



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final City Council Regular

Thursday, February 12, 2015

7:00 PM

City Hall Council Chambers

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

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

Consent Agenda

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

2. Presentation, possible action and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

- 2a. [15-0055](#) Presentation, possible action, and discussion of minutes for:
- January 22, 2015 Workshop
 - January 22, 2015 Regular Council Meeting

Attachments: [WKSHPO12215 DRAFT Minutes.docx](#)
[RM012215 DRAFT Minutes.docx](#)

- 2b. [15-0025](#) Presentation, possible action, and discussion on the purchase of 30,000 rounds of 5.56 mm 56 grain TSX ammunition (\$32,370) and 80,000 rounds of Ruag .223 55 grain FMJ ammunition (\$32,000) from Black Hills Ammunition Company (Rapid City, SD) for a total amount of \$64,370.

Sponsors: Norris

Attachments: [Black Hills Quotes.pdf](#)
[Black Hills Sole Source Letter.pdf](#)

- 2c. [15-0026](#) Presentation, possible action, and discussion on the purchase of training, simmunition, and on duty ammunition from G.T. Distributors (Austin, TX) for a total amount of \$71,728.22.

Sponsors: Norris

Attachments: [GT Distributors Quote.pdf](#)

- 2d. [15-0028](#) Presentation, possible action, and discussion regarding the second renewal of an Agreement for Services with the Brazos Valley Softball Umpires Association to provide officiating services for City athletic leagues, programs and tournaments in an amount not to exceed \$190,000 per year.

Sponsors: Atkins

Attachments: [Umpires Contract.pdf](#)

- 2e. [15-0030](#) Presentation, possible action, and discussion on rejecting all bids for swing set repair and site work at Bee Creek and Thomas Park (Bid #14-068).

Sponsors: Atkins

Attachments: [Bee Creek Thomas bid tabulation.pdf](#)

- 2f. [15-0031](#) Presentation, possible action, and discussion regarding the approval of separate contracts with Milsoft Utility Solutions and with Partner Software, in the amounts of \$132,450 and \$26,000 respectively, for the purchase and installation of a Geographic Information System and a Design and Project Management System.

Sponsors: Crabb

- 2g. [15-0032](#) Presentation, possible action and discussion regarding the award of a three year contract (contract no. 15-063; bid no. 15-014) for Electric System Right-of-Way Clearing and Tree Trimming to All Around Tree Service, Inc. in the amount of \$1,279,137.58.

Sponsors: Crabb

Attachments: [15-014 Tabulation.pdf](#)

- 2h. [15-0044](#) Presentation, possible action, and discussion on approving an annual price agreement for the purchase of auto parts, shop equipment and services from NAPA Auto Parts (College Station, TX) through the Purchasing Solutions Alliance (PSA) contract for the amount of \$80,000.

Sponsors: Kersten

Attachments: [Attachment - PSA Contract Summary.pdf](#)

- 2i. [15-0046](#) Presentation, possible action and discussion on a resolution

revising the City's Investment Policy that was approved by Resolution 10-20-14-2e to include a section allowing the use of certain investments related to the City's Municipal Utility

Sponsors: Kersten

Attachments: [Investment Policy 2015 Revised 1-23-15.pdf](#)
[Resolution - Investment Policy FY15 Rev.docx](#)

- 2j. [15-0047](#) Presentation, possible action, and discussion on a resolution by the City of College Station approving the purchase of property and construction of a new office building by the Brazos Central Appraisal District.

Sponsors: Kersten

Attachments: [Brazos County Appraisal District - Copy pdf.docx](#)
[Brazos County Appraisal District.pdf](#)

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. [15-0037](#) Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 4324 square foot public utility easement, which is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume

7249, Page 292 of the Deed Records of Brazos County, Texas.

Sponsors: Cotter

Attachments: [Williams Creek abandonment ord.doc](#)

[Ordinance Exhibit A.pdf](#)

[Vicinity Map](#)

[Location Map](#)

2. [15-0038](#) Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 2110 square foot public utility easement, which is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas.

