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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, May 24, 2012 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

Presentation:

- Presentation of Video for Plaza Hotel Implosion.
- Presentation of Historical Marker #9 for 1009 Walton Drive.

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:
- May 14, 2012 Workshop
 - May 14, 2012 Regular Council Meeting

- b. Presentation, possible action and discussion on an Advance Funding Agreement (AFA) Amendment between the City of College Station and the State of Texas (TxDOT) for the College Main Plaza and Patricia/Lodge Street Improvements.
- c. Presentation, possible action, and discussion regarding an ordinance amending Chapter 11, "Utilities" Section 11-1, "General Provisions", sections B-D and K of the Code of Ordinances of the City of College Station, Texas, having the effect of raising utility deposit amounts for residential Utility customers and raising the delinquent fee amount for commercial customers.
- d. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and HDR Engineering, Inc. in the amount of \$221,917.25 for the University Drive Pedestrian Improvements Phase 2 Preliminary Engineering Report (PER) and authorizing the City Manager to execute the contract on behalf of the City Council.
- e. Presentation, possible action, and discussion regarding a resolution denying Atmos Energy Corp., Mid-Tex Division's proposed rate increase.
- f. Presentation, possible action and discussion regarding the approval of a resolution accepting from the 2011 Homeland Security Assistance to Firefighters Grant Program recipient of \$210,168, and naming a City staff member as manager of those grant funds.
- g. Presentation, possible action and discussion of the renewal of the Inter-local Agreement establishing the Community Emergency Operations Center which will be staffed by a collaborative effort between Brazos County, the cities of College Station and Bryan, and Texas A&M University for a cost of to the City of College Station of \$60,592.89 for the lease agreement for the first year, this proposal is in support of the lease ending April 17, 2018. **(This item is also on workshop agenda item #7)**
- h. Presentation, possible action, and discussion regarding a resolution to approve the professional services contract (Design Contract 12-230) with PBK Sports in the amount of \$205,000.00, for the design of the Veteran's Park Synthetic Turf Fields Project (HM 1217), and authorizing the City Manager to execute the contract on behalf of the City Council.
- i. Presentation, possible action and discussion regarding a recommendation for revision to the Naming Policy for City Facilities and Sub-facilities.
- j. Presentation, possible action, and discussion regarding approval of a construction contract for the construction of sidewalks on Holleman, Lassie, and Pedernales to Vox Construction, LLC. in the amount of \$117,219.25 and to Brazos Paving Inc. in the amount \$55,414.00 for the construction of neighborhood sidewalks on Manuel Drive

Regular Agenda

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

Individuals who wish to address the City Council on an item **posted as a public hearing** shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. The Mayor will recognize

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

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

1. Presentation and discussion regarding the Lick Creek Greenway Trail Project.
2. Public Hearing, presentation, possible action, and discussion regarding the Lick Creek Greenway Trail Project.
3. Public Hearing, presentation, possible action, and discussion regarding an amendment to 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 approximately 0.2 acres located at 1405 University Drive, generally located at the northwest corner of the intersection with the former Meadowland Street, from C-1 General Commercial to PDD Planned Development District.
4. Public Hearing, presentation, and discussion on the creation of Reinvestment Zone #17; and, discussion on an Ordinance creating Reinvestment Zone #17 for commercial tax abatement in the Business Center at College Station.
5. Public Hearing, possible action, and discussion on an ordinance Budget Amendment #2 amending ordinance number 3371 which will amend the budget for the 2011-2012 Fiscal Year in the amount of \$1,537,208 and presentation, possible action and discussion on four interfund transfers.
6. Presentation, possible action, and discussion regarding approval of a resolution requesting the Texas Commission on Environmental Quality Executive Director to schedule a public meeting concerning a proposed permit to operate the Brazos Valley Disposal Facility, a Municipal Solid Waste Type IV disposal facility.
7. Adjourn.

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

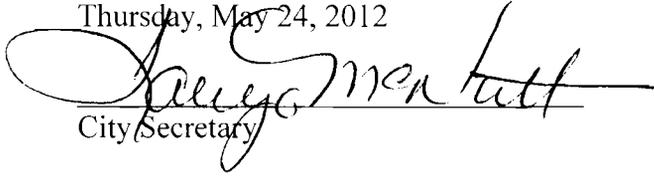
APPROVED:



City Manager

Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Thursday, May 24, 2012 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 18th day of May, 2012 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 May 18, 2012 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 _____, 2012 By _____

Subscribed and sworn to before me on this the ____ day of _____, 2012.

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.

May 24, 2012
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:

- May 14, 2012 Workshop
- May 14, 2012 Regular Council Meeting

Attachments:

- May 14, 2012 Workshop
- May 14, 2012 Regular Council Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
MAY 14, 2012

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Jess Fields, arrived after roll call
Karl Mooney
Katy-Marie Lyles
Julie Schultz
Dave Ruesink

City Staff:

David Neeley, City Manager
Kathy Merrill, Deputy City Manager
Frank Simpson, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

1. 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 5:02 p.m. on Monday, May 14, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

2. 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 5:02 p.m. on Monday, May 14, 2012 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
- 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
- Shirley Maguire and Holly Maguire vs. City of College Station, Cause No. 11-0025 16-CV-272, in the 272nd District Court of Brazos County, Texas
- Tracy Lynn Sheets, City of College Station (Intervener) v. Get Lucky. L.L.C. d/b/a Lux Nightclub and Alex Taylor Ford

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

- Legal Advice regarding posting for events under the Open Meetings Act
- Legal issues related to the Brazos Valley Groundwater Conservation District

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

- Council Self-evaluation

The Executive Session adjourned at 6:00 p.m. on Monday, May 14, 2012.

3. Take action, if any, on Executive Session.

No action was required from Executive Session.

4. Presentation proclaiming May as National Bike Month.

Mayor Berry presented Marcy Halterman-Cox, with the Bicycle, Pedestrian and Greenways Advisory Committee with a proclamation proclaiming May as National Bike Month.

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

Items 2b and 2c were pulled for additional clarification.

2b: Debbie Eller, Community Development Manager, explained that because we receive federal funds, we must make an effort to provide jobs to low income persons. When we contract for a construction project, we ask that contractor to make jobs available to low income persons who are qualified for that position. The contractors are not required to be Section 3 contractors; they are only required to abide by the law. We report those hires to HUD.

2c: Ben Roper, Director of Information Technology, reported no action was taken on the draft BVWACS budget because there was no super majority present. Board members were requested to take the proposed draft budget back to their respective governing bodies for consideration. The budget will still need to be approved by the governing board.

6. Presentation, possible action, and discussion on updates to the Strategic Plan and Budget processes.

Bob Cowell, Executive Director of Planning and Development Services, provided an update on strategic plan items requiring additional council discussion, an update on the status of plan implementation, and an overview of the linkage between the strategic plan and FY13 budget development. Strategies warranting further discussion include diversification of economy, neighborhood parking issues, the capital plan, utility rates and tax rate, sustainability, street operations and maintenance, and becoming the employer of choice. In June, there will be final adjustments to the strategic plan, followed by the completion of the capital budget and the CMO proposed budget. Utility rates and tax rates will be discussed in August/September.

Jeff Kersten, Executive Director of Fiscal Services, reported that staff strives to prepare a balanced budget that meets the Council's strategic priorities and meets basic service levels within our available resources. The budget is a tool to position the City to meet its future needs with limited resources. The proposed budget calendar is:

- May 13 – Council Budget Process presentation
- June – Council strategic planning
- August 23 – Budget Public Hearing
- September 13th - Budget/Tax Rate Adoption
- Budget must be adopted by September 27.

Our current conditions indicate a moderate economic growth, moderate growth in sales tax, and property value growth is projected to be minimal. Key general fund revenues are broken down:

- Sales Tax 37.5%
- Property Tax 25.1%
- Utility Transfer 18.5%
- All other revenues 18.9%.

Existing property values are estimated to be fairly flat, and the final values will be certified by July 25. As for sales tax, FY12 is 5.53% above our estimate, and positive growth has been seen this last year. For FY13, a 2% growth in sales tax revenue is projected.

Mr. Kersten briefly discussed the budget reductions over the past few years. He stated that the budget policy will provide parameters for budget preparation. The budget will be prepared based upon the existing tax rate. He also discussed the Utility Transfer Policy and noted that future increases are based on higher electric sales. The fund balance policy has the General Fund and the Utility Fund at 15%.

FY13 budget issues include modest revenue increases, continuing electric transfer reduction, demand for services will continue, and additional General Fund reductions are needed to stay balanced. In order to identify potential budget reductions, we must evaluate service level impacts. Pay and benefits are the largest component of the operating budget. Formation of a Council Committee to review this component may be an option.

Our next steps are to monitor economic conditions, monitor revenues, identify service priorities, reduce expenditures as necessary, and to prepare the proposed budget and identify key budget decisions.

The workshop was recessed at 7:01 p.m. so that the Regular Meeting could begin on time.

Council reconvened the workshop at 8:44 p.m.

Council consensus for budget meetings dates was August 16 and 17 from 2:00 – 5:00 p.m. and on the 20th and 21st from 4:00 – 7:00 p.m. August 22 or 24 could be contingent dates.

7. Council Calendar

- **May 15 Ribbon Cutting Ceremony - Reclaimed Water Program, 10:00 a.m.**
- **May 17 BCS Chamber of Commerce - Business After Hours at Benjamin Knox Gallery, 5:30 p.m.**
- **May 17 P&Z Workshop/Meeting in Council Chambers at 6:00 p.m. (Blanche Brick, Liaison)**
- **May 21 Intergovernmental Committee Meetings at noon.**
- **May 22 Special Council Workshop on Transportation at Carters Creek WWTP Training Room, 3:00 p.m. to 7:00 p.m.**
- **May 24 City Council Executive/Workshop/Regular Meeting at 5:00, 6:00 and 7:00 p.m.**

Council reviewed the Council calendar.

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

There were no requests for future agenda items.

9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of the Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Bryan/College Station Chamber of Commerce, BVSWMA, BVWACS, Cemetery Committee, Code Review Committee, Convention & Visitors Bureau, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Neighborhood Parking Taskforce, Joint Relief Funding Review Committee, Landmark Commission, Library Board, 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 Ruesink reported that four or five persons will be leaving Monday for Salamanca, our Sister City. On May 31, there will be a membership meeting.

Councilmember Mooney reported on the CVB.

Councilmember Brick reported on the Bicycle, Pedestrian and Greenways Committee. They have concerns regarding funding on the Lick Creek Trail.

Mayor Berry reported on the Chamber of Commerce trip to Washington, D.C.

10. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 9:04 p.m. on Monday, May 14, 2012.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
MAY 14, 2012

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

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

City Staff:

David Neeley, City Manager
Kathy Merrill, Deputy City Manager
Frank Simpson, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:01 p.m. on Monday, May 14, 2012 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.

Citizen Comments

Teri Gerst, 3923 Hawk Owl Cove, read a statement, attached.

Avery Pavliska, 1700 Purple Martin Cove, read a statement, attached.

Melanie Landis, 3929 Hawk Owl Cove, read a statement, attached.

Gary Ives, 3943 Blue Jay Court, read a statement, attached. He also provided the Council with a packet of information from the Springbrook Homeowners Association, including the ballot information packet sent to the homeowners, the ballot results sent to the homeowners, and questions related to street route options sent to City staff.

Mike Gerst, 3923 Hawk Owl Cove, read a statement, attached.

Karen Fawcett, 3905 Hawk Owl Cove, said she was excited about a new trail in Lick Creek Park. Driving to the park is not convenient. To do this, the neighborhood has to donate the right-of-way. An election was held and passed by over 60% of the homeowners. But now a vocal minority has come forward to protest the trail.

Cecilia Yip, 1715 Cardinal Lane, stated her opposition to the proposed trail in the residential area. There are four other options available. This will create a safety issue for the homes along the trail, as well as those utilizing the trail. If a trail is built along the creek, there are problems with floods and other safety issues. She asked why her neighbor has the right to say who can come by her backyard. Also, she asked who will clean the litter in the creek.

Ken Tripp, 2924 Cain Road, spoke about the water park in the Barracks. He said there was a problem with water over Cain Road. The engineering in Barracks #2 is faulty. They need drainage relief there.

William Hauck, 3930 Hawk Owl, spoke about his concerns with the safety issues with the Lick Creek Trail. If someone falls ill while on the trail, what is the accessibility for emergency personnel to transport someone out. He asked for a moratorium because this is poorly planned.

CONSENT AGENDA

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

- **April 26, 2012 Workshop**
- **April 26, 2012 Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding Resolution 05-14-12-2b, adopting Section 3 Plan Implementation Plan and Administrative Guide to comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3.

2c. Presentation, possible action, and discussion regarding approval of the Brazos Valley Wide Area Communications System (BVWACS) Operating Budget for FY13 and authorizing the City's quarterly payments of approximately \$52,976 for an annual total of \$211,904.

2d. Presentation, possible action, and discussion regarding participation in Intergovernmental Cooperative Purchasing Agreements with National Intergovernmental Purchasing Alliance (NIPA), National Joint Powers Alliance (NJPA) and U.S. Communities

Government Purchasing Alliance (U.S. Communities) and authorize the Executive Director of Business Services to apply for membership online on their website(s).

2e. Presentation, possible action, and discussion regarding the second renewal of bid #11-69 to Knife River to provide a six month agreement for the purchase of Type D Hot Mix Asphalt for the maintenance of streets in an amount not to exceed \$630,000 (\$63.00 per ton), and authorizing the City Manager to execute the renewal agreement on behalf of the City Council.

Item 2b was pulled for a separate vote.

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

(2b)MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted two (2) for and four (4) opposed, with Mayor Berry and Councilmembers Brick, Lyles and Schultz voting against, and Councilmember Ruesink absent from the dais, to postpone this item for a full workshop discussion. The motion failed.

(2b)MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Lyles, the City Council voted five (5) for and two (2) opposed, with Councilmembers Fields and Mooney voting against, to adopt Resolution 05-14-12-2b, adopting Section 3 Plan Implementation Plan and Administrative Guide to comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3. The motion carried.

REGULAR AGENDA

1. Presentation, possible action, and discussion regarding the annual report of the Youth Advisory Council.

The City Council accepted the annual report of the Youth Advisory Council as presented by Emily Ryan, a senior at A&M Consolidated.

2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3415, vacating and abandoning a 0.1444 acre, 20-foot wide public utility easement recorded in Volume 2163, Pages 223-225, of the Official Records of Brazos County, Texas, and located along the southwest property line of a parcel of land situated in the J.E. Scott League, Abstract No. 50, and being an 0.986 acre tract as described by warranty deed recorded in volume 7609, page 150 of the Official Records of Brazos County, Texas.

At approximately 7:43 p.m. Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:43 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2012-3415, vacating and abandoning a 0.1444 acre, 20-foot wide public utility easement recorded in Volume 2163, Pages 223-225, of the Official Records of Brazos County, Texas, and located along the southwest property line of a parcel of land situated in the J.E. Scott League, Abstract No. 50, and being an 0.986 acre tract as described by warranty deed recorded in volume 7609, page 150 of the Official Records of Brazos County, Texas. The motion carried unanimously.

3. Presentation, and discussion regarding a proposed ordinance amending Chapter 11, "Utilities" Section 11-1, "General Provisions", sections B-D and K of the Code of Ordinances of the City of College Station, Texas, having the effect of raising utility deposit amounts for residential utility customers and raising the delinquent fee amount for commercial customers.

Jeff Kersten, Executive Director of Fiscal Services, reported there has been an increase in write-offs due to non-payment of utility bills, and all good-paying customers pay for these write-offs. Currently, deposits are only required on late accounts, and staff is recommending changes to the deposit amounts. Additionally, the current disconnect/reconnect fee does not cover the cost of the disconnect/reconnect service, and staff is proposing a change in that as well to cover the cost of the service. These changes will reduce write-offs, which have been increasing. Implementation will be focused on new customers and high-risk accounts. Staff will also work toward educating customers on the changes.

Council directed staff to draft an ordinance incorporating these revisions for the Council's consideration at the May 24 meeting.

4. Presentation, possible action and discussion regarding a recommendation for revision to the Naming Policy for City Facilities and Sub-facilities.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to postpone this item until the May 24 meeting with clarifying language. The motion carried unanimously.

5. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:44 p.m. on Monday, May 14, 2012.

Nancy Berry, Mayor

ATTEST:

DRAFT

May 24, 2012
Consent Agenda Item No. 2b
Project Number ST1113
Northgate Pedestrian Safety Improvements – Phase I
Advance Funding Agreement No.2 Amendment

To: David Neeley, City Manager

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

Agenda Caption: Presentation, possible action and discussion on an Advance Funding Agreement (AFA) Amendment between the City of College Station and the State of Texas (TxDOT) for the College Main Plaza and Patricia/Lodge Street Improvements.

Relationship to Strategic Goals: Improving Mobility – Provide complete streets that accommodate vehicles, bicyclists, and pedestrians. Ensure streets have features that promote walkability.

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

Summary: This project has been a cooperative effort between the City of College Station, TxDOT, Texas A&M University, and the Northgate Merchants to improve pedestrian safety in the Northgate area. The first phase AFA for this project was approved by City Council on June 23, 2011 and included funding for retractable bollards, traffic barrier along University Drive, and powder coated traffic signal poles and mast arms. At the time of the first AFA, the engineering design for these current improvements was not complete. The second AFA was approved by council on February 23, 2012 and includes funding for additional retractable bollards, brick pavers and drainage improvements along College Main, conduit for future street lighting, powder coating of traffic signs, and intersection improvements at Lodge and Patricia Streets. The budget for the second AFA was based on the engineer's estimate and this increase is in response to negotiated prices with TxDOT.

Budget & Financial Summary: The increase in cost for these improvements is \$180,283. The current project budget for the College Main Plaza Improvements, in the amount of \$692,000, is for engineering design and payment of the requested improvements to TxDOT. \$463,594 has been expended or committed to date, leaving a balance of \$228,406 for this AFA amendment and remaining costs related to the project.

Attachments:

1. AFA
2. Location Map

ATTACHMENT A-1 PAYMENT PROVISION AND WORK RESPONSIBILITIES

The Local Government will design and fund pedestrian and illumination elements on FM 60 (University Drive) in College Station. This work will be added by change order to the current State construction project which let to contract in August 2011.

Costs will be allocated based on 0% State funding and 100% Local Government funding.

| Work Performed by the Local Government | | | | | | | |
|---|------------------|-----------------|------------|---------------------|------------|-------------------------|------------------|
| Description | Total Est. Cost | Federal Funding | | Payments by State | | Local Participation | |
| | | % | Cost | % | Cost | % | Cost |
| Engineering and Plan Preparation | \$40,500 | 0% | \$0 | 0% | \$0 | 100% | \$40,500 |
| Work Performed by the State | | | | | | | |
| Description | Total Est. Cost | Federal Funding | | State Participation | | Payments by Local Gov't | |
| | | % | Cost | % | Cost | % | Cost |
| Construction | \$536,688 | 0% | \$0 | 0% | \$0 | 100% | \$536,688 |
| State Costs for Review, Inspection, and Oversight of Work Performed by the Local Government / State | | | | | | | |
| Description | Total Est. Cost | Federal Funding | | State Participation | | Payments by Local Gov't | |
| | | % | Cost | % | Cost | % | Cost |
| Environmental Direct State Costs | \$0 | 0% | \$0 | 0% | \$0 | 0% | \$0 |
| Right of Way Direct State Costs | \$0 | 0% | \$0 | 0% | \$0 | 0% | \$0 |
| Construction Engineering Direct State Costs | \$61,720 | 0% | \$0 | 0% | \$0 | 100% | \$61,720 |
| Utility Direct State Costs | \$0 | 0% | \$0 | 0% | \$0 | 0% | \$0 |
| Indirect State Costs | \$0 | 0% | \$0 | 0% | \$0 | 0% | \$0 |
| TOTAL | \$638,908 | 0% | \$0 | 0% | \$0 | 100% | \$638,908 |

Initial payment by the Local Government to the State: \$598,408
 Payment by the Local Government to the State before construction: \$0
 Estimated total payment by the Local Government to the State: \$598,408

CSJ # 0506-01-091
District # 17-Bryan
Code Chart 64 # 09050
Project: FM 60 Pedestrian Illumination

This is an estimate. The final amount of Local Government participation will be based on actual costs.

Maintenance

The State and the Local Government shall be responsible for the maintenance of the state highway system after completion of the Project in accordance with the Municipal Maintenance Agreement in effect at the time the maintenance is required.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Nancy Berry
Typed or Printed Name

Mayor, City of College Station
Title

Date

ATTEST:

City Secretary

Date: _____

APPROVED:

City Manager

Date: _____



City Attorney

Date: _____

Chief Financial Officer

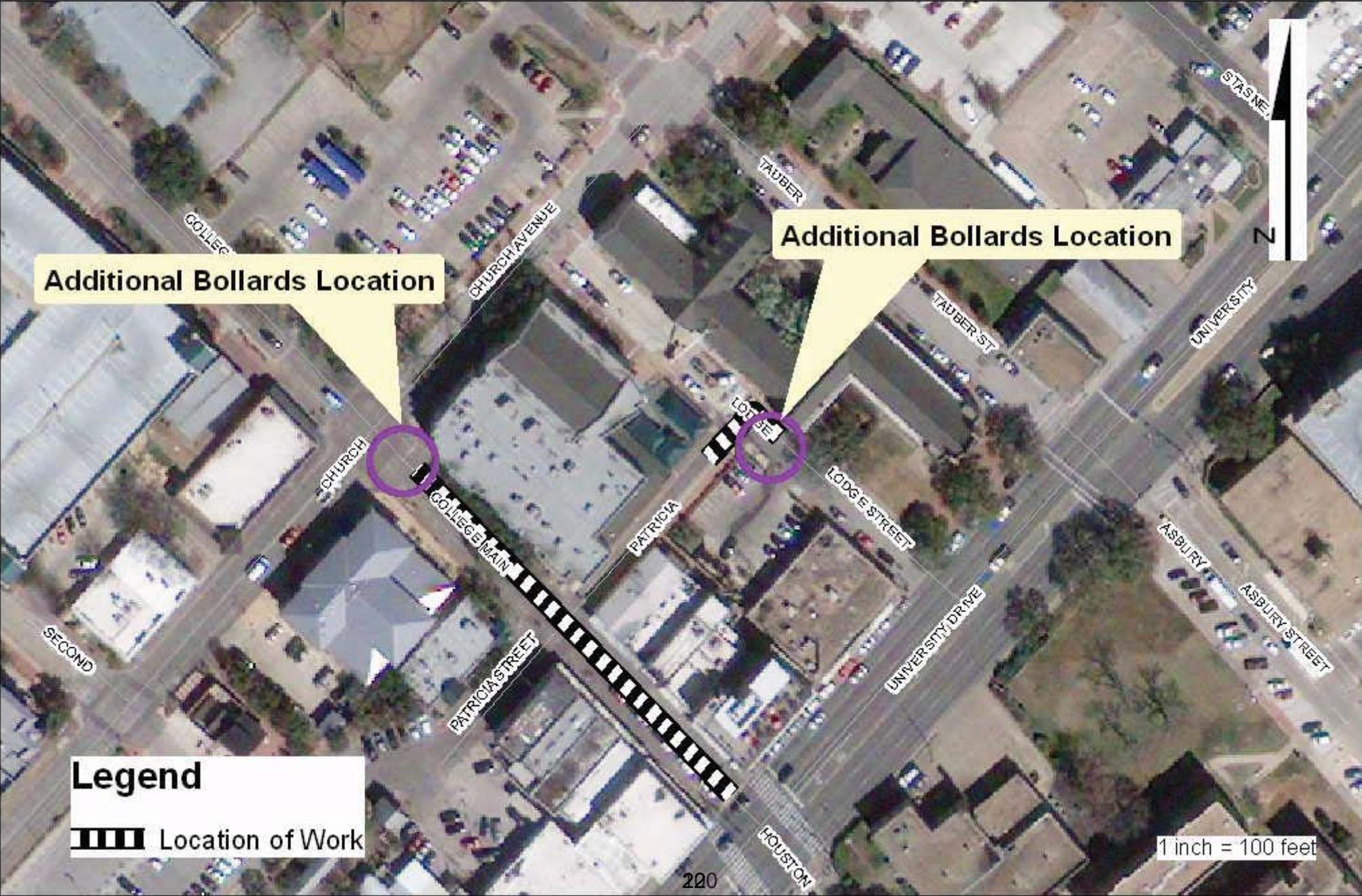
Date: _____

THE STATE OF TEXAS

Regional Director

Date

College Main Plaza & Lodge/Patricia Streets Improvements



May 24, 2012
Consent Agenda Item No. 2c
Residential Utility Deposit/Commercial Delinquent Fee Ordinance

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Presentation, possible action, and discussion regarding an ordinance amending Chapter 11, "Utilities" Section 11-1, "General Provisions", sections B-D and K of the Code of Ordinances of the City of College Station, Texas, having the effect of raising utility deposit amounts for residential Utility customers and raising the delinquent fee amount for commercial customers.

