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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, August 09, 2012 at 7:00 PM**

**City Hall Council Chamber, 1101 Texas Avenue**

**College Station, Texas**

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

Hear Visitors: A citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary by 5:30 pm. Please limit remarks to three minutes. A timer alarm will sound after 2 1/2 minutes to signal thirty seconds remaining to conclude your remarks. The City Council will receive the information, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager. Comments should not personally attack other speakers, Council or staff.

**Consent Agenda**

At the discretion of the Mayor, individuals may be allowed to speak on a Consent Agenda Item. Individuals who wish to address the City Council on a consent 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.

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:

- July 25, 2012 Special Workshop
- July 26, 2012 Workshop
- July 26, 2012 Regular Council Meeting

- b. Presentation, possible action, and discussion regarding Chapter 1, General Provisions, Section 29 of the Code of Ordinances of the City of College Station, Texas will be amended as set out in Exhibit "A", removing references to the City Cemetery Committee and its duties, and transferring those duties and responsibilities to the City Manager or his delegate.

- c. Presentation, possible action, and discussion regarding the approval of a resolution adopting the Community Development PY 2012 (FY 2013) Action Plan and Budget.
- d. Presentation, possible action, and discussion to award the construction contract for the Wolf Pen Creek Erosion Control Project (SD-1102) to Dudley Construction, Ltd. in the amount of \$194,298.40.
- e. Presentation, possible action and discussion on calling a public hearing on the City of College Station 2012-2013 Proposed Budget for Thursday August 23, 2012 at 7:00 PM in the City Hall Council Chambers.
- f. Presentation, possible action, and discussion for a change order to Contract #09-153 with Bleyl & Associates for the Southwood 5-7 Utility Rehabilitation Project in the form of a deduction of \$51,271.54.
- g. Presentation, possible action, and discussion regarding the renewal of a service contract with Cal's Body Shop for annual automobile and truck paint and body repairs in an amount not to exceed \$60,000.00.
- h. Presentation, possible action, and discussion regarding Street Sweeping Services and the rejection of Request for Proposal No. 12-071.

### **Regular Agenda**

At the discretion of the Mayor, individuals may be allowed to speak on a Regular Agenda Item. 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. Registration forms are available in the lobby and at the desk of the City Secretary.

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

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

1. Presentation, possible action and discussion regarding the Lick Creek Greenway Trail Project.
2. Presentation, possible action, and discussion on a report related to the Conference Center provided by Hawkins Architecture under Professional Service Contract 12-232.
3. Presentation, possible action, and discussion on an ordinance ordering a General and Special Election to be held on November 6, 2012 for the purpose of electing a City Council Member, Place 4, a City Council Member, Place 6, and to submit proposed amendments to the City Charter to the voters; establishing early voting locations and polling places for this election; and making provisions for conducting the election. (Presentación, posible acción y discusión acerca de una ordenanza que ordene Elecciones Generales y Especiales a celebrarse el 6 de noviembre de 2012 con el propósito de elegir un

Miembro del Consejo de la Ciudad, Puesto Número 4, un Miembro del Consejo de la Ciudad, Puesto Número 6, y para presentarles a los votantes las enmiendas propuestas a los Estatutos de la Ciudad; estableciendo los sitios de votaciones anticipadas y los centros de votaciones para estas elecciones; y elaborando las provisiones para llevar a cabo las elecciones.)

4. Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Section 8.7, Appendix I "Park Land Dedication and Development Fees" of the Code of Ordinance of the City of College Station, Texas.
5. Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Section 8.2.K "Sidewalks" of the Code of Ordinance of the City of College Station, Texas.
6. Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 995.6 square foot, 5-foot wide public utility easement, which is located on Lots 9, 10 & 11 of Block 3 of the Redmond Terrace, First Installment Subdivision according to the plat recorded in Volume 188, Page 295 of the Deed Records of Brazos County, Texas.
7. Presentation, possible action, and discussion regarding a report from the City Council Ad Hoc Committee for Compensation and Benefits.
8. Adjourn.

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

APPROVED:

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



Notice is hereby given that a Regular Meeting of the City Council of the City of College Station, Texas will be held on the Thursday, August 09, 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 3rd day of August, 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](http://www.cstx.gov) . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on August 3, 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 \_\_\_\_\_.

City Council Regular Meeting

Page 4

Thursday, August 9, 2012

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](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.

**August 9, 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:

- July 25, 2012 Special Workshop
- July 26, 2012 Workshop
- July 26, 2012 Regular Council Meeting

**Attachments:**

- July 25, 2012 Special Workshop
- July 26, 2012 Workshop
- July 26, 2012 Regular Council Meeting

MINUTES OF THE SPECIAL CITY COUNCIL WORKSOP  
CITY OF COLLEGE STATION  
JULY 25, 2012

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields, absent  
Karl Mooney  
Katy-Marie Lyles, arrived at 4:15 p.m.  
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

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

With a quorum present, the Special Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 3:12 p.m. on Wednesday, July 25, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**2. Presentation and discussion of results of a formal College Station Citizen Survey recently commissioned by the City Manager's Office.**

Jay Socol, Director of Public Communications, reported the last survey done in College Station was in 2005. The purpose of the citizen assessment study was to identify key measures of quality of life, public safety and service delivery. The input from citizens will assist the City Council in resource allocation, budget and policy decisions.

Colin Killian, Public Communications Office, reported on how the study was conducted and the data collected. The sampling plan included a mailed survey to 8,000 households proportionately distributed within four geographic areas. Households had the option of completing the mailed

survey or completing the survey online via the City website. A total of 342 responses were received via the mailed survey and 511 from the online survey. The margin of error of this sample size (853) at a 95% confidence level is plus or minus 3.4%. Colin then presented detailed survey tables. Providing public safety (police, fire) received the highest importance/quality ratings for City services, followed closely by street and road maintenance. Service prioritization indicates the City will need to maintain spending for public safety, managing trash and recycling, providing pathways (sidewalks, trails), and maintaining the appearance of parks, landscapes and facilities. Additional dollars may be required for maintaining streets/roads, attracting businesses and jobs, managing traffic congestion, enforcing traffic laws, programs to retain/support existing businesses, managing storm water drainage, and code enforcement services.

Key findings related to quality of life indicate that 92% of respondents are very or somewhat likely to recommend College Station as a place to live. When asked what they valued most from living in College Station, respondents listed:

- 25% - Small town feel but has quality services of a larger city (entertainment, cultural, religious, etc.)
- 23% - Friendly people, family friendly, good quality of life
- 20% - Quality education opportunities (schools, Texas A&M University), college atmosphere, proximity to TAMU
- 15% - Safety, low crime.

Regarding what type of retail/commercial development is desired, respondents answered:

- 17% - More up-scale retail/restaurants including specialty retail and better diversity of sit-down restaurants
- 13% - Attract businesses - technology, manufacturing, health care and light industry business to new commercial/office developments
- 13% - Retail “Village” or “Town Center” type retail with entertainment and leisure venues that is family friendly (including a “downtown” College Station utilizing a mixed use concept).

In answer to “If you could change one thing about College Station”, 17% of the respondents replied they would like to see traffic congestion addressed, stricter traffic laws, and to bring back red light cameras.

About half (58%) of respondents reported they have had contact with a city employee in the past 12 months. Of those, a majority (89%) of respondents who had contact with a city employee said their courtesy, knowledge and responsiveness was excellent or good. One third of respondents feel crime in College Station is decreasing or staying the same. However, half (51%) of respondents feel crime in College Station is increasing.

A majority of respondents prefer to utilize multiple methods to get information about local city government. The three most important methods of communication were the local newspaper, local TV stations, and the City website. 27% of responses praised the City’s communication efforts and feel they do an outstanding job. 14% saw the need for an email newsletter with voluntary sign up with information on past/future events.

On a four-star value rating, 80% of respondents rated College Station a “3” value or higher, which is comparable to cities of similar size. More than one-third (37%) rated College Station a value of “4”.

Respondent demographics indicate survey respondents are highly educated. 78% have completed college or have a graduate or advanced degree. 81% of respondents live in single-family homes, while the remaining respondents live in an apartment, town home, apartment or duplex.

Conclusions drawn from the survey indicate that College Station, as a city and community, is highly valued by its residents with regard to quality of life, quality of City services, the direction the City is headed as a community, and the overall value of services for the tax dollars they pay. Residents value College Station most because it is a clean, progressive, quiet and safe community with an abundance of core services while maintaining the small town feel. The top priorities with which the City should continue emphasis (as rated by the citizens) includes public safety, managing trash and recycling, providing pathways (sidewalks, trails), and maintaining appearance of parks, landscapes and facilities. Citizens rated several areas for improvement, such as maintaining streets and roads, attracting businesses and jobs, managing traffic congestion, enforcing traffic laws, etc. Citizens rated other services as less important and needing less emphasis, such as providing a variety of recreation programs, special events, and library services.

No action was required by Council.

### **3. Presentation, possible action, and discussion regarding the Council's Strategic Plan (2012).**

Bob Cowell, Executive Director of Development Services, presented this item as a mid-year review. The vision was established through multi-year Comprehensive Planning effort through a community vision, indentifying the type of College Station we want now and into the future. He briefly reviewed the Council’s Mission Statement and six key initiatives. He reminded Council that last year we reset the planning calendar so that the retreat and strategic plan update would occur prior to the budget preparation by staff. This adjustment means that even though we have talked quite a bit about the strategic plan, we are working with the same plan for a longer time than will be the case going forward. Under the revised schedule, January/February will be when the retreat and update occur. May will be when the Departments update their business/service plans in anticipation of budget submittals. July will serve as the mid-year review before heading into budget workshops. August will be budget workshops; the City Manager’s budget is built around the strategic direction provided by Council at its retreat, and the Budget will be approved in September. Quarterly reports on the strategic plan will be provided by the City Manager with the focus on performance measures, which also are being updated. Bob then provided some examples of some of the strategies/actions that have been initiated or completed based on the plan to demonstrate the link of these actions to the plan as a real guide to what actually gets done. There are still a few items pending, and one or two that have not been discussed at all, such as cost recovery policies.

Staff requested affirmation from the Council that the plan is accurate and is working. The Budget (based on this plan) will come forward in August, and then we will move to department plans. In January, we will have more in-depth discussions of the strategic plan update.

No action was required from Council.

#### **4. Executive Session**

In accordance with the Texas Government Code §551.074-Personnel, City Council convened into Executive Session at 4:25 p.m. on Wednesday, July 25, 2012 in order to continue discussing matters pertaining to:

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

- City Manager

The Executive Session adjourned at approximately 5:35 p.m. on Wednesday, July 25, 2012.

No action was required from Executive Session.

#### **5. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the Special Workshop of the College Station City Council at approximately 5:38 p.m. on Wednesday, July 25, 2012.

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

ATTEST:

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

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
JULY 26, 2012

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry, Mayor

**Council:**

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

**City Staff:**

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 5:00 p.m. on Thursday, July 26, 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, §551.072-Real Estate, and §551.087-Economic Incentive Negotiations, the College Station City Council convened into Executive Session at 5:00 p.m. on Thursday, July 26, 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
- Patricia Kahlden, individ. and as rep. of the Estate of Lillie May Williams Bayless v. Laura Sue Streigler, City of College Station and James Steven Elkins, No. 1 1-003172-CV-272, in the 272nd District Court of Brazos County, Tx.
- Claim and potential litigation related to a June 24, 2011 collision with a city vehicle.

B. Deliberation on the purchase, exchange, lease or value of real property; to wit:

- Property located generally northwest of the intersection of First Street and Church Avenue in College Station.

C. Deliberation on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city; to wit:

- Administrative Services in College Station Business Park
- Behavioral healthcare facility

The Executive Session adjourned at 5:52 p.m. on Thursday, July 26, 2012.

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

No action was required from Executive Session.

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

No items were pulled.

### **5. Presentation and discussion regarding an update on the Economic Development Master Plan.**

Steve Spillett and Lawrence Stein, with CDS Spillett Market Research, presented an overview of the Economic Development Master Plan general process. Phase One: Base Analysis and Existing Conditions addressed economic and demographic trends and sector overviews. Phase Two: Evaluation of Opportunities and Constraints will address a survey of area businesses; economic development organization, policies, and incentives; and entertainment districts and redevelopment. Phase Three: Goals and Strategies will be led and authored by staff, with the advice of consultants.

Data gathered during the research process was obtained from the Census, the American Community Survey, the Texas Workforce Commission, and the Bureau of Labor Statistics,

among others. Interviews were conducted with business owners and bankers, economic development organizations, tourism organizations, and commercial real estate professionals. Opportunities and advantages include the TAMU graduate stream, the City's infrastructure and public services, College Station ISD's reputation, the affordable cost for a good suburban lifestyle, the quality of life for families and older residents, and the active pursuit of targeted industries, especially knowledge-based industries. Challenges and barriers were identified as: a limited commercial air service, a large stock of older multi-family housing, the larger metros' appeal to new graduates and young adults seeking career path opportunities, the energy industry consolidation in Houston, budget risks for publicly-sponsored ventures, and there is no real cost-of-living advantage over the suburbs of large metropolitan areas. Additional challenges include the relatively small size of the "adult market" to offset the impact of the student population, travel is necessary for destination-quality retail and culture, and the possible trade-offs for high development standards.

Our fastest-growing industries are restaurants/bars and the health care industry. There is a significant dependence on the government/public sector, and our unemployment rate is lower than Texas overall. There has been a 38.2% increase in population from 2000 to 2010. Over 30% have higher education levels. There is a concentration of affluent older households, with 38% of the households headed by individuals age 25 or older with an income of \$75,000 or more. 82.8% of the metro-area residents within the life, physical, or social science occupations live in College Station. The pay for most occupation categories is lower than the state average.

Retail and commercial is experiencing a small spending recovery at the gross level, but the spending per capita is remarkably low. There is some question as to whether there is an internet sales threat, and there is regional competition. There is some potential for increased "adult" retail, and we have relatively high lease rates.

As for office/industrial uses, the demand for space is stagnant or declining. In the long term, as the population grows, there will probably be incremental growth for local professional services. For industrial uses, employment growth has stopped since the recession, with facilities focusing in Bryan.

Healthcare and wellness continues to be a significant part of the local economy with 20% of the job base in the greater Brazos Valley region. Job growth for 2008-2018 is projected to be 30%. College Station residents have a high rate of insurance coverage, attracting health care uses. Some of the new facilities and entities include HSC, Scott and White, and the MED campus.

Technology is part of the economic development focus though it is still a small part of our economy. Biosciences are the most visible, and digital/software developers are more under the radar. Staffing recruitment challenges include competition with major metro areas and the research vs. commercialization experience.

Hospitality and entertainment has been impacted by the recession. There is a change in the types of organizations coming to College Station; facilities are limited for meetings, and there is major competition from larger metro areas. The leisure tourism market revolves around TAMU and amateur sporting events. There is potential for non-student entertainment.

We have a large number of government and higher education employers in area; nearly 20% of the populace is employed in education, training, and library occupations. Per the Texas Workforce Commission, the state government is the largest industry by employment in Bryan/College Station area.

Construction and development has a sizable employment sector. Permitting ranges from \$200,000,000 to \$500,000,000 valuation annually, and significant land exists in and near the City. Annual gross sales of goods related to construction ranged from \$60,000,000 to \$110,000,000 in the period from 2002 to 2011.

The Council recessed the Workshop at 7:02 p.m. in order to open the Regular Council meeting on time.

The Council reconvened the Workshop at 7:36 p.m.

**6. Presentation, possible action, and discussion concerning the City Internal Auditor's Payroll Policies and Procedures Audit.**

Ty Elliot, Internal Auditor, presented his findings in the Payroll Policies and Procedures Audit. Over 25,000 paychecks for \$40 million are processed by the City each year to pay over 1,000 full-time, part-time, and seasonal City employees. Therefore, a comprehensive payroll audit was conducted from March through May 2012. The audit report had three main areas of findings: (1) ghost employees, (2) information systems, and (3) sick leave.