Sponsors: Cotter

Attachments: [Abandonment Greens Prairie PUE Block 5 Lots R-A and R-A.doc](#)

[Exhibit A.pdf](#)

[Vicinity Map](#)

[Location Map](#)

3. [15-0040](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for approximately 30 acres for the property situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being 3.508-acre and 4.911-acre portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas, a 8.651-acre portion of a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, and a 12.939-acre tract being portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas and a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, generally located at the northeast, northwest, southeast and southwest corners of The Barracks II Subdivision between Old Wellborn Road and Holleman Drive South by amending the concept plan and uses for said district.

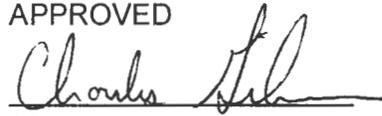
Sponsors: Schubert

Attachments: [Background Information](#)
[Aerial and Small Area Map](#)
[Proposed Concept Plan](#)
[Ordinance.docx](#)

4. 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



City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on February 6, 2015 at 5:00 p.m.



City Secretary

This 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.



Legislation Details (With Text)

File #: 15-0055 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 2/2/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**

Title: Presentation, possible action, and discussion of minutes for:
· January 22, 2015 Workshop
· January 22, 2015 Regular Council Meeting

Sponsors:

Indexes:

Code sections:

Attachments: [WKSHP012215 DRAFT Minutes.pdf](#)
[RM012215 DRAFT Minutes.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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Presentation, possible action, and discussion of minutes for:
· January 22, 2015 Workshop
· January 22, 2015 Regular Council Meeting

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
JANUARY 22, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James Benham

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Ian Whittenton, Records Management Coordinator
Yvette Dela Torre, 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, January 22, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.086-Competitive Matters, and §551.087-Economic Develop Negotiations, the College Station City Council convened into Executive Session at 4:31 p.m. on Thursday, January 22, 2015 in order to continue discussing matters pertaining to:

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

- 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. 13-002978-CV-361, Deluxe Burger Bar of College Station, Inc. D/B/A Café Eccell v. Asset Plus Realty Corporation, City of College Station, Texas and the Research Valley Partnership, Inc., In the 361st Judicial District Court, Brazos County, Texas
- Margaret L. Cannon v. Deputy Melvin Bowser, Officer Bobby Williams, Officer Tristan Lopez, Mr. Mike Formicella, Ms. Connie Spence, Cause No. 13 002189 CV 272, In the 272nd District Court of Brazos County, Texas
- Bobby Trant v. BVSWMA, Inc., Cause No. 33014, In the District Court, Grimes County, Texas, 12th Judicial District
- Robyn Taylor, et al vs. Boomfit, Carlos Lima and Alicia Lima and Lincoln Recreational Center, Cause No. 13 003118 CV 85, In the 85th District Court of Brazos County, Texas
- Juliao v. City of College Station, Cause No. 14-002168-CV-272, in the 272nd District Court of Brazos County, Texas

B. Consultation with attorney regarding legal advice; to wit:

- Legal advice related to the proposed oil and gas ordinance amendment

C. Deliberation, vote, or take final action on a competitive matter; to wit:

- Power Supply

D. Deliberation on offers of financial or other incentives for a business prospect that the Council seeks to have locate, stay or expand in or near the city; to wit:

- Economic incentives for a proposed development located in the College Station Medical District

The Executive Session adjourned at 6:06 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 2d, 2f, and 2g were pulled for clarification.

(2d): Troy Rother, Traffic Engineer, gave clarification on the integration of the traffic control devices in this item with other local systems.

(2f): Cheryl Turney, Assistant Finance Director, gave clarification on the necessity of the new contract. This item was discussed after 2g.

(2g): Don Plitt and Shelly Cmajdalka, Brazos County Health Department, gave an explanation on the need for this change and an example of how it will impact the department's ability to enforce existing regulations. This item was discussed after 2d.

5. Presentation, possible action, and discussion regarding the ERP Replacement Project.

Ben Roper, Director of Information Technology, updated the Council on the ERP Replacement Project. The City's current ERP system vendor is Sungard Public Sector (formerly HTE). In 2013, the City engaged BerryDunn as consultants to evaluate the capability of the current system to meet the city's needs. This evaluation resulted in the decision to procure new software. Following issuance and evaluation of RFP responses, the City selected three vendors to provide software. Tyler Technologies was selected for Financial, HR, Payroll and Utility Billing. CRW Systems was selected to provide Permitting, Code Enforcement, Licensing and Inspection applications. Cayenta was selected for Work Management, including management of Fixed Assets. He emphasized the adjustments to the implementation timeline and the updated schedule for full implementation and noted the taxing of staff resources as the largest barrier to implementation, but believes that the adjusted timeline is reasonable. Director Roper answered questions about the integration of the three major software systems and the efforts to raise employee awareness about the benefits of the ERP change.