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

Recommendation: Staff recommends Council approve the ordinance revising the Utility Deposits and the revising the delinquent fee amount for commercial customers.

Summary: A presentation on this item was made at the May 14 City Council Meeting.

The attached ordinance implements an increase to the utility deposit amounts charged for residential customers and clarifies when deposits will be collected. Increasing the utility deposit amounts will help offset the dollar amount of write offs each year. The write off amounts have been increasing in recent years.

Currently all residential customers are billed the same deposit amount of \$105.00 for electric service and \$30.00 for water service after they demonstrate a slow payment history.

The proposed ordinance will require customers, at the time of connection, to make a deposit equal to one and one half times the estimated average monthly utility bill amount unless exemption criteria is met. Exemption criteria for homeowners will be maintaining a credit history of no more than 2 late payments in a 12 month period. Renters will be exempt if they enroll in Auto Pay which is a service provided that automatically pays the utility bill monthly electronically. The average deposit for a residential account receiving all services would be \$350.00.

The delinquent service fee for commercial customers is proposed to be increased to \$150 when services are disconnected for nonpayment and a reconnect has been requested. This amount is in line with the cost to provide this service. Currently these customers are charged \$25.00 which is not covering the cost of this reconnect service.

Budget & Financial Summary: Utility write offs will be reduced.

Attachments:

1. Ordinance
2. Deposit Criteria

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 11, "UTILITIES" BY AMENDING SECTION 11-1 "GENERAL PROVISIONS", SECTIONS B – D AND K OF 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 the Code of Ordinances of the City of College Station, Texas CHAPTER 11, "UTILITIES" BY AMENDING SECTION 11-1 "GENERAL PROVISIONS", SECTIONS B – D AND K, 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2012.

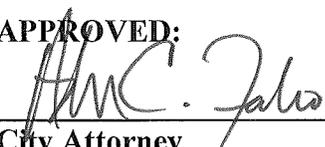
APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That the Code of Ordinances of the City of College Station, Texas **CHAPTER 11, "UTILITIES" SECTION 11-1 "GENERAL PROVISIONS", SECTIONS B – D AND K** be amended and are to read as follows:

B. Deposits and Administrative Charges for utility service.

- (1) **Administrative Charges.** Any person desiring utility service from the City of College Station, Texas, shall be required to pay an administrative charge covering the cost of labor for the connection of utility service.
- (2) **Deposits.** Deposits will be required from all customers, unless they are exempt from such deposit.

C. Residential Service.

- (1) **Deposits required.** Residential customers shall make a deposit in the amount of one and one half (1 ½) times the estimated average monthly bill for their service location for the preceding year.
- (2) **Deposit Exemptions**
 - (a) The owner of the location is exempt from a deposit, unless the account is paid late more than two (2) times in a twelve (12) month period or the account is disconnected for nonpayment.
 - (b) Any customer that enrolls in Auto Pay, unless there is a returned payment.
- (3) **Deposit Returned.** Residential customers who have twenty four (24) consecutive months of service with not more than two (2) late payments may request that the deposit be returned to them by the City. The deposit will be applied to their utility account. A subsequent failure to maintain a good payment history shall be deemed as just cause to require a subsequent cash deposit.

D. Commercial and Industrial Customers.

- (1) **Deposits Required.** Any commercial or industrial customer shall make a deposit with the City in an amount sufficient to cover the average utility bill for a two-month period. An average of the locations last twelve (12) monthly bills, or an estimate of the annual bill amounts shall be used in computing the minimum deposit. Such deposit may be made in the form of cash, the pledging and assignment of a certificate of deposit, a valid non-documentary bank letter of credit, or placement of a surety bond with an insurance company licensed to do business in Texas, with the best bond rating as accepted by the City.
- (2) **Deposit Exemptions.** Commercial and industrial customers who provide an acceptable

letter of credit from a previous utility company showing at least twenty four (24) months of service with no late payments, no returned checks and no disconnects for nonpayment in the most recent twelve (12) month period will be exempt from deposit. Failure to maintain a good payment record shall be deemed as just cause to require a deposit as outlined in paragraph (1) of this subsection.

(3) Deposit Returned. Commercial and industrial customers who have twenty four (24) consecutive months of service and have no late payments in the last twelve (12) months may request that their deposit be released by the City. A subsequent failure to maintain a good payment record shall be deemed as just cause to require a deposit as outlined in paragraph (1) of this subsection.

K. Disconnection and Reconnections.

(1) When Utility Connections may be Severed.

(a) All utility connections may be severed for any customer who fails to pay all or any part of his total bill by the due date.

(b) Any person found to be in violation of any section of the chapter shall be served a written notice stating the nature of the violation. The City is authorized to immediately disconnect the offending person's service upon such notice and to not reconnect the service as long as the violation continues.

(2) Restoration of Services.

(a) When connections for services have been severed, or are considered to be severed, the same shall be restored only when all amounts past due to the City have been paid in full.

1. A twenty-five dollar (\$25.00) delinquent fee will be charged on each residential account.

2. A one hundred fifty dollar (\$150.00) delinquent fee will be charged on each commercial account.

(b) All connections, reconnections and disconnections shall be made only by an authorized representative of the City.

New Deposit Criteria

RESIDENTIAL

Homeowners will be exempt from putting down an initial deposit. After two late payments in twelve months, the deposit will be billed in one installment. Exemption from deposit will be for those who enroll in auto pay. After the first auto pay return/non-payment, the deposit will be billed in one installment.

Renters will be billed deposit on the first month's bill in one installment. The only exemption from deposit will be for those who enroll in auto pay. After the first auto pay return/non-payment, the deposit will be billed in one installment.

Deposit amount for all residential accounts is 1 ½ times the estimated average monthly bill.

Deposit amounts will be evaluated periodically to ensure adequate deposits are collected. If additional deposits are required they will be billed.

Should an account be disconnected for nonpay, the deposit amount will be evaluated to ensure adequate deposit is on account. If not, additional deposit amounts will be collected.

Deposit Refunds – Requires twenty four months of service with no more than two late payments.

COMMERCIAL

Commercial accounts will continue to pay a deposit of two times the annual estimated bill amount. Exemption will be letter of credit from utility company showing twenty four months of service with no late payments, returned checks, or disconnects for non-pay in most recent twelve months.

Deposit Refunds – same as letter of credit criteria.

May 24, 2012
Consent Agenda Item No. 2d
University Drive Pedestrian Improvements
Phase 2 Preliminary Engineering Report

To: David Neeley, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and HDR Engineering, Inc. in the amount of \$235,619.85 for the University Drive Pedestrian Improvements Phase 2 Preliminary Engineering Report (PER) and authorizing the City Manager to execute the contract on behalf of the City Council.

Relationship to Strategic Goals: Improving Multi Modal Transportation – Provide safety improvements for pedestrian traffic along the University Drive corridor and support future development in the area.

Recommendation(s): Staff recommends approval of the contract and authorization for the City Manager to execute the contract.

Summary: Phase 2 of the University Drive Pedestrian Improvements Project will begin at the terminus of Phase 1, which is currently under construction by TxDOT, extending from College Main to South College. This contract is to complete a Preliminary Engineering Report (PER) to consider various elements that will impact the detailed design. The scope of work includes determining the Right-of-Way (ROW) and ROW acquisition needs, traffic analysis, public engagement, and development of the conceptual design. The conceptual design will lay out design elements consistent with the University Drive Pedestrian Improvements Master Plan developed by Schrickel, Rollins, and Associates in 2007. The PER will also take into consideration the new high density development proposed along the corridor and in the Northgate area.

Budget & Financial Summary: Funds in the amount of \$7,055,000 are budgeted for the Phases 2-5 improvements. Funds in the amount of \$3,824.47 have been expended or committed to date, leaving a balance of \$7,051,175.53 for this PER, design and construction. The construction estimate will be developed as a part of this preliminary study.

Attachments:

1. Resolution
2. Project Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE UNIVERSITY DRIVE PEDESTRIAN IMPROVEMENTS PHASES 2-5 PROJECT.

WHEREAS, the City of College Station, Texas, solicited proposals for the engineering; and

WHEREAS, the selection of HDR Engineering, Inc. is being recommended as the most highly qualified provider of the engineering services; 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 HDR Engineering, Inc. is the most highly qualified provider of the services for University Drive Pedestrian Improvements Phases 2-5 Project on the basis of demonstrated competence and qualifications.
- PART 2: That the City Council hereby approves the contract with HDR Engineering, Inc. for an amount not to exceed \$235,619.85 for the engineering services related to the University Drive Pedestrian Improvements Phases 2-5 Project.
- PART 3: That the funding for this Standard Form Construction Contract shall be budgeted from the Streets Capital Projects Fund in the amount of \$235,619.85.
- PART 4: That the City Council hereby authorizes the City Manager to execute the Construction Contract.
- PART 5: This resolution shall take effect immediately from and after its passage.

ADOPTED this 24 day of May, A.D. 2012.

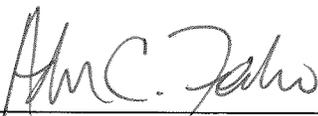
ATTEST:

APPROVED:

City Secretary

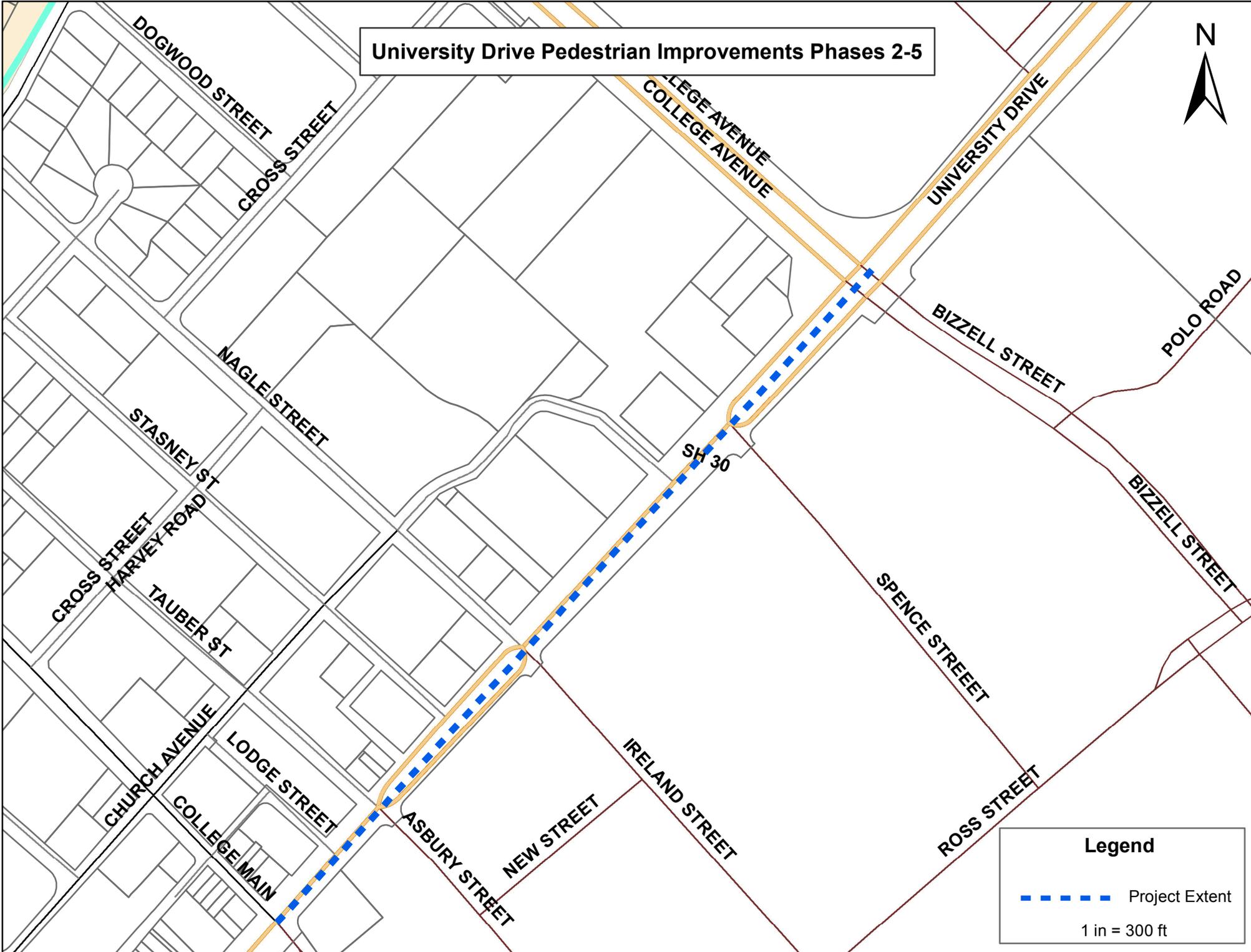
Mayor

APPROVED:



City Attorney

University Drive Pedestrian Improvements Phases 2-5



Legend

- Project Extent

1 in = 300 ft

May 24, 2012
Consent Agenda Item No. 2e
Resolution Denying Atmos Mid-Tex's
Proposed Rate Increase

To: David Neeley, City Manager

From: Jason Stuebe, Assistant to the City Manager

Agenda Caption: Presentation, possible action, and discussion regarding a resolution denying Atmos Energy Corp., Mid-Tex Division's proposed rate increase.

Recommendation(s): Staff recommends adopting the resolution denying Atmos Mid-Tex's proposed rate increase.

Summary: The city, along with over 150 other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos"), is a member of the Atmos Cities Steering Committee ("ACSC"). The ACSC represents the city throughout the Rate Review Mechanism, which provides an expedited but comprehensive process for reviewing Atmos' proposed rates on an annual basis.

On January 31, 2012, Atmos filed a statement of intent seeking to increase the system-wide base rate (which excludes the cost of gas) by approximately \$49 million or 11.94%, which includes an increase of 13.6% for its residential customers. Additionally, Atmos has proposed changes to the formula for collecting rates by increasing the residential fixed-monthly charge from \$7.50 to \$18.00 and decreasing the consumption charge from \$0.25 per 100 cubic feet to \$0.07 per ccf.

The ACSC engaged in the review of Atmos' proposed rate increase and recommended that the rate increase be suspended to allow more time for research and negotiation. The City Council passed a suspension resolution on February 23rd, extending the effective date of Atmos' rate increase to June 4, 2012. During further review, the ACSC found justification that Atmos' rates should actually be decreased. On April 25, 2012, Atmos extended the effective date of the proposed rate change to June 11, 2012.

The ACSC and Atmos have engaged in some settlement discussions but no agreement has been reached. The ACSC is hoping to achieve a settlement in order to perpetuate the RRM process. Therefore, the ACSC is recommending that the city deny the Company's proposed rate increase to facilitate further settlement discussions. Adoption of this resolution prevents Atmos' proposed rate increase from automatically going into effect on June 11. It is expected that Atmos will appeal all of the ACSC cities' denials to the Rail Road Commission, though they have expressed a desire to reach a settlement during this appeal.

Budget & Financial Summary: N/A

Attachments:

- 1) Resolution

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF COLLEGE STATION, TEXAS, DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S ("ATMOS MID-TEX") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ACSC'S LEGAL COUNSEL

WHEREAS, the City of College Station, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 104, §104.001 et seq. of GURA, has exclusive original jurisdiction over Atmos Mid-Tex's rates, operations, and services within the City; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of over 150 similarly situated cities served by the Company that have joined together to facilitate the review and response to natural gas issues affecting rates charged in the Atmos Mid-Tex Division; and

WHEREAS, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC and the Company worked collectively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC as a substitute to the current GRIP process instituted by the Legislature; and

WHEREAS, ACSC and the Company agreed to extend the RRM process in reaching a settlement in 2010 on the third RRM filing; and

WHEREAS, in 2011, ACSC and the Company engaged in good faith negotiations regarding the continuation of the RRM process, but were unable to come to ultimate agreement; and

WHEREAS, on or about January 31, 2012, the Company filed a Statement of Intent with the cities retaining original jurisdiction within its Mid-Tex service division to increase rates by approximately \$49 million; and

WHEREAS, Atmos Mid-Tex proposed March 6, 2012, as the effective date for its requested increase in rates; and

WHEREAS, the City suspended the effective date of Atmos Mid-Tex's proposed rate increase for the maximum period allowed by law and thus extended the City's jurisdiction until June 4, 2012; and

WHEREAS, on April 25, 2012, the Company extended the effective date for its proposed rates by one week, which similarly extended the City's jurisdiction until June 11, 2012; and

WHEREAS, the ACSC Executive Committee hired and directed legal counsel and consultants to prepare a common response to the Company's requested rate increase and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, ACSC's consultants conducted a review of the Company's requested rate increase and found justification that the Company's rates should be decreased; and

WHEREAS, ACSC and the Company have engaged in settlement discussions but will be unable according to Company representations to reach settlement in sufficient time for cities to act before June 11, 2012; and

WHEREAS, failure by ACSC members to take action before June 11, 2012 would allow the Company the right to impose its full request on residents of said ACSC members; and

WHEREAS, the ACSC Settlement Committee recommends denial of the Company's proposed rate increase in order to continue settlement discussions pending the Company's appeal of cities' denials to the Railroad Commission of Texas; and

WHEREAS, the GURA § 103.022 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

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

1. That the facts and recitations set forth in this resolution are hereby declared true and correct.
2. That the rates proposed by Atmos Mid-Tex to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.
3. That the Company shall continue to charge its existing rates to customers within the City and that said existing rates are reasonable.
4. That the City's reasonable rate case expenses shall be reimbursed by the Company.
5. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.
6. That the City Manager or his designee ensure that a copy of this Resolution be sent to Atmos Mid-Tex, care of David Park, Vice President Rates & Regulatory Affairs, at

Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

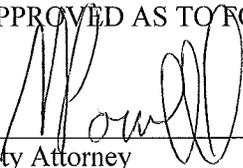
PASSED AND APPROVED this _____ day of _____, 2012.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:



City Attorney

May 24, 2012
Consent Agenda Item No. 2f
Fire Station Alerting System

To: David Neeley, City Manager

From: Robert Alley, Fire Chief

Agenda Caption: Presentation, possible action and discussion regarding the approval of a resolution accepting from the 2011 Homeland Security Assistance to Firefighters Grant Program recipient of \$210,168, and naming a City staff member as manager of those grant funds.

Recommendation(s): Staff recommends acceptance of the Department of Homeland Security Assistance to Firefighters Grant, these funds will be utilized to assist in the cost of updating and improving the fire station alerting system. Staff recommends the Fire Chief or his designee be designated as the "Grant Manager" for administration of this grant.

Summary: The City of College Station has been awarded the Homeland Security Assistance to Firefighters program grant in the amount of \$210,168. The funding will be used to purchase emergency alerting equipment and have it installed in all (6) fire stations. This will allow fire and emergency medical personnel to greatly improve response times to emergency incidents and will allow our fire stations to meet new standards as it relates to firefighter health and safety. This Grant will be utilized to assist with the cost associated with the upgrading of the fire station alerting system for all 6 fire station. The period of performance of this agreement shall end on January 26, 2013.

Budget & Financial Summary: This upgrade to the fire station alerting system is in the FY2012 approved budget in the General Governmental and Capital Equipment Capital projects section.

Attachments:

2011 Homeland Security Assistance to Firefighters Grant Program Letter
Resolution



FEMA

Mr. Bart Humphreys
College Station Fire Department
300 Krenek Tap Road
College Station, Texas 77840-5023

Re: Grant No.EMW-2011-FO-08807

Dear Mr. Humphreys:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2011 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$262,710.00. The Federal share is 80 percent or \$210,168.00 of the approved amount and your share of the costs is 20 percent or \$52,542.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you formally receive the award through the AFG online system.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval from FEMA.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the awards process or how to request your grant funds, please call the helpdesk at 1-866-274-0960.

A handwritten signature in blue ink that reads "Elizabeth M. Harman".

Elizabeth M. Harman
Assistant Administrator
Grant Programs Directorate

RESOLUTION No. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ACCEPTING THE 2011 HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AWARD; AUTHORIZING THE CITY FIRE CHIEF OR HIS DESIGNEE TO SERVE AS A GRANT MANAGER FOR THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Department of Homeland Security, a Department of the U.S. Government, has awarded the City of College Station a 2011 Homeland Security Assistance to Firefighters Grant; and

WHEREAS, the Department of Homeland Security has served the City of College Station with a Notice of Award for the 2011 Homeland Security Assistance to Firefighters Grant Program in the amount of \$210,168 to be used in this performance period ending January 26, 2013; and

WHEREAS, the intent of this grant is to improve the alerting capability in the fire stations to aid in the City's ability to enhance its capacity to prevent, respond to, and recover from fires, acts of terrorism, and natural disasters; now, therefore,

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

- PART 1: That the facts and recitations set forth in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof.
- PART 2: That the City Council hereby accepts the award to the City of the Homeland Security Assistance to Firefighters Grant for the 2011 Grant Program in the amount of \$210,168 from the Department of Homeland Security.
- PART 3: That the City Council hereby authorizes the City Fire Chief or his designee to serve as the Grant Manager for the City to track and manage this Homeland Security Assistance to Firefighters Grant award.
- PART 4: That this resolution shall take effect immediately from and after its passage.

PASSED, ADOPTED and APPROVED this _____ day of _____ 2012.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

May 24, 2012
Consent Agenda Item No. 2g
Community Emergency Operations Center

To: David Neeley, City Manager

From: Robert Alley, Fire Chief

Agenda Caption: Presentation, possible action and discussion of the renewal of the Inter-local Agreement establishing the Community Emergency Operations Center which will be staffed by a collaborative effort between Brazos County, the cities of College Station and Bryan, and Texas A&M University for a cost of to the City of College Station of \$60,592.89 for the lease agreement for the first year, this proposal is in support of the lease ending April 17, 2018.

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

Summary: The ILA describes the operational, management and other technological aspects of the relationship between the jurisdictions involved. The ILA has established a Policy Advisory Board so that all partners will have an equal voice in the management of the CEOC. Each jurisdiction will house their emergency management staff at this location for better coordination, response, and reduction of operational costs. 75% of the staff assistant position employed by the City of College Station will be reimbursed equally from the other 3 parties.

Budget & Financial Summary: Financial support will be shared by all (4) entities. The cost to the City of College Station will be \$60,592.89 for the lease for the first year. The future annual cost for each partner will be: years 2 and 3 will remain at 60,592.89, Year 4 will be \$62,107.71 and Year 5 will be \$63,660.42. This does not include employee salaries, benefits, operations and maintenance costs which are currently budgeted.

Attachments:
Community EOC Inter-local Agreement
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE INTERLOCAL AGREEMENT FOR THE OPERATION AND MANAGEMENT OF A COMMUNITY EMERGENCY OPERATION CENTER (CEOC).

WHEREAS, the City Council of the City of College Station, Texas, and the parties are obligated to protect the health, safety and welfare of the population; and

WHEREAS, Chapter 791 of the TEXAS GOVERNMENT CODE, also known as the INTERLOCAL COOPERATION ACT, authorizes all local governments to contract with each other to perform governmental functions or services including but not limited to emergency response services; and

WHEREAS, the parties represent that each is independently authorized to perform the functions or services contemplated by this Agreement; and

WHEREAS, the City Council of the City of College Station, Texas, wish to partner and collaborate on emergency management operations, recognizing the benefits and savings of co-locating respective emergency operation centers into one facility; and

WHEREAS, the College Station City Council on June 19, 2007 passed an agreement supporting the concept of the Community Emergency Operations Center and partnering with Brazos County, the City of Bryan, and Texas A&M University, and now the parties wish to renew that agreement for an additional term until 2018; now, therefore,

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

- PART 1: That the facts and recitations set forth in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof.
- PART 2: That the City Council hereby approves an Interlocal Agreement for the participation in the operation and management of the community emergency operation center (CEOC) and partnering with Brazos County, the City of Bryan, and Texas A&M University.
- PART 2: That the City Council hereby agrees to protect the health, safety and welfare of the population by collaborating with its partners in the operation of a CEOC.
- PART 3: That this resolution shall take effect immediately from and after its passage.

