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**Mayor**

Nancy Berry

**Mayor Pro Tem**

Karl Mooney

**Interim City Manager**

Frank Simpson

**Council members**

Blanche Brick

Jess Fields

John Nichols

Julie M. Schultz

James Benham

**Agenda**  
**College Station City Council**  
**Regular Meeting**  
**Thursday, March 14, 2013 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:
    - February 28, 2013 Workshop
    - February 28, 2013 Regular Council Meeting
  - b. Presentation, possible action and discussion concerning approval of: (1) a ground lease from TAMUS to College Station for property located generally northeast of the intersection of Wellborn Road and University Drive for the purpose of constructing an electrical substation, (2) an interlocal agreement between College Station and TAMU providing the terms and conditions necessary for the construction of an electrical substation on the ground lease site, and (3) a release of an existing right-of-way easement conveyed from TAMUS to College Station by instrument dated August 8, 2006, recorded in Volume 7572, Page 179, of the Real Property Records of Brazos County, Texas.

- c. Presentation, possible action, and discussion regarding approval of the Owner Agreement for the Home Reconstruction Loan Program activity at 3385 Barron Cutoff Rd. and 1022 Crested Point.
- d. Presentation, possible action and discussion regarding award of a construction contract with Brazos Paving, Inc. in the amount of \$1,169,504.48 for the HSC Parkway Waterline Extension.
- e. Presentation, possible action, and discussion regarding water meter purchase contract WM08-10 with Aqua-Metric Sales Co. in the amount of \$133,639.
- f. Presentation, possible action, and discussion regarding approval of a Resolution that will authorize City staff to negotiate for the purchase of easements needed for the FM 2154 Sidewalk Improvements Project and public utilities.
- g. Presentation, possible action and discussion regarding the first renewal of Bid No. 12-048 with ProSTAR Industries for the purchase of janitorial supplies in an amount not to exceed \$58,654.66.
- h. Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Gessner Engineering, LLC in the amount of \$57,200 for a roadway condition analysis and pavement management plan update.
- i. Presentation, possible action and discussion on bid awards for annual street maintenance agreements for asphalt pavement repair with Brazos Paving, Inc in the amount of \$79,000; resealing concrete joints with Larry Young Paving, Inc in the amount of \$30,000; crack sealing with Kuntz Contracting Corp in the amount of \$162,500; and microsurfacing with Viking Construction, Inc in the amount of \$342,000.

### **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. Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.0201 acre right-of-way, which is located on Lot 15 of Block 1 of the College Park Addition according to the plat recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas.

2. Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.55 acre portion of a 20 foot Utility Easement, which is located in the 324.83 acre tract in the J. H. Jones Survey, Abstract No. 26 according to the deed recorded in Volume 4023, Page 91 of the Deed Records of Brazos County, Texas.

3. Adjourn.

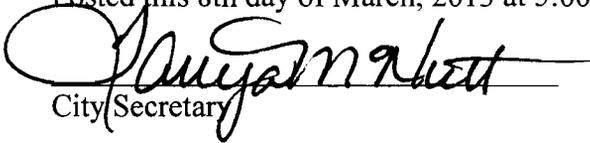
If litigation issues arise to the posted subject matter of this Council Meeting an executive session will be held.

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, March 14, 2013 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 8th day of March, 2013 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 March 8, 2013 at 5:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2013 By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
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.

**March 14, 2013**  
**City Council Consent Agenda Item No. 2a**  
**City Council Minutes**

**To:** Frank Simpson, Interim City Manager

**From:** Sherry Mashburn, City Secretary

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

- February 28, 2013 Workshop
- February 28, 2013 Regular Council Meeting

**Attachments:**

- February 28, 2013 Workshop
- February 28, 2013 Regular Council Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
FEBRUARY 28, 2013

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry, Mayor

**Council:**

Blanche Brick  
Jess Fields  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Frank Simpson, Interim City Manager  
Kathy Merrill, 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 4:36 p.m. on Thursday, February 28, 2013 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, §551.074-Personnel, §551.076-Security, and §551.087-Economic Development Negotiations, the College Station City Council convened into Executive Session at 4:36 p.m. on Thursday, February 28, 2013 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.
- 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. 11-003172-CV-272, in the 272nd District Court of Brazos County, TX
- Tom Jagielski v. City of College Station, Cause No. 12-002918-CU-361, In the 361<sup>st</sup> District Court of Brazos County, Texas
- State v. Carol Arnold, Cause Number 11-02697-CRF-85, In the 85<sup>th</sup> District Court, Brazos County, Texas

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

- Legal Advice concerning acquisition of right-of-way located generally at Lodge Street and University Drive.

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

- Municipal Judge
- City Manager

D. Deliberation on the deployment, or specific occasions for implementation, of security personnel or devices or a security audit; to wit:

- City Hall security

E. Deliberation on economic development negotiations regarding an offer of financial or other incentives for a business prospect; to wit:

- Discuss economic development incentive negotiations with TAMUS

The Executive Session adjourned at 6:03 p.m.

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

No action was required from Executive Session.

### **Presentation to the Mid-East Texas Dietetic Association (METDA) proclaiming March 2013 as National Nutrition Month.**

Mayor Berry presented a proclamation to Meghan Windham, President-Elect with the Mid-East Texas Dietetic Association (METDA), proclaiming March 2013 as National Nutrition Month.

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

No items were pulled for discussion.

## **5. Presentation, possible action, and discussion of the current state of the Police Department.**

Chief Jeff Capps presented the 2013 State of the Department which detailed the CSPD Profile, City growth and call activity, and what to expect for the future. He noted the vision of the College Station Police is to be regarded by our community and our profession as a premier law enforcement agency in the nation. The goals established to attain this vision are to reduce crime, to reduce the fear of crime, to improve the overall quality of life in the community, and to build and maintain effective partnerships.

He reported that the department has one hundred twenty eight authorized sworn personnel, sixty authorized civilian personnel, and fourteen temp/seasonal employees. Of those, ninety seven employees have educational degrees – twenty one Associates, sixty nine Bachelors, and seven Advanced Degrees. Personnel received over 15,560 training hours in 2012, including 7,000 hours for Police Recruits at the Basic Police Academy. The budget for FY2012 is \$16.5 million. They have five re-accreditations in law enforcement (Flagship status) and three re-accreditations for Communications (Gold standard) from the Commission on Accreditation for Law Enforcement Agencies.

The Organizational Function Chart is divided into four areas: Operational Support Bureau, Field Operations Bureau, Administrative Support Bureau, and direct reports.

Chief Capps reported the number of calls handled by Police Personnel has dropped 3% from 2011 to 2012. The overall increase in the past 6 years has been 38%. Graphs were presented to demonstrate calls for service vs. self-initiated, response time, and major crime statistics. During 2012, they began seeing an increase in Aggravated Robberies involving the theft of narcotics. A brief overview of 2012 significant events was provided, including a Criminally Negligent Homicide which occurred in the 3100 block of Cain Road, a Double Fatality Crash at Holleman and Texas Avenue, the Wal-Mart Shooting Incident, and the Fidelity shooting.

Equipment needs for the department include rifles for all sworn Police Officers (67 additional rifles) and Level III Ballistic Vests for all Patrol Officers (120 additional vests needed).

A Specialized Unit is expected to be fully activated in October of 2013. It will primarily cover the Northgate area during peak call volume times and will also be utilized to address problem crime areas. A Community Enhancement Unit, with one officer per sector, will identify problems and work for solutions. It is a mission specific operation whose objective is to improve the quality of life for the residents of our community through crime disruption and reduction and neighborhood empowerment.

As for the future of the department, they will continue to monitor the effects of development and growth related to resource needs and will continue to evaluate the feasibility of adding a ninth Beat with a Beat Sergeant and six officers. They also look forward to an enhanced volunteer program, an upgraded computer automated Dispatch/Records Management System, and the continued growth of the department proportionally between sworn and civilian staff. The

timeline for modifications and implementation for the spatial needs of the department will vary and is dependent on the economy and available funds of the City.

No action was required.

At 7:15 p.m. the Workshop recessed in order to go into the Regular Meeting.

The Workshop reconvened at 10:00 p.m.

## **6. Council Calendar**

- **March 4 Bicycle, Pedestrian & Greenways Advisory Board Meeting, Council Chambers, 3:00 p.m.**
- **March 7 P&Z Workshop/Meeting, Council Chambers, 6:00 p.m. (Jess Fields, Liaison)**
- **March 7 GB Foundation presents "Nancy Gibbs and Michael Duffy" at Annenberg Presidential Conference Center, 6:00 p.m.**
- **March 14 Executive Session/Workshop/Regular Meeting at 5:00, 6:00 & 7:00 p.m.**

Council reviewed the Council calendar.

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

Councilmember Mooney asked to discuss the viable meeting space alternatives to the Conference Center.

Councilmember Nichols asked to discuss how the City could communicate with TXDOT regarding the 75 mph speed limit on Highway 6.

Councilmember Benham reminded staff that his request for a discussion on block length was three months old.

Councilmember Fields asked to discuss how Council brings up new agenda items. There was no consensus.

## **8. 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, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, BVSWMA, BVWACS, 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, Parks and**

**Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Sister City Association, TAMU Student Senate, Texas Municipal League, Youth Advisory Council, Zoning Board of Adjustments.**

Councilmember Nichols reported on the Brazos County Health Department Board.

Councilmember Brick also reported on the Brazos County Health Department Board.

Mayor Berry reported on Blinn College Brazos Valley Advisory Committee.

**Executive Session**

In accordance with the Texas Government Code §551.074-Personnel, the College Station City Council convened into Executive Session at 10:14 p.m. on Thursday, February 28, 2013 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 10:49 p.m.

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

No action was required from Executive Session.

**9. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 10:50 p.m. on Thursday, February 28, 2013.

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

ATTEST:

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

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
FEBRUARY 28, 2013

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Frank Simpson, Interim City Manager  
Kathy Merrill, 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 7:25 p.m. on Thursday, February 28, 2013 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

**Citizen Comments**

There were no citizen comments.

**CONSENT AGENDA**

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

- **February 14, 2013 Workshop**
- **February 14, 2013 Regular Council Meeting**

- 2b. Presentation, possible action, and discussion Semi-Annual Report on Impact Fees 92-01, 97-01, 97-02B, 99-01,03-02.**
- 2c. Presentation, possible action, and discussion regarding approval of a contract, #13-123, between the City of College Station and Brazos Paving Inc. in the amount of \$69,069.40 to construct the Dexter Street Sidewalks Project.**
- 2d. Presentation, possible action and discussion regarding approval of a contract between the City of College Station and Siemens Industry Inc. in the amount of \$66,958.94 for the purpose of Building Access Security and Closed Circuit Security Cameras installation.**
- 2e. Presentation, possible action, and discussion on a Professional Services Contract with Arcadis US, Inc., in the amount of \$364,529, for the design, bidding, construction administration services and construction materials testing for improvements to the Sandy Point Pump Station.**
- 2f. Presentation, possible action, and discussion regarding approval of a contract, #13-137, between the City of College Station and Vox Construction, LLC. in the amount of \$175,690.92 to construct the University Drive Sidewalk Improvements Project.**
- 2g. Presentation, possible action and discussion on a bid award for the annual agreement for various electrical items and electric meters to be stored in inventory as follows: HD Supply \$35,988.92; Techline \$352,124.00; Priester-Mell & Nicolson \$134,684.00; Texas Electric Cooperatives \$277,062.00; KBS Electrical Distributors \$218,998.75; Wesco \$58,552.10. Total estimated annual expenditure is \$1,077,409.77.**
- 2h. Presentation, possible action and discussion on approving annual water meter purchases from Aqua Metric Sales Company through the Houston-Galveston Area Council (HGAC) contract (#WM08-12). Based on the attached contract unit pricing, the estimated annual expenditure for water meters is: \$300,868.30.**
- 2i. Presentation, possible action and discussion regarding the first renewal of the annual price agreement for wire and cable with Techline for an amount not to exceed \$809,550.00.**
- 2j. Presentation, possible action and discussion regarding release of lien for 65 acres the City owns on Rock Prairie Road.**
- 2k. Presentation, possible action and discussion regarding the traffic contact report required annually by Senate Bill 1074, of the Texas 77th legislative session.**
- 2l. Presentation, possible action, and discussion on a construction contract with Dudley Construction, Ltd., in the amount of \$54,905.00, for rehabilitation, additions, and upgrades to water lines and existing water fountains at various locations throughout Wolf Pen Creek Park, Project Number PK13-07.**
- 2m. Presentation, possible action, and discussion on Resolution 02-28-13-2m, for the application and acceptance of an Office of the Governor, Criminal Justice Division (CJD) Grant for the purchase of equipment.**

**2n. Presentation, possible action, and discussion concerning the City Internal Auditor's Contract Administration audit report.**

**2o. Presentation, possible action, and discussion regarding approval of the Brazos Valley Wide Area Communications System (BVWACS) Capital Improvement Project, and authorizing the City's cost share of \$72,428.93 to be paid to the BVW ACS Managing Entity (BVCOG).**

No items were pulled for a separate vote.

**MOTION:** Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

**REGULAR AGENDA**

**1. Public Hearing, presentation, possible action, and discussion regarding approval of recommendations made by the Joint Task Force on Neighborhood Parking.**

At approximately 7:33 p.m., Mayor Berry opened the Public Hearing.

Buck Prewitt, 2302 Scotney Court, stated he has attended the stakeholder meetings and thanked the members of the sub-committee. He said he is glad to see the mandatory fire hydrant protection zone removed from the recommendations. He noted that only one of the additional solutions proposed would not add to development costs: restricting parking to only one side of the street. He also expressed approval of the requirement of one parking space per bedroom. The other options may reduce the density and add some costs; however, the development community is in favor of safety.

There being no further comments, the Public Hearing was closed at 7:36 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Benham, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to accept the recommendations made by the Joint Task Force on Neighborhood Parking so that staff can proceed with drafting an ordinance for Council's consideration. The motion carried.