One of the first areas investigated were ghost employee schemes. Ghost employees are individuals listed in the payroll register, who are not providing services, but who are receiving a payroll check. In order for a ghost employee scheme to work, three things must happen: (1) the ghost must be added to the payroll, (2) timekeeping and wage rate information must be collected, and (3) a paycheck must be issued to the ghost and the check must be delivered to the perpetrator or an accomplice. No evidence of fraud was found; however, a risk was found when a ghost could be added to the payroll. When an employee ends employment, the HR department relies upon the departing employee, or the departing employee's department, to inform the City of the departure. In addition, the process of timely removing employees from the payroll is not always effective. For example, 97 employees were found who remained on the payroll for an average of 526 days after receiving their final paycheck. Manual timekeeping processes and practices allow some department supervisors custody over the paper timesheets of their employees. Consequently, these supervisors have the ability to (1) receive or create the paper timesheets of former employees who have not been timely removed from the payroll, (2) manually record time (not actually worked), and (3) then approve the timesheet for processing.

Additionally, it was discovered that incomplete direct deposit change forms were processed without identifying criteria such as SSN, previous bank account information, or an attached voided check. It was also found that these forms could be submitted without the employee being required to appear in person. Therefore, an employee's supervisor has the ability to change a former employee's direct deposit bank account to the supervisor's own account by submitting

an incomplete payroll direct deposit form that contains only the former employee's name and the supervisor's own bank account information. In response to the audit, the Department of Finance has implemented a policy requiring all employees desiring to make direct deposit changes to submit completed forms in person to authorized Payroll staff.

Next, they examined payroll information systems, in other words, the computer system used to manage the City's payroll processes. Forty-one employees, primarily payroll timekeepers, were found who had the power to alter paycheck amounts; most of them had no need for this type of system access. When this control deficiency was found, an interim audit report was issued to management on February 24, 2012. Management acted immediately to change system functionality to mitigate the risk. Last year's transaction history of these forty-one employees has since been examined, and no evidence of material fraud was discovered.

Part of the scope of the audit included a review of sick leave. Most city employees are given twelve days of sick leave a year and use approximately nine days on average a year. As a result, the City's sick leave policy costs over a million dollars a year. Therefore, the potential for sick leave abuse was investigated. Some indications of sick leave abuse were found. Ty presented a table showing employees who ended their employment with the City in the last four years and received a vacation payout. Those employees were broken into groups based on the percentage of the sick leave used during their employment. There were a disproportionately large number of employees who used more than 95% of their sick leave and received a vacation payout. Overall the table does not describe actual sick leave abuse, but rather it serves as a possible indicator that some employees may be using sick leave in lieu of vacation time as they approach retirement. The indicators in the report may deserve additional review by management.

Five recommendations were addressed strengthening controls related to process improvement or information systems. Management concurred with all five of the control related recommendations and has begun implementing many of them. It was also recommended that management investigate implementing an automated timekeeping solution to eliminate the use of paper timesheets and the cumbersome, time consuming, manual process, while also reducing many of the risks associated with human error and fraud. An automated timekeeping system also provides more detailed records than a manual system and increases accountability. A representative from Kronos met with management on June 27, and management is currently in the process of evaluating the feasibility of implementing such a system. Another recommendation related to trigger points was not approved by management. A trigger point is a mandatory action to be taken when an employee reaches the trigger point. For example, some cities require their employees to certify each sick day taken after reaching the trigger point of five sick days taken in a year. Other organizations require employees to review their sick leave usage with their supervisor after reaching the trigger point.

The Council recessed the Workshop at 7:02 p.m. in order to open the Regular Council meeting on time.

The Council reconvened the Workshop at 9:54 p.m.

## **7. Council Calendar**

- **July 27 Scott & White Hospital Tour on Rock Prairie, 9:00 a.m.**
- **August 2 P&Z Workshop/Meeting in Council Chambers at 6:00 p.m. (Katy-Marie Lyles, Liaison)**
- **August 8 BV Food Bank's Feast of Caring at Brazos Center, 11:00 a.m.**
- **August 9 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.

**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, BVSWM, BVWACS, 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.**

Mayor Berry reported on BVSWM and an Open House she attended.

## **10. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 9:56 p.m. on Thursday, July 26, 2012.

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

ATTEST:

Sherry Mashburn, City Secretary

DRAFT

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
JULY 26, 2012

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields, absent  
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 7:19 p.m. on Thursday, July 26, 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.**

**MOTION:** Upon a motion made by Mayor Berry and a second by Councilmember Lyles, the City Council voted six (6) for and none (0) opposed, to approve the absence request from Jess Fields. The motion carried unanimously.

**Special Presentation by the Museum of the American GI.**

The Arts Council of the Brazos Valley presented a brief film, entitled, *Museum of the American GI*. Brent Mullins, president of the Museum of the American GI, stated they are the best

unknown museum in the Brazos Valley, with the most unique collection of military vehicles and equipment in the southern United States. They are in the process of building their permanent building south of College Station, close to the Texas World Speedway. They want this to be one of the area's ultimate destinations, alongside the George Bush Library, the African American Museum, and the Museum of Natural History. He stated they need help building the museum. College Station is their home and where they will build the museum. They have been working on this for ten years, and this will happen. He requested funding from the HOT funds. The museum will be a landmark in southern College Station; where they are located on Highway 6, over 80,000 cars pass by. Their business is to make money, attract visitors, and put people into area hotels. They have raised over \$300,000 towards this building. This is only enough for the basic frame and structure. He asked the Council to consider a matching grant for what they have already raised. If the Council would double that, they could be open by next fall.

### **Citizen Comments**

Michael Gerst, 3923 Hawk Owl Cove, presented a brief PowerPoint, showing the flooding, mud, debris and fallen trees alongside Lick Creek. He stated that the Lick Creek bottomland is a FEMA flood zone, and any path in this bottomland will be strewn with mud and debris that will impede foot and bicycle traffic and require prompt and costly maintenance. There are other serious impediments to pedestrian and bicycle traffic than just mud, trash and debris. Fallen trees are a common occurrence, and trees fall to block the footpath. He noted the HOA is not required to keep and clear a foot path. They do so because their volunteers want to. If the City accepts the dedication and builds a path in that bottomland, the requirement to keep the path passable will become an expensive and recurring responsibility. The alternative is to put the path at street level where flooding, debris buildup and falling trees will not be an issue.

Jerome Rektorik, 437 Chimney Hill Drive, asked the Council to consider designating the entire cul de sac area on the south southwest end of Chimney Hill as a No Parking zone for fire safety. The fire hydrant is located there behind the old Albertsons. The adjacent area is heavily wooded, and there have been several occasions when cars have been parked all around the cul de sac. If a fire happened at that time, the fire department would not be able to get to the fire hydrant. There is a large cement pad close by that is suitable for parking.

### **CONSENT AGENDA**

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

- **July 12, 2012 Workshop**
- **July 12, 2012 Regular Council Meeting**

#### **2b. Presentation, possible action, and discussion regarding Resolution 07-26-12-2b, approving an annual blanket purchase order with Boundtree Medical L.L.C. for \$65,000.00 for EMS supplies.**

#### **2c. Presentation, possible action, and discussion regarding Resolution 07-26-12-2c, approving the award of bid 12-073 Brazos Paving, Inc. to provide an annual contract for the excavation of the depleted asphalt, and installation of emulsified asphalt and Type D**

**hot mix asphalt for the maintenance of streets in an amount not to exceed \$923,200.00, and authorizing the City Manager to execute the renewal agreement on behalf of the City Council.**

**2d. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Bryan Texas Utilities in the amount of \$60,000 for the purposes of BTU temporarily operating College Station's electric transmission system and authorizing the City Manager to execute the contract on behalf of the City Council.**

**2e. Presentation, possible action, and discussion regarding the Inter-Local Agreement (ILA) with the College Station Independent School District (CSISD) regarding School Resource Officers (SRO).**

No items were pulled for a separate vote.

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

The Regular Meeting was recessed at 7:36 p.m. in order to complete an item from the Workshop.

The Council reconvened the Regular Meeting at 7:54 p.m.

## **REGULAR AGENDA**

**1. Public Hearing, presentation and discussion to receive comments regarding the proposed amendments to the City Charter. A quorum of the Citizen's Charter Review Advisory Commission may be present.**

A quorum of the Citizens' Charter Review Advisory Commission was present: Lynn McIlhane, Terry Childers, Chuck Ellison, Buck Prewitt, Tony Jones, and Brian Bochner.

At approximately 7:54 p.m., Mayor Berry opened the Public Hearing.

Gary Ives, 3943 Blue Jay Court, expressed his support for the proposed recall guidelines. He has been concerned about the impact of recall on government here and across the country. He agrees there needs to be a reasonable means to remove the incompetent and corrupt, but he believes it is anti-democratic for a vocal and disruptive minority to play the system in an effort to overturn the will of the majority.

Benito Flores-Meath, 901 Verde, expressed his dismay that the proposed recall guidelines will make the process even more difficult. It is already very difficult. This is putting the citizens at risk by not letting the citizens control the Council. The citizens need to have the chance to do something when the Council does something that could hurt the community, but that is not

possible under these criteria. Limiting the number of people that can sign the petition is dangerous for neighborhood issues and makes it impossible for them to get enough signatures.

Marianne Oprisko, 11282 Hickory #6, said she had run an unsuccessful petition for the recall of Mayor McIlhaney. These guidelines will make it even more difficult. Recently the Council approved an apartment complex in a City already overbuilt with apartments. The rents there are \$700-\$800. She lives down the street, and the landlord is talking about a 25% increase because someone is getting that amount down the street. She has noticed that every time the Council has problem with money, they look for that million dollar property to annex.

Lynn McIlhaney, Chair of the Citizens' Charter Review Advisory Commission, provided some history of the process.

Chuck Ellison, Citizens' Charter Review Advisory Commission, provided insight related to "incompetence" and "conflict of interest". Regarding grounds for recall, the intent was not to make recall harder, but to make it for a good reason.

Buck Prewitt, Citizens' Charter Review Advisory Commission, briefly outlined an example of "indirect" conflict of interest.

Terry Childers, Vice Chair of the Citizens' Charter Review Advisory Commission, remarked on his concerns related to the issue of "conflict of interest" and expressed his desire to maintain a higher standard.

Les Fiechtner, 1213 Baywood Court, expressed his concern with the proposed recall guidelines. There are times the Council disregards what the citizens really want to happen. Requiring people to have actually voted in the election the Councilmember was elected, not only makes it more difficult, but it also disenfranchises certain voters. He would like to see elections based on districts. There is no one from his area of the City that sits on the council.

Sherry Ellison, 2705 Brookway Drive, stated her concern is that the general populace has not been part of the process. She would like to see this go forward, but for there to be a format where the Commission members can present the information in a non-biased way.

Tony Jones, Citizens' Charter Review Advisory Commission, addressed the reasons for a recall. There need to be some criteria otherwise it will be hard to get people to run. The Commission looked at our peer cities to see how they were doing this. He also briefly discussed elections by district and conflict of interest.

Judith Beckmann, 9301 Amberwood Court, there has been a lot of talk about people understanding what they are signing. Putting restrictions on what members can be recalled for is insulting to the people. As for taking away the right from those who did not vote, she noted that if she didn't vote for a bond issue, she is still expected to pay for it.

Brian Bochner, Citizens' Charter Review Advisory Commission, noted that in addition to recall, there are two other methods the citizens can use: either Initiative to get something new, or Referendum to repeal something that has passed.

There being no further comments, the Public Hearing was closed at 9:11 p.m.

Council consensus was to direct staff to go forward with the following:

- Gender Neutral language (as recommended)
- Franchise Agreements (from three to two readings)
- Recall (add grounds as recommended; leave the formula for the number of signatures required as it currently is within the Charter)
- Conflict of Interest (**MOTION:** Upon a motion made by Councilmember Lyles and a second by Mayor Berry, the City Council voted four (4) for and two (2) opposed, to replace the current language with state law. The motion carried.)

## 2. Adjournment.

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:54 p.m. on Thursday, July 26, 2012.

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

ATTEST:

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

**August 9, 2012**  
**Consent Agenda Item No. 2b**  
**Ordinance Amending Chapter 1, General Provisions, Section 29 of the Code of Ordinances Removing References to City Cemetery Committee and its Duties**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Chapter 1, General Provisions, Section 29 of the Code of Ordinances of the City of College Station, Texas will be amended as set out in Exhibit "A", removing references to the City Cemetery Committee and its duties, and transferring those duties and responsibilities to the City Manager or his delegate.

**Relationship to Strategic Goal:** Core Services and Infrastructure

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

**Summary:** In the Sunset Advisory Commission's final report to City Council dated June 14, 2012, the Commission stated that they found that the Cemetery Committee had completed its charge and responsibilities to the City, and any further direction regarding City cemetery matters could be handled by City staff. The Sunset Advisory Commission found that Cemetery Committee meetings were held infrequently and the major projects listed by committee member questionnaires had been completed. The Sunset Advisory Commission recommended City Council sunset the Cemetery Committee, which they did at the June 14, 2012 regular meeting. Due to this action, Chapter 1, General Provisions, Section 29 needs to be revised to reflect this action.

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

**Attachments:**

1. Exhibit "A" - Ordinance

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

AN ORDINANCE AMENDING CHAPTER 1, "GENERAL PROVISIONS," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING SECTION 29, "CITY CEMETERIES RULES AND REGULATIONS," SUBSECTIONS B, E(5), I(1), L, AND M(2)(c); REMOVING REFERENCES TO THE CITY CEMETERY COMMITTEE; TRANSFERRING THE DUTIES AND RESPONSIBILITIES OF THE CITY CEMETERY COMMITTEE TO THE CITY MANAGER OR HIS DELEGATE; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Chapter 1, Section 29 of the Code of Ordinances of the City of College Station, Texas, be hereby amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2:** That all previous ordinances in direct conflict with this ordinance are hereby superseded and repealed, but only to the extent of such conflict.
- PART 3:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 4:** That any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than 25 Dollars (\$25) nor more than Two Hundred Dollars (\$200). Each day such violation shall continue or be permitted to continue shall be deemed a separate offense. Said 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.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

APPROVED:

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

**EXHIBIT "A"**

That Chapter 1, "General Provisions," Section 29, "City Cemeteries Rules and Regulations," of the Code of Ordinances, City of College Station, Texas, is hereby amended to read as follows:

**"CHAPTER 1  
GENERAL PROVISIONS**

....

**SECTION 29: CITY CEMETERIES RULES AND REGULATIONS**

....

**B. Administration.**

All administrative matters pertaining to the operation of the City Cemeteries shall be under the direction of the City Manager or his delegate.

....

**E. Purchase options.**

....

(5) Price: The price of all spaces in the City Cemeteries shall be established by resolution of the City Council, and amended as necessary, upon recommendation of City Manager or his delegate.

....

**I. Copings, hedges, fencing, etc.**

(1) No copings, coverings, ledgers, hedges, fences, exposed vaults, walls, or other enclosures shall be permitted in, on, or around any space; except that coverings and ledgers shall be permitted only in the College Station Cemetery upon the approval of the City Manager or his delegate.

....

**L. Mausoleums.**

In the College Station Cemetery, mausoleums shall be permitted only in Sections F, G, M, and J. The locations, size, and design must be approved and be issued a permit by the City Manager or his delegate.

Mausoleums are not permitted in the Memorial Cemetery of College Station.

M. Rules enforcement.

....

(2)

....

(c) Allow fourteen (14) days from the date the notice was mailed for compliance or appeal to the City Manager or his delegate.

....”

**August 9, 2012**  
**Consent Agenda Item No. 2c**  
**Community Development PY 2012 (FY 2013) Action Plan and Budget**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding the approval of a resolution adopting the Community Development PY 2012 (FY 2013) Action Plan and Budget.

**Relationship to Strategic Goals:** Goal I.5 Develop revenue streams independent of the General Fund; Goal II. 1 Preserving and restoring older neighborhoods; Goal III. 12 Housing affordability

**Recommendation(s):** Staff recommends approval of a resolution adopting the proposed Plan and Budget, authorizing new allocations and expenditure of remaining balances, and for the City Manager to execute all necessary documents.