PASSED, ADOPTED and APPROVED this _____ day of _____ 2012.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

AGREEMENT
COMMUNITY EMERGENCY OPERATIONS CENTER

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

THIS COMMUNITY EMERGENCY OPERATIONS CENTER AGREEMENT (herein the "Agreement") is made to be effective on the date of execution by the last signing party, by and between the City of Bryan, a Texas Home Rule Municipal Corporation (hereinafter referred to as "Bryan"), and the City of College Station, a Texas Home Rule Municipal Corporation (hereinafter referred to as "College Station"), Brazos County, Texas, a political subdivision of the State of Texas (hereinafter referred to as the "County") and Texas A&M University, a member of The Texas A&M University System, an agency of the State of Texas (hereinafter referred to as "TAMU").

WHEREAS, the parties are entering into this Agreement in order to coordinate plans and assets to provide for the protection of the health, life and property of the citizens of the Brazos Valley during times of natural disasters or man-made calamities;

WHEREAS, the parties are authorized to make and enter into this Agreement under the Interlocal Cooperation Act (Subchapter B of Chapter 791 of the Texas Government Code), the Texas Disaster Act (TX Government Code Chapter 418) and other applicable laws of the State of Texas pertaining to emergency services;

WHEREAS, the parties have combined their current individual emergency management departments into one central location to increase communication, reduce costs and better coordinate services from one central point in the event of a natural or man-made disaster;

WHEREAS, the primary objectives for operating the Community Emergency Operation Center are as follows:

- (a) to operate a central location in order to achieve the least possible operational cost for the parties.
- (b) to combine services in one location to improve communications among the parties and deliver emergency service in a coordinated, efficient manner.

NOW THEREFORE, Bryan, College Station, the County and TAMU hereby contract and agree as follows:

ARTICLE I.
DEFINITIONS

Section 1.01. DEFINITION OF TERMS. In addition to the definitions stated in the preamble hereof, the terms and expressions as used in this Agreement, unless the context clearly shows otherwise, shall have the following meanings:

(a) "Agreement" or "this Agreement", means this contract and any similar contracts executed between the parties with respect to the establishment of a Community Emergency Operation Center.

(b) "Board" means the Policy Advisory Board to the Community Emergency Operation Center.

(c) "City" or "Cities" means a Texas home rule municipality, specifically College Station and Bryan.

(d) "Community Emergency Operation Center" or "CEOC" means the centralized joint operation of the parties' emergency services departments in the Leased Premises in Bryan, Texas.

(e) "Landlord" means Fibertown DC, LLC.

(f) "Leased Premises" means space within the Wimberly Building, 110 North Main Street, Bryan, Brazos County, Texas as described in paragraph 4.02.

ARTICLE II.
STATEMENTS RELATED TO GENERAL PURPOSE

Section 2.01. OVERALL PURPOSE. The Cities of Bryan and College Station, the County and TAMU enter into this Agreement to operate the Community Emergency Operations Center (hereinafter referred to as the "CEOC"). The primary purpose of the CEOC is to achieve a cost savings to the parties by the elimination of duplication of services and to provide a more effective, efficient delivery of emergency services for the participants in the CEOC through the joint operation of one central location for such services.

ARTICLE III.
ORGANIZATION AND GOVERNANCE

Section 3.01. POLICY ADVISORY BOARD. The parties do hereby establish a Policy Advisory Board (Board). The Board shall be comprised of four voting members as follows: the Mayors of Bryan and College Station, the County Judge and the President of TAMU or a designee for each such party, as authorized by their respective governmental body.

Section 3.02. BOARD DUTIES AND MEETINGS. The Board shall have the power to request, receive and review such information as it deems necessary to provide recommendations to the Bryan City Council, the College Station City Council, the County Commissioners Court

and TAMU administration regarding the CEOC's joint purchases, if any; long range plans and future space requirements; the CEOC's effectiveness in achieving the purpose set forth herein and to resolve and recommend solutions to any unforeseen administrative issues. The Board has no authority over personnel matters. The Board has no rule-making power and is not a governmental body as defined in §551.001 of the Texas Government Code. The Board shall, however, provide notice of its meetings and conduct its meetings in the same manner as a governmental body is required to do under the Texas Open Meetings Act, Chapter 551, Texas Government Code. The Board shall meet annually, or as often as it deems necessary to meet its duties under this Section. Any member of the Board shall have the authority to call a meeting of the Board upon fifteen (15) days' prior written notice.

ARTICLE IV.
GENERAL OPERATING REQUIREMENTS

Section 4.01. CENTER OPERATOR. Each party shall employ its own staff to man its individual emergency office at the CEOC. Each party agrees to house its current emergency management staff at the CEOC. There shall be one paid administrative support staff member at the CEOC. The College Station support staff member shall remain an employee of College Station, subject to the control and direction of the City Manager of College Station. The City Managers of College Station, Bryan, County Judge, or designated representatives, and designated representatives of TAMU shall approve the essential duties and job functions of the CEOC staff. Bryan, the County and TAMU shall each reimburse College Station twenty-five percent (25%) of such staff support member's salary and other employee benefits when invoiced by College Station. The Policy Advisory Board shall make recommendations as to the operation and management of the CEOC. However, separate emergency management protocols as approved by the parties under agreements or as required by state and federal laws or regulations applicable to the specific nature and location of emergency events shall dictate the management, chain of command and general operating procedures for a CEOC event.

Section 4.02. LEASE. Bryan has executed a lease with Astin Redevelopment, L.P. which has been assigned to Landlord for the rental of a portion of the Wimberly Building, 110 North Main Street, Bryan, Brazos County, Texas (herein the "Lease") within which the CEOC shall be housed. Bryan shall not execute the Lease without the prior consent of all parties to this Agreement. College Station, the County and TAMU shall each reimburse Bryan for 25 percent of the rents and other expenses set forth therein. The parties herein agree, as among themselves, that Bryan shall provide a credit to each party equal to each party's proportionate share of any rent abatement granted by the Landlord in the event of a partial destruction of the Leased Premises as set forth in Paragraph 6.5(b) of the Lease. Such apportionment shall be a ratio equal to each party's damaged or destroyed square footage divided by the total square footage of the leased premises and multiplied by the abated rent. Bryan shall not modify the Lease without the written consent of College Station, the County and TAMU. Bryan shall forward to College Station, the County and TAMU all Notices it receives from the Landlord relative to the Leased Premises and shall not settle any dispute arising under the Lease without the advice and consultation of College Station, the County and TAMU. No later than three days before the due date for the advance payment of rent each month under the Lease, each party shall pay to Bryan their proportionate share. Each month, following the payment of rent due under the Lease,

Bryan shall provide to each party a receipt or other satisfactory evidence verifying that the rent has been paid to Landlord.

Section 4.03. COSTS. Each party agrees to be responsible for one-fourth (1/4) of the cost of operating the CEOC including, the salary and benefits of one paid support staff member, rent and other expenses, including any general liability insurance, under the Lease, any damages to the Leased Premises caused by the parties, their agents, employees, licensees, invitees or visitors and determined to be owed to the Landlord, any increased electrical costs for non-standard service in the Leased Premises, any shared cost agreed to and approved by the Board and any other joint costs arising from the operation of the CEOC. Except for the payment and maintenance of personnel files of one support staff member under paragraph 4.01 by College Station, or as otherwise provided in this Agreement, Bryan shall be responsible for maintaining all records, paying all invoices and any other bills which may arise from the operation of the CEOC and auditing the financial records of the CEOC on a monthly basis. Bryan shall issue a quarterly invoice to all parties setting forth each party's proportional share of the costs and expenses of the CEOC other than rent due under the Lease. Bryan shall bill the other parties for any non-routine costs by itemized statement as soon after the expenses are incurred as possible, but not later than sixty (60) days.

ARTICLE V. FINANCIAL REQUIREMENTS

Section 5.01. SHARED ASSETS. All personal property contributed by the parties for use by all parties at the CEOC and all such property acquired in the future for such purposes shall be held and owned by The Cities, the County and TAMU as tenants in common, with each party having a one-fourth (1/4) undivided interest unless otherwise agreed and specified under subsection (a), (b) or (c). Except as otherwise provided in this paragraph or by other consensus of the parties as reflected in the inventory under subsection (c), a third party hired by the County in accordance with applicable bidding requirements of state law shall maintain all shared assets. As of the date this Agreement is executed, the parties agree that the WEBEOC Server, related software, certain audio-video equipment contributed by the County and any roof mounted wireless antenna to be installed on the Leased Premises will be considered shared assets for purposes of this Article V. The WEBEOC software maintenance shall be paid by the County. Bryan, College Station and TAMU shall each reimburse the County twenty-five percent (25%) of the annual cost of such software maintenance upon receipt of an invoice from the County. A secondary WEBEOC server shall be located in the City of College Station and shall be monitored, supported and maintained by College Station. Any roof mounted wireless antenna and all personal computers for shared CEOC use in the CEOC common area shall be monitored, supported and maintained by Bryan. The parties shall share equally in the cost of such maintenance and support, other than the cost of support personnel.

(a) RESTRICTED SHARED ASSETS. In the event personal property proposed to be contributed by any party for CEOC shared use is subject to restrictions or prohibitions against sale, transfer, assignment, lease, conveyance or other such restrictions under applicable grant or funding agreements or is subject to exclusive maintenance contracts, or otherwise, the contributing party shall provide notice to the

other parties in writing of such restrictions or prohibitions for a determination by the parties whether, and under what terms and conditions, the property shall be accepted and utilized for CEOC shared use. The terms and conditions under which such property will be accepted for shared CEOC use shall be set forth in the inventory required by subsection (c).

(b) NON-CEOC PROPERTY. All property, furniture, equipment and software used by each party in connection with the employment and housing of its individual emergency management staff within the areas of the Leased Premises designated for occupancy by each party separate from the common area shall remain the property and responsibility of the party owning such property, furniture or equipment at the time it is delivered to the Leased Premises.

(c) PROPERTY INVENTORY. Upon execution of this Agreement, the parties shall prepare and agree upon an inventory of all property, equipment, software, licenses and related items contributed for shared CEOC use showing, at a minimum as to each separate item contributed, the following:

1. the name of the contributing party;
2. whether the property contributed shall be owned under tenancy in common or shall revert back to the contributing party upon the end of its usefulness to the CEOC, dissolution of the CEOC or withdrawal from participation in the CEOC by the contributing party;
3. applicable grant or other restrictions as to use or maintenance;
4. the entity or third party responsible for maintenance;
5. an identification, serial or tracking number or code;
6. limitations or restrictions on access or use necessary for the protection of secure, proprietary or confidential information; and
7. any other information as deemed appropriate by agreement of the parties.

The inventory shall be amended and supplemented as items are purchased jointly or contributed by individual parties or removed. Software and any related software licenses shall be included within this inventory.

Section 5.02. BUDGETED FUNDS. All expenses required to be paid herein shall be paid solely from lawfully available funds that have been appropriated by the Cities, the County and TAMU.

ARTICLE VI.
TERM

Section 6.01. This Agreement shall be effective upon the date of execution by the last party signing below and shall terminate on April 17, 2018.

ARTICLE VII
TERMINATION AND DISSOLUTION

Section 7.01. WITHDRAWAL FROM AGREEMENT. Any party to this Agreement may terminate its participation in the CEOC and withdraw from this Agreement upon providing at least 120 days' written notice to the non-terminating parties, but shall remain liable for its share of the rent owing pursuant to the Lease and associated CEOC operation expenses due through the effective date of withdrawal as indicated in such notice; provided, however, if a party terminates due to its failure to appropriate funds as stated in Paragraph 5.02. above, such entity may terminate effective as of the date previously authorized funding for participation in the CEOC expires and without payment of said rent and associated operation expenses for which funding is not authorized. The withdrawing party, no later than the effective date of its withdrawal, shall remove all property and personnel not shared for use by the CEOC, but shall do so in a manner and at such times as to minimize any interference with the efficient operations of the CEOC and the other parties. Only if the inventory list under section 5.01(c) specifically indicates that particular property contributed by a withdrawing party shall revert back to such party upon its withdrawal shall the withdrawing party be entitled to remove such property.

(a) RESPONSIBILITIES OF NON-TERMINATING PARTIES. Should a party terminate as stated above, the remaining parties may negotiate new terms for the apportionment of expenses and delegation of responsibility, as applicable, under this Agreement. During the period of negotiating new terms of agreement, each party shall be responsible for its increased proportionate share of expenses required to be paid under this Agreement. If the parties are unable to negotiate and approve new terms within 60 days after the receipt of notice of any party's intent to withdraw from this Agreement (the "Renegotiation Deadline"), Bryan may terminate the Lease with Landlord effective 60 days after the Renegotiation Deadline or any agreed extension thereof. If Bryan terminates the Lease under this paragraph, the other parties shall continue to reimburse Bryan for their increased proportionate share of rent and other expenses due under the Lease through the effective Lease termination date and, to the extent permitted by law, shall reimburse Bryan for their proportionate share of termination expenses due under the Lease. If the parties are unable to negotiate and approve new terms of agreement for the joint operation of the CEOC, but Bryan elects to not terminate the Lease, the other parties shall vacate the leased premises on or before the 60th day after the Renegotiation Deadline or any agreed extension thereof and shall continue to reimburse Bryan for their increased proportionate share of rent and other expenses due under the Lease through the end of such 60 day period.

Section 7.02. DISSOLUTION. Upon dissolution of the cooperative venture of the parties under this Agreement by expiration or termination of this Agreement, the parties shall conduct an inventory and appraisal of property and assets.

(a) RESTRICTED PROPERTY. Any property or assets designated by the inventory created under Section 5.01 (c) to be retained or returned to the party from which it was contributed shall be returned to such contributing party. All remaining property shall be presumed to be owned by the parties as tenants in common.

(b) TENANCY IN COMMON PROPERTY. All remaining property and assets acquired collectively for CEOC use and owned by the parties as tenants in common shall be distributed equitably among the parties pursuant to terms of a written mutual agreement. A dollar value representing the value of property received by each party through the distribution process in this subparagraph (b) (the "Individual Deduction Amount") shall be allocated to each party. If the parties are unable to negotiate an agreement for the equitable distribution of all or any of the remaining property, such remaining property shall be sold by sealed bid or auction in accordance with applicable laws. The proceeds of such sale and/or auction will be distributed equitably among the parties as follows: the total value of proceeds received from sale and/or auction shall be added to the total value of property distributed to the parties under this subparagraph (b) (the "Total Gross Value"); the Total Gross Value shall be divided by the number of parties participating in the CEOC at the time of dissolution (the "Individual Gross Amount Due"); each party shall be paid the difference between the Individual Gross Amount Due and such party's Individual Deduction Amount.

(c) SURPLUS PROPERTY. To the extent allowed by applicable laws governing the disposal of surplus property, the parties may agree to donate items of personal property to authorized entities.

ARTICLE VIII. GENERAL PROVISIONS

Section 8.01. NOTICES. Any and all notices and invoices which may be required under the terms of this Agreement shall be mailed to the parties at the addresses indicated below or at such address as any of the parties may furnish in writing to the other parties herein named:

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

City of Bryan
Attn: City Manager
P.O. Box 1000
Bryan, Texas 77805

Brazos County
Attn: County Judge
300 E. 26th Street,
Bryan, TX 77803

Texas A&M University
Attn: University President
1246 TAMU
College Station, Texas 77843-1246

Section 8.02 This Agreement may be amended only by the mutual written consent of all parties.

Section 8.03. ASSIGNMENT. This Agreement shall be restricted to the Cities of Bryan and College Station, the County and TAMU. The rights, privileges and responsibilities pursuant to this Agreement are specifically prohibited from assignments to agents, contractors and/or franchisees performing services on behalf of the principals of this Agreement.

Section 8.04. AUTHORITY. This Agreement has been officially authorized by the governing body of each party hereto and each signatory to this Agreement guarantees and warrants that the signatory has full authority to execute this Agreement and to legally bind the respective party to this Agreement.

Section 8.05. CONSTRUCTION. The terms and conditions of this Agreement are not intended and shall not be construed as altering, changing or in any way superseding the Interjurisdictional Emergency Operation Plan or the Mutual Aid Agreement among the parties hereto. In the event any provisions herein are inconsistent with any provisions of the Interjurisdictional Emergency Operation Plan or the Mutual Aid Agreement, the terms and conditions of those Agreements shall govern.

Section 8.06. COUNTERPARTS. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Section 8.07 The parties hereto covenant and agree to execute all such further instruments and take such further action as may be reasonably required by any party to fully effectuate the terms and provisions of this Agreement and the transactions contemplated herein.

Section 8.08 RELATIONSHIP OF THE PARTIES. This Agreement does not create a partnership or joint venture between the parties. No party may obligate or bind another party in any manner.

SIGNED to be effective the _____ day of _____, 2012.

CITY OF BRYAN

CITY OF COLLEGE STATION

Mayor Jason P. Bienski

Mayor Nancy Berry

ATTEST:

ATTEST:

Mary Lynne Stratta, City Secretary

Sherry Mashburn, City Secretary

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Kean Register, Interim City Manager

David Neeley, City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney



Carla Robinson, City Attorney

BRAZOS COUNTY

TEXAS A&M UNIVERSITY

Duane Peters, Judge

ATTEST:

Karen McQueen, County Clerk

May 24, 2012
Consent Agenda Item No. 2h
Veterans Park Athletic Complex Field Expansion Design Contract
Project No. HM 1217

To: David Neeley, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding a resolution to approve the professional services contract (Design Contract 12-230) with PBK Sports in the amount of \$205,000.00, for the design of the Veteran's Park Synthetic Turf Fields Project (HM 1217), and authorizing the City Manager to execute the contract on behalf of the City Council.

Relationship to Strategic Goals: Goal I, 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.

Recommendation(s): Staff recommends approval of the professional services contract and authorization for the City Manager to execute the contract.

Summary: This scope of this project is to design and construct two synthetic turf fields at Veterans Park as well as parking and lighting to support the new fields. The synthetic turf fields will provide an all weather playing surface that can be used immediately following a rain event.

Budget & Financial Summary: Funds for this project are not currently budgeted. An budget of \$280,000 for this design contract and related expenses is included on the budget amendment being brought forth as a separate item. This budget will be appropriated in the Hotel Tax Fund.

Attachments:

1. Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL SERVICES CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE VETERAN’S PARK SYNTHETIC TURF FIELDS PROJECT.

WHEREAS, the City of College Station, Texas, solicited proposals for the engineering; and

WHEREAS, the selection of PBK Sports is being recommended as the most highly qualified provider of engineering services; 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 PBK Sports is the most highly qualified provider of the engineering services for the Veteran’s Park Synthetic Turf Fields Project on the basis of demonstrated competence and qualifications.

PART 2: That the City Council hereby approves the Professional Services Contract with PBK Sports for an amount not to exceed \$205,000.00 for the engineering services related to the Veteran’s Park Synthetic Turf Fields Project.

PART 3: That the funding for this Contract shall be as budgeted from the Municipal Hotel Tax Fund in the amount of \$205,000.00.

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

ADOPTED this _____ day of _____, 2012.

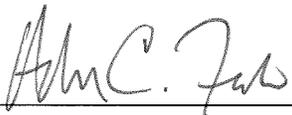
ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

May 24, 2012
Consent Agenda Item No. 2i
Naming Policy for City Facilities and Sub-facilities

To: David Neeley, City Manager

From: David Schmitz, Director, Parks and Recreation Department

Agenda Caption: Presentation, possible action and discussion regarding a recommendation for revision to the Naming Policy for City Facilities and Sub-facilities.

Relationship to Strategic Goal: Providing Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the revisions to the Naming Policy for City Facilities and Sub-facilities.

Summary: The revisions to the existing guidelines more accurately detail the criteria and procedures for "naming" city facilities. Several cities were studied and the proposed revisions are an integration of the current City of College Station guidelines and those cities. The revised guidelines most closely follow the guidelines from the City of Sugarland.

The revised guidelines include definitions of facilities and sub-facilities, naming criteria and guidelines, restrictions on the naming of facilities, procedures for the naming process, guidelines for the renaming process, and addresses plaques, markers and memorials.

Budget & Financial Summary: N/A

Attachments:

1. College Station Guidelines for the Naming of Public Facilities (April 8, 2004).
2. Naming Policy for City Facilities and Sub-facilities
3. Guidelines for City Dedication Plaque Policy
4. Policy and Procedures for Personal Memorials on City Property

City of College Station, Texas
GUIDELINES FOR THE NAMING OF PUBLIC FACILITIES

Approved April 8, 2004 - Agenda Item 10.10

Purpose

The purpose of these guidelines is to establish a systematic and consistent approach for the official naming of public facilities in the City of College Station, including parks, facilities, recreational areas, streets, and municipal buildings.

Objectives

- Ensure that parks, facilities, recreational areas, and municipal buildings are easily identified and located.
- Ensure that given names to parks, facilities, recreational areas, and municipal buildings are consistent with the values and character of the area or neighborhood served.
- Encourage public participation in the naming, renaming, and dedication of parks, facilities, recreational areas, and municipal buildings.
- Encourage the dedication of lands, facilities, or donations by individuals and/or groups.
- Advance the reputation of the City as well as increase the understanding and public support for its programs.

Criteria

The practice of the City of College Station is to name parks, recreation areas, facilities, and municipal buildings through an adopted process utilizing the above objectives, emphasizing community values and character, local and national history, geography, the environment, civics, and service to the City of College Station. Therefore, the following criteria shall be used in determining the appropriateness of the naming designation:

- Neighborhood, geographic, or common usage identification;
- A historical figure, place, event, or other instance of historical or cultural significance;
- National and state historical leaders or heroes, both past and present;
- An individual, living or deceased [a] who has made a significant land and/or monetary contribution to the park, recreation area, facility, or municipal building, or [b] who has had the contribution made "In Memoriam" and when the name has been stipulated as a condition of the donation;
- An individual, living or deceased, who has contributed outstanding civic service to the City;
- Predominant plant materials; or
- Streams, rivers, lakes, and creeks.

Facilities or specialized areas may have a name different from that of the larger park, recreation area, facility, or municipal building.

When feasible, the process to name parks, recreation areas, facilities, and municipal buildings should begin within twelve (12) months after the City has acquired title to the land and/or formally accepted the dedication.

Names that are similar to existing parks, recreation areas, facilities, and municipal buildings should not be considered in order to minimize confusion.

Renaming

The City reserves the right to change the name of a park, recreation area, facility or municipal building to maintain consistency with these guidelines. However, renaming carries with it a much greater burden of process compared to initial naming. Tradition and continuity of name and community identification are important community values. Each request to rename must meet the criteria of this policy, but meeting all criteria does not ensure renaming.

Procedures

Upon approval of these guidelines by Council, procedures consistent with the guidelines will be developed. It is anticipated that naming/renaming requests will be submitted to the City Manager. The Manager will then forward the request through an appropriate board, committee, or organization or directly to the City Council for approval. (For example, if the naming or renaming request is for a parks facility, the City Manager will submit the request to the Parks and Recreation Advisory Board who will review and make a recommendation. The City Manager will review that recommendation and then submit it to Council for approval.)

The City Council may, upon its own initiative, name or rename a City facility without following these guidelines. An individual council member may submit a naming suggestion to the City Manager, who will then apply the guidelines and procedures.

CITY OF COLLEGE STATION

NAMING OF CITY FACILITIES AND SUB-FACILITIES

PURPOSE

To establish uniform procedures and criteria for the naming of City-owned facilities and sub-facilities located in the City of College Station.

DEFINITIONS

Facility: Major City-owned buildings, parks and trails built for permanent use.

Sub-Facility: Minor City-owned structures within a Major Facility, including but not limited to: swimming pools, pavilions, tennis courts, large water features, trail sections or meeting rooms.

POLICY

The City Council shall have the authority to name City-owned facilities and sub-facilities according to the procedures and criteria established below.

General Naming Criteria and Guidelines.