**2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2013-3481, vacating and abandoning a 0.006 acre public utility easement, a 0.006 acre public utility easement, and a 0.072 acre public utility easement located on Lot 2R of the William Brooke Hunter Estates Subdivision according to the plat recorded in Volume 7627, Page 19 of the Deed Records of Brazos County, Texas.**

At approximately 8:21 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:21 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3481, vacating and abandoning a 0.006 acre public utility easement, a 0.006 acre public utility easement, and a 0.072 acre public utility easement located on Lot 2R of the William Brooke Hunter Estates Subdivision according to the plat recorded in Volume 7627, Page 19 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2013-3482, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 6.326 acres located at 301 Southwest Parkway from PDD Planned Development District to PDD Planned Development District to amend the Concept Plan.**

At approximately 8:25 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:25 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3482, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 6.326 acres located at 301 Southwest Parkway from PDD Planned Development District to PDD Planned Development District to amend the Concept Plan. The motion carried unanimously.

**4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2013-3483, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning approximately 1.27 acres from R-1 Single-Family Residential to 0 Office for the property located at 1402 Earl Rudder Freeway South, generally located at the northwest corner of Earl Rudder Freeway South frontage road and University Oaks Boulevard.**

At approximately 8:35 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:35 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2013-3483, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning approximately 1.27 acres from R-1 Single-Family Residential to 0 Office for the property located at 1402 Earl Rudder Freeway South, generally located at the northwest corner of Earl Rudder Freeway South frontage road and University Oaks Boulevard. The motion carried unanimously.

**5. Presentation, possible action, and discussion on a City Participation Agreement for design and reconstruction of Church Avenue being made per City Code of Ordinances, Chapter 12, Unified Development Ordinance, Section 8.5, Responsibility for Payment for Installation Costs for a total requested City participation of \$111,095.00 and an ordinance**

**pursuant to Section 212.072(b) of the Texas Local Government Code, authorizing the City Participation Agreement.**

**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to approve a City Participation Agreement contingent upon Campus Acquisition submitting a performance bond to the City in the form approved by the City and to approve Ordinance 2013-3484 required under Section 212.072(b) of the Local Government Code. The motion carried unanimously.

**6. Presentation, possible action, and discussion regarding contracting for vehicle towing and storage services.**

Assistant Chief Brandy Norris provided a presentation on vehicle towing and storage services and requested direction from Council on the feasibility of possibly moving away from a rotation system.

Council directed staff to go forward, address some of the concerns posed tonight, and return with a draft ordinance and hold a Public Hearing at a future date. Staff expects the earliest date to be March 28.

**7. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:59 p.m. on Thursday, February 28, 2013.

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

ATTEST:

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

**March 14, 2013**  
**Consent Agenda Item No. 2b**  
**TAMUS Ground Lease/Interlocal Cooperation Agreement/Easement Release**

**To:** Frank Simpson, Interim City Manager

**From:** Timothy Crabb, Director of Electric Utilities

**Agenda Caption:** Presentation, possible action and discussion concerning approval of: (1) a ground lease from TAMUS to College Station for property located generally northeast of the intersection of Wellborn Road and University Drive for the purpose of constructing an electrical substation, (2) an interlocal agreement between College Station and TAMU providing the terms and conditions necessary for the construction of an electrical substation on the ground lease site, and (3) a release of an existing right-of-way easement conveyed from TAMUS to College Station by instrument dated August 8, 2006, recorded in Volume 7572, Page 179, of the Real Property Records of Brazos County, Texas.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure

**Recommendation(s):** Staff recommends Council approve the above described ground lease, interlocal agreement, and release.

**Summary:** The Northgate Substation will serve future load in the Northgate and Biocorridor areas. The original placement for this substation has been relocated to a new location on TAMU property adjacent to their substation which serves the campus. This site will require a new 50 year lease of property from TAMU and various easements for electric distribution feeder routes from this site. In consideration for these concessions, COCS will relinquish the use of an easement along FM 2818 and reimburse TAMU \$300,000.00 for the relocation of parking area displaced by the substation site.

**Budget & Financial Summary:** Funds are available as budgeted and approved in the Electric Utility Capital Improvement Projects Fund.

**Reviewed and Approved by Legal:** Yes

**Attachments:**

- ILA between the City of College Station and Texas A&M University-Northgate Electric Substation
- Ground Lease Agreement
- Release of Right-of-Way Easement

**March 14, 2013**  
**Consent Agenda Item No. 2c**  
**3385 Barron Cutoff Rd. Owner Agreement – Home Reconstruction Loan Program**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding approval of the Owner Agreement for the Home Reconstruction Loan Program activity at 3385 Barron Cutoff Rd. and 1022 Crested Point

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

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

**Summary:** At their October 27th meeting, the Council approved guidelines for a Home Reconstruction Loan Program. The guidelines make reconstruction an option for clients unable to rehabilitate their homes under the City's Home Rehabilitation Loan Program. Guidelines also allow for the demolition of a current structure and the subsequent purchase of a suitable replacement dwelling should the Owner's current property prohibit reconstruction at that site. Homes are demolished and replaced with HOME Investment Partnership Grant Funds through an agreement between the home owner, the City as project manager, and the successful contractor.

The owner of 3385 Barron Cutoff Rd. has applied to the program and met all program criteria. Rehabilitation of the structure at 3385 Barron Cutoff Rd. was deemed to be infeasible as was reconstruction on the site. Staff recommends a Reconstruction Loan activity under the HOME Reconstruction Loan Program where the current structure is demolished and the home at 1022 Crested Point is purchased as a suitable replacement dwelling.

Main provisions of the Owner Agreement include:

- Assistance of up to \$110,000 to demolish the structure at 3385 Barron Cutoff Rd. and to purchase the dwelling at 1022 Crested Point for owner occupancy. Staff estimates a bid of \$5,500 for demolition costs and the sales price for 1022 Crested Point is \$119,900 (additional funds necessary to purchase the replacement dwelling will be secured by the Owner).
- Assistance will be in the form of a mixed loan – up to half of the assistance amount capped at \$40,000 in the form of a deferred, 0% interest, forgivable loan amortized using a monthly rate based on the number of months in a fifteen (15) year lien period. This portion of the loan will be forgiven at this rate over the fifteen (15) year lien period. The remainder will be in the form of a 3% interest loan with monthly payments for a specified term.
- The Owner will be responsible for their own voluntary relocation arrangements, including any and all moving fees. Relocation costs are not an eligible expense under this Program.

**Budget & Financial Summary:** \$180,000 of Federal HOME Investment Partnership funds have been approved in the 2012 Annual Action Plan.

**Attachments:**

- Attachment 1: Owner Agreement for Reconstruction Loan Program activity at 3385 Barron Cutoff Rd and 1022 Crested Point
- Attachment 2: Timeline for Reconstruction Activity at 3385 Barron Cutoff Rd. and 1022 Crested Point

**CITY OF COLLEGE STATION COMMUNITY DEVELOPMENT  
HOUSING RECONSTRUCTION PROGRAM  
OWNER AGREEMENT**

**CONTRACT NO.** \_\_\_\_\_

This Agreement is between the **CITY OF COLLEGE STATION, TEXAS** (“City”), and **DOROTHY L. ROSS** and **EUGENE ROSS** (“Owner”).

**WHEREAS**, Owner has applied for financial assistance pursuant to the City's Community Development Housing Reconstruction Program in order to obtain adequate, decent, safe, and sanitary housing; and

**WHEREAS**, City has determined that rehabilitation of Owner's existing dwelling and parcel of land is not a feasible alternative for rehabilitation or reconstruction and Owner has otherwise qualified for financial assistance under the City's Housing Reconstruction Program (the “City's Program”); and

**WHEREAS**, City has notified Owner that he will be responsible for his own voluntary relocation arrangements from the current occupied, substandard, that is not able to be rehabilitated residence including costs during the demolition and reconstruction period. Relocation costs are not an eligible expense under this Program; and

**NOW, THEREFORE**, City and Owner for and in consideration of the covenants and promises as set forth herein do agree as follows:

**1. Property.** City shall provide financial assistance to Owner in the form of a Note and Deed of Trust for the purpose of demolishing the Owner’s current dwelling, substandard and un-rehabable dwelling located at:

3385 Barron Cutoff Road in College Station, Texas; being more particularly described by its legal description as follows: All that certain lot, tract or parcel of land lying and being situated in Brazos County, Texas and being A005401, R STEVENSON (ICL), TRACT 101,

and for the purchase of a purposes of purchasing a new, adequate, decent, safe, and sanitary replacement dwelling for Owner for sale in the City of College Station (“Project”). The Owner will submit a sealed competitive bid to purchase:

Lot Twelve (12), Block Eleven (11), Westfield Village, Phase Five, an addition to the City of College Station, Texas, according to plat recorded in Volume 7165, Page 73, Deed Records of Brazos County, Texas, more commonly known as 1022 Crested Pointe (Property),

a replacement dwelling for sale by the City of College Station and meets the City’s Structural Standards.

**2. Financial Assistance.** The City will provide financial assistance to Owner in the form of a Real Estate Lien Note and Deed of Trust for the cost of Project. Owner understands that the City's maximum budgetary authority for the Project is subject to the City's Program Guidelines and may not, under any circumstances, exceed **One Hundred Ten Thousand Dollars and No Cents (\$110,000.00)** as specified in the City's Program and for the actual amount that will be financed by the City as part of the Real Estate Lien Note.

**3. Real Estate Lien Note.** Owner will receive mixed loan with two parts up to half of the assistance amount capped at \$40,000 in the form of a deferred, 0% interest, forgivable loan potentially to be forgiven in full fifteen (15) years from the date of the loan's promissory note from Owner to City (the "Note"). The remainder will be in the form of a 3% interest loan with monthly payments for a term of \_\_\_\_ ( ) years. Monthly payment shall not exceed 30% of Owners gross monthly income as determined by the City.

**a. Forgivable Term.** On the second executed Note, if before the expiration of the fifteen (15) year forgivable term or the \_\_\_\_ ( ) year repayable term of the Note, the Owner moves from, sells or transfers the Property, Owner agrees to sell or lease the Property to a low or moderate-income family as stated this Agreement and in subsequent executed Deeds of Trusts. If prior to the expiration of the fifteen year forgivable term or the \_\_\_\_ ( ) year repayable term of the Note, Owner moves from, sells, or transfers the Property without selling or leasing the Property to a low or moderate-income family or otherwise defaults under the terms of the Note or deed of trust, Owner shall repay the then outstanding balance due on the Note.

**4. Deed of Trust.** The Note will be secured by a Deed of Trust from Owner to City on the replacement residence and its lot or tract, the Property. Provided that Owner continues to satisfy occupancy requirements as outlined in the Program Guidelines and fully complies with all other provisions of the Note and the Deed of Trust the amount of the outstanding principal balance for the forgivable loan portion shall be reduced by one/one-hundred and eightieth (1/180) per month during the term of the Note. Owner agrees to execute a Deed of Trust, in a form approved by the City, for the benefit of City upon the Property. The Deed of Trust will be for the entire Project. The Deed of Trust may include the following terms:

**a.** Owner must reside on the Property for not less than fifteen (15) years or until repayment portion of assistance is repaid in full; and

**b.** In the event that Owner sells, transfers, or moves from the Property during the fifteen (15) year period or while a balance is still owed to the City for the repayable portion, Owner agrees to either:

**1.** Sell or offer the Property for sale to a low or moderate-income family that has been qualified by the City's Community Development Office; or

**2.** Lease the Property to a low or moderate-income family at a rental rate that makes the Property affordable to such a family. In the event of a lease under this

subparagraph, Owner must continue to maintain the Property to meet all applicable City Ordinances.

## 5. Temporary Relocation and Fees

**a. Relocation.** The Owner will be responsible for his own voluntary relocation arrangements from the Owner's current, substandard, residence that is not able to be rehabilitated. This includes any and all moving fees. Relocation costs are not an eligible expense under this Program. Owner agrees to voluntarily to permanently vacate the currently substandard, residence that is not able to be rehabilitated after the City gives the Owner ten (10) calendar days notice of the need to vacate.

**b. Replacement Housing.** The Owner's replacement housing will be in accordance with HUD guidelines and will comply with all City of College Station Code of Ordinances.

**c. Fees.** The Owner will be liable for payment all taxes, utility fees, and living costs during the demolition and reconstruction period. Owner is responsible for and agrees to pay the following: (1) utility transfer or hook-up fees (2) the cost for adequate temporary housing, and (3) other expenses determined necessary by City to complete the temporary relocation of Owner.

## 6. Bids and Demolition

**a. Bids.** The City will advertise for competitive bids for the sale of the Property at 1022 Crested Pointe and Owner understands and acknowledges they will need to submit a bid to purchase the property. The sale and award of the bid for the sale of the Property at 1022 Crested Pointe is contingent upon subsequent City Council approval. If the Owner is not the successful bidder then the City does not owe any further obligations to the Owner under this Agreement.

**b. Demolition Contract.** The Owner will execute along with the Contractor and the City a Demolition Contract on a form that will be provided by the City, upon approval by the City. The City will monitor performance, and quality of work by the Contractor through on site inspections until work is completed as specified in the Construction Contract documents. The City will release the City-financed portion of draws according to the payment schedule set forth in the Construction Contract documents.

**c. Demolition.** Owner agrees and hereby irrevocably authorizes the complete demolition and removal of the currently occupied dwelling located at 3385 Barron Cutoff Road in College Station, Texas; being more particularly described by its legal description as follows: All that certain lot, tract or parcel of land lying and being situated in Brazos County, Texas and being A005401, R STEVENSON (ICL), TRACT 101, and clearance by City of the entire property. Owner hereby agrees to forfeit any and all rights to salvage materials or fixtures from the currently-occupied dwelling prior to, during, or

after demolition. Owner further releases City from any and all claims arising from this demolition work.