6. Presentation, possible action, and discussion regarding the City's approach to Open Data Initiatives.

Ben Roper, Director of Information Technology, updated the Council on the City's planned approach to Open Data Initiatives. Many cities have adopted the idea of Open Data - making government data available to be freely used, reused and distributed by anyone. Closely linked to the idea of Open Data is the concept of conducting "hackathons", where programmers and others involved in software development, collaborate intensively on software projects or methods to make government data more accessible or useful. Many of the goals associated with Open Data will be furthered by the current ERP Replacement Project.

7. Council Calendar

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.

Mayor Berry requested an item that would rename Raintree Park for Art Bright.

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 Nichols gave an update on the Brazos County Board of Health.

Councilmember Shultz gave an update on the Research Valley Partnership.

Councilmember Mooney gave an update on BVSWMA meeting that he attended with Mayor Berry.

Councilmember Aldrich gave an update on the Arts Council annual Boots and Barbeque event.

Councilmember Aldrich gave an update on the Aggies Go To War Taskforce.

Councilmember Benham gave an update on the BVWACS.

10. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 7:03 p.m. on Thursday, January 22, 2015.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JANUARY 22, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James Benham

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
Ian Whittenton, Records Management Coordinator
Yvette Dela Torre, 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, January 22, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

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

Mayor Berry presented a proclamation recognizing the 2014 Texas A&M women's soccer team for advancing to the NCAA College Cup for the first time in school history.

Citizen Comments

Ben Roper, 5449 Prairie Dawn Ct, came before Council to honor the service and sacrifice of Cpl. Tomas Sotelo, Jr.

Larry Whitley, 300 W Columbus St., Giddings, Texas, read a letter written by Ted Lynch, owner of Gold Star Taxi and provided written comments. The letter from Mr. Lynch stated why he

believes Uber is a Taxi service and would like the Council to take action on Uber's operations in College Station.

Jacob Yemme, 2903 Second St. #201A, Bryan, Texas, made a statement against the Uber service and requests Council take action on Uber's operations in College Station.

Cecil G. Behrens, 4737 CR377, Caldwell, Texas, stated why he believes Uber and its drivers are operating as a Taxi service. He asks the Council what they will do enforce the laws in College Station. He also provided written comments.

Henry Wittner, 2508 Raintree, came before Council to voice support for renaming Raintree Park in honor of Art Bright.

CONSENT AGENDA

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

- **January 8, 2015 Workshop**
- **January 8, 2015 Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding approval of a real estate contract in the amount of \$137,505 between the City of College Station (Buyer) and Maria Saenz-Limon (Seller) for the purchase of Lots 19-20, Block 2, Southland Addition, also known as 128 Southland Street.

2c. Presentation, possible action, and discussion regarding approval of Resolution 01-22-15-2c, that will authorize City staff to negotiate for the purchase of public utility easements and temporary construction easements needed for the Well Field Collection System Loop Project.

2d. Presentation, possible action, and discussion regarding the purchase of 80 traffic signal controllers from Iteris, Inc. to be implemented as part of the ITS Master Plan and approval of Resolution 01-22-15-2d, declaring intention to reimburse certain expenditures with proceeds from debt. The total cost of this purchase is \$200,000.

2e. Presentation, possible action, and discussion on approving the award of an annual price agreement, for the purchase of fleet oils and lubricants, to Kolkhorst Petroleum Co., Inc. for the amount of \$86,400.00. (Bid No. 15-019).

2f. Presentation, possible action, and discussion on approving annual tire purchases and retread services from Southern Tire Mart, LLC through the BuyBoard Purchasing Cooperative (Contract 140-14) in the amount of \$272,000.

2g. Presentation, possible action, and discussion on Ordinance 2015-3628, amending Chapter 7, "Health and Sanitation", of the code of ordinances of the City of College Station.