In order to be considered a qualifying name, the proposed name for a facility or sub-facility must satisfy one of the following criteria:

- A. Be descriptive of a geographic location or a significant natural feature, plant, or indigenous species in or near the facility, or an adjoining subdivision, street, or school.
- B. Commemorate historical events, groups or individuals that remain of continued importance to the City, region, State, and/or Nation.
- C. Commemorate individuals who are deceased and have a history of exceptional community service or contributions to the facility's best interests and purposes, such as:
 - a. Involvement in a leadership role in civic organizations that are devoted to community improvement;
 - b. Assistance to the underprivileged, as well as people with physical or intellectual disabilities;
 - c. Active promotion of effective programs for youth or senior citizens within the community;
 - d. Active promotion of and organizing community events and activities that have enriched the quality of life within the community;
 - e. Active promotion of and directed efforts to improve the aesthetic appearance and environmental quality of the community; or

- f. Leading efforts to collect, promote and retain the historical heritage of the community.
- D. Commemorate individuals who made significant contributions to the City's acquisition or development of the facility.
- a. If a facility is named to commemorate or honor an individual or group, the relative importance of the facility to be named after the individual or group should match the respective stature, characteristics and contributions. The following circumstances may be considered in naming of a facility after a donor, benefactor or group:
 - i. Land for the majority of the facility was deeded to the City;
 - ii. Contribution of a minimum of 50% of the capital construction costs associated with developing the facility; or
 - iii. Provision of an endowment for at least 50% of a facility's estimated useful life for the continued maintenance and/or programming of the facility.
 - b. The City Council may alter these guidelines if deemed necessary.
 - c. The City reserves the right to utilize criminal background checks as part of the vetting process in order to ascertain an honoree's good character.
- E. Recognize organizations involved in a public-private partnership with the City that have made significant financial or capital contributions to the acquisition or development of the facility. This includes any Naming Rights Agreement approved by City Council.
- F. Have historical, cultural, or social significance for future generations.
- G. Research indicates that the area around the facility, or the facility itself, has been commonly named in an unofficial capacity by residents.

Restrictions on the Naming of Public Facilities and Sub-Facilities.

- A. No duplication of other facility's or sub-facility's names To minimize confusion, facilities will not be subdivided beyond the level of sub-facilities for the purpose of naming unless there are readily identifiable physical divisions such as roads or waterways.
- B. Facility names that might be considered discriminatory or derogatory will not be considered.
- C. Facility names will not advocate for or promote a current political figure, political affiliation, ideology or religion.

PROCEDURE

Guidelines for Naming Process

Naming of Major Facilities

- A. A permanent name for the facility should be finalized no later than the 50% completion mark in the construction or acquisition process.
 - a. Prior to the permanent naming of a facility, the location shall be referred to by its address or location designation until the facility is given an official name.
- B. The City will utilize a Council Facilities Task Force to facilitate the naming of facilities.
- C. The Council Facilities Task Force will proceed with the naming of a facility according to the following:
 - a. The facility naming process is initiated with the approval of the design, construction or acquisition of a facility.
 - b. The City Council may choose from a variety of sources for name recommendations (i.e. Council member, staff or donor recommendations, historical review of the site, recommendations from the Parks and Recreation Advisory Board, recommendations from previous owners, etc.). Names may be suggested by citizens and/or community groups by submission to the Mayor, City Council or City Manager.
 - c. Names may be submitted by the departmental owner of the facility, executive management, the Mayor or members of the City Council.
 - d. All names for City facilities will be approved by a majority City Council vote regardless of the source of the name's recommendation.

Naming of Sub-Facilities

- A. All requests for the naming or renaming of a sub-facility shall be made in writing to the Director of Parks and Recreation for parks sub-facilities or to the City Manager for all other sub-facilities. Written requests should at a minimum contain the following:
 - a. The proposed name;
 - b. Reasons for the proposed name;
 - c. Written documentation indicating community support for the proposed name (if applicable);
 - d. If proposing to name a facility within a park, include a description/map showing the location of the facility; and
 - e. If proposing to name a facility after an individual, group, donor or benefactor, include documentation of that person or group's significance and good reputation in the City's, State's, or Nation's history. Please refer to the commemorative naming conditions for an individual found in this policy.
- B. Upon receipt, the Director of Parks and Recreation or the City Manager will:

- a. Review the proposed request for its adherence to the policies of the City of College Station and
 - b. Ensure that supporting information has been authenticated, particularly when an individual's name is proposed as the facility's or sub-facility's name.
- C. When deemed appropriate, the City Manager will recommend the Facilities Task Force review sub-facility renaming suggestions.
- D. The Facilities Task Force will review the sub-facility naming request at a Facilities Task Force meeting and make a recommendation to the City Council. In all cases, the City Council will have the final authority in accepting or rejecting the naming proposal by majority.

Guidelines for Re-Naming Process.

- A. The renaming of facilities or sub-facilities is discouraged. It is recommended that efforts to change a name be subject to a critical examination so as not to diminish the original justification for the name or discount the value of the prior contributors.
 - a. Parks or other facilities named by deed restriction shall not be considered for renaming.
 - b. Parks and facilities named after individuals shall not be renamed unless it is determined that the individual's personal character is or was such that the continued use of the name for a facility would not be in the best interest of the City or community. Exceptions may be considered in cases of changes in use of facilities or for facility demolitions.
- B. If it is decided by the City Manager that it is in the best interest of the City to rename a major or sub-facility, it may be renamed in accordance with the criteria and guidelines outlined in the procedures of this policy.

Plaques, Markers and Memorials.

- A. Plaques, markers and memorials may be incorporated into a facility or sub-facility during the design phase of the project. Plaques, markers, and memorials that are incorporated into the design of a facility will be subject to the same oversight and controls as applicable to the rest of the project.
- B. Plaques, markers, and memorials added to a facility or sub-facility after its completion and opening will be designed and installed according to the City's Dedication Plaque Policy.

CITY OF COLLEGE STATION

CITY DEDICATION PLAQUE POLICY

PURPOSE

The purpose of this policy is to establish uniform instructions and procedures for developing the design and content of dedication plaques for City facilities and sub-facilities.

DEFINITIONS

- Current: In office or in the City services at the time of construction completion/dedication.
- Dedication Plaque: A plaque recognizing the official City dedication of City facilities
- Former: In office or in City service at the time the design contract was approved by City Council.
- Major Facility: Major City-owned buildings and parks built for permanent use.
- Sub-Facility: Minor City-owned structures within a major facility, such as a swimming pool, pavilion, tennis court, large water feature, or meeting room.
- Department Head: Staff member responsible for the organizational area of the facility.

POLICY

Design and installation of dedication plaques in all major facilities or sub-facilities should follow the guidelines and procedures as outlined in the policy below.

PROCEDURE

Section 1. Dedication of Major Facilities.

A. Inscription

1. When buildings are dedicated or remodeled through the use of public funds, the traditional practice is to have a plaque installed dedicating the facility. When use of plaques is desired, the inscription on such shall be limited to the following, when applicable:
 - a. Facility or sub-facility name,
 - b. The inscription "City of College Station" (if not included in the facility name),
 - c. Date of dedication (i.e. Dedicated Day Month Year),
 - d. The official City of College Station seal or logo,
 - e. Names of the current City Council
 - i. By name and title, the current Mayor, followed by the current City Council members by name and position in numerical order (see Exhibit A)

- f. Names of the former City Council
 - i. By name and title, the former Mayor(s), followed by all former City Council members, by name and listed by office, in numerical order, (see Exhibit A)
 - g. City Staff
 - i. By name and title, the current and, if applicable, former City Manager;
 - ii. By name and title, the current and, if applicable, former Assistant City Manager(s) responsible for the organizational area of the facility;
 - iii. By name and title, the current and, if applicable, former Department Head(s), and applicable staff responsible for the organizational area of the facility; and
 - iv. By name and title, the current and, if applicable, former staff project manager(s) responsible for managing the design and construction of the facility.
 - h. Project Team
 - i. By company name and title, the appropriate construction partners, such as Architect and General Contractor; and
 - ii. If applicable, a funding acknowledgement of any substantial contributions toward the project.
2. If the plaque is for the dedication of major remodeling or expansion of a facility and at the time of remodeling or expansion other plaques exist and are exhibited, the previously installed plaques will be retained and appropriately displayed in the remodeled facility.

B. Format

1. Building dedication plaques should be sized to complement the surroundings, at a minimum be 21" x 15" in size, and be made out of cast bronze with a leatherette dark bronze background and satin bronzed finish on all raised surfaces (such as lettering, borders, seal or logo), or other appropriate material, as determined with the appropriate executive team member approval.
2. The formatting of the inscriptions should follow the example in Exhibit A (attached).

C. Placement & Location

1. Building dedication plaques are to be affixed to the building at or near the main entrance.
2. Park dedication plaques are to be located at or near the main pedestrian entrance to the park, or placed in a prominent location within the park which is highly visible to the public as determined by the Parks and Recreation Department Head.

D. Design & Approval Process

1. The Project Manager responsible for the construction or rehabilitation of the facility is responsible for creating the dedication plaque, Exhibit A, proposing where it will be located, and routing it for approval.
2. Prior to purchase of and installation of the dedication plaque, its design and location must be approved and initiated by the appropriate executive team member or his/her designee, Exhibit C.
3. Request for plaque approval, along with attached design graphics, must be approved by the Department Head, City Secretary, and the appropriate Executive Team Member or his/her designee within ten (10) business days from the date of submittal. The approval process will allow the Department Head to verify and suggest appropriate staff, the City Secretary to verify correct former and current City Council Members, and allow oversight by the Executive Team Member responsible for the organizational area of the facility.

Section 2. Dedication of Sub-Facilities

- A. Occasionally, requests are made to have plaques installed on sub-facilities (e.g. when a donation is made or a sub-facility is named in memory of an individual). Small dedication plaques for occasions must be approved by the appropriate Department Head and installed according to the following guidelines:
 1. When a sub-facility is named in memory or honor of an individual or group, the sub-facility Department Head has the discretion to allow a commemorative plaque no larger than 10" x 12" in size, including the name, date (day, month and year), a brief statement(s) in memory or honor of the individual or group, and the City of College Station Logo to be affixed in the appropriate place. The full cost of the plaque, as well as its continued maintenance, will be the responsibility of the City.
 2. The Department Head also has the discretion to allow additional plaques for identification purposes, if needed. The additional plaques shall be no larger than 6" x 10" in size, include the name of the area named in honor of the individual or group, and be affixed in the appropriate places the plaques are identifying. The full cost of the plaques, as well as their continued maintenance, will be the responsibility of the City.

SIGNATURES



INITIATING DEPARTMENT:

_____ DATE: _____

DEPARTMENT HEAD:

_____ DATE: _____

ASSISTANT
CITY MANAGER:

_____ DATE: _____

CITY MANAGER:

_____ DATE: _____

Policy Effective Date:



City of College Station
Policy and Procedure
Personal Memorials on City Property
Policy Number: _____

PURPOSE

To establish uniform guidelines for installation of personal memorials on City property.

SCOPE

The policies and procedure described below shall apply to College Station individual residents or groups who wish to have memorials installed on City property memorializing or honoring individuals. The policy is not intended to cover in scope large-scale donations made in memory of someone, such as fountains, reflection pools, land, etc.

AUTHORITY

These policies and procedures are established, directed, and authorized by the City Manager's office.

PROCEDURES

- A. All requests for memorials must be submitted with a Personal Memorial Request Form to the *designated City department*. Each submitted request must identify the proposed location by name and describe the memorial desired. The request form is attached.

- B. Requestor can choose one of the two available options for memorials:
 1. Park Bench- the City will choose the appropriate style and type of the bench that will best withstand weather conditions and vandalism and will conform to the benches already installed on City property and elsewhere. Typically a 6 foot Victor Stanley Steel CR-196 bench will be used. If the requestor so chooses, a plaque approximately 2" by 4" in size may be installed near the bench, provided the text on the plaque conforms to the approved memorial wording below. Benches will be installed adjacent to sidewalks or trails or near parking lots; *or*
 2. Tree- the City will choose an appropriate 30-65 gallon tree which will best conform to weather conditions and surrounding landscaping. If the requestor so chooses, a bronze plaque approximately 4" by 8" in size may be encased in a concrete base and installed at the base of the tree, provided the text on the plaque conforms to the approved memorial wording below. Trees will be planted adjacent to sidewalks or trails or near parking lots and will only be installed where adequate irrigation is available.

- C. Requestor may select one of the following memorial plaque wording options:
 1. "In Memory of" (name) (date of birth and death or date of memorial dedication).
 2. "In Loving Memory of" (name) (date of birth and death or date of memorial dedication).
 3. "In Honor of" (name) (date of birth and death or date of memorial dedication).
 4. In the dog park only: "In Honor of/In Memory of" (dog's name) Friend/Member of (name of individual, organization, or family). Multiple dogs may be included if the names of all dogs fit on one line without altering the standard font size.

- D. The City of College Station will be responsible for the site selection and installation of the tree, bench and/or plaque, as applicable. Specific dates of planting and installation of the tree, bench, and /or plaque cannot be guaranteed. Requests are processed in the order they are received. Trees are typically planted between November 1 and March 1, to ensure proper establishment. Benches may be installed at any time during the year, conditions permitting.
- E. The requestor will be responsible for the cost and installation of the tree, bench and/or plaque at his/her sole expense. The City of College Station will inform the requestor of the total cost of the proposed memorial, and the requestor will be responsible for paying the City designated contractor or vendor directly prior to any installation work by the City.
- F. The City will maintain the memorial, and will not be responsible for the repair or replacement of a memorial if it becomes damaged or defaced. Although the City will strive to make every reasonable attempt to place a tree where irrigation is available, the City is not responsible for the replacement of trees if they die. In addition, if the memorial becomes a safety hazard or no longer meets City standards, it may be removed without replacement.

ENFORCEMENT

The *designated City department* shall be responsible for enforcing this policy.



Personal Memorial Request Form
City of College Station Property

Requestor:

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

For Whom: Please Print Clearly _____

Wording on Plaque:

_____ "In Memory of" (Name) (Date of birth and death or date of memorial dedication)

_____ "In Loving Memory of" (Name) (Date of birth and death or date of memorial dedication)

_____ "In Honor of" (Name) (Date of birth and death or date of memorial dedication)

_____ In the dog park only: "In Honor of/In Memory of" (dog's name) Friend/Member of (name of individual, organization, or family). Multiple dogs may be included if the names of all dogs fit on one line without altering the standard font size.

Type of Memorial

_____ Memorial Tree

_____ Memorial Bench

_____ Office Use Only _____

Purchase Date: _____

Fee Paid \$ _____ Method of Payment: cash check credit/debt

Location Requested: _____

Placement Requested: _____

APPROVAL

City Manager or designee: _____

Date: _____

Revised: _____

May 24, 2012
Consent Agenda Item No. 2j
CDBG-R Neighborhood Sidewalk Project
Construction Contract
Project Number CD 8305

To: David Neeley, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding approval of a construction contract for the construction of sidewalks on Holleman, Lassie, and Pedernales to Vox Construction, LLC. in the amount of \$117,219.25 and to Brazos Paving Inc. in the amount \$55,414.00 for the construction of neighborhood sidewalks on Manuel Drive.

Relationship to Strategic Goals: Funding Core Services and Infrastructure

Recommendation(s): Staff recommends approval of this construction contract.

Summary: This project consists of the construction of sidewalks on Holleman, Lassie, Manuel, and Pedernales, within eligible low-to-moderate income neighborhoods. A revised use of Community Development Block Grant-Recovery (CDBG-R) funds was approved in March to facilitate this project to allow an alternative to the requirement for the City to repay HUD \$299,821 that was previously utilized for the acquisition of 204 Holleman.

Due to the time requirement to complete this project and close-out the grant by September 30, 2012, the Invitation to Bid specified that more than one or more contracts could be awarded based on the bid for each location.

Budget & Financial Summary: General Funds will be utilized to reimburse the amount expended for the acquisition of 204 Holleman. CDBG-R funds in the amount \$299,821 are available for this public facility project.

A budget amendment item is included as a separate item on this agenda for the General Fund expenditure related to the revised use of CDBG-R funds.

As the total project expense did not reach the amount of \$299,821, the City will be required to reimburse HUD approximately \$60,000 once this project is complete.

Attachments:

- Attachment 1: Resolution – Approving Brazos Paving Inc. Contract 12-205(1)
- Attachment 2: Resolution – Approving Vox Construction, LLC. Contract 12-205(2)
- Attachment 3: Project Location Map
- Attachment 4: Bid Tabulation

RESOLUTION NO. _____

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

WHEREAS, the City of College Station, Texas, solicited bids for the construction of a Neighborhood Sidewalk Project; and

WHEREAS, the selection of Brazos Paving, Inc is being recommended as the lowest responsible bidder for the construction of Package B – Manual Drive; 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. in an amount not to exceed \$55,414.00 for the labor, materials and equipment required for the Neighborhood Sidewalk Project.

PART 3: That the funding for this Project shall be as budgeted from the College Station Community Development Fiscal Year 2010 Budget, in an amount not to exceed \$55,414.00.

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

ADOPTED this _____ day of _____, A.D. 2012.

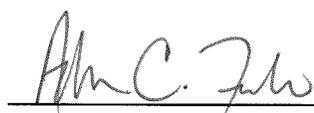
ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

RESOLUTION NO. _____

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

WHEREAS, the City of College Station, Texas, solicited bids for the construction of a Neighborhood Sidewalk Project; and

WHEREAS, the selection of Vox Construction, LLC. is being recommended as the lowest responsible bidder for the construction of Package A - Pedernales Drive, Package C – Holleman & Lassie, and Alternate A – Holleman & Lassie Package C; 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 Vox Construction, LLC. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Vox Construction, LLC. in an amount not to exceed \$117,219.25 for the labor, materials and equipment required for the Neighborhood Sidewalk Project.

PART 3: That the funding for this Project shall be as budgeted from the College Station Community Development Fiscal Year 2010 Budget, in an amount not to exceed \$117,219.25.

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

ADOPTED this _____ day of _____, A.D. 2012.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

Location Maps – Neighborhood Sidewalk Project





ITB 12-063 Neighborhood Sidewalk Improvements

| | Brazos Site Works | Dudley Construction | VOX | BPI | Larry Young Paving | Palomares Construction |
|--|--------------------|---------------------|---------------------|---------------------|---------------------|------------------------|
| Perdernaes Drive, Package A | \$80,375.63 | \$69,187.30 | \$48,263.40 | \$53,477.15 | \$53,978.08 | \$67,481.90 |
| Manuel Drive, Package B | No Bid | \$86,557.52 | \$56,140.07 | \$55,414.00 | \$61,087.28 | \$73,246.50 |
| Holleman & Lassie, Package C | No Bid | \$90,741.54 | \$60,088.65 | \$75,494.00 | \$74,649.66 | \$97,708.00 |
| GRAND TOTAL | \$80,375.63 | \$246,486.35 | \$164,492.12 | \$184,385.15 | \$189,715.02 | \$238,436.40 |
| Alternate A, Holleman & Lassie Package C | No Bid | \$8,687.00 | \$8,867.20 | \$8,041.00 | \$4,250.00 | \$5,100.00 |
| TOTAL WITH ALTERNATE | \$80,375.63 | \$255,173.35 | \$173,359.32 | \$192,426.15 | \$193,965.02 | \$243,536.40 |
| | | | | | | |
| Bid Certification | Y | Y | Y | Y | Y | Y |
| Certification of American Made | Y | Y | Y | Y | Y | Y |
| Section 3 Certification | Y | Y | Y | Y | Y | Y |
| Addendum Acknowledged | Y | Y | Y | Y | Y | Y |
| | | | | | | |
| AWARD AMOUNT | | | \$117,219.25 | \$55,414.00 | | |

 Indicates a price change in favor of the unit price

| City of College Station: Neighborhood Sidewalk Improvements | | | | | | | | | | | | | | | |
|---|--|------|------|------------------|-------------|------------|-------------|------------|-------------|------------|-------------|--------------------|-------------|------------|-------------|
| BID TABULATION | | | | BIDDERS | | | | | | BIDDERS | | | | | |
| Project No. 622001 | | | | Brazos Site Work | | Dudley | | Vox | | BPI | | Larry Young Paving | | Palomares | |
| ITEM NO. | DESCRIPTION | UNIT | QTY | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| PEDERNALES DRIVE - PACKAGE A | | | | | | | | | | | | | | | |
| 1 | Insurance and Mobilization for all material, equipment and labor to complete the project (not to exceed 5% of construction) | L.S. | 1 | \$3,865.00 | \$3,865.00 | \$3,056.57 | \$3,056.57 | \$1,890.00 | \$1,890.00 | \$2,264.00 | \$2,264.00 | \$2,500.00 | \$2,500.00 | \$3,150.00 | \$3,150.00 |
| 2 | Erosion and Sedimentation Control including silt fencing, inlet protection, erosion control measures until ground cover established including related items & appurtenances, complete in place | L.S. | 1 | \$4,500.00 | \$4,500.00 | \$3,451.13 | \$3,451.13 | \$161.00 | \$161.00 | \$3,850.00 | \$3,850.00 | \$500.00 | \$500.00 | \$1,500.00 | \$1,500.00 |
| 3 | Traffic Control Plan including related items & appurtenances, complete in place | L.S. | 1 | \$4,000.00 | \$4,000.00 | \$1,965.80 | \$1,965.80 | \$2,196.00 | \$2,196.00 | \$1,500.00 | \$1,500.00 | \$2,000.00 | \$2,000.00 | \$3,000.00 | \$3,000.00 |
| 4 | Site grading & clean-up including top soil replacement & final grading of disturbed areas; complete in place | L.S. | 1 | \$3,500.00 | \$3,500.00 | \$2,787.46 | \$2,787.46 | \$2,140.00 | \$2,140.00 | \$4,250.00 | \$4,250.00 | \$5,200.00 | \$5,200.00 | \$2,500.00 | \$2,500.00 |
| 5 | Hydro-Mulch Seeding, includes smoothing, mulch, seed fertilizer, watering, maintenance, and clean-up, complete in place | AC. | 0.2 | \$1,000.00 | \$200.00 | \$3,396.18 | \$679.24 | \$7,757.50 | \$1,551.50 | \$2,500.00 | \$500.00 | \$1,800.00 | \$360.00 | \$750.00 | \$150.00 |
| 6 | Remove Concrete including related items & appurtenances | S.Y. | 129 | \$24.42 | \$3,150.18 | \$20.84 | \$2,688.36 | \$31.49 | \$4,062.21 | \$18.00 | \$2,322.00 | \$13.00 | \$1,677.00 | \$62.00 | \$7,998.00 |
| 7 | Remove Curb and Curb & Gutter including related items & appurtenances | L.F. | 161 | \$25.00 | \$4,025.00 | \$5.42 | \$872.62 | \$7.17 | \$1,154.37 | \$8.50 | \$1,368.50 | \$5.50 | \$885.50 | \$7.00 | \$1,127.00 |
| 8 | Remove Asphalt including related items & appurtenances | S.Y. | 62 | \$15.82 | \$980.84 | \$11.19 | \$693.78 | \$45.33 | \$2,810.46 | \$18.00 | \$1,116.00 | \$9.00 | \$558.00 | \$6.45 | \$399.90 |
| 9 | Concrete Sidewalk including required grading, embedment, finishing, related items & appurtenances, complete in place | S.F. | 6391 | \$6.69 | \$42,755.79 | \$5.80 | \$37,067.80 | \$3.59 | \$22,943.69 | \$3.75 | \$23,966.25 | \$4.88 | \$31,188.08 | \$5.50 | \$35,150.50 |
| 10 | Concrete Pavers including sand layer, placement, related items & appurtenances, complete in place | S.F. | 84 | \$9.23 | \$775.32 | \$43.60 | \$3,662.40 | \$8.46 | \$710.64 | \$44.60 | \$3,746.40 | \$8.00 | \$672.00 | \$15.00 | \$1,260.00 |
| 11 | Dowel on Curb including related items & appurtenances, complete in place | L.F. | 18 | \$12.00 | \$216.00 | \$13.92 | \$250.56 | \$14.45 | \$260.10 | \$10.00 | \$180.00 | \$22.00 | \$396.00 | \$10.00 | \$180.00 |
| 12 | Monolithic Curb including related items & appurtenances, complete in place | L.F. | 69 | \$35.00 | \$2,415.00 | \$13.92 | \$960.48 | \$10.70 | \$738.30 | \$4.00 | \$276.00 | \$10.00 | \$690.00 | \$10.00 | \$690.00 |
| 13 | Concrete Pavement including required grading, related items & appurtenances, complete in place | S.Y. | 159 | \$57.50 | \$9,142.50 | \$60.48 | \$9,616.32 | \$43.17 | \$6,864.03 | \$42.00 | \$6,678.00 | \$38.50 | \$6,121.50 | \$58.50 | \$9,301.50 |
| 14 | 12" Wide Solid White Thermoplastic Reflective Pavement Markings including related items & appurtenances, complete in place | L.F. | 70 | \$5.00 | \$350.00 | \$17.47 | \$1,222.90 | \$9.63 | \$674.10 | \$18.00 | \$1,260.00 | \$15.00 | \$1,050.00 | \$12.50 | \$875.00 |
| 15 | Remove and Reset Existing Signage including related items & appurtenances, complete in place | EA. | 2 | \$250.00 | \$500.00 | \$105.94 | \$211.88 | \$53.50 | \$107.00 | \$100.00 | \$200.00 | \$90.00 | \$180.00 | \$100.00 | \$200.00 |
| BASE BID: PEDERNALES DR. - PACKAGE A | | | | | \$80,375.63 | | \$69,187.30 | | \$48,263.40 | | \$53,477.15 | | \$53,978.08 | | \$67,481.90 |