**d. Breach.** In the event that Owner wishes to terminate the Demolition Contract with the contractor, Owner must obtain concurrence of City. Owner understands and agrees that breach, including delays, of the Demolition Contract by either Owner or contractor shall constitute grounds, pursuant to this Agreement, for City to revoke its funding for this project, and exercise its security interest in the Property for the purpose of recovering any City funding already disbursed. Waiver of any breach under this Agreement does not constitute a waiver of other breaches. Owner further agrees that City, as the Owner's Representative, may, and is hereby authorized to terminate the Demolition Contract for any breach of that contract by the Contractor.

**7. Owner must abide by the Following Laws.** Owner further agrees to comply with all applicable local, state, and federal laws, ordinances, and regulations, including but not limited to those set forth below.

**a.** For any property constructed under this Agreement that lies within the 100 year flood plain, the Owner agrees to purchase Federal Flood Insurance as required under the Flood Plain Protection Act of 1973, 42 U.S.C. 4001; and

**b.** Owner agrees to comply with the policies and procedures relating to removal and non-use of lead-based paints in accordance with the Lead-Based Paint Poisoning Prevention Safety Act, 42 U.S.C. §§ 4821-4846, and the implementing regulations at 27 C.F.R. § 35; and

**c.** Owner agrees to comply with the provisions of 24 C.F.R. § 24 relating to the employment, engagement of services, awarding of contracts, or funding of any contractors or subcontractors during any period of debarment, suspension, or placement on ineligibility status; and

**d.** Owner further agrees to comply with all the terms and conditions contained in the City's Community Development Administrative Guidelines, the Housing Rehabilitation and Minor Repair Program Guidelines, the Housing Reconstruction Program Guidelines, the Note, and the Deed of Trust.

**8. Owner agrees to keep the Property including, but not limited to the following conditions:**

**a.** The Property must be maintained to meet all applicable City Ordinances; and

**b.** The exterior of the replacement residence must be maintained in good repair, including siding, weatherproofing, roof, windows, and doors; and

**c.** All vegetation on the Property, including any lawn, turf, shrubs, bushes, and trees, must be maintained and trimmed on a regular basis; and

- d. The interior of the replacement residence will be kept in a clean and sanitary living condition; and
- e. The full value of the Property, with all improvements to it, must be fully insured against loss by a standard homeowner's policy, a copy of which shall be provided to and approved by City and will list City as certificate holder and any payments of hazard or homeowner's insurance premiums will be paid timely; and
- f. Monthly payments to the City will be paid in a timely manner; and
- g. Mortgage payments will be paid in a timely manner; and
- h. Property taxes on the Property and any other taxes will be paid on a timely basis.

**9. Indemnification.** In consideration of the financial assistance provided to Owner as described above, Owner agrees to and shall indemnify and hold harmless and defend City, its officers, agents, and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, or for damage to any property, or for breach of contract, arising out of or in connection with the purchase of a replacement dwelling and the demolition work done by City or a contractor under this Agreement. This indemnity shall apply regardless of whether such injuries, death, damages, or breach are caused in whole or in part by the negligence of City.

**10. Release.** Owner assumes full responsibility for the work to be performed under this Agreement and releases, relinquishes, and discharges City, its officers, agents, and employees from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person (whether they be third persons, Owner, or employees of either of the parties hereto) and any loss of or damage to property (whether the loss or damage be that of either of the parties or of third parties) caused by or alleged to be caused by, arising out of, or in connection with the work to be performed under this Agreement and with the purchase of a replacement dwelling and the demolition work done by City or a contractor under this Agreement. This release shall apply regardless of whether said claims, demands and causes of action are covered in whole or in part by insurance and regardless of whether said injury, death, loss, or damage is caused in whole or in part by the negligence of the City.

**11. Term and Termination.** The term of this Agreement will be from when the City executes it until the Owner executes the Note and Deed of Trust as mentioned above. The City may terminate this agreement for convenience with thirty (30) days written notice to the Owner.

**12. Amendment.** This Agreement may only be amended by written instrument approved and executed by the parties.

**12. Entire Agreement.** This Agreement constitutes the entire agreement between the parties. There are no covenants, promises, agreements, conditions, or understandings, either oral or written, between the parties other than what are set forth or described herein, unless another agreement is executed by the City and Owner.

**13. Venue.** The parties further agree that this Agreement shall be interpreted under the laws of the State of Texas and that exclusive venue for all matters pertaining to the performance or interpretation of this Agreement shall be in Brazos County, Texas.

**14. Assignment.** This Agreement and the rights and obligations contained herein may not be assigned by Owner without the prior written approval of City.

**15.** If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court of competent jurisdiction finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it may become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

**16.** The words “Owner” and “City” and all personal pronouns or relative words used in this Agreement with reference to the parties will apply regardless of number or gender

**OWNER**

**CITY OF COLLEGE STATION**

\_\_\_\_\_  
Owner's Signature

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Owner's Printed Name

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
City Secretary  
Date: \_\_\_\_\_

\_\_\_\_\_  
Owner's Printed Name

**APPROVED:**

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager  
Date: \_\_\_\_\_

\_\_\_\_\_  
City Attorney  
Date: \_\_\_\_\_

\_\_\_\_\_  
Executive Director Business Services  
Date: \_\_\_\_\_

## Ross Reconstruction Project Process Chart

### **Timeline for Ross Reconstruction Project**

March 14 – HOME Agreement to Council

March 18 – Put 1022 Crested Point Out to Bid

April 1 – Open Bids for 1022 Crested Point

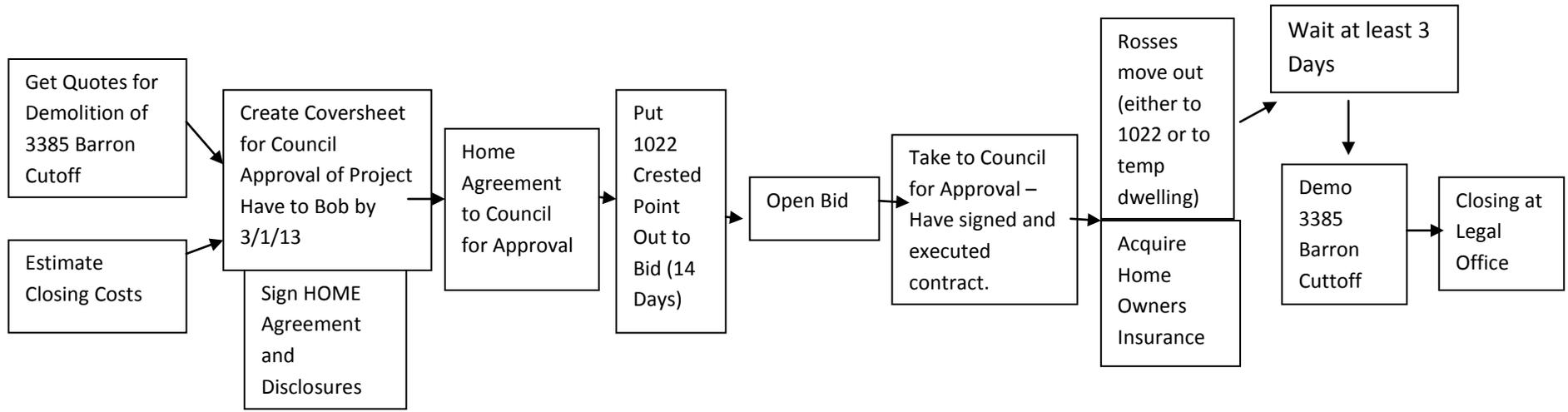
April 2 – Put demolition of 3385 Barron Cutoff Rd. out to bid

April 11 – take Contract to purchase 1022 Crested Point to Council

April 12 – Ross' move out of 3385 Barron Cutoff Rd. and into 1022 Crested Point under lease agreement

April 16 – 3385 Barron Cutoff Rd. is demolished

April 17 – Closing for 1022 Crested Point – Note and Deed of Trust are signed



**March 14, 2013**  
**Consent Agenda Item No. 2d**  
**HSC Parkway Waterline Extension**  
**Construction Contract**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action and discussion regarding award of a construction contract with Brazos Paving, Inc. in the amount of \$1,169,504.48 for the HSC Parkway Waterline Extension.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure
2. Diverse Growing Economy

**Recommendation(s):** Staff recommends award of the construction contract to Brazos Paving, Inc. (BPI) in the amount of \$1,169,504.48.

**Summary:** This project will extend approximately 7,000 linear feet of an 18-inch waterline and an electrical duct bank along the HSC Pkwy right-of-way and F&B Road. The waterline will serve the development in the BioCorridor area that is within the City of College Station corporate limits. The HSC Pkwy Waterline Project has been designed concurrently with HSC Parkway, which is under contract by the City of Bryan. Construction of both projects will also be underway concurrently by two separate contractors.

The City of College Station will continue to share in the costs for construction of the roadway project. The waterline will continue to be paid for and managed wholly by the City of College Station, with the exception of the Interconnect with the City of Bryan water system. The cost of the Interconnect will be split equally between the two cities. The Interconnect will provide water to either City during high demand or emergency situations.

**Budget & Financial Summary:** The total construction bid was for \$1,169,504.48. The construction cost for the water portion of this project is \$868,030.43. Funds in the amount of \$1,125,200 are currently budgeted in the Water Capital Improvement Projects Fund for the Water portion of the project. The amount expended or committed to date is \$116,577, leaving a balance of \$1,008,623 for construction.

The construction cost for the electrical portion of this project is \$301,474.05. Funds in the amount of \$301,475 are currently budgeted in the Electrical Capital Improvement Projects Fund for construction of the Electric portion of this project.

**Reviewed and Approved by Legal:** Yes

**Attachments:**

1. Construction Contract (on file in the City Secretary's Office)
2. Bid Tab
3. Project Map



City of College Station - Purchasing Division  
 Bid Tabulation for #13-034  
 "HSC Parkway Waterline Extension"  
 Open Date: Tuesday, January 29, 2013 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc. (Bryan, TX)		Elliott Construction LLC (Wellborn, TX)		Kieschnick General Contractors (Wellborn, TX)		Dudley Construction Ltd. (Bryan, TX)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
<b>A. GENERAL CONSTRUCTION ITEMS</b>											
1	1	LS	Mobilization, complete and in place for the sum of	\$63,032.00	\$63,032.00	\$50,000.00	\$50,000.00	\$70,000.00	\$70,000.00	\$29,000.00	\$29,000.00
2	1	LS	Traffic Control, complete and in place for the sum of	\$5,434.00	\$5,434.00	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$5,500.00	\$5,500.00
3	1	LS	Erosion and Sedimentation Control, complete and in place for the sum of	\$24,750.00	\$24,750.00	\$11,745.00	\$11,745.00	\$25,000.00	\$25,000.00	\$22,000.00	\$22,000.00
4	7,048	LF	Trench Safety, complete and in place for the sum of	\$1.10	\$7,752.80	\$1.00	\$7,048.00	\$1.00	\$7,048.00	\$1.17	\$8,246.16
<b>TOTAL SECTION A - GENERAL CONSTRUCTION ITEMS</b>				\$100,968.80		\$73,793.00		\$109,548.00		\$64,746.16	
<b>B. WATER LINE CONSTRUCTION ITEMS</b>											
5	60	LF	Furnish and install 12" PVC water line (C-909 or C-900 DR14), by open cut, all depths, complete and in place for the sum of	\$41.56	\$2,493.60	\$37.00	\$2,220.00	\$40.00	\$2,400.00	\$35.38	\$2,122.80
6	7	EA	Furnish and install fire hydrant assembly (American Flow, Darling B-84-B) install on new water main, including lead pipe, valve and box all depths, complete and in place for the sum of	\$2,702.00	\$18,914.00	\$2,985.00	\$20,895.00	\$3,400.00	\$23,800.00	\$3,200.00	\$22,400.00
7	11	EA	Furnish and install 18" gate valve MJ with box, complete and in place for the sum of	\$8,182.00	\$90,002.00	\$8,420.00	\$92,620.00	\$8,500.00	\$93,500.00	\$9,100.00	\$100,100.00
8	4	EA	Furnish and install 12" gate valve MJ with box, complete and in place for the sum of	\$1,800.00	\$7,200.00	\$1,750.00	\$7,000.00	\$1,850.00	\$7,400.00	\$1,950.00	\$7,800.00
9	1	EA	Furnish and install 8" gate valve MJ with box, complete and in place for the sum of	\$996.00	\$996.00	\$975.00	\$975.00	\$1,000.00	\$1,000.00	\$985.00	\$985.00
10	1	EA	Furnish and install 12" butterfly valve MJ w/ cement stabilized sand structural backfill, quarter turn electric actuator, valve box and 5' diameter concrete manhole, per detail 7/U9, complete and in place for the sum of	\$9,140.00	\$9,140.00	\$11,240.00	\$11,240.00	\$10,000.00	\$10,000.00	\$14,730.00	\$14,730.00
11	3	EA	Furnish and install 18"x12" tee MJ, complete and in place for the sum of	\$1,300.00	\$3,900.00	\$1,155.00	\$3,465.00	\$950.00	\$2,850.00	\$1,405.00	\$4,215.00
12	5	EA	Furnish and install 18"x6" tee MJ, complete and in place for the sum of	\$1,080.00	\$5,400.00	\$950.00	\$4,750.00	\$900.00	\$4,500.00	\$1,200.00	\$6,000.00
13	1	EA	Furnish and install 18"x18" tee MJ, complete and in place for the sum of	\$1,175.00	\$1,175.00	\$1,422.00	\$1,422.00	\$1,350.00	\$1,350.00	\$1,640.00	\$1,640.00
14	1	EA	Furnish and install 18"x8" tee MJ, complete and in place for the sum of	\$1,150.00	\$1,150.00	\$1,035.00	\$1,035.00	\$950.00	\$950.00	\$1,244.00	\$1,244.00
15	2	EA	Furnish and install 12"x6" tee MJ, complete and in place for the sum of	\$495.00	\$990.00	\$415.00	\$830.00	\$500.00	\$1,000.00	\$685.00	\$1,370.00
16	1	EA	Furnish and install 18"x12" reducer MJ, complete and in place for the sum of	\$562.00	\$562.00	\$620.00	\$620.00	\$600.00	\$600.00	\$783.00	\$783.00
17	4	EA	Furnish and install 2" combination air/vacuum release valve (Val-matic Model 202c.2 or equal) per detail U3-02, complete and in place for the sum of	\$2,595.00	\$10,380.00	\$2,980.00	\$11,920.00	\$2,500.00	\$10,000.00	\$3,016.00	\$12,064.00
18	2	EA	Furnish and install 18" 11.25° bend MJ, complete and in place for the sum of	\$830.00	\$1,660.00	\$905.00	\$1,810.00	\$750.00	\$1,500.00	\$973.00	\$1,946.00