2h. Presentation, possible action, and discussion regarding Ordinance 2015-3632, amending Chapter 11, "Utilities" Section 4, "Electric Service" of the Code of Ordinances of the City of College Station, Texas by adding subsection B entitled "Risk Management Policy" authorizing participation in the ERCOT congestion revenue rights (CRR) market and codifying procedures for managing risk exposure and the maintenance of associated documents; providing a severability clause; declaring a penalty; and providing an effective date.

2i. Presentation, possible action, and discussion on Semi-Annual Report for Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02.

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

REGULAR AGENDA

Mayor Berry elected to hear Items 3 and 4 before Item 2.

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3629, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West.

Councilmember Schultz recused herself from this discussion.

Mark Bombeck, Planning and Development Services, reported this item is to rezone the property from General Suburban to Townhouse.

The Planning and Zoning Commission considered this item on January 5, 2015. Staff recommends approval with the condition that the gross density does not exceed 8 dwelling units per acre overall.

At approximately 7:35 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:35 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Aldrich, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz recusing herself, to adopt Ordinance 2015-3629, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753

acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West. The motion carried.

2. Public Hearing, presentation, possible action, and discussion regarding adoption of Ordinance 2015-3630, amending Chapter 4 “Business Regulations”, Section 13 “Oil and Gas Regulations” of the Code of Ordinances, City of College Station, Texas; and Resolution 01-22-15-02, amending Chapter 14 “Service Fees”, Section 14-6 “Development services”, Subsection A “Oil and gas development application fees” the Code of Ordinances, City of College Station, Texas.

Chuck Gilman, Deputy City Manager, addressed the Council on the background, limitations of the factors under the control of the City, and the objectives of this Ordinance.

Alan Gibbs, City Engineer, reported that this item is to consider a proposed ordinance amendment that would update local regulations for permitting Oil and Gas Operations, as well as updating the associated fees. He also introduced Ernest Bruchez, an attorney and specialist in Oil and Gas law, who gave outside council on this matter.

Staff recommends adopting the ordinance amendment and approval of the resolution setting the associated fees.

At approximately 9:03 p.m., Mayor Berry opened the Public Hearing.

Kevin Burgess, 12036 Munson Ave., presented a Power Point presentation to the Council detailing what he believes are possible dangers to the community by fracking and the associated byproducts.

Obie O’Brien, 11515 Lakeside Place Dr., Houston, Texas, represents the Apache Corporation and spoke in favor of this ordinance.

Richard Woodward, 1001 Pershing Dr., presented a Power Point to council detailing what he feels are the dangers to the community and shortcomings of the ordinance.

Marty Allday, 2211 Norfolk #410, Houston, Texas, represents the Texas chapter of the Consumer Energy Alliance and spoke in support of the ordinance and potential energy production.

Denise Hoyt, 1108 Merry Oaks Dr., spoke against passage of the ordinance and focused on road issues that may be created by increased traffic from heavy vehicles.

Patricia Bailon, 3907 Lambermont Dr., stated that she appreciated Mr. Gibbs addressing the setback and generally spoke in favor of the ordinance based on economic development.

Bill Whitehead, 8604 Walnut Bend, stated he has no problems with noise or odor from the current oil operations in the city, and he believes that fracking can be done safely, so he supports this ordinance.

Tricia Davis, 22301 Hamilton Pool Rd., Dripping Springs, Texas, here on behalf of Texas Royalty Council, spoke in favor of the ordinance and stated she believes the setbacks are adequate and larger setbacks would impact mineral rights negatively.

Joseph Landsberg, 1706 Brazoswood Dr., urged the council to increase the buffer to 1,500 feet for fracking sites to dwellings and establishing a baseline of air, water, and soil to be monitored over time.

Shelley C. White, 902 Grand Oaks Cir., stated she is a tax lawyer by trade and that she understands the competing legal interests in this matter. She spoke in favor of the Ordinance and striking a balance between protecting the private property and mineral owners' rights. She also provided written comments.

Gunnar Schade, 800 Thomas St., presented a Power Point to the council focusing on deceptive techniques he believes are employed by the oil and gas industry. He believes the operations that this ordinance would allow will introduce a harmful level hydrocarbons into the community.

Todd Staples, 304 West 13th St., Austin, Texas, President of the Texas Oil and Gas Association, spoke in favor of the ordinance, stating why he believes fracking is safe and the setbacks adequate as written.