**Summary:** The action requested is approval of a resolution adopting the proposed Plan and Budget as presented at the June 28, 2012 Council Meeting. The U.S. Department of Housing and Urban Development (HUD) requires the Plan and Budget be received by August 16<sup>th</sup>, therefore approval is required on this agenda to meet the required application deadline. Amounts available next year include \$978,155 in Community Development Block Grant (CDBG) funds, \$408,875 in HOME Investment Partnership Grant (HOME) funds, and various carry-over amounts from previous allocations.

Council reviewed the Plan and Budget at its June 28<sup>th</sup> meeting. A public comment period has been completed and comments received are included in the Plan. The Plan and Budget were developed with input received from a series of public hearings, and program committee meetings. Information from the City's 2010-2014 Consolidated Plan was also used in preparing this year's Plan. Plan goals and objectives were developed in accordance with the Department's Strategic Business Plan to best meet the unique needs of lower-income citizens, and to provide support for families working towards self-sufficiency. Each year the City must submit to HUD an Action Plan that includes descriptions of projects and activities to be carried out with grant funding. The proposed Plan and Budget were developed in accordance with HUD grant requirements and are now being presented for approval.

CDBG and HOME funds may only be used to: (1) benefit low- and moderate-income persons; (2) aid in the elimination of slum and blighting influences, and/or; (3) meet a particular urgent need. Further, CDBG funds may be used to meet local needs through a wide range of community development activities, while HOME funds may only be used for affordable housing activities.

Historically, the City has utilized these funds for a variety of programs and activities, including: affordable housing programs (homebuyer assistance, security deposit assistance, rehabilitation, new construction, and minor repairs); funding of direct services to low-income families; demolition; and park, street, infrastructure and public facility improvement in low-income areas of the city.

**Budget & Financial Summary:** See attached financial summaries for the proposed PY 2012 Budget for CDBG and HOME funds. Staff will be prepared to answer questions regarding the proposed plans and/or budget

**Attachments:**

- Attachment 1: Resolution for Program Year 2012 Action Plan and Budget
- Attachment 2: Proposed PY 2012 Community Development Budget Summary
- Attachment 3: Plan Development Summary
- Attachment 4: Proposed PY 2012 Public Service Funding Recommendations
- Attachment 5: Proposed pY 2012 Public Facility Funding Recommendations
- Attachment 6: PY 2010 – 2014 Community Development Goals
- Attachment 7: Comments and Final Revisions on Proposed PY 2012 (FY 2013) Action Plan and Budget (Draft Action Plan and Budget provided to Council in the June 28, 2012 Agenda Packets)

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

**A RESOLUTION OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE PROGRAM YEAR 2012 ACTION PLAN AND BUDGET ALLOCATING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS.**

**WHEREAS**, the City of College Station is entitled to receive \$978,155 in Community Development Block Grant (CDBG) funds and \$408,875 in Home Investment Partnership Program (HOME) funds from the United States Department of Housing and Urban Development (HUD) in fiscal year 2013 and has prepared a Program Year 2012 Action Plan and Community Development Budget as required to secure these funds; and

**WHEREAS**, the City of College Station, Texas, has a Five-Year Consolidated Plan that has been approved by both HUD and the City that guides the development of each year's Action Plan and Budget; and

**WHEREAS**, the City of College Station, Texas, has an established Community Development Program under Chapter 373 of the Texas Local Government Code that (1) identifies areas of the City with concentrations of low and moderate income persons; (2) establishes areas in which program activities are proposed; (3) provides a plan under which citizens may publicly comment on activities; and (4) requires public hearings on program activities; and

**WHEREAS**, the City of College Station has provided adequate information to the citizens and an opportunity to participate in the development of the City's Program Year 2012 Action Plan and Community Development Budget; and

**WHEREAS**, the City Council acknowledges that the adoption of the Program Year 2012 Action Plan and Community Development Budget is in the best interest of the City and is for the purpose of securing additional community development resources for the primary benefit of low and moderate income citizens; now, therefore,

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

**PART 1:** That the City Council hereby approves the Program Year 2012 Action Plan and Community Development Budget which serves as the City's application to HUD for CDBG and HOME funds;

**PART 2:** That the City Council hereby authorizes and designates the Executive Director of Planning and Development Services to sign all required applications, certifications, evaluations and other forms required by HUD for the Program Year 2012 Action Plan and Community Development Budget on behalf of the City of College Station.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

**APPROVED**

**ATTEST:**

\_\_\_\_\_  
Mayor

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

**APPROVED:**

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

Attachment 2: PY 2012 Proposed Community Development Budget

PROJECT	CDBG & HOME CARRY-OVER	CDBG & HOME NEW ALLOCATIONS	CDBG & HOME TOTAL PROPOSED
Owner-Occupied Rehabilitation	\$15,000	\$195,000	\$210,000
Demolition	\$10,000	\$0	\$10,000
Interim Assistance	\$5,000	\$0	\$5,000
Homebuyer Assistance	\$176,870	\$0	\$176,870
CHDO	\$142,779	\$61,331	\$204,110
Construction	\$1,579,926	\$0	\$1,579,926
Housing Services	\$26,252	\$0	\$26,252
Rental Rehabilitation	\$0	\$56,657	\$56,657
Code Enforcement (PDS)	\$0	\$109,200	\$109,200
Tenant Based Rental Assistance	\$79,466	\$70,000	\$149,466
CHDO Operating Expenses	\$13,478	\$0	\$13,478
Public Service Agency (See Attachment 3)	\$0	\$146,723	\$146,723
Public Facility (See Attachment 4)	\$1,190,340	\$521,382	\$1,711,722
Grant Administration	\$0	\$226,737	\$226,737
CDBG & HOME Total Proposed			\$4,626,141
Recaptured Funds/ Program Income			\$20,000*
Total Community Development Budget			\$4,646,141

\*To be utilized for Rental Rehabilitation is realized

### Attachment 3: Consolidated Plan and Budget Development Process Summary, PY 2012

<u>Event</u>	<u>Date</u>
Pre-proposal workshop for agencies	Feb. 10, 2012
Public hearing on Consolidated Plan and Budget (Lincoln Center)	Mar. 6, 2012
JRFRC proposals due	Mar. 23, 2012
JRFRC Meeting	Apr. 5, 2012 Apr. 12, 2012 Apr. 20, 2012 May 3, 1012 May 16, 2012
JRFRC Public Service Agency public hearings	May 23, 2012 May 24, 2012
First presentation of Consolidated Plan and Budget to City Council	June 28, 2012
30-Day Public Comment Period begins	July 2, 2012
Public hearing to present goal and objectives and public comments regarding the proposed PY 2012 Annual Action Plan (Lincoln Center)	July 10, 2012
30-Day Public Comment Period ends	Aug. 1, 2012
Request council approval by consent agenda of 2012 Annual Action Plan and Budget	Aug. 9, 2012
2012 Annual Action Plan due to HUD no later than	Aug. 16, 2012

Attachment 4: PY 2012 CDBG Public Service Funding Summary & Recommendations

Agency	Program	Requested	Recommended Funding	Funded Items	Client #s /Cost per Client	Funding City
Voices for Children	Court-Appointed Special Advocates	\$24,818	\$21,209	Volunteer Coordinator, Education Coordinator, and Prevention Materials	875 \$24.24	CS
Scotty's House Brazos Valley Child Advocacy Center	Brazos County counseling services	\$17,740	\$15,000	Salary, FICA	80 \$187.50	Bryan
Brazos Maternal & Child Health Clinic, Inc.	The Prenatal Clinic	\$37,280	\$26,000	Medical Supplies, Ultrasounds, Personnel	950 \$27.37	CS
Twin City Mission, Inc.	Manager/Client Assistance Program	\$37,702	\$26,000	Case Manager Direct Salary/Client Assistance	500 \$52.00	Bryan
Family Promise of Bryan-College Station	Case Management	\$20,000	\$16,000	Personnel	60 \$266.67	Bryan
Brazos Valley Rehabilitation Center	Autism assessment, Research and Intervention Clinic	\$26,891	\$20,200	Salaries, FICA, program equipment/supplies	30 \$673.33	Bryan
Unity Partners dba Project Unity	Safe Harbor Supervised Visitation Program	\$28,000	\$21,000	Personnel, Fringe, Space Rental, Security	400 \$52.50	College Station
Mental Health Mental Retardation Authority of Brazos Valley	Mary Lake Drop-in Center	\$33,006	\$24,606	Salary (No Fringe), Utilities, Telephone, Auto, maintenance	48 \$512.63	CS
Big Brothers Big Sisters of South Texas	Big Brothers Big Sisters of the Brazos Valley	\$12,000	\$10,000	Personnel	115 \$86.96	CS
Brazos Valley Counseling Services	BV Counseling Services	\$16,948	\$13,700 (\$742 – Bryan \$12,958 - CS)	Personnel, Software, Materials	250 \$51.83	Bryan & CS
Brazos County Rape Crisis Center, Inc., dba Sexual Assault Resource Center (SARC)	Individual Counseling and Accompaniment	\$10,000	\$7,500	Counseling	140 \$53.57	Bryan
Total		\$264,385	\$201,215			

City Department Programs	
Kids Klub	\$19,950 CS
Lincoln Center	\$11,000 CS

Attachment 5: PY 2012 CDBG Public Facility Funding Summary & Recommendations

Activity	Recommended Funding	Description
Cooner Street Rehabilitation	\$1,078,515	Funds will be used to rehabilitate Cooner Street east of Texas Avenue South. The project scope will include the replacement of existing wastewater, water, and roadway infrastructure. Funds will be used to design the utility rehabilitation and the design and construction of the street reconstruction.
Wellborn Road Sidewalks	\$316,158	FY 12 funds were used to design a new sidewalk on the east side of Wellborn Road extending from Luther Street to Southwest Parkway. FY 13 funds will be used for acquisition of easements and construction.
University Drive Sidewalks	\$232,213	FY 12 funds were used for the design of a new eight foot sidewalk on the south side of University Drive East between Texas Avenue South and approximately Lions Park. FY 13 funds will be used for the acquisition of easements and construction.
Southwest Park Improvements – Phase 2	\$84,836	FY 12 funds and funds remaining from the College Main Street Rehabilitation will be used for the Phase 2 improvements that include the development of the park to include: a picnic plaza, site furniture, lights along the hike/bike trail (Phase 1), signage, and exercise equipment.
Total	\$1,711,722	

## Attachment 6: PY 2010 – 2014 Community Development Goals

### Housing

*Goal: Ensure adequate housing assistance for lower income homeowners.*

Strategies:

- Encourage and facilitate maintenance of residential units by L/M income homeowners through residential rehab loans.
- Acquire real property for future development of affordable housing, parks, or other activities that enhance neighborhoods.
- Encourage and facilitate the removal and replacement of dilapidated structures and/or address community emergencies.
- Utilize code enforcement regulations to maintain the integrity of older neighborhoods.

*Goal: Retain and expand affordable housing opportunities for low- and moderate-income homebuyers.*

Strategies:

- Encourage and support programs and projects that provide financial assistance to L/M income purchasers of existing or new affordable homes.
- Encourage and support programs and projects that provide education and counseling to lower-income home-owners and homebuyers.
- Encourage and support programs and projects that construct new housing units for L/M homebuyers.

*Goal: Ensure adequate affordable rental housing opportunities for low- and moderate-income families and individuals.*

Strategies:

- Encourage and facilitate the rehabilitation of affordable rental units.
- Encourage and facilitate the construction of new affordable rental units.

### Homelessness and Special Needs

*Goal: Address the needs of homeless persons to make the transition to permanent housing and independent living and help families avoid becoming homeless.*

Strategies:

- Preventing homelessness:
  - Provide assistance for low-income households to secure and sustain safe, decent affordable housing.
- Outreach and assessment:
  - Foster coordination, collaboration, and increased resources to assess community needs, available services, and service gaps. Use this information to target and improve service provision.
- Emergency and transitional shelter:
  - Encourage and support programs and agencies that supply or seek out emergency and/or transitional shelter for families and individuals.
- Transition to permanent housing and independent living:
  - Assist homeless persons in meeting various human and health service needs as well as provide training and counseling opportunities to help with the transition to self-sufficiency.

*Goal: Ensure adequate affordable housing opportunities and supportive services for the lower income special needs populations.*

Strategy:

- Encourage and facilitate organizations that provide social and/or housing services to special needs populations.

**Non-Housing**

*Goal: Encourage and support the delivery of health and human services to assist families in reaching their fullest potential.*

Strategies:

- Encourage and support nonprofit providers of health care, dental care, and mental health care to deliver programs to qualified L/M families/persons.
- Encourage continued development and facilitate development of new or enhanced senior citizen programming.
- Facilitate development of affordable childcare and youth programs.
- Ensure that the provision of other health and human services is approached within a comprehensive framework to enable families and individuals in breaking the cycle of poverty.
- Encourage new or enhanced transportation programs that assist L/M income persons to address their mobility needs.

*Goal: Provide safe, secure, and healthy environments for families and individuals.*

Strategies:

- Improved accessibility to programs serving L/M income individuals and families through rehabilitation or expansion of public or private facilities.
- Rehabilitation and expansion of infrastructure including water and sewer lines, street, and sidewalk, and flood drain improvements.
- Improve or expand park facilities including green space, neighborhood parks, and recreational facilities.
- Improve transportation facilities to increase the accessibility of health and human services and basic needs for L/M income persons.

*Goal: Development of a strong and diverse economic environment to break cycle of poverty.*

Strategies:

- Rehabilitate and/or develop new spaces for businesses to better realize job creation.
- Support and expand community wide training and employment activities targeting low/mod households.

## **Attachment 7: Comments Received & Final Revisions on the Proposed FY 2012 Action Plan & Budget**

### **Comments Received During the July 10<sup>th</sup> Public Hearing:**

- MHMR thanked the City of College Station for all of your hard work on bringing the much needed CDBG funding to our community. They encourage the City to continue these funds at the 15% level for public service.
- Project Unity indicated that they appreciate that the City of College Station consistently funds public service up to the full 15% allowed. The entire Brazos Valley and the City of College Station benefit from this civic commitment. Thank you.

### **Comments Received During the 30-Day Public Comment Period:**

- No comments received

### **Final Revisions Made to the Proposed PY 2012 Action Plan and Budget:**

- ✓ Update the Table of Contents
- ✓ Update to Section 7.2 - Texas Childhood Lead Poisoning Prevention Program to include 2012 information
- ✓ Update to Section 9.0 Program Monitoring in response to HUD monitoring visit held July 16<sup>th</sup> – 18<sup>th</sup>
- ✓ Comments and responses to comments from the July 10, 2012 Public Hearing added
- ✓ Appendix H: Public Notice in *The Eagle* was added
- ✓ Updated the budget increasing HOME possible program income for rental rehabilitation projects

**NOTE:** Comments were received from local agency representatives at the July 10, 2012 Public Hearing and during the 30-Day Public Comment Period. There are no changes to the specific program / project allocations as recommended at the June 28<sup>th</sup> Workshop. Only the above noted updates, public comments, and responses to comments were made to the draft as previously presented to Council.

**August 9, 2012**  
**Consent Agenda Item No. 2d**  
**Wolf Pen Creek Erosion Control**  
**Construction Contract**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion to award the construction contract for the Wolf Pen Creek Erosion Control Project (SD-1102) to Dudley Construction, Ltd. in the amount of \$194,298.40.

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure – Protect existing infrastructure with erosion control and slope stabilization measures along Wolf Pen Creek in the upper trails area.

**Recommendation(s):** Staff recommends award to Dudley Construction, Ltd. in the amount of \$194,298.40.

**Summary:** The Wolf Pen Creek Upper Trails project was completed in 2006 and included multiuse paths, landscaping, irrigation, and minor drainage improvements. Since then the creek has undergone its normal geomorphological processes causing erosion in some places and deposition in others. This project is the first phase of erosion control projects in Wolf Pen Creek to address localized erosion and slope stabilization issues that threatens existing infrastructure along the Upper Trails. The project includes grading, the installation of interlocking blocks and turf reinforcement mats for slope stabilization, and the re-establishment of vegetation as erosion control measures.

