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Mayor

Nancy Berry

Mayor Pro Tem

Dave Ruesink

City Manager

David Neeley

Council members

Blanche Brick

Jess Fields

Karl Mooney

Katy-Marie Lyles

Julie M. Schultz

Agenda
College Station City Council
Regular Meeting
Thursday, October 27, 2011 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

Presentation and Recognition:

- ❖ **Proclamation recognizing the Pink Alliance Breast Cancer Support Group and proclaiming PINK OUT DAY.**
- ❖ **Proclamation proclaiming November 6th, 2011 as POPPY DAY.**

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:

- October 13, 2011 Workshop and Regular Council Meeting

b. Presentation, possible action, and discussion regarding approval of the Housing Program Reconstruction Guidelines.

c. Presentation, possible action, and discussion regarding approval of the revised Rehabilitation and Minor Home Repair Program Guidelines.

d. Presentation, possible action, and discussion on approval of the 2011 Property Tax Roll in the amount of \$24,979,684.54.

e. Presentation, possible action and discussion on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY12 in the amount of \$50,240.

f. Presentation, possible action and discussion on a funding agreement between the City of College Station and College Station Noon Lions Club for FY12 in the amount of \$10,000.

g. Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY12 in the amount of \$50,000.

h. Presentation, possible action, and discussion on approving the budget of the Memorial for all Veterans of the Brazos Valley; and presentation, discussion and possible action on a funding agreement between the City of College Station and the Memorial for all Veterans of the Brazos Valley for FY12 in the amount of \$25,000.

i. Presentation, possible action, and discussion on the award of bid #12-009 to Brazos Paving, Inc. in an amount not to exceed \$534,400 for the annual contract for a blanket purchase order for concrete curb, gutter and flatwork used to maintain City infrastructure.

j. 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.

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

Thursday, October 27, 2011

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 on the Annual Review of the Unified Development Ordinance (UDO) and the Annual Review of the Comprehensive Plan.
2. Public Hearing, presentation, possible action, and discussion regarding an ordinance of the City of College Station, Texas, amending the College Station Comprehensive Plan by amending the Thoroughfare Plan for the following thoroughfares: Raintree Drive, Birkdale Drive, Corsair Drive, Deacon Drive, Dartmouth Drive, F.M. 60, on-grade railroad crossing at Southwest Parkway and Wellborn Road.
3. Public Hearing, presentation, possible action, and discussion regarding an Ordinance of the City of College Station, Texas, amending the College Station Comprehensive Plan Chapter 2 "Community Character" by amending the text and concept map regarding the expansion of Growth Area IV, Growth Area V, and the Land Use designation change of the Richards Subdivision area.
4. Public Hearing, presentation, possible action, and discussion regarding an amendment to Code of Ordinance Chapter 7 "Heath and Sanitation" Section 5 "Food Establishments."
5. Presentation, possible action, and discussion regarding a resolution approving and setting user fees for the Parks and Recreation Department's 2012 programs and facilities.
6. Presentation, possible action and discussion regarding the appointment to the Board of Directors for the Brazos County Appraisal District.
7. Presentation, possible action, and discussion on appointments to the Brazos Valley Animal Shelter Board.
8. Presentation, possible action, and discussion regarding appointments to the Brazos Valley Solid Waste Management Agency Board of Directors.
9. Adjourn.

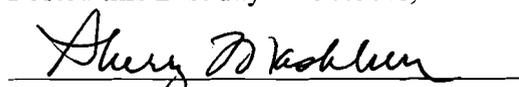
If litigation issues arise to the posted subject matter of this Council Meeting an executive session will be held.

APPROVED:


City Manager

Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Thursday, October 27, 2011 at 7:00 PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this 21st day of October, 2011 at 5:00 p.m.


City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on October 21, 2011 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 _____, 2011 By _____

Subscribed and sworn to before me on this the ____ day of _____, 2011.

Notary Public – Brazos County, Texas My commission expires: _____

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

October 27, 2011
City Council Consent Agenda Item No. 2a
City Council Minutes

To: David Neeley, City Manager

From: Sherry Mashburn, City Secretary

Agenda Caption: Presentation, possible action, and discussion of minutes for:

- October 13, 2011 Workshop and Regular Council Meeting

Attachments:

- October 13, 2011 Workshop and Regular Council Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
OCTOBER 13, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Jess Fields
Karl Mooney
Katy-Marie Lyles
Julie Schultz
Dave Ruesink, absent

City Staff:

David Neeley, City Manager
Kathy Merrill, Assistant City Manager
Frank Simpson, Assistant City Manager
Mary Ann Powell, First Assistant City Attorney
Tanya McNutt, Deputy City Secretary
Shelley Major, Records Management Coordinator

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 3:39 p.m. on Thursday, October 13, 2011 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.

Council requested items 2c, 2d and 2g to be pulled for additional information.

2c & 2d: Chris Dyer, Executive Director, Arts Council Brazos Valley, updated Council on fundraising goals this year and for upcoming years. His estimate is that this year's fundraising will more than match the funding received from the city, adding that it will be approximately a fifty percent increase from last year. He also stated that he did not have the exact numbers for the Celebrating the Arts event, but he estimates that it doubled, this year from last.

Mayor Berry recognized the Brazos Valley Symphony for their 30th Anniversary.

2g: Jeff Kersten, Executive Director, Fiscal Services, was asked to provide a report for Council at a later date regarding the Research Valley Partnership budget breakdown.

2. Presentation, possible action, and discussion regarding the future direction of the City's affordable housing activities.

Bob Cowell, Executive Director of Planning and Development Services, presented the City's affordable housing program. Mr. Cowell outlined the history of the program and stated that since the mid-1970's, the City of College Station has partnered with the U.S. Department of Housing and Urban Development (HUD) to address quality of life, neighborhood stability and safe and decent housing for low-income residents living in the City. In total, the City has received more than \$43 million, which has been used for activities such as affordable housing programs. Funds used for this program have significant guidelines. The use of these funds is guided by the City-developed five-year Consolidated Plan and the annual Action Plan.

City staff recommended three changes to this program. First, to revise current owner-occupied housing rehabilitation program to a streamline program, increasing the amount available to each owner-occupant and adjusting the loan-type portfolio. Staff also recommended revising the current owner-occupied minor housing repair program to eliminate minimum credit score requirements and increase the amount available to each owner-occupant. Lastly, staff recommended establishing an owner-occupied reconstruction program. There is no requirement for the City to match funds regarding the above program. The City monitors work of projects, and the City oversees the whole project. Staff made these recommendations for the guidelines to be changed to encompass home owners that do not currently qualify for the program, but would benefit greatly from the program. Mr. Cowell has offered to provide studies for Council from independent groups regarding the impacts to similar cities from this type of housing program.

Debbie Eller, Community Development Manager, Planning and Development Services, stated that the City has referred home owners to other programs, but the City has not collaborated on any projects. In addition to normal marketing done for these programs, neighborhood integrity is considered and dialogue with the specific neighborhood is also part of the process.

Council consensus was to approve the guidelines to amend this program, to be presented formally as a consent agenda item at a later date.

Staff also recommended establishing a renter-occupied rehabilitation program. This program will benefit low income households, increase quality of affordable units, preserve affordability of rental housing, promote public and private partnerships, and sustainable redevelopment. The program will also increase energy efficiency and the tax base. After improvements are made through this program, periods of affordability are regulated over a certain amounts of years.

Mayor Berry used the pause in business to introduce and welcome Amy Atkins, New Assistant Director, Parks and Recreation Department.

3. Council Calendar

- October 11 - 14 TML Annual Conference in Houston at 8:00 pm
- October 18 Kids Klub Light on Afterschool Rally at Veteran's Park & Athletic Complex, 6:00 pm
- October 19 BVSWMA Board Meeting at Twin Oaks Facility - 2690 SH30 Anderson, Texas, 11:00 am
- October 19 Exploring History Lunch Lecture at CS Conference Center, 1 1:30 a.m.
- October 20 Planning & Zoning Commission Meeting in Council Chambers, 6:00 pm
- October 25 Medical Corridor Advisory Committee in Council Chambers, 3:00 pm
- October 27 City Council Workshop/Regular Meeting at 3:00 and 6:00 p.m.

Council reviewed the Council calendar.

4. 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.

Councilmember Fields requested an item regarding the review of gas station codes.

Councilmember Mooney requested an item regarding the changes occurring within the Brazos Animal Shelter, specifically, a review of board appointees.

5 Discussion, review and possible action regarding the following meetings: Animal Shelter Board, 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, 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, Zoning Board of Adjustments.

Councilmember Schultz attended the Research Valley Partnership meeting.

Councilmember Lyles, reported on the Brazos County Health Board meeting. New board members and re-appointed members Jess Fields and Katy-Marie Lyles were recognized and a donation was given to the Boys & Girls Club in honor of Mayor Berry's service on the board. The board also viewed a presentation on a chemical detection machine from Emergency

Preparedness Response. The budget was reviewed, and it was noted that there was an overall seven percent reduction. Kenny Mallard was also elected as Chair.

Councilmember Brick reported on the Bicycle, Pedestrian & Greenways Advisory Board. The board is planning a tour of the greenways and bike trails in College Station. Councilmember Brick invited council members who were interested to contact the staff liaison for this board.

6. 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 5:15 p.m. on Thursday, October 13, 2011 in order to continue discussing matters pertaining to:

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

- 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
- Clancey v. College Station, Glenn Brown and Kathy Merrill, Civil Action No. 09-CV-01480
- Rachel Rahn v. Alma Martinez, The Arkitex Studio, Inc. et al, cause No. 09-000656-CV361
- Chavers et al v. Tyrone Morrow et al, No. 10-20792; Chavers v. Randall Hall et al, Case No. 10 CV-3922
- College Station v. Star Insurance Co., Civil Action No. 4:11-CV-02023
- Woodruff v. College Station, Cause No. 10-000515-CV-272
- Ongoing criminal investigation of municipal court missing funds

B. Consultation with Attorney to seek legal advice; to wit:

- Legal issues regarding possible revenue sharing and legislation in bio-corridor

C. Deliberation Regarding Personnel; to wit:

- Municipal Court Judge

The Executive Session adjourned at 7:00 p.m. on Thursday, October 13, 2011.

No action was required from Executive Session.

7. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 8:46 p.m. on Thursday, October 13, 2011.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

DRAFT

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
OCTOBER 13, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

Blanche Brick
Jess Fields
Karl Mooney
Katy-Marie Lyles
Julie Schultz
Dave Ruesink, absent

City Staff:

David Neely, City Manager
Kathy Merrill, Assistant City Manager
Frank Simpson, Assistant City Manager
Mary Anne Powell, First Assistant City Attorney
Tanya McNutt, Deputy City Secretary
Shelley Major, Records Management Coordinator

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 7:16 p.m. on Thursday, October 13, 2011 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.

Presentations and Recognitions:

- **Proclamation recognizing Chef Tai Lee's national recognition and award**
Mayor Berry presented a proclamation to Chef Tai Lee and Veritas Wine and Bistro, to congratulate winning Food Network's , America's Favorite Food Truck and a \$10,000 cash award. Chef Tai has promised a portion of his prize money will be donated to a Texas Wildfire relief charity in response to Bastrop's recent fires.

- **APA Certificate of Achievement for Planning Excellence**
- **The Texas APA Project Plan of the Year for the Bicycle, Pedestrian, and Greenways Master Plan**
- **The Honorable Mention - Bicycle Friendly Community from the League of American Bicyclists**

Bob Cowell accepted these awards on behalf of City staff and recognized the Planning and Development Services Staff and the Bicycle, Pedestrian and Greenway Advisory Committee for their hard work and dedication.

Citizen Comments

Larry Koeninger with the BCS Public Library System, introduced Kathy Nixie, the new Branch Manager of the Larry J. Ringer Library. Ms. Nixie thanked Council for the opportunity to serve here in College Station. There will be a reception welcoming Ms. Nixie on Wed, Oct. 19th from 6:00 to 7:00 p.m. at Larry J. Ringer Library.

Katie Miller, 507 Old Jersey, spoke concerning the jurisdiction of a tree on her property line. Branches from the tree have fallen on high wires, and she has repeatedly contacted the City for verification on who owns the tree. After two weeks, the tree branch is still on the utility lines, and she is concerned about the fire hazard.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **September 22, 2011 Workshop and Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding Resolution 10-13-11-2b, approving a construction contract with Elliott Construction, LLC for the Wellborn Widening Waterline Project and authorizing the expenditure of funds, in an amount not to exceed \$546,028.50.

2c. Presentation, possible action and discussion on approving the budget of the Arts Council of Brazos Valley; and presentation, possible action and discussion on approving the finding agreement between the City of College Station and the Arts Council of Brazos Valley for FY 12 in the amount of \$200,000 for Affiliate funding.

2d. Presentation, possible action and discussion on approving the operations and maintenance funding agreement between the City of College Station and the Arts Council of the Brazos Valley for FY 12 totaling \$100,550.

2e. Presentation, possible action and discussion on a letter agreement for year 3 of the Professional Auditing Services engagement with Ingram, Wallis & Co., P.C. for the fiscal year ending September 30, 2011 with expenditures totaling \$86,000 from the City of College Station.

2f. Presentation, possible action and discussion on approving the budget of the Brazos Valley Convention and Visitors Bureau (CVB); and presentation, possible action and discussion on a funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau for FY 12 in the amount of \$1,000,000.

2g. Presentation, possible action and discussion on a funding agreement between the City of College Station and the Research Valley Partnership for FY 12 in the amount of \$325,000.

2h. Presentation, possible action, and discussion authorizing the award of Bid No. 11-1 16 for the purchase of City branded uniforms for Parks athletic programs and for other City departments with CC Creations (\$35,000) and Monograms and More (\$35,000) for a combined annual estimated expenditure of \$70,000. Figures are based on FY 1 1 averages.

2i. Presentation, possible action and discussion to approve Fiscal Year 201 1-2012 expenditures for the Brazos County Health Department in the amount of \$326,500.

2j. Presentation, possible action, and discussion of contract renewals for the installation of roadway traffic markings and traffic control to Highway Technology of Austin, Texas in the amount of \$163,182.50 and, traffic control services to N-Line Traffic Maintenance of Bryan, Texas in the amount of \$18,706.25.

2k. Presentation, possible action and discussion on a purchase contract with associated annual maintenance, with Vermont Systems Inc., in the amount of \$62,466.00, for software; and approval of an interdepartmental transfer.

2l. Presentation, possible action, and discussion regarding approval of the second renewal of a joint-bid contract with the City of Bryan with DXI Industries for the purchase of bulk chlorine. The estimated annual expenditure is \$77,220.

2m. Presentation, possible action, and discussion regarding City of College Station Excess Liability and Workers' Compensation Insurance, Property/Boiler & Machinery, Commercial Crime, EMT Liability, and Auto Property Damage policies for Fiscal Year 2012. FY12 premiums have decreased 4 percent from FY 11 premiums.

2n. Presentation, possible action, and discussion regarding award of Bid #11-125 to Ergon Asphalt & Emulsions to provide emulsified asphalt products for the maintenance of streets in an amount not to exceed \$406,348.00.

Items c, d, f, g were pulled from the Consent Agenda.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda, less items c, d, f, g. The motion carried unanimously.

(2d, 2f, 2g)MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Schultz, the City Council voted five (5) for and one (1) opposed, with

Councilmember Fields voting against, to approve consent agenda items 2d, 2f, 2g. The motion carried.

(2c)MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted four (4) for and one (1) opposed, with Councilmember Fields voting against and Councilmember Brick abstaining, to approve consent agenda item 2c. The motion carried.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3374, 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 rezoning 8.1 1 acres located at 2672 Horse Haven Lane from R-1 Single-Family Residential and A-0 Agricultural-Open to PDD Planned Development District.

At approximately 7:44 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:45 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Lyles, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2011-3374, 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 rezoning 8.1 1 acres located at 2672 Horse Haven Lane from R-1 Single-Family Residential and A-0 Agricultural-Open to PDD Planned Development District. The motion carried unanimously.

2. Presentation, possible action, and discussion authorizing the Mayor to sign Resolution 10-13-11-02, declaring support for the NRP Holdings, LLC Joint Housing Tax Credit and HOME Investment application to the Texas Department of Housing and Community Affairs for the Year 2012 and Conditional HOME Investment Partnership Commitment (Funding Commitment Agreement) in support of the application for an affordable senior rental housing development.

Councilmember Schultz recused herself from this item.

MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Mooney, the City Council voted four (4) for and one (1) opposed, with Councilmember Fields voting against, to authorize the Mayor to sign Resolution 10-13-11-02, declaring support for the NRP Holdings, LLC Joint Housing Tax Credit and HOME Investment application to the Texas Department of Housing and Community Affairs for the Year 2012 and Conditional HOME Investment Partnership Commitment (Funding Commitment Agreement) in support of the application for an affordable senior rental housing development. The motion carried.

3. Presentation, possible action, and discussion regarding a funding agreement for a grant of HOME Investment Partnership Funds to B/CS Habitat for Humanity, Inc. in the amount of \$320,000.00 for acquisition, demolition, and construction in support of the production of affordable single-family housing.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Brick, the City Council voted five (5) for and one (1) opposed, with Councilmember Fields voting against, to approve a funding agreement for a grant of HOME Investment Partnership Funds to B/CS Habitat for Humanity, Inc. in the amount of \$320,000.00 for acquisition, demolition, and construction in support of the production of affordable single-family housing. The motion carried.

4. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:46 p.m. on Thursday, October 13, 2011.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

October 27, 2011
Consent Agenda Item No. 2b
Housing Program Reconstruction Program Guidelines

To: David Neeley, City Manager

From: Bob Cowell, AICP, CNU-A, Executive Director-Planning and Development Services

Agenda Caption: Presentation, possible action, and discussion regarding approval of the Housing Program Reconstruction Guidelines

Relationship to Council Strategic Plan: Financially Sustainable City, Core Services and Infrastructure, Neighborhood Integrity, and Diverse Growing Economy

Recommendation(s): Staff recommends approval.

Summary: At their October 13th meeting, the Council directed staff to amend the City's Housing Program Guidelines to establish a housing reconstruction program. At that meeting, draft guidelines were presented to Council.

The guidelines make reconstruction an option for clients into able to rehabilitate their homes under the City's Rehabilitation Program. Homes would be reconstructed with HOME Investment Partnership Grant Funds through an agreement between the home owner and the successful contractor. Main provisions of the program would include:

- Assistance of up to \$110,000 available to demolish and reconstruct a single family dwelling for owner occupancy
- Assistance will be in the form of a mixed loan – up to half of the assistance amount capped at \$40,000 in the form of a deferred, 0% interest, forgivable loan amortized using a monthly rate based on the number of months in a fifteen (15) year lien period. This portion of the loan will be forgiven at this rate over the fifteen (15) year lien period. The remainder will be in the form of a 3% interest loan with monthly payments for a specified term.
- Applicants apply under the Rehabilitation and Minor Home Repair Program. If their home is not eligible for rehabilitation, it will be considered for reconstruction.
- Other eligibility requirements identical to the Rehabilitation program.

Budget & Financial Summary: \$107,159 of Federal HOME Investment Partnership funds have been approved in the 2011 Annual Action Plan.

Attachments:

Attachment 1: Home Reconstruction Guidelines

CITY OF COLLEGE STATION
HOUSING RECONSTRUCTION
PROGRAM GUIDELINES

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

A. STATEMENT OF PURPOSE & PROGRAM OVERVIEW

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

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

- To preserve and enhance the supply of affordable, decent, safe, and sanitary housing available to qualified low-income households.
- To provide support, training, and counseling activities to low-income applicants seeking to reconstruct their substandard homes.
- To provide applicants information regarding loan finance options to accomplish necessary demolition and reconstruction required to build a single family dwelling that meets all applicable codes and ordinances.
- To provide applicants information on proactively managing the maintenance of their homes following reconstruction.

This program is designed to provide technical and financial assistance to low-income, owner-occupant homeowners seeking to demolish and reconstruct their substandard residential

structures into decent, safe and sanitary dwelling units. This program is available on a city-wide basis and is limited to only those properties located within the municipal boundaries of the city. Properties that lie partially within the city limits may be considered on a case-by-case basis.

All eligible HRP applicants shall be required to participate in the same homeowner and homebuyer education and counseling sessions as other housing assistance program applicants.

The HRP financial assistance shall be managed as follows:

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

Upon completion of construction activities, applicant shall close on the loan. Assistance will be in the form of a mixed loan – up to half of the assistance amount capped at \$40,000 in the form of a deferred, 0% interest, forgivable loan amortized using a monthly rate based on the number of months in a fifteen (15) year lien period. This portion of the loan will be forgiven at this rate over the fifteen (15) year lien period. The remainder will be in the form of a 3% interest loan with monthly payments for a specified term.

Front End Ratio: The repayable loan shall be structured to ensure that the total of all principal, interest, taxes, and insurance (PITI) payments shall not exceed thirty percent (30%) of the applicant's gross monthly income.

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

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

B. DESIGNATED AUTHORITY

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

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

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

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

C. PROGRAM IMPLEMENTATION PROCESS

Steps in implementing the Program will be as follows:

1. The Community Development Office (CD Office) will create and maintain applications for all housing assistance programs. All applicants shall submit a completed application to the CD Office and await an evaluation of eligibility by the appropriate staff member(s). For this particular Program, applicants are required to hold majority title interest to an improved property within the corporate limits of College Station, which is their permanent place of residence, prior to submitting an application. A \$20 non-refundable application fee will be required to process the application under this program.
2. When a determination has been made that the structure is not feasible to rehabilitate to minimum standards under the City's Owner-Occupied Rehabilitation Program, staff will evaluate reconstruction applications for eligibility and prioritize the processing of applications based upon completeness and accuracy of information/documentation and demonstrated housing need. Program staff will process applications as expeditiously as possible, considering funding limitations and other staff responsibilities as assigned.
3. Applicant(s) will be notified by phone and in writing if they are eligible for participation in the program. If the applicant(s) are not eligible, they will be notified in writing, with an explanation of why they do not qualify. Non-qualification issues may include (but are not limited to) income, assets, credit score, deed restrictions, title concerns, environmental concerns and/or household make-up.
4. Once the applicant is deemed eligible, they will be required to sign an agreement with the City committing to attend homeowner education classes before commencing with the reconstruction process of their property. The City will provide homeowner education classes to explain the financial, tax burden, maintenance and code compliance responsibilities of homeownership. Only upon completion of the required classes, will the applicant(s) be able to

continue with the program implementation process. If the applicant decides to discontinue the homeownership education classes by failure to attend mandatory classes, the City will notify them in writing that they have been removed from participation in the program.

5. Following completion of the required homeowner education classes, program staff will meet with the applicant(s) to explain the basic goals and objectives of the Program and further assess the needs of the applicant(s) household that will occupy the dwelling once completed. Community Development staff determine whether or not approval of the homeowner's replacement housing may be expected to result in the successful and feasible re-housing of the homeowner. The homeowner's request may be denied in cases in which the homeowner's general health or income level would preclude his or her adequate and responsible operation of a replacement dwelling; and/or cases in which the costs of the replacement dwelling would be substantially above the costs of typical cases; and to the extent that the probability of the City reaching its CDBG/HOME program goals would be endangered due to the cost overruns. The homeowner will be notified in writing of the determination and if the request is not approved, the reasons for denial.
6. After the household needs are fully assessed, staff will assess the project site to determine any additional demolition or reconstruction needs of the home in order to fully realize a decent, safe and sanitary unit. Program staff will make every effort, while crafting a plan for the home reconstruction, to incorporate the City's most current Green Building Standards into the project scope. Any incentives offered from federal, state or local agencies for conformance with Green Build Standards shall be accessed by the program as appropriate and when applicable.
7. Applicant(s) will be involved in several meetings with program staff to ensure proper steps are followed in the reconstruction process of their homes. The applicant may also be required to accompany program staff to appear before City planning boards and/or commissions to request variances or approval of special circumstantial development needs.
8. Applicant(s) will be responsible for their own relocation arrangements including costs during the demolition and reconstruction period. Relocation costs will not be an eligible expense under this program.
9. Once the reconstruction plan has been completed, and any other City required approvals have been accomplished, program staff will place the project out for bid to approved contractors in compliance with the City's procurement and process regulations. Prior to bid, program staff will prepare a construction estimate by which to compare submitted bid amounts. Should submitted bids prove to be more than 10% of the construction estimate, the applicant will have the option to reject all bids and re-bid the project, or select the lowest responsible bidder (if program staff deems the lowest responsible bid reasonable within the project estimate). Applicant (Owner) will then enter into a construction contract with the lowest responsible bidder (Contractor), allowing the City to be the Owner Representative through the construction process, attending to progress payments and change orders in a timely manner on behalf of the Owner.

10. Program staff will obtain all required close-out documents at project completion and the loan closing will be scheduled.
11. Homeowners will be required to comply with all terms and conditions of their program agreement until all of the terms of their loan have been satisfied. Due to the type and source of funding, homeowners provided assistance through this program can expect rigorous enforcement of the terms and conditions of their loans.

D. APPLICANT ELIGIBILITY CRITERIA

Eligible applicants of this Program must meet the following qualifications:

1. Applicant(s) must have applied for rehabilitation assistance under the City's Housing Rehabilitation and Minor Home Repair Program. Applicant must have been rejected for rehabilitation assistance on the grounds that the applicant's occupied dwelling was not feasible to rehabilitate.
2. Applicant(s) must be an owner occupant of the dwelling for which assistance is requested and reside within the City of College Station. The dwelling must be the applicant's principal residence for a minimum of two (2) years prior to the submission of a completed application for assistance.
3. Ownership: Applicant(s) must present proof of ownership by General or Special Warranty Deed. City staff will verify proof of ownership with title searches as necessary on the property where the dilapidated structure exists and/or the site where the replacement housing will be built. In situations where the applicant does not have clear title, applicant will be required to clear title. When meeting this guideline requirement is not feasible, applicant must present proof of ownership (General or Special Warranty Deed) showing fee simple title of 50% or more ownership in the applicant's name. (All other title holders will be requested to relinquish their title rights to the applicant. If 100% title is not gained in this manner, then all other title holders will be requested to sign applicable project and lien documents to show their consent to the project.) Applicants with less than 100% fee simple title must have a continuing right to occupy the premises. Applicant must provide documentation for all existing liens. All current lienholders will be requested to subordinate their lien position to the City. Upon review and determination by the Planning and Development Services Director, the City may accept a lesser lien position if it is determined that the City's low-income affordable housing goals are being accomplished by the completion of the project.
4. Principal Residence and Homestead: Applicant(s) will be required to certify that they intend to occupy the new reconstructed dwelling as their principal residence upon project completion. Occupancy will be determined through verification of utility consumption, and other verifications determined acceptable and/or necessary by the City, on an annual basis.

5. Income: An applicant must have a gross income of 80 percent or less than of the College Station/Bryan area median income as reported by HUD. Income will be determined by the provisions of 24 CFR § 92.203 (Income determinations) and 24 CFR § 5.609 (Annual income).
6. Assets: Applicants will not be eligible for this Program if, upon application, they have assets exceeding \$20,000 on hand. Retirement funds in IRS recognized retirement accounts and home equity are excluded. The Director may waive this requirement if necessary to accomplish other City or program objectives, or under extraordinary circumstances.
7. Credit: Qualified applicants will have an average FICO credit score of no less than 575, with no bankruptcies, foreclosures, student loan delinquencies, income tax delinquencies, child support delinquencies or repossessions within the previous two years. The Director may waive this requirement if necessary to accomplish other City or program objectives, or under extraordinary circumstances.
8. Employment History: Applicants must have an employment history in the same job, or in the case of professional, salaried employees (as defined in 29 CFR § 541 meeting any of the requirements in Subparts B,C,D,E, or F), in the same field of employment, for a minimum of twelve (12) months.
9. Student Loans: Student loans, which are currently deferred at the time of application, will be included in the debt ratio calculation as if in repayment status.
10. Citizenship: In order to receive Program assistance, applicants must be United States Citizens, U.S. Non-Citizen Nationals, or Qualified Aliens as defined by Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Qualified alien status will be verified by the Citizenship and Immigration Services division of the U.S. Department of Homeland Security.
11. Applicant must establish that all property taxes are paid on the property to be vacated (and/or proposed construction site) and that all other liens are satisfied or released. Applicants owing delinquent property taxes will only be considered for assistance if they are enrolled in a county approved tax payment plan. At a minimum, the applicant must have six consecutive months of timely payments on a payment plan structured to bring taxes current within a two year period. After project completion, owners are required to certify on an annual basis that taxes have been paid and hazard insurance policies are current and in effect.
12. Applicants shall provide complete and accurate information regarding their household composition, household income, and housing situation. Failure to disclose information which may affect eligibility requirements shall also constitute fraud. Applicants shall be required to make full restitution to the City in the event applicants provide inaccurate or incomplete information in order to meet eligibility requirements for the Community Development Office

housing programs. Requests for further assistance will be denied unless restitution is made in full.

13. Applicants will agree to conform to College Station Code Enforcement requests prior to being determined eligible for replacement housing assistance. Applicants agree to maintain dwelling and exterior grounds in accordance with applicable city ordinances.

G. FEASIBILITY OF RECONSTRUCTION

1. Feasibility of demolition and reconstruction of property to minimum program standards will be made following a detailed inspection of the property by program staff.
2. Feasibility of reconstruction structures under established program limits will be determined by an assessment of the following two criteria:
 - a. For all required repairs and renovations, rehabilitation costs shall exceed 75% of the total estimated post- rehabilitation value of the structure.
 - b. The estimate of costs needed for all required demolition and reconstruction must fall within program limits.

Units not meeting these standards will be determined infeasible for reconstruction assistance and, therefore, considered only for the Housing Rehabilitation and Minor Home Repair Program.

H. SELECTION OF RECIPIENTS FOR ASSISTANCE

1. Recipients for assistance of HRP will be taken from the HRMHRP applications of eligible homeowners residing in substandard or dilapidated structures determined to be infeasible to rehabilitate.
2. The number of recipients to receive assistance will be subject to general availability of funds.
3. Community Development staff will evaluate all applications of eligible homeowners whose structures are determined to be infeasible to rehabilitate. Based upon this evaluation, a recommendation will be made to the Director as to the order of applicants to be assisted. Generally, those in the most imminent danger to personal health or safety will be extended priority under the program.
4. Criteria to be used to make this evaluation will include the following items listed in priority order:

- a. Degree of threat to health and safety of occupants presented by continuance of residing in the structure. This will include evaluation of factors such as availability of basic services including water, sewer, electricity, and structural deficiencies of the home.
- b. Health and handicapping disabilities of occupants which necessitates the home to be handicapped accessible.
- c. Time and date that all application requirements are met.
- d. Time and date of application.

E. ELIGIBLE PROPERTY CRITERIA

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

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

F. LOAN INSTRUMENTS

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

Assistance will be in the form of a mixed loan – up to half of the assistance amount capped at \$40,000 in the form of a deferred, 0% interest, forgivable loan amortized using a monthly rate based on the number of months in a fifteen (15) year lien period. This portion of the loan will be forgiven at this rate over the fifteen (15) year lien period. The remainder will be in the form of a 3% interest loan with monthly payments for a specified term.

Affordability shall be determined by ensuring the total PITI (principal, interest, taxes, and insurance) payment (front ratio) of the 0% repayable loan is not more than 30% of the monthly income of the eligible applicant. With Director approval, the upper percentage may be slightly exceeded under extenuating circumstances that demonstrate the buyer's ability to handle higher payments. The maximum total debt-to-income ratio (back ratio) is 45% (depending on credit score, Director may require a lower percentage). The amount of the 0% interest deferred loan will be the remainder between the cost of reconstruction and the repayable loan.

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

Loan

Amount:	\$110,000 maximum (construction and demolition costs);
Interest:	3% interest repayment portion and 0% interest forgivable portion capped at \$40,000
Loan Term:	Up to 30 Years
Forgivable Loan Repayment:	Amortized using a monthly rate based on the number of months in a fifteen (15) year lien period. This portion of the loan will be forgiven at this rate over the fifteen (15) year lien period. Un-forgiven portion will be due in full when borrower no longer owner-occupies the structure.
Repayable Loan Repayment:	Due monthly as agreed in the loan documents or 100% due upon sale (to the extent proceeds are available);
Lien holder Position:	First;

Refinancing: Refinancing is prohibited;

Owner Occupancy Required: On the date the homeowner ceases occupying the property as a primary residence (i.e., rental, gift, death, abandonment), the deferred and repayable loans will become due and payable to the City except for deployed military personnel.

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

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

I. FORMS OF ASSISTANCE AND ALLOWABLE EXPENSES

1. The primary form of general housing reconstruction assistance will be federal CDBG and/or HOME funds to pay for eligible program costs. The allowable budget authority for reconstruction assistance shall not exceed One Hundred Ten Thousand and No/100 Dollars (\$110,000.00) per applicant for eligible project costs (excluding program staff costs). Since each reconstruction project is unique in preparation, size and duration, additional costs may be required to carry a project from commencement to completion. These additional costs will be financed by owner proceeds or by an additional loan from a private lender. Under no circumstances will the owner be able to finance more debt than is allowed under Program debt to income ratios.
2. The City of College Station shall hold first lien position on the loan for the duration of the lien period. However, in extreme and isolated situations where first lien position is not feasible, the City may accept a lower lien position subject to the review and approval of the Director. The lien shall be released upon repayment. The full amount of assistance may be repaid at any time; however, the assistance must be repaid in full when the homeowner no longer occupies the residence.

3. Program intent is to maintain owner-occupancy in the reconstructed dwellings. In the event of a sale, transfer of ownership or the property ceases to be owner occupied during the lien period, the following conditions must apply to avoid default:
 - a. The owner must sell or offer the assumption of the loan to a low/moderate income household for their homestead and approved by the Director; and
 - b. The owner shall give the city a first right of refusal to purchase the ownership interest in the property from the homeowner for the amount specified in a firm contract between the homeowner and a prospective buyer. The city shall have 10 business days after receiving notice of the firm contract to decide whether to exercise its right and 60 calendar days to complete closing of the property.
4. If within the lien period the homeowner defaults on the loan, the loan will be called due in full and foreclosure proceedings may be initiated. The City will make every effort to work with the homeowner to avoid foreclosure and will examine each situation on a case by case basis.
5. Allowable expenses will include:
 - a. Replacement housing to be used for one of the following re-housing options:
 - i. An adequate, decent, safe, and sanitary REPLACEMENT DWELLING constructed on the ORIGINAL SITE (LOT) of the dwelling vacated by the homeowner,
 - ii. An adequate, decent, safe, and sanitary REPLACEMENT DWELLING constructed on an ALTERNATE SITE in the City of College Station provided by the homeowner,
 - iii. An adequate, decent, safe, and sanitary REPLACEMENT DWELLING constructed on a SITE ACQUIRED where subject property is not appropriate for redevelopment and with the agreement that the homeowner will trade lots with the City, if available, or
 - iv. An adequate, decent, safe, and sanitary REPLACEMENT DWELLING FOR SALE in the City of College Station that meets the City's Structural Standards Code (all Down-Payment Assistance Program standards will apply to the home inspection).
 - b. Cost of lot clearance, demolition, and clearance of the dilapidated structure, and preparation of job site for new replacement dwelling.
 - c. Cost of utility and appliance transfers and hookups as necessary.
 - d. Closing and settlement costs related to purchase of replacement dwelling.
 - e. Other expenses determined by the City to be necessary to facilitate the relocation of the homeowner.
6. Community Development staff will also provide assistance and counseling to applicants as needed, including the following:

- a. Information on the program and re-housing options available.
- b. Assistance in acquisition or soliciting bids for construction of replacement housing.
- c. Assistance in contractual compliance between homeowner and contractor.
- d. Assistance in inspection of construction of replacement dwelling, if applicable.
- e. Assistance to applicant in evaluation of future housing cost burdens.

J. **RECONSTRUCTION AGREEMENT**

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

K. **FINAL INSPECTION - CERTIFICATE OF OCCUPANCY**

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

October 27, 2011
Consent Agenda Item No. 2c
Rehabilitation and Minor Home Repair Program Guidelines

To: David Neeley, City Manager

From: Bob Cowell, AICP, CNU-A, Executive Director-Planning and Development Services

Agenda Caption: Presentation, possible action, and discussion regarding approval of the revised Rehabilitation and Minor Home Repair Guidelines

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

Recommendation(s): Staff recommends approval.

Summary: These proposed guidelines make the following changes to the City's Rehabilitation and Minor Home Repair Guideless:

- Increase assistance amount to \$50,000 (from a possible \$35,000)
- Eliminate tier system loan structure
- Replace with a mixed loan – half forgivable over a 10 year term and the remainder repaid monthly with a 3% interest rate for a specified term
- Credit score requirement of 575 (down from 600) – Director has ability to waive this requirement

Budget & Financial Summary: \$15,000 of Federal CDBG grant funds and \$107,159 of Federal HOME Investment Partnership funds have been approved in the 2011 Annual Action Plan.

Attachments:

Attachment 1: Rehabilitation and Minor Home Repair Guidelines

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

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

A. STATEMENT OF PURPOSE & PROGRAM OVERVIEW

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

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

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

- To provide applicants information on proactively managing the maintenance of their homes following repair or rehabilitation.

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

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

The HRMHRP financial assistance shall be managed as follows:

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

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

All assistance will be in the form of a mixed loan – up to half of the assistance amount in the form of a deferred, 0% interest, forgivable loan amortized using a monthly rate based on the number of months in a ten (10) year lien period. The loan will be forgiven at this rate over the ten (10) year lien period. The remainder will be in the form of a 3% interest loan with monthly payments for a specified term.

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

B. DESIGNATED AUTHORITY

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

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

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

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

C. PROGRAM IMPLEMENTATION PROCESS

Steps in implementing the Program will be as follows:

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

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

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

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

homeownership education classes by failure to attend mandatory classes, the City will notify them in writing that they have been removed from participation in the program.

Following completion of the required homeowner education classes, program staff will meet with the applicant(s) to explain the basic goals and objectives of the Program and further assess the needs of the applicant(s) household that will occupy the dwelling once completed. After the household needs are fully assessed, staff will assess the project site to determine any additional rehabilitation needs of the home in order to fully realize a decent, safe and sanitary unit. Program staff will make every effort, while crafting a plan for the home rehabilitation, to incorporate the City's most current Green Building Standards into the project scope. Any incentives offered from federal, state or local agencies for conformance with Green Build Standards shall be accessed by the program as appropriate and when applicable.

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

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

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

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

D. APPLICANT ELIGIBILITY CRITERIA

Eligible applicants of this Program must meet the following qualifications:

1. **Income:** An applicant must have a gross income of 80 percent or less than of the College Station/Bryan area median income as reported by HUD. Income will be determined by the provisions of 24 CFR § 92.203 (Income determinations) and 24 CFR § 5.609 (Annual income).
2. **Assets:** Applicants will not be eligible for this Program if, upon application, they have assets exceeding \$20,000 on hand. Retirement funds in IRS recognized retirement accounts are excluded.
3. **Principal Residence and Homestead:** Applicants will be required to certify that they intend to occupy the new reconstructed dwelling as their principal residence upon project completion. Occupancy will be determined through verification of utility consumption, and other verifications determined acceptable and/or necessary by the City, on an annual basis.
4. **Credit:** Qualified applicants will have an average FICO credit score of no less than 575, with no bankruptcies, foreclosures, student loan delinquencies, income tax delinquencies, child support delinquencies or repossessions within the previous two years. The Director may waive this requirement if necessary to accomplish other City or program objectives, or under extraordinary circumstances.
5. **Employment History:** Applicants must have an employment history in the same job, or in the case of professional, salaried employees (as defined in 29 CFR § 541 meeting any of the requirements in Subparts B,C,D,E, or F), in the same field of employment, for a minimum of twelve (12) months.
6. **Student Loans:** Student loans, which are currently deferred at the time of application, will be included in the debt ratio calculation as if in repayment status.
7. **Citizenship:** In order to receive Program assistance, applicants must be United States Citizens, U.S. Non-Citizen Nationals, or Qualified Aliens as defined by Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Qualified alien status will be verified by the Citizenship and Immigration Services division of the U.S. Department of Homeland Security.

E. ELIGIBLE PROPERTY CRITERIA

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

1. **Location:** The Program will be implemented on a city-wide basis within the corporate limits of the City of College Station. Properties that lie partially within the corporate limits will be considered on a case-by-case basis. However, program preference will rest with properties wholly in the City.

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

F. LOAN INSTRUMENTS

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

Affordability shall be determined by ensuring the total PITI (principal, interest, taxes, and insurance) payment (front ratio) of the permanent financing is not more than 30% of the monthly income of the eligible applicant. With Director approval, the upper percentage may be slightly exceeded under extenuating circumstances that demonstrate the buyer's ability to handle higher payments. The maximum total debt-to-income ratio (back ratio) is 45% (depending on credit score, Director may require a lower percentage).

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

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

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

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

G. FEASIBILITY OF REHABILITATION

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

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

H. SELECTION OF RECIPIENTS FOR ASSISTANCE

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

I. FORMS OF ASSISTANCE AND ALLOWABLE EXPENSES

1. Minor home repair assistance shall be in the form of a grant, through federal CDBG funds. The allowable budget authority for minor repair assistance shall not exceed Five Thousand and No/100 Dollars (\$5,000.00) per applicant for eligible project costs.
2. The primary form of general housing rehabilitation assistance will be federal CDBG and/or HOME funds to pay for eligible program costs. The allowable budget authority for rehabilitation assistance shall not exceed Fifty Thousand and No/100 Dollars (\$50,000.00) per applicant for eligible project costs (excluding program staff costs). Since each rehabilitation project is unique in preparation, size and duration, additional costs may be required to carry a project from commencement to completion. These additional costs will be financed by owner proceeds or by an additional loan from a private lender. Under no circumstances will the owner be able to finance more debt than is allowed under Program debt to income ratios.

3. The City of College Station shall hold first lien position on the loan for the duration of the lien period. However, in extreme and isolated situations where first lien position is not feasible, the City may accept a lower lien position subject to the review and approval of the Director. The lien shall be released upon repayment. The full amount of assistance may be repaid at any time; however, monthly payments must be made to satisfy the repayment half of the loan. The other half of the assistance will be in the form of a deferred, forgivable loan amortized using a monthly rate based on the number of months in a ten (10) year lien period to be placed on all rehabilitated dwellings. The loan will be forgiven at this rate over the ten (10) year lien period. If the house is sold or transferred before the lien period expires, the homeowner gets credit for every month spent in the house. The credit is subtracted from the total loan amount, which is then owed and due to the Community Development Office and received and used thereof as program income.

4. Program intent is to maintain owner-occupancy in the rehabilitated dwellings. In the event of a sale, transfer of ownership or renting of the property during the lien period, the following conditions must apply to avoid default:
 - The owner must sell or offer the assumption of the loan to a low/moderate income household for their homestead and approved by the Director; and
 - The owner shall give the city a first right of refusal to purchase the ownership interest in the property from the homeowner for the amount specified in a firm contract between the homeowner and a prospective buyer. The city shall have 10 business days after receiving notice of the firm contract to decide whether to exercise its right and 60 calendar days to complete closing of the property.

5. If within the repayment loan period the homeowner defaults on the loan, the portion of the repayment loan outstanding will be called due in full and foreclosure proceedings may be initiated. The forgivable portion of the loan will be paid back after factoring in credits for each month spent in the house (loan forgiven i/120th per month). The City will make every effort to work with the homeowner to avoid foreclosure and will examine each situation on a case by case basis.

J. **REHABILITATION AGREEMENT**

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

K. FINAL INSPECTION - CERTIFICATE OF OCCUPANCY

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

**October 27, 2011
Consent Agenda Item No. 2d
Approval of the 2011 Property Tax Roll**

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director Business Services

Agenda Caption: Presentation, possible action, and discussion on approval of the 2011 Property Tax Roll in the amount of \$24,979,684.54.

Recommendation(s): Staff recommends approval of the 2011 Property Tax Roll in the amount of \$24,979,684.54.

Summary: Section 26.09 (e) of the Texas Property Tax Code mandates formal approval of the Tax Roll by the City Council as the final step in the process of establishing the tax roll for the new year. The tax roll consists of the Maintenance and Operations levy and the Interest and Sinking fund levy.

The tax roll that will be generated by the tax rate of \$0.447543 per \$100 assessed valuation is \$24,979,684.54. This tax rate was adopted by the City Council on September 22, 2011.

Budget & Financial Summary: See above

Attachments:

1. Letter
2. 2011 Levy Totals

Kristeen Roe, RTA, CTA
Brazos County Tax Assessor/Collector
300 E. Wm J Bryan Pkwy
Bryan, TX 77803
979-361-4470
979-361-4487 - Fax



October 7, 2011

Honorable Nancy Berry
Mayor
College Station, TX

RE: 2011 Tax Rolls

Dear Mayor Berry:

I am providing the 2011 tax roll total information for the City of College Station as required by the Texas Property Tax Code:

Sec. 26.09 (e) The assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amounts of tax entered as approved by the governing body constitutes the unit's tax roll. **Please place acceptance of the 2011 Tax Rolls on the next Council Agenda as the formal creation of the tax rolls for the City of College Station.**

The Brazos County Tax Office received two supplemental value/ownership/exemption change files from the Brazos County Appraisal Review Board after the original 2011 value certification. The tax office accepted and balanced all of these changes prior to calculation of the 2011 tax rolls. A copy of the taxable values as well as the tax ceiling information for the City of College Station used for calculation is also provided.

Please contact me if you have any questions concerning these figures.

Respectfully,

A handwritten signature in cursive script that reads "Kristeen Roe".

Kristeen Roe, RTA, CTA
Tax Assessor/Collector
Brazos County

CC: **Jeff Kersten, Chief Financial Officer**
Sherry Mashburn, City Secretary

ENC

2011 LEVY TOTALS

C2 - CITY OF COLL. STAT.

Property Count: 28,359

Grand Totals

10/10/2011

9:05:46AM

Land		Value		
Homesite:		639,910,284		
Non Homesite:		1,026,950,883		
Ag Market:		108,977,711		
Timber Market:		0	Total Land	(+) 1,775,838,878

Improvement		Value		
Homesite:		2,554,787,137		
Non Homesite:		1,926,175,713	Total Improvements	(+) 4,480,962,850

Non Real	Count	Value		
Personal Property:	2,986	382,991,950		
Mineral Property:	2,181	6,565,930		
Autos:	0	0	Total Non Real	(+) 389,557,880
			Market Value	= 6,646,359,608

Ag	Non Exempt	Exempt		
Total Productivity Market:	108,977,711	0		
Ag Use:	663,871	0	Productivity Loss	(-) 108,313,840
Timber Use:	0	0	Appraised Value	= 6,538,045,768
Productivity Loss:	108,313,840	0		
			Homestead Cap	(-) 12,556,024
			Assessed Value	= 6,525,489,744

Exemption	Count	Local	State	Total		
CHODO(Partial)	4	127,100	0	127,100		
DP	89	0	0	0		
DPS	4	0	0	0		
DV1	113	0	957,000	957,000		
DV1S	7	0	35,000	35,000		
DV2	63	0	621,000	621,000		
DV3	51	0	540,000	540,000		
DV3S	1	0	10,000	10,000		
DV4	54	0	288,000	288,000		
DV4S	21	0	240,000	240,000		
DVHS	38	0	7,336,574	7,336,574		
EX	553	0	710,724,286	710,724,286		
EX(Prorated)	8	0	319,905	319,905		
EX366	1,778	0	167,256	167,256		
FR	4	8,245,088	0	8,245,088		
OV65	2,335	69,367,211	0	69,367,211		
OV65S	8	240,000	0	240,000	Total Exemptions	(-) 799,218,420
					Net Taxable	= 5,726,271,324

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	13,038,728	11,495,853	48,032.39	52,952.81	78		
DPS	412,320	400,320	1,718.46	1,719.75	3		
OV65	463,775,636	395,573,035	1,633,748.63	1,663,764.25	2,158		
Total	477,226,684	407,469,208	1,683,499.48	1,718,436.81	2,239	Freeze Taxable	(-) 407,469,208
Tax Rate	0.437995						

Freeze Adjusted Taxable = 5,318,802,116

2011 LEVY TOTALS

C2 - CITY OF COLL. STAT.
Grand Totals

Property Count: 28,359

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Levy Info			
M&O Rate:	0.236459	M&O Tax:	13,485,649.28
I&S Rate:	0.201536	I&S Tax:	11,493,935.40
Protected I&S Rate:	0.000000	Protected I&S Tax:	0.00
		Ag Penalty:	99.86

Total Levy 24,979,684.54

Tif Zone Code	Tax Increment Loss
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Tax Increment Finance Value: 177,607,395
Tax Increment Finance Levy: 777,911.51

2011 CERTIFIED TOTALS

C2 - CITY OF COLL. STAT.

Property Count: 28,360

Grand Totals

10/10/2011

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Land		Value			
Homesite:		639,824,804			
Non Homesite:		1,039,073,553			
Ag Market:		108,977,711			
Timber Market:		0	Total Land	(+)	1,787,876,068
Improvement		Value			
Homesite:		2,554,851,407			
Non Homesite:		1,926,175,713	Total Improvements	(+)	4,481,027,120
Non Real		Count	Value		
Personal Property:	2,989		382,834,070		
Mineral Property:	2,181		6,565,930		
Autos:	0		0		
			Total Non Real	(+)	389,400,000
			Market Value	=	6,658,303,188
Ag		Non Exempt	Exempt		
Total Productivity Market:	108,977,711		0		
Ag Use:	663,871		0	Productivity Loss	(-) 108,313,840
Timber Use:	0		0	Appraised Value	= 6,549,989,348
Productivity Loss:	108,313,840		0		
			Homestead Cap	(-) 12,552,408	
			Assessed Value	= 6,537,436,940	

Exemption	Count	Local	State	Total		
CHODO(Partial)	4	127,100	0	127,100		
DP	88	0	0	0		
DPS	4	0	0	0		
DV1	114	0	962,000	962,000		
DV1S	7	0	35,000	35,000		
DV2	61	0	606,000	606,000		
DV3	51	0	540,000	540,000		
DV3S	1	0	10,000	10,000		
DV4	53	0	276,000	276,000		
DV4S	21	0	240,000	240,000		
DVHS	38	0	7,336,574	7,336,574		
EX	554	0	710,703,184	710,703,184		
EX(Prorated)	5	0	236,525	236,525		
EX366	1,778	0	167,256	167,256		
FR	4	8,245,088	0	8,245,088		
OV65	2,326	69,097,211	0	69,097,211		
OV65S	8	240,000	0	240,000	Total Exemptions	(-) 798,821,938
					Net Taxable	= 5,738,615,002

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	12,928,478	11,385,603	47,565.77	52,486.19	76		
DPS	412,320	400,320	1,718.46	1,719.75	3		
OV65	460,362,834	392,640,233	1,621,454.12	1,651,036.48	2,144		
Total	473,703,632	404,426,156	1,670,738.35	1,705,242.42	2,223	Freeze Taxable	(-) 404,426,156
Tax Rate	0.437995						

Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
DP	74,540	74,540	73,365	1,175	1		
OV65	3,118,850	2,698,850	2,537,061	161,789	12		
Total	3,193,390	2,773,390	2,610,426	162,964	13	Transfer Adjustment	(-) 162,964

2011 CERTIFIED TOTALS

Property Count: 28,360

C2 - CITY OF COLL. STAT.
Grand Totals

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Freeze Adjusted Taxable = 5,334,025,882

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
25,033,505.01 = 5,334,025,882 * (0.437995 / 100) + 1,670,738.35

Tif Zone Code	Tax Increment Loss
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Tax Increment Finance Value: 177,607,375
Tax Increment Finance Levy: 777,911.42

2011 CERTIFIED TOTALS

C2 - CITY OF COLL. STAT.
Grand Totals

Property Count: 28,359

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Land		Value		
Homesite:		639,910,284		
Non Homesite:		1,026,950,883		
Ag Market:		108,977,711		
Timber Market:		0	Total Land	(+) 1,775,838,878

Improvement		Value		
Homesite:		2,554,787,137		
Non Homesite:		1,926,175,713	Total Improvements	(+) 4,480,962,850

Non Real	Count	Value		
Personal Property:	2,986	382,991,950		
Mineral Property:	2,181	6,565,930		
Autos:	0	0	Total Non Real	(+) 389,557,880
			Market Value	= 6,646,359,608

Ag	Non Exempt	Exempt		
Total Productivity Market:	108,977,711	0		
Ag Use:	663,871	0	Productivity Loss	(-) 108,313,840
Timber Use:	0	0	Appraised Value	= 6,538,045,768
Productivity Loss:	108,313,840	0		
			Homestead Cap	(-) 12,556,024
			Assessed Value	= 6,525,489,744

Exemption	Count	Local	State	Total		
CHODO(Partial)	4	127,100	0	127,100		
DP	89	0	0	0		
DPS	4	0	0	0		
DV1	113	0	957,000	957,000		
DV1S	7	0	35,000	35,000		
DV2	63	0	621,000	621,000		
DV3	51	0	540,000	540,000		
DV3S	1	0	10,000	10,000		
DV4	54	0	288,000	288,000		
DV4S	21	0	240,000	240,000		
DVHS	38	0	7,336,574	7,336,574		
EX	553	0	710,724,286	710,724,286		
EX(Prorated)	8	0	319,905	319,905		
EX366	1,778	0	167,256	167,256		
FR	4	8,245,088	0	8,245,088		
OV65	2,335	69,367,211	0	69,367,211		
OV65S	8	240,000	0	240,000	Total Exemptions	(-) 799,218,420
					Net Taxable	= 5,726,271,324

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	12,964,188	11,421,313	47,711.06	52,631.48	77		
DPS	412,320	400,320	1,718.46	1,719.75	3		
OV65	460,470,546	392,717,945	1,621,789.48	1,651,754.55	2,145		
Total	473,847,054	404,539,578	1,671,219.00	1,706,105.78	2,225	Freeze Taxable	(-) 404,539,578
Tax Rate	0.437995						

Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
DP	74,540	74,540	73,365	1,175	1		
OV65	3,118,850	2,698,850	2,537,061	161,789	12		
Total	3,193,390	2,773,390	2,610,426	162,964	13	Transfer Adjustment	(-) 162,964

2011 CERTIFIED TOTALS

Property Count: 28,359

C2 - CITY OF COLL. STAT.
Grand Totals

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Freeze Adjusted Taxable = 5,321,568,782

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
24,979,424.19 = 5,321,568,782 * (0.437995 / 100) + 1,671,219.00

Tif Zone Code	Tax Increment Loss
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Tax Increment Finance Value:	177,607,395
Tax Increment Finance Levy:	777,911.51

2011 CERTIFIED TOTALS

C2 - CITY OF COLL. STAT.
Grand Totals

Property Count: 28,359

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Land		Value			
Homesite:		639,910,284			
Non Homesite:		1,026,950,883			
Ag Market:		108,977,711			
Timber Market:		0	Total Land	(+)	1,775,838,878
Improvement		Value			
Homesite:		2,554,787,137			
Non Homesite:		1,926,175,713	Total Improvements	(+)	4,480,962,850
Non Real		Count	Value		
Personal Property:	2,986		382,991,950		
Mineral Property:	2,181		6,565,930		
Autos:	0		0		
			Total Non Real	(+)	389,557,880
			Market Value	=	6,646,359,608
Ag		Non Exempt	Exempt		
Total Productivity Market:	108,977,711		0		
Ag Use:	663,871		0	Productivity Loss	(-)
Timber Use:	0		0	Appraised Value	=
Productivity Loss:	108,313,840		0		
			Homestead Cap	(-)	12,556,024
			Assessed Value	=	6,525,489,744

Exemption	Count	Local	State	Total		
CHODO(Partial)	4	127,100	0	127,100		
DP	89	0	0	0		
DPS	4	0	0	0		
DV1	113	0	957,000	957,000		
DV1S	7	0	35,000	35,000		
DV2	63	0	621,000	621,000		
DV3	51	0	540,000	540,000		
DV3S	1	0	10,000	10,000		
DV4	54	0	288,000	288,000		
DV4S	21	0	240,000	240,000		
DVHS	38	0	7,336,574	7,336,574		
EX	553	0	710,724,286	710,724,286		
EX(Prorated)	8	0	319,905	319,905		
EX366	1,778	0	167,256	167,256		
FR	4	8,245,088	0	8,245,088		
OV65	2,335	69,367,211	0	69,367,211		
OV65S	8	240,000	0	240,000	Total Exemptions	(-)
					Net Taxable	=
						5,726,271,324

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	13,038,728	11,495,853	48,032.39	52,952.81	78		
DPS	412,320	400,320	1,718.46	1,719.75	3		
OV65	463,775,636	395,573,035	1,633,748.63	1,663,764.25	2,158		
Total	477,226,684	407,469,208	1,683,499.48	1,718,436.81	2,239	Freeze Taxable	(-)
Tax Rate	0.437995						
						Freeze Adjusted Taxable	=
							5,318,802,116

2011 CERTIFIED TOTALS

Property Count: 28,359

C2 - CITY OF COLL. STAT.
Grand Totals

10/10/2011 10:27:26AM

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
24,979,586.81 = 5,318,802,116 * (0.437995 / 100) + 1,683,499.48

Tif Zone Code	Tax Increment Loss
---------------	--------------------

Tax Increment Finance Value:	177,607,395
Tax Increment Finance Levy:	777,911.51

**October 27, 2011
Consent Agenda Item No. 2e
Funding Agreement With Keep Brazos Beautiful**

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Presentation, possible action and discussion on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY12 in the amount of \$50,240.

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

Summary: As part of the 2011-2012 budget process the City Council approved funding for Keep Brazos Beautiful in the amount of \$50,240.

Budget & Financial Summary: The funds for this agreement are budgeted and available in the 2011-2012 Sanitation Fund for the total amount of \$50,240. \$34,240 is to be used for the operations and maintenance of Keep Brazos Beautiful. \$16,000 is to be used for beautification grants and projects of Keep Brazos Beautiful, such as the Don't Mess With Texas Trash Off and wildflower seed distribution.

Attachments:

1. Keep Brazos Beautiful Funding Agreement (Available in City Secretary's Office)

**October 27, 2011
Consent Agenda Item No. 2f
Funding Agreement With Noon Lions Club**

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Presentation, possible action and discussion on a funding agreement between the City of College Station and College Station Noon Lions Club for FY12 in the amount of \$10,000.

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

Summary: As part of the 2011-2012 budget process the City Council approved funding for College Station Noon Lions Club in the amount of \$10,000.

Budget & Financial Summary: The funds for this agreement are budgeted and available in the 2011-2012 General Fund for the total amount of \$10,000. Those appropriated funds shall be used to provide the *I Love America Fourth of July Celebration* at the George Bush Presidential Library and Museum.

Attachments:

1. College Station Noon Lions Club Funding Agreement (Available in City Secretary's Office)

October 27, 2011
Consent Agenda Item No. 2g
Budget Approval and Funding Agreement With the George Bush Presidential
Library Foundation

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Presentation, possible action, and discussion on approving the budget of the George Bush Presidential Library Foundation; and presentation, discussion and possible action on a funding agreement between the City of College Station and the George Bush Presidential Library Foundation for FY12 in the amount of \$50,000.

Recommendation(s): Staff recommends approval of the George Bush Presidential Library Foundation budget and the funding agreement for FY12.

Summary: As part of the 2011-2012 budget process the City Council approved funding for the George Bush Presidential Library Foundation in the amount of \$50,000.

Budget & Financial Summary: The funds for this agreement are budgeted and available in the 2011-2012 Hotel Tax Fund budget. A total of \$50,000 is to be used for marketing and operational activities directly associated with the promotion of tourism and the hotel industry in College Station. State law requires that the City Council approve the budget of any organization that is to be funded through Hotel Tax funds.

Attachments:

1. George Bush Presidential Library Foundation Proposed Budget (Available in City Secretary's Office)
2. George Bush Presidential Library Foundation Funding Agreement (Available in City Secretary's Office)

October 27, 2011
Consent Agenda Item No. 2h
Budget Approval and Funding Agreement with The Memorial for all Veterans of the Brazos Valley

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Presentation, possible action, and discussion on approving the budget of the Memorial for all Veterans of the Brazos Valley; and presentation, discussion and possible action on a funding agreement between the City of College Station and the Memorial for all Veterans of the Brazos Valley for FY12 in the amount of \$25,000.

Recommendation(s): Staff recommends approval of the Memorial for all Veterans of the Brazos Valley budget and the funding agreement for FY12.

Summary: As part of the 2011-2012 budget process the City Council approved funding for the Memorial for all Veterans of the Brazos Valley in the amount of \$25,000 for the funding and design of additional war memorials along the Lynn Stuart Pathway at Veterans Park.

Budget & Financial Summary: The funds for this agreement are available in the Fiscal Year 2012 Hotel Tax Fund Budget. A total of \$25,000 is to be used for the funding and design of additional memorials at Veterans Park which is directly associated with the promotion of tourism and historic preservation in the City of College Station. State law requires that the City Council approve the budget of any organization that is to be funded through the Hotel Tax.

Attachments:

1. The Memorial for all Veterans of the Brazos Valley FY12 Budget (available in City Secretary's Office)
2. The Memorial for all Veterans of the Brazos Valley FY12 Funding Agreement (available in City Secretary's Office)

**October 27, 2011
Consent Agenda Item No. 2i
Annual Curb, Gutter and Flatwork Contract**

To: David Neeley, City Manager

From: Chuck Gilman, P.E., Public Works Director

Agenda Caption: Presentation, possible action, and discussion on the award of bid #12-009 to Brazos Paving, Inc. in an amount not to exceed \$534,400 for the annual contract for a blanket purchase order for concrete curb, gutter and flatwork used to maintain City infrastructure.

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

Recommendation(s): Staff recommends approval of the contract

Summary: Maintenance of flatwork, curbs and gutters is contracted on an as needed basis, by the Public Works Department and College Station Utilities. The maximum quantities have been increased by about 33% due to the City's commitment to bring sidewalk ramps into compliance with new ADA standards when repairing curbs, gutters and sidewalks. Also, the number of broken water lines has increased due to drought conditions and has required a greater number of repairs to concrete infrastructure.

The increased annual quantities of repairs to concrete infrastructure are estimated as follows:

Remove and Replace Curb and Gutter: From 6,000 to 8,000 linear feet
Remove and Replace Concrete Flatwork: From 600 to 800 cubic yards

Bids were received from 5 (five) companies with the lowest bid submitted by Brazos Paving, Inc.:

Brazos Paving, Inc.	\$534,400.00
Brazos Site Works, LP	\$558,400.00
Larry Young Paving	\$596,000.00
Meyer Concrete Construction, LP	\$694,000.00
Knife River Corp.	\$888,000.00

Budget & Financial Summary: Funding for this service comes from the operating budgets for Streets, Drainage and Utility Maintenance.

Attachments:

1. Bid tabulation #12-009
2. Resolution



City of College Station - Purchasing Division
Bid Tabulation for #12-009
"Annual Concrete Flatwork Curb and Gutter"
Open Date: Tuesday, October 4, 2011 @ 2:00 p.m.

Item No.	Est. Yearly Quantity	Description	Brazos Paving Bryan, TX		Brazos Site Works, LP Bryan, TX		Larry Young Paving College Station, TX		Meyer Concrete Construction, LP Wimberly, TX		Knife River Corp. - South College Station, TX		
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	
BASE BID:													
1	8,000	lin. ft.	Remove & Replace Concrete Curb & Gutter, in accordance with TSDHPT 1993 Standard Specs, item#360, & according to College Station Specs 401 & 702, 501,502,503,504 (copy attached)	\$25.00	\$200,000.00	\$28.00	\$224,000.00	\$29.50	\$236,000.00	\$27.95	\$223,600.00	\$44.00	\$352,000.00
2	800	cu. yd.	Remove & Replace Concrete Flatwork (sidewalks, driveways, aprons, gutters) in accordance with TSDHPT 1993 Standard Specs, Item #360, & according to College Station Specs 702, 402, 501,502 ,503 ,504 (copy attached)	\$418.00	\$334,400.00	\$418.00	\$334,400.00	\$450.00	\$360,000.00	\$588.00	\$470,400.00	\$670.00	\$536,000.00
Base Price				\$534,400.00	\$558,400.00	\$596,000.00	\$694,000.00	\$888,000.00					

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE ANNUAL CURB, GUTTER AND FLATWORK REPAIR PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Annual Curb, Gutter and Flatwork Repair Project; and

WHEREAS, the selection of Brazos Paving, Inc. is being recommended as the lowest responsible bidder for the construction services related to the Annual Curb, Gutter and Flatwork Repair Project; now, therefore,

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

- PART 1: That the City Council hereby finds that Brazos Paving, Inc. is the lowest responsible bidder.
- PART 2: That the City Council hereby approves the contract with Brazos Paving, Inc. for \$534,400.00 for the labor, materials and equipment required for the improvements related the Annual Curb, Gutter and Flatwork Repair Project.
- PART 3: That the funding for this Contract shall be as budgeted from the General, Drainage and Utility Funds, Street, Drainage, Water and Wastewater Divisions, in the amount of \$534,400.00.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this _____ day of _____, 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

October 27, 2011
Consent Agenda Item No. 2j
Investment Policy/Broker-Dealer List/Strategy Resolution

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director Business Services

Agenda Caption: 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.

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

Summary: The Public Funds Investment Act requires an annual review and approval of the City's investment policy and investment strategies. The Act further requires the following:

- (1) that the governing body adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies, and
- (2) that the written instrument so adopted records any changes to either the investment policy or investment strategies.

The City's investment policy has been reviewed and amended to reflect the legislative changes that have occurred during the 82nd Legislative Session.