| City of College Station: Neighborhood Sidewalk Improvements | | | | | | | | | | | | | | | |
|---|--|------|------------------|------------|--------|------------|-------------|-------------|-------------|------------|--------------------|------------|-------------|------------|-------------|
| BID TABULATION | | | | | | | | | | | | | | | |
| BID DATE: May 9, 2012 | | | | | | | | | | | | | | | |
| Project No. 622001 | | | | | | | | | | | | | | | |
| | | | Brazos Site Work | | Dudley | | Vox | | BPI | | Larry Young Paving | | Palomares | | |
| ITEM NO. | DESCRIPTION | UNIT | QTY | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| MANUAL DRIVE - PACKAGE B | | | | | | | | | | | | | | | |
| 16 | Insurance and Mobilization for all material, equipment and labor to complete the project (not to exceed 5% of construction) | L.S. | 1 | | \$0.00 | \$4,075.42 | \$4,075.42 | \$1,975.00 | \$1,975.00 | \$2,283.00 | \$2,283.00 | \$1,500.00 | \$1,500.00 | \$3,300.00 | \$3,300.00 |
| 17 | Erosion and Sedimentation Control including silt fencing, inlet protection, erosion control measures until ground cover established including related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$1,796.09 | \$1,796.09 | \$321.00 | \$321.00 | \$4,000.00 | \$4,000.00 | \$1,000.00 | \$1,000.00 | \$1,500.00 | \$1,500.00 |
| 18 | Traffic Control Plan including related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$1,989.24 | \$1,989.24 | \$2,310.00 | \$2,310.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 | \$1,500.00 |
| 19 | Site grading & clean-up including top soil replacement & final grading of disturbed areas; complete in place | L.S. | 1 | | \$0.00 | \$3,307.67 | \$3,307.67 | \$2,140.00 | \$2,140.00 | \$2,850.00 | \$2,850.00 | \$6,000.00 | \$6,000.00 | \$3,000.00 | \$3,000.00 |
| 20 | Hydro-Mulch Seeding, includes smoothing, mulch, seed fertilizer, watering, maintenance, and clean-up, complete in place | AC. | 0.1 | | \$0.00 | \$6,792.37 | \$679.24 | \$15,520.00 | \$1,552.00 | \$2,500.00 | \$250.00 | \$1,800.00 | \$180.00 | \$750.00 | \$75.00 |
| 21 | Remove Concrete including related items & appurtenances | S.Y. | 149 | | \$0.00 | \$100.53 | \$14,978.97 | \$52.84 | \$7,873.16 | \$18.00 | \$2,682.00 | \$14.00 | \$2,086.00 | \$65.00 | \$9,685.00 |
| 22 | Remove Curb and Curb & Gutter including related items & appurtenances | L.F. | 131 | | \$0.00 | \$7.45 | \$975.95 | \$7.95 | \$1,041.45 | \$8.50 | \$1,113.50 | \$5.50 | \$720.50 | \$7.00 | \$917.00 |
| 23 | Remove Trees and Shrubs including root ball, backfill, compaction, related items & appurtenances | EA. | 5 | | \$0.00 | \$426.08 | \$2,130.40 | \$695.50 | \$3,477.50 | \$400.00 | \$2,000.00 | \$170.00 | \$850.00 | \$300.00 | \$1,500.00 |
| 24 | Concrete Sidewalk including required grading, embedment, finishing, related items & appurtenances, complete in place | S.F. | 7106 | | \$0.00 | \$5.65 | \$40,148.90 | \$3.43 | \$24,373.58 | \$3.75 | \$26,647.50 | \$4.88 | \$34,677.28 | \$5.50 | \$39,083.00 |
| 25 | Concrete Pavers including sand layer, placement, related items & appurtenances, complete in place | S.F. | 9 | | \$0.00 | \$58.08 | \$522.72 | \$14.07 | \$126.63 | \$50.00 | \$450.00 | \$11.00 | \$99.00 | \$100.00 | \$900.00 |
| 26 | Dowel on Curb including related items & appurtenances, complete in place | L.F. | 4 | | \$0.00 | \$15.30 | \$61.20 | \$14.45 | \$57.80 | \$25.00 | \$100.00 | \$22.00 | \$88.00 | \$25.00 | \$100.00 |
| 27 | Monolithic Curb including related items & appurtenances, complete in place | L.F. | 47 | | \$0.00 | \$13.92 | \$654.24 | \$10.70 | \$502.90 | \$4.00 | \$188.00 | \$10.00 | \$470.00 | \$12.00 | \$564.00 |
| 28 | Curb and Gutter including related items & appurtenances, complete in place | L.F. | 7 | | \$0.00 | \$23.56 | \$164.92 | \$16.05 | \$112.35 | \$20.00 | \$140.00 | \$22.00 | \$154.00 | \$20.00 | \$140.00 |
| 29 | Concrete Pavement including required grading, related items & appurtenances, complete in place | S.Y. | 145 | | \$0.00 | \$60.36 | \$8,752.20 | \$36.56 | \$5,301.20 | \$42.00 | \$6,090.00 | \$38.50 | \$5,582.50 | \$58.50 | \$8,482.50 |
| 30 | Remove and Reset Existing Signage including related items & appurtenances, complete in place | EA. | 2 | | \$0.00 | \$105.94 | \$211.88 | \$53.50 | \$107.00 | \$100.00 | \$200.00 | \$90.00 | \$180.00 | \$100.00 | \$200.00 |
| 31 | Sidewalk Drainage Trench Grate, including 6 SY of concrete, grate, related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$4,750.01 | \$4,750.01 | \$3,210.00 | \$3,210.00 | \$3,120.00 | \$3,120.00 | \$2,000.00 | \$2,000.00 | \$1,500.00 | \$1,500.00 |
| 32 | Remove and Relocate Existing Irrigation System including related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$1,358.47 | \$1,358.47 | \$1,658.50 | \$1,658.50 | \$1,800.00 | \$1,800.00 | \$4,000.00 | \$4,000.00 | \$800.00 | \$800.00 |
| BASE BID: MANUAL DR - PACKAGE B | | | | | \$0.00 | | \$86,557.52 | | \$56,140.07 | | \$55,414.00 | | \$61,087.28 | | \$73,246.50 |

| City of College Station: Neighborhood Sidewalk Improvements | | | | | | | | | | | | | | | |
|---|--|------|-------|------------------|-------------|------------|--------------|------------|--------------|------------|--------------|--------------------|--------------|------------|--------------|
| BID TABULATION | | | | BIDDERS | | | | | | BIDDERS | | | | | |
| BID DATE: May 9, 2012 | | | | Brazos Site Work | | Dudley | | Vox | | BPI | | Larry Young Paving | | Palomares | |
| Project No. 622001 | | | | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| ITEM NO. | DESCRIPTION | UNIT | QTY | | | | | | | | | | | | |
| HOLLEMAN DR. & LASSIE LN. - PACKAGE C | | | | | | | | | | | | | | | |
| 33 | Insurance and Mobilization for all material, equipment and labor to complete the project (not to exceed 5% of construction) | L.S. | 1 | | \$0.00 | \$4,075.42 | \$4,075.42 | \$2,330.00 | \$2,330.00 | \$3,610.00 | \$3,610.00 | \$1,000.00 | \$1,000.00 | \$4,600.00 | \$4,600.00 |
| 34 | Erosion and Sedimentation Control including silt fencing, inlet protection, erosion control measures until ground cover established including related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$3,451.13 | \$3,451.13 | \$1,284.00 | \$1,284.00 | \$4,800.00 | \$4,800.00 | \$800.00 | \$800.00 | \$3,000.00 | \$3,000.00 |
| 35 | Traffic Control Plan including related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$1,989.24 | \$1,989.24 | \$3,029.00 | \$3,029.00 | \$1,500.00 | \$1,500.00 | \$500.00 | \$500.00 | \$4,000.00 | \$4,000.00 |
| 36 | Site grading & clean-up including top soil replacement & final grading of disturbed areas; complete in place | L.S. | 1 | | \$0.00 | \$4,914.91 | \$4,914.91 | \$2,996.00 | \$2,996.00 | \$8,625.00 | \$8,625.00 | \$9,000.00 | \$9,000.00 | \$6,000.00 | \$6,000.00 |
| 37 | Hydro-Mulch Seeding, includes smoothing, mulch, seed fertilizer, watering, maintenance, and clean-up, complete in place | AC. | 0.7 | | \$0.00 | \$2,378.28 | \$1,664.80 | \$2,675.00 | \$1,872.50 | \$2,500.00 | \$1,750.00 | \$1,800.00 | \$1,260.00 | \$1,000.00 | \$700.00 |
| 38 | Remove Concrete including related items & appurtenances | S.Y. | 41 | | \$0.00 | \$27.61 | \$1,132.01 | \$43.41 | \$1,779.81 | \$20.00 | \$820.00 | \$20.00 | \$820.00 | \$70.00 | \$2,870.00 |
| 39 | Remove Curb and Curb & Gutter including related items & appurtenances | L.F. | 90 | | \$0.00 | \$8.33 | \$749.70 | \$7.95 | \$715.50 | \$8.50 | \$765.00 | \$5.50 | \$495.00 | \$10.00 | \$900.00 |
| 40 | Remove Asphalt including related items & appurtenances | S.Y. | 48 | | \$0.00 | \$16.93 | \$812.64 | \$43.41 | \$2,083.68 | \$20.00 | \$960.00 | \$9.00 | \$432.00 | \$7.00 | \$336.00 |
| 41 | Concrete Sidewalk including required grading, embedment, finishing, related items & appurtenances, complete in place | S.F. | 10707 | | \$0.00 | \$5.35 | \$57,282.45 | \$3.50 | \$37,474.50 | \$3.75 | \$40,151.25 | \$4.88 | \$52,250.16 | \$6.00 | \$64,242.00 |
| 42 | Concrete Pavers including sand layer, placement, related items & appurtenances, complete in place | S.F. | 52 | | \$0.00 | \$54.49 | \$2,833.48 | \$14.07 | \$731.64 | \$50.00 | \$2,600.00 | \$8.00 | \$416.00 | \$15.00 | \$780.00 |
| 43 | Monolithic Curb including related items & appurtenances, complete in place | L.F. | 45 | | \$0.00 | \$13.92 | \$626.40 | \$10.70 | \$481.50 | \$4.00 | \$180.00 | \$10.00 | \$450.00 | \$10.00 | \$450.00 |
| 44 | Concrete Pavement including required grading, related items & appurtenances, complete in place | S.Y. | 89 | | \$0.00 | \$59.17 | \$5,266.13 | \$37.86 | \$3,369.54 | \$56.75 | \$5,050.75 | \$38.50 | \$3,426.50 | \$70.00 | \$6,230.00 |
| 45 | 12" Wide Solid White Thermoplastic Reflective Pavement Markings including related items & appurtenances, complete in place | L.F. | 96 | | \$0.00 | \$16.98 | \$1,630.08 | \$9.63 | \$924.48 | \$17.00 | \$1,632.00 | \$15.00 | \$1,440.00 | \$12.50 | \$1,200.00 |
| 46 | Remove and Reset Existing Signage including related items & appurtenances, complete in place | EA. | 4 | | \$0.00 | \$105.94 | \$423.76 | \$53.50 | \$214.00 | \$100.00 | \$400.00 | \$90.00 | \$360.00 | \$100.00 | \$400.00 |
| 47 | Adjustment of Existing Electrical Junction Box includes required excavation, 12"x24" concrete beam, related items & appurtenances, complete in place | L.S. | 1 | | \$0.00 | \$3,889.39 | \$3,889.39 | \$802.50 | \$802.50 | \$2,650.00 | \$2,650.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| HOLLEMAN DR. & LASSIE LN. - PACKAGE C | | | | | \$0.00 | | \$90,741.54 | | \$60,088.65 | | \$75,494.00 | | \$74,649.66 | | \$97,708.00 |
| TOTAL BASE BID | | | | | \$80,375.63 | | \$246,486.36 | | \$164,492.12 | | \$184,385.15 | | \$189,715.02 | | \$238,436.40 |
| ALTERNATE A: PACKAGE C | | | | | | | | | | | | | | | |
| 48 | High Curb includes associated drainage system, required finished grading, related items & appurtenances, complete in place | L.F. | 170 | | \$0.00 | \$51.10 | \$8,687.00 | \$52.16 | \$8,867.20 | \$47.30 | \$8,041.00 | \$25.00 | \$4,250.00 | \$30.00 | \$5,100.00 |
| PACKAGE C - WITH ALTERNATE A | | | | | \$0.00 | | \$99,428.54 | | \$68,955.85 | | \$83,535.00 | | \$78,899.66 | | \$102,808.00 |

Indicates a price change in favor of the unit price

Awarded Vendors

May 24, 2012
Regular Agenda Item No. 1
Lick Creek Greenway Trail Project Update

To: David Neeley, City Manager

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

Agenda Caption: Presentation and discussion regarding the Lick Creek Greenway Trail Project.

Relationship to Strategic Goals: Goal IV, Improving Multimodal Transportation – Improving quality of life by providing alternative routes for transportation and increasing connectivity to major thoroughfares and trail systems, as well as providing access to recreational facilities throughout the City.

Recommendation(s): Staff recommends that the Council receive the presentation from staff and provide any responses/questions to the same in anticipation of the related public hearing

Summary: The Lick Creek Greenways Trail project was approved as part of the 2008 GOB election to construct approximately 4 miles of multi-use paths along Lick Creek from Creek View - Westfield Park to Lick Creek Park connecting residential neighborhoods and CSISD property. This project is also on the City's Bicycle, Pedestrian, and Greenways Master Plan.

Halff Associates, Inc. was engaged in September 2011 to conduct a preliminary design and route analysis for the proposed trail. Several meetings were held to gather input from the public. Halff's recommendation for the preferred route is based on consideration of several factors, including pedestrian and user safety, project development costs, environmental concerns, connections to major thoroughfares and trail systems, as well as feedback from the public and potential users. City staff and the design team conducted several public meetings in an effort to get input on the trail alignment.

In April 2012, a majority of the Springbrook HOA voted in favor of a proposition to allow the HOA Board to negotiate with the city to dedicate approximately 18 acres of "common area" owned by the HOA to allow the trail to be constructed.

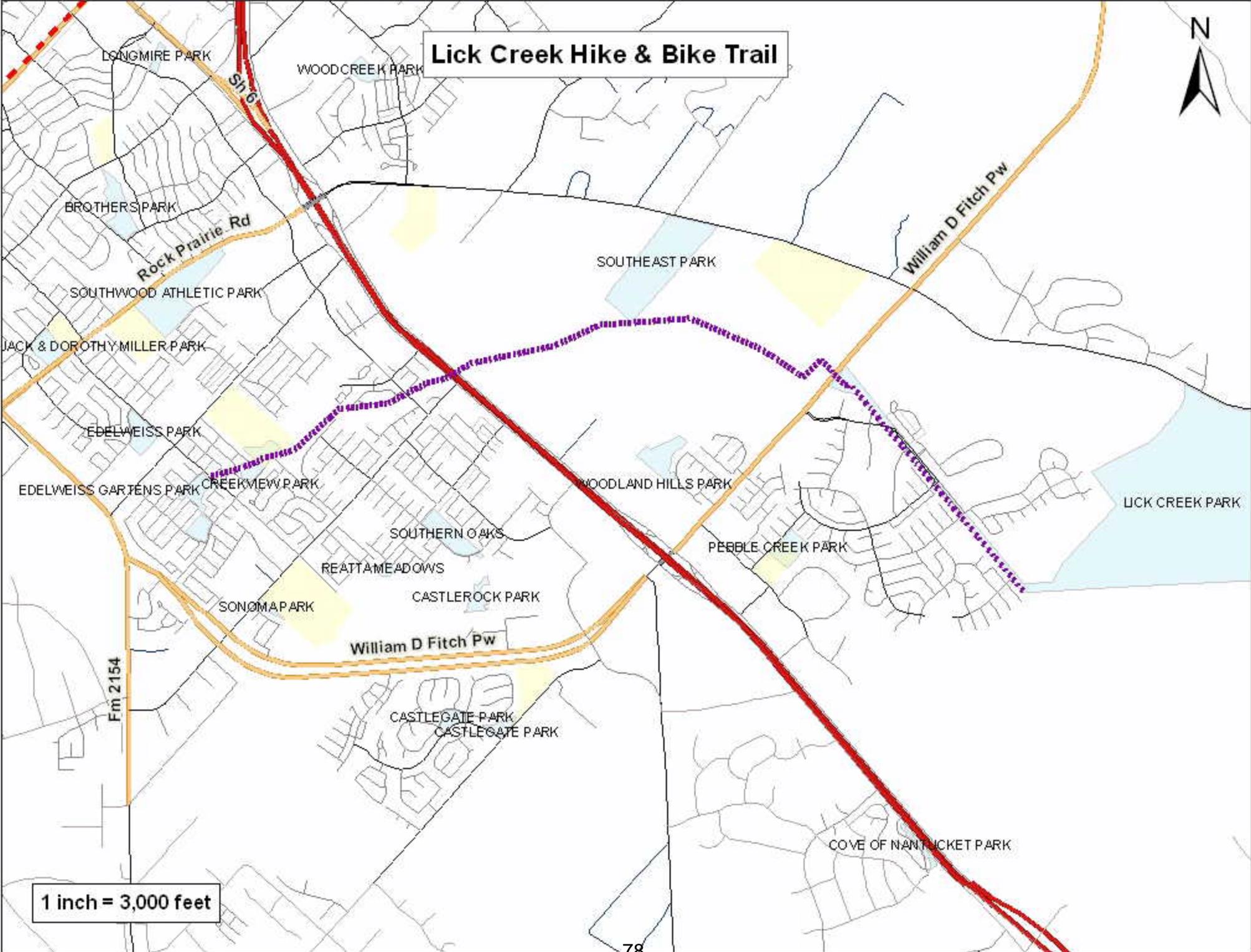
As part of this presentation, staff will provide a brief overview of the project history, provide an update on the status of the project, and outline the remaining steps to complete this phase of the project.

Budget & Financial Summary: Funds in the amount of \$4,410,000 are budgeted for this project from the Streets Capital Projects Fund, with \$100,000 budgeted for the preliminary design study phase. A total of \$80,718 has been expended or committed to date, leaving a balance of \$4,329,282 for completion of the study, design, and construction.

Attachments:

1. Project Location Map

Lick Creek Hike & Bike Trail



1 inch = 3,000 feet

May 24, 2012
Regular Agenda Item No. 2
Lick Creek Greenway Trail Project Update – Public Hearing

To: David Neeley, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding the Lick Creek Greenway Trail Project.

Relationship to Strategic Goals: Goal IV, Improving Multimodal Transportation – Improving quality of life by providing alternative routes for transportation and increasing connectivity to major thoroughfares and trail systems, as well as providing access to recreational facilities throughout the City.

Recommendation(s): Staff recommends that the Council conduct the public hearing and upon its completion direct staff to proceed in finalizing with the Spring Brook HOA, the transfer of the common area in question and further to direct staff to proceed with the design of the complete multi-use path.

Staff further recommends that if the Council directs staff to cease action on transfer of the common area that staff be directed to proceed with the design of the complete multi-use path using an alternative alignment in the vicinity of the Spring Brook property.

Summary: The Lick Creek Greenways Trail project was approved as part of the 2008 GOB election to construct approximately 4 miles of multi-use paths along Lick Creek from Creek View - Westfield Park to Lick Creek Park connecting residential neighborhoods and CSISD property. This project is also on the City's Bicycle, Pedestrian, and Greenways Master Plan.

Halff Associates, Inc. was engaged in September 2011 to conduct a preliminary design and route analysis for the proposed trail. Several meetings were held to gather input from the public. Halff's recommendation for the preferred route is based on consideration of several factors, including pedestrian and user safety, project development costs, environmental concerns, connections to major thoroughfares and trail systems, as well as feedback from the public and potential users. City staff and the design team conducted several public meetings in an effort to get input on the trail alignment.

In April 2012, a majority of the Springbrook HOA voted in favor of a proposition to allow the HOA Board to negotiate with the city to dedicate approximately 18 acres of "common area" owned by the HOA to allow the trail to be constructed.

The purpose of this item is to conduct a public hearing regarding the proposed project prior to Council providing staff with further direction.

Budget & Financial Summary: Funds in the amount of \$4,410,000 are budgeted for this project from the Streets Capital Projects Fund, with \$100,000 budgeted for the preliminary design study phase. A total of \$80,718 has been expended or committed to date, leaving a balance of \$4,329,282 for completion of the study, design, and construction.

Attachments:

1. Project Location Map

May 24, 2012
Regular Agenda Item No. 3
Rezoning for 1405 University Drive

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 regarding an amendment to 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 approximately 0.2 acres located at 1405 University Drive, generally located at the northwest corner of the intersection with the former Meadowland Street, from C-1 General Commercial to PDD Planned Development District.

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

Recommendations: The Planning and Zoning Commission considered this item at their May 8th meeting and voted 5-0 to recommend approval. Staff also recommends approval.

Relation to Adjacent PDD Planned Development District

This request incorporates this small property into the adjacent 11-acre PDD Planned Development District rezoning that was approved by City Council on March 8, 2012. It is proposed to continue the same project and incorporate the same design considerations and modifications. As proposed by the applicant, this report considers this property part of the larger PDD so the description and evaluation provided below is similar to the previous request.

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

Review Criteria

- 1. Consistency with the Comprehensive Plan:** The subject property is designated as Urban and part of Redevelopment Area II on the Comprehensive Plan Future Land Use and Character Map. The intersection of Texas Avenue and University Drive has also been identified as a Primary Arrival Gateway into the City. The Comprehensive Plan describes Urban as:

This land use designation is generally for areas that should have a very intense level of development activities. These areas will tend to consist of townhomes, duplexes, and high-density apartments. General commercial and office uses, business parks, and vertical mixed-use may also be permitted within growth and redevelopment areas.

Redevelopment Area II: Texas Avenue, University Drive, and Harvey Road is described by the Comprehensive Plan as:

This area includes a number of underperforming land uses that, due to their proximity to two of the busiest corridors in the City, are poised for

redevelopment. Much of the area is currently subdivided into small lots, making it difficult to assemble land for redevelopment....The proximity of existing neighborhoods and the Texas A&M University campus requires careful site planning and appropriate building design. These efforts should be complimentary to the Area V: Hospitality corridor plan, the neighborhood plan for the Eastgate area, and the Texas A&M University Campus Master Plan and should focus on bringing vertical mixed use and other aspects of urban character to this portion of the City.

The proposed PDD zoning with associated Concept Plan incorporates this small property into a larger mixed use development that is consistent with the objectives of the Comprehensive Plan to redevelop and consolidate underperforming properties in this area of the City. The requested rezoning proposes to provide vertical mixed use, high density multi-family, and pedestrian oriented development at the corner of Texas Avenue and University Drive in proximity to the Texas A&M University campus.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The existing zoning and conforming uses of nearby property are consistent with the proposed uses. The scale of the proposed uses, however are intended to be developed at a high density and more intensity than the nearby residential, hotel and restaurant uses. The neighboring developments are developed on more of a suburban scale with surface parking lots and open space while the proposed development utilizes structured parking and has requested reduced setbacks and increased density allowances.
3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The proposed PDD Planned Development District proposes to incorporate this small property into a vertical mixed use development with a mixture of commercial and multi-family uses. These uses are suitable for the property based on its location within the core of the City and proximity to the Texas A&M University campus. The scale and density of the development factor into the availability of transportation and utility capacity in the area. As described later, the proposed development proposes some transportation improvements and mitigation efforts and acknowledges that utility upgrades will be necessary to provide adequate services to the development.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The C-1 General Commercial district should be considered a suitable district for the property though due to its size limits large-scale redevelopment.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** Most of the properties should be considered marketable with their current zoning, though the presence of this small property constrains the potential for large-scale redevelopment opportunities.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** The existing site is served by 8-inch water line along the former Meadowland Street and 12-inch along University Drive. Per discussions with the applicant, additional information will be needed through fire demand modeling on existing available capacity. Once this has been analyzed by the applicant, the City can better understand the proposed locations,

potential required up-sizing, and the potential required re-alignment of existing waterlines within/near the proposed development.