**Budget & Financial Summary:** Funds in the amount of \$312,000 are budgeted for this project. Funds in the amount of \$33,906.44 have been expended or committed to date, leaving a balance of \$278,093.56 for construction of the project. Dudley Construction, Ltd. was the lowest of the two bids received for this project at \$194,298.40.

**Attachments:**

1. Resolution
2. Bid Tab
3. Project Map
- 4.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE WOLF PEN CREEK EROSION CONTROL PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Wolf Pen Creek Erosion Control Project; and

WHEREAS, the selection of Dudley Construction, Ltd. is being recommended as the lowest responsible bidder for the construction services related to the Wolf Pen Creek Erosion Control Project; now, therefore,

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

PART 1: That the City Council hereby finds that Dudley Construction, Ltd. is the lowest responsible bidder.

PART 2: That the City Council hereby approves the contract with Dudley Construction, Ltd. for \$194,298.40 for the labor, materials and equipment required for the improvements related the Wolf Pen Creek Erosion Control Project.

PART 3: That the funding for this Contract shall be as budgeted from the Drainage Utility Fund in the amount of \$194,298.40.

PART 4: That the City Council hereby authorizes the City Manager to execute this Contract.

PART 5: 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



**City of College Station - Purchasing Division  
 Bid Tabulation for #12-079  
 "Wolf Pen Creek Erosion Control Project - Phase 1"  
 Open Date: Friday, July 20, 2012 @ 2:00 p.m.**

ITEM	QTY	UNIT	DESCRIPTION	Dudley Construction, Ltd. (College Station, TX)		Mike Larsen Company (San Marcos, TX)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
<b>BASE BID</b>							
1	1	L.S.	MOBILIZATION: INSURANCE, BONDS, TRAFFIC CONTROL, CONSTRUCTION STAKING, LOCATE EXISTING UTILITIES, DIGITAL PICTURES	\$45,000.00	\$45,000.00	\$19,775.00	\$19,775.00
2	1	L.S.	EQUIPMENT & MATERIAL STAGEING & ACCESS: SECURITY FENCING, RESTORATION UPON COMPLETION	\$3,200.00	\$3,200.00	\$3,348.00	\$3,348.00
3	1	L.S.	SEDIMENT CONTAINMENT SYSTEM; INSTALL, MAINTENANCE & REMOVAL	\$2,100.00	\$2,100.00	\$1,024.00	\$1,024.00
4	1	L.S.	PEDESTRIAN FENCING AS REQUIRED TO PROVIDE SAFE PASSAGE FOR PUBLIC	\$1,700.00	\$1,700.00	\$4,111.00	\$4,111.00
5	9578	S.F.	CLEARING & GRUBBING OF TREES AND UNDERBRUSH AND REMOVAL FROM SITE	\$1.60	\$15,324.80	\$4.00	\$38,312.00
6	1	L.S.	TREE PROTECTION FENCING: INSTALL, PROTECTION, MAINTENANCE & REMOVAL	\$1,800.00	\$1,800.00	\$4,053.00	\$4,053.00
7	9578	S.F.	FINE GRADING & COMPACTION / PREPERATION OF SUBGRADE FOR BLOCK, TRM, ROCK RIP RAP	\$1.20	\$11,493.60	\$1.00	\$9,578.00
8	450	C.Y.	EXCAVATON - CUT - IN PLACE - REMOVED FROM SITE	\$35.00	\$15,750.00	\$65.00	\$29,250.00
9	75	C.Y.	SELECT FILL - DENSITY CONTROLLED - REMOVE ALL ORGANICS & UNSTABLE MATERIAL PRIOR TO BEGINNING FILL - IN PLACE	\$32.00	\$2,400.00	\$123.00	\$9,225.00
10	7989	S.F.	4" SHORETEC SHOREBLOC BD-400 OPEN CELL MAT W/POLYESTER CABLES & SKAPS GT110 10 OZ. NON WOVEN FILTER FABRIC, (OR AN APPROVED EQUAL) IN PLACE FILLED WITH SOIL IN CELLS, SEEDED, WATERED, MAINTENANCE AND ESTABLISH HEALTHY COVER	\$10.00	\$79,890.00	\$9.00	\$71,901.00
11	1	L.S.	GROUT FOR BLOCK VOIDS - VOIDS LARGER THAN 3-INCH SHALL BE FILLED WITH GROUT PER SPECIFICATION 02279 IN TECHNICAL SPECIFICATIONS	\$2,000.00	\$2,000.00	\$2,850.00	\$2,850.00
12	162	S.Y.	RECYCLEX TURF REINFORCEMENT MAT (TRM) BY AMERICAN EXCELSIOR COMPANY (OR APPROVED EQUAL) INCLUDES TOPSOIL, SEEDBED, SEEDING (UNDER MAT), WATERING MAINTENANCE AND ESTABLISHMENT OF A HEALTHY GROUND COVER. INSTALLED PER MANUFACTURERS RECOMMENDATIONS	\$30.00	\$4,860.00	\$91.00	\$14,742.00
13	18	S.Y.	ROCK RIP RAP (COMMON) 4-18 INCH GRADATION, TXDOT ITEM NO. 432 DRY, W/SCAPS GT-180 8 OZ NON WOVEN GROUND STABILIZATION FABRIC (OR APPROVED EQUAL) RIP RAP AND FABRIC SHALL BE HAND PLACED AND CONFORM TO THE FINAL GRADES AND ADJACENT NATURAL GROUND	\$200.00	\$3,600.00	\$371.00	\$6,678.00
14	1	L.S.	REVEGETATE: ALL AREAS AFFECTED BY CONSTRUCTION ACTIVITIES SHALL BE RESTORED TO PRECONSTRUCTION CONDITIONS OR BETTER, FINAL GRADING, TOPSOIL, HYDROMULCH, WATERING, MAINTENANCE UNTIL A HEALTHY GROUND COVER IS ESTABLISHED	\$5,180.00	\$5,180.00	\$2,676.00	\$2,676.00
<b>TOTAL BASE BID (ITEMS 1-14)</b>				<b>\$194,298.40</b>		<b>\$217,523.00</b>	
<b>Certification of Bid</b>				✓		✓	
<b>Acknowledged Addendums</b>				✓		✓	
<b>Bid Bond</b>				✓		✓	

# Wolf Pen Creek Erosion Control (SD-1102)



**Legend**

-  Locations
-  Creek

1 in = 200 ft

**August 09, 2012**  
**Consent Agenda Item No. 2e**  
**Call Public Hearing on FY 12 - FY 13 Proposed Budget**

**To:** David Neeley, City Manager

**From:** Jeff Kersten, Executive Director Business Services

**Agenda Caption:** Presentation, possible action and discussion on calling a public hearing on the City of College Station 2012-2013 Proposed Budget for Thursday August 23, 2012 at 7:00 PM in the City Hall Council Chambers.

**Recommendation(s):** Staff recommends the City Council call a public hearing on the City of College Station 2012-2013 Proposed Budget for Thursday August 23, 2012 at 7:00 PM in the City Hall Council Chambers.

**Summary:** State law says that notice of the public hearing on the budget must be made no less than 10 days prior to the meeting for the public hearing. After the public hearing the Council may insert or delete items or may increase or decrease items so long as the total of any increases or insertions do not increase the total budget by 3% or more.

**Budget & Financial Summary:** The proposed budget will be available for review.

**Attachments:**

N/A

**August 9, 2012**  
**Consent Agenda Item No. 2f**  
**Southwood 5-7 Utility Rehabilitation Project**  
**Design Contract Change Order**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion for a change order to Contract #09-153 with Bleyl & Associates for the Southwood 5-7 Utility Rehabilitation Project to reduce the contract by \$51,271.54.

**Relationship to Strategic Goals:** Neighborhood Integrity- Continue investments in maintaining and rehabilitating infrastructure and facilities in neighborhoods.

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

**Summary:** Construction of Southwood 5-7 Utility Rehabilitation Project was completed in December 2011. The Engineer has since been involved with completing the post construction portion of their contract in the form of completing the record drawings for the project and assisting with warranty items, as needed. At the conclusion of their work, the engineer had a total of \$51,271.54 budgeted in their contract for time and services that were not ultimately used to complete the project. This change order will allow for the Purchase Order to be reduced to \$0.00 and the contract to be closed.

**Budget & Financial Summary:** Funds in the amount of \$4,950,045 are currently budgeted for this project in the Water and Wastewater Capital Improvement Projects Funds. Following the reduction of this PO, the total expenditures on the project will be \$4,743,786. The project balance will be utilized for other Water and Wastewater capital projects.

**Attachments:**

1. Change Order #3 for Bleyl & Associates
2. Project Location Map

**CHANGE ORDER NO. 3**      DATE: July 11, 2012      Contract No. 09-153  
P.O.# 090741      PROJECT: Southwood 5-7 Utility Rehab Project      Funded in Whole/Part w CO's Y/N

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

**CONTRACTOR:**  
Bleyl & Associates  
100 Nugent St, Suite 210      Ph: (936) 441-7833  
Conroe, TX 77301-3833      Fax: (936) 760-3833

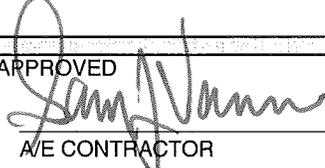
**PURPOSE OF THIS CHANGE ORDER:**  
A. Review of open purchase orders revealed that the design contract for this project had a remaining balance. The engineer indicated that they had completed all related work and confirmed that the balance was for services and time that were not used. This change order serves to close the PO and remove the outstanding balance from the contract.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Services Budgeted For But Not Used	\$51,271.54	1	0	(\$51,271.54)
					TOTAL	(\$51,271.54)

THE NET AFFECT OF THIS CHANGE ORDER IS 12 % DECREASE.

LINE 1 (212-9111-973.55-02/WF1105425)	\$40,197.89	
LINE 2 (213-9111-974.55-01/WF1105424)	\$11,073.65	
TOTAL CHANGE ORDER	\$51,271.54	
ORIGINAL CONTRACT AMOUNT	\$427,882.00	
CHANGE ORDER NO. 1	\$48,895.00	11% CHANGE
CHANGE ORDER NO. 2	\$6,268.50	1% CHANGE
CHANGE ORDER NO. 3	(\$51,271.54)	-12% CHANGE
REVISED CONTRACT AMOUNT	\$431,773.96	0.91% % TOTAL CHANGE
ORIGINAL CONTRACT TIME	135	Days
Time Extension No. 1	0	Days
Revised Contract Time	135	Days
SUBSTANTIAL COMPLETION DATE	N/A	
REVISED SUBSTANTIAL COMPLETION DATE		

**APPROVED**

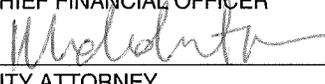
      7/11/2012  
A/E CONTRACTOR      Date

N/A  
CONSTRUCTION CONTRACTOR      Date

Edward / McDonald      7/11/12  
PROJECT MANAGER      Date

      7/24/12  
DEPARTMENT DIRECTOR      Date

\_\_\_\_\_  
CHIEF FINANCIAL OFFICER      Date

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

\_\_\_\_\_  
CITY MANAGER      Date

\_\_\_\_\_  
MAYOR      Date

\_\_\_\_\_  
CITY SECRETARY      Date

**August 9, 2012**  
**Consent Agenda Item No. 2g**  
**Renewal of Annual Service Agreement for Auto Paint & Body Repairs**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding the renewal of a service contract with Cal's Body Shop for annual automobile and truck paint and body repairs in an amount not to exceed \$60,000.00.

**Relationship to Strategic Goals:** Financially Sustainable City Providing Response to Core Services and Infrastructure. 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 the same.

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

**Summary:** The Fleet Division of the Public Works Department does not have the internal resources to make automotive paint and body repairs to damaged vehicles in our fleet. In FY11, staff solicited sealed competitive bids for this service. Four (4) sealed bids were received and Cal's Body Shop submitted the lowest responsible bid. Cal's Body Shop agrees to the first renewal of two available renewals in an amount not to exceed \$60,000.00.

The table below shows budget and actual expenditures for three prior years:

<b>Year</b>	<b>Budget</b>	<b>Actual Spent</b>
2010	\$56,250	\$52,299
2011	\$56,239	\$56,239
2012 YTD	\$60,000	\$53,580

**Budget & Financial Summary:** Funds are available in the Property and Casualty Fund.

**Attachments:**

- 1) Signed Renewal Acceptance

\*\*\*\*\*

**RENEWAL ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew Contract No. 11-307 for Annual Auto/Truck Paint and Body Repairs and all other terms and conditions previously agreed to and accepted for an amount not to exceed Sixty Thousand and No/100 Dollars (\$60,000.00).

I understand this renewal agreement will be for the period beginning August 25, 2012 through August 24, 2013. This is the first of two renewal options.

**CAL'S BODY SHOP**

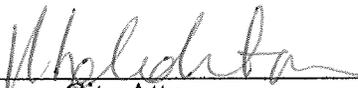
  
\_\_\_\_\_  
Authorized Signature

7-23-12  
\_\_\_\_\_  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Executive Director of Business Services

\_\_\_\_\_  
DATE

**August 9, 2012**  
**Consent Agenda Item No. 2h**  
**Street Sweeping Services**  
**Rejection of Request for Proposal No. 12-071**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding Street Sweeping Services and the rejection of Request for Proposal No. 12-071.

**Relationship to Strategic Goals:** Core Services and Infrastructure - Efficiently, effectively, and strategically placed and delivered core services and infrastructure that maintains citizens health, safety, and general welfare and enables the City's economic growth and physical development.

**Recommendation(s):** Staff recommends that RFP No. 12-071 be rejected and that Street Sweeping Services continue to be provided in-house by City crews and equipment.

**Summary:** Currently, the City employs two equipment operators and owns two street sweeping units that cover all curb and gutter streets within the City on a regular monthly schedule. Approximately 6,000 curb miles are swept each year at 500 miles per month. As part of the Public Works Department's continuing efforts to ensure we are providing our services at the best possible value, a Request for Proposal was issued on June 8, 2012 for Street Sweeping Services.

The total direct cost of the City's existing Street Sweeping operations as described above is \$230,178. Two vendor proposals were submitted for Request for Proposal No. 12-071 as follows:

Vendor	Headquarters	Cost per Curb Mile	Total Annual Cost
Mr. Dirt of Texas	Grand Prairie, TX	\$49.96	\$ 388,500
Offsite Sweeping, Inc.	Phoenix, AZ	\$16.91	\$ 131,492

Upon evaluation of the proposals, staff determined that the proposal from Mr. Dirt of Texas demonstrated the competence and qualifications required for Street Sweeping Services, however the proposal exceeds the City's current cost to provide this service. Staff determined that the proposal from Offsite Sweeping, Inc. fails to demonstrate the competence and qualifications needed to perform the Street Sweeping Services for the City. Staff recommends that the street sweeping services continue to be provided by the City employees and that both proposals received for the Request for Proposal No. 12-071 be rejected.

**Budget & Financial Summary:** Street Sweeping services are budgeted and paid for in the City's Sanitation Fund. This item does not have any financial impact on these funds.

**Attachments:** None

**August 9, 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, 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 proceeding with the design of the complete multi-use path utilizing the Consultant's preferred alignment for Segments "B" (SH6 to W.D. Fitch) and Segment "C" (W.D. Fitch to Lick Creek Park) and an "on-street" option for Segment "A" (Creek View Park to SH6).

**Summary:** The Lick Creek Greenway 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. (Halff) 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.