An annual review of the City's authorized broker/dealers was performed. Given the current economic conditions, staff made no changes to the broker/dealer list. Firms approved to do business with the City are: Costal Securities, Inc., Vining Sparks, Deutsche Bank Alex Brown, First Southwest Securities and First Empire Securities.

As part of the City's Investment Policy, Council is to review, approve and adopt any modifications to the list.

Budget & Financial Summary: None

Attachments:

Investment Policy and Strategy
Resolution



Investment Strategy and Policy

2012

Submitted to Council on

October 27, 2011

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INVESTMENT STRATEGY

The City of College Station will pursue a passive investment strategy. Investments will be purchased with the intent of holding to maturity and will only be sold early under exceptional circumstances. In purchasing investments, the investment officer will attempt to follow a ladder strategy to ensure that the portfolio will have at least one investment maturing every month. Investment priorities are as follows:

1. **Suitability** - Any investment allowed under the Investment Policy is suitable.
2. **Preservation and Safety of Principal** - Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
3. **Liquidity** - The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operational requirements that might reasonably be anticipated.
4. **Marketability** - Investments should have an active and efficient secondary market to enable the City to liquidate investments prior to the maturity if the need should arise.
5. **Diversification** - The Investment Officer will attempt to maintain a diversified portfolio with regard to security type, financial institution providing the security, and maturity.
6. **Yield** - The City's investment portfolio shall be designed with the objective of attaining the maximum rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints and the cash flow characteristics of the portfolio.

CITY OF COLLEGE STATION

INVESTMENT POLICY

The Public Funds Investment Act, Chapter 2256, Texas Government Code, as Amended ("PFIA" herein), requires each city to adopt rules governing its investment practices and to define the authority of the investment officer. The following Investment Policy addresses the methods, procedures, and practices that must be exercised to ensure effective and judicious fiscal management of the City of College Station funds.

I. POLICY

It is the policy of the City of College Station, Texas ("City") to invest public funds in a manner, which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all federal, state and local statutes governing the investment of public funds.

II. SCOPE

This investment policy applies to all the financial assets held by the City. These funds are defined in the City's Comprehensive Annual Financial Report (CAFR) and include:

General Fund	Special Revenue Funds
Debt Service Fund	Capital Projects Funds
Enterprise Funds	Internal Service Funds
Permanent Funds	

Any new funds created by the City will be subject to this policy unless specifically exempted by the City Council. To maximize the effective investment of assets, all funds mentioned above will pool their cash balances for investment purposes. The income derived from investing activities will be distributed to the various funds based on calculation of their average balances.

III. INVESTMENT OBJECTIVES

The City of College Station shall manage and invest its cash with three primary objectives, listed in order of priority: **safety, liquidity and yield**. The safety of the principal invested always remains the primary objective.

Safety

Safety of Principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Liquidity

The City's investment portfolio will remain liquid to enable the City to meet all operational requirements that might reasonably be anticipated.

Yield

The City shall invest funds in investments that earn a competitive market yield consistent with stated objectives. For bond proceeds to which arbitrage restrictions apply, the primary objectives shall be to obtain a fair market yield and to minimize the costs associated with the investment of such funds within the constraints of the investment policy and applicable bond covenants.

IV. RESPONSIBILITY AND CONTROL

Delegation of Authority

The Chief Financial Officer or his Designee is designated the City's Investment Officer. The Investment Officer shall be responsible for the investment of funds consistent with this Policy, and shall have the authority necessary to carry out such responsibilities. An investment committee consisting of the Investment Officer and at least two other staff members designated by the City Manager will also be formed. This committee will be responsible for selecting eligible broker/dealers, reviewing, and updating the investment policy annually. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officer shall establish written procedures for the operation of the investment program consistent with this investment policy. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Cash Flow Analysis

Supplemental to the financial and budgetary systems, the Investment Officer will maintain a cash flow forecasting process designed to monitor and forecast cash positions for investment purposes. Cash flow analysis will include the historical researching and monitoring of specific cash flow items, payables and receivables as well as overall cash position and patterns.

Training Requirement

In order to ensure the quality and capability of investment management, the Chief Financial Officer and the Investment Officer shall:

- attend at least one training session within 12 months of assuming duties *and* containing not less than 10 hours of instruction from an independent source approved by the governing board or a designated investment committee;
- receive training which includes education in investment controls, security risks, strategy risks, market risks, *diversification of the investment portfolio*, and compliance with the PFIA; and
- attend a training session not less than once each state fiscal biennium (beginning on the first day of the fiscal year and consisting of two consecutive fiscal years after that date) and receive not less than 10 hours of training from an independent source approved by the governing board or a designated investment committee.

Internal Controls

The Investment Officer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures. Annually, the City's independent auditors will review quarterly reports for the fiscal year.

Prudence

Investments shall be made with the judgment and care which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Manager any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City, particularly with regard to the time of purchases and sales. Employees and investment officials shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City.

On an annual basis, the Investment officials shall sign a statement acknowledging that they are in compliance with Section 2256.005 (i) of the Public Funds Investment Act.

V. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

The City currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity.

Investments

Acceptable investments under this policy shall be limited to the instruments as described by the Government Code; Chapter 2256, Sections 2256.009 through 2256.011 and Sections 2256.013 through 2256.016 of the Public Funds Investment Act. Investment of funds in any instrument or security not authorized for investment under the Act is prohibited.

• **Authorized**

1. Direct obligations of the United States government: U.S. Treasury Bills, U.S. Treasury Notes, and U.S. Treasury Bonds as well as Bonds or other interest bearing obligations for which the principal and interest are guaranteed by the full faith and credit of the United States government and rated not less than A or its equivalent by at least one nationally recognized investment rating firm.
2. Federal Agencies and Instrumentalities including but not limited to, discount notes, callables and debentures of the Federal National Mortgage Association (FNMA), the Federal Home Loan Bank (FHLB), the Federal Farm Credit Bank (FFCB), and the Federal Home Loan Mortgage Corporation (FHLMC).
3. Time Certificates of Deposit, insured by the Federal Deposit Insurance Corporation (FDIC) or its successor, in state or national banks. Any deposits exceeding FDIC insurance limits shall be collateralized at 102% of the face amount of the Certificate of Deposit by securities listed in 1 - 2 above and held by the City's custodial bank or the custodial bank of the institution the CD's are held. Bids for Certificates of Deposit may be solicited orally, in writing, electronically or using any combination of these methods.
4. Repurchase Agreements with a defined termination date of 90 days or less collateralized by a combination of cash and securities listed in 1 - 2 above. Collateral must have a minimum market value of 102% of the repurchase agreement, and must be held by the custodian bank or other independent third-party custodian contracted by the City. Bond proceeds may be invested in flexible repurchase agreements with maturity dates not exceeding the expected final project expenditure if a formal bidding process is followed and properly documented for IRS purposes.

5. Commercial Paper maturing within 180 days carrying a minimum rating not less than A-1 or P-1 or equivalent by two nationally recognized rating agencies, or; rated not less than A-1 or P-1 equivalent by one nationally recognized rating agency plus secured by an irrevocable letter of credit issued by a domestic bank.
 6. AAA-rated Money Market Mutual Funds registered with the Securities and Exchange Commission that invest exclusively in investments described in this section.
 7. AAA-rated Investment Pools organized under the Texas Interlocal Cooperation Act that follow the requirements in the Public Funds Investment Act and which have been specifically approved by the City.
- **Not Authorized**

The following security types are not permitted:

1. Obligations whose payment represents the coupon payments of the underlying mortgage-backed security collateral and pays no principal (IO's);
2. Obligations whose payment represents the principle stream from the underlying mortgage-backed security collateral and bears no interest (PO's);
3. Collateralized Mortgage Obligations (CMO's) that have a stated final maturity date of greater than 10 years; and
4. Any security, the interest rate of which is determined by an index that adjusts opposite to the changes in the Market index (inverse floaters).

Exemption for Existing Investments

Any investment, which was authorized at the time of purchase, shall not be required to be liquidated.

Loss of Required Rating

If any security that requires a minimum investment rating is downgraded below that minimum rating subsequent to purchase, it will no longer be considered an authorized investment. As a result, the City shall take all prudent measures to liquidate the security in effort to preclude or reduce principle loss. The City will select a different approved broker/dealer each quarter to verify the ratings of securities held. Local Government Pools ratings will be verified quarterly by checking their websites.

VI. INVESTMENT PARAMETERS

Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five years from the date of purchase. Additionally, the City will maintain a dollar-weighted average maturity of two years or less.

Diversification

It is the intent of the City to diversify the investment instruments within the portfolio to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. The asset allocation in the portfolio should be flexible depending upon the outlook for the economy and the securities markets. If conditions warrant, the guidelines below may be exceeded by approval of the Investment Committee.

With the exception of U.S. Treasury securities and authorized pools, the City may not invest more than 30% of the City's investment portfolio with a single financial institution. In addition, the following maximum limits, by instrument, are established for the City's total portfolio:

1. U.S. Treasury Securities	100%
2. Agencies and Instrumentalities	70%
3. Certificates of Deposits	30%
4. Money Market Mutual Funds	30%
5. Repurchase Agreements	20%
6. Commercial Paper	20%
7. Authorized Pools	70%

VII. FINANCIAL INSTITUTIONS AND DEALERS

Depository

At least every three to five years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for application (RFA). The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state and local laws.
- The ability to provide requested information or financial statements for the period specified.
- The ability to meet all requirements in the banking RFA.
- Complete response to all required items on the bid form.
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.

- The credit worthiness and financial stability of the bank.

The bank depository contract is subject to Council approval. During the term of the contract, additional accounts may be established. The City may open a cash money market account with its approved depository bank. Accounts held by the approved bank are to be collateralized at no less than 105%. Two authorized signers on the City's accounts must approve the establishment of new accounts.

Authorized Brokers/Dealers

The Investment Officer shall maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment services in the State of Texas. These may include "primary" or regional dealers that qualify under SEC rule 15C3-1. No public deposit shall be made except in a qualified public depository as established by state laws.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Investment Officer with a completed Broker/Dealer Questionnaire and Certification, which shall include the following:

- An audited financial statement for the most recent period.
- Proof of certification by the Financial Industry Regulatory Authority (FINRA).
- Proof of current registration with the State Securities Commission.

Financial institutions eligible to transact investment business with the City shall be presented a written copy of this Investment Policy.

Additionally, the qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the qualified representative has received and reviewed this Investment Policy, and acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities with the City.

The City will not enter into an investment transaction with a Broker/Dealer prior to receiving the written agreement described above and current audited financial statements.

Annually, the Investment Committee shall review and revise the list as needed. The Committee will consider any new firms that have submitted the required documentation and review the performance of the previously approved firms. Any modifications to the list will be submitted to Council for their review, approval and adoption.

Competitive Bids

Securities will be purchased or sold after three (3) offers/bids are taken to verify that the City is receiving fair market value/price for the investment. Security transactions that may be purchased without competitive offers include: a) transactions with money market mutual funds b) local government investment pools and c) new securities still in syndicate and priced at par.

Delivery vs. Payment

All securities transaction, including collateral for repurchased agreements, shall be purchased using the delivery vs., payment method with the exception of investment pools and mutual funds. Funds will be released after notification that the purchased security has been received.

VIII. SAFEKEEPING OF SECURITIES

Safekeeping Agreement

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure demand or time deposits.

Safekeeping and Custody

Safekeeping and custody of securities and collateral shall be in accordance with state law. Securities and collateral will be held by a third party custodian designated by the Investment Officer and held in the City's name as evidenced by safekeeping receipts of the institution with which the securities are deposited. Original safekeeping receipts shall be obtained.

Collateralization

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all investments and funds on deposit with a depository bank, other than investments, which are obligations of the U.S. government, its agencies and instrumentalities, and government sponsored enterprises. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on deposits or investments less than an amount insured by the FDIC. The collateralization level of the City's depository accounts will be no less than 105%.

Collateral will always be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

The right of collateral substitution is granted.

IX. PERFORMANCE STANDARDS

Performance Standards

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs.

Performance Benchmark

Given the passive investment strategy of the City, the benchmark to be used by the Investment Officer to determine whether market yields are being achieved shall be the average closing yield during the reporting period comparable to the portfolios dollar-weighted average maturity in days.

X. REPORTING

Methods

Not less than quarterly and within a reasonable time after the end of the period reported, the Investment Officer should prepare and submit to the City Council a written report of the investment transactions for all funds of the City for the preceding reporting period. The report must:

- describe in detail the investment position of the City on the date of the report,
- be prepared jointly by all the Investment Officers if the City appoints more than one,
- be signed by all Investment Officials,
- contain a summary statement of each pooled fund group that states the beginning market value for the reporting period,
- state the book value and the market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested,
- state the maturity date of each separately invested asset that has a maturity date,
- state the fund for which each individual investment was acquired,
- state all accrued interest payable; and
- state the compliance of the investment portfolio as it relates to this Policy and Investment Act.

Marking to Market

The market values of the City's investments shall be obtained from a reliable outside source, which has access to investment market values. Marketing to Market will be done at least quarterly.

XI. INVESTMENT POLICY ADOPTION

The City's investment policy and investment strategies must be adopted annually by resolution of the City Council even if there are no changes. The City Council shall review the policy annually and they must approve any changes or modifications made thereto.

QUALIFIED BROKERS/DEALERS

Costal Securities, Inc.

Tony Sekaly
5555 San Felipe, Suite 2200
Houston, Texas 77056
Phone: (713)435-4328

Vining Sparks

Steve Scaramastro
775 Ridge Lake Boulevard
Memphis, Tennessee 38120
Phone: (901)681-1008

Deutsche Bank Alex Brown
Larry Burns
700 Louisiana Street, Suite 1500
Houston, TX 77002
Phone: (832)239-3311

First Empire Securities
Michael Pappadio

Hauppauge, NY 11788
Phone: (631)979-0097

Five Momentum Blvd.

First Southwest Securities
Linda Calloway
300 West 6th Street, Suite 1940
Austin, TX 78701
Phone: (512)481-2040

American Momentum (CD's only)
1100 Motor Parkway, 2nd Floor

College Station, TX 77845
Phone: (979)599-9349

INVESTMENT POOLS

TexPool
600 Travis Street, Suite 7200
Houston, TX 77002
Phone: (866)891-7665

TexSTAR
325 North St. Paul, Suite 800
Dallas, TX 75201
Phone: (800)839-7827

DEPOSITORY BANK

Citibank, N.A.
2717 Texas Avenue South
College Station, Texas 77840
(979)260-1482

GLOSSARY OF COMMON TREASURY TERMINOLOGY

Accrued Interest - The accumulated interest due on a bond as of the last interest payment made by the issuer.

Agency - A debt security issued by a federal or federally sponsored agency. Federal agencies are backed by the full faith and credit of the U.S. Government. Federally sponsored agencies (FSAs) are backed by each particular agency with a market perception that there is an implicit government guarantee. An example of federal agency is the Government National Mortgage Association (GNMA). An example of a FSA is the Federal National Mortgage Association (FNMA).

Amortization - The systematic reduction of the amount owed on a debt issue through periodic payments of principal.

Asked - The price at which securities are offered.

Average Life - The average length of time that an issue of serial bonds and/or term bonds with a mandatory sinking fund feature is expected to be outstanding.

Basis Point - A unit of measurement used in the valuation of fixed-income securities equal to 1/100 of 1 percent of yield, e.g., "1/4" of 1 percent is equal to 25 basis points.

Bid - The indicated price at which a buyer is willing to purchase a security or commodity.

Book Value - The value at which a security is carried on the inventory lists or other financial records of an investor. The book value may differ significantly from the security's current value in the market.

Broker - A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market, brokers are active in markets in which banks buy and sell money and in interdealer markets.

Callable Bond - A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

Call Price - The price at which an issuer may redeem a bond prior to maturity. The price is usually at a slight premium to the bond's original issue price to compensate the holder for loss of income and ownership.

Call Risk - The risk to a bondholder that a bond may be redeemed prior to maturity.

Cash Sale/Purchase - A transaction that calls for delivery and payment of securities on the same day that the transaction is initiated.

Certificate of Deposit (CD) – A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

Collateralization - Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

Commercial Paper - An unsecured short-term promissory note issued by corporations, with maturities ranging from 2 to 270 days.

Comprehensive Annual Financial Report (CAFR) – The official annual report for the City of College Station. It includes combined statements and basic financial statements for each

individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provision, extensive introductory material, and a detailed statistical section.

Coupon Rate - The annual rate of interest received by an investor from the issuer of certain types of fixed-income securities. It is also known as the interest rate.

Credit Quality - The measurement of the financial strength of a bond issuer. This measurement helps an investor to understand an issuer's ability to make timely interest payments and repay the loan principal upon maturity. Generally, the higher the credit quality of a bond issuer, the lower the interest rate paid by the issuer because the risk of default is lower. Credit quality ratings are provided by nationally recognized rating agencies.

Credit Risk - The risk to an investor that an issuer will default in the payment of interest and/or principal on a security.

Current Yield (Current Return) - A yield calculation determined by dividing the annual interest received on a security by the current market price of that security.

Dealer – A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

Delivery Versus Payment (DVP) - A type of securities transaction in which the purchaser pays for the securities when they are delivered either to the purchaser or his/her custodian.

Discount - The amount by which the par value of a security exceeds the price paid for the security.

Discount Security – Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

Diversification - A process of investing assets among a range of security types by sector, maturity, and quality rating.

Duration - A measure of the timing of the cash flows, such as the interest payments and the principal repayment, to be received from a given fixed-income security. This calculation is based on three variables: term to maturity, coupon rate, and yield to maturity. The duration of a security is a useful indicator of its price volatility for given changes in interest rates.

Fair Value - The amount at which an investment could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

Federal Funds (Fed Funds) - Funds placed in Federal Reserve banks by depository institutions in excess of current reserve requirements. These depository institutions may lend fed funds to each other overnight or on a longer basis. They may also transfer funds among each other on a same-day basis through the Federal Reserve banking system. Fed funds are considered immediately available funds.

Federal Funds Rate - Interest rate charged by one institution lending federal funds to the other.

Federal Credit Agencies – Agencies of the Federal Government set up to supply credit to various classes of institutions and individuals, e.g. S&L's small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC) – A federal agency that insures bank deposits, currently up to \$250,000 per depository account through December 31, 2013. On January 1, 2014, the standard insurance amount will return to \$100,000.

Federal Home Loan banks (FHLB) – The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role similar to that played by the Federal Reserve Bank versus member commercial banks.

Federal National Mortgage Association (FNMA) – A government –sponsored enterprise (GSE) that was created in 1938 to expand the flow of mortgage money by creating a secondary mortgage market. Fannie Mae is a publicly traded company which operates under a congressional charter that directs Fannie Mae to channel its efforts into increasing the availability and affordability of homeownership for low-, moderate-, and middle-income Americans.

Federal Open Market Committee (FOMC) – Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

Federal Reserve System – The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

Financial Industry Regulatory Authority (FINRA) - A self-regulatory organization (SRO) of brokers and dealers in the over-the-counter securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

Government Securities - An obligation of the U.S. government, backed by the full faith and credit of the government. These securities are regarded as the highest quality of investment securities available in the U.S. securities market. See "Treasury Bills, Notes, and Bonds."

Interest Rate - See "Coupon Rate."

Interest Rate Risk - The risk associated with declines or rises in interest rates which cause an investment in a fixed-income security to increase or decrease in value.

Internal Controls - An internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure is designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that 1) the cost of a control should not exceed the benefits likely to be derived and 2) the valuation of costs and benefits requires estimates and judgments by management. Internal controls should address the following points:

- § **Control of collusion** - Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
- § **Separation of transaction authority from accounting and record keeping** - By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- § **Custodial safekeeping** - Securities purchased from any bank or dealer including appropriate collateral (as defined by state law) shall be placed with an independent third party for custodial safekeeping.

Inverted Yield Curve - A chart formation that illustrates long-term securities having lower yields than short-term securities. This configuration usually occurs during periods of high inflation coupled with low levels of confidence in the economy and a restrictive monetary policy.

Investment Policy - A concise and clear statement of the objectives and parameters formulated by an investor or investment manager for a portfolio of investment securities.

Liquidity - An asset that can be converted easily and quickly into cash.

Local Government Investment Pool (LGIP) - An investment by local governments in which their money is pooled as a method for managing local funds.

Mark-to-market - The process whereby the book value or collateral value of a security is adjusted to reflect its current market value.

Market Risk - The risk that the value of a security will rise or decline as a result of changes in market conditions.

Market Value - Current market price of a security.

Maturity - The date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder. See "Weighted Average Maturity."

Money Market – The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Money Market Mutual Fund - Mutual funds that invest solely in money market instruments (short-term debt instruments, such as Treasury bills, commercial paper, bankers' acceptances, repos and federal funds).

Mutual Fund - An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. Mutual funds are regulated by the Investment Company Act of 1940.

Net Asset Value - The market value of one share of an investment company, such as a mutual fund. This figure is calculated by totaling a fund's assets that includes securities, cash, and any accrued earnings, subtracting this from the fund's liabilities and dividing this total by the number of shares outstanding. This is calculated once a day based on the closing price for each security

in the fund's portfolio. (See below.) $[(\text{Total assets}) - (\text{Liabilities})] / (\text{Number of shares outstanding})$

Nominal Yield - The stated rate of interest that a bond pays its current owner, based on par value of the security. It is also known as the "coupon," "coupon rate," or "interest rate."

Offer - An indicated price at which market participants are willing to sell a security or commodity. Also referred to as the "Ask price."

Par - Face value or principal value of a bond, typically \$1,000 per bond.

Portfolio – Collection of securities held by an investor.

Positive Yield Curve - A chart formation that illustrates short-term securities having lower yields than long-term securities.

Premium - The amount by which the price paid for a security exceeds the security's par value.

Prime Rate - A preferred interest rate charged by commercial banks to their most creditworthy customers. Many interest rates are keyed to this rate.

Principal - The face value or par value of a debt instrument. Also may refer to the amount of capital invested in a given security.

Prospectus - A legal document that must be provided to any prospective purchaser of a new securities offering registered with the SEC. This can include information on the issuer, the issuer's business, the proposed use of proceeds, the experience of the issuer's management, and certain certified financial statements.

Prudent Person Rule - An investment standard outlining the fiduciary responsibilities of public funds investors relating to investment practices.

Rate of Return – The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Reinvestment Risk - The risk that a fixed-income investor will be unable to reinvest income proceeds from a security holding at the same rate of return currently generated by that holding.

Repurchase Agreement (repo or RP) - An agreement of one party to sell securities at a specified price to a second party and a simultaneous agreement of the first party to repurchase the securities at a specified price or at a specified later date.

Reverse Repurchase Agreement (Reverse Repo) - An agreement of one party to purchase securities at a specified price from a second party and a simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specified date.

Rule 2a-7 of the Investment Company Act - Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13- month maturity limit and a

90-day average maturity on investments, to help maintain a constant net asset value of one dollar (\$1.00).

Safekeeping - Holding of assets (e.g., securities) by a financial institution.

Secondary Market – A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission – Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Serial Bond - A bond issue, usually of a municipality, with various maturity dates scheduled at regular intervals until the entire issue is retired.

Sinking Fund - Money accumulated on a regular basis in a separate custodial account that is used to redeem debt securities or preferred stock issues.

Swap - Trading one asset for another.

Term Bond - Bonds comprising a large part or all of a particular issue which come due in a single maturity. The issuer usually agrees to make periodic payments into a sinking fund for mandatory redemption of term bonds before maturity.

Total Return - The sum of all investment income plus changes in the capital value of the portfolio. For mutual funds, return on an investment is composed of share price appreciation plus any realized dividends or capital gains. This is calculated by taking the following components during a certain time period. (Price Appreciation) + (Dividends paid) + (Capital gains) = Total Return

Treasury Bills - Short-term U.S. government non-interest bearing debt securities with maturities of no longer than one year and issued in minimum denominations of \$10,000. Auctions of three- and six-month bills are weekly, while auctions of one-year bills are monthly. The yields on these bills are monitored closely in the money markets for signs of interest rate trends.

Treasury Bonds – Marketable, fixed-interest U.S. government debt securities with maturities of more than ten years and issued in minimum denominations of \$1,000. Treasury bonds make interest payments semi-annually and the income that holders received is only taxed at the federal level.

Treasury Notes - Marketable U.S. government debt securities with fixed interest rates and maturities between 1 to 10 years. Treasury notes can be bought either directly from the U.S. government or through banks.

Uniform Net Capital Rule - SEC Rule 15C3-1 – Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ration of indebtedness to liquid capital of 15 to 1: also called net capital rule and net capital ratio. Indebtedness covers all money owned to a firm, including margin loans and commitments to purchase securities. This is one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Volatility - A degree of fluctuation in the price and valuation of securities.

Volatility Risk Rating - A rating system to clearly indicate the level of volatility and other non-credit risks associated with securities and certain bond funds. The ratings for bond funds range from those that have extremely low sensitivity to changing market conditions and offer the greatest stability of the returns ("aaa" by S&P; "V-1" by Fitch) to those that are highly sensitive with currently identifiable market volatility risk ("ccc-" by S&P, "V-10" by Fitch).

Weighted Average Maturity (WAM) - The average maturity of all the securities that comprise a portfolio. According to SEC rule 2a-7, the WAM for SEC registered money market mutual funds may not exceed 90 days and no one security may have a maturity that exceeds 397 days.

Yield - The current rate of return on an investment security generally expressed as a percentage of the security's current price.

Yield-to-call (YTC) - The rate of return an investor earns from a bond assuming the bond is redeemed (called) prior to its nominal maturity date. **Yield Curve** - A graphic representation that depicts the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity. A normal yield curve may be alternatively referred to as a positive yield curve.

Yield-to-maturity - The rate of return yielded by a debt security held to maturity when both interest payments and the investor's potential capital gain or loss are included in the calculation of return.

Zero-coupon Securities - Security that is issued at a discount and makes no periodic interest payments. The rate of return consists of a gradual accretion of the principal of the security and is payable at par upon maturity.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE CITY'S INVESTMENT POLICY, BROKER/DEALER LIST AND INVESTMENT STRATEGY FOR FISCAL YEAR 2012 AND AUTHORIZING ITS IMPLEMENTATION.

WHEREAS, the goal of the City of College Station is to create an Investment Policy to insure the safety of all funds entrusted to the City, while making available those funds for the payment of all necessary obligations of the City, and providing for the investment of all funds not immediately required in interest bearing securities; and

WHEREAS, the safety of the principal invested shall always be the primary concern of the City of College Station; and

WHEREAS, the management of monies in order to insure maximum cash availability and maximum yields on a short term investment is a primary goal of the City of College Station; and

WHEREAS, the Investment Policy for Fiscal Year 2012 designates the Chief Financial Officer or his Designee as the Investment Officer of the City and authorizes the Investment Officer to carry out the responsibilities of investing the City's funds; and

WHEREAS, the Investment Policy for Fiscal Year 2012 contains the City's Collateral Policy as required pursuant to Texas Government Code, Chapter 2257.

WHEREAS, the City Council of the City of College Station has reviewed the City's Investment Policy for Fiscal Year 2012, Broker/Dealer List for Fiscal Year 2012 and the City's Investment Strategy for Fiscal Year 2012; now, therefore,

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

PART 1: That the City Council hereby approves the City's Investment Policy, Broker/Dealer List and the Investment Strategy for Fiscal Year 2012.

PART 2: That the City Council hereby approves the designation of the Chief Financial Officer or his Designee as the Investment Officer of the City and authorizes the Investment Officer to carry out the responsibilities of investing the City's funds consistent with the City's Investment Policy.

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

ADOPTED this _____ day of _____, A.D. 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A Robinson
City Attorney

October 27, 2011
Regular Agenda Item No. 1
Unified Development Ordinance and Comprehensive Plan Annual Review

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion on the Annual Review of the Unified Development Ordinance (UDO) and the Annual Review of the Comprehensive Plan.

Relationship to Strategic Goals: Applicable to all Strategic Initiatives

Recommendation(s): Staff recommends that Council accept the review and provide any relevant direction to aid staff in the implementation of the Comprehensive Plan.

Summary: The annual review of the Unified Development Ordinance is required by the ordinance to provide for an on-going effort to keep the development codes of the City of College Station current and relevant. The last annual review was considered by City Council on July 8, 2010. Included as an attachment is a list of amendments to the UDO since the last review and pending amendments.

The UDO also calls for an annual review of the Comprehensive Plan, which was adopted by the City Council in May 2009. The review is organized by the main topics of the Plan, and assesses significant actions and accomplishments during the past year, obstacles or problems in the implementation of the Plan, and how the obstacles might be overcome in the future.

Budget & Financial Summary: N/A

Attachments:

1. Annual Review of the Unified Development Ordinance
2. Annual Review of the Comprehensive Plan

**2011 ANNUAL REVIEW
OF THE
UNIFIED DEVELOPMENT ORDINANCE**

UDO Amendments approved since June 17, 2010

Amendments to respond to the concerns of the development and business community

1. Permanent storage container area screening and permitting (June 24, 2010)
As more businesses explore storage containers as permanent solutions to their inventory space needs, Staff realized that some flexibility in the screening requirements would be beneficial. The portable storage structures regulations were amended to adjust screening requirements when visibility of the permanent container area is limited and to allow a portable container to be located on residential property for 14 days without a permit.
2. Recreational Vehicle (RV) parks (August 26, 2010)
Previously, RV parks were not allowed within the city limits. A request to allow RV parks as permitted uses in the City was made by a grandfathered manufactured home/RV park business owner through the 2009 Annual Review. The amendment allows RV parks in A-O Agricultural Open and C-1 General Commercial zoning districts with an approved conditional use permit (CUP).
3. Attached signs on light poles (January 11, 2011)
The sign regulations were amended to expand the definition of attached signs to include signs attached to site lighting poles, while establishing area limitations and mounting requirements for these signs.
4. Block length (January 13, 2011—included in Subdivision Regulations update)
Development interests had expressed concern that the current practices of what was allowed to break block length was overly restrictive. A "Public Way" - that is, drives that meet certain thoroughfare requirements such as curvature, driveway spacing, etc. and that remain open to the public, in good repair, and provide a relatively direct connection between public streets—is now permitted to break block length in multi-family and commercial developments.
5. Micro-industrial uses (January 27, 2011)
Small-scale industrial uses, such as a micro-winery or micro-brewery, have not been permitted in a commercial zoning district. The amendment defined Micro-Industrial uses and established that they can be located in C-1 General Commercial and C-2 Commercial-Industrial districts, with the provision that specific use standards are met.
6. Mobile food vendors (February 24, 2011)
Mobile food vendors have been able to function with an Itinerant Vendor permit which only allowed them to operate in City limits for a maximum of 21 days per calendar year (3 days at a time) This amendment created a separate permitting process for Mobile Food Vendors to allow them to operate year-round while being restricted from certain zoning districts, buffered from being placed within close proximity to existing restaurants and other performance criteria.
7. Corridor Overlay (OV) Signs (April 28, 2011)

Originally adopted in 1991, the Corridor Overlay (OV) was developed to ensure harmonious signage and other features to help promote attractive gateways into the community. Since the development of these standards, the City has enacted a more comprehensive sign ordinance and non-residential architectural standards that make the OV sign requirements less necessary to maintain the visual appeal of the corridor. This amendment removed the restriction on the number of fonts and color limitations for signs in the overlay, except for colors expressly prohibited by the City of College Station Color Palette.

8. Non-residential Accessory Structures (April 28, 2011)

The application of architectural relief design elements on smaller, accessory buildings often does not have the effect of promoting good design, and can be burdensome when compared to the benefit. This amendment removed the requirement for architectural design elements for freestanding structures if they are accessory to a primary use, if each façade is twenty-five feet (25') or less in width and the façades incorporates the same materials and colors of the primary structure.

9. Sign Visibility Standards (May 5, 2011)

As a section of the City of College Station Site Design Standards, Sign Visibility serves as the standard for determining if signage is not visible and therefore exempt from the sign regulations. After stakeholder input, the Sign Visibility standards were amended to revise the size of fonts that are considered visible to correlate more closely to visibility trends identified in the sign industry.

10. Color palette (May 13, 2011)

In the absence of natural brick or stone, non-residential buildings are required to utilize colors from an approved College Station Color Palette. Colors not listed on the approved palette are considered accent colors and may be used in minimal percentages. The development community considered the former Color Palette as limiting and without a wide variety of colors. The Design Review Board approved a new Color Palette that allows a greater spectrum of colors for non-residential buildings.

11. Campus Wayfinding Signs (May 26, 2011)

There have been few options for wayfinding signage within a development. While directional traffic control signs have been allowed, they only provide limited potential. The sign regulations were amended to add campus wayfinding signs within PDD Planned Development Districts, C-1 General Commercial, C-2 Commercial Industrial, A-P Administrative Professional, and R&D Research and Development districts of 20 acres or more in size, and that contain multiple buildings in the development. These signs have a maximum height of 6 feet, area of 30 square feet, and other location standards.

12. Landscaping (June 2011)

A local landscape architect had expressed the desire that the City's planting lists be updated to allow by right vegetation that may not be within our USDA Hardiness Zone, but has shown over time to work well in the community. Staff surveyed local landscape architects about their experiences with plantings that have been used and their successes and failures and has updated the College Station Plant List accordingly.

Amendments to pro-actively update the UDO

1. Sidewalk Fund (August 12, 2010)

In response to an increasing number of sidewalk waiver requests, the Planning & Zoning Commission requested an amendment that would allow a developer, with the P&Z's

approval, to pay into a "sidewalk fund" (similar to the parkland dedication fund) in lieu of building a sidewalk during the platting process.

2. Institutional Building Height (August 26, 2010)

Institutional uses such as churches, city facilities, and schools are allowed in all zoning districts. In single family, duplex, and townhome developments, structures—including churches, city facilities, and schools—are limited to 35 feet in height. In all other zoning districts, height is not limited with the exception that non-residential and multifamily structures that abut single family homes and townhomes are restricted to half of the number of feet that the structure is from the property line. The amendment permits public, civic, and institutional uses to have a maximum height of 50 feet in these districts provided they meet the 1:2 height to setback requirement.

3. School Facilities (September 9, 2010)

In the past, CSISD was only required to meet City regulations regarding health and life safety but not other general ordinances. An opinion from the Attorney General of Texas affirmed the authority of a home rule city to also enforce land development regulations on an independent school district for the purpose of aesthetics and the maintenance of property values. Sections of the UDO related to public and private schools were amended regarding buffering requirements and outdoor lighting standards and exemptions provided for school facilities from the non-residential architecture standards and most sign regulations.

4. Non-conforming lots in newly annexed areas (June 23, 2011)

This amendment provides limited relief to developed properties located within the area annexed by the City in April 2011. The amendment specifically permits expansions up to 25 percent of the area of existing non-conforming businesses with administrative approval. The previous ordinance only permitted this expansion with approval of the Zoning Board of Adjustment. This amendment is intended to be temporary until Staff completes a small-area plan for the area and gets the associated zoning in place.

Amendments to implement the Comprehensive Plan

1. Taxi services as home occupations (September 9, 2010)

Taxicab services have been legal home occupations provided they are compliant with adopted home occupation prohibitions. As enforcement of part of the regulations has been difficult, the amendment clarified that taxicab services are restricted to two taxicab vehicles parked on- or off-street like other home occupations.

2. Bicycle, Pedestrian, and Greenways Advisory Board (August 12, 2010)

This amendment authorized the establishment of the Bicycle, Pedestrian, and Greenways Advisory Board which is a step in implementing the Bicycle, Pedestrian, and Greenways Master Plan adopted in January 2010.

3. Subdivision Regulations (January 13, 2011)

The amendment was the second phase of revisions to the subdivision regulations. This effort resulted in a major overhaul of the regulations, which had not been comprehensively performed since their inception in 1970, and align the regulations with the goals of the Comprehensive Plan.

Amendment efforts in progress

1. Zoning Districts (winter 2011/2012)

The Comprehensive Plan provides a vision for greater land use protections and flexibilities than did previous plans. Staff has been researching, debating, testing, and creating a proposal for a new zoning plan that will reflect the intentions of the unique land uses and area characters reflected in the Comprehensive Plan.

2. High Density Single Family Development Standards (winter/spring 2012)

Through numerous venues (e.g., the Strong and Sustainable Neighborhoods Initiative, P&Z and Council meetings), the need for a new set of standards for high density single family has been discussed. Ways to regulate the needs of high density housing will be proposed through subdivision and zoning regulations.

CITY OF COLLEGE STATION COMPREHENSIVE PLAN

2011 ANNUAL REVIEW

Yearly reviews are performed to ensure that the current Comprehensive Plan remains relevant and identify any changes necessary for the future growth of the City. As a City grows and evolves, concepts that were once thought to be necessary in the Comprehensive Plan can change as new development is attracted to the City or a shift in what is thought to be needed for the future occurs. It is a platform for the discussion of how the community's vision is progressing and what adjustments in policy and practice are needed to continue to fulfill the planned future of the City.

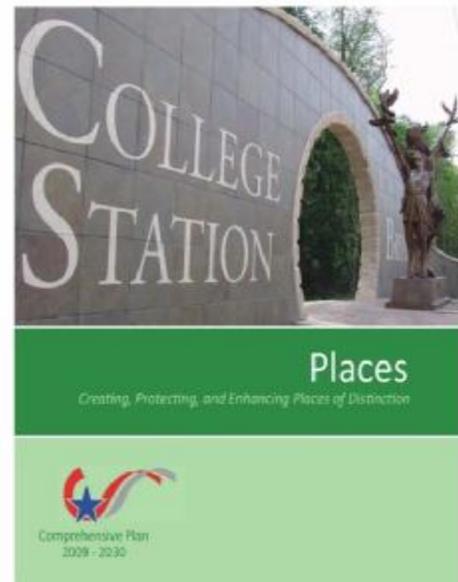
This year's annual review of the Comprehensive Plan is organized by the major elements (chapters) of the Plan. Daily success stories and programs abound, but because the activities of City leaders, staff, volunteers, and community members are so great and diverse, this review will focus on substantial projects related to the implementation of each goal. This Annual Review will reflect upon some of the programs and issues that have large impact—physically, socially, economically, and/or politically.

INTRODUCTION

The Comprehensive Plan acts as a guide to ensure the goals and objectives of the City are implemented by acting as a long-range planning and policy structure for future growth of the City. This is achieved by addressing topics such as infrastructure, future land use, transportation, and greenways and parks. The Plan provides consistent direction for community leaders that reflects the collaborative long-range vision of College Station citizens, business owners, and investors.

HISTORY

College Station has engaged in City planning since its inception in 1938, establishing its first Zoning Commission and adopting a zoning ordinance shortly after incorporation. The earliest document that resembles a comprehensive plan for the City is the Brazos Area Plan, a regional-scale plan dating from the early 1960s. In the mid-1970s and late-1980s, interim reports were drafted and a few City-specific plans were created before the first contemporary Comprehensive Plan was established in 1980 and later updated in 1989. In 1997, the City adopted a Comprehensive Plan that guided the City until the adoption of the current plan. The development of the latest update spanned over three years, beginning in 2006. City Council appointed citizens to the Comprehensive Plan Advisory Committee to assist the Planning and Zoning Commission and City staff in the comprehensive planning process. A Staff Resource Team was also created, as well as focus groups, a Citizens' Congress, and workshops. The Comprehensive Plan was formally adopted in May 2009.



VISION

College Station, the proud home of Texas A&M University and the heart of the Research Valley, will remain a vibrant, forward-thinking, knowledge-based community which promotes the highest quality of life for its citizens by...

- Ensuring safe, tranquil, clean, and healthy neighborhoods with enduring character;
- Increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system;
- Expecting sensitive development and management of the built and natural environment;
- Supporting well planned, quality, and sustainable growth;
- Valuing and protecting our cultural and historical community resources;
- Developing and maintaining quality cost-effective community facilities, infrastructure and services which ensure our City is cohesive and well connected; and,
- Pro-actively creating and maintaining economic and educational opportunities for all citizens.

College Station will continue to be among the friendliest and most responsive of communities and a demonstrated partner in maintaining and enhancing all that is good and celebrated in the Brazos Valley. It will continue to be a place where Texas and the world come to learn, live, and conduct business!

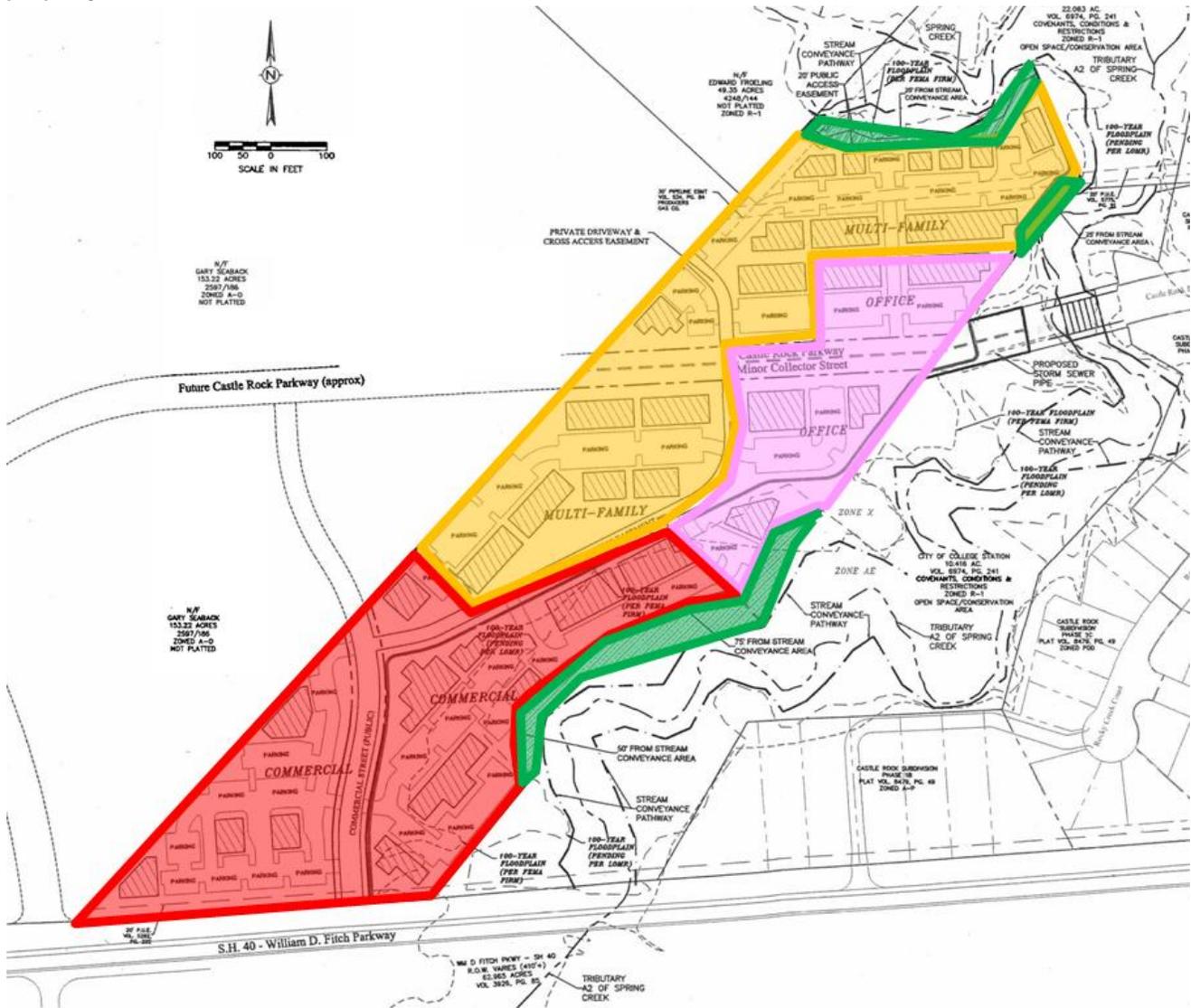
SUCCESS STORIES

The updated Comprehensive Plan approaches the growth of College Station in a manner different from previous plans. The new plan focuses on the creation and enhancement of places of distinction in College Station. For example, it identifies key features of the community, including gateways and existing neighborhoods that require special protections. It identifies areas of town where new growth should be encouraged. It recognizes the connection between infrastructure and land use and plans not only capacities, but also contexts accordingly. Previous plans guided the growth of the City in a more rigid fashion—for example, each color on a map signified one type of land use or one type of road. The new Plan recognizes the importance of character and capitalizes upon that to offer the greatest flexibilities for development while protecting special places. Below are two examples of rezonings that were creative and offered a variety of housing and community benefits that were approved under the new Plan in the past year.

Success Story—Phillips Square Multi-Use Path

The Future Land Use and Character Map designates the Phillips Square property (north of William D. Fitch Parkway and west of the Castle Rock Subdivision) as Urban and Natural Areas Reserved. The property is also considered to be within Growth Area IV. The Urban designation is for a very intense level of development, tending to consist of townhouses, duplexes, and apartments. Within growth areas, an Urban designation may also permit commercial, office, business park, and vertical mixed uses. The Phillips Square Planned Development zoning allows for a mix of uses on the 19 acres, along with increased preservation of the floodplain. The mixed use development provides the opportunity to live, work, and play in the same area. Uses are integrated together by the vehicular, bicycle, and pedestrian connections throughout the site. The Planned

Development District includes a “no development” area adjacent to portions of the City’s wetlands mitigation area, further protecting wildlife and preserving the property for flood control. The City’s Bicycle, Pedestrian, and Greenways Master Plan includes a future multi-use path parallel to the adjacent creek and wetlands mitigation area. Given that development on the opposite side of the creek precluded a path on that side, the multi-use path will be located on the west side of the creek and will be constructed with the development of the property.



The previous Comprehensive Plan, for the most part, only recognized singular types of land uses as appropriate for designated parcels, and while preservation of the greenway had been identified as a priority, there were few avenues the City could take to seek its protection. Under previous policies, the City had to wait for available funds to develop the hike/bike path. The current Plan offers a vision of greater flexibility to better adjust to market demands while maintaining a fabric of compatible uses that can develop within infrastructure capabilities. Under the direction of the Comprehensive Plan’s vision and goals, a development proposal was adopted through a negotiated process that will allow the integration of uses, the preservation of flood-prone

areas, and construction of the multi-use path through along the greenway that will provide opportunities for recreation and bicycle and pedestrian transportation.

Success Story—Scott & White

The Scott & White Hospital, currently under construction southeast of the State Highway 6 / Rock Prairie Road intersection, is a five-story, 320,000 square-foot facility sitting on 32 acres. An adjacent 75,000-square-foot clinic will be developed on the heels of the hospital. Anticipated completion is the summer of 2013 for both buildings. Scott & White’s overall master plan for this area includes over 100 acres with varying medical support uses, including medical office, restaurant, retail, and a hotel. The project includes full compliance with the Thoroughfare Plan, including the construction of three new thoroughfares across their property that will someday become part of the larger network that provides an alternative north-south route in this area of the City.





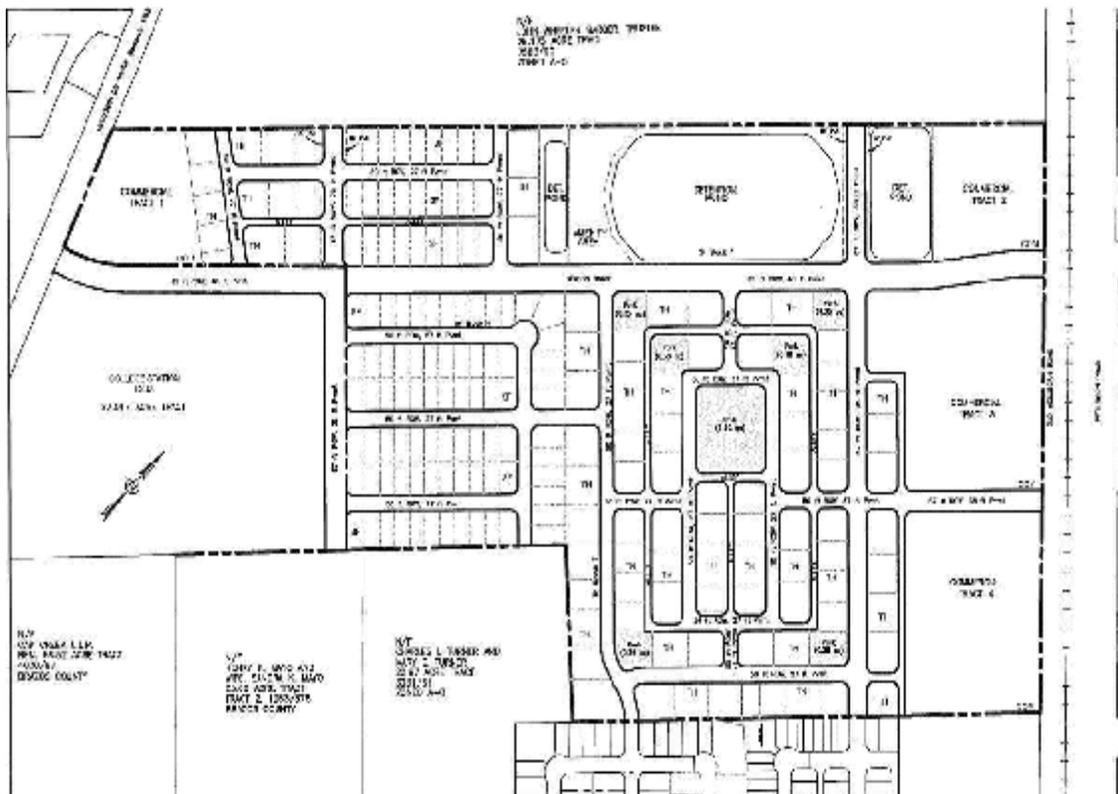
Scott & White's proposal takes full advantage of market opportunities in this portion of the City while maintaining sensitivity to the concerns of nearby residents. Through the Planned Development process, the height and scale of buildings along Rock Prairie Road were limited to reflect the existing single-family neighborhoods to the north. Uses along this corridor include neighborhood-serving retail and office uses. Big-box type retail is not permitted next to the neighborhoods, as a direct result of Scott & White's neighborhood engagement. The rezoning utilized the

flexibility of the Comprehensive Plan's concepts of land use and character while protecting the integrity of nearby established neighborhoods. In addition, the development is phased to address traffic issues. A traffic impact analysis was performed and clearly illustrates that full development of the site cannot occur without significant upgrades to the surrounding transportation network. The phased development allows only the hospital and minimal medical office development before further road improvements are made.



Success Story— The Barracks II

The Future Land Use and Character Map designates the Barracks II property (between Wellborn Road and Holleman Drive South) as General Suburban and is considered part of Growth Area V. The General Suburban designation is intended for areas with an intense level of development activities that consist of high-density single-family residential lots (minimum 5,000 square feet). Additionally, in General Suburban areas designated as growth areas, townhomes, duplexes and neighborhood commercial and office uses may also be permitted. The Barracks II Planned Development District consists of high-density detached single-family residences, townhomes, and neighborhood commercial and office land uses on over 108 acres.



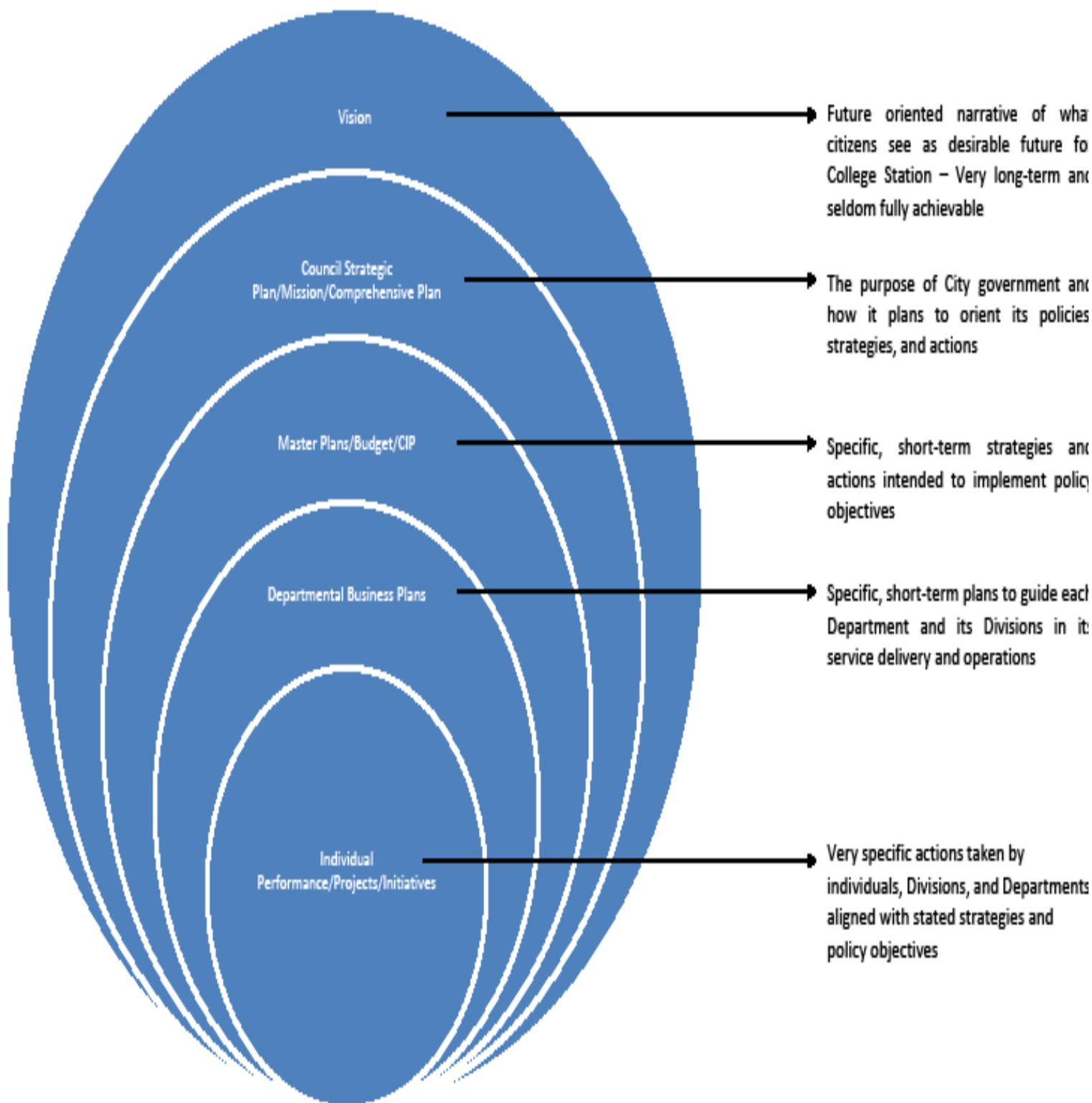
The Barracks II development takes advantage of additional market opportunities that would have been limited under the previous Comprehensive Plan. The PDD takes advantage of the flexibility in land uses offered under the Comprehensive Plan, while insuring that the integrity and character of adjacent developments is maintained. Under the previous Comprehensive Plan, there were very few opportunities to mix residential uses and commercial uses outside of a mixed-use designation.



As part of the PDD, there will be construction of three thoroughfares through the property that will provide additional connectivity and access on the west side of the railroad tracks. A traffic impact analysis was conducted and based on the proposed residential density and allowed commercial land uses, it resulted in the need for a larger capacity thoroughfare through the property. The development will include bike lanes along the three major thoroughfares as identified in the Bicycle, Pedestrian and Greenways Master Plan, and incorporates an innovative park layout with six small pocket parks located at the periphery of a larger 1.6 acre central park.

LEADERSHIP

College Station has used a strategic planning process for several years to aid in decision-making. Most recently with the adoption of the City's new Comprehensive Plan and through it, clarification of the community's vision, the Council developed the current, proposed, multi-year strategic plan. The following graphic illustrates the strategic decision-making model used in College Station.



At their regular meeting on October 27, the City Council will consider adoption of the 2012 update of the strategic plan and desired outcomes that will provide the direction staff needs to help move towards the vision for College Station. The strategic initiatives and goals contained in the strategic plan are noted in the following:

Financially Sustainable City—wise stewardship of the financial resources provided to the City resulting in its ability to meet current service demands and obligations without compromising the ability of future generations to do the same. Success in this area will be measured through increasingly diverse sources of revenue, adequate fiscal reserves, and citizen satisfaction with services and facilities.

Providing Core Services and Infrastructure—efficiently, effectively, and strategically placed core services and infrastructure that maintains citizens' health, safety, and general welfare and enables the city's economic growth and physical development. Success in this area will be measured through well-maintained infrastructure/limited failures and outages, citizen satisfaction with services and facilities, stable or declining major offenses even as population increases, and understanding community needs and successful communication of City's ability to meet those needs.

Neighborhood Integrity—long-term viable and appealing neighborhoods. Success in this area will be measured through stable or increasing property values, citizen satisfaction with neighborhood quality of life, and fewer negative impacts of rental properties in neighborhoods.

Diverse Growing Economy—diversified economy generating quality, stable full-time jobs bolstering the sales, and property tax base and contributing to a high quality of life. Success in this area will be measured through increasing rate of increasing taxable value, increasing rate of increasing year over year sales tax receipts, increasing number of non-University high-paying full-time jobs, and adequate land available and serviceable for basic employers.

Improving Mobility—safe, efficient, and well-connected multi-modal transportation system designed to contribute to a high-quality of life and be sensitive to surrounding uses. Success in this area will be measured through increasing the number of safe and complete ways to move to and between major destinations; continued reduction in the number of major crashes; streets that are not heavily congested; and streets, sidewalks, bike lanes, and multi-use paths that are well maintained and free of hazard.

Sustainable City—wise stewardship of the natural resources and features needed to meet current demands without compromising the ability of future generations to do the same. Success in this area will be measured through expanded purchase of power from renewable energy sources, reduced energy consumption, reduced water consumption, reduced volumes of waste generated, efficient use of land, and protection of vulnerable environmental features.

Under the direction provided through City Council's Strategic Plan, City departments are able to develop Strategic Business Plans that prioritize municipal programs and services that will further the goals of the Comprehensive Plan, and to budget accordingly. Divisional leadership within the City in turn are then able to provide employees with individual Performance Plans that hold each employee responsible for accomplishing actions that will carry forward the Council's strategy. The major initiatives identified in the following sections describe actions taken and in progress that have been prioritized in past years.

COMMUNITY CHARACTER

The goal for College Station's future land use and character is *to be a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment*. Six strategies were developed to progress toward this goal:

Strategy 1: Develop and maintain, through regular review, a land use plan that identifies, establishes, and enhances community character.

Strategy 2: Establish and protect distinct boundaries between various character areas.

Strategy 3: Promote public and private development and design practices that ensure distinct neighborhoods, districts, and corridors.

Strategy 4: Promote public and private development and design practices that encourage resource conservation and protection.

Strategy 5: Focus community enhancement activities to promote a strong sense of community identity.

Strategy 6: Identify, protect, and enhance unique community assets in our natural and built environment.

MAJOR INITIATIVE: NEIGHBORHOOD, CORRIDOR, AND DISTRICT PLANNING

The neighborhood, corridor, and district planning program that began in 2009, as an action to implement these strategies and help to reach the goal for the City's future land use and character, continued throughout 2010 and 2011. The processes for these plans include intensive citizen engagement efforts with a number of community meetings and the utilization of Neighborhood Resource Teams (composed of area residents and property owners) to provide additional guidance to the formation of the plans' goals, strategies, and actions. These small area plans are intended to be implemented over five- to seven-year time frames to address issues such as community character and land use, neighborhood integrity, mobility, and sustainability in the specific areas of study. Using the planning areas identified on the Comprehensive Plan's Concept Map as a guide, one neighborhood plan was completed in 2010 (Central College Station) and is currently in the implementation stage and one was recently adopted in 2011 (Eastgate). One neighborhood plan (Southside Area) and two district plans (Medical and Wellborn) are currently underway.

The Central College Station Neighborhood Plan (In implementation)

This Plan was the first in a series of neighborhood, district, and corridor plans that are created to implement the City's Comprehensive Plan vision to create, promote, and enhance places of distinction. The plan was recognized in 2010 by the Central Section of Texas Chapter of the American Planning Association with the "Long Range Planning Award". The Central College Station Neighborhood planning area is made up of 1,450 acres located in the geographic center of College Station. Bounded by Texas Avenue South/State Highway 6 South,

Harvey Mitchell Parkway South, Wellborn Road, and Rock Prairie Road, this area includes eight residential subdivisions, and is home to more than 11,000 residents.



The process for the plan began in August 2009 with the selection and establishment of the Neighborhood and Planning Resource Team. Over a period of nine months, Staff worked with the neighborhood to develop a plan to address community character and land use, neighborhood integrity, mobility, and sustainability. Over the course of the planning process, three community-wide meetings were held, along with an online survey. Additionally, representatives from CSISD and TAMU student groups were involved in the process.

Adopted in 2010, the neighborhood plan focuses on four goals:

1. Promote and protect the suburban residential character in the core of Central College Station balanced with the need to provide denser redevelopment options along the neighborhood fringe.
2. Improve neighborhood organizations, property maintenance, and City code compliance in owner-occupied areas to elevate the attractiveness of Central College Station's subdivisions as an affordable, family-friendly neighborhood.
3. Promote a safe, well-connected, context-sensitive, multi-modal transportation system to better connect Central College Station to the rest of the community and its local neighborhood centers.
4. Increase awareness and participation in resource conservation efforts.

The plan incorporates 25 strategies and 148 action items. The implementation of these strategies aims to stabilize and protect this area as an attractive and stable single-family neighborhood for future residents of College Station. Accomplishments of the last year include:

- Implementation of the SeeClickFix program. SeeClickFix is a web and smartphone-based application that allows citizens to report non-emergency issues to the City. The program is currently being used to get feedback from citizens regarding some of the top code enforcement violations.
- Provision of property crime education to neighborhood groups. The Police Department in conjunction with Neighborhood Services met with several neighborhood groups within the Central College Station neighborhood for training on property safety and property crimes. Neighborhood watch programs are currently being pursued.
- Completion of improvements to Brothers Pond Park. Work began in March and included replacement of the crushed granite jogging loop with concrete, repairs to the pond retaining wall, additional trail lighting, and the replacement of a damaged sidewalk at the Deacon Drive entrance.
- Completion of the Harvey Mitchell Parkway multi-use path. This path follows along the northwest side of Harvey Mitchell Parkway South from Welsh Avenue to Texas Avenue South and provides connectivity to several key destinations in the area—most notably A&M Consolidated High School, Bee Creek Park, and Wal-Mart.
- Establishment of a neighborhood clean-up program. This program, while identified in the Central College Station Neighborhood Plan, will be offered annually to two or three neighborhoods throughout the City through an application process with Neighborhood Services and the Sanitation Division.
- Completion of traffic warrant studies for five intersections within the planning area. Traffic counts, traffic volume and incident data were analyzed to determine if the warrant studies merited stop signs or traffic signals. After evaluating the traffic warrant studies, all five intersections did not warrant a traffic signal or stop sign.
- Adoption of two rezoning proposals within the neighborhood for the Landmark Apartments on Longmire Drive. The rezonings were identified in the neighborhood plan and were necessary due to the existing apartment use not being in compliance with the existing zoning. As such, any redevelopment of the property would have been difficult given the split in residential and commercial zonings on the property.

The work so far has focused municipal services in the study area, improved city-owned facilities, and paved the way for needed property improvements. Implementation actions span all goals set forth in the Comprehensive Plan, but collectively have the greatest impact on the character of this unique area of town—enhancing this place of distinction.

Eastgate Neighborhood Plan (Adopted)

The Eastgate Neighborhood Plan was adopted in June 2011 as the second in a series of neighborhood, district, and corridor plans intended to help implement the City's Comprehensive Plan vision to create, promote, and enhance places of distinction. The Eastgate Neighborhood Planning Area is made up of 567 acres located in the

original core of College Station. Loosely bounded by University Drive East, Texas Avenue South, Dominik Drive, and Munson Avenue, this area includes 25 residential subdivisions and is home to more than 2,700 residents.



The plan focuses on goals for four main topics:

1. Community Character:

- Maintain a diverse mix of housing types;
- Preserve larger lot single-family development patterns;
- Reduce character impact of rental housing in the neighborhood; and
- Promote redevelopment around the perimeter of the neighborhood that meets community needs and is complimentary to the neighborhood.