The existing site is served by an 8-inch gravity sanitary sewer collection line along the former Meadowland Street that flows to the existing Hensel Park Lift Station. This respective lift station then pumps sanitary sewer flow to the 'Northeast Trunkline' via a 12-inch force main. The 'Northeast Trunkline' conveys this flow to the Carters Creek Wastewater Treatment Plant. Using the City of College Station's sanitary sewer modeling software and the proposed build-out sanitary sewer demands submitted by the applicant, the City has determined that there is not adequate capacity in the existing 8-inch sanitary sewer line that spans from this respective development to the existing Hensel Park Lift Station. The City has, however, concluded that there is existing available capacity in the Hensel Park Lift Station/force main as well as the 'Northeast Trunkline'. Because of this, the development would need to include off-site sanitary sewer improvements to provide additional collection system capacity.

Drainage is generally to the south and west within the Wolf Pen Creek and Burton Creek Drainage Basins, respectively. Stormwater and other public infrastructure improvements required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines.

As part of the rezoning application for the adjacent PDD Planned Development District, a Traffic Impact Analysis (TIA) was submitted. The TIA indicated that the intersection of Texas Avenue and University Drive is operating at a Level of Service (LOS) E. Utilizing a scale of LOS "A" thru LOS "F" with "A" being the best LOS "free flow traffic" and LOS F being the worst LOS "bumper to bumper traffic" and LOS "D" being the acceptable LOS the intersection is operating at unacceptable LOS. With that in mind the goal was to provide mitigation strategies that would not prevent the intersection of University Drive and Texas Avenue operate at a worse LOS. The following mitigation strategies were identified:

- An additional left turn bay will be added to University Drive eastbound to northbound Texas Avenue, creating a dual left configuration by modifying the existing raised median.
- On University Drive, a right turn deceleration lane for the proposed driveway will be built to meet TxDOT design criteria. The raised median on Texas Avenue will also be extended north beyond the proposed driveway location. These mitigation items are at the request of TxDOT and concurred by City staff.
- Both the Brazos Valley Transit District and TAMU Transit have indicated that they would not alter their routes to provide service within the proposed site. However, both transit providers have routes along University Drive and Texas Avenue. In order to mitigate traffic at the intersection of University Drive and Texas Avenue, staff has recommended the applicant work with both transit providers regarding bus stops along University Drive and Texas Avenue in close proximity to the proposed site. Furthermore, pedestrian and bicycle accommodations within the site be provided and directed toward the transit areas.
- The former Meadowland Street intersection at University Drive and the existing median break in University Drive closed. This is at the direction of TxDOT and concurred by City staff.
- To meet block length requirements, one projection westbound to TAMU property west of the proposed site has been provided. Ultimately this would also serve as an alternative route to University Drive and Texas Avenue, somewhat relieving traffic at

that intersection. It is anticipated that TAMU property will be redeveloped to include commercial, retail, and residential uses.

- An additional right turn lane will be provided on southbound Texas Avenue to westbound University Drive. Room for the construction of the second right turn lane is available with the proposed 7.5-foot right-of-way dedication along Texas Avenue.

SUMMARY OF CONCEPT PLAN

The requested rezoning and associated Concept Plan incorporates this small property into the adjacent vertical mixed use and multi-family redevelopment at the intersection of Texas Avenue and University Drive. The vertical mixed use area consists of about 60,000 gross square feet of ground floor general commercial uses with multi-family units above. The multi-family area consists of multi-story buildings oriented along the side and rear of the development along the former Meadowland Street. The applicant proposes building heights ranging up to 70 to 80 feet or eight stories. The development is proposed in two phases with the vertical mixed use and some of the multi-family buildings, including this property, developed in the first phase with the remainder of multi-family areas along the former Meadowland Street and Hensel Street in the second phase. For the most part, parking will be provided in three proposed parking garages located in different areas of the development. All existing buildings in both phases, including the former Plaza Hotel tower, will be demolished before a building permits will be issued for new construction.

The development will use the dimensional standards of the C-1 General Commercial zoning district for the commercial uses and R-6 High Density Multi-Family zoning district for the residential uses. Additional description, standards and improvements by the development are provided below.

Meritorious Modifications

This area is designated as a Redevelopment area in the Comprehensive Plan which acknowledges some role for the City may be necessary to encourage redevelopment. Some modifications result from the intended urban nature of the proposed development and some are due to the suburban style of some of the applicable development regulations. The applicant is requesting the following meritorious modifications or alternatives to standard ordinance requirements:

- 1. Zoning District Standards – UDO Section 5.2 “Residential Dimensional Standards” and Section 5.4 “Non-Residential Dimensional Standards”:** An increase to the maximum residential unit density from 30 units per acre to 60 units per acre is proposed by the applicant. While this increase in density can be supported, it is necessary to ensure that adequate infrastructure and transportation facilities including vehicular, bicycle, and pedestrian are provided for the development and surrounding area.

The applicant requests to reduce minimum building setbacks for the C-1 General Commercial and R-6 High Density Multi-Family based zoning districts to 5 feet along all property lines with the understanding that sufficient easements for utilities will be provided. The standard building setbacks for these districts are 25-foot front setback, 7.5-foot side setback, 15-foot side street setback, and 15-foot rear setback for the C-1 district and 20-foot rear setback for R-6.

- 2. Use – UDO Section 6.2.C “Use Table”:** The P-MUD Planned Mixed Use District is the base zoning district for uses for the development with Health Care, Medical Clinic added as a permitted use and Country Club, Duplex, Fuel Sales, Fraternal Lodge, Golf Course/

Driving Range, Parking as a Primary Use, Single-Family Detached, Sexual Oriented Businesses, and Shooting Range (Indoor) uses removed from the permitted list.

3. **Parking – UDO Section 7.2 “Off-Street Parking Standards”:** The applicant proposes the standard shopping center ratio of 1 parking space per every 250 gross square feet of commercial use (1:250), though not required to provide additional parking if more than 25% of these areas are utilized as intense commercial uses. The applicant also proposes the minimum residential parking requirement be reduced to one parking space per bedroom. The current ordinance requires one space per bedroom for three and four bedroom units though some additional parking is provided with one and two bedroom units (1.5 spaces/ bedroom). Also, up to 5% of the parking spaces in the garage may be compact parking spaces. This parking reduction can be supported as additional transit, bicycle, and pedestrian facilities are provided.
4. **Transportation – UDO Section 7.3 “Access Management and Circulation”, Section 8.2.G “Blocks”, and Section 11.2 “Defined Terms”- Public Way:** The applicant proposes some modifications to transportation related requirements:
 1. Three driveways exist along Texas Avenue and six driveways along University Drive, including the former Meadowland Street. Though the proposed Concept Plan consolidates these to one driveway on Texas Avenue and one driveway on University Drive, the proposed driveways do not meet minimum spacing standards. Also, driveways along the proposed Public Ways do not meet spacing standards based on existing conditions. The applicant requests the proposed spacing be acceptable.
 2. The maximum block length in Urban designated areas is 660 feet with a maximum block perimeter of 2,000 feet. Based on the dimensions of this area, two public way projections would be required along the Public Way Section C-C toward the Texas A&M System property to the southwest. The applicant has proposed one Public Way projection near the center of this length. Though the Texas A&M System has not been supportive of any type of connection between the two developments, they are in the process of developing a master plan for a private development of commercial, retail, residential, and other uses which will be subject to similar requirements.
 3. Public Ways are defined with certain dimensional and design criteria. The applicant requests to reduce the maximum curve radius from a 200-foot radius to a 45-foot radius, allow sidewalks to be back of curb instead of three feet off and have sidewalk widths as shown in the attached cross sections. Also, the pedestrian facilities for the Public Way projection to the Texas A&M University System property may be located through the nearby amenity area.
5. **Signs – UDO Section 7.4 “Signs”:** Instead of using this Section as the basis for signage, the applicant proposes to utilize the signage permitted in Wolf Pen Creek (UDO Section 5.6.A.11 Signs) with the following modifications:
 1. Signs may be approved administratively by staff with appeals to staff’s interpretations being able to considered by the Design Review Board;
 2. Wayfinding signage (UDO Section 7.4.AA Campus Wayfinding Signs) is permitted for this development; and
 3. Projections signs may be used for identification signage for the general area and not count against the attached signage square feet unless they contain copy of the individual business. Projection signs may be oriented toward the public rights-of-way or public ways and one permitted per tenant per public way frontage.
6. **Landscaping – UDO Section 7.5 “Landscaping and Tree Protection”:** Instead of using this Section as the basis for landscaping, the applicant proposes to utilize the

Northgate standards contained in UDO Section 5.6.B.9 "Landscape and Streetscape Standards" with the following modifications:

1. The street trees along Texas Avenue and University Drive may be placed outside of TxDOT right-of-way. Street trees along Public Way Sections A-A and B-B shall be 50 feet on center with alternating planting areas spaced at 50 feet on center consisting of non-canopy trees, hedges or seasonal plantings. The Public Way Section C-C will have planting areas of 25 feet on center consisting of non-canopy trees, hedges, or seasonal plantings;
 2. Building and Site Lighting shall still comply with UDO Section 7.10 Outdoor Lighting Standards; and
 3. The Street Lights section is not applicable as lights are owned and maintained by property owner.
7. **Architecture – UDO Section 7.9 "Non-Residential Architecture Standards":** Instead of using this Section as the basis for architecture standards, the applicant proposes to utilize the Northgate standards contained in UDO Section 5.6.B.4 "Building Design Standards" except that residential dwelling units in a building with less than 12 units may have access through a parking area or garage. All subsections (Building Orientation and Access, Building Transparency, Architectural Relief, Roof Type, Exterior Building Material, Exterior Building Colors, and Canopies/Awnings) shall apply to all non-residential and residential buildings.
8. **Infrastructure – Section 3.3.A "Applicability":** The applicant proposes a modification to the platting requirement. Most of the property is platted though a couple areas are still tracts of land. The applicant has requested that building permits may be issued on these tracts prior to platting with the provision that a temporary blanket easement be placed on the property and the property platted/replatted once all utilities are constructed and relocated and before Certificates of Occupancy are issued for the buildings.

Community Benefits and Additional Enhancements

The applicant has identified the following community benefits, additional enhancements or improvements:

1. Implementation of the Comprehensive Plan through redevelopment of an underperforming, blighted area that is designated as a Primary Arrival Gateway and described by the Comprehensive Plan as an area that should "focus on bringing vertical mixed-use and other aspects of urban development to this portion of the City." All existing buildings will be demolished before building permits will be issued for any new construction.
2. The Northgate Building Design Standards (UDO Section 5.6.B.4) apply to all buildings, residential and non-residential. Currently there are no architectural requirements for residential buildings outside of the Northgate District.
3. The Northgate Bicycle Parking Standards (UDO Section 5.6.B.7) apply to the development except that the design of the bicycle rack design is determined by the owner and approved by the City and bicycle parking may be located within the parking garage areas. Currently there are no bicycle parking (bike rack) requirements for residential developments outside of the Northgate District.
4. To promote transit usage, installation a bus stop shelter as approved by the City in a location for TAMU Transit bus service, if provided, and another along University Drive to utilize District bus service. Bus stops or bus shelters are not required by standard ordinance.

5. The Northgate Dumpster and Mechanical Equipment Standards (UDO Section 5.6.B.10) shall apply with the exception that vegetation may also be used as a screening tool.
6. The Northgate Outside Storage and Display Standards (UDO Section 5.6.B.13) shall apply to the development.
7. The parking garage on Texas Avenue is wrapped with general commercial use on ground floor and residential above and the other parking garages along the former Meadowland Street are wrapped with multi-family uses along the Public Way.
8. An eight-foot bicycle and pedestrian route is proposed along the southwest property line to connect multi-family buildings and two parking garages to the University Drive sidewalk to facilitate bicycle and pedestrian movements from the development toward the Texas A&M University campus.
9. As permitted by TxDOT, mitigation for the Texas Avenue and University Drive intersection is proposed through a variety of transportation improvements including the intersection and median break for the former Meadowland Street will be closed, a dual left turn lane on University Drive eastbound to Texas Avenue northbound and queue length extended, a dual right turn lane on Texas Avenue southbound to University Drive westbound, multiple driveways will be consolidated into one driveway on Texas Avenue and one driveway on University Drive, the median on Texas Avenue will be extended north past the proposed Public Way driveway, and a deceleration lane will be added to the proposed Public Way driveway on University Drive.

Budget & Financial Summary: N/A

Attachments:

1. Aerial & Small Area Map (SAM)
2. Concept Plan
3. Background Information
4. Draft May 3rd Planning & Zoning Commission Minutes
5. Ordinance

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: May 3, 2012

Advertised Council Hearing Dates: May 24, 2012

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

None

Property owner notices mailed: 2

Contacts in support: None

Contacts in opposition: None at the time of staff report.

Inquiry contacts: None at the time of staff report.

ADJACENT LAND USES

| Direction | Comprehensive Plan | Zoning | Land Use |
|-----------|---|----------------------------|--|
| Northwest | Urban & Redevelopment | PDD Planned Development | Former Plaza Hotel site to be demolished |
| Northeast | Urban & Redevelopment | PDD Planned Development | Former Plaza Hotel site to be demolished |
| Southeast | Texas A&M University (across University Drive, major arterial) | C-U College and University | Texas A&M polo field |
| Southwest | Urban & Redevelopment | PDD Planned Development | Former Kettle site, building has been demolished |

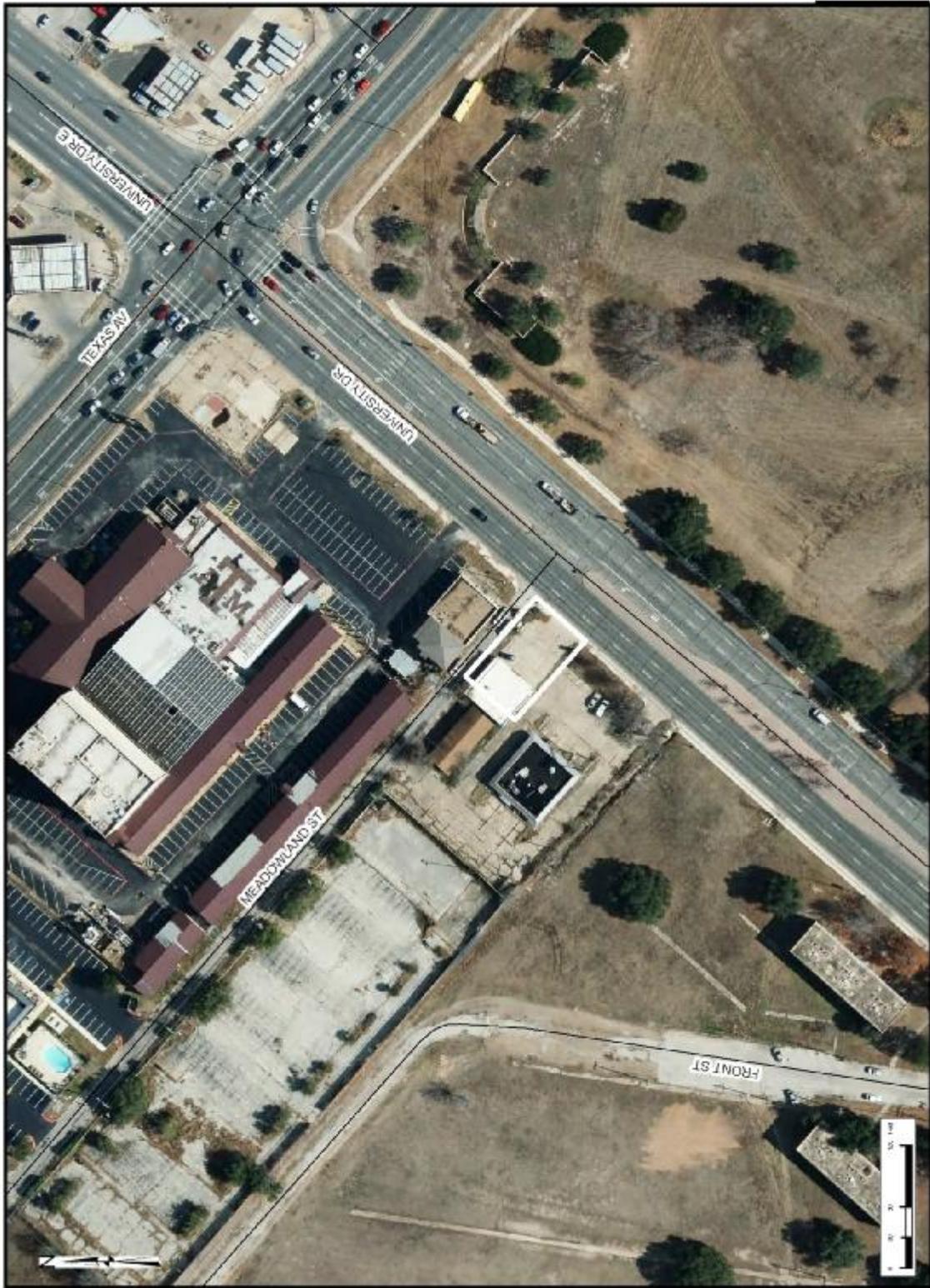
DEVELOPMENT HISTORY

Annexation: 1939

Existing Zoning: C-1 General Commercial

Final Plat: Gorzycki Meadowlands (1936) and portion of former Meadowland Street that has been abandoned.

Site development: Developed as smoke shop that has been demolished.



Case: 12-063

1405 UNIVERSITY DRIVE

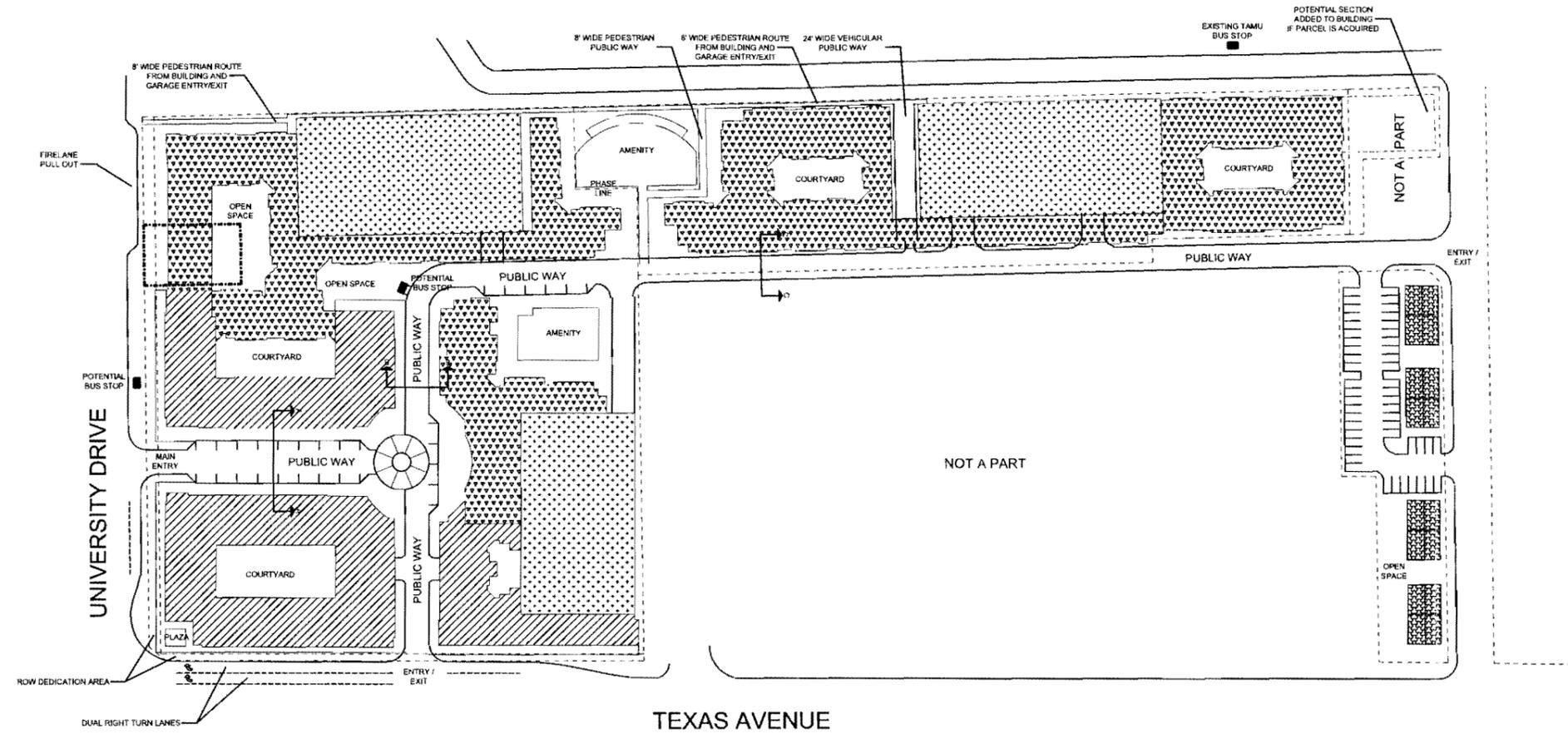
DEVELOPMENT REVIEW

REZONING



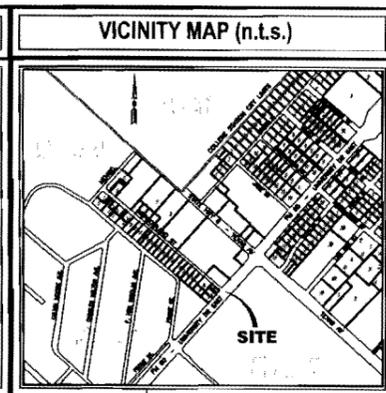
GENERAL NOTES

1. ALL DEMOLITION OF BUILDINGS IN BOTH PHASES SHALL BE COMPLETED PRIOR TO ANY BUILDING PERMIT ISSUANCE FOR NEW CONSTRUCTION.
2. BICYCLE PARKING WILL BE PROVIDED IN EACH STRUCTURED GARAGE ON SITE.



LEGEND

| | |
|--|--|
| | MIXED USE - 1st FLOOR GENERAL COMMERCIAL WITH MF ABOVE |
| | HIGH DENSITY RESIDENTIAL |
| | MEDIUM DENSITY RESIDENTIAL |
| | STRUCTURED PARKING |



LEGAL DESCRIPTION

Gorzycki's Meadowland addition, Block 1, Lot 3 (part of) and a 0.035 acre tract being the abandoned R.O.W. of Meadowland Street.

SCALE: 1" = 200' (24"x36" SHEET)

| APPLICANT | OWNER | DEVELOPER |
|---|--|---|
| MITCHELL AND MORGAN 511 University Dr. E., Ste. 204 College Station, TX 77840 VOICE: (879) 250-8863 FAX: (879) 260-3564 | 7-D INVESTMENTS C/O FRANK DeSTEFANO P.O. BOX 226 Munford, TX 77867 VOICE: (879) 587-1483 | CAPSTONE COLLEGIATE COMMUNITIES, LLC. 431 Office Park Drive Birmingham, AL 35223 VOICE: (205) 949-2061 |
| CONTACT: VERONICA MORGAN EMAIL: veronica@mitchellandmorgan.com | CONTACT: FRANK DeSTEFANO EMAIL: 3dfarm@comcast.net | CONTACT: AMANDA WALLIS EMAIL: awallis@capstonemall.com |

Designed by: _____
 Drawn by: _____
 Architect of Record: _____
 Issue No: 3/2012
 Issue for Permit Application: _____
 Issue for Final Application: _____

| NO. | DATE | COMMENTS |
|-----|------|----------|
| | | |
| | | |
| | | |
| | | |

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 The architectural works depicted herein are the sole property of Humphreys & Partners Architects, L.P. and may not be reproduced or used without the express written permission. No permission is hereby or implied in any of the architectural works, including without limitation the construction of any building, is expressed or should be implied from delivery of preliminary drawings or unexecuted construction drawings. Permission to construct the building depicted in issued construction drawings is expressly conditioned on the full and timely payment of all fees otherwise due Humphreys & Partners Architects, L.P. and, in the absence of any written agreement to the contrary, is subject to a co-tenure use on the site indicated on these plans.

