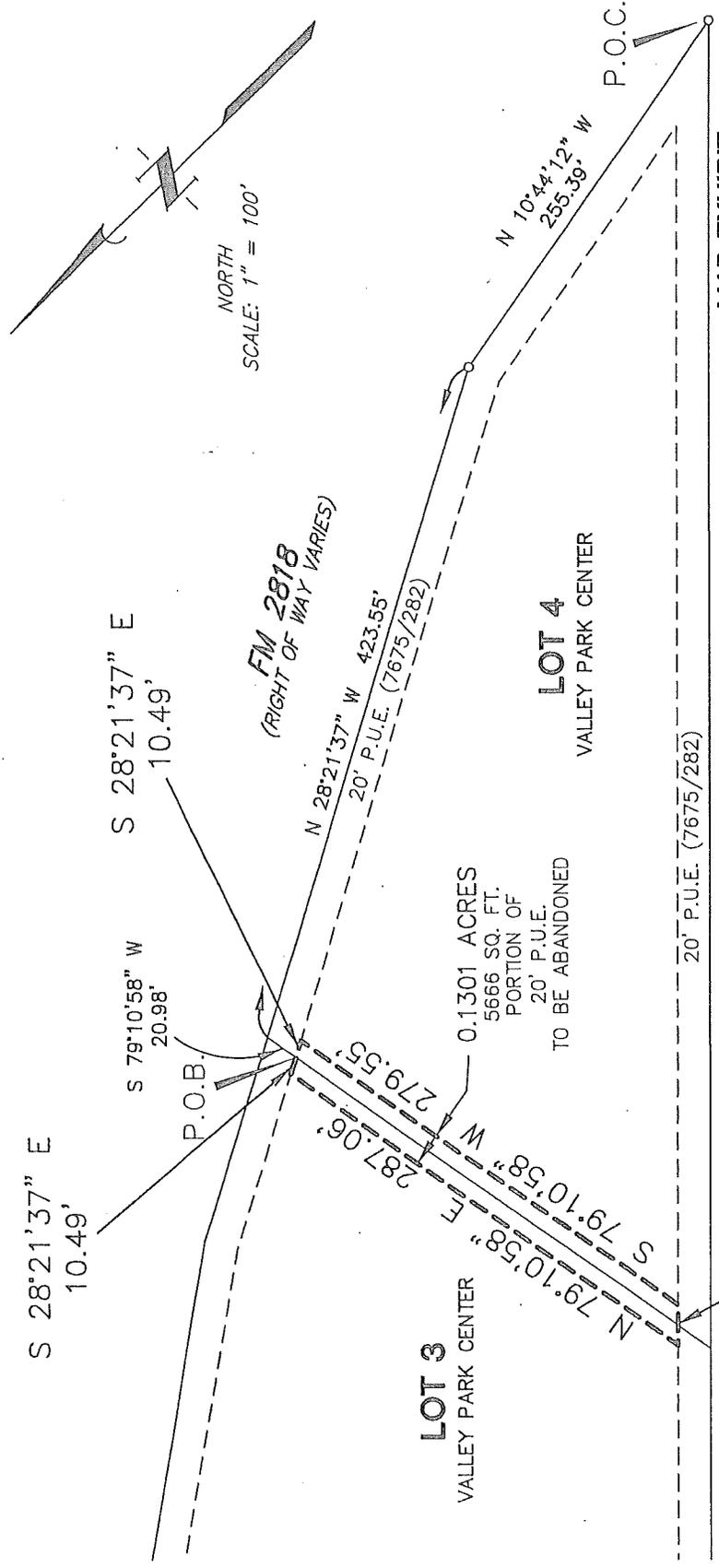
THENCE, North 79°10'58" East, 287.06 feet, along the northwesterly line of said P.U.E. to a point for corner in the southwesterly line of the aforementioned 20-foot P.U.E. that is parallel to the southwesterly right-of-way line of said F.M. Highway 2818;

THENCE, South 28°21'37" East, 10.49 feet, along the southwesterly line of said 20-foot P.U.E., to the **POINT OF BEGINNING**, containing 0.1301 acre (5,666 square feet) of land in College Station, Brazos County, Texas.

A handwritten signature in black ink, appearing to read 'Larry P. DeLange', written over a horizontal line.

Larry P. DeLange, RPLS  
Texas Registered Professional Land Surveyor No. 4578





MAP EXHIBIT  
 OF  
 A PORTION OF AN EXISTING 20-FOOT  
 PUBLIC UTILITY EASEMENT  
 TO BE ABANDONED  
 BEING  
 0.1301 ACRES  
 BEING OUT OF  
 LOT 3 AND LOT 4 OF VALLEY PARK CENTER  
 A PLAT OF RECORD IN VOLUME 7675, PAGE 282,  
 OF THE OFFICIAL PUBLIC RECORDS OF  
 BRAZOS COUNTY, TEXAS  
 NOVEMBER 2008

CALLLED 18.481 ACRES  
 TO CITY OF COLLEGE STATION  
 VOL 7488 PG 273 OPRBC  
 (NOT PLATTED)

EXHIBIT "A"  
 SHEET 3 OF 3

- General Notes:
1. Bearings shown hereon are is based on the plat of Valley Park Center recorded under Volume 7675, Page 282 of the Official Public Records of Brazos County. The interior boundary lines are for a proposed replat of Valley Park Center.
  2. A Metes and Bounds description of this tract was prepared in conjunction with this map and is a part of this exhibit.

