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Mayor
Nancy Berry
Mayor Pro Tem
Karl Mooney
City Manager
Kelly Templin

Council members
Blanche Brick
Jess Fields
John Nichols
Julie M. Schultz
James Benham

Agenda
College Station City Council
Regular Meeting
Thursday, November 14, 2013 at 7:00 PM
City Hall Council Chamber, 1101 Texas Avenue
College Station, Texas

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

Presentation:

- ❖ Presentation recognizing the 3rd Annual Scott and White BCS Marathon and proclaiming December 8, 2013 as Scott & White BCS Marathon Day.
- ❖ Presentation proclaiming the week of November 11 – 17, 2012, as Nurse Practitioner Week.
- ❖ Presentation and recognition of Ashley Michalsky for receiving the Distinguished Service Award from the Texas Court Clerks Association.

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:
- October 24, 2013 Workshop
 - October 24, 2013 Regular Council Meeting
 - October 30, 2013 Special Meeting

- b. Presentation, possible action and discussion regarding an annual blanket purchase order with Chastang's Bayou City Ford for the purchase of AutoCar replacement parts for authorized repairs on city sanitation vehicles in the amount of \$55,000.
- c. Presentation, possible action and discussion regarding the renewal of contract #12-014 with Brazos Paving, Inc. in an amount not to exceed \$544,720.00 for the annual concrete curb, gutter and flatwork blanket purchase order.
- d. Presentation, possible action, and discussion on Texas Department of Transportation (TxDOT) Advance Funding Agreement for Northpointe Crossing.
- e. Presentation, possible action and discussion regarding a professional services contract 13-370 for an Enterprise Resource Planning (ERP) Project Manager with Spherion Staffing LLC in an amount not to exceed \$814,597, which replaces and terminates Contract 13-352 approved by Council and executed July 26, 2013.
- f. Presentation, possible action, and discussion to award contract 14-003 for \$587,500 to Blastco Texas Inc., to recoat and repair the 5 MG water storage tank.
- g. Presentation, possible action and discussion on a bid award for the purchase of materials for the F&B Double Circuit Electric Feeder Project, which will be maintained in inventory until the time of the project. The total recommended award is \$189,139.80 and will be awarded by line item to the lowest responsible bidder.
- h. Presentation, possible action and discussion on a bid award for the purchase of Concrete Poles for the F&B Double Circuit Electric Feeder Project. The total recommended award is \$291,030 to the lowest responsible bidder Techline, Inc.
- i. Presentation, possible action and discussion on a bid award for the annual purchase of various transformers, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$528,328.58 and will be awarded by line item to the lowest responsible bidder.

Regular Agenda

At the discretion of the Mayor, individuals may be allowed to speak on a Regular Agenda Item. Individuals who wish to address the City Council **on a regular agenda item not posted as a public hearing** shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary.

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

If an individual does not wish to address the City Council, but still wishes to be recorded in the official minutes as being in support or opposition to an agenda item, the individual may complete the registration form provided

in the lobby by providing the name, address, and comments about a city related subject. These comments will be referred to the City Council and City Manager.

1. Presentation, possible action and discussion regarding the conceptual design for the Lincoln Center Expansion.
2. Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for the property located at 1201 Norton Lane; approximately 5.4 acres at the corner of Wellborn Road and Norton Lane.
3. Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Institution/Public to General Commercial for the property located at 1600 University Drive East; approximately 4.4 acres at the corner of University Drive and Glenhaven Drive.
4. Public Hearing, presentation, possible action and discussion regarding an amendment to Chapter 12, “Unified Development Ordinance”, Section 4.2, “Official Zoning Map” of the Code of Ordinances of the City of College Station, Texas by approximately 7.4 acres in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas. Said tract being the same tract of land as described by a deed to Texas A&M Foundation Trust Company, trustee of the Wanona Carol Randolph charitable remainder unitrust recorded in Volume 9361, Page 87 of the Official Public Records of Brazos County, Texas, more generally located at 2900 North Graham Road from PDD Planned Development District to BPI Business Park Industrial.
5. Public Hearing, presentation, possible action, and discussion on consideration of an ordinance amending Chapter 15, “Impact Fees”, amending the land use assumptions and capital improvements plan and updating water and wastewater impact fees in Service Areas 92-01, 97-01, 97-02B, 99-01, and 03-02.
6. Presentation, possible action, and discussion regarding an Ordinance amending Chapter 11, “Utilities”, of the Code of Ordinances of the City of College Station, Texas, by adopting Section 12, relating to the creation of Municipal Utility Districts; establishing procedures for the review and approval to create Municipal Utility Districts within the City or the City’s Extraterritorial Jurisdiction; requiring deposits for costs incurred; requiring prerequisite documentation for consent and providing for other matters relating to the subject and amending Chapter 14, “Service Fees”, Section 14-6, “Development Services” of the Code of Ordinances of the City of College Station, Texas by adding Subsection B, relating to the fees to be paid in conjunction with the creation and operation of Municipal Utility Districts. A Resolution of the City Council of the City of College Station, Texas, adopting a policy on the creation, operation, and dissolution of Municipal Utility Districts located within the City’s incorporated limits or its Extraterritorial Jurisdiction.
7. Presentation, possible action, and discussion regarding current City regulations of short-term rentals of homes in residential areas and possible revisions to the same.
8. Adjourn.

The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

APPROVED:

Kathleen McMill
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, November 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 November, 2013 at 5:00 p.m.

Sherry Moshier
City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov . The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on November 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 . Council meetings are broadcast live on Cable Access Channel 19.

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

To: Kelly Templin, City Manager

From: Sherry Mashburn, City Secretary

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

- October 24, 2013 Workshop
- October 24, 2013 Regular Council Meeting
- October 30, 2013 Special Meeting

Attachments:

- October 24, 2013 Workshop
- October 24, 2013 Regular Council Meeting
- October 30, 2013 Special Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
OCTOBER 24, 2013

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

City Staff:

Kathy Merrill, Interim City Manager
Carla Robinson, City Attorney
Ian Whittenton, Records Management Coordinator
Faye Scott, Deputy Local Registrar

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 Berry at 4:30 p.m. on Thursday, October 24, 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, §551.072-Real Estate, §551.074-Personnel, and §551.087-Economic Development, the College Station City Council convened into Executive Session at 4:30 p.m. on Thursday, October 24, 2013 in order to continue discussing matters pertaining to:

- A. Consultation with Attorney to seek advice regarding pending or contemplated litigation; to wit:
- 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
- Cause No. 12-002918-CV-361; Tom Jagielski v. City of College Station; In the 361 st Judicial District Court, Brazos County, Texas
- Robyn Taylor, individually and as next friend of Faith Taylor, a minor child v. Lincoln Recreation Center, Cause No. 13-001244-CV-361, in the 361st District Court, Brazos County, Texas

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

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

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

- City Manager

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

- Economic incentives for a proposed development located near the intersection of Holleman South and Rock Prairie Road West in College Station.
- Economic incentives for a proposed development located generally near State Highway 6 in the College Station Extraterritorial Jurisdiction.

The Executive Session adjourned at 6:09 p.m.

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

No action was required from Executive Session.

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

Items 2e, 2g, 2i, 2j, 2n, and 2o were pulled for clarification.

2e: Chuck Gilman, Director of Public Works, directed questions on this item to Ben Roper.

2e: Ben Roper, Director of Information Technologies, clarified the reason and method for the replacement.

2g: Chuck Gilman, Director of Public Works, gave information on the funding source of the project.

2i: Carla Robinson, City Attorney, clarified the ability of the council to vote on certain parts of the item, while separating others for a separate vote.

2j: Billy Couch, Assistant Police Chief, clarified the intention of the ordinance with regards to regulation, enforcement, and economic considerations.

2n: Bob Cowell, Director of Planning and Development, clarified use of certain accounts in funding these projects and the economic impact of these homes in the market.

2o: Jeff Kersten, Director of Fiscal Services, clarified the 2013 property tax roll.

5. Presentation, possible action, and discussion regarding consideration of options for future city fiber optic cable use.

Ben Roper, Director of Information Technologies, presented on fiber policy direction, needed from Council as a result of participation in the Next Generation Bandwidth RFI released by the Research Valley Partnership. Council direction was requested on the following three items; (1) Should fiber be considered as a basic infrastructure installation when installing or conducting major renovation to 4 lane major arterial and higher classification streets, (2) Should the city consider leasing to RFI responder(s) inner ducts in fiber conduit that is not in use by the city, or held in reserve for future use, and (3) Should the city consider leasing up to four dark fiber strands to potential responder(s) to the Next Generation RFI.

Councilmember Benham, Research Valley Partnership Board Liaison, spoke to the benefits of preparing the conduit or fiber upfront and future economic and legal considerations.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, to approve the strategic change for policy Item 1. This approval is with the understanding that any financial considerations would be approved on a per-project basis and this does not obligate the City to any expenditures at the current time but that the Council approves this strategic direction change and approves the use of conduit and dark fiber as Items 2 and 3 relate to the RVTC's current efforts with the RFI and for Item 1 that is not in relation to the RVTC's RFI but as a broader policy change for Public Works to the due extent of applicable law. The motion carried unanimously.

6. Presentation, possible action, and discussion regarding current City regulations of short-term rentals of homes in residential areas and possible revisions to the same.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, to table this to the next Council Workshop on November 14th, 2013. The motion carried unanimously.

7. Council Calendar

<u>Oct. 30</u>	<u>Special Council Meeting in Council Chambers at 5:00 p.m.</u>
<u>Nov. 4</u>	<u>Bicycle, Pedestrian & Greenways Advisory Board Meeting in City Hall 2nd Floor Conference Room 1 at 3:00 p.m.</u>
<u>Nov. 4</u>	<u>Chamber Annual Banquet at the CS Hilton at 6:00 p.m.</u>
<u>Nov. 5</u>	<u>Voting day.</u>
<u>Nov. 6</u>	<u>Council Transportation & Mobility Committee at Room 203 Conference Room A - Municipal Court Building, 3:30 p.m.</u>

- Nov. 7 P &Z Workshop/Meeting in Council Chambers at 6:00 p.m. (Blanche Brick, Liaison)
- Nov. 14 Executive Session/Workshop/Regular Meeting at 4:30, 6:00 & 7:00 p.m.

Council reviewed the calendar.

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

Councilmember Fields desires a report and discussion of the rental registration program, specifically the ordinance itself, listed second and limited in discussion time on for the October 30th Special Workshop Meeting.

Councilmember Benham desires a report and discussion of retractable bollards on Boyett Street to be added to a future item.

9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Gigabit Broadband Initiative, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Youth Advisory Council, Zoning Board of Adjustments.

Councilmember Brick reported on the Chamber Transportation Committee.

Councilmember Fields reported on the Audit Committee, the agenda set for the next year's audit.

Councilmember Shultz reported on the Research Valley Partnership.

Mayor Berry reported that the Research Valley Partnership and Kaneka Corporation from Japan entered an agreement with Texas A&M University to open a research and development facility.

Councilmember Nichols reported on the Subcommittee for Mobility and Transportation.

Councilmember Benham reported on the Research Valley Technology Council.

10. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 9:38 p.m. on Thursday, October 24, 2013.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

DRAFT

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
OCTOBER 24, 2013

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

City Staff:

Kathy Merrill, Interim City Manager
Carla Robinson, City Attorney
Ian Whittenton, Records Management Coordinator
Faye Scott, Deputy Local Registrar

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 Berry at 7:13 p.m. on Thursday, October 24, 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.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols the City Council voted six (6) for and none (0) opposed, to approve Councilmember Mooney's Absence Request. The motion carried unanimously.

Mayor Bienski, City of Bryan, presented Mayor Berry with The Brazos Boot trophy, officially marking the A&M Consolidated 2013 Football victory over Bryan High School.

Barbara Moore, Neighborhood and Community Relations Coordinator, gave recognition to the Emerald Forest HOA for the Little Free Library. Recognized were Sandra and Steve Nash, Chip Van Zandt, and members of Scout Group 1074.

Mayor Berry thanked all of the city departments who worked hard during the recent storm cleanup.

Citizen Comments

Michal Luther, 614 Welsh Ave., would like to warn the City of College Station about the dangers of the destruction of technologies, including fiber cable, due to natural and man made disasters.

Linda Harvell, 504 Guernsey, HPC and 75th Committee Chair, gave an update on the activities of the 75th Anniversary Committee and events surrounding the committee's activities. Events include: VIP Sponsor event November 12th at 5:30 p.m. at Bush Library, *We've Never Been Licked* will be shown free of admission November 14th at the Bush Library, Homecoming/Reunion event on November 15th, Vintage Car Show and free admission to the Library Exhibit on November 16th. Special thanks to Mike Neu and the Parks Department. Mayor Berry bestowed the The Brazos Boot to Committee Chair Harvell for display in the 75th Anniversary Exhibit.

Lisa Halperin, 1811 Shadowood Dr., voiced support for the comprehensive planning process, the UDO in general, and gave a special thanks to Jennifer Prochazka.

Gene Hawkins, 1805 Lawyer Place, spoke about the comprehensive plan and the City's failure to address land uses with regards to neighborhood plans.

CONSENT AGENDA

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

- **October 7, 2013 Workshop**
- **October 7, 2013 Regular Council Meeting**

2b. Presentation, possible action and discussion to approve an increase in expenditure authorization for City solid waste disposal fees to the Brazos Valley Solid Waste Management Agency, Inc in the amount of \$175,000 for a total of \$1,652,497 for fiscal year 2013.

2c. Presentation, possible action, and discussion on ratification of a Service Contract between the City of College station and Air Tech Brazos Valley Contracting, in the amount of \$58,572 for a new replacement chiller in City Hall to include all labor and materials.

2d. Presentation, possible action, and discussion regarding approval of construction contract number 13-386 to Vox Construction, LLC in the amount of \$383,424.10 for the construction of Creek View Neighborhood Park.

2e. Presentation, possible action, and discussion regarding approval of Resolution 10-24-13-2e, that will authorize City staff to negotiate for the purchase of an easement needed for the Fiber Optic Infrastructure Project in the general location of the intersection of Holleman Drive South and Saddle Lane.

2f. Presentation, possible action and discussion regarding the Purchase of a portable heavy truck lifts, safety jack stands and accessories, from Vehicle Service Group in the amount of \$69,999.99.

2g. Presentation, possible action, and discussion regarding award of a construction contract to G.W. Williams in the amount of \$480,365.95 for the Hike and Bike Trail Completion Phase II.

2h. Presentation, possible action and discussion regarding an Interlocal Agreement (ILA) between the Cities of College Station and Bryan for the construction costs of a traffic signal at the intersection of Wellborn Road with F&B and Old College. The City of College Station's portion is estimated not to exceed \$210,000.

2i. Presentation, possible action, and discussion authorizing Allen Boone Humphries Robinson, LLP (ABHR), to perform additional legal work related to Municipal Management Districts #1 and #2 in an amount not to exceed \$50,000.

2j. Presentation, possible action and discussion regarding Ordinance 2013-3533, adding Section 22 "Pedicabs" to Chapter 4 "Business Regulations" of the City of College Station Ordinances.

2k. Presentation, possible action, and discussion regarding approval of a resolution awarding a contract for Northgate Substation Underground Manholes and Conduit System to Power Secure Inc. in the amount of \$455,064.13.

2l. Presentation, possible action, and discussion regarding a resolution awarding a contract for Annual Pad-Mount Equipment Repair and Restoration to Utility Restoration Services Inc. in the amount of \$102,370.

2m. Presentation, possible action, and discussion regarding the approval of the purchase of an additional radio console and related equipment for the Utility Dispatch Operations Center from Motorola Solutions in the amount of \$63,503.64 for the purpose of expanding communication capabilities.

2n. Presentation, possible action, and discussion regarding a funding agreement for a grant of HOME Investment Partnership funds to B/CS Habitat for Humanity, Inc in the amount of \$65,000 for the construction of two affordable single-family homes at 1117 Phoenix.

2o. Presentation, possible action, and discussion on approval of the 2013 Property Tax Roll in the amount of \$26,407,914.56.

2p. Presentation, possible action, and discussion to approve a consulting contract with First Southwest Company in an amount not to exceed \$150,000 for financial advisory services.

2q. Presentation, possible action and discussion on Resolution 10-24-13-2q, stating that the City Council has reviewed and approved the City's Investment Policy, Broker-Dealer List and Investment Strategy.

2r. Presentation, possible action, and discussion on a Receipt Imaging Services Addendum to the JPMorgan Chase Participation Agreement for the automated review and approval process for procurement card processing.

2s. Presentation, possible action and discussion on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY14 in the amount of \$46,240.

2t. Presentation, possible action and discussion on a funding agreement between the City of College Station and College Station Noon Lions Club for FY14 in the amount of \$10,000.

2u. Presentation, possible action and discussion on renewing the annual price agreement for the purchase of fleet oils and lubricants with Kolkhorst Petroleum Co., Inc. for an annual expenditure of \$100,940.40. (Bid No. 12-004).

2v. Presentation, possible action, and discussion authorizing the payment of an economic development incentive in the total amount of \$693,900 to Radakor, LLC.

Items 2e, 2i, 2j, 2n, 2s, 2t, and 2v were pulled for a separate vote.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted six (6) for and none opposed, to approve the Consent Agenda, less items 2e, 2i, 2j, 2n, 2s, 2t, and 2v. The motion carried unanimously.

(2e) MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Benham, the City Council voted six (6) for and none opposed, to approve item 2e. The motion carried unanimously.

(2i) MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Shultz, the City Council voted four (4) for and two (2) against, with Councilpersons Nichols and Fields opposed, to limit the scope of the item to advisory legal services only and not the drafting of a plan. The motion carried.

(2j) MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted five (5) for and one (1) opposed, with Councilmember Fields voting against, to approve the item as written. The motion carried.

(2j) MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Benham, the City Council voted six (6) for and none opposed, to amend the ordinance as written renaming Q as Display of Rates and Fares, minus Q1, Q3 and renumbering Q2 and Q4 to Q1 and Q2, removing section R, and renumbering section S as section R. The motion carried unanimously.

(2n) MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Shultz, the City Council voted four (4) for and two (2) opposed, with Councilmembers Fields and Benham voting against, to approve a grant of HOME Investment Partnership funds to B/CS Habitat for Humanity, Inc. in the amount of \$65,000 for the construction of two affordable single-family homes at 1117 Phoenix. The motion carried.

(2s) MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Shultz, the City Council voted four (4) for and two (2) opposed, with Councilmembers Fields and Benham voting against, to approve a funding agreement between the City of College Station and Keep Brazos Beautiful for FY14 in the amount of \$46,240. The motion carried.

(2t) MOTION: Upon a motion made by Councilmember Shultz and a second by Councilmember Benham, the City Council voted four (4) for and one (1) opposed, with Councilmember Fields voting against and Councilmember Nichols abstaining, to a funding agreement between the City of College Station and College Station Noon Lions Club for FY14 in the amount of \$10,000. The motion carried.

(2v) MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Benham, the City Council voted five (5) for and one (1) opposed, with Councilmember Fields voting against, to authorize the payment of an economic development incentive in the total amount of \$693,900 to Radakor, LLC. The motion carried.

REGULAR AGENDA

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

Bob Cowell, Director of Planning and Development, gave an introduction of the UDO's purpose and its changes from year to year.

Jennifer Prochazka, Principal Planner, Gave a report on this year's annual review of the UDO, the scope of its combined work, and the expected impact on the community on the community at large.

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

David Sahm, 1017 James Parkway, expressed his support for several components of the UDO; including the Southside Plan.

Robert McGeachin, 1208 Glade St., expressed his desire to see the Council address the issue of non-related persons inhabiting a residence zoned for single family housing. He also states he believes that new development does not pay for itself.

Buck Pruitt, 2302 Scotney Ct., expressed his concern on the cities used as comparisons for College Station and the uses of their own UDO in comparison to the City of College Stations use of its UDO.

Jim Jett, 5004 Congressional Ct., states that he generally supports the comprehensive plan with the exception that he would like to rezone land he owns. He also presented the council with a map of the properties in question.

Kim Eubanks, 408 Kings Lake Drive, McKinney TX, owns land adjacent to the previous speaker and reiterated that he and Mr. Jett desire the lots to be rezoned from agricultural to general commercial.

There being no further comments, the Public Hearing was closed at 8:59 p.m.

Upon a request by the Mayor, Brad Corrier, Planning and Zoning Commission, addressed the council on any perceived issues with the Comprehensive Plan or UDO.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted six (6) for and none opposed, to approve the Annual Review of the Comprehensive Plan and the Annual Review of the Unified Development Ordinance (UDO). The motion carried unanimously.

3. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:19 p.m. on Thursday, October 24, 2013.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE CITY COUNCIL SPECIAL MEETING
CITY OF COLLEGE STATION
OCTOBER 30, 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:

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 Special Meeting of the College Station City Council was called to order by Mayor Berry at 5:07 p.m. on Wednesday, October 30, 2013 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

2. Presentation, possible action, and discussion regarding the College Station Medical District and the authorization of the formation of Municipal Management Districts located within the District, an area generally located along Rock Prairie Road east of SH6 to its intersection with William D Fitch Parkway and along Rock Prairie Road west of SH6 to its intersection with Rio Grande Boulevard.

Bob Cowell, Executive Director of Planning and Development, updated the Council on the activities and initiatives of Rock Prairie MMD #1 and #2. The College Station Medical District is envisioned as a unique place to work, visit, live, recreate, and seek health care – all oriented around health and wellness. The area, which consists largely of a number of land uses, businesses, and property owners acting independently of one another, seeks to integrate the whole through district management, physical improvements, etc.

Keys to its success include significant private investment (the Med, Scott & White, and Others), a shared commitment to the vision, significant infrastructure investment (Rock Prairie Road Bridge, Rock Prairie Road, Barron Road, Sanitary Sewer, Lick Creek Greenway Trail, etc.), a regulatory structure (tailored development regulations and standards), and a management structure. He emphasized that time is of the essence. Already, in addition to the Master Plan there have been significant accomplishments to date – both public and private. There have been two Tax Increment Reinvestment Zones initiated which will help steer tax dollars into this area to address infrastructure needs. Legislation has been approved to enable the creation of two management districts. TxDOT and the City have partnered in the design of an enhanced Rock Prairie Road Bridge, which will add capacity. Additionally, the City is securing right-of-way on both Rock Prairie East and West to accommodate future widening of the road and has partnered with private developers to complete the extension of Normand and Arnold Drive. Scott & White completed and opened their new hospital and medical office building. The Med and Aerofit are nearing completion on their new Wellness Facility. The Strategic Behavioral Health Hospital is under construction as the result of a public/private partnership involving the City, County, the MED, and private developers. Design is nearing completion for the Lick Creek Greenway Trail with construction soon to follow. The preliminary design is complete for the Barron Road extension, with final design of it and the Lakeway Drive extension to follow soon. He provided a brief explanation of what an MMD is and noted the primary difference between the two districts is the board number and the assessment taxation authority.

The Council must grant consent to form the MMDs. He reminded the Council of Consent Conditions previously raised by Council, such as:

- Board Size (addressed in Legislation);
- Board Appointment Process (addressed in Legislation);
- Ability to Levy Ad Valorem Tax (addressed in Legislation);
- Financial Feasibility of Debt (interest rates, terms, etc);
- Location of Board Meetings;
- Notification of Board Meetings;
- Recording and Posting of Board Meetings;
- Approval of MMD Staff/Consultant Salaries;
- Approval of Annual MMD Budget; and
- Sunset of District.

Other conditions the Council may want to consider include Council approval of any assessments/service fees and how the St. Joseph's facility might be annexed into the District if they request it.

Council requested that the MMD board meetings be posted at City Hall and held in Council chambers (or in any venue that the Council is able to meet that provides for video recording, etc.), recorded, and video streamed for transparency. Mr. Cowell suggested this be conditioned upon “unless otherwise required by state law (the organizing meeting must be in the district). Additionally, the board’s check register should be posted online. It was also requested that “approval of annual MMD budget” be changed to an annual plan review, including the proposed budget, without any veto power, and an outside audit.

This will be brought before the stakeholders, and he will present a final revised list and language for conditions to the Council for further consideration and refinement at a future date. No action was required at this time.

3. Presentation, possible action, and discussion amending the Economic Development Agreement among the City of College Station, the Research Valley Partnership, and Asset Plus Realty Corporation.

Randall Heye, Assistant to the City Manager, presented a brief overview of the amendments. The RVP has approved the amendments, and staff recommends these amendments as well.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, with Councilmember Fields absent from the dais, to approve the amendments to the Economic Development Agreement among the City of College Station, the Research Valley Partnership, and Asset Plus Realty Corporation. The motion carried.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Nichols, to reconsider the previous motion, the City Council voted seven (7) for and none (0) opposed, to approve the amendments to the Economic Development Agreement among the City of College Station, the Research Valley Partnership, and Asset Plus Realty Corporation. The motion carried unanimously.

4. Presentation, Discussion, Action regarding an Ordinance and Resolution Relating to the Creation of Municipal Utility Districts within the City of College Station and its Extra-Territorial District.

Bob Cowell, Executive Director of Planning and Development, provided the Council with a draft ordinance and resolution to cover the creation of Municipal Utility Districts within the City of College Station and its extraterritorial jurisdiction. The ordinance lays out why the City wants a policy, the value a MUD can provide, and the role they play in the City's development. It also spells out the specific sections in the Government Code and covers the times in which the City would consider consent to the creation of a MUD. It also lays out the two tests which must be met before consent.

No action was required at this time.

5. Presentation and discussion of the Rental Registration Program.

Bob Cowell, Executive Director of Planning and Development, reminded Council this was requested to be brought back for discussion purposes. He reported that an estimated 80%-90% of rental units are registered. He noted that in some instances of law enforcement, attempts are made to contact the property owner. If unable to do so, they will contact the local point-of-contact. Obtaining a local point-of-contact was the primary purpose behind the rental registration.

Council concerns included safety issues, whether or not the registration fee covers the expense of the program, how and when property owners are contacted, code enforcement, and administration penalties.

6. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the special meeting of the College Station City Council at 8:02 p.m. on Wednesday, October 30, 2013.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

November 14, 2013
Consent Agenda Item No. 2b
Annual BPO for Authorized Replacement Parts for Sanitation Trucks

To: Kelly Templin, City Manager

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

Agenda Caption: Presentation, possible action and discussion regarding an annual blanket purchase order with Chastang's Bayou City Ford for the purchase of AutoCar replacement parts for authorized repairs on city sanitation vehicles in the amount of \$55,000.

Relationship to Strategic Goals:

1. Core Services and Infrastructure

Recommendation(s): Staff recommends approval of an annual blanket purchase order with Chastang's Bayou City Ford.

Summary: Previous annual blanket purchase orders issued to Chastang's Bayou City Ford, Houston, TX have not exceeded \$50,000; however it is estimated that \$55,000 will be needed for the coming year based on historical spending trends for replacement parts. Inflation is the primary cause for the cost increase. Chastang's Bayou City Ford is the sole source provider for AutoCar parts and services.

Budget & Financial Summary: Funds are budgeted and available in the Fleet Maintenance Account.

Reviewed and Approved by Legal: No

Attachment(s):

1. Sole Source Provider Letter



Chastang's Bayou City Autocar
6200 N. Loop East
Houston, TX 77026
October 29, 2013

City of College Station
2613 S. Texas Avenue
College Station, TX 77840

To Whom it may Concern:

This letter is to confirm that Chastang's Bayou City Autocar is the sole source provider to the City of College Station for Autocar parts and service.

Please contact for any additional information needed.

Sincerely,

Mandy Chastang
Parts & Service Director
(713) 678-5000
mchastang@chastangford.com

**November 14, 2013
Consent Agenda Item No 2c
Annual Concrete Curb, Gutter
and Flatwork Price Renewal Agreement**

To: Kelly Templin, City Manager

From: Chuck Gilman, PE, PMP, Public Works Director

Agenda Caption: Presentation possible action and discussion regarding the renewal of contract #12-014 with Brazos Paving, Inc. in an amount not to exceed \$544,720.00 for the annual concrete curb, gutter and flatwork blanket purchase order.

Relationship to Strategic Goals:

1. Core Services and Infrastructure

Recommendation(s): Staff recommends renewal of the annual blanket order to Brazos Paving Inc. in the amount not to exceed \$544,720.00.

Summary: Repair and replacement of concrete flatwork, curb and gutters is contracted on an as needed basis by the Public Works Department and College Station Utilities. The construction contractor hired by the city under this contract repairs or replaces concrete infrastructure such as pavement, sidewalks, curbs, gutters, and drainage channels that has either failed or been damaged.

This is the second renewal for the annual blanket order awarded in bid#12-009, contract #12-014. The contractor has requested a 3.8% increase to the original quote due to material price increases. This request is within the increase terms in the contract #12-014. Staff has no objections to requested 3.8% price increase.

Budget Financial Summary: Funding for this service comes from the operating budgets for streets, drainage, water and wastewater.

Reviewed and Approved by Legal: Yes

Attachments

1. Renewal Letter
2. BPI Letter – Bid 12-009 Vender request Concrete Curb , Gutter and Flatwork



CITY OF COLLEGE STATION
Home of Texas A&M University*

CONTRACT & AGREEMENT ROUTING FORM

CONTRACT#: 12-014
~~12-000~~ PROJECT#: _____ BID#: 12-009
~~12-014~~ RFP: _____

Contract Description:

Concrete Curb, Gutter and Flatwork (Renewal)

Project Name: _____

Name of Contractor:

Brazos Paving Inc.

CONTRACT TOTAL VALUE: \$ 554,720.00

Grant Funded Yes No
If yes, what is the grant number: _____

Debarment Check Yes No N/A
Section 3 Plan Incl. Yes No N/A

Davis Bacon Wages Used Yes No N/A
Buy America Required Yes No N/A
Transparency Report Yes No N/A

NEW CONTRACT RENEWAL # 2 CHANGE ORDER # _____ OTHER _____

BUDGETARY AND FINANCIAL INFORMATION (Include number of bids solicited, number of bids received, funding source, budget vs. actual cost, summary tabulation)

This is related to bid #12-008, second renewal with a 3.8% increase to the original quote and funding is available in the operating budget of the street maintenance division

(If required)*
CRC Approval Date*: _____ Council Approval Date*: 11/14/13 Agenda Item No*: _____

--Section to be completed by Risk and Purchasing Only--

Insurance Certificates: JP Performance Bond: JP Payment Bond: JP

SIGNATURES RECOMMENDING APPROVAL

DEPARTMENT DIRECTOR/ADMINISTERING CONTRACT

22 OCT 13
DATE

LEGAL DEPARTMENT

10-25-13
DATE

EXECUTIVE DIRECTOR, BUSINESS SERVICES

DATE

APPROVED & EXECUTED

CITY MANAGER

DATE

MAYOR (if applicable)

DATE

CITY SECRETARY (if applicable)

DATE

Original(s) sent to CSO on _____ Scanned into Laserfiche on _____ Original(s) sent to Fiscal on _____



October 14, 2013

ATTN:
Billy Prewitt
Brazos Paving, Inc.
P.O. Box 714
Bryan, TX 77806

RE: Renewal – Bid 12-009, Contract 12-014
Annual Price Agreement for Concrete Curb, Gutter & Flatwork

Dear Mr. Prewitt,

The City of College Station appreciates the services provided by Brazos Paving, Inc. this past year. We would like to exercise our option to renew the above referenced price agreement for the term of November 18, 2013 through November 17, 2014, with your requested increase of 3.8% from the original quote, for an amount not to exceed Five Hundred Fifty Four Thousand Seven Hundred Twenty Dollars and 00/100 (\$554,720.00).

If this meets with your company's approval, please complete the attached renewal acceptance, and return it no later than October 18, 2013. We will then issue your company a new purchase order effective November 18, 2013 through November 17, 2014.

Should you have any questions, please call me at (979) 764-3437.

Sincerely,

Heather Pavelka
Buyer

Attachment

PO Box 9960
1101 Texas Avenue
College Station, TX 77842

www.cstx.gov

.....
RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew the Annual Price Agreement for Concrete Curb, Gutter & Flatwork as stated in Bid 12-009, Contract 12-014 and in accordance with all terms and conditions previously agreed to and accepted, with an increase of 3.8% to the original quote, for an amount not to exceed Five Hundred Fifty Four Thousand Seven Hundred Twenty Dollars and 00/100 (\$554,720.00).

I understand this renewal term will be for the period beginning November 18, 2013 through November 17, 2014. This is the second renewal.

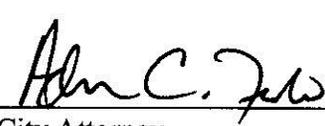
BRAZOS PAVING, INC

By: 
Printed Name: Armando G. Salsica
Title: President
Date: 10/14/2013

CITY OF COLLEGE STATION

By: _____
City Manager
Date: _____

APPROVED:



City Attorney
Date: 10-28-13

Executive Director Business Services
Date: _____

From: [Billy Prewitt](#)
To: [Heather Pavelka](#)
Cc: martinjackson@bpitx.com
Subject: RE: City of College Station Contract Renewal
Date: Friday, October 11, 2013 12:48:24 PM

Heather,

Sorry about cutting it so close to the deadline. I have increases mainly in the Ready-mix concrete. Below are the new prices I am requesting for 2013-2014.

Flatwork \$435.00/CY
Curb & Gutter \$25.84/LF

Please let me know if you have any questions.

Thanks,
Billy Prewitt
BPI

From: Heather Pavelka [mailto:hpavelka@cstx.gov]
Sent: Tuesday, September 24, 2013 10:08 AM
To: Billy Prewitt
Cc: Marshall Wallace
Subject: City of College Station Contract Renewal

Billy,

Please see the attached renewal letter in regards to Contract 12-014, Annual Price Agreement for Concrete Curb, Gutter & Flatwork. Please review the renewal, and return 3 signed originals no later than October 11, 2013. Also, please include an up to date insurance certificate which meets the City's insurance requirements.

Please let me know if you have any questions.

Thank you,

Heather Pavelka
Buyer, Purchasing Division
City of College Station
P.O. Box 9960
1101 Texas Avenue
College Station, TX 77842

Office: [\(979\) 764-3437](tel:9797643437)
Fax: [\(979\) 764-3899](tel:9797643899)
Email: hpavelka@cstx.gov

November 14, 2013
Consent Agenda Item No. 2d
TxDOT's Advance Funding Agreement for Northpointe Crossing

To: Kelly Templin, City Manager

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

Agenda Caption: Presentation, possible action, and discussion on Texas Department of Transportation (TxDOT) Advance Funding Agreement for Northpointe Crossing.

Relationship to Strategic Goals: Core Services and Infrastructure, and Multi-Modal Transportation.

Recommendation(s): Staff recommends approval.

Summary: As part of the Northpointe Crossing project, landscape and hardscape items would be constructed on TxDOT's right of way (ROW) along FM 60 (University Drive) and BUS 6 (Texas Avenue). The Advance Funding Agreement (AFA) outlines the responsibilities regarding construction and maintenance of those items – which remain the responsibility of the developer, but must be endorsed by the City. The items covered by this would include landscaping such as trees and irrigation to meet City's Northgate standards, and hardscape items such as pedestrian benches and trash receptacles to meet the City's Northgate standards.

Budget & Financial Summary: No funds will be exchanged between the City and TxDOT. The project budget enclosed an enumerated in Attachment "D" reflects the costs of those items mentioned above, provided and installed by the developers contractor.

Reviewed and Approved by Legal: Yes

Attachments:

1. TxDOT AFA
2. Resolution

CSJ # 0050-01-077
District # 17-Bryan
Code Chart 64 # 09050
Project: Pedestrian/Landscaping within ROW
BS 6-R / FM 60 In College Station
Federal Highway Administration
CFDA # 20.205
Not Research and Development

STATE OF TEXAS §
COUNTY OF TRAVIS §

ADVANCE FUNDING AGREEMENT
For A
LANDSCAPE / PEDESTRIAN AMENITY PROJECT
ON-SYSTEM

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation called the "State", and the City of College Station, acting by and through its duly authorized officials, called the "Local Government."

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes; and

WHEREAS, the Texas Transportation Code, Sections 201.103 and 222.052 establish that the State shall design, construct and operate a system of highways in cooperation with local governments; and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number 113675, authorizing the State to maintain the State's highway system and to therefore, undertake and complete a highway improvement generally described as the construction of landscaping, landscaping irrigation, lighting, benches, bike racks and trash cans within the ROW of BS 6-R and FM 60 in College Station, Brazos County called the "Project"; and,

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, 20__, which is attached to and made a part of this agreement as Attachment "A" for the improvement covered by this agreement. A map showing the Project location appears in Attachment "B," which is attached to and made a part of this agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this agreement, it is agreed as follows:

CSJ # 0050-01-077
District # 17-Bryan
Code Chart 64 # 09050
Project: Pedestrian/Landscaping within ROW
BS 6-R / FM 60 In College Station
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Not Research and Development

AGREEMENT

1. Period of the Agreement

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. Scope of Work

Construction of landscaping, landscaping irrigation, lighting, benches, bike racks and trash cans within the ROW of BS 6-R and FM 60 in College Station, Brazos County.

3. Local Project Sources and Uses of Funds

- A. The total estimated cost of the Project is shown in the Project Budget – Attachment “C”, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Governments, or other parties is shown in Attachment “C”. The State will pay for only those project costs that have been approved by the Texas Transportation Commission. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- B. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
- C. This Project cost estimate shows how necessary resources for completing the Project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.
- D. The State will be responsible for securing the Federal and State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.

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District # 17-Bryan
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BS 6-R / FM 60 In College Station
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Not Research and Development

- E. The Local Government will be responsible for all non-federal or non-state participation costs associated with the Project, including any overruns in excess of the approved local project budget unless otherwise provided for in this agreement or approved otherwise in an amendment to this agreement.
- F. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the Project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction cost.
- G. In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.
- H. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to the State Project.
- I. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due by the Local Government, the State, or the Federal government will be promptly paid by the owing party. If, after final Project accounting, excess funds remain in the escrow account, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.
- J. The State will not pay interest on any funds provided by the Local Government.
- K. If a waiver has been granted, the State will not charge the Local Government for the indirect costs the State incurs on the local Project, unless this agreement is terminated at the request of the Local Government prior to completion of the Project.
- L. If the Project has been approved for a "fixed price" or an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the amount of the fixed price or the incremental payment schedule.
- M. If the Local government is an Economically Disadvantaged County and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- N. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

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- O. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.
- P. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly, and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.
- Q. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this agreement.

4. Termination of this Agreement

This agreement shall remain in effect until the project is completed and accepted by all parties, unless:

- A. The agreement is terminated in writing with the mutual consent of the parties;
- B. The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party;
- C. The Local Government elects not to provide funding after the completion of preliminary engineering, specifications, and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project; or
- D. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

6. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

7. Utilities

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or state funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local

CSJ # 0050-01-077
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Government shall provide, at the State's request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is completed.

8. Environmental Assessment and Mitigation

Development of a transportation project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.

- A. The Local Government is responsible for the identification and assessment of any environmental problems associated with the development of a local project governed by this agreement.
- B. The Local Government is responsible for the cost of any environmental problem's mitigation and remediation.
- C. The Local Government is responsible for providing any public meetings or public hearings required for development of the environmental assessment. Public hearings will not be held prior to the approval of project schematic.
- D. The Local Government is responsible for the preparation of the NEPA documents required for the environmental clearance of this Project.
- E. Before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

9. Compliance with Texas Accessibility Standards and ADA

All parties to this agreement shall ensure that the plans for and the construction of all projects subject to this agreement are in compliance with the Texas Accessibility Standards (TAS) issued by the Texas Department of Licensing and Regulation, under the Architectural Barriers Act, Article 9102, Texas Civil Statutes. The TAS establishes minimum accessibility requirements to be consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

10. Architectural and Engineering Services

The Local Government has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable *State's Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable *American Association of State Highway and Transportation Officials* design standards. In procuring professional services, the parties to this agreement must comply with federal requirements cited in 23 CFR Part 172 if the project is federally funded and with Texas Government Code 2254, Subchapter A, in all cases. Professional contracts for federally funded projects must conform to federal requirements, specifically including the provision for participation by Disadvantaged Business Enterprises (DBEs), ADA, and environmental matters.

11. Construction Responsibilities

- A. The Local Government shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.
- B. The Local Government will use its approved contract letting and award procedures to let and award the construction contract.
- C. Prior to their execution, the Local Government will be given the opportunity to review contract change orders that will result in an increase in cost to the Local Government.
- D. Upon completion of the Project, the party constructing the Project will issue and sign a "Notification of Completion" acknowledging the Project's construction completion.
- E. For federally funded contracts, the parties to this agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

12. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads after completion of the work and the State shall be responsible for maintenance of state highway system after completion of the work if the work was on the state highway system, unless otherwise provided for in existing maintenance agreements with the Local Government, or as provided in this agreement.

In addition, the Local Government is responsible for maintaining and/or operating the landscaping, landscaping irrigation, lighting, benches, bike racks and trash cans. Repairs and/or replacement of amenities may be due to normal wear and tear, weather, crash damage or vandalism. The State will not operate or maintain these elements.

The State will notify the Local Government in writing of any required maintenance and in cooperation with the Local Government, will establish a time line by which all maintenance is to be completed. Failure by the Local Government to complete the required maintenance in the time period agreed upon may result in the State making the repairs and charging the Local Government for the actual cost of the work.

The State reserves the right to reconstruct, incorporate or remove any or all of the items listed above if it becomes necessary because of the construction of a future highway improvement project. The State will not compensate the Local Government for the loss of, or any changes to, these items. The State will make every effort, if practical, to re-use these items in a future project or return these items to the Local Government for their use at this or another location. The State's actions will be governed by the rules, policies and procedures in effect at the time of the future highway improvement project.

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If the Local Government fails to maintain the items listed above such that they do not function as intended, detract from the overall appearance of the state highway facility or adversely affect the operations or the safety of the traveling public, the State reserves the right to remove any or all of these elements and seek reimbursement from the Local Government for the State's actual cost incurred by this work.

13. Right of Way and Real Property

The State is responsible for the provision and acquisition of any needed right of way or real property.

14. Notices

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City of College Station	Director of Contract Services Office
Department of Public Works	Texas Department of Transportation
PO Box 9960	125 E. 11 th Street
College Station, Texas 77842	Austin, Texas 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

15. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

16. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

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17. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

18. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

19. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the agreement's subject matter.

20. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

21. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

22. Inspection of Books and Records

The parties to this agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the Federal Highway Administration (FHWA), and the U.S. Office of the Inspector General, or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this contract or until any impending litigation, or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

23. Civil Rights Compliance

The Local Government shall comply with the regulations of the United States Department of Transportation as they relate to non-discrimination (49 CFR Part 21 and 23 CFR Part 200),

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and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

24. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

25. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Programs under Executive

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Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

26. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A.** No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B.** If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C.** The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

27. Insurance

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

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28. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:
<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and
<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. The Local Government agrees that it shall:
1. Obtain and provide to the State a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR website whose address is: <https://www.sam.gov/portal/public/SAM/>;
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five (5) executives to the State if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

29. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$500,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://www.txdot.gov/inside-txdot/office/audit/contact.html>.
- C. If expenditures are less than \$500,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$500,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

30. Signatory Warranty

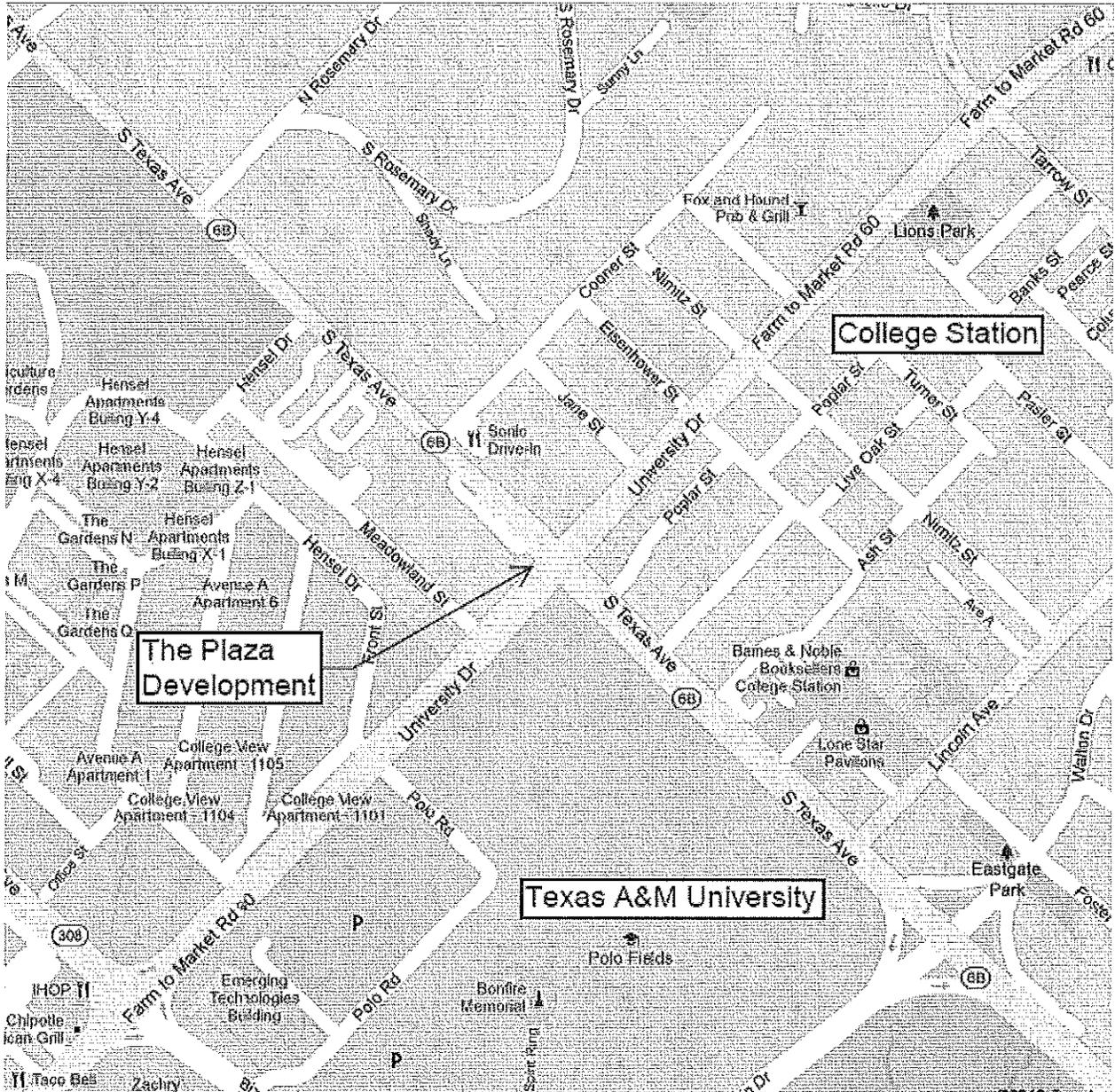
Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

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ATTACHMENT A
RESOLUTION OR ORDINANCE

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ATTACHMENT B LOCATION MAP SHOWING PROJECT



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**ATTACHMENT C
 PROJECT BUDGET**

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering (by Local Government)	\$5,000	0%	\$0	0%	\$0	100%	\$5,000
Construction (by Local Government)	\$66,000	0%	\$0	0%	\$0	100%	\$66,000
Utilities (by Local Government)	\$2,500	0%	\$0	0%	\$0	100%	\$2,500
Environmental Assessment/Mitigation (by Local Government)	\$2,500	0%	\$0	0%	\$0	100%	\$2,500
Subtotal	\$76,000		\$0		\$0		\$76,000
Construction Direct State Costs (2.00%)	\$500	0%	\$0	100%	\$500	0%	\$0
Utilities Direct State Costs (2.00%)	\$500	0%	\$0	100%	\$500	0%	\$0
Environmental Assessment/Mitigation Direct State Costs (2.00%)	\$500	0%	\$0	100%	\$500	0%	\$0
Indirect State Costs (2.00%)	\$500	0%	\$0	100%	\$500	0%	\$0
TOTAL	\$78,000	0%	\$0	6.25%	\$2,000	93.75%	\$76,000

Initial payment by the Local Government to the State: \$0

Payment by the Local Government to the State before construction: \$0

Estimated total payment by the Local Government to the State: \$0

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF COLLEGE STATION, TEXAS APPROVING THE ADVANCED FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF LANDSCAPING, LANDSCAPE IRRIGATION, LIGHTING, BENCHES, BIKE RACKS, AND TRASH CANS IN THE ROW OF FM 60 UNIVERSITY DRIVE AND BS 6-R TEXAS AVENUE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AFA.

WHEREAS, FM 60 University Drive and BS 6-R Texas Avenue are owned and maintained by the Texas Department of Transportation, and

WHEREAS, any construction or improvements on Texas Department of Transportation right of way must be approved through the Texas Department of Transportation permitting process, and

WHEREAS, the City of College Station supports the construction and installation of landscaping, landscape irrigation, lighting, benches, bike racks, and trash cans along FM 60 University Drive and BS 6-R Texas Avenue to help facilitate pedestrian traffic in an urban setting, and

WHEREAS, the City of College Station agrees to the provisions stated in the Texas Department of Transportation Advanced Funding Agreement.

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

PART 1: That the City Council hereby approves the Advanced Funding Agreement (AFA) with the Texas Department of Transportation for construction and installation of landscaping, landscape irrigation, lighting, benches, bike racks, and trash cans along FM 60 University Drive and BS 6-R Texas Avenue.

PART 2: That the City Council hereby authorizes the City Manager to execute the Advanced Funding Agreement.

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

ADOPTED this ____ day of _____, 2013.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:



City Attorney

November 14, 2013
Consent Agenda Item No. 2e
Enterprise Resource Planning (ERP) Project Manager

To: Kelly Templin, City Manager

From: Alison Pond, Director of Human Resources and Risk Management

Agenda Caption: Presentation, possible action and discussion regarding a professional services contract 13-370 for an Enterprise Resource Planning (ERP) Project Manager with Spherion Staffing LLC in an amount not to exceed \$814,597, which replaces and terminates Contract 13-352 approved by Council and executed July 26, 2013.

Relationship to Strategic Goals:

1. Financially sustainable City
2. Core Services and Infrastructure

Recommendation(s): In response to increasing input from staff concerning the functionality of the Enterprise Resource Planning (ERP) system, in late 2011, the City began an internal review of the ability of the system to meet current business requirements. As a result of this internal review, the City determined that a more complete analysis and evaluation was needed. In July 2012, RFP 12-092 for "Consultation on ERP Assessment and Evaluation" was released. A Project Manager was necessary to lead and manage the execution of the remaining pieces of this project. A contract awarded to Wilson/Kleemann dba Spherion Staffing was approved by Council and executed July 26, 2013. Negotiations and further refinement of the agreement continued as details of the Project Management function evolved. Both the City and Spherion Staffing, LLC, have agreed to the terms and conditions in this replacement contract, the execution of which terminates the original contract.

Summary: The next phase of the ERP system implementation is expected to continue over the coming 30-36 months. The Project Manager is expected to perform traditional project manager duties regarding management of the schedule, budget, and scope triad in addition to working closely with City management, staff and consultants, and in leading change management throughout the project.

Budget & Financial Summary: Funds have been designated through the previously request ERP funding allocation. The Project Management piece is allocated a total of \$800,000.

Attachments: Contract will be on file in the City Secretary's Office on Council day.

PROJECT MANAGEMENT SERVICES AGREEMENT

THIS AGREEMENT ("Agreement") is by and between Spherion Staffing, LLC (hereinafter referred to as "Service Provider" or "Provider"), and City of College Station, a Texas Home Rule Municipal Corporation (hereinafter referred to as "Client");

WHEREAS, the City intends to engage the Service Provider to perform Project Management Services for a project known as Enterprise Resource Planning (ERP), hereinafter "the Project" as further described in Addendum A; and,

WHEREAS, an agreement between the Service Provider and the Client, approved by the City Council and executed July 26, 2013, is, upon execution of this agreement, hereby terminated and replaced by this agreement. Both parties mutually agree that any pre-termination notice requirements for the July 26, 2013 agreement have either been satisfied or they have agreed to waive the same.

NOW, THEREFORE, IN CONSIDERATION of the mutual agreements and covenants contained herein, Client and Provider agree as follows:

The statements contained in the recitals of fact set forth above (the "Recitals") are true and correct, and the Recitals are, by this reference, agreed to and made a part of this Agreement.

1. Term of Agreement. This Agreement shall commence as of the date agreement becomes fully executed, and shall continue in effect for a period of one (1) year, unless earlier terminated by either party upon thirty (30) days prior written notice. Provider reserves the right to terminate this Agreement in the event of non-payment for services rendered, if Client fails to pay undisputed past-due amounts after ten (10) days notice from Provider. Client reserves the right to terminate this Agreement at any time for convenience. The terms of this Agreement, where the context so indicates, shall survive any termination or cancellation of this Agreement. The contract shall automatically renew annually thereafter for two additional one-year terms (consistent with the terms provided in Addendum A) for a total of three (3) years, absent notice of non-renewal at least thirty (30) days before the end of the contract year

2. Scope of Services. Provider will provide to Client the staffing services described in Addendum A (the "Services") and shall assign Supplemental Employee Daniel Bethapudi to Client. Client acknowledges that under this Agreement, Provider is providing Supplemental Employee to perform work on a flexible staffing basis under the direction of Client, and that Provider makes no warranty regarding and expressly disclaims any responsibility for the delivery of any specific product or for completing any work associated with this Agreement within any specified time period, except as otherwise provided herein. The parties acknowledge and agree that this Agreement does not cover any staffing, direct hire or other services provided by Spherion Corporation and/or any of its subsidiaries or business divisions, such as The Mergis Group, Todays Staffing or Todays Office Professionals.

3. Restricted Tasks. Client will not substantially change the Supplemental Employee's assignment or job duties without Provider's prior approval. Unless specifically authorized in Addendum A, and subject to Section 6 herein, Client agrees that Supplemental Employee will not be placed in any jobs involving the lifting of items weighing in excess of seventy-five (75) pounds individually or fifty (50) pounds repetitively; unguarded machinery; work six (6) feet above floor level or work below ground level; work involving extremes of temperature; work requiring use of a respirator; work on or around navigable bodies of water; handling of cash, negotiable instruments, valuables, merchandise, or similar property; or work involving handling of OSHA-restricted hazardous substances.

A. Provider understands and agrees that Supplemental Employee will, by nature of the work, be working around data containing social security numbers, bank account numbers, and other non-public personally identifiable information as well as credit card and financial invoicing information ("private information").

B. Provider agrees that Supplemental Employee shall maintain any such private information confidential and shall not disclose or release the same to a third party.

C. Provider agrees this position requires travel in and around the City of College Station, as well as overnight travel as may be required to accomplish the Project. Provider and Client agree that contemplated travel time is included in the proposed guaranteed hours and will be paid at the hourly rate shown in Addendum A, for the term of this Agreement.

4. **Change Orders:** No changes shall be made, nor will invoices for changes, alterations, modifications, deviations, or extra work or services be recognized or paid except upon the prior written order from authorized personnel of the City. The Provider shall not execute change orders on behalf of the City or otherwise alter the financial scope of the Project.

5. **Rates and Invoicing:** Client agrees to verify the hours worked by Supplemental Employee. The rates and fees for the Services shall be as set forth in Addendum A. Client agrees to notify Provider of any disputed invoices already paid by Client within one hundred and eighty (180) days of the invoice date, otherwise Client agrees that such invoice is correct and Client waives any dispute rights. Provider will invoice Client weekly for staffing services. Client shall pay invoices within 30 days of receipt, in accordance with the Texas Prompt Payment Act. Any past-due invoices shall bear interest at the rate of one and one-half percent (1½%) per month of the unpaid balance (Annual Percentage Rate of 18%), or the maximum legal interest rate, whichever is lower. In the event Client's account is in default and placed for collection, Provider will be entitled to recover its costs of collection, including reasonable attorneys' fees. Client is a tax-exempt entity. In the event Client voluntarily files a Chapter 11 bankruptcy petition (or becomes subject to an involuntary bankruptcy petition), it shall, as soon as practicable thereafter, seek entry of an Order from the U.S. Bankruptcy Court having jurisdiction over Client's bankruptcy case(s), in form and substance acceptable to Provider, (a) assuming this Agreement or (b) naming Provider as a "critical vendor" and authorizing the payment of Provider's pre-petition invoices. Client acknowledges that its failure to timely procure either such Order shall automatically serve as grounds for Provider's immediate rejection/termination of this Agreement. Client acknowledges that Provider is relying on this provision as an inducement to (a) enter into this Agreement, and (b) provide further services to Client from and after the date hereof.

6. **Safety & Client-issued equipment.** The parties shall comply with all applicable laws and ordinances relating to work site health and safety.

A. Client shall provide a safe place to work, adequate supervision, and all necessary site-specific information, training, instructions and safety equipment.

B. Client will issue Supplemental Employee a laptop computer and an identification/access badge so as to accomplish the work during the term of the Agreement. Provider agrees that Supplemental Employee shall return such Client-issued equipment upon termination of the agreement. Provider further agrees that Client may withhold from invoice payments to the Provider the replacement cost of any equipment the Supplemental Employee fails to return. Provider is responsible for implementing any required written conditions precedent with Supplemental Employee so as to ensure compliance with the Texas Payday Law, as may be necessary for such withholding.

7. **Indemnification.** Provider (the "indemnifying party") agrees to indemnify, defend and hold harmless the City and its officers, employees, volunteers and agents (the "indemnified party")

from and against all claims, suits, demands, losses, damages or penalties, including reasonable attorneys' fees and costs (collectively "Liabilities"), attributable to bodily injury or property damage, arising out of any act or omission on the part of the indemnifying party. Client and Provider agree: (a) to notify each other in writing of any asserted claim within ten (10) days of either discovery of the occurrence upon which the claim may be based or learning of the claim, whichever occurs first, (b) to permit the indemnifying party to defend the claim with counsel acceptable to the indemnified party, and (c) to cooperate fully in any investigation, defense or settlement negotiations.

8. **Limitation of Liability:** Under this Agreement, Provider's maximum total liability for any claim not covered by insurance policies as referenced in Exhibit A will be limited to direct damages not to exceed the aggregate fees paid by Client to Provider (net of demonstrable payroll costs) in the twelve months preceding the event upon which the claim is based. To the extent allowed by law, neither party shall be liable to the other party for any incidental, consequential, exemplary, special, punitive, or lost profit damages that arise in connection with this Agreement, regardless of the form of action, whether in contract, tort, negligence, strict liability, or otherwise, and regardless of how characterized, even if such party has been advised of the possibility of such damages.

9. **Insurance:** The Service Provider shall procure and maintain, at its sole cost and expense for the duration of this Contract, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the services performed by the Service Provider, its agents, representatives, volunteers, employees or Supplemental Employees. The Service Provider's insurance shall list the City of College Station, its officers, employees, agents, and volunteers as Additional Insured. The required limits of liability are attached in Exhibit A. Certificates of insurance evidencing the required insurance coverage are attached in Exhibit B.

10. **Compliance with Law:** Each party shall, at its own expense, comply with all laws, orders and regulations of federal, state and municipal authorities, and with any lawful direction of any public officer which shall impose any duty upon that party regarding the performance under this Agreement. The parties further agree to comply with all applicable state and federal employment laws, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Fair Labor Standards Act, the Family Medical Leave Act, the Rehabilitation Act and their respective amendments.

11. **Waivers:** No waiver of any provision of this Agreement shall be effective unless it is in writing and signed by both parties; and any such written waiver shall only be applicable to the specific instance to which it is related and shall not be deemed to be a continuing or further waiver.

12. **Severability:** Each and every covenant and agreement herein shall be separate and independent from any other and the breach of any covenant or agreement shall in no way or manner discharge or relieve the performance of any other covenant or agreement. The unenforceability, invalidity or illegality of any provision of this Agreement shall not render the other provisions unenforceable, invalid or illegal.

13. **Notices:** Any notice or other communication provided under this Agreement shall be in writing to the following:

Provider

Spherion
Mr. Justin Kleemann
License Owner
4101 South Texas Avenue, Suite B
Bryan, TX 77802

Client

City of College Station
Mr. Jeff Kersten
Executive Director of Business Services
P. O. Box 9960
College Station, TX 77842

Spherion Staffing, LLC
2015 South Park Place
Attn: Legal Department
Atlanta, GA 30339

Notices shall be effective either when personally delivered, via facsimile (with confirmation of delivery) or five (5) days following deposit of such notice or communication into the United States mail (certified mail, return receipt requested or first class postage prepaid).

14. **Independent Relationship:** Both parties agree that this Agreement is not intended to create nor shall be deemed or construed to create any relationship between the parties other than that of independent entities contracting with each other solely for the purpose of effecting the provisions of this Agreement. Neither the parties hereto, nor any of their respective employees, shall be construed to be the agent, employer, employee or representative of the other, nor will either party have any express or implied right of authority to assume or create any obligation or responsibility on behalf of or in the name of the other party.

15. **Force Majeure:** The obligations of Provider hereunder shall be excused during any period of delay caused by matters such as strikes, acts of God, shortages of raw material or power, governmental actions or compliance with governmental requirements, whether voluntary or pursuant to order, or any other matter beyond the reasonable efforts of Provider to control.

16. **Governing Law:** This Agreement shall be governed by and construed according to the laws of the State of Texas, with venue in Brazos County.

17. **Entire Agreement:** This Agreement constitutes and represents the entire Agreement between the parties hereto and supersedes any prior understandings or agreements, written or oral, between the parties hereto. This Agreement may only be amended by an agreement in writing executed by all of the parties hereto. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, personal representatives, successors and assigns; subject, however, to the limitations contained herein. The terms of this agreement do not apply to any other division of Spherion Corporation.

This contract will be effective when signed by the last party whose signing makes the Contract fully executed.

PROVIDER: SPHERION STAFFING, LLC

CLIENT: CITY OF COLLEGE STATION

By: 

By: _____

Printed Name: JUSTIN KLEEMANN

City Manager

Title: OWNER

Date: _____

Date: 10/24/13

APPROVED:

City Attorney

Date: _____

Executive Director Business Services

Date: _____

Addendum A

City of College Station

I. Job Classification

- A. ERP Project Manager – Daniel Bethapudi
- B. Professional Classification: Exempt from the Fair Labor Standards Act.

II. Hours

- A. 2000 hours guaranteed annually, subject to Paragraph 1. Term of Agreement.

III. Pay & Billing Rates

- A. Year 1: Pay Rate: \$3,653.85 per week
- B. Year 1: Billing Rate - Mark-up: Thirty-five percent (35%) of Pay Rate or \$4,932.69 per week
(See Paragraph VI related to government-mandated cost increases)
- C. Unless terminated earlier as described in Paragraph 1 of the Agreement, Year 2 and Year 3 Pay Rate is subject to an increase not to exceed five percent (5%), contingent upon Supplemental Employee Daniel Bethapudi's successful performance of responsibilities described herein.

Main Job Tasks and Responsibilities

- Lead the planning and implementation of the ERP project
- Facilitate the definition of project scope, goals and deliverables
- Define project tasks and resource requirements
- Develop full scale project plans
- Define city project staff time and resource requirements and coordinate with Department Heads to identify and allocate sufficient project staff
- Schedule and coordinate meetings, information sessions and briefings as required.
- Manage project budget
- Manage project resource allocation
- Plan and schedule project timelines
- Track project deliverables using appropriate tools
- Provide direction and support to project team
- Provide testing and quality assurance
- Resolve or assist in the resolution of conflicts within and between stakeholders, functional areas and the ERP vendor
- Constantly monitor and report on progress of the project to all stakeholders
- Responsible for preparing and presenting regular status reports including % complete of tasks, outstanding issues/actions and actual vs. budget reporting and analysis

- Implement and manage project changes and interventions to achieve project outputs
- Work with the selected vendor to develop and schedule appropriate training plans
- Implement a robust change management plan to facilitate acceptance of the new system(s)

D. Provider further agrees to invoice Client monthly for Supplemental Employee car allowance not to exceed \$75 monthly, and cellular phone allowance not to exceed \$30 monthly.

E. Medical insurance. Daniel Bethapudi will be offered and can elect medical benefits through Provider. The parties agree the Supplemental Employee is not entitled to receive any benefits or compensation from the City for serving as the Supplemental Employee except as otherwise provided for in the agreement.

IV. Additional Screening Requirements preliminary to commencement of work for Supplemental Employee

A. Behavioral Interview

B. Background Checks to include criminal history verification, motor vehicle record and employment references

C. Drug Screen upon acceptance of position

V. Service Guarantee

Client will notify Provider of any problems regarding Supplemental Employee Daniel Bethapudi. In the event Client is dissatisfied with the performance or conduct of Supplemental Employee, Client may require Provider to remove Supplemental Employee from its premises. Client will make available to Provider copies of all non-privileged documentation about problems or incidents in which Supplemental Employee is involved. Provider guarantees the work performed by the Supplemental Employee will be performed in a competent and professional manner.

VI. Government Mandated Cost Increases.

If at any time during the term of this Agreement, Provider is required to increase its employee's wages (due to increase in minimum wage rates or mandatory benefits requirement), or incurs an increase in its payroll burden costs (such as FICA, FUI, SUI or worker's compensation) as a direct result of any determination, order or action by a governmental authority or government insurance benefit program, Provider agrees that such cost increase will be considered to be a cost of business and shall be subsumed within the contemplated discretionary annual increase in the bill rates; however, Client and Provider agree, that should the Affordable Care Act (ACA) require significant cost increases (that is, in excess of the 5% discretionary payment rate increase for years 2 and 3), that the same will not be subject to this provision but that the parties agree to renegotiate the contract cost of this specific item and amend the contract accordingly.

Exhibit A

Insurance Requirements

I. The Service Provider agrees to maintain the types and amounts of insurance required in this Agreement throughout the term of the Agreement. The following insurance policies shall be required:

- A. Commercial General Liability
- B. Business Automobile Liability
- C. Workers' Compensation
- D. Professional Liability

II. For each of these policies, the Service Provider's insurance coverage shall be primary with respect to the City, its officials, employees and volunteers. Any insurance or self-insurance carried or obtained by the City, its officials, agents, employees or volunteers, shall be considered in excess of the Service Provider's insurance and shall not contribute to it. No term or provision of the indemnification provided by the Service Provider to the City pursuant to this Contract shall be construed or interpreted as limiting or otherwise affecting the terms of the insurance coverage. All Certificates of Insurance and endorsements shall be furnished to the City's Representative at the time of execution of this Agreement, attached hereto as Exhibit B, and approved by the City *before* work commences.

III. General Requirements Applicable to All Policies.

- A. Only insurance carriers licensed and authorized to do business in the State of Texas shall be accepted
- B. "Claims made" policies are accepted only for Professional Liability insurance
- C. Coverage shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice has been given to the City of College Station.
- D. The Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent on the most current State of Texas Department of Insurance approved form
- E. The City of College Station, its officials, agents, employees, and volunteers are to be shown as Additional Insured on the Commercial General Liability and Business Automobile Liability Policies. The policies shall contain no special limitations on the scope of protection afforded the City, its officials, agents, employees, and volunteers.

IV. **Commercial General Liability** requirements:

- A. Coverage shall be written by a carrier rated "A: VIII" or better in accordance with the current A. M. Best Key Rating Guide.
- B. Minimum Limit of Liability of \$1,000,000 per occurrence per project for bodily injury and property damage with a \$2,000,000 annual aggregate limit.
- C. No coverage shall be excluded from the standard policy without notification of individual exclusions being attached for review and acceptance.

V. **Business Automobile Liability** requirements:

- A. Coverage shall be written by a carrier rated "A:VIII" or better in accordance with the current A. M. Best Key Rating Guide.

- B. Minimum Combined Single Limit of \$1,000,000 per occurrence for bodily injury and property damage.
- C. The coverage shall include owned, leased or rented autos, non-owned autos, any autos and hired autos.

VI. Workers Compensation Insurance requirements:

The workers' compensation insurance shall include the following terms:

- 1. Employer's Liability limits of \$1,000,000 for each accident is required.
- 2. "Texas Waiver of Our Right to Recover From Others Endorsement, WC 42 03 04" shall be included in this policy.
- 3. Texas must appear in Item 3A of the Workers' Compensation coverage or Item 3C must contain the following: All States except those listed in Item 3A and the States of NV, ND, OH, WA, WV, and WY.

VII. Professional Liability requirements:

- A. Coverage shall be written by a carrier rated "A:VIII" or better in accordance with the current A. M. Best Key Rating Guide.
- B. Minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate, with a maximum deductible of \$100,000.
- C. For "claims made" policies, a 24-month extended reporting period shall be required.

Exhibit B
Insurance Certificates



ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services South, Inc.		NAMED INSURED Spherion Staffing, LLC	
POLICY NUMBER See Certificate Number: 570050992658			
CARRIER See Certificate Number: 570050992658	NAIC CODE	EFFECTIVE DATE	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER	
INSURER	
INSURER	
INSURER	

ADDITIONAL POLICIES If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	WORKERS COMPENSATION							
A		N/A		SCFC4712511A WI	10/01/2012	10/01/2013		
A		N/A		WCUC47125133 OH SIR applies per policy terms & conditions	10/01/2012	10/01/2013		
	OTHER							
E	E&O-PL-XS			v0100085285	01/01/2013	01/01/2014	Ea Claim/Agg	\$2,000,000
C	ERISA Bond			82116864 Crime - 3rd party SIR applies per policy terms & conditions	10/01/2012	10/01/2013	Client Coverage Amt	\$5,000,000

November 14, 2013
Consent Agenda Item No. 2f
Recoat/Repair 5 Million Gallon Water Storage Tank

To: Kelly Templin, City Manager

From: David Coleman, Director of Water Services

Agenda Caption: Presentation, possible action, and discussion to award contract 14-003 for \$587,500 to Blastco Texas Inc., to recoat and repair the 5 MG water storage tank.

Relationship to Strategic Goals: Core services and infrastructure

Recommendation: Staff recommends approval

Summary: The five million gallon (MG) water storage tank is one of two “ground storage reservoirs” at the Dowling Road Pump Station. These tanks are essential parts of the water distribution system, providing surge capacity and the required chlorine contact time. The coating systems on the five MG tank are at the end of their useful life and must be replaced to prevent structural damage to the tank. Since it is made of steel, any uncoated surfaces will rust quickly when exposed to air, water and chlorine.

Bids for this work were requested under solicitation #14-001 and sixteen bids were received. Both staff and the consulting engineer agree that the low bidder, Blastco Texas out of Houston, is both responsive and responsible. We therefore recommend they be awarded the contract, including Bid Alternate 1.

Budget & Financial Summary: Funds in the amount of \$685,000 are budgeted in the Water Capital Improvement Projects Fund. A total of \$50,132 has been expended or committed to date, leaving a balance of \$634,868 for construction and remaining expenditures. Please note; one bid was received from a local company, Marek Brothers Construction in College Station. However, their bid was 36% higher than the low bidder, which exceeds our limit under the preference policy for local companies.

Reviewed and Approved by Legal: Yes.

Attachments:

- Bid Tabulation
- Contract (on file with City Secretary)



City of College Station - Purchasing Division
 Bid Tabulation for #14-001
 "5 MG Water Storage Tank Rehabilitation"
 Open Date: Thursday, October 10, 2013 @ 2:00 p.m.

Bids are currently being evaluated by the City Department and Consultant

ITEM	QTY/UNIT	DESCRIPTION	Blastco Texas (Houston, TX)	A&M Construction & Utilities, Inc. (Rowlett, TX)	MK Painting, Inc. (Wyandotte, MI)	L and T Painting, Inc. (Clinton Twp., MI)	Graydaze Contracting (N. Charleston, SC)	N.G. Painting, L.P. (Kerrville, TX)	MC Sandblasting & Painting, Inc. (Cedar Springs, MI)	Horizon Bros. Painting (Howell, MI)	Tank Pro, Inc. (Northport, AL)	L.C. United Painting Co. (Sterling Heights, MI)	GML Coatings, LLC (Rosharon, TX)	Marek Brothers Const., Inc. (College Station, TX)	Utility Service Co., Inc. (Perry, GA)	Classic Protective Coatings, Inc. (Menomonie, WI)	Caldwell Tanks, Inc. (Louisville, KY)	TMI Coatings, Inc. (St. Paul, MN)	
BASE BID																			
1	1 Lump Sum	Furnish material and labor to replace the interior coating system of the 5 MG water storage tank per the Technical Specifications	\$330,000.00	\$306,000.00	\$340,000.00	\$340,000.00	\$221,676.00	\$350,000.00	\$347,200.00	\$365,000.00	\$425,953.00	\$394,000.00	\$453,204.00	\$320,750.00	\$490,300.00	\$528,150.00	\$462,275.00	\$589,000.00	
2	1 Lump Sum	Furnish material and labor to replace the exterior coating system of the 5 MG water storage tank per the Technical Specifications	\$200,000.00	\$259,000.00	\$245,000.00	\$250,000.00	\$270,937.00	\$238,000.00	\$257,100.00	\$230,000.00	\$211,081.00	\$264,000.00	\$213,087.00	\$427,805.00	\$251,000.00	\$259,600.00	\$353,200.00	\$420,000.00	
3	1 Lump Sum	Furnish material and labor to perform the repair items on the 5 MG water storage tank per the Technical Specifications	\$47,500.00	\$55,000.00	\$35,000.00	\$38,000.00	\$137,760.00	\$45,000.00	\$35,100.00	\$55,000.00	\$31,565.00	\$40,000.00	\$65,200.00	\$40,000.00	\$67,000.00	\$52,000.00	\$66,250.00	\$70,000.00	
TOTAL BASE BID (ITEMS 1-3)			\$577,500.00	\$620,000.00	\$620,000.00	\$628,000.00	\$630,373.00	\$633,000.00	\$639,400.00	\$650,000.00	\$668,599.00	\$698,000.00	\$731,491.00	\$788,555.00	\$808,300.00	\$839,750.00	\$881,725.00	\$1,079,000.00	
BID ALTERNATES																			
A.1	1 Lump Sum	Furnish material and labor to pressure wash all blast-cleaned areas of the 5 MG water storage tank interior to reduce soluble salt content to less than the specified limits per the Technical Specifications	\$10,000.00	\$5,000.00	\$10,000.00	\$60,000.00	\$10,927.00	\$5,000.00	\$35,000.00	\$695,000.00	\$5,000.00	\$12,000.00	\$10,000.00	\$69,980.00	\$10,000.00	\$15,000.00	\$22,500.00	\$89,000.00	
A.2	1 Lump Sum (+/-)	Alternate exterior coating system. Add to or deduct amount from Base Bid Amount to install alternate coating system per the Technical Specifications. (Indicate + or -)	No Bid	No Bid	No Bid	No Bid	-\$8,394.00	No Bid	\$10,000.00	-\$20,000.00	No Bid	No Bid	-\$13,500.00	-\$827.00	-\$10,000.00	No Bid	\$8,500.00	-\$2,000.00	
A.3	1 Lump Sum (+/-)	Alternate interior coating system. Add to or deduct amount from Base Bid Amount to install alternate coating system per the Technical Specifications. (Indicate + or -)	No Bid	No Bid	No Bid	No Bid	-\$6,870.00	No Bid	\$25,000.00	-\$30,000.00	No Bid	No Bid	-\$6,000.00	-\$524.00	-\$15,000.00	No Bid	\$6,320.00	-\$2,000.00	

November 14, 2013
Consent Agenda Item No. 2g
Purchase of Materials for F&B Road Double Circuit Electric Feeder Project

To: Kelly Templin, City Manager

From: Jeff Kersten, Executive Director Business Services

Agenda Caption: Presentation, possible action and discussion on a bid award for the purchase of materials for the F&B Double Circuit Electric Feeder Project, which will be maintained in inventory until the time of the project. The total recommended award is \$189,139.80 and will be awarded by line item to the lowest responsible bidder.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Recommend award to the lowest responsible bidder providing the best value to the City as follows:

Priester-Mell & Nicholson	\$ 1,982.00
Techline	\$ 150,704.70
KBS	\$ 30,349.50
Texas Electric Cooperatives	\$ 285.00
Wesco	\$ 5,818.60
TOTAL	\$189,139.80

Summary: Five (5) sealed competitive bids and one (1) letter of no bid were received and opened on October 9, 2013. Line items were awarded to the lowest responsible bidders for their respective bid items. Upon Council approval, purchase orders will be issued to the vendors recommended for award. The materials will be placed and maintained in the electrical inventory and expensed as needed for the project.

Budget & Financial Summary: Funds are budgeted and available in the Electrical Fund.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #14-003

City of College Station Purchasing Division
 ITB 14-003 Tabulation
 Purchase of Materials for F and B Road Double Circuit Feeder
 Opened October 9, 2013 at 2:00 p.m.

	Indicates a recommended award
	Indicates the vendor took an exception to the bid
	Indicates the vendor miscalculated a total
	Indicates a low bid which is not recommended for award

Item Number	City of College Station Inventory Number	Description	Manufacturer and Catalog Number	Order Quantity	Unit of Measure	Priester Mell & Nicholson				Techline				KBS			
						Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.
1	280-016-00012	#4 soft drawn copper, 1000 ft reels	Alan Wire 4SSBBC-1000 ft reels	7,000	feet	\$0.58	\$4,060.00	1	Service Wire B50541000	\$0.54	\$3,780.00	1		\$0.54	\$3,780.00	1	
2	280-040-00002	3/8" guy wire "High strength"	Seal Wire 3/8HSA	3,000	feet	\$0.32	\$960.00	1	National Strand 3/8" AHS	\$0.29	\$870.00	stk	National Strand 3/8 HS - 500CL	\$0.39	\$1,170.00	2	National Strand
3	285-002-00003	3.5 ft power extension	Hubbell 12655	50	each		\$0.00			\$39.40	\$1,970.00	stk		\$40.60	\$2,030.00	stk	Maclean J23378.3
4	285-002-00006	double helix anchor & triple eye adapter	Hubbell 12654-3AE	10	each		\$0.00			\$106.50	\$1,065.00	stk		\$89.50	\$895.00	4	Mclean D6632TU
5	285-002-00007	triple helix anchor & triple eye adapter	Hubbell 12654-3AEJ	15	each		\$0.00			\$140.00	\$2,100.00	stk		\$131.70	\$1,975.50	4	Maclean D6636TU
6	285-003-00001	MOV lightning arrestor 10kV	Ohio Brass PDV-100-Optima-213709-7324	110	each	\$47.28	\$5,200.80	2-4	Siemens 3EK7-100-3AB4-Z-P12P31M81Q51	\$25.37	\$2,790.70	2-3		\$27.95	\$3,074.50	stk	Cooper UH510050A1A1B1A
7	285-022-00043	#4H3 copper connector	Blackburn #4H3	150	each	\$0.86	\$129.00	stock	Burndy KS203	\$1.48	\$222.00	2-3		\$1.10	\$165.00	1	Penn Union SW-4
8	285-022-00045	two bolt alum. Connector	Hubbell GA9821GAA	100	each		\$0.00			\$38.00	\$3,800.00	stk		\$40.70	\$4,070.00	12-14	
9	285-022-00046	single bolt alum. Connector	Hubbell GA9842L	100	each		\$0.00			\$12.74	\$1,274.00	stk -6	Quoting GA9482GL "G" - grommets	\$11.55	\$1,155.00	5	Maclean AVC-842
10	285-035-00008	polymer bell insulator	Ohio Brass 401035-0215	190	each	\$13.58	\$2,580.20	1-2	ARP	\$12.69	\$2,411.10	2-3		\$11.50	\$2,185.00	stk	Salisbury 9503-USI
11	285-035-00013	vise-top insulator	Preformed IP-35-VTM2	550	each	\$23.59	\$12,974.50	2	Exception: 466 each only	\$22.15	\$12,182.50	1-2	Exception: 466 in stock at this time. Cannot provide anymore at this time due to a design change by PLP. I also have 8 ea in stock.	\$21.25	\$11,687.50	6	Hendrix HPI-35VTM-02
12	285-036-00002	12" guy strain insulator	Chance GS16012CP	100	each		\$0.00			\$11.56	\$1,156.00	2-3		\$9.75	\$975.00	stk	Mclean GCTE15-12
13	285-047-00027	small hotline clamp	Hubbell BC20	110	each		\$0.00			\$6.30	\$693.00	stk		\$6.15	\$676.50	2	CMC HLB - 2/0
14	285-047-00050	3/8" guy deadend grip	Preformed GDE-1107	150	each	\$2.28	\$342.00	stock		\$1.93	\$289.50	stk		\$2.30	\$345.00	stk	
15	285-047-00054	7' yellow guy guard	Chance 84-FRG-YEL	50	each		\$0.00			\$4.90	\$245.00	2-3		\$2.20	\$110.00	stk	Electric Materials 70-7YTIE
16	285-047-00088	8' deadend crossarm	PUPI DA3000096E2B7X2	50	each	\$190.00	\$9,500.00	2-4		\$182.00	\$9,100.00	6	Shakespeare IDB096G12242	\$192.00	\$9,600.00	stk	
17	285-047-00093	8' standard crossarm	PUPI TB220009603X2	80	each	\$83.00	\$6,640.00	2-4		\$95.00	\$7,600.00	6	Shakespeare STB096N12602	\$78.00	\$6,240.00	stk	
18	285-047-00094	10' standard crossarm	PUPI TB220012005X2	70	each	\$95.00	\$6,650.00	2-4		\$108.00	\$7,560.00	6	Shakespeare STB120N12602	\$94.00	\$6,580.00	stk	
19	285-047-00098	double tee guy	Hughes AS2720-A4.5	30	each		\$0.00			\$67.00	\$2,010.00	10-12		\$67.50	\$2,025.00	8-10	

City of College Station Purchasing Division
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Item Number	City of College Station Inventory Number	Description	Manufacturer and Catalog Number	Order Quantity	Unit of Measure	Priester Mell & Nicholson				Techline				KBS			
						Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.
20	285-047-00099	10 deadend crossarm	PUPI DA3000120E2B9X2	10	each	\$212.00	\$2,120.00	2-4		\$208.00	\$2,080.00	6	Shakespeare IDB120G12242	\$215.00	\$2,150.00	3	
21	285-047-00104	crossarm saddle pins	Hubbell 143221P	550	each		\$0.00			\$14.20	\$7,810.00	stk-2		\$14.50	\$7,975.00	6	Powerline P33242
22	285-047-00107	fiberglass ridge pins	MacLean G1MDR118DS4	80	each		\$0.00			\$32.00	\$2,560.00	6-8	Hubbell RPM-184	\$34.00	\$2,720.00	6	
23	285-047-00121	12' standard crossarm	PUPI TB2500144SPX2	2	each	\$160.00	\$320.00	2-4		\$204.00	\$408.00	6	Shakespeare HTB144N12402	\$165.00	\$330.00	3	
24	285-047-00122	12' deadend crossarm	PUPI DA3020144E4SPX2	2	each	\$600.00	\$1,200.00	2-4		\$380.00	\$760.00	6	Shakespeare XDB144G12482	\$625.00	\$1,250.00	3	
25	285-047-00123	795 deadend shoe	Hubbell ADEZ116N	220	each		\$0.00			\$16.10	\$3,542.00	4		\$15.25	\$3,355.00	2	McLean HDS0-116N
26	285-047-00124	795 to 477 stirrup	Hubbell AHL5954022E	110	each		\$0.00			\$24.40	\$2,684.00	stk-3		\$23.50	\$2,585.00	1	Richards ALC1000
27	285-047-00125	795 super top tie	Hubbell/Chance STT140	60	each		\$0.00			\$5.60	\$336.00	stk		\$7.85	\$471.00	12	
28	285-074-00022	795 auto splice	Hubbell/Fargo GL1385A	20	each		\$0.00			\$52.75	\$1,055.00	stk		\$49.00	\$980.00	6	Maclean 7660VIP
29	320-020-00007	5/8 x 30 DA bolt	Joslyn J8878	50	each		\$0.00			\$4.90	\$245.00	stk-2	Chance 8878	\$4.00	\$200.00	1	Powerline P8878
30	320-020-00015	5/8 x 14 machine bolt	Joslyn J8814	150	each	\$1.20	\$180.00	2-4	Allied 8226	\$1.19	\$178.50	stk	Chance 8814	\$1.20	\$180.00	stk	Powerline P8814
31	320-020-00020	3/4 x 14 machine bolt	Chance C8914	300	each	\$1.78	\$534.00	2-4	Allied 8244	\$2.34	\$702.00	stk-2		\$2.10	\$630.00	stk	Powerline P8914
32	320-020-00023	5/8 x 14 oval eye bolt	Joslyn J9414	50	each	\$2.93	\$146.50	2-4	Allied 4105	\$3.28	\$164.00	stk	Chance 29964	\$2.95	\$147.50	stk	Powerline P9414
33	320-020-00026	5/8 x 14 SU bolt	Hubbell 7744	50	each	\$2.88	\$144.00	2-4	Allied 1715	\$5.07	\$253.50	stk		\$4.40	\$220.00	stk	P2348-1/2 Powerline
34	320-020-00030	square galvanized washers	Hubbell 6814	500	each	\$0.26	\$130.00	2-4	Allied 11550	\$0.28	\$140.00	stk		\$0.26	\$130.00	stk	Powerline P1076
35	320-020-00031	4 x 4 square washers	Hubbell 6818	500	each	\$1.09	\$545.00	2-4	Allied 11557	\$1.32	\$660.00	2-3		\$1.47	\$735.00	2	Maclean J1080
36	320-020-00039	3/4 lock nuts	Chance 3513	500	each	\$0.23	\$115.00	2-4	Allied 22011	\$0.35	\$175.00	stk		\$0.31	\$155.00	stk	Line Hardware SLN-34
37	320-022-00007	5/8 lock nuts	Chance 3512	500	each	\$0.13	\$65.00	2-4	Allied 22010	\$0.20	\$100.00	stk		\$0.175	\$87.50	stk	Line Hardware SLN-58
38	280-058-00021	795 MCM ACC cable (Arbutus)	Southwire Arbutus 4960 ft non-returnable reels	101,000	feet	\$1.31	\$132,310.00	2-4	Nexans Arbutus	\$1.086	\$109,686.00	9	General Cable Arbutus AAC 795 MCM	\$1.150	\$116,150.00	6-8	Conduxem Arbutus
Recommended Award Total						\$1,982.00				\$150,704.700				\$30,349.500			
Bid Certification						Y				Y				Y			

City of College Station Purchasing Division
 ITB 14-003 Tabulation
 Purchase of Materials for F and B Road Double Circuit Feeder
 Opened October 9, 2013 at 2:00 p.m.