2. Neighborhood Integrity:

- Effective neighborhood organizations;
- Conservation of neighborhood resources,
- Enhanced neighborhood identity and investment;

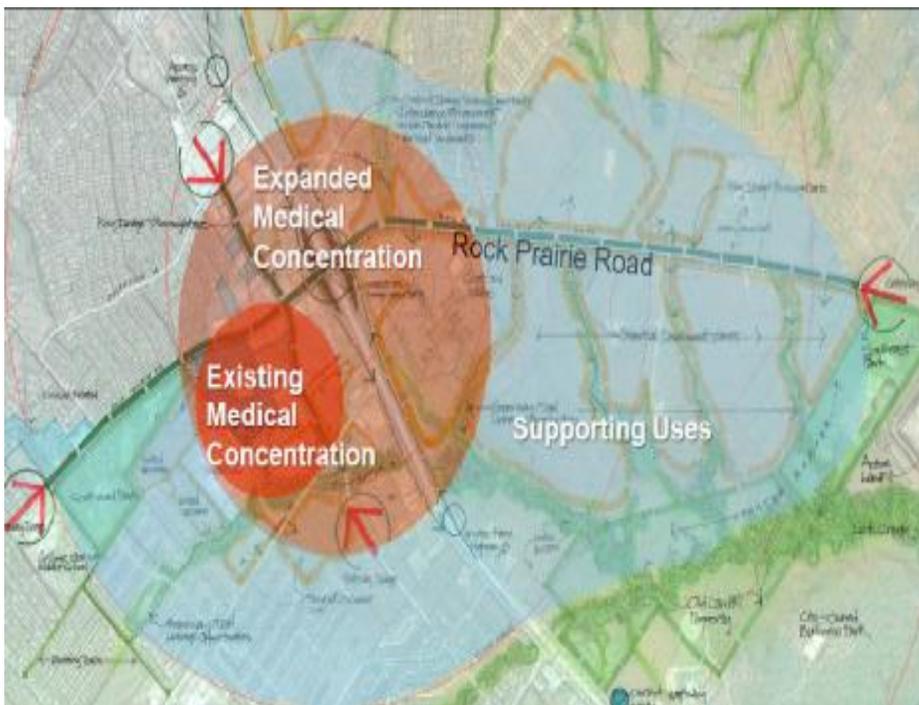
- Proactive property maintenance and code enforcement; and
 - Targeted emergency and law enforcement services to enhance the appeal of the Eastgate neighborhood as a desired, family-friendly destination.
3. Mobility:
- Maintain a safe and efficient street network while improving multi-modal transportation options by increasing bicycle and pedestrian connections to key destinations within and around the neighborhood.
4. Sustainability:
- Increase awareness and participation in resource conservation efforts.

While the plan was adopted only a few months ago, implementation of a few items is underway, namely:

- Meeting and working with the College Hills Neighborhood Association in the Pasler area to gauge interest in pursuing a single-family neighborhood protection overlay to support their neighborhood conservation efforts;
- Budgeting Community Development Block Grant (CDBG) funds for the design of a sidewalk on the south side of University Drive from Texas Avenue to Lions Park; and
- Meetings with the public to offer details regarding the construction of Fire Station No. 6 at the corner of University Drive East and Tarrow Street (the fire station is anticipated to be complete in late 2012); and
- Meeting with the public to receive feedback on a proposed sidewalk along north side of Lincoln Avenue.

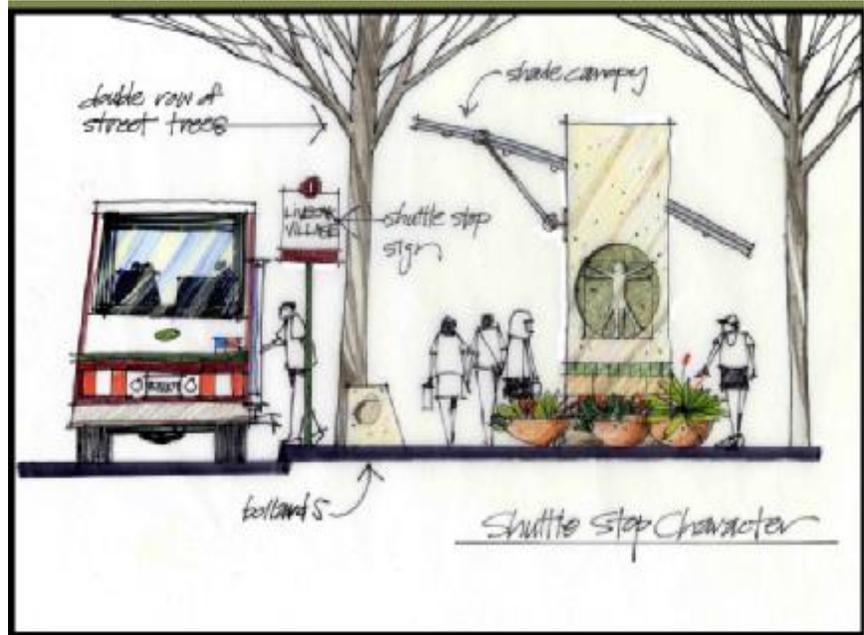
Medical District Plan (In progress)

The City of College Station is partnering with the College Station Medical Center and other stakeholders in the creation of a Medical District that will act as a focused healthcare and wellness district within the City. The study



focuses on the general area around State Highway 6 and Rock Prairie Road, and includes the existing College Station Medical Center and the future Scott & White Hospital, both along Rock Prairie Road. The purpose of the study is to create opportunities for new commercial and residential development, as well as for adaptive reuse of existing properties and structures in the area and to attract significant new mixed-use space, retail, and medical providers to the corridor.

The Medical District study includes assessment, planning and design of the Corridor. The City Council appointed a Medical Corridor Advisory Committee (MCAC) to provide guidance and feedback throughout the study. The Committee is comprised of 40 citizens and stakeholders including medical professionals, local businesspersons, and area residents. The project development team, lead by Schrickel, Rollins & Associates (SRA), meets with the Medical Corridor Advisory Committee on a bi-monthly basis to present information and receive feedback. SRA also conducted confidential stakeholder interviews to gather further information.



The Medical District Plan is anticipated to be complete late this year.

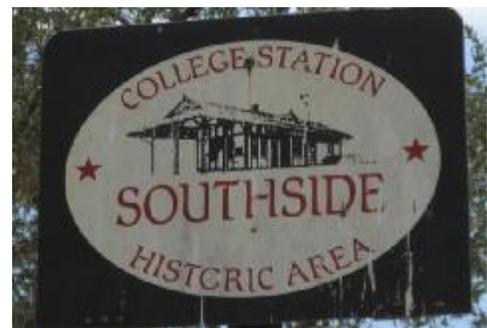
Southside Area Neighborhood Plan (In progress)

Staff is currently working on its third neighborhood plan, with a focus on the Southside Area. The Southside Area includes a number of unique neighborhoods, including Oakwood, College Park, portions of the Knoll, the McCullough Subdivision, Redmond Terrace, and Wolf Pen Village. The planning area also includes over ten apartment communities, ten churches, four parks, City-owned greenway, the College Station Conference Center, the Lincoln Center, three CSISD schools, and commercial areas along George Bush Drive, Texas Avenue, and Wellborn Road.



The Southside Area was selected for further study through the neighborhood planning process because of its rich history and lack of neighborhood-level planning in the area in the past. The Southside Area is one of the oldest areas in College Station – including portions of the original City limits established in 1938.

A kick-off meeting was held in late September introducing the neighborhood to the planning area, the planning process, and programs offered by the City. A Neighborhood Resource Team was created that includes a smaller group of people that will assist in developing the plan and discussing implementation strategies. The City will host additional public meetings for the community to identify issues and opportunities in the Southside Area.



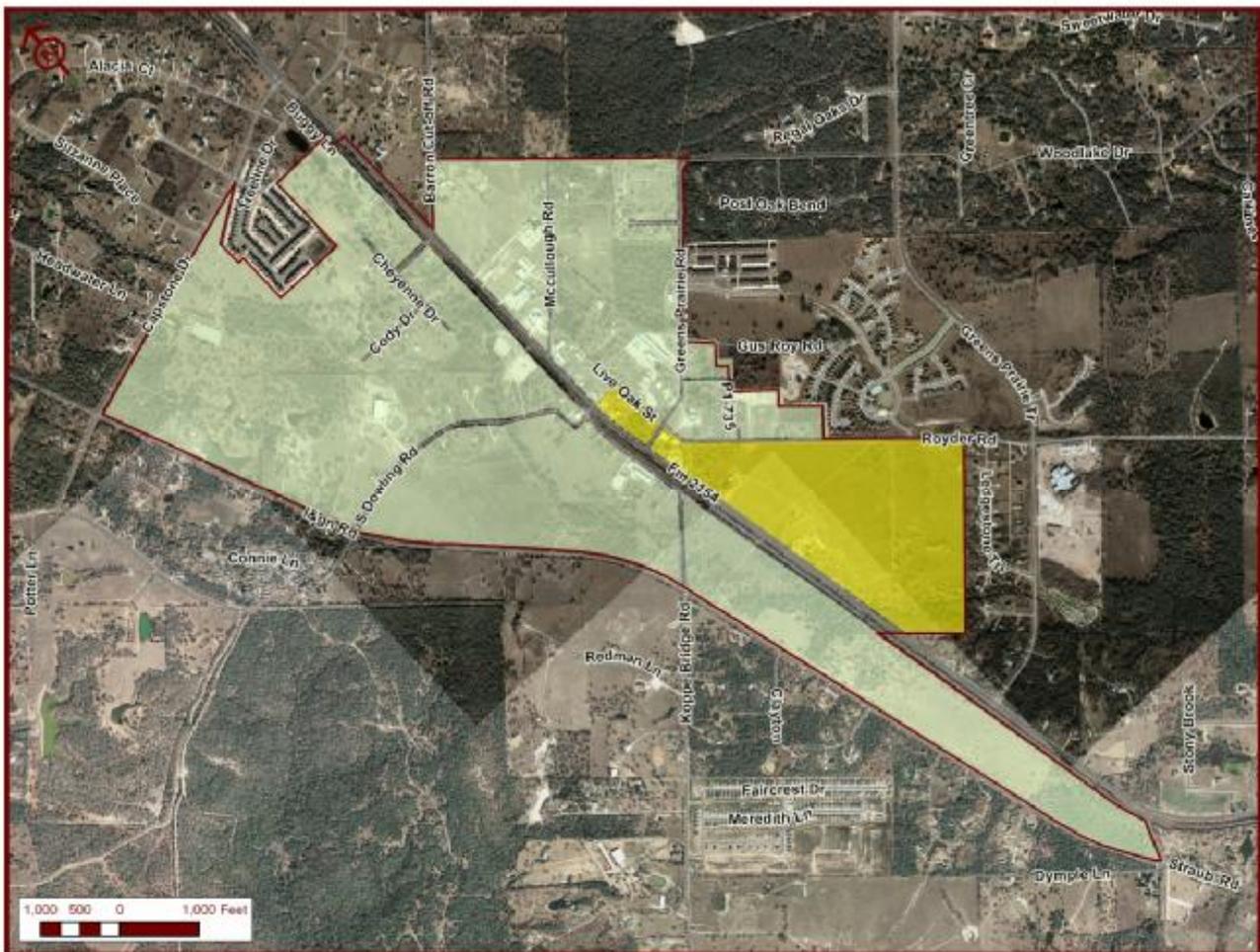
Currently, City staff is familiarizing themselves with the history of the area, inventorying the existing conditions, and collecting data in the study area for completion of the Existing Conditions Report and Phase I Report. This baseline information helps the City monitor the Plan's process during its implementation.

The planning process is anticipated to take 10-12 months.

Wellborn District Plan (In progress)

As identified in the Comprehensive Plan, Wellborn area annexation service plan, and annexation proceedings, staff is proceeding with the development of a small area or “District” plan for the Wellborn area. As mentioned in the Comprehensive Plan, this is an area that contains elements of a rural historic community with a unique character that residents of the area desire to retain. While the plan will be similar to the two recently adopted neighborhood plans, this planning area exhibits a much more diverse and complicated character that fits more into a special center or district. As such this plan is being tailored to better fit the needs and goals of the Wellborn area.

In general, the planning area follows the recent annexation boundary. However, it also incorporates adjacent properties that share a common identity or character with the Wellborn community. In total, there are approximately 929 acres within the planning area.



The planning process requires public involvement and productive communication. Staff is currently selecting a consultant to facilitate the public meetings for the plan. A kick-off meeting for the Wellborn Plan is anticipated in early to mid-November and will introduce the goals of the planning process, cover the process, and provide information for the next steps. In addition, a stakeholder resource team will be formed to provide input and

feedback on ideas and concepts that are developed through the planning process. Furthermore, it is hoped that this group will help disseminate information to their neighbors and ultimately champion the plan.

Staff is in the process of gathering information to create an existing conditions report that will serve as a baseline to help identify potential issues and opportunities, aid in the development of goals and strategies, as well as monitor progress of the plan. The Wellborn District Plan is anticipated to take 9-12 months from start to completion, with a potential date of adoption in the Fall of 2012.

MAJOR INITIATIVE: NEW SUBDIVISION REGULATIONS (Adopted)

Subdivision regulations are important to our community as they are the means by which essential public infrastructure and services can be provided to each resident, business, and visitor. As new developments are built, land is divided into orderly lots, streets and sidewalks are constructed, water, sewer, and electric lines are installed, land for parks is dedicated, and other public infrastructure is provided. When constructed, these facilities are dedicated to the public and are added to the infrastructure networks that are the backbone on which public services are provided.

In January 2011, the subdivision regulations were modernized to standards that are contemporary to current development practices and necessary to help implement the City's Comprehensive Plan adopted in 2009. Revisions can be generalized into either a clarification of a standard or a change to a standard to meet the expected public infrastructure demand. Previously, a number of sections in the subdivision regulations still contained the language from when they were adopted in 1970 and were ambiguous enough to be problematic to administer. One example is the street projection standard that required the "proper" projection of streets to adjacent unplatted properties. This section was updated with more specific language to administer more consistently while also providing greater certainty to developers. Other types of clarification included the addition of processes that were State law but are not yet reflected in the UDO (for example, a process for the appeal of the proportionality of a development exaction). Examples of changes to a standard include the extension of preliminary plat expirations and basing block lengths on the Comprehensive Plan land use designation (for example, urban areas with higher densities have shorter block lengths than suburban or rural areas with lower density).

College Station has grown significantly since subdivision regulations were originally adopted in 1970—when the City's population was about 18,000 residents. The Comprehensive Plan provided the framework for adjusting development patterns and infrastructure plans necessary to serve a population that is approaching 100,000 and expected to continue well beyond. The subdivision regulations implement the Comprehensive Plan and associated master plans by requiring the public infrastructure necessary for the City to serve the anticipated growth and development patterns.

MAJOR INITIATIVE: DEVELOPMENT OF NEW ZONING DISTRICTS (In progress)

Zoning and its associated development criteria help to ensure that the form, character, and quality of development reflect the City's planning objectives. Zoning ordinances should reflect the community's desire for quality development outcomes. The Comprehensive Plan identifies 15 unique Future Land Use and Character

designations and calls for the creation of zoning districts that align with the objectives of the Plan as one means of implementation. The focus of this effort is the development of new zoning districts for each of the new land use classifications to align with the intent of the Comprehensive Plan and simplify the nomenclature.

Staff has developed a phased approach to the creation and adoption of the new zoning districts. Currently, Staff is working on developing the non-residential districts, including NAP Natural Areas Preserved, SC Suburban Commercial, BP Business Park, and BPI Business Park Industrial. Additionally, C-1 General Commercial is proposed to be renamed to GC General Commercial and A-P Administrative Professional is proposed to be renamed to O Office. These districts will be similar to our existing set of zoning districts, meaning that they will largely be use-based, with some additional performance standards. Once the non-residential districts are adopted, Staff will begin work on the residential districts, including Rural, Estate, Restricted Suburban, General Suburban, Urban, and Urban Mixed-Use.

The Comprehensive Plan's Concept Map identifies Growth Areas – these are areas where future development is expected to have little impact on existing neighborhoods. Growth Areas are intended to have greater market flexibility and expanded development options, while providing development that enhances the overall character of the City. Currently, the City recommends, and developers/property owners have used, Planned Development Districts (PDDs) to implement the Plan in Growth Areas. In the short-term, it is expected that PDDs will continue to be used. In the future, it is expected that zoning specific to Growth Areas will be created to reduce the number of steps in the PDD process, while still providing the flexibility that was intended.

DEVIATIONS FROM THE PLAN

Deviations to the planned community character of College Station are most apparent in the rezoning process. In the absence of new zoning districts that might better prescribe the regulations and standards expected of different areas' characters, staff has been working with developers and neighborhoods (when applicable) on a case-by-case basis to determine standards expected of the development for the request to successful for all parties involved. Two requests in the past year that have tested the limits of the Plan's intent are:

- 300-A Holleman Drive East (Broadstone Ranch / Wolf Point Center) – while the Comprehensive Plan called for Urban Mixed Use, the applicant wanted only dense multi-family in multiple buildings on 1.3 acres. A compromise was reached in 2009 with the requirement that the bottom floor of the building closest to Holleman (4,000 s.f.) be non-residential. This Planned Development District (PDD) was amended to require only 1,000 s.f., with the possibility of increasing it to 4,000 s.f. in the future. Staff had recommended denial of the amendment, believing that the initial compromise that only the ground floor, of only one of the buildings had to be reserved for non-residential uses, had reached the limit of what could be called mixed use. The Planning and Zoning Commission had recommended, and the City Council agreed, for the rezoning with the condition that the 3,000 s.f. that would be residential built to a standard that would allow those units to convert to commercial space in the future, if desired.
- 2862 North Graham Road (Follis Cole)—seven acres west of Old Wellborn Road are reflected as Business Park on the Land Use and Character Map, the successful rezoning was not a traditional business park as it contained a proposal for self-storage. Staff recognized two different types of business parks should be available through the new Plan—one type being the planned, research and development-oriented business

parks such as the College Station Business Center or the future BioCorridor, and the other where smaller, more industrial commercial uses in campus-type settings may fit better. Neither is conceptualized to contain a residential traffic generator such as self-storage, but these districts have not been developed and adopted. Staff recommended that self-storage uses be limited on the property and that the use be mitigated through additional landscape screening and buffering. The Planning and Zoning Commission and the City Council agreed.

Staff's concern with these requests is that they test the intent of the land use and character that is planned for these areas. In regards to the Holleman rezoning amendment—for the most part, residential units are easier to rent in College Station than commercial space. This does not mean there is not a demand, or that there will never be a demand for the commercial space—especially those spaces located off of major thoroughfares that might come at cheaper rents. The amended rezoning has lessened the integrity of the mixed-use character of the tract. While it has not occurred, there is concern that the Follis Cole property will return to request an amendment to expand the self-storage use on the tract, further eroding the intent of the Business Park use and character.

If the acceptable limits of use and character are being tested anywhere in town, care should be taken to step back and comprehensively consider the implications. If the request essentially changes the land use and character of an area, it should be considered on the scale of a comprehensive plan amendment, not a rezoning. While some rezoning requests or PDD amendments may have merit, a chipping away at the defined land use and character degrades the integrity of the Plan and, if a PDD amendment, possibly the original negotiated agreement between stakeholders.

As called for in last year's annual review of the Comprehensive Plan, amendments related to the Concept Map and the Future Land Use and Character Map are scheduled to be presented and considered at the same public meetings as this Annual Review. Those recommended changes are described in detail in their corresponding reports, but in short are:

- The expansion of Growth Area IV,
- A change to the designation in the Richards Subdivision area, and
- A change in the area of Growth Area V.

At present, minor deviations have occurred from the adopted Central College Station Neighborhood Plan. These deviations have been limited to adjustment of specific timelines for strategic items to be completed. This was done in an effort to maximize citizen involvement for items such as leadership training, executive committee training, and the creation of neighborhood associations, or for budgetary reasons for items like the incorporation of landscaping along Harvey Mitchell Parkway.

Larger deviations from the adopted plan that have occurred are related to code enforcement. These include items such as the increased monitoring of rental property adjacent to owner-occupied areas, and the health and sanitation pre-violation contact program. Due to budgetary constraints (described below) there will be a reduction in proactive code enforcement, which will affect the implementation of the plan.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

There are three issues that have the greatest impact upon the successful implementation of the Comprehensive Plan as it relates to Community Character—manpower, money, and politics. In terms of manpower, projects are not only slowed by limited municipal manpower, progress is also slowed by the lack of public participation. Staff is experienced and capable of creating the blend of coding that will meet the Plan's goal to be a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment; but two years after the adoption of the plan, one of the most powerful tools to implement protection and enhancement of character—zoning—has yet to be amended. The impediment in this is that the research of best practices, the formulation of models that will integrate a new system of zoning regulation with existing code, and the vetting of these ideas and drafts internally among staff and with the public requires a significant amount of time, of which must be shared with other planning responsibilities. Even so, the lack of new zoning districts has not completely stifled the community's ability to move forward. The Planned Development District rezoning processes that have been used in the interim have proven to be valuable tests of expectations and tolerances. As previously mentioned, staff has divided the large project of developing new zoning districts into smaller projects to facilitate greater focus, meaningful dialog, and accomplishments at a smaller scale.

The limited interest of residents has been a challenge in the implementation of the only neighborhood plan fully in the implementation stage in the past year. The Central College Station Neighborhood Plan includes action items calling for residents to become better organized, more communicative, and more proactive in the improvement of their neighborhood. Attempts to assist them or help initiate those processes have seen limited success. While the Neighborhood Resource Team agreed with these actions in the planning process, there has been little follow through. Low citizen involvement can generally be attributed to a large number of rental-occupied houses in the neighborhood and weak neighborhood association activity. While improvement has been made with regards to neighborhood association involvement, it will be important to build on that involvement through executive committee training, leadership training and the creation of new neighborhood associations in order to carry out several strategies identified in the plan. Neighborhood Services and other City staff will continue to explore ways to engage the residents.

The new economy has necessitated closer evaluation of how public funds are spent and difficult decisions of how spending should be prioritized. Neighborhood and other small area plans are still being created and new development projects are still being reviewed, so in that regard progression towards the goal continues. What has been problematic is the implementation of the smaller, customized plans. One example is a missed opportunity for placemaking for the Central College Station area. Because of monetary concerns, the new medians in the Harvey Mitchell Parkway right-of-way are currently being constructed with decorative concrete without landscaping. Another example is that with reduced budgets, some City services are being delivered at a different standard than expected through the plan, such as code enforcement. More reliance will be placed on a complaint-based system of code enforcement. The SeeClickFix program, which is a program for citizens to report maintenance and code issues, will be one of the primary avenues for this to be accomplished. Staff will continue to promote this program to the neighborhood and monitor the results of this change in strategy. Also, increased communication with residents about what the City can and cannot do for them, and why, may

increase their engagement and mobilize them to have more ownership in their plan. Staff will continue to seek outside sources of funding, such as Community Development Block Grants and Safe Routes to School grants to fund implementation projects.

Politics is the third issue identified that has had the greatest impact on community character, particularly as it relates to the rezoning process. The political culture of College Station is such that it is common for development review applicants to bypass City staff and established processes when a conflict occurs. Issues are commonly taken directly to people at the highest echelons of public service for resolution, resulting in pressure on staff, real or perceived, to accept lower standards than is intended in the Plan and City standards. Staff and those being regulated will always have disagreements—the nature of the relationship and the industries essentially preclude total agreement; but when those at higher powers allow themselves to become directly involved in individual decisions, it undermines the processes that have been established to resolve disputes, and the faith in staff to apply decisions in a manner that do not jeopardize outlying and future scenarios. Staff is currently working to shift existing development review paradigms to further expedite approvals of entitled development projects, which is hoped will reduce conflict. City leaders can support effective decision making by staff that will further their Strategic Plan and the Comprehensive Plan by providing clear municipal direction at the policy level.

NEIGHBORHOOD INTEGRITY

The goal for neighborhood integrity is *to protect the long-term viability and appeal of established neighborhoods*. The associated strategies provide direction of how the City will meet this goal:

Strategy 1: Identify, protect, and enhance elements that contribute positively to neighborhood identity.

Strategy 2: Identify and minimize elements that detract from community identity.

Strategy 3: Identify and implement tools to ensure that infill or redevelopment adjacent to or within a neighborhood is sensitive to its surroundings.

Strategy 4: Develop, implement and maintain, through regular review, neighborhood plans.

The City has long been involved in programming designed to protect neighborhoods and strengthen neighborhood integrity. The adoption of the new Comprehensive Plan showed continued support for these programs. In the past year, some initiatives have been continuing along a proven, effective path while some have been undergoing alterations in response to changes in direction.

MAJOR INITIATIVE: US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACTIVITIES (Ongoing)

Since the mid-1970s, the City of College Station has partnered with the U.S. Department of Housing and Urban Development (HUD) to address quality of life, neighborhood stability, and safe and decent housing for low-income residents living in the City. To date, the City has received over \$43 million in federal community development resources. These resources have included HUD's Community Development Block Grant (CDBG),

HOME Investment Partnership (HOME), HOPE, and CDBG-R programs. The City has conducted affordable housing development activities with approximately 50% of these funds.

In the past year, the following accomplishments have helped to stabilize neighborhoods, homes, home ownership, and citizens, contributing to the goal of Neighborhood Integrity:



- The Community Development Office funded 8 public service agencies' programs through the Joint Relief Funding Review Committee Process to provide health and human services to mainly low and moderate income residents of College Station and Bryan. As of June 30, 2011 - 2,677 individuals were served by these funded programs. Staff provided ongoing technical assistance to these 8 public service agencies.

- Staff provided funding and technical assistance to Brazos Valley Community Action Agency (a Community Housing Development Organization (CHDO) with the City) to complete construction of three houses that will be made available for purchase to income qualified home buyers. Staff also provided funding and technical assistance to EMBRACE Brazos Valley, a new CHDO with the City, to build two houses - one is over 60% complete and the other will begin to be constructed once the first is finished and sold to an income eligible household.
- Staff released a Request for Proposal (RFP) for an affordable senior housing development. Five responses were received and reviewed. Staff selected two RFP respondents to interview. Following that interview process Staff will make a recommendation to Council on October 13 for funding for one respondent.
- The Community Development Office processed and responded to 42 applications for Down Payment Assistance. Staff met one-on-one with 15 applicants for in-depth housing counseling sessions. Three applicants successfully used the Down Payment Assistance Program to purchase homes in College Station. Staff worked to advertise the program at local events, Realtors offices, College Station Schools, and City Departments. Staff made two radio and one television appearances to promote the program. In order to comply with both State and Federal Law (SAFE Act), one Community Development Analyst became licensed as a Mortgage Loan Originator in order to continue making down payment assistance loans.
- One Community Development Analyst became certified as a Home-Buyer Education Provider and successfully held a home-buyer education class attended by 11 City Employees in a pilot program offered this year.
- The City-owned house at 1124 Carolina was sold to an income qualified home buyer. The house at 4284 Hollow Stone was also sold.
- Through a partnership with Twin City Mission's Housing and Homeless Services, 28 income qualified families were helped into



permanent housing situations through security deposit assistance (Tenant Based Rental Assistance (TBRA) Program).

- Staff monitored Terrace Pines and Santour Court (properties built with City HOME Investment Partnership Funds) to ensure compliance.
- Environmental reviews were completed for three public facility projects.

MAJOR INITIATIVE: HOME OWNER ASSOCIATION/NEIGHBORHOOD ASSOCIATION ORGANIZATION (Ongoing)

The major goal of the Neighborhood Services Program is to organize and support the operations of home owner associations (HOAs) and neighborhood associations (NAs) in the city. Many HOAs are already organized due to their structure being put in place by their developer. In this case, Neighborhood Services extends the offer to these HOAs to be a part of the Neighborhood Partnership Program. Neighborhood associations are non-binding associations that do not have a legal structure like an HOA but still function in much of the same way as an HOA. Neighborhood Services assists many of the NAs in organizing and setting up their organization. Helping the associations remain strong and viable after becoming organized is another function of Neighborhood Services.

The Neighborhood Partnership Program

The Neighborhood Partnership Program is one of the primary ways that Neighborhood Services supports associations. In the past year, the program has, and will continue to:

- Maintain a database of all registered neighborhood associations to enhance community communication;
- Provide start-up support to neighborhoods establishing or revitalizing associations;
- Notify associations of public hearing pertaining to development, public works and other municipal projects in the vicinity of their neighborhood;
- Distribute the *FYI Neighbor* email update to association board members providing information regarding neighborhood, community, and City events;
- Host occasional meetings and trainings that provide a forum for networking and education on local and regional topics as well training for association officers and representatives.
- Administer the Gateway Grant & Strong & Sustainable grant programs to foster neighborhood identity, unity and beautification
- Administer the Mosquito Abatement Program to facilitate the systematic reduction of mosquitoes and associated diseases.
- Central access point within the City to direct questions, concerns and complaints to various departments. Liaison between the City departments, City Managers, the Mayor and neighborhoods.
- Help to resolve neighborhood conflicts.
- Assist with planning of annual or large neighborhood meetings.

Currently, there are 66 HOAs/NAs that are a part of the Neighborhood Partnership with six new associations becoming a part of the program in 2011. Also, there was an informational workshop held for groups interested in forming an association.

The Strong & Sustainable Grant Program

Neighborhood Services has offered the Gateway Grant program to neighborhood and homeowner associations that are part of Neighborhood Partnership Program since 2000. The original Gateway Grant Program allowed neighborhoods to apply for matching funds to build a sign identifying the neighborhood and/or to beautify their entrances with trees, shrubs, plantings and landscaping. This changed in 2009 when the City Council approved changes to allow neighborhoods to receive smaller, matching grant awards up to \$500.00 to use funds for other smaller, non-physical neighborhood projects, celebrations, or events. This was something that neighborhoods had asked for—many not having funds or interest in large Gateways or beautification and wanting to have a neighborhood celebration or do a small project to bring neighbors together.

There are now two grant options for neighborhoods to choose from. The program has been renamed the Strong & Sustainable Grant Program, which now includes both the Gateway Grant Program & the Neighborhood Grant Program. The Strong & Sustainable Neighborhoods Grant Program assists associations and neighborhood groups with physical/ non-physical and community building projects. This program is a matching grant program, creating a partnership between the neighborhoods and the City to accomplish common goals. It helps to strengthen neighborhood integrity by:

- Strengthening and improving neighborhood associations,
- Improving the appearance of city neighborhoods,
- Strengthening the relationship between the HOA and the City government,
- Inspiring inter-neighborhood cooperation,
- Encouraging new communities to develop their own neighborhood associations, and
- Motivating interaction between all College Station HOAs/Neighborhood associations.



In the past year, Foxfire completed signage for various locations in the neighborhood. Three entrance beautification projects (for the Chimney Hill, Springbrook, and Pershing Park HOAs) are in progress, having to delay planting because of this summer's drought.

Seminar Suppers

The Seminar Supper program began in 1999, with the inception of the Neighborhood Services program. The program is still in operation today, with some slight modifications. The Seminar Supper program is a great way to keep neighborhood leaders informed on important community issues and ways to strengthen and maintain strong associations. At the supper, neighborhood leaders share a light meal and hear from a featured speaker. It is also a great way for neighborhood leaders to network, get to know each other, and share information on how to build better associations. The suppers are held bi-monthly (though not in the summer), with strong attendance continuing from neighborhood leaders. There are usually 15 to 35 people that attend. Below are some of the topics/speakers for 2010- 2011 Seminar Supper series:

11/10- Subdivision Regulations- Jason Schubert, Principal Planner and Bob Cowell, Director of Planning & Development Services

12/10- New Animal Control Ordinance, Sean Dwyer, Animal Control Supervisor

3/11-Code Enforcement Issues and SeeClickFix- Doug Ervin, Code Officer & Michael Trevino- GIS Tech

5/11- Bicycle, Pedestrian & Greenways Master Plan- Venessa Garza, Greenways Program Manager

7/11- Recycling & Being Green At Home- Heather Qualls, Recycling Coordinator

9/11- Thoroughfare Plan and Transportation Issues in College Station- Joe Guerra, Transportation Planning Coordinator

MAJOR INITIATIVE: NEIGHBORHOOD PLANNING (Ongoing)

As mentioned previously under Neighborhood Character, the City created its neighborhood, corridor, and district planning program to provide focused action plans for smaller areas of the City. Under this program, the City has adopted the Central College Station Neighborhood Plan and the Eastgate Neighborhood Plan. These plans focus on the particular needs and opportunities of the areas and are intended to be implemented over five- to seven-year time frames. Currently, the Central College Station Neighborhood Plan is being implemented, the Eastgate Neighborhood Plan is beginning implementation, the South Side Area Neighborhood planning process has begun, and the Wellborn District planning process is in its initial phase. The existing plans have, and the future plans will identify, actions for residents and the City to pursue to protect the long-term viability and appeal of established neighborhoods.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

The use of funds from HUD is guided by the City-developed five-year Consolidated Plan and the annual Action Plan, both of which are developed with extensive community involvement and approved by HUD. Further, most of the programs administered by the City involve a series of Council-adopted guidelines that further clarify how each program will operate. From time to time, Council or staff will initiate changes to these plans and/or

guidelines recognizing changes in priorities, new opportunities or challenges, etc. In 2008, Council directed staff to create sustainable revenue sources to support future activities due to the significant and on-going decline of HUD resources. This implementation of this direction was accomplished in part by providing assistance for housing activities through zero or low-interest loans and the retirement of 100% grant programs. Additionally, community development activities have been structured to generate program income when applicable. While these actions were intending to help the City better respond to the needs of the low-income residents of the community and make programs more responsive and sustainable, they have met with mixed success.

Most recently (summer 2011), the City Council provided direction on several affordable housing programs pertaining to new construction. Council directed staff to expand the City's relationship with Habitat for Humanity to construct new single-family affordable homes and partner with a private developer to build an affordable senior housing development. These projects will be before Council for their consideration on October 13. Also on October 13, staff will recommend to City Council modifications and adjustments to a number of federally-funded programs administered by the City. These recommendations are based on a firm understanding of the needs of the community, challenges faced in implementing current programs, and change in Department Administration.

In summary, the recommended changes to the City-administered programs are to:

- Revise the current owner-occupied housing rehabilitation program to streamline the program, increase the amount available to each owner-occupant, and adjust the loan-type portfolio;
- Revise the current owner-occupied minor housing repair program to eliminate the minimum credit score requirements and increase the amount available to each owner-occupant;
- Establish an owner-occupied reconstruction program; and
- Establish a renter-occupied rehabilitation program.

It is anticipated that these changes, along with relationship-building at the federal level, will increase the effectiveness of these programs to protect the long-term viability and appeal of established neighborhoods.

In regards to the organizational services offered by Neighborhood Services, one of the main struggles is getting the associations to remain proactive instead of reactive. Many associations tend to organize around issues and problems, which leaves the organizational structure driven by issues instead of by goals and plans. Trying to get the associations to develop long term plans that lead and guide the organization can be very difficult. This is especially the case as they tend to change leadership frequently. Without solid plans and goals, the focus of an organization is constantly changing with each leadership change. More time will be devoted this year to helping associations develop long term plans and goals that remain in place regardless of leadership changes. Hopefully, by spending more time on developing long range plans/goals, this will address the issue of successful program implementation and long range progress.

ECONOMIC DEVELOPMENT

The goal for economic development in College Station is *a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life*. Five strategies have been developed to progress toward this goal:

Strategy 1: Promote and support new investment that serves regional market opportunities.

Strategy 2: Promote and support the establishment, retention, and expansion of locally-owned businesses.

Strategy 3: Promote and support the attraction of festivals, entertainment, conferences, conventions and other special events for the purpose of economic growth.

Strategy 4: Identify and pursue redevelopment opportunities that further desired community character.

Strategy 5: Protect and buffer prime economic generators from development that is out of character or that creates or contributes to decreased service levels.

For the last several decades, College Station has served as a regional economic hub within the Texas Triangle. The largest employer (Texas A&M University), a significant amount of the area's retail activities, and most of the region's tourist accommodations and attractions are found in College Station. A strong local economy, and the associated tax revenues, enables the City to maintain a high quality of life, attracting and retaining residents, visitors, and businesses. The Comprehensive Plan calls for further diversification of our economic base and in the past year, two major initiatives have begun to implement this.

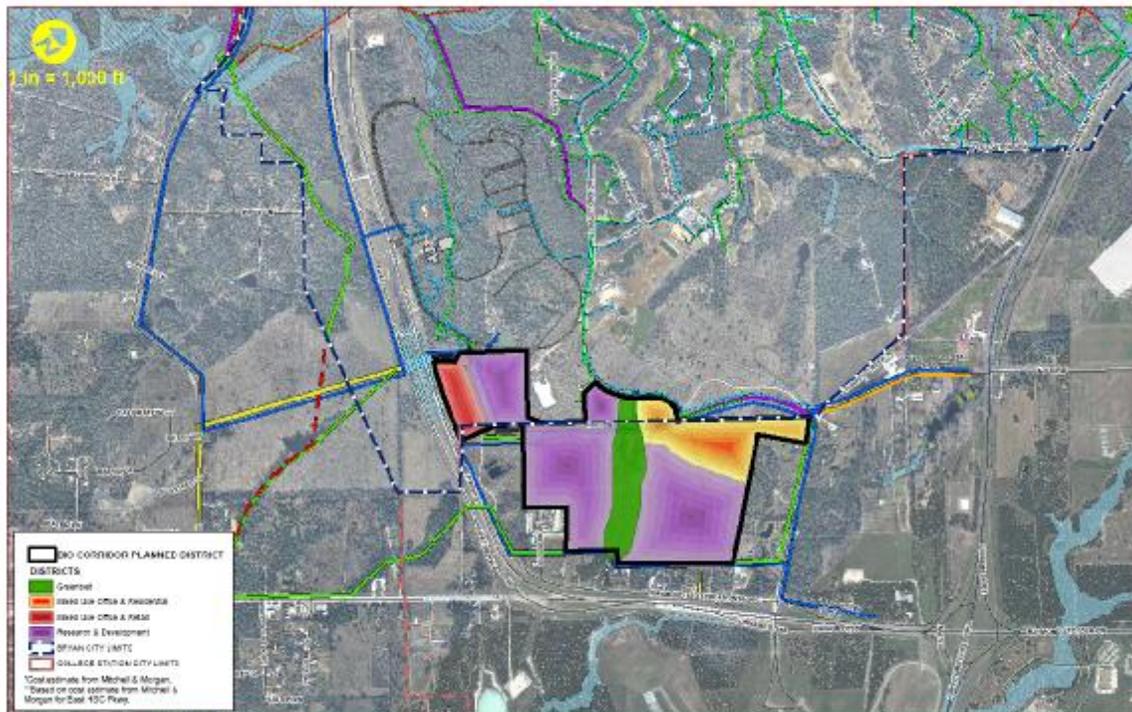
MAJOR INITIATIVE: ECONOMIC DEVELOPMENT MASTER PLAN (In progress)

The City's economic development focus has traditionally been on providing opportunities to capture out-of-market dollars from students, tourists, and event attendees. When the Comprehensive Plan was developed, it laid the groundwork for further exploration of the City's future economic growth. This summer, Staff began the process of developing an Economic Development Master Plan that will provide consistent direction on how the City will ensure its economic health for years to come. Funds have been allocated to engage a consultant to provide a full assessment of our existing market conditions, opportunities, and constraints. Staff will then take the data and information provided to develop economic goals and strategies and an implementation program for College Station.

The Request for Qualifications was posted in September and will close in October. A contract should be awarded by the end of the year. The planning process is anticipated to begin in earnest in January, with an anticipated completion date in October 2012 (a nine-ten month timeframe).

MAJOR INITIATIVE: THE BIOCORRIDOR (In progress)

In 2010, formulation of a research and development-oriented master plan began for around 3,500 acres west of the community that includes land in the cities of College Station and Bryan, land outside the cities but within their extraterritorial jurisdictions, and land owned by Texas A&M University and the Texas A&M University System. The Research Valley BioCorridor Concept Master Plan (a plan recently recognized by the Texas Chapter of the American Planning Association as the “Long Range Plan of the Year”) was commissioned by the Research Valley Partnership, Inc. and completed by Broaddus Planning with the help of a BioCorridor Task Force and input from a wide variety of stakeholders, including representatives from the cities, Brazos County, TAMU, the business community, and citizens, among others. The long-range plan revolves around the concept of OneHealth Plus™—that plant, animal, and human health are intertwined and that health and life are dependent upon clean water and sustainable agriculture. The plan’s vision is that this community will provide a unique environment where plant, animal, and human health may be studied in one place, thus expediting solutions in health care research and pharmaceuticals.



In an effort to facilitate the vision, elected officials from the cities of College Station and Bryan worked this spring to develop an interlocal agreement (ILA) that will enhance the developability of the Biomedical Corridor, including being ready for business prospects. The ILA specifically targets 179 acres that are in and owned by the City of Bryan and 147 acres that are owned by the Bryan Commerce Development Corporation within the City of College Station. The agreement seeks to share economic development opportunities by sharing revenues, sharing the costs of infrastructure, allowing for “dual service areas” where the City of College Station would provide water and the City of Bryan would service sewer, standardizing economic development incentives, and creating joint development standards and processes.

In May 2011, both cities adopted versions of the ILA. They are currently working together to reconcile the differences between the adopted agreements. In anticipation of the resolution, members of the cities' Planning staffs have begun laying out the necessary joint plans, processes, and standards that will be necessary to provide a unified system to a business wishing to develop in the cities' BioCorridor area. The Planning and Zoning Commissions from both cities met jointly on September 20, 2011 to discuss the zoning and development concepts proposed by staff. Regular meetings of a joint subcommittee of commissioners commenced on October 11 to review proposed standards and regulations in detail.

Anticipated to be complete by the end of 2011, the proposed joint development processes and standards for the 179 acres covered by the ILA will be available for review later this fall.

DEVIATIONS FROM THE PLAN

Most notably, the Comprehensive Plan clearly calls for action to "develop and construct a convention center" to implement the strategy to "promote and support the attraction of festivals, entertainment, conferences, conventions, and other special events for the purpose of economic growth". Although property was acquired for the project, public outcry of the project in a receding economy resulted in the halting of the project for further consideration. Since the last annual review, City staff has been given clear direction to sell the property that had been obtained for the development of the convention center.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

Lack of clear direction and understanding of our existing economic condition have been the greatest impediments toward the goal of economic development. The understanding of our current local economy and what is feasible to ensure the economic health of College Station is imperative to its success. The Economic Development Master Plan, now in progress, will help bring a common understanding of the goal of economic development and what is expected to maintain and enhance the economy of College Station.

PARKS, GREENWAYS, AND THE ARTS

The overall vision for College Station's community in the years ahead is to achieve and maintain a **diversity of parks, greenways and the arts for leisure and recreation as well as for entertainment, education and culture to achieve a high quality of life for all residents and visitors**. Three strategies elaborate on these themes and community priorities:

Strategy 1: Maintain and expand the parks and recreation system as well as its facilities and programs consistent with growth expectations.

Strategy 2: Preserve and enhance the greenways system of linear open spaces and trails for their intrinsic and functional value.

Strategy 3: Create and promote the arts through entertainment, educational and cultural opportunities that serve a variety of interests and abilities.

The City of College Station provides recreational and open space and recreational and leisure programming for its citizens. These services contribute to the quality of life the citizens of College Station value. In the past year, the Bicycle, Pedestrian, and Greenways Master Plan completed its first year of implementation and the Parks and Recreation Master Plan was completed.



MAJOR INITIATIVE: THE BICYCLE, PEDESTRIAN, AND GREENWAYS MASTER PLAN (In implementation)

The Bicycle, Pedestrian and Greenways Master Plan (a plan recently recognized by the Texas Chapter of the American Planning Association as a "Project Plan of the Year"), a component of the College Station Comprehensive Plan, was adopted in January 2010 after a year-long planning process including the inventorying of existing bicycle, pedestrian, and greenway facilities and the development of a needs assessment, system development and management recommendations, and implementation plan with the assistance of a Technical Task Force and Staff Resource Team. Citizen engagement included three community meetings, an online survey, and focus groups. The goals of the plan are to:

1. Improve connectivity and accessibility,
2. Increase safety,
3. Increase bicycling and walking outdoors, and
4. Encourage environmental stewardship.

The first annual review of the plan was presented to City Council in February of this year. Future annual reviews will be conducted in October as an element of the Comprehensive Plan Annual Review. Since February 2011, the following actions have been implemented to further the goals of the master plan, thus contributing not only to the goal of Parks, Greenways, and the Arts, but also those of Community Character, Neighborhood Integrity, Municipal Services, and Transportation:

- The protection of flood-prone areas through the dedication of 9.167 acres of greenway in the Alexandria Subdivision.
- The completion of a one-mile multi-use path along Harvey Mitchell Parkway (FM 2818), from Welsh Avenue to Texas Avenue.
- The addition of over 100 bike route signs along over 15 miles of streets around the City of College Station to improve wayfinding and safety.
- The substantial completion (anticipated October 2011) of the multi-use path in Bee Creek Park that will connect to bike lanes on Longmire Drive, Anderson Street, Texas Avenue/Krenek Tap Road, and the existing multi-use path that extends through Lemontree Park.
- The creation and printing of a free bike map for distribution to citizens to increase awareness of local bike lanes, bike routes, and multi-use paths. In May, 2,000 maps were printed to promote

National Bike Month. The map also identifies if a park has walking trails and/or exercise stations. Because of this, another 5,000 maps were printed through the Mayor's Council on Physical Fitness grant.

- The acceptance and utilization of an \$8,000 grant awarded in May 2011 by UPBEAT (Umbrella Partnerships – BE Active in Our Town), a collaboration of the Brazos Valley Prevention Network and the Texas Department of State Health Services. The goal of the grant was to create safe communities that support physical activity by making changes in the built environment. Projects funded by the grant included the improvement of crosswalks at Holleman and Carolina, the installation of additional bike route signs along Welsh Avenue from Holleman to Old Jersey Street, the addition of bike racks at the Lincoln Center, and the installation of an outdoor exercise station cluster within Tarrow Park. Some of these project ideas came from the students who participated in another component of this grant who performed community assessments of the Lincoln Area Neighborhood.



MAJOR INITIATIVE: PARKS AND RECREATION MASTER PLAN (Adopted)

The Parks and Recreation Master Plan was adopted July 14, 2011 and is a component of the City's Comprehensive Plan adopted in 2009. The previous plan built upon the 1997 Comprehensive Plan and was updated in 2003. The new plan identifies the City's parks and recreation needs for the next ten years as well as strategies and actions needed to implement the related policies, projects, and programming. Parks and recreation programs play an integral role in defining our neighborhood and community character, property values and tax revenue, and health and wellness. Quality parks and recreation programs are consistently noted as important by residents in surveys and focus groups. This has been further reinforced by voter approved support of parks and recreation bond initiatives, the most recent occurring in 2008.

The update of the Master Plan recognizes the value placed upon a quality parks and recreation system while acknowledging that current economic conditions



demand new and innovative ways of delivering such a system. The Plan proposes to deliver the necessary system within this environment through a strategic and incremental approach.

The goals of the Master Plan are:

- Resource Conservation & City Character: Protected open space, natural features, and natural resources contributing to the unique character desired for various areas of the City and for the City as a whole;
- Health & Wellness: Parks and Recreation system enabling residents to attain and sustain an active lifestyle and reduce the economic costs associated with poor health;
- Economic Sustainability: Parks and Recreation system that adds economic value to the City through enhanced property values, reduced medical costs, and through attraction of guests and participants to events and programs;
- Connectivity & Mobility: Parks and open spaces linked together and to the City's vehicular, bicycle, and pedestrian networks;
- Parkland and Neighborhood Character: High-quality environments located in close proximity to as many residences as practical meeting the needs and levels of service of those residents;
- Diversity in Recreation & Cultural Program: Opportunities for persons of all ages and abilities and to celebrate the diversity of cultures found in the community; and
- Responsible Governance: Cost-effective system where those generating demand for facilities and programs provide the means to deliver those facilities and programs and where partnerships are maximized.



The master plan was recently adopted, but some examples of implementation items found in the plan include adding neighborhood parkland as needed to continue to provide at least 3.5 acres of neighborhood parkland for every 1,000 residents, completing all voter-approved capital projects, and developing a Park Enterprise Fund and other sources of revenue to sustain recreation program and facility enhancements.

DEVIATIONS FROM THE PLAN

Deviations from Comprehensive Plan as it relates to Parks, Greenways, and the Arts, at this point, involve adjustments and alterations to the Bicycle, Pedestrian, and Greenways Master Plan. Through the neighborhood planning process, citizens were able to voice concerns with the systems and the planned systems within their neighborhoods. With the Central College Station Neighborhood Plan, needed improvements were identified, all of which fell within the scope of the existing plan. With the adoption of the Eastgate Neighborhood Plan, amendments were made the plan to reflect the desires of the residents that live in the area. Additional

sidewalks were proposed to make the neighborhood more walkable. Other changes affected proposed bike routes, bike lanes, and multi-use paths.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

The implementation of the Bicycle, Pedestrian, and Greenways Master Plan has encountered impediments through limited funding and political opposition. The purchase of flood-prone property (greenways) is currently possible through 1998 bond funds, but those funds will be depleted in the next couple of years. The addition of bike lanes, bike routes, and sidewalks is sparse as the 2008 Bond only allocated \$300,000 for new sidewalks. The facilities are slowly being built through the use of operating funds and in conjunction with street and parks projects. Staff will continue to seek outside sources of funding through grants and other available avenues to try to maximize the remaining funds that exist. The next bond will be vital to furthering the Plan's implementation to make College Station more bikeable and walkable.

The new Subdivision Regulations require sidewalks on both sides of the street, with limited exceptions. Previously, sidewalks were not required on some streets, only on one side of other streets, and on both sides of other rights-of-way. In addition, smaller blocks required through the Subdivision Regulations dictate the construction of more linear feet of sidewalks. There have been complaints about these expanded sidewalk requirements, but to this point the ordinance still stands.

TRANSPORTATION

College Station strives for **improved mobility through a safe, efficient, and well-connected multi-modal transportation system designed to be sensitive to the surrounding land uses**. Five strategies were developed to progress toward this goal:

Strategy 1: Develop, implement and maintain, through regular review, a multi-modal transportation plan that supports the planned growth and development pattern.

Strategy 2: Reduce and manage traffic congestion.

Strategy 3: Develop and implement context sensitive transportation solutions.

Strategy 4: Promote and invest in alternative transportation options.

Strategy 5: Balance changes in land use with the capabilities of the transportation system.

The implementation of the City's transportation goal is most obvious through the construction of and improvements to the transportation system. The infrastructure is generally built by public entities where the public need exists and by private development where a new development's need exists and/or it crosses planned infrastructure. It is important to note that although streets are the main focus of the annual review as it relates to transportation, bicycle and pedestrian facilities are also important to achieving the goal of a safe, efficient, and well-connected multi-modal transportation system.

MAJOR INITIATIVE: ROAD DESIGN AND CONSTRUCTION (Ongoing)

The construction of the City's street system has continued with the following accomplishments in the past year:

- Holleman Drive Extension: This project was completed this past fiscal year. The project consisted of constructing a four lane major collector with a raised median and a multi-use path that parallels the roadway on one side. The limits of the project were from just south of Dowling Road to its intersection with Wellborn Road.
- The Wellborn and Harvey Mitchell Interchange Project: This project was a Texas Department of Transportation (TxDOT) funded project that consisted of a grade separated roadway over the Union Pacific Railroad.
- The Wellborn Road widening project: This project was a TxDOT funded project that consisted of widening Wellborn Road from four lanes to six lanes with a raised median and sidewalks on one side of the roadway, from just north of Havey Mitchell Parkway to just south of William D. Fitch Parkway.
- The City was also able to successfully lobby TxDOT and the Metropolitan Planning Organization to fund construction improvements to the bridge at SH 6 and Rock Prairie Road. The City will undertake and fund the design of the bridge improvements. Construction will begin in the summer of 2013.



The funding, design, right-of-way acquisition, and construction of roadways are multi-year projects. Initiatives currently underway include:

- The Barron Road widening project: This project is currently under construction and is scheduled to be completed by August of 2012. The project consists of widening a two lane rural roadway to a four lane minor arterial, with a raised median and bike lanes plus sidewalks on both sides of the roadway, from just west of Longmire Drive to SH 40.
- The Victoria Avenue extension project: This project is currently under construction and is scheduled to be completed by August of 2012. The scope consists of extending Victoria Avenue just south of Barron Road to SH 40. Victoria Avenue is classified as a major collector consisting of two travel lanes, a center left turn lane, bike lanes, and sidewalks on both sides of the roadway. Finally, a bus stop will be built by The District as part of the project to service the new high school.
- The Jones Butler extension project: This project is currently under design and is scheduled to be under construction in fiscal year 2012. The project will consist of building a four lane major collector from Luther Street to its terminus at George Bush Drive across from Penberthy on the Texas A&M campus. The project will include bike lanes and sidewalks on both sides of the roadway.
- The Deacon Drive extension project: this project is being constructed by a developer. The project will consist of extending Deacon Drive from Old Wellborn Rd to Holleman South. Deacon Drive is classified as a minor collector; however, as a result of a traffic impact analysis based on the traffic generated by the proposed development, Deacon Drive will be upgraded to a major collector and built with an additional left turn lane throughout the length of the new roadway. This project will also provide for bike lanes and sidewalks on both sides of the roadway.

- The widening of Rock Prairie east and west of the SH 6 Bridge: Right-of-way acquisition is currently underway to provide additional land to widen Rock Prairie east and west of the SH 6 Bridge.

DEVIATIONS TO THE PLAN

As called for in last year's annual review of the Comprehensive Plan, amendments related to Transportation are scheduled to be presented and considered at the same public meetings as this Annual Review. Those recommended changes and several newly proposed changes are described in detail in their corresponding reports. They are:

- 1) The removal of the Raintree Dr. extension to North Forest Dr.,
- 2) The extension of Birkdale Dr. from Lakeway Dr. to SH 6 Front Rd.,
- 3) The extension of Corsair to Emerald Parkway,
- 4) The increase from two lanes to three lanes to Deacon Dr. from Wellborn Rd to Holleman South,
- 5) The reduction in lanes from four lanes to three lanes to Dartmouth Dr. from Harvey Mitchell Parkway to Texas Ave.,
- 6) The reduction in lanes from six lanes to four lanes to FM 60 from SH 6 to FM 158, and
- 7) The removal of an on-grade railroad crossing at Southwest Parkway and Wellborn Rd., and terminate Southwest Parkway at Wellborn Rd.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

As is common among virtually all of the actions items that implement the Comprehensive Plan, the reduction in funds available for programs and projects impacts if and how they are provided. One of the main tools to fund the provision of new roads was anticipated to be the roadway impact fee. This tool in College Station did not make it beyond the City's Transportation Committee. Similarly, a transportation fee referendum to fund maintenance transportation projects was put before the voters and failed. Oversize participation funds were not included in the 2008 bond election, hence transportation projects that would not be proportional to the developer's development and require over-participation by the City cannot be fully implemented because of lack of funds by the City. The City applied for federal funds through a TIGER II grant to fund the extension of the Pebble Creek Parkway North extension project, but the application was unsuccessful. Because of the transportation funding constraints, in fiscal year 2012, the Planning and Development Services Department Transportation Planning Section will undertake a travel demand model study to analyze a less robust implementation scenario and assess the impacts to the transportation network.

MUNICIPAL SERVICES AND COMMUNITY FACILITIES

It is the goal for the City to plan for *municipal facilities that meet community needs, contribute to community character, are sensitive to the surrounding land uses, and provide exceptional municipal services.* The associated strategies developed to help to meet this goal are:

Strategy 1: Maintain existing infrastructure.

Strategy 2: Develop, implement and maintain, through regular review, facilities and service master plans that support the planned growth and development pattern.

Strategy 3: Maintain exemplary levels of municipal services.

Strategy 4: Expand municipal services and facilities consistent with growth expectations and to support the planned growth and development pattern.

Strategy 5: Promote facilities and services delivery practices that encourage resource conservation and protection.



MAJOR INITIATIVE: THE WATER MASTER PLAN (In implementation)

In August of 2010, the City Council adopted the City's Water Master Plan as an amendment to the City of College Station Comprehensive Plan. The new master plan reflects water lines needed as development occurs to serve newly annexed areas (within our water CCN), growth corridors, and existing areas where water lines are in need of replacement/upsizing. The updated master plan also identifies major water line connections needed within the existing system that will allow the water distribution system to operate more efficiently and also abide by all TCEQ regulations. The line locations and sizes have been determined through system models produced by engineering consultants in coordination with the College Station Water Service Department.

The water master plan maps function similarly to the thoroughfare plan with regard to implementation through private development as it occurs, with the opportunity for oversize participation to be requested by the developer. The plan addresses future utility needs within the City as well as areas where the City has the Certificate of Convenience and Necessity for water. The plan maps are the result of various engineering studies performed for the City over the last 10 years. The utility line sizes are based on existing development trends and the 2009 Comprehensive Plan Future Land Use and Character Map. Property owners requesting land use plan amendments and/or zoning map amendments (rezonings) are required to assess the impact of the amendment with regard to the Water Master Plans and propose changes as necessary.

Since adoption, the following items listed in the Water Master Plan, both public and private, have been implemented:

- Well No. 8 has been completed and will increase water production capacity by 3 million gallons per day.
- Barron Road Water Service Extension is complete and will provide water service to residents within the City of College Station's Water CCN that were previously served by the Wellborn Special Utility District. This overall project consisted of the design and construction of a 12" water line along Wellborn Road up to the Southern Trace Subdivision.
- Wellborn Widening Water Line is currently under design and will begin construction soon. This overall project consists of the design and construction of a 24" water line along Wellborn Road, from North Graham Road to SH 40.

- Water Reclamation, Phase I is currently under construction and will help to decrease the overall peak water demand on our potable water distribution system. This overall project consists of designing and constructing reclaimed water infrastructure from Carters Creek Wastewater Treatment Plant to Veterans Park.
- Victoria Avenue Water Line Extension is currently under construction and will improve connectivity between the City's high service pump station and the Greens Prairie Tower. This water line extension is included as part of the 'Victoria Avenue Extension' that spans from Southern Plantation Drive to SH 40.
- A High Service Pumping Project has been initiated and is currently under design to increase system capacities that will meet TCEQ requirements.

Five-year reviews are planned to review major actions and interim plan amendments undertaken over the preceding five years, major water-related trends in the community and how these have changed over time, changes in the assumptions and base study data, and the ability of the Master Plan to continue to support progress toward achieving the community's goals.

MAJOR INITIATIVE: THE WASTEWATER MASTER PLAN (Adopted)

The Wastewater Master Plan was adopted in June of this year as a component to the City's Comprehensive Plan. The master plan reflects sewer lines needed as development occurs to serve newly annexed areas (within our wastewater CCN), growth corridors, and existing areas where sewer lines are in need of replacement or upsizing. The updated master plan also identifies major sewer line connections needed within the existing system that will allow the wastewater collection system to operate more efficiently and also abide by all TCEQ regulations. The line locations and sizes have been determined through system models produced by engineering consultants in coordination with the College Station Water Service Department.

The Wastewater Master Plan maps function similarly to the thoroughfare plan with regard to implementation through private development as it occurs, with the opportunity for oversize participation to be requested by the developer. The plan addresses future utility needs within the City as well as areas where the City has the Certificate of Convenience and Necessity for wastewater service. The utility line sizes are based on existing development trends and the 2009 Comprehensive Plan Future Land Use and Character Map. Property owners requesting land use plan amendments and/or zoning map amendments (rezonings) will be required to assess the impact of the amendment with regard to the Wastewater Master Plans and propose changes as necessary.

The following items have been implemented (both private and public):

- The Nantucket Gravity Sewer Line is complete and has removed a problematic lift station in the Nantucket area.
- The Scott and White Lift Station is currently under design and will begin construction soon. This overall project consists of the design and construction of a sanitary sewer lift station to serve the Scott & White development near the intersection of Rock Prairie Road and SH 40.
- The FM 2154 Sewer Service Extension will begin design soon and will serve the recently annexed area in southern College Station.

- The Carters Creek WWTP Headworks Improvements are currently under design and will allow the facility to be more efficient and allow for easier maintenance of the individual equipment components.
- The Lick Creek WWTP Centrifuge Improvements are currently under design and will replace/upgrade the existing centrifuge process at Lick Creek.



Annual and five (5) year reviews will also be performed by City staff in order to evaluate growth trends, wastewater demands, future treatment facilities, and the wastewater collection system master plan map.

MAJOR INITIATIVE: JOINT WATER / WASTEWATER / DRAINAGE REHABILITATION PROJECTS IN OLDER NEIGHBORHOODS AND REDEVELOPMENT AREAS (Ongoing)

In an effort to maintain and improve City infrastructure, the following items have been implemented in the past year (both private and public):

- A water and sewer rehabilitation Capital Improvement Program project is currently in construction for Southwood 5-7 in the vicinity of Southwest Parkway, Harvey Mitchell Parkway, Glade Street, Welsh, and Shadowood.
- A water and sewer rehabilitation Capital Improvement Program project is currently in design for South Knoll/The Glade in the vicinity of Haines Street, Southwest Parkway, Glade Street, and Langford Street.
- A water rehabilitation project is currently in construction for Patricia Street in Northgate.
- A water and sewer rehabilitation Capital Improvement Program project is currently in construction for Tauber/Stasney in the vicinity of Tauber Street, Stasney Street, University Drive, and Cherry Street.
- A water rehabilitation Capital Improvement Program project will begin design soon for Plantation Oaks Water Line that spans along Harvey Road, From Munson Avenue to Scarlett O'Hara Drive.
- A sewer rehabilitation Capital Improvement Program project is complete for the Emerald Parkway/Bent Oak Sewer Line in the vicinity of Emerald Parkway and the recently developed 'Emerald Ridge Estates'.

MAJOR INITIATIVE: LANDFILL CLOSURE / OPENING (In progress / Complete)

After serving the solid waste disposal needs of the Brazos Valley since 1981, the Rock Prairie Road Landfill reached final capacity this past summer. As of July, it no longer accepted municipal solid waste. After more than a decade of a permitting, design, and construction process, the Twin Oaks Landfill on State Highway 30 in Anderson received authorization from the Texas Commission on Environmental Quality to operate the new Twin Oaks Landfill in June. It opened for operations shortly before the closure of the Rock Prairie Road Landfill.



Closure activities at the Rock Prairie Road landfill will continue into 2012 with planned upgrades to the landfill gas collection system, the construction of a final cover system, and the development of a landfill gas-to-energy facility. The City entered into a Landfill Gas Purchase Agreement this August with the Brazos Valley Solid Waste Management Agency and the City of Bryan, moving local utilities one step closer to producing electricity with gas from the Rock Prairie Landfill. Under the purchase agreement, gas will be metered from the existing gas collection system at the landfill and would be used as fuel for a future electric generating facility located on the site. The next step will be future contracts between the cities for the design and construction of the generating facilities, along with an Interlocal Agreement for operation of the generation facilities.

MAJOR INITIATIVE: NEW FIRE STATION (In progress)

In the adopted Fiscal Year 2012 budget, approximately \$1.8 million has been dedicated to fund 18 firefighters and associated costs for Fire Station No. 6. The station was approved by voters in the 2008 bond election. Located at University Drive and Tarrow Street, Fire Station No. 6 will serve the University Drive corridor and will provide improved fire and emergency medical services to North College Station and Texas A&M. The College Station Fire and Public Works departments held public meetings to offer details about the station in September. Construction has begun and the station will open in late 2012.

MAJOR INITIATIVE: SUPPORT OF THE COLLEGE STATION INDEPENDENT SCHOOL DISTRICT (Ongoing)

The College Station Independent School District had acquired a 52.72-acre tract on Greens Prairie Trail for the construction of a new elementary school. The existing elementary schools had reached capacity and a facility was needed in southwestern College Station. The property chosen was, at the time, in the City's Extraterritorial Jurisdiction. In 2010, the ISD petitioned for annexation and was brought into the City after City Council action that summer. In the past year, as the school was under construction, the City of College Station supported CSISD by improving Greens Prairie Trail, laying new fiber in the area, and providing sewer service to the new school. Greens Prairie Elementary School opened its doors and began operation in time for the 2011-2012 school year. In the spirit of cooperation for needed services in this area, CSISD has agreed to make a portion of the school property available for a future fire station. This project expanded needed community facilities consistent with growth expectations and to support the planned growth and development pattern.

MAJOR INITIATIVE: TMDL (In progress)

Pursuant to the Clean Water Act, the Environmental Protection Agency has worked with the Texas Commission on Environmental Quality to determine which waters in Texas do not meet water quality standards for their intended use. The list of these waters is known as the 303D list. There have been 271 impairments identified across the state, including Carters and Burton Creek Watersheds locally which have been placed on the 303D list due to elevated levels of escherichia coli, indicating contamination with human or animal fecal matter. The impacted entities have the option of working with TCEQ through the voluntary Total Maximum Daily Load program or enrolling in a more formal program with EPA. Formulating an Implementation Plan in the Total Maximum Daily Load program results in that entity being removed from the 303D list for the five year life of the program, at which time the program can be updated for another five years.

The two Cities, Brazos County, TAMU and TxDOT worked with AgriLIFE and the Natural Resources Conservation Service (NCRS) from 2010 to 2011 to formulate an implementation plan. AgriLIFE submitted the Implementation Plan to TCEQ this summer for review.

The I-Plan recommended efforts that continue and dovetail with our existing Storm Water Management Plans (SWMP) for College Station as well as the other local entities. The I-Plan recommends continuing SWMP implementation and monitoring wastewater treatment plant effluent and the following general efforts:

1. Coordinate and expand existing Water Quality Monitoring
2. Explore Expanding Wildlife Tax Exemption Incentives
3. Improve On Site Sewage Facility Programs (OSSF) (Septic Systems)
4. Implement Sanitary Sewer Overflow (SSO) initiatives
5. Implement Voluntary Agricultural Best Management Practices
6. Establish development mechanisms to mitigate adverse water quality impacts

The TCEQ approval of the I-Plan is expected before the end of the year.

MAJOR INITIATIVE: THE ADA TRANSITION PLAN (In progress)

The American with Disabilities Act of 1990 established accessibility guidelines to provide recommendations towards establishing accessibility standards for new construction and alterations of facilities to provide safe movement to individuals with disabilities. The cornerstone of Title II of the ADA is this: no qualified person with a disability may be excluded from participating in, or denied the benefits of, the programs, services, and activities provided by state and local governments because of a disability. Public entities must reasonably modify their rules, policies, and procedures to avoid discriminating against people with disabilities. Barriers to accessibility can be architectural, related to policies and procedures, and/or hinder effective communication. Title II accessibility requirements took effect January 26, 1992. Everything past this date is required to come into compliance. The transition plan will help the City document what changes need to be made and how these changes will occur.