**November 10, 2010**  
**Regular Agenda Item No. 5**  
**Wellborn Area Annexation Discussion**

**To:** Glenn Brown, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding annexation of portions of the College Station ETJ, southwest of the City limits including properties located on the west and east sides of FM2154, generally referred to as the Wellborn area.

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy

**Recommendation(s):** Staff recommends that the Council provide direction to staff regarding initiation of annexation of the properties in question.

**Summary:** Council has engaged in discussions with Wellborn area residents regarding various methods that may be available to address issues and opportunities raised by the residents. During these discussions Council identified annexation combined with various other actions (small area plan development, Wellborn-specific zoning and codes, etc.) as the most appropriate method for addressing these issues and opportunities. As requested by Council, staff has identified an area that may be annexed in accordance with Texas Local Government Code. Staff is requesting Council direction on initiating annexation of the area in question. If annexation is initiated staff is also seeking direction from Council on initiating the development/implementation of the other actions noted above.

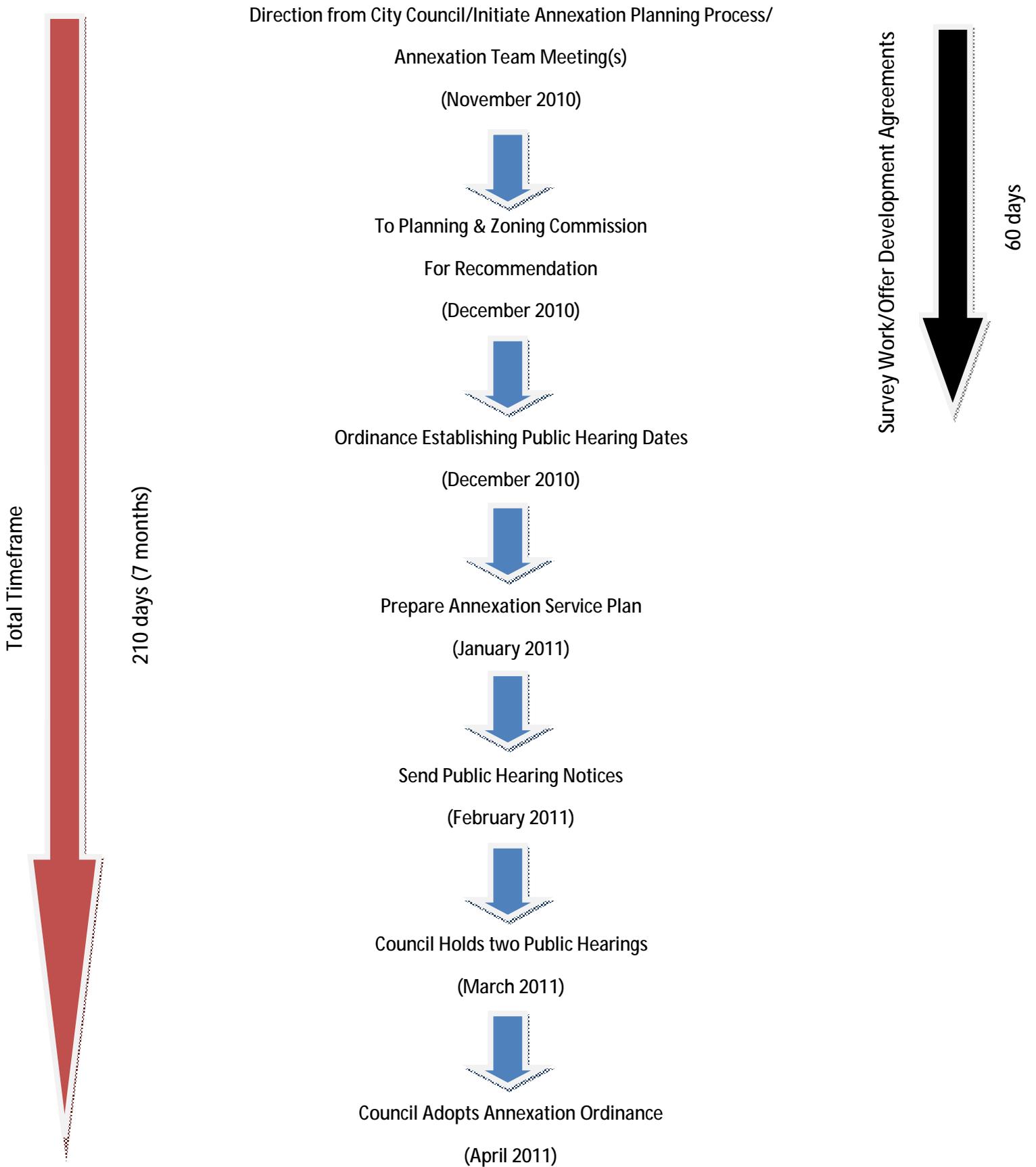
A map of the proposed area has been attached for reference as well as a conceptual timeline for the completion of the annexation.