Richard White, 2233 Rockingham Loop, Chairman of the Board for the BCS Chamber of Commerce, spoke in favor of this ordinance and what he believes is developing a balance between development, science, and community safety.

Sarah Witherspoon, 1401 Post Oak Circle, urged the Council to strengthen the provisions to protect the community and children of College Station.

Mason L. Red Cashion, 3040 Hickory Ridge, supports approval of the ordinance and stated that he approves of the direction the city is headed in and believes that further development will have a positive impact.

David Alexander, 2903 Second St. #201A, Bryan, Texas, provided written comments.

Calleleh Bonugli, 5136 Drake Drive, believes that the Council should take a stronger stance on public safety with regards to fracking pollution and less emphasis on the rights of mineral owners.

Jan McMurrey, 3400 Mustang Ln., stated that she believes the Council is not following its mission statement if they cannot prove fracking to be safe and still approve this ordinance.

Julian McMurrey, 3400 Mustang Ln., addressed the Council with some information he found on the internet about the possible inconsistencies with the ordinances 25-ton VOC limit and current EPA regulations.

Donna Hanna-Calvert, 1004 Hereford, believes that the community's health may be at risk if the ordinance is approved, and she urged the council to consider the health of the community first.

Wendy Jepson, 726 Willow Loop, would like to see the ordinance changed to disallow the practice of flaring and not take into consideration the possibility of legal action against the city by mineral owners and developers when they consider the ordinance.

John O. Hastings, Jr., 1021 Main St., Suite 2450, Houston, Texas, provided written comments.

Sherry Ellison, 2705 Brookway Dr., urged that the council amend the ordinance to have a 1,500 foot setback, continuous monitoring of air quality by a third party, and require a pipeline with vapor recovery on all tanks.

Denise Snyder, 8404 Turtle Rock Loop, provided written comments.

Rusty Adams, 4403 Danby Ct., believes fracking has been proven safe and supports the ordinance, but believes that it has too many restrictions on development as written.

John Wynn, 4416 Crayke, provided written comments

Stephen E. Ogden, 3740 Copperfield Dr., #103, Bryan, Texas, representing Ogden Resources Corporation, stated he supports the ordinance as long as it does not impose higher insurance requirements on existing wells or renewal permits. He also provided written comments.

Randy Britten, 4004 Burt Rd., Bryan, Texas, supports the ordinance, but agrees with Mr. Ogden on the insurance requirements.

Christian Brannstrom, 726 Willow Loop, emphasized the need for a strong ordinance to protect community safety, and would like to see a 1,500 foot setback and see urban and rural permits treated the same.

Mary Saslow, 1004 Walton Dr., believes that the ordinance is strong, but has language that weakens its best provisions, and would like to see subjective language removed, and require the best available technology, and is concerned about the long term health of the local aquifer.

Henry Witiner, 2508 Raintree, believes that the oil and gas operators should have close oversight by the City and would like to see all setbacks equal and at either 1,000 or 1,500 feet.

Paul Rieger, 6001 Waldham Grove Ln., believes the restrictions and requirements that the ordinance places upon well owners are too burdensome.

David Sahn, 1017 James Parkway, stated he works in the fracking industry and believes that the ordinance is restrictive on business, but it also does not address some serious safety concerns. He also provided written comments.

Dan Hill, 1003 Sonoma Circle, head of Harold Vance Department of Petroleum Engineering at TAMU, stated that in his research on shale oil and gas drilling there is scientific evidence of danger to the community. He also believes that a setback longer than 600 feet is a de facto ban on development.

Kate Shafer, 201 Hartford Dr., stated that some of the studies presented tonight have been picked to make the industry look better, and waiting for science to be more conclusive, does not deny mineral owners their rights.

Bill Bingham, 404 Fairview, urged council to not pass this ordinance and have it rewritten so that it addresses some of the concerns mentioned in the meeting as he believes the current ordinance will essentially end oil exploration in the city limits.

Nancy Plankey Videla, 1020 Francis D,r, believes the council should have the health of the community in mind, not allow 25-tons of VOC, and believes that the 6-ton VOC standard is better for the community.

Marie-Gabrielle Aletra, 2902 Brothers Blvd., is concerned about the long term effects of fracking and would like to see a 1,500 foot setback and continuous air, water, and soil quality monitoring. She also provided written comments.