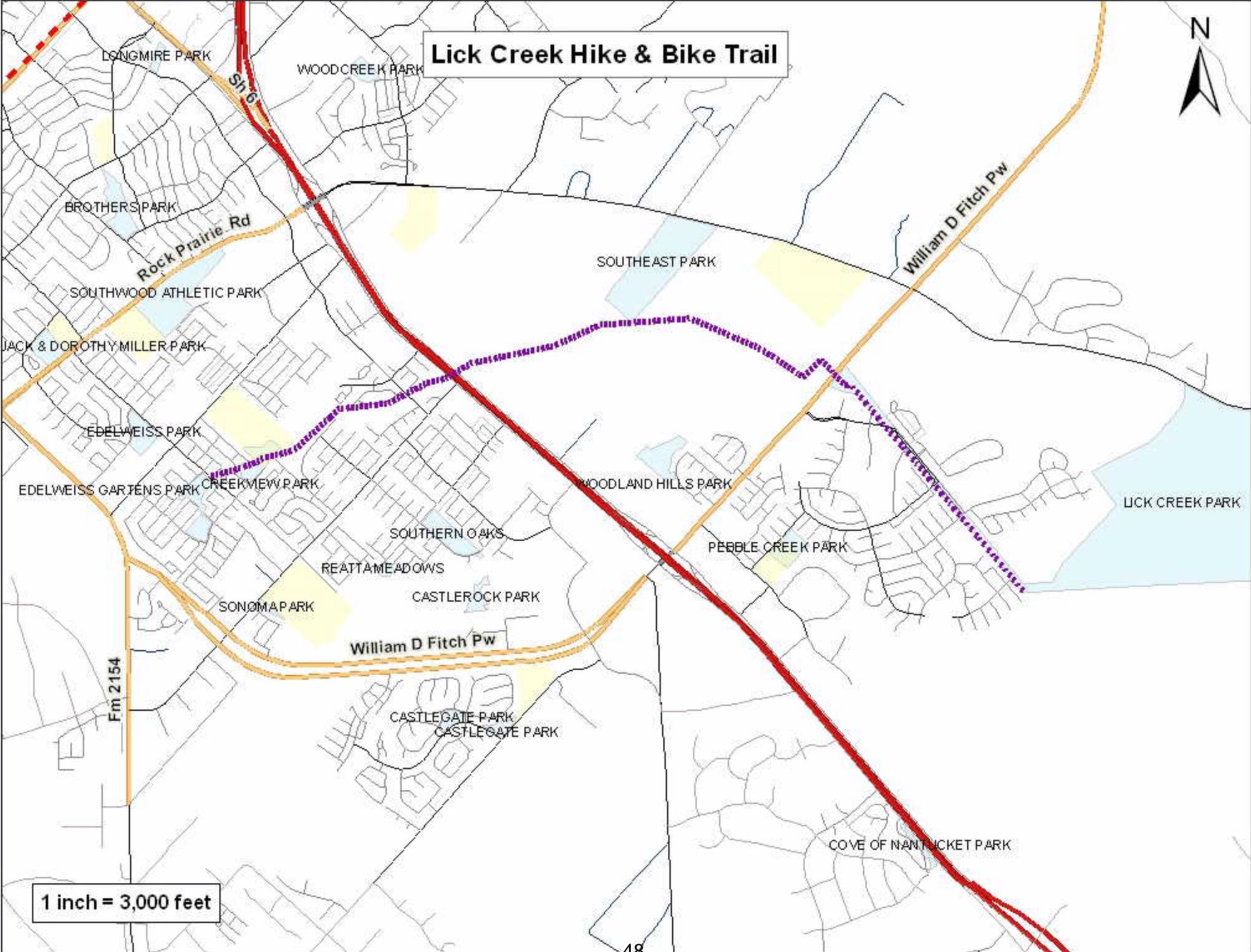
In April 2012, a majority of the Springbrook HOA voted in favor of a proposition to allow the HOA Board to negotiate with the city to dedicate approximately 18 acres of "common area" owned by the HOA to allow the trail to be constructed. Some homeowners have expressed strong opposition to the land dedication, and the neighborhood and HOA continued to address issues related to the land dedication.

During a project update at the May 24, 2012 meeting, Council expressed a desire for staff to return after 60 days to allow the SHOA additional time to gather more information and look into their issues further. Staff is of the understanding that the same concerns still remain, and therefore, is recommending proceeding with detailed design of the complete trail utilizing the Consultant's preferred alignment for Segments B and C and an on-street option for Segment A in lieu of the alignment through the common area.

**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 \$82,967 has been expended or committed to date, leaving a balance of \$4,327,033 for design and construction.

**Attachments:**  
Project Location Map

# Lick Creek Hike & Bike Trail



1 inch = 3,000 feet

**August 9, 2012  
Regular Agenda Item No. 2  
Project Number PW1201  
Conference Center Evaluation**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion on a report provided by Hawkins Architecture under Professional Service Contract 12-232.

**Relationship to Strategic Goals:** Core Services and Infrastructure - Plan for and invest in infrastructure, facilities, services, personnel and equipment necessary to meet projected needs and opportunities.

**Recommendation(s):** This update is intended to keep the Council informed, and does not include any recommendations. Staff requests that the City Council simply receive the presentation.

**Summary:** On May 31, 2012, Hawkins Architecture was authorized to complete an evaluation of the City of College Station Conference Center located at 1300 George Bush Drive. The scope of the evaluation was to identify areas of the Conference Center that need to be upgraded to meet current building code and prepare a construction cost estimate for the proposed corrections. The evaluation included Texas Accessibility Standards and Americans with Disabilities Act compliance, structural systems, mechanical, electrical, plumbing, and current building code.

On July 5, 2012, Hawkins Architecture notified the City of significant structural issues with the building and recommended the facility be closed for safety. Staff will present a summary of the findings and conclusions identified in the report.

**Budget & Financial Summary:** The budget for this project is currently \$25,000. The contract with Hawkins Architecture for the evaluation is in the amount of \$11,000.00.

**Attachments:**

1. None

**August 9, 2012**  
*(El 9 de agosto de 2012)*  
**City Council Regular Agenda Item No. 3**  
*(Agenda de Acuerdo del Consejo de la Ciudad)*  
**Ordering November Election**  
*(Ordenando Elecciones en Noviembre)*

**To:** David Neeley, City Manager *(Administrador de la Ciudad)*

**From:** Sherry Mashburn, City Secretary *(Secretaria de la Ciudad)*

**Agenda Caption:** Presentation, possible action, and discussion on an ordinance ordering a General and Special Election to be held on November 6, 2012 for the purpose of electing a City Council Member, Place 4, a City Council Member, Place 6, and to submit proposed amendments to the City Charter to the voters; establishing early voting locations and polling places for this election; and making provisions for conducting the election. *(Presentación, posible acción y discusión acerca de una ordenanza que ordene Elecciones Generales y Especiales a celebrarse el 6 de noviembre de 2012 con el propósito de elegir un Miembro del Consejo de la Ciudad, Puesto Número 4, un Miembro del Consejo de la Ciudad, Puesto Número 6, y para presentarles a los votantes las enmiendas propuestas a los Estatutos de la Ciudad; estableciendo los sitios de votaciones anticipadas y los centros de votaciones para estas elecciones; y elaborando las provisiones para llevar a cabo las elecciones.)*

**Summary:** The Council hosted Public Hearings on July 12 and 26 to receive public comment on the proposed amendments to the City Charter.

*(Resumen: El Consejo de la Ciudad realizó Audiencias Públicas el 12 y el 26 de julio para recibir los comentarios públicos acerca de las enmiendas propuestas a los Estatutos de la Ciudad.)*

**Financial Summary:** This election could cost the County \$115,000. We will have to pay a proportionate share of the expenses.

*(Resumen Financiero: Estas elecciones podrían costarle al Condado \$115,000. Tendremos que pagar una parte proporcional de los gastos.)*

**Attachments:**

- Draft Ordinance Calling the General and Special Election for November 6, 2012 (Ordinance in English and Spanish will be provided to Council at the meeting both translations will be posted on the web Thursday)

**(Adjuntos:**

- *Borrador de la Ordenanza Convocando Elecciones Generales y Especiales para el 6 de noviembre de 2012 [La ordenanza en inglés y español será proporcionado al Consejo en la junta, las dos traducciones serán anunciadas en el web el jueves]*



**August 9, 2012**  
**Regular Agenda Item No. 4**  
**UDO Amendment for Park Land Dedication Land and Development Fees**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, “Unified Development Ordinance”, Section 8.7, Appendix I “Park Land Dedication and Development Fees” of the Code of Ordinance of the City of College Station, Texas.

**Relationship to Strategic Goals:** Financially Sustainable City, Core Services and Infrastructure, and Neighborhood Integrity

**Recommendation(s):** The Parks & Recreation Advisory Board considered these revisions at their July 10<sup>th</sup> meeting and voted 6-0 to recommend approval of the revisions as proposed by staff. The Planning and Zoning Commission considered this item at their July 19<sup>th</sup> meeting and voted 5-1 to recommend approval of the proposed amendment.

**Summary:** Compared to previous revisions to the Parkland Dedication Ordinance Park calculations differ due to the census bureau only conducting a short form census and not being able to provide independent single family and multi-family person per household numbers. An overall person per household number was provided. Thus the calculations for single family and multifamily are the same in each; Neighborhood Park Land (fee in lieu), Community Park Land (fee in lieu) and Neighborhood Park Development.

The proposed Community Park Development fees were derived from giving developers a 75% discount on the single family community park development cost. The multi-family community park development fee was calculated using 50% of the community park development cost. The calculations reflect the new neighborhood and community park standards. Within the standards Neighborhood Parks have less intense development and Community Parks support more intense activity.

Overall fees went down, with single family seeing the most significant decrease.

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

**Attachments:**

1. Summary of Park Land Dedication Proposed Land and Fee Calculations
2. Red-line of UDO Section 8.7 Appendix I Park Land Dedication and Development Fees
3. Draft Minutes for July 10<sup>th</sup> Parks & Recreation Advisory Board
4. Draft Minutes for July 19<sup>th</sup> Planning & Zoning Commission
5. Ordinance

City of College Station  
Park Land Dedication Ordinance  
Proposed Neighborhood Park Calculations

Starting Point:

2012 population; 96,603

346.26 acres of neighborhood parks

$96,603/346.26 = 1$  acre of neighborhood park per 279 people

Land Donation:

Single Family- 279 people/ 2.38/PPH = 117 Dwelling Units per acre of donated land for neighborhood park

Multi Family- 279 people/2.38 PPH = 117 Dwelling Units per acre of donated land for neighborhood park

Land Acquisition:

$\$32,000/\text{acre}/117$  Dwelling Units = \$274 Single Family Land Acquisition Cost/Dwelling Unit

$\$32,000/\text{acre}/117$  Dwelling Units = \$274 Multi Family Land Acquisition Cost/Dwelling Unit

Park Development:

One neighborhood park serves 2,300 people ( $96,603$  pop. / 42 neighborhood parks = 2,300 people)

Single Family Neighborhood Park Development Cost

$\$350,000/2,300 = \$152.00$  per person neighborhood park development cost

$\$152.00 \times 2.38$  PPH = \$361.76 = \$362.00 per Dwelling Unit

Multi Family Neighborhood Park Development Cost

$\$350,000/2,300 = \$152.00$  per person neighborhood park development cost

$\$152.00 \times 2.38$  PPH = \$361.76 = \$362.00 per Dwelling Unit

Total Neighborhood Park Parkland Dedication Fees per Dwelling Unit:

Single Family Neighborhood Park Fee=

$\$274$  (Land Acquisition) +  $\$362.00$  (Park Development) = \$636.00 per Dwelling Unit

Multi Family Neighborhood Park Fee=

$\$274$  (Land Acquisition) +  $\$362.00$  (Park Development) = \$636.00 per Dwelling Unit

Last revised 07-2012

City of College Station  
Park Land Dedication Ordinance  
Proposed Community Park Calculations

Starting Point:

2012 population; 96,603

316.31 acres of community parks (8 total parks)

$96,603/316.31 = 1$  acre of community park per 305 people

Land Donation:

Single Family- 305 people/ 2.38/PPH = 128 Dwelling Units per acre of donated land for community park

Multi Family- 305 people/2.38 PPH = 128 Dwelling Units per acre of donated land for community park

Land Acquisition:

$\$32,000/\text{acre}/128$  Dwelling Units = \$250 Single Family Land Acquisition Cost/Dwelling Unit

$\$32,000/\text{acre}/128$  Dwelling Units = \$250 Multi Family Land Acquisition Cost/Dwelling Unit

Park Development:

One community park serves people 12,075 ( $96,603$  pop. / 8 community parks = 12,075 people)

Single Family Community Park Development Cost

$\$1,900,000/12,075 = \$157.35$  per person community park development cost

(\$7,600,000 Community Park development cost average X 50% discount)

$\$157.35.00 \times 2.38$  PPH = \$374.49 = \$375.00 per Dwelling Unit

Multi Family Community Park Development Cost

$\$3,800,000/12,075 = \$314.70$  per person community park development cost

(\$7,600,000 Community Park development cost average X 25%)

$\$314.70 \times 2.38$  PPH = \$748.99 = \$750.00 per Dwelling Unit

Total Community Park Parkland Dedication Fees per Dwelling Unit:

Single Family Community Park Fee=

\$250 (Land Acquisition) + \$375 (Park Development) = \$ 625.00 per Dwelling Unit

Multi Family Community Park Fee=

\$250 (Land Acquisition) + \$750 (Park Development) = \$1,000.00 per Dwelling Unit

Comparison: Current Ordinance (2009) VS Proposed Ordinance (2012)

	<u>Current</u>	<u>Proposed</u>
Neighborhood Park Land (fee in lieu)		
Single Family (SF)	\$ 314	\$ 274
Multi-Family (MF)	\$ 256	\$ 274
Community Park Land (fee in lieu)		
Single Family (SF)	\$ 305	\$ 250
Multi-Family (MF)	\$ 248	\$ 250
Neighborhood Park Development		
Single Family (SF)	\$ 764	\$ 362
Multi-Family (MF)	\$ 622	\$ 362
Community Park Development		
Single Family (SF)	\$ 638	\$ 375
Multi-Family (MF)	\$ 520	\$ 750

**SUMMARY**

Single Family Neighborhood Park Fee  
 \$274 (Land Acquisition) + \$362.00 (Park Development) = \$636.00 per Dwelling Unit

Single Family Community Park Fee=  
 \$250 (Land Acquisition) + \$375 (Park Development) = \$ 625.00 per Dwelling Unit

Multi Family Neighborhood Park Fee  
 \$274 (Land Acquisition) + \$362.00 (Park Development) = \$636.00 per Dwelling Unit

Multi Family Community Park Fee=  
 \$250 (Land Acquisition) + \$750 (Park Development) = \$1,000.00 per Dwelling Unit

	<u>Current</u>	<u>Proposed</u>
<u>Total</u> Single Family (SF)	\$2,021	\$1,261
Multi-Family (MF)	\$1,646	\$1,636

**PARKLAND TOTAL**

	<u>#Parks</u>	<u>#acres</u>	<u>#acres/1000 pop.</u>
Neighborhood Parks	42	346.26	3.58
Community Parks	8	316.31	3.27
Regional Parks (Veteran's Park, Lick Creek Park)	2	665.54	6.89
TOTAL	52	1,328.11	13.75

(as of 1-1-2012)

Last revised 07-2012

## Article 8. Subdivision Design and Improvements

### 8.7 Requirements for Park Land Dedication

#### APPENDIX I

#### PARK LAND DEDICATION AND DEVELOPMENT FEES

##### A. Neighborhood and Community Parks

###### A. Dedication Requirements for Neighborhood Parks

1. Land dedication per Dwelling Unit (DU)  
Single Family: One (1) Acre per ~~102-117~~ DUs  
Multi-Family: One (1) Acre per ~~125-117~~ DUs
2. Fee in lieu of land dedication per Dwelling Unit (DU)  
Single Family: \$~~314-274~~ per DU  
Multi-Family: \$~~256-274~~ per DU
3. Park development fee per Dwelling Unit (DU)  
Single Family: \$~~764-362~~ per DU  
Multi-Family: \$~~622-362~~ per DU
4. Total neighborhood park fees per Dwelling Unit (DU)  
Single Family: \$~~1,078,636~~ per DU  
Multi-Family: \$~~878-636~~ per DU

###### B. Dedication Requirements for Community Parks

1. Land dedication per Dwelling Unit (DU)  
Single Family: One (1) Acre per ~~105-128~~ DUs  
Multi-Family: One (1) Acre per ~~129-128~~ DUs
2. Fee in lieu of land dedication per Dwelling Unit (DU)  
Single Family: \$~~305-250~~ per DU  
Multi-Family: \$~~248-250~~ per DU
3. Park development fee per Dwelling Unit (DU)  
Single Family: \$~~638-375~~ per DU  
Multi-Family: \$~~520-750~~ per DU
4. Total community park fees per Dwelling Unit (DU)  
Single Family: \$~~943-625~~ per DU  
Multi-Family: \$~~768-1,000~~ per DU



## PARKS AND RECREATION ADVISORY BOARD



### REGULAR MEETING MINUTES

7:00PM, Tuesday, July 10, 2012

The Green Room at Wolf Pen Creek ~ 1015 Colgate  
College Station, TX 77840

**STAFF PRESENT:** David Schmitz, Director; Amy Atkins, Assistant Director; Amanda Putz, Board Secretary; Peter Lamont, Recreation Superintendent; David Gerling, Special Facilities Superintendent; Pete Vanecek, Senior Park Planner; Susan Fox, Shawn Reynolds,

**BOARD PRESENT:** Jon Denton, Chair, Ida Bellows, Sherry Ellison, Shane Wendel, Billy Hart

**VISITORS:** Jamie Rae Walker, Jodi Warner, Bob Cowell

1. **Call to order and Roll Call:** The meeting was called to order with a quorum present at 7:00PM.
2. **Possible action concerning requests for absences of members:** George Jessup sent in a request for absence. Shane Wendel made a motion to approve the absence request submitted, and Sherry Ellison seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
3. **Hear visitors:** Hearing none, this item was closed.
4. **Consideration, possible approval, and discussion of minutes from the meeting of May 8, 2012:** Shane Wendel made a motion to approve the minutes as submitted, and Billy Hart seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.