**Budget & Financial Summary:** Detailed revenue projections and service costs will be developed as part of the preparation of the service plan and will be provided to the Council as the annexation process proceeds.

**Attachments:**

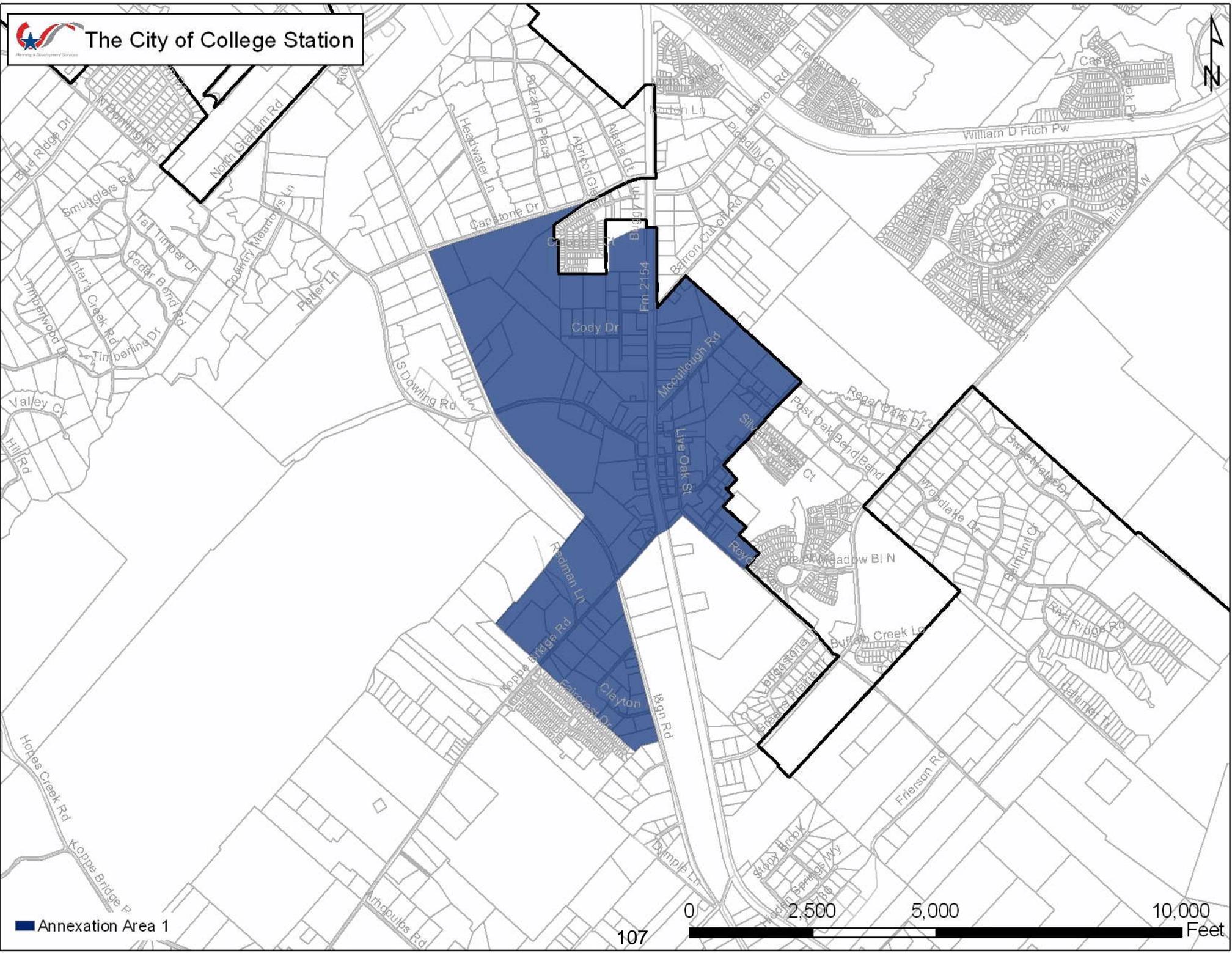
1. Map of proposed annexation area
2. Conceptual timeline of annexation process

Annexation Timeline w/Dates  
Scenario One  
(Exempt Process)





# The City of College Station



■ Annexation Area 1