**THE PLAZA REDEVELOPMENT
 COLLEGE STATION, TX**
 CAPSTONE COLLEGIATE COMMUNITIES, LLC.
 WOODRIDGE COLLEGE STATION I-IV, LLC.
 MITCHELL AND MORGAN, LLP.

**HUMPHREYS & PARTNERS
 ARCHITECTS, L.P.**
 5339 ALPHEA ROAD, SUITE 300, DALLAS, TEXAS 75240
 (879) 701-3636 (879) 701-3817 FAX
 DALLAS CHARLOTTE IRVINE LAS VEGAS
 NEW ORLEANS ORLANDO PHOENIX
 www.humphreys.com

CP1a

SHEET CONTENTS:
 PDD, P-MUD
 CONCEPT PLAN
 ADDITION

SHEET NO.
CP1a

12.6
 4.13
 4.30



**DRAFT MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
May 3, 2012, 7:00 p.m.
City Hall Council Chambers
College Station, Texas**

COMMISSIONERS PRESENT: Mike Ashfield, Craig Hall, Bo Miles, Jodi Warner, and Jerome Rektorik

COMMISSIONERS ABSENT: James Benham and Jim Ross

CITY COUNCIL MEMBERS PRESENT: Blanche Brick

CITY STAFF PRESENT: Bob Cowell, Lance Simms, Molly Hitchcock, Alan Gibbs, Carol Cotter, Jason Schubert, Lauren Hovde, Teresa Rogers, Erika Bridges, Joe Guerra, Adam Falco, Brittany Caldwell, and Carrie McHugh

1. **Call meeting to order**

Chairman Ashfield called the meeting to order at 7:04 p.m.

Regular Agenda

6. Public hearing, presentation, possible action, and discussion regarding a rezoning from C-1 General Commercial to PDD Planned Development District for approximately 0.2 acres located at 1405 University Drive, generally located at the northwest corner of the intersection with the former Meadowland Street. **Case #12-00500063 (JS) (Note: Final action on this item is scheduled for the May 24, 2012 City Council Meeting - subject to change)**

Principal Planner Schubert presented the rezoning and recommended approval.

Veronica Morgan, applicant, stated that she was available for questions.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

Commissioner Rektorik motioned to recommend approval of the rezoning. Commissioner Warner seconded the motion, motion passed (5-0).

8. Adjourn.

The meeting was adjourned at 7:10 p.m.

ORDINANCE NO. _____

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

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

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

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

PASSED, ADOPTED and APPROVED this 24th day of May, 2012

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

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

The following property is rezoned from C-1 General Commercial to PDD Planned Development District:

**METES AND BOUNDS DESCRIPTION
OF A
0.15 ACRE TRACT
J. E. SCOTT LEAGUE, A-50
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE J. E. SCOTT LEAGUE, ABSTRACT NO. 50, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF LOT 3, MEADOWLAND ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 94, PAGE 279 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, SAID PORTION OF LOT 3 BEING THE SAME TRACT OF LAND AS DESCRIBED BY A DEED TO 7-D INVESTMENTS RECORDED IN VOLUME 1601, PAGE 138 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND THE ADJOINING PORTION OF THE ABANDONED PUBLIC RIGHT-OF-WAY OF MEADOWLAND STREET ACCORDING TO COLLEGE STATION ORDINANCE NO. 2010-3232.

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

BEGINNING AT A POINT ON THE NORTHWEST LINE OF UNIVERSITY DRIVE (FM 60) MARKING THE SOUTH CORNER OF SAID LOT 3 AND THE EAST CORNER OF LOT 2, MEADOWLAND ADDITION, SAME BEING THE SOUTHEAST CORNER OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO ROSSCO HOLDINGS RECORDED IN VOLUME 6173, PAGE 128 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF UNIVERSITY DRIVE MARKING THE SOUTH CORNER OF SAID ROSSCO HOLDINGS TRACT BEARS: S 41° 39' 11" W FOR A DISTANCE OF 116.19 FEET;

THENCE: N 48° 20' 49" W ALONG THE COMMON LINE OF SAID LOT 3 AND SAID ROSSCO HOLDINGS TRACT FOR A DISTANCE OF 103.63 FEET TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF A CALLED TRACT OF LAND AS DESCRIBED BY A DEED TO LEONARD M. ROSS REVOCABLE TRUST RECORDED IN VOLUME 7564, PAGE 208 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 41° 37' 44" E THROUGH SAID LOT 3 AND ALONG THE COMMON LINE OF SAID 7-D INVESTMENTS TRACT AND SAID ROSS TRACT, AT 50.01 FEET PASS A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF MEADOWLAND STREET (30' R.O.W.) MARKING THE NORTH CORNER OF SAID 7-D INVESTMENTS TRACT, CONTINUE ON FOR A TOTAL DISTANCE OF 64.44 FEET TO THE CENTERLINE OF MEADOWLAND STREET MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 48° 41' 06" E THROUGH MEADOWLAND STREET FOR A DISTANCE OF 103.66 FEET TO A POINT ON THE NORTHWEST LINE OF UNIVERSITY DRIVE MARKING THE EAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 41° 39' 11" W ALONG THE NORTHWEST LINE OF UNIVERSITY DRIVE FOR A DISTANCE OF 65.05 FEET TO THE POINT OF BEGINNING CONTAINING 0.15 OF AN ACRE OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND OCTOBER, 2007. SEE PLAT PREPARED FEBRUARY 2011 FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/11-047V.MAB

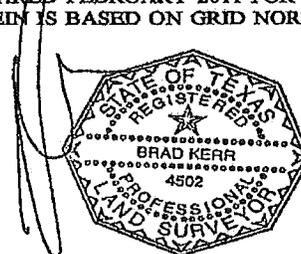


EXHIBIT “B”

The purpose of the PDD zoning district is to incorporate this small property into the larger mixed use development approved with Ordinance 2012-3400. Building heights range up to 70 to 80 feet or eight stories. The development is proposed in two phases with the vertical mixed use and some of the multi-family buildings developed in the first phase with the remainder of multi-family areas along the former Meadowland Street and Hensel Street in the second phase. Most of the parking is provided in three parking garages located in different areas of the development. All existing buildings will be demolished before building permits will be issued for new construction. The C-1 General Commercial zoning district for commercial uses and R-6 High Density Multi-Family zoning district for the residential uses are the base zoning districts with a modified list of P-MUD Planned Mixed Use District uses as described below. The Concept Plan is provided as Exhibit “C.”

Meritorious Modifications

Through the PDD, meritorious modifications have been granted to the following standards:

- 1. Zoning District Standards – UDO Section 5.2 “Residential Dimensional Standards” and Section 5.4 “Non-Residential Dimensional Standards”:** Increase the maximum residential unit density permitted by R-6 High Density Multi-Family from 30 units per acre to 60 units per acre. Also, reduce the minimum building setbacks for the C-1 General Commercial and R-6 High Density Multi-Family based zoning districts to 5 feet along all property lines with the understanding that sufficient easements for utilities will be provided.
- 2. Use – UDO Section 6.2.C “Use Table”:** The P-MUD Planned Mixed Use District is the base zoning district for uses for the development with Health Care, Medical Clinic being added as a permitted use and Country Club, Duplex, Fuel Sales, Fraternal Lodge, Golf Course/Driving Range, Parking as a Primary Use, Single-Family Detached, Sexual Oriented Businesses, and Shooting Range (Indoor) uses removed from the permitted list.
- 3. Parking – UDO Section 7.2 “Off-Street Parking Standards”:** For the commercial uses, a ratio of 1 parking space per every 250 gross square feet of use (1:250) applies and additional parking is not required if more than 25% of these areas are utilized as intense commercial uses. The minimum residential parking requirement is reduced to one parking space per bedroom. Also, up to 5% of the parking spaces in the garage may be compact parking spaces.
- 4. Transportation – UDO Section 7.3 “Access Management and Circulation”, Section 8.2.G “Blocks” and Section 11.2 “Defined Terms”- Public Way:** Modifications related to transportation requirements:
 - a) As shown on the Concept Plan, driveways are consolidated into one on Texas Avenue and one on University Drive as well as other driveways on the proposed Public Ways that do not meet minimum spacing standards due to existing conditions.
 - b) As shown on the Concept Plan, the Public Way projection along Public Way Section C-C will suffice for meeting block length and block perimeter requirements.
 - c) The maximum curve radius of a Public Way may be reduced from 200-foot radius to a 45-foot radius. Sidewalks may be back of curb instead of three feet off back of curb with

sidewalk widths being at least nine feet in Public Way Section A-A, 10.5 feet in Section B-B (can be reduced to 8 feet where parallel parking is provided), and 6 feet on the development side of Public Way Section C-C. The pedestrian facilities for the Public Way projection to the Texas A&M University System property may be located through the nearby amenity area.

5. **Signs – UDO Section 7.4 “Signs”:** Instead of using this Section as the basis for signage, the development will utilize the signage types permitted in Wolf Pen Creek (UDO Section 5.6.A.11 Signs) with the following modifications:
 - a) Signs may be approved administratively by staff with appeals to staff’s interpretations being able to considered by the Design Review Board;
 - b) Wayfinding signage (UDO Section 7.4.AA Campus Wayfinding Signs) is permitted for this development; and
 - c) Projections signs may be used for identification signage for the general area and not count against the attached signage square feet unless they contain copy of individual businesses. Projection signs may be oriented toward the public rights-of-way or public ways and one is permitted per tenant per public way frontage.
6. **Landscaping – UDO Section 7.5 “Landscaping and Tree Protection”:** Instead of using this Section as the basis for landscaping, the development will utilize the Northgate standards for the NG-1 district contained in UDO Section 5.6.B.9 “Landscape and Streetscape Standards” with the following modifications:
 - a) The street trees along Texas Avenue and University Drive may be placed outside of TxDOT right-of-way. Street trees along Public Way Sections A-A and B-B shall be 50 feet on center with other alternating planting areas spaced at 50 feet on center consisting of non-canopy trees, hedges or seasonal plantings. The Public Way Section C-C will have planting areas of 25 feet on center consisting of non-canopy trees, hedges, or seasonal plantings;
 - b) Building and Site Lighting shall still comply with UDO Section 7.10 Outdoor Lighting Standards; and
 - c) The Street Lights section is not applicable for lights owned and maintained by the property owner.
7. **Architecture – UDO Section 7.9 “Non-Residential Architecture Standards”:** Instead of using this Section as the basis for architecture standards, the development will utilize the Northgate standards contained in UDO Section 5.6.B.4 “Building Design Standards” except that residential dwelling units in a building with less than 12 units may have access through a parking area or garage.
8. **Infrastructure – Section 3.3.A “Applicability”:** Building permits may be issued for this development prior to platting the remaining tracts of land with the condition that a temporary blanket easement be placed on the property and the property platted/replatted once all utilities are constructed and relocated and before Certificates of Occupancy are issued for the buildings.

Community Benefits and Additional Enhancements

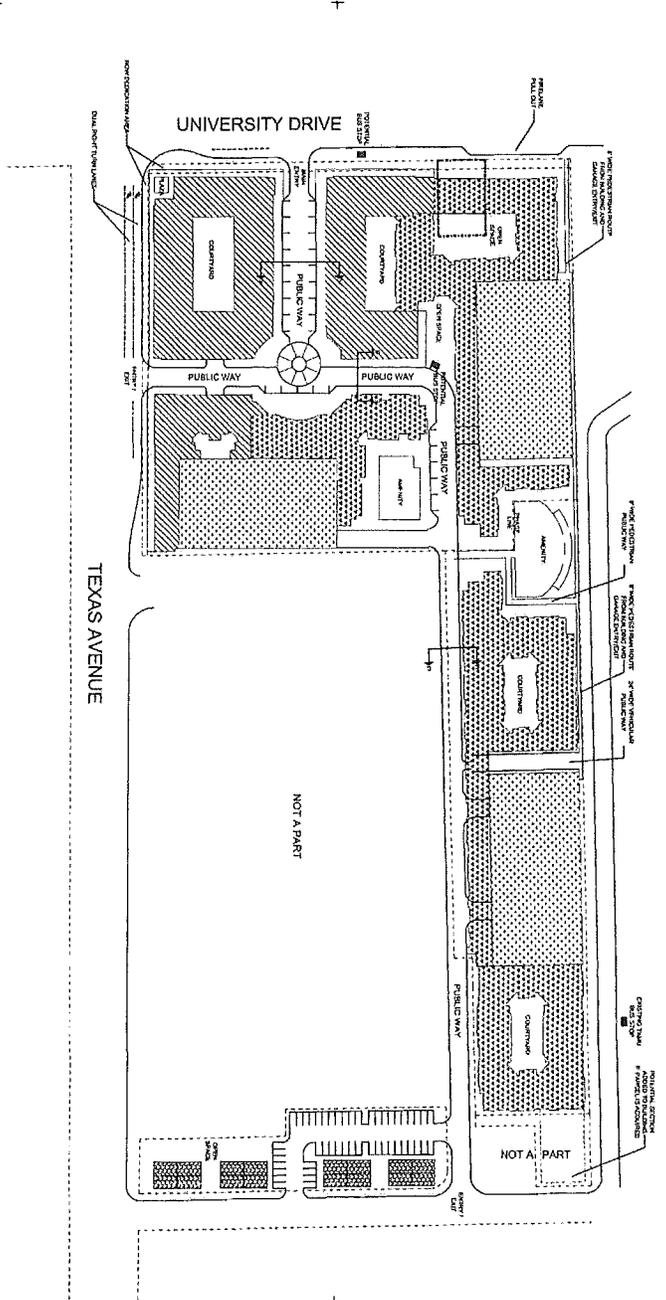
The following community benefits, additional enhancements or improvements are incorporated:

1. Implementation of the Comprehensive Plan through redevelopment of an underperforming, blighted area that is designated as a Primary Arrival Gateway and described by the Comprehensive Plan as an area that should “focus on bringing vertical mixed-use and other aspects of urban development to this portion of the City.” All existing buildings in both phases will be demolished before building permits will be issued for any new construction.
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9. As permitted by TxDOT, mitigation for the Texas Avenue and University Drive intersection is proposed through a variety of transportation improvements including the intersection and median break for the former Meadowland Street will be closed, a dual left turn lane on University Drive eastbound to Texas Avenue northbound and queue length extended, a dual right turn lane on Texas Avenue southbound to University Drive westbound, multiple driveways will be consolidated into one driveway on Texas Avenue and one driveway on University Drive, the median on Texas Avenue will be extended north past the proposed Public Way driveway, and a deceleration lane will be added to the proposed Public Way driveway on University Drive.

EXHIBIT "C"

DATE: 08/14/2013 10:45:00 AM
 FILED IN: 2013-08-14 10:45:00 AM
 COUNTY: TARRANT

| | | | | | | | | | | | | |
|---|--|---|--|------------------|--------------|------------------|--|--|---|-------------------------------|---------------------------------|------------------------------|
| <p>LEGEND</p> <ul style="list-style-type: none"> MIXED USE - 1st FLOOR GENERAL COMMERCIAL WITH MF ABOVE HIGH DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL STRUCTURED PARKING | <p>VICINITY MAP (in.)</p> | <p>LEGAL DESCRIPTION</p> <p>Geography: Mesquite and addition Block 1, Lot 3 (part of) and 4, 0.035 acre tract being the abandoned R.O.W. of Macomber Street.</p> | <table border="0"> <tr> <td>APPLICANT</td> <td>OWNER</td> <td>DEVELOPER</td> </tr> <tr> <td>MITCHELL AND MORGAN 2711 Westpark Dr., Suite 200 College Station, TX 77840 VOICE: (979) 762-2828 FAX: (979) 762-2829</td> <td>72 INVESTMENTS C/O FRANK CUSTENANO 420 WEST 2ND HOUSTON, TX 77002 VOICE: (713) 510-1122 FAX: (713) 510-1123</td> <td>CAPSTONE COLLEGIATE COMMUNITIES, LLC 417 Parkview Houston, TX 77027 VOICE: (281) 442-2200 FAX: (281) 442-2201</td> </tr> <tr> <td>CONTACT: VERNON MORGAN</td> <td>CONTACT: FRANK CUSTENANO</td> <td>CONTACT: AMANDA WATTS</td> </tr> </table> | APPLICANT | OWNER | DEVELOPER | MITCHELL AND MORGAN 2711 Westpark Dr., Suite 200 College Station, TX 77840 VOICE: (979) 762-2828 FAX: (979) 762-2829 | 72 INVESTMENTS C/O FRANK CUSTENANO 420 WEST 2ND HOUSTON, TX 77002 VOICE: (713) 510-1122 FAX: (713) 510-1123 | CAPSTONE COLLEGIATE COMMUNITIES, LLC 417 Parkview Houston, TX 77027 VOICE: (281) 442-2200 FAX: (281) 442-2201 | CONTACT: VERNON MORGAN | CONTACT: FRANK CUSTENANO | CONTACT: AMANDA WATTS |
| APPLICANT | OWNER | DEVELOPER | | | | | | | | | | |
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| CONTACT: VERNON MORGAN | CONTACT: FRANK CUSTENANO | CONTACT: AMANDA WATTS | | | | | | | | | | |

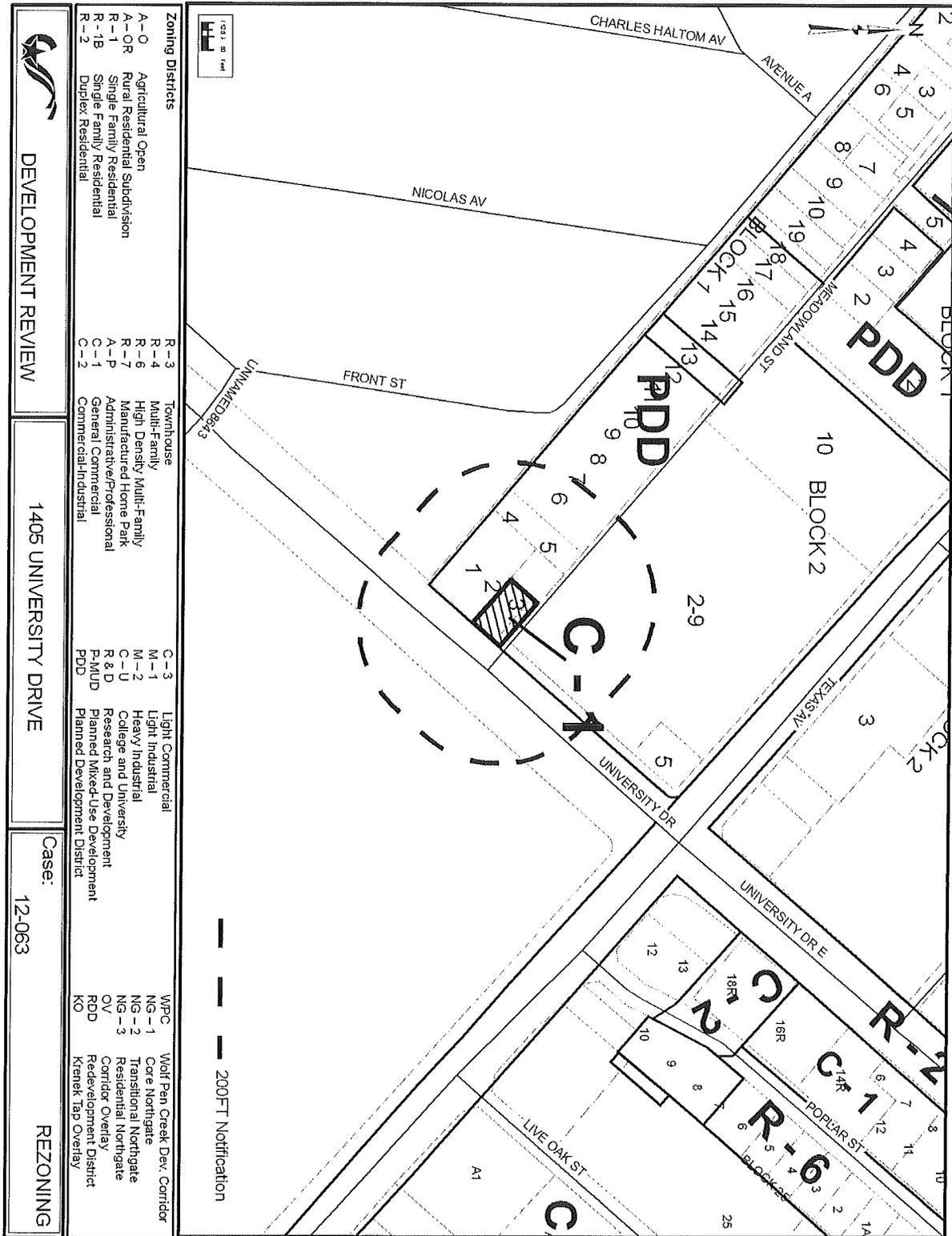


GENERAL NOTES

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2. BICYCLE PARKING WILL BE PROVIDED IN EACH STRUCTURED GARAGE ON SITE.

| | | | |
|--|---|--|---|
| <p>DATE: 08/14/2013 10:45:00 AM FILED IN: 2013-08-14 10:45:00 AM COUNTY: TARRANT</p> | <p>HUMPHREYS & PARTNERS ARCHITECTS, L.P. 1118 ALPHEA ROAD, SUITE 200 DALLAS, TEXAS 75241 (972) 751-1600 FAX: (972) 751-1601 15041 SHILOH DRIVE, SUITE 100 LAS VEGAS, NEVADA 89130 NEW ORLEANS, GRAND PRINCE</p> | <p>THE PLAZA REDEVELOPMENT COLLEGE STATION, TX CAPSTONE COLLEGIATE COMMUNITIES, LLC. WOODBRIDGE COLLEGE STATION HWY, LLC. MITCHELL AND MORGAN, LLP.</p> | <p>Scale: 1" = 20' (24"x36" SHEET) NORTH ARROW SCALE: 1" = 20' (24"x36" SHEET) 0' 100' 200' 400'</p> |
|--|---|--|---|

EXHIBIT "D"



| | | | | | | | | | |
|-------------------------|--|--|--|--|--|---|--|--|--|
| | | DEVELOPMENT REVIEW | | 1405 UNIVERSITY DRIVE | | Case: 12-063 | | REZONING | |
| Zoning Districts | | A-0 Agricultural Open A-OR Rural Residential Subdivision R-1 Single Family Residential R-1B Duplex Residential R-2 | | R-3 Townhouse R-4 Multi-Family R-6 High Density Multi-Family R-7 Manufactured Home Park A-P Administrative/Professional C-1 General Commercial C-2 Commercial-Industrial | | C-3 Light Commercial M-1 Light Industrial M-2 Heavy Industrial C-U College and University R & D Research and Development P-MUD Planned Mixed-Use Development PDD Planned Development District | | WPC Wolf Pen Creek Dev. Corridor NG-1 Core Northgate NG-2 Transitional Northgate NG-3 Residential Northgate OV Corridor Overlay RDD Redevelopment District KO Krenak Tap Overlay | |

May 24, 2012
Regular Agenda Item No. 4
Public Hearing and Discussion of a
Draft Ordinance to Create Reinvestment Zone #17

To: David Neeley, City Manager

From: Randall Heye, Economic Development Analyst

Agenda Caption: Public Hearing, presentation, and discussion on the creation of Reinvestment Zone #17; and, discussion of a Draft Ordinance creating Reinvestment Zone #17 for commercial tax abatement in the Business Center at College Station.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendation(s): Staff recommends that Council hold the public hearing for the future creation of Reinvestment Zone #17.

Summary: A Public Hearing and Ordinance creating a reinvestment zone are required by state law in order to offer tax abatement to attract new commercial and industrial enterprise or to encourage the retention and development of existing businesses. The City may enter into tax abatement agreement with an owner and the owner of a leasehold interest in real property. All required notices for this public hearing were served as required by state law.

The Research Valley Partnership has agreed to purchase ten acres in the *Business Center at College Station* for a new 50,000 SF office building which represents a \$7,000,000 capital investment. The last new construction within the business center occurred in 2003.

The Prospect has agreed to lease the respective building and hire 330 FTEs representing a gross payroll of \$12,000,000. College Station was selected by the Prospect as the sole finalist out of three locations, with the other two being out-of-state.