	Indicates a recommended award
	Indicates the vendor took an exception to the bid
	Indicates the vendor miscalculated a total
	Indicates a low bid which is not recommended for award

Item Number	City of College Station Inventory Number	Description	Manufacturer and Catalog Number	Order Quantity	Unit of Measure	Texas Electric Cooperatives				Wesco				Wesco Alternates			
						Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.
1	280-016-00012	#4 soft drawn copper, 1000 ft reels	Alan Wire 4SSBBC-1000 ft reels	7,000	feet	\$0.675	\$4,725.00	1	Service Wire 4 SOLID SD BARE CU	\$0.58	\$4,060.00	1	Alan Wire - Solid Bare Copper 0411R2	\$0.57	\$3,990.00	4-6	Southwire- Solid Bare Copper
2	280-040-00002	3/8" guy wire "High strength"	Seal Wire 3/8HSA	3,000	feet	\$0.344	\$1,032.00	3-4	Bekaert 3/8" HS 500FT COILS	\$0.32	\$960.00	1	Seal Wire 3/8 HS		\$0.00		
3	285-002-00003	3.5 ft power extension	Hubbell 12655	50	each		\$0.00			\$39.69	\$1,984.50	4-5	Maclean D6616U		\$0.00		
4	285-002-00006	double helix anchor & triple eye adapter	Hubbell 12654-3AE	10	each		\$0.00			\$87.48	\$874.80	4-5	Maclean D6632TU Exception: Bid Std Qty of 25		\$0.00		
5	285-002-00007	triple helix anchor & triple eye adapter	Hubbell 12654-3AEJ	15	each		\$0.00			\$128.87	\$1,933.05	4-5	Maclean D6636TU Exception: Bid Std Qty of 25		\$0.00		
6	285-003-00001	MOV lightning arrestor 10kV	Ohio Brass PDV-100-Optima-213709-7324	110	each	\$34.25	\$3,767.50	3-4	GE 9L20AXX410AHS	\$27.33	\$3,006.30	2-3	Maclean 2HPOLO-0C00100		\$0.00		
7	285-022-00043	#4H3 copper connector	Blackburn #4H3	150	each	\$0.93	\$139.50	3-4	Penn Union SEL4 Exception: quoted box qty of 100	\$0.89	\$133.50	1-2	BURNDY K520-3		\$0.00		
8	285-022-00045	two bolt alum. Connector	Hubbell GA9821GAA	100	each		\$0.00				\$0.00				\$0.00		
9	285-022-00046	single bolt alum. Connector	Hubbell GA9842L	100	each		\$0.00			\$11.10	\$1,110.00	5-6	Maclean AVC-842		\$0.00		
10	285-035-00008	polymer bell insulator	Ohio Brass 401035-0215	190	each	\$13.30	\$2,527.00	6	Salisbury 9503U-SI	\$18.00	\$3,420.00	2-3	Maclean DS35-M Exception: Bid Qty of 198		\$0.00		
11	285-035-00013	vis-top insulator	Preformed IP-35-VTM2	550	each		\$0.00			\$22.72	\$12,496.00	2-3	Preformed currently has 466 in stk, but is subject to prior sale (13 std pkg)		\$0.00		
12	285-036-00002	12" guy strain insulator	Chance GS16012CP	100	each	\$10.00	\$1,000.00	3-4	Aluma-Form FGS21-12CT	\$9.68	\$968.00	2-3	Maclean GCTE15-12		\$0.00		
13	285-047-00027	small hotline clamp	Hubbell BC20	110	each	\$7.72	\$849.20	3-4	Richards BHLC-100	\$6.78	\$745.80	stk-6	Maclean C1520		\$0.00		
14	285-047-00050	3/8" guy deadend grip	Preformed GDE-1107	150	each	\$2.33	\$349.50	3-4		\$2.25	\$337.50	8	Mclean DE-51107	\$2.25	\$337.50	stk	Preformed = GDE-1107
15	285-047-00054	7' yellow guy guard	Chance 84-FRG-YEL	50	each		\$0.00				\$0.00				\$0.00		
16	285-047-00088	8' deadend crossarm	PUPI DA3000096E2B7X2	50	each	\$200.30	\$10,015.00	6		\$196.00	\$9,800.00	3-4	AlumaForm FDA30-2-96-EB-FG		\$0.00		
17	285-047-00093	8' standard crossarm	PUPI TB220009603X2	80	each	\$87.45	\$6,996.00	6		\$100.53	\$8,042.40	3-4	AlumaForm FTA20L-4-96-A		\$0.00		
18	285-047-00094	10' standard crossarm	PUPI TB220012005X2	70	each	\$100.00	\$7,000.00	6		\$116.12	\$8,128.40	3-4	AlumaForm FTA30L-6-120-A		\$0.00		
19	285-047-00098	double tee guy	Hughes AS2720-A4.5	30	each		\$0.00				\$0.00				\$0.00		

City of College Station Purchasing Division
 ITB 14-003 Tabulation
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						Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.	Unit Cost	Total Cost	Delivery Time	If bidding an alternate, or equal item please list the manufacturer and catalog number. Blank boxes will be assumed to be bid as requested.
20	285-047-00099	10 deadend crossarm	PUPI DA3000120E2B9X2	10	each	\$223.00	\$2,230.00	6		\$228.72	\$2,287.20	3-4	AlumaForm FDA30-2-120-EB-FG		\$0.00		
21	285-047-00104	crossarm saddle pins	Hubbell 143221P	550	each	\$15.90	\$8,745.00	8-10		\$14.80	\$8,140.00	3-4	Maclean J33242		\$0.00		
22	285-047-00107	fiberglass ridge pins	MacLean G1MDR118DS4	80	each	\$36.40	\$2,912.00	3-4		\$32.18	\$2,574.40	6-7	Maclean G1MDR118D54		\$0.00		
23	285-047-00121	12' standard crossarm	PUPI TB2500144SPX2	2	each	\$172.00	\$344.00	6		\$181.36	\$362.72	3-4	AlumaForm FTA25-4-144-A		\$0.00		
24	285-047-00122	12' deadend crossarm	PUPI DA3020144E4SPX2	2	each	\$653.00	\$1,306.00	6			\$0.00				\$0.00		
25	285-047-00123	795 deadend shoe	Hubbell ADEZ116N	220	each		\$0.00			\$13.95	\$3,069.00	2-3	Maclean HDS0116		\$0.00		
26	285-047-00124	795 to 477 stirrup	Hubbell AHL5954022E	110	each		\$0.00			\$29.77	\$3,274.70	4-5	Maclean HLS-795-E		\$0.00		
27	285-047-00125	795 super top tie	Hubbell/Chance STT140	60	each		\$0.00				\$0.00				\$0.00		
28	285-074-00022	795 auto splice	Hubbell/Fargo GL1385A	20	each		\$0.00			\$33.58	\$671.60	6-7	Maclean 7660VIP		\$0.00		
29	320-020-00007	5/8 x 30 DA bolt	Joslyn J8878	50	each	\$3.05	\$152.50	1-2	Power Line R8878	\$4.18	\$209.00	2-3	Maclean J8878		\$0.00		
30	320-020-00015	5/8 x 14 machine bolt	Joslyn J8814	150	each	\$1.28	\$192.00	1-2	Power Line R8814	\$1.26	\$189.00	stk-6	Maclean J8814 Exception (std pkg 20)		\$0.00		
31	320-020-00020	3/4 x 14 machine bolt	Chance C8914	300	each	\$2.00	\$600.00	1-2	Power Line R8914	\$2.59	\$777.00	2-3	Maclean J8914		\$0.00		
32	320-020-00023	5/8 x 14 oval eye bolt	Joslyn J9414	50	each	\$2.65	\$132.50	1-2	Power Line R9414	\$3.46	\$173.00	2-3	Maclean J9414		\$0.00		
33	320-020-00026	5/8 x 14 SU bolt	Hubbell 7744	50	each	\$4.10	\$205.00	1-2	Power Line R2348-1/2	\$5.62	\$281.00	2-3	Maclean J2348-1/2 Exception: Std Pkg 20		\$0.00		
34	320-020-00030	square galvanized washers	Hubbell 6814	500	each	\$0.29	\$145.00	1-2	Power Line R1076	\$0.28	\$140.00	6-7	Maclean J1076		\$0.00		
35	320-020-00031	4 x 4 square washers	Hubbell 6818	500	each		\$0.00			\$1.39	\$695.00	2-3	Maclean J1080		\$0.00		
36	320-020-00039	3/4 lock nuts	Chance 3513	500	each	\$0.29	\$145.00	1-2	Power Line R8584	\$0.43	\$215.00	2-3	Maclean J8584		\$0.00		
37	320-022-00007	5/8 lock nuts	Chance 3512	500	each	\$0.19	\$95.00	1-2	Power Line R8583	\$0.19	\$95.00	6-7	Maclean J8583 Exception: Bid Qty of 800		\$0.00		
38	280-058-00021	795 MCM ACC cable (Arbutus)	Southwire Arbutus 4960 ft non-returnable reels	101,000	feet	\$1.17	\$118,170.00	1-2	CME ARBUTUS 3700 NRR	\$1.22	\$123,220.00	14-15	Nexans - Arbutus Exception: Bid Qty of 99,180	\$1.26	\$127,260.00	stk-10	Southwire - Arbutus Exception: Bid Qty of 104,265
Recommended Award Total						\$285.00				\$5,818.60							
Bid Certification						Y				Y							

November 14, 2013
Consent Agenda Item No. 2h
Purchase of Concrete Poles for the F&B Road Double Circuit Electric Feeder Project

To: Kelly Templin, City Manager

From: Timothy Crabb, Director of Electric Utilities

Agenda Caption: Presentation, possible action and discussion on a bid award for the purchase of Concrete Poles for the F&B Double Circuit Electric Feeder Project. The total recommended award is \$291,030 to the lowest responsible bidder Techline, Inc.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Recommend award to the lowest responsible bidder Techline, Inc. providing the best value to the City.

Summary: Three (3) sealed competitive bids were received and opened on October 23, 2013 with Techline, Inc. being the lowest responsible and complete bidder.

These poles will be used to construct a double circuit electric feeder line from the Northgate Substation to the Bio-Corridor area to provide needed capacity and reliability for the planned and proposed projects in the Bio-Corridor development.

Budget & Financial Summary: Funds are budgeted and available in the Electrical Capital Improvement Project Fund.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #14-007

City of College Station
ITB 14-007 Tabulation
Purchase of Concrete Poles for F&B Road Overhead Feeder Project
Opened October 25, 2013 at 2:00 p.m.

Pole #	Length	MEI #	Texas Electric Cooperative		StressCrete Inc.		Techline	
			Price	Delivery (weeks)	Price	Delivery (weeks)	Price	Delivery (weeks)
E00101390	C70	10252	\$3,130.00	6-8 wks a.r.o.	\$3,376.00		\$3,025.00	6- 8 wks
E00101365	C55	10253	\$2,393.00	6-8 wks a.r.o.	\$3,023.00		\$2,314.00	6- 8 wks
E00101368	C55	10253	\$2,393.00	6-8 wks a.r.o.	\$3,023.00		\$2,314.00	6- 8 wks
E00101391	C85	10254	\$15,589.00	6-8 wks a.r.o.			\$15,165.00	6- 8 wks
E00101344	C55	10255	\$2,393.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101332	C60	10256	\$4,099.00	6-8 wks a.r.o.	\$3,082.00		\$4,041.00	6- 8 wks
E00101333	C60	10256	\$4,099.00	6-8 wks a.r.o.	\$3,082.00		\$4,041.00	6- 8 wks
E00101341	C55	10257	\$3,950.00	6-8 wks a.r.o.	\$3,376.00		\$3,892.00	6- 8 wks
E00101340	C75	10258	\$12,286.00	6-8 wks a.r.o.			\$11,932.00	6- 8 wks
E00101407	C55	10259	\$2,393.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101321	C65	10259	\$2,683.00	6-8 wks a.r.o.	\$3,376.00		\$2,621.00	6- 8 wks
E00101406	C55	10269	\$2,342.00	6-8 wks a.r.o.	\$2,847.00		\$2,289.00	6- 8 wks
E00101322	C65	10269	\$2,683.00	6-8 wks a.r.o.	\$3,376.00		\$2,621.00	6- 8 wks
E00101353	C85	10271	\$16,920.00	6-8 wks a.r.o.			\$16,431.00	6- 8 wks
E00101379	C75	10272	\$13,973.00	6-8 wks a.r.o.			\$13,569.00	6- 8 wks
E00101359	C75	10272	\$13,973.00	6-8 wks a.r.o.			\$13,569.00	6- 8 wks
E00101374	C75	10272	\$13,973.00	6-8 wks a.r.o.			\$13,569.00	6- 8 wks
E00101393	C65	10275	\$3,273.00	6-8 wks a.r.o.	\$3,376.00		\$3,205.00	6- 8 wks
E00101346	C60	10276	\$2,734.00	6-8 wks a.r.o.	\$3,200.00		\$2,671.00	6- 8 wks
E00101394	C55	10277	\$2,563.00	6-8 wks a.r.o.	\$2,914.00		\$2,504.00	6- 8 wks
E00101323	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101324	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101325	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101326	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101327	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101328	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101329	C60	10321	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,437.00	6- 8 wks
E00101395	C55	10322	\$2,342.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101354	C65	10322	\$2,683.00	6-8 wks a.r.o.	\$3,023.00		\$2,621.00	6- 8 wks
E00101343	C55	10323	\$2,342.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101363	C55	10325	\$2,342.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101400	C75	10326	\$6,744.00	6-8 wks a.r.o.			\$6,563.00	6- 8 wks
E00101392	C55	10332	\$2,342.00	6-8 wks a.r.o.	\$2,847.00		\$2,314.00	6- 8 wks
E00101389	C65	10344	\$2,910.00	6-8 wks a.r.o.	\$3,376.00		\$2,843.00	6- 8 wks
E00101369	C40	10408	\$2,100.00	6-8 wks a.r.o.	\$2,318.00		\$2,034.00	6- 8 wks
E00101334	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101335	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101336	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101337	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101338	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101402	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101403	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101404	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101405	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101342	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks

City of College Station
ITB 14-007 Tabulation
Purchase of Concrete Poles for F&B Road Overhead Feeder Project
Opened October 25, 2013 at 2:00 p.m.

Pole #	Length	MEI #	Texas Electric Cooperative		StressCrete Inc.		Techline	
			Price	Delivery (weeks)	Price	Delivery (weeks)	Price	Delivery (weeks)
E00101345	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101360	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101361	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101362	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101364	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101366	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101367	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101370	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101371	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101372	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101375	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101376	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101377	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101378	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101380	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101381	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101382	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101383	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101384	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101385	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101386	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101387	C55	10250-1	\$2,334.00	6-8 wks a.r.o.	\$2,914.00		\$2,277.00	6- 8 wks
E00101330	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101331	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101339	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101401	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101373	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101388	C60	10250-1	\$2,496.00	6-8 wks a.r.o.	\$3,023.00		\$2,432.00	6- 8 wks
E00101396	C55	10251-1	\$2,563.00	6-8 wks a.r.o.	\$3,200.00		\$2,504.00	6- 8 wks
E00101397	C55	10251-1	\$2,563.00	6-8 wks a.r.o.	\$3,200.00		\$2,504.00	6- 8 wks
E00101398	C60	10251-1	\$2,734.00	6-8 wks a.r.o.	\$3,200.00		\$2,671.00	6- 8 wks
E00101355	C60	10251-1	\$2,734.00	6-8 wks a.r.o.	\$3,200.00		\$2,671.00	6- 8 wks
E00101356	C60	10251-1	\$2,734.00	6-8 wks a.r.o.	\$3,200.00		\$2,671.00	6- 8 wks
E00101349	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101399	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101347	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101348	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101350	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101351	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101352	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101357	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
E00101358	C65	10251-1	\$2,932.00	6-8 wks a.r.o.	\$3,552.00		\$2,864.00	6- 8 wks
Recommended Award			\$298,499.00		\$244,365.00		\$291,030.00	

Note: Award is based on the lowest complete bid. StressCrete did not bid all items.

November 14, 2013
Consent Agenda Item No. 2i
Annual Purchase of Various Transformers

To: Kelly Templin, City Manager

From: Jeff Kersten, Executive Director Business Services

Agenda Caption: Presentation, possible action and discussion on a bid award for the annual purchase of various transformers, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$528,328.58 and will be awarded by line item to the lowest responsible bidder.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Recommend award to the lowest responsible bidder providing the best value to the City as follows:

Stuart C. Irby	\$ 157,404.55
HD Supply	\$ 208,847.36
Texas Electric Cooperatives	\$ 23,740.00
Techline	\$ 71,407.00
Priester-Mell & Nicholson	\$ 34,152.00
Wesco	\$ 13,553.67
KBS	\$ 19,224.00
TOTAL	\$528,328.58

Summary: Seven (7) sealed competitive bids and one (1) letter of no bid were received and opened on September 24, 2013. Electric staff evaluated the bids for compliance to the needed specifications. Line items were awarded to the lowest responsible bidders for their respective bid items. Upon Council approval, purchase orders will be issued to the vendors recommended for award. The materials will be placed and maintained in the electrical inventory and expended as needed.

Budget & Financial Summary: Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #13-101

**City of College Station Purchasing Divison
ITB 13-101 Tabulation Summary
Annual Purchase of Various Transformers
Opened Septemeber 24, 2013 at 2:00 P.M.**

	Vendor	Manufacturer	Quantity	Unit Price	Total	Delivery
Item #1 25 KVA Padmount Transformer 240/120 Inventory #285-086-00031	Irby	Ermco	30	\$1,399.75	\$41,992.50	10-12 weeks
Item #2 37.5 KVA Padmount Transformer 240/120 Inventory #285-086-00059	Irby	Ermco	25	\$1,524.17	\$38,104.25	10-12 weeks
Item #3 50 KVA Padmount Transformer 240/120 Inventory #285-086-00032	Irby	Ermco	20	\$1,639.57	\$32,791.40	10-12 weeks
Item #4 25 KVA Padmount Transformer 240/120 Typ Inventory #285-086-00061	TEC	Ermco	5	\$1,475.00	\$7,375.00	9-11 weeks
Item #5 50 KVA Padmount Transformer 480/240 Inventory #285-086-00062	TEC	Ermco	1	\$1,565.00	\$1,565.00	9-11 weeks
Item #6 75 KVA Padmount Transformer 240/120 Inventory #285-086-00033	Irby	Ermco	10	\$2,079.12	\$20,791.20	10-12 weeks
Item #7 100 KVA Padmount Transformer 240/120 Inventory #285-086-00034	Irby	Ermco	10	\$2,372.52	\$23,725.20	10-12 weeks
Item #8 167 KVA Padmount Transformer 240/120 Inventory #285-086-00035	TEC	Ermco	5	\$2,960.00	\$14,800.00	9-11 weeks
Item #9 250 KVA Padmount Transformer 240/120 Inventory #285-086-00036	Wesco	ABB	3	\$4,517.89	\$13,553.67	6-8 weeks
Item #10 75 KVA Padmount Transformer 208/120 Inventory #285-086-00037	Techline	Howard	2	\$5,365.00	\$10,730.00	12 weeks
Item #11 112.5 KVA Padmount Transformer 208/120 Inventory #285-086-00038	Techline	Howard	2	\$5,926.00	\$11,852.00	12 weeks
Item #12 150 KVA Padmount Transformer 208/120 Inventory #285-086-00039	Techline	Howard	3	\$6,358.00	\$19,074.00	12 weeks
Item #13 225 KVA Padmount Transformer 208/120 Inventory #285-086-00040	Techline	Howard	3	\$7,461.00	\$22,383.00	12 weeks
Item #14 300 KVA Padmount Transformer 208/120 Inventory #285-086-00041	HD Supply	GE Prolec	3	\$8,910.53	\$26,731.59	7 weeks

**City of College Station Purchasing Division
ITB 13-101 Tabulation Summary
Annual Purchase of Various Transformers
Opened Septemeber 24, 2013 at 2:00 P.M.**

	Vendor	Manufacturer	Quantity	Unit Price	Total	Delivery
Item #15 500 KVA Padmount Transformer 208/120 Inventory #285-086-00042	PM&N	CG Power	1	\$10,127.00	\$10,127.00	7-9 weeks
Item #16 750 KVA Padmount Transformer 208/120 Inventory #285-086-00043	HD Supply	GE Prolec	1	\$15,474.74	\$15,474.74	9 weeks
Item #17 1000 KVA Padmount Transformer 208/120 Inventory #285-086-00044	KBS	Cooper	1	\$19,224.00	\$19,224.00	16-18 weeks
Item #18 112.5 KVA Padmount Transformer 480/277 Inventory #285-086-00045	HD Supply	GE Prolec	2	\$5,840.00	\$11,680.00	9 weeks
Item #19 150 KVA Padmount Transformer 480/277 Inventory #285-086-00046	HD Supply	GE Prolec	1	\$6,097.89	\$6,097.89	9 weeks
Item #20 225 KVA Padmount Transformer 480/277 Inventory #285-086-00047	Techline	Howard	1	\$7,368.00	\$7,368.00	12 weeks
Item #21 300 KVA Padmount Transformer 480/277 Inventory #285-086-00048	HD Supply	GE Prolec	2	\$8,632.63	\$17,265.26	9 weeks
Item #22 500 KVA Padmount Transformer 480/277 Inventory #285-086-00049	HD Supply	GE Prolec	1	\$9,641.05	\$9,641.05	9 weeks
Item #23 750 KVA Padmount Transformer 480/277 Inventory #285-086-00050	HD Supply	GE Prolec	1	\$12,229.47	\$12,229.47	9 weeks
Item #24 1000 KVA Padmount Transformer 480/277 Inventory #285-086-00051	HD Supply	GE Prolec	1	\$14,266.32	\$14,266.32	9 weeks
Item #25 1500 KVA Padmount Transformer 480/277 Inventory #285-086-00052	HD Supply	GE Prolec	2	\$19,329.47	\$38,658.94	9 weeks
Item #26 2000 KVA Padmount Transformer 480/277 Inventory #285-086-00053	PM&N	CG Power	1	\$24,025.00	\$24,025.00	7-9 weeks
Item #27 2500 KVA Padmount Transformer 480/277 Inventory #285-086-00054	HD Supply	GE Prolec	2	\$28,401.05	\$56,802.10	9 weeks
GRAND TOTAL:					\$528,328.58	

November 14, 2013
Regular Agenda Item No. 1
Lincoln Center Expansion Preliminary Design

To: Kelly Templin, City Manager

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

Agenda Caption: Presentation, possible action and discussion regarding the conceptual design for the Lincoln Center Expansion.

Relationship to Strategic Goals:

1. Core Services and Infrastructure

Recommendation(s): Staff recommends that the City Council receive the presentation and provide comments and directions to allow staff to proceed with the development of bidding documents

Summary: The expansion of the Lincoln Center is one of the facility expansion projects included in the 2008 Bond Authorization. The original scope for the project developed in 2008 included an 8,000-10,000 SF facility expansion and additional parking.

As part of the preliminary design, staff completed a thorough condition assessment and use assessment of the existing Lincoln Center. The condition assessment confirmed that the structure and major operating systems are in good condition, but portions of the existing building need to be updated. The use assessment confirmed that renovations are necessary to provide operational flexibility and to make efficient use of the existing space. Additionally, during the preliminary design phase asbestos was identified in the several locations throughout the facility. Additional parking is not currently included in the scope of the project. Sufficient parking spaces are available; however on-site traffic circulation improvements are included in the project scope to help improve traffic flow and increase the safety of passengers being dropped off or picked up.

Therefore, staff is recommending some renovations to the existing Lincoln Center to help preserve the city's existing asset, provide operational flexibility, and abate the asbestos. Additionally, staff is recommending a new 15,000 SF facility that will include a new gym and meeting/activity rooms. Staff feels that the renovations to the existing building combined with the new facility will provide a lot of operational flexibility and provide additional meeting space and help offset the space lost with the closure of the Conference Center.

On August 20th and 27th staff conducted public meetings on this project to get input and feedback from the community. Additionally, staff presented these improvements to the Parks and Recreation Advisory Board on October 8th. Positive feedback was received during all three meetings.

Budget & Financial Summary: Funds in the amount of \$4,285,000 are currently budgeted for this project in the Parks Capital Improvement Projects Fund. A total of \$54,510 has been expended or committed to date, leaving a balance of \$4,230,490 for design and construction.

Reviewed and Approved by Legal: N/A

Attachments:

1. None

November 14, 2013
Regular Agenda Item No. 2
1201 Norton Lane
Comprehensive Plan Amendment

To: Kelly Templin, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for the property located at 1201 Norton Lane; approximately 5.4 acres at the corner of Wellborn Road and Norton Lane.

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

Recommendation(s): The Planning and Zoning Commission held a public hearing for this item at their October 17, 2013 meeting where they recommended 3-1 approval.

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

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The subject tract and properties immediately surrounding the area have been designated as Estate on the Comprehensive Plan Future Land Use and Character Map. The applicant has stated that the Estate designation has made it difficult for the property to sell and develop. Other than market opportunities, there appears to be no change in conditions in the subject area that would invalidate the current land use and character designations for the area.
2. **Scope of the request:** This request is to introduce a commercial land use and character into an area that is otherwise suburban and single-family in character. The request would enable a land use that is more intense than surrounding land uses and enable traffic generation and other service demands in excess of current land uses.
3. **Availability of adequate information:** Staff can determine trips generated by the proposed land use and subtract trips already generated by current use to assess impact. In addition, Staff has 2009 TxDOT traffic counts on Wellborn Road and 2011 projected traffic volumes created by the Travel Demand Model.

The current land use is Estate with no improvements and generating no vehicles per day (VPD). The proposed General Commercial designation may generate approximately 2,700 VPD. TxDOT's 2009 traffic counts along Wellborn Road in this area are 4,800 VPD. The City's travel demand model projected to 2011 indicates a volume of 10,500 VPD. Adding the proposed land use trip generation of 2,700 VPD to 10,500 VPD, the volumes on Wellborn Road equals 13,200 VPD. Wellborn Road in this area has a capacity of

approximately 20,000 VPD with a Level of Service (LOS) "D" of approximately 16,666 VPD.

4. **Consistency with the goals and strategies set forth in the Plan:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

Relevant Strategies identified in the Plan to achieve this goal include:

- Establish and protect distinct boundaries between various character areas:
 - The current Future Land Use and Character Map depicts retaining the distinct single-family character from other more developed areas.
 - The proposed land use and character designation represents the only intrusion of General Commercial character into the otherwise Estate character area.
- Promote public and private development and design practices that ensure distinct neighborhoods, districts, and corridors:
 - The Wellborn Community, south of the subject tract, was designated as an area for further study in the City's Comprehensive Plan. In 2013, a Plan was adopted to enhance the area's character. To that end, the Plan established the following goals and reinforced the land use and character designation for the area:
 - Be a community of rural character positioned for contextually appropriate growth that embodies and sustains the uniqueness and history of the area;
 - Promote a multi-modal transportation network that responds to the low density, rural context of the community.
- Provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life:
 - The proposed land use amendment may generate jobs to stimulate the local economy, bolster sales and the tax base.
- Provide improved mobility through a safe, efficient, and well-connected multi-modal transportation system designed to be sensitive to the surrounding land uses:
 - The proposed General Commercial land use designation and the existing Estate land use designation generate different trip rates and so must be evaluated against the capacity of the current transportation network. Furthermore, though outside the Wellborn District Plan area, the strategy in the Plan was to limit the general commercial land use to correspond to the widening of Wellborn Road by TxDOT in the future to ensure roadway capacity.

- 5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The subject tract is designated as Estate on the Comprehensive Plan Future Land Use and Character Map. Estate is intended for areas that are not likely to be the focus of extensive infill development. This area consists of larger-lot homes along Wellborn Road that were developed prior to annexation.

The proposed General Commercial designation is intended for an intense level of development activity and consists of uses that are permitted in the General Commercial zoning district. The applicant states as a justification for the request that developments south of this property consist of commercial use and noise from the Wellborn Road and the railroad make this property unsuitable for residential development. The Comprehensive Plan identifies a considerable amount of Estate across Wellborn Road and the railroad to protect the existing large lot, rural single-family character.

In this area, Wellborn Road will remain rural in context as per the Wellborn District Plan. Wellborn Road will also remain a four-lane Minor Arterial in functional classification. Norton Lane is a private roadway and access considerations will need to be discussed between the applicant and co-owners.

- 6. Compatibility with the surrounding area:** As stated previously, the subject property is located in an area designated as Estate and currently developed as a large-lot single-family. With the proposed General Commercial development, an increased amount of traffic and infrastructure demands can be expected. The Unified Development Ordinance requires screening and buffering to General Commercial properties.
- 7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service to the tract may be provided by an existing 12-inch water main running along the east side of Wellborn Road and a 2-inch waterline along the south side of Norton Lane. Domestic and fire flow demands may necessitate future water main extensions at the time of site development. These utilities will be required to be designed and constructed in accordance with the BCS Unified Design Guidelines.

There is currently an 8-inch sanitary sewer main along the east side of Wellborn Road available to serve the property. Although the proposed General Commercial Land Use will be creating more density, preliminary analysis of the system has indicated that there is available capacity to serve this type of development.

The subject tract is located in the Hopes Creek drainage basin. No portion of the property has been designated FEMA Special Flood Hazard Area. Development of the subject tract will be required to meet the requirements of the City's Storm Water Design Guidelines, and site development impacts on the drainage system will be evaluated further at that time.

The current land use is Estate with no improvements and generating no vehicles per day (VPD). The proposed General Commercial designation may generate approximately 2,700 VPD. TxDOT's 2009 traffic counts along Wellborn Road in this area are 4,800 VPD. The City's travel demand model projected to 2011 indicates a volume of 10,500 VPD. Adding the proposed land use trip generation of 2,700 VPD to 10,500 VPD the volumes on Wellborn Road equals 13,200 VPD. Wellborn Road in this area has a capacity of approximately 20,000 VPD with a level of Service (LOS) "D" of approximately 16,666 VPD.

Though there seems to be capacity, further limitations may be needed to restrict commercial development until the decision to widen Wellborn Road to its four-lane ultimate configuration is made.

8. **Impact on the City's ability to provide, fund, and maintain services:** No indication exists that the City will have any difficulty in providing or funding services to the subject property based on the requested land use and character designation.
9. **Impact on environmentally sensitive and natural areas:** There have not been any areas studied as floodplain on the subject lot; however, a change in character in this area could lead to increases in population, traffic, etc. and may impact this natural area.
10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

This request recognizes and promotes economic opportunity and the property is located adjacent to an existing single-family neighborhood.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

1. Background
2. Aerial, Small Area Map (SAM), and Future Land Use & Character Map
3. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: October 17, 2013
Advertised Council Hearing Dates: November 14, 2013

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

Southern Trace HOA

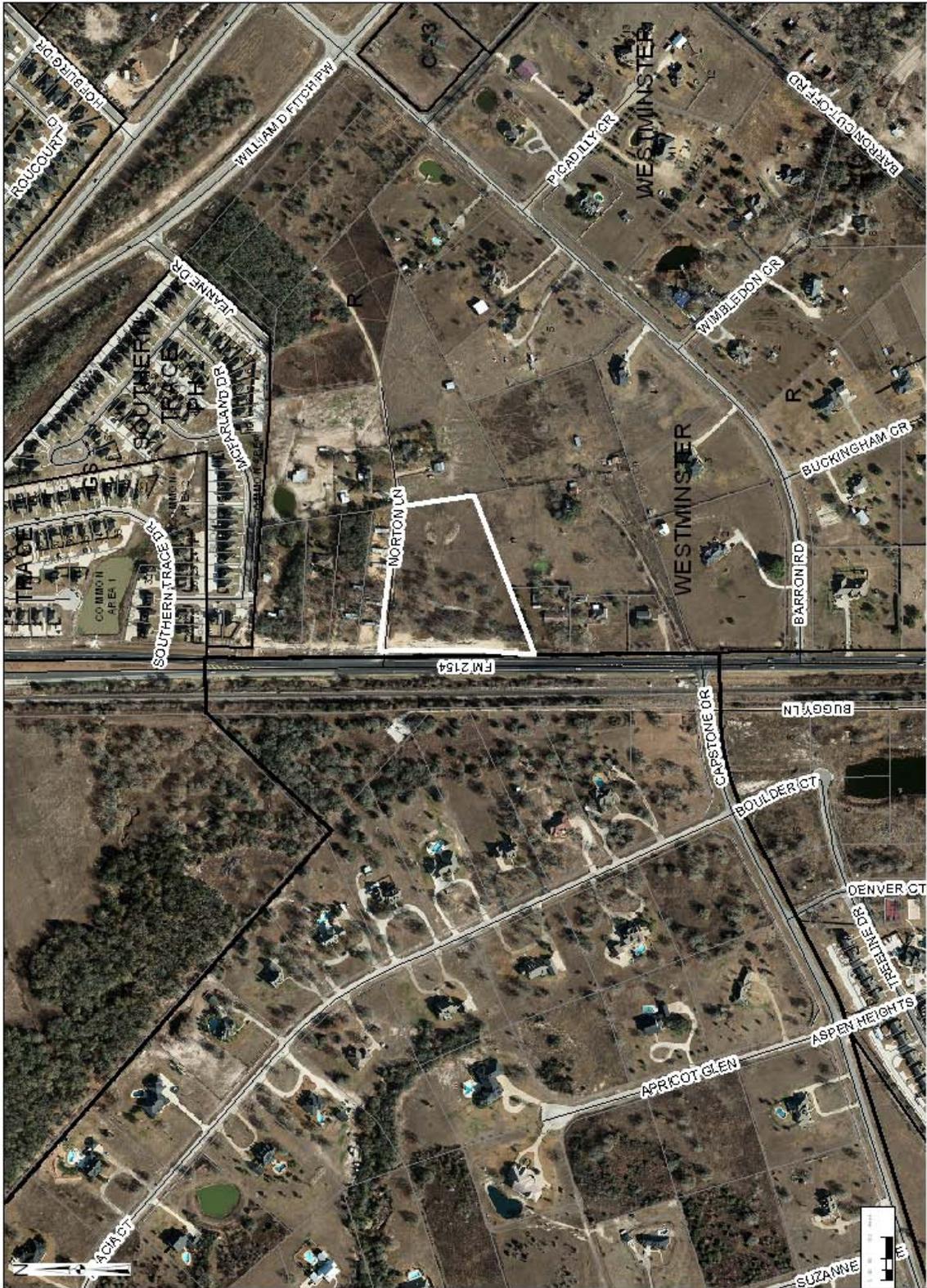
Contacts in support: None at the time of this report.
Contacts in opposition: Two (2) at the time of this report.
Inquiry contacts: Two (2) at the time of this report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Estate	A-O Agricultural Open	Single-family residential
South	Estate	A-O Agricultural Open	Single-family residential
East	Estate	A-O Agricultural Open	Single-family residential
West (across Wellborn Road)	Rural	N/A (ETJ)	Single-family residential

DEVELOPMENT HISTORY

Annexation: June 1995
Zoning: A-O Agricultural Open
Final Plat: This property is unplatted.
Site development: The site is currently undeveloped.



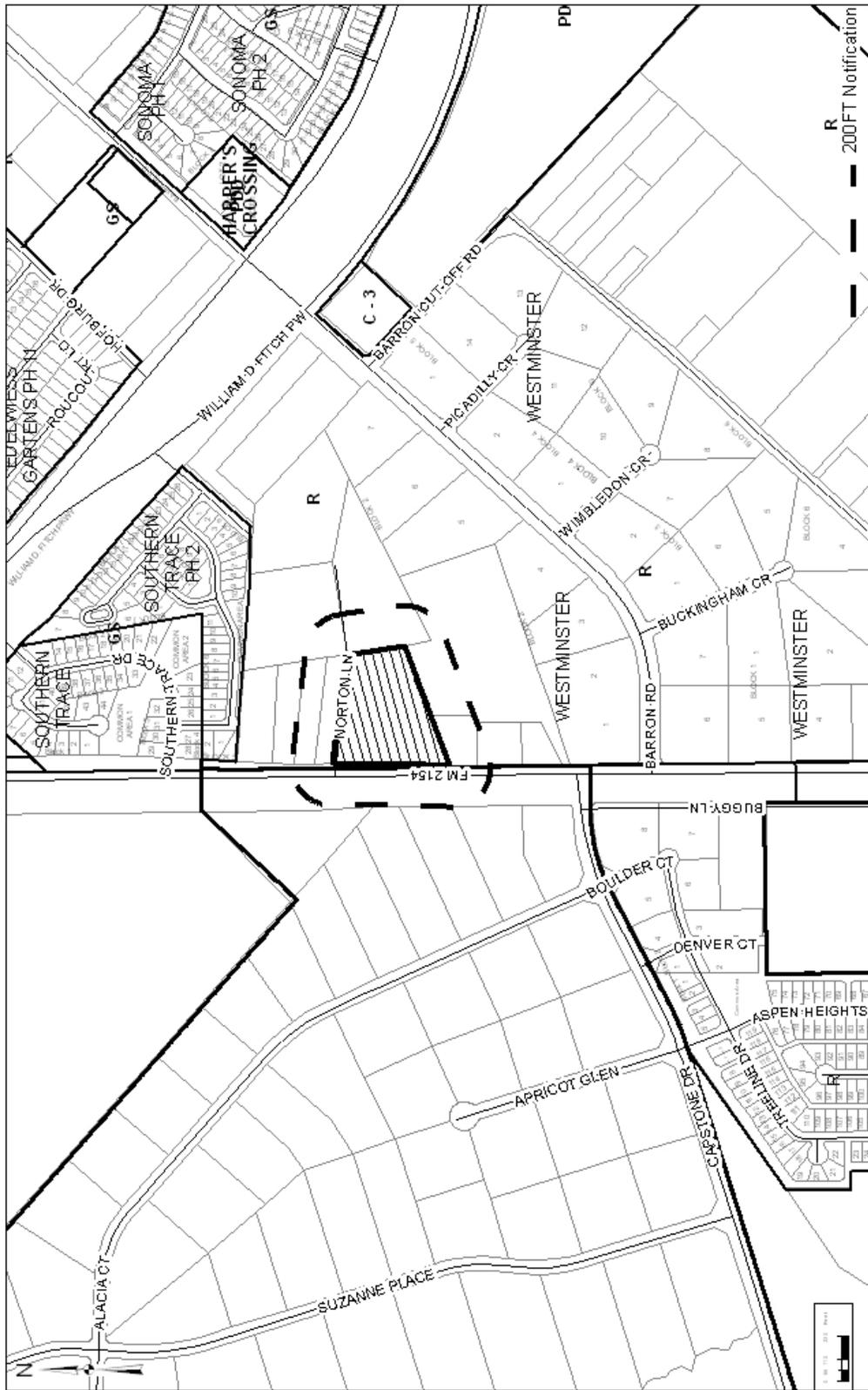
Case: 18-193

1201 NORTON LANE

DEVELOPMENT REVIEW



COMP PLAN AMENDMENT



Zoning Districts	Townhouse	C-3	Light Commercial	WPC
A-0 Agricultural Open	R-3	M-1	C-3	NG-1
A-OR Rural Residential Subdivision	R-4	M-2	M-1	NG-2
R-1 Single Family Residential	R-6	M-3	M-2	NG-3
R-1B Single Family Residential	R-7	C-U	M-3	OV
R-2 Duplex Residential	D	R&D	C-4	RDD
	GC	P-MUD	C-5	KD
	CI	PDD	C-6	
			C-7	
			C-8	
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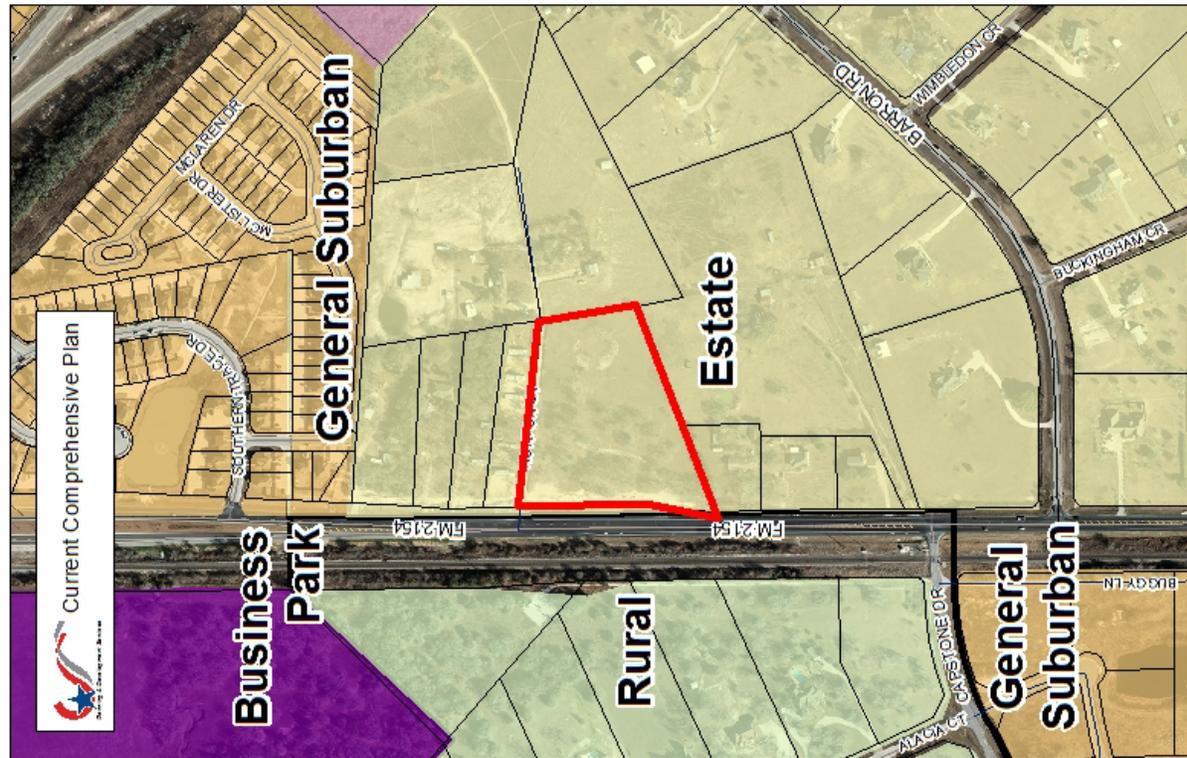
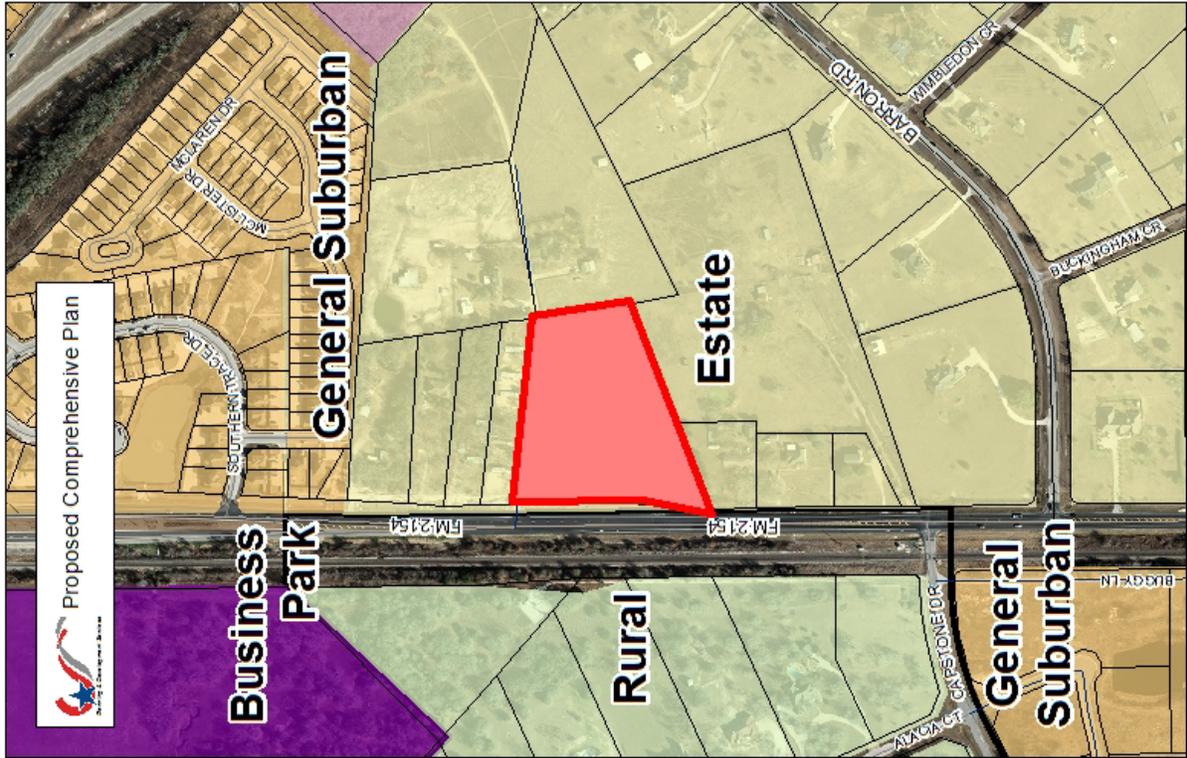


DEVELOPMENT REVIEW

1201 NORTON LANE

Case: **13-193**

COMP PLAN AMENDMENT



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE AND CHARACTER MAP, FOR THE AREA LOCATED AT 1201 NORTON LANE, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That the "Comprehensive Plan of the City of College Station" be amending by amending the "Comprehensive Plan Future Land Use and Character Map" as set out in Exhibits "A" and "B", for the indentified area and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held or be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its data or passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 14th day of November, 2013.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

AMENDED AREA OF FUTURE LANE USE AND CHARACTER MAP

That the "Comprehensive Plan" of the City of College Station, Texas, is hereby amended by amending the Future Land Use and Character Map as follows:

The 5.4 acres located at 1201 Norton Lane, generally located at the corner of Wellborn Road and Norton Lane, is amended from Estate to General Commercial, as shown in the attached Exhibit "B" and Exhibit "C".