**City of College Station - Purchasing Division**  
**Bid Tabulation for #13-034**  
**"HSC Parkway Waterline Extension"**  
**Open Date: Tuesday, January 29, 2013 @ 2:00 p.m.**

ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc. (Bryan, TX)		Elliott Construction LLC (Wellborn, TX)		Kieschnick General Contractors (Wellborn, TX)		Dudley Construction Ltd. (Bryan, TX)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
19	2	EA	Furnish and install 18" 22.5° bend MJ, complete and in place for the sum of	\$812.50	\$1,625.00	\$830.00	\$1,660.00	\$750.00	\$1,500.00	\$968.00	\$1,936.00
20	6	EA	Furnish and install 18" 45° bend MJ, complete and in place for the sum of	\$875.00	\$5,250.00	\$900.00	\$5,400.00	\$750.00	\$4,500.00	\$970.00	\$5,820.00
21	1	EA	Furnish and install 6" Anchor 90° Bend, complete and in place for the sum of	\$222.50	\$222.50	\$120.00	\$120.00	\$200.00	\$200.00	\$193.00	\$193.00
22	4	EA	Furnish and install 12" plug with end of line blocking, complete and in place for the sum of	\$177.00	\$708.00	\$276.00	\$1,104.00	\$400.00	\$1,600.00	\$455.00	\$1,820.00
23	1	EA	Furnish and install 8" blind flange, complete and in place for the sum of	\$212.00	\$212.00	\$125.00	\$125.00	\$150.00	\$150.00	\$482.00	\$482.00
24	275	LF	Furnish and install 30" steel encasement, 1/2" wall, with spacers, end seals, cement stabilized sand structural backfill, including 18" DIP carrier pipe w/ restrained joints per Special Provision #4 & polyethylene wrap, by open cut construction, complete and in place for the sum of	\$230.00	\$63,250.00	\$256.00	\$70,400.00	\$250.00	\$68,750.00	\$176.58	\$48,559.50
24A	630	LF	Furnish and install 18" DIP water line (C-151 CL 250) w/ restrained joints per Special Provision #4 and polyethylene wrap, by open cut, all depths, complete and in place for the sum of	\$75.00	\$47,250.00	\$81.00	\$51,030.00	\$100.00	\$63,000.00	\$97.00	\$61,110.00
25	196	SY	Asphalt open cut pavement repair for water line, complete and in place for the sum of	\$5.08	\$995.68	\$66.00	\$12,936.00	\$50.00	\$9,800.00	\$58.00	\$11,368.00
26	21	SY	Gravel open cut street repair for water line, complete and in place for the sum of	\$62.75	\$1,317.75	\$10.00	\$210.00	\$30.00	\$630.00	\$29.14	\$611.94
27	1	EA	Relocate existing test station, complete and in place for the sum of	\$278.00	\$278.00	\$500.00	\$500.00	\$750.00	\$750.00	\$585.00	\$585.00
<b>TOTAL SECTION B - WATER LINE CONSTRUCTION ITEMS</b>				\$275,071.53		\$304,287.00		\$311,730.00		\$309,885.24	
<b>C. EMERGENCY INTERCONNECT VAULT ITEMS</b>											
28	2	EA	Furnish and install 8" gate valve MJ with box, complete and in place for the sum of	\$980.00	\$1,960.00	\$975.00	\$1,950.00	\$1,000.00	\$2,000.00	\$985.00	\$1,970.00
29	1	EA	Furnish and install 12" gate valve MJ with box, complete and in place for the sum of	\$1,790.00	\$1,790.00	\$1,750.00	\$1,750.00	\$1,850.00	\$1,850.00	\$2,075.00	\$2,075.00
30	1	EA	Furnish and install 18" gate valve MJ with box, complete and in place for the sum of	\$8,175.00	\$8,175.00	\$8,420.00	\$8,420.00	\$8,300.00	\$8,300.00	\$9,140.00	\$9,140.00
31	2	EA	Furnish and install 8" hydraulic valve with box, complete and in place for the sum of	\$8,870.00	\$17,740.00	\$11,000.00	\$22,000.00	\$12,000.00	\$24,000.00	\$9,680.00	\$19,360.00
32	1	EA	Furnish and install 2" Blowoff riser w/ MJ tapped plug, per detail U8, complete and in place for the sum of	\$710.00	\$710.00	\$2,400.00	\$2,400.00	\$750.00	\$750.00	\$852.00	\$852.00
33	70	LF	Furnish and install 8" DIP hydraulic valve vault piping w/ restraints (C-151), by open cut construction, all depths, complete and in place for the sum of	\$64.25	\$4,497.50	\$60.00	\$4,200.00	\$40.00	\$2,800.00	\$44.69	\$3,128.30
34	1	LS	Furnish and install fittings and appurtenances for interconnect vault, all sizes, per detail U8, complete and in place for the sum of	\$28,500.00	\$28,500.00	\$9,200.00	\$9,200.00	\$15,000.00	\$15,000.00	\$7,500.00	\$7,500.00



**City of College Station - Purchasing Division**  
**Bid Tabulation for #13-034**  
**"HSC Parkway Waterline Extension"**  
**Open Date: Tuesday, January 29, 2013 @ 2:00 p.m.**

ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc. (Bryan, TX)		Elliott Construction LLC (Wellborn, TX)		Kieschnick General Contractors (Wellborn, TX)		Dudley Construction Ltd. (Bryan, TX)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
35	1	EA	Furnish and install pre-cast concrete vault w/ cement stabilized sand structural backfill, including vault cover, ladder, pipe support, floor drain, drain pipe, and crushed stone, per detail U8, complete and in place for the sum of	\$6,800.00	\$6,800.00	\$22,400.00	\$22,400.00	\$21,000.00	\$21,000.00	\$12,500.00	\$12,500.00
<b>TOTAL SECTION C - EMERGENCY INTERCONNECT VAULT ITEMS</b>				\$70,172.50		\$72,320.00		\$75,700.00		\$56,525.30	
<b>D. COMMUNICATIONS ITEMS</b>											
36	6,897	LF	bends, fittings and embedment, complete and in place for the sum of	\$6.55	\$45,175.35	\$13.00	\$89,661.00	\$17.00	\$117,249.00	\$7.80	\$53,796.60
37	14	EA	Furnish and install communications pull box, as manufactured by Quazite or equal, complete and in place for the sum of	\$1,384.00	\$19,376.00	\$2,211.00	\$30,954.00	\$4,350.00	\$60,900.00	\$3,988.00	\$55,832.00
<b>TOTAL SECTION D - COMMUNICATION ITEMS</b>				\$64,551.35		\$120,615.00		\$178,149.00		\$109,628.60	
<b>E. ELECTRICAL ITEMS</b>											
38	4,183	LF	Furnish and install electric duct bank w/ cement stabilized sand backfill, complete and in place for the sum of	\$35.85	\$149,960.55	\$37.00	\$154,771.00	\$38.00	\$158,954.00	\$36.43	\$152,386.69
39	218	LF	Furnish and install concrete encasement, excluding electric duct bank, complete and in place for the sum of	\$75.75	\$16,513.50	\$65.50	\$14,279.00	\$30.00	\$6,540.00	\$83.17	\$18,131.06
40	6	EA	Furnish and install Quickset Manhole w/ 12" manhole extension ring for the sum of	\$22,500.00	\$135,000.00	\$16,475.00	\$98,850.00	\$20,000.00	\$120,000.00	\$15,500.00	\$93,000.00
<b>TOTAL SECTION E - ELECTRICAL ITEMS</b>				\$301,474.05		\$267,900.00		\$285,494.00		\$263,517.75	
<b>F. DUCTILE IRON PIPE</b>											
41	8	EA	Furnish and install cathodic protection test station - type CP, complete and in place for the sum of	\$540.00	\$4,320.00	\$450.00	\$3,600.00	\$2,000.00	\$16,000.00	\$250.00	\$2,000.00
42	2	EA	Furnish and install cathodic protection test station - type IF, complete and in place for the sum of	\$515.00	\$1,030.00	\$430.00	\$860.00	\$2,000.00	\$4,000.00	\$250.00	\$500.00
43	1	EA	Furnish and install cathodic protection test station - type PTS, complete and in place for the sum of	\$500.00	\$500.00	\$640.00	\$640.00	\$2,000.00	\$2,000.00	\$250.00	\$250.00
44	20	LF	Furnish and install 12" DIP water line (C-151 CL 350) (Sta - 0+20 to 0+00) w/ restrained joints per Special Provision #4 and polyethylene wrap, by open cut, all depths, complete and in place for the sum of	\$62.60	\$1,252.00	\$74.00	\$1,480.00	\$65.00	\$1,300.00	\$60.00	\$1,200.00
45	6,063	LF	Furnish and install 18" DIP water line (C-151 CL 250) w/ push-on joints per ANSI/AWWA C111/A21.11 and polyethylene wrap, by open cut, all depths, complete and in place for the sum of	\$55.70	\$337,709.10	\$65.00	\$394,095.00	\$78.00	\$472,914.00	\$58.73	\$356,079.99
46	1	LS	Provide Cathodic Protection Testing and Certification by Certified Corrosion Specialist complete for the sum of	\$3,260.00	\$3,260.00	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$2,900.00	\$2,900.00
<b>TOTAL SECTION F - DUCTILE IRON PIPE</b>				\$348,071.10		\$403,675.00		\$501,214.00		\$362,929.99	
<b>G. ALTERNATE #1 - PVC PIPE</b>											
47	20	LF	Furnish and install 12" PVC water line (C-909 or C-900 DR14) (Sta -0+20 to 0+00), by open cut, all depths, complete and in place for the sum of	\$39.85	\$797.00	\$37.00	\$740.00	\$50.00	\$1,000.00	\$35.00	\$700.00



City of College Station - Purchasing Division  
 Bid Tabulation for #13-034  
 "HSC Parkway Waterline Extension"  
 Open Date: Tuesday, January 29, 2013 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc. (Bryan, TX)		Elliott Construction LLC (Wellborn, TX)		Kieschnick General Contractors (Wellborn, TX)		Dudley Construction Ltd. (Bryan, TX)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
48	6,063	LF	Furnish and install 18" PVC water line (C-905 DR 18) by open cut, all depths, complete and in place for the sum of	\$49.80	\$301,937.40	\$55.00	\$333,465.00	\$62.00	\$375,906.00	\$56.87	\$344,802.81
<b>TOTAL SECTION G - ALTERNATE #1 - PVC PIPE</b>				\$302,734.40		\$334,205.00		\$376,906.00		\$345,502.81	
<b>H. ALTERNATE #2 - STATION 64+62 CROSSING</b>											
49	59	LF	Furnish and install 12" PVC water line w/ restrained joints (C-909 or C-900 DR14), by open cut, all depths, complete and in place for the sum of	\$52.85	\$3,118.15	\$52.00	\$3,068.00	\$70.00	\$4,130.00	\$38.16	\$2,251.44
50	45	LF	Furnish and install 20" steel encasement, 3/8" wall, with spacers, end seals, cement stabilized sand structural backfill, excluding carrier pipe by open cut construction, complete and in place for the sum of	\$89.80	\$4,041.00	\$160.00	\$7,200.00	\$120.00	\$5,400.00	\$130.41	\$5,868.45
51	18	SY	Asphalt open cut pavement repair for water line, complete and in place for the sum of	\$52.00	\$936.00	\$66.00	\$1,188.00	\$80.00	\$1,440.00	\$60.00	\$1,080.00
52	1	EA	Furnish and install 2" blowoff riser w/ MJ tapped plug, complete and in place for the sum of	\$1,100.00	\$1,100.00	\$1,215.00	\$1,215.00	\$750.00	\$750.00	\$605.00	\$605.00
<b>TOTAL SECTION H - ALTERNATE #2 - STATION 64+62 CROSSING</b>				\$9,195.15		\$12,671.00		\$11,720.00		\$9,804.89	
<b>TOTAL BASE BID (SECTIONS A-F &amp; H)</b>				<b>\$1,169,504.48</b>		<b>\$1,255,261.00</b>		<b>\$1,473,555.00</b>		<b>\$1,177,037.93</b>	
<b>ALTERNATE #1 DEDUCT (Difference SECTION F &amp; SECTION G)</b>				<b>-\$45,336.70</b>		<b>-\$69,470.00</b>		<b>-\$124,308.00</b>		<b>-\$17,427.18</b>	
<b>ALTERNATE #2 DEDUCT (SECTION H)</b>				<b>-\$9,195.15</b>		<b>-\$12,671.00</b>		<b>-\$11,720.00</b>		<b>-\$9,804.89</b>	
Certification of Bid				✓		✓		✓		✓	
Acknowledged Addendums				✓		✓		✓		✓	
Bid Bond				✓		✓		✓		✓	

NOTES:

Brazos Paving, Inc.

»Bidder did not include Section H in the Total Base Bid amount. The highlighted total above is correct.

»Bidder changed the description for Alternate #2 Deduct (Section H) to Alternate #2 Add (Section H). Bid descriptions shall not be altered; therefore, the highlighted Deduct amount above is correct.

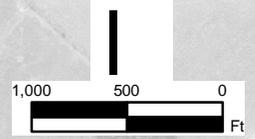
Dudley Construction Ltd.