Laurie Sorell, 7704 Sherman Ct., asked the council to consider monetary concerns second and the health of the community first.

Mike McCleary, 3649 Barron Cutoff, Wellborn, Texas, believes that the industry is safe and supports the proposed ordinance.

Suil Kang, 1706 Brazoswood Dr., is for requiring a 1,500 foot setback and a 95 percent vapor recovery rate for all tanks.

Lisa Halpern, 1811 Shadowwood Dr., stated that she believes there is a divide between studies and research done and who is funding it and would like the council to take this in mind when considering the ordinance.

Matt Holseth, 1000 Louisiana St., Houston, Texas, representing Halcon Resources, stated that he supports the ordinance as written and believes that it strikes a balance between all interests.

Sarah Brooks, 4760 Johnson Creek Loop, would like the council to know that pollution travels and would like a 1,500 foot setback in the ordinance.

David Burnett, 706 Park Place, stated that he supports this ordinance.

Cara Wallis, 7235 River Place Ct., provided written comments.

Audrey Patton, 306 Columbia Ct., provided written comments.

Joanne Mansell, 10021 Whites Creek, provided written comments.

There being no further comments, the Public Hearing was closed at 10:55 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz the City Council voted seven (7) for and none (0) opposed, with Councilmembers Brick and Mooney voting against, to adopt Ordinance 2015-3630, amending Chapter 4 “Business Regulations”, Section 13 “Oil and Gas Regulations” of the Code of Ordinances, City of College Station, Texas; and Resolution 01-22-15-02, amending Chapter 14 “Service Fees”, Section 14-6 “Development services”, Subsection A “Oil and gas development application fees” the Code of Ordinances, City of College Station, Texas.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Brick, the City Council voted two (2) for and five (5) opposed, with Councilmembers Benham, Schultz, Nichols, and Mayor Berry voting against, to amend the main motion to rephrase H(1)(b) on page 22 to clarify the setback of 600 feet is measured from the edge of the pad site to the property line. The motion failed.

A motion to amend the main motion was made by Councilmember Mooney to increase the setback distance from 600 feet to 1,000 feet. The motion died for lack of a second.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Mooney, the City Council voted two (2) for and five (5) opposed, with Councilmembers Benham, Schultz, Nichols, and Mayor Berry voting against, to amend the main motion to amend Section H(1)(c) to include residential areas in the 1,000 foot setback. The motion failed.

A motion was made by Councilmember Nichols and seconded by Councilmember Mooney, to change the VOC standard from 25 to 6 if staff can confirm that 6 is the prevailing standard. Councilmember Nichols withdrew his motion after clarification from staff.

3. Presentation, possible action, and discussion regarding adoption of Ordinance 2015-3631, directing staff to prepare a service plan and setting out public hearing dates and times for the annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Royder Road, and Greens Prairie Trail.

Lance Simms, Director of Planning and Development Services, reported that the ordinance will establish the date, times, and location for the two required annexation public hearings as:

- Tuesday, March 10 at 7:00 p.m. at Greens Prairie Elementary School; and
- Thursday, March 12 at 7:00 p.m. in the City Hall Council Chambers.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3631, directing staff to prepare a service plan and setting out public hearing dates and times for the annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Royder Road, and Greens Prairie Trail. The motion carried unanimously.

4. Presentation, possible action, and discussion regarding the appointment of Chair to the Zoning Board of Adjustments.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to appoint Johnny Burns as Chair of the Zoning Board of Adjustments. The motion carried unanimously.

5. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 11: 35 p.m. on Thursday, January 22, 2014.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary



Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|----------------------|---|
| File #: | 15-0025 | Version: | 1 | Name: | Black Hills Ammunition Company Bid Award Approval |
| Type: | Bid Award | Status: | | Status: | Consent Agenda |
| File created: | 1/16/2015 | In control: | | In control: | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | Final action: | |
| Title: | Presentation, possible action, and discussion on the purchase of 30,000 rounds of 5.56 mm 56 grain TSX ammunition (\$32,370) and 80,000 rounds of Ruag .223 55 grain FMJ ammunition (\$32,000) from Black Hills Ammunition Company (Rapid City, SD) for a total amount of \$64,370. | | | | |
| Sponsors: | Brandy Norris | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Black Hills Quotes.pdf Black Hills Sole Source Letter.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion on the purchase of 30,000 rounds of 5.56 mm 56 grain TSX ammunition (\$32,370) and 80,000 rounds of Ruag .223 55 grain FMJ ammunition (\$32,000) from Black Hills Ammunition Company (Rapid City, SD) for a total amount of \$64,370.