**The Board moved to Item #9.**

**~ Fred Medina arrived at 7:04PM ~**

5. **Consideration, possible approval, and discussion on the Senior Advisory Committee appointments:** Marci Rodgers, Senior Services Coordinator, reported on Jon Denton's application for appointment to the Senior Advisory Committee. She also reported that the committee voted to have Ann Hayes as

the Vice Chair and Frank Duchmasclo as the Chair the Committee. The Board was asked for the reapproval of Jon Denton as being a member of the Senior Advisory Committee.

Shane Wendel made a motion to approve the appointment, and Billy Hart seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.

6. **Update and discussion concerning the Cemetery Advisory Committee:** David Schmitz, Director; reported that the Cemetery Advisory Committee was sunset, which means the committee no longer exists. That being said, all cemetery concerns will be brought to staff and/or the Parks and Recreation Advisory Board from this point forward. This was an informational item only, and no action was required.
7. **Update and discussion concerning the appointments for the Board:** David Schmitz reported that there were four positions that are open for the Parks and Recreation Advisory Board. City Council was scheduled to make the appointments at their July 12 Council meeting. Discussion followed. This was an informational item only, and no action was required.
8. **Update and discussion concerning CAPRA accreditation for the department:** David Schmitz, Director; reported that the CAPRA accreditation team is scheduled to come the week of July 16, 2012. This was an informational item only, and no action was required.
9. **Consideration, possible approval, and discussion over the preliminary data from the public input process and survey associated with the Needs Assessment:** Jamie Rae Walker reported on the recent Needs Assessment process, and explained the handout that was given. She explained questions that were asked at the public input meetings, and the answers that were given. Discussion followed. The second part of the survey process will be done in the next couple of weeks. This was an informational item only, and no action was required. This was an informational item only, and no action was required.
10. **Update and discussion concerning the Park Land Dedication ordinance:** David Schmitz reported on the new numbers for the park land dedication ordinance. (A handout was given) Bob Cowell briefly reported on this item. Discussion followed.  
  
Sherry Ellison made a motion to approve the fees for park land dedication as submitted, and Shawn Reynolds seconded the motion. The vote was called. All were in favor, and the motion passed unanimously.
11. **Discussion and possible action concerning the Parks and Recreation Advisory Board Goals for FY12:** Discussion followed. This was an informational item only, and no action was required.

12. **Report, possible action, and discussion concerning the current Capital Improvements Program:**

Ø **Capital Improvements and Park Land Dedication Project Lists of June and July 2012:** Pete Vanecek, Senior Park Planner, reported on the Capital Improvements and Park Land Dedication Project Lists. This was an informational item only, and no action was required.

Ø **Dedications of Less than Five Acres:** Pete Vanecek, Senior Park Planner, reported on the Dedications of Less than Five Acres. This was an informational item only, and no action was required.

- .. College Hills Estates, Lot 10 & 11, Block 14 ~ Park Zone 2
- .. The Stack at Legacy Point ~ Park Zone 1
- .. Castlegate II, Section 202 ~ Park Zone 13

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

Ø Next Regular Meeting ~ August 14, 2012, The Green Room at Wolf Pen Creek

Ø Introduction of new board members

Ø Community Center

14. **Adjourn:** Shane Wendel made a motion to adjourn the meeting, and Susan Fox seconded the motion. The vote was called. All were in favor, and the meeting adjourned at 8:02PM.



**DRAFT MINUTES  
PLANNING & ZONING COMMISSION  
Regular Meeting  
July 19, 2012, 7:00 p.m.  
City Hall Council Chambers  
College Station, Texas**

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**COMMISSIONERS PRESENT:** Mike Ashfield, Bo Miles, Jim Ross, Jerome Rektorik, Jodi Warner, and James Benham

**COMMISSIONERS ABSENT:** Craig Hall

**CITY COUNCIL MEMBERS PRESENT:** Katy-Marie Lyles

**CITY STAFF PRESENT:** Bob Cowell, Lance Simms, Molly Hitchcock, Alan Gibbs, Jason Schubert, Danielle Singh, Venessa Garza, Christopher Lazaro, David Schmitz, Donald Harmon, Fred Surovik, Ben Roper, Erin Provacek, Courtney Collins, Carol Thompson, Adam Falco, Brittany Caldwell, and Kerry Mullins

1. **Call meeting to order**

Chairman Ashfield called the meeting to order at 7:02 p.m.

**Regular Agenda**

7. Public hearing, presentation, possible action, and discussion regarding an amendment to Unified Development Ordinance Section 8.7 "Requirements for Park Land Dedication" regarding park land dedication and development fees. **Case # 12-00500136 (DS) (Note: Final action on this item is scheduled for the August 9, 2012 City Council Meeting - subject to change)**

Director of Parks & Recreation Schmitz presented the ordinance amendment regarding park land dedication and development fees.

There was general discussion amongst the Commission regarding the amendment.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

**Commissioner Benham motioned to recommend approval of the ordinance amendment. Commissioner Warner seconded the motion, motion passed (5-1). Commissioner Miles was in opposition.**

10. Adjourn.

The meeting was adjourned at 9:40 p.m.

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

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 8.7, APPENDIX I "PARK LAND DEDICATION AND DEVELOPMENT FEES," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE SECTION AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 8.7, Appendix I, "Park Land Dedication and Development Fees," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 9<sup>th</sup> day of August, 2012.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED:

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

**EXHIBIT "A"**

That Chapter 12, "Unified Development Ordinance," Section 8.7, Appendix I, "Park Land Dedication and Development Fees," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**APPENDIX I**

**PARK LAND DEDICATION AND DEVELOPMENT FEES**

**I. Neighborhood and Community Parks**

**A. Dedication Requirements for Neighborhood Parks**

1. **Land dedication per Dwelling Unit (DU)**  
**Single Family:** One (1) Acre per 117 DUs  
**Multi-Family:** One (1) Acre per 117 DUs
2. **Fee in lieu of land dedication per Dwelling Unit (DU)**  
**Single Family:** \$274 per DU  
**Multi-Family:** \$274 per DU
3. **Park development fee per Dwelling Unit (DU)**  
**Single Family:** \$362 per DU  
**Multi-Family:** \$362 per DU
4. **Total neighborhood park fees per Dwelling Unit (DU)**  
**Single Family:** \$636 per DU  
**Multi-Family:** \$636 per DU

**B. Dedication Requirements for Community Parks**

1. **Land dedication per Dwelling Unit (DU)**  
**Single Family:** One (1) Acre per 128 DUs  
**Multi-Family:** One (1) Acre per 128 DUs
2. **Fee in lieu of land dedication per Dwelling Unit (DU)**  
**Single Family:** \$250 per DU  
**Multi-Family:** \$250 per DU
3. **Park development fee per Dwelling Unit (DU)**  
**Single Family:** \$375 per DU

**Multi-Family:** \$750 per DU

4. **Total community park fees per Dwelling Unit (DU)**

**Single Family:** \$625 per DU

**Multi-Family:** \$1,000 per DU

**August 9, 2012**  
**Regular Agenda Item No. 5**  
**Sidewalks – UDO Amendment and Policy Discussion**

**To:** David Neeley, City Manager

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

**Agenda Caption:** Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, “Unified Development Ordinance”, Section 8.2.K “Sidewalks” of the Code of Ordinance of the City of College Station, Texas and policy discussion regarding sidewalk placement and width.

**Relationship to Strategic Goals:** Core Services and Infrastructure, Improve Mobility

**Recommendation(s):** The Bicycle, Pedestrian, and Greenways Advisory Board considered this item at their July 2<sup>nd</sup> meeting and recommended approval of the revisions as proposed by staff with the condition that a sidewalk be wrapped around the bulb of a cul-de-sac when the cul-de-sac is longer than 200 feet. The Planning and Zoning Commission considered this item at their July 19<sup>th</sup> meeting and voted to recommend approval of the amendments as proposed by staff and as detailed in the attached Commission meeting minutes.

**Summary:** The current Comprehensive Plan was adopted by City Council in May 2009. It contains a vision statement that served as a guide in the development of the plan and a basis for policy going forward. This vision statement has also been incorporated into the City’s Strategic Plan 2010-2015 as the Community Vision. Portions of the vision statement are applicable when considering policy and ordinance requirements regarding sidewalks. The applicable statements include:

Increasing and maintaining the mobility of College Station citizens through a well planned and constructed inter-modal transportation system.

Developing and maintaining quality cost-effective community facilities, infrastructure and services which ensure our City is cohesive and well connected.

In addition, the City Council has established “Improve Multi Modal Transportation” as one of the five goals in their Strategic Plan.

When revisions to the subdivision regulations were adopted by City Council in January 2011, a number of various standards and procedures were amended. Included in these revisions were changes to sidewalks requirements. It is important to note that the applicability of when a sidewalk is required is contained in the subdivision regulations in the Unified Development Ordinance (UDO) while the standards and specific details for sidewalk width, placement, and construction are contained in the Bryan/College Station Unified Design Guidelines adopted jointly with the City of Bryan.

As background, prior to the revisions in January 2011, the ordinance required sidewalks to be placed on both sides of all thoroughfares, on one side of residential streets, and were not required on cul-de-sacs unless a pedestrian Access Way was provided through the end of the cul-de-sac. With the adoption of the revisions, the standard increased to implement the Comprehensive Plan and adopted goals by requiring sidewalks on both sides of all streets,

including residential streets and cul-de-sacs. When considering these revisions during their public hearing, the Planning and Zoning Commission recommended that a sidewalk also be required around the bulb of a cul-de-sac. As part of the revisions, several exemptions were added for rural roadways and existing residential streets unless planned on the Bicycle, Pedestrian, and Greenway Master Plan and more options were provide to permit the use of the sidewalk fund in lieu of sidewalk construction.

Over the last year, City management and staff have held regular meetings with the local home builders association and other development interests. The purpose of these meetings has been to discuss issues related to standards and practices in the development process. During these discussions, several items were identified related to current sidewalk requirements:

Developer's request:

- Not require sidewalks around the bulb of a cul-de-sac;
- Require sidewalks only on one side (not both sides) of residential and cul-de-sac streets; and
- Reduce the width of sidewalks:
  - on residential streets from 5 feet to 4 feet;
  - on thoroughfares sidewalks not located at the back of curb from 6 feet to 5 feet; and
  - on thoroughfare sidewalks located at the back of curb from 8 feet to 6 feet with the brick paver inlay along the back of curb not being required.

Staff has reviewed the existing ordinance and has discussed and negotiated through some of the requested items.

Staff recommendation:

- Remove the requirement for a sidewalk around the bulb of a cul-de-sac. This requirement was not proposed by staff with the revised ordinance, does not provide a substantial pedestrian facility, and would match the City of Bryan's current requirement. A sidewalk, however, would still be required in this area when a pedestrian Access Way is located out the end a cul-de-sac;
- Reduce the width of sidewalks on thoroughfares from 6 feet to 5 feet when a existing striped bike lane has been provided on the street. This reduction in width recognizes that some of the need for the larger sidewalk facility is being accommodated with bike lane and that the bike lane also helps serve as a buffer between pedestrians and vehicular traffic; and
- Remove the option to construct thoroughfare sidewalks back of curb on new streets. This would help implement the Comprehensive Plan which depicts street cross sections with sidewalks located away from the back of curb to provide additional roadside buffer between pedestrians and vehicular traffic. Sidewalks may be located at back of curb where specific design considerations warrant or conflicts exist.
- Based on recent action of the Planning & Zoning Commission, remove the requirement for sidewalks along streets classified as Freeway/ Expressway on the City's Thoroughfare Plan. The current requirement exempts sidewalks along Freeways that do not have frontage roads though require them when a frontage road exists. A multi-use path would still be required along Freeways in the locations shown on the Bicycle, Pedestrian, and Greenways Master Plan.

Staff does not support the request to not require sidewalks on both sides of all applicable streets as this does not further the City's adopted goals to increase mobility and improve multi modal transportation facilities. Staff also does not support the reduction of the residential and cul-de-sac street sidewalk from 5 feet to 4 feet as adherence to ADA requirements becomes problematic and sidewalks become too narrow. Where the clear path of a sidewalk is less than 5 feet in width, a landing area that is 5 feet by 5 feet is required at least every 200 feet. This may be difficult to comply with this requirement with multiple driveways and various lot layouts. In addition, a 5-foot width provides a more superior facility for mobility for pedestrians to walk beside and past one another.

In revising and clarifying the standards, staff also proposes to allow the sidewalk fund option to be utilized when a multi-use path facility is located along or within their proposed development.

The above revisions and removal of the requirement for a sidewalk around the bulb of a cul-de-sac and along Freeways/Expressways are revisions to the UDO that require recommendations by the Bicycle, Pedestrian, and Greenways Advisory Board and the Planning and Zoning Commission and then final action by City Council. Other potential revisions to sidewalk width and placement are a policy discussion that will result in revisions to the Bryan/College Station Unified Design Guidelines that will be done administratively by staff in the future through a joint effort between engineering staff of the City of College Station and the City of Bryan.

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

**Attachments:**

1. Draft Minutes for July 2<sup>nd</sup> Bicycle, Pedestrian, and Greenways Advisory Board
2. Draft Minutes for July 19<sup>th</sup> Planning & Zoning Commission
3. Red-line of UDO Section 8.2.K Sidewalks
4. Ordinance



**DRAFT MINUTES**  
**BICYCLE, PEDESTRIAN, AND GREENWAYS**  
**ADVISORY BOARD**  
**Monday, July 2, 2012 3:00 PM**  
**City Hall Council Chambers**  
**1101 Texas Avenue**  
**College Station, Texas, 77840**

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**MEMBERS PRESENT:** Chairman Blanche Brick, Vice-Chairman Sherry Ellison, Greg Stiles, James Batenhorst, David Russell, and Marcy Halterman-Cox

**MEMBERS ABSENT:** Jeff Young

**VISITORS PRESENT:** None

**STAFF PRESENT:** Greenways Program Manager Venessa Garza, Executive Director Bob Cowell, Assistant Director Molly Hitchcock; Principal Planner Jennifer Prochazka, Senior Planner Matt Robinson, Staff Planner Teresa Rogers and Board Secretary Kristen Hejny

**AGENDA ITEM NO. 1: Call to Order.**

Chairman Brick called the meeting to order at 3:00.