Budget & Financial Summary: Details regarding the cost and benefit of the economic development prospect will be presented before Council.

Attachments: Draft Tax Abatement Reinvestment Zone #17 Ordinance

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING A CERTAIN AREA AS REINVESTMENT ZONE NUMBER SEVENTEEN (17) FOR COMMERCIAL TAX ABATEMENT AS PROVIDED IN THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT; ESTABLISHING THE NUMBER OF YEARS FOR THE DISTRICT; AUTHORIZING AN AGREEMENT TO EXEMPT FROM TAXATION THE INCREASE IN VALUE OF THE PROPERTY IN ORDER TO ENCOURAGE DEVELOPMENT AND REDEVELOPMENT AND OTHER MATTERS RELATING THERETO; PROVIDING A SAVINGS CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of College Station, Texas, (the "City") desires to encourage supervised improvement by property owners through tax abatement procedures within its jurisdictions by the creation of a reinvestment zone as authorized by the PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT, TEXAS TAX CODE, CHAPTER 312, as amended (the "Act"); and

WHEREAS, a public hearing was scheduled for Thursday, May 24, 2012, at 7:00 p.m. to receive comments concerning the designation of proposed Reinvestment Zone Number Seventeen (17). Notice of such hearing was published on Thursday, May 17, 2012, in the Bryan-College Station Eagle newspaper, and hand delivered not later than Thursday, May 17, 2012, to the presiding officers of all taxing units with the jurisdiction of the proposed Reinvestment Zone, both such dates being not later than the seventh day before the date of the scheduled public hearing; and

WHEREAS, the City called a public hearing and published notice of such public hearing as required by SECTION 312.201(D) of the ACT; and has given written notice to all taxing units with the jurisdiction of the proposed Reinvestment Zone Number Seventeen (17) for Commercial Tax Abatement; and

WHEREAS, at said public hearing the City presented evidence that such proposed designation would be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property that would contribute to the economic development of the City; and

WHEREAS, the City at such public hearing invited any interested person or his attorney to appear and contend for or against the creation of the reinvestment zone; the boundaries of the proposed reinvestment zone, whether all or part of the territory that is 10.0 acres located in the Business Center at College Station generally south of the intersection of Gateway Boulevard and Lakeway Drive in College Station, Texas, more specifically described in Exhibit A attached hereto should be included in such proposed reinvestment zone, and the concept of tax abatement; and

WHEREAS, at such hearing recommendations were given as to the number of years the district would be designated, the number of years in which an agreement would be available, as well as the percentage of tax exemption to be applied to the taxable real property that is redeveloped; and

WHEREAS, the designation of the proposed reinvestment zone is consistent with the City's guidelines for such zones as set for in the City's "Guidelines and Criteria Governing Property Tax Abatement document adopted by Council on January 26, 2012 and will benefit the land included within the proposed reinvestment zone after the expiration of the written agreement with the proposed developer of the property within the reinvestment zone;

NOW, THEREFORE, BE IT ORDIANED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION:

I.

That the facts recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated herein for all purposes.

II.

That the City, after conducting such a hearing and having further studied recommendations as well as the evidence presented at the public hearing, has made the following findings based on the evidence and the testimony presented to the City:

- (a) That the public hearing on the adoption of the reinvestment zone under the applicable provisions of the Act has been properly noticed, called, held, and conducted, and that the notice of such hearing has been published as required by law and has been hand delivered to the respective taxing units within the proposed reinvestment zone; and
- (b) That the City has jurisdiction to hold and conduct said public hearing on the creation of the proposed reinvestment zone pursuant to the Act; and
- (c) That creation of the proposed reinvestment zone with boundaries described within the subdivision will result in improvements, made after May 24, 2012, that are feasible and practical and will benefit the City, its residents, and property owners in the reinvestment zone; and
- (d) That the proposed designation will be reasonably likely to contribute to the retention or expansion of primary employment or to attract major investments to the zone that would be a benefit to the property and to economic development of the City.

III.

That the City hereby creates Reinvestment Zone Number Seventeen (17) and its boundaries are those described and depicted in Exhibit A and such reinvestment zone shall hereafter be identified as Reinvestment Zone Number Seventeen (17) for Commercial Tax Abatement, City of College Station, Texas.

IV.

That the designation of Reinvestment Zone Number Seventeen (17) for Commercial Tax Abatement shall expire ten (10) years from the date of this ordinance.

V.

That, as provided in the Act, a written agreement with the owner of taxable real property located within the reinvestment zone shall be for a period of eight (8) years and that the taxable real property that is subject to the above-mentioned exemption from taxation shall be the total increase in value of the land and improvements over their value in 2012. In consideration for the owner making specified

improvements to the property, a written agreement shall provide for an exemption from taxation of this total increase in value of the property over its value in 2012 in percentages as et for in that agreement. The written agreement will require that all taxes be current at the time of execution of the agreement and be kept current to all taxing entities during the term of said agreement.

VI.

That said designation of Reinvestment Zone Number Seventeen (17) for Commercial Tax Abatement and the written agreement are in accordance with the City of College Station Policy for Tax Abatements and will be a benefit to the land that will be included within the reinvestment zone and to the City of College Station after expiration of the agreement with the owner of the property.

VII.

That if any provision of this ordinance is held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part of it.

VIII.

That it is hereby found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

IX.

This ordinance shall become effective and be in full force and effect from and after its passage and approval by the College Station City Council and duly attested by the Major and City Secretary.

PASSED and APPROVED this 14 day of June, 2012.

ATTEST:

APPROVED:

Sherry Mashburn, City Secretary

Mayor Nancy Berry

APPROVED:

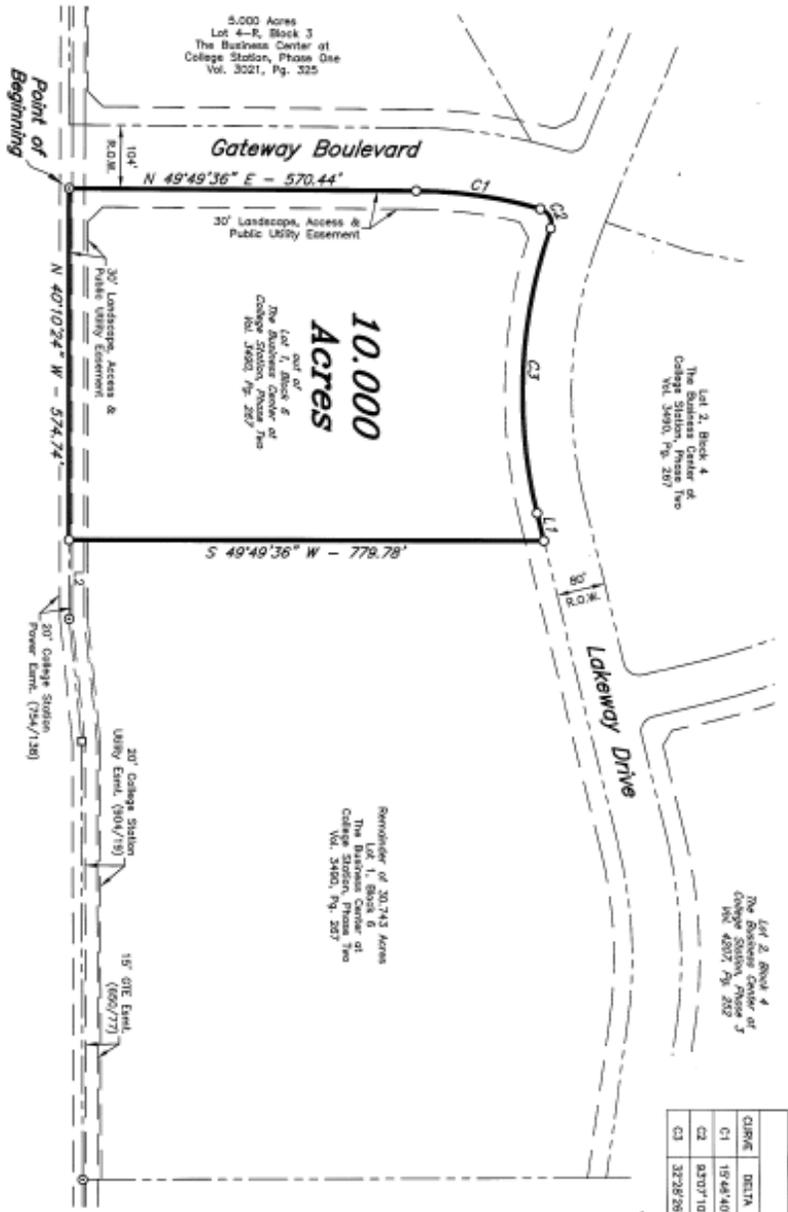
City Attorney

Exhibit A

10028013-001-01

McCLURE & BROWNE ENGINEERING/SURVEYING, INC. - 1008 Woodcreek Drive, Suite 103 - College Station, Texas 77845 - (979) 693-3838

Page 1 of 2



| CURVE | DELTA | POINTS | LENGTH | TANGENT | CHORD BEG. | CHORD END. |
|-------|-----------|---------|---------|---------|---------------|------------|
| C1 | 19°44'40" | 746.00' | 205.98' | 103.69' | N 57°42'36" E | 283.33' |
| C2 | 93°07'10" | 29.00' | 46.63' | 28.40' | S 87°50'09" E | 38.30' |
| C3 | 32°28'26" | 840.00' | 479.09' | 244.63' | S 37°30'42" E | 480.74' |



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 53°45'00" E | 46.44' |
| L2 | S 40°10'24" E | 128.71' |

- GENERAL SURVEY NOTES:**
1. CURVE OR BEARING SYSTEM: The record calls and monuments found during the southwest line of Lot 1, Block 5 identified on the subdivision and Plat Book on record in Volume 3480, Page 287 of the Official Records of Brazos County were used on the basis of the bearings shown on this survey.
 2. MONUMENTS: The monument data used for Brass County, Texas and incorporated Area Map Number 48041/02025 D, effective February 9, 2000. This property is not located in a 100-year flood hazard zone.
 3. All utilities, surface and subsurface improvements on or adjacent to the site are not necessarily shown hereon.
 4. No other use has been made as a part of this survey.
 5. The status of the utility, including but not limited to depth, condition, capacity, or location of any utility or municipal/public service facility.
 6. Subsurface and environmental conditions were not investigated or reported on this survey.
 7. Every instrument of record referred to and contained in this, and all other surveys, and records of the title herein, was examined to insure that the survey was correct and that the same was in accordance with the laws of the State of Texas.
 8. Except as specifically stated or shown on this plat, this survey was not prepared or shown on this plat for any purpose other than the specific purposes stated herein. No warranty, express or implied, is made by the surveyor as to the accuracy of any other facts that are shown on this plat or as to any other facts that are shown on this plat or as to any other facts that are shown on this plat.

LEGEND

- ⊙ - 1/2" iron find flag
- - 1/2" iron find flag
- - Concrete corner marker found

STANDARD LAND SURVEY
 10,000 ACRE TRACT
 OUT OF LOT 1, BLOCK 6
 THE BUSINESS CENTER AT COLLEGE STATION
 PHASE TWO (3480/287)
 S.W. ROBERTSON SURVEY, A-202
 COLLEGE STATION, BRAZOS COUNTY, TEXAS
 JANUARY 27, 2012

FIELD NOTES
10.000 ACRE TRACT

Being all that certain tract or parcel of land lying and being situated in the S.W. ROBERTSON SURVEY, Abstract No. 202, College Station, Brazos County, Texas and being a portion of Lot 1, Block 6 of THE BUSINESS CENTER AT COLLEGE STATION, PHASE TWO according to the Resubdivision and Final Plat recorded in Volume 3490, Page 267 (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 1/2-inch iron rod marking the intersection of the northeast right-of-way line of State Highway No. 6 (width varies) and the southeast right-of-way line of Gateway Boulevard (based on a 104' width), said iron rod also marking the west corner of said Lot 1, Block 6 of THE BUSINESS CENTER AT COLLEGE STATION, PHASE TWO;

THENCE: along the said southeast right-of-way line of Gateway Boulevard for the following three (3) calls:

- 1) N 49° 49' 36" E for a distance of 570.44 feet to a 1/2-inch iron rod set for the Point of Curvature of a curve to the right;
- 2) 205.98 feet along the arc of said curve having a central angle of 15° 46' 40", a radius of 748.00 feet, a tangent of 103.65 feet and a long chord bearing N 57° 42' 56" E at a distance of 205.33 feet to a 1/2-inch iron rod set for the Point of Compound Curvature;
- 3) 40.63 feet along the arc of said compound curve having a central angle of 93° 07' 10", a radius of 25.00 feet, a tangent of 26.40 feet and a long chord bearing S 67° 50' 09" E at a distance of 36.30 feet to a 1/2-inch iron rod set for the Point of Reverse Curvature at the intersection of the southwest right-of-way line of Lakeway Drive (based on a 80' Width);

THENCE: 476.09 feet along the arc of said reverse curve having a central angle of 32° 28' 26", a radius of 840.00 feet, a tangent of 244.63 feet and a long chord bearing S 37° 30' 47" E at a distance of 469.74 feet to a 1/2-inch iron rod set for the Point of Tangency;

THENCE: S 53° 45' 00" E continuing along the southwest line of said Lakeway Drive for a distance of 46.46 feet to a 1/2-inch iron rod set for the east corner of this tract;

THENCE: S 49° 49' 36" W through the interior of said Lot 1 for a distance of 779.78 feet to a 1/2-inch iron rod set for corner in the before-said northeast right-of-way line of State Highway No. 6, from whence a found 1/2-inch iron rod marking an angle point in the said State Highway No. 6 right-of-way line bears S 40° 10' 24" E at a distance of 129.71 feet for reference;

THENCE: N 40° 10' 24" W along the before-mentioned northeast line of State Highway No. 6 for a distance of 574.74 feet to the POINT OF BEGINNING and containing 10.000 acres of land, more or less.

I, Kevin R. McClure, Registered Professional Land Surveyor No. 5650, State of Texas, do hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II Survey.



May 24, 2012
Regular Agenda Item No. 5
Public Hearing and Consideration of Budget Amendment #2

To: David Neeley, City Manager

From: Jeff Kersten, Executive Director, Business Services

Agenda Caption: Public Hearing, possible action, and discussion on an ordinance Budget Amendment #2 amending ordinance number 3371 which will amend the budget for the 2011-2012 Fiscal Year in the amount of \$1,537,208.

Recommendation(s): Staff recommends the City Council hold the public hearing on Budget Amendment #2 and approve the budget amendment ordinance and interfund transfers.

Summary: The proposed budget amendment is to increase the appropriations for the items listed below by \$1,537,208. The charter of the City of College Station provides for the City Council to amend the annual budget in the event there are revenues available to cover increased expenditures and after holding a public hearing on such budget amendment. A number of items have been identified that need to be considered in a budget amendment. Attached is a list of the items in the proposed budget amendment.

Budget & Financial Summary: The City has resources or can reasonably expect resources to cover each of the appropriations in this budget amendment. Appropriations in the amount of \$306,681 are for grants that the City has been awarded. In addition, \$19,885 is for the Economic Development Master Plan. The attached list has the complete description of the items included in the proposed budget amendment.

Attachments:

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

FY12 Budget Amendment #2 Detail Listing

The proposed budget amendment is to increase the appropriations for the items listed below by \$1,537,208.

1. Grants – \$306,681 (Budget Amendment)

This item will appropriate budget to the General Fund in the amount of \$306,681 for various grants that have been awarded to the City. The grant funds for the projects are received after the expenditures occur. Below is a summary of the grants for which the budget will be amended:

Police Department - 2009 ARRA JAG (project GT0904) –\$12,266 will be appropriated for the purchase of surveillance equipment for investigations including a video/audio recorder and monitor, a repeater, a portable support unit and a dual camera monitoring system.

Police Department - 2010 JAG (project GT1002) – \$8,106 will be appropriated for the purchase of six wifi enabled police radios, for upgraded services to the RadiolP product used in the EnRoute CAD system, and for the purchase of a little giant tactical ladder.

Police Department – 2010 Homeland (project GT1101) – The 2010 Police department allocation of the Homeland Security grant was distributed 100% for law enforcement equipment. Most of this equipment was purchased in prior years. However, the remaining \$7,032 will be appropriated for miscellaneous SWAT team tools that were purchased in FY12.

Police Department – 2011 JAG (project GT1105) – \$17,285 will be appropriated for the purchase of motion detectors, a radar detector with built in camera and stinger, firearm supplies and a drug terminator.

Police Department – 2011 Homeland Security (project GT1201) – \$51,824 will be appropriated for the purchase of six HNT ballistic vests, three releasable modular tac vests, sixteen ballistic helmets, and a hazardous duty robot.

Fire Department – The Fire department has been awarded \$210,168 to help offset the costs of installing a Fire Emergency Response Alerting System. This project is for the replacement of the fire station alerting system at all stations (including station #6) and the PA systems in stations 1, 2 and 4. This total budget for this project (\$599,000) is included in the FY12 Capital Improvement Program budget, with alternate funding sources identified. The grant funds for this project will be received in the General Fund, but the expenditures will occur in the General Government CIP Fund. This item will appropriate budget in the General Fund to be transferred to the General Government CIP Fund to offset the project expenditures.

2. Lincoln Center Expansion - \$75,000 (Budget Amendment)

This item is to appropriate funds for the preliminary programming of the Lincoln Center Expansion project. This phase of the project was scheduled to begin in FY13 but, based on recommendations made by Council at the January retreat, will move forward to FY12. This project was part of the 2008 General Obligation Bond program and funding for this phase of the project will come from debt issued in FY12. This budget will be appropriated in the Parks CIP Fund.

3. CDBG/ARRA funds transfer – \$299,821 General Fund (Budget Amendment), \$299,821 ARRA Fund (Budget Amendment)

The City was awarded CDBG-R funds, a portion of which was used for the purchase of the Holleman

FY12 Budget Amendment #2 Detail Listing

tract of land. The purchase price of the land was \$299,821. Specifications for the use of the land were outlined as part of the grant award. It has been determined that the City will not meet those specifications in the time period allowed. As an alternative to returning the CDBG-R funds to HUD, the City intends to re-purpose the funds to different eligible project (neighborhood sidewalk construction in low to moderate income neighborhoods). This will allow the City to keep the land that was originally purchased using CDBG-R funds until such a time that it can be sold at an advantageous price or used in the manner as originally intended.

The purchase of the land has already occurred and CDBG-R funds were used to cover a portion of the cost. As the CDBG-R funds are going to be re-purposed to cover the cost of a different project, another funding source must be identified for the land purchase. As outlined in the Substantial Amendment to the PY 2008 Annual Community Development Action Plan approved by Council on March 22, 2012, General Funds will be used for this purpose. When the land is sold, the General Fund will be reimbursed for the costs incurred for the land purchase. This item appropriates \$299,821 to the General Fund, which will be transferred to the ARRA Fund to cover the cost of the land. These funds are available in the General Fund balance. In addition, this item appropriates \$299,821 in the ARRA Fund to be used on the neighborhood sidewalk construction project. These funds are the re-purposed CDBG-R funds.

4. Economic Development Master Plan - \$19,885 (Budget Amendment)

On February 23, 2012, Council approved \$94,885 in funding for the Economic Development Master Plan. The contract was awarded to CDS Market Research. There is currently \$75,000 budgeted for this project in the Economic Development Fund. This item will appropriate additional budget in the amount of \$19,885 that is needed for the project. Funds are available in the Economic Development Fund balance for this project.

5. Bryan / College Station Wayfinding Project - \$256,000 (Budget Amendment)

This item will appropriate budget in the Hotel Tax Fund for Phase 1 of the Wayfinding Program that was approved by Council on April 26, 2012. The Wayfinding Program will provide easy to follow signage throughout Bryan / College Station. The cost of this phase of the program will be shared between the City of College Station and the City of Bryan. The City of College Station's share for this phase of the program is not-to-exceed \$256,000. Funds are available in the Hotel Tax Fund balance for this purchase.

6. Veterans Park Synthetic Fields - \$280,000 (Budget Amendment)

This item is to allocate funds for the design of synthetic turf fields at Veteran's Park. The design contract is being presented to Council for approval as a separate item on May 24, 2012. Funds are available in the Hotel Tax Fund balance for the design contract.

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT 2) AMENDING ORDINANCE NUMBER 3371 WHICH WILL AMEND THE BUDGET FOR THE 2011-2012 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

WHEREAS, the City Council of the City of College Station, Texas, approved its Budget Ordinance for the 2011-2012 Fiscal Year on September 22, 2011; and

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

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

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

Part 1: That Part 1 of the Budget Ordinance for the 2011-2012 Fiscal Year is amended to read as follows:

"PART 1: That the proposed budget as amended by the City Council of the City of College Station, which is made a part hereof to the same extent as if set forth at length herein, is hereby adopted and approved, a copy of which is on file in the Office of the City Secretary in College Station Texas. Amended appropriations for fiscal year 2011-2012 for the General Fund are \$61,356,147; for the Economic Development Fund are \$802,802; for the ARRA Fund are \$487,581; for the Hotel Tax Fund are \$4,936,202; for the General Government CIP Fund are \$2,125,377; and for the Parks CIP Fund are \$2,701,413. All other appropriations as originally adopted and amended by the City Council remain in full force and effect."

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

PASSED and APPROVED this _____ day of _____ 2012.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson

City Attorney

May 24, 2012
Regular Agenda Item No. 6
TCEQ Public Meeting Request Resolution

To: David Neeley, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding approval of a resolution requesting the Texas Commission on Environmental Quality Executive Director to schedule a public meeting concerning a proposed permit to operate the Brazos Valley Disposal Facility, a Municipal Solid Waste Type IV disposal facility.

Relationship to Strategic Goals: Neighborhood Integrity – Share information and communicate with neighborhood groups through multiple media outlets.

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

Summary: On May 1, 2012, the Texas Commission on Environmental Quality Executive Director issued a Notice of Application and Preliminary Decision for a Permit to operate the Brazos Valley Disposal Facility deeming that the permit, if issued, meets all statutory and regulatory requirements. This action opens the public comment period for the proposed permit. At this time staff is unaware of any scheduled public meeting concerning the permit application.

According to the permit application, the proposed Brazos Valley Disposal Facility will be located within the extraterritorial jurisdiction of the City of College Station, approximately 1,300 feet northwest of the intersection of Stewarts Meadow and FM 60 (Raymond Stotzer Parkway), approximately one mile west of the proposed Biocorridor. The facility will have a permitted footprint of 42-acres and will be approximately 112 feet in height at full design build out. The proposed landfill will contain approximately 4.2 million cubic yards of material, and will accept 400-800 tons per day of construction and demolition wastes, reaching design capacity in 7.4 years. The scale of the proposed facility could significantly affect the quality of life for residents and property owners within the City of College Station and its extraterritorial jurisdiction.

The Council Resolution will request that the Texas Commission on Environmental Quality Executive Director schedule a public meeting in order to receive stakeholder comments on the proposed facility.

Budget & Financial Summary: Not applicable.

Attachments:

1. Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, REQUESTING THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EXECUTIVE DIRECTOR TO SCHEDULE A PUBLIC MEETING CONCERNING PROPOSED MUNICIPAL SOLID WASTE PERMIT NO. 2376 TO OPERATE THE BRAZOS VALLEY DISPOSAL FACILITY.

WHEREAS, CCAA, LLC has applied to the Texas Commission on Environmental Quality for a Permit to operate the Brazos Valley Disposal Facility, a Municipal Solid Waste Type IV disposal facility; and

WHEREAS, the facility is proposed to be located at 8825 Stewart Meadow, College Station Texas 77845 in Brazos County Texas; and

WHEREAS, the proposed facility location is within the City of College Station Extraterritorial Jurisdiction; and

WHEREAS, the proposed facility could significantly affect the quality of life for adjacent residents and property owners within the City of College Station Extraterritorial Jurisdiction; and

WHEREAS, on May 1, 2012, the Texas Commission on Environmental Quality Executive Director issued a Notice of Application and Preliminary Decision for a Permit to operate the Brazos Valley Disposal Facility deeming that the permit, if issued, meets all statutory and regulatory requirements; now, therefore,

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

PART 1: That the City Council hereby requests that the Texas Commission on Environmental Quality Executive Director schedule a public meeting to hear comments on the proposed permit to operate the Brazos Valley Disposal Facility.

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

ADOPTED this 24 day of May, A.D. 2012.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

Carla A Robinson
City Attorney