Staff is currently researching other communities Transition Plans and developing a strategy to accomplish the plan.

MAJOR INITIATIVE: STORMWATER MASTER PLAN (In progress)

Funds were budgeted for Fiscal Year 2012 for the Public Works Department to hire an engineering consultant to prepare a Drainage Master Plan. The last drainage study was completed in 1993. This plan will focus on drainage capacity or flood control projects on the public storm sewer systems and open channels. This study will identify and prioritize drainage issues or problems that currently exist in our system. Like the other master plans, this report will also assist the City and the development community to locate and size future infrastructure improvement to accommodate growth per the Comprehensive Plan.

Note that the City also has a *Storm Water Management Plan* as required and on file with the Texas Commission on Environmental Quality (TCEQ) which is primarily an operational document that addresses storm water quality, not storm water quantity.

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

As has been a common theme impeding virtually all of the action items of the Comprehensive Plan, the reduction in budget has had the greatest effect on its successful implementation. Several City services, programs, and staff positions were recently altered, reduced, or eliminated. Reorganization and a tightening of the budget have resulted in new relationships and collaborations, such as Planning & Development Services assisting Parks and Recreation with the Parks and Recreation Master Plan process. Staff will continue to seek creative solutions to provide excellent service, though services and programs may not be or look the same within their budgetary limitations.

GROWTH MANAGEMENT AND CAPACITY

The overall goal for College Station's growth in the years ahead is to **ensure fiscally responsible and carefully managed development aligned with growth expectations and in concert with the ability to deliver infrastructure and services in a safe, timely, and effective manner**. Five strategies elaborate on these themes and community priorities:

Strategy 1: Identify land use needs based on projected population growth.

Strategy 2: Align public investments with the planned growth and development pattern.

Strategy 3: Balance the availability of and desire for new development areas with redevelopment and infill opportunities.

Strategy 4: Identify and implement growth management techniques for areas within the Extraterritorial Jurisdiction.

Strategy 5: Encourage and promote the redevelopment of land that is currently occupied by obsolete or non-functioning structures.

MAJOR INITIATIVE: THE WELLBORN-AREA ANNEXATION (Adopted)

In April of this year, the City Council voted to annex approximately 649 acres on the southwest side of the City generally known as the Wellborn area. Upon annexation, police protection; fire protection; solid waste collection; maintenance of public water and wastewater facilities that were not in the service area of another utility; maintenance of public roads and streets; maintenance of public parks, playgrounds, and swimming pools; and, maintenance of any other publicly-owned facility or building were made available. The service plan provides for the extension of wastewater service to a portion of the annexation area and proposes upgrades to several roads within the annexation area. The service plan provides the annexed area with a level of service comparable to similar areas within the City. The action has enabled the city to manage its growth in a sensible, predictable, and fiscally-responsible manner.

DEVIATIONS FROM THE PLAN

While consideration of annexation of the Wellborn area was identified as a near-term priority in the Comprehensive Plan, it became an immediate priority when residents of the area formally made their desire to incorporate known. City leaders had worked with area representatives for years, but mutual agreement could not be found. City staff was given direction to research what the annexation would mean to College Station, to offer annexation agreements to eligible properties, and to eventually bring the service plan and ordinance forward for consideration.

Not a deviation as much as a sharper focus, the neighborhood plans are providing public input in the direction of areas identified as Redevelopment on the Comprehensive Plan's Concept Map. Part of the Eastgate Neighborhood Plan included a portion of Redevelopment Area II along Texas Avenue and University Drive. The plan documented feedback from area residents for three redevelopment subareas that will be used as guidance during the formation of a future Redevelopment Plan for the area. The Southside Area neighborhood planning process has recently begun and residents are providing their thoughts for the study of Redevelopment Area III (in the vicinity of George Bush Drive and Wellborn Road).

IMPEDIMENTS TO IMPLEMENTATION AND SOLUTIONS

The Bee Creek Trunk Line's sub-basin currently serves many developments along FM2818, from areas east of Wellborn Road, to the Carters Creek Wastewater Treatment Plant. Much of the existing trunk line was constructed in 1973 and was shown to have several surcharging line segments in the 2011 HDR Sanitary Sewer Collection System Master Plan Update. The City is currently engaged in engineering to determine the best way to address these issues. Until there is resolution, to prevent surcharge events, possible fines from TCEQ, and customer service disruptions, future demands in this respective sub-basin will need to be evaluated as development occurs.

CONCLUSION

Since the last Comprehensive Plan Annual Review in the summer of 2010, City leadership, citizens, community partners, and City staff have made considerable strides towards the vision for College Station. There have been a number of challenges in implementation, but the dedication and hard work of many community members to maintain and enhance the desirability of College Station has resulted in solutions and alternatives. The quality of life enjoyed in College Station will continue to inspire the creation and enhancement of places of distinction in our community.

October 27, 2011
Regular Agenda Item No. 2
Comprehensive Plan - Thoroughfare Plan Amendment

To: David Neeley, City Manager

From: Bob Cowell AICP, CNU-A, Executive Director-Planning and Development Services

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an ordinance of the City of College Station, Texas amending the College Station Comprehensive Plan by amending the Thoroughfare Plan for the following thoroughfares: Raintree Drive, Birkdale Drive, Corsair Drive, Deacon Drive, Dartmouth Drive, F.M. 60, on-grade railroad crossing at Southwest Parkway and Wellborn Road.

Relationship to Strategic Plan: Item is related to all Strategic Plan initiatives

Recommendation(s): The Planning & Zoning Commission heard the items at their October 20th meeting. The recommendation from that meeting will be provided at the Council meeting. Staff recommended approval of the ordinance.

Summary: As part of the yearly Comprehensive Plan Review staff is initiating amending the Thoroughfare Plan. The amendments are as follows:

- Removal of Raintree Dr extension to North Forest Dr
- Extension of Birkdale Dr from Lakeway Dr. to SH 6 Front Rd
- Extension of Corsair Cr to Emerald Parkway
- Increase in lanes from two lanes to three lanes to Deacon Dr from Wellborn Rd to Holleman South
- Reduction in lanes from four lanes to three lanes to Dartmouth Dr from Harvey Mitchell Parkway to Texas Ave
- Reduction in lanes from six lanes to four lanes to FM 60 from SH 6 to FM 158
- Removal of an on grade railroad crossing at Southwest Parkway and Wellborn Rd and at Union Pacific Railroad, and terminate Southwest Parkway at Wellborn Rd

With Raintree Dr, Birkdale Dr and Corsair Cr, the amendments are housekeeping type items. They were part of the previous Thoroughfare Plan and were incorrectly represented in the recent Thoroughfare Plan adoption in 2009. With Deacon Dr, Dartmouth Dr, FM 60 and the on grade railroad crossing at Southwest Parkway and Wellborn Rd specific studies were undertaken and completed to insure impacts were minimal and manageable to the City's transportation network. More specific information can be found in the Ordinance and the Staff Report.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance
2. Staff Report



**COMPREHENSIVE PLAN AMENDMENT
THOROUGHFARE PLAN AMENDMENT
(11-00500139)**

REQUEST:

1. Removal of Raintree Drive extension to North Forest Drive
2. Extension of Birkdale Drive from Lakeway Drive to Earl Rudder Freeway (SH 6) Frontage Road
3. Extension of Corsair Circle to Emerald Parkway
4. Increase in lanes from two lanes to three lanes to Deacon Drive from Wellborn Road (FM 2154) to Holleman South
5. Reduction in lanes from four lanes to three lanes to Dartmouth Drive from Harvey Mitchell Parkway (FM 2818) to Texas Avenue
6. Reduction in lanes from six lanes to four lanes to University Drive (FM 60) from Earl Rudder Freeway (SH 6) to Booneville Road (FM 158)
7. Removal of an on grade railroad crossing at Southwest Parkway and Wellborn Road (FM 2154) and at Union Pacific Railroad, and terminate Southwest Parkway at Wellborn Road (FM 2154)

APPLICANT:

City of College Station

PROJECT MANAGER:

Joe R. Guerra Jr., AICP, PTP Transp. Planning Coordinator
jguerra@cstx.gov

RECOMMENDATION:

Approval

NOTIFICATIONS

Advertised Commission Hearing Date: October 20, 2011

Advertised Council Hearing Dates: October 27, 2011

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:

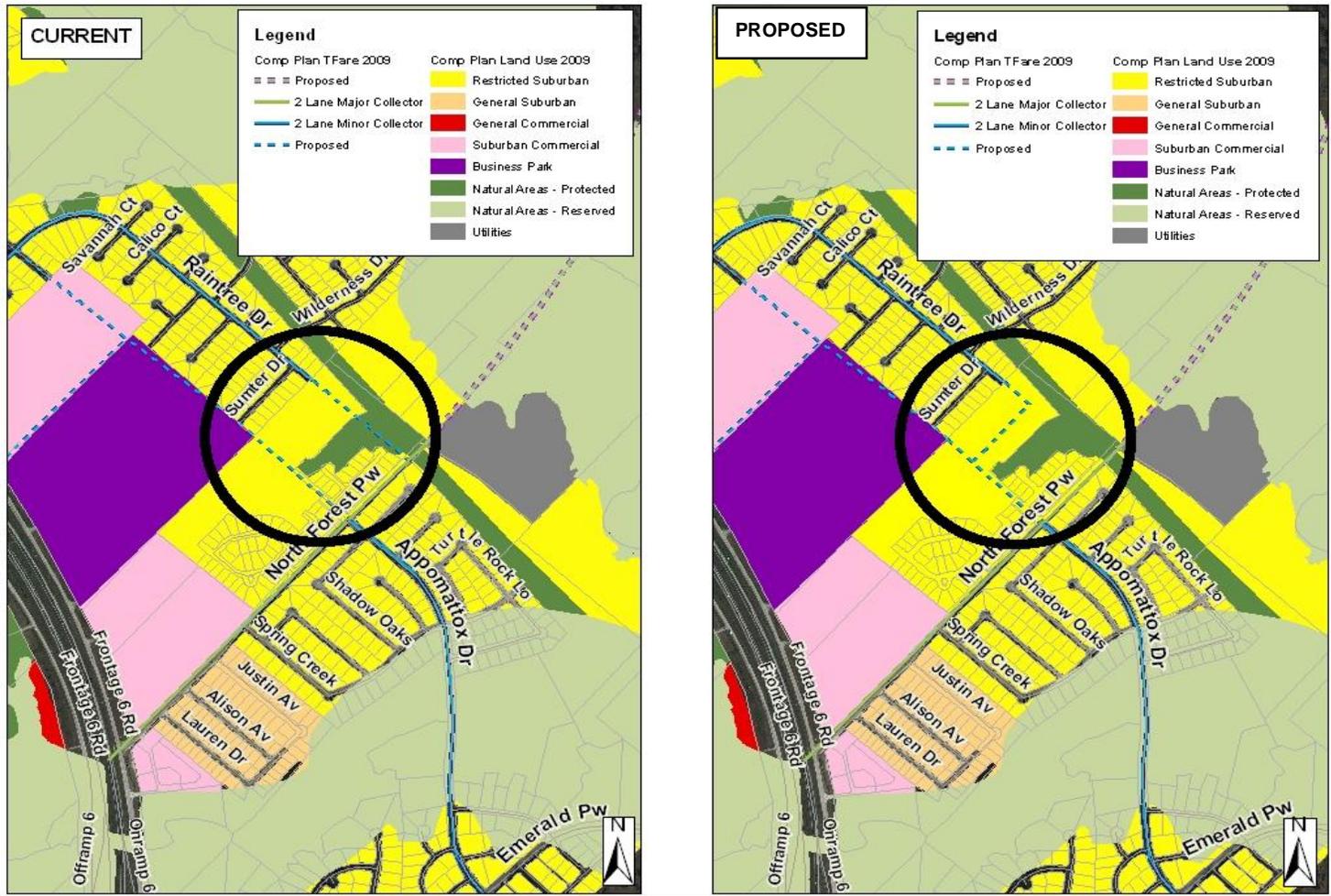
Not applicable

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: None

1. Thoroughfare Plan: Removal of the Raintree Drive Extension to North Forest Drive.
 With the Master Plan for the Carter's Crossing Subdivision (a.k.a. the Fotjik tract), approved in 2007 the extension of Raintree Drive was approved to turn and intersect Appomattox Drive in an effort to discourage cut through traffic along Raintree Drive. This amendment would reflect what has been master planned.



Proposed Amendment: Removal of Raintree Drive Extension to North Forest Drive

RAINTREE DRIVE: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Restricted Suburban	R-1 Single Family Residential	Vacant and Raintree Subdivision
South	Restricted Suburban	R-1 Single Family Residential	Vacant Carter Crossing and City Park
East	Restricted Suburban	R-1 Single Family Residential	Vacant and Carter's Crossing
West	Restricted Suburban	R-1 Single Family Residential	Vacant

DEVELOPMENT HISTORY

- Annexation:** 1997
- Zoning:** R-1 Single Family Residential
- Preliminary Plat:** The extension was not reflected on the Carters Crossing Preliminary Plat
- Site development:** Future residential detached subdivision

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
Raintree Drive: As part of the Carter's Crossing Master Plan approved in 2007 and before the Comprehensive Plan update, Raintree Drive was classified as a minor collector street in the City's Thoroughfare Plan and was realigned to create a 90 degree turn and connect to Appomattox Drive. A preliminary plat was approved by Planning and Zoning Commission, but the Comprehensive Plan update did not reflect the Master Plan.
2. **Availability of adequate information:**
Raintree Drive: The change reflects the Carter's Crossing Master Plan.
3. **Consistency with the goals and strategies set forth in the Plan:**
Raintree Drive: Because the classification and context of this roadway will remain the same, and will provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.
4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
Raintree Drive: Functional classification and context will remain the same.
5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
Raintree Drive: There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.

6. Impact on the City's ability to provide, fund, and maintain services:

Raintree Drive: Assumed to be a developer built roadway no capital funding impact.

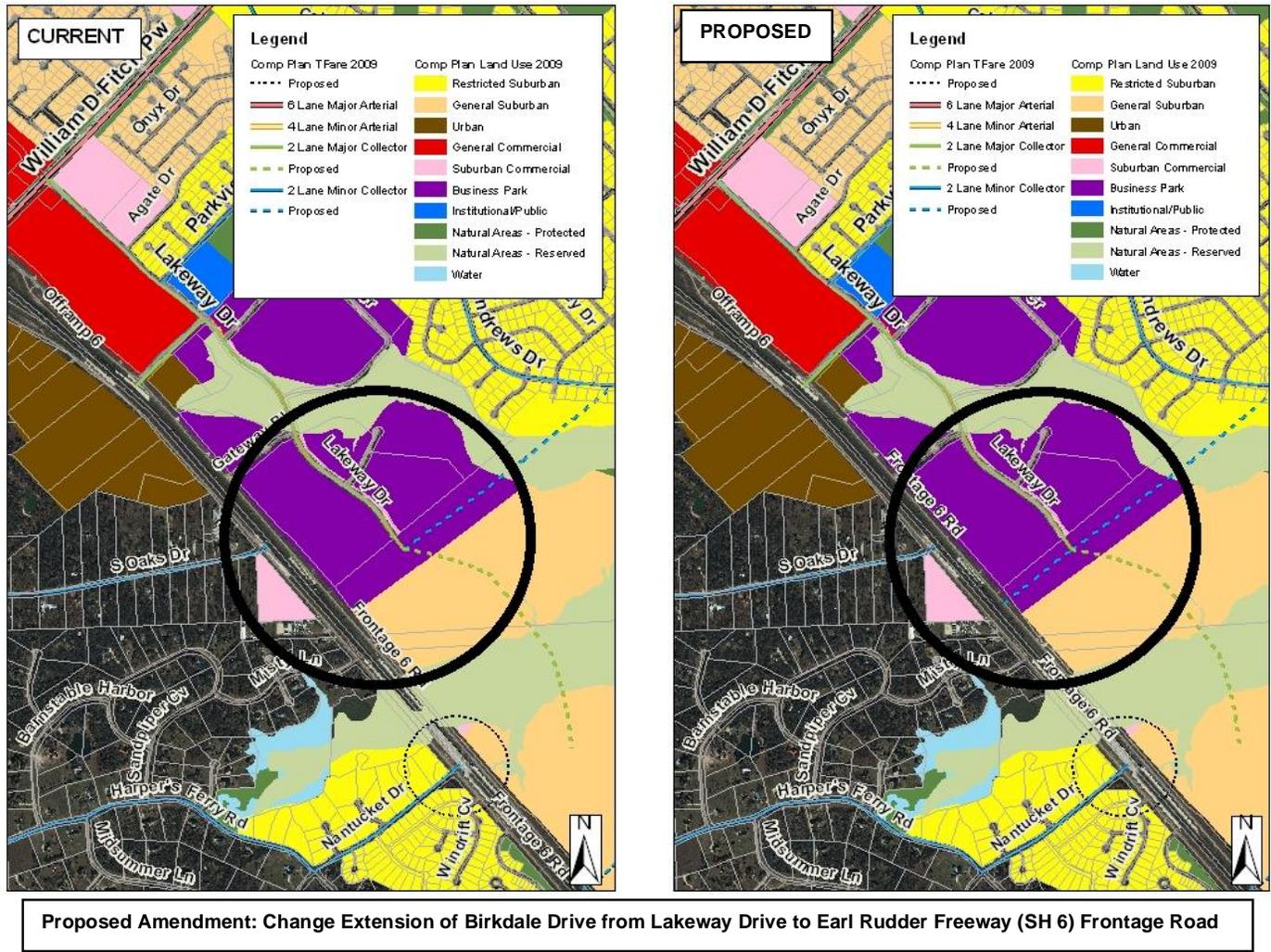
7. Impact on environmentally sensitive and natural areas:

Raintree Drive: Floodplain in area and assumption has always been no adverse impacts.

8. Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:

Raintree Drive: This amendment contributes to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system.

2. Thoroughfare Plan: Extension of Birkdale Drive from Lakeway Drive to Earl Rudder Freeway (SH 6) Frontage Rd.
 The previous Thoroughfare Plan depicted Birkdale Drive to cross Lakeway Drive and intersect with the Earl Rudder Freeway (SH 6) frontage road. Through oversight, this connection was not included in the 2009 plan, but is needed to promote circulation and connectivity.



BIRKDALE DRIVE: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Business Park	A-O Agricultural-Open	Research and Development Business Park
South	Business Park	A-O Agricultural-Open	Vacant
East	Business Park	A-O Agricultural-Open	Vacant. Pebble Creek Subdivision
West	Business Park	A-O Agricultural-Open	Vacant

DEVELOPMENT HISTORY

Annexation: 1994
Zoning: A-O Agricultural-Open
Final Plat: None
Site development: Future Business Park

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
Birkdale Drive: Commercial development at intersection of William D. Fitch (SH 40) and Earl Rudder Freeway (SH 6)
2. **Availability of adequate information:**
Birkdale Drive: The change reflects the previous Thoroughfare Plan.
3. **Consistency with the goals and strategies set forth in the Plan:**
Birkdale Drive: Because the classification and context of this roadway will remain the same, and will provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.
4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
Birkdale Drive: Functional classification will be minor collector street and context will be restricted suburban both reflecting the current classification of the existing portion of Birkdale Drive.
5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
Birkdale Drive: There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.
6. **Impact on the City’s ability to provide, fund, and maintain services:**
Birkdale Drive: Assumed to be a developer built roadway - no capital funding impact.

7. **Impact on environmentally sensitive and natural areas:**

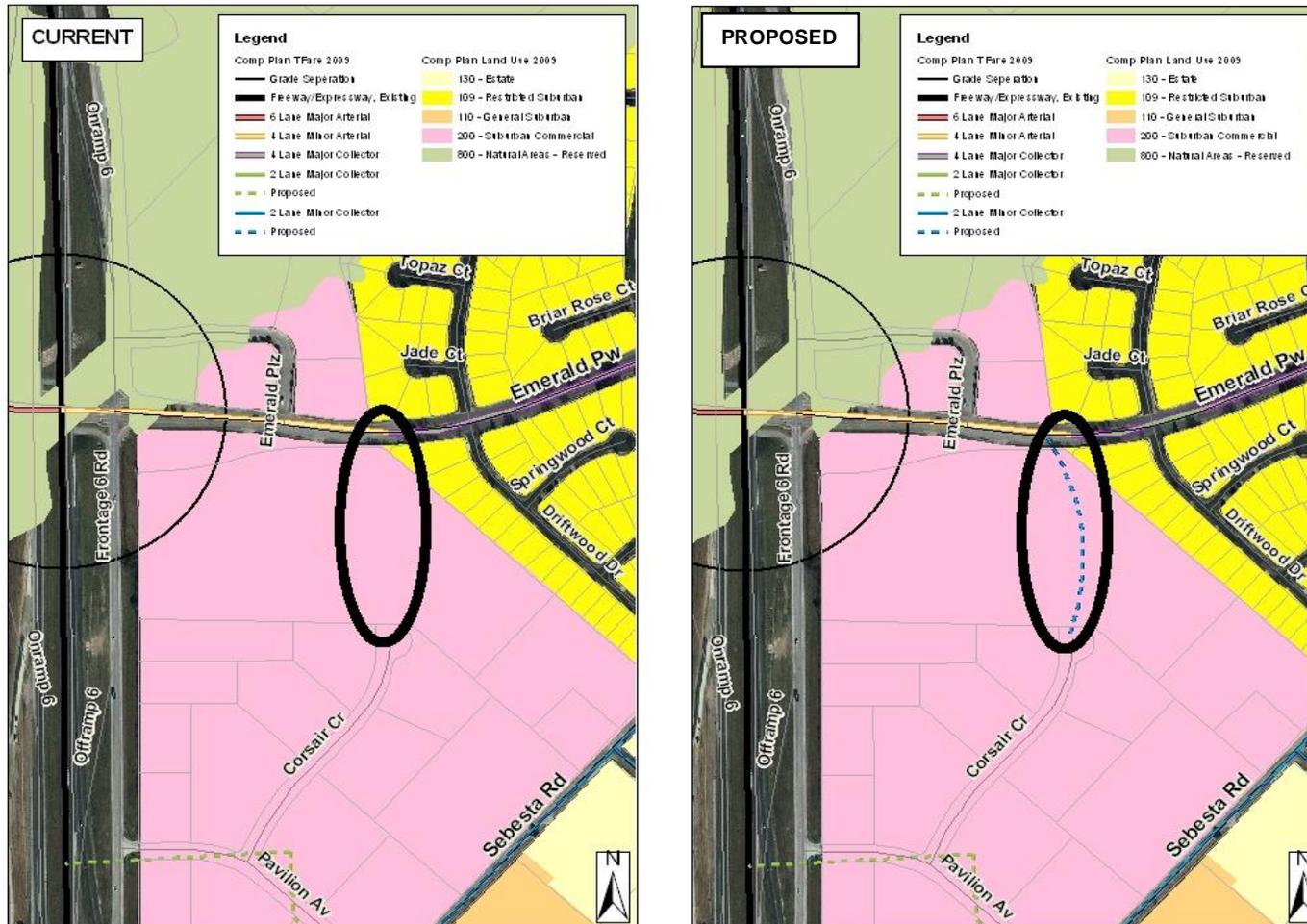
Birkdale Drive: No environmental sensitive and natural areas in roadway location.

8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**

Birkdale Drive: This amendment contributes to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system.

3. Thoroughfare Plan: Extension of Corsair Circle to Emerald Parkway

The previous Thoroughfare Plan depicted Corsair Circle terminating at Emerald Parkway. The desire for this connection was confirmed through the East College Station Transportation Study. Through oversight, this connection was not included in the 2009 plan, but is needed to promote circulation and connectivity.



Proposed Amendment: Extend Corsair Circle to Emerald Parkway

CORSAIR CIRCLE: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial	M-1 Light Industrial	Vacant, Business Park
South	Suburban Commercial	M-1 Light Industrial	Vacant
East	Suburban Commercial	M-1 Light Industrial	Vacant, Emerald Forest
West	Suburban Commercial	M-1 Light Industrial	Vacant, Earl Rudder Freeway (SH 6)

DEVELOPMENT HISTORY

Annexation: 1997
Zoning: M-1 Light Industrial
Final Plat: None
Site development: Vacant

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
Corsair Circle: No change

2. **Availability of adequate information:**
Corsair Circle: The change reflects the previous Thoroughfare Plan and the recommendations of the East College Station Transportation Study.

3. **Consistency with the goals and strategies set forth in the Plan:**
Corsair Circle: Because the classification and context of this roadway will remain the same, and will provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the comprehensive plan, reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.

4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
Corsair Circle: Functional classification will be major collector street and context will be restricted suburban, both reflecting the current classification of the existing portion of Corsair Circle.

5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
Corsair Circle: There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.

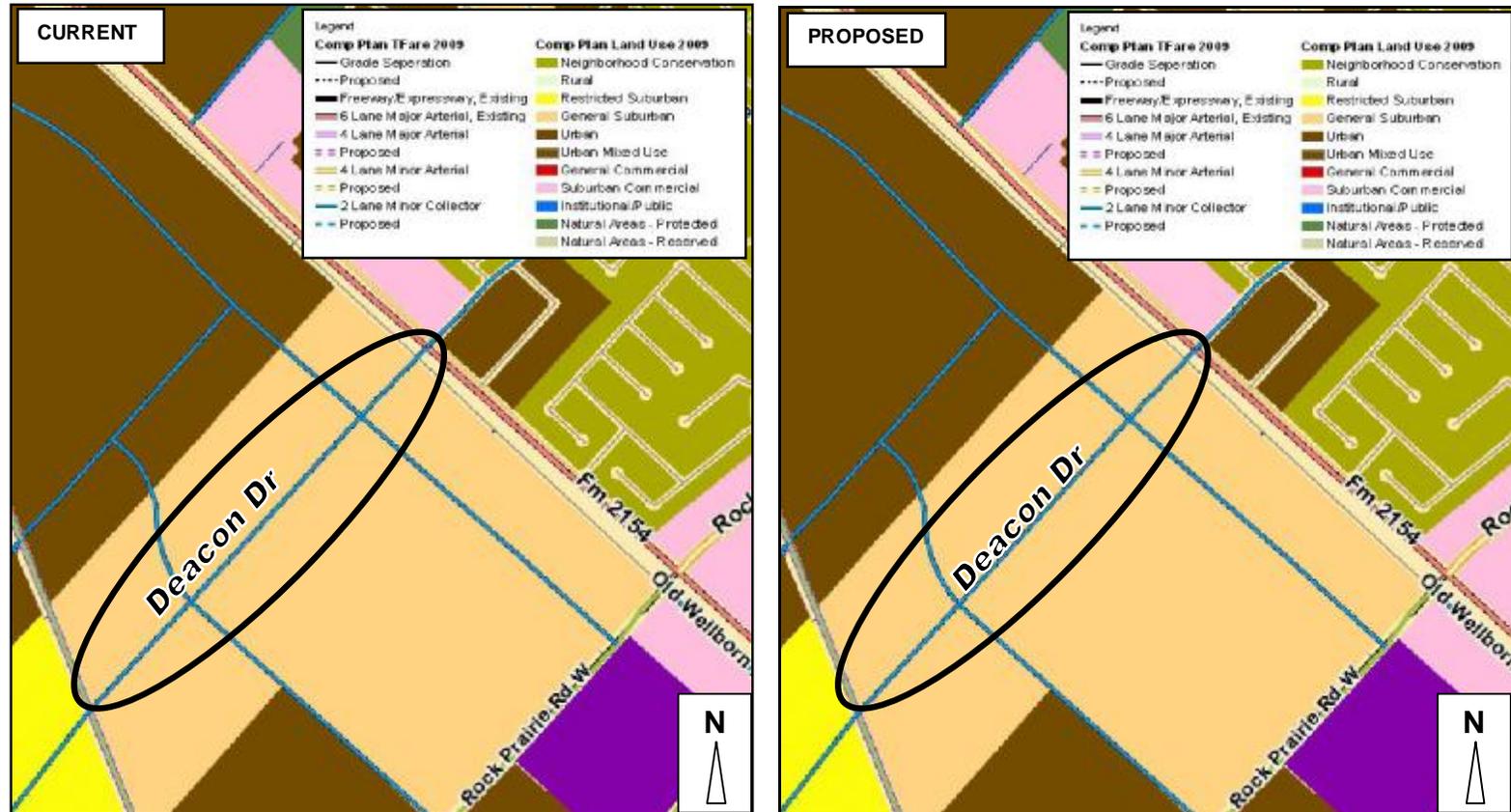
6. **Impact on the City’s ability to provide, fund, and maintain services:**
Corsair Circle: Assumed to be a developer built roadway - no capital funding impact.

7. **Impact on environmentally sensitive and natural areas:**
Corsair Circle: No environmental sensitive and natural areas in roadway location.

8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**
Corsair Circle: This amendment contributes to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system.

4. Thoroughfare Plan: Increase lanes from two lanes to three lanes to Deacon Drive from Wellborn Road to Holleman Road South

The current Thoroughfare Plan depicts Deacon Drive from Wellborn Road (FM 2154) to Holleman Drive South as a two lane minor collector street. As part of a development project in the area a Traffic Impact Analysis (TIA) was required for the rezoning application. As a result of the TIA mitigation was required to upgrade Deacon Drive to a three lane major collector street.



Proposed Amendment: Increase Lanes from two lanes to three lanes to Deacon Drive from Wellborn Road (FM 2154) to Holleman Rd South

DEACON DRIVE: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	General Suburban	PDD Planned Development District	Vacant, Duplexes
South	General Suburban	PDD Planned Development District	Vacant, Townhomes
East	General Suburban	PDD Planned Development District	Vacant, Wellborn Road (FM 2154)
West	General Suburban	PDD Planned Development District	Vacant

DEVELOPMENT HISTORY

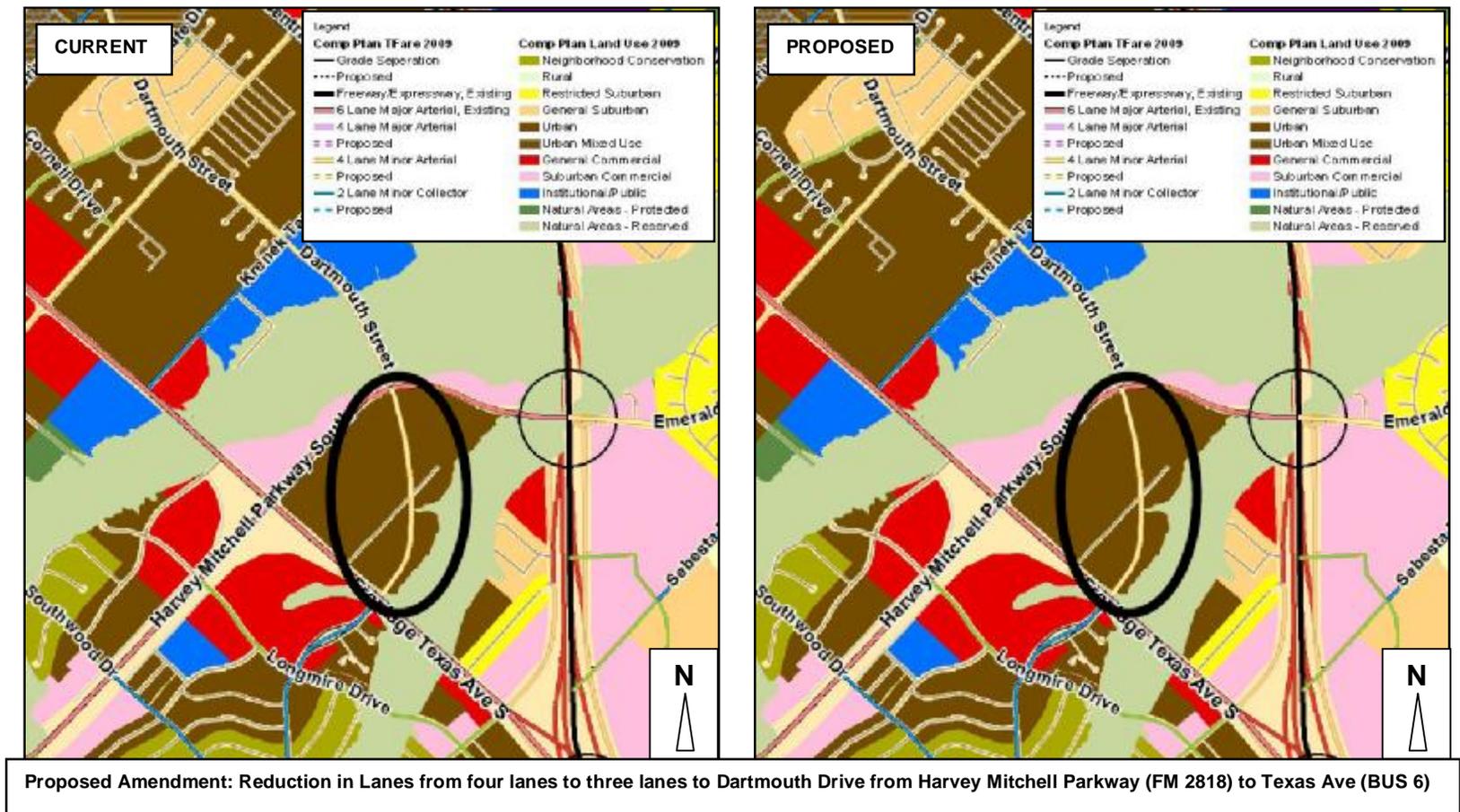
Annexation: 2002
Zoning: PDD Planned Development District
Final Plat: None
Site development: Mix of Uses, Residential Detached, Townhomes & Commercial

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
Deacon Drive: A mix of uses has been approved in the area to include single family detached, townhomes and commercial generating more trips than anticipated in 2009 Thoroughfare Plan.
2. **Availability of adequate information:**
Deacon Drive: The change reflects the result of a Traffic Impact Analysis (TIA) mitigation recommendation.
3. **Consistency with the goals and strategies set forth in the Plan:**
Deacon Drive: Because the classification of this roadway will be upgraded to provide additional capacity and the context of this roadway will remain the same, plus provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.
4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
Deacon Drive: Functional classification will change from a minor collector street to a major collector street as part of mitigation from the results of a TIA, and context will remain the same.
5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
Deacon Drive: There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.

6. **Impact on the City's ability to provide, fund, and maintain services:**
Deacon Drive: Assumed to be a developer built roadway no capital funding impact.
7. **Impact on environmentally sensitive and natural areas:**
Deacon Drive: No environmental sensitive and natural areas in roadway location.
8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**
Deacon Drive: This amendment contributes to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system.

5. Thoroughfare Plan: Reduction in lanes from four lanes to three lanes to Dartmouth Drive from Harvey Mitchell Parkway (FM 2818) to Texas Ave. The current Thoroughfare Plan depicts Dartmouth Drive from Harvey Mitchell Parkway (FM 2818) to Texas Avenue as a four lane minor arterial avenue. To promote development in the area the City initiated a Travel Demand Model (TDM) study to determine what the impacts would be to the transportation network if Dartmouth Drive was modified to a lower capacity roadway. The results of the TDM indicated there would be impacts to Texas Ave and Harvey Mitchell Parkway (FM 2818); however these two roadways would function at an acceptable level of service if caps were in place with regards to the number of trips the proposed land uses were allowed to generate.



DARTMOUTH DRIVE: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Urban	Overlay	Vacant, Harvey Mitchell Parkway (FM 2818)
South	Urban	C-1 General Commercial, A-P Administrative Professional	Vacant, Floodplain, Mobile homes
East	Urban	R-1 Single Family Residential	Vacant, Floodplain
West	Urban	R-1 Single Family Residential	Vacant, Floodplain, Texas Avenue (BUS 6)

DEVELOPMENT HISTORY

Annexation: 1969
Zoning: OV Corridor Overlay, R-1 Single Family Residential, C-1 General Commercial and A-P Administrative Professional
Final Plat: None
Site development: Vacant

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
Dartmouth Drive: A mix of uses has been proposed to include commercial retail, and multifamily senior assisted living. Trips generated to be capped at lower density than the Comprehensive Plan assumption.

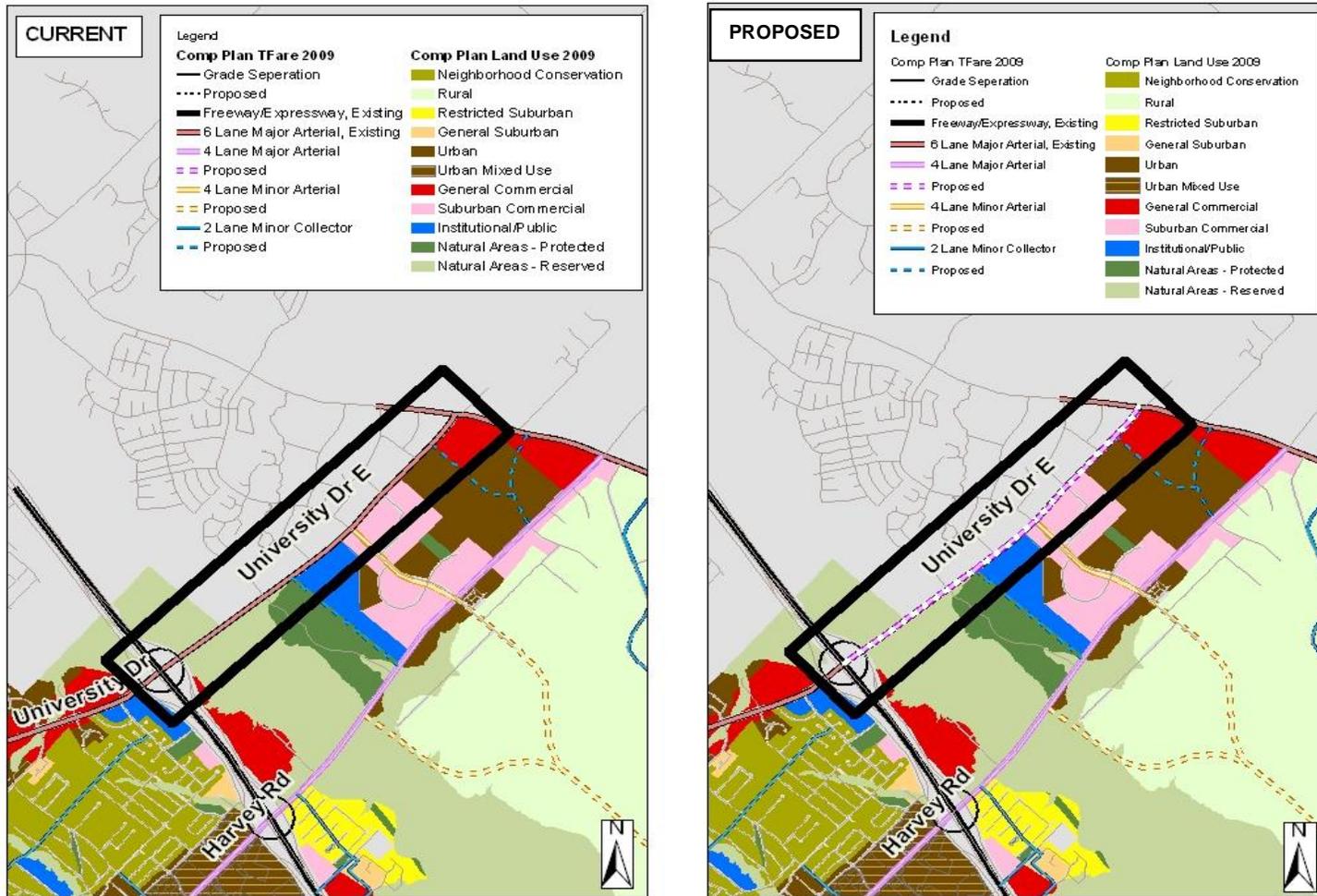
2. **Availability of adequate information:**
Dartmouth Drive: The change reflects the results of a Travel Demand Model analysis with recommendations to cap the number of trips generated by the surrounding land uses (density) in order to keep the level of service at acceptable levels. (See supporting materials)

3. **Consistency with the goals and strategies set forth in the Plan:**
Dartmouth Drive: Because the capacity of the roadway was diminished the land use would be managed to balance the capabilities of the roadway. Furthermore, the context of this roadway will remain the same, and will provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.

4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
Dartmouth Drive: Functional classification will change from a four lane minor arterial avenue to a three lane major collector avenue; however context will remain the same.
5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
Dartmouth Drive: There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.
6. **Impact on the City's ability to provide, fund, and maintain services:**
Dartmouth Drive: Assumed to be a developer built roadway - no capital funding impact.
7. **Impact on environmentally sensitive and natural areas:**
Dartmouth Dr: Floodplain in area and assumption has always been no adverse impacts.
8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**
Dartmouth Drive: This amendment is neutral to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system. This amendment reduces the capacity of Dartmouth Drive, however by capping the number of trips the surrounding land uses generate; the City can manage the potential impacts. The caps on the number of trips generated are as follows: for residential land uses the range is between 4,000 to 4,800 vehicles per day (VPD) and for non-residential land uses the range is between 7,800 to 8,450 VPD.

6. Thoroughfare Plan: Reduction in lanes from 6 lanes to 4 lanes to University Drive (FM 60) from Earl Rudder Freeway (SH 6) to Booneville Road (FM 158)

The current Thoroughfare Plan depicts University Drive (FM 60) as a six lane major arterial boulevard. As part of the Texas Department of Transportation (TxDOT) widening project, TxDOT has determined that the anticipated demand on University Drive East (FM 60) will not exceed a need for more than four lanes through the life of the Comprehensive Plan.



Proposed Amendment: Reduce University Drive (FM 60) lanes from six to four lanes from Earl Rudder Freeway (SH 6) to Booneville Road (FM 158)

UNIVERSITY DRIVE (FM 60): ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Area Preserved, City of Bryan	Natural Area Preserved, City of Bryan	City of Bryan, Institutional
South	Natural Areas Preserved, Institutional, Urban, Suburban Commercial, General Commercial	R-1 Single Family Residential, M-1 Light Industrial	Crescent Point, Veterans Park
East	General Commercial, Suburban, Commercial,	C-1 General Commercial, A-O Agricultural-Open	Booneville Road (FM 158)
West	Natural Areas Preserved, Institutional, General Commercial	C-1 General Commercial, R-1 Single Family Residential east of SH 6	Earl Rudder Freeway (SH 6), Retail, General Commercial, Institutional

DEVELOPMENT HISTORY

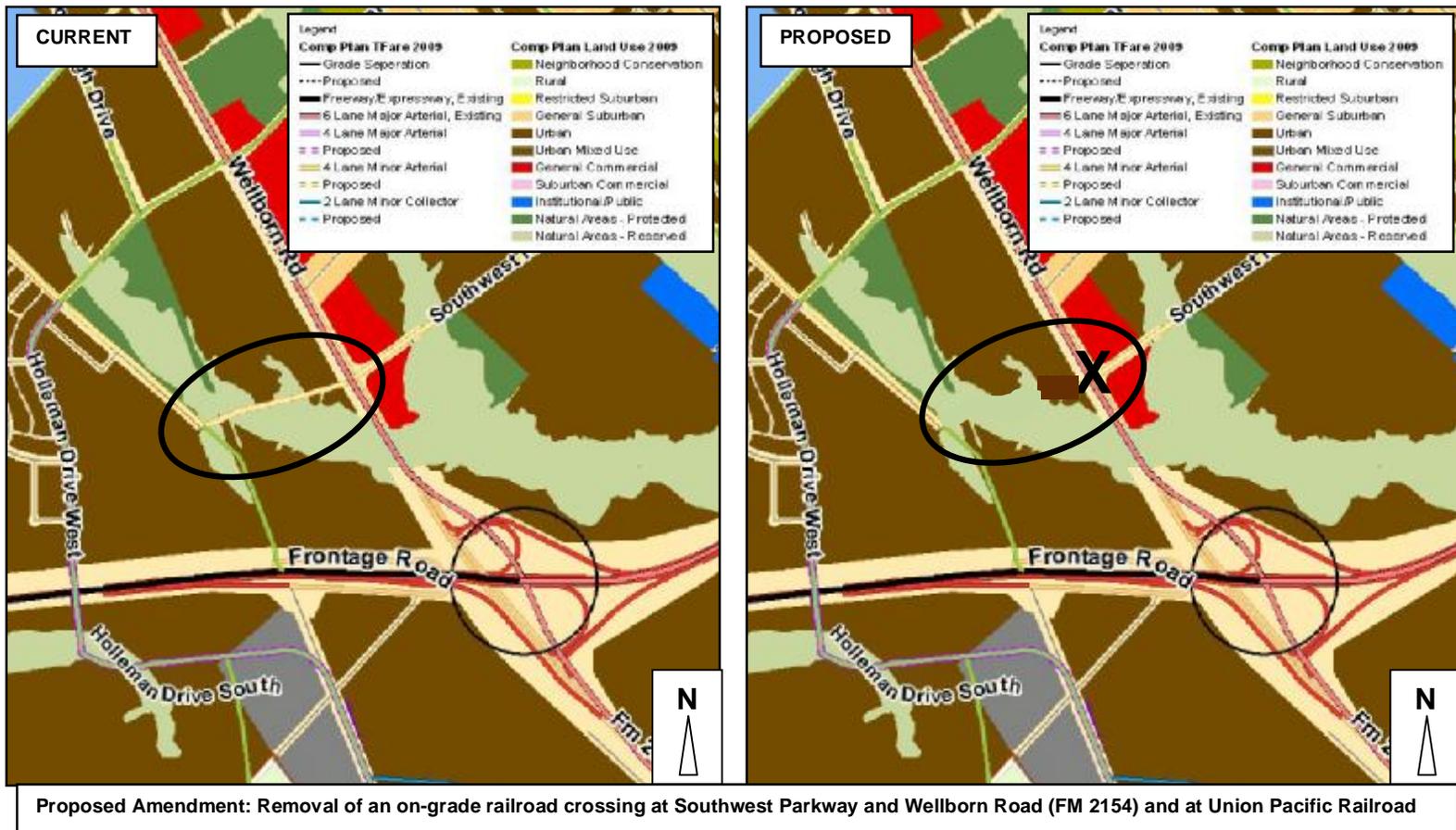
Annexation: From west to east - 1958, 1979, 1980
Zoning: R-1 Single Family Residential, M-1 Light Industrial, C-1 General Commercial, A-O Agricultural-Open
Final Plat: None
Site development: Institutional, Parks, Multi-Family, General Commercial

REVIEW CRITERIA

- Changed or changing conditions in the subject area or the City:**
University Drive (FM 60): Less commercial development than anticipated by the Comprehensive Plan due to the present economic conditions. TxDOT confirmed new lane configuration would provide enough capacity through the life of the Comprehensive Plan.
- Availability of adequate information:**
University Drive (FM 60): The change reflects TxDOT's preliminary engineering and traffic projections to extend through the life of the Comprehensive Plan. University Drive (FM 60) is classified as a major arterial boulevard with a capacity of 60,000 VPD for a six lane according to the Bryan College Station Unified Guidelines and can be assumed 40,000 VPD for a four lane major arterial boulevard. TxDOT traffic projections anticipate 30,200 VPD by the years 2028 – 2030.

3. **Consistency with the goals and strategies set forth in the Plan:**
University Drive (FM 60): Even though the capacity of the roadway was diminished the remaining capacity will be sufficient to carry it through the life of the Comprehensive Plan. Furthermore, the classification and context of this roadway will remain the same, and will provide pedestrian and bike facilities, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.
4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
University Drive (FM 60): Functional classification and context will remain the same.
5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
University Drive (FM 60): The change in lanes from six to four was at the request of TxDOT and their roadway improvement project. This change would result in keeping the City's waterline in its current location and saving \$12 million in relocation costs and ROW costs.
6. **Impact on the City's ability to provide, fund, and maintain services:**
University Drive (FM 60): TxDOT built roadway - no capital funding impact.
7. **Impact on environmentally sensitive and natural areas:**
University Drive (FM 60): TxDOT built roadway and will follow the National Environmental Policy Act rules to minimize environmental impacts.
8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**
University Drive (FM 60): This amendment contributes to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system. The existing lane configuration for University Drive (FM 60) is two through lanes. TxDOT's roadway improvement project will widen it to four through lanes.

7. Thoroughfare Plan: Removal of an on-grade railroad crossing at Southwest Parkway and Wellborn Road (FM 2154) and at Union Pacific Railroad. The current Thoroughfare Plan depicts an on grade railroad crossing at Southwest Parkway and Wellborn Road (FM 2154). The Plan also depicts Southwest Parkway continuing westward to its terminus with Jones Butler Road. As part of a request from a landowner in the vicinity of this location, the City and the landowner undertook an extensive study to ensure that the impacts from the removal of the railroad crossing and the termination of Southwest Parkway at Wellborn Road (FM 2154) would not impact the capacity and operations of the surrounding transportation network. The study determined that absent of an on grade crossing subject to Union Pacific Railroad permission, an overpass or an underpass would not be feasible and with caps on the amount of trips to be generated by land uses in the yet to be developed tract of land minimal impacts would occur to the surrounding transportation network.



RAILROAD CROSSING AT SOUTHWEST PARKWAY: ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Urban, Natural Areas	M-2 Heavy industrial, C-1 General Commercial	Retail, Vacant, Floodplain
South	Urban, Natural Areas	M-2 Heavy Industrial, R-1 Single Family Residential, PDD Planned Development District	Vacant, Multifamily, Floodplain
East	Urban, General Commercial, Natural Areas	PDD Planned Development District, C-1 General Commercial	Retail, Parks, Multi-Family
West	Urban, Natural Areas	M-2 Heavy Industrial, R-1 Single Family Residential	Vacant, Floodplain

DEVELOPMENT HISTORY

Annexation: 1969
Zoning: M-2 Heavy Industrial, R-1 Single Family Residential, C-1 General Commercial, PDD Planned Development District,
Final Plat: None
Site development: Vacant, Retail, General Commercial, Multifamily, Floodplain

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): Build out is almost complete in the area consisting of multi-family. Additional units will have trips generated capped to prevent level of service degrading to unacceptable levels at Holleman Drive and Wellborn Road (FM 2154). The extension of Jones Butler Road to Penberthy Drive at George Bush Drive (FM 2347) will provide alternative route to Texas A&M campus providing additional capacity relief at Holleman Road at Wellborn Road (FM 2154).

2. **Availability of adequate information:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): Extensive study including preliminary feasibility studies that analyzed geometrics and construction costs, coordination with and direction from Union Pacific Railroad, a partnership was explored with the City of Bryan and finally a travel demand model analysis was done to reflect and report the impacts to the surrounding transportation network. (See supporting materials)

3. **Consistency with the goals and strategies set forth in the Plan:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): Because the opportunity for connectivity of the transportation system with this amendment is compromised the management of the land uses will be managed to balance the capabilities of the transportation network. Hence, this amendment is consistent with the following goals and strategies of the Comprehensive Plan: reduce and manage traffic congestion; develop and implement context sensitive transportation solutions; promote and invest in alternative transportation options, and balance changes in land uses with capabilities of the transportation system.

4. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road FM 2154): There will be no need for functional classification and context because the thoroughfare and railroad crossing will be removed from the thoroughfare plan.

5. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): There will be no impacts to the Capital Improvement Program with regard to water, wastewater and drainage.

6. **Impact on the City's ability to provide, fund, and maintain services:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): There will be no capital funding impact because the thoroughfare and railroad crossing will be removed from the thoroughfare plan.

7. **Impact on environmentally sensitive and natural areas:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road (FM 2154): There will be no capital environmental impact because the thoroughfare and railroad crossing will be removed from the thoroughfare plan.

8. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**
On Grade Railroad Crossing at Southwest Parkway and Wellborn Road: This amendment is neutral to the overall direction of the Comprehensive Plan's vision and goals specifically increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system. This amendment removes an opportunity for connectivity of the transportation network however by capping the number of trips the surrounding land uses generate; the City can manage the potential impacts. With the assumption that the land owner will rezone from M-2 Heavy Industrial to R-6 Multi-family in the future, and in order to maintain an acceptable level of service the number of additional trips will be capped at a range of 2,100 to 3,700 VPD. This will be negotiated during zoning application, and the owner is aware an acceptable with this arrangement.

STAFF RECOMMENDATION

Staff recommends approval

SUPPORTING MATERIALS

1. Dartmouth Drive Travel Demand Model Analysis
2. Southwest Parkway correspondence with Union Pacific Railroad and the City of Bryan plus the Travel Demand Model Analysis



TECHNICAL MEMORANDUM

To: Joe R. Guerra Jr. AICP, PTP
Transportation Planning Coordinator

From: Jeff Whitacre, P.E.
Matt Ciarkowski, E.I.T.
Kimley-Horn and Associates, Inc. (Project #061271405)
Texas Registered Firm #928

Date: September 9, 2011

Subject: Dartmouth Street Transportation Modeling
College Station, Texas (Brazos County)



Introduction

The purpose of this study is to evaluate modifying the City of College Station's Thoroughfare Plan by changing Dartmouth Street from a 4-Lane Minor Arterial (divided facility) to a 2-lane Major Collector facility with a center two-way, left-turn lane. The limits of this modification are proposed to be from Harvey Mitchell Parkway (TM 2818) to Texas Avenue (BUS 6). This section of Dartmouth Street does not currently exist.

This study involved three primary tasks:

- 1. Update the Traffic Demand Model (TDM) to accurately reflect the Zoning and Future Land Use Plan within the study area;
- 2. Evaluate the projected volumes on the segment of Dartmouth Street between Harvey Mitchell Parkway and Texas Avenue; and
- 3. Utilize the TDM results to determine, on a macroscopic level, the feasibility of the proposed cross section.

This memorandum describes the study approach, travel demand modeling results and observations gathered based on the modeling.

Existing Conditions

Roadway Network & Thoroughfare Plan

The section of Dartmouth Street from Harvey Mitchell Parkway to Texas Avenue is identified on the City of College Station Thoroughfare Plan as a 4-Lane Minor Arterial (four-lane divided facility). Dartmouth Street is proposed to tie into Texas Avenue at the existing intersection of Texas Avenue &



Brothers Boulevard. This segment of Dartmouth Street is the focus of this study and currently does not exist.

To the north of Harvey Mitchell Parkway, Dartmouth Street is an existing four-lane divided facility that provides a north-south connection to Southwest Parkway. Dartmouth Street is a stop controlled "T" intersection at Harvey Mitchell Parkway.

Both Harvey Mitchell Parkway and Texas Avenue are five-lane undivided facilities with a center two-way left turn lanes at their respective intersections with Dartmouth Street.

Zoning

The current City of College Station Zoning Map shows the property surrounding to the future Dartmouth Street extension to be zoned as:

- General Commercial (C-1)
- Administrative-Professional (A-P)
- High Density Multi-Family (R-6)

Future Land Use

The current City of College Station Comprehensive Land Use Plan shows the property surrounding to the future Dartmouth Street extension to be planned to be developed as urban.

Methodology

The TDM utilized to estimate traffic projections on thoroughfare facilities within the Dartmouth Study Area shown below:





The thoroughfare facilities evaluated were:

- Harvey Mitchell Parkway
- Texas Avenue
- Dartmouth Street Extension

The traffic projections were developed for the TDM Year (2055).

Modeling Methodology

As part of the East College Station Transportation Study and the 2009 Comprehensive Plan, Kimley-Horn & Associates developed a Travel Demand Model (TDM) for the City of College Station. Using this TDM, the roadway network and demographics can be adjusted within the Dartmouth Street Traffic Modeling Study Area.

Once the appropriate adjustments are completed the Four-Step Modeling Process (trip generation, trip distribution, modal split, and trip assignment) can be completed in TransCAD. This macro model is an excellent tool to compare future traffic volumes on roadways at a regional or sub-regional level.

Demographic Adjustments

One of the primary inputs into the TDM is demographics, which includes households and employment data. In the TDM, each Traffic Analysis Zone (TAZ) has the demographics needed to determine how many trips are generated and where the trips are going. For the Dartmouth Study, the TAZ 355 was modified so the demographics more appropriately match the Zoning and Future Land Use Plan.

In particular, the demographics of the hatched portion of the study area were modified to contain the following demographics: 723 apartment units, 125,000 square feet of retail development, and 133,000 square feet of office development.



Dartmouth Street Transportation Modeling
College Station, Texas (Brazos County)

Model Results

Table 1 summarizes the traffic projections for each thoroughfare facility analyzed for each Dartmouth Street cross-section alternative. The only difference in the two scenarios was the Dartmouth Street's cross section. The Minor Arterial (4-lane divided) scenario can be considered the baseline scenario for analysis. The Major Collector (2-lane undivided) scenario was created to determine how traffic will be affected within the study area if Dartmouth Street was downgraded to a Major Collector.

Table 1: Dartmouth Street Model Run Volumes

Street	Minor Arterial Scenario	Major Collector Scenario	% Change
Dartmouth St. E. of FM 2818	5,620	5,430	-3%
Dartmouth St. (New)	7,910	7,170	-9%
FM 2818 N. of Texas Ave	20,500	21,000	+2%
Texas Ave. W. of FM 2818	44,200	44,100	0%

The TDM results indicated that reducing the cross section of Dartmouth Street to a Major Collector has minimal effect on the adjacent thoroughfare facilities. The TDM project this change in cross-section will result in a slight decrease in the daily volume along Future Dartmouth.

The TDM results are provided in the attached Exhibit 1.

Capacity Analysis

Thoroughfare capacity analysis was completed using level of service criteria outlined by the Highway Capacity Manual.

Capacity defines the volume of traffic that can be accommodated by a roadway at a specified "level-of-service." Capacity is affected by various geometric factors including roadway type (e.g. divided or undivided), number of lanes, lane widths, and grades. Level-of-service (LOS), which is a measure of the degree of congestion, ranges from LOS A (free flowing) to LOS F (a congested, forced flow condition). LOS D is considered to be the minimum acceptable level for long-term planning due to the uncertainty of various study assumptions for the City of College Station. Table 2 provides a description of this criterion as it applies to thoroughfare facilities. This table is formulated through various sources including the Highway Capacity Manual, the Bryan/College Station Unified Design Guidelines, and other best practices. This table illustrates that LOS D is exceeded when the volume to capacity ratio exceeds 0.8.

Table 3 provides the results of the capacity analysis.

Table 2 - Level of Service Criteria for Thoroughfare Capacity Analysis

V/C Ratio	0.00	0.20	0.45	0.65	0.80	1.00
Level of Service	A	B	C	D	E	F

V = Peak Hour Directional Volume (vehicles per hour)
 C = Per Lane Directional Capacity (vehicles per hour)
 Per lane directional capacity is assumed to be the following:
 Major Collector: 10,000 vpd
 Minor Arterial: 25,000 vpd
 Major Arterial (SL): 50,000 vpd
 Major Arterial (SD): 50,000 vpd

Based upon the results of the modeling thoroughfare capacity analysis, Dartmouth Street operates at an acceptable level of service under both scenarios and has minimum impact on the surrounding roadways level of service. The LOS results are provided in the attached Exhibit 2.

Table 3 - Capacity Analysis (2035 Volumes)

Roadway	Segment	Section	V	Daily V/C Ratio	LOS
Minor Arterial Scenario					
Dartmouth St.	Between Harvey Mitchell Pkwy. & Texas Ave.	4D	7,910 5,540	0.32 0.22	A,B A,B
Harvey Mitchell Pkwy.	East of Texas Ave.	5U	20,500 15,200	0.68 0.51	D C
Texas Ave.	South of Harvey Mitchell Pkwy.	6L	44,200	0.88	E
Major Collector Scenario					
Dartmouth St.	Between Harvey Mitchell Pkwy. & Texas Ave.	2U	7,170 4,800	0.72 0.48	D C
Harvey Mitchell Pkwy.	East of Texas Ave.	5U	21,000 15,700	0.70 0.52	D C
Texas Ave.	South of Harvey Mitchell Pkwy.	6L	44,700	0.88	F

The Bryan / College Station Unified Design Guidelines state that a Minor Arterial Street is classified as a street which carries high volumes of vehicular traffic (approximately 5,000 to 20,000 vehicles per day) and is intended to move

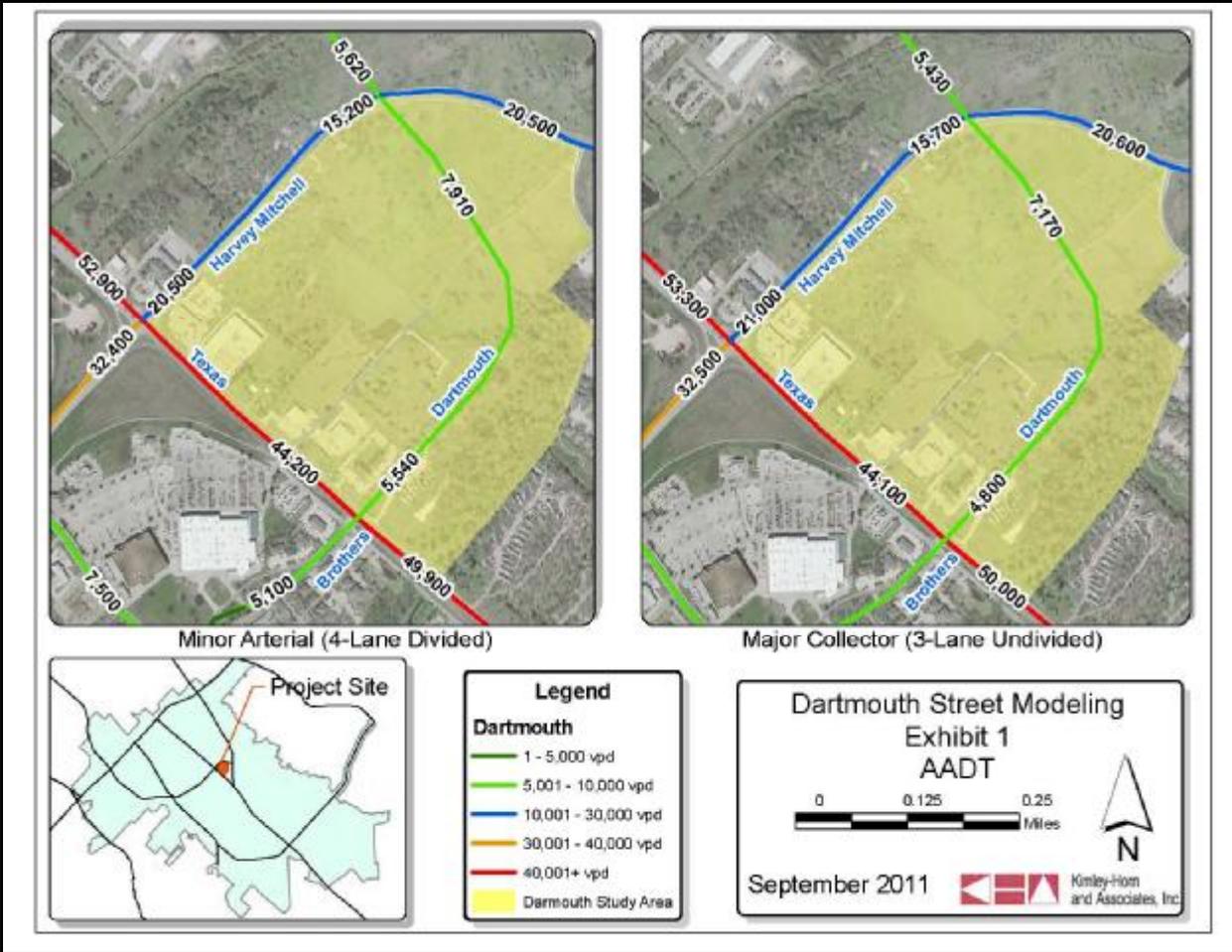


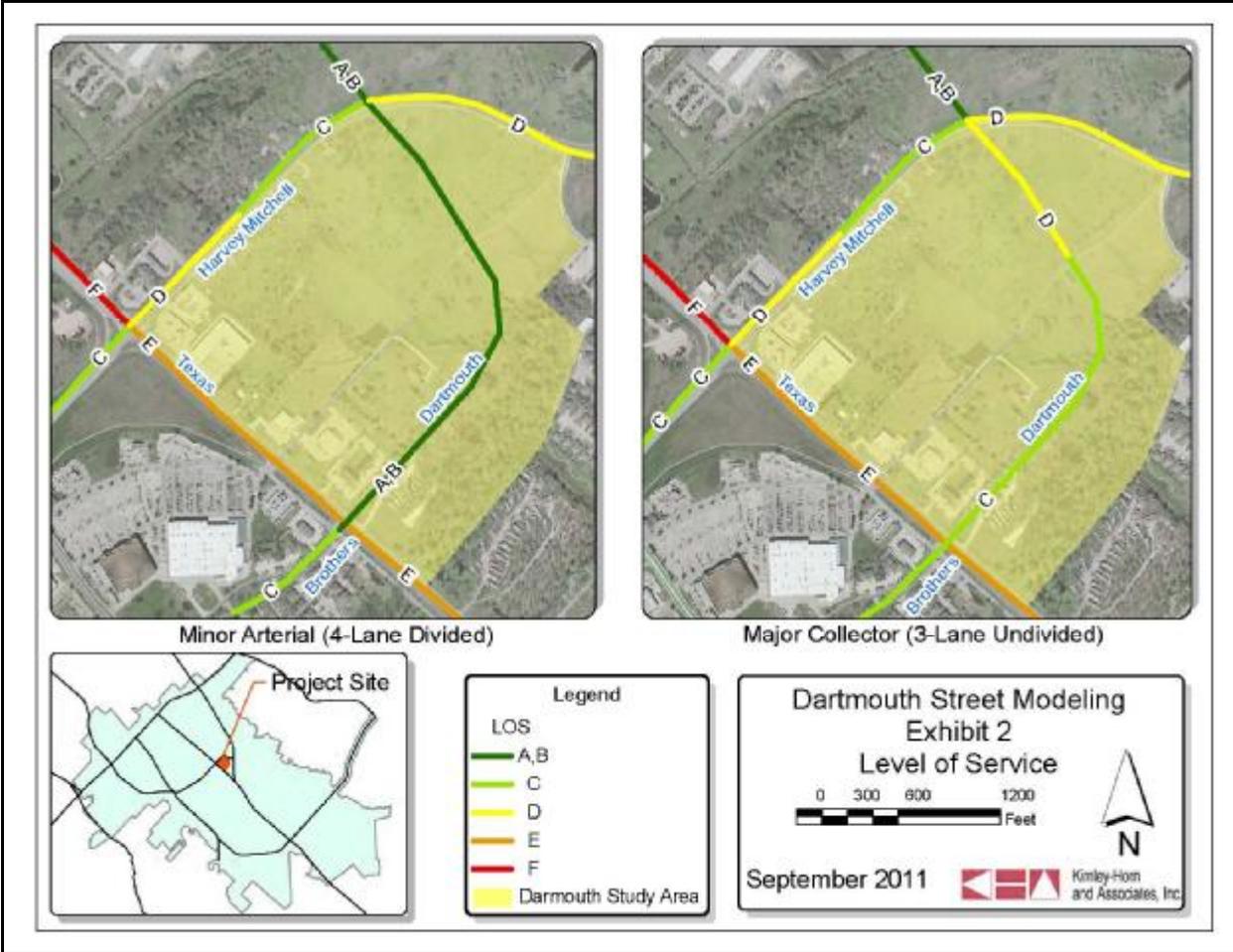
traffic around the city. A Major Collector Street is classified as a street which primarily services vehicular traffic (5,000 to 10,000 vehicles per day) from residential streets and Minor Collectors to arterials. Based on these descriptions and the projected volumes along Dartmouth Street, it is reasonable to classify Dartmouth Street as a Major Collector. A two-lane facility with a center two-way left-turn lane is a cross-section that is suitable for a Major Collector Street, specifically the section of Dartmouth Street from Harvey Mitchell Parkway to Texas Avenue.