EXHIBIT "B"

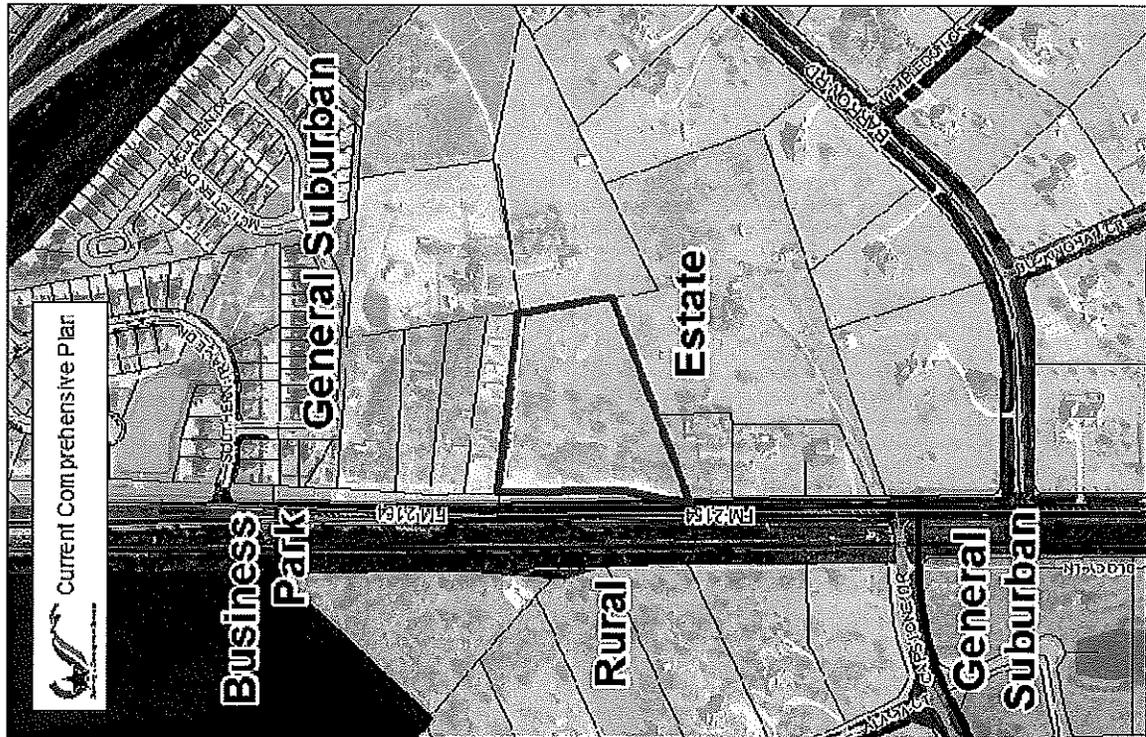
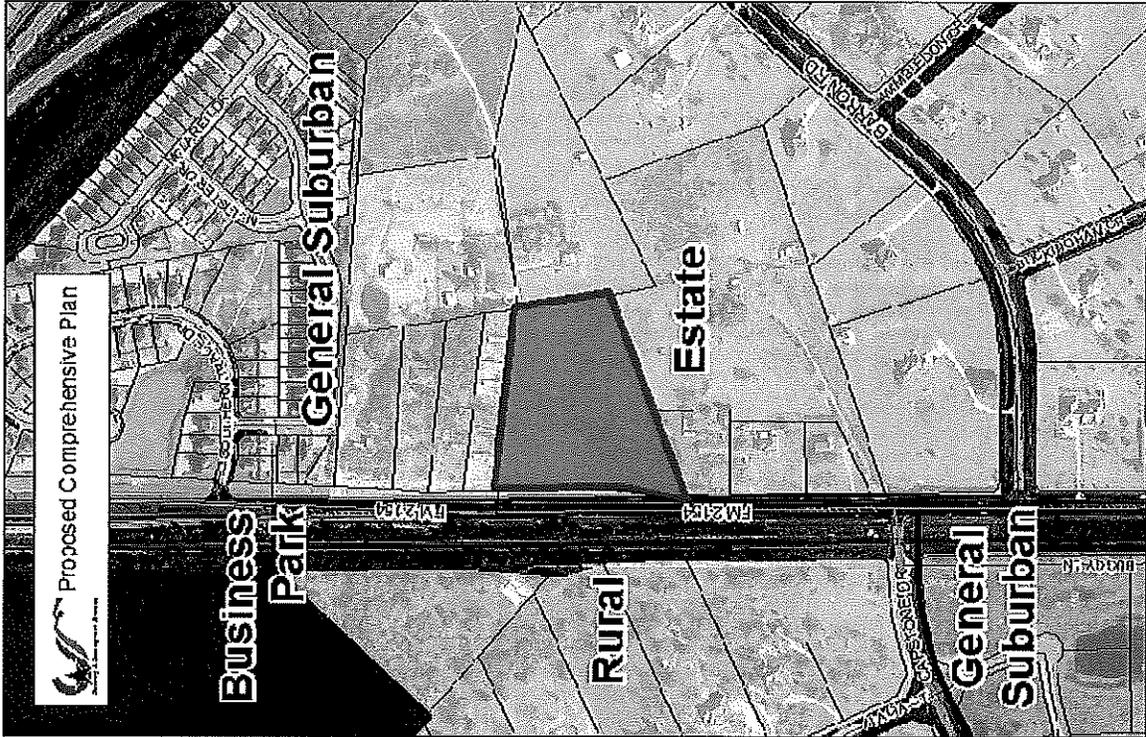
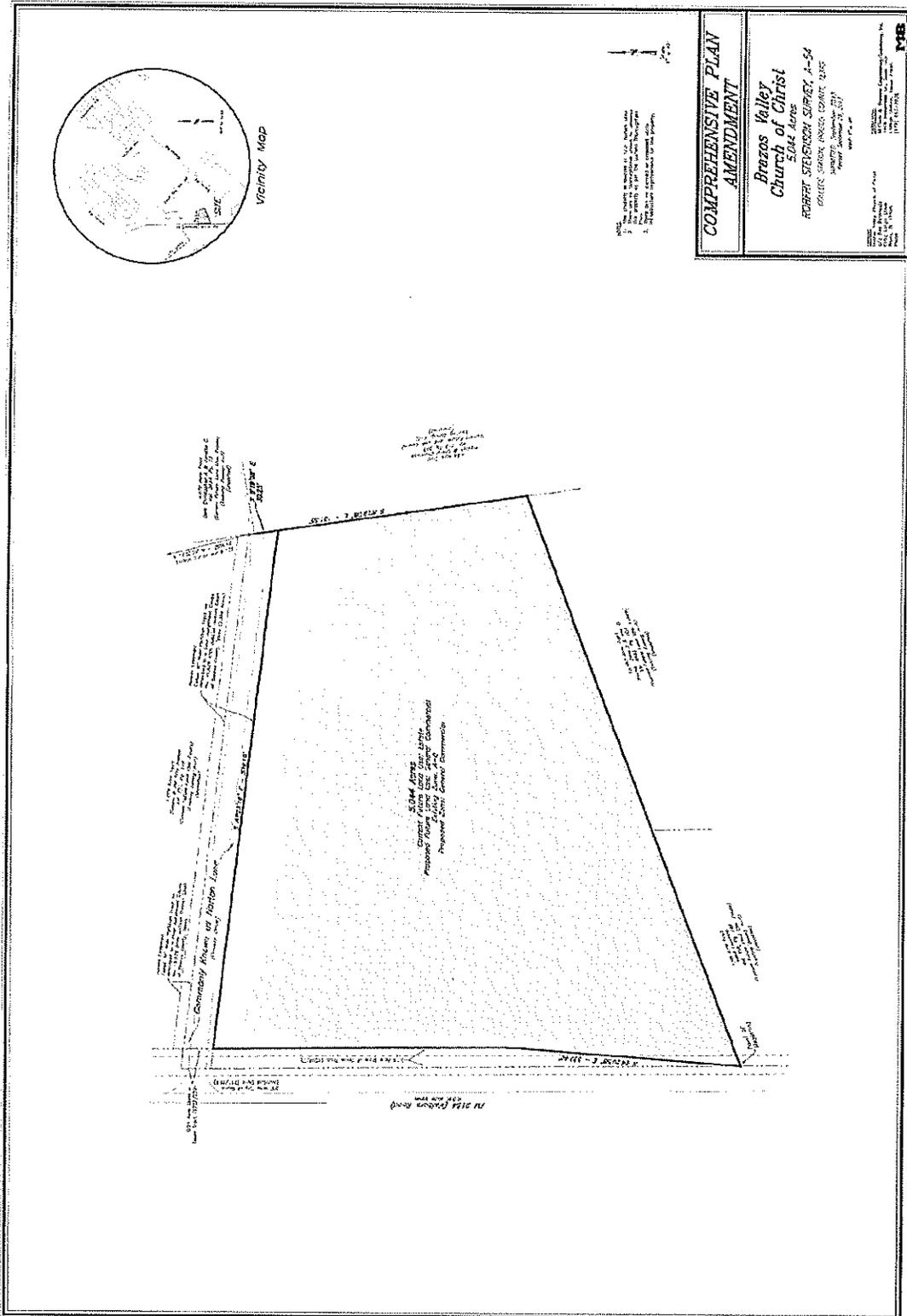


EXHIBIT "C"



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
October 17, 2013, 6:30 p.m.
City Hall Council Chambers
College Station, Texas

COMMISSIONERS PRESENT: Mike Ashfield, Jodi Warner, Brad Corrier, and Jerome Rektorik

COMMISSIONERS ABSENT: Jim Ross and Bo Miles

CITY COUNCIL MEMBERS PRESENT: Julie Schultz

CITY STAFF PRESENT: Bob Cowell, Lance Simms, Jennifer Prochazka, Jason Schubert, Matt Robinson, Teresa Rogers, Morgan Hester, Jenifer Paz, Alan Gibbs, Danielle Singh, Erika Bridges, Robin Cross, Timothy Green, and Brittany Caldwell

1. **Call Meeting to Order**

Chairman Ashfield called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Hear Citizens**

No one spoke.

4. **Consent Agenda**

All items approved by Consent are approved with any and all staff recommendations.

4.1 Consideration, possible action, and discussion to approve Meeting Minutes.

- September 19, 2013 ~ Workshop
- September 19, 2013 ~ Regular

4.2 Consideration, discussion, and possible action on Absence Requests from meetings.

- Jim Ross ~ October 17, 2013

4.3 Presentation, possible action, and discussion on a Final Plat for Indian Lakes Phase 17 consisting of 19 residential lots on approximately 36.4 acres generally located east of Matoska Ridge Drive in the Indian Lakes Subdivision, approximately one mile southwest of State Highway 6 South in the City's Extraterritorial Jurisdiction. **Case #13-00900191 (M.Hester)**

- 4.4 Presentation, possible action, and discussion on a Final Plat for Creek Meadows Section 3 Phase 1 consisting of 24 residential lots on approximately 5.9 acres generally located at the corner of Creek Meadows Boulevard North and Greens Prairie Trail. **Case #12-00500009 (M.Hester)**
- 4.5 Presentation, possible action, and discussion on a Preliminary Plan for Reatta Corner Subdivision consisting of two commercial lots on approximately 3.661 acres generally located at 4001 Victoria Avenue, southeast corner of Barron Road and Victoria Avenue. **Case #13-00900186 (J.Paz)**
- 4.6 Presentation, possible action, and discussion on a Final Plat for Reatta Corner Subdivision consisting of two commercial lots on approximately 3.661 acres generally located at 4001 Victoria Avenue, southeast corner of Barron Road and Victoria Avenue. **Case #13-00900187 (J.Paz)**
- 4.7 Presentation, possible action, and discussion on a Final Plat for Castlegate II Section 103 consisting of 39 single-family residential lots on approximately 9.6 acres generally located at the intersection of Victoria Avenue and Norwich Drive. **Case #13-00900181 (M.Robinson)**

Commissioner Warner motioned to approve Consent Agenda Items 4.1 - 4.7 with the addition of Commissioner Miles being added to Item 4.2 for the October 17th meeting. Commissioner Rektorik seconded the motion, motion passed (4-0).

Regular Agenda

- 5. Consideration, possible action, and discussion on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

- 6. Presentation, possible action, and discussion on a waiver request to Unified Development Ordinance Section 12-8.3.H.2, "Platting and Replatting in Older Subdivisions," regarding average lot width and public hearing, presentation, possible action, and discussion on a Final Plat for Breezy Heights Addition Lots 9, 10, 11, and 12, Block 1 being a Replat of Breezy Heights Addition 1.26 acres, Block 1 consisting of 4 lots on approximately 1.3 acres located at 900 Hereford Street. **Case # 13-00900159 (T.Rogers)**

Staff Planner Rogers presented the waiver request to average lot width and the replat and recommended approval.

Trey Guseman, 3131 Briarcrest Drive Suite 111, Bryan, Texas, stated that the lots were replatted into four lots at an earlier Planning and Zoning meeting, but after speaking with the neighbors decided that the existing historic house would remain and three lots could front Welsh Avenue.

Commissioner Carrier motioned to approve the waiver request to average lot width. Commissioner Rektorik seconded the motion, motion passed (4-0).

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing

Chairman Ashfield closed the public hearing.

Commissioner Rektorik motioned to approve the replat. Commissioner Carrier seconded the motion, motion passed (4-0).

7. Public hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by rezoning approximately 7.4 acres in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas. Said tract being the same tract of land as described by a deed to Texas A&M Foundation Trust Company, trustee of the Wanona Carol Randolph charitable remainder unitrust recorded in Volume 9361, Page 87 of the Official Public Records of Brazos County, Texas, more generally located at 2900 North Graham Road from PDD Planned Development District to BPI Business Park Industrial. **Case #13-00900189 (T.Rogers)**

Staff Planner Rogers presented the rezoning and recommended approval.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

Commissioner Warner motioned to recommend approval of the rezoning. Commissioner Rektorik seconded the motion, motion passed (4-0).

8. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Institutional/Public to General Commercial for approximately 4.4 acres for the property located at 1600 University Drive East at the corner of University Drive East and Glenhaven Drive. **Case #13-00900196 (M.Hester)**

Staff Planner Hester presented the Comprehensive Plan Amendment and gave the following options for action:

- Denial – The property would remain Institutional/Public as currently designated on the Comprehensive Plan;
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There was general discussion amongst the Commission regarding buffer requirements.

Jesse Durden, 2809 Earl Rudder Freeway South, College Station, Texas, gave a presentation in support of the Comprehensive Plan Amendment and stated that the property is a great location for a General Commercial use because of it being a gateway into the City. He also said that General Commercial conforms with the existing uses on University Drive.

Cully Lipsey, 1021 University Drive East, College Station, Texas, representing Scott & White, read letters from Pappas and Scott & White.

Chairman Ashfield opened the public hearing.

Janet Fanguy, 705 Summerglenn, College Station, Texas, expressed concern about the potential of a restaurant being located on the property and the traffic and noise that would produce.

Chairman Ashfield closed the public hearing.

There was more discussion amongst the Commission regarding buffers.

Commissioner Corrier motioned to recommend that the City Council accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation. Commissioner Rektorik seconded the motion, then withdrew his motion, then seconded the motion again, motion passed (4-0)

9. Public hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Estate to General Commercial for approximately 5.4 acres for the property located at 1201 Norton Lane at the corner of Wellborn Road and Norton Lane. **Case #13-00900193 (M.Hester)**

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- Propose an alternative land use and character designation for the property.

J L Taylor, representative for the church, said that there were inquires on the property, but only for commercial, not residential. The concerns were the railroad tracks and FM 2154.

There was general discussion amongst the Commission and Staff regarding the Comprehensive Plan Amendment.

Chairman Ashfield opened the public hearing.

Ray Bomnskie, 4691 River Valley Drive, College Station, Texas, said that the property would be difficult to sell with the Estate designation due to the property being located next to a mobile home park and its proximity to the railroad tracks.

Janette Dale, 3130 Norton Lane, College Station, Texas, stated that she was opposed to a large-commercial development on the property.

Juan Rocha, 14097 FM 2154, College Station, Texas, stated that he felt that the property is better suited for a residential development.

Chairman Ashfield closed the public hearing.

There was general discussion amongst the Commission regarding the rezoning.

Commissioner Corrier motioned to recommend that the City Council accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation. Commissioner Warner seconded the motion, motion passed (3-1). Commissioner Rektorik was in opposition.

10. Public hearing, presentation, possible action, and discussion regarding the annual review of the Comprehensive Plan and the Unified Development Ordinance. **(B.Cowell)**

Executive Director Cowell gave an overview of the item.

Principal Planner Prochazka presented the annual review of the Comprehensive Plan and the Unified Development Ordinance.

Chairman Ashfield opened the public hearing.

Ron Gay, 1106 Deacon Drive, College Station, Texas, representing St. Thomas Aquinas Church, stated that the church would like a larger sign.

Jim Jett, 5004 Congressional Court, College Station, Texas, requested a change to the Comprehensive Plan. He said that he was currently developing Aggieland Business Park and recently acquired a 5.5-acre tract on State Highway 47 that he was interested in changing from Business Park to General Commercial.

John Dylan, 351 Adriatic Parkway, McKinney, Texas, stated that he was the owner of the 20-acre tract adjacent to Mr. Jett's property. He said that he was in support and concurred with Mr. Jett's recommendation for the land use to be changed from Business Park to General Commercial.

Kim Eubanks, 351 Adriatic Parkway, McKinney, Texas, bought the property 6 years ago with Mr. Dylan and agreed that the land use be changed to General Commercial.

Chairman Ashfield closed the public hearing.

The Commission concurred with the potential land use change from Business Park to General Commercial and said that it could be considered as part of a study of the area.

11. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion regarding future agenda items.

12. Adjourn.

The meeting was adjourned at 8:30 p.m.

Approved:

Mike Ashfield, Chairman
Planning & Zoning Commission

Attest:

Brittany Caldwell, Admin. Support Specialist
Planning & Development Services

November 14, 2013
Regular Agenda Item #3
1600 University Drive East
Comprehensive Plan Amendment

To: Kelly Templin, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan – Future Land Use & Character Map from Institution/Public to General Commercial for the property located at 1600 University Drive East; approximately 4.4 acres at the corner of University Drive and Glenhaven Drive.

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

Recommendation(s): The Planning and Zoning Commission held a public hearing for this item at their October 17, 2013 meeting where they recommended 4-0 approval.

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

REVIEW CRITERIA

1. **Changed or changing conditions in the subject area or the City:** The subject tract is designated as Institutional/Public and properties immediately surrounding the area have been identified as Neighborhood Conservation on the Comprehensive Plan Future Land Use and Character Map. The current development on the subject property is operated by Scott & White and the applicant has stated that due to the relocation and expansion of the core Scott & White operations to the City's Medical District, the offices will be relocating and this property would be better suited as a commercial land use.
2. **Scope of the request:** This request is located in an area that is designated as Institutional/Public on the Comprehensive Plan and buffers an adjacent Neighborhood Conservation land use designation from University Drive.

The request is to introduce a commercial land use and character into an area that is suburban in character. This request would enable a land use that is more intense than surrounding land uses south of University Drive East and enable traffic generation in excess of current uses.

3. **Availability of adequate information:** The existing water/waste water facilities are able to support a development with densities comparable to those north of University Drive East.

Staff can determine trips generated by the proposed land use and subtract trips already generated by current use to assess impact. Additionally, Staff has 2009 TxDOT traffic counts on University Drive and 2011 projected traffic volumes created by the Travel Demand Model. Results will be discussed later.

4. **Consistency with the goals and strategies set forth in the Plan:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment.

Relevant Strategies identified in the Plan to achieve this goal include:

- Establish and protect distinct boundaries between various character areas:
 - University Drive currently serves as a district boundary between intense general commercial development and a more suburban development in the area of the subject tract.
 - The current Future Land Use and Character Map depicts retaining the surrounding neighborhood as a Neighborhood Conservation area. Additionally, The Neighborhood Prevailing Overlay was put in place to maintain its character.
 - The proposed land use and character designation would permit dense commercial character adjacent to a Neighborhood Conservation area.
- Promote public and private development and design practices that ensure distinct neighborhoods, districts, and corridors:
 - In 2008, a single-family overlay was put in place on the neighborhood that immediately abuts the subject property, Phase 3 of the Glenhaven Estates Subdivision. The intent of the overlay is to put additional restrictions on new construction, redevelopment, or additions to any structure within the Neighborhood Prevailing Overlay according to the median pattern of development in the neighborhood.
- Provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life:
 - The proposed land use amendment would generate jobs to stimulate the local economy, bolster sales and the tax base.
 - Existing underutilized General Commercial land use areas are located within the immediate vicinity of this property.
- Provide improved mobility through a safe, efficient, and well-connected multi-modal transportation system designed to be sensitive to the surrounding land uses:
 - The proposed General Commercial land use and the existing Institutional/Public land uses generate different trip rates and so must be evaluated against the capacity of the current transportation network. The current land use designation is Institutional/Public and generates approximately 749 vehicles per day (VPD). The proposed General Commercial land use designation may generate approximately 2,200 VPD, a net increase of 1,451 VPD. TxDOT's 2009 traffic counts along University Drive East in this area are 34,000 VPD and the City's travel demand model projected to 2011 indicates a volume of 42,000 VPD. In this area,

University Drive East has a capacity of 60,000 VPD with a Level of Service (LOS) "D" being at 50,000 VPD. University Drive East's capacity is sufficient; however, changes will have to be made to the traffic signal timing along this corridor.

5. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The proposed General Commercial designation is for an intense level of development activity and consists of uses permitted in the General Commercial zoning district. The applicant states as a justification for the request that the Scott & White clinic will relocate to the new hospital in the Medical District, leaving this property with an office land use that will no longer be marketable. Adjacent property, across Glenhaven Drive, owned by the same party is currently zoned General Commercial though also designated Institutional/Public on the Comprehensive Plan.

A Suburban Commercial land use and character designation is intended for properties that are commercially marketable, but adjacent to single-family uses. This designation was created with the intent of being sensitive to residential areas by considering the relationship of the two land uses. Two examples of this type of land use designation buffering neighborhoods from high-classification roadways are Edelweiss Gardens, located along Rock Prairie Road, and the Raintree subdivision, located off of State Highway 6.

The Thoroughfare Plan designations for University Drive and Glenhaven Drive need not change in context or classification due to the proposed land use. University Drive East's capacity is sufficient; however, changes will have to be made to the traffic signal timing along this corridor.

6. **Compatibility with the surrounding area:** As stated previously, the subject property is located in an area designated as Institutional/Public that currently abuts a single-family area. The current land use acts as a buffer between areas designated Neighborhood Conservation from University Drive East. Permitted development within this designation is office (as the property is currently zoned), small-scale retail, or institutional developments such as schools or libraries.

With the proposed General Commercial land use and character designation, an increased amount of traffic can be expected. The Unified Development Ordinance requires screening and buffering to adjacent properties. Permitted development would include all uses within the General Commercial zoning district.

7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service to the tract may be provided by an existing 16-inch water main running along the south side of University Drive East and an 8-inch waterline along the west side of Glenhaven Drive. Domestic and fire flow demands may necessitate future water main extensions at the time of site development. There are currently two 8-inch sanitary sewer mains extending across Glenhaven Drive to serve the property. The proposed General Commercial land use may create more intensity;

however, preliminary analysis of the system has indicated that there is available capacity to serve this type of development.

The subject tract is located in the Carters Creek drainage basin. No portion of the property has been designated FEMA Special Flood Hazard Area. Development of the subject tract will be required to meet the requirements of the City's Storm Water Design Guidelines, and site development impacts on the drainage system will be evaluated further at that time.

The current land use designation is Institutional/Public and generates approximately 749 vehicles per day (VPD). The proposed General Commercial land use designation may generate approximately 2,200 VPD, a net increase of 1,451 VPD. TxDOT's 2009 traffic counts along University Drive East in this area are 34,000 VPD and the City's travel demand model projected to 2011 indicates a volume of 42,000 VPD. In this area, University Drive East has a capacity of 60,000 VPD with a level of service (LOS) "D" being at 50,000 VPD. University Drive East's capacity is sufficient; however, changes will have to be made to the traffic signal timing along this corridor.

8. **Impact on the City's ability to provide, fund, and maintain services:** No indication exists that the City will have any difficulty in providing or funding services to the subject property based on the requested land use and character designation.
9. **Impact on environmentally sensitive and natural areas:** The subject tract is located in the Carters Creek drainage basin. No portion of the property has been designated FEMA Special Flood Hazard Area.
10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. Additionally, the Economic Development goal for College Station is to provide a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life.

This request recognizes and promotes economic opportunity and the property is located adjacent to an existing single-family neighborhood.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

1. Background
2. Aerial, Small Area Map (SAM), and Future Land Use & Character Map
3. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: October 17, 2013
Advertised Council Hearing Dates: November 14, 2013

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

Summerglen HOA
Post Oak Forest HOA

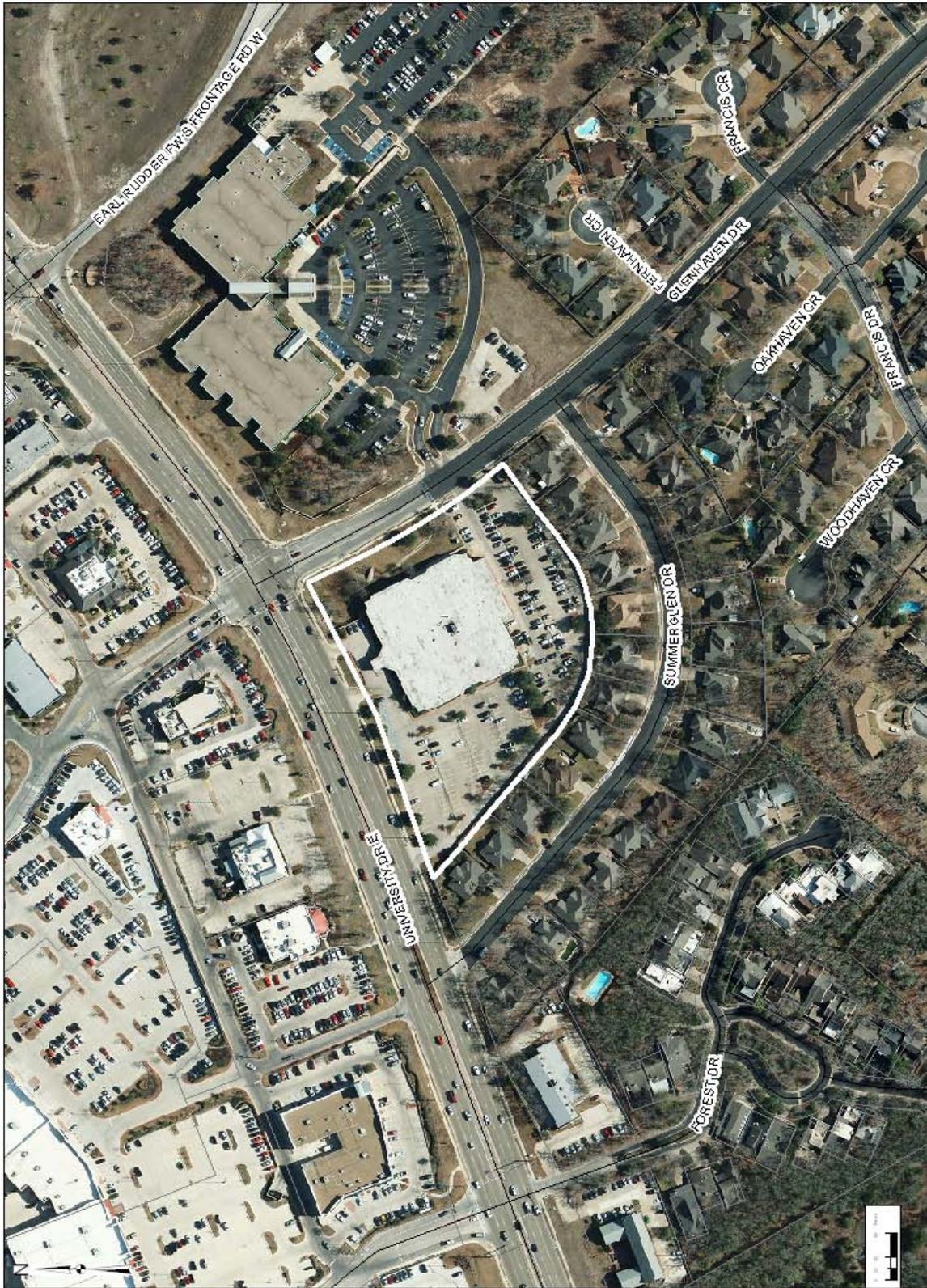
Contacts in support: None at the time of this report.
Contacts in opposition: Three (3) at the time of this report.
Inquiry contacts: Four (4) at the time of this report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North (across University Drive East)	General Commercial	General Commercial with OV Corridor Overlay	Restaurants and retail
South	Neighborhood Conservation	T Townhome with NPO Neighborhood Prevailing Overlay	Glenhaven Estates (Single-family residential)
East (across Glenhaven Drive)	Institutional/Public	General Commercial with OV Corridor Overlay	Scott & White Clinic
West	Neighborhood Conservation	T Townhome with NPO Neighborhood Prevailing Overlay	Glenhaven Estates (Single-family residential)

DEVELOPMENT HISTORY

Annexation: August 1958
Zoning: O Office with OV Corridor Overlay
Final Plat: June 1985 Glenhaven Estates Phase 6
Site development: Scott & White Offices



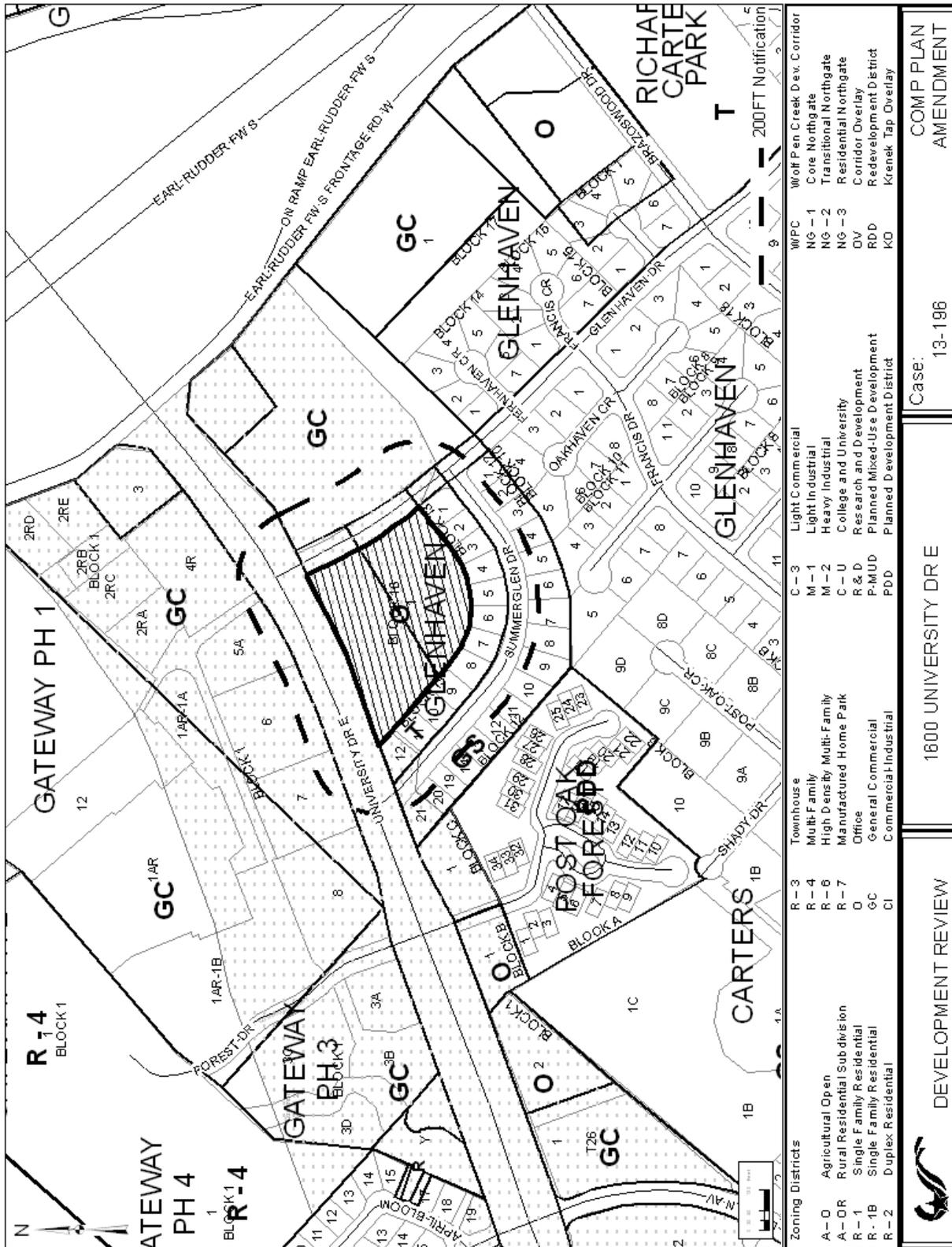
COMP PLAN
AMENDMENT

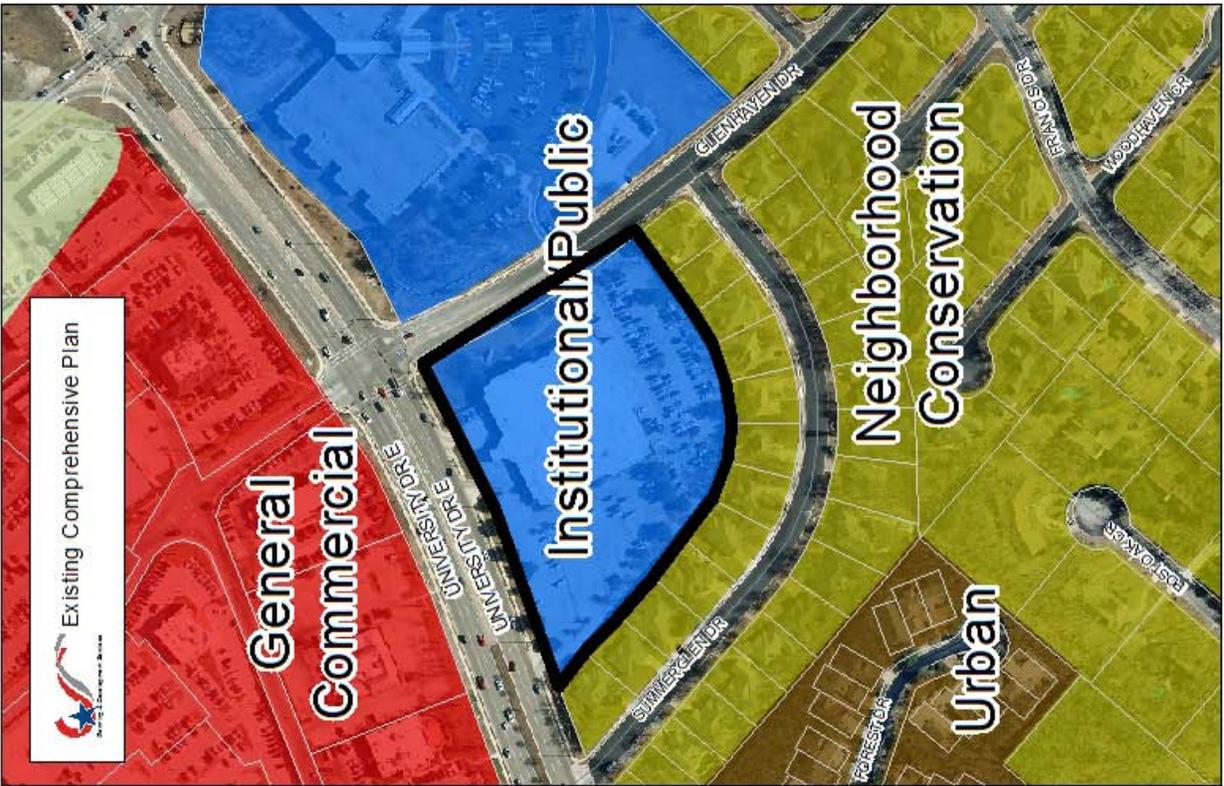
Case: 13-196

1600 UNIVERSITY DR E

DEVELOPMENT REVIEW







ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE AND CHARACTER MAP, FOR THE AREA LOCATED AT 1600 UNIVERSITY DRIVE EAST, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1: That the "Comprehensive Plan of the City of College Station" be amending by amending the "Comprehensive Plan Future Land Use and Character Map" as set out in Exhibits "A" and "B", for the indentified area and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held or be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its data or passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 14th day of November, 2013.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

AMENDED AREA OF FUTURE LANE USE AND CHARACTER MAP

That the "Comprehensive Plan" of the City of College Station, Texas, is hereby amended by amending the Future Land Use and Character Map as follows:

The 4.4 acres located at 1600 University Drive East, generally located at the corner of University Drive East and Glenhaven Drive, is amended from Institutional/Office to General Commercial, as shown in the attached Exhibit "B" and Exhibit "C".

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PLANNING & ZONING COMMISSION
Regular Meeting
October 17, 2013, 6:30 p.m.
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COMMISSIONERS PRESENT: Mike Ashfield, Jodi Warner, Brad Corrier, and Jerome Rektorik

COMMISSIONERS ABSENT: Jim Ross and Bo Miles

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2. **Pledge of Allegiance**

3. **Hear Citizens**

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There was general discussion amongst the Commission and Staff regarding the Comprehensive Plan Amendment.

Chairman Ashfield opened the public hearing.

Ray Bomnskie, 4691 River Valley Drive, College Station, Texas, said that the property would be difficult to sell with the Estate designation due to the property being located next to a mobile home park and its proximity to the railroad tracks.

Janette Dale, 3130 Norton Lane, College Station, Texas, stated that she was opposed to a large-commercial development on the property.

Juan Rocha, 14097 FM 2154, College Station, Texas, stated that he felt that the property is better suited for a residential development.

Chairman Ashfield closed the public hearing.

There was general discussion amongst the Commission regarding the rezoning.

Commissioner Corrier motioned to recommend that the City Council accept the applicant's proposal of amending the Comprehensive Plan to a General Commercial designation. Commissioner Warner seconded the motion, motion passed (3-1). Commissioner Rektorik was in opposition.

10. Public hearing, presentation, possible action, and discussion regarding the annual review of the Comprehensive Plan and the Unified Development Ordinance. **(B.Cowell)**

Executive Director Cowell gave an overview of the item.

Principal Planner Prochazka presented the annual review of the Comprehensive Plan and the Unified Development Ordinance.

Chairman Ashfield opened the public hearing.

Ron Gay, 1106 Deacon Drive, College Station, Texas, representing St. Thomas Aquinas Church, stated that the church would like a larger sign.

Jim Jett, 5004 Congressional Court, College Station, Texas, requested a change to the Comprehensive Plan. He said that he was currently developing Aggieland Business Park and recently acquired a 5.5-acre tract on State Highway 47 that he was interested in changing from Business Park to General Commercial.

John Dylan, 351 Adriatic Parkway, McKinney, Texas, stated that he was the owner of the 20-acre tract adjacent to Mr. Jett's property. He said that he was in support and concurred with Mr. Jett's recommendation for the land use to be changed from Business Park to General Commercial.

Kim Eubanks, 351 Adriatic Parkway, McKinney, Texas, bought the property 6 years ago with Mr. Dylan and agreed that the land use be changed to General Commercial.

Chairman Ashfield closed the public hearing.

The Commission concurred with the potential land use change from Business Park to General Commercial and said that it could be considered as part of a study of the area.

11. Discussion and possible action on future agenda items – A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There was no discussion regarding future agenda items.

12. Adjourn.

The meeting was adjourned at 8:30 p.m.

Approved:

Mike Ashfield, Chairman
Planning & Zoning Commission

Attest:

Brittany Caldwell, Admin. Support Specialist
Planning & Development Services

November 14, 2013
Regular Agenda Item No. 4
Cedar Creek Plaza Rezoning

To: Kelly Templin, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by approximately 7.4 acres in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas. Said tract being the same tract of land as described by a deed to Texas A&M Foundation Trust Company, trustee of the Wanona Carol Randolph charitable remainder unitrust recorded in Volume 9361, Page 87 of the Official Public Records of Brazos County, Texas, more generally located at 2900 North Graham Road from PDD Planned Development District to BPI Business Park Industrial.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendation(s): The Planning and Zoning Commission considered this item at their October 17, 2013 meeting and voted 4-0 to recommend approval of the rezoning request. Staff also recommended approval of the request.

Summary: This request is to rezone the property from PDD Planned Development District to BPI Business Park Industrial.

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

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject property is designated as Business Park on the Comprehensive Plan Future Land Use and Character Map. The proposed rezoning is consistent with this designation in addition to the land use designations surrounding the subject tract which include Business Park and Suburban Commercial.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The proposed rezoning will allow for the development permitted in BPI Business Park Industrial which is intended to generate lower traffic counts and be located in an area designated as Business Park in the Comprehensive Plan. Adjacent properties to the north, west, and south are designated as Business Park in the Comprehensive Plan. The adjacent properties which have developed to the east contain retail sales and service, warehousing, and fabrication uses, which are compatible with the BPI Business Park Industrial designation.
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The proposed rezoning for uses permitted by the district is appropriate for this area due to its location and compliance with the Comprehensive Plan.
- 4. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The

current PDD zoning of the property allows Research and Development uses that are similar to the permitted uses allowed in BPI Business Park Industrial; however the applicant has stated the PDD concept plan does not allow flexibility in the location and amount of these permitted uses, which would be allowed by the BPI zoning district. The PDD was created in 2011, since that time the BPI zoning district was created for business park designations in September 2012.

5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:

The applicant has stated the property has been difficult to market with the present PDD zoning. It does not allow flexibility in the amount and location of the permitted uses. The applicant feels the permitted uses allowed under the proposed zoning would be in demand and marketable in the City of College Station.