Relationship to Strategic Goals: (Select all that apply)

- Core Services and Infrastructure

Recommendation(s):

Staff recommends award to the lowest, responsible supplier meeting specifications, Black Hills Ammunition Company of Rapid City, SD. Black Hills Ammunition Company is a sole source provider of the .223 ammunition. Additionally, Black Hills Ammunition Company can deliver on the order immediately. Other suppliers have indicated that they can not deliver for several months.

Summary:

Purchasing ammunition has become a challenge for the Police Department. An increase in ammunition sales nationwide has significantly stressed manufacturers' ability to meet supply and demand and this reduced our ability to purchase ammunition for practice, qualifications, and on duty purposes. This order is approximately half of three years worth of ammunition that was approved in the FY 15 budget as well as the ammunition purchase for the current year. The other half of the order will be purchased from a secondary vendor.

Budget & Financial Summary:

The total purchase amount of \$64,370 includes 30,000 rounds of Black Hills 5.56 50 grain TSX ammunition for \$32,370 and 80,000 rounds of Black Hills Ruag .223 55 grain FMJ at \$32,000. The funds necessary for this purchase were included in the FY 15 approved budget.

Attachments:

1. Quote
2. Sole Source Letter



BLACK HILLS AMMUNITION INC. • PO BOX 3090 • RAPID CITY, SD 57709-3090 • Phone: 605-348-5150 • Fax: 605-348-9827

TELEPHONE AMMUNITION QUOTES

AGENCY INFO: _____ DATE: 1/15/15
 Agency or Company Name: College Station, Tx Police Dept.
 Contact Person: Sgt. James Arnold
 Address: 2611 Texas Ave.
College Station, Tx 77840
 Phone: 979 764 3627 FAX 979 764 3468

| AMMO DESCRIPTION | PRODUCT CODE | QUANTITY | UNIT QTY | UNIT PRICE | EXTENSION |
|------------------|--------------|----------|----------|-------------------|----------------------|
| 5.56 50gr TSX | D556N1 | 30,000 | 500 | 539 ⁵⁰ | 32,370 ⁰⁰ |
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| | | | | | |
| | | | | | |

Brass info / shipping instructions: _____
 Date ammo needed by: _____
 Notes: _____

Taken by: _____ Quoted by: JA

MAILING ADDRESS
 PO Box 3090
 Rapid City, SD 57709-3090
 PH 605-348-5150

SHIPPING ADDRESS
 1699 Sedivy Ln
 Rapid City, SD 57703
 FAX 605-348-9827



BLACK HILLS AMMUNITION INC. • PO BOX 3090 • RAPID CITY, SD 57709-3090 • Phone: 605-348-5150 • Fax: 605-348-9827

TELEPHONE AMMUNITION QUOTES

AGENCY INFO: _____ DATE: 1/15/15
 Agency or Company Name: College Station, Tx Police Dept.
 Contact Person: Sgt. James Arnold
 Address: 2611 Texas Ave.
College Station, Tx 77840
 Phone: 979 764 3627 Fax 979 764 3468

| AMMO DESCRIPTION | PRODUCT CODE | QUANTITY | UNIT QTY | UNIT PRICE | EXTENSION |
|---------------------------|-------------------|---------------|--------------|-------------------------|----------------------------|
| <u>223 55gr. FMJ Ruag</u> | <u>RuagM223G1</u> | <u>80,000</u> | <u>1,000</u> | <u>400⁰⁰</u> | <u>32,000⁰⁰</u> |
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Brass info / shipping instructions: _____
 Date ammo needed by: _____
 Notes: _____

Taken by: _____ Quoted by: JH

MAILING ADDRESS
 PO Box 3090
 Rapid City, SD 57709-3090
 PH 605-348-5150

SHIPPING ADDRESS
 1699 Sedivy Ln
 Rapid City, SD 57703
 FAX 605-348-9827



Ammunition

BLACK HILLS AMMUNITION INC. • PO BOX 3090 • RAPID CITY, SD 57709-3090 • T: 605.348.5150 • F: 605.348.9827 • WWW.BLACK-HILLS.COM

To Whom It May Concern:

Black Hills Ammunition is the Sole Source manufacturer for the 5.56 50 gr. TSX ammunition.