Conclusions

Based on the modeling results the following conclusions can be drawn:

- Dartmouth Street can be downgraded from a Minor Arterial to a Major Collector while still providing an adequate level of service and having negligible impact to the surrounding roadway network.







March 1, 2010

Mr. Don Jones
Southern Realty & Financial Co.
319 University Drive East
College Station, Texas

Dear Mr. Jones:

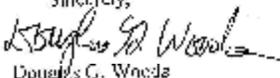
Reference is made to your email concerning the City of College Station request to extend Southwest Parkway to the west per its thoroughfare plan and install an at grade crossing over the railroad tracks.

The United States Department of Transportation (DOT) has set a goal to reduce accidents and fatalities at highway-rail crossings. To achieve this goal, the Federal Highway Administration (FHWA) and the Federal Railroad Administration (FRA) have committed to work together with states, counties, cities and railroads in the elimination of highway rail grade crossings. The FHWA firmly believes at least 25 percent of the nation's crossings are unnecessary and redundant, and therefore, can be eliminated with little or no adverse impact on the traveling public.

In addition to considering the closure of unnecessary grade crossings, States and local communities are encouraged to minimize the number of new crossings. The FHWA has stated public planning agencies be aware of the safety hazards associated with opening new grade crossings and that other alternatives, such as grade separations, are fully explored.

In line with this goal and in the interests of public safety, the Union Pacific Railroad Company has investigated the City's proposal and is not agreeable to the installation of a grade crossing. This is to advise you that Union Pacific is not supportive of the City's request to extend Southwest Parkway over it tracks at grade.

Please call me at (381) 950-7626 if you have any questions.

Sincerely,

Douglas G. Woods
Mgr. Industry & Public Projects

File: Crossing: Public
Texas - College Station
Southwest Parkway
MP 71.6 - Narensola Subdivision
DOT Number Unassigned

UNION PACIFIC RAILROAD 2177 4th St. West, Bldg. 2 Spring, TX 77771



The City of
College Station

CITY OF COLLEGE STATION

P.O. Box 5950 • 1101 Texas Avenue • College Station, TX 77942 • (979) 764-5872

September 15, 2010

City of Bryan
Attn: Dale Picha, P.E., PTOE
Director of Traffic & Transportation
P.O. Box 1300
Bryan, Texas 77803

RE: Regional Rail Road Crossing Study Participation Request.

Dear Mr. Picha:

As per our previous conversations over the issue of existing and future railroad crossings located in both the City of Bryan and City of College Station, this letter is an invitation to collaborate with the help of the Bryan College Station Metropolitan Planning Organization (MPO) in studying this regional issue.

This invitation is to foster cooperation between the City of Bryan and the City of College Station in regards to regional transportation issues. By studying the railroad crossing issues, more specifically the closing of at grade crossings in order to open future at-grade crossings, would translate into greater cooperation in other regional transportation issues.

Recently, a developer asked the City of College Station to amend its Thoroughfare Plan to eliminate the railroad crossing at Southwest Parkway and Wellborn Road. I have asked the developer to submit a study to assess the impacts to the transportation network if this crossing was eliminated. Before submitting the study, I felt it necessary to explore the possibility of a regional railroad crossing study conducted by the two cities in cooperation with the MPO.

Please respond to this letter signifying the City of Bryan's interest at your earliest convenience.

If you have any questions feel free to contact me at 979-764-3656.

Thank you,

Joe R. Guerra Jr. AICP, PTP
Transportation Planning Coordinator

cc: Bob Cowell, AICP, CNU
Mark Smith, P.E.
Southwest Parkway Thoroughfare Plan Amendment Request Project File

Printed: Fall 2010



TECHNICAL MEMORANDUM

To: Joe R. Guerra Jr. AICP, PTP
 Transportation Planning Coordinator

From: Jeff Whitacre, P.E.
 Rob Rae, AICP
 Kimley-Horn and Associates, Inc.
 Texas Registered Firm #928

Date: May 4, 2011; Update to April 25, 2011 Study

Subject: Southwest Parkway Traffic Modeling Study
 College Station, Texas (Brazos County)



Introduction

The purpose of this technical memorandum is to present the impacts of the extension of Southwest Parkway between Jones Butler Road and Wellborn Road (FM 2154).

This study involved two primary tasks:

1. Evaluate the projected volumes on the segment of Southwest Parkway between Jones Butler Road and Wellborn Road; and
2. Evaluate the projected volumes on Holleman Drive, Luther Street, George Bush Drive, Marion Pugh Drive, Jones Butler Road, and Wellborn Road resulting from the removal of the segment of Southwest Parkway between Jones Butler Road and Wellborn Road.

This memorandum describes the study approach, travel demand modeling results, and observations gathered based on the modeling.

Southwest Parkway History

The segment of Southwest Parkway from Jones Butler Road to Wellborn Road has been identified on the City of College Station Thoroughfare Plans since 1990 (prior thoroughfare plans were not examined). In 1990, the thoroughfare plan indicated this segment of Southwest Parkway was a collector facility. However, the 1997 thoroughfare plan indicated Southwest Parkway was upgraded to a minor arterial. In both the 2003 and 2009 thoroughfare plans this segment of Southwest Parkway remained identified as a minor arterial.



Study Approach

Travel demand models were developed to estimate traffic projections within the study area limits of (see **Appendix**):

- George Bush Drive (west boundary)
- Wellborn Road (north boundary)
- Harvey Mitchell Parkway (south and east boundary)

These traffic projections were developed for existing baseline year (2010) and for the build out projection model year (2035).

Traffic projections were developed for the study area with the following five (5) options:

- Option 1: Existing (No Southwest Parkway)
- Option 2: Existing with Southwest Parkway
- Option 3: Build out (No Southwest Parkway)
- Option 4: Build out with Southwest Parkway (At-Grade)
- Option 5: Build out with Southwest Parkway (Grade Separated)

Modeling Methodology

As part of the East College Station Transportation Study and the 2009 Comprehensive Plan, Kimley-Horn & Associates developed a Travel Demand Model (TDM) for the City of College Station. Using this TDM, the roadway network and demographics can be adjusted within the Southwest Parkway Traffic Modeling Study Area.

Once the appropriate adjustments are completed the Four-Step Modeling Process (trip generation, trip distribution, modal split, and trip assignment) can be completed in TransCAD. This macro model is an excellent tool to compare existing and future traffic volumes on roadways at a regional or sub-regional level.

Demographic Adjustments

One of the primary inputs into the TDM is demographics, which includes households and employment data. In the TDM, each Traffic Analysis Zone (TAZ) has the demographics needed to determine how many trips are generated and where the trips are going. Although much of the study area is built out, there are several parcels that remain undeveloped. Currently, a majority of the land use type in the area is high-density student housing. Based on the surrounding land use environment, future demographic assumptions were made to match the development patterns that in the study area.

It is important to match the model demographics with the existing conditions as well as the future potential of the area. For this study we used information gathered from existing Traffic Impact Analysis Studies, which has information on how many new apartment complex rooms will be developed.

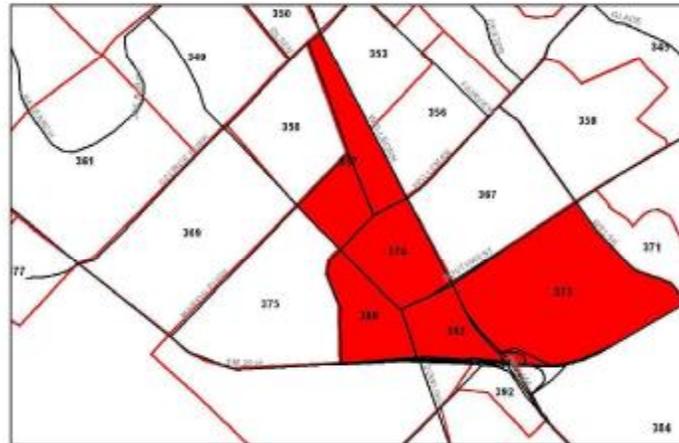


Figure 1. Traffic Analysis Zones
(Red indicates increased demographics)

Figure 1 identifies the traffic analysis zones (TAZs) in the study area. The TAZs that saw increases in demographics are highlighted in red. For the existing model run, TAZs 373 and 377 were increased to match the new development of Campus Village and the Callaway Subdivision. For build out, additional apartment units were added for TAZs 374, 380 and 382 to account for the potential growth in the greenfield areas. Note, that the multi-family apartments were the assumed land use even though a portion of the greenfield areas are zoned industrial. Assuming the land use of apartments will result in a conservative (more trips generated) transportation model.

Roadway Network Adjustments

Since the last update of the College Station TDM, a number of new roadways in the study area have either been constructed or funds have been committed for roadways to be built in the short-term. The following projects were assumed in the existing models:

- Wellborn Road interchange at Harvey Mitchell Parkway (FM 2818)
- Extension of Penberthy Road to connect to Jones-Butler Road

The potential of the extension of Southwest Parkway to Jones-Butler Road is the roadway that was tested in the model as connected at-grade, not connected and

grade separated at Wellborn Road. These network changes can be seen in **Figure 2**.

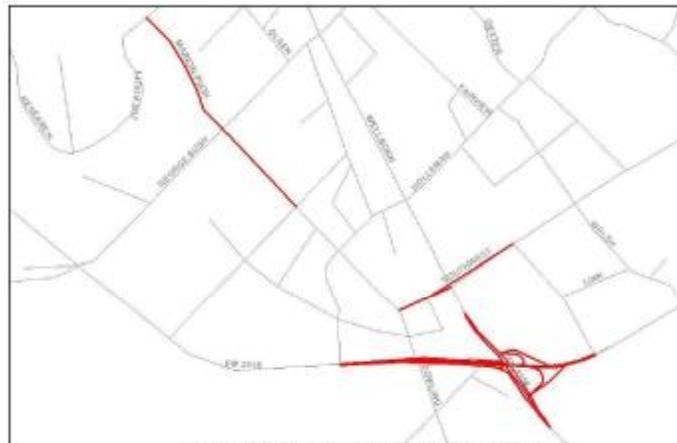


Figure 2. Roadway Network Changes

Travel Demand Modeling Results

The travel demand model run results are provided in the **Appendix. Table 1** summarizes the traffic projections for each corridor of interest for each network alternative. When modeling each alternative it is important to look at the changes when compared to the base scenarios. Option 1 (Existing) and Option 2 (Existing with Southwest Parkway) were created to determine how much additional traffic will be generated within the study area at build out. Option 3 (Build Out without Southwest Parkway) was created as a baseline scenario to compare the impacts of the construction of Southwest Parkway either at-grade or grade separated.

Table 1 projects the percent changes for Option 4 (Build Out with Southwest Parkway at-grade) and Option 5 (Build Out with Southwest Parkway grade separated) when compared to Option 3 (Build Out without Southwest Parkway). This percent change illustrates the impact of constructing Southwest Parkway or not. For example, the -21.20% on Holleman Drive from Marion Pugh Drive to Wellborn Road represents an anticipated decrease of 13.20% of traffic on Holleman Drive if Southwest Parkway is constructed at-grade (Option 4 vs. Option 3). Only a -13.51% reduction of traffic is anticipated if Southwest Parkway is constructed as a grade separated facility (Option 5 vs. Option 3).

Table 3. Study Area Daily Volume Summary

STREET	Limits		Option 1 Existing	Option 2 Existing with Southwest Parkway	Percent Change of Existing	Option 3 Build Out (No Southwest Parkway)	Option 4 Build Out with Southwest Parkway (No Guide)	Percent Change of Build Out (Option 4 vs Option 3)	Option 5 Build Out with Southwest Parkway (Guide Separated)	Percent Change of Build Out (Option 5 vs Option 3)
HOLLEMAN	Irma Barber	Marion Pugh	11,067	12,563	5.42%	12,800	12,220	-5.00%	13,365	2.82%
HOLLEMAN	Marion Pugh	Westlane	7,818	6,133	-21.60%	8,768	6,580	-25.00%	6,864	-13.14%
HOLLEMAN	Westlane	Gray Harlow	6,854	5,169	-24.60%	7,262	6,052	-16.60%	6,706	-6.42%
JONES BUTLER	George Bush	Luther	9,439	8,390	-11.40%	10,255	10,788	5.20%	11,133	9.52%
JONES BUTLER	Luther	Holzman	32,180	32,025	-0.48%	30,000	10,800	-7.04%	11,640	-6.85%
JONES BUTLER	Holzman	Southwest Parkway	58	2,466	2418.33%	913	2,671	190.88%	2,912	118.87%
JONES BUTLER	Southwest Parkway	Harvey Mitchell	25	2,879	9908.00%	467	2,466	420.00%	2,476	418.80%
MARION PUGH	George Bush	Agri Entrance	9,842	30,572	310.48%	10,113	10,362	1.87%	33,227	2.12%
MARION PUGH	Agri Entrance	Luther	9,263	9,805	6.82%	9,407	9,626	2.00%	9,659	2.15%
MARION PUGH	Luther	Holzman	8,805	8,590	-2.42%	8,282	8,350	0.82%	8,541	3.09%
SOUTHWEST	Irma Barber	Westlane	9	4,759	49.89%	0	5,012	na	5,312	na
SOUTHWEST	Westlane	North of Westlane	1,812	6,118	338.02%	2,098	6,433	100.00%	5,312	92.14%
WILLBORN	Luther	Holzman	16,184	16,528	2.16%	15,780	16,150	2.00%	16,528	0.17%
WILLBORN	Holzman	Southwest Parkway	16,659	14,932	-9.87%	15,434	15,313	-0.78%	13,671	-14.00%



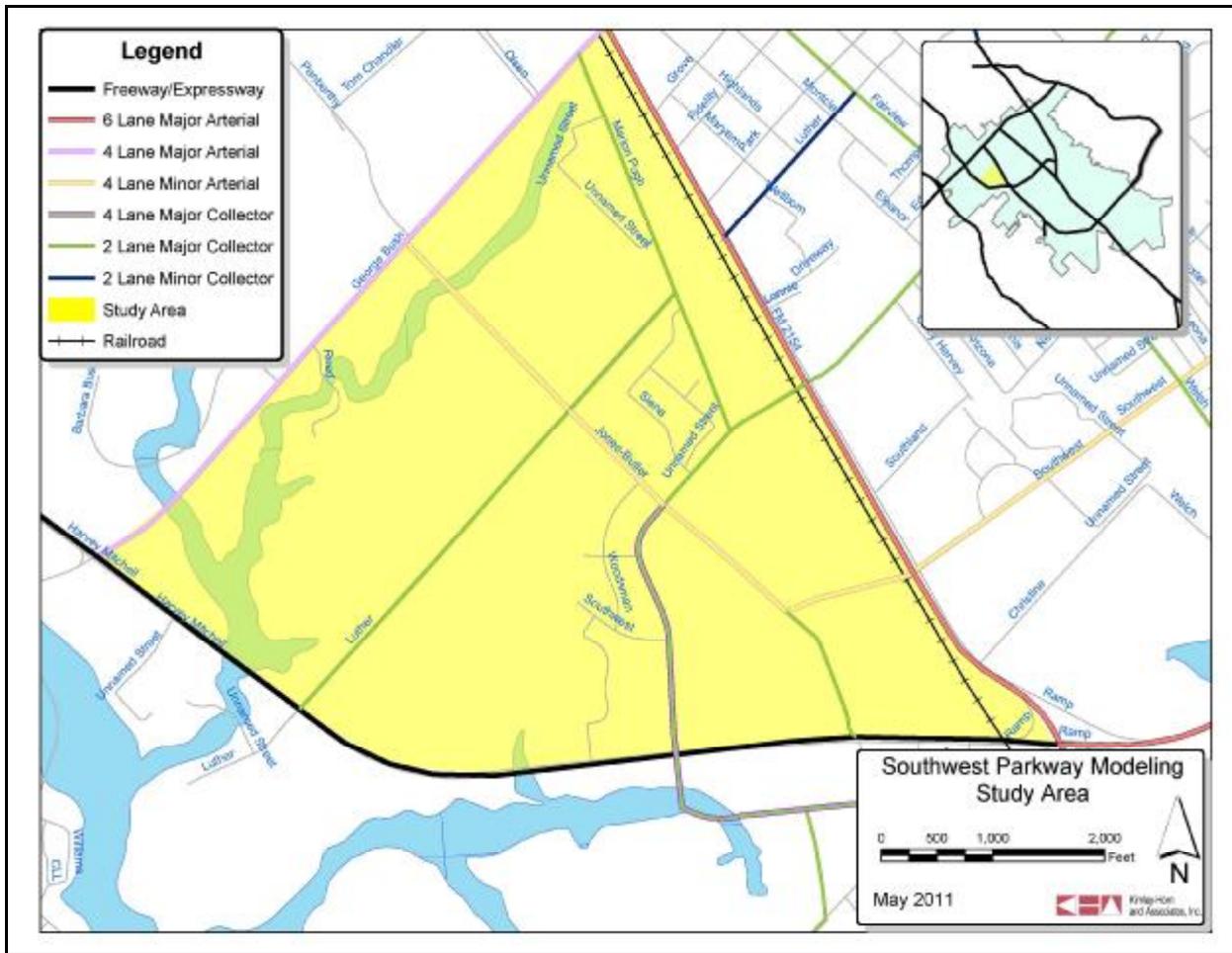
Model Runs and Network Observations and Conclusions

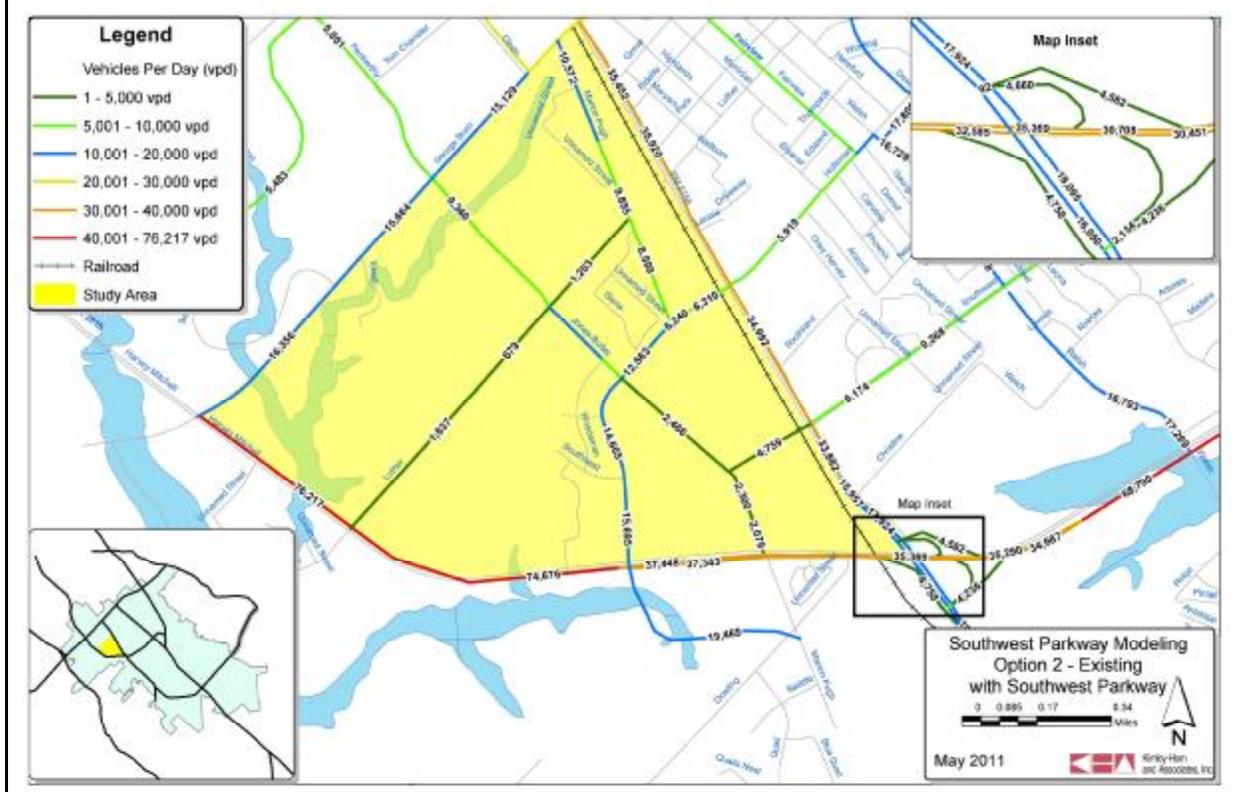
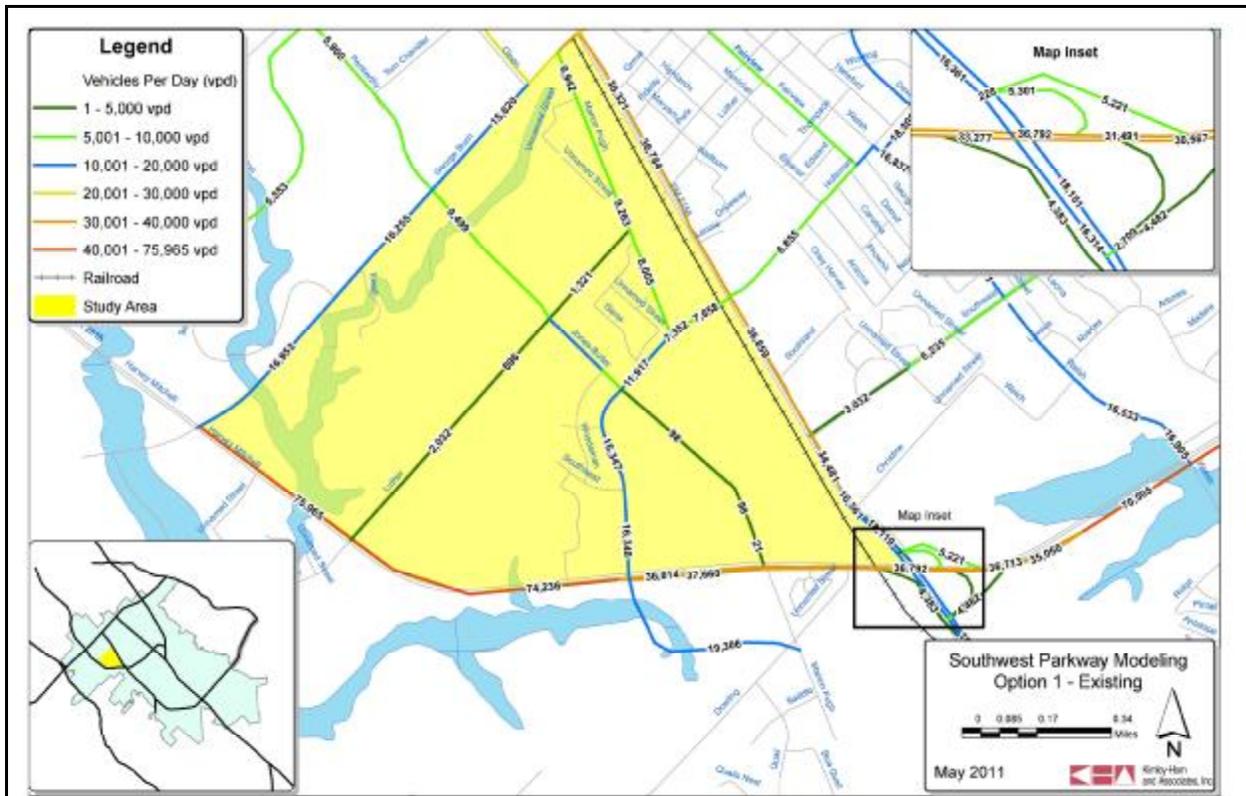
Based on the modeling results the following observations can be drawn:

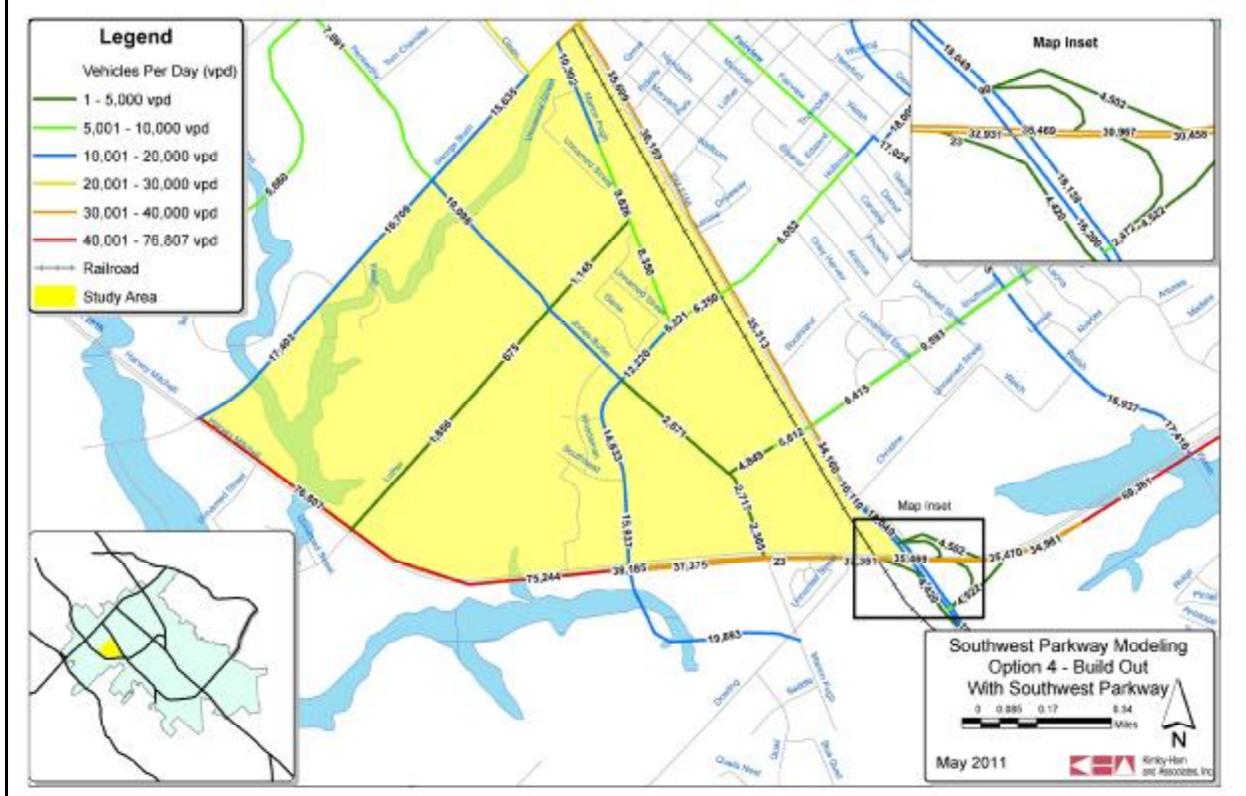
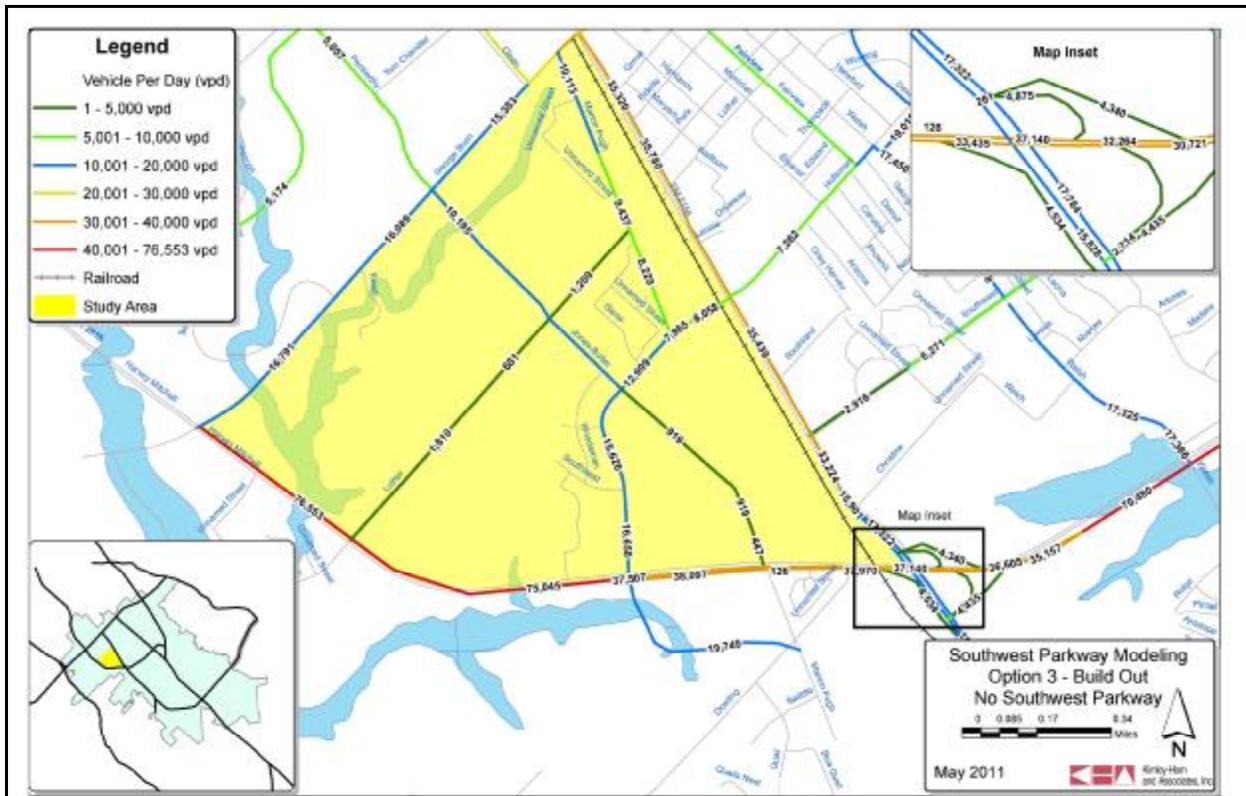
- The study area is near build out. When comparing Option 1 (Existing - No Southwest Parkway) versus Option 3 (Build out - No Southwest Parkway) and Option 2 (Existing with Southwest Parkway) versus Option 4 (Build out with Southwest Parkway) there is minimal difference in traffic volumes. The parcels remaining to be built are projected to have minimal impact on the existing roadway network.
- Future extension of Jones Butler Road is projected to have a significant impact to the roadway network (approximately 10,000 vpd).
- The Southwest Parkway connection between Jones Butler Road and Wellborn Road primary impacts are to Holleman Drive and Jones Butler Road.
- Southwest Parkway is projected to act as a reliever to Holleman Drive. Southwest Parkway (at grade) is projected to reduce the demand on Holleman Drive from Marion Pugh Drive to Wellborn Road by approximately 21.2%. Southwest Parkway (grade separated) is projected to reduce the demand on Holleman Drive from Marion Pugh Drive to Wellborn Road by approximately 13.5%.
- Southwest Parkway as a grade separated facility is projected to carry approximately 5.3% fewer daily vehicles than at grade.
- Currently, Southwest Parkway from Jones Butler to Wellborn Road is identified as a 4-lane minor arterial. If constructed, Southwest Parkway could be considered to be reduced to a 2-lane major collector based on projected volumes.

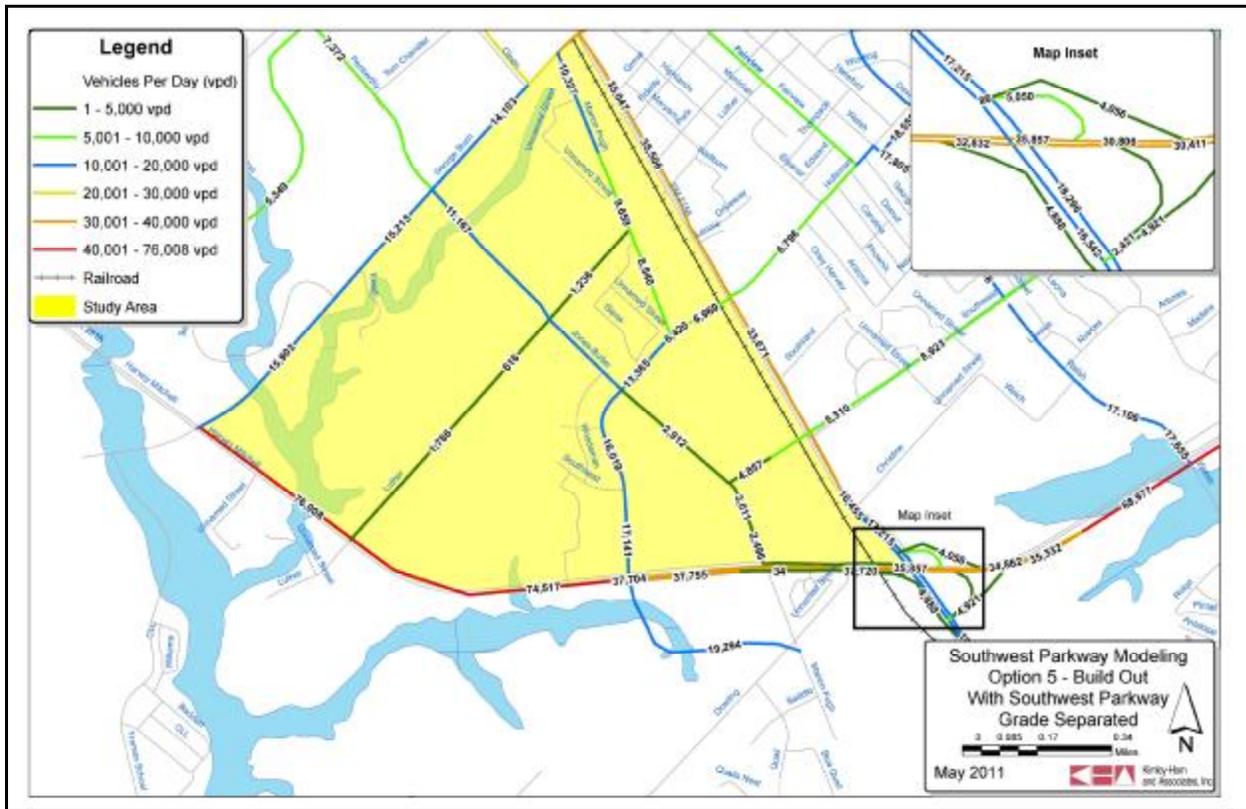
Appendix Section

Exhibits









ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN BY AMENDING THE THOROUGHFARE PLAN FOR THE FOLLOWING THOROUGHFARES: RAINTREE DR., BIRKDALE DR., CORSAIR CR., DEACON DR., DARTMOUTH DR., F.M. 60, ON GRADE R.R. CROSSING AT SOUTHWEST PARKWAY AND WELLBORN RD., PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

PART 1: That the College Station Comprehensive Plan is hereby amended by amending the Thoroughfare Plan as set forth in Exhibit "A" and "B" attached hereto and made a part hereof.

PART 2: That the City Council of the City of College Station hereby adopts the amendments as set out in Exhibit "B" attached hereto and made a part hereof.

PART 3: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

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

PASSED, ADOPTED and APPROVED this 27th day of October, 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

EXHIBIT "A"**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities; and
9. Growth Management and Capacity.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Water System Master Plan dated August 2010;
11. Wastewater Master Plan dated June 2011; and
12. Eastgate Neighborhood Plan dated June 2011.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Future Land Use and Character Map Amendment:
 - a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.

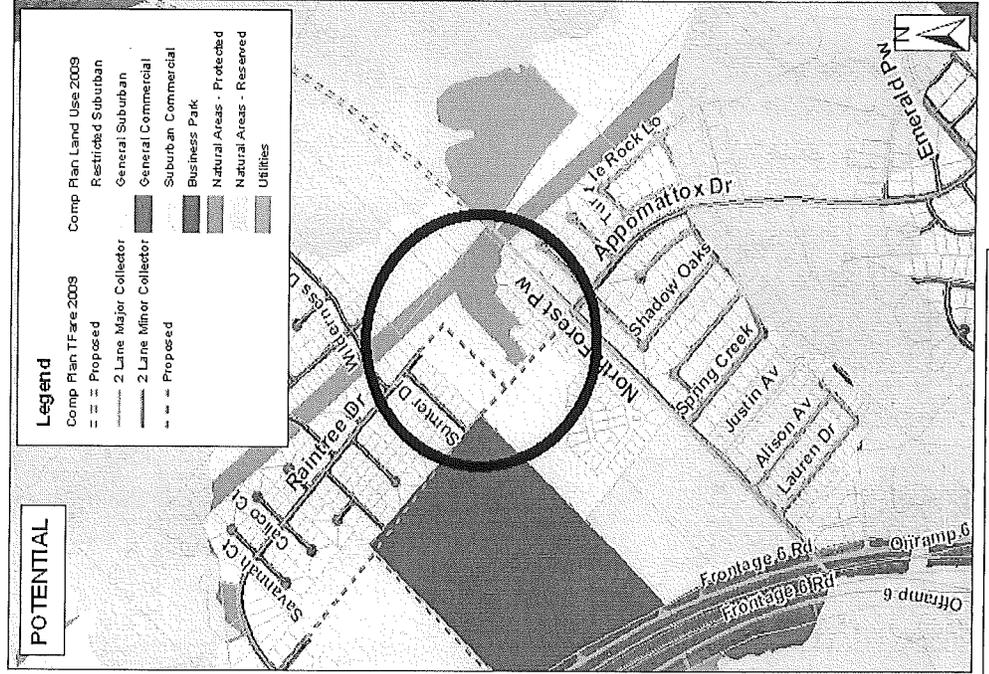
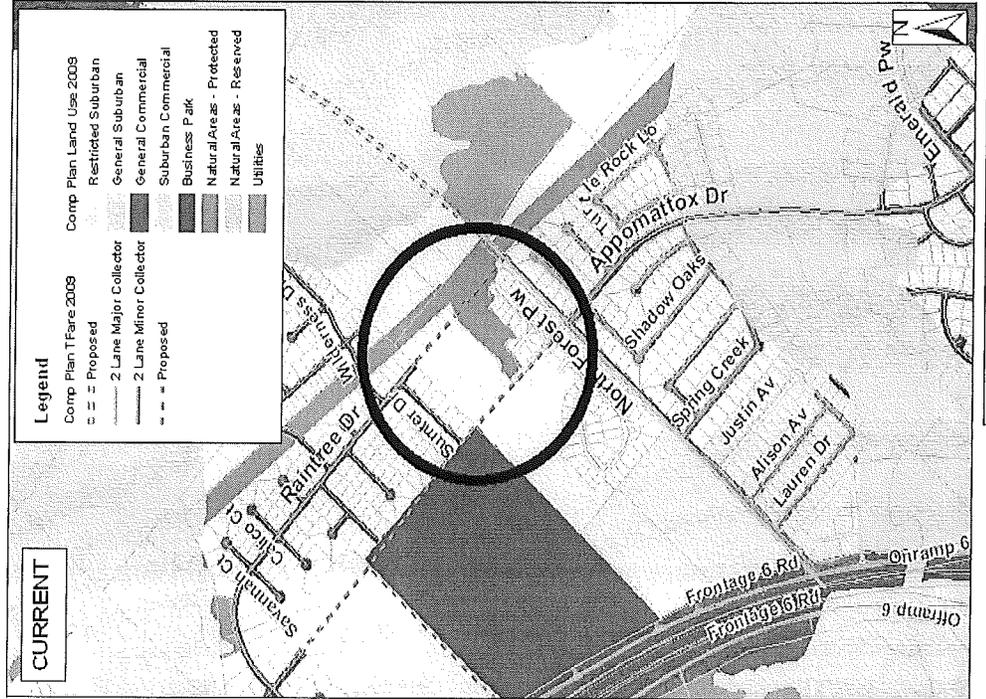
D. General

1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction ("ETJ"). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.
3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.
4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.

EXHIBIT "B"

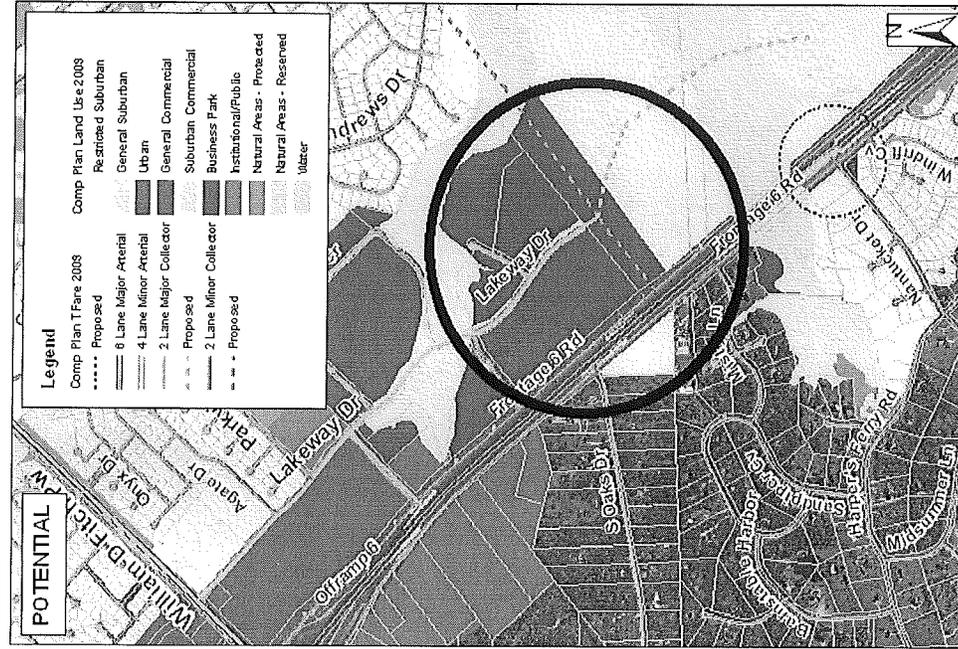
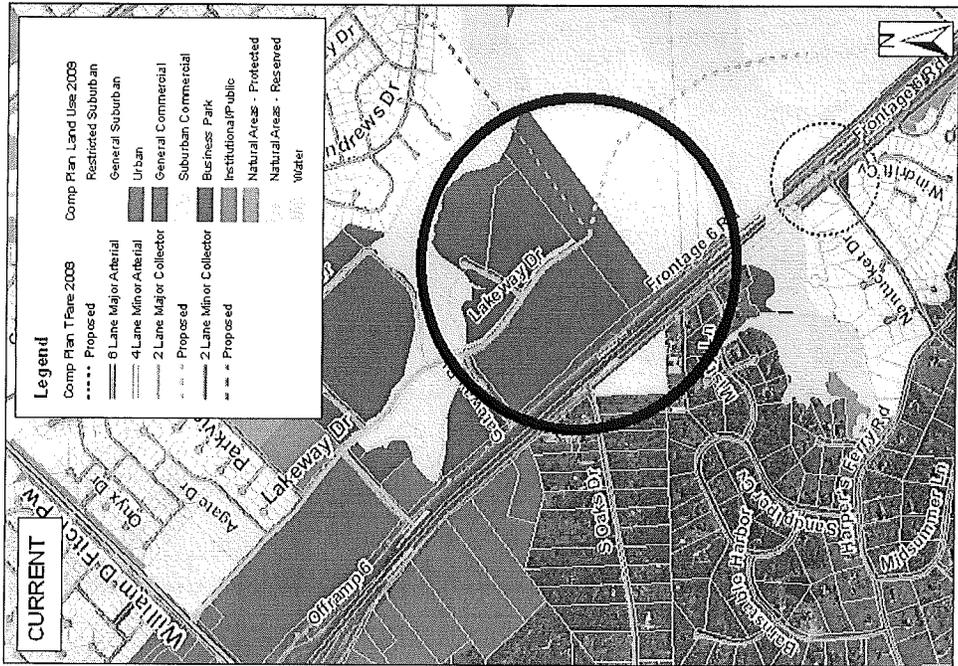
THOROUGHFARE PLAN AMENDMENTS

1. Thoroughfare Plan: Removal of the Raintree Dr Extension to North Forest Dr.
 With the Master Plan for the Carter's Crossing Subdivision (a.k.a. the Fojfik tract), approved in 2007 the extension of Raintree Drive was approved to turn and intersect Appomattox Drive in an effort to discourage cut through traffic along Raintree Drive. This amendment would reflect what has been master planned.



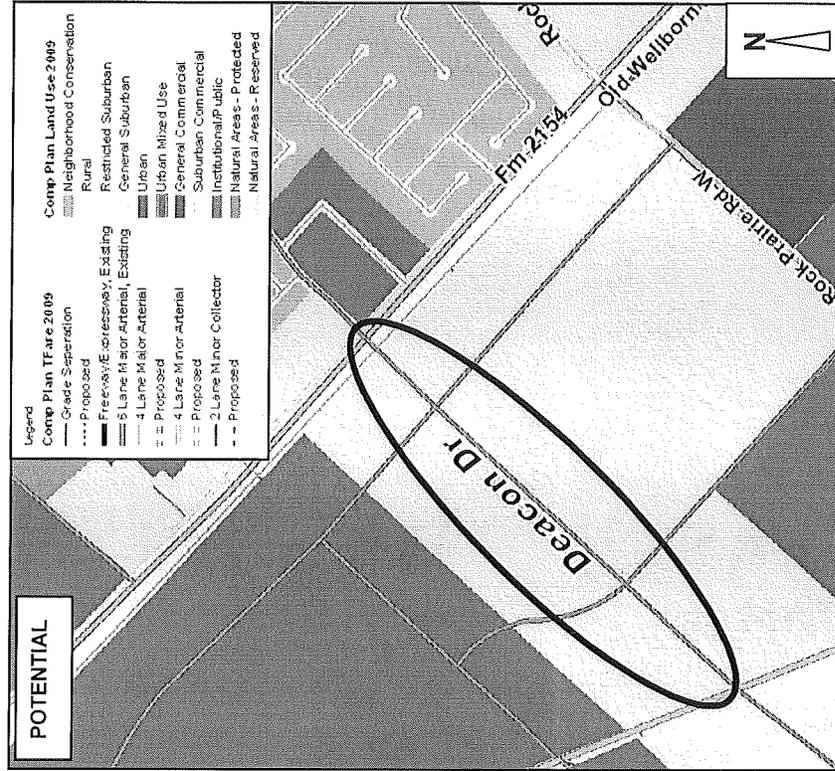
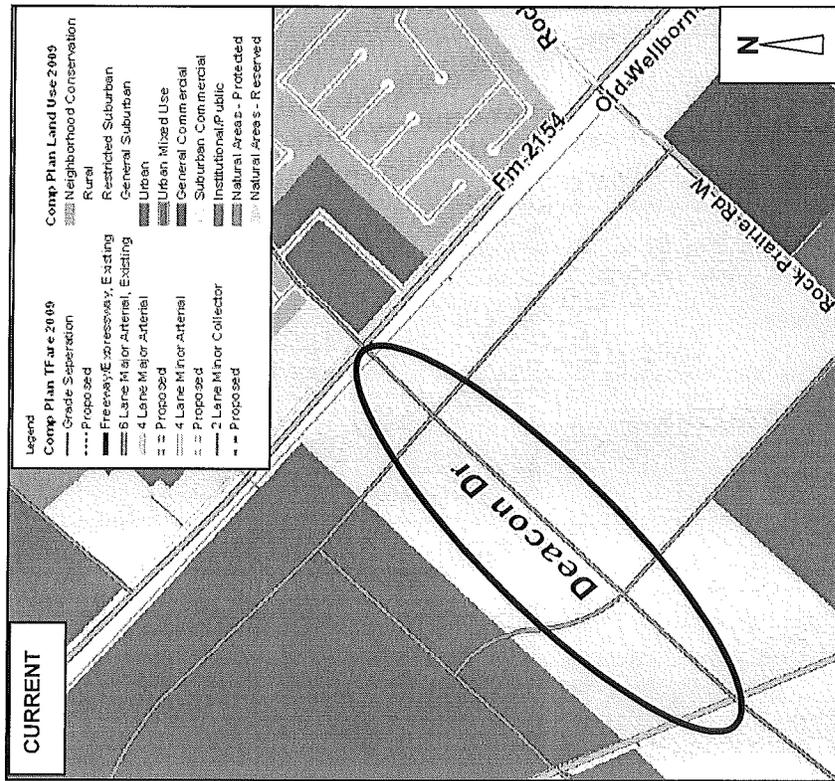
Proposed Amendment: Change Raintree Extension to Joa Through Fojfik Property

2. Thoroughfare Plan: Extension of Birkdale Dr from Lakeway Dr. to SH 6 Frontage Rd.
The previous Thoroughfare Plan depicted Birkdale to cross Lakeway Drive to intersect with the SH 6 frontage road. Through oversight, this connection was not included in the 2009 plan, but is needed to promote circulation and connectivity.



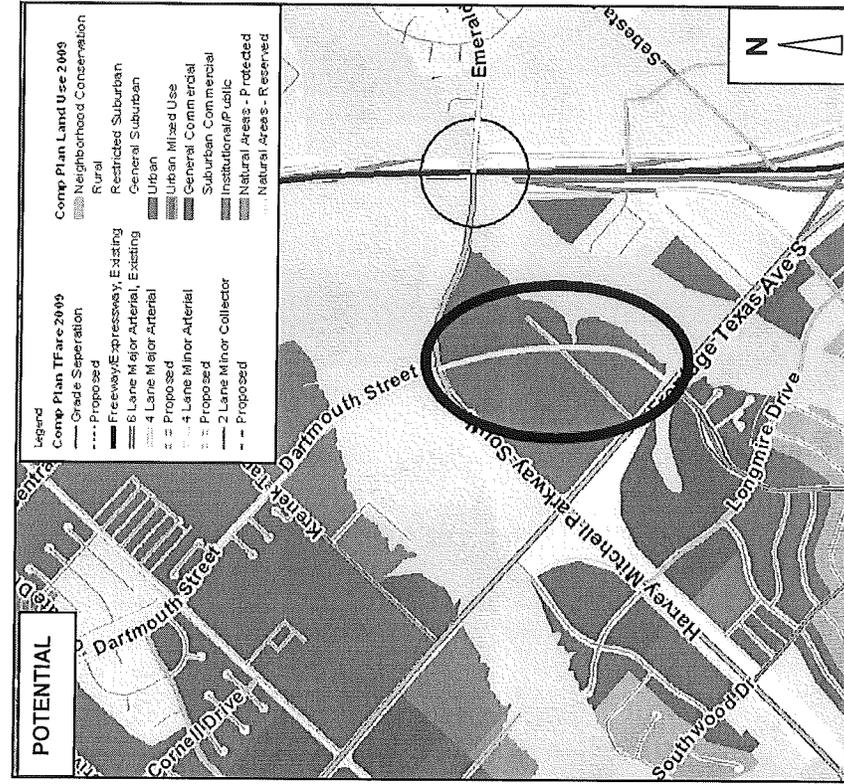
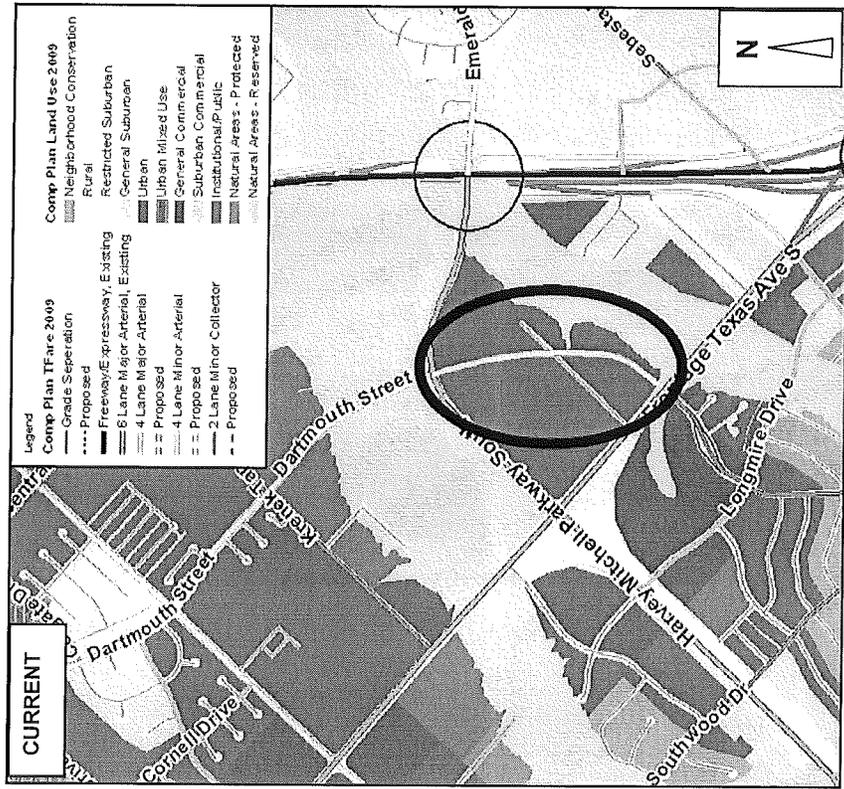
Proposed Amendment: Change Extension of Birkdale from Lakeway Dr. to SH 6 Frontage Rd.

- 4. Thoroughfare Plan: Increase lanes from two lanes to three lanes to Deacon Dr from Wellborn Rd to Holleman Rd South
The current Thoroughfare Plan depicts Deacon Drive from Wellborn Road to Holleman Drive South as a two lane minor collector. As part of a development project in the area a Traffic Impact Analysis (TIA) was required for the re-zoning application. As a result of the TIA mitigation was required to upgrade Deacon Drive to a three lane major collector.



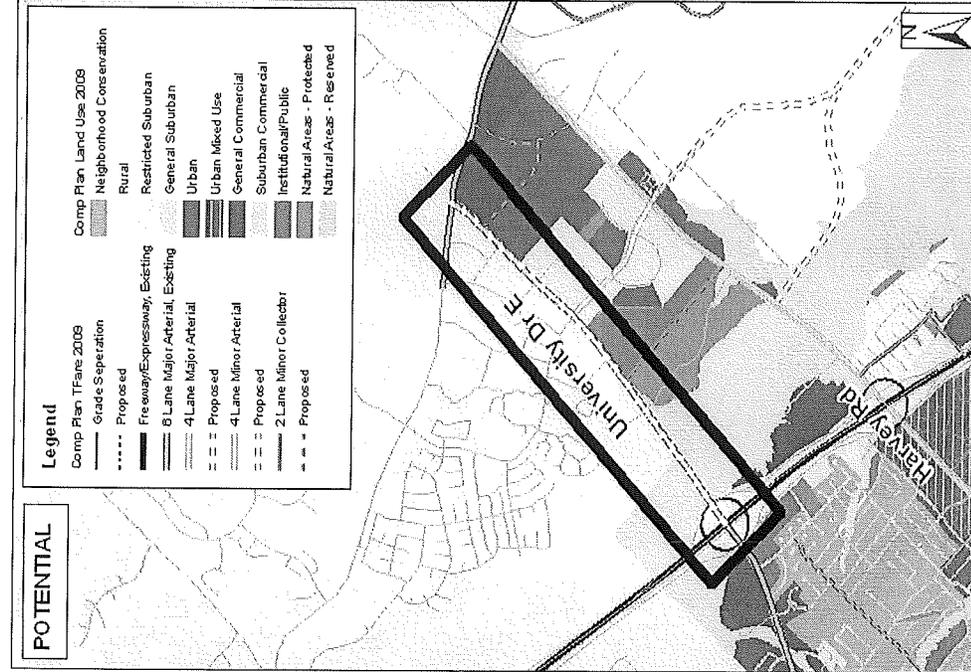
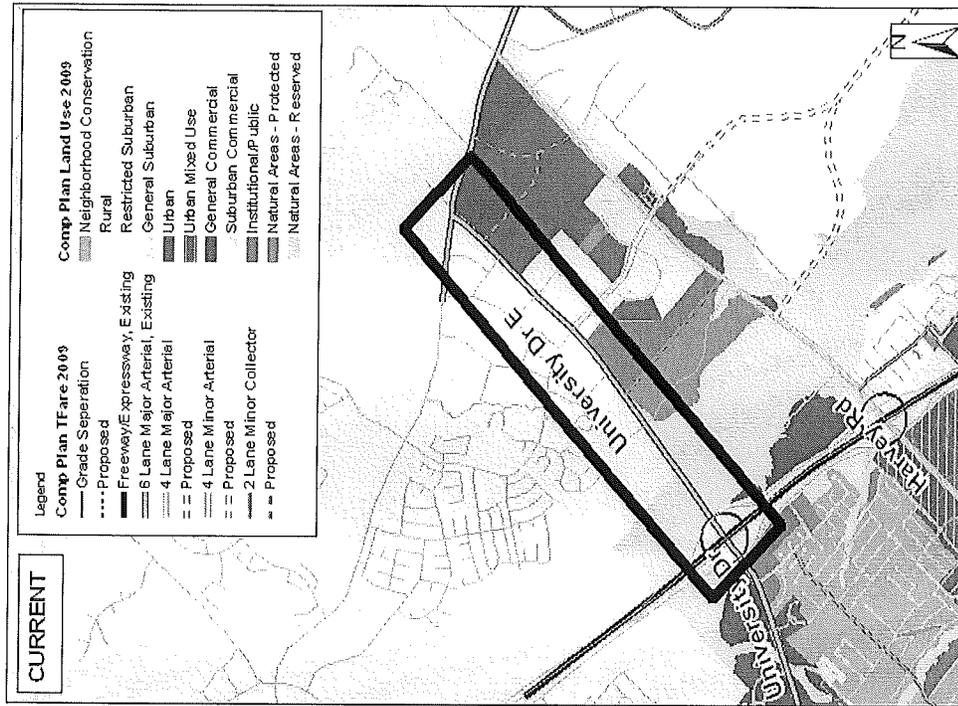
Proposed Amendment: Increase Lanes from two lanes to three lanes to Deacon Dr from Wellborn Rd to Holleman Rd South

5. Thoroughfare Plan: Reduction in lanes from four lanes to three lanes to Dartmouth Dr from Harvey Mitchell Parkway to Texas Ave. The current Thoroughfare Plan depicts Dartmouth Drive from Harvey Mitchell Parkway to Texas Avenue as a four lane minor arterial. To promote development in the area the City's initiated a Travel Demand Model (TDM) study to determine what the impacts would be to the transportation network if Dartmouth Drive was modified to a lower capacity roadway. The results of the TDM indicated there would be impacts to Texas Ave and Harvey Mitchell Parkway; however these two roadways would function at an acceptable level of service if caps were in place with regards to the number of trips the proposed land uses were allowed to generate.



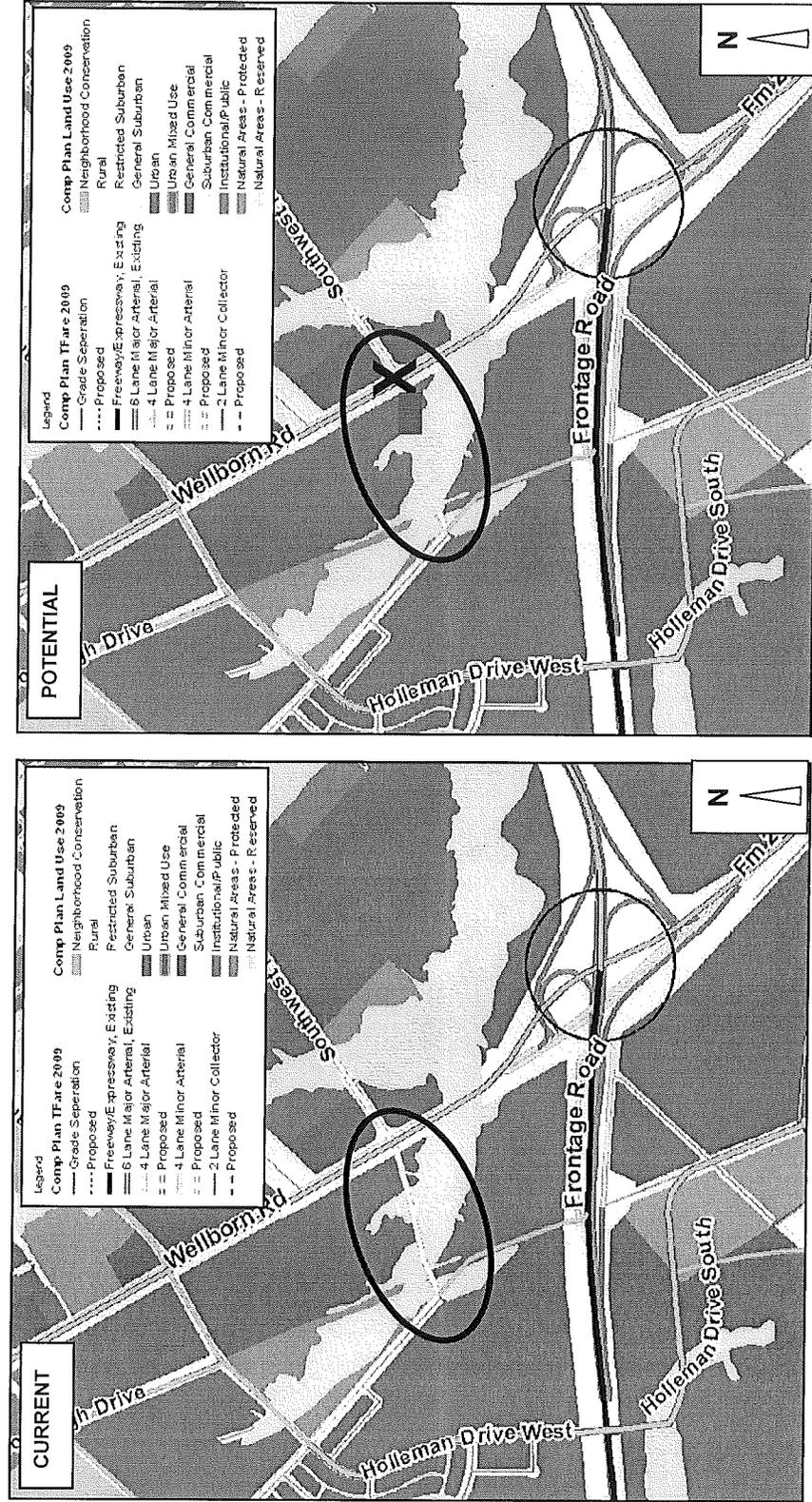
Proposed Amendment: Reduction in Lanes from four lanes to three lanes to Dartmouth Dr from Harvey Mitchell Parkway to Texas Ave

- Thoroughfare Plan:** Reduction in lanes from 6 lanes to 4 lanes to FM 60 from SH 6 to FM 158. The current Thoroughfare Plan depicts FM 60 as a six lane major arterial. As part of the Texas Department of Transportation (TxDOT) widening project, TxDOT has determined that the anticipated demand on University Drive East will not exceed a need for more than four lanes through the life of the Comprehensive Plan.



Proposed Amendment: Reduce FM 60 lane widths from SH 6 to FM 158 from 6 lanes to 4 lanes

7. Thoroughfare Plan: Removal of an on-grade railroad crossing at Southwest Parkway and Wellborn Rd and at Union Pacific Railroad. The current Thoroughfare Plan depicts an on grade railroad crossing at Southwest Parkway and Wellborn Road. The Plan also depicts Southwest Parkway continuing westward to its terminus with Jones Butler Rd. As part of a request from a landowner in the vicinity of this location, the City and the landowner undertook an extensive study to ensure that the impacts from the removal of the railroad crossing and the termination of Southwest Parkway at Wellborn Road would not impact the capacity and operations of the surrounding transportation network. The study determined that absent of an on grade crossing subject to Union Pacific Railroad permission, an overpass or an underpass would not be feasible and with caps on the amount of trips to be generated by land uses in the yet to be developed tract of land minimal impacts would occur to the surrounding transportation network.