6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:

Water service will be provided by Wellborn Special Utility District. Sanitary sewer lines will need to be extended with site development to tie into an existing 12-inch wastewater main along Rock Prairie Road West. There is adequate sanitary sewer capacity in the downstream system to accommodate the proposed zoning. Drainage is generally to the southwest within the Hopes Creek Drainage Basin. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. North Graham Road is classified as a two-lane major collector on the Thoroughfare Plan, though it is currently constructed to a rural roadway section.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

1. Background Information
2. Aerial & Small Area Map (SAM)
3. Rezoning Map
4. Draft P&Z Commission Meeting Minutes
5. Ordinance

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: October 17, 2013
Advertised Council Hearing Date: November 14, 2013

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

The Barracks HOA
Buena Vida HOA
Williamsgate HOA

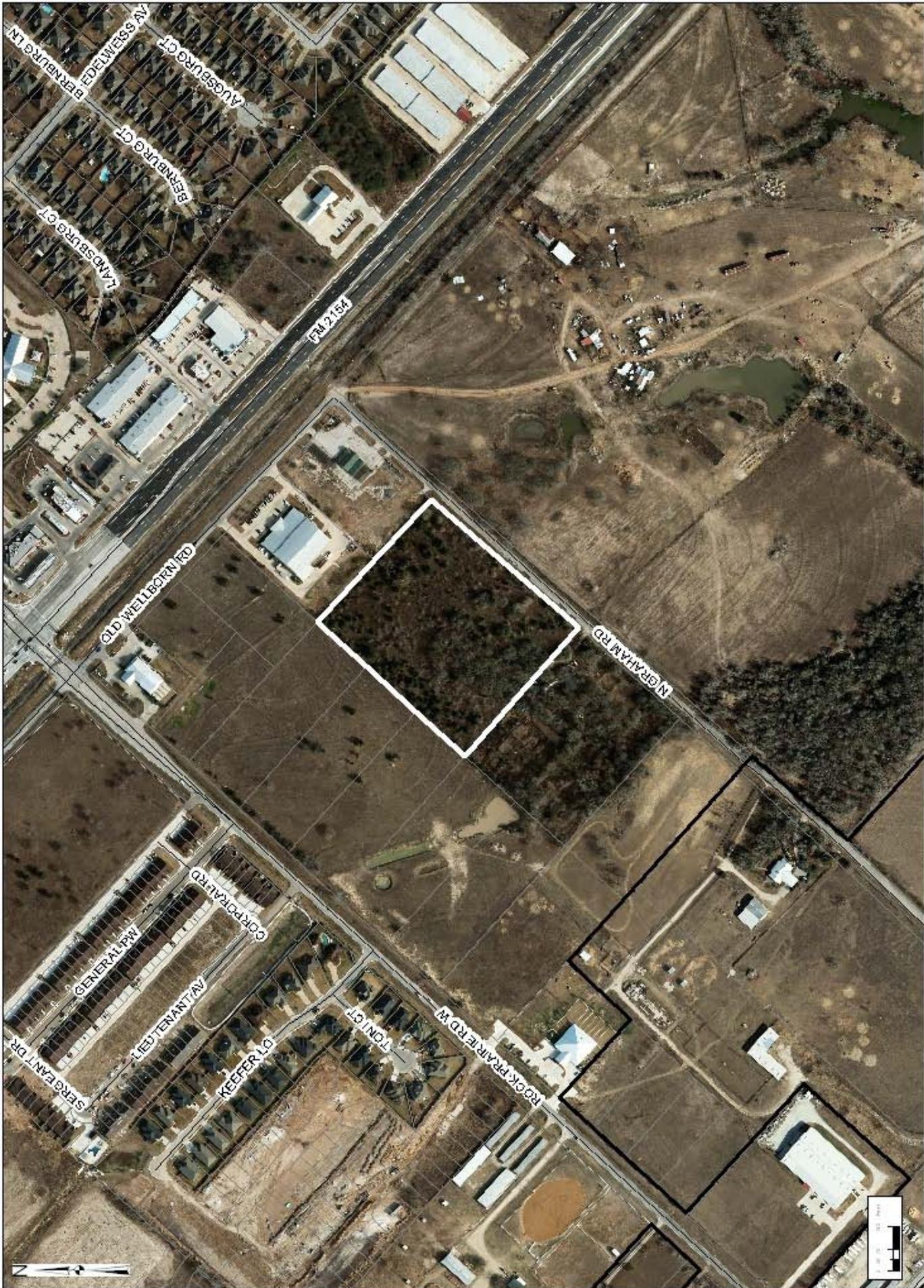
Property owner notices mailed: 5
Contacts in support: None at the time of this report.
Contacts in opposition: None at the time of this report.
Inquiry contacts: None at the time of this report.

ADJACENT LAND USES

Direction	Comprehensive	Zoning	Land Use
North	Business Park	R Rural	Vacant
South (across N. Graham Rd.)	Business Park	R Rural	Residential and Agricultural
East	Suburban Commercial	PDD Planned Development District and CI Commercial Industrial	Retail
West	Business Park	R Rural	Manufactured Home

DEVELOPMENT HISTORY

Annexation: November 2002
Zoning: A-O Agricultural Open (upon annexation)
PDD Planned Development District (August 2011)
Final Plat: This property is currently unplatted.
Site development: Vacant



BERNARD LN
EDENWISS AV
AUGUSTUS CT
BERNARD CT
BERNARD CT
BERNARD CT
OLD WELBORN RD
GENERAL FW
CORPORAL RD
SERGEANT DR
LIED TENANT AV
KEEFER LO
TOWN CT
ROCK PRAIRIE RD W

FM 2154

NGRAM RD

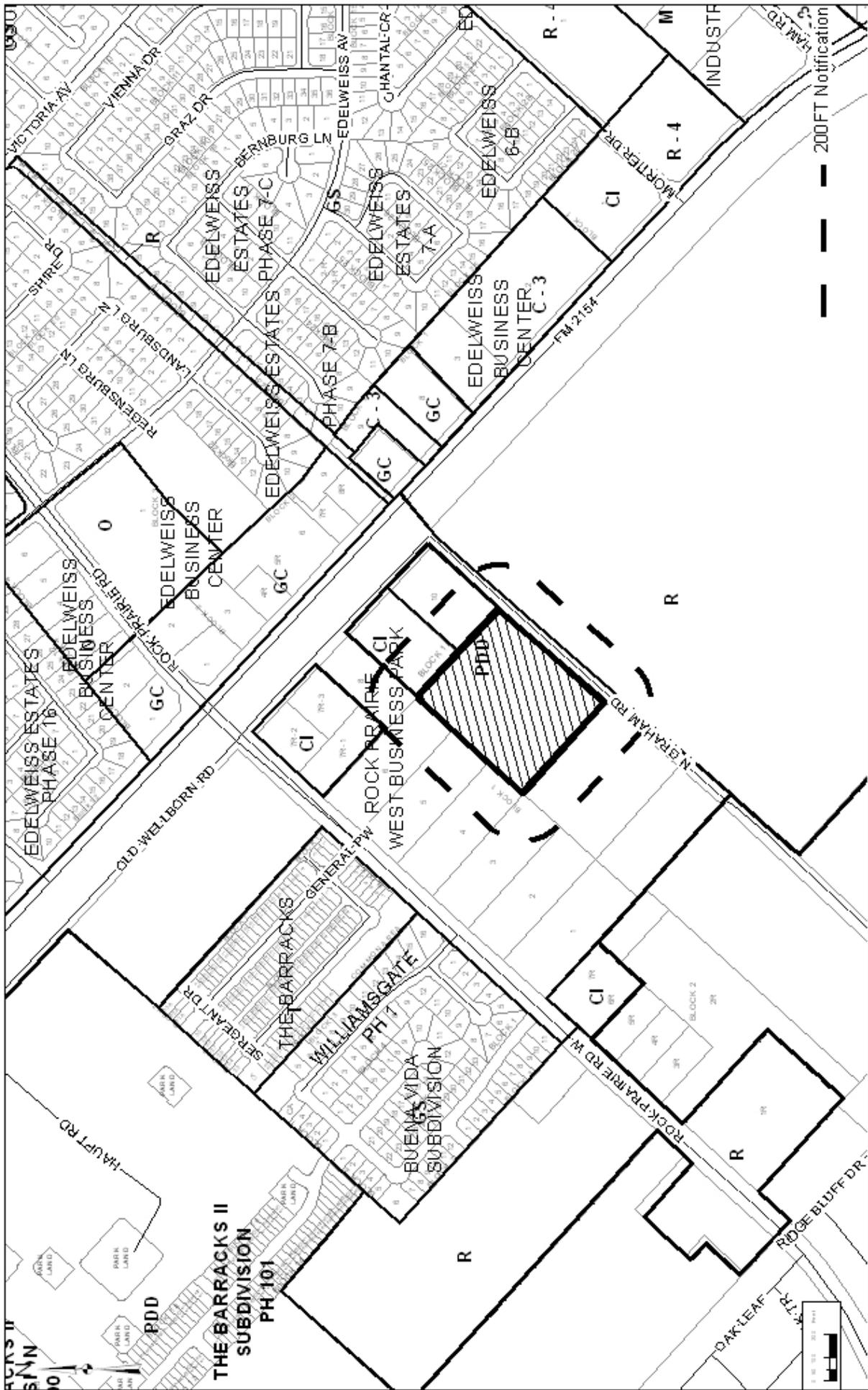
REZONING

Case: 13-189

CEDAR CREEK PLAZA

DEVELOPMENT REVIEW





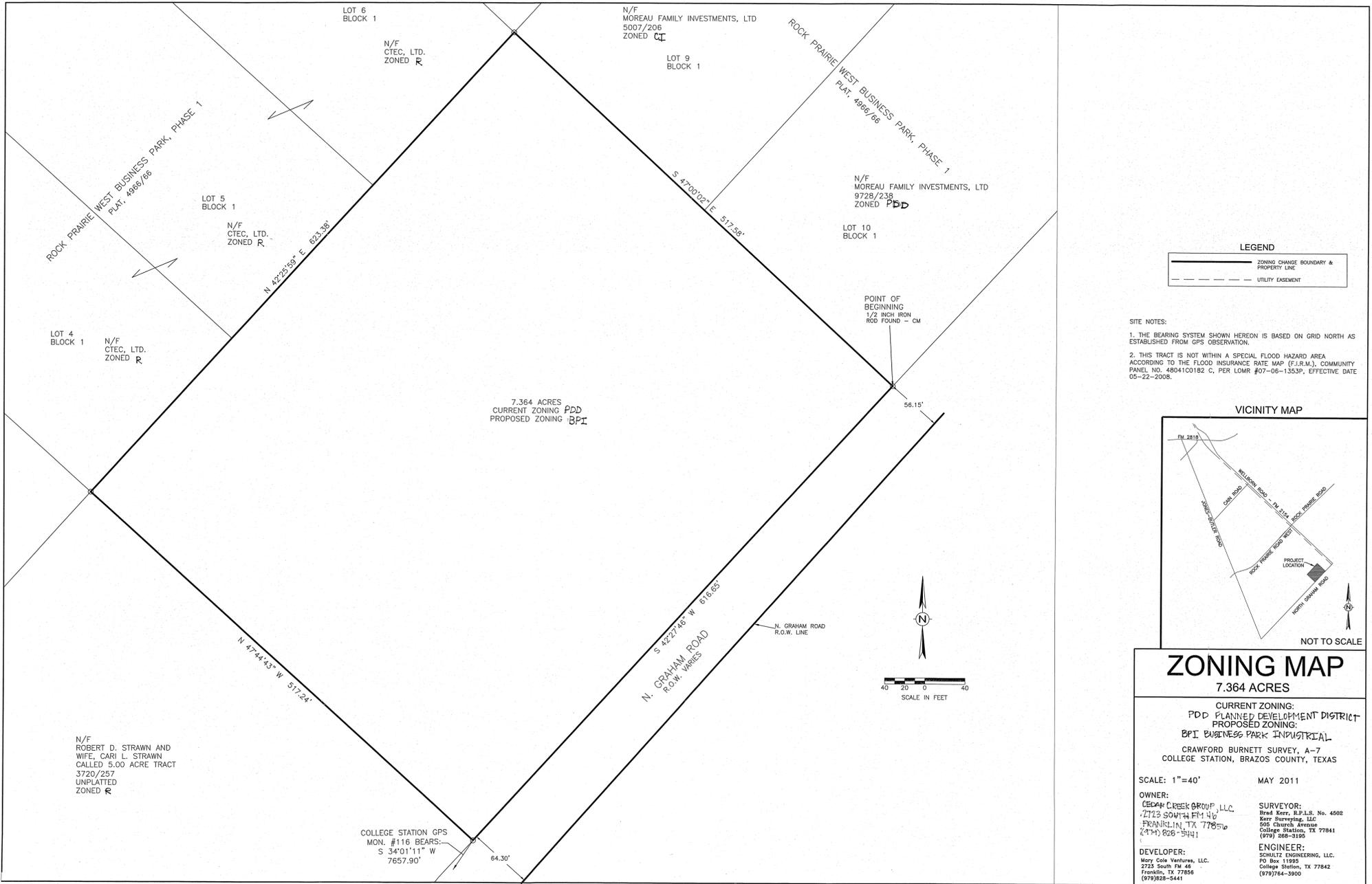
Zoning Districts	Townhouse	C-3	WPC
A-0 Agricultural Open	R-3	C-3	Wolf Pen Creek Dev. Corridor
A-OR Rural Residential Sub division	R-4 Multi-Family	M-1	Core Northgate
R-1 Single Family Residential	R-6 High Density Multi-Family	M-2 Heavy Industrial	Transitional Northgate
R-1B Single Family Residential	R-7 Manufactured Home Park	C-U College and University	Residential Northgate
R-2 Duplex Residential	O Office	R&D Research and Development	Corridor Overlay
	GC General Commercial	P-MUD Planned Mixed-Use Development	Redevelopment District
	CI Commercial-Industrial	PDD	Krenek Tap Overlay

DEVELOPMENT REVIEW

REZONING

CEDAR CREEK PLAZA

Case: 13-189

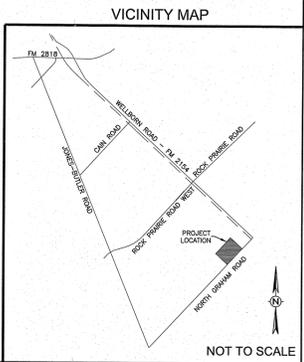


LEGEND

—— ZONING CHANGE BOUNDARY & PROPERTY LINE

- - - - UTILITY EASEMENT

- SITE NOTES:**
1. THE BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
 2. THIS TRACT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP (F.I.R.M.), COMMUNITY PANEL NO. 48041001B2 C, PER LOMR #07-06-1353P, EFFECTIVE DATE 05-22-2009.



ZONING MAP

7.364 ACRES

CURRENT ZONING: PDD PLANNED DEVELOPMENT DISTRICT
 PROPOSED ZONING: BPI BUSINESS PARK INDUSTRIAL

CRAWFORD BURNETT SURVEY, A-7
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1"=40' MAY 2011

OWNER:
 CECOM CREEK GROUP, LLC
 2713 SOUTH FM 46
 FRANKLIN, TX 77856
 (979) 828-5441

SURVEYOR:
 Brad Kerr, R.P.L.S. No. 4502
 Kerr Surveying, LLC
 505 Church Avenue
 College Station, TX 77841
 (979) 828-3195

DEVELOPER:
 Mory Cole Ventures, LLC
 2723 South FM 46
 Franklin, TX 77856
 (979) 828-5441

ENGINEER:
 SCHULTZ ENGINEERING, LLC
 PO Box 11995
 College Station, TX 77842
 (979) 764-3900

MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting
October 17, 2013, 6:30 p.m.
City Hall Council Chambers
College Station, Texas

COMMISSIONERS PRESENT: Mike Ashfield, Jodi Warner, Brad Corrier, and Jerome Rektorik

COMMISSIONERS ABSENT: Jim Ross and Bo Miles

CITY COUNCIL MEMBERS PRESENT: Julie Schultz

CITY STAFF PRESENT: Bob Cowell, Lance Simms, Jennifer Prochazka, Jason Schubert, Matt Robinson, Morgan Hester, Jenifer Paz, Alan Gibbs, Danielle Singh, Erika Bridges, Robin Cross, Timothy Green, and Brittany Caldwell

1. **Call Meeting to Order**

Chairman Ashfield called the meeting to order at 7:00 p.m.

Regular Agenda

7. Public hearing, presentation, possible action, and discussion regarding an amendment to Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by rezoning approximately 7.4 acres in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas. Said tract being the same tract of land as described by a deed to Texas A&M Foundation Trust Company, trustee of the Wanona Carol Randolph charitable remainder unitrust recorded in Volume 9361, Page 87 of the Official Public Records of Brazos County, Texas, more generally located at 2900 North Graham Road from PDD Planned Development District to BPI Business Park Industrial. **Case #13-00900189 (T.Rogers)**

Staff Planner Rogers presented the rezoning and recommended approval.

Chairman Ashfield opened the public hearing.

No one spoke during the public hearing.

Chairman Ashfield closed the public hearing.

Commissioner Warner motioned to recommend approval of the rezoning. Commissioner Rektorik seconded the motion, motion passed (4-0).

12. Adjourn.

The meeting was adjourned at 8:30 p.m.

Approved:

Mike Ashfield, Chairman
Planning & Zoning Commission

Attest:

Brittany Caldwell, Admin. Support Specialist
Planning & Development Services

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING A 7.364 ACRE TRACT OF LAND IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING THE SAME TRACT OF LAND AS DESCRIBED BY DEED TO TEXAS A&M FOUNDATION TRUST COMPANY, TRUSTEE OF THE WANONA CAROL RANDOLPH CHARITABLE REMAINDER UNITRUST RECORDED IN VOLUME 9361, PAGE 87 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

PASSED, ADOPTED and APPROVED this 14th day of November, 2013

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

Carla A. Robinson

City Attorney

EXHIBIT "A"

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

The following property is rezoned from PDD Planned Development District to BPI Business Park Industrial:

**METES AND BOUNDS DESCRIPTION
OF A
7.364 ACRE TRACT
CRAWFORD BURNETT LEAGUE, A-7
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING THE SAME TRACT OF LAND AS DESCRIBED BY A DEED TO TEXAS A&M FOUNDATION TRUST COMPANY, TRUSTEE OF THE WANONA CAROL RANDOLPH CHARITABLE REMAINDER UNITRUST RECORDED IN VOLUME 9361, PAGE 87 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE NORTHWEST LINE OF GRAHAM ROAD MARKING THE SOUTH CORNER OF LOT 10, BLOCK 1, ROCK PRAIRIE WEST BUSINESS PARK, PHASE 1 ACCORDING TO THE PLAT RECORDED IN VOLUME 4966, PAGE 66 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. FOR REFERENCE, A 1/2 INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID LOT 10 BEARS: N 42° 48' 07" E FOR A DISTANCE OF 299.47 FEET;

THENCE: S 42° 27' 46" W ALONG GRAHAM ROAD FOR A DISTANCE OF 616.65 FEET (DEED CALL DISTANCE - 617.07 FEET) TO A 1/2 INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT AND THE EAST CORNER OF A CALLED 5.00 ACRE TRACT OF LAND AS DESCRIBED BY A DEED TO ROBERT D. STRAWN AND CARL L. STRAWN RECORDED IN VOLUME 3720, PAGE 257 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS. FOR REFERENCE, CITY OF COLLEGE STATION GPS MON. #116 BEARS: S 34° 01' 11" W FOR A DISTANCE OF 7657.90 FEET;

THENCE: N 47° 44' 43" W ALONG THE NORTHEAST LINE OF SAID 5.00 ACRE TRACT FOR A DISTANCE OF 517.24 FEET (DEED CALL DISTANCE - 517.30 FEET) TO A 1/2 INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID 5.00 ACRE TRACT, THE EAST CORNER OF LOT 3 OF SAID BLOCK 1 AND THE SOUTH CORNER OF LOT 4 OF SAID BLOCK 1;

THENCE: N 42° 25' 59" E ALONG THE SOUTHEAST LINE OF SAID BLOCK 1 FOR A DISTANCE OF 623.78 FEET (PLAT CALL AND MEASURED DISTANCE, 4966/66) TO A 1/2 INCH IRON ROD FOUND MARKING THE EAST CORNER OF LOT 6 OF SAID BLOCK 1, THE SOUTH CORNER OF LOT 8 OF SAID BLOCK 1 AND THE WEST CORNER OF LOT 9 OF SAID BLOCK 1;

THENCE: S 47° 00' 02" E ALONG THE SOUTHWEST LINE OF SAID LOTS 9 AND 10 FOR A DISTANCE OF 517.58 FEET (PLAT CALL DISTANCE - 517.73 FEET) TO THE POINT OF BEGINNING CONTAINING 7.364 ACRES OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND MAY, 2011. SEE PLAT PREPARED MAY, 2011 FOR MORE DESCRIPTIVE INFORMATION.

November 14, 2013
Regular Agenda Item No. 5
Impact Fee Update – Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02

To: Kelly Templin, City Manager

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

Agenda Caption: Public Hearing, presentation, possible action, and discussion on consideration of an ordinance amending Chapter 15, "Impact Fees", amending the land use assumptions and capital improvements plan and updating water and wastewater impact fees in Service Areas 92-01, 97-01, 97-02B, 99-01, and 03-02

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

Recommendation(s): At their meeting on September 19th, the Planning and Zoning Commission, acting as the Impact Fee Advisory Committee, unanimously recommended acceptance of the report to update the fees.

Summary: At the September 26, 2013 Council Meeting, the City Council approved a resolution to set a public hearing for this meeting to evaluate impact fees and a proposal to amend the associated land use assumptions and capital improvements plan as required by state law every 5 years. If approved, this item will amend Chapter 15, "Impact Fees" of the Code of Ordinances. The affected impact fees are 92-01 (Graham Road – Sewer), 97-01 (Spring Creek – Sewer), 97-02B (Alum Creek Sewer), 99-01 (Harley Water), and 03-02 (Steeplechase). The "Water and Wastewater Impact Fees" Report was prepared by our consultant Rimrock Consulting Company. This report contains the technical data which is the basis for the 2013-2023 fee calculation: land use and planning data, unit usage statistics and capital improvements plan. Actual fee calculation is shown in Section 3.0 of the report, specifically note Tables 3-2A through 3-2E. Current fees and proposed maximum fee calculated in the subject report are provided below.

Impact Fee Area	Effective Buildout LUE	Anticipated Buildout LUE	LUE Adjustment	Current Impact Fee Rate	Proposed Impact Fee Rate
92-01 Graham	1551	1710	+ 159	\$ 316.07	\$339.63
97-01 Spring Creek	4425	8565	+ 4140	\$ 98.39	\$144.01
97-02B Alum	3232	2656	- 576	\$ 59.42	\$44.71
99-01 Harley	450	396	- 54	\$ 769.91	\$996.03
03-02 Steeplechase	2838	7051	+ 4213	\$ 357.74	\$144.87

* per Living Unit Equivalent (LUE)

A summary of the Water and Wastewater impact Fees Report is provided in the attached 5-Year Update Report. Note the above "Proposed Fees" are the maximum fee allowed based on the updated analysis, however Council may chose to enact fees less than the maximum. Also note that the Planning and Zoning Commission serves as the Impact Fee Advisory Committee as defined by ordinance. As attested to by the Chairman of the Planning and Zoning Commission on the attached 5-year Update Report, on September 19, 2013 the

Advisory Committee unanimously recommended the report be forwarded to City Council and supported the information in the report to update the impact fees.

Budget & Financial Summary: This update proposes maximum fees for 97-02B and 03-02-01 to be decreased from the current fees. The future revenue expected to be recovered if the maximum fee is adopted is \$103,638 and \$938,033, respectively. As of report date \$22,306 and \$135,436 have been collected, respectively.

The proposed maximum fees for 92-01, 97-01 and 99-01; however, are increased from the current fees. The future revenue expected to be recovered if the maximum fee is adopted is \$43,473, \$844,043, and \$279,884, respectively. This would increase the recovery \$3,016, \$267,379, and \$63,540, respectively from the current fees. As of report date \$323,502, \$582,099, and \$64,741 have been collected, respectively.

Reviewed and Approved by Legal: Yes

Attachments:

1. "Water and Wastewater Impact Fee Update" Report by Rimrock Consulting Company
2. 5-Year Update Report Memo – Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02.
3. Ordinance

RIMROCK

Consulting Company

WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station



Rimrock Consulting Company
PO Box 163643
Austin, TX 78716
512-442-1435
rimrok@earthlink.net

WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station



City of College Station
1101 Texas Avenue
College Station, TX 77840-2499
979-764-3500

Prepared by:
Rimrock Consulting Company
PO Box 163643
Austin, TX 78716
512-442-1435

Contact: Mickey Fishbeck, AICP
rimrok@earthlink.net



September, 2013
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WATER AND WASTEWATER IMPACT FEE UPDATE

The City of College Station

1.0 INTRODUCTION

The 70th Texas Legislature passed Senate Bill 336 (subsequently Chapter 395 of the Local Government Code) regulating various types of utility fees, defined in the legislation as "impact fees". Such fees include not only traditional impact fees, but also lot, acreage, frontage and other typical utility fees, as well as facility dedication requirements. The legislation laid out very specific requirements for the technical development of impact fees as well as the procedures necessary for enactment of impact fee programs. College Station has five small-area impact fees for water and sewer lines in defined subareas of the City. This report represents an update of these programs (as required by Chapter 395 every five years) with a new planning period: 2013-2023.

Section 2.0 of this report contains the technical data which is the basis for the 2013-2023 fee calculation: land use and planning data, unit usage statistics and capital improvements plan. Actual fee calculation is shown in **Section 3.0**. That discussion presents a particular fee development model - the Equity Residual Model -- which responds to the requirements of Chapter 395 and constitutional issues. **Section 4.0** contains recommendations from the consultants and the Advisory Committee. **Section 5.0** contains a copy of Chapter 395 of the Texas Local Government Code, and **Section 6.0** contains various administrative documents (resolution and public notices). Finally, references are provided in **Section 7.0**.



2.0 TECHNICAL BASIS FOR FEE CALCULATION

This chapter presents water and wastewater impact fee technical development. Impact fee areas are 92-01 (Graham Road Sewer Extension); 97-01 (Spring Creek Sewer Line); 97-02B (Alum Creek Sewer Line); 99-01 (Harley Water Line); and 03-02 (Steeplechase Sewer Line).

2.1 LAND USE AND PLANNING ASSUMPTIONS

Chapter 395 requires the following in the land use and planning assumptions:

- Definition of the service area
- Projections in changes in land uses, densities, intensities and population within the service area for the next 10 years and full buildout
- Land use assumptions differentiated by at least residential, commercial and industrial land uses

The following sections provide a discussion of these assumptions.

2.1.1 Service Area Definition

Figure 2-1 illustrates the impact fee service areas. The service areas represent the general geographic basis for planning the utility capital improvement programs, used to formulate the fees.

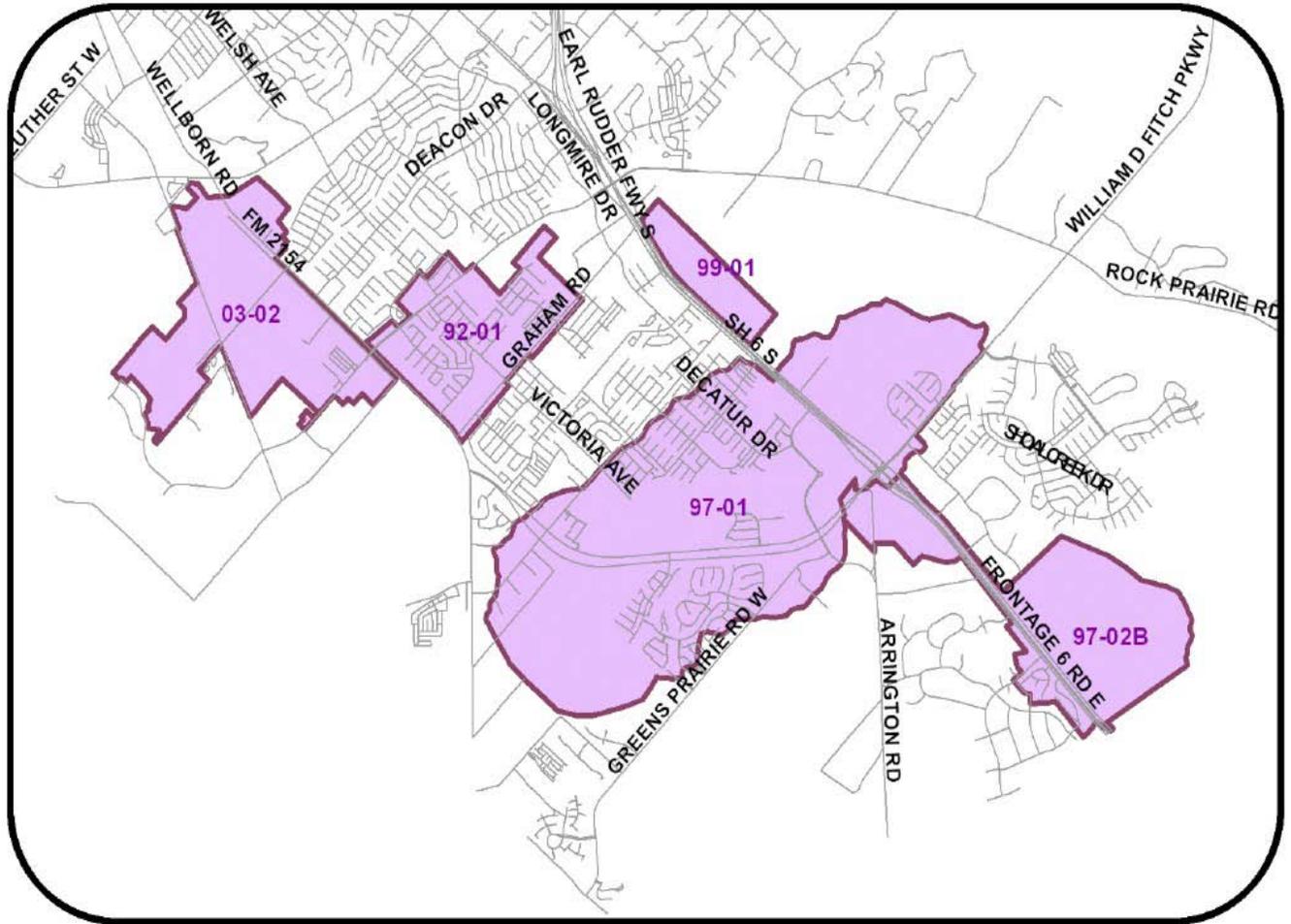
2.1.2 Land Use Assumptions

Table 2-1 shows current and projected land use assumptions for area impact service area. City Staff calculated the approximate current acreages of land uses for residential, commercial and industrial land uses as well as various other land uses. Land uses for 2013 and for full buildout were provided by Staff; land uses for 2023 were interpolated.

There are five parts of the land use table: **Table 2-1A** presents data for Area 92-01 (Graham Road Sewer Extension); **Table 2-1B** is for Area 97-01 (Spring Creek Sewer Line); 97-02B (Alum Creek Sewer Line) is shown in **Table 2-1C**; 99-01 (Harley Water Line) is portrayed in **Table 2-1D**; and **Table 2-1E** represents 03-02 (Steeplechase Sewer Line). Maps provided by City staff also show planned buildout land uses for each area from the City's Comprehensive Plan.



Figure 2-1: Impact Fee Service Areas



1 inch equals 4,000 feet



Impact Fee Areas - January 2010



TABLE 2-1A
POPULATION AND LAND USE PROJECTIONS FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	15.2	3.02%	20.5	4.07%	24.3	4.81%
General Suburban	196.6	38.93%	196.8	38.97%	196.9	38.99%
Institutional/Public	38.3	7.58%	38.3	7.58%	38.3	7.58%
Medical Use	0.0	0.00%	8.8	1.75%	15.0	2.97%
Natural Areas - Protected	0.0	0.00%	15.9	3.15%	27.0	5.35%
Natural Areas - Reserved	0.0	0.00%	4.0	0.79%	6.8	1.35%
Neighborhood Conservation	15.2	3.01%	15.3	3.02%	15.3	3.03%
Suburban Commercial	66.6	13.19%	70.8	14.02%	73.7	14.59%
Urban	16.9	3.35%	16.9	3.35%	16.9	3.35%
Right-of-Way	90.8	17.99%	90.8	17.99%	90.8	17.99%
Subtotal Developed Land Uses	439.7	87.06%	478.1	94.67%	505.0	100.00%
Undeveloped	65.3	12.94%	26.9	5.33%	0.0	0.00%
TOTAL GROSS ACRES	505.0	100.00%	505.0	100.00%	505.0	100.00%
Population	2,725		2,725		2,725	
Population per Urban Acres	6.20		5.70		5.40	
Population per Total Acres	5.40		5.40		5.40	

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.
Assumes full buildout by 2030, per Jennifer Prochazka, 8 30 2013.

Figure 2-2: Current Land Uses, Graham Road Sewer



Figure 2-3: Future Land Uses, Graham Road Sewer





TABLE 2-1B
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Estate	112.7	4.70%	113.7	4.74%	117.8	4.91%
General Commercial	37.9	1.58%	42.4	1.77%	60.3	2.52%
General Suburban	296.1	12.35%	307.4	12.82%	352.5	14.71%
Institutional/Public	70.0	2.92%	70.7	2.95%	73.6	3.07%
Medical	0.0	0.00%	17.1	0.71%	85.7	3.58%
Natural Areas - Protected	0.0	0.00%	21.4	0.89%	107.2	4.47%
Natural Areas - Reserved	0.0	0.00%	53.4	2.23%	267.6	11.16%
Restricted Suburban	261.7	10.92%	319.0	13.31%	548.6	22.89%
Suburban Commercial	31.1	1.30%	36.2	1.51%	56.7	2.37%
Urban	38.6	1.61%	84.1	3.51%	266.4	11.11%
Utilities	1.3	0.05%	1.3	0.05%	1.3	0.05%
Village Center	0.0	0.00%	12.3	0.51%	61.5	2.57%
Right-of-Way	394.0	16.44%	394.0	16.44%	394.0	16.44%
Subtotal Developed Land Uses	1,243.4	51.87%	1,473.0	61.45%	2,393.2	99.84%
Undeveloped	1,153.6	48.13%	924.0	38.55%	3.8	0.16%
TOTAL GROSS ACRES	2,397.0	100.00%	2,397.0	100.00%	2,397.0	100.00%
Population	5,193		6,525		11,864	
Population per Urban Acres	4.18		4.43		4.96	
Population per Total Acres	2.17		2.72		4.95	

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

Figure 2-4: Current Land Uses, Spring Creek Sewer Line

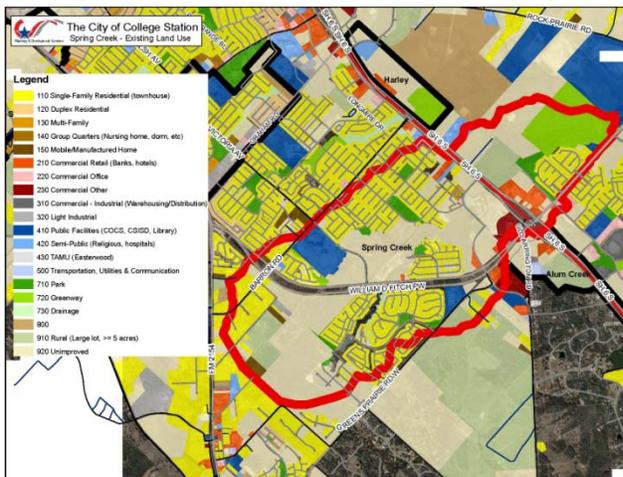


Figure 2-5: Future Land Uses, Spring Creek Sewer Line

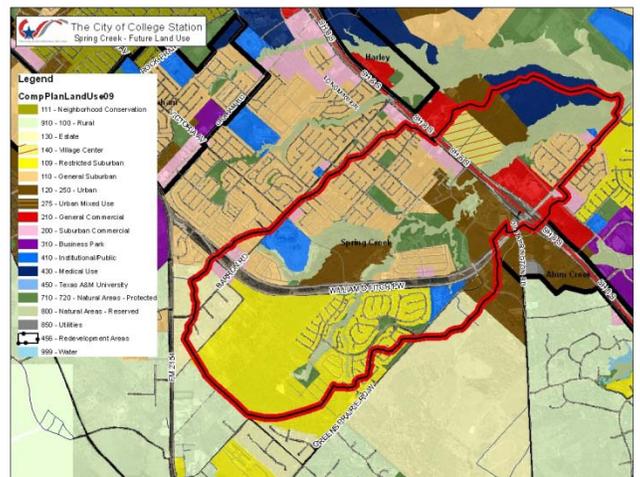




TABLE 2-1C
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	1.2	0.16%	13.8	1.83%	24.1	3.20%
Estate	0.0	0.00%	3.0	0.40%	5.4	0.72%
General Suburban	6.0	0.80%	132.9	17.68%	236.7	31.48%
Natural Areas - Protected	0.0	0.00%	2.4	0.32%	4.4	0.59%
Natural Areas - Reserved	0.0	0.00%	64.5	8.58%	117.3	15.60%
Restricted Suburban	28.9	3.84%	92.1	12.24%	143.7	19.11%
Rural	0.2	0.03%	0.2	0.03%	0.2	0.03%
Suburban Commercial	0.0	0.00%	0.1	0.01%	0.2	0.03%
Urban	55.4	7.37%	75.8	10.07%	92.4	12.29%
Utilities	9.7	1.29%	9.7	1.29%	9.7	1.29%
Right-of-Way	107.1	14.24%	107.1	14.24%	107.1	14.24%
Subtotal Developed Land Uses	208.5	27.73%	501.6	66.70%	741.2	98.57%
Undeveloped	543.5	72.27%	250.4	33.30%	10.8	1.43%
TOTAL GROSS ACRES	752.0	100.00%	752.0	100.00%	752.0	100.00%
Population	183		2,306		4,042	
Population per Urban Acres	0.88		4.60		5.45	
Population per Total Acres	0.24		3.07		5.38	

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-6: Current Land Uses, Alum Creek Sewer Line



Figure 2-7: Future Land Uses, Alum Creek Sewer Line

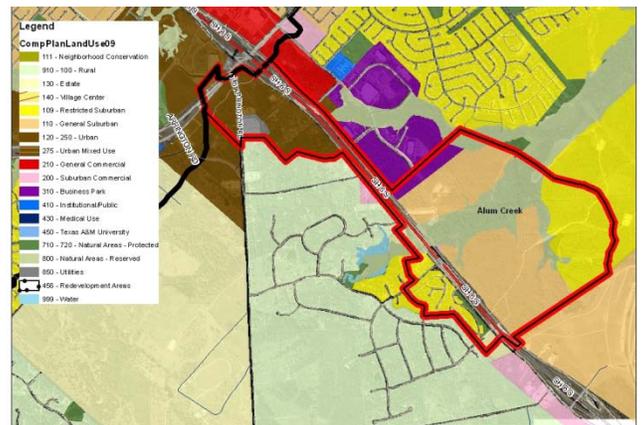




TABLE 2-1D
POPULATION AND LAND USE PROJECTIONS FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
General Commercial	8.0	5.16%	9.2	5.94%	23.0	14.84%
General Suburban	0.0	0.00%	0.2	0.15%	0.6	0.39%
Medical Use	12.9	8.32%	19.6	12.65%	49.0	31.61%
Natural Areas - Reserved	0.0	0.00%	5.1	3.28%	12.7	8.19%
Suburban Commercial	1.0	0.65%	26.3	16.98%	65.8	42.45%
Right-of-Way	3.9	2.52%	3.9	2.52%	3.9	2.52%
Subtotal Developed Land Uses	25.8	16.65%	64.3	41.51%	155.0	100.00%
Undeveloped	129.2	83.35%	90.7	58.49%	0.0	0.00%
TOTAL GROSS ACRES	155.0	100.00%	155.0	100.00%	155.0	100.00%
Population	0		0		0	
Population per Urban Acres	0.00		0.00		0.00	
Population per Total Acres	0.00		0.00		0.00	

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.

Figure 2-8: Existing Land Uses, Harley Water Line



Figure 2-9: Future Land Uses, Harley Water Line





TABLE 2-1E
POPULATION AND LAND USE PROJECTIONS FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

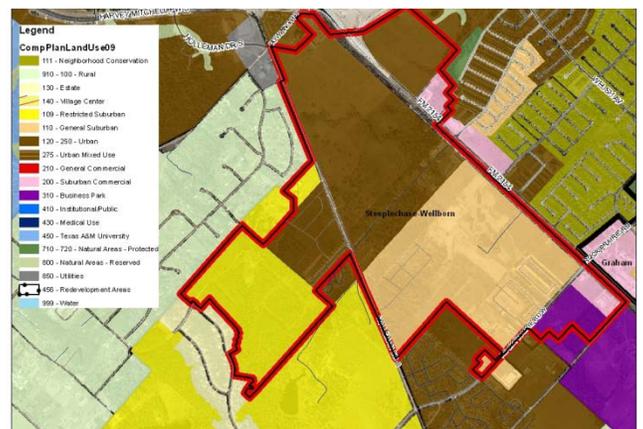
LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	0.2	0.03%	12.4	1.60%	23.6	3.05%
Estate	0.0	0.03%	0.1	0.02%	0.1	0.01%
General Suburban	74.1	9.57%	151.6	19.58%	222.8	28.78%
Restricted Suburban	8.1	1.05%	68.4	8.84%	123.9	16.00%
Rural	0.1	0.01%	0.3	0.03%	0.4	0.05%
Suburban Commercial	14.3	1.85%	17.3	2.24%	20.1	2.60%
Urban	76.8	9.92%	198.0	25.57%	309.4	39.96%
Right-of-Way	74.0	9.56%	74.0	9.56%	74.0	9.56%
Subtotal Developed Land Uses	247.6	31.98%	522.1	67.43%	774.3	100.00%
Undeveloped	526.7	68.02%	252.2	32.57%	0.0	0.00%
TOTAL GROSS ACRES	774.3	100.00%	774.3	100.00%	774.3	100.00%
Population	911		8,259		15,016	
Population per Urban Acres	3.68		15.82		19.39	
Population per Total Acres	1.18		10.67		19.39	

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-10: Existing Land Uses, Steeplechase Sewer Line



Figure 2-11: Future Land Uses, Steeplechase Sewer Line





2.2 CAPITAL IMPROVEMENTS PROGRAM PLAN

Chapter 395 requires the following elements be included in the Capital Improvements Plan (CIP) used as the basis for impact fees:

- Table of service usage for each category of capital improvements and a conversion table of service units per acre (or other measure) of at least residential, commercial and industrial land uses
- Projections of total service units for new development, within the service area:
 - ≡ At full buildout
 - ≡ Within 10 years or less
- Description of existing capital improvements, including:
 - ≡ Existing capital improvements within the service area
 - ≡ Analysis of total capacity of existing improvements
 - ≡ Analysis of current usage of existing improvements
 - ≡ Analysis of commitments for usage of existing capacity
 - ≡ Costs to upgrade, update, improve, expand or replace for existing needs
- Description of capital improvements needed to serve new development within the next 10 years or less (based on adopted service area, land use and unit usage assumptions), including:
 - ≡ All or portions of the existing CIP
 - ≡ All or portions of the future CIP
 - ≡ Costs associated with both existing and future CIP facilities needed for new development

In addition, the legislation provides that the CIP may include construction price, survey and engineering fees, land acquisition costs (including "soft" costs), and the costs of consulting work to the develop Chapter 395 fees.

This section provides those components of the impact fee study.

2.2.1 Table of Service Usage

Various assumptions used in the development of the CIP are shown in **Table 2-2**. This constitutes a "table of service usage for each category of capital improvements".



**Table 2-2
CAPACITY DEMAND FOR EACH NEW LUE
CITY OF COLLEGE STATION**

AREA	BASIS	CAPACITY PER LUE FOR WATER/SEWER LINES
Area 92-01 Graham Road Sewer Line	Peak Day	1,068 gallons daily
Area 97-01 Spring Creek Sewer Line	Peak Day	1,068 gallons daily
Area 97-02B Alum Creek Sewer Line	Peak Day	1,068 gallons daily
Area 99-01 Harley Water Line	Peak Day	668 gallons daily
Area 03-02 Steeplechase Sewer Line	Peak Day	1,068 gallons daily

SOURCE: College Station City Staff.