»Bidder miscalculated the total for Section B - Water Line Construction items as \$309,585.24. The highlighted total above is correct.

»Bidder miscalculated Bid Item 45 as \$409,230.64 and the Total for Section F - Ductile Iron Pipe as \$416,080.64. The highlighted totals above are correct.

»Bidder miscalculated the Total Base Bid as \$1,229,888.58 and miscalculated Alternate #1 Deduct as -\$70,557.83. The highlighted totals above are correct.

# HSC Parkway Waterline



## Legend

- PROP COCS WATERLINE
- PROP COB WATERLINE

**March 14, 2013**  
**Consent Agenda Item No. 2e**  
**Water Meter Replacement Program**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding water meter purchase contract WM08-10 with Aqua-Metric Sales Co. in the amount of \$133,639.

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

**Recommendation:** Staff recommends approval.

**Summary:** This contract to purchase 1,100 water meters will be the sixth phase of our seven phase meter replacement program. This initiative was launched to improve the overall accuracy of our water meters and thereby reduce "lost revenue." To date, it has been successful in reducing our monthly Water Loss to 4%, which is an excellent result, given that the State's goal is 10%.

Our standard water meter is now the Sensus Ipearl, which is the state of the art in water metering technology. These meters have no moving parts and virtually eliminate unaccounted water losses experienced with old-style mechanical meters that occur due to parts wearing with age. Ipearl meters carry a twenty year warranty and can be easily retrofitted for automated meter reading capabilities.

This purchase order is for 1,100 iPearl water meters, and they will be placed in high-usage locations to maximize their value. As in past years, we propose to purchase these meters through the Houston-Galveston Area Council (HGAC) purchasing cooperative as a pre-competed commodity. However, this year we were offered a discount from Aqua-Metric that reduces the HGAC price by \$5,555 for a total cost of \$133,639 (see attached quote). These meters are an excellent value to the City and therefore staff recommends approval to purchase them from Aqua-Metric, the HGAC vendor.

**Budget & Financial Summary:** Funds budgeted and available in the Water Fund.

**Reviewed and Approved by Legal:** Not required.

**Attachment:**  
HGAC quote



**March 14, 2013**  
**Consent Agenda Item No. 2f**  
**FM 2154 Sidewalk Improvements Project (ST-1203)**  
**Resolution Determining Need and Necessity for Easement Acquisition**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding approval of a Resolution that will authorize City staff to negotiate for the purchase of easements needed for the FM 2154 Sidewalk Improvements Project and public utilities.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure

**Recommendation(s):** Staff recommends Council approval of the Resolution Determining Public Need and Necessity.

**Summary:** The project will improve public access and safety along Wellborn Road. Planned improvements include a six foot (6') wide concrete sidewalk located on a route extending along the northeast side of FM 2154 (Wellborn Road), from Luther Street, travelling southeast across Holleman Drive and terminating at Southwest Parkway in College Station, Brazos County, Texas. All of the property owners who will be affected by this project have been contacted and all of them have expressed support for the project.

Approval of the Resolution Determining Need and Necessity will authorize staff to negotiate for the purchase of easements necessary to complete the project.

**Budget & Financial Summary:** Funds in the amount of \$375,750 are budgeted for this project in the Community Development Fund (Community Development Block Grant Funds). A total of \$114,585 has been expended or committed to date, leaving a balance of \$261,165 for remaining expenditures.

**Reviewed and Approved by Legal:** Yes

**Attachments:**

1. Project Map
2. Resolution Determining Public Need and Necessity with Exhibit "A"

# FM 2154 Sidewalk Improvements Project Project Limits



**RESOLUTION DETERMINING PUBLIC NEED AND NECESSITY**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, DETERMINING PUBLIC NEED AND NECESSITY FOR THE CITY TO INITIATE, COMPLETE, AND ACQUIRE CERTAIN PROPERTY LOCATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS FOR THE PURPOSE OF A PUBLIC ACCESS AND PUBLIC UTILITIES IMPROVEMENT PROJECT; AUTHORIZING THE CITY AND ITS REPRESENTATIVES AND EMPLOYEES TO TAKE ANY AND ALL REASONABLE ACTIONS TO ACHIEVE SAME; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER.**

**WHEREAS**, the City of College Station, Texas (“City”) is a home rule municipality duly incorporated and chartered under the constitution and laws of the state of Texas; and

**WHEREAS**, the City is engaged in the FM 2154 Sidewalk Improvements Project (ST-1203) (“Project”); and

**WHEREAS**, such Project is for the public purpose of public access and public utilities; and

**WHEREAS**, such Project is located at or about the following physical location: A route extending along the northeast side of FM 2154 (Wellborn Road), from Luther Street, travelling southeast across Holleman Drive and terminating at Southwest Parkway in College Station, Brazos County, Texas; and

**WHEREAS**, such Project will necessitate the acquisition of land as set forth in this Resolution; and

**WHEREAS**, the City Council of the City desires to acquire land for the Project to achieve the aforesaid public purpose, and herein determines it to be in the best interest of its citizens and the general public to designate its lawful agents and representatives, including City staff, to achieve same, now therefore,

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

**PART 1:** That the facts and recitations set forth in the preamble of this Resolution are hereby declared true and correct.

**PART 2:** That the City Council of the City of College Station, Texas, herein determines it to be in the best interest of its citizens and the general public

to commence the FM 2154 Sidewalk Improvements Project (ST-1203) in College Station for the public purpose of public access and public utilities, and to take any and all reasonable action to achieve completion of the Project, including the acquisition of property.

**PART 3:** That the Project will require the acquisition of an easement interest in the property as described in Exhibit "A" attached hereto and made a part of this Resolution ("Property").

**PART 4:** That the City's representatives, agents, and staff are hereby authorized to acquire the Property pursuant to applicable law, including Chapter 2206 Texas Government Code and Chapter 21 Texas Property Code as same may, from time to time, be amended; and to specifically provide the Landowner's Bill of Rights to landowners, and to conduct such land appraisals as may be desired and as may be required by law.

**PART 5:** That the City Manager is hereby authorized to direct and designate City staff and to contract with one or more agents or representatives as deemed appropriate to act on behalf of the City to acquire the Property, including contracting with professional appraisers for appraisal services, and contracting with professional real estate agents to act as a land agent for the City relating to acquisition of the Property.

**PART 6:** That the City Manager and his authorized designee be authorized to sell any surplus improvements and to order the removal or the demolition of any improvements that are located on the Property that in their determination hinder or are unnecessary to completion of the Project.

**PART 7:** That this Resolution shall take effect immediately from and after its passage.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2013.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
MAYOR

APPROVED:

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

## EXHIBIT "A"

Being all those tracts or parcels of land necessary to install a public access and public utilities project located on a route extending along the northeast side of FM 2154 (Wellborn Road), from Luther Street, travelling southeast across Holleman Drive and terminating at Southwest Parkway in College Station, Brazos County, Texas. Said route is depicted on the map attached hereto and made part hereof.

The easement tracts or parcels needed for the project may be acquired from the following lands:

**Landowner (Now or Formerly):** 803 WELLBORN, LTD

**Brazos County Tax Office Property ID:** 77847

**Street Address:** 801 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lot 1 of the Petterak Subdivision as described by plat recorded in volume 800, page 171 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** 803 WELLBORN, LTD

**Brazos County Tax Office Property ID:** 77848

**Street Address:** 805 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lots 2A & 2B of the Petterak Subdivision as described by plat recorded in volume 800, page 171 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** 803 WELLBORN, LTD

**Brazos County Tax Office Property ID:** 81211

**Street Address:** 813 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of that 1.61 acre tract described in deed to 803 Wellborn Ltd recorded in volume 7667, page 148 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** RELIANT CAP VII – SOUTHGATE LP

**Brazos County Tax Office Property ID:** 10362

**Street Address:** 134 Luther Street, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of that 12.967 acre tract described in deed to Reliant Cap VII – Southgate, L.P. recorded in volume 10726, page 247 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** BOBBIE JO ALEXANDER TRUST  
**Brazos County Tax Office Property ID:** 112384 & 29575 (Two Tax ID Tracts)  
**Street Address:** 1001 & 1011 Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of that 2.33 acre tract described in deed to Bobbie Jo Alexander Trust recorded in volume 836, page 454 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** LAWSON PROPERTIES II, LLC  
**Brazos County Tax Office Property ID:** 17624  
**Street Address:** 1109 Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 4.1, Block 1, Ball Addition, said property being described in deed to Lawson Properties II, LLC recorded in volume 9210, page 157 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** LAWSON PROPERTIES II, LLC  
**Brazos County Tax Office Property ID:** 112867  
**Street Address:** Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 4.2, Block 1, Ball Addition, said property described in deed to Lawson Properties II, LLC recorded in volume 9210, page 157 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** ORA BELL GENTRY  
**Brazos County Tax Office Property ID:** 17625  
**Street Address:** 1111 Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 5, Block 1, Ball Addition, said property described in deed to Ora Bell Gentry recorded in volume 402, page 625 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** RW ROBINSON, et al  
**Brazos County Tax Office Property ID:** 17626  
**Street Address:** 1113 Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 5A, Block 1, Ball Addition, said property described in deed to RW Robinson, et al recorded in volume 764, page 199 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** FREDERICK DESHON ROBINSON

**Brazos County Tax Office Property ID:** 17628

**Street Address:** 1115 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 6 (part of), Block 1, Ball Addition, said property described in deed to Frederick Robinson recorded in volume 8538, page 144 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** RW ROBINSON, et al

**Brazos County Tax Office Property ID:** 17627

**Street Address:** 1117 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property called Lot 6 (part of), Block 1, Ball Addition, said property described in deed to RW Robinson, et al recorded in volume 764, page 199 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** FIRST UNITED METHODIST CHURCH –  
COLLEGE STATION

**Brazos County Tax Office Property ID:** 17629

**Street Address:** 1125 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being part of that property described in deed to First Methodist Church – College Station recorded in volume 4376, page 1 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** JOSEPH JAMES McGRAW

**Brazos County Tax Office Property ID:** 41932

**Street Address:** 1127 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lots 1 - 5, Block 1 of the Southland Addition as described by plat recorded in volume 134, page 423 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** CARRIE BARNES

**Brazos County Tax Office Property ID:** 41948

**Street Address:** 1201 Wellborn Road, College Station, Texas 77840

**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lots 1 - 5, Block 2 of the Southland Addition as described by plat recorded in volume 134, page 423 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** S. W. BEE CREEK INVESTORS, LLC. et al  
**Brazos County Tax Office Property ID:** 302590  
**Street Address:** 1311 Wellborn Road, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lot 1R of the William Brooks Hunter Estates Addition as described by plat recorded in volume 7627, page 19 of the Official Public Records of Brazos County, Texas.

**Landowner (Now or Formerly):** CENTRAL TEXAS PROPERTIES LTD  
**Brazos County Tax Office Property ID:** 77869  
**Street Address:** 101 Southwest Parkway, College Station, Texas 77840  
**Legal Description:** Being all that certain lot, tract or parcel of land being situated in the Crawford Burnett League, Abstract no. 7, in College Station, Brazos County, Texas, being a part of Lot 1R of the resubdivision of Lot 1, Block One of the Schick Addition as described by plat recorded in volume 800, page 173 of the Official Public Records of Brazos County, Texas.



**March 14, 2013**  
**Consent Agenda Item No. 2g**  
**Annual Janitorial Supply Purchases**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action and discussion regarding the first renewal of Bid No. 12-048 with ProSTAR Industries for the purchase of janitorial supplies in an amount not to exceed \$58,654.66.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure.

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

**Summary:** Competitive sealed bids were solicited and opened on March 20, 2012. Ten (10) bids were received and it was determined that ProSTAR Industries submitted the lowest overall bid for janitorial supplies. ProSTAR Industries has performed satisfactorily over the past year and has agreed to renew the original agreement prices, terms and conditions for an additional one-year term. This is the first of two (2) renewal options available.

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

**Reviewed and Approved by Legal:** Yes

**Attachments:**

1. Renewal letter

\*\*\*\*\*

**RENEWAL (1) ACCEPTANCE**

By signing herewith, I acknowledge and agree to renew the annual price agreement for Janitorial Supplies (Bid No. 12-048) and all other terms and conditions previously agreed to and accepted for an amount not to exceed Fifty-eight Thousand Six Hundred Fifty-four and .66/100 Dollars (\$58,654.66).

I understand this renewal agreement will be for the period beginning April 12, 2013 through April 11, 2014. This is the first of two renewal options.

**ProSTAR Industries**

  
Authorized Signature

2-22-13  
DATE

**APPROVED:**

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

\*\*\*\*\*

**March 14, 2013**  
**Consent Agenda No. 2h**  
**Roadway Condition Analysis and**  
**Pavement Management Plan Update**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action, and discussion regarding approval of a contract between the City of College Station and Gessner Engineering, LLC in the amount of \$57,200 for a roadway condition analysis and pavement management plan update.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure
2. Neighborhood Integrity

**Recommendation(s):** Staff recommends approval of the contract between the City of College Station and Gessner Engineering, LLC in the amount of \$57,200 for a roadway condition analysis and pavement management plan update.

**Summary:** In 2012 the Street Maintenance division in Public Works retained an engineering consultant to perform a comprehensive inventory of the pavement conditions in College Station and the data was compiled to provide a pavement condition index. A decision tree was used to determine the type of maintenance, if any, to be applied to each street in the city. The information gained from the pavement condition index (PCI) and decision tree was used to extrapolate the time and type of maintenance needed for each pavement section, and is documented in the 2013-2015 Street Maintenance Plan.

This item will engage Gessner Engineering, LLC to observe, inventory and reevaluate pavement maintenance recommendations and document them in the updated 2014-2016 Street Maintenance Plan.

**Budget & Financial Summary:**

Funds in the amount of \$57,200 are budgeted and available in the Street Maintenance division budget within the Public Works General Fund accounts.