Proposed Amendment: Removal of an on-grade railroad crossing at Southwest Parkway and Wellborn Rd and at Union Pacific Railroad

October 27, 2011
Regular Agenda Item No. 3
Comprehensive Plan Chapter 2 Amendments

To: David Neeley, City Manager

From: Bob Cowell AICP, CNU-A, Executive Director-Planning and Development Services

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an Ordinance of the City of College Station, Texas, amending the College Station Comprehensive Plan Chapter 2 "Community Character" by amending the text and concept map regarding the expansion of Growth Area IV, Growth Area V, and the Land Use designation change of the Richards Subdivision area

Relationship to Strategic Plan: Item is related to all Strategic Plan initiatives

Recommendation(s): The Planning & Zoning Commission heard this item at their October 20th meeting. Their recommendation will be provided at the Council meeting. Staff recommended approval of the ordinance.

Summary: As part of the yearly Comprehensive Plan Review staff is initiating amendment of Chapter 2 of the Comprehensive Plan. The amendments are as follows:

Amend the Comprehensive Plan Community Character Chapter as follows:

- 1) Expansion of Growth Area IV, generally located in south College Station near the intersection of William D. Fitch Parkway and Wellborn Road, north of William D. Fitch Parkway
- 2) Change in Land Use and Character designation from Urban Mixed-Use to Urban and a second portion from General Commercial to Urban Mixed-Use, in the Richards Subdivision area, located between Holleman Drive and Manuel Drive, east of Texas Avenue
- 3) Expansion of Growth Area V, west of Holleman Drive South, generally located near the intersection of Holleman Drive South and Rock Prairie Road

The expansion of both Growth Area IV and V include text and Concept Map amendments. The Richards Subdivision area involves two Concept Map amendments.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance
2. Staff Report



**COMPREHENSIVE PLAN
COMMUNITY CHARACTER CHAPTER
AMENDMENTS
11-00500140**

- REQUEST:** Amend the Comprehensive Plan Community Character Chapter as follows:
- 1) Expansion of Growth Area IV, generally located in south College Station near the intersection of William D. Fitch Parkway and Wellborn Road, north of William D. Fitch Parkway
 - 2) Change in Land Use and Character designation from Urban Mixed-Use to Urban, in the Richards Subdivision area, located between Holleman Drive and Manuel Drive, east of Texas Avenue
 - 3) Expansion of Growth Area V, west of Holleman Drive South, generally located near the intersection of Holleman Drive South and Rock Prairie Road
- APPLICANT:** City of College Station
- PROJECT MANAGER:** Lauren A. Hovde, Staff Planner
lhovde@cstx.gov
- RECOMMENDATION** Staff recommends approval based on direction received from the City Council following the 2010 Comprehensive Plan Annual Review.

NOTIFICATIONS

Advertised Commission Hearing Date: October 20, 2011

Advertised Council Hearing Dates: October 27, 2011

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

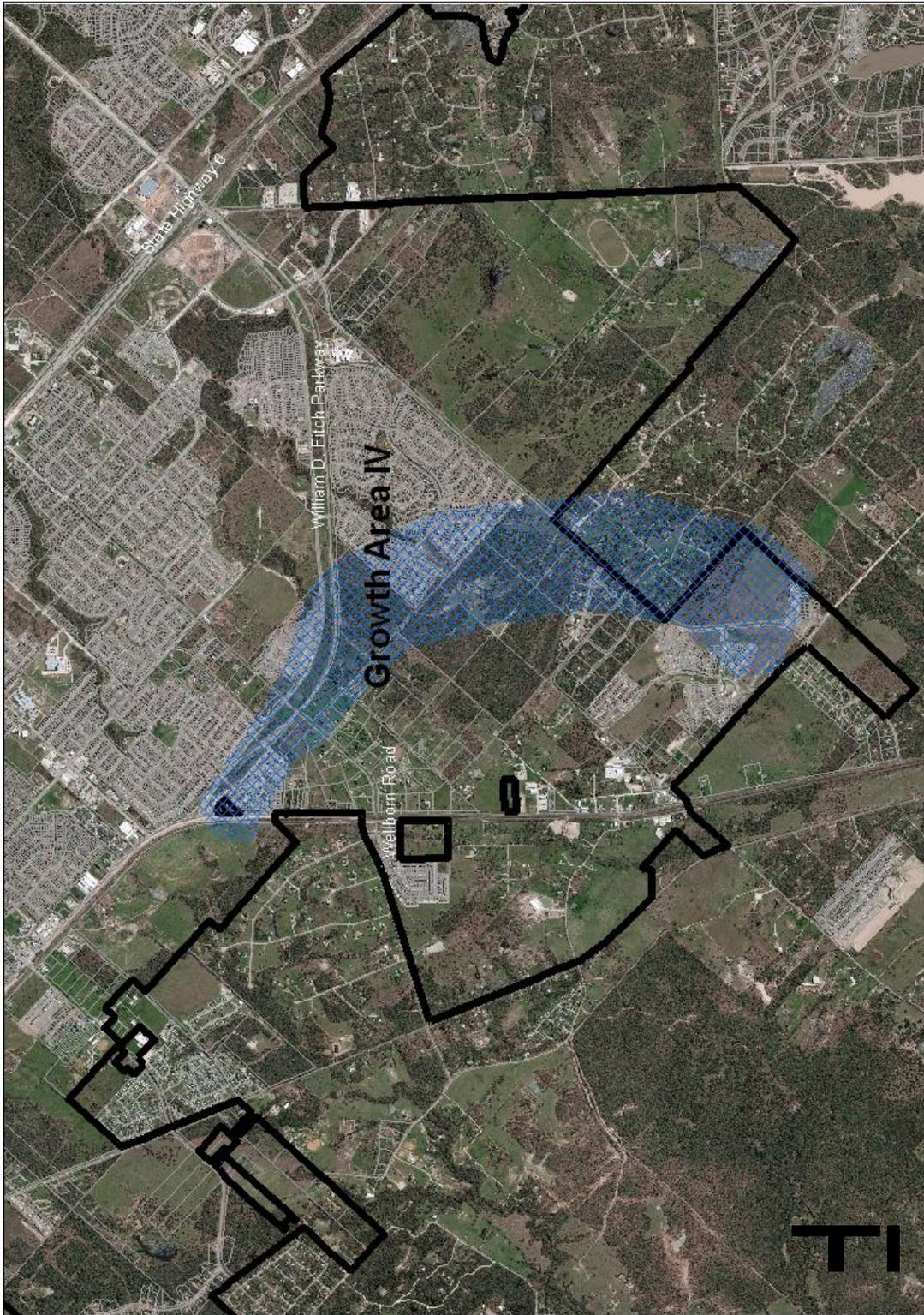
None

Contacts in support: None

Contacts in opposition: None

Inquiry contacts: None

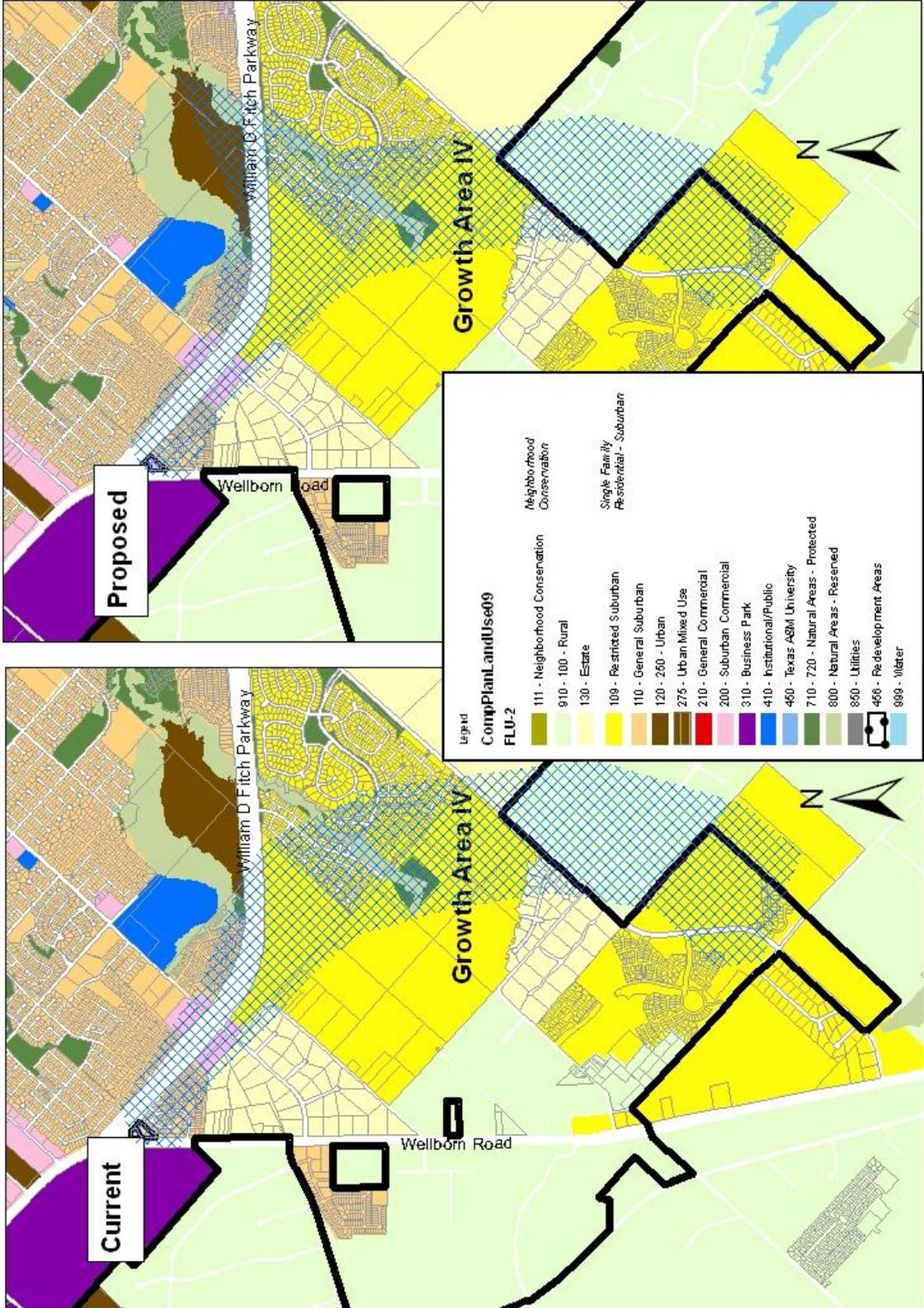
Expansion of Growth Area IV, north of W.D. Fitch Parkway



Case #11-00500140

Comprehensive Plan Amendment
Growth Area IV Expansion





Case #11-00500140

Comprehensive Plan Amendment
Growth Area IV Expansion



DEVELOPMENT HISTORY

Annexation:	June 1995, November 2002, March 2008
Zoning:	A-O Agricultural-Open, A-OR Rural Residential, PDD Planned Development District, and C-3 Light Commercial
Final Plat:	Castlegate (2000), Castlerock (2008), Creek Meadows (2007), Sweetwater (1994), Woodlake (1991), Southern Terrace (2005), Westminster (1994), Wellborn Oaks (1980's) Subdivisions
Site development:	Growth Area IV has a non-contiguous development pattern with detached single-family residential activity. The larger portion of Growth Area IV remains undeveloped.

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**

Development within and around Growth Area IV has been active since the 2009 adoption of the Comprehensive Plan. In the general vicinity, additional phases have been platted and constructed in the Castlegate, Castlerock, Reatta Meadows, and Sonoma Subdivisions. The Victoria Avenue extension that will connect Barron Road to William D. Fitch Parkway has been designed and is currently under construction. The new College Station High School is under construction at the corner of Barron Road and Victoria Avenue. At the intersection of William D. Fitch Parkway and State Highway 6, substantial construction has taken place with the development of HEB, Lowes, St. Joseph's medical offices, banks, and retail. In addition, the area affected most by the Growth Area IV expansion has an approved PDD Planned Development District that will allow the uses permitted by the Growth Area language.

2. **Scope of the request:**

The proposed expansion of Growth Area IV covers areas designated as Natural Areas-Preserved, Natural Areas-Reserved, and Urban. Though the Natural Area will not be affected by the Growth Area IV expansion, the Urban designation will benefit from increased development opportunities through flexible land use options.

The request includes both an amendment to the Concept Map and an alteration of the Growth Area IV language to add an Urban option. The Map is being adjusted to expand Growth Area IV across William D. Fitch Parkway. The text amendment is to provide language specifically incorporating Urban land use into the Growth Area IV concept. The proposed text is as follows:

Urban Portion - Land on the north side of William D. Fitch Parkway (State Highway 40) near the intersection of Victoria Avenue should be used for intense land use activities including general commercial activities, office uses, townhomes, apartments, and vertical mixed-use. Single-family uses (excluding townhomes) should be prohibited from this area due to issues of incompatibility. No more than 25% of this total area should be used for residential activities exclusive of units incorporated into vertical mixed-use buildings.

The proposed amendment was discussed during the 2010 Comprehensive Plan Annual Review. It was determined by City Council at that time that the request should be brought forward for consideration.

3. Availability of adequate information:

A large portion of the affected area, having previously undergone the PDD rezoning process, has been carefully studied to consider the effects that the additional permitted uses may have on the area. Additional area is being included with the proposed Growth Area IV expansion that abuts the previously rezoned property which would utilize the same information. Therefore, adequate information was available to Staff, Planning and Zoning Commission, and City Council to enable action regarding the land use change.

4. Consistency with the goals and strategies set forth in the Plan:

The proposed Growth Area IV expansion is consistent with the language in the Plan which describes the area as that near the interchange of William D. Fitch Parkway and Wellborn Road to the current southern City limits bounded by the Wellborn Community Area to the west and the established Castlegate neighborhood to the east. The proposed expansion advances the Comprehensive Plan goal to provide market flexibility in greenfield areas by allowing alternative development options.

5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans:

The area affected by the proposed Growth Area IV expansion includes property that is designated on the Future Land Use and Character Map as Urban, Restricted Suburban, Natural Areas-Reserved, and Natural Areas-Preserved. Growth Area IV allows for the Urban designation, which is typically used for multi-family development, to be used for intense land use activities including general commercial, office uses, townhomes, apartments, and vertical mixed-use. The proposed Growth Area IV expansion includes the future section of Victoria Avenue, which will increase connectivity within Growth Area IV, alleviating possible congestion on William D. Fitch Parkway and Wellborn Road.

6. Compatibility with the surrounding area:

Each of the properties with Growth Area IV will have varying development potential depending on the individual land use designations. The existing development in the immediate area consists primarily of single-family residential uses in the Castlegate, Southern Terrace, Creek Meadows, and Sonoma subdivisions. The potential mix of uses allowed by Growth Area IV will complement the existing development by enabling alternative housing options and commercial activities. In addition, the new College Station High School on Barron Road is currently under construction. The high school is considerably more intense than the existing development pattern. The subject area's proximity will be a suitable transition to the single-family subdivision to the east of the high school.

7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network:

The area most affected by the proposed Growth Area IV expansion will be served by existing 8-inch and 24-inch waterlines along Castle Rock Parkway and William D. Fitch Parkway (SH 40), respectively. Sanitary sewer service may be provided via an existing 21-inch sanitary sewer line which crosses the tract. Drainage is generally to the northeast within the Spring Creek drainage basin.

A Traffic Impact Analysis (TIA) was completed in 2010 in conjunction with the approved Planned Development District located within the area affected by the Growth Area IV expansion. The TIA showed that transportation facilities in place were adequate to meet the demands of future development.

8. Impact on the City's ability to provide, fund, and maintain services:

The proposed amendment will have no impact on the City's ability to serve the subject area. A rezoning for a large portion affected area was previously approved to allow for uses that will be permitted by the proposed amendment. Therefore, additional consideration is not required at this time.

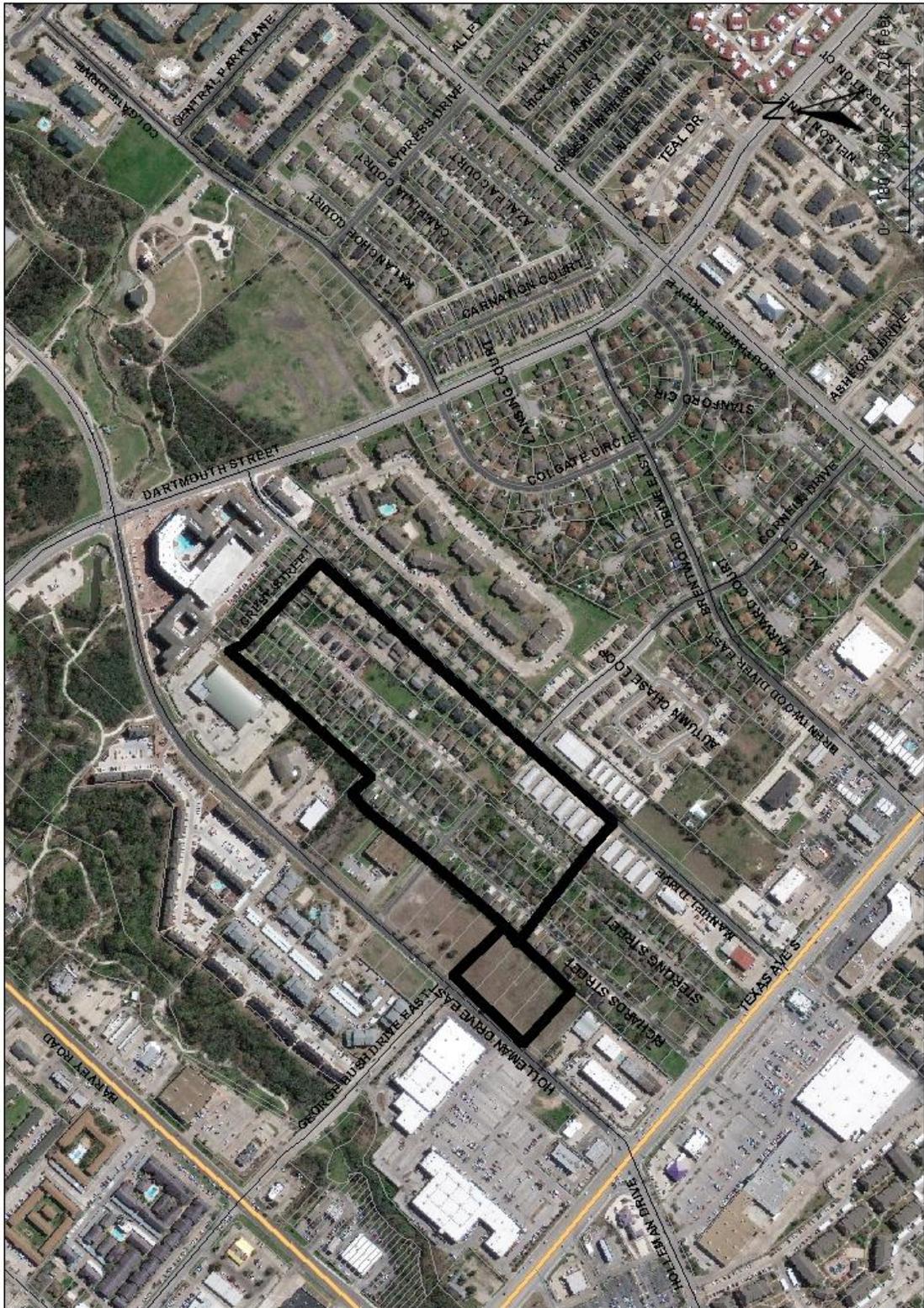
9. Impact on environmentally sensitive and natural areas:

An expansion of Growth Area IV will not affect sensitive and natural areas in the vicinity. The floodplains are designated on the Future Land Use and Character Map as being Natural Areas- Reserved and Natural Areas-Preserved, neither is permitted additional land use opportunities by the Growth Area II language. A portion of the floodplain is currently zoned R-1 Single-Family which permits residential development subject to platting requirements related to floodplains. A previously approved Planned Development District within the expansion area dedicated additional greenspace, restricting development opportunity in the floodplain.

10. Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:

The proposed amendment primarily allows for an expansion of commercial and retail activity along William D. Fitch Parkway. By expanding Growth Area IV, it brings this type of development closer to the neighborhood and serves not only the residents in the immediate vicinity who can access the development by foot or bicycle, but will also be accessible to the numerous residential subdivisions in the general vicinity.

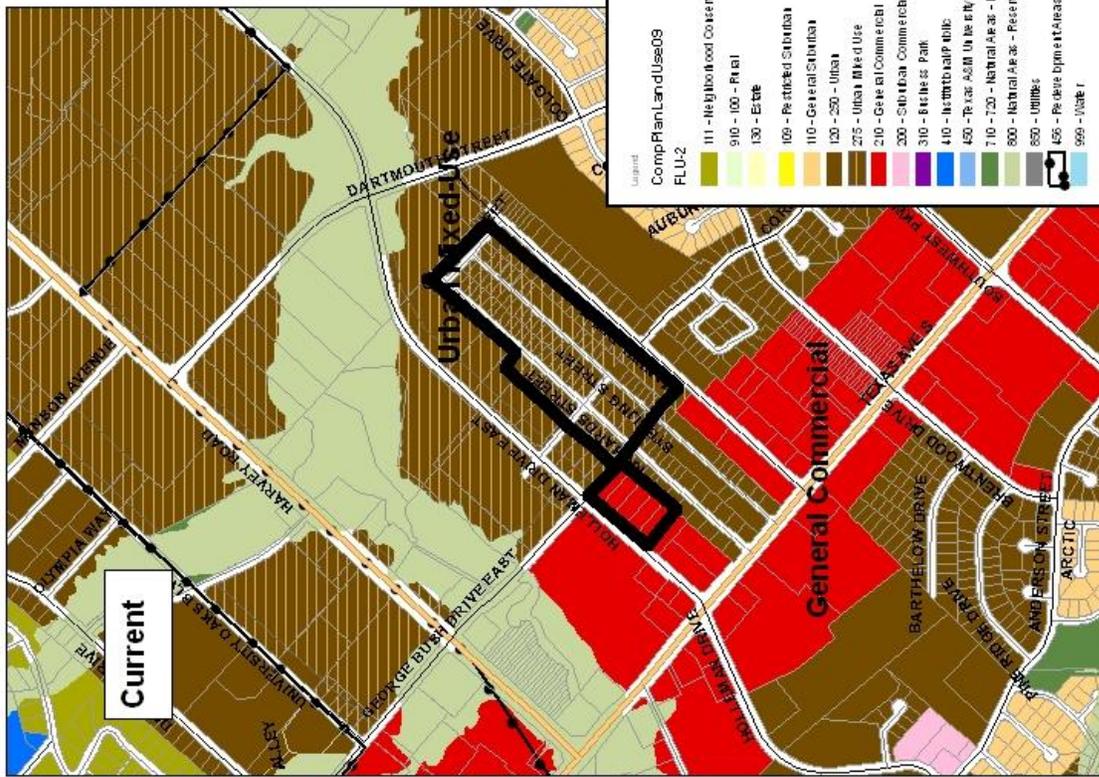
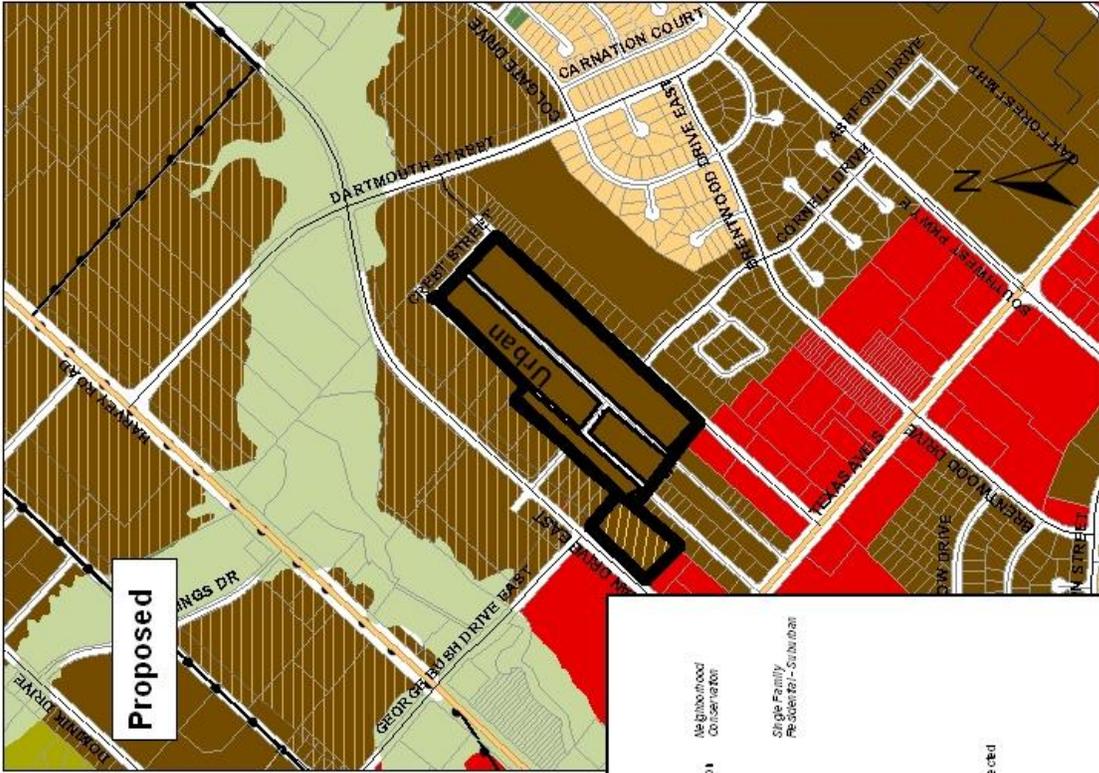
Change in Land Use and Character designation from Urban Mixed-Use to Urban



Case #11-00500140

Comprehensive Plan Amendment
Richards Subdivision Area





Legend

ComPlan Land Use 08	FLU-2	Description
111	Neighborhood Conservation	Neighborhood Conservation
910 - 100	Single Family Residential - Suburban	Single Family Residential - Suburban
130	General Residential	General Residential
109	Restricted Single-Family Residential	Restricted Single-Family Residential
110	General Single-Family Residential	General Single-Family Residential
120 - 250	Urban	Urban
275	Urban Mixed-Use	Urban Mixed-Use
210	General Commercial	General Commercial
300	Community Commercial	Community Commercial
310	Business Park	Business Park
410	Neighborhood Office	Neighborhood Office
450	Public Assembly	Public Assembly
710 - 720	Natural Area - Protected	Natural Area - Protected
800	Natural Area - Reserved	Natural Area - Reserved
850	Utilities	Utilities
455	Public Open Space	Public Open Space
999	Water	Water

Case #11-00500140

Comprehensive Plan Amendment
Richards Subdivision Area



ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Urban Mixed-Use	C-1 General Commercial and PDD Planned Development District and (WPC) Wolf Pen Creek District	Mixed-Use projects, recreational ice center, office, and vacant property
South	Urban	R-4 Multi-Family Residential	Individually-owned Multi-Family units
East	Urban Mixed-Use	R-1 Single-Family Residential and R-4 Multi-Family Residential	Single-family houses and Individually-owned Multi-Family units
West	Urban and General Commercial	R-1 Single-Family Residential and C-1 General Commercial	Vacant commercial property and single-family houses

DEVELOPMENT HISTORY

- Annexation:** May 1969 and February 1971
- Zoning:** C-1 General Commercial, R-4 Multi-Family Residential, and R-1 Single-Family Residential
- Final Plat:** Platting in the area took place generally between the 1930's and 1970's with several replats since that time. The area includes Pooh's Park (1973), Richards (1930's), Holleman Place (1988), KFO (1981), Richard-Hampton Estates (2005), Latitude Square (2006), and Davenport (2004) Subdivisions.
- Site development:** Single-family residential and low-density multi-family residential

REVIEW CRITERIA

- 1. Changed or changing conditions in the subject area or the City:**
Mixed-Use developments are challenging to finance, develop, and operate. It is imperative that such developments have the benefit of adequate street and pedestrian traffic to support the commercial component. An interchange of support from surrounding commercial and multi-family developments will also strengthen a mixed-use development opportunity. This environment is occurring along Holleman Drive with two recent mixed-use projects and the successful commercial activities to the north and west. The proposed amendment addresses this necessity by changing the General Commercial land use designation along Holleman Drive to Urban Mixed-Use. It will also change the Urban Mixed-Use designation within the Richards Subdivision to Urban, which will allow for multi-family development without requiring a commercial component of the project.

2. Scope of the request:

The proposed amendment is to replace the Urban Mixed-Use land use designation with an Urban designation for the area between Holleman Drive and Manuel Drive, east of Texas Avenue. This Staff-initiated amendment was identified during the 2010 Comprehensive Plan Annual Review. At that time, City Council directed Staff to pursue the amendment.

The amendment also includes a transfer of the Urban Mixed-Use designation to the vacant properties along Holleman Drive, now designated as General Commercial. This area is better situated for commercial activity and may be adequately served by the existing street system.

3. Availability of adequate information:

The existing Urban Mixed-Use allows multi-family development, but requires an integrated commercial component. The Urban land use does not include a commercial requirement. Therefore, the proposed amendment will result in a lessened impact on the existing streets including Richards Street, Manuel Drive, Sterling Street, Crest Street, Cornell Drive, and Lassie Lane. In addition, public utilities are not affected since multi-family is a permitted use in both the Urban and Urban Mixed-Use designations. The proposal to change the property along Holleman Drive from a General Commercial designation to Urban Mixed-Use is an increase in density, but may be accounted for by the previous consideration given to the Richards Subdivision area. Therefore, information collected during the Comprehensive Planning process remains valid.

4. Consistency with the goals and strategies set forth in the Plan:

One of the many objectives of the Comprehensive Plan is to see infill development along the City's major thoroughfares and near Texas A&M University. The Urban land use designation will accomplish this similarly to Urban Mixed-Use, which requires a commercial component. However, the Urban designation will be more suitable to the character of the residential area between Texas Avenue and Dartmouth Street, which is largely development as single-family residential and low-density multi-family. The proposed Urban Mixed-Use designation along Holleman Drive supports the goal of having a more pedestrian-oriented environment in the Wolf Pen Creek area, while relieving the pressure that such development would put on local streets.

5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans:

Holleman Drive and Lassie Lane are both designated as Major Collectors on the Thoroughfare Plan. However, the current condition of Lassie Lane is comparable to local street standards. In order to accommodate commercial traffic flow into the area designated as Urban Mixed-Use, consideration of widening or replacing Lassie Lane will likely be necessary. In addition, existing streets internal to the subject area are primarily local streets in sub-standard condition.

The Future Land Use and Character Map designates the properties surrounding the subject area as Urban and General Commercial to the south and west, and Urban Mixed-Use to the north and east. The proposed Urban designation would be appropriate in consideration of the surrounding residential land use designations. The proposed Urban Mixed-Use designation will be consistent the Wolf Pen Creek initiatives and be able to better utilize the benefit of fronting on a Minor Arterial (Holleman Drive).

6. Compatibility with the surrounding area:

An Urban land use designation, which allows for high-density multi-family residential uses, is consistent with development occurring along Holleman Drive that consists of multi-family residential, office, and retail.

The proposed Urban-Mixed use along Holleman Drive will be consistent with the mixed-use project developed to date, and with the commercial uses within close proximity.

7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network:

The impact of multi-family and commercial land uses were considered during the creation and adoption of the Comprehensive Plan in 2009. Being in an existing service area, the replacement and upgrade of public infrastructure will need to be determined during the rezoning and site planning processes. Therefore the impact considerations that took place during the Comprehensive Planning process remain valid.

8. Impact on the City's ability to provide, fund, and maintain services:

By removing the required commercial component, an Urban land use designation lessens the intensity of development that could potentially occur in the subject area under the Urban Mixed-Use designation. The proposed amendment retains the commercial impact to the properties along Holleman Drive where it may be better served by existing systems. The impact of a multi-family land use was considered during the creation and adoption of the Comprehensive Plan in 2009.

9. Impact on environmentally sensitive and natural areas:

The subject area does not include any sensitive or natural areas. However, due to its proximity to Wolf Pen Creek, consideration will be necessary during the rezoning and platting processes to ensure protection of the creek.

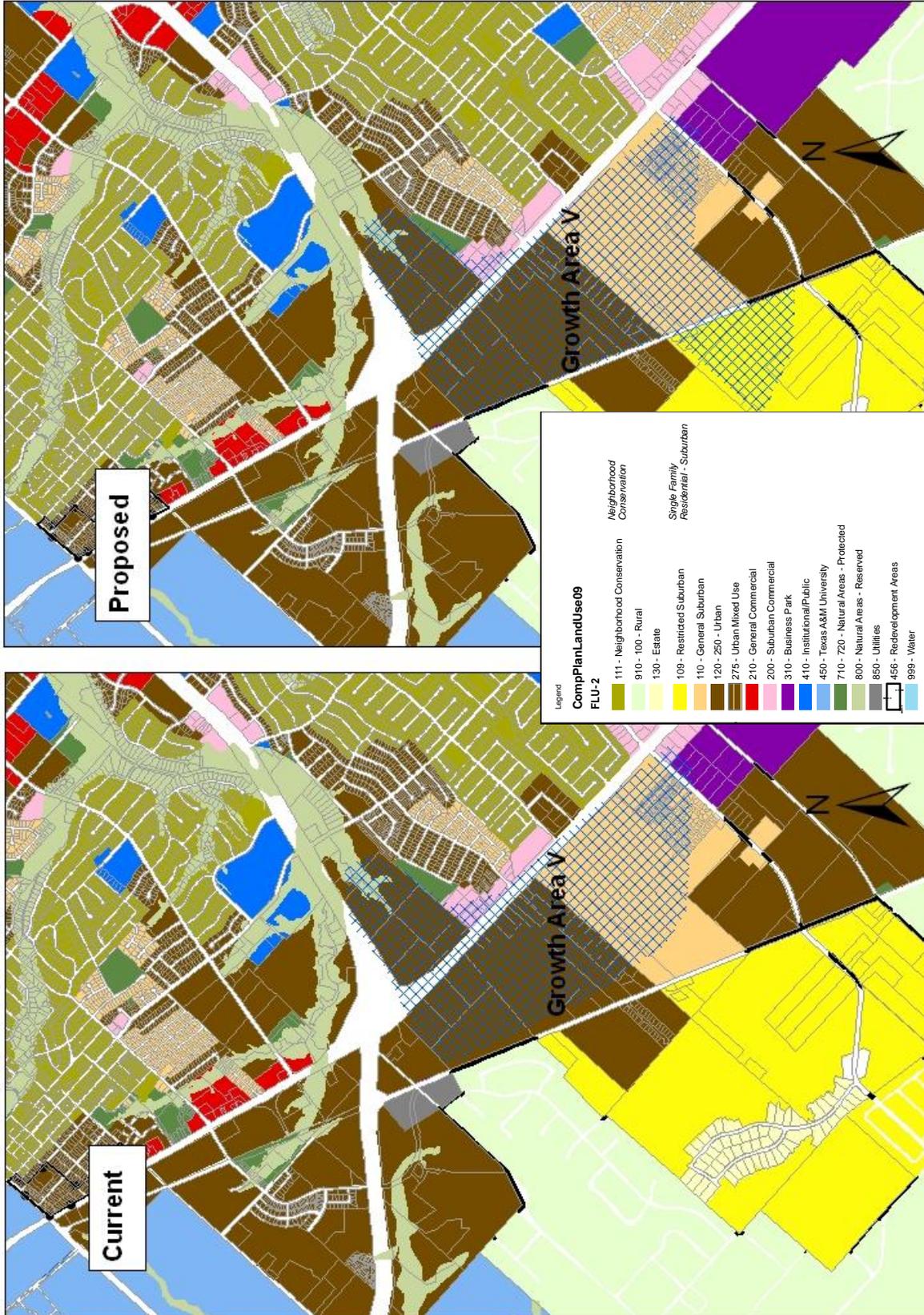
10. Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:

The subject properties are part of a larger area that is intended to redevelop over time to accommodate more intense residential and commercial development. The potential for infill projects has the possibility of lessening the pressure for development in greenfield areas on the outer edges of the City. In addition, this infill will increase the availability and quantity of alternative housing options close to Texas A&M campus where students, staff, and faculty have better access to public transit services.

Expansion of Growth Area V, west of Holleman Drive South



Case #11-00500140
Comprehensive Plan Amendment Growth Area V Expansion

Case #11-00500104

Comprehensive Plan Amendment
Growth Area V Expansion



DEVELOPMENT HISTORY

Annexation:	January 1970, February 1970, July 1973, June 1995, November 2002, and March 2008
Zoning:	A-O Agricultural-Open, PDD Planned Development District, R-1 Single-Family Residential, R-3 Townhouse Residential, and C-1 General Commercial
Final Plat:	Squid Hill (2005), German Acres (1995), Barracks (2009), Williamsgate (2006), and Buena Vida (2011) Subdivisions
Site development:	Growth Area V has a non-contiguous development pattern with detached and attached single-family residential. The larger portion of Growth Area V remains undeveloped.

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:**

As College Station growth continues southward, the City has seen substantial interest in a greater diversity of development options in the southwestern portion of the City. A recent rezoning was approved that will bring several hundred attached and detached single-family homes and commercial activity to the area. This development follows the Barracks townhomes development and the construction of the Buena Vida detached single-family development. These changes have brought, and will continue to bring, an increasing population to the area west of Wellborn Road. With this increased density in the area, Staff sees the need to create additional development opportunity outside of single-family residential housing.

2. **Scope of the request:**

The request includes both an amendment to the Concept Map and an alteration of the Growth Area V language to add a Restricted Suburban option. The Map is being adjusted to expand Growth Area V across Holleman Drive South. The text amendment is to provide language specifically incorporating the Restricted Suburban land use into the Growth Area V concept. The proposed text is as follows:

Restricted Suburban Portion - The area bound by Great Oaks Subdivision, the future extension of Deacon Drive, and Rock Prairie Road. This area should be used for less intense suburban activities. A sizeable portion (15% or more) of the overall area should be retained as natural areas, parks, or open space with land uses clustered or with larger minimum lot sizes. Suburban or neighborhood commercial and office activities shall only be permitted as part of a planned development of at least 30 acres and shall incorporate specified design criteria including, but not limited to, minimum open space requirements, floor-to-area ratios, and bufferyards. Medium-density single-family lots (average 8,000 square feet) are appropriate throughout this area when clustered, larger lot sizes when not clustered. Townhomes may be permitted as part of a planned development of at least 30 acres and shall incorporate specified design criteria including, but not limited to, minimum open space requirements, floor-to-area ratios, and bufferyards.

This Staff-initiated amendment was identified during the 2010 Comprehensive Plan Annual Review. At that time, City Council directed Staff to pursue the amendment.

3. **Availability of adequate information:** The Water and Wastewater Master Plans have been completed within recent months. Both plans identify necessary infrastructure

improvements that will be required before enabling development of the anticipated density in the subject area. The Comprehensive Plan amendment will not allow the affected properties to develop under the proposed density by right.

4. **Consistency with the goals and strategies set forth in the Plan:**

The extension of Growth Area V offers a greater level of market flexibility for the greenfield area. Developments in the immediate vicinity of the impacted area include Las Palomas Subdivision, consisting of duplex residential, and the Great Oaks Subdivision, large-lot residential subdivision that includes future phases. Growth Areas are intended for areas that are not located in a future district or corridor, and that are beyond the influence of existing neighborhoods requiring land-use protection.

5. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:**

The Future Land Use and Character Map designates a portion of the subject property and properties along the south, west, and northwest boundaries as Restricted Suburban. The abutting property to the north is Urban, while the area to the east of Holleman Drive South is designated as General Suburban. The Urban designation allows the abutting property to develop as intense multi-family residential. Any transition between potential intense development and lower-density single-family residential allowed by Restricted Suburban would have to occur internal to the site using standard buffer requirements. Growth Area V would allow the Restricted Suburban designation to include Suburban Commercial activity. This would lessen the impact of varying uses upon each other while permitting a mix of uses within the area.

6. **Compatibility with the surrounding area:**

Though there is currently limited development in the affected area, each of the properties within Growth Area V will have varying development potential depending on the individual land use designations. The existing uses in the immediate vicinity include single-family residential and duplex housing. However, there is zoning in place to allow for multi-family residential and commercial activity along Holleman Drive South.

7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:**

The Comprehensive Plan amendment will not allow the affected properties to develop under the proposed density by right. Individual properties will be required to undergo a rezoning process to enable the proposed density of development. During that process the infrastructure needs of the proposed project will be evaluated.

8. **Impact on the City's ability to provide, fund, and maintain services:**

The area has been identified in the Water and Wastewater Master Plans as requiring public funds to improve infrastructure conditions in the near future. However, prior to a full upgrade of the system, there are immediate plans to alleviate issues in the area.

9. **Impact on environmentally sensitive and natural areas:**

An expansion of Growth Area V does not affect sensitive and natural areas in the vicinity.

10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:**

The proposed amendment will primarily allow for an expansion of commercial, office, and townhouse uses near the intersection of Holleman Drive South and the future extension of Deacon Drive. The proposed Growth Area expansion creates a more complete

neighborhood concept that allows varying types of uses to development in conjunction with one another, depending upon market demands. The proposed expansion of Growth Area V will improve the transition between incompatible uses and increase the variety of development options in the southwestern portion of the City.

STAFF RECOMMENDATION OF COMPREHENSIVE PLAN AMENDMENT PACKAGE

Staff recommends approval based on the direction received from the City Council following the 2010 Comprehensive Plan Annual Review. The proposed amendments will increase the development opportunity of the affected areas and advance previously identified goals and strategies of the Comprehensive Plan.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN CHAPTER 2 "COMMUNITY CHARACTER", "GROWTH AREAS" BY AMENDING THE TEXT REGARDING GROWTH AREA IV AND GROWTH AREA V; AMENDING MAP 2.1 CONCEPT MAP REGARDING GROWTH AREA IV AND GROWTH AREA V; AND AMENDING MAP 2.2 FUTURE LAND USE AND CHARACTER, BY CHANGING THE LAND USE DESIGNATION FOR THE RICHARDS SUBDIVISION AREA; PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

PART 1: That the College Station Comprehensive Plan is hereby amended by amending the Chapter 2 "Community Character " Growth Area IV and Growth Area V text, Map 2.1 Concept Map, and Map 2.2 Future Land Use and Character as set forth in Exhibit "A, attached hereto and made a part hereof.

PART 2: That the City Council of the City of College Station hereby adopts the amendments to Chapter 2 "Community Character", Growth Area IV and Growth Area V text, Map 2.1 Concept Map, and Map 2.2 Future Land Use and Character as set out in Exhibits "B", "C", and "D" attached hereto and made a part hereof.

PART 3: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

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

PASSED, ADOPTED and APPROVED this 27th day of October, 2011.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson
City Attorney

EXHIBIT "A"**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character as amended by;
 - a. Growth Area IV, Ordinance _____, dated October 27, 2011;
 - b. Growth Area V, Ordinance _____, dated October 27, 2011;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities; and
9. Growth Management and Capacity.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Water System Master Plan dated August 2010;
11. Wastewater Master Plan dated June 2011; and
12. Eastgate Neighborhood Plan dated June 2011.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Future Land Use and Character Map Amendment:
 - a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.
 - b. Richards Subdivision Area, Ordinance _____, dated October 27, 2011.
2. Thoroughfare Map Amendments;
 - a. Raintree Drive – Ordinance _____, dated October 27, 2011

- b. Birkdale Drive – Ordinance _____, dated October 27, 2011
- c. Corsair Circle – Ordinance _____, dated October 27, 2011
- d. Deacon Drive – Ordinance _____, dated October 27, 2011
- e. Dartmouth Drive – Ordinance _____, dated October 27, 2011
- f. Farm to Market 60 – Ordinance _____, dated October 27, 2011
- g. Southwest Parkway – Ordinance _____, dated October 27, 2011

3. Concept Map:

- a. Growth Area IV, Ordinance _____, dated October 27, 2011.
- b. Growth Area V, Ordinance _____, dated October 27, 2011.

D. General

1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction ("ETJ"). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.
3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.
4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.

EXHIBIT "B"

That the Comprehensive Plan, Chapter 2, "Community Character" "Growth Area IV" is hereby amended to add an Urban Portion as set out below for the purpose of incorporating urban land use into Growth Area IV and that the Comprehensive Plan, Map 2.1 Concept Map is hereby amended to expand Growth Area IV across William D. Fitch Parkway to incorporate urban land use into Growth Area IV as set out in this Exhibit "B":

Urban Portion - Land on the north side of William D. Fitch Parkway (State Highway 40) near the intersection of Victoria Avenue should be used for intense land use activities including general commercial activities, office uses, townhomes, apartments, and vertical mixed-use. Single-family uses (excluding townhomes) should be prohibited from this area due to issues of incompatibility. No more than 25% of this total area should be used for residential activities exclusive of units incorporated into vertical mixed-use buildings.

EXHIBIT "B" CONTINUED
Expansion of Growth Area IV, north of W.D. Fitch Parkway
Map 2.1 Concept Map Amendment

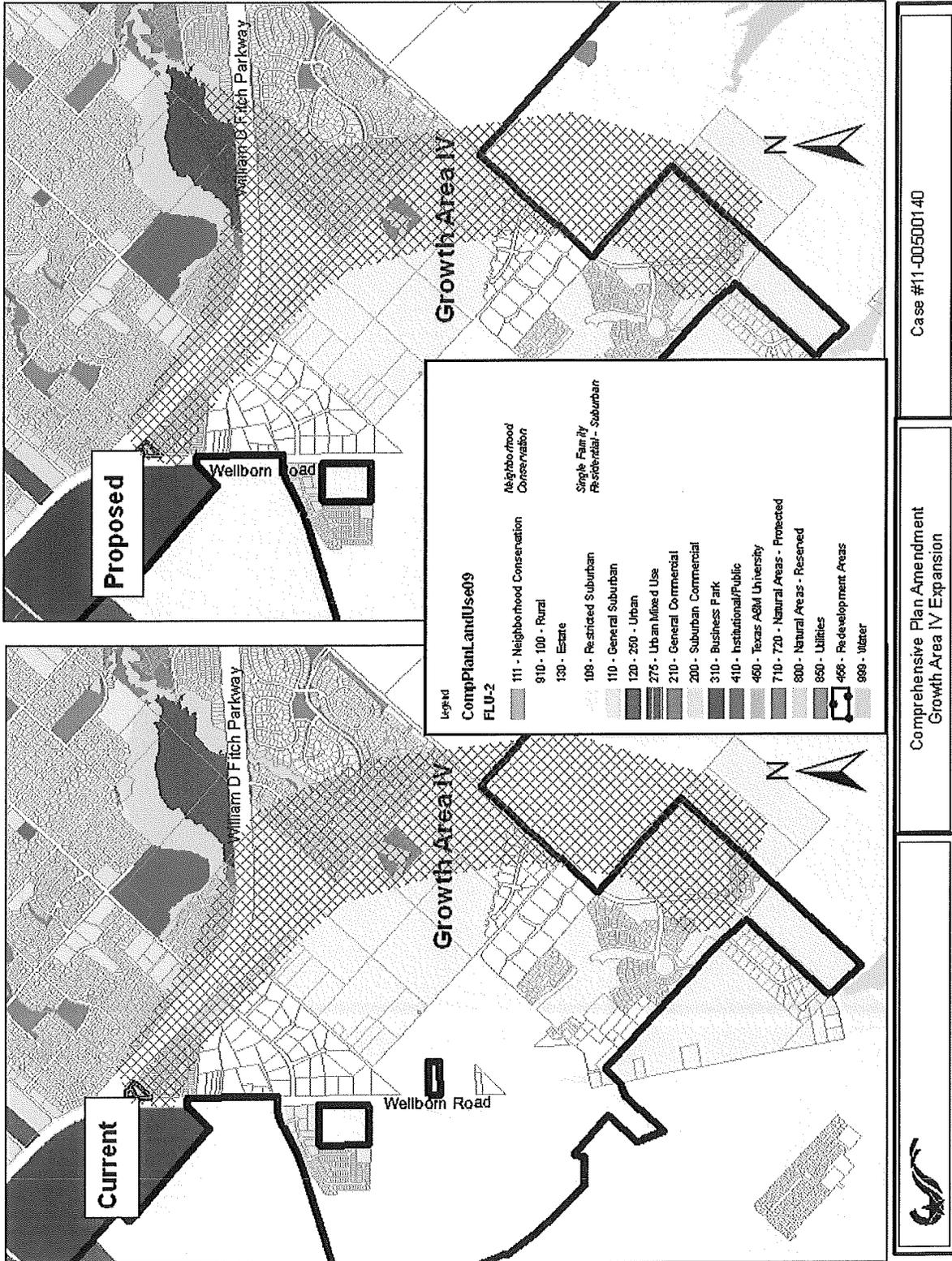
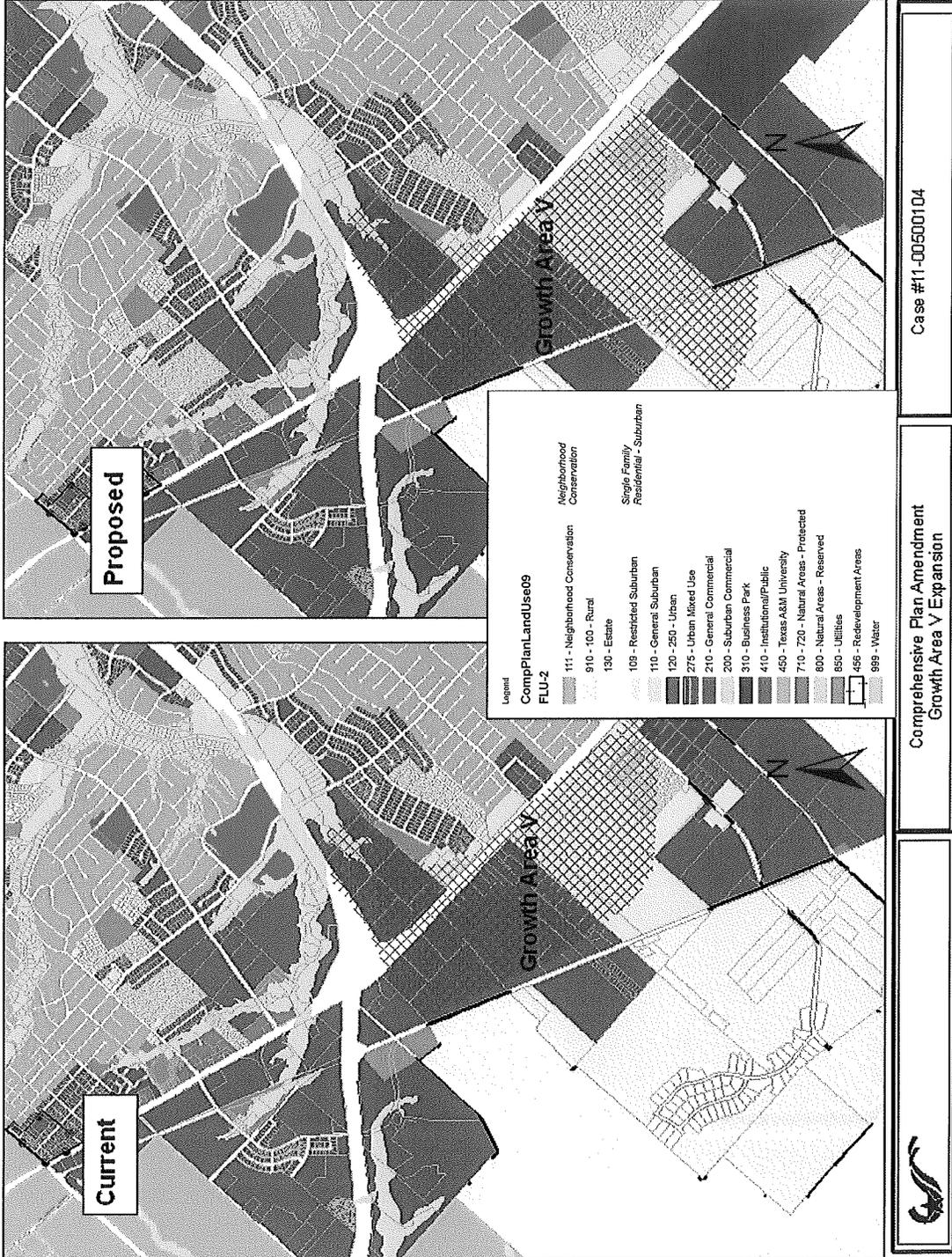


EXHIBIT "C"

That the Comprehensive Plan, Chapter 2, "Community Character" "Growth Area V" is hereby amended to add a Restricted Suburban Portion as set out below for the purpose of incorporating restricted suburban land use into Growth Area V and that the Comprehensive Plan, Map 2.1 Concept Map is hereby amended to expand Growth Area V across Holleman Drive South to incorporate urban land use into Growth Area V as set out in this Exhibit "C":

Restricted Suburban Portion - The area bound by Great Oaks Subdivision, the future extension of Deacon Drive, and Rock Prairie Road. This area should be used for less intense suburban activities. A sizeable portion (15% or more) of the overall area should be retained as natural areas, parks, or open space with land uses clustered or with larger minimum lot sizes. Suburban or neighborhood commercial and office activities shall only be permitted as part of a planned development of at least 30 acres and shall incorporate specified design criteria including, but not limited to, minimum open space requirements, floor-to-area ratios, and bufferyards. Medium-density single-family lots (average 8,000 square feet) are appropriate throughout this area when clustered, larger lot sizes when not clustered. Townhomes may be permitted as part of a planned development of at least 30 acres and shall incorporate specified design criteria including, but not limited to, minimum open space requirements, floor-to-area ratios, and bufferyards.

EXHIBIT "C" CONTINUED
Expansion of Growth Area V, west of Holleman Drive South
Map 2.1 Concept Map Amendment



October 27, 2011
Regular Agenda Item No. 4
Food Establishments

To: David Neeley, City Manager

From: Bob Cowell AICP, CNU Director-Planning and Development Services

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Code of Ordinance Chapter 7 “Health and Sanitation” Section 5 “Food Establishments”.

Relationship to Strategic Plan: Item is related to the evaluation of public safety needs.

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

Summary: The new Ordinance will meet Food and Drug Administration requirements for National Standardization, designed to promote uniformity of rules, inspections, and the prevention of food-borne illness. Inspection frequency will be based on risk factors and compliance history. A procedure for conducting hearings is outlined, as well as other language changes to reflect the intent of the Food and Drug Administration Food Code. This includes the removal of outdated policies and current Board of Health policies are added, including:

- 1) Requirement of posting of the most current scored inspection.
- 2) Updates the correction of violations policy.
- 3) Food Protection Manager Registration (with BCHD) is removed.
- 4) Changes permit renewal dates from February 1 to January 7.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 7, "HEALTH AND SANITATION" SECTION 5 "FOOD ESTABLISHMENTS," TO THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That CHAPTER 7, "HEALTH AND SANITATION" SECTION 5 "FOOD ESTABLISHMENTS", of the Code of Ordinances of the City of College Station, Texas be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of October 2011.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED:

Carla A Robinson

City Attorney

EXHIBIT "A"

That **CHAPTER 7, "HEALTH AND SANITATION" SECTION "FOOD ESTABLISHMENTS"**, of the Code of Ordinances of the City of College Station, Texas be amended to read as follows:

CHAPTER 7**HEALTH AND SANITATION**Section 5. FOOD ESTABLISHMENTS

A. TEXAS DEPARTMENT OF STATE HEALTH SERVICES, "RULES ON TEXAS FOOD ESTABLISHMENTS 229.161 – 229.171 AND 229.173 – 229.175

INTRODUCTION

The City adopts by reference and incorporates into this section the regulations adopted by the Texas Department of State Health Services, Division of Food and Drugs as they now exist and as hereafter amended, found in 25 Texas Administrative Code Chapter 229, Sections 161-171 and 173-175: provided, that the word "municipality" in said regulations shall be understood to refer to the City of College Station and the words "regulatory authority" shall be understood to refer to the City of College Station or its authorized representative. The authorized representative for enforcement of this ordinance shall be the Brazos County Health District ("BCHD") and the City. Three certified copies of the regulations adopted in this ordinance shall be on file in the office of the City Secretary.

B. PERMIT

(1) General

- (a) No person shall operate a food establishment who does not have a valid permit issued to him or her by the regulatory authority. Only a person who complies with the requirements of this ordinance shall be entitled to receive or retain such a permit. It shall be unlawful to interfere with the regulatory authority in the performance of his duties as described in this ordinance.

(2) Issuance of Permit

- (a) Any person desiring to operate a food establishment shall make written application for a permit on the forms provided by the regulatory authority. Prior to approval of an application for a permit, the regulatory authority shall inspect the proposed food establishment to determine compliance with the requirements of this ordinance. The regulatory authority shall issue a permit if its inspection reveals that the proposed food establishment complies with the requirements of this ordinance. A valid permit shall be posted in public view in every food establishment. The applicant shall pay to the regulatory authority a fee to be set by the Brazos County Board of Health at the time of renewal, prior to opening a new establishment and when a change of ownership occurs.
- (b) Permits shall be issued for a period not to exceed one year expiring on December 31st of each year. The application to renew a permit and the accompanying fee must be received by the regulatory authority on or before January 7th of the calendar year for which the permit renewal is sought. If such application and fee are not received by the date herein specified, the regulatory authority may charge the food establishment up to an additional twenty percent of the fee due and owing as a late penalty for failure to comply with the requirements of subsection (a) above. The charging of such late fee will have no effect on the regulatory authority's right to seek criminal penalties permitted by the enforcement provision of this ordinance. Any application and permit fee not received by January 15th may result in immediate closure of the food establishment.

(3) Transfer of Permit

- (a) A permit may not be transferred from one person to another person, from one food establishment to another, or from one type of operation to another if the food operation changes from the type of operation specified in the application and the change in operation is not approved.

C. PLAN REVIEW

- (1) Whenever a food establishment is constructed or extensively remodeled, and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical

plans, and construction materials of work areas, and the type, model, location and size of proposed fixed equipment of facilities. The regulatory authority shall approve the plans and specifications, if they meet the requirements of this ordinance. No food establishment shall be constructed, extensively remodeled, or converted, except in accordance with the plans and specifications approved by the regulatory authority.

- (2) Preoperational Inspection Whenever plans and specifications are required by Paragraph (1) of Subsection C of this ordinance to be submitted to the regulatory authority, the regulatory authority shall inspect the food establishment prior to its beginning operation to determine compliance with the approved plans and specifications and with the requirements of this ordinance.

D. INSPECTIONS

(1) Inspection Frequency

- (a) Inspections of food establishments shall be performed as often as are necessary for the enforcement of this ordinance based on public health risks posed by the establishment and the establishment's past compliance history. Inspections may also be made where consumer complaints and/or reports of foodborne illness outbreaks warrant a need to perform inspections.

(2) Access

- (a) Agents of the regulatory authority, after proper identification, shall be permitted to enter any food establishment during normal hours of operation or at any reasonable time, for the purpose of making inspections, to determine compliance with this ordinance. The agents shall be permitted to examine the records of the establishments to obtain information pertaining to food and supplies purchased, received, or used, or to persons employed. If a person denies access to the regulatory authority, the regulatory authority shall:

- (i) Inform the person that:
- The permit holder is required to allow access to the regulatory authority as specified under subsection D(2) of this ordinance,
 - Access is a condition of the acceptance and retention of a food establishment permit to operate under subsection B(1), and

- If access is denied, an order issued by the appropriate authority allowing access, hereinafter referred to as an inspection order, maybe obtained according to law; and

(ii) Make a final request for access.

(3) Report of Inspections

- (a) Whenever an inspection of a food establishment is made, the findings shall be recorded in the inspection report form. The inspection report form shall summarize the requirements of this ordinance and shall set forth a weighted point value for each requirement. The rating score of the establishment shall be the total of the weighted point values for all violations, subtracted from one hundred. A copy of the inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law. An inspection report form is based on the requirements of this ordinance and is on file in the regulatory authority's office.
- (b) The most current scored inspection report form must be displayed in a BCHD-supplied holder inside each permitted establishment. The establishment is responsible for duplicate replacement holders (available at BCHD). The encased scored inspection report form must be displayed within ten feet of the establishment's main public entrance or other location agreed upon by the inspector and representative of the establishment, and must be visible at eye level (48-66 inches) to patrons of the establishment. Patrons should be advised to direct questions about the report to BCHD. Failure to post the most current scored inspection report in the manner described or facilitating its removal may result in a re-inspection fee.

(4) Correction of Violations

- (a) The inspection report form shall specify a reasonable period of time for the correction of the violation found, and the correction of the violations shall be accomplished within the period specified, in accordance with the following provisions:
- (i) If the regulatory authority determines an imminent health hazard exists, the establishment shall immediately cease food operations. Operations shall not be resumed until authorized

by the regulatory authority. An imminent health hazard exists under conditions including but not limited to:

- * Lack of potable water
- * Inadequate refrigeration
- * Sewage backup
- * Lack of sanitation; defined as a score of 69 or below
- * Lack of hot water
- * Extended interruption of electricity or water
- * Misuse of poisonous/toxic chemicals
- * Onset of an apparent food-borne disease outbreak
- * Fire/Flood
- * Failure to exclude an infectious employee
- * Other conditions that affect public health

- (ii) All violations of four or five point weighted items shall be corrected immediately, or a plan of action agreed upon by the person in charge and inspector shall be developed and implemented.
 - (iii) All violations of three point weighted items shall be corrected immediately; provided however, in those circumstances where immediate action is not possible, the violation will be remedied prior to the expiration of ten days.
 - (iv) All other violations require corrective action, within ninety days of the inspection or before the next inspection, whichever comes first.
 - (v) In the case of temporary food establishments, all violations shall be corrected immediately. If violations are not corrected immediately, the establishment shall immediately cease food operations, until authorized to resume by the regulatory authority.
- (b) Any violation documented on three consecutive inspections will require a follow-up inspection within five business days and a re-inspection fee determined by the Brazos County Board of Health will be invoiced. If the invoice has not been paid after thirty days, there will a twenty percent additional fee collected, and after sixty days the permit may be suspended.

E. SUSPENSION OF PERMIT

- (1) The regulatory authority may without warning, notice, or hearing suspend any permit to operate a food establishment if the holder of the permit or person in charge or the operation of the food establishment: (a) does not comply with the requirements of this ordinance; and (b) the operation of the food establishment otherwise constitutes an immediate hazard to public health. Suspension is effective upon service of the notice required by subsection G of this ordinance. When a permit is suspended, food operations shall immediately cease. Unless otherwise provided in this ordinance, within one calendar year, the first permit suspension will result in a mandatory twenty four hour closure. The second permit suspension will result in a seventy two hour mandatory closure. After a third permit suspension in one calendar year the permit will be revoked, and the owner must reapply for a new permit, pay the yearly fee plus the re-inspection fee, and score a ninety or higher on the re-inspection.
- (2) Whenever a permit is suspended, the holder of the permit or the person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended and notified of the right to appeal such suspension as provided in subsection H. If no written request for the hearing is filed within ten days of the service of notice, the suspension is sustained. The regulatory authority may end the suspension at any time if reasons for suspension no longer exist.
- (3) Whenever a food establishment's permit is suspended, a re-inspection fee shall be invoiced. The establishment shall not resume operations until such time as a re-inspection determines that conditions responsible for the suspension no longer exist.

F. REVOCAION OF PERMIT

- (1) The regulatory authority may, after providing opportunity for a hearing as provided in subsection H, revoke a permit for serious or repeated violations of any of the requirements of this ordinance or for interference in the regulatory authority's performance of its duties. Prior to revocation, the regulatory authority shall notify the holder of the permit or person in charge, in writing, of the reason for which the permit shall be revoked at the end of the ten days following service of such notice unless a written request for a hearing is filed as provided in subsection H by the holder of the permit. If no request for hearing is filed within the ten day period, the revocation of the permit becomes final.

G. SERVICE OF NOTICES

- (1) A notice provided for in this ordinance is properly served when it is delivered to the holder of the permit, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority.

H. HEARINGS

- (1) A person may request a hearing to contest the regulatory authority's denial of an application for a permit or a suspension or revocation of a permit or a hold order, except that a hearing request does not stay the regulatory authority's order for the suspension of a permit, revocation or hold order.
- (2) A person desiring a hearing in response to a denial of an application for permit, a suspension or revocation shall submit a request for a hearing to the municipality within ten calendar days of the date of the Notice.
- (3) A request for hearing shall be in writing and contain the following:
 - (a) A statement that a genuine and material issue of fact exists for which the hearing is requested;
 - (b) A statement of defense, mitigation, denial, or explanation concerning each allegation of fact;
 - (c) A statement indicating whether the presence of witnesses for the regulatory authority is required; and
 - (d) The name and address of the respondent's or requester's legal counsel, if any.
- (4) The hearings provided for in this ordinance shall be conducted by the municipality's City Manager or his designee at a time and place designated by same. Based upon the recorded evidence of such hearing, the City Manager or his designee shall make a final finding, and shall sustain, modify or rescind any notice or order considered in the hearing. A written decision shall be furnished to the holder of the permit by the municipality.