2.2.2 Conversion Tables

Section 395.014(a)(4) of the Impact Fee Act requires:

. . . an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial . . .

Two different types of conversion tables are used. The first, **Table 2-3**, shows conversion of land uses into living units equivalent. The second, **Table 2-4**, shows the manner of fee collection, which is based on the size of the water meter (for both water and sewer fees).

2.2.2.1 **Converting Projected Land Uses into Projected Living Units Equivalent**

Table 2-3 shows the number of LUE's per acre for various types of land uses for each service area. These revise the figures in the impact fee ordinance, based on the new Comprehensive Plan, as interpreted by City Staff. These conversions are used to project growth in LUE's over the next ten years, based on changes in land uses in each of the service areas.



**Table 2-3
CONVERSION OF LAND USES TO LIVING UNITS EQUIVALENT
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)				
	Water	Sewer			
	Harley	Graham	Spring Crk	Alum Crk	Steeplechase
Business Park		2.00		2.00	2.00
Estate			1.00	1.00	1.00
General Commercial	5.50		5.50		
General Suburban		8.00	6.97	6.97	8.00
Institutional/Public		2.50	2.50		
Medical	5.55	5.55	5.50		
Natural Areas - Protected					
Natural Areas - Reserved					
Neighborhood Conservation		4.00			
Restricted Suburban			4.00	4.11	4.00
Rural				0.33	0.33
Suburban Commercial		4.55	4.55	4.55	4.55
Urban			5.92	5.92	20.00
Utilities					
Village Center			35.00		
Reserved from Development					
Right-of-Way					
Undeveloped					

Sources: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx; College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx; College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx; College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx; and College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx. Not all uses are found in all areas.



2.2.2.2 Converting Water Meter Size to Living Units Equivalent for Fee Collection

Table 2-4 illustrates the use of water meters of various sizes in determining the LUE capacity for any individual customer, used for both water and sewer, for all classes of customers.

Water meter size was selected as the unit determinant for fee collection for the following reasons:

- It allows the use of an American Water Works Association (AWWA) published standard.
- This standard includes both safe continuous flow and safe maximum flow which will thereby accommodate all requests for service.
- These standards are those used by building owners, professional engineers and architects, and City staff for sizing meters and plumbing fixtures.
- Meters are a physical element which can be maintained and controlled by the City, thus allowing the monitoring of the accuracy of meter sizing.
- The City can require any necessary replacement of meters which can be shown to have been sized to small for a development and collect additional impact fees required by the change in meters.
- Particularly in the larger meter sizes, the builder may have to pay for more capacity than needed for the development, thus resulting in a potential payment above actual costs. However, these large-meter customers will be able to use that excess capacity if later building expansions occur or if use patterns change. Moreover, the capacity purchased would be a marketable amenity which would add value to the property.
- The use of water meter size allows equitable cost assignment to each of the three customer classes identified in Chapter 395 (residential, commercial and industrial).

Since water meter size is the basis for calculation of both water and wastewater fees, the base fee should be applied to the smallest meter size used by the City. The following policies were suggested by the Consultants:

- The standard used for the ratio of the continuous duty maximum flow rate would be derived from AWWA C700-C703 (in gpm).
- The City's smallest water meter (5/8") would be the base unit for impact fee assessment. (The use of this water meter has been discontinued by the City, and all new or replacement meters will be 3/4" in diameter. However, 10 gpm (the capacity of the 5/8" meter) is equivalent to one LUE according to City engineers. Thus the table of equivalencies will remain the same, and since no customer can purchase a 5/8" meter in the future, the 3/4" meter will, by policy, be charged for one LUE of service.)



- The ratio of each larger meter's continuous duty maximum flow rate to the rate of the base meter would determine the fee multiplier and the scale for other calculations relating to this fee.
- The Impact Fee Ordinance should have the schedule published as shown in *Table 2-4*, which includes both compound and turbine meters.
- The use of a turbine meter, in connection with displacement meters in a compound meter installation, would require the use of the turbine meter schedule.
- The impact fee assessment should be adjusted when the City determines that unique water pressure conditions of the system result in a meter size which is not indicative of actual flow (as when pressure is unusually low or high). In this instance, the ordinance should provide for individual review.

Table 2-4
LUE EQUIVALENCIES FOR VARIOUS TYPES
AND SIZES OF WATER METERS

METER TYPE	METER SIZE	CONTINUOUS DUTY MAXIMUM RATE (gpm)	RATIO TO 5/8" METER
SIMPLE	5/8" x 3/4"	10	1.000
SIMPLE	3/4"	15	1.000
SIMPLE	1"	25	2.500
SIMPLE	1-1/2"	50	5.000
SIMPLE	2"	80	8.000
COMPOUND	2"	80	8.000
TURBINE	2"	100	10.000
COMPOUND	3"	160	16.000
TURBINE	3"	240	24.000
COMPOUND	4"	250	25.000
TURBINE	4"	420	42.000
COMPOUND	6"	500	50.000
TURBINE	6"	920	92.000
COMPOUND	8"	800	80.000
TURBINE	8"	1600	160.000
COMPOUND	10"	1150	115.000
TURBINE	10"	2500	250.000
TURBINE	12"	3300	330.000

SOURCE: AWWA Standards C700, C701, C702, C703. By policy, a 3/4" meter will be charged for one LUE of service.



Typically, some concern is expressed that water meters are not always a reasonable means of calculating wastewater flows, particularly for certain consumptive types of commercial uses (car washes, restaurants) or industrial processes. Additionally, any land use might have a large meter for irrigation purposes, thus overrepresenting its wastewater flows. However, experience has indicated that few such customers choose to have a separate wastewater meter because of the installation and maintenance expense incurred. Because no alternative means for assessing flow is technically feasible, the consultants recommend that the water meter also be adopted as the basis for wastewater impact fees.

However, given the potential that some consumptive commercial and industrial customers may be considerably overcharged for sewer capacity demand when water meter size is used for calculating wastewater impact fees, the Consultant also recommends that the ordinance provide for exceptions. Specifically, the ordinance should permit individual wastewater customers to present data, prepared by a professional engineer, documenting expected wastewater flow below that indicated by meter-size determinations for a lower sewer fee.

2.2.3 Projected Service Units for New Development

Chapter 395 also requires the projection of service units for new development in the service area. **Table 2-5** shows projections of living units equivalent, as derived by applying the conversion factors in **Table 2-3** to the land use projections in **Table 2-1**. As required by the legislation, projections are shown for both 2023 and ultimate buildout.



**TABLE 2-5A
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	30	41	49
General Suburban	8.00	1,000	1,001	1,002
Institutional/Public	2.50	95	95	96
Medical Use	5.55	0	25	30
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	1	1	1
Neighborhood Conservation	4.00	47	47	47
Suburban Commercial	4.55	241	260	317
Urban	0.00	168	168	168
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		1,582	1,638	1,710
Population per LUE		1.72	1.66	1.59

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.



**TABLE 2-5B
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Estate	1.00	35	36	40
General Commercial	5.50	208	233	332
General Suburban	6.97	1,129	1,207	1,580
Institutional/Public	2.50	175	177	184
Medical	5.50	0	94	171
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.00	1,052	1,281	2,200
Suburban Commercial	4.55	21	44	279
Urban	5.92	84	353	1,626
Utilities	0.00	0	0	0
Village Center	35.00	0	430	2,153
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		2,704	3,855	8,565
Population per LUE		1.92	1.69	1.39

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.



**TABLE 2-5C
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	2	27	48
Estate	1.00	0	3	5
General Suburban	6.97	8	892	1,623
Natural Areas - Protected	0.00	1	1	1
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.11	88	348	483
Rural	0.33	0	0	0
Suburban Commercial	4.55	0	1	1
Urban	5.92	239	360	495
Utilities	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		338	1,631	2,656
Population per LUE		0.54	1.41	1.52

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.



TABLE 2-5D
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
General Commercial	5.50	44	51	127
General Suburban	0.00	0	0	0
Medical Use	5.50	71	108	270
Natural Areas - Reserved	0.00	0	0	0
Suburban Commercial	0.00	0	0	0
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		115	158	396
Population per LUE		0.00	0.00	0.00

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.



**TABLE 2-5E
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	0	24	47
Estate	1.00	0	0	0
General Suburban	8.00	261	931	1,542
Restricted Suburban	4.00	16	257	479
Rural	0.33	0	0	0
Suburban Commercial	4.55	65	79	97
Urban	20.00	234	2,657	4,886
Undeveloped	0.00	0	0	0
Totals		576	3,949	7,051
Population per LUE		1.58	2.09	2.13

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.



2.2.4 CIP Development for Existing and Future Needs

Several steps were necessary in order to perform the required inventory of existing facilities; develop the 10-year CIP; and allocate the capacity and associated costs to the appropriate customer groups.

First, as discussed above, projected service demands for each service area were expressed in LUE's, shown in **Table 2-6**. These demands were then used to project specific facility needs for both existing and future customers.

Table 2-7 presents the inventory of facilities as required in Chapter 395. It shows the required allocation of existing and future CIP facility needs for existing development; future development within the next ten years; and excess capacity for subsequent future development. For each generation of utility customers, these tables show facility needs which will be met by Existing Facilities and Future Facilities.

Cost allocations are also shown in **Table 2-7**. Costs were allocated proportionately among existing customers, 2013-2023 growth, and post-2023 growth. Using these allocations, costs for 2013-2023 growth were expressed on a per-LUE basis.



TABLE 2-6A
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 92-01
GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	1.690	1.775	1.826
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	1,582	1,662	1,710

(a) Peak 1,068 gals/LUEdaily

Existing Capacity details are contained in **TABLE 2-7A**

TABLE 2-6B
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-01
SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	2.888	4.117	9.147
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	2,704	3,855	8,565

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7B**



TABLE 2-6C
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-02B
ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.361	1.742	2.837
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	338	1,631	2,656

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7C**

TABLE 2-6D
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.077	0.106	0.264
Gallons per LUE daily	668	668	668
TOTAL LUE'S	115	158	396

(a) Peak 668 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7D**



TABLE 2-6E
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 03-02
STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.615	4.217	7.530
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S (b)	576	3,949	7,051

(a) Peak 1,068 gals/LUEdaily

(e) Existing Capacity details are contained in **TABLE 2-7E**



TABLE 2-7A
CIP INVENTORY AND COSTING FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$372,994	100.00%	92.51%	3.28%	4.20%	\$12,251	
Phase II	\$46,735	100.00%	100.00%	0.00%	0.00%	\$0	
Phase III	\$53,789	100.00%	92.51%	3.28%	4.20%	\$1,767	
Subtotal Existing Facilities	\$473,519	100.00%	93.25%	2.96%	3.79%	\$14,017	
FUTURE FACILITIES							
None		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$473,519	100.00%	93.25%	2.96%	3.79%	\$14,017	\$249.58
CONSTRUCTION COST TOTAL	\$473,519					\$14,017	\$249.58



TABLE 2-7B
CIP INVENTORY AND COSTING FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$631,215	100.00%	31.57%	13.44%	54.99%	\$84,861	
Phase II	\$813,752	100.00%	31.57%	13.44%	54.99%	\$109,401	
Subtotal Existing Facilities	\$1,444,967	100.00%	31.57%	13.44%	54.99%	\$194,262	
FUTURE FACILITIES							
		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$1,444,967	100.00%	31.57%	13.44%	54.99%	\$194,262	\$168.71
CONSTRUCTION COST TOTAL	\$1,444,967					\$194,262	\$168.71



TABLE 2-7C
CIP INVENTORY AND COSTING FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Phase I	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	
Subtotal Existing Facilities	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	
FUTURE FACILITIES							
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL COLLECTION LINES	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	\$80.67
CONSTRUCTION COST TOTAL	\$214,271					\$104,294	\$80.67



TABLE 2-7D
CIP INVENTORY AND COSTING FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR TRANSMISSION LINES							
EXISTING FACILITIES							
Phase I	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	
Subtotal Existing Facilities	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	
FUTURE FACILITIES							
		%					
Subtotal Future Facilities	\$0	0.00%	0.00%	0.00%	0.00%	\$0	
TOTAL TRANSMISSION LINES	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	\$866.00
CONSTRUCTION COST TOTAL	\$342,978					\$37,628	\$866.00



TABLE 2-7E
CIP INVENTORY AND COSTING FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Sanitary Sewer Facilities	\$1,130,147	<u>LUEs</u> 3,800	576	3,224	0	\$958,841	
Subtotal Existing Facilities	\$1,130,147	3,800	576	3,224	0	\$958,841	
FUTURE FACILITIES							
None		<u>LUEs</u>					
Subtotal Future Facilities	\$0	0	0	0	0	\$0	
TOTAL COLLECTION LINES	\$1,130,147	3,800	576	3,224	0	\$958,841	\$284.30
CONSTRUCTION COST TOTAL	\$1,130,147					\$958,841	\$284.30



2.2.5 Summary of CIP Analysis and Capital Cost Allocation

Capital costs for each area are summarized in **Table 2-8**. In addition to capital costs, the City is permitted to add the costs of the study to the fee amount, as is shown in the table. Study costs were divided by five (the number of areas studied), with one-fifth of the cost allocated to each study area. Then, the study costs allocated to each area were divided by the number of projected LUE's, to yield a study cost per LUE.

Table 2-8
SUMMARY OF CAPITAL COSTS

UTILITY	AREA	FACILITY TYPE	COST/LUE*
WASTEWATER	92-01	Major Collection	\$249.58
	Graham Rd.	Study Costs	\$100.60
TOTAL CAPITAL COSTS 92-01 Graham Road Wastewater			\$350.18
WASTEWATER	97-01	Major Collection	\$168.71
	Spring Creek	Study Costs	\$4.91
TOTAL CAPITAL COSTS 97-01 Spring Creek Wastewater			\$173.61
WASTEWATER	97-02B	Major Collection	\$80.67
	Alum Creek	Study Costs	\$4.37
TOTAL CAPITAL COSTS 97-02B Alum Creek Wastewater			\$85.04
WATER	99-01	Major Transmission	\$866.00
	Harley	Study Costs	\$130.03
TOTAL CAPITAL COSTS 99-01 Harley Water Line			\$996.03
WASTEWATER	03-02	Major Collection	\$284.30
	Steeplechase	Study Costs	\$2.72
TOTAL CAPITAL COSTS 03-02 Steeplechase Wastewater			\$287.02

* An LUE is equal to use by a typical household with a 5/8" water meter (existing customers) or a 3/4" water meter for new customers. Totals may not add due to rounding.



3.0 FEE CALCULATION

Chapter 395 states that the maximum fee amount may not exceed the full capital cost per unit. The statute also requires:

a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

The Equity Residual Model was used to calculate actual debt service credits. **Section 3.1** describes that model. **Section 3.2** shows the derivation of fee credits for each service area. **Section 3.3** compares maximum fee amounts using this approach with the 50%-credit approach allowed in the legislation.

3.1 EQUITY RESIDUAL MODEL

The Equity Residual methodology provides that each new user contributes "equity" in the City systems comparable to that owned by other existing users. Once that equity payment is made through the impact fee, each new user would pay the remainder of his or her capital-related cost of service through rate or tax payments equal to the rate or tax payments of existing users. This minimizes cross-subsidization (one user group paying for the costs of another) and provides for full cost recovery for the utilities. All users then pay for excess capacity in the system.

3.1.1 Definition of Terms

Terms which will be used throughout the conceptual presentation of this approach are defined below:

Cost of Service (Construction) - The full off-site construction costs associated with providing one unit of service, including costs of all facilities required to provide a single unit of service. Construction costs include engineering design costs and other cost components permitted by Chapter 395.

Cost of Service (Bonding) - Costs incurred in the issuance of bonds, such as ratings, fees for financial advisors, bond counsel, etc.

Cost of Service (Interest) - The interest cost applied to construction costs and bonding costs when payments are made over time.



Cost of Service (Full) - The sum of payments made for a single unit of service. This is equivalent to capital construction costs only when cash payments are made instead of bond financing. For bonded improvements, full cost of service includes construction, bonding and interest costs.

Debt Service - Regular principal and interest payments made by the City to repay bonded costs of facilities.

Equity - Value of contributions made toward full payment of cost of service; full cost of service minus outstanding debt service payments.

Existing Users - All users of the utilities prior to the adoption of a particular impact fee ordinance.

Existing Service Unit Demand - One unit of service demand in existence as of the date of the proposed impact fee ordinance.

Future Users - New development after the date of impact fee ordinance adoption.

Future Service Unit Demand - One unit of service demand occurring on or after the date of impact fee ordinance adoption.

Indebtedness (Debt Service Payback) - Total amount outstanding for all debt service payments at the time an impact fee ordinance is adopted.

Times Coverage - Excess revenue collections required by bond covenants to ensure the City's ability to meet its debt service revenue requirements (for water and sewer utilities). Minimum times coverage is generally 25% over the amount of debt service; for greater security, greater times coverage is preferred.

User Class - A group of users with historically documented, common use characteristics.

3.1.2 Conceptual Methodology

Figure 3-1 presents a conceptual illustration of the Equity Residual methodology, and will be referenced throughout this section.



3.1.2.1 Components of Capital Cost of Service

For purposes of this conceptual discussion, costs are defined for a common measurement of capacity and demand; that service unit of measurement is "Living Unit Equivalent", or LUE. Each service unit has a capital cost associated with the comprehensive group of facilities required to provide service. This value is the Construction Cost of Service (see [Figure 3-1](#)).

If a facility is funded through bonding, however, three additional costs are incurred for each service unit of demand: bonding costs, interest costs, and times coverage costs. Bonding costs for bond issues are statistically small -- in the neighborhood of 3% to 15%. On the other hand, interest costs can effectively double or triple costs, depending on the current interest rate and term of the bonds. Times coverage, although an expense for utility rate payers, is not actually a cost of service; these revenues are excess funds which can be carried over from one year to another to finance system improvements, pay overhead and maintenance costs, or meet other expenses. Therefore, times coverage is not included as a cost of service element in the Equity Residual model, and is not shown on [Figure 3-1](#).

3.1.2.2 Methods for Recovering Costs of Service

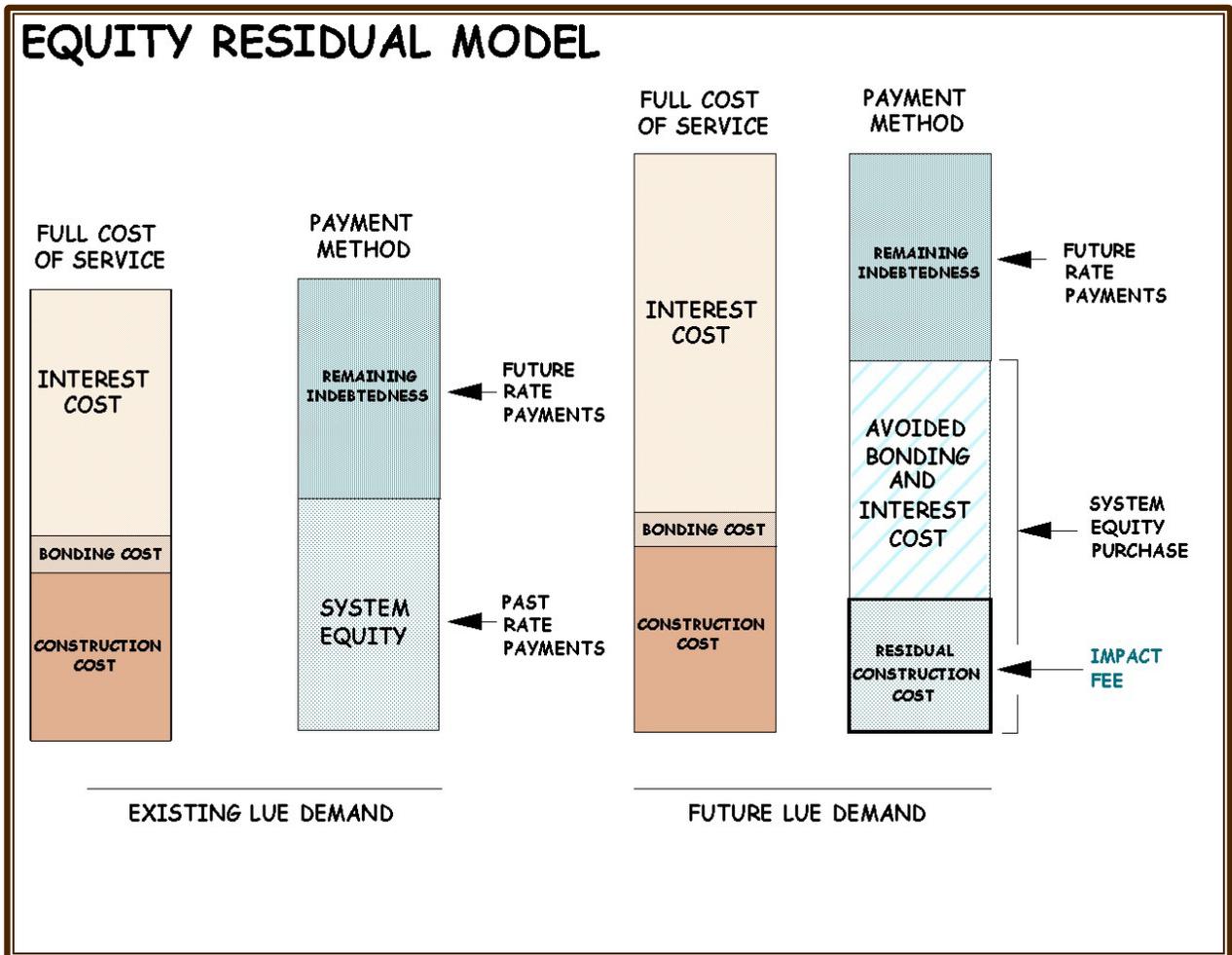
Generally speaking, costs can be financed through either the public sector or the private sector. Financing through the public sector is primarily accomplished by bonding projects and recovering costs through rates/taxes. Financing through the private sector occurs when a developer or builder contributes assets, either facilities or cash, and passes along this cost (including carrying and financing costs) to the ultimate buyer or renter of the development. An impact fee is one mechanism for private financing; other examples are developer contribution, developer cost participation in City facilities, etc.. Whether private or public financing is more cost-effective is determined by many variables, including interest rates, term, mark-up percentage, bonding costs, etc..

The Equity Residual methodology recognizes and utilizes the concept that all users pay part or all of their cost of service through public-sector financing by virtue of the fact that they pay rates/taxes to retire debt service. The central tenet of the Equity Residual approach is that future users will partially pay for their own costs of service through rate or tax payments in an amount typically equal to the remaining debt service payback for existing users. The remainder of their costs of service, or the "residual" amount, will be subject to payment through an impact fee. Thus, future users will be permitted to pay a portion of their costs of service through rates or taxes, similar to existing users. However, existing users will not, in the long-term, bear the cost of facilities for future users. Thus, the Equity Residual approach allows future users to pay their costs of service partially through the public



sector (with rate or tax payments equal to existing users) and partially through the private sector (through an impact fee). The following sections provide a more detailed discussion of this conceptual approach.

Figure 3-1



3.1.2.3 System Equity and Remaining Indebtedness for Existing LUE Demand

On the left side of **Figure 3-1** is a representation of the Cost of Service for each unit of *existing* demand and the method for paying those costs. Theoretically, each existing unit of service has a full cost associated with it, consisting of construction costs, bonding costs, and interest costs. (Prior to the adoption of impact fees, construction costs were generally bonded and thus subjected to bonding and interest costs.)



Users in this group have, for the most part, been permitted to pay their full Cost of Service through the rates without an up-front cash payment of costs, as shown in the second bar for existing service demand. The second left-hand bar is divided into two segments: system equity and remaining indebtedness. Existing users, on the date an impact fee ordinance is adopted, will have theoretically paid some portion of their full Cost of Service through past rate payments. Thus, they have a certain amount of "equity" in the existing City system. This is shown on the bottom portion of the second bar. Existing users also have a corresponding amount of remaining indebtedness to be paid through future rate payments over the next 20-30 years. This is depicted on the top portion of the bar. These two payment components -- equity and remaining indebtedness -- thus describe the Total Payment of each user's Full Cost of Service for existing service unit demand.

3.1.2.4 Calculation of Cost of Service for Future Service Unit Demand

On the right side of *Figure 3-1* is a depiction of the Cost of Service for *future* LUE demand. The Cost of Service for future users will be higher than that for existing users due to inflation and possibly due to technological and regulatory changes. If these new facilities are bonded, they will have not only construction-related costs, but also bonding and interest costs (similar to those for existing users). These latter costs will also be higher than comparable costs for existing users because bonding and interest costs are directly proportional to the higher new construction costs.

3.1.2.5 Fairness Between Users Through the Rate Structure

A key concept in the Equity Residual methodology is that rate payments of future users are dedicated to retirement of debt for facilities for future needs, while rate payments of existing users are used to pay for facilities for existing needs. Application of this concept has two primary results:

- Cross-subsidization between existing and future users is minimized; and
- Future users enter the City systems on an equal basis with existing users.

This approach is effected by purposefully setting the total payback indebtedness of future users to the same amount as the total payback for existing users. Thus, in *Figure 3-1*, the remaining indebtedness for each service unit of existing demand is the same as for each service unit of future demand. In order to accomplish this equalization, however, future users will have to submit a "system equity" payment to contribute their remaining Cost of Service and to put them on a par status with existing users (see discussion below).



3.1.2.6 Equity Residual and Equity Contribution for Future LUE Demand

The second bar in the right-hand diagram of *Figure 3-1* shows the payment methods for future users. At the top of the bar is indebtedness equal to that of existing users. This indebtedness includes construction and bonding costs (both principal payments) and interest payments.

Below the indebtedness payback are shown the components of the remaining Cost of Service, or that portion which must be paid to achieve fairness through the rate structure. This portion of the Cost of Service has been designated "System Equity", similar to past debt payments by existing users. System Equity has three components, as do all Costs of Service: construction cost, bonding cost, and interest cost. If the construction costs in the System Equity portion of the Cost of Service were to be paid in cash, corresponding bonding and interest costs would be avoided. The remaining construction costs, or "residual", would be the actual payment necessary to achieve fairness -- or equity -- in the system. This residual cost is the amount which should be subjected to payment in an impact fee.

In sum, the Equity Residual approach to funding improvements will result in a payment for Cost of Service for future service demand which has the following characteristics:

- *A portion of the Cost of Service will be paid through the rates or taxes; the total payback on this portion of the Cost of Service will equal that for total capital indebtedness for existing users reflected in the rate structure;*
- *New users will contribute equity status in the system by paying the remaining, unbonded portion of construction costs ("residual") through an impact fee;*
- *Bonding and interest costs associated with residual construction costs will be avoided.*
- *This approach will result in full cost recovery for growth from payments made by future users.*

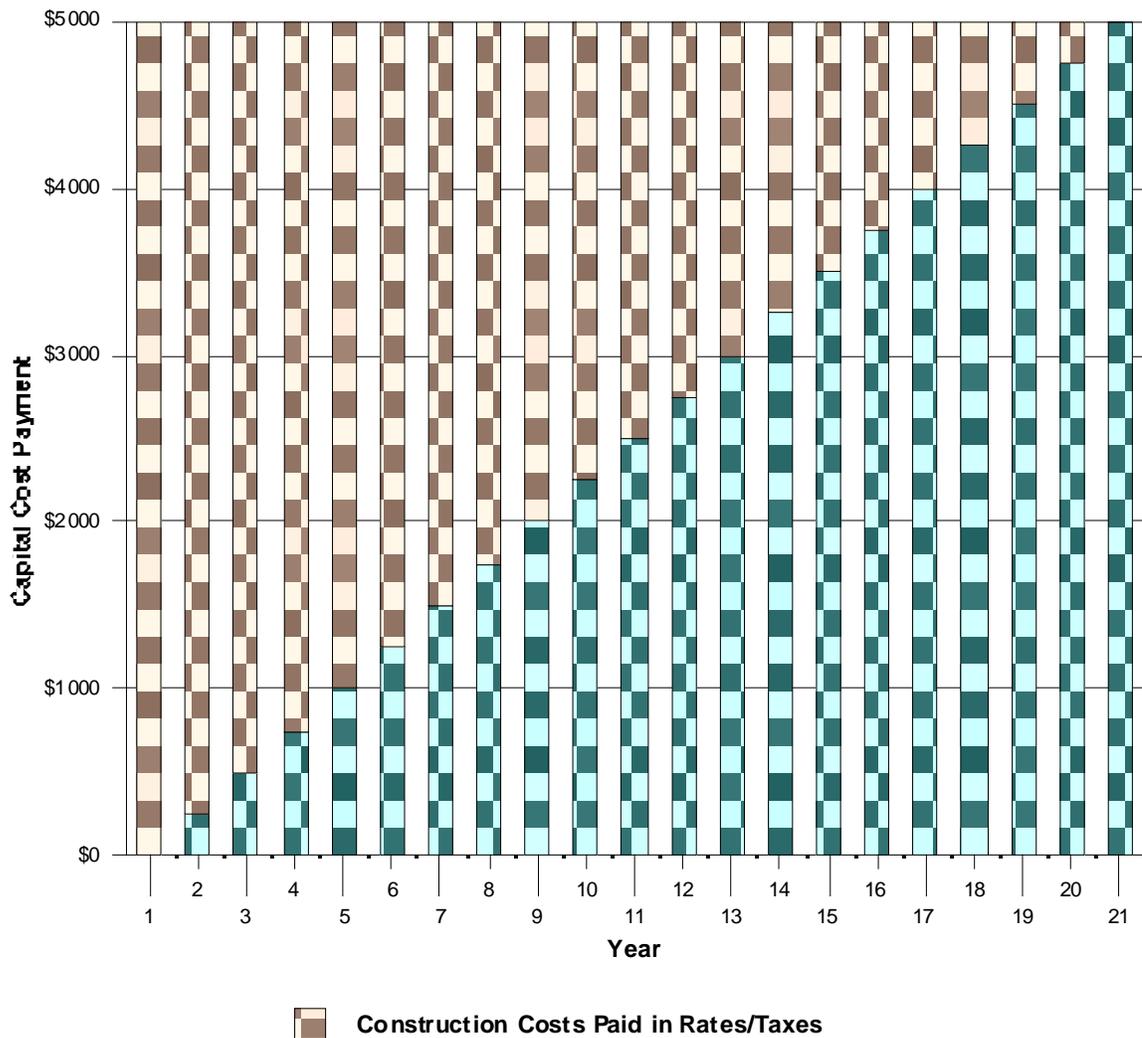
3.1.2.7 Balancing Rate and Fee Payments Over Time

Chapter 395 requires that impact fee programs have a planning horizon of ten years or less. Equity among feepayers within the ten-year period can be enhanced if the Equity Residual Model is used to adjust fees each year to acknowledge that earlier feepayers will pay more through their rates than later feepayers as debt service is retired. *Figure 3-2* illustrates this concept. This figure illustrates that in early years of an impact fee or a construction program, there may be little difference between existing



and new customers, and impact fees are relatively low since new customers pay the majority of their capital costs through rates/taxes to retire debt service. In later years, however, new customers will make relatively lower debt service payments since much of the debt is already retired when they connect to the system, and impact fees are correspondingly higher. If impact fees are properly designed, customers at every point in time will pay their full and equal cost through a combination of debt service and fees. As shown in the example in **Figure 3-2**, customers who connect during each year of the 20-year time frame pay \$5,000 in capital construction costs, through a varying combination of rates and fees.

Figure 3-2: Payment of Capital Costs Through Combination of Impact Fees and Rates





3.2 CALCULATION OF FEE CREDITS

Table 3-1 contains calculations of rate credits for each of the service areas, using the Equity Residual Approach. (Area 99-01, Harley Water Line, is not funded by debt, and thus the calculated rate credit is zero and not shown in **Table 3-1**.) This table shows the dollar amount of capital debt service payback proportionately attributed to each LUE of existing service.

TABLE 3-1A
CATEGORIZATION OF UTILITY DEBT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	PRINCIPAL PER CURRENT
MAJOR COLLECTION						
Phase I	1993	\$196,927	\$14,091	100%	92.51%	\$8.24
Phase II	1993	\$24,674	\$1,766	100%	100.00%	\$1.12
Phase III	1993	\$28,399	\$2,032	100%	92.51%	\$1.19
Subtotal Wastewater Collection		\$250,000	\$17,889			\$10.54
OUTSTANDING DEBT TOTAL		\$250,000	\$17,889			\$10.54

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.



TABLE 3-1B
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL PER CURRENT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	
MAJOR COLLECTION						
Phase I	1998	\$314,523	\$110,742	100%	31.57%	\$12.93
Phase II	1998	\$405,477	\$142,766	100%	31.57%	\$16.67
Subtotal Wastewater Collection		\$720,000	\$253,508			\$29.60
OUTSTANDING DEBT TOTAL		\$720,000	\$253,508			\$29.60

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

TABLE 3-1C
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL PER CURRENT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	
MAJOR COLLECTION						
Phase I	1998	\$396,000	\$139,429	100%	12.73%	\$52.50
Subtotal Wastewater Collection		\$396,000	\$139,429			\$52.50
OUTSTANDING DEBT TOTAL		\$396,000	\$139,429			\$52.50

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.



TABLE 3-1E
CATEGORIZATION OF UTILITY DEBT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT
	ISSUANCE	ISSUANCE	REMAINING	TOTAL FOR CURRENT	PER CURRENT	PRINCIPAL
MAJOR COLLECTION						
Sanitary Sewer Facilities	2004	\$1,000,000	\$677,642	100%	15.16%	\$178.33
<i>Subtotal Wastewater Collection</i>		<i>\$1,000,000</i>	<i>\$677,642</i>			<i>\$178.33</i>
OUTSTANDING DEBT TOTAL		\$1,000,000	\$677,642			\$178.33

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

3.3 MAXIMUM FEE CALCULATION

Table 3-2 shows the remainder of the fee calculation process. According to Chapter 395, the City may either calculate actual rate credits, or it may simply multiply the construction costs by 50% to approximate a fee credit. **Table 3-2** performs both fee calculations. The higher fee between the two credit approaches is then shown in the right-most column.

Table 3-3 shows maximum fee amounts for each area for various sizes of water meters, using the maximum allowable fees calculated in **Table 3-2**.



TABLE 3-2A
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$249.58	\$10.54	\$124.79	\$239.04	\$124.79	\$239.04
CIP/Study Costs	\$100.60	\$0.00	\$50.30	\$100.60	\$50.30	\$100.60
Subtotal Wastewater	\$350.18	\$10.54	\$175.09	\$339.63	\$175.09	\$339.63
TOTALS	\$350.18	\$10.54	\$175.09	\$339.63	\$175.09	\$339.63

TABLE 3-2B
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$168.71	\$29.60	\$84.35	\$139.11	\$84.35	\$139.11
CIP/Study Costs	\$4.91	\$0.00	\$2.45	\$4.91	\$2.45	\$4.91
Subtotal Wastewater	\$173.61	\$29.60	\$86.81	\$144.01	\$86.81	\$144.01
TOTALS	\$173.61	\$29.60	\$86.81	\$144.01	\$86.81	\$144.01



TABLE 3-2C
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$80.67	\$52.50	\$40.34	\$28.18	\$40.34	\$40.34
CIP/Study Costs	\$4.37	\$0.00	\$2.19	\$4.37	\$2.19	\$4.37
Subtotal Wastewater	\$85.04	\$52.50	\$42.52	\$32.55	\$42.52	\$44.71
TOTALS	\$85.04	\$52.50	\$42.52	\$32.55	\$42.52	\$44.71

TABLE 3-2D
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 99-01, HARLEY WATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WATER UTILITY						
Major Collection	\$866.00	\$0.00	\$433.00	\$866.00	\$433.00	\$866.00
CIP/Study Costs	\$130.03	\$0.00	\$65.02	\$130.03	\$65.02	\$130.03
Subtotal Water	\$996.03	\$0.00	\$498.02	\$996.03	\$498.02	\$996.03
TOTALS	\$996.03	\$0.00	\$498.02	\$996.03	\$498.02	\$996.03



TABLE 3-2E
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$284.30	\$178.33	\$142.15	\$105.98	\$142.15	\$142.15
CIP/Study Costs	\$2.72	\$0.00	\$1.36	\$2.72	\$1.36	\$2.72
Subtotal Wastewater	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87
TOTALS	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87



**TABLE 3-3A
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$339.63	\$339.63
SIMPLE	3/4"	1.000	\$339.63	\$339.63
SIMPLE	1"	2.500	\$849.09	\$849.09
SIMPLE	1-1/2"	5.000	\$1,698.17	\$1,698.17
SIMPLE	2"	8.000	\$2,717.08	\$2,717.08
COMPOUND	2"	8.000	\$2,717.08	\$2,717.08
TURBINE	2"	10.000	\$3,396.34	\$3,396.34
COMPOUND	3"	16.000	\$5,434.15	\$5,434.15
TURBINE	3"	24.000	\$8,151.23	\$8,151.23
COMPOUND	4"	25.000	\$8,490.86	\$8,490.86
TURBINE	4"	42.000	\$14,264.65	\$14,264.65
COMPOUND	6"	50.000	\$16,981.72	\$16,981.72
TURBINE	6"	92.000	\$31,246.37	\$31,246.37
COMPOUND	8"	80.000	\$27,170.75	\$27,170.75
TURBINE	8"	160.000	\$54,341.51	\$54,341.51
COMPOUND	10"	115.000	\$39,057.96	\$39,057.96
TURBINE	10"	250.000	\$84,908.61	\$84,908.61
TURBINE	12"	330.000	\$112,079.36	\$112,079.36



**TABLE 3-3B
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.01	\$144.01
SIMPLE	3/4"	1.000	\$144.01	\$144.01
SIMPLE	1"	2.500	\$360.04	\$360.04
SIMPLE	1-1/2"	5.000	\$720.07	\$720.07
SIMPLE	2"	8.000	\$1,152.12	\$1,152.12
COMPOUND	2"	8.000	\$1,152.12	\$1,152.12
TURBINE	2"	10.000	\$1,440.15	\$1,440.15
COMPOUND	3"	16.000	\$2,304.23	\$2,304.23
TURBINE	3"	24.000	\$3,456.35	\$3,456.35
COMPOUND	4"	25.000	\$3,600.36	\$3,600.36
TURBINE	4"	42.000	\$6,048.61	\$6,048.61
COMPOUND	6"	50.000	\$7,200.73	\$7,200.73
TURBINE	6"	92.000	\$13,249.34	\$13,249.34
COMPOUND	8"	80.000	\$11,521.16	\$11,521.16
TURBINE	8"	160.000	\$23,042.33	\$23,042.33
COMPOUND	10"	115.000	\$16,561.67	\$16,561.67
TURBINE	10"	250.000	\$36,003.64	\$36,003.64
TURBINE	12"	330.000	\$47,524.80	\$47,524.80



**TABLE 3-3C
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$44.71	\$44.71
SIMPLE	3/4"	1.000	\$44.71	\$44.71
SIMPLE	1"	2.500	\$111.77	\$111.77
SIMPLE	1-1/2"	5.000	\$223.54	\$223.54
SIMPLE	2"	8.000	\$357.66	\$357.66
COMPOUND	2"	8.000	\$357.66	\$357.66
TURBINE	2"	10.000	\$447.08	\$447.08
COMPOUND	3"	16.000	\$715.32	\$715.32
TURBINE	3"	24.000	\$1,072.98	\$1,072.98
COMPOUND	4"	25.000	\$1,117.69	\$1,117.69
TURBINE	4"	42.000	\$1,877.72	\$1,877.72
COMPOUND	6"	50.000	\$2,235.38	\$2,235.38
TURBINE	6"	92.000	\$4,113.10	\$4,113.10
COMPOUND	8"	80.000	\$3,576.61	\$3,576.61
TURBINE	8"	160.000	\$7,153.21	\$7,153.21
COMPOUND	10"	115.000	\$5,141.37	\$5,141.37
TURBINE	10"	250.000	\$11,176.89	\$11,176.89
TURBINE	12"	330.000	\$14,753.50	\$14,753.50



**TABLE 3-3D
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 99-01, HARLEY WATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$996.03	\$996.03
SIMPLE	3/4"	1.000	\$996.03	\$996.03
SIMPLE	1"	2.500	\$2,490.08	\$2,490.08
SIMPLE	1-1/2"	5.000	\$4,980.15	\$4,980.15
SIMPLE	2"	8.000	\$7,968.24	\$7,968.24
COMPOUND	2"	8.000	\$7,968.24	\$7,968.24
TURBINE	2"	10.000	\$9,960.31	\$9,960.31
COMPOUND	3"	16.000	\$15,936.49	\$15,936.49
TURBINE	3"	24.000	\$23,904.73	\$23,904.73
COMPOUND	4"	25.000	\$24,900.76	\$24,900.76
TURBINE	4"	42.000	\$41,833.28	\$41,833.28
COMPOUND	6"	50.000	\$49,801.53	\$49,801.53
TURBINE	6"	92.000	\$91,634.81	\$91,634.81
COMPOUND	8"	80.000	\$79,682.44	\$79,682.44
TURBINE	8"	160.000	\$159,364.89	\$159,364.89
COMPOUND	10"	115.000	\$114,543.51	\$114,543.51
TURBINE	10"	250.000	\$249,007.64	\$249,007.64
TURBINE	12"	330.000	\$328,690.08	\$328,690.08



**TABLE 3-3E
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.87	\$144.87
SIMPLE	3/4"	1.000	\$144.87	\$144.87
SIMPLE	1"	2.500	\$362.18	\$362.18
SIMPLE	1-1/2"	5.000	\$724.37	\$724.37
SIMPLE	2"	8.000	\$1,158.99	\$1,158.99
COMPOUND	2"	8.000	\$1,158.99	\$1,158.99
TURBINE	2"	10.000	\$1,448.73	\$1,448.73
COMPOUND	3"	16.000	\$2,317.97	\$2,317.97
TURBINE	3"	24.000	\$3,476.96	\$3,476.96
COMPOUND	4"	25.000	\$3,621.83	\$3,621.83
TURBINE	4"	42.000	\$6,084.67	\$6,084.67
COMPOUND	6"	50.000	\$7,243.66	\$7,243.66
TURBINE	6"	92.000	\$13,328.33	\$13,328.33
COMPOUND	8"	80.000	\$11,589.85	\$11,589.85
TURBINE	8"	160.000	\$23,179.71	\$23,179.71
COMPOUND	10"	115.000	\$16,660.42	\$16,660.42
TURBINE	10"	250.000	\$36,218.30	\$36,218.30
TURBINE	12"	330.000	\$47,808.15	\$47,808.15



4.0 CONCLUSIONS AND RECOMMENDATIONS OF THE CONSULTANTS

This report represents the technical compliance activities of the City of College Station responsive to Chapter 395 of the Texas Local Government Code. In addition to the adoption of the fees calculated herein, the Consultants recommended:

- Use of fee revenues to avoid future bonding, whenever possible.
- As a second-best option, fee proceeds should be used for early retirement of the growth-related portion of existing bonds for growth-related capacity in the CIP.
- Only when the two options immediately above are infeasible should fee proceeds be used for debt service for future customers.
- The Consultants recommend that the City maintain separate dedicated accounts for each area, and retain accrued interest in each account, as stipulated in Chapter 395.

The Consultants also recommend that the City's records include the following information for each impact fee payment made:

- Date of final plat (i.e., date of fee assessment)
- Ordinance number (date) by which property is assessed an impact fee
- Date of tap purchase and building permit issuance
- Size of water meter
- Number of water and wastewater LUE's for which an impact fee is assessed
- Amount of impact fees paid for each impact fee
- Date of payment of impact fees
- Special conditions or exceptions, if any
- Sufficient locational information, consistent with city or county deed records, to enable the City to establish ownership of property for which fees have been paid



5.0 CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE

CHAPTER 395. FINANCING CAPITAL IMPROVEMENTS REQUIRED BY NEW DEVELOPMENT IN MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

SUBCHAPTER A. GENERAL PROVISIONS

§ 395.001. Definitions

In this chapter:

(1) "Capital improvement" means any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of a political subdivision:

(A) water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, and flood control facilities; whether or not they are located within the service area; and

(B) roadway facilities.