**Reviewed and Approved by Legal:** Yes

**Attachments:**

- 1.) Consultant Contract – On file in the City Secretary's Office

**March 14, 2013**  
**Consent Agenda Item No. 2j**  
**Street Maintenance Annual Agreements**

**To:** Frank Simpson, Interim City Manager

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

**Agenda Caption:** Presentation, possible action and discussion on bid awards for annual street maintenance agreements for asphalt pavement repair with Brazos Paving, Inc in the amount of \$79,000; resealing concrete joints with Larry Young Paving, Inc in the amount of \$30,000; crack sealing with Kuntz Contracting Corp in the amount of \$162,500; and microsurfacing with Viking Construction, Inc in the amount of \$342,000.

**Relationship to Strategic Goals:**

1. Core Services and Infrastructure

**Recommendation(s):** Staff recommends approval of contacts to each lowest responsible bidder providing the best value to the City as follows:

<u>Annual Agreement</u>	<u>Contractor</u>	<u>Contract No.</u>	<u>Amount</u>
Asphalt Pavement Repair	Brazos Paving, Inc.	13-172	\$79,000
Resealing Concrete Joints	Larry Young Paving, Inc.	13-173	\$30,000
Crack Sealing	Kuntz Contracting Corp.	13-174	\$162,500
Street Microsurfacing	Viking Construction, Inc.	13-175	\$342,000
<b>TOTAL</b>			<b>\$613,500</b>

**Summary:** Seven (7) sealed competitive bids were received and opened on January 31, 2013. The low bidder for Section A is Cholla Pavement Maintenance Inc; however the company withdrew their bid from consideration. Staff is recommending rejecting line item 2 of Section A and recommending award for line item 1 only. If additional backfill is deemed necessary, then staff from Public Works will install the additional material.

Staff is familiar with the quality of each recommended bidder. Upon Council approval, purchase orders will be issued to the vendors recommended for award.

**Budget & Financial Summary:** Funds are budgeted and available in the Street Maintenance Fund.

**Reviewed and Approved by Legal:** Yes

**Attachments:**

- 1- Bid Tabulation #13-038
- 2- Cholla Bid Withdrawal Letter
- 3- Contracts on file in the City Secretary's Office



ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc.		Delta Prime Specialty Services		Larry Young Paving, Inc.		Kuntz Contracting Corp.		Cholla Pavement Maintenance, Inc.		Viking Construction, Inc.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
<b>Section A: Utility Cut Repairs in Asphalt</b>															
1	200	Tons	Repaving Asphalt paving for utility cuts including all labor, equipment, and materials associated with repaving utility cuts in asphalt streets.	\$185.00	\$37,000.00			\$150.00	\$30,000.00						
2	As Needed	EA	Removing and replacing at least 12" of additional existing backfill if conditions warrant including all labor, equipment, and materials associated with	\$350.00				\$1,200.00							
<b>Total Section A</b>				<b>\$37,000 + \$350/as needed</b>		<b>No Bid</b>		<b>\$30,000 + \$1,200/as needed</b>		<b>No Bid</b>		<b>No Bid</b>		<b>No Bid</b>	
<b>Section B: Resealing Concrete Joints</b>															
1	40,000	LF	Reseal concrete expansion joints, including cleaning existing joint, reshaping reservoir, installing backer rod, and applying sealant. Traffic Control included.	\$1.35	\$54,000.00	\$3.25	\$130,000.00	\$5.68	\$227,200.00			\$1.00	\$40,000.00		
2	25,000	LF	Reseal concrete sawcut joints, including cleaning existing joint, reshaping reservoir, installing backer rod, and applying sealant. Traffic Control included.	\$1.00	\$25,000.00	\$2.25	\$56,250.00	\$6.67	\$166,750.00			\$1.00	\$25,000.00		
<b>Total Section B</b>				<b>\$79,000.00</b>		<b>\$186,250.00</b>		<b>\$393,950.00</b>		<b>No Bid</b>		<b>\$65,000.00</b>		<b>No Bid</b>	
<b>Section C: Crack Sealing</b>															
1	125,000	lbs	Seal cracks per specifications including all materials, equipment, labor, mobilization, and traffic control.			\$1.39	\$173,750.00	\$2.33	\$291,250.00	\$1.30	\$162,500.00	\$1.69	\$211,250.00		
<b>Total Section C</b>				<b>No Bid</b>		<b>\$173,750.00</b>		<b>\$291,250.00</b>		<b>\$162,500.00</b>		<b>\$211,250.00</b>		<b>No Bid</b>	
<b>Section D: Street Microsurfacing</b>															
1	100,000	SY	Provide all, equipment, material and labor for microsurfacing various streets in College Station as directed by City Staff					\$3.98	\$398,000.00					\$3.42	\$342,000.00
<b>Total Section D</b>				<b>No Bid</b>		<b>No Bid</b>		<b>\$398,000.00</b>		<b>No Bid</b>		<b>No Bid</b>		<b>\$342,000.00</b>	
Bid Certification				Y		Y		Y		Y		Y		Y	
Bid Bonds				Y		Y		Y		Y		Y		Y	



5254 S WARNER DRIVE, APACHE JUNCTION, AZ  
85120  
Office: (480) 893-1044 Fax: (480) 893-1064  
TOLL FREE: (888) 893-1044

AZ ROC No. 092441 & 205802

February 14, 2013

City of College Station  
Attn: Marshall Wallace  
PO Box 9960  
College Station, TX 77842

RE: Annual Agreement for Asphalt, Concrete and Street Repairs Contract

Dear Marshall,

Per our conversation on Thursday, February 7, 2013, Cholla Pavement Maintenance would like to withdraw our bid for consideration. The concrete crack seal portion of the bid was figured to complete the total lineal footage. We did not bid it in a manner as to do individual streets.

We thank you for the opportunity to bid this project and for your understanding in this matter.

We look forward to bidding future projects for the City of College Station.

Should you wish to discuss this letter, please do not hesitate to call me at 480.797.2311.

Sincerely,

  
D'Wayne Briggs  
CEO

**March 14, 2013**  
**Regular Agenda Item No. 1**  
**Right-of-Way Abandonment**  
**201 Montclair Avenue**

**To:** Frank Simpson, Interim 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 0.0201 acre right-of-way, which is located on Lot 15 of Block 1 of the College Park Addition according to the plat recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas.

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

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

**Summary:** This right-of-way abandonment accommodates future development of the tract. There is a public electric line in the subject portion of right-of-way to be abandoned. As a condition of this abandonment, an easement will need to be maintained with this ordinance.

The 0.0201 acre, 7.5-foot wide unimproved public alley to be abandoned is located on Lot 15 of Block 1 of the College Park Addition according to the plat recorded in Volume 38, Page 602 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"



# LOCATION MAP



GEORGE BUSH DRIVE

OLD JERSEY STREET

Proposed ROW Abandonment

MONTCLAIR AVENUE

ANGUS AVENUE

FAIRVIEW AVENUE

KERRY STREET



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

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 0.0201 ACRE PORTION OF THE 7.5-FOOT WIDTH RIGHT OF WAY, SAID PORTION LYING ALONG LOT 15, BLOCK 1, OF THE COLLEGE PARK ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 38, PAGE 602 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a portion of the 7.5-foot Width Right-of-Way, said portion lying along Lot 15, Block 1, of the College Park Addition, according to the plat recorded in Volume 38, Page 602, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Right-of-Way"); and

WHEREAS, in order for the Right-of-Way 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 Right-of-Way described in Exhibit "A" attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Right-of-Way will not result in property that does not have access to public roadways or utilities.
2. Other than as set forth herein, there is no public need or use for the Right-of-Way.
3. Except as may be provided for in this ordinance, there is no anticipated future public need or use for the Right-of-Way.
4. As set forth in this ordinance, abandonment of the Right-of-Way will not impact access for all public utilities to serve current and future customers.
5. Utility infrastructure exists within the Right-of-way and the City has a continuing need for currently remaining public utilities to

remain within the Right-of-way, and said uses are expressly not abandoned herein.

PART 2: That the Right-of-Way as described in Exhibit "A" be abandoned and vacated by the City only upon completion of the following condition:

1. The City shall retain a public utility easement on the area to be abandoned.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
NANCY BERRY, Mayor

ATTEST:

\_\_\_\_\_  
SHERRY MASHBURN, City Secretary

APPROVED:

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

METES AND BOUNDS DESCRIPTION  
0.0201 ACRES  
PART OF 15' ALLEY  
COLLEGE PARK  
CITY OF COLLEGE STATION  
BRAZOS COUNTY, TEXAS

Being a tract of land containing 0.0201 acres, and being Block 1 of the College Park Addition to the City of College Station, in Brazos County, Texas, as recorded in Vol. 38, Page 602, of the Brazos County Deed Records(B.C.D.R.) All bearings of this survey are referenced to the Texas State Plane Coordinate System, Central Zone, NAD83(CORS96), and boundary based on found iron rods found referred to said plat, and as surveyed on the ground on December 6th, 2012.

**BEGINNING** at a 5/8" iron rod found for the west corner of this tract, also being in the centerline of a 15' alley in said Block 1, also being on the northeast line of Montclair Avenue(50' R.O.W.), also being the south corner of the Rafsan Investments, Inc. tract, called 0.337 acres, as recorded in Vol. 9245, Page 25, of the Brazos County Official Records(B.C.O.R.);

**THENCE** North 41°22'45" East, a distance of 114.89 feet along the common line between this tract and said 0.337 acre tract to a 1/2" iron rod with a maroon plastic cap marked "RPLS 6132 - ATM SURV" set for the north corner of this tract, also being the east corner of said 0.337 acre tract, also being the south corner of the Flo-Shep Interest Ltd., called 25' of Lot 3, Lot 4, and Lot 5, and part said 15' alley, Block 1, College Park, as recorded in Vol. 3702, Page 339, of the B.C.O.R., also being the west corner of the remainder of said 15' alley;

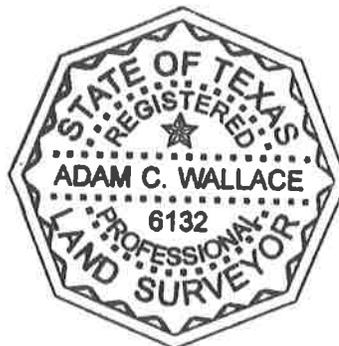
**THENCE** South 50°30'59" East, a distance of 7.66 feet along the common line between this tract and said remainder of a 15' alley to a 1/2" iron rod with a maroon plastic cap marked "RPLS 6132 - ATM SURV" set for the east corner of this tract, also being the north corner of the Peter W. & Victoria G. Kramer, called Lot 15, Block 1, of said addition, as recorded in Vol. 10700, Page 1, of the B.C.O.R.;

**THENCE** South 41°25'02" West, a distance of 115.13 feet to along the common line between this tract and said Lot 15 to a 1/2" iron rod with a maroon plastic cap marked "RPLS 6132 - ATM SURV" set for the south corner of this tract, also being the west corner of said Lot 15, also being a point on the northeast right-of-way line of said Montclair Avenue;

**THENCE** North 48°44'05" West, a distance of 7.58 feet along the common line between this tract and said Montclair Avenue to the **PLACE OF BEGINNING** containing 0.0201 acres.

*Adam Wallace*

Adam Wallace  
Texas Registered Professional Land Surveyor No. 6132  
2012-0143-201-ALLEY-LEGAL.doc  
December 6th, 2012



**March 14, 2013**  
**Regular Agenda Item No. 2**  
**Utility Easement Abandonment**  
**8751 Health Science Center Parkway**

**To:** Frank Simpson, Interim 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 0.55 acre portion of a 20 foot Utility Easement, which is located in the 324.83 acre tract in the J. H. Jones Survey, Abstract No. 26 according to the deed recorded in Volume 4023, Page 91 of the Deed Records of Brazos County, Texas.

**Relationship to Strategic Initiatives:** Core Services and Infrastructure, and a Diverse Growing Economy

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

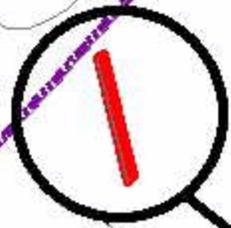
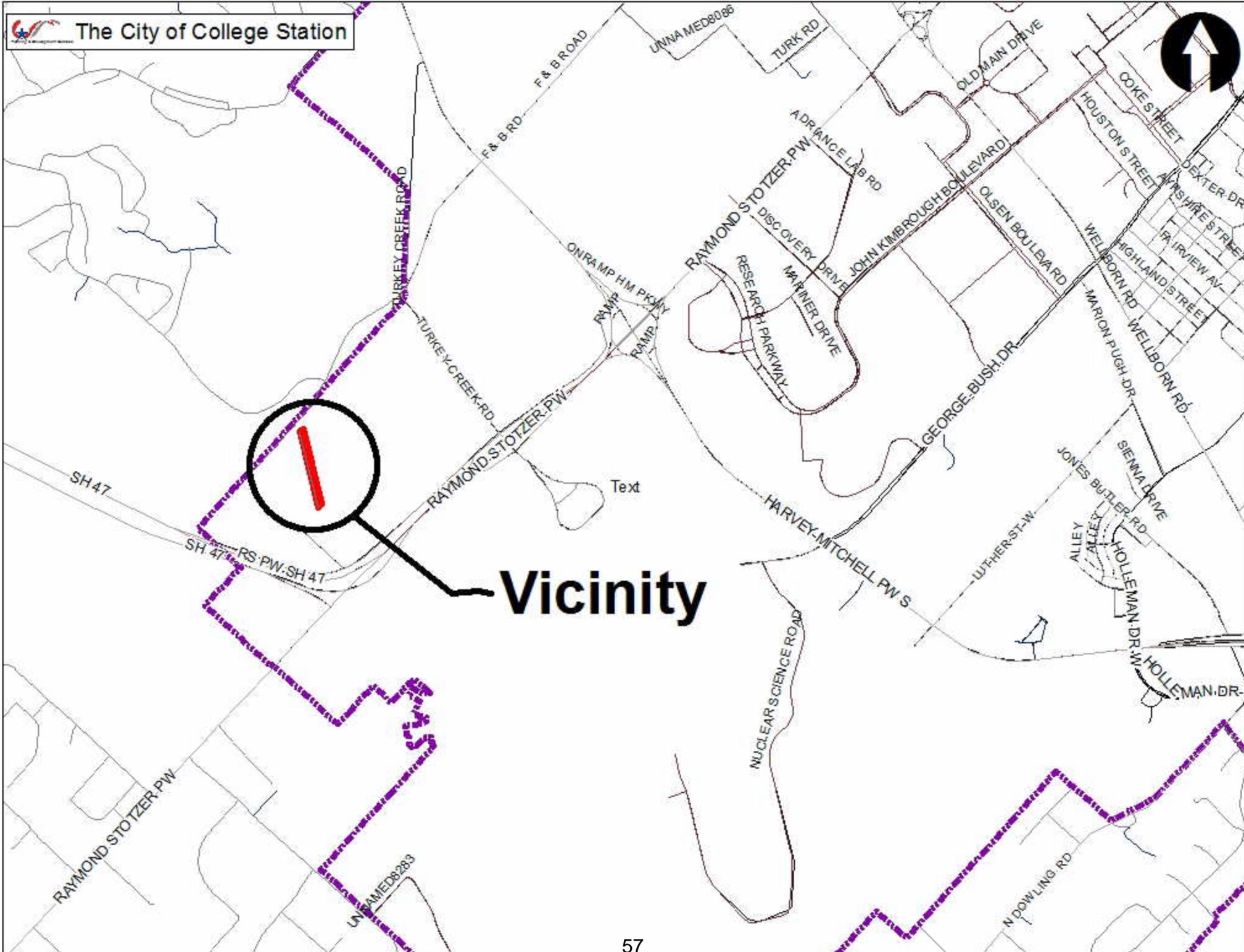
**Summary:** The requested abandonment is located in and associated with the proposed development of Traditions Subdivision Phase 23. There currently exists a public electric line in the subject easement which is to be reconstructed and realigned to better enable development of the tract. These abandonments require and are conditioned upon the following:

1. The Applicant responsible for costs to realign and reconstruct the public electric line within a dedicated Public Utility Easement, and
2. Reserving a Temporary Easement for the existing electric line to be able to temporarily continue to serve power to the street lights on HSC Parkway, and
3. The Applicant allow the existing electric line to remain until the constructed realignment is complete.

**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)



**Vicinity**



0 25 50 100 Feet

SH 47



DEVELOPMENT REVIEW

TRADITIONS PH 23  
58

Case:  
13-041

P.U.E  
ABANDONMENT

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

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 0.556 ACRE PORTION OF THE 20 FOOT WIDTH UTILITY EASEMENT, SAID PORTION LYING IN 324.83 ACRE TRACT, IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, ACCORDING TO THE DEED RECORDED IN VOLUME 4023, PAGE 91 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a portion of the 20 foot Width Utility Easement, said portion lying in 324.83 Acre Tract, according to the deed recorded in Volume 4023, Page 91, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Easement"); and

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

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

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

1. Abandonment of the Easement will not result in property that does not have access to public roadways or utilities; and
2. Other than as set forth herein, there is no public need or use for the Easement; and
3. Except as provided for in this ordinance, there is no anticipated future public need or use for the Easement; and
4. As set forth in this ordinance, abandonment of the Easement will not impact access for all public utilities to serve current and future customers; and
5. The Applicant intends to relocate the existing public utility infrastructure located in the Easement to a replacement Public Utility Easement; and

6. Utility infrastructure exists within the Easement and the City has a temporary need for the utilities to be located within the Easement, and the temporary uses are expressly not abandoned herein.

PART 2: That the Easement as described in Exhibit "A" be abandoned and vacated by the City only under the terms and conditions as set forth in this ordinance:

1. The abandonment of the Easement necessitates that a portion of overhead electric line located within the Easement be removed and realigned as follows:
  - a. The Applicant will be responsible for the costs associated with removing the existing overhead electric line located within the Easement and reconstructing and realigning as an underground electric line constructed according to City standards, such relocated line to be located along the proposed BioMedical Way in Traditions Subdivision Phase 23 as shown on the final plat attached hereto as Exhibit "B"; and
  - b. The Applicant will be responsible for dedicating additional Public Utility Easements to the City in a form acceptable to the City for the above described electric reconstruction and realignment along the proposed Biomedical Way in Traditions Subdivision Phase 23; and
2. A Temporary Easement as described in Exhibit "A" will be reserved to temporarily serve existing utilities and will remain until the above constructed realignment and dedication is accepted by the City; and
3. The existing electric line will remain to temporarily serve existing utilities until the above constructed realignment and dedication is accepted by the City; and

PART 3: If any of the conditions are not met within eighteen (18) months, the abandonment shall be null and void, and have no further force or effect.

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

Page 3

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED:

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

# EXHIBIT A

METES AND BOUNDS DESCRIPTION  
OF A  
PORTION OF A 20' UTILITY EASEMENT  
J. H. JONES SURVEY, A-26  
COLLEGE STATION, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF AN EXISTING 20.00 FOOT WIDE UTILITY EASEMENT AS DESCRIBED IN VOLUME 3572, PAGE 194 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF THE REMAINDER OF A CALLED 324.83 ACRE TRACT AS DESCRIBED BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT, INC. RECORDED IN VOLUME 4023, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 5/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF A CALLED 3.0 ACRE TRACT AS DESCRIBED BY A DEED TO WP 47 DEVELOPMENT, LP RECORDED IN VOLUME 4561, PAGE 39 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND AN INTERIOR SOUTH CORNER OF SAID REMAINDER OF 324.83 ACRE TRACT;

THENCE: N 51° 52' 35" W THROUGH SAID REMAINDER OF 324.83 ACRE TRACT FOR A DISTANCE OF 20.85 FEET TO THE WESTERLY LINE OF SAID 20' EASEMENT AND THE SOUTHEAST LINE OF A PROPOSED 30.00 FOOT WIDE PUBLIC UTILITY EASEMENT AND THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 23° 13' 41" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE WESTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 656.14 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE: N 20° 51' 14" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE WESTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 553.67 FEET TO THE SOUTHEAST LINE OF HSC PARKWAY (125' R.O.W.);

THENCE: N 41° 51' 48" E ALONG THE SOUTHEAST LINE OF HSC PARKWAY FOR A DISTANCE OF 22.50 FEET TO THE EASTERLY LINE OF SAID 20.00 FOOT WIDE EASEMENT (3572/194);

THENCE: S 20° 51' 14" E THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 563.56 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE: S 23° 13' 41" E CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 646.89 FEET TO THE SOUTHEAST LINE OF SAID PROPOSED 30.00 FOOT WIDE EASEMENT;

THENCE: S 42° 56' 36" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND THROUGH SAID EASEMENT FOR A DISTANCE OF 21.86 FEET TO THE POINT OF BEGINNING CONTAINING 0.556 OF AN ACRE OF LAND, MORE OR LESS. SEE PLAT PREPARED JANUARY 2013, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

C:/WORK/MAB/13-039

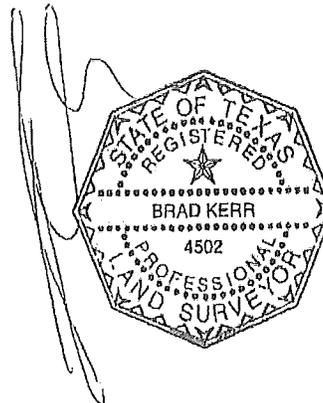
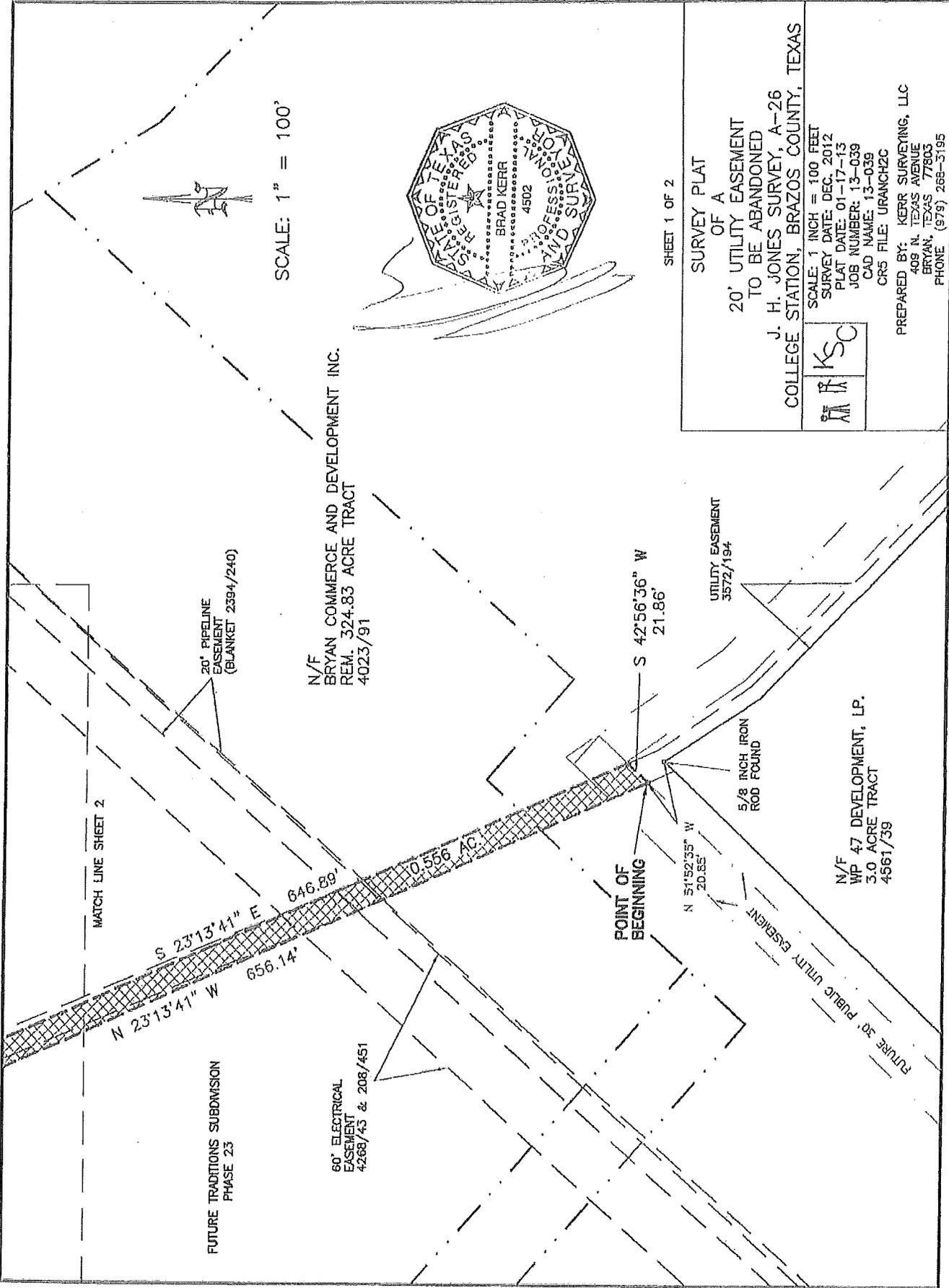
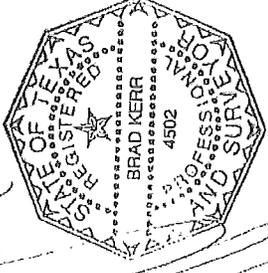


EXHIBIT NO. 2



SCALE: 1" = 100'



SHEET 1 OF 2

**SURVEY PLAT**  
**OF A**  
**20' UTILITY EASEMENT**  
**TO BE ABANDONED**  
**J. H. JONES SURVEY, A-26**  
**COLLEGE STATION, BRAZOS COUNTY, TEXAS**

SCALE: 1 INCH = 100 FEET  
 SURVEY DATE: DEC. 2012  
 PLAT DATE: 01-17-13  
 JOB NUMBER: 13-039  
 CAD NAME: 13-039  
 CRS FILE: URANCH2C

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

N/F  
 BRYAN COMMERCE AND DEVELOPMENT INC.  
 REM. 324.83 ACRE TRACT  
 40223/91

20' PIPELINE  
 EASEMENT  
 (BLANKET 2394/240)

UTILITY EASEMENT  
 3572/194

5/8 INCH IRON  
 ROD FOUND

N/F  
 WP 47 DEVELOPMENT, LP.  
 3.0 ACRE TRACT  
 4561/39

MATCH LINE SHEET 2

FUTURE TRADITIONS SUBDIVISION  
 PHASE 23

60' ELECTRICAL  
 EASEMENT  
 4268/45 & 208/451

POINT OF  
 BEGINNING

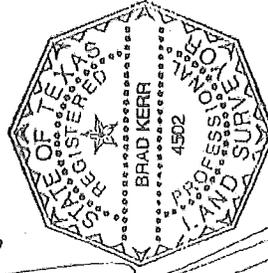
FUTURE 30' PUBLIC UTILITY EASEMENT

EXHIBIT NO. 2



SCALE: 1" = 100'

N/F  
BRYAN COMMERCE AND DEVELOPMENT INC.  
REM. 324.83 ACRE TRACT  
4023/91



20' PIPELINE  
EASEMENT  
2394/240

MATCH LINE SHEET 1

N 41°51'48" E  
22.50'

S 20°51'14" E 563.56'  
20' UTILITY EASEMENT 3572/194  
N 20°51'14" W 553.67'

FUTURE TRADITIONS SUBDIVISION  
PHASE 23

HSC PARKWAY  
125 R.O.M.