I. APPLICATION AFTER REVOCATION

- (1) Whenever a revocation of a permit has become final, the holder of the revoked permit may make written application for a new permit.

J. EXAMINATION AND CONDEMNATION OF FOOD

- (1) Food may be examined or samples may be taken for laboratory analysis by the regulatory authority as often as necessary for enforcement of this ordinance. The regulatory authority may, upon written notice to the owner or person in charge, place a hold order on any food which it believes is in violation of this ordinance. The regulatory authority shall tag, label, or otherwise identify any food subject to the hold order, stating the specific reasons for placing the food under the hold order with reference to the applicable provisions of the Texas Food Establishment Rules (TFER) and the hazard or adverse effect created by the observed condition. The regulatory authority shall completely identify the food subject to the hold order by the common name, the label information, a container description, the quantity, regulatory authority's tag or identification, and location. No food subject to a hold order shall be used, served, or moved from the establishment. The regulatory authority shall permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to public health, in which case immediate destruction shall be ordered and accomplished. If the regulatory authority has reasonable cause to believe that the hold order will be violated, or finds that the hold order is violated, the regulatory authority may remove the food that is subject to the order to a place of safe keeping. The hold order shall state that a request for hearing may be filed within ten days and that if no hearing is requested the food shall be destroyed. A hearing shall be held if so requested; and, on the basis of evidence produced at that hearing, the hold order may be vacated, or the owner or person in charge of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of this ordinance. The regulatory authority may seek an administrative or judicial remedy to achieve compliance with the provisions of this ordinance if a person operating a food establishment or employee fails to comply with a hold order as specified in this section.

K. PROCEDURE WHEN INFECTION IS SUSPECTED

- (1) When the regulatory authority has reasonable cause to suspect the possibility of disease transmission from any food establishment employee, it may secure morbidity history of the suspected employee or make any other investigation as may be indicated and shall take appropriate action. The regulatory authority may require any or all of the following measures:
- (a) The immediate exclusion of the employee from all food establishments.

- (b) The immediate closing of the food establishment concerned until, in the opinion of the regulatory authority, no further danger of disease outbreak exists.
- (c) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease.
- (d) Adequate medical and laboratory examination of the employee, of other employees, and of his or her body discharges.

L. FOOD HANDLER'S CARD

- (1) Each person working in a food establishment handling food or dishware shall obtain a valid food handler's card. It is an offense for an employee to begin work or for an employer to hire any person who does not have a food handler's card by the first day of employment. This card is to be issued by the BCHD or a food handler program licensed by the Texas Department of State Health Services. The card shall be valid for such a time as the issuer may designate, but not to exceed four years. The original or a copy of the food handler's card shall be posted or kept on-site by management and made available to the regulatory authority.

M. FOOD MANAGER CERTIFICATION

- (1) A food establishment shall employ at least one person who is a full-time, on-site supervisory employee who is responsible for food preparation and service and who has a valid and current food manager certification that is recognized by the Texas Department of State Health Services. Food establishments that serve, sell, or distribute only pre-packaged foods, non-potentially hazardous foods or beverages, or temporary food events are exempt from the provisions of this section.
- (2) If a food establishment cannot meet the requirements of subsection M(1) because of the termination, expiration, or permanent transfer of a certified food manager, the food establishment shall:
 - (a) Hire another employee with a current food manager certification; or
 - (b) Register a current employee for a food manager class within ten days of the termination, expiration, or permanent transfer. The approved course must be successfully completed within thirty days.
- (3) Non-compliance with this section will result in a follow-up fee to be determined by the Brazos County Board of Health.

- (4) If it is determined that lack of knowledge is a factor in a permit Suspension, the current food manager can be required by the BCHD to retake an approved food manager class.

N. PENALTIES; FEES; INJUNCTIONS

- (1) The Brazos County Board of Health shall adopt rules to charge fees and setting the fee amount necessary to the administration and enforcement of the provisions of this ordinance including, but not limited to; permit fees, class fees, inspection fees, and re-inspection fees. The Board of Health shall provide an updated fee schedule to the municipality within thirty days of any fee changes that have been approved.
- (2) Any person who violates any section of this ordinance is guilty of a misdemeanor and upon conviction is punishable in accordance with Chapter 1, Section 5, of the Code of Ordinances, city of College Station, Texas. In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

October 27, 2011
Regular Agenda Item No. 5
Presentation, Possible Action and Discussion Regarding a Resolution Approving
and Setting User Fees for the Parks and Recreation Department's 2012 Programs and Facilities

To: David Neeley, City Manager

From: David Schmitz, Director, Parks and Recreation

Agenda Caption: Presentation, possible action, and discussion regarding a resolution approving and setting user fees for the Parks and Recreation Department's 2012 programs and facilities.

Recommendation(s): The Parks and Recreation Advisory Board and staff recommend approval of the resolution and fees schedule as submitted.

Summary: The Parks and Recreation Department conducts annual reviews of user fees to determine direct costs, as well as local "market" rates for individual programs and facilities. Further, the Parks and Recreation Advisory Board established a departmental fees policy statement to provide guidance in the establishment of fees. This policy is consistent with the City's fiscal and budgetary policy.

The Municipal Cemetery System fees are included in this fee schedule. Those fees are acted upon and recommended to the City Council by the Cemetery Advisory Committee. That Committee reviewed the fees at their June 7, 2011 meeting and voted 5:0 to recommend no change to the fees in Calendar Year 2012.

The Parks and Recreation Advisory Board reviewed all of the proposed fees on August 9, 2011 and voted 5:0 to recommend approval of the fees as submitted for Calendar Year 2012.

In City-facilitated athletic programs such as baseball and soccer, the players or teams only pay to the City the respective Field Redevelopment Fee to use City athletic facilities. In City-provided athletic programs such as softball and flag football, the respective Field Redevelopment Fee is included in the registration fee for players or team participation in each sport.

Budget & Financial Summary: The proposed user fees for 2012 include changes that are highlighted on the DRAFT 2012 PARD Fees. The 2012 PARD Fees final version is also attached. If approved, the new fees will become effective January 1, 2012.

Attachments:

1. DRAFT 2012 PARD Fees
2. 2012 PARD Fees (Final Version)
3. Parks and Recreation Advisory Board Minutes, August 9, 2011
4. Cemetery Committee Minutes, June 7, 2011
5. Resolution

DRAFT PARKS & RECREATION DEPARTMENT
2012 USER FEES
(General Fund)

ATHLETIC FIELDS	2008	2009	2010	2011	2012
Athletic Field Rental ~ One (1) Field, Per Day 1. (Includes Field Redevelopment Fee of \$15)	\$100 / day	\$110 / day	\$120 / day	\$120 / day	\$150 / day
Athletic Field Rental ~ One (1) Field, Per Hour, up to 7 Hours. 2. (Includes Field Redevelopment Fee of \$5)	\$10 / hour	\$15 / hour	\$20 / hour	\$20 / hour	\$30 / hour
3. Athletic Field Rental Deposit	Varies	Varies	Varies	Varies	Varies
4. Lights for Field Rentals (Per hour/Per field)	\$10 / hour	\$15 / hour	\$15 / hour	\$15 / hour	\$20 / hour
5. Game Field Prep Fee, Per Field	\$45 / field	\$45 / field	\$50 / field	\$50 / field	\$75 / Field
6. Bee Creek Batting Cage Rental, Per Hour	\$10 / hour	\$10 / hour	\$10 / hour	\$10 / hour	\$15 / hour
Veterans Park "Package" Day Rental – All 9 Soccer Fields 7. and the American Pavilion	\$1,000	\$1,000	\$1,100/day	\$1,100/day	\$1,200 / day
8. Key Fee (New Annual Fee and Replacement Fee)	N/A	\$10 each	\$10 each	\$10 each	\$10 each
9. Parking Fee (Wayne Smith Complex) on TAMU Game Days	N/A	\$10	\$10 / day	\$10 / day	\$10 / day
<p><i>~ In addition to the rental fees, a deposit will be charged and paid by the renter <u>in advance of any tournament</u>. The deposit will vary depending on the type and size of the tournament.</i></p> <p><i>~ In addition to the rental and deposit fees, additional fees may be assessed to the renter depending on the length and type of tournament in order to cover expenses incurred by the City for personnel and supplies needed to facilitate the tournament.</i></p> <p><i>~ Initial game field prep and light fees are included in the daily rental fee, but not in hourly rental fees.</i></p> <p>NOTE:</p> <p>1. The Regular Rate applies to non-resident individuals of College Station.</p> <p>2. The Regular Rate for team fees applies to teams that have less than 75% College Station resident participation on the team.</p>					

PAVILION RENTALS PER DAY	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
Bee Creek (100); Oaks (40) / W.A. Tarrow 1. Park (100) Pavilion								
Monday – Thursday	\$75	\$75	\$150	\$100	\$150	\$100	\$250	\$125
Friday – Sunday & Holidays	\$100	\$100	\$190	\$125	\$190	\$125	\$300	\$150
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
2. Central (200) / Southwood Pavilions (300)								
Monday – Thursday	\$125	\$125	\$225	\$150	\$225	\$150	\$400	\$200
Friday – Sunday, and Holidays	\$200	\$200	\$340	\$225	\$340	\$225	\$500	\$250
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
3. John Crompton Park Pavilion (80)								
Monday – Thursday	\$100	\$100	\$190	\$125	\$190	\$125	\$300	\$150
Friday – Sunday, and Holidays	\$150	\$150	\$265	\$175	\$265	\$175	\$400	\$200
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
4. American Pavilion in Veterans Park (500)								
Monday – Thursday	\$200	\$200	\$375	\$250	\$375	\$250	\$600	\$300
Friday – Sunday, and Holidays	\$300	\$300	\$525	\$350	\$525	\$350	\$700	\$350
Deposit	\$300	\$300	\$600	\$400	\$600	\$400	\$400	\$400
5. Pavilion Transfer / Cancellation Fee Per Change	\$10	\$10	\$10		\$10		\$20	
6. Dog Park Rentals – (Steeplechase Park and University Park) Per day	N/A	\$110	\$225	\$150	\$225	\$150	\$300	\$150

PAVILION RENTALS PER DAY	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
~ Deposits are refundable if the facility is left clean, damage-free, and the keys are returned.								
~ Deposits are refundable, less the \$10 cancellation fee if reservation is cancelled no later than seven (7) days prior to rental date.								
~ () – The parenthesis by each pavilion shows the limit of occupants that the pavilion can facilitate.								

WOLF PEN CREEK AMPHITHEATER	2008		2009		2010		2011		2012	
	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun
1. Amphitheater Rentals Per Day:										
Private Rental	\$300	\$400	\$300	\$400	\$300	\$400	\$300	\$400	\$500	\$600
Non Commercial ~ Benefit Rental	\$600	\$700	\$600	\$700	\$600	\$700	\$600	\$700	\$750	\$900
Professional/Commercial Rentals	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,200
2. Green Room Meetings Four Hours or Less										
Non Commercial	\$75	\$100	\$75	\$100	\$75	\$100	\$75	\$100	\$80	\$110
Commercial	\$100	\$150	\$100	\$150	\$100	\$150	\$100	\$150	\$110	\$175
3. Green Room Meetings Up to Twelve Hours										
Non Commercial	\$200	\$250	\$200	\$250	\$200	\$250	\$200	\$250	\$220	\$275
Commercial	\$250	\$300	\$250	\$300	\$250	\$300	\$250	\$300	\$275	\$325
4. Green Room Social Events ~ Four Hrs or Less										
Non Commercial	\$100	\$125	\$100	\$125	\$100	\$125	\$100	\$125	\$110	\$140
Commercial	\$125	\$175	\$125	\$175	\$125	\$175	\$125	\$175	\$150	\$200
5. Green Room Social Events ~ Up to Twelve Hrs.										
Non Commercial	\$250	\$300	\$250	\$300	\$250	\$300	\$250	\$300	\$275	\$325
Commercial	\$300	\$350	\$300	\$350	\$300	\$350	\$300	\$350	\$325	\$375
6. Deposit - Amphitheater or Green Room Rentals	Varies \$200-\$600									
7. The Plaza at Wolf Pen Creek										
Rental (Includes Pavilion and Restrooms)	\$100	\$150	\$100	\$150	\$100	\$150	\$100	\$150	\$110	\$160
Deposit (Security, Damage, Clean-up)	\$100		\$100		\$100		\$100		\$200	
8. Other Non-typical Events	Rate based on event									
9. Discounts for Three or More Dates Reserved	15%		15%		15%		15%		15%	
10. Alcohol Surcharge for any Function	\$50		\$50		\$50		\$50		\$50	
~ A percentage of ticketing and fees for service personnel and vending charges will be added accordingly for amphitheater rentals.										
~ A percentage of the gate will be negotiated for commercial events.										
~ Non Commercial is defined as: Non-profit, student, civic or private.										
~ Security deposits are based upon participants/attendees.										

Fees approved by Parks and Recreation Advisory Board: August 9, 2011

Fees approved by City Council:

CEMETERY FEES		2008	2009	2010	2011	2012
1. College Station Cemetery:	Standard Space	\$600	\$950	\$1,125	\$1,125	\$1,125
	Cremate Space	\$250	\$300	\$350	\$350	\$350
	Infant Space	\$100	\$150	\$175	\$175	\$175
2. Memorial Cemetery of College Station:						
Municipal Section:	Standard Space	\$950	\$950	\$1,125	\$1,125	\$1,125
“ “ “	Columbaria Niche	\$600	\$600	\$690	\$690	\$690
“ “ “	Infant Space	\$150	\$150	\$175	\$175	\$175
Aggie Field of Honor:	Standard Space	\$1,950	\$2,000	\$2,350	\$2,350	\$2,350
“ “ “	Columbaria Niche	\$1,200	\$1,200	\$1,380	\$1,380	\$1,380

Cemetery Fees approved by Cemetery Advisory Committee at June 7, 2011 Meeting.

Cemetery Fees approved by City Council:

DRAFT PARKS & RECREATION DEPARTMENT 2012 REC FUND FEES

ADULT SPORTS PER TEAM	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
—Flag Football								
1. (Includes \$95 Per Team Field Redevelopment Fee)	\$380	\$380	\$420	\$420	\$420		\$420	
1. Volleyball (No Field Redevelopment Fee Included)	\$190	\$190	\$210	\$210	\$210		\$420	\$210
2. Softball (Includes \$95/Team Field Redevelopment Fee)								
Play-Off League: Spring and Summer/Fall*	\$355	\$355	\$390	\$390	\$390		\$780	\$390
Fast Pitch: Spring and Summer/Fall*	\$395	\$395	\$435	\$435	\$435		Discontinue	
3. Kick Ball	N/A	N/A	\$375	\$375	\$375		\$790	\$395
4. Outside League Field Redevelopment Fee Per Team	\$75	\$75	\$145	\$95	\$145	\$95	\$145	\$95
5. Outside League Per Game Contract Fee	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
6. Adult Sports Transfer / Cancellation Fee	\$10	\$10	\$10		\$10		\$20	
7. Late Registration Fee Adult Sports / Youth Sports							\$20 / \$10	

CONFERENCE CENTER	2008	2009	2010	2011	2012
1. Commercial Rental Rates (Companies or Businesses)					
Room 101:					
Monday - Thursday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$80
8 am - 5 pm	\$65	\$65	\$75	\$75	\$100
6 pm - Close	\$70	\$70	\$80	\$80	\$85
Friday: 8 am — Close Flat Rate	\$75	\$75	\$85	\$85	See Below
4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$100
8 am - 5 pm	n/a	n/a	n/a	n/a	\$115
6 pm - Close	n/a	n/a	n/a	n/a	\$110
Saturday: 8 am — Close Flat Rate	\$150	\$150	\$165	\$165	See Below
4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$180
8 am - 5 pm	n/a	n/a	n/a	n/a	\$200
6 pm - Close	n/a	n/a	n/a	n/a	\$190
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee, plus the regular rate. Refer to #5 Additional Fees.					
Sunday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$135
8 am - 5 pm	\$65	\$65	\$75	\$75	\$175
6 pm - Close	\$70	\$70	\$80	\$80	\$155
Room 102*, 103, 104, 106*					
Monday - Saturday: 4 Consecutive Hours or Less	\$45	\$45	\$50	\$50	\$60
8 am - 5 pm	\$55	\$55	\$60	\$60	\$90
6 pm - Close	\$60	\$60	\$65	\$65	\$65
Sunday charge is included in 2012 rate whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees..					
Sunday: 4 Consecutive Hours or Less	\$45	\$45	\$50	\$50	\$125
8 am - 5 pm	\$55	\$55	\$60	\$60	\$160
6 pm - Close	\$60	\$60	\$65	\$65	\$140
Room 105:					
Monday - Saturday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$80
8 am - 5 pm	\$65	\$65	\$75	\$75	\$100
6 pm - Close	\$70	\$70	\$80	\$80	\$85

CONFERENCE CENTER, Continued		2008	2009	2010	2011	2012
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to #5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$135
	8 am - 5 pm	\$65	\$65	\$75	\$75	\$175
	6 pm - Close	\$70	\$70	\$80	\$80	\$155
Room 127:						
Monday - Thursday:	4 Consecutive Hours or Less	\$125	\$125	\$140	\$140	\$140
	8 am - 5 pm	\$165	\$165	\$180	\$180	\$180
	6 pm - Close	\$175	\$175	\$190	\$190	\$190
Friday Flat Rate:	8 am - Close	\$225	\$225	\$250	\$250	\$400
Saturday Flat Rate:	8 am - Close	\$450	\$450	\$500	\$500	\$600
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to #5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$125	\$125	\$140	\$140	\$215
	8 am - 5 pm	\$165	\$165	\$180	\$180	\$280
	6 pm - Close	\$175	\$175	\$190	\$190	\$265
2. Non-Commercial Rental Rates (Individuals or groups / not companies or businesses.)						
Room 101:						
Monday - Thursday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$65
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$90
	6 pm - Close	\$35	\$35	\$40	\$40	\$70
Friday :	8 am - Close Flat Rate	\$75	\$75	\$85	\$85	See Below
	4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$85
	8 am - 5 pm	n/a	n/a	n/a	n/a	\$100
	6 pm - Close	n/a	n/a	n/a	n/a	\$90
Saturday :	8 am - Close Flat Rate	\$150	\$150	\$165	\$165	See Below
	4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$165
	8 am - 5 pm	n/a	n/a	n/a	n/a	\$180
	6 pm - Close	n/a	n/a	n/a	n/a	\$170
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$115
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$150
	6 pm - Close	\$35	\$35	\$40	\$40	\$120
Room 102*, 103, 104, 106*						
Monday - Saturday:	4 Consecutive Hours or Less	\$20	\$20	\$25	\$25	\$50
	8 am - 5 pm	\$35	\$35	\$40	\$40	\$80
	6 pm - Close	\$30	\$30	\$35	\$35	\$55
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to #5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$20	\$20	\$25	\$25	\$100
	8 am - 5 pm	\$35	\$35	\$40	\$40	\$140
	6 pm - Close	\$30	\$30	\$35	\$35	\$110
Room 105:						
Monday - Saturday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$65
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$90
	6 pm - Close	\$35	\$35	\$40	\$40	\$70
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$115
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$150
	6 pm - Close	\$35	\$35	\$40	\$40	\$120

CONFERENCE CENTER, Continued	2008	2009	2010	2011	2012
Room 127:					
Monday - Thursday: 4 Consecutive Hours or Less	\$60	\$60	\$65	\$65	\$80
8 am - 5 pm	\$110	\$110	\$125	\$125	\$140
6 pm - Close	\$80	\$80	\$90	\$90	\$120
Friday Flat Rate: 8 am - Close	\$225	\$225	\$250	\$250	\$400
Saturday Flat Rate: 8 am - Close	\$450	\$450	\$495	\$495	\$600
Sunday charge is included in 2012 rate whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.					
Sunday: 4 Consecutive Hours or Less	\$60	\$60	\$65	\$65	\$150
8 am - 5 pm	\$110	\$110	\$125	\$125	\$225
6 pm - Close	\$80	\$80	\$90	\$90	\$165
3. Room Rental Deposits (For all Groups) *					
Deposit for Room 127	\$100	\$100	\$110	\$110	\$150
Deposit for Room 101 & 105			\$55	\$55	\$75
Deposit for 102,103,104 & 106			\$55	\$55	\$55
4. Kitchen Rental	\$20	\$20	\$40	\$40	\$40
Kitchen Deposit			\$55	\$55	\$55
5. Additional Fees					
Weekdays: For time between 5:00 – 6:00 p.m., this time is based on availability, plus this extra fee. The fee is waived if reservation is from 8 a.m. to close. No extra fee on Room 101 or 127 with flat rate.	\$25	\$25	\$30	\$30	\$30
Sunday: This fee is added to commercial / non-commercial rates					
1-5 Consecutive Hours	\$60	\$60	\$65	\$65	Charge included in rate
1-5 Hours Split, or over 5 Consecutive Hours	\$85	\$85	\$90	\$90	Charge included in rate
6. Alcohol Deposit	\$50	\$50	\$55	\$55	Delete deposit
6.. Alcohol Permit	N/A	N/A	N/A	\$55	\$55
7. Catering Deposit	\$50	\$50	\$55	\$55	\$55
8. Patio Based on Availability (2)			\$25 Each	\$25 Each	\$25
Patio with Rental of Room 102 or 106			No Charge	No Charge	No Charge
9. Audio/Visual Equipment					
Amplifier (2)			\$20 Each	\$20 Each	\$20 Each
Speakers (3)			\$10 Each	\$10 Each	\$10 Each
Microphone, Wireless Handheld (1)			\$30 Each	\$30 Each	\$30 Each
Microphone, Wireless Clip-on (3)			\$30 Each	\$30 Each	\$30 Each
Microphone on Stand (3)			\$20 Each	\$20 Each	\$20 Each
Microphone on Tabletop (6)			\$20 Each	\$20 Each	\$20 Each
(ALL MICROPHONES REQUIRE AN AMPLIFIER)					
Multi-media Projector (1)			\$100 Each	\$100 Each	\$100 Each
Multi-media Projector Deposit – Delete	\$50	\$50	\$55 Each	\$55 Each	Discontinue
Portable CD Player (1)			\$10 Each	\$10 Each	\$10 Each
Television, 32" with DVD/VCR (2)			\$25 Each	\$25 Each	\$25 Each
Television, 27" with DVD/VCR (1)			\$25 Each	\$25 Each	\$25 Each
10. Podiums					
Upright with Microphone (3)			\$15 Each	\$15 Each	\$15 Each
Upright without a Microphone (1)			\$5 Each	\$5 Each	\$5 Each
11. Reception/Party Items					
Candles 6" x 3 1/2", with Holder (50)			\$1 Each	\$1 Each	\$1 Each
Dance Floor Panels, 3' x 3' Panel (50) Delete			\$2 Each	\$2 Each	Discontinue
Lattice Screens – White, Folding 8' x 6' (4)			\$10 Each	\$10 Each	\$10 Each
Wedding Arch, White, Metal (1)			\$15 Each	\$15 Each	\$15 Each
Wedding Arbor Trellis, White Wooden (1)			\$25 Each	\$25 Each	\$25 Each
Mirror Ball (Available in Room 127 Only)			\$10 Each	\$10 Each	Included w/ Room
Piano (1)			\$20 Each	\$20 Each	\$20 Each

CONFERENCE CENTER, Continued		2008	2009	2010	2011	2012
12. Kitchen Items						
Ice Machine (Per 20 Pounds)				\$2.50 Each	\$2.50 Each	\$2.50 Each
Coffee Maker: 30-Cup (2); 60-Cup (3); 100-Cup (2) Delete charge - will only offer coffee service				\$5-Each	\$5-Each	Discontinue
13. Meeting/Conference Equipment						
Flip Chart without Paper (3)				\$5 Each	\$5 Each	\$5 Each
Flip Chart with Paper (3)				\$10 Each	\$10 Each	\$20 Each
Silk Plants (15)				\$40 Each	\$40 Each	\$40 Each
Stage Extenders 4' x 7', One-step 3' x 1' (2)				\$15 Each	\$15 Each	\$15 Each
14. Other Services:						
Copies (Per Copy) Maximum 100 Per Day **		\$.10*	\$.10*	\$.10*	\$.10*	\$.10*
Faxes ~ Local (Per Page)		\$1	\$1	\$1	\$1	\$1
Long Distance (First Page / Each Additional Page)		\$2 / \$1	\$2 / \$1	\$2 / \$1	\$2 / \$1	\$2 / \$1
Trip Charge (For Food)		\$5	\$10	\$20	\$20	\$20
Coffee or Tea Service (Per Cup) Includes Coffee Pot, Coffee, 8 oz. Cups , Cream, Sweeteners and Napkins (10 Cup Minimum and in 10 cup increments)		.50 cents	.50 cents	.50 cents/Cup	.50 cents/Cup	.65 cents/Cup
Donuts and/or Cold Drinks		Market Price + Trip Charge				
Room or Date Transfer / Cancellation Fee Per Change *		\$10	\$10	\$10	\$10	\$10
Set-up Changes Less than 12 Hours Prior to the Event				\$10	\$10	\$20
Open Early Before 7:00 a.m., Monday through Friday or before 8:00 am, Saturday & Sunday				\$75	\$75	\$75
Late Closing 11:00 p.m. – 12:00 a.m., Sunday - Thursday				\$75	\$75	\$75
Late Closing 1:00 a.m. – 3:00 a.m., Friday - Saturday				\$75 / Hour	\$75 / Hour	\$75 / Hour
Custodial Service Arranged in Advance, One Hour Min.				\$15 / Hour	\$15 / Hour	\$40/Hour
Unarranged Custodial Clean-up				\$30 / Hour	\$30 / Hour	\$75/Hour
Use of Wi-Fi Internet Connection Service – Room 101 and 127 105 (replace with room 101)				\$25	\$25	No Charge
ANY Unstipulated Occupancy Time Per Contract Agreement for Early Arrival or Late Departure				\$90 / Hour	\$90 / Hour	\$90 / Hour
~ Deposits are refundable upon compliance with all rules, regulations, and clean-up requirements by client and caterer.						
* Deposits are refunded less the cancellation fee of \$10 (half of the deposit), if the reservation is cancelled sixty (60) days prior to the event.						
** Per Section 111.61 of the Texas Administrative Code.						

INSTRUCTION FEES PER PERSON	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Swim Lessons								
45-Minute Lesson	\$45	\$45	\$70	\$45	\$70	\$45	\$90	\$45
25-Minute Lesson*	\$35	\$40	\$60	\$40	\$60	\$40	\$80	\$40
2. Stroke Clinic								
	\$45	\$45	\$75	\$50	\$75	\$50	\$100	\$50
3. Water Fitness Pass								
Morning Pass – Fall, Spring, Summer	\$80	\$80	\$120	\$80	\$120	\$80	\$160	\$80
Night Pass – Fall, Spring, Summer	\$60	\$60	\$90	\$60	\$90	\$60	\$120	\$60
Morning Pass – Winter	\$60	\$60	\$90	\$60	\$90	\$60	\$120	\$60
Night Pass – Winter	\$45	\$45	\$70	\$45	\$70	\$45	\$90	\$45
4. Instruction Transfer / Cancellation Fee								
	\$10	\$10	\$10		\$10		\$20	
5. USTA Tennis League								
	\$90	\$90	\$150	\$100	\$150	\$100	\$200	\$100
6. Tennis Lessons								
	\$65	\$65	\$105	\$70	\$105	\$70	\$140	\$70
* Children ages 5 and under attend only a 25-minute lesson. All other lessons are 45 minutes in length.								

LINCOLN CENTER	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. School Year Membership Pass: Includes Boys and Girls Club Membership								
Youth (17 & Under)	\$20	\$20	\$30	\$20	\$30	\$20	\$60	\$30
Low Income Eligible	\$10	\$10	\$15	\$10	\$15	\$10	\$40	\$20
2. Summer Membership Pass	\$100/\$50	\$100/\$50	\$100	\$50	\$100	\$50	\$100	\$50
3. Late Pick-up Fee:								
1st Fifteen Minutes	\$5	\$5	\$5	\$5	\$5	\$5	\$10	\$5
Each Additional Minute Thereafter	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$2.00	\$1.00
4. Membership Pass								
Adult (18 & Over) Annual (12 Month)	\$40	\$40	\$70	\$45	\$70	\$45	\$150	\$75
5. Non-Member Guest Pass Per Day (Youth or Adult)								
(Youth or Adult)	\$2	\$2	\$3	\$2	\$3	\$2	\$4	\$2
6. Gym Deposit Per Day (8 hour block)								
Half Court Rental Per Hour (4 hour max)	\$25	\$25	\$45	\$30	\$45	\$30	\$80	\$40
Full Court Rental Per Hour (4 hour max)	\$35	\$35	\$60	\$40	\$60	\$40	\$100	\$50
Gym Event (Per Chair)	\$.35	\$.35	\$.35	\$.35	\$.35	\$.35	\$1.00	\$.50
All Day Usage (More than 4 hours)	\$225	\$225	\$375	\$250	\$375	\$250	\$550	\$275
Concession Usage	\$20	\$20	\$30	\$20	\$30	\$20	\$60	\$20
7. Game Room / Multi-purpose Room Rental Per Hour (4 hour minimum)								
Deposit	\$20/Hour	\$20/Hour	\$40/hour	\$25/hour	\$40/hour	\$25/hour	\$60/hour	\$30/hour
8. Community Room Rental Per Hour (3 hour maximum)								
Deposit	\$75	\$75	\$115	\$75	\$115	\$75	\$200	\$100
Kitchen Fee	\$25/Hour	\$25/Hour	\$45	\$30	\$45	\$30	\$80	\$40
Special Event Fee (Funerals, weddings, parties)	\$100	\$100	\$150	\$100	\$150	\$100	\$300	\$150
Kitchen Fee	\$20	\$20	\$40	\$25	\$40	\$25	\$50	\$25
9. Miscellaneous Charges:								
Copies (Per Copy) *	\$250	\$250	\$415	\$275	\$415	\$275	\$600	\$300
Faxes ~ Local (Per Page)	\$20	\$20	\$40	\$25	\$40	\$25	\$50	\$25
Faxes ~ Long Distance (Per Page)	\$2 First Pg, \$1 Ea. Addt'l Pg.	\$2 First Pg, \$1 Ea. Addt'l Pg.	\$2 First Pg, \$1 Ea. Addt'l Page					
11. Gym or Room Transfer / Cancellation Fee	N/A	N/A	\$10.00		\$10.00		\$20	

~ All rooms are subject to an after-hour charge of \$20 per hour. The after-hour charge is based on any request to use facilities beyond the Center's normal operating hours.
~ Special Event fee includes the rental of the gym, Community Room, sound system, and 450 chairs.
* Per Section 111.61 of the Texas Administrative Code.

PERMITS & COMMISSIONS	2008	2009	2010	2011	2012
1. Vendor Permit	\$50	\$50	\$50	\$50	\$50
2. Alcohol Permit (Required when alcohol is served at Lincoln Center, Southwood Center, Conference Center, and Veterans Park rentals.)	N/A	N/A	N/A	\$55	\$55
3. Commissions: (Gross Sales minus Sales Tax)					
Food & Drinks	N/A	10 - 15 %	10 - 15 %	10 - 15 %	10 - 15 %
Other Goods	N/A	10 - 15 %	10 - 15 %	10 - 15 %	10 - 15 %
Alcoholic Beverages	N/A	20 - 25 %	20 - 25 %	20 - 25 %	20 - 25 %

RACE EQUIPMENT RENTALS	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Printing Stop Watch / Non-printing Stop Watch	\$10 / \$5	\$10 / \$5	\$15	\$10	\$15	\$10	\$30	\$15
2. Cones (10)	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
3. Bases, Poles, and Flagging (10)	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
4. Big Time Clock	\$50	\$50	\$90	\$60	\$90	\$60	\$150	\$75
5. Water Cooler / Ice Chest	\$5 / \$5	\$5 / \$5	\$10 / \$10	\$5 / \$5	\$10 / \$10	\$5 / \$5	\$10	\$5
6. Tables	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
7. Traffic Flags and Vests (10)	\$5	\$5	\$10	\$5	\$10	\$5	\$20	\$10
8. Rental Package #1: Big time clock, 1 printing stopwatch, 10 cones, 10 bases/poles and flagging, 2 water coolers, 2 tables, 10 traffic flags and vests.	\$75	\$75	\$130	\$85	\$130	\$85	\$200	\$100
9. Rental Package #2: Big time clock, 2 printing stopwatches, 30 cones, 20 bases/poles and flagging, 6 water coolers, 4 tables, 15 traffic flags and vests.	\$100	\$100	\$150	\$100	\$150	\$100	\$250	\$125
10. Rental Package #3: Big time clock, 4 printing stopwatches, 60 cones, 30 bases/poles and flagging, 12 water coolers, 6 tables, 20 traffic flags and vests.	\$125	\$125	\$190	\$125	\$190	\$125	\$300	\$150
11. Deposit for Any Package							\$200	

SOUTHWOOD CENTER FACILITY RENTALS	2008	2009	2010	2011	2012	
					Regular Rate	Discount Rate
1. Meeting Room Rental, Per Hour	\$15	\$15	\$20	\$25	\$50	\$25
Deposit	\$50	\$50	\$50	\$50	\$100	\$50
2. Dance/Game Room Rental, Per Hour	\$25	\$25	\$30	\$35	\$60	\$30
Deposit	\$50	\$50	\$50	\$50	\$200	\$100
3. Whole Facility Rental Per Hour (Excludes Computer Lab)	\$50	\$50	\$75	\$75	\$150	\$75
Deposit	\$75	\$75	\$75	\$75	\$150	\$75
4. Additional Attendance Fee Per Hour *	N/A	\$10	\$10	\$10	\$20	\$10
5. Room or Rental Transfer / Cancellation Fee	N/A	N/A	\$10	\$10	\$20	
6. Computer Lab Rental Per Hour				\$15	\$40	\$20
7. Alcohol Permit (Required when alcohol is served)					\$55	

* All rental rates are based on a party of 1-25 people. Additional fees are added per hour for over 25 attendees. Any rental expecting more than 100 attendees must have prior Supervisor approval.
~ Deposits are refundable if the facility is left clean and damage-free.
~ Fees are assessed for special events and field trips.

SOUTHWOOD CENTER PROGRAMS	2008	2009	2010	2011	2012	
					Regular Rate	Discount Rate
1. School Year Teen Membership Pass	\$20	\$20	\$20	\$100	\$60	\$30
2. Summer Teen Membership Pass					\$100	\$50
3. Non-Member Guest Pass Per Day Teen or Senior	\$2	\$2	\$2	\$2	\$4	\$2
4. Teen Monthly Fee				\$40	Discontinue	Discontinue
5. Late Pick-up Fee:						
1 st Fifteen Minutes					\$10	\$5
Each Additional Minute Thereafter					\$2.00	\$1.00
6. Senior Annual Membership Pass				\$20	\$40	\$20

SWIMMING POOL ADMISSION	2008	2009	2010	2011	2012
1. General Admission Per Person (Ages 3 and up)					
Hallaran/Thomas	\$2.50	\$2.50	\$3	\$3	\$3
Natorium	\$2	\$2	\$3	\$3	\$3
Adamson	\$5	\$5	\$6	\$6	\$6
2. Discount Pass – 25 Swims					
Hallaran/Thomas	\$50	\$50	\$60	\$60	\$60
Natorium	\$40	\$40	\$60	\$60	\$60
*Adamson	\$85	\$85	\$100	\$100	\$100
3. Family Season Pass (Up to Five Family Members)					
Fee for Additional Members in Excess of Five	N/A	N/A	\$25 Per Person	\$25 Per Person	\$25 Per Person
Hallaran/Thomas Pass or Natatorium Pass	\$125/\$125	\$125/\$125	\$150	\$150	\$150
*Adamson	\$200	\$200	\$250	\$250	\$250
4. Individual Season Pass					
Hallaran/Thomas	\$60	\$60	\$75	\$75	\$75
*Adamson	\$80	\$80	\$125	\$125	\$125
5. Babysitter Season Pass					
Hallaran/Thomas	\$30	\$40	\$45	\$45	Discontinue
*Adamson	\$40	\$50	\$55	\$55	Discontinue
6. Special Day Care Fee @ Adamson, Per Child	\$2.75	\$2.75	\$3	\$3	\$3

SWIMMING POOL RENTALS & OTHER FEES	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Pool Rentals (2 Hour Period. Limited weekend availability.)								
Thomas/Hallaran: 25 people or fewer	\$100	\$125	\$225	\$150	\$225	\$150	\$300	\$150
50 people or fewer	\$125	\$150	\$265	\$175	\$265	\$175	\$350	\$175
51-76 people	\$175	\$225	\$375	\$250	\$375	\$250	\$500	\$250
77-102 people	\$225	\$300	\$490	\$325	\$490	\$325	\$650	\$325
Each hour after initial 2 hours	\$75	\$100	\$190	\$125	\$190	\$125	\$250	\$125
Natorium: 25 people or fewer	\$400	\$400	\$490	\$125	\$490	\$125	Discontinue	Discontinue
50 people or fewer	\$425	\$425	\$225	\$150	\$225	\$150	Discontinue	Discontinue
51-76 people	\$175	\$175	\$300	\$200	\$300	\$200	Discontinue	Discontinue
77-102 people	\$225	\$225	\$375	\$250	\$375	\$250	Discontinue	Discontinue
Each hour after initial 2 hours	\$75	\$100	\$190	\$125	\$190	\$125	Discontinue	Discontinue
Adamson: 99 people or fewer	\$275	\$300	\$490	\$325	\$490	\$325	\$650	\$325
199 or fewer	\$325	\$350	\$565	\$375	\$565	\$375	\$750	\$375
299 or fewer	\$425	\$425	\$675	\$450	\$675	\$450	\$900	\$450
300+	\$525	\$600	\$900	\$600	\$900	\$600	\$1,200	\$600
Each hour after initial 2 hours	\$125	\$150	\$225	\$150	\$225	\$150	\$300	\$150
2. Adamson Baby Pool Rental - (2 Hour Period)	N/A	\$130	\$85		\$85		\$85	
3. Pool Parties Per Person – (2 Hour Period)								
General Party: Southwood / Thomas	\$5.00	\$5.50	\$5.50		\$5.50		Discontinue	
Adamson Lagoon	\$7.00	\$7.50	\$7.50		\$7.50		Discontinue	
Theme Party – Eight (8) Person Minimum:								
Southwood / Thomas	\$6.00	\$6.50	\$6.50		\$6.50		\$8	
Adamson Lagoon	\$8.00	\$8.50	\$8.50		\$8.50		\$10	
Catered General Party: Southwood / Thomas	\$6.50	\$7	\$7		\$7		Discontinue	
Adamson Lagoon	\$8.75	\$9.25	\$9.25		\$9.25		Discontinue	
Catered Theme Party: Southwood / Thomas	\$7.25	\$7.75	\$7.75		\$7.75		\$11.75	
Adamson Lagoon	\$9.50	\$10	\$10		\$10		\$14	

SWIMMING POOL RENTALS & OTHER FEES, Continued					
	2008	2009	2010	2011	2012
Pavilion Party (Four-table limit): First table	\$20	\$20	\$20	\$20	\$20
Additional tables (Max of 3)	\$10	\$10	\$10	\$10	\$15
Additional Pizza Cost, Per Pizza					\$8
4. Junior Lifeguard Program Per Person Per Session	\$70	\$75	\$75	\$75	\$75
5. Junior Lifeguard Level 2, Per Session	\$70	\$25 + Cert. Fees			
6. Other Pool Fees:					
Texas SuperGuard Competition Per Person	\$20	\$20	\$20	\$20	\$25
Swim Diaper Fee Per Diaper	\$1	\$1	\$1	\$1	\$1
Tube Rental Fee	\$1	\$1	\$1	\$1	\$2
Deposit	\$2	\$2	\$2	\$2	\$3
Locker Rental Fee	\$1	\$1	\$1	\$1	\$2
Deposit	\$2	\$2	\$2	\$2	\$3
Duck Derby (Sponsor a duck July 4th) Per Person	\$2	\$2	\$2	\$2	\$2
Itzy Bitzy Tiny Cutie Bathing Beauty & Handsome Boy Contest on July 4th, Per Person	\$3	\$3	\$3	\$3	\$3
"Schools Out Blow Out" at Adamson Lagoon CSISD Only	\$200	\$200	\$200	\$200	50% of Regular Rate
Pool Trout Fish-out Per Person (Ages 3 and up)	\$3	\$3	\$3	\$3	\$5
Over the 5-fish limit (Per fish)	\$1.50	\$1.50	\$1.50	\$1.50	\$2
7. Educational Class Rental Per Hour	\$25	\$25	\$25	\$25	\$25
8. Adamson Lagoon – (CSISD Only) Summer Day Camp Use, Per Child,	\$2	\$2	\$3	\$2	\$3
9. Natatorium Team Use Fee, Per Person, Per Season, Plus Staff Time	\$10	\$10	\$15	\$10	\$20
10. Pool Rental, Junior Lifeguard Transfer/Cancellation Fee	N/A	N/A	\$10	\$10	\$20
11. Discount Group Fee					
Southwood/Thomas Per Person					\$2.40
Adamson Lagoon					\$4
12. Lost Discount Pool Pass					\$5
13. Hydrodynamics					
25 People or Less					\$165
50 People or Less					\$250
75 People or Less					\$290
100 People or Less					\$325
14. Blinn College Fee, Per Semester					Based on Use
15. Lifeguard Training Fee, Per Person					\$150
16. CPR/First Aid Certification Fee, Per Person					\$25
17. Local Gym Fitness Swim Pass, Good Only During Lap Swim Times, Per Person					\$50

**Adamson passes are also valid at Southwood Hallaran and Thomas pools, excluding the CSISD Natatorium. All discount passes are priced for 25 swims.*

YOUTH SPORTS PER CHILD	2008	2009	2010	2011	2012
Basketball / Youth Volleyball / Flag Football * / Girl's Softball Per Child (* Includes \$10 Per Child Field Redevelopment Fee)	\$55 / \$50	\$55	\$60	\$60	\$60
2. Outside League Field Redevelopment Fee Per Child ~ All Sports	\$10	\$10	\$10	\$10	\$10
3. Youth Sports Transfer / Cancellation Fee	\$10	\$10	\$10	\$10	Combined - See #5
3. Challenger Sports (Basketball, Bowling, Soccer)	\$15	\$15	\$15	\$15	\$15
4. Swim Team (No Field Redevelopment Fee Included)	\$100 / \$90	\$100	\$110	\$110	\$110
Youth & Challenger Sports / Swim Team Transfer / Cancellation					
5. Fee Per Child	\$10	\$10	\$10	\$10	\$20

XTRA EDUCATION CLASSES	2008	2009	2010	2011	2012
<i>~ All Xtra Education class fees will be set according to the individual needs of each class.</i>				<i>Based upon 100 % Cost Recovery.</i>	
1. Class Transfer / Cancellation Fee	\$10	\$10	\$10	\$10	\$20

Fees approved by Parks and Recreation Advisory Board: August 9, 2011
Fees approved by City Council:

PARKS & RECREATION DEPARTMENT
2012 USER FEES
(General Fund)

ATHLETIC FIELDS	2008	2009	2010	2011	2012
Athletic Field Rental ~ One (1) Field, Per Day					
1. (Includes Field Redevelopment Fee of \$15)	\$100 / day	\$110 / day	\$120 / day	\$120 / day	\$150 / day
Athletic Field Rental ~ One (1) Field, Per Hour, up to 7 Hours.					
2. (Includes Field Redevelopment Fee of \$5)	\$10 / hour	\$15 / hour	\$20 / hour	\$20 / hour	\$30 / hour
3. Athletic Field Rental Deposit	Varies	Varies	Varies	Varies	Varies
4. Lights for Field Rentals (Per hour/Per field)	\$10 / hour	\$15 / hour	\$15 / hour	\$15 / hour	\$20 / hour
5. Game Field Prep Fee, Per Field	\$45 / field	\$45 / field	\$50 / field	\$50 / field	\$75 / Field
6. Bee Creek Batting Cage Rental, Per Hour	\$10 / hour	\$10 / hour	\$10 / hour	\$10 / hour	\$15 / hour
Veterans Park "Package" Day Rental – All 9 Soccer Fields					
7. and the American Pavilion	\$1,000	\$1,000	\$1,100/day	\$1,100/day	\$1,200 / day
8. Key Fee (New Annual Fee and Replacement Fee)	N/A	\$10 each	\$10 each	\$10 each	\$10 each
9. Parking Fee (Wayne Smith Complex) on TAMU Game Days	N/A	\$10	\$10 / day	\$10 / day	\$10 / day
<p>~ In addition to the rental fees, a deposit will be charged and paid by the renter in advance of any tournament. The deposit will vary depending on the type and size of the tournament.</p> <p>~ In addition to the rental and deposit fees, additional fees may be assessed to the renter depending on the length and type of tournament in order to cover expenses incurred by the City for personnel and supplies needed to facilitate the tournament.</p> <p>~ Initial game field prep and light fees are included in the daily rental fee, but not in hourly rental fees.</p>					
NOTE:					
1. The Regular Rate applies to non-resident individuals of College Station.					
2. The Regular Rate for team fees applies to teams that have less than 75% College Station resident participation on the team.					

PAVILION RENTALS PER DAY	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
Bee Creek (100); Oaks (40) / W.A. Tarrow								
1. Park (100) Pavilion								
Monday – Thursday	\$75	\$75	\$150	\$100	\$150	\$100	\$250	\$125
Friday – Sunday & Holidays	\$100	\$100	\$190	\$125	\$190	\$125	\$300	\$150
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
2. Central (200) / Southwood Pavilions (300)								
Monday – Thursday	\$125	\$125	\$225	\$150	\$225	\$150	\$400	\$200
Friday – Sunday, and Holidays	\$200	\$200	\$340	\$225	\$340	\$225	\$500	\$250
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
3. John Crompton Park Pavilion (80)								
Monday – Thursday	\$100	\$100	\$190	\$125	\$190	\$125	\$300	\$150
Friday – Sunday, and Holidays	\$150	\$150	\$265	\$175	\$265	\$175	\$400	\$200
Deposit	\$150	\$150	\$300	\$200	\$300	\$200	\$200	\$200
4. American Pavilion in Veterans Park (500)								
Monday – Thursday	\$200	\$200	\$375	\$250	\$375	\$250	\$600	\$300
Friday – Sunday, and Holidays	\$300	\$300	\$525	\$350	\$525	\$350	\$700	\$350
Deposit	\$300	\$300	\$600	\$400	\$600	\$400	\$400	\$400
5. Pavilion Transfer / Cancellation Fee Per Change	\$10	\$10	\$10		\$10		\$20	
6. Dog Park Rentals – (Steeplechase Park and University Park) Per day	N/A	\$110	\$225	\$150	\$225	\$150	\$300	\$150

PAVILION RENTALS PER DAY	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
<p>~ Deposits are refundable if the facility is left clean, damage-free, and the keys are returned.</p> <p>~ Deposits are refundable, less the \$10 cancellation fee if reservation is cancelled no later than seven (7) days prior to rental date.</p> <p>~ () – The parenthesis by each pavilion shows the limit of occupants that the pavilion can facilitate.</p>								

WOLF PEN CREEK AMPHITHEATER	2008		2009		2010		2011		2012	
	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun	Mon-Thur	Fri-Sun
1. Amphitheater Rentals Per Day:										
Private Rental	\$300	\$400	\$300	\$400	\$300	\$400	\$300	\$400	\$500	\$600
Non Commercial ~ Benefit Rental	\$600	\$700	\$600	\$700	\$600	\$700	\$600	\$700	\$750	\$900
Professional/Commercial Rentals	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,100	\$1,000	\$1,200
2. Green Room Meetings Four Hours or Less										
Non Commercial	\$75	\$100	\$75	\$100	\$75	\$100	\$75	\$100	\$80	\$110
Commercial	\$100	\$150	\$100	\$150	\$100	\$150	\$100	\$150	\$110	\$175
3. Green Room Meetings Up to Twelve Hours										
Non Commercial	\$200	\$250	\$200	\$250	\$200	\$250	\$200	\$250	\$220	\$275
Commercial	\$250	\$300	\$250	\$300	\$250	\$300	\$250	\$300	\$275	\$325
4. Green Room Social Events ~ Four Hrs or Less										
Non Commercial	\$100	\$125	\$100	\$125	\$100	\$125	\$100	\$125	\$110	\$140
Commercial	\$125	\$175	\$125	\$175	\$125	\$175	\$125	\$175	\$150	\$200
5. Green Room Social Events ~ Up to Twelve Hrs.										
Non Commercial	\$250	\$300	\$250	\$300	\$250	\$300	\$250	\$300	\$275	\$325
Commercial	\$300	\$350	\$300	\$350	\$300	\$350	\$300	\$350	\$325	\$375
6. Deposit - Amphitheater or Green Room Rentals	Varies \$200-\$600									
7. The Plaza at Wolf Pen Creek										
Rental (Includes Pavilion and Restrooms)	\$100	\$150	\$100	\$150	\$100	\$150	\$100	\$150	\$110	\$160
Deposit (Security, Damage, Clean-up)	\$100		\$100		\$100		\$100		\$200	
8. Other Non-typical Events	Rate based on event									
9. Discounts for Three or More Dates Reserved	15%		15%		15%		15%		15%	
10. Alcohol Surcharge for any Function	\$50		\$50		\$50		\$50		\$50	
<p>~ A percentage of ticketing and fees for service personnel and vending charges will be added accordingly for amphitheater rentals.</p> <p>~ A percentage of the gate will be negotiated for commercial events.</p> <p>~ Non Commercial is defined as: Non-profit, student, civic or private.</p> <p>~ Security deposits are based upon participants/attendees.</p>										

Fees approved by Parks and Recreation Advisory Board: August 9, 2011

Fees approved by City Council:

CEMETERY FEES		2008	2009	2010	2011	2012
1. College Station Cemetery:	Standard Space	\$600	\$950	\$1,125	\$1,125	\$1,125
	Cremate Space	\$250	\$300	\$350	\$350	\$350
	Infant Space	\$100	\$150	\$175	\$175	\$175
2. Memorial Cemetery of College Station:						
Municipal Section:	Standard Space	\$950	\$950	\$1,125	\$1,125	\$1,125
" " "	Columbaria Niche	\$600	\$600	\$690	\$690	\$690
" " "	Infant Space	\$150	\$150	\$175	\$175	\$175
Aggie Field of Honor:	Standard Space	\$1,950	\$2,000	\$2,350	\$2,350	\$2,350
" " "	Columbaria Niche	\$1,200	\$1,200	\$1,380	\$1,380	\$1,380

Cemetery Fees approved by Cemetery Advisory Committee at June 7, 2011 Meeting.

Cemetery Fees approved by City Council:

PARKS & RECREATION DEPARTMENT 2012 REC FUND FEES

ADULT SPORTS PER TEAM	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Volleyball (No Field Redevelopment Fee Included)	\$190	\$190	\$210	\$210	\$210		\$420	\$210
2. Softball (Includes \$95/Team Field Redevelopment Fee)								
Play-Off League: Spring and Summer/Fall*	\$355	\$355	\$390	\$390	\$390		\$780	\$390
3. Kick Ball	N/A	N/A	\$375	\$375	\$375		\$790	\$395
4. Outside League Field Redevelopment Fee Per Team	\$75	\$75	\$145	\$95	\$145	\$95	\$145	\$95
5. Outside League Per Game Contract Fee	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
6. Adult Sports Transfer / Cancellation Fee	\$10	\$10	\$10		\$10		\$20	
7. Late Registration Fee Adult Sports / Youth Sports							\$20 / \$10	

CONFERENCE CENTER	2008	2009	2010	2011	2012
1. Commercial Rental Rates (Companies or Businesses)					
Room 101:					
Monday - Thursday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$80
8 am - 5 pm	\$65	\$65	\$75	\$75	\$100
6 pm - Close	\$70	\$70	\$80	\$80	\$85
Friday: 4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$100
8 am - 5 pm	n/a	n/a	n/a	n/a	\$115
6 pm - Close	n/a	n/a	n/a	n/a	\$110
Saturday: 4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$180
8 am - 5 pm	n/a	n/a	n/a	n/a	\$200
6 pm - Close	n/a	n/a	n/a	n/a	\$190
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee, plus the regular rate. Refer to #5 Additional Fees.					
Sunday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$135
8 am - 5 pm	\$65	\$65	\$75	\$75	\$175
6 pm - Close	\$70	\$70	\$80	\$80	\$155
Room 102*, 103, 104, 106*					
Monday - Saturday: 4 Consecutive Hours or Less	\$45	\$45	\$50	\$50	\$60
8 am - 5 pm	\$55	\$55	\$60	\$60	\$90
6 pm - Close	\$60	\$60	\$65	\$65	\$65
Sunday charge is included in 2012 rate whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.					
Sunday: 4 Consecutive Hours or Less	\$45	\$45	\$50	\$50	\$125
8 am - 5 pm	\$55	\$55	\$60	\$60	\$160
6 pm - Close	\$60	\$60	\$65	\$65	\$140
Room 105:					
Monday - Saturday: 4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$80
8 am - 5 pm	\$65	\$65	\$75	\$75	\$100
6 pm - Close	\$70	\$70	\$80	\$80	\$85
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to #5 Additional Fees.					

CONFERENCE CENTER, Continued		2008	2009	2010	2011	2012
Sunday:	4 Consecutive Hours or Less	\$55	\$55	\$60	\$60	\$135
	8 am - 5 pm	\$65	\$65	\$75	\$75	\$175
	6 pm - Close	\$70	\$70	\$80	\$80	\$155
Room 127:						
Monday - Thursday:	4 Consecutive Hours or Less	\$125	\$125	\$140	\$140	\$140
	8 am - 5 pm	\$165	\$165	\$180	\$180	\$180
	6 pm - Close	\$175	\$175	\$190	\$190	\$190
Friday Flat Rate:	8 am - Close	\$225	\$225	\$250	\$250	\$400
Saturday Flat Rate:	8 am - Close	\$450	\$450	\$500	\$500	\$600
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to #5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$125	\$125	\$140	\$140	\$215
	8 am - 5 pm	\$165	\$165	\$180	\$180	\$280
	6 pm - Close	\$175	\$175	\$190	\$190	\$265
2. Non-Commercial Rental Rates (Individuals or groups / not companies or businesses.)						
Room 101:						
Monday - Thursday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$65
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$90
	6 pm - Close	\$35	\$35	\$40	\$40	\$70
Friday:	4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$85
	8 am - 5 pm	n/a	n/a	n/a	n/a	\$100
	6 pm - Close	n/a	n/a	n/a	n/a	\$90
Saturday:	4 Consecutive Hours or Less	n/a	n/a	n/a	n/a	\$165
	8 am - 5 pm	n/a	n/a	n/a	n/a	\$180
	6 pm - Close	n/a	n/a	n/a	n/a	\$170
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$115
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$150
	6 pm - Close	\$35	\$35	\$40	\$40	\$120
Room 102*, 103, 104, 106*						
Monday - Saturday:	4 Consecutive Hours or Less	\$20	\$20	\$25	\$25	\$50
	8 am - 5 pm	\$35	\$35	\$40	\$40	\$80
	6 pm - Close	\$30	\$30	\$35	\$35	\$55
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$20	\$20	\$25	\$25	\$100
	8 am - 5 pm	\$35	\$35	\$40	\$40	\$140
	6 pm - Close	\$30	\$30	\$35	\$35	\$110
Room 105:						
Monday - Saturday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$65
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$90
	6 pm - Close	\$35	\$35	\$40	\$40	\$70
Sunday charge is included in 2012 rate, whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						
Sunday:	4 Consecutive Hours or Less	\$25	\$25	\$30	\$30	\$115
	8 am - 5 pm	\$40	\$40	\$45	\$45	\$150
	6 pm - Close	\$35	\$35	\$40	\$40	\$120
Room 127:						
Monday - Thursday:	4 Consecutive Hours or Less	\$60	\$60	\$65	\$65	\$80
	8 am - 5 pm	\$110	\$110	\$125	\$125	\$140
	6 pm - Close	\$80	\$80	\$90	\$90	\$120
Friday Flat Rate:	8 am - Close	\$225	\$225	\$250	\$250	\$400
Saturday Flat Rate:	8 am - Close	\$450	\$450	\$495	\$495	\$600
Sunday charge is included in 2012 rate whereas in previous years it was an added fee plus the regular rate. Refer to # 5 Additional Fees.						

CONFERENCE CENTER, Continued		2008	2009	2010	2011	2012
Sunday:	4 Consecutive Hours or Less	\$60	\$60	\$65	\$65	\$150
	8 am - 5 pm	\$110	\$110	\$125	\$125	\$225
	6 pm - Close	\$80	\$80	\$90	\$90	\$165
3. Room Rental Deposits (For all Groups) *						
	Deposit for Room 127	\$100	\$100	\$110	\$110	\$150
	Deposit for Room 101 & 105			\$55	\$55	\$75
	Deposit for 102,103,104 & 106			\$55	\$55	\$55
4. Kitchen Rental						
	Kitchen Deposit	\$20	\$20	\$40	\$40	\$40
				\$55	\$55	\$55
5. Additional Fees						
<u>Weekdays:</u> For time between 5:00 – 6:00 p.m., this time is based on availability, plus this extra fee. The fee is waived if reservation is from 8 a.m. to close. No extra fee on Room 101 or 127 with flat rate.		\$25	\$25	\$30	\$30	\$30
<u>Sunday:</u> This fee is added to commercial / non-commercial rates						
	1-5 Consecutive Hours	\$60	\$60	\$65	\$65	Charge included in rate
	1-5 Hours Split, or over 5 Consecutive Hours	\$85	\$85	\$90	\$90	Charge included in rate
6.. Alcohol Permit						
		N/A	N/A	N/A	\$55	\$55
7. Catering Deposit						
		\$50	\$50	\$55	\$55	\$55
8. Patio Based on Availability (2)						
	Patio with Rental of Room 102 or 106			\$25 Each	\$25 Each	\$25
				No Charge	No Charge	No Charge
9. Audio/Visual Equipment						
	Amplifier (2)			\$20 Each	\$20 Each	\$20 Each
	Speakers (3)			\$10 Each	\$10 Each	\$10 Each
	Microphone, Wireless Handheld (1)			\$30 Each	\$30 Each	\$30 Each
	Microphone, Wireless Clip-on (3)			\$30 Each	\$30 Each	\$30 Each
	Microphone on Stand (3)			\$20 Each	\$20 Each	\$20 Each
	Microphone on Tabletop (6)			\$20 Each	\$20 Each	\$20 Each
(ALL MICROPHONES REQUIRE AN AMPLIFIER)						
	Multi-media Projector (1)			\$100 Each	\$100 Each	\$100 Each
	Portable CD Player (1)			\$10 Each	\$10 Each	\$10 Each
	Television, 32" with DVD/VCR (2)			\$25 Each	\$25 Each	\$25 Each
	Television, 27" with DVD/VCR (1)			\$25 Each	\$25 Each	\$25 Each
10. Podiums						
	Upright with Microphone (3)			\$15 Each	\$15 Each	\$15 Each
	Upright without a Microphone (1)			\$5 Each	\$5 Each	\$5 Each
11. Reception/Party Items						
	Candles 6" x 3 1/2", with Holder (50)			\$1 Each	\$1 Each	\$1 Each
	Lattice Screens – White, Folding 8' x 6' (4)			\$10 Each	\$10 Each	\$10 Each
	Wedding Arch, White, Metal (1)			\$15 Each	\$15 Each	\$15 Each
	Wedding Arbor Trellis, White Wooden (1)			\$25 Each	\$25 Each	\$25 Each
	Mirror Ball (Available in Room 127 Only)			\$10 Each	\$10 Each	Included w/ Room
	Piano (1)			\$20 Each	\$20 Each	\$20 Each
12. Kitchen Items						
	Ice Machine (Per 20 Pounds)			\$2.50 Each	\$2.50 Each	\$2.50 Each
13. Meeting/Conference Equipment						
	Flip Chart without Paper (3)			\$5 Each	\$5 Each	\$5 Each
	Flip Chart with Paper (3)			\$10 Each	\$10 Each	\$20 Each
	Silk Plants (15)			\$40 Each	\$40 Each	\$40 Each
	Stage Extenders 4' x 7', One-step 3' x 1' (2)			\$15 Each	\$15 Each	\$15 Each

CONFERENCE CENTER, Continued	2008	2009	2010	2011	2012
14. Other Services:					
Copies (Per Copy) Maximum 100 Per Day **	\$.10*	\$.10*	\$.10*	\$.10*	\$.10*
Faxes ~ Local (Per Page)	\$1	\$1	\$1	\$1	\$1
Long Distance (First Page / Each Additional Page)	\$2 / \$1	\$2 / \$1	\$2 / \$1	\$2 / \$1	\$2 / \$1
Trip Charge (For Food)	\$5	\$10	\$20	\$20	\$20
Coffee (Per Cup) Includes Coffee Pot, Coffee, 8 oz. Cups, Cream, Sweeteners and Napkins (10 Cup Minimum and in 10 cup increments)	.50 cents	.50 cents	.50 cents/Cup	.50 cents/Cup	.65 cents/Cup
Donuts and/or Cold Drinks	Market Price + Trip Charge				
Room or Date Transfer / Cancellation Fee Per Change *	\$10	\$10	\$10	\$10	\$10
Set-up Changes Less than 12 Hours Prior to the Event			\$10	\$10	\$20
Open Early Before 7:00 a.m., Monday through Friday or before 8:00 am, Saturday & Sunday			\$75	\$75	\$75
Late Closing 11:00 p.m. – 12:00 a.m., Sunday - Thursday			\$75	\$75	\$75
Late Closing 1:00 a.m. – 3:00 a.m., Friday - Saturday			\$75 / Hour	\$75 / Hour	\$75 / Hour
Custodial Service Arranged in Advance, One Hour Min.			\$15 / Hour	\$15 / Hour	\$40/Hour
Unarranged Custodial Clean-up			\$30 / Hour	\$30 / Hour	\$75/Hour
Use of Wi-Fi Internet Connection Service – Room 101 and 127			\$25	\$25	No Charge
ANY Unstipulated Occupancy Time Per Contract Agreement for Early Arrival or Late Departure			\$90 / Hour	\$90 / Hour	\$90 / Hour
~ Deposits are refundable upon compliance with all rules, regulations, and clean-up requirements by client and caterer.					
* Deposits are refunded less half of the deposit, if the reservation is cancelled sixty (60) days prior to the event.					
** Per Section 111.61 of the Texas Administrative Code.					

INSTRUCTION FEES PER PERSON	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Swim Lessons								
45-Minute Lesson	\$45	\$45	\$70	\$45	\$70	\$45	\$90	\$45
25-Minute Lesson*	\$35	\$40	\$60	\$40	\$60	\$40	\$80	\$40
2. Stroke Clinic	\$45	\$45	\$75	\$50	\$75	\$50	\$100	\$50
3. Water Fitness Pass								
Morning Pass – Fall, Spring, Summer	\$80	\$80	\$120	\$80	\$120	\$80	\$160	\$80
Night Pass – Fall, Spring, Summer	\$60	\$60	\$90	\$60	\$90	\$60	\$120	\$60
Morning Pass – Winter	\$60	\$60	\$90	\$60	\$90	\$60	\$120	\$60
Night Pass – Winter	\$45	\$45	\$70	\$45	\$70	\$45	\$90	\$45
4. Instruction Transfer / Cancellation Fee	\$10	\$10	\$10		\$10		\$20	
5. USTA Tennis League	\$90	\$90	\$150	\$100	\$150	\$100	\$200	\$100
6. Tennis Lessons	\$65	\$65	\$105	\$70	\$105	\$70	\$140	\$70
* Children ages 5 and under attend only a 25-minute lesson. All other lessons are 45 minutes in length.								