(2) "Capital improvements plan" means a plan required by this chapter that identifies capital improvements or facility expansions for which impact fees may be assessed.

(3) "Facility expansion" means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

(4) "Impact fee" means a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. The term includes amortized charges, lump-sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition. The term does not include:

(A) dedication of land for public parks or payment in lieu of the dedication to serve park needs;

(B) dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the



dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;

(C) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or

(D) other pro rata fees for reimbursement of water or sewer mains or lines extended by the political subdivision.

However, an item included in the capital improvements plan may not be required to be constructed except in accordance with Section 395.019(2), and an owner may not be required to construct or dedicate facilities and to pay impact fees for those facilities.

(5) "Land use assumptions" includes a description of the service area and projections of changes in land uses, densities, intensities, and population in the service area over at least a 10-year period.

(6) "New development" means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

(7) "Political subdivision" means a municipality, a district or authority created under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution, or, for the purposes set forth by Section 395.079, certain counties described by that section.

(8) "Roadway facilities" means arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the political subdivision, together with all necessary appurtenances. The term includes the political subdivision's share of costs for roadways and associated improvements designated on the federal or Texas highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks, drainage appurtenances, and rights-of-way.

(9) "Service area" means the area within the corporate boundaries or extraterritorial jurisdiction, as determined under Chapter 42, of the political subdivision to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except roadway facilities and storm water, drainage, and flood control facilities. The service area, for the purposes of this chapter, may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, except for roadway facilities and storm water, drainage, and flood control facilities. For roadway facilities, the



service area is limited to an area within the corporate boundaries of the political subdivision and shall not exceed six miles. For storm water, drainage, and flood control facilities, the service area may include all or part of the land within the political subdivision or its extraterritorial jurisdiction, but shall not exceed the area actually served by the storm water, drainage, and flood control facilities designated in the capital improvements plan and shall not extend across watershed boundaries.

(10) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 566, § 1(e), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 1, eff. Sept. 1, 2001.

SUBCHAPTER B. AUTHORIZATION OF IMPACT FEE

§ 395.011. Authorization of Fee

(a) Unless otherwise specifically authorized by state law or this chapter, a governmental entity or political subdivision may not enact or impose an impact fee.

(b) Political subdivisions may enact or impose impact fees on land within their corporate boundaries or extraterritorial jurisdictions only by complying with this chapter, except that impact fees may not be enacted or imposed in the extraterritorial jurisdiction for roadway facilities.

(c) A municipality may contract to provide capital improvements, except roadway facilities, to an area outside its corporate boundaries and extraterritorial jurisdiction and may charge an impact fee under the contract, but if an impact fee is charged in that area, the municipality must comply with this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.012. Items Payable by Fee



(a) An impact fee may be imposed only to pay the costs of constructing capital improvements or facility expansions, including and limited to the:

(1) construction contract price;

(2) surveying and engineering fees;

(3) land acquisition costs, including land purchases, court awards and costs, attorney's fees, and expert witness fees; and

(4) fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision.

(b) Projected interest charges and other finance costs may be included in determining the amount of impact fees only if the impact fees are used for the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan and are not used to reimburse bond funds expended for facilities that are not identified in the capital improvements plan.

(c) Notwithstanding any other provision of this chapter, the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay a staff engineer who prepares or updates a capital improvements plan under this chapter.

(d) A municipality may pledge an impact fee as security for the payment of debt service on a bond, note, or other obligation issued to finance a capital improvement or public facility expansion if:

(1) the improvement or expansion is identified in a capital improvements plan; and

(2) at the time of the pledge, the governing body of the municipality certifies in a written order, ordinance, or resolution that none of the impact fee will be used or expended for an improvement or expansion not identified in the plan.

(e) A certification under Subsection (d)(2) is sufficient evidence that an impact fee pledged will not be used or expended for an improvement or expansion that is not identified in the capital improvements plan.



Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 90, § 1, eff. May 16, 1995.

§ 395.013. Items Not Payable by Fee

Impact fees may not be adopted or used to pay for:

(1) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(2) repair, operation, or maintenance of existing or new capital improvements or facility expansions;

(3) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(4) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(5) administrative and operating costs of the political subdivision, except the Edwards Underground Water District or a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may use impact fees to pay its administrative and operating costs;

(6) principal payments and interest or other finance charges on bonds or other indebtedness, except as allowed by Section 395.012.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.014. Capital Improvements Plan

(a) The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:

(1) a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and



stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(3) a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform the professional engineering services in this state;

(4) a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;

(5) the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(6) the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and

(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

(b) The analysis required by Subsection (a)(3) may be prepared on a systemwide basis within the service area for each major category of capital improvement or facility expansion for the designated service area.



(c) The governing body of the political subdivision is responsible for supervising the implementation of the capital improvements plan in a timely manner.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 2, eff. Sept. 1, 2001.

§ 395.015. Maximum Fee Per Service Unit

(a) The impact fee per service unit may not exceed the amount determined by subtracting the amount in Section 395.014(a)(7) from the costs of the capital improvements described by Section 395.014(a)(3) and dividing that amount by the total number of projected service units described by Section 395.014(a)(5).

(b) If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to projected new service units described by Section 395.014(a)(6) by the projected new service units described in that section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 3, eff. Sept. 1, 2001.

§ 395.016. Time for Assessment and Collection of Fee

(a) This subsection applies only to impact fees adopted and land platted before June 20, 1987. For land that has been platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before June 20, 1987, or land on which new development occurs or is proposed without platting, the political subdivision may assess the impact fees at any time during the development approval and building process. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(b) This subsection applies only to impact fees adopted before June 20, 1987, and land platted after that date. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after June 20, 1987, the political



subdivision may assess the impact fees before or at the time of recordation. Except as provided by Section 395.019, the political subdivision may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.

(c) This subsection applies only to impact fees adopted after June 20, 1987. For new development which is platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision before the adoption of an impact fee, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

(d) This subsection applies only to land platted in accordance with Subchapter A, Chapter 212, or the subdivision or platting procedures of a political subdivision after adoption of an impact fee adopted after June 20, 1987. The political subdivision shall assess the impact fees before or at the time of recordation of a subdivision plat or other plat under Subchapter A, Chapter 212, or the subdivision or platting ordinance or procedures of any political subdivision in the official records of the county clerk of the county in which the tract is located. Except as provided by Section 395.019, if the political subdivision has water and wastewater capacity available:

(1) the political subdivision shall collect the fees at the time the political subdivision issues a building permit;

(2) for land platted outside the corporate boundaries of a municipality, the municipality shall collect the fees at the time an application for an individual meter connection to the municipality's water or wastewater system is filed; or

(3) a political subdivision that lacks authority to issue building permits in the area where the impact fee applies shall collect the fees at the time an application is filed for an individual meter connection to the political subdivision's water or wastewater system.

(e) For land on which new development occurs or is proposed to occur without platting, the political subdivision may assess the impact fees at any time during the development and building process and may collect the fees at either the time of recordation of the subdivision plat or connection to the political subdivision's water or sewer system or at the time the political subdivision issues either the building permit or the certificate of occupancy.



(f) An "assessment" means a determination of the amount of the impact fee in effect on the date of occurrence provided in this section and is the maximum amount that can be charged per service unit of such development. No specific act by the political subdivision is required.

(g) Notwithstanding Subsections (a)–(e) and Section 395.017, the political subdivision may reduce or waive an impact fee for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the political subdivision may reverse its decision to waive or reduce the impact fee, and the political subdivision may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 980, § 52, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 345, § 4, eff. Sept. 1, 2001.

§ 395.017. Additional Fee Prohibited; Exception

After assessment of the impact fees attributable to the new development or execution of an agreement for payment of impact fees, additional impact fees or increases in fees may not be assessed against the tract for any reason unless the number of service units to be developed on the tract increases. In the event of the increase in the number of service units, the impact fees to be imposed are limited to the amount attributable to the additional service units.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.018. Agreement With Owner Regarding Payment

A political subdivision is authorized to enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.019. Collection of Fees if Services Not Available



Except for roadway facilities, impact fees may be assessed but may not be collected in areas where services are not currently available unless:

(1) the collection is made to pay for a capital improvement or facility expansion that has been identified in the capital improvements plan and the political subdivision commits to commence construction within two years, under duly awarded and executed contracts or commitments of staff time covering substantially all of the work required to provide service, and to have the service available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed, but in no event longer than five years;

(2) the political subdivision agrees that the owner of a new development may construct or finance the capital improvements or facility expansions and agrees that the costs incurred or funds advanced will be credited against the impact fees otherwise due from the new development or agrees to reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions, which fees shall be collected and reimbursed to the owner at the time the other new development records its plat; or

(3) an owner voluntarily requests the political subdivision to reserve capacity to serve future development, and the political subdivision and owner enter into a valid written agreement.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.020. Entitlement to Services

Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive immediate service from any existing facilities with actual capacity to serve the new service units, subject to compliance with other valid regulations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.021. Authority of Political Subdivisions to Spend Funds to Reduce Fees



Political subdivisions may spend funds from any lawful source to pay for all or a part of the capital improvements or facility expansions to reduce the amount of impact fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.022. Authority of Political Subdivision to Pay Fees

(a) Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

(b) A school district is not required to pay impact fees imposed under this chapter unless the board of trustees of the district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board of trustees considers advisable to provide for the payment of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2007, 80th Leg., eff. May 11, 2007.

§ 395.023. Credits Against Roadway Facilities Fees

Any construction of, contributions to, or dedications of off-site roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.024. Accounting For Fees and Interest

(a) The order, ordinance, or resolution levying an impact fee must provide that all funds collected through the adoption of an impact fee shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on impact fees is considered funds of the account on which it is earned and is subject to all restrictions placed on use of impact fees under this chapter.



(c) Impact fee funds may be spent only for the purposes for which the impact fee was imposed as shown by the capital improvements plan and as authorized by this chapter.

(d) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.025. Refunds

(a) On the request of an owner of the property on which an impact fee has been paid, the political subdivision shall refund the impact fee if existing facilities are available and service is denied or the political subdivision has, after collecting the fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment under Section 395.019(1).

(b) Repealed by Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

(c) The political subdivision shall refund any impact fee or part of it that is not spent as authorized by this chapter within 10 years after the date of payment.

(d) Any refund shall bear interest calculated from the date of collection to the date of refund at the statutory rate as set forth in Section 302.002, Finance Code, or its successor statute.

(e) All refunds shall be made to the record owner of the property at the time the refund is paid. However, if the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

(f) The owner of the property on which an impact fee has been paid or another political subdivision or governmental entity that paid the impact fee has standing to sue for a refund under this section.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1997, 75th Leg., ch. 1396, § 37, eff. Sept. 1, 1997.



Amended by Acts 1999, 76th Leg., ch. 62, § 7.82, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 345, § 9, eff. Sept. 1, 2001.

SUBCHAPTER C. PROCEDURES FOR ADOPTION OF IMPACT FEE

§ 395.041. Compliance With Procedures Required

Except as otherwise provided by this chapter, a political subdivision must comply with this subchapter to levy an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.0411. Capital Improvements Plan

The political subdivision shall provide for a capital improvements plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with Section 395.014.

Added by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.042. Hearing on Land Use Assumptions and Capital Improvements Plan

To impose an impact fee, a political subdivision must adopt an order, ordinance, or resolution establishing a public hearing date to consider the land use assumptions and capital improvements plan for the designated service area.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.043. Information About Land Use Assumptions and Capital Improvements Plan Available to Public

On or before the date of the first publication of the notice of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall make available to the public



its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.044. Notice of Hearing on Land Use Assumptions and Capital Improvements Plan

(a) Before the 30th day before the date of the hearing on the land use assumptions and capital improvements plan, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order, ordinance, or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the land use assumptions and capital improvements plan under which an impact fee may be imposed; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.



Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.045. Approval of Land Use Assumptions and Capital Improvements Plan Required

(a) After the public hearing on the land use assumptions and capital improvements plan, the political subdivision shall determine whether to adopt or reject an ordinance, order, or resolution approving the land use assumptions and capital improvements plan.

(b) The political subdivision, within 30 days after the date of the public hearing, shall approve or disapprove the land use assumptions and capital improvements plan.

(c) An ordinance, order, or resolution approving the land use assumptions and capital improvements plan may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.0455. Systemwide Land Use Assumptions

(a) In lieu of adopting land use assumptions for each service area, a political subdivision may, except for storm water, drainage, flood control, and roadway facilities, adopt systemwide land use assumptions, which cover all of the area subject to the jurisdiction of the political subdivision for the purpose of imposing impact fees under this chapter.

(b) Prior to adopting systemwide land use assumptions, a political subdivision shall follow the public notice, hearing, and other requirements for adopting land use assumptions.

(c) After adoption of systemwide land use assumptions, a political subdivision is not required to adopt additional land use assumptions for a service area for water supply, treatment, and distribution facilities or wastewater collection and treatment facilities as a prerequisite to the adoption of a capital improvements plan or impact fee, provided the capital improvements plan and impact fee are consistent with the systemwide land use assumptions.

Added by Acts 1989, 71st Leg., ch. 566, § 1(b), eff. Aug. 28, 1989.



§ 395.047. Hearing on Impact Fee

On adoption of the land use assumptions and capital improvements plan, the governing body shall adopt an order or resolution setting a public hearing to discuss the imposition of the impact fee. The public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution imposing an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.049. Notice of Hearing on Impact Fee

(a) Before the 30th day before the date of the hearing on the imposition of an impact fee, the political subdivision shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing.

(b) The political subdivision shall publish notice of the hearing before the 30th day before the date set for the hearing, in one or more newspapers of general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies.

(c) The notice must contain the following:

(1) a headline to read as follows:

"NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the adoption of an impact fee;

(4) the amount of the proposed impact fee per service unit; and



(5) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.050. Advisory Committee Comments on Impact Fees

The advisory committee created under Section 395.058 shall file its written comments on the proposed impact fees before the fifth business day before the date of the public hearing on the imposition of the fees.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.051. Approval of Impact Fee Required

(a) The political subdivision, within 30 days after the date of the public hearing on the imposition of an impact fee, shall approve or disapprove the imposition of an impact fee.

(b) An ordinance, order, or resolution approving the imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 5, eff. Sept. 1, 2001.

§ 395.052. Periodic Update of Land Use Assumptions and Capital Improvements Plan Required

(a) A political subdivision imposing an impact fee shall update the land use assumptions and capital improvements plan at least every five years. The initial five-year period begins on the day the capital improvements plan is adopted.



(b) The political subdivision shall review and evaluate its current land use assumptions and shall cause an update of the capital improvements plan to be prepared in accordance with Subchapter B.¹

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 6, eff. Sept. 1, 2001.

§ 395.053. Hearing on Updated Land Use Assumptions and Capital Improvements Plan

The governing body of the political subdivision shall, within 60 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.054. Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

A public hearing must be held by the governing body of the political subdivision to discuss the proposed ordinance, order, or resolution amending land use assumptions, the capital improvements plan, or the impact fee. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.055. Notice of Hearing on Amendments to Land Use Assumptions, Capital Improvements Plan, or Impact Fee

(a) The notice and hearing procedures prescribed by Sections 395.044(a) and (b) apply to a hearing on the amendment of land use assumptions, a capital improvements plan, or an impact fee.

(b) The notice of a hearing under this section must contain the following:

(1) a headline to read as follows:



"NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES"

(2) the time, date, and location of the hearing;

(3) a statement that the purpose of the hearing is to consider the amendment of land use assumptions and a capital improvements plan and the imposition of an impact fee; and

(4) a statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 345, § 7, eff. Sept. 1, 2001.

§ 395.056. Advisory Committee Comments on Amendments

The advisory committee created under Section 395.058 shall file its written comments on the proposed amendments to the land use assumptions, capital improvements plan, and impact fee before the fifth business day before the date of the public hearing on the amendments.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.057. Approval of Amendments Required

(a) The political subdivision, within 30 days after the date of the public hearing on the amendments, shall approve or disapprove the amendments of the land use assumptions and the capital improvements plan and modification of an impact fee.

(b) An ordinance, order, or resolution approving the amendments to the land use assumptions, the capital improvements plan, and imposition of an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.



§ 395.0575. Determination That No Update of Land Use Assumptions, Capital Improvements Plan or Impact Fees is Needed

(a) If, at the time an update under Section 395.052 is required, the governing body determines that no change to the land use assumptions, capital improvements plan, or impact fee is needed, it may, as an alternative to the updating requirements of Sections 395.052–395.057, do the following:

(1) The governing body of the political subdivision shall, upon determining that an update is unnecessary and 60 days before publishing the final notice under this section, send notice of its determination not to update the land use assumptions, capital improvements plan, and impact fee by certified mail to any person who has, within two years preceding the date that the final notice of this matter is to be published, give written notice by certified or registered mail to the municipal secretary or other designated official of the political subdivision requesting notice of hearings related to impact fees. The notice must contain the information in Subsections (b)(2)-(5).

(2) The political subdivision shall publish notice of its determination once a week for three consecutive weeks in one or more newspapers with general circulation in each county in which the political subdivision lies. However, a river authority that is authorized elsewhere by state law to charge fees that function as impact fees may publish the required newspaper notice only in each county in which the service area lies. The notice of public hearing may not be in the part of the paper in which legal notices and classified ads appear and may not be smaller than one-quarter page of a standard size or tabloid-size newspaper, and the headline on the notice must be in 18-point or larger type.

(b) The notice must contain the following:

(1) A headline to read as follows:

"NOTICE OF DETERMINATION NOT TO UPDATE

LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS

PLAN, OR IMPACT FEES";

(2) a statement that the governing body of the political subdivision has determined that no change to the land use assumptions, capital improvements plan, or impact fee is necessary;

(3) an easily understandable description and a map of the service area in which the updating has been determined to be unnecessary;



(4) a statement that if, within a specified date, which date shall be at least 60 days after publication of the first notice, a person makes a written request to the designated official of the political subdivision requesting that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body must comply with the request by following the requirements of Sections 395.052–395.057; and

(5) a statement identifying the name and mailing address of the official of the political subdivision to whom a request for an update should be sent.

(c) The advisory committee shall file its written comments on the need for updating the land use assumptions, capital improvements plans, and impact fee before the fifth business day before the earliest notice of the government's decision that no update is necessary is mailed or published.

(d) If, by the date specified in Subsection (b)(4), a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the governing body shall cause an update of the land use assumptions and capital improvements plan to be prepared in accordance with Sections 395.052–395.057.

(e) An ordinance, order, or resolution determining the need for updating land use assumptions, a capital improvements plan, or an impact fee may not be adopted as an emergency measure.

Added by Acts 1989, 71st Leg., ch. 566, § 1(d), eff. Aug. 28, 1989.

§ 395.058. Advisory Committee

(a) On or before the date on which the order, ordinance, or resolution is adopted under Section 395.042, the political subdivision shall appoint a capital improvements advisory committee.

(b) The advisory committee is composed of not less than five members who shall be appointed by a majority vote of the governing body of the political subdivision. Not less than 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the political subdivision has a planning and zoning commission, the commission may act as the advisory committee if the commission includes at least one representative of the real estate, development, or building industry who is not an employee or official of a political subdivision or governmental entity. If no such representative is a member of the planning and zoning commission, the



commission may still act as the advisory committee if at least one such representative is appointed by the political subdivision as an ad hoc voting member of the planning and zoning commission when it acts as the advisory committee. If the impact fee is to be applied in the extraterritorial jurisdiction of the political subdivision, the membership must include a representative from that area.

(c) The advisory committee serves in an advisory capacity and is established to:

(1) advise and assist the political subdivision in adopting land use assumptions;

(2) review the capital improvements plan and file written comments;

(3) monitor and evaluate implementation of the capital improvements plan;

(4) file semiannual reports with respect to the progress of the capital improvements plan and report to the political subdivision any perceived inequities in implementing the plan or imposing the impact fee; and

(5) advise the political subdivision of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(d) The political subdivision shall make available to the advisory committee any professional reports with respect to developing and implementing the capital improvements plan.

(e) The governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

SUBCHAPTER D. OTHER PROVISIONS

§ 395.071. Duties to be Performed Within Time Limits

If the governing body of the political subdivision does not perform a duty imposed under this chapter within the prescribed period, a person who has paid an impact fee or an owner of land on which an impact fee has been paid has the right to present a written request to the governing body of the political subdivision stating the nature of the unperformed duty and requesting that it be performed within 60 days after the date of the request. If the governing body of the political subdivision finds that



the duty is required under this chapter and is late in being performed, it shall cause the duty to commence within 60 days after the date of the request and continue until completion.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.072. Records of Hearings

A record must be made of any public hearing provided for by this chapter. The record shall be maintained and be made available for public inspection by the political subdivision for at least 10 years after the date of the hearing.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.073. Cumulative Effect of State and Local Restrictions

Any state or local restrictions that apply to the imposition of an impact fee in a political subdivision where an impact fee is proposed are cumulative with the restrictions in this chapter.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.074. Prior Impact Fees Replaced by Fees Under This Chapter

An impact fee that is in place on June 20, 1987, must be replaced by an impact fee made under this chapter on or before June 20, 1990. However, any political subdivision having an impact fee that has not been replaced under this chapter on or before June 20, 1988, is liable to any party who, after June 20, 1988, pays an impact fee that exceeds the maximum permitted under Subchapter B by more than 10 percent for an amount equal to two times the difference between the maximum impact fee allowed and the actual impact fee imposed, plus reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.075. No Effect on Taxes or Other Charges

This chapter does not prohibit, affect, or regulate any tax, fee, charge, or assessment specifically authorized by state law.



Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.076. Moratorium on Development Prohibited

A moratorium may not be placed on new development for the purpose of awaiting the completion of all or any part of the process necessary to develop, adopt, or update land use assumptions, a capital improvements plan, or an impact fee.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 441, § 2, eff. Sept. 1, 2001.

§ 395.077. Appeals

(a) A person who has exhausted all administrative remedies within the political subdivision and who is aggrieved by a final decision is entitled to trial de novo under this chapter.

(b) A suit to contest an impact fee must be filed within 90 days after the date of adoption of the ordinance, order, or resolution establishing the impact fee.

(c) Except for roadway facilities, a person who has paid an impact fee or an owner of property on which an impact fee has been paid is entitled to specific performance of the services by the political subdivision for which the fee was paid.

(d) This section does not require construction of a specific facility to provide the services.

(e) Any suit must be filed in the county in which the major part of the land area of the political subdivision is located. A successful litigant shall be entitled to recover reasonable attorney's fees and court costs.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.078. Substantial Compliance With Notice Requirements



An impact fee may not be held invalid because the public notice requirements were not complied with if compliance was substantial and in good faith.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

§ 395.079. Impact Fee for Storm Water, Drainage, and Flood Control in Populous County

(a) Any county that has a population of 3.3 million or more or that borders a county with a population of 3.3 million or more, and any district or authority created under Article XVI, Section 59, of the Texas Constitution within any such county that is authorized to provide storm water, drainage, and flood control facilities, is authorized to impose impact fees to provide storm water, drainage, and flood control improvements necessary to accommodate new development.

(b) The imposition of impact fees authorized by Subsection (a) is exempt from the requirements of Sections 395.025, 395.052–395.057, and 395.074 unless the political subdivision proposes to increase the impact fee.

(c) Any political subdivision described by Subsection (a) is authorized to pledge or otherwise contractually obligate all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued or incurred by or on behalf of the political subdivision and to the payment of any other contractual obligations.

(d) An impact fee adopted by a political subdivision under Subsection (a) may not be reduced if:

(1) the political subdivision has pledged or otherwise contractually obligated all or part of the impact fees to the payment of principal and interest on bonds, notes, or other obligations issued by or on behalf of the political subdivision; and

(2) the political subdivision agrees in the pledge or contract not to reduce the impact fees during the term of the bonds, notes, or other contractual obligations.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989.

Amended by Acts 2001, 77th Leg., ch. 669, § 107, eff. Sept. 1, 2001.

§ 395.080. Chapter Not Applicable to Certain Water-Related Special Districts



(a) This chapter does not apply to impact fees, charges, fees, assessments, or contributions:

(1) paid by or charged to a district created under Article XVI, Section 59, of the Texas Constitution to another district created under that constitutional provision if both districts are required by law to obtain approval of their bonds by the Texas Natural Resource Conservation Commission; or

(2) charged by an entity if the impact fees, charges, fees, assessments, or contributions are approved by the Texas Natural Resource Conservation Commission.

(b) Any district created under Article XVI, Section 59, or Article III, Section 52, of the Texas Constitution may petition the Texas Natural Resource Conservation Commission for approval of any proposed impact fees, charges, fees, assessments, or contributions. The commission shall adopt rules for reviewing the petition and may charge the petitioner fees adequate to cover the cost of processing and considering the petition. The rules shall require notice substantially the same as that required by this chapter for the adoption of impact fees and shall afford opportunity for all affected parties to participate.

Added by Acts 1989, 71st Leg., ch. 1, § 82(a), eff. Aug. 28, 1989. Amended by Acts 1995, 74th Leg., ch. 76, § 11.257, eff. Sept. 1, 1995.

§ 395.081. Fees for Adjoining Landowners in Certain Municipalities

(a) This section applies only to a municipality with a population of 105,000 or less that constitutes more than three-fourths of the population of the county in which the majority of the area of the municipality is located.

(b) A municipality that has not adopted an impact fee under this chapter that is constructing a capital improvement, including sewer or waterline or drainage or roadway facilities, from the municipality to a development located within or outside the municipality's boundaries, in its discretion, may allow a landowner whose land adjoins the capital improvement or is within a specified distance from the capital improvement, as determined by the governing body of the municipality, to connect to the capital improvement if:

(1) the governing body of the municipality has adopted a finding under Subsection (c); and



(2) the landowner agrees to pay a proportional share of the cost of the capital improvement as determined by the governing body of the municipality and agreed to by the landowner.

(c) Before a municipality may allow a landowner to connect to a capital improvement under Subsection (b), the municipality shall adopt a finding that the municipality will benefit from allowing the landowner to connect to the capital improvement. The finding shall describe the benefit to be received by the municipality.

(d) A determination of the governing body of a municipality, or its officers or employees, under this section is a discretionary function of the municipality and the municipality and its officers or employees are not liable for a determination made under this section.

Added by Acts 1997, 75th Leg., ch. 1150, § 1, eff. June 19, 1997.

§ 395.082. Certification of Compliance Required

(a) A political subdivision that imposes an impact fee shall submit a written certification verifying compliance with this chapter to the attorney general each year not later than the last day of the political subdivision's fiscal year.

(b) The certification must be signed by the presiding officer of the governing body of a political subdivision and include a statement that reads substantially similar to the following: "This statement certifies compliance with Chapter 395, Local Government Code."

(c) A political subdivision that fails to submit a certification as required by this section is liable to the state for a civil penalty in an amount equal to 10 percent of the amount of the impact fees erroneously charged. The attorney general shall collect the civil penalty and deposit the amount collected to the credit of the housing trust fund.

Added by Acts 2001, 77th Leg., ch. 345, § 8, eff. Sept. 1, 2001.

<http://www.capitol.state.tx.us/statutes/lg/lg0039500toc.html>



6.0 ADMINISTRATIVE INSTRUMENTS



**RESOLUTION OF THE
CITY OF COLLEGE STATION, TEXAS
CALLING FOR A PUBLIC HEARING
ON AMENDMENT OF WATER AND WASTEWATER IMPACT FEES**

The City Council of the City of College Station, Texas hereby adopts by resolution a call for a public hearing to be held during the regular Council session on November 14, 2013 at 7:00 p.m. in the City Council Chambers at 1101 Texas Avenue, College Station, Texas. The purpose of this public hearing is to receive public comment concerning the amendment of land use assumptions and a capital improvements plan and the imposition of impact fees for the water and sewer utilities.

Public notice of such hearing will be made at least 30 days in advance of the hearing according to legal criteria set forth in Chapter 395.055 of the Texas Local Government Code.

PASSED AND APPROVED:

September 26, 2013
Date

§
§
§
§

Mayor

APPROVED: _____
City Attorney

ATTEST: _____
City Secretary



PUBLIC NOTICE REQUIREMENTS

The City shall publish notice of the hearing at least 31 days before the date set for the hearing, in one or more newspapers of general circulation in each county in which the City lies.

CERTIFIED MAIL NOTICE

At least 31 days before the hearing, the City shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the City Secretary or other designated official of the City requesting notice of such hearing within two years preceding the date of the adoption of the resolution or order setting the public hearing.



NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES

A public hearing of the City of College Station, Texas will be held on November 14, 2013 at 7:00 p.m. at the City Council Chambers, 1101 Texas Avenue, College Station, Texas to consider the amendment of land use assumptions and a capital improvements plan and the imposition of water and wastewater impact fees. The base impact fee is projected to be \$339.63 in Service Area 92-01 (Graham Road Sewer Extension), \$144.01 in Service Area 97-01 (Spring Creek Sewer Line), \$44.71 in Service Area 97-01B (Alum Creek Sewer Line), \$996.03 in Service Area 99-01 (Harley Water Line), and \$144.87 in Service Area 03-02 (Steeplechase Sewer Line) for a typical detached single-family residential service connection. Higher fees would be charged for larger utility service demands as determined by meters larger than 5/8" x 3/4" or 3/4". These fees will not apply to existing municipal water and sewer customers who do not request significant expansions of service, and will not apply to any municipal customers not located in the service area for each fee.

Copies of the capital improvements plan and potential impact fee schedule are available at the offices of the City Secretary, 1101 Texas Avenue, College Station, Texas. Any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.



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CITY OF COLLEGE STATION

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MEMORANDUM

DATE: September 19, 2013
TO: Planning and Zoning Commission
FROM: Carol Cotter, P.E., Senior Assistant City Engineer
SUBJECT: Update Report – Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02

The City of College Station Ordinance Chapter 15, Impact Fees, designates the Planning and Zoning Commission as the Advisory Committee for review, advisement, and monitoring of proposed and existing impact fees. More specifically, the advisory committee is established to:

1. Advise and assist the City in adopting Land Use assumptions.
2. Review the Capital Improvements Plan and file written comments.
3. Monitor and evaluate implementation of the Capital Improvements Plan.
4. File semi-annual reports with respect to the progress of the Capital Improvements Plan.
5. Advise the City Council of the need to update or revise the Land Use Assumptions, Capital Improvements Plan, and Impact Fees.

Local Government Code Chapter 395 requires that Impact Fees be updated at least every five years, or when Land Use Assumptions or Capital Improvements Plans change. Land Uses adopted with the Comprehensive Plan indicated changes in project densities in several if the impact fee areas. These changes in density alter the respective utility demands in the impact fee areas and necessitate an update.

Attached is the “Water and Wastewater Impact Fee Update” report prepared by Rimrock Consulting Company. This report updates all five of the City’s existing impact fee areas and contains the technical data which is the basis for the 2013-2023 fee calculation: land use and planning data, unit usage statistics and capital improvements plan.

Land Use and Planning data are presented in Section 2.0 of the report. Actual fee calculations are shown in Section 3.0 of the report, specifically note Tables 3-2A through 6-3D. Current and proposed Living Unit Equivalents and Fees, as derived in the subject report, are provided in the following table.

Impact Fee Area	Effective Buildout LUE	Anticipated Buildout LUE	LUE Adjustment	Current Impact Fee Rate	Proposed Impact Fee Rate
92-01 Graham	1551	1710	+ 159	\$ 316.07	\$339.63
97-01 Spring Creek	4425	8565	+ 4140	\$ 98.39	\$144.01
97-02B Alum	3232	2656	- 576	\$ 59.42	\$44.71
99-01 Harley	450	396	- 54	\$ 769.91	\$996.03
03-02 Steeplechase	2838	7051	+ 4213	\$ 357.74	\$144.87

To proceed with this Update, the Advisory Committee needs to act on the following:

- 1) Notify and recommend to City Council in writing that the fees be updated in accordance with “Water and Wastewater Impact Fees” Report by Rimrock Consulting Co.

Should the Advisory Committee act to perform the preceding item, the following actions are needed to complete this process:

- 2) Staff prepares notices for the public hearing.
- 3) City Council conducts the public hearing and acts on the fee update by ordinance amendment.

Attachment:

“Water and Wastewater Impact Fee Update” Report by Rimrock Consulting Company

The above memo was presented by Carol Cotter to the Advisory Committee at the Planning and Zoning Commission Meeting on September 19, 2013. Minutes from the meeting reflect, “Commissioner Warner motioned to recommend approval of the report. Commissioner Miles seconded the motion, motion passed (6-0).”


 Acknowledged: Mike Ashfield, Advisory Committee Chair

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 15, "IMPACT FEES", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 15, "IMPACT FEES", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibits "A", "B", "C", and "D" attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

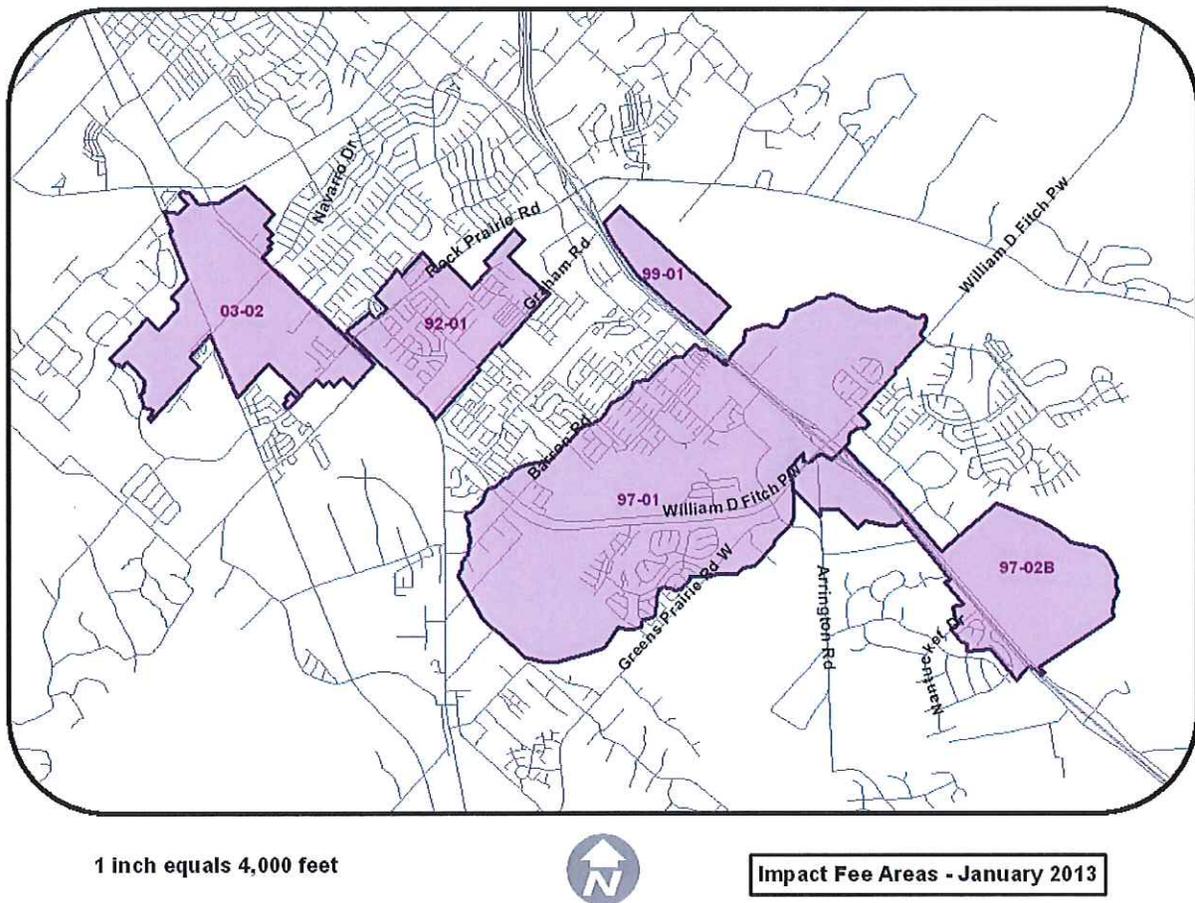


City Attorney

EXHIBIT "A"

That Chapter 15, "IMPACT FEES", Exhibit A "Land Use Assumptions" of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by deleting Exhibit A in its entirety and replacing with Exhibit A as set out hereafter to read as follows:

Figure 2-1: Impact Fee Service Areas



**TABLE 2-1A
POPULATION AND LAND USE PROJECTIONS FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	15.2	3.02%	20.5	4.07%	24.3	4.81%
General Suburban	196.6	38.93%	196.8	38.97%	196.9	38.99%
Institutional/Public	38.3	7.58%	38.3	7.58%	38.3	7.58%
Medical Use	0.0	0.00%	8.8	1.75%	15.0	2.97%
Natural Areas - Protected	0.0	0.00%	15.9	3.15%	27.0	5.35%
Natural Areas - Reserved	0.0	0.00%	4.0	0.79%	6.8	1.35%
Neighborhood Conservation	15.2	3.01%	15.3	3.02%	15.3	3.03%
Suburban Commercial	66.6	13.19%	70.8	14.02%	73.7	14.59%
Urban	16.9	3.35%	16.9	3.35%	16.9	3.35%
Right-of-Way	90.8	17.99%	90.8	17.99%	90.8	17.99%
<i>Subtotal Developed Land Uses</i>	439.7	87.06%	478.1	94.67%	505.0	100.00%
Undeveloped	65.3	12.94%	26.9	5.33%	0.0	0.00%
TOTAL GROSS ACRES	505.0	100.00%	505.0	100.00%	505.0	100.00%
Population	2,725		2,725		2,725	
Population per Urban Acres	6.20		5.70		5.40	
Population per Total Acres	5.40		5.40		5.40	

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.
Assumes full buildout by 2030, per Jennifer Prochazka, 8 30 2013.

Figure 2-3: Future Land Uses, Graham Road Sewer

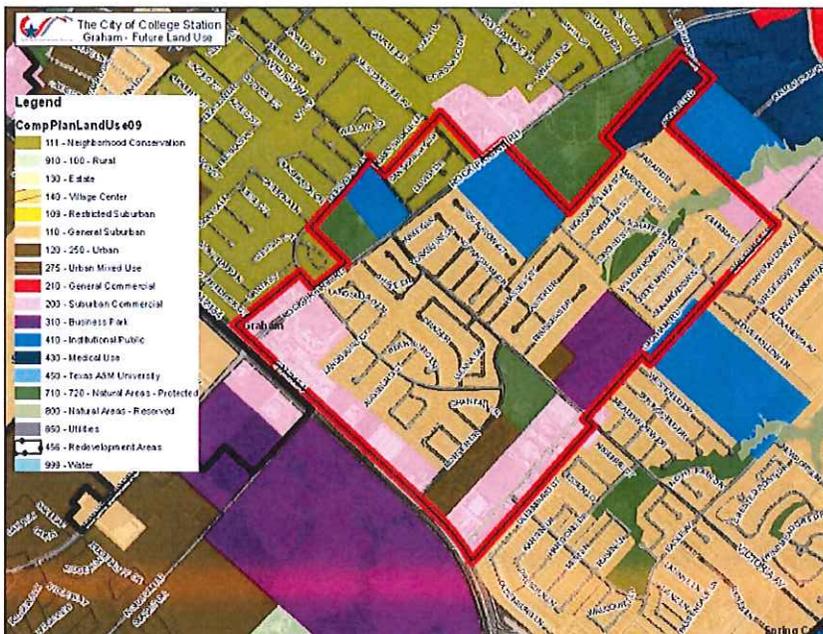
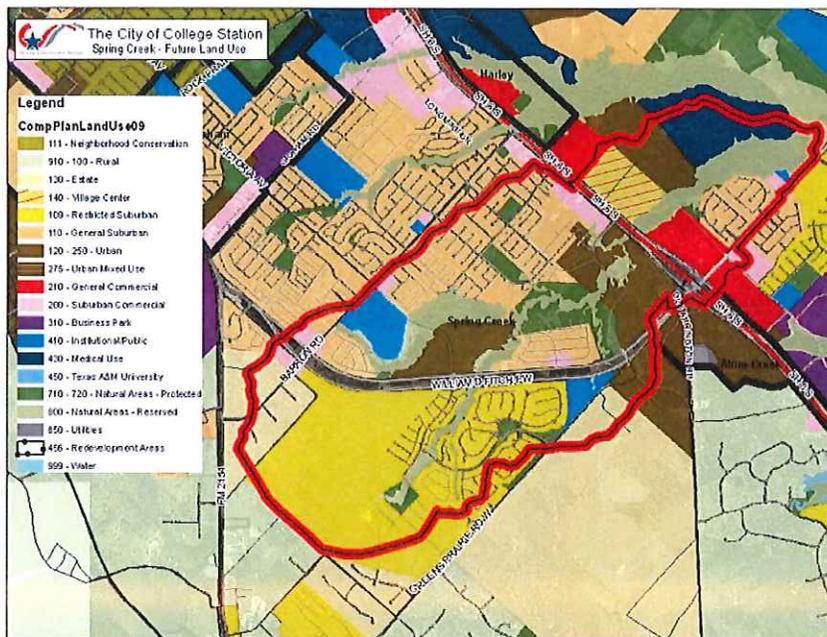


TABLE 2-1B
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Estate	112.7	4.70%	113.7	4.74%	117.8	4.91%
General Commercial	37.9	1.58%	42.4	1.77%	60.3	2.52%
General Suburban	296.1	12.35%	307.4	12.82%	352.5	14.71%
Institutional/Public	70.0	2.92%	70.7	2.95%	73.6	3.07%
Medical	0.0	0.00%	17.1	0.71%	85.7	3.58%
Natural Areas - Protected	0.0	0.00%	21.4	0.89%	107.2	4.47%
Natural Areas - Reserved	0.0	0.00%	53.4	2.23%	267.6	11.16%
Restricted Suburban	261.7	10.92%	319.0	13.31%	548.6	22.89%
Suburban Commercial	31.1	1.30%	36.2	1.51%	56.7	2.37%
Urban	38.6	1.61%	84.1	3.51%	266.4	11.11%
Utilities	1.3	0.05%	1.3	0.05%	1.3	0.05%
Village Center	0.0	0.00%	12.3	0.51%	61.5	2.57%
Right-of-Way	394.0	16.44%	394.0	16.44%	394.0	16.44%
Subtotal Developed Land Uses	1,243.4	51.87%	1,473.0	61.45%	2,393.2	99.84%
Undeveloped	1,153.6	48.13%	924.0	38.55%	3.8	0.16%
TOTAL GROSS ACRES	2,397.0	100.00%	2,397.0	100.00%	2,397.0	100.00%
Population	5,193		6,525		11,864	
Population per Urban Acres	4.18		4.43		4.96	
Population per Total Acres	2.17		2.72		4.95	

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

Figure 2-5: Future Land Uses, Spring Creek Sewer Line



**TABLE 2-1C
POPULATION AND LAND USE PROJECTIONS FOR AREA 97-01B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	1.2	0.16%	13.8	1.83%	24.1	3.20%
Estate	0.0	0.00%	3.0	0.40%	5.4	0.72%
General Suburban	6.0	0.80%	132.9	17.68%	236.7	31.48%
Natural Areas - Protected	0.0	0.00%	2.4	0.32%	4.4	0.59%
Natural Areas - Reserved	0.0	0.00%	64.5	8.58%	117.3	15.60%
Restricted Suburban	28.9	3.84%	92.1	12.24%	143.7	19.11%
Rural	0.2	0.03%	0.2	0.03%	0.2	0.03%
Suburban Commercial	0.0	0.00%	0.1	0.01%	0.2	0.03%
Urban	55.4	7.37%	75.8	10.07%	92.4	12.29%
Utilities	9.7	1.29%	9.7	1.29%	9.7	1.29%
Right-of-Way	107.1	14.24%	107.1	14.24%	107.1	14.24%
Subtotal Developed Land Uses	208.5	27.73%	501.6	66.70%	741.2	98.57%
Undeveloped	543.5	72.27%	250.4	33.30%	10.8	1.43%
TOTAL GROSS ACRES	752.0	100.00%	752.0	100.00%	752.0	100.00%
Population	183		2,306		4,042	
Population per Urban Acres	0.88		4.60		5.45	
Population per Total Acres	0.24		3.07		5.38	

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-7: Future Land Uses, Alum Creek Sewer Line

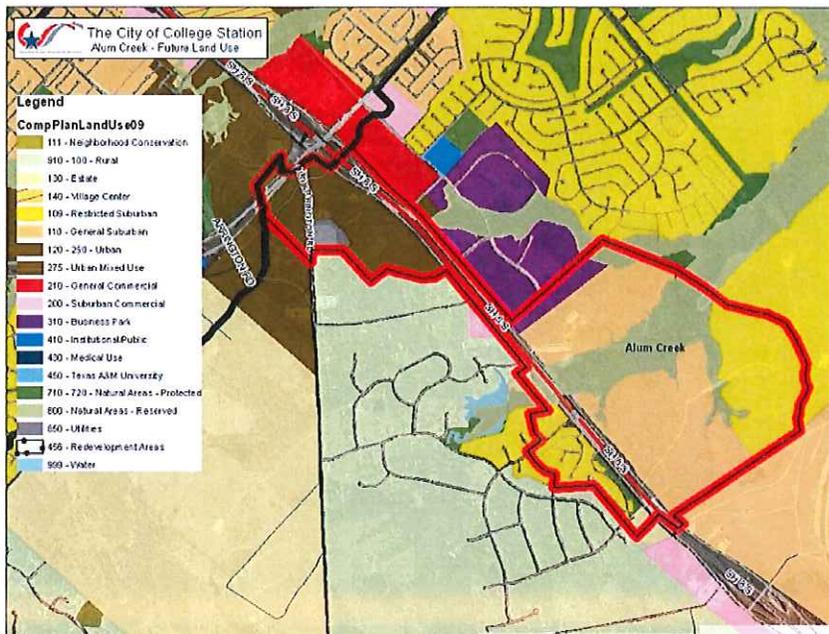


TABLE 2-1D
POPULATION AND LAND USE PROJECTIONS FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
General Commercial	8.0	5.16%	9.2	5.94%	23.0	14.84%
General Suburban	0.0	0.00%	0.2	0.15%	0.6	0.39%
Medical Use	12.9	8.32%	19.6	12.65%	49.0	31.61%
Natural Areas - Reserved	0.0	0.00%	5.1	3.28%	12.7	8.19%
Suburban Commercial	1.0	0.65%	26.3	16.98%	65.8	42.45%
Right-of-Way	3.9	2.52%	3.9	2.52%	3.9	2.52%
Subtotal Developed Land Uses	25.8	16.65%	64.3	41.51%	155.0	100.00%
Undeveloped	129.2	83.35%	90.7	58.49%	0.0	0.00%
TOTAL GROSS ACRES	155.0	100.00%	155.0	100.00%	155.0	100.00%
Population	0		0		0	
Population per Urban Acres	0.00		0.00		0.00	
Population per Total Acres	0.00		0.00		0.00	

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.