SHEET 2 OF 2

SURVEY PLAT  
OF A  
20' UTILITY EASEMENT  
TO BE ABANDONED  
J. H. JONES SURVEY, A-26  
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 100 FEET  
SURVEY DATE: DEC. 2012  
PLAT DATE: 01-17-13  
JOB NUMBER: 13-039  
CAD NAME: 13-039  
CR5 FILE: URANCH2C

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

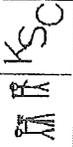






EXHIBIT NO. 1

**METES AND BOUNDS DESCRIPTION  
OF A  
PORTION OF A 20' UTILITY EASEMENT  
J. H. JONES SURVEY, A-26  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF AN EXISTING 20.00 FOOT WIDE UTILITY EASEMENT AS DESCRIBED IN VOLUME 3572, PAGE 194 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF THE REMAINDER OF A CALLED 324.83 ACRE TRACT AS DESCRIBED BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT, INC. RECORDED IN VOLUME 4023, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

**COMMENCING** AT A 5/8 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF A CALLED 3.0 ACRE TRACT AS DESCRIBED BY A DEED TO WP 47 DEVELOPMENT, LP RECORDED IN VOLUME 4561, PAGE 39 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND AN INTERIOR SOUTH CORNER OF SAID REMAINDER OF 324.83 ACRE TRACT;

**THENCE:** N 51° 52' 35" W THROUGH SAID REMAINDER OF 324.83 ACRE TRACT FOR A DISTANCE OF 20.85 FEET TO THE WESTERLY LINE OF SAID 20' EASEMENT AND THE SOUTHEAST LINE OF A PROPOSED 30.00 FOOT WIDE PUBLIC UTILITY EASEMENT AND THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

**THENCE:** N 23° 13' 41" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE WESTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 656.14 FEET TO AN ANGLE POINT IN SAID LINE;

**THENCE:** N 20° 51' 14" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE WESTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 553.67 FEET TO THE SOUTHEAST LINE OF HSC PARKWAY (125' R.O.W.);

**THENCE:** N 41° 51' 48" E ALONG THE SOUTHEAST LINE OF HSC PARKWAY FOR A DISTANCE OF 22.50 FEET TO THE EASTERLY LINE OF SAID 20.00 FOOT WIDE EASEMENT (3572/194);

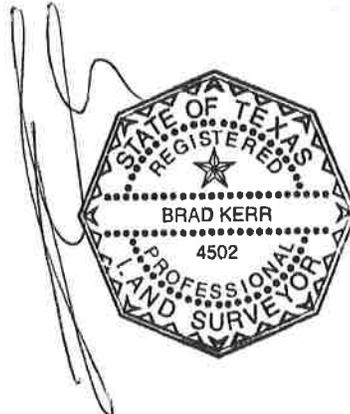
**THENCE:** S 20° 51' 14" E THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 563.56 FEET TO AN ANGLE POINT IN SAID LINE;

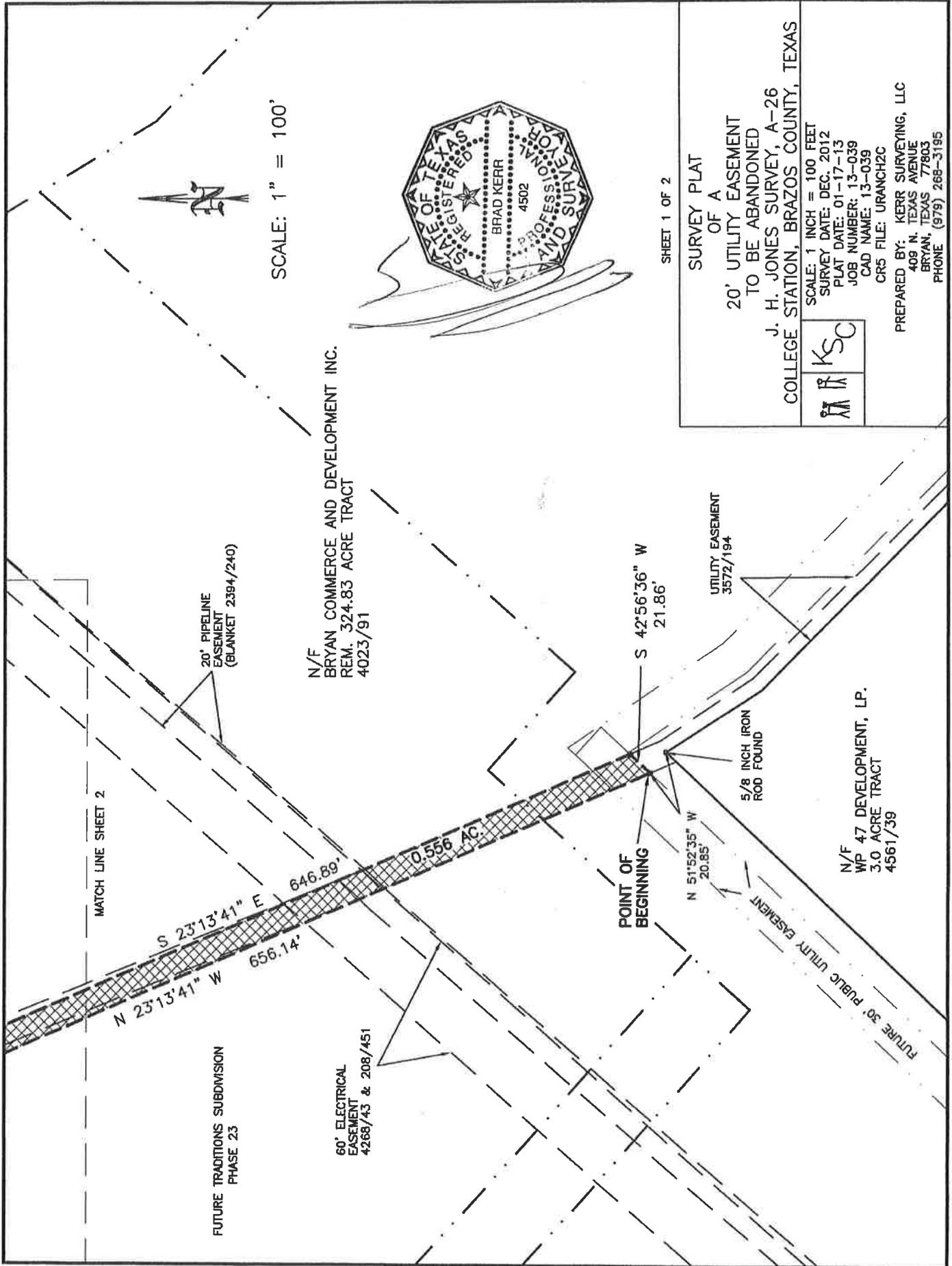
**THENCE:** S 23° 13' 41" E CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID EASEMENT FOR A DISTANCE OF 646.89 FEET TO THE SOUTHEAST LINE OF SAID PROPOSED 30.00 FOOT WIDE EASEMENT;

**THENCE:** S 42° 56' 36" W CONTINUING THROUGH SAID REMAINDER OF 324.83 ACRE TRACT AND THROUGH SAID EASEMENT FOR A DISTANCE OF 21.86 FEET TO THE POINT OF BEGINNING CONTAINING 0.556 OF AN ACRE OF LAND, MORE OR LESS. SEE PLAT PREPARED JANUARY 2013, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4502

C:/WORK/MAB/13-039





MATCH LINE SHEET 2

20' PIPELINE EASEMENT (BLANKET 2394/240)

N/F BRYAN COMMERCE AND DEVELOPMENT INC. REM. 324.83 ACRE TRACT 4023/91

60' ELECTRICAL EASEMENT 4268/43 & 208/451

FUTURE TRADITIONS SUBDIVISION PHASE 23

POINT OF BEGINNING

S 42°56'36\" W 21.86'

N 51°52'35\" W 20.85'

UTILITY EASEMENT 3572/194

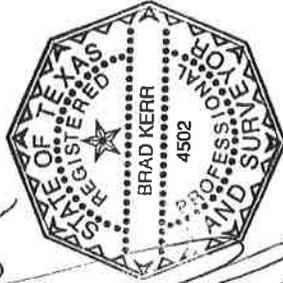
5/8 INCH IRON ROD FOUND

N/F WP 47 DEVELOPMENT, LP. 3.0 ACRE TRACT 4561/39

FUTURE 30' PUBLIC UTILITY EASEMENT



SCALE: 1\" = 100'



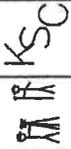
SHEET 1 OF 2

SURVEY PLAT OF A

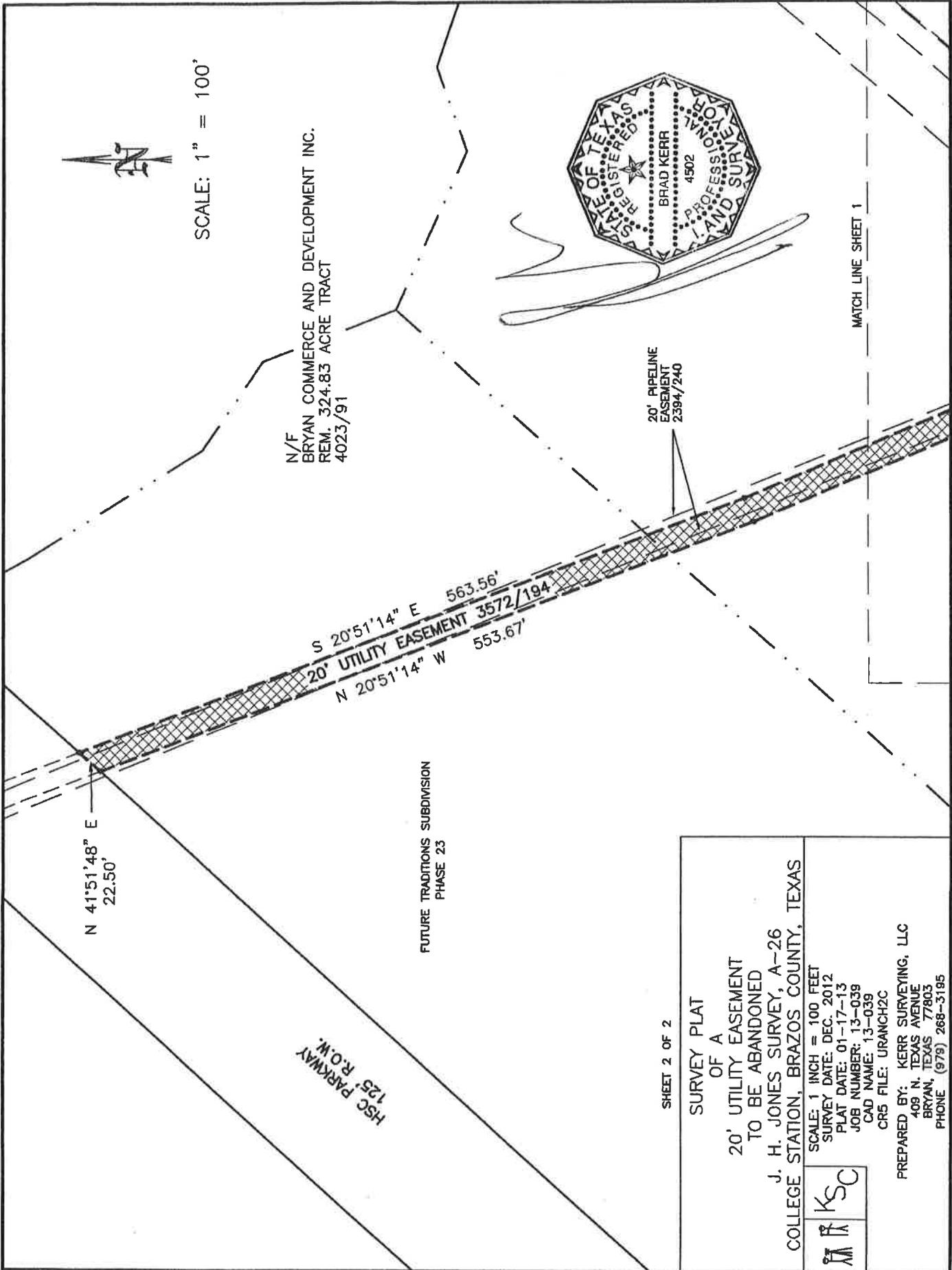
20' UTILITY EASEMENT TO BE ABANDONED

J. H. JONES SURVEY, A-26 COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 100 FEET  
SURVEY DATE: DEC. 2012  
PLAT DATE: 01-17-13  
JOB NUMBER: 13-039  
CAD NAME: 13-039  
CRS FILE: URANCH2C

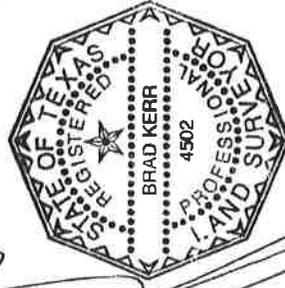


PREPARED BY: KERR SURVEYING, LLC  
409 N. TEXAS AVENUE  
BRYAN, TEXAS 77803  
PHONE (979) 268-3195



SCALE: 1" = 100'

N/F  
BRYAN COMMERCE AND DEVELOPMENT INC.  
REM. 324.83 ACRE TRACT  
4023/91



20' PIPELINE  
EASEMENT  
2394/240

MATCH LINE SHEET 1

N 41°51'48" E  
22.50'

S 20°51'14" E 563.56'  
20' UTILITY EASEMENT 3572/194  
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FUTURE TRADITIONS SUBDIVISION  
PHASE 23

HSC PARKWAY  
125' R.O.W.

SHEET 2 OF 2

SURVEY PLAT OF A 20' UTILITY EASEMENT TO BE ABANDONED J. H. JONES SURVEY, A-26 COLLEGE STATION, BRAZOS COUNTY, TEXAS	
	SCALE: 1 INCH = 100 FEET SURVEY DATE: DEC. 2012 PLAT DATE: 01-17-13 JOB NUMBER: 13-039 CAD NAME: 13-039 CR5 FILE: URANCH2C
PREPARED BY: KERR SURVEYING, LLC 408 N. TEXAS AVENUE BRYAN, TEXAS 77805 PHONE (979) 268-3195	