LINCOLN CENTER	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. School Year Membership Pass: Includes Boys and Girls Club Membership								
Youth (17 & Under)	\$20	\$20	\$30	\$20	\$30	\$20	\$60	\$30
Low Income Eligible	\$10	\$10	\$15	\$10	\$15	\$10	\$40	\$20
2. Summer Membership Pass	\$100/\$50	\$100/\$50	\$100	\$50	\$100	\$50	\$100	\$50

LINCOLN CENTER, Continued	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
3. Late Pick-up Fee:								
1st Fifteen Minutes	\$5	\$5	\$5	\$5	\$5	\$5	\$10	\$5
Each Additional Minute Thereafter	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$2.00	\$1.00
4. Adult (18 & Over) Annual (12 Month) Membership Pass	\$40	\$40	\$70	\$45	\$70	\$45	\$150	\$75
5. Non-Member Guest Pass Per Day (Youth or Adult)	\$2	\$2	\$3	\$2	\$3	\$2	\$4	\$2
6. Gym Deposit Per Day (8 hour block)	\$250	\$250	\$375	\$250	\$375	\$250	\$550	\$275
Half Court Rental Per Hour (4 hour max)	\$25	\$25	\$45	\$30	\$45	\$30	\$80	\$40
Full Court Rental Per Hour (4 hour max)	\$35	\$35	\$60	\$40	\$60	\$40	\$100	\$50
Gym Event (Per Chair)	\$.35	\$.35	\$.35	\$.35	\$.35	\$.35	\$1.00	\$.50
All Day Usage (More than 4 hours)	\$225	\$225	\$375	\$250	\$375	\$250	\$550	\$275
Concession Usage	\$20	\$20	\$30	\$20	\$30	\$20	\$60	\$20
7. Game Room / Multi-purpose Room Rental Per Hour (4 hour minimum)	\$20/Hour	\$20/Hour	\$40/hour	\$25/hour	\$40/hour	\$25/hour	\$60/hour	\$30/hour
Deposit	\$75	\$75	\$115	\$75	\$115	\$75	\$200	\$100
8. Community Room Rental Per Hour (3 hour maximum)	\$25/Hour	\$25/Hour	\$45	\$30	\$45	\$30	\$80	\$40
Deposit	\$100	\$100	\$150	\$100	\$150	\$100	\$300	\$150
Kitchen Fee	\$20	\$20	\$40	\$25	\$40	\$25	\$50	\$25
9. Special Event Fee (Funerals, weddings, parties)	\$250	\$250	\$415	\$275	\$415	\$275	\$600	\$300
10. Miscellaneous Charges:								
Copies (Per Copy) *	\$.10*	\$.10*	\$.10 / Copy		\$.10 / Copy		\$.10 / Copy	
Faxes ~ Local (Per Page)	\$1.00	\$1.00	\$1.00 / Page		\$1.00 / Page		\$1.00 / Page	
Faxes ~ Long Distance (Per Page)	\$2 First Pg, \$1 Ea. Addt'l Pg.	\$2 First Pg, \$1 Ea. Addt'l Pg.	\$2 First Pg, \$1 Ea. Addt'l Page		\$2 First Pg, \$1 Ea. Addt'l Page		\$2 First Pg, \$1 Ea. Addt'l Page	
11. Gym or Room Transfer / Cancellation Fee	N/A	N/A	\$10.00		\$10.00		\$20	
<p>~ All rooms are subject to an after-hour charge of \$20 per hour. The after-hour charge is based on any request to use facilities beyond the Center's normal operating hours.</p> <p>~ Special Event fee includes the rental of the gym, Community Room, sound system, and 450 chairs.</p> <p>* Per Section 111.61 of the Texas Administrative Code.</p>								

PERMITS & COMMISSIONS	2008	2009	2010	2011	2012
1. Vendor Permit	\$50	\$50	\$50	\$50	\$50
2. Alcohol Permit (Required when alcohol is served at Lincoln Center, Southwood Center, Conference Center, and Veterans Park rentals.)	N/A	N/A	N/A	\$55	\$55
3. Commissions: (Gross Sales minus Sales Tax)					
Food & Drinks	N/A	10 - 15 %	10 - 15 %	10 - 15 %	10 - 15 %
Other Goods	N/A	10 - 15 %	10 - 15 %	10 - 15 %	10 - 15 %
Alcoholic Beverages	N/A	20 - 25 %	20 - 25 %	20 - 25 %	20 - 25 %

RACE EQUIPMENT RENTALS	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Printing Stop Watch / Non-printing Stop Watch	\$10 / \$5	\$10 / \$5	\$15	\$10	\$15	\$10	\$30	\$15
2. Cones (10)	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
3. Bases, Poles, and Flagging (10)	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
4. Big Time Clock	\$50	\$50	\$90	\$60	\$90	\$60	\$150	\$75
5. Water Cooler / Ice Chest	\$5 / \$5	\$5 / \$5	\$10 / \$10	\$5 / \$5	\$10 / \$10	\$5 / \$5	\$10	\$5

RACE EQUIPMENT RENTALS	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
6. Tables	\$10	\$10	\$15	\$10	\$15	\$10	\$30	\$15
7. Traffic Flags and Vests (10)	\$5	\$5	\$10	\$5	\$10	\$5	\$20	\$10
Rental Package #1: Big time clock, 1 printing stopwatch, 10 cones, 10 bases/poles and flagging, 2 water coolers, 2 tables, 10 traffic flags and vests.	\$75	\$75	\$130	\$85	\$130	\$85	\$200	\$100
Rental Package #2: Big time clock, 2 printing stopwatches, 30 cones, 20 bases/poles and flagging, 6 water coolers, 4 tables, 15 traffic flags and vests.	\$100	\$100	\$150	\$100	\$150	\$100	\$250	\$125
Rental Package #3: Big time clock, 4 printing stopwatches, 60 cones, 30 bases/poles and flagging, 12 water coolers, 6 tables, 20 traffic flags and vests.	\$125	\$125	\$190	\$125	\$190	\$125	\$300	\$150
11. Deposit for Any Package	N/A						\$200	

SOUTHWOOD CENTER FACILITY RENTALS	2008	2009	2010	2011	2012	
					Regular Rate	Discount Rate
1. Meeting Room Rental, Per Hour	\$15	\$15	\$20	\$25	\$50	\$25
Deposit	\$50	\$50	\$50	\$50	\$100	\$50
2. Dance/Game Room Rental, Per Hour	\$25	\$25	\$30	\$35	\$60	\$30
Deposit	\$50	\$50	\$50	\$50	\$200	\$100
3. Whole Facility Rental Per Hour (Excludes Computer Lab)	\$50	\$50	\$75	\$75	\$150	\$75
Deposit	\$75	\$75	\$75	\$75	\$150	\$75
4. Additional Attendance Fee Per Hour *	N/A	\$10	\$10	\$10	\$20	\$10
5. Room or Rental Transfer / Cancellation Fee	N/A	N/A	\$10	\$10	\$20	
6. Computer Lab Rental Per Hour				\$15	\$40	\$20
7. Alcohol Permit (Required when alcohol is served)					\$55	

* All rental rates are based on a party of 1-25 people. Additional fees are added per hour for over 25 attendees. Any rental expecting more than 100 attendees must have prior Supervisor approval.
~ Deposits are refundable if the facility is left clean and damage-free.
~ Fees are assessed for special events and field trips.

SOUTHWOOD CENTER PROGRAMS	2008	2009	2010	2011	2012	
					Regular Rate	Discount Rate
1. School Year Teen Membership Pass	\$20	\$20	\$20	\$100	\$60	\$30
2. Summer Teen Membership Pass					\$100	\$50
3. Non-Member Guest Pass Per Day Teen or Senior	\$2	\$2	\$2	\$2	\$4	\$2
4. Late Pick-up Fee:						
1 st Fifteen Minutes					\$10	\$5
Each Additional Minute Thereafter					\$2.00	\$1.00
5. Senior Annual Membership Pass				\$20	\$40	\$20

SWIMMING POOL ADMISSION	2008	2009	2010	2011	2012
1. General Admission Per Person (Ages 3 and up)					
Hallaran/Thomas	\$2.50	\$2.50	\$3	\$3	\$3
Natatorium	\$2	\$2	\$3	\$3	\$3
Adamson	\$5	\$5	\$6	\$6	\$6
2. Discount Pass – 25 Swims					
Hallaran/Thomas	\$50	\$50	\$60	\$60	\$60
Natatorium	\$40	\$40	\$60	\$60	\$60
*Adamson	\$85	\$85	\$100	\$100	\$100

SWIMMING POOL ADMISSION	2008	2009	2010	2011	2012
3. Family Season Pass (Up to Five Family Members)					
Fee for Additional Members in Excess of Five	N/A	N/A	\$25 Per Person	\$25 Per Person	\$25 Per Person
Hallaran/Thomas Pass or Natatorium Pass	\$125/\$125	\$125/\$125	\$150	\$150	\$150
*Adamson	\$200	\$200	\$250	\$250	\$250
4. Individual Season Pass					
Hallaran/Thomas	\$60	\$60	\$75	\$75	\$75
*Adamson	\$80	\$80	\$125	\$125	\$125
5. Special Day Care Fee @ Adamson, Per Child	\$2.75	\$2.75	\$3	\$3	\$3

SWIMMING POOL RENTALS & OTHER FEES	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
1. Pool Rentals (2 Hour Period. Limited weekend availability.)								
Thomas/Hallaran: 25 people or fewer	\$100	\$125	\$225	\$150	\$225	\$150	\$300	\$150
50 people or fewer	\$125	\$150	\$265	\$175	\$265	\$175	\$350	\$175
51-76 people	\$175	\$225	\$375	\$250	\$375	\$250	\$500	\$250
77-102 people	\$225	\$300	\$490	\$325	\$490	\$325	\$650	\$325
Each hour after initial 2 hours	\$75	\$100	\$190	\$125	\$190	\$125	\$250	\$125
Adamson: 99 people or fewer	\$275	\$300	\$490	\$325	\$490	\$325	\$650	\$325
199 or fewer	\$325	\$350	\$565	\$375	\$565	\$375	\$750	\$375
299 or fewer	\$425	\$425	\$675	\$450	\$675	\$450	\$900	\$450
300+	\$525	\$600	\$900	\$600	\$900	\$600	\$1,200	\$600
Each hour after initial 2 hours	\$125	\$150	\$225	\$150	\$225	\$150	\$300	\$150
2. Adamson Baby Pool Rental - (2 Hour Period)	N/A	\$130	\$85		\$85		\$85	
3. Pool Parties Per Person – (2 Hour Period)								
Theme Party – Eight (8) Person Minimum:								
Southwood / Thomas	\$6.00	\$6.50	\$6.50		\$6.50		\$8	
Adamson Lagoon	\$8.00	\$8.50	\$8.50		\$8.50		\$10	
Catered Theme Party: Southwood / Thomas	\$7.25	\$7.75	\$7.75		\$7.75		\$11.75	
Adamson Lagoon	\$9.50	\$10	\$10		\$10		\$14	
Pavilion Party (Four-table limit): First table	\$20	\$20	\$20		\$20		\$20	
Additional tables (Max of 3)	\$10	\$10	\$10		\$10		\$15	
Additional Pizza Cost, Per Pizza							\$8	
4. Junior Lifeguard Program Per Person Per Session	\$70	\$75	\$75		\$75		\$75	
5. Junior Lifeguard Level 2, Per Session	\$70	\$25 + Cert. Fees	\$25 + Cert. Fees		\$25 + Cert. Fees		\$25 + Cert. Fees	
6. Other Pool Fees:								
Texas SuperGuard Competition Per Person	\$20	\$20	\$20		\$20		\$25	
Swim Diaper Fee Per Diaper	\$1	\$1	\$1		\$1		\$1	
Tube Rental Fee	\$1	\$1	\$1		\$1		\$2	
Deposit	\$2	\$2	\$2		\$2		\$3	
Locker Rental Fee	\$1	\$1	\$1		\$1		\$2	
Deposit	\$2	\$2	\$2		\$2		\$3	
Duck Derby (Sponsor a duck July 4th) Per Person	\$2	\$2	\$2		\$2		\$2	
Itzy Bitzy Tiny Cutie Bathing Beauty & Handsome Boy Contest on July 4th, Per Person	\$3	\$3	\$3		\$3		\$3	
“Schools Out Blow Out” at Adamson Lagoon CSISD Only	\$200	\$200	\$200		\$200		50% of Regular Rate	
Pool Trout Fish-out Per Person (Ages 3 and up)	\$3	\$3	\$3		\$3		\$5	
Over the 5-fish limit (Per fish)	\$1.50	\$1.50	\$1.50		\$1.50		\$2	
7. Educational Class Rental Per Hour	\$25	\$25	\$25		\$25		\$25	

SWIMMING POOL RENTALS & OTHER FEES	2008	2009	2010		2011		2012	
			Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate	Regular Rate	Resident Discount Rate
8. Adamson Lagoon – (CSISD Only) Summer Day Camp Use, Per Child,	\$2	\$2	\$3	\$2	\$3	\$2	\$3	\$2
9. Natatorium Team Use Fee, Per Person, Per Season, Plus Staff Time	\$10	\$10	\$15	\$10	\$15	\$10	\$20	\$10
10. Pool Rental, Junior Lifeguard Transfer/Cancellation Fee	N/A	N/A	\$10		\$10		\$20	
11. Discount Group Fee								
Southwood/Thomas Per Person							\$2.40	
Adamson Lagoon							\$4	
12. Lost Discount Pool Pass							\$5	
13. Hydrodynamics								
25 People or Less							\$165	
50 People or Less							\$250	
75 People or Less							\$290	
100 People or Less							\$325	
14. Blinn College Fee, Per Semester							Based on Use	
15. Lifeguard Training Fee, Per Person							\$150	
16. CPR/First Aid Certification Fee, Per Person							\$25	
17. Local Gym Fitness Swim Pass, Good Only During Lap Swim Times, Per Person							\$50	

***Adamson passes are also valid at Southwood Hallaran and Thomas pools, excluding the CSISD Natatorium. All discount passes are priced for 25 swims.**

YOUTH SPORTS PER CHILD	2008	2009	2010	2011	2012
1. Basketball / Youth Volleyball / Flag Football* / Per Child (* Includes Field Redevelopment Fee)	\$55 / \$50	\$55	\$60	\$60	\$60
2. Outside League Field Redevelopment Fee Per Child ~ All Sports	\$10	\$10	\$10	\$10	\$10
3. Challenger Sports (Basketball, Bowling, Soccer)	\$15	\$15	\$15	\$15	\$15
4. Swim Team (No Field Redevelopment Fee Included)	\$100 / \$90	\$100	\$110	\$110	\$110
5. Youth Sports / Swim Team Transfer / Cancellation Fee Per Child	\$10	\$10	\$10	\$10	\$20

XTRA EDUCATION CLASSES	2008	2009	2010	2011	2012
<i>~ All Xtra Education class fees will be set according to the individual needs of each class. Based upon 100 % Cost Recovery.</i>					
1. Class Transfer / Cancellation Fee	\$10	\$10	\$10	\$10	\$20

Fees approved by Parks and Recreation Advisory Board: August 9, 2011

Fees approved by City Council:



PARKS AND RECREATION ADVISORY BOARD



REGULAR MEETING MINUTES 7:00 PM, Tuesday, August 9, 2011 The Green Room at Wolf Pen Creek ~ 1015 Colgate College Station, TX 77840

STAFF PRESENT: David Schmitz, Director; Amanda Putz, Board Secretary; Marci Rodgers, Senior Services Coordinator; David Gerling, Special Facilities Superintendent; Peter Lamont, Recreation Superintendent; Pete Vanecek, Senior Park Planner

BOARD PRESENT: Gary Erwin, Chair; Susan Fox, Billy Hart, Gerard Kyle, Jon Denton

VISITORS: Jodi Warner, 4404 Spring Branch Court, College Station, TX

- 1. Call to order and Roll Call:** The meeting was called to order with a quorum present at 7:00 p.m.
- 2. Possible action concerning requests for absences of members:** George Jessup, Shane Wendel, and Douglas Becker had submitted requests for absence. Jon Denton made a motion to approve the absence requests submitted, and Susan Fox seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
- 3. Hear visitors:** Hearing none, this item was closed.
- 4. Consideration, possible approval, and discussion of minutes from the meeting of June 14, 2011:** Billy Hart made a motion to approve the minutes as submitted, and Jon Denton seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
- 5. Consideration, possible approval, and discussion on the Senior Advisory Committee appointments:** Marci Rodgers, Senior Services Coordinator, reported on the applications that were sent in for the committee. The Senior Advisory Committee voted within themselves and suggested that Joanna Yeager be appointed as Chair, and Frank Duchmasclo be appointed as Vice Chair. Billy Hart made a motion to approve the applicants, and Jon Denton seconded the motion. The vote was called. All were in favor, and the motion passed unanimously with a vote of 5 - 0. (Douglas Becker, George Jessup, and Shane Wendel were absent)
- 6. Update on Park Maintenance Standards Quarterly Report for FY11:** David Schmitz, Director; reported on the Park Maintenance Standards Quarterly Report. This was an informational item only, and no action was required.

7. **Consideration, possible approval, and discussion concerning the new fee schedule:** David Schmitz reported on the new fee schedule. He explained that the fees were to be put forth toward the 2012 budget. Discussion followed. Jon Denton made a motion to approve the new fee schedule, and Gerard Kyle seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.

8. **Discussion and possible action concerning the Mayors Council on Physical Fitness:** Peter Lamont, Recreation Supervisor, reported on the Mayor's Council on Physical Fitness. He explained that the Council has run into the problem of not being able to have a quorum at a majority of the meetings, which would be 8 members. It was suggested that the Council become a sub-committee of the parks and recreation advisory board. The suggestion was that there be three parks and recreation advisory board members, and four to six members from the public (appointed by the Mayor) as being the structure of the committee. Mr. Lamont explained that by redoing the structure it would take another amendment of the Bylaws. Mr. Lamont summarized the proposal to the Board as a revamped structure that encompasses more energy, and to reorganize the amount of members on the Council.

Billy Hart made a motion to reorganize the Mayor's Council on Physical Fitness as a hybrid sub-committee of the parks and recreation advisory board consisting of three members from the parks and recreation advisory board, and four to six members of the public at large appointed by the Mayor, and Gerard Kyle seconded the motion. Discussion followed. The vote was called. All were in favor, and the motion passed unanimously.

9. **Discussion and possible action concerning the Parks and Recreation Advisory Board Goals for FY11:** Discussion followed. This was an informational item only, and no action was required.

10. **Report, possible action, and discussion concerning the current Capital Improvements Program:** Pete Vanecek, Senior Park Planner, reported on the Capital Improvement Project Lists. This was an informational item only, and no action was required.

- Capital Improvements and Park Land Dedication Project Lists of July and August 2011.

11. **Presentation, possible action, and discussion on future agenda items: A Board 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.**

- Next Regular Meeting ~ September 13, 2011, The Green Room at Wolf Pen Creek

12. **Adjourn:** Billy Hart made a motion to adjourn the meeting, and Jon Denton seconded the motion. The vote was called. All were in favor, and the meeting adjourned at 7:42 p.m.



**COLLEGE STATION CEMETERY ADVISORY COMMITTEE
REGULAR MEETING MINUTES
Tuesday, June 7, 2011, 11:00AM
College Station Conference Center, Room 106
1300 George Bush Drive ~ College Station, TX 77840**



MEMBERS PRESENT: Weldon Kruger, Chair; Sarah Adams, Randy Matson, Sara Mirza, Dick Birdwell

STAFF PRESENT: Ross Albrecht, Forestry/Urban Landscape Manager; Robert Hole, Cemetery Sexton; Helen Banks, Secretary

MEMBERS ABSENT: Bahman Yazdani, Shaundell Feast, Virginia Reese

1. **Call to order:** The meeting was called to order with a quorum present at 11:04 a.m.
2. **Requests for absences of members:** Virginia Reese and Bahman Yazdani sent in requests for absence. Dick Birdwell made a motion to approve the absence requests submitted, and Sarah Adams seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
3. **Presentation, possible action, and discussion on the approval of Cemetery Advisory Committee December 14, 2010 minutes:** Dick Birdwell made a motion to approve the minutes as submitted, and Randy Matson seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
4. **Administering the Oath of Office and Swearing in of new and reappointed committee members:** Hearing none, this item was closed.
5. **Presentation, possible action, and discussion on potential space price increase for Fiscal Year 2012:** Ross Albrecht presented this item to the committee. Discussion followed. Dick Birdwell made a motion to recommend to Council not to increase space prices for Fiscal Year 2012, and Sarah Adams seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
6. **Presentation, possible action, and discussion on a potential recommendation to move the committee size back to 7 members:** Ross presented this item to the committee. Discussion followed. Sarah Adams made a motion to recommend to Council to change the committee size back to 7 members, and Randy Matson seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.

7. **Presentation, possible action, and discussion on future agenda items: A Committee 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.**

- Gift giving opportunities to the College Station municipal cemetery systems.

8. **Hear visitors:** Hearing none, this item was closed.

9. **Adjourn:** Randy Matson made a motion to adjourn the meeting and Sarah Adams seconded the motion. The vote was called. All were in favor, and the meeting adjourned at 11:26 a.m.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING AND SETTING FEES FOR THE PARKS AND RECREATION DEPARTMENT'S PROGRAMS AND FACILITIES FOR CALENDAR YEAR 2012.

WHEREAS, the proposed fees for Parks and Recreation programs and facilities for Calendar Year 2012 are consistent with the adopted fiscal and budgetary policy; now, therefore,

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

PART 1: That the City Council hereby approves and adopts the Parks and Recreation Department proposed fees for programs and facilities; and

PART 2: That the fees shall take effect for programs and facilities beginning January 1, 2012.

ADOPTED this _____ day of October, 2011.

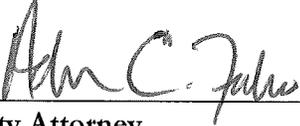
ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

October 27, 2011
City Council Regular Item No. 6
Appointment to Brazos County Appraisal District

To: David Neeley, City Manager

From: Sherry Mashburn, City Secretary

Agenda Caption: Presentation, possible action and discussion regarding the appointment to the Board of Directors for the Brazos County Appraisal District.

Background & Summary: As of December 31, 2011 the terms of the board of directors of the appraisal district expire, and notification of the City's appointment must be given to the Appraisal District by November 15, 2011. This appointment will be for a two-year term beginning on January 1, 2012. The current representative for College Station is Ronald Kaiser. Mr. Kaiser has been contacted, and he has expressed his willingness to continue.

Budget & Financial Summary: There is no fiscal impact.

Attachments:

- Letter from Brazos County Appraisal District, dated August 22, 2011

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



Mark W. Price
Chief Appraiser

August 22, 2011

Mr. David Neeley
City Manager
City of College Station
P O Box 9960
College Station, TX 77842

Re: Appraisal District Board of Directors Membership

Dear Mr. Neeley:

As of December 31, 2011, the terms of the board of directors of the appraisal district expire. The procedures for appointing board members were established by majority resolution in 2001. It is time for your jurisdiction to appoint its member or members to the Board of Directors of the Brazos County Appraisal District for a two year term beginning on January 1, 2012.

In accordance to those resolutions, the board of directors is composed of seven members. Members are to be appointed by each jurisdiction based on the following schedule:

Brazos County:	One member
Bryan ISD:	Two members
College Station ISD:	Two members
City of Bryan:	One member
City of College Station:	One member

Current board members are:

Lonnie Jones & William Lero – representing Bryan ISD
Ken Medders, Jr. – representing Brazos County
J. Stephen Arden & John Flynn – representing College Station ISD
James C. Smith – representing the City of Bryan
Ronald Kaiser – representing the City of College Station
Kristeen Roe – automatic non-voting membership as County Tax Assessor/Collector

Please take appropriate action to place this item on an upcoming agenda, as notification of your appointment for the 2012-2013 term must be made to the appraisal district by November 15, 2011.

If you have any questions or need additional information, please give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Mark W. Price".

Mark W. Price
Chief Appraiser
U:\BOD\Voting\New membership.doc

October 27, 2011
City Council Regular Item No. 7
Board Appointment

To: David Neeley, City Manager

From: Sherry Mashburn, City Secretary

Agenda Caption: Presentation, possible action, and discussion on appointments to the Brazos Valley Animal Shelter Board.

Background & Summary: At the October 13, 2011 Council Workshop, Councilmember Mooney requested this item regarding the changes occurring within the Brazos Animal Shelter, specifically, a review of board appointees.

Attachments:

- Bylaws

Brazos Animal Shelter, Inc.
Bylaws

ARTICLE I – Title

Section 1.01. The name of the non-profit Corporation governed by these Bylaws is the Brazos Animal Shelter, Inc.

ARTICLE II – Legal Status

Section 2.01. The Corporation is organized under the Texas Non-Profit Corporation Act and other applicable Texas and Federal laws.

ARTICLE III – Purpose

Section 3.01. The purpose of the Corporation shall be to promote the health, safety, education and welfare of the citizens of the Cities of Bryan and College Station and of Brazos County, Texas, through the humane collection, care, treatment, detention and disposition of abandoned, stray, wild and diseased animals and such other exclusively charitable and education purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 as amended.

Additionally, the Corporation shall offer its service and support to the Cities of College Station and Bryan, Texas, and Brazos County, Texas, in fulfilling their obligations to collect, care for, and detain stray and abandoned animals within their jurisdiction, to provide rabies quarantine services, to administer the County licensing program, and to aid in support of litigation in animal cruelty cases.

In furtherance thereof, the Corporation may purchase or lease property and receive property by gift, devise or bequest, and invest and reinvest the same, and apply the income and principle thereof, as the Board of Directors may from time to time determine, either directly or through contributions to any charitable organization or organizations, exclusively for charitable or educational purposes.

In furtherance of its stated purposes, the Corporation shall have the general powers enumerated in Chapter 22 of the Texas Business Organization Code and all other relevant Texas statutes.

ARTICLE IV – Membership

Section 4.01. Membership. The Brazos Animal Shelter, Inc. shall have no members.

ARTICLE V – Board of Directors

Section 5.01. The Board of Directors will manage the corporate affairs of the Corporation.

Section 5.02. The Board of Directors shall consist of fifteen (15) voting members whose nomination and approval shall be conducted in the following manner:

- A. Three directors shall be appointed as follows:
 - (1) One citizen member appointed by the City Manager of the City of College Station who is not an employee, officer, or elected official of the City of College Station
 - (2) One citizen appointed by the City Manager of the City of Bryan who is not an employee, officer, or elected official of the City of Bryan
 - (3) One citizen appointed by the County Judge of Brazos County, Texas who is not an employee, officer, or elected official of Brazos County
- B. Three directors shall be appointed as follows:
 - (1) One citizen member appointed by the City Council of the City of College Station who may be an employee, officer, or elected official of the City of College Station
 - (2) One citizen appointed by the City Council of the City of Bryan who may be an employee, officer, or elected official of the City of Bryan
 - (3) One citizen appointed by the Commissioner’s Court of Brazos County, Texas who may be an employee, officer, or elected official of Brazos County
- C. Nine at-large directors shall be determined as provided below.

Section 5.03. At-Large Directors. The remaining nine directors of the Board of Directors shall serve two-year terms, with a maximum of three consecutive terms. At-large directors who have served three consecutive terms are eligible for re-election or reappointment to the Board

of Directors after they have been off the Board for at least one year. At-large directors of the Board of Directors will be appointed to the Board upon nomination by the Nominating Committee and election by a majority of the then-sitting Board. The Nominating Committee shall submit nominations to the Board for at-large director positions at the August meeting each year for those directors whose terms conclude on September 30 of that year. The Board of Directors shall vote on said nominations at the September meeting of each year and the terms of the officers elected to serve will commence on October 1 of each year. In the case of vacancies in the at-large director positions, the Nominating Committee shall submit nominations to the Board and the Board shall vote upon same as soon as is practical.

Section 5.04. Terms.

- A. The initial fifteen (15) person Board of Directors shall hold office as follows:
- (1) Each Director, whether appointed or at-large, shall serve for terms of two years commencing on the first day of October following election or appointment and ending the 30th day of September of the appropriate year, except as hereinafter provided. In order to provide staggered terms, the following members of the Board of Directors will initially serve a one-year term:
 - a. One of the Directors provided for in Section 5.02A;
 - b. One of the Directors proved for in Section 5.02B; and
 - c. Five of the at-large Directors provided for in Section 5.02C.
 - (2) No Director shall serve more than three (3) consecutive two-year (2) terms without a year off from the Board. A Director elected or appointed to an initial one-year term may serve three (3) two-year (2) terms prior to being required to take a year off from the Board.

Section 5.05. Qualifications of the Board of Directors. A member of the Board must reside or own property within Brazos County, Texas

Section 5.06. Meetings. Regular meetings of the Board of Directors shall be held at least monthly at a time and place to be fixed by resolution of the Board. Special Board meetings may be called by, or at the request of, the President or any two directors. The director(s) requesting a special meeting shall inform the Corporation's Secretary of the information to be included in the notice of the special meeting.

Section 5.07. Quorum. A quorum shall consist of two-thirds (2/3) of the acting Board members.

Section 5.08. Vote. The affirmative vote of a majority of Directors present shall be required to take any action, unless otherwise provided for in these Bylaws.

Section 5.09. Duties. It is the duty of the Board of Directors to plan, supervise and review the operations of the Corporation; to discover and analyze projects, plans and means of furthering the purposes of the Corporation and to select such projects, plans and means as it may deem worthy of implementation. The Board shall annually approve the budget submitted to it by the Executive Director of the Corporation for the expenditure of all funds anticipated to be available to it.

Directors will discharge their duties, including duties as committee members, in good faith, with ordinary care, and in the manner they reasonably believe to be in the Corporation's best interest. In this context, "ordinary care" means the care that ordinarily prudent persons in similar positions would exercise under similar circumstances. In discharging any duty imposed or power conferred upon directors, directors may, in good faith, rely on information, opinions, reports or statements, including financial statements and other financial data, concerning the Corporation that has been prepared or presented by a variety of persons, including officers and employees of the Corporation, professional advisors or experts such as accountants or legal counsel. A Director is not relying in good faith if they have knowledge concerning a matter in question that renders reliance unwarranted.

Directors are not deemed to have the duties of trustees of a trust with respect to the Corporation or with respect to any property held or administered by the Corporation, including property that may be subject to restrictions imposed by the donor or transferor of the property.

Section 5.10. Delegating Duties. The Board may select advisors and delegate duties and responsibilities to them, such as the power to sell, transfer, or otherwise dispose of the Corporation's assets and properties at a time and for a consideration that the Board deems appropriate. The directors shall have no liability for actions taken or omitted by the advisors if the Board acts in good faith and with ordinary care in selecting the advisor(s). The Board may remove or replace the advisor(s) at any time and without cause.

Section 5.11. Removal. The Board may vote to remove a director at any time, without cause, upon a vote of at least ten (10) members of the Board. The failure to attend three (3)

consecutive Board meetings or any four (4) regular meetings in one fiscal year shall cause the issue of removal to automatically be placed upon the agenda of the next succeeding meeting of the Board of Directors after the last infraction. Removal of a director for failure to attend Board meetings under this section requires good cause and a majority vote of the Board of Directors.

Section 5.12. Vacancies. Vacancies to the appointed position on the Board of Directors as specified in Sections 5.02A and 5.02B shall be filled by the appropriate appointing body. Vacancies occurring in the at-large director (Section 5.02C) positions shall be filled by a majority vote of the Board of Directors for the unexpired portion of the term.

Section 5.13. Directors appointed under Section 5.02B may not vote on any matter relating to the fiduciary or contractual relationship between the Corporation and the governmental entity by which they are employed.

Section 5.14. Conflict of Interest in General. No officer or director of the Corporation shall be interested (financially), directly or indirectly, in any contract relating to the operations conducted by the Corporation, nor in any contract for furnishing services or supplies to the Corporation, unless such contract is authorized by a majority of the Board of Directors at a meeting in which the presence of such interested director(s) is not necessary for the purposes of the quorum or for the purposes of a majority vote, and the fact and nature of such interests is fully disclosed or known to the directors present at the meeting at which such contracts shall be authorized.

Section 5.15. Manner of Acting. The act of a majority of the directors present at any meeting at which a quorum is present shall be the act of the Board of Directors, unless the act requires a vote by a greater number under these by-laws, in which case, an act by that number of the Board of Directors shall be the act of the Board of Directors. The act of the Executive Committee of the Board of Directors shall be the act of the Board of Directors, but is subject to review and rescission by a majority of the Board of Directors at the Board's next regular meeting.

ARTICLE VI – Officers

Section 6.01. Number and Title. The Corporation's officers shall be a President, Vice President, Secretary, and Treasurer. An Executive Director will be hired by the Board of Directors to serve the Corporation.

Section 6.02. Election of Officers. The Nominating Committee shall present a slate of officers to the full board at the Board's August meeting each year. The slate shall consist of the president, vice-president, secretary and treasurer, and one at-large member of the Board to serve on the Executive Committee. The slate shall be voted upon at the September meeting, and those elected shall take office for one-year terms on the following October 1. They shall serve until their successors are chosen and qualified.

Section 6.03. Removal and Vacancies. Any officer elected may be removed by a vote of at least ten (10) members of the Board whenever, in the Board's judgment, the best interest of the Corporation will be served thereby. Removing the officer will be without prejudice to the officer's contractual rights, if any. Election of an officer shall not of itself create a contractual right. The Board may select a member of the Board of Directors to fill the vacancy of any office for the unexpired portion of the officer's term.

Section 6.04. Duties. Each Officer shall assume the responsibility for performing such duties as are normally vested in such office being always subject to the policies and directions of the Board of Directors.

- A. President: The President shall preside at all meetings of the Board. The President is responsible to the directors for overall direction of the affairs and the business of the Board of Directors. The President may execute on behalf of the Board of Directors any deeds, bonds, contracts, obligations or other instruments necessary or convenient to transactions or other business that the directors have authorized, except for cases where signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the Board of Directors, or shall be required by law to be otherwise signed or executed. The President shall be the Chairman of the Executive Committee and shall be an ex-officio member of all other committees of the Corporation, except the Nominating Committee. In general, the President shall perform all duties incident to the office of President. The Board may prescribe other duties from time to time.
- B. Vice-President: In the absence of the President, the Vice President shall perform the duties of the President. When so acting, the Vice President shall have all the power of and be subject to all the restrictions upon the President. In the event of the President's inability or refusal to act, the majority of the Directors present at the meeting at which a quorum is present may authorize the Vice President to preside. The Vice President shall perform such other duties as from time to time may be assigned by the President or by the Board of Directors. The execution of any instrument of the Corporation by the Vice President shall be conclusive evidence, as to third parties, of his authority to act for the President.

- C. **Secretary:** The Secretary of the Board of Directors shall cause a record to be kept of the Proceedings of the Board of Directors. The Secretary will give all notices as provided in these Bylaws or as required by law. This officer shall be custodian of all books, documents, and papers filed with the Board of Directors, the minute book or journal of the Board of Directors, and its official seal. The Secretary shall have the authority to cause copies to be made of all the minutes and other records and documents of the Board of Directors. The Secretary may certify under the official seal of the Corporation that such copies are true copies. All persons dealing with the Board of Directors may rely on such certification. The Secretary will perform duties as assigned by the President of the Board and will perform all duties incident to the office of Secretary.
- D. **Treasurer:** The Treasurer also has the duty and authority, in addition to the President or Executive Director, to control the financial matters for the Board of Directors including but not limited to: receiving and giving receipts for monies due and payable to the Corporation from any source; depositing all monies in the Corporation's name in banks or other depositories as these Bylaws provide or the Board directs; writing checks and disbursing funds to discharge the Corporation's obligations, upon the co-signature of the President, Vice-President or Executive Director; maintaining the Corporation's financial books and records; and preparing financial reports annually, with the aid of the Corporation's professional staff. The Treasurer performs other duties as assigned by the President of the Board and will perform all of the duties incident to the office of the Treasurer.
- E. **Executive Director:** The Executive Director shall be hired by and report to the Board of Directors on such terms and conditions mutually agreeable and shall have the authority to conduct all ordinary business on behalf of the Corporation and execute and deliver on behalf of the Corporation any contract, conveyance, or similar document not requiring approval by the Board of Directors and shall be a co-signatory on all checks drawn on accounts of the Corporation along with either the President, Vice-President, Secretary, or Treasurer. The Executive Director shall cause to be made at each meeting of the Board of Directors a report on the various operations, projects, and functions of the Corporation and shall provide an annual report at the November meeting of the Board. The Executive Director serves at the pleasure of the Board of Directors and is subject to termination without cause upon a majority vote of the Board.

Section 6.05. Executive Committee of the Board of Directors. The officers of the Board of Directors, the immediate past-president of the Board, and one member of the Board elected at large shall form the Executive Committee of the Board of Directors. In the event that there is

no immediate past president serving on the Board, two (2) members of the Board at large shall be elected to the Executive Committee. The Executive Committee shall be authorized to conduct the business of the Board between regular meetings of the Board and on an emergency basis. The Executive Committee shall conduct an annual performance evaluation of the Executive Director in writing. The Executive Committee shall report any action(s) taken to the full Board at the next regular meeting of the Board.

ARTICLE VII – Committees

Section 7.01. Appointment. The President may from time to time appoint such standing or ad hoc committees as he/she shall deem advisable to carry out the functions and purposed of the Corporation.

Section 7.02. Nominating Committee. There shall be a nominating committee composed of five (5) members of the Board of Directors, all of whom shall be elected by the Board-at-large to one-year terms at the September meeting of the board each year, said terms commencing on the following October 1. It shall be the responsibility of the Nominating Committee to present a slate of officers pursuant to Section 6.02 of these Bylaws and to nominate new members of the Board of Directors as vacancies occur. Any member of the Board is eligible to serve on the Nominating Committee.

ARTICLE VIII – Fiscal Matters

Section 8.01. Budget. The Executive Director shall prepare an annual budget for expenditure of all funds anticipated to be available to the Corporation to be submitted to the Board of Directors.

Section 8.02. Funds. All receipts of the Corporation whether from public or private sources shall be deposited in a financial institution insured by an agency of the Federal Government. Funds on deposit in excess of the amount insured shall be moved and maintained at a separate banking institution.

Section 8.03. Financial Records. The Corporation will maintain current true and accurate financial records with full and correct entries made with respect to all financial transactions of the Corporation, including all income and expenditures, in accordance with generally accepted accounting practices. Based on these records the Board will approve an annual report of the financial activity of the Corporation for the preceding year prepared by an outside auditor who is qualified as a certified public accountant. The report will conform to accounting standards as

promulgated by the American Institute of Certified Public Accountants and will include a statement of support, revenue and expenses and changes in fund balances, a statement of functional expenses, and balance sheets for all funds.

Section 8.04. Fiscal Year. The fiscal year for the Corporation shall begin on October 1 and end on September 30.

Section 8.05. Spending Authority. The authority to incur debt on behalf of the Corporation, spend the funds of the Corporation, and be a signatory to any Corporation account is the province of the Board. However, the Board may delegate such authority to the Executive Director or any member or employee of the Corporation.

Section 8.06. Compensation of Employees and Directors.

- a. The Board of Directors shall fix the salaries and other compensation of the employees or other agents of the Corporation.
- b. The directors of the Corporation shall serve as such without salary, but the Board may authorize the payment of reasonable expenses incurred by the directors in the performance of their duties and reasonable compensation for special services rendered by any director. Except as provided in this section, no officer or director of the Corporation shall receive, directly or indirectly, any salary or other compensation from the Corporation.

ARTICLE IX – Books and Records

Section 9.01. The Corporation will keep correct and complete books and records of account. The books and records will include:

- (a) A file-endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including but not limited to the Articles of Incorporation or Certificate of Formation, and any articles of amendment, restated articles, articles of merger, articles of consolidation, and statement change of registered office or registered agent.
- (b) A copy of all Bylaws, including these Bylaws, and any amended version or amendments to them.
- (c) Minutes of the proceedings of the Board.
- (d) A list of the names and addresses of the directors, officers, and any committee members of the Corporation.
- (e) The financial records as described in Section 8.03 of these Bylaws.

Section 9.02. Inspection and Copying. Any director or officer of the Corporation, upon written request, may inspect and receive copies of the corporate books and records required to be maintained under Section 9.01 of these Bylaws. The inspection will take place at a reasonable time, no later than ten (10) business days after the Corporation receives the written request. The Board may establish reasonable copying fees, which may cover the cost of the materials and labor. The Corporation will provide copies of the requested records no later than ten (10) working days after receiving a written request.

ARTICLE X – Indemnification

Section 10.01. The Corporation shall indemnify a director, employee or agent of the Corporation who was, is, or may be named a defendant or respondent in any proceeding as a result of his or her actions or omissions within the scope of his or her official capacity in the Corporation.

Section 10.02. The Corporation shall indemnify a person only if he or she acted in good faith and reasonably believed that his or her conduct was in the Corporation's best interest. In cases of criminal proceeding, the person will be indemnified only if he or she had no reasonable cause to believe that the conduct was unlawful. The Corporation will not indemnify a person who is found liable to the Corporation or is found liable to another on the basis of improperly receiving a personal benefit from the Corporation.

Section 10.03 For purposes of this article, a person is conclusively considered to have been found liable in relation to any claim, issue, or matter if the person has been adjudged liable by a court of competent jurisdiction and all appeals have been exhausted. The termination of a proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent does not necessarily preclude indemnification by the Corporation.

Section 10.04. The Corporation shall pay or reimburse expenses incurred by a director, employee, or agent of the Corporation in connection with the person's appearance as a witness or other participation in a proceeding involving or affecting the Corporation when the person is not a defendant or respondent in the proceeding.

Section 10.05. In addition to the situations otherwise describe in these Bylaws, the Corporation may, but is not required to, indemnify a director, employee, or agent of the Corporation to the extent permitted by law upon a determination to so pursuant to Section 10.08 hereinbelow. The Corporation will not, however, indemnify any person in any situation in which indemnification is prohibited under Section 10.02.

Section 10.06. The Corporation may advance expenses incurred or to be incurred in the defense of a proceeding to a person who might eventually be entitled to indemnification, even though there has been no final disposition of the proceeding. Advancement of expenses may occur only when the procedural conditions set out in Section 10.08 hereinbelow, have been satisfied. The Corporation will not, under any circumstances, advance expenses to a person before final disposition of a proceeding if the person is named a defendant or respondent in a proceeding brought by the Corporation, or if the person is alleged to have improperly received personal benefit or committed other intentional or willful misconduct.

Section 10.07. The indemnity permitted under these Bylaws includes indemnity against judgments, penalties, fines, settlements and reasonable expenses (including attorney's fees) actually incurred in connection with the proceeding. If the proceeding was brought by or on behalf of the Corporation, the indemnification is limited to reasonable expenses actually incurred by the person in connection with the proceeding.

Section 10.08. (a) Before the Corporation may pay any indemnification expenses, the Corporation must specifically: (1) determine that the indemnification is permissible, (2) authorize indemnification, and (3) determine that expenses to be reimbursed are reasonable, except as provided in subparagraph 10.08(c) hereinbelow. The Corporation may make these determinations and decisions, subject to the exceptions set out in subparagraph 10.08 (b) hereinbelow, by any one of the following procedures:

- (i) Majority vote of a quorum consisting of directors who, at the time of the vote, are not named defendants or respondents in the proceeding.
- (ii) If such quorum cannot be obtained, by a majority vote of a committee of the Board of Directors, designated to act in the manner by a majority vote of all directors, consisting solely of two or more directors who at the time of the vote are not named defendants or respondents in the proceeding.
- (iii) Determination by a special legal counsel selected by the Board of Directors by the same vote as provided in subparagraphs 10.08 (a) (i) and (ii) above, or if such quorum cannot be obtained or such committee cannot be established, by a majority vote of all directors.

(b) Subject to subparagraph 10.08(a)(iii) above, to determine if indemnification is permissible, the authorization to indemnify and determination as to the reasonableness of the expenses shall be made as specified in subparagraphs 10.08(a)(i) and (ii) above, or if such quorum or such committee cannot be established, by majority vote of all directors. Any provisions in these Bylaws making indemnification mandatory constitutes sufficient

authorization to indemnify, even though such provision may not have been adopted or authorized as provided in Section 10.08(a) above.

(c) The Corporation will advance expenses before final disposition of a proceeding only after it determines the facts then known do not preclude indemnification, such determination to be made pursuant to the procedures set out in subparagraph 10.08(a) above.

ARTICLE XI – Notice

Section 11.01. Notice by Mail. Any notice to a director or officer required or permitted by these Bylaws, the Article of Incorporation or by law, may be given by mail or electronic mail (e-mail). If mailed, a notice is deemed delivered when deposited in the mail addressed to the person at their address as it appears in the corporate records, with postage prepaid. A director or officer may change his or her address in the corporate records by giving written notice of the change to the Secretary of the Corporation.

ARTICLE XII – Amendment to Bylaws

Section 12.01. The Board of Directors shall have the power to alter, amend, or repeal the Bylaws or adopt new Bylaws, but only after giving notice to the directors and officers of the Corporation. The notice will state the date, time and place of the meeting and the proposed amendments or modifications to the Bylaws no fewer than ten (10) and no more than thirty (30) days prior to the meeting date. Action by the directors with respect to the Bylaws shall be taken by an affirmative vote of two-thirds of all directors then in office.

ARTICLE XIII – Dissolution

Section 13.01. The dissolution of the Corporation shall be authorized at a meeting of the Board of Directors upon the adoption of a resolution to dissolve by the vote of a majority of the directors then in office.

Section 13.02. The Corporation shall strictly follow statutory requirements for dissolution of the Corporation as provided in the NON-PROFIT CORPORATION ACT, Texas Business Organizations Code.

ARTICLE XIV – Miscellaneous Provisions

Section 14.01 Legal Authority. These Bylaws will be construed under the Texas law. All references in these Bylaws to statutes, regulations, or other sources of legal authority will refer to the authorities cited, or their successors, as they may be amended from time to time.

Section 14.02. Legal Construction. To the greatest extent possible, these Bylaws shall be construed to conform to all legal requirements and all requirements for obtaining and maintaining tax exemptions that may be available to non-profit Corporations. If any bylaw provision is held invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability will not affect any other provision, and the Bylaws will be construed as if they had not included the illegal, invalid, or unenforceable provision.

Section 14.03. Headings. The headings used in the Bylaws are for convenience and may not be considered in construing the Bylaws.

Section 14.04. Power of Attorney. A person may execute any instrument related to the Corporation by means of a power of attorney if an original executed copy of the power of attorney is provided to the Secretary of the Corporation to be kept with the corporate records.

Section 14.05. Parties Bound. The Bylaws will bind and inure to the benefit of the directors, officers, employees, and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors, and assigns except as the Bylaws otherwise provide.

CERTIFICATION OF THE SECRETARY

I certify that I am the duly elected and acting Secretary of the Brazos Animal Shelter, Inc. and that these Bylaws constitute the Corporation's Bylaws. These Bylaws were duly amended at a meeting of the Board of Directors held on _____ day of _____, 2009.

Signature
Secretary of the Corporation

October 27, 2011
Regular Agenda Item No. 8
Brazos Valley Solid Waste Management Agency Board Appointments

To: David Neeley, City Manager

From: City Manager's Office

Agenda Caption: Presentation, possible action, and discussion regarding appointments to the Brazos Valley Solid Waste Management Agency Board of Directors. Directors are appointed to the Board for a three (3) year term.

Summary: The City currently maintains three Council appointed seats on the BVSWMA, Inc. Board of Directors. Current Council appointees are:

Nancy Berry, Treasurer	Term expires: September 30, 2013
Steven Beachy, Board Member	Term expired: September 30, 2011
Ben White, Board Member	Term expired: September 30, 2011

The Council is requested to appoint two individuals to fill the expired terms of Steven Beachy and Ben White.

Budget & Financial Summary: None

Attachments: BVSWMA, Inc. By-Laws

**ARTICLES OF INCORPORATION
OF
BRAZOS VALLEY SOLID WASTE MANAGEMENT AGENCY, INC.**

We, the undersigned natural persons, each of whom is at least eighteen (18) years of age or more, and a resident and a qualified voter of the City of Bryan, Texas, or the City of College Station, Texas (collectively, the "Cities" and, each individually, a "City") and a citizen of the State of Texas, acting as incorporators of a corporation under the provisions of Subchapter D of Chapter 431, Texas Transportation Code (the "Act"), and Chapter 394, Texas Local Government Code, do hereby adopt the following Articles of Incorporation for such corporation:

**ARTICLE I
Corporation Name**

The name of the corporation is the Brazos Valley Solid Waste Management Agency, Inc. (the "Corporation").

**ARTICLE II
Nature of Corporation**

The Corporation is a public non-profit corporation.

**ARTICLE III
Duration of Corporation**

The period of duration of the Corporation shall be perpetual.

**ARTICLE IV
Corporate Purpose and Agency**

4.01 The Corporation is organized for the purpose of auditing, assisting, and acting on behalf of the Cities in the performance of their governmental functions to promote the common good and general welfare of the Cities, including, without limitation, the financing, construction, ownership, and operation of a municipal solid waste landfill (the "Facility") on behalf of the Cities, and to perform such other governmental purposes of the Cities, including, without limitation, the collection, handling, transportation, storage, processing, and disposal of solid waste, as may be determined from time to time by the City Councils of the Cities (the "City Councils"). Subject to applicable state law and any contractual obligations of a City or the Corporation, a City or the Cities may discontinue participation in the activities of the Corporation, or a non-participating unit of local government, business, or individuals may join in the activities of the Corporation, under procedures established in the Bylaws of the Corporation (the "Bylaws").

4.02 The Corporation is formed pursuant to the provisions of the Act as it now or may hereafter be amended, and Chapter 394, Texas Local Government Code, which authorizes the

Corporation to assist and act on behalf of the Cities and to engage in activities in the furtherance of the purposes for its creation.

4.03 The Corporation shall have and exercise all of the rights, powers, privileges, and functions given by the general laws of Texas to non-profit corporations incorporated under the Act including, without limitation, the Texas Non-Profit Corporation Act, as amended (Tex. Rev. Civ. Stat. art. 1396-1.01, et.seq., as amended) and/or the Texas Nonprofit Corporation Law (Tex. Bus. Org. Code, Chapters 20 and 21 and the provisions of Title I to the extent applicable to non-profit corporations, as amended), whichever is applicable, or their successor.

4.04 The Corporation shall have all other powers of a like or different nature not prohibited by law which are available to non-profit corporations in Texas and which are necessary or useful to enable the Corporation to perform the purposes for which it is created, including the power to issue bonds, notes or other obligations, and otherwise exercise its borrowing power to accomplish the purposes for which it was created; provided, however, that the Corporation shall not issue any bond, certificate, note or other obligation evidenced by an instrument without the written consent of each of the Cities or as otherwise allowed by the Bylaws.

4.05 The Corporation is created as a local government corporation pursuant to the Act and shall be a governmental unit within the meaning of Subdivision (2), Section 101.001, Texas Civil Practice and Remedies Code. The operations of the Corporation are governmental and not proprietary functions for purposes of the Texas Tort Claims Act, Section 101.001, et seq., Texas Civil Practice and Remedies Code. The Corporation shall have the power to acquire land in accordance with the Act as amended from time to time.

4.06 References herein to the consent or written consent of a City shall refer to an ordinance, resolution or order of the governing body of the City.

ARTICLE V No Members or Shareholders

The Corporation shall have no members and shall have no stock.

ARTICLE VI Board of Directors

6.01 All powers of the Corporation shall be vested in a Board of Directors consisting of seven (7) members (the "Board") subject to the oversight of the Cities and as otherwise provided in the Bylaw. The Board shall independently manage and operate the Facility in accordance with all applicable laws and documents, including these Articles, the Bylaws, the Asset Transfer and Debt Reimbursement Agreement, the Operation Agreement (as those terms are defined in the Interlocal Agreement by and between the Cities dated January 14, 2009 (the "ILA"), and such other documents agreed to by the Cities and as the same may be amended from time to time.

6.02 The initial directors of the Corporation (“Director” or “Directors”) shall be those persons named in Article VIII, below. To provide for staggered terms each initial Director named in Article VIII hereof shall serve for the term prescribed in Article VIII. With respect to the initial Board, the terms of the initial Directors shall commence on the date the Secretary of State has issued the certificate of incorporation for the Corporation. Subsequent Directors shall be appointed to the Board for a term of three (3) years as prescribed herein. Except as set forth in these Articles or the Bylaws, any Director may be removed from office at any time, with or without cause, by the entity responsible for the appointment of that Director.

6.03 The number of Directors shall be seven (7), and shall be selected as follows:

A. The City Council of the City of Bryan shall appoint three (3) Directors, one (1) of which must be a City of Bryan City Council member;

B. The City Council of the City of College Station shall appoint three (3) Directors, one (1) of which must be a City of College Station City Council member;

C. The seventh (7th) Director shall be appointed as follows:

(i) The majority of the Directors appointed by the Cities pursuant to Sections 6.03.A. and 6.03.B. shall appoint the seventh (7th) Director. Such person appointed pursuant to this Section 6.03.C. shall be deemed to have been appointed by the Cities.

(ii) If the majority of the Directors appointed pursuant to Sections 6.03.A. and 6.03.B. are unable to agree on a person to appoint as the seventh (7th) Director on or before the thirtieth (30th) day after the end of the term of the then serving seventh (7th) Director, then the three (3) Directors appointed by the City Council of the City of College Station and the three (3) Directors appointed by the City Council of the City of Bryan shall, on or before the sixtieth (60th) day after the end of the term of the then serving seventh (7th) Director term, each nominate one person to serve as the seventh (7th) Director and submit said nominee in writing to the Secretary of the Corporation. Not later than the fifth (5th) business day after receipt of the names of both nominees, the Secretary of the Corporation shall determine by coin flip conducted in the presence of not fewer than two (2) witnesses which of the nominees submitted shall serve as the seventh (7th) Director. The failure to timely submit a nominee to the Secretary of the Corporation in accordance with this Section 6.03.C.(ii) shall result in a forfeiture of the right to submit a nominee and the person whose name was timely submitted shall be deemed the seventh (7th) Director.

6.04 At the time of their appointment, and at all times during their term, at least two (2) of the Directors appointed in accordance with Section 6.03.A. above must reside within the incorporated limits of the City of Bryan and at least one (1) of the Directors appointed in accordance with Sections 6.03.A. must be a City of Bryan City Council member. At the time of their appointment, and at all times during their term, at least two (2) of the Directors appointed in

accordance with 6.03.B. above must reside within the incorporated limits of the City of College Station and at least one (1) of the Directors appointed in accordance with Section 6.03.B. shall be a City of College Station City Council member. Except as provided herein, the Directors appointed in accordance with Sections 6.03.A. and in accordance with 6.03.B. above, may be an elected or appointed official or an employee of the City appointing the Director.

6.05 At the time of appointment, and at all times during said Director's term, the Director appointed in accordance with Section 6.03.C., may be a resident of either City, and may be an elected or appointed official or employee of either City.

6.06 Notwithstanding the above, the majority of Directors from each City must at all times be residents of the nominating City.

6.07 Except as set forth in Section 6.02 above, Directors shall serve a term of office of three (3) years, with no limit imposed by these Articles on the number of terms that a Director may serve, which terms shall be staggered as set forth in the Bylaws.

6.08 Vacancies on the Board that occur before the end of a Director's term shall be filled in the same manner as appointments made pursuant to Article 6.03.

6.09 The Directors appointed in accordance with Section 6.03.A. and Section 6.03.B. may be removed at any time, with or without cause, by the City appointing such Director. The Director appointed in accordance with Section 6.03.C. above may be removed at any time, with or without cause, upon recommendation of the majority of the Directors appointed in accordance with Sections 6.03.A. and 6.03.B. and approval of said removal by both Cities.

6.10 All other matters pertaining to the internal affairs of the Corporation shall be governed by the Bylaws, so long as such Bylaws are not inconsistent with these Articles or the laws of the State of Texas.

ARTICLE VII
Registered Office and Agent

The street address of the initial registered office of the Corporation is 1101 Texas Avenue, College Station, Texas 77840, and the name of its initial registered agent at such address is Ben White.

ARTICLE VIII
Initial Directors

The names, addresses and terms of office of the six (6) initial Directors are:

NAME	ADDRESS	TERM EXPIRES
Ben White	1101 Texas Avenue College Station, Texas 77840	September 30, 2011
Dr. John Crompton	1101 Texas Avenue College Station, Texas 77840	September 30, 2011
James Massey	1101 Texas Avenue College Station, Texas 77840	September 30, 2010
D. Mark Conlee	300 South Texas Avenue Bryan, Texas 77803	September 30, 2010
Art Hughes	300 South Texas Avenue Bryan, Texas 77803	September 30, 2011
Jason Bienski	300 South Texas Avenue Bryan, Texas 77803	September 30, 2011

**ARTICLE IX
Incorporators**

The names and street addresses of the incorporators, each of whom resides within one of the Cities forming the Corporation are:

NAME	ADDRESS
Ben White	1101 Texas Avenue College Station, Texas 77840
Dr. John Crompton	1101 Texas Avenue College Station, Texas 77840
James Massey	1101 Texas Avenue College Station, Texas 77840
D. Mark Conlee	300 South Texas Avenue Bryan, Texas 77803
Art Hughes	300 South Texas Avenue Bryan, Texas 77803
Jason Bienski	300 South Texas Avenue Bryan, Texas 77803

ARTICLE X
Approval of Articles by Cities

Resolution No. 3269 approving the form and substance of these Articles of Incorporation has been adopted by the City Council of the City of Bryan, Texas, on February 9, 2010.

Resolution No. 09-11-10-02 approving the form and substance of these Articles of Incorporation has been adopted by the City Council of the City of College Station, Texas, on FEBRUARY 11, 2010.

ARTICLE XI
Director Liability

No Director shall be liable to the Corporation for monetary damages for an act or omission in the Director's capacity as a Director, except for liability (i) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (ii) for any transaction from which the Director received an improper benefit, whether or not the benefit resulted from an act taken within the scope of the Director's office, or (iii) for acts or omissions for which the liability of a Director is expressly provided by statute. Any repeal or amendment of this Article by the Directors shall be prospective only, and shall not adversely affect any limitation on the personal liability of a Director existing at the time of such repeal or amendment. In addition to the circumstances in which a Director is not personally liable as set forth in the preceding sentences, a Director shall not be liable to the fullest extent permitted by any amendment to the Texas statutes hereafter enacted that further limits the liability of a Director.

ARTICLE XII
Limits on Use of Corporate Assets; Income of Corporation

12.01 In accordance with the provisions of Section 501(c) (3) of the Internal Revenue Code (the "Code"), and regardless of any other provisions of these Articles or the laws of the State of Texas, the Corporation shall not:

- A. permit any part of the net earnings of the Corporation to inure to the benefit of any private individual (except that reasonable compensation may be paid for personal services rendered to or for the Corporation in effecting one or more of its purposes);
- B. devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise;
- C. participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office; and
- D. attempt to influence the outcome of any election for public office or to carry on, directly or indirectly, any voter registration drives.

No part of the Corporation's income shall inure to the benefit of any private interests.

12.02 Notwithstanding Section 431.107 of the Act, entitling the Cities at all times to have the right to equally receive the income earned by the Corporation, any income earned by the Corporation after payment of reasonable expenses, reasonable reserves for future activities, debt, establishment of a capital reserve, establishment of a reserve for closure and post closure liability and satisfaction of other legal obligations of the Corporation shall be retained by the Corporation and applied equitably as a credit to the charges to Cities for tipping fees and other fees and costs charged to Cities for the disposal of municipal solid waste at Corporation's facilities and/or other services provided by the Corporation to the Cities, or distributed to the Cities in an equitable manner to be determined by the Board in accordance with the provisions of the Bylaws of the Corporation.

ARTICLE XIII Corporation as Private Foundation

If the Corporation is a private foundation within the meaning of Section 509(a) of the Code, the Corporation: (a) shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code; (b) shall not engage in any act of self-dealing as defined in Section 4941(d) of the Code; (c) shall not retain any excess business holdings as defined in Section 4943(c) of the Code; (d) shall not make any investments in such manner as to subject it to tax under Section 4944 of the Code; and (e) shall not make any taxable expenditures as defined in Section 4945(d) of the Code.

ARTICLE XIV Dissolution

14.01 If the Board determines by resolution that the purposes for which the Corporation was formed have been substantially met and all bonds or notes issued by and all obligations incurred by the Corporation or on behalf of the Corporation have been fully paid, the Board shall execute a certificate of dissolution which states those facts and declares the Corporation dissolved in accordance with the requirements of Section 394.026 of Texas Local Government Code, or with applicable law then in existence.

14.02 Subject to any restrictions contained in applicable state law, if each of the Cities considers and approves a concurrent resolution or ordinance directing the Board to proceed with the dissolution of the Corporation, the Board shall promptly proceed with the dissolution of the Corporation. The failure of the Board to promptly proceed with the dissolution of the Corporation in accordance with this Section 14.02 shall be deemed a cause for the removal from office of any or all of the Directors as permitted by Article VI of these Articles.

14.03 Upon the dissolution of the Corporation:

A. the assets of the Corporation shall be distributed equally between the Cities; and

B. any remaining liabilities of the Corporation shall be shared equally between the Cities.

ARTICLE XV

Indemnification of Directors and Officers

15.01 *Right to Indemnification.* Subject to the limitations and conditions as provided in this Article XV and the Bylaws of the Corporation, each person who was or is made a party or is threatened to be made a party to or is involved in any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitative or investigative (hereinafter a "proceeding"), or any appeal in such a proceeding or any inquiry or investigation that could lead to such a proceeding, by reason of the fact that he or she, or a person for whom he or she is the legal representative, is or was a Director or officer of the Corporation or while a Director or officer of the Corporation is or was serving at the request of the Corporation as a Director, officer, partner, venture, proprietor, trustee, employee, agent or similar functionary of another foreign or domestic corporation, partnership, joint venture, sole proprietorship, trust, employee benefit plan or other enterprise shall be indemnified by the Corporation to the fullest extent permitted by Texas Non-Profit Corporation Act and/or the Texas Nonprofit Corporation Law, as the same exists or may hereafter be amended (but, in the case of any such amendment, only to the extent that such amendment permits the Corporation to provide broader indemnification rights than said law permitted the Corporation to provide prior to such amendment) against judgments, penalties (including excise and similar taxes and punitive damages), fines, settlements and reasonable expenses (including, without limitation, attorneys' fees) actually incurred by such person in connection with such proceeding, and indemnification under this Article XV shall continue as to a person who has ceased to serve in the capacity which initially entitled such person to indemnity hereunder. The rights granted pursuant to this Article XV shall be deemed contract rights, and no amendment, modification or repeal of this Article XV shall have the effect of limiting or denying any such rights with respect to action taken or proceedings arising prior to any such amendment, modification or repeal. It is expressly acknowledged that the indemnification provided in this Article XV could involve indemnification for negligence or under theories of strict liability.

15.02 *Advance Payment.* The right to indemnification conferred in this Article XV shall include the right to be paid in advance or reimbursed by the Corporation the reasonable expenses incurred by a person of the type entitled to be indemnified under Section 15.01 who was, is or is threatened to be made a named defendant or respondent in a proceeding in advance of the final disposition of the proceeding and without any determination as to the person's ultimate entitlement to indemnification, provided; however, that the payment of such expenses incurred by any such person in advance of the final disposition of a proceeding, shall be made only upon delivery to the Corporation of a written affirmation by such Director or officer of his or her good faith belief that he or she has met the standard of conduct necessary for indemnification under this Article XV and a written undertaking, by or on behalf of such person, to repay all amounts

so advanced if it shall ultimately be determined that such indemnified person is not entitled to be indemnified under this Article XV or otherwise.

15.03 *Indemnification of Employees and Agents.* The Corporation, by adoption of a resolution of the Board, may indemnify and advance expenses to an employee or agent of the Corporation to the same extent and subject to the same conditions under which it may indemnify and advance expenses to Directors and officers under this Article XV, and the Corporation may indemnify and advance expenses to persons who are not or were not Directors, officers, employees or agents of the Corporation but who are or were serving at the request of the Corporation as a Director, officer, partner, venture proprietor, trustee, employee, agent or similar functionary of another foreign or domestic corporation, partnership, joint venture, sole proprietorship, trust, employee benefit plan or other enterprise against any liability asserted against him or her and incurred by him or her in such a capacity or arising out of his or her status of such a person to the same extent that it may indemnify and advance expenses to Directors under this Article XV.

15.04 *Appearance as a Witness.* Notwithstanding any other provision of this Article XV, the Corporation may pay or reimburse expenses incurred by a Director or officer in connection with his or her appearance as a witness or other participation in a proceeding involving the Corporation or its business at a time when he or she is not a named defendant or respondent in the proceeding.

15.05 *Non-exclusivity of Rights.* The right to indemnification and the advancement and payment of expenses conferred in this Article XV shall not be exclusive of any other right which a Director or officer or other person indemnified pursuant to Section 15.03, above, may have or hereafter acquire under any law (common or statutory), provision of these Articles or the Bylaws of the Corporation, agreement, or vote of disinterested Directors or otherwise.

15.06 *Insurance.* The Corporation may purchase and maintain insurance, at its expense to protect itself and any person who is or was serving as a Director, officer, employee or agent of the Corporation or is or was serving at the request of the Corporation as a Director, officer, partner, venture, proprietor, trustee, employee, agent or similar functionary of another foreign or domestic corporation, partnership, joint venture, proprietorship, employee benefit plan, trust or other enterprise against any expense, liability or loss, whether the Corporation would have the power to indemnify such person against such expense, liability or loss under this Article XV.

15.07 *Notification.* Any indemnification of or advance of expenses to a Director or officer in accordance with this Article XV shall be reported in writing to the members of the Board with or before the notice of the next regular meeting of the Board and, in any case, within the 12-month period immediately following the date of the indemnification or advance.

15.08 *Savings Clause.* If this Article XV or any portion hereof shall be invalidated on any ground by any court of competent jurisdiction, then the Corporation shall nevertheless indemnify and hold harmless each Director, officer or any other person indemnified pursuant to this Article XV as to costs, charges and expenses (including attorneys' fees), judgments, fines and in amounts paid in settlement with respect to any action, suit or proceeding, whether civil,

criminal, administrative or investigative, to the full extent permitted by any applicable portion of this Article XV that shall not have been invalidated and to the fullest extent permitted by applicable law.

**ARTICLE XVI
Amendments**

These Articles may not be changed or amended unless approved in writing by each of the Cities.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2010.

Signature page to follow

ATTEST:

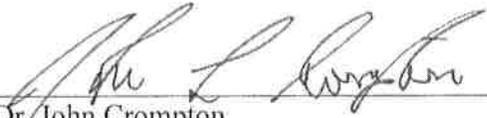

City Secretary

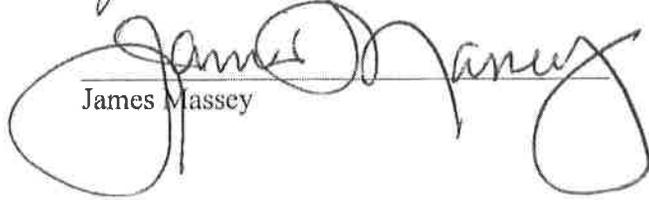

D. Mark Conlee


Art Hughes


Jason Bienski


Ben White


Dr. John Crompton


James Massey