Figure 2-9: Future Land Uses, Harley Water Line

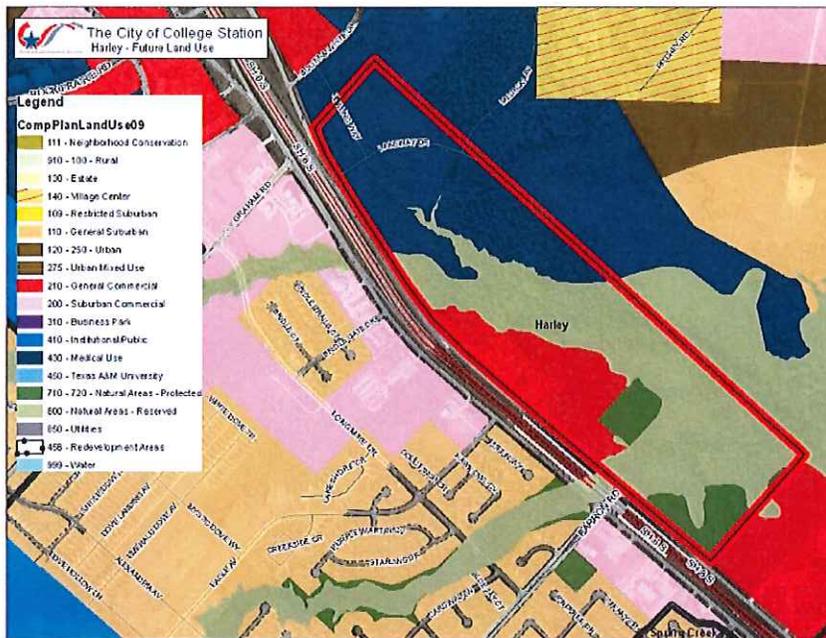


TABLE 2-1E
POPULATION AND LAND USE PROJECTIONS FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	2013		2023		Full Buildout	
	ACRES	%	ACRES	%	ACRES	%
Business Park	0.2	0.03%	12.4	1.60%	23.6	3.05%
Estate	0.0	0.03%	0.1	0.02%	0.1	0.01%
General Suburban	74.1	9.57%	151.6	19.58%	222.8	28.78%
Restricted Suburban	8.1	1.05%	68.4	8.84%	123.9	16.00%
Rural	0.1	0.01%	0.3	0.03%	0.4	0.05%
Suburban Commercial	14.3	1.85%	17.3	2.24%	20.1	2.60%
Urban	76.8	9.92%	198.0	25.57%	309.4	39.96%
Right-of-Way	74.0	9.56%	74.0	9.56%	74.0	9.56%
Subtotal Developed Land Uses	247.6	31.98%	522.1	67.43%	774.3	100.00%
Undeveloped	526.7	68.02%	252.2	32.57%	0.0	0.00%
TOTAL GROSS ACRES	774.3	100.00%	774.3	100.00%	774.3	100.00%
Population	911		8,259		15,016	
Population per Urban Acres	3.68		15.82		19.39	
Population per Total Acres	1.18		10.67		19.39	

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

Figure 2-11: Future Land Uses, Steeplechase Sewer Line

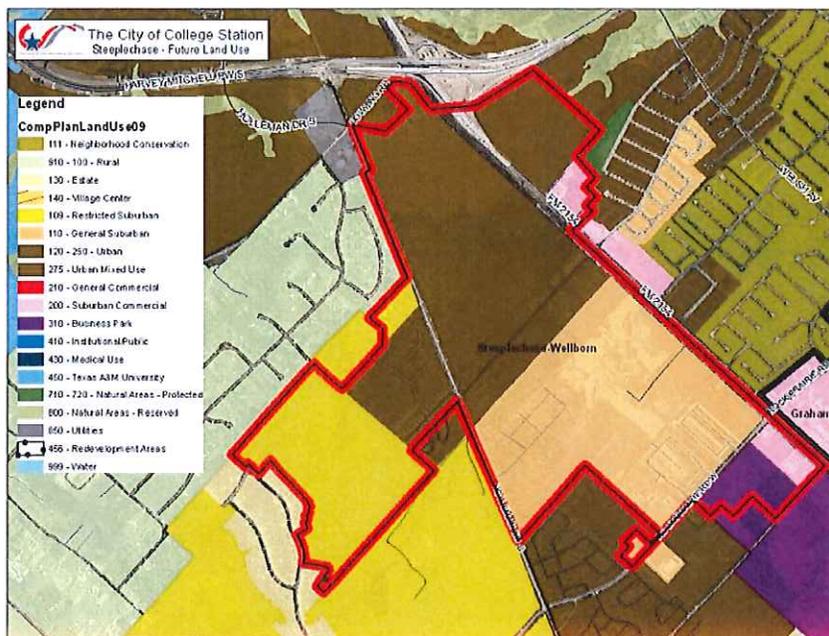


EXHIBIT “B”

That Chapter 15, “IMPACT FEES”, Exhibit B “Capital Improvements Programs”, of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by deleting Exhibit B in its entirety and replacing as set out hereafter to read as follows:

**Table 2-2
CAPACITY DEMAND FOR EACH NEW LUE
CITY OF COLLEGE STATION**

AREA	BASIS	CAPACITY PER LUE FOR WATER/SEWER LINES
Area 92-01 Graham Road Sewer Line	Peak Day	1,068 gallons daily
Area 97-01 Spring Creek Sewer Line	Peak Day	1,068 gallons daily
Area 97-02B Alum Creek Sewer Line	Peak Day	1,068 gallons daily
Area 99-01 Harley Water Line	Peak Day	668 gallons daily
Area 03-02 Steeplechase Sewer Line	Peak Day	1,068 gallons daily

SOURCE: College Station City Staff.

**Table 2-3
CONVERSION OF LAND USES TO LIVING UNITS EQUIVALENT
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)				
	Water	Sewer			
	Harley	Graham	Spring Crk	Alum Crk	Steeplechase
Business Park		2.00		2.00	2.00
Estate			1.00	1.00	1.00
General Commercial	5.50		5.50		
General Suburban		8.00	6.97	6.97	8.00
Institutional/Public		2.50	2.50		
Medical	5.55	5.55	5.50		
Natural Areas - Protected					
Natural Areas - Reserved					
Neighborhood Conservation		4.00			
Restricted Suburban			4.00	4.11	4.00
Rural				0.33	0.33
Suburban Commercial		4.55	4.55	4.55	4.55
Urban			5.92	5.92	20.00
Utilities					
Village Center			35.00		
Reserved from Development					
Right-of-Way					
Undeveloped					

Sources: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx; College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx; College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx; College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx; and College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx. Not all uses are found in all areas.

**Table 2-4
LUE EQUIVALENCIES FOR VARIOUS TYPES
AND SIZES OF WATER METERS**

METER TYPE	METER SIZE	CONTINUOUS DUTY MAXIMUM RATE (gpm)	RATIO TO 5/8" METER
SIMPLE	5/8" x 3/4"	10	1.000
SIMPLE	3/4"	15	1.000
SIMPLE	1"	25	2.500
SIMPLE	1-1/2"	50	5.000
SIMPLE	2"	80	8.000
COMPOUND	2"	80	8.000
TURBINE	2"	100	10.000
COMPOUND	3"	160	16.000
TURBINE	3"	240	24.000
COMPOUND	4"	250	25.000
TURBINE	4"	420	42.000
COMPOUND	6"	500	50.000
TURBINE	6"	920	92.000
COMPOUND	8"	800	80.000
TURBINE	8"	1600	160.000
COMPOUND	10"	1150	115.000
TURBINE	10"	2500	250.000
TURBINE	12"	3300	330.000

SOURCE: AWWA Standards C700, C701, C702, C703. By policy, a 3/4" meter will be charged for one LUE of service.

**TABLE 2-5A
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	30	41	49
General Suburban	8.00	1,000	1,001	1,002
Institutional/Public	2.50	95	95	96
Medical Use	5.55	0	25	30
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	1	1	1
Neighborhood Conservation	4.00	47	47	47
Suburban Commercial	4.55	241	260	317
Urban	0.00	168	168	168
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		1,582	1,638	1,710
Population per LUE		1.72	1.66	1.59

Source: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.

TABLE 2-5B
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Estate	1.00	35	36	40
General Commercial	5.50	208	233	332
General Suburban	6.97	1,129	1,207	1,580
Institutional/Public	2.50	175	177	184
Medical	5.50	0	94	171
Natural Areas - Protected	0.00	0	0	0
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.00	1,052	1,281	2,200
Suburban Commercial	4.55	21	44	279
Urban	5.92	84	353	1,626
Utilities	0.00	0	0	0
Village Center	35.00	0	430	2,153
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		2,704	3,855	8,565
Population per LUE		1.92	1.69	1.39

Source: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

**TABLE 2-5C
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	2	27	48
Estate	1.00	0	3	5
General Suburban	6.97	8	892	1,623
Natural Areas - Protected	0.00	1	1	1
Natural Areas - Reserved	0.00	0	0	0
Restricted Suburban	4.11	88	348	483
Rural	0.33	0	0	0
Suburban Commercial	4.55	0	1	1
Urban	5.92	239	360	495
Utilities	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		338	1,631	2,656
Population per LUE		0.54	1.41	1.52

Source: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.

**TABLE 2-5D
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
General Commercial	5.50	44	51	127
General Suburban	0.00	0	0	0
Medical Use	5.50	71	108	270
Natural Areas - Reserved	0.00	0	0	0
Suburban Commercial	0.00	0	0	0
Right-of-Way	0.00	0	0	0
Undeveloped	0.00	0	0	0
Totals		115	158	396
Population per LUE		0.00	0.00	0.00

Source: City of College Station, 2013, College Station Impact Fee Update 99 01 Harley Water Line (Template from Staff 2013 8 30).xlsx.

**TABLE 2-5E
ESTIMATION OF LIVING UNITS EQUIVALENT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION**

LAND USE	LUEs PER ACRE (a)	ESTIMATED LUEs		
		2013	2023	Buildout
Business Park	2.00	0	24	47
Estate	1.00	0	0	0
General Suburban	8.00	261	931	1,542
Restricted Suburban	4.00	16	257	479
Rural	0.33	0	0	0
Suburban Commercial	4.55	65	79	97
Urban	20.00	234	2,657	4,886
Undeveloped	0.00	0	0	0
Totals		576	3,949	7,051
Population per LUE		1.58	2.09	2.13

Source: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

TABLE 2-6A
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 92-01
GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	1.690	1.775	1.826
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	1,582	1,662	1,710

(a) Peak 1,068 gals/LUEdaily

Existing Capacity details are contained in **TABLE 2-7A**

TABLE 2-6B
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-01
SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	2.888	4.117	9.147
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	2,704	3,855	8,565

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7B**

TABLE 2-6C
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 97-02B
ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.361	1.742	2.837
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S	338	1,631	2,656

(a) Peak 1,068 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7C**

TABLE 2-6D
ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 99-01, HARLEY WATER LINE
WATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.077	0.106	0.264
Gallons per LUE daily	668	668	668
TOTAL LUE'S	115	158	396

(a) Peak 668 gals/LUE/daily

Existing Capacity details are contained in **TABLE 2-7D**

**TABLE 2-6E
 ESTIMATED SERVICE DEMAND BY FACILITY TYPE FOR AREA 03-02
 STEEPLECHASE WASTEWATER LINE
 WASTEWATER UTILITY
 CITY OF COLLEGE STATION**

FACILITY TYPE/LAND USE	VOLUME		
	2013	2023	BUILDOUT
PEAK FLOW (MGD) (a):	0.615	4.217	7.530
Gallons per LUE daily	1,068	1,068	1,068
TOTAL LUE'S (b)	576	3,949	7,051

(a) Peak 1,068 gals/LUEdaily

(e) Existing Capacity details are contained in **TABLE 2-7E**

TABLE 2-7A
 CIP INVENTORY AND COSTING FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
 WASTEWATER UTILITY
 CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$372,994	100.00%	92.51%	3.28%	4.20%	\$12,251	
Phase II	\$46,735	100.00%	100.00%	0.00%	0.00%	\$0	
Phase III	\$53,789	100.00%	92.51%	3.28%	4.20%	\$1,767	
<i>Subtotal Existing Facilities</i>	<i>\$473,519</i>	<i>100.00%</i>	<i>93.25%</i>	<i>2.96%</i>	<i>3.79%</i>	<i>\$14,017</i>	
FUTURE FACILITIES							
None		%					
<i>Subtotal Future Facilities</i>	<i>\$0</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>\$0</i>	
TOTAL COLLECTION LINES	\$473,519	100.00%	93.25%	2.96%	3.79%	\$14,017	\$249.58
CONSTRUCTION COST TOTAL	\$473,519					\$14,017	\$249.58

TABLE 2-7B
 CIP INVENTORY AND COSTING FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
 WASTEWATER UTILITY
 CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
		%					
Phase I	\$631,215	100.00%	31.57%	13.44%	54.99%	\$84,861	
Phase II	\$813,752	100.00%	31.57%	13.44%	54.99%	\$109,401	
<i>Subtotal Existing Facilities</i>	<i>\$1,444,967</i>	<i>100.00%</i>	<i>31.57%</i>	<i>13.44%</i>	<i>54.99%</i>	<i>\$194,262</i>	
FUTURE FACILITIES							
		%					
<i>Subtotal Future Facilities</i>	<i>\$0</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>\$0</i>	
TOTAL COLLECTION LINES	\$1,444,967	100.00%	31.57%	13.44%	54.99%	\$194,262	\$168.71
CONSTRUCTION COST TOTAL	\$1,444,967					\$194,262	\$168.71

TABLE 2-7C
 CIP INVENTORY AND COSTING FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
 WASTEWATER UTILITY
 CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Phase I	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	
<i>Subtotal Existing Facilities</i>	<i>\$214,271</i>	<i>100.00%</i>	<i>12.73%</i>	<i>48.67%</i>	<i>38.60%</i>	<i>\$104,294</i>	
FUTURE FACILITIES							
<i>Subtotal Future Facilities</i>	<i>\$0</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>\$0</i>	
TOTAL COLLECTION LINES	\$214,271	100.00%	12.73%	48.67%	38.60%	\$104,294	\$80.67
CONSTRUCTION COST TOTAL	\$214,271					\$104,294	\$80.67

TABLE 2-7D
 CIP INVENTORY AND COSTING FOR AREA 99-01, HARLEY WATER LINE
 WATER UTILITY
 CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR TRANSMISSION LINES							
EXISTING FACILITIES							
Phase I	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	
<i>Subtotal Existing Facilities</i>	<i>\$342,978</i>	<i>100.00%</i>	<i>29.04%</i>	<i>10.97%</i>	<i>59.99%</i>	<i>\$37,628</i>	
FUTURE FACILITIES							
<i>Subtotal Future Facilities</i>	<i>\$0</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>0.00%</i>	<i>\$0</i>	
TOTAL TRANSMISSION LINES	\$342,978	100.00%	29.04%	10.97%	59.99%	\$37,628	\$866.00
CONSTRUCTION COST TOTAL	\$342,978					\$37,628	\$866.00

TABLE 2-7E
 CIP INVENTORY AND COSTING FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
 WASTEWATER UTILITY
 CITY OF COLLEGE STATION

FACILITY TYPE / NAME	TOTAL CONSTRUCTION COST	FACILITY CAPACITY				2013-2023	
		TOTAL	CURRENT CUSTOMERS	2013-2023 GROWTH	POST-2023 GROWTH	CAPITAL COST	COST PER LUE
MAJOR COLLECTION LINES							
EXISTING FACILITIES							
Sanitary Sewer Facilities	\$1,130,147	<u>LUEs</u> 3,800	576	3,224	0	\$958,841	
<i>Subtotal Existing Facilities</i>	<i>\$1,130,147</i>	<i>3,800</i>	<i>576</i>	<i>3,224</i>	<i>0</i>	<i>\$958,841</i>	
FUTURE FACILITIES							
None		<u>LUEs</u>					
<i>Subtotal Future Facilities</i>	<i>\$0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>\$0</i>	
TOTAL COLLECTION LINES	\$1,130,147	3,800	576	3,224	0	\$958,841	\$284.30
CONSTRUCTION COST TOTAL	\$1,130,147					\$958,841	\$284.30

**Table 2-8
SUMMARY OF CAPITAL COSTS**

UTILITY	AREA	FACILITY TYPE	COST/LUE*
WASTEWATER	92-01	Major Collection	\$249.58
	Graham Rd.	Study Costs	\$100.60
<i>TOTAL CAPITAL COSTS 92-01 Graham Road Wastewater</i>			<i>\$350.18</i>
WASTEWATER	97-01	Major Collection	\$168.71
	Spring Creek	Study Costs	\$4.91
<i>TOTAL CAPITAL COSTS 97-01 Spring Creek Wastewater</i>			<i>\$173.61</i>
WASTEWATER	97-02B	Major Collection	\$80.67
	Alum Creek	Study Costs	\$4.37
<i>TOTAL CAPITAL COSTS 97-02B Alum Creek Wastewater</i>			<i>\$85.04</i>
WATER	99-01	Major Transmission	\$866.00
	Harley	Study Costs	\$130.03
<i>TOTAL CAPITAL COSTS 99-01 Harley Water Line</i>			<i>\$996.03</i>
WASTEWATER	03-02	Major Collection	\$284.30
	Steeplechase	Study Costs	\$2.72
<i>TOTAL CAPITAL COSTS 03-02 Steeplechase Wastewater</i>			<i>\$287.02</i>

* An LUE is equal to use by a typical household with a 5/8" water meter (existing customers) or a 3/4" water meter for new customers. Totals may not add due to rounding.

TABLE 3-1A
CATEGORIZATION OF UTILITY DEBT FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	PER CURRENT
MAJOR COLLECTION						
Phase I	1993	\$196,927	\$14,091	100%	92.51%	\$8.24
Phase II	1993	\$24,674	\$1,766	100%	100.00%	\$1.12
Phase III	1993	\$28,399	\$2,032	100%	92.51%	\$1.19
<i>Subtotal Wastewater Collection</i>		<i>\$250,000</i>	<i>\$17,889</i>			<i>\$10.54</i>
OUTSTANDING DEBT TOTAL		\$250,000	\$17,889			\$10.54

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 92 01 Graham Rd Wastewater (Template from Staff 2013 9 3).xlsx.

TABLE 3-1B
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY		TOTAL DEBT PRINCIPAL
	ISSUANCE	ISSUANCE	REMAINING	TOTAL	FOR CURRENT	PER CURRENT
MAJOR COLLECTION						
Phase I	1998	\$314,523	\$110,742	100%	31.57%	\$12.93
Phase II	1998	\$405,477	\$142,766	100%	31.57%	\$16.67
<i>Subtotal Wastewater Collection</i>		<i>\$720,000</i>	<i>\$253,508</i>			<i>\$29.60</i>
OUTSTANDING DEBT TOTAL		\$720,000	\$253,508			\$29.60

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 01 Springcreek Wastewater (Template from Staff 4013 8 30).xlsx.

TABLE 3-1C
CATEGORIZATION OF UTILITY DEBT FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY TOTAL FOR CURRENT	TOTAL DEBT PRINCIPAL PER CURRENT	
	ISSUANCE	ISSUANCE	REMAINING			
MAJOR COLLECTION						
Phase I	1998	\$396,000	\$139,429	100%	12.73%	\$52.50
<i>Subtotal Wastewater Collection</i>		<i>\$396,000</i>	<i>\$139,429</i>			<i>\$52.50</i>
OUTSTANDING DEBT TOTAL		\$396,000	\$139,429			\$52.50

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 97 02B Alum Creek Wastewater (Template from Staff 2013 8 30).xlsx.

**Area 99-01, Harley Water Line, is not funded by debt, and thus the calculated rate credit is zero and not shown in *Table 3-1*.

TABLE 3-1E
CATEGORIZATION OF UTILITY DEBT FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
WASTEWATER UTILITY
CITY OF COLLEGE STATION

FACILITY TYPE / NAME	BOND ISSUE			FACILITY CAPACITY TOTAL FOR CURRENT	TOTAL DEBT PRINCIPAL PER CURRENT	
	ISSUANCE	ISSUANCE	REMAINING			
MAJOR COLLECTION						
Sanitary Sewer Facilities	2004	\$1,000,000	\$677,642	100%	15.16%	\$178.33
<i>Subtotal Wastewater Collection</i>		<i>\$1,000,000</i>	<i>\$677,642</i>			<i>\$178.33</i>
OUTSTANDING DEBT TOTAL		\$1,000,000	\$677,642			\$178.33

Source for outstanding principal: City of College Station, 2013, College Station Impact Fee Update 03 02 Steeplechase Wastewater (Template from Staff 2013 8 30).xlsx.

TABLE 3-2A
 DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
 THROUGH THE EQUITY RESIDUAL MODEL
 CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$249.58	\$10.54	\$124.79	\$239.04	\$124.79	\$239.04
CIP/Study Costs	\$100.60	\$0.00	\$50.30	\$100.60	\$50.30	\$100.60
<i>Subtotal Wastewater</i>	<i>\$350.18</i>	<i>\$10.54</i>	<i>\$175.09</i>	<i>\$339.63</i>	<i>\$175.09</i>	<i>\$339.63</i>
TOTALS	\$350.18	\$10.54	\$175.09	\$339.63	\$175.09	\$339.63

TABLE 3-2B
 DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
 THROUGH THE EQUITY RESIDUAL MODEL
 CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$168.71	\$29.60	\$84.35	\$139.11	\$84.35	\$139.11
CIP/Study Costs	\$4.91	\$0.00	\$2.45	\$4.91	\$2.45	\$4.91
<i>Subtotal Wastewater</i>	<i>\$173.61</i>	<i>\$29.60</i>	<i>\$86.81</i>	<i>\$144.01</i>	<i>\$86.81</i>	<i>\$144.01</i>
TOTALS	\$173.61	\$29.60	\$86.81	\$144.01	\$86.81	\$144.01

TABLE 3-2C
 DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
 THROUGH THE EQUITY RESIDUAL MODEL
 CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$80.67	\$52.50	\$40.34	\$28.18	\$40.34	\$40.34
CIP/Study Costs	\$4.37	\$0.00	\$2.19	\$4.37	\$2.19	\$4.37
<i>Subtotal Wastewater</i>	<i>\$85.04</i>	<i>\$52.50</i>	<i>\$42.52</i>	<i>\$32.55</i>	<i>\$42.52</i>	<i>\$44.71</i>
TOTALS	\$85.04	\$52.50	\$42.52	\$32.55	\$42.52	\$44.71

TABLE 3-2D
 DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 99-01, HARLEY WATER LINE
 THROUGH THE EQUITY RESIDUAL MODEL
 CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WATER UTILITY						
Major Collection	\$866.00	\$0.00	\$433.00	\$866.00	\$433.00	\$866.00
CIP/Study Costs	\$130.03	\$0.00	\$65.02	\$130.03	\$65.02	\$130.03
<i>Subtotal Water</i>	<i>\$996.03</i>	<i>\$0.00</i>	<i>\$498.02</i>	<i>\$996.03</i>	<i>\$498.02</i>	<i>\$996.03</i>
TOTALS	\$996.03	\$0.00	\$498.02	\$996.03	\$498.02	\$996.03

TABLE 3-2E
DERIVATION OF MAXIMUM IMPACT FEES FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
THROUGH THE EQUITY RESIDUAL MODEL
CITY OF COLLEGE STATION

UTILITY / FACILITY TYPE	CONSTRUCTION COSTS	ALTERNATIVE ADJUSTMENT		MAXIMUM FEE AMOUNT		HIGHER OF A or B
		A Rate Credit	B 50% Adjustment	A Rate Credit	B 50% Adjustment	
WASTEWATER UTILITY						
Major Collection	\$284.30	\$178.33	\$142.15	\$105.98	\$142.15	\$142.15
CIP/Study Costs	\$2.72	\$0.00	\$1.36	\$2.72	\$1.36	\$2.72
<i>Subtotal Wastewater</i>	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87
TOTALS	\$287.02	\$178.33	\$143.51	\$108.70	\$143.51	\$144.87

EXHIBIT “C”

That Chapter 15, “IMPACT FEES”, Exhibit C “Maximum Impact Fees”, of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by deleting Exhibit C in its entirety and replacing as set out hereafter to read as follows:

**TABLE 3-3A
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$339.63	\$339.63
SIMPLE	3/4"	1.000	\$339.63	\$339.63
SIMPLE	1"	2.500	\$849.09	\$849.09
SIMPLE	1-1/2"	5.000	\$1,698.17	\$1,698.17
SIMPLE	2"	8.000	\$2,717.08	\$2,717.08
COMPOUND	2"	8.000	\$2,717.08	\$2,717.08
TURBINE	2"	10.000	\$3,396.34	\$3,396.34
COMPOUND	3"	16.000	\$5,434.15	\$5,434.15
TURBINE	3"	24.000	\$8,151.23	\$8,151.23
COMPOUND	4"	25.000	\$8,490.86	\$8,490.86
TURBINE	4"	42.000	\$14,264.65	\$14,264.65
COMPOUND	6"	50.000	\$16,981.72	\$16,981.72
TURBINE	6"	92.000	\$31,246.37	\$31,246.37
COMPOUND	8"	80.000	\$27,170.75	\$27,170.75
TURBINE	8"	160.000	\$54,341.51	\$54,341.51
COMPOUND	10"	115.000	\$39,057.96	\$39,057.96
TURBINE	10"	250.000	\$84,908.61	\$84,908.61
TURBINE	12"	330.000	\$112,079.36	\$112,079.36

**TABLE 3-3B
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.01	\$144.01
SIMPLE	3/4"	1.000	\$144.01	\$144.01
SIMPLE	1"	2.500	\$360.04	\$360.04
SIMPLE	1-1/2"	5.000	\$720.07	\$720.07
SIMPLE	2"	8.000	\$1,152.12	\$1,152.12
COMPOUND	2"	8.000	\$1,152.12	\$1,152.12
TURBINE	2"	10.000	\$1,440.15	\$1,440.15
COMPOUND	3"	16.000	\$2,304.23	\$2,304.23
TURBINE	3"	24.000	\$3,456.35	\$3,456.35
COMPOUND	4"	25.000	\$3,600.36	\$3,600.36
TURBINE	4"	42.000	\$6,048.61	\$6,048.61
COMPOUND	6"	50.000	\$7,200.73	\$7,200.73
TURBINE	6"	92.000	\$13,249.34	\$13,249.34
COMPOUND	8"	80.000	\$11,521.16	\$11,521.16
TURBINE	8"	160.000	\$23,042.33	\$23,042.33
COMPOUND	10"	115.000	\$16,561.67	\$16,561.67
TURBINE	10"	250.000	\$36,003.64	\$36,003.64
TURBINE	12"	330.000	\$47,524.80	\$47,524.80

**TABLE 3-3C
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$44.71	\$44.71
SIMPLE	3/4"	1.000	\$44.71	\$44.71
SIMPLE	1"	2.500	\$111.77	\$111.77
SIMPLE	1-1/2"	5.000	\$223.54	\$223.54
SIMPLE	2"	8.000	\$357.66	\$357.66
COMPOUND	2"	8.000	\$357.66	\$357.66
TURBINE	2"	10.000	\$447.08	\$447.08
COMPOUND	3"	16.000	\$715.32	\$715.32
TURBINE	3"	24.000	\$1,072.98	\$1,072.98
COMPOUND	4"	25.000	\$1,117.69	\$1,117.69
TURBINE	4"	42.000	\$1,877.72	\$1,877.72
COMPOUND	6"	50.000	\$2,235.38	\$2,235.38
TURBINE	6"	92.000	\$4,113.10	\$4,113.10
COMPOUND	8"	80.000	\$3,576.61	\$3,576.61
TURBINE	8"	160.000	\$7,153.21	\$7,153.21
COMPOUND	10"	115.000	\$5,141.37	\$5,141.37
TURBINE	10"	250.000	\$11,176.89	\$11,176.89
TURBINE	12"	330.000	\$14,753.50	\$14,753.50

**TABLE 3-3D
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 99-01, HARLEY WATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$996.03	\$996.03
SIMPLE	3/4"	1.000	\$996.03	\$996.03
SIMPLE	1"	2.500	\$2,490.08	\$2,490.08
SIMPLE	1-1/2"	5.000	\$4,980.15	\$4,980.15
SIMPLE	2"	8.000	\$7,968.24	\$7,968.24
COMPOUND	2"	8.000	\$7,968.24	\$7,968.24
TURBINE	2"	10.000	\$9,960.31	\$9,960.31
COMPOUND	3"	16.000	\$15,936.49	\$15,936.49
TURBINE	3"	24.000	\$23,904.73	\$23,904.73
COMPOUND	4"	25.000	\$24,900.76	\$24,900.76
TURBINE	4"	42.000	\$41,833.28	\$41,833.28
COMPOUND	6"	50.000	\$49,801.53	\$49,801.53
TURBINE	6"	92.000	\$91,634.81	\$91,634.81
COMPOUND	8"	80.000	\$79,682.44	\$79,682.44
TURBINE	8"	160.000	\$159,364.89	\$159,364.89
COMPOUND	10"	115.000	\$114,543.51	\$114,543.51
TURBINE	10"	250.000	\$249,007.64	\$249,007.64
TURBINE	12"	330.000	\$328,690.08	\$328,690.08

**TABLE 3-3E
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.87	\$144.87
SIMPLE	3/4"	1.000	\$144.87	\$144.87
SIMPLE	1"	2.500	\$362.18	\$362.18
SIMPLE	1-1/2"	5.000	\$724.37	\$724.37
SIMPLE	2"	8.000	\$1,158.99	\$1,158.99
COMPOUND	2"	8.000	\$1,158.99	\$1,158.99
TURBINE	2"	10.000	\$1,448.73	\$1,448.73
COMPOUND	3"	16.000	\$2,317.97	\$2,317.97
TURBINE	3"	24.000	\$3,476.96	\$3,476.96
COMPOUND	4"	25.000	\$3,621.83	\$3,621.83
TURBINE	4"	42.000	\$6,084.67	\$6,084.67
COMPOUND	6"	50.000	\$7,243.66	\$7,243.66
TURBINE	6"	92.000	\$13,328.33	\$13,328.33
COMPOUND	8"	80.000	\$11,589.85	\$11,589.85
TURBINE	8"	160.000	\$23,179.71	\$23,179.71
COMPOUND	10"	115.000	\$16,660.42	\$16,660.42
TURBINE	10"	250.000	\$36,218.30	\$36,218.30
TURBINE	12"	330.000	\$47,808.15	\$47,808.15

EXHIBIT "D"

That Chapter 15, "IMPACT FEES", Exhibit D "Impact Fees Charged", of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by deleting Exhibit C in its entirety and replacing as set out hereafter to read as follows:

**TABLE 3-3A
MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
FOR AREA 92-01, GRAHAM ROAD WASTEWATER LINE
CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$339.63	\$339.63
SIMPLE	3/4"	1.000	\$339.63	\$339.63
SIMPLE	1"	2.500	\$849.09	\$849.09
SIMPLE	1-1/2"	5.000	\$1,698.17	\$1,698.17
SIMPLE	2"	8.000	\$2,717.08	\$2,717.08
COMPOUND	2"	8.000	\$2,717.08	\$2,717.08
TURBINE	2"	10.000	\$3,396.34	\$3,396.34
COMPOUND	3"	16.000	\$5,434.15	\$5,434.15
TURBINE	3"	24.000	\$8,151.23	\$8,151.23
COMPOUND	4"	25.000	\$8,490.86	\$8,490.86
TURBINE	4"	42.000	\$14,264.65	\$14,264.65
COMPOUND	6"	50.000	\$16,981.72	\$16,981.72
TURBINE	6"	92.000	\$31,246.37	\$31,246.37
COMPOUND	8"	80.000	\$27,170.75	\$27,170.75
TURBINE	8"	160.000	\$54,341.51	\$54,341.51
COMPOUND	10"	115.000	\$39,057.96	\$39,057.96
TURBINE	10"	250.000	\$84,908.61	\$84,908.61
TURBINE	12"	330.000	\$112,079.36	\$112,079.36

**TABLE 3-3B
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 97-01, SPRINGCREEK WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.01	\$144.01
SIMPLE	3/4"	1.000	\$144.01	\$144.01
SIMPLE	1"	2.500	\$360.04	\$360.04
SIMPLE	1-1/2"	5.000	\$720.07	\$720.07
SIMPLE	2"	8.000	\$1,152.12	\$1,152.12
COMPOUND	2"	8.000	\$1,152.12	\$1,152.12
TURBINE	2"	10.000	\$1,440.15	\$1,440.15
COMPOUND	3"	16.000	\$2,304.23	\$2,304.23
TURBINE	3"	24.000	\$3,456.35	\$3,456.35
COMPOUND	4"	25.000	\$3,600.36	\$3,600.36
TURBINE	4"	42.000	\$6,048.61	\$6,048.61
COMPOUND	6"	50.000	\$7,200.73	\$7,200.73
TURBINE	6"	92.000	\$13,249.34	\$13,249.34
COMPOUND	8"	80.000	\$11,521.16	\$11,521.16
TURBINE	8"	160.000	\$23,042.33	\$23,042.33
COMPOUND	10"	115.000	\$16,561.67	\$16,561.67
TURBINE	10"	250.000	\$36,003.64	\$36,003.64
TURBINE	12"	330.000	\$47,524.80	\$47,524.80

**TABLE 3-3C
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 97-02B, ALUM CREEK WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$44.71	\$44.71
SIMPLE	3/4"	1.000	\$44.71	\$44.71
SIMPLE	1"	2.500	\$111.77	\$111.77
SIMPLE	1-1/2"	5.000	\$223.54	\$223.54
SIMPLE	2"	8.000	\$357.66	\$357.66
COMPOUND	2"	8.000	\$357.66	\$357.66
TURBINE	2"	10.000	\$447.08	\$447.08
COMPOUND	3"	16.000	\$715.32	\$715.32
TURBINE	3"	24.000	\$1,072.98	\$1,072.98
COMPOUND	4"	25.000	\$1,117.69	\$1,117.69
TURBINE	4"	42.000	\$1,877.72	\$1,877.72
COMPOUND	6"	50.000	\$2,235.38	\$2,235.38
TURBINE	6"	92.000	\$4,113.10	\$4,113.10
COMPOUND	8"	80.000	\$3,576.61	\$3,576.61
TURBINE	8"	160.000	\$7,153.21	\$7,153.21
COMPOUND	10"	115.000	\$5,141.37	\$5,141.37
TURBINE	10"	250.000	\$11,176.89	\$11,176.89
TURBINE	12"	330.000	\$14,753.50	\$14,753.50

**TABLE 3-3D
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 99-01, HARLEY WATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$996.03	\$996.03
SIMPLE	3/4"	1.000	\$996.03	\$996.03
SIMPLE	1"	2.500	\$2,490.08	\$2,490.08
SIMPLE	1-1/2"	5.000	\$4,980.15	\$4,980.15
SIMPLE	2"	8.000	\$7,968.24	\$7,968.24
COMPOUND	2"	8.000	\$7,968.24	\$7,968.24
TURBINE	2"	10.000	\$9,960.31	\$9,960.31
COMPOUND	3"	16.000	\$15,936.49	\$15,936.49
TURBINE	3"	24.000	\$23,904.73	\$23,904.73
COMPOUND	4"	25.000	\$24,900.76	\$24,900.76
TURBINE	4"	42.000	\$41,833.28	\$41,833.28
COMPOUND	6"	50.000	\$49,801.53	\$49,801.53
TURBINE	6"	92.000	\$91,634.81	\$91,634.81
COMPOUND	8"	80.000	\$79,682.44	\$79,682.44
TURBINE	8"	160.000	\$159,364.89	\$159,364.89
COMPOUND	10"	115.000	\$114,543.51	\$114,543.51
TURBINE	10"	250.000	\$249,007.64	\$249,007.64
TURBINE	12"	330.000	\$328,690.08	\$328,690.08

**TABLE 3-3E
 MAXIMUM AND EFFECTIVE IMPACT FEES FOR VARIOUS WATER METER SIZES
 FOR AREA 03-02, STEEPLECHASE WASTEWATER LINE
 CITY OF COLLEGE STATION**

METER TYPE	METER SIZE	MULTIPLIER	FEE AMOUNTS	
			MAXIMUM	EFFECTIVE
SIMPLE	5/8" x 3/4"	1.000	\$144.87	\$144.87
SIMPLE	3/4"	1.000	\$144.87	\$144.87
SIMPLE	1"	2.500	\$362.18	\$362.18
SIMPLE	1-1/2"	5.000	\$724.37	\$724.37
SIMPLE	2"	8.000	\$1,158.99	\$1,158.99
COMPOUND	2"	8.000	\$1,158.99	\$1,158.99
TURBINE	2"	10.000	\$1,448.73	\$1,448.73
COMPOUND	3"	16.000	\$2,317.97	\$2,317.97
TURBINE	3"	24.000	\$3,476.96	\$3,476.96
COMPOUND	4"	25.000	\$3,621.83	\$3,621.83
TURBINE	4"	42.000	\$6,084.67	\$6,084.67
COMPOUND	6"	50.000	\$7,243.66	\$7,243.66
TURBINE	6"	92.000	\$13,328.33	\$13,328.33
COMPOUND	8"	80.000	\$11,589.85	\$11,589.85
TURBINE	8"	160.000	\$23,179.71	\$23,179.71
COMPOUND	10"	115.000	\$16,660.42	\$16,660.42
TURBINE	10"	250.000	\$36,218.30	\$36,218.30
TURBINE	12"	330.000	\$47,808.15	\$47,808.15

November 14, 2013
Regular Agenda Item No. 6
College Station Policy Regarding Municipal Utility Districts

To: Kelly Templin, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding an Ordinance amending Chapter 11, "Utilities", of the Code of Ordinances of the City of College Station, Texas, by adopting Section 12, relating to the creation of Municipal Utility Districts; establishing procedures for the review and approval to create Municipal Utility Districts within the City or the City's Extraterritorial Jurisdiction; requiring deposits for costs incurred; requiring prerequisite documentation for consent and providing for other matters relating to the subject and amending Chapter 14, "Service Fees", Section 14-6, "Development Services" of the Code of Ordinances of the City of College Station, Texas by adding Subsection B, relating to the fees to be paid in conjunction with the creation and operation of Municipal Utility Districts.

A Resolution of the City Council of the City of College Station, Texas, adopting a policy on the creation, operation, and dissolution of Municipal Utility Districts located within the City's incorporated limits or its Extraterritorial Jurisdiction.

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

Recommendation(s): Staff recommends approval of the Ordinance

Summary: The Council has recently received informal requests seeking Council's opinion on the formation of two Municipal Utility Districts, one located within the City limits, the other in the City's Extraterritorial Jurisdiction. Based upon these two requests, staff recommended and Council concurred, that an overall policy regarding the terms of the City's granting of consent for such requests, was warranted.

The attached Ordinances and Resolution define when the City will consider granting its consent for such requests and when it will deny such consent. Further, the information details the application process and costs for such requests, the standards that development and infrastructure shall meet when consent is granted, and issues related to annexation of property within the MUD, issuance of debt, and the dissolution of the MUD.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: Yes

Attachments:

1. Ordinance (Will be available at Council Meeting)
2. Resolution Regarding Policy (Will be available at Council Meeting)
3. Resolution Regarding Fees (Will be available at Council Meeting)

November 14, 2013
Regular Agenda Item No. 7
City Regulation of Short-Term Rentals in Residential Areas – Game Day Housing

To: Kelly Templin, City Manager

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

Agenda Caption: Presentation, possible action, and discussion regarding current City regulations of short-term rentals of homes in residential areas and possible revisions to the same.

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

Recommendation(s): Staff recommends Council provide direction regarding revisions to regulations imposed upon short-term rentals

Summary: Upon joining the SEC and with recent success in TAMU athletic programs, increased attendance at athletic events has stimulated interest in the short-term rental of homes in residential areas of the City – so-called game-day rentals. Currently, City Code generally classifies such uses as a hotel or bed and breakfast and limits their applicability in residential neighborhoods – essentially prohibiting hotels and limiting the operations of bed and breakfast establishments.

At the request of Council, staff has prepared this workshop item to facilitate a discussion regarding current regulations and to gauge Council interest in revising these regulations. If there is interest in revising these regulations, staff is looking for clarification and direction.

Budget & Financial Summary: N/A

Reviewed and Approved by Legal: N/A

Attachments: N/A