**AGENDA ITEM NO. 6: (Item was heard before agenda item No. 5) Presentation, possible action, and discussion regarding amendments to sidewalk requirements contained in the Unified Development Ordinance and Bryan/College Station Unified Design Guidelines.**

Director Bob Cowell discussed the amendments to the sidewalk requirements contained in the Unified Development Ordinance.

There was general discussion.

Marcy Halterman-Cox left the meeting.

David Russell proposed an amendment stating that there be sidewalks on all streets on both sides with the addition that a sidewalk should wrap around the bulb of a cul-de-sac when it is longer than 200 feet.

A motion to approve staff's recommendations with Russell's amendment was made by James Batenhorst and seconded by David Russell. The motion was approved (5-0).

**AGENDA ITEM NO. 9: Adjourn.**

The meeting adjourned at 5:37 p.m.



**DRAFT MINUTES  
PLANNING & ZONING COMMISSION  
Regular Meeting  
July 19, 2012, 7:00 p.m.  
City Hall Council Chambers  
College Station, Texas**

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**COMMISSIONERS PRESENT:** Mike Ashfield, Bo Miles, Jim Ross, Jerome Rektorik, Jodi Warner, and James Benham

**COMMISSIONERS ABSENT:** Craig Hall

**CITY COUNCIL MEMBERS PRESENT:** Katy-Marie Lyles

**CITY STAFF PRESENT:** Bob Cowell, Lance Simms, Molly Hitchcock, Alan Gibbs, Jason Schubert, Danielle Singh, Venessa Garza, Christopher Lazaro, David Schmitz, Donald Harmon, Fred Surovik, Ben Roper, Erin Provacek, Courtney Collins, Carol Thompson, Adam Falco, Brittany Caldwell, and Kerry Mullins

1. **Call meeting to order**

Chairman Ashfield called the meeting to order at 7:02 p.m.

**Regular Agenda**

8. Public hearing, presentation, possible action, and discussion regarding an amendment to Unified Development Ordinance Section 8.2.K "Sidewalks" regarding the placement and width of sidewalks along streets. **Case # 11-00500205 (JS) (Note: Final action on this item is scheduled for the August 9, 2012 City Council Meeting -subject to change)**

Executive Director Cowell presented the ordinance amendments regarding the placement and width of sidewalks along streets.

Chairman Ashfield opened the public hearing.

Dickson Clements, Executive Officer of the Home Builder's Association of Bryan/College Station, agreed that sidewalks are needed, but he said that we need to have the right number of sidewalks and they need to be the right sizes.

Dale Browne, 1613 Peach Crossing Drive, College Station, Texas, stated that the Texas Accessibility Standard requirements could be met with 4-foot sidewalks by using driveways as an access to turn around or another sidewalk.

Scott Shafer, 117 Pershing, College Station, Texas, spoke in favor of staff's recommendation and said that City Council has supported more sidewalks for many years and reducing the number and width of sidewalks would be taking a step backwards. He said that people look for walkable well-connected communities.

Steve Arden, 311 Cecelia Loop, College Station, Texas, expressed concern about the cost of sidewalks and said that more concrete is not attractive.

Sherry Ellison, 2705 Brookway Drive, College Station, Texas, said that sidewalks need to be required on both sides of cul-de-sacs and on both sides of streets.

There was general discussion amongst the Commission and staff regarding the amendments.

Chairman Ashfield closed the public hearing.

**Commissioner Benham motioned to recommend that sidewalks not be required around the bulb of cul-de-sacs unless there is a facility to connect to. Commissioner Rektorik seconded the motion, motion passed (5-1). Commissioner Warner was in opposition.**

**Commissioner Warner motioned to recommend that sidewalks along thoroughfares, except in Northgate, be allowed to be reduced to five feet if not on the back of the curb and if adjacent to an existing striped bike lane. Commissioner Ashfield seconded the motion, motion passed (6-0).**

**Commissioner Miles motioned to recommend that sidewalks not be required adjacent to expressways/freeways although multi-use paths identified in the Bike, Pedestrian, and Greenways Master Plan will still be required. Commissioner Warner seconded the motion, motion passed (6-0).**

**Commissioner Benham motioned to recommend that the Sidewalk Fund also be used for multi-use paths. Commissioner Rektorik seconded the motion, motion passed (6-0).**

**Commissioner Miles motioned to recommend that sidewalks only be required on one side of local/residential streets. Commissioner Rektorik seconded the motion, motion failed (2-4). Chairman Ashfield and Commissioners Warner, Ross, and Benham were in opposition.**

**Commissioner Miles motioned to recommend that sidewalks along local/residential streets not be required to exceed four feet in width. Commissioner Benham seconded the motion, motion failed (2-4). Chairman Ashfield and Commissioners Ross, Rektorik, and Warner were in opposition.**

10. Adjourn.

The meeting was adjourned at 9:40 p.m.

## Article 8. Subdivision Design and Improvements

### 8.2 General Requirements and Minimum Standards of Design for Subdivisions within the City Limits

#### K. Sidewalks

##### 1. Policy

Sidewalks should be located and constructed so as to provide a safe and effective means of transportation for non-vehicular traffic.

##### 2. Required Sidewalks

- a. Sidewalks shall be required on both sides of all streets, ~~including cul-de-sacs,~~ except as follows or as provided elsewhere in this UDO.
- b. Where a multi-use path is shown along a street on the Bicycle, Pedestrian, and Greenways Master Plan, the sidewalk may be incorporated as part of the multi-use path.

##### 3. Sidewalk Exceptions

Sidewalks are not required:

- ~~a.~~ a. ~~Around the bulb of a cul-de-sac unless an Access Way is provided through the cul-de-sac;~~
- ~~a-b.~~ b. ~~Along a street classified on the Thoroughfare Plan as a Freeway/Expressway that does not have frontage roads. Sidewalks, however, shall be provided along frontage roads of a Freeway/Expressway;~~
- ~~b-c.~~ c. Along streets identified on the Thoroughfare Plan with an Estate/Rural context;
- ~~e-d.~~ d. Along new or existing streets within a Rural Residential subdivision constructed to the rural section; or
- ~~d-e.~~ e. Along existing local/residential streets unless sidewalks have been identified in the Bicycle, Pedestrian, and Greenways Master Plan or in the applicable neighborhood, district, or corridor plan.

##### 4. Standards

Sidewalks shall be constructed in accordance with the following criteria:

- a. The *B/CS Unified Design Guidelines* and all applicable state and federal requirements;
- b. Consistent with the minimum standards necessary to meet the projected non-vehicular traffic demand in the area;
- c. Sidewalks shall maintain a minimum clear width as set forth in the *B/CS Unified Design Guidelines*; and
- d. All sidewalks shall terminate into streets or driveways with ambulatory ramps.

##### 5. Timing of Construction

Except as set forth below, all required sidewalks must be constructed concurrently with the street, or if the street is already constructed prior to acceptance of all public improvements.

##### a. Residential Subdivisions

At the time of final plat application, the subdivider may opt to defer the construction of sidewalks on residential streets along single-family, duplex, or

townhouse lots for up to one year from approval of the final plat when the subdivider provides a bond or surety in accordance with Section 8.6 Construction, Guarantee of Performance, and Acceptance of Public Infrastructure. The subdivider shall provide a sidewalk plan with the final plat construction documents and installation of the sidewalks shall comply with this plan. Notwithstanding the foregoing, this provision does not allow the deferment of the construction of sidewalks along thoroughfares, sidewalk ramps at all street intersections, and sidewalks along residential streets that are not adjacent to a residential lot such as along a common area, creek crossing, or park. Other pedestrian facilities such as Access Ways and multi-use paths shall be constructed at the same time as the public infrastructure of the plat.

**b. Fee in Lieu of Construction**

**1) Fee in Lieu**

Except for development located within the Northgate zoning districts, a developer may request to pay a fee in lieu of constructing the ~~required sidewalk(s) or multi-use path~~~~required in this Section~~ upon approval by the Planning and Zoning Commission as set forth below.

**2) Amount of Fee**

The amount of fee in lieu of sidewalk construction shall be a unit cost determined by the City Engineer based upon current estimated costs. The unit cost fee shall be kept on file in the Office of Planning and Development Services and made available to the public upon request. The unit cost fee calculation shall be reviewed at least annually by the City Engineer and adjusted as necessary.

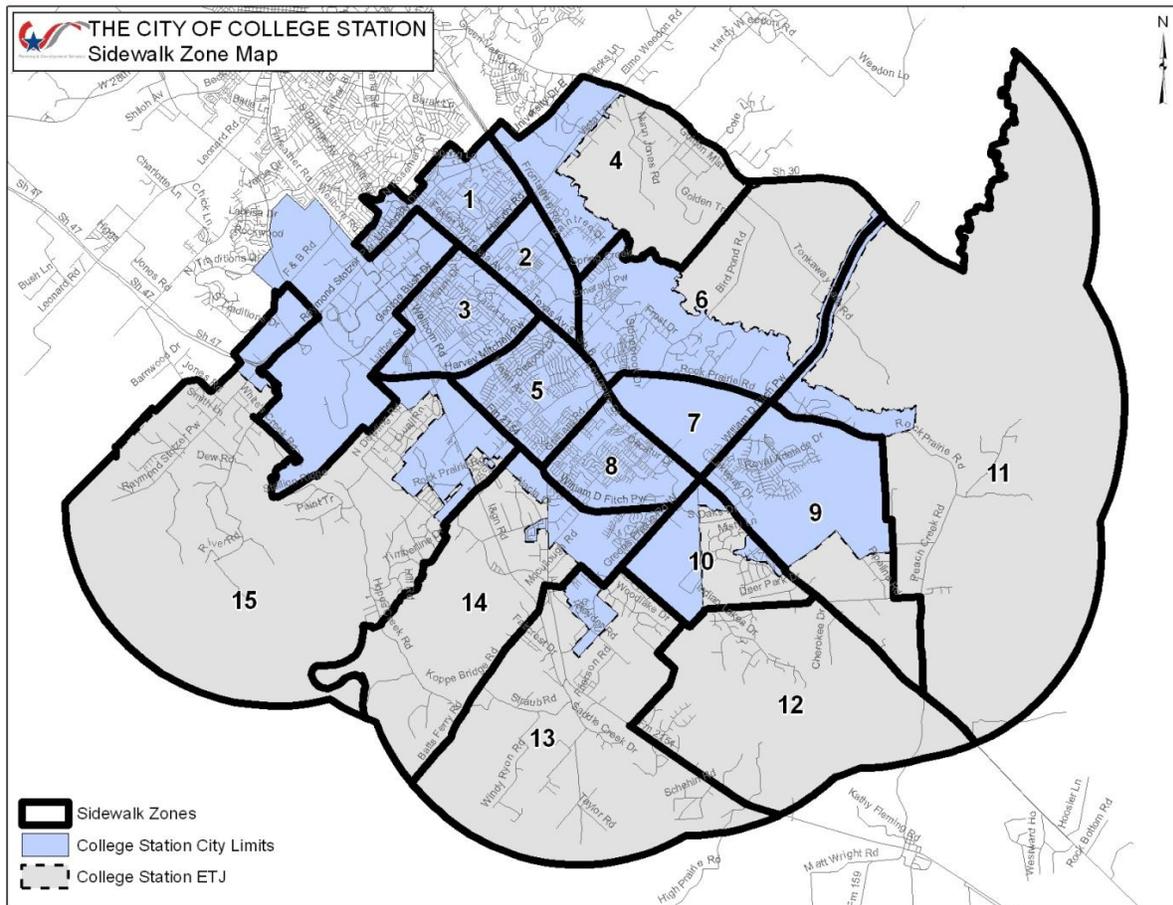
**3) Criteria to Allow Fee in Lieu**

The Planning and Zoning Commission may authorize a fee in lieu of sidewalk ~~or multi-use path~~ construction when it determines that one or more of the following conditions exists:

- (a) An alternative pedestrian way or multi-use path has been or will be provided ~~outside the right-of-way~~;
- (b) The presence of unique or unusual topographic, vegetative, or other natural conditions exist so that strict adherence to the sidewalk requirements contained herein is not physically feasible or is not in keeping with the purposes and goals of this UDO or the City's Comprehensive Plan;
- (c) A capital improvement project is imminent that will include construction of the required sidewalk. Imminent shall mean the project is funded or projected to commence within twelve (12) months;
- (d) Existing streets constructed to rural section that are not identified on the Thoroughfare Plan with an Estate/Rural context;
- (e) When a sidewalk is required along a street where a multi-use path is shown on the Bicycle, Pedestrian, Greenways Master Plan;
- (f) The proposed development is within an older residential subdivision meeting the criteria in Section 8.2.H.2 Platting and Replatting within Older Residential Subdivisions of this UDO; or
- (g) The proposed development contains frontage on a Freeway/ Expressway as designated by Map 6.6, Thoroughfare Plan-Functional Classification, in the City's Comprehensive Plan.

**4) Use of Fee**

The City Council hereby establishes sidewalk zones as show in the map attached as Figure 1 of this section and which map shall be kept in the Office of Planning and Development Services and made available to the public upon request. Fees collected in lieu of sidewalk or multi-use path construction shall be expended in the sidewalk zone within which the proposed development is located. Fees collected in lieu of sidewalk construction shall be used only for construction, reconstruction, or land acquisition costs associated with sidewalks, multi-use paths, and other non-vehicular ways.



**Figure 1 – Sidewalk Zone Map**

**5) Reimbursement**

The City may, from time-to-time, acquire land for sidewalks or make sidewalk improvements related to actual or potential development. If this occurs, the City may require subsequent sidewalk obligations to be a fee rather than construction in order to reimburse the City for the cost associated with acquisitions or construction.

**6) Fee Due**

Fees paid pursuant to this Section shall be remitted to the City when the guarantee of construction of public improvements for the proposed development is due or upon commencement of construction, whichever occurs first.

**7) Special Fund; Right to Refund**

All fees received by the City in lieu of sidewalk or multi-use path construction shall be deposited in a fund referenced to the sidewalk zone to which it relates. The City shall account for all fees in lieu of sidewalk construction paid under this Section with reference to the individual development involved. Any fee paid for such purposes must be expended by the City within seven (7) years from the date received by the City. Such funds shall be considered to be spent on a first-in, first-out basis. If not so expended, the landowners of the property on the expiration of such period shall be entitled to a prorated refund of such sum. The owners of such property must request a refund within one (1) year of entitlement, in writing, or such refund will be barred.

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

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 8.2.K "SIDEWALKS," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE SECTION AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 8.2.K, "Sidewalks," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 9<sup>th</sup> day of August, 2012.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED:

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

**EXHIBIT "A"**

That Chapter 12, "Unified Development Ordinance," Section 8.2.K, "Sidewalks," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**K. Sidewalks****1. Policy**

Sidewalks should be located and constructed so as to provide a safe and effective means of transportation for non-vehicular traffic.

**2. Required Sidewalks**

- a. Sidewalks shall be required on both sides of all streets except as follows or as provided elsewhere in this UDO.
- b. Where a multi-use path is shown along a street on the Bicycle, Pedestrian, and Greenways Master Plan, the sidewalk may be incorporated as part of the multi-use path.

**3. Sidewalk Exceptions**

Sidewalks are not required:

- a. Around the bulb of a cul-de-sac unless an Access Way is provided through the cul-de-sac;
- b. Along a street classified on the Thoroughfare Plan as a Freeway/Expressway;
- c. Along streets identified on the Thoroughfare Plan with an Estate/Rural context;
- d. Along new or existing streets within a Rural Residential subdivision constructed to the rural section; or
- e. Along existing local/residential streets unless sidewalks have been identified in the Bicycle, Pedestrian, and Greenways Master Plan or in the applicable neighborhood, district, or corridor plan.

**4. Standards**

Sidewalks shall be constructed in accordance with the following criteria:

- a. The *B/CS Unified Design Guidelines* and all applicable state and federal requirements;
- b. Consistent with the minimum standards necessary to meet the projected non-vehicular traffic demand in the area;
- c. Sidewalks shall maintain a minimum clear width as set forth in the *B/CS Unified Design Guidelines*; and
- d. All sidewalks shall terminate into streets or driveways with ambulatory ramps.

**5. Timing of Construction**

Except as set forth below, all required sidewalks must be constructed concurrently with the street, or if the street is already constructed prior to acceptance of all public improvements.

**a. Residential Subdivisions**

At the time of final plat application, the subdivider may opt to defer the construction of sidewalks on residential streets along single-family, duplex, or townhouse lots for up to one year from approval of the final plat when the subdivider provides a bond or surety in accordance with Section 8.6 Construction, Guarantee of Performance, and Acceptance of Public Infrastructure. The subdivider shall provide a sidewalk plan with the final plat construction documents and installation of the sidewalks shall comply with this plan. Notwithstanding the foregoing, this provision does not allow the deferment of the construction of sidewalks along thoroughfares, sidewalk ramps at all street intersections, and sidewalks along residential streets that are not adjacent to a residential lot such as along a common area, creek crossing, or park. Other pedestrian facilities such as Access Ways and multi-use paths shall be constructed at the same time as the public infrastructure of the plat.

**b. Fee in Lieu of Construction**

**1) Fee in Lieu**

Except for development located within the Northgate zoning districts, a developer may request to pay a fee in lieu of constructing the required sidewalk(s) or multi-use path upon approval by the Planning and Zoning Commission as set forth below.

**2) Amount of Fee**

The amount of fee in lieu of sidewalk construction shall be a unit cost determined by the City Engineer based upon current estimated costs. The unit cost fee shall be kept on file in the Office of Planning and Development Services and made available to the public upon request. The unit cost fee calculation shall be reviewed at least annually by the City Engineer and adjusted as necessary.

**3) Criteria to Allow Fee in Lieu**

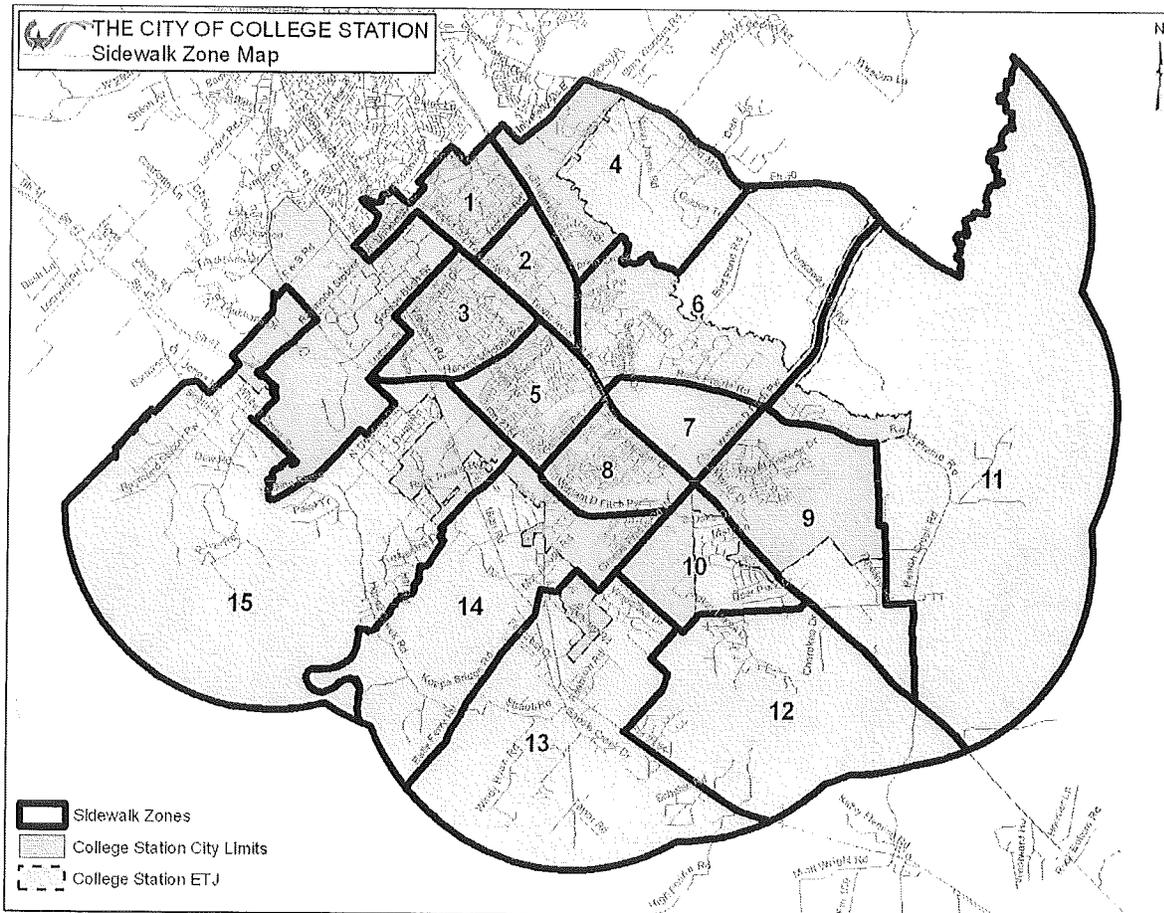
The Planning and Zoning Commission may authorize a fee in lieu of sidewalk or multi-use path construction when it determines that one or more of the following conditions exists:

- (a) An alternative pedestrian way or multi-use path has been or will be provided;
- (b) The presence of unique or unusual topographic, vegetative, or other natural conditions exist so that strict adherence to the sidewalk requirements contained herein is not physically feasible or is not in keeping with the purposes and goals of this UDO or the City's Comprehensive Plan;
- (c) A capital improvement project is imminent that will include construction of the required sidewalk. Imminent shall mean the project is funded or projected to commence within twelve (12) months;
- (d) Existing streets constructed to rural section that are not identified on the Thoroughfare Plan with an Estate/Rural context;
- (e) When a sidewalk is required along a street where a multi-use path is shown on the Bicycle, Pedestrian, Greenways Master Plan;
- (f) The proposed development is within an older residential subdivision meeting the criteria in Section 8.2.H.2 Platting and Replatting within Older Residential Subdivisions of this UDO; or

(g) The proposed development contains frontage on a Freeway/ Expressway as designated by Map 6.6, Thoroughfare Plan-Functional Classification, in the City's Comprehensive Plan.

**4) Use of Fee**

The City Council hereby establishes sidewalk zones as show in the map attached as Figure 1 of this section and which map shall be kept in the Office of Planning and Development Services and made available to the public upon request. Fees collected in lieu of sidewalk or multi-use path construction shall be expended in the sidewalk zone within which the proposed development is located. Fees collected in lieu of sidewalk construction shall be used only for construction, reconstruction, or land acquisition costs associated with sidewalks, multi-use paths, and other non-vehicular ways.



**Figure 1 – Sidewalk Zone Map**

**5) Reimbursement**

The City may, from time-to-time, acquire land for sidewalks or make sidewalk improvements related to actual or potential development. If this occurs, the City may require subsequent sidewalk obligations to be a fee rather than construction in order to reimburse the City for the cost associated with acquisitions or construction.

**6) Fee Due**

Fees paid pursuant to this Section shall be remitted to the City when the guarantee of construction of public improvements for the proposed development is due or upon commencement of construction, whichever occurs first.

**7) Special Fund; Right to Refund**

All fees received by the City in lieu of sidewalk or multi-use path construction shall be deposited in a fund referenced to the sidewalk zone to which it relates. The City shall account for all fees in lieu of sidewalk construction paid under this Section with reference to the individual development involved. Any fee paid for such purposes must be expended by the City within seven (7) years from the date received by the City. Such funds shall be considered to be spent on a first-in, first-out basis. If not so expended, the landowners of the property on the expiration of such period shall be entitled to a prorated refund of such sum. The owners of such property must request a refund within one (1) year of entitlement, in writing, or such refund will be barred.

**August 9, 2012**  
**Regular Agenda Item No. 6**  
**5-ft Public Utility Easement Abandonment – 317, 319 & 321 Redmond 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 approving an ordinance vacating and abandoning a 995.6 square foot, 5-foot wide public utility easement, which is located on Lots 9, 10 & 11 of Block 3 of the Redmond Terrace, First Installment Subdivision according to the plat recorded in Volume 188, Page 295 of the Deed Records of Brazos County, Texas.

**Relationship to Strategic Initiatives:** N/A

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

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

The 995.6 square foot, 5-foot wide public utility easement to be abandoned is located on Lots 9, 10 & 11 of Block 3 of the Redmond Terrace, First Installment Subdivision according to the plat recorded in Volume 188, Page 295 of the Deed Records of Brazos County, Texas.

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

**Attachments:**

1. Attachment 1 - Vicinity Map
2. Attachment 2 - Location Map
3. Attachment 3 - Ordinance
4. Attachment 4 - Ordinance Exhibit "A"
5. Attachment 5 - Application for Abandonment (On file at the City Engineer's Office)



# LOCATION MAP

**Proposed Abandonment  
5-ft Wide Portion of  
20-ft PUE**

**Abandoned 20-Ft PUE  
Vol 78-15 Pg 295**

TEXAS AV

REDMOND DR



0 30 60 Feet

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

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 995.6 SQUARE FOOT, 5-FOOT WIDE PUBLIC UTILITY EASEMENT, WHICH IS LOCATED ON LOTS 9, 10 & 11 OF BLOCK 3 OF THE REDMOND TERRACE, FIRST INSTALLMENT SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOLUME 188, PAGE 295 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 995.6 square foot, 5-foot wide public utility easement, which is located on Lots 9, 10 & 11 of Block 3 of the Redmond Terrace, First Installment Subdivision according to the plat recorded in Volume 188, Page 295 of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portions collectively hereinafter referred to as the "Easement"); and

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

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

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

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

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

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

Page 2

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED:

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

**METES AND BOUNDS DESCRIPTION  
OF A  
995.6 SQUARE FOOT TRACT  
PORTION OF LOTS 9, 10 AND 11, BLOCK 3  
REDMOND TERRACE, FIRST INSTALLMENT  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF LOTS 9, 10 AND 11, BLOCK 3, REDMOND TERRACE, FIRST INSTALLMENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 188, PAGE 295 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING A 5.00 FOOT WIDE STRIP OF AN EXISTING 20.00 FOOT WIDE UTILITY EASEMENT AS REFLECTED ON SAID PLAT.

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

**COMMENCING** AT A 5/8 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF A RESERVE TRACT AS REFLECTED ON SAID PLAT OF REDMOND TERRACE, FIRST INSTALLMENT, SAID IRON ROD FOUND MARKING THE COMMON CORNER OF SAID LOT 9 AND LOT 8, BLOCK 3;

**THENCE:** S 71° 12' 46" E THROUGH SAID LOT 9 FOR A DISTANCE OF 10.71 FEET TO THE INTERSECTION OF THE SOUTHEAST LINE OF SAID EXISTING 20.00 FOOT WIDE UTILITY EASEMENT WITH THE EAST LINE OF A PROPOSED 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT MARKING THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

**THENCE:** N 02° 15' 29" W CONTINUING THROUGH SAID LOT 9, 10.00 FEET FROM AND PARALLEL TO THE COMMON LINE OF SAID LOT 9 AND LOT 8, FOR A DISTANCE OF 7.46 FEET;

**THENCE:** N 39° 49' 57" E THROUGH SAID LOTS 9, 10 AND 11, 5.00 FEET FROM AND PARALLEL TO THE NORTHWEST LINE OF SAID LOTS, FOR A DISTANCE OF 196.35 FEET TO THE EXTENSION OF THE SOUTHWEST LINE OF AN EXISTING 20.00 FOOT WIDE PUBLIC UTILITY EASEMENT AS REFLECTED IN VOLUME 7750, PAGE 223 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

**THENCE:** S 50° 17' 31" E CONTINUING THROUGH SAID LOT 11, 20.00 FEET FROM AND PARALLEL TO THE NORTHEAST LINE OF SAID LOT 11, SAME BEING THE SOUTHWEST LINE OF TEXAS AVENUE, FOR A DISTANCE OF 5.00 FEET TO THE SOUTHEAST LINE OF SAID EXISTING 20.00 FOOT WIDE UTILITY EASEMENT (PLAT 188/295);

**THENCE:** S 39° 49' 57" W THROUGH SAID LOTS 9, 10 AND 11 AND ALONG THE SOUTHEAST LINE OF SAID EASEMENT FOR A DISTANCE OF 201.90 FEET TO THE POINT OF BEGINNING CONTAINING 995.6 SQUARE FEET OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

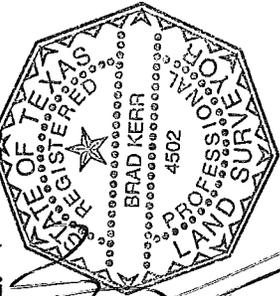
BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

D:/WORK/MAB/12-419.MAB





SCALE: 1" = 30'



N/F  
SGP DEVELOPMENTS, LLC  
3.956 ACRE TRACT  
8559/234

S 50°17'31" E  
5.00'

TEXAS AVENUE  
VAR. WIDTH R.O.W.

EXISTING 20' PUBLIC  
UTILITY EASEMENT  
7750/223

N/F  
BKXL PARTNERS NO. 2, LTD.  
7207/27 & 7207/36

LOT 11  
BLOCK 3

5' EASEMENT  
ABANDONMENT  
995.6 SQ. FT.

10' STRIP OF RESERVE TRACT

N 39°49'57" E 196.35'  
S 39°49'57" W 201.90'

LOT 10  
BLOCK 3

EXISTING 20' UTILITY  
EASEMENT  
PLAT 188/295

LOT 9  
BLOCK 3

POINT OF  
BEGINNING

PROPOSED 10' PUBLIC  
UTILITY EASEMENT

N 02°15'29" W  
7.46'

5/8 INCH IRON  
ROD FOUND  
S 71°12'46" E  
10.71'

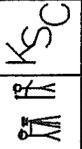
LOT 8  
BLOCK 3

REDMOND DRIVE  
50' R.O.W.

REVISED 07-09-12

SURVEY PLAT  
OF A 5' EASEMENT ABANDONMENT  
PORTION OF LOTS 9, 10 & 11, BLOCK 3  
REDMOND TERRACE, FIRST INSTALLMENT  
VOLUME 188, PAGE 295  
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 30 FEET  
SURVEY DATE:  
PLAT DATE: 06-26-12  
JOB NUMBER: 12-419  
CAD NAME: 12-419  
CRS FILE: SMOOD



PREPARED BY: KERR SURVEYING, LLC  
408 N. TEXAS AVENUE  
BRYAN, TEXAS 77803  
PHONE (979) 268-3195

SEE METES AND BOUNDS PREPARED  
JUNE 2012 FOR MORE DESCRIPTIVE  
INFORMATION.

BEARING SYSTEM SHOWN HEREON IS BASED ON  
GRID NORTH AS ESTABLISHED FROM GPS  
OBSERVATION.

**August 9, 2012**  
**Regular Agenda Item No. 7**  
**Report of the Council Ad Hoc Committee for Compensation and Benefits**

**To:** David Neeley, City Manager

**From:** Jeff Kersten, Executive Director Business Services

**Agenda Caption:** Presentation, possible action, and discussion regarding a report from the City Council Ad Hoc Committee for Compensation and Benefits.

**Recommendation(s):** Receive the report.

**Summary:** The City Council Ad Hoc Committee on Compensation and Benefits was created by resolution on May 22, 2012. The committee includes Mayor Nancy Berry, Councilmember Julie Schultz, and Councilmember Blanche Brick.

The purpose of the committee was to review compensation and benefit policies and philosophy, including compensation, health insurance, retiree health insurance and retirement. The committee is to present a report to the City Council on the above.

The committee has met 4 times – June 27, July 17, July 24, and July 31.

The committee has initial recommendations to present to the City Council

**Budget & Financial Summary:** Compensation costs makes up the largest portion of the City's operating budget. In FY 12 total compensation costs were budgeted at \$60,148,359.

**Attachments:**

1. Report will be sent under separate cover