The projectile is a special production bullet exclusive to Black Hills Ammunition and is designed to meet our specific performance objectives.



Legislation Details (With Text)

File #: 15-0026 **Version:** 1 **Name:** GT Distributors Bid Award Approval
Type: Bid Award **Status:** Consent Agenda
File created: 1/16/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**
Title: Presentation, possible action, and discussion on the purchase of training, simmunition, and on duty ammunition from G.T. Distributors (Austin, TX) for a total amount of \$71,728.22.
Sponsors: Brandy Norris
Indexes:
Code sections:
Attachments: [GT Distributors Quote.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion on the purchase of training, simmunition, and on duty ammunition from G.T. Distributors (Austin, TX) for a total amount of \$71,728.22.

Relationship to Strategic Goals: (Select all that apply)

- Core Services and Infrastructure

Recommendation(s):

Staff recommends award to the lowest, responsible supplier meeting specifications,GT Distributors of Austin, TX. GT Distributors honor Texas State Contract number 680-A1 in regards to pricing.

Summary:

Purchasing ammunition has become a challenge for the Police Department. An increase in ammunition sales nationwide has significantly stressed manufacturers' ability to meet supply and demand and this reduced our ability to purchase ammunition for training, practice, qualifications, and on duty purposes. This order is approximately half of three years worth of ammunition that was approved in the FY 15 budget as well as part of the ammunition purchase for the current year. The remaining part of the order will be purchased from a secondary vendor.

Budget & Financial Summary:

The total purchase amount of \$71,728.22 includes 8,000 rounds of Federal 12 gauge buckshot, 11,000 rounds of Federal 12 gauge slug rounds, 35,000 rounds of Federal 12 gauge birdshot, 65,000 rounds of CCI-Lawman .40 caliber 165 grain TMJ, 15,000 rounds of CCI-Speer Gold Dot 9 mm 147 grain ammunition, 65,000 rounds of CCI-Lawman 9 mm 147 grain TMJ, 5,000 rounds of CCI-Lawman .45 230 grain TMJ, 2,000 rounds of CCI-Lawman .380 95 grain TMJ, 3,000 rounds of ATK-Lawman .38 Special 125 grain TMJ, 1,000 rounds of Federal Cartridge .357 Mag 158 grain, 3,000

rounds of Force on Force 9 mm blue simmunition ammunition, 1,500 rounds of Force of Force 9 mm red ammunition, 3,500 rounds of Force on Force 5.56 blue ammunition, 2,000 rounds of Force on Force 5.56 red simmunition, and 20,000 rounds of CCI-Speer Gold Dot .40 cal 165 grain hollow point rounds. The funds necessary for this purchase were included in the FY 15 approved budget.

Attachments:

Quote from GT Distributors



GT Distributors - Austin
P.O. Box 16080
Austin TX 78761
(512) 451-8298 Ext. 0000

| | |
|-------|------------|
| Quote | QTE0081701 |
| Date | 1/13/2015 |
| Page: | 1 |

Bill To:

College Station (TX)
Attn: Accounting Department
P.O. Box 9960
College Station TX 77842-9973

Ship To:

College Station (TX)
2611 Texas Ave. S.
Attn: Sgt. Arnold
College Station TX 77840

| Purchase Order No. | Customer ID | Salesperson ID | Shipping Method | Payment Terms | Req Ship Date | Master No. |
|--------------------|-------------|----------------|-----------------|---------------|---------------|------------|
| AMMO TXMAS 01/201 | 000094 | AP | FACTORY DIRECT | NET 15 | 0/0/0000 | 1,251,765 |

| Quantity | Item Number | Description | UOM | Unit Price | Ext. Price |
|----------|---------------|--|-----|------------|-------------|
| 8.00 | FC-LE13300* | Federal Cartridge-12 Ga-8 Pellet 00-Billings W. | M | \$432.00 | \$3,456.00 |
| 11.00 | FC-LEB127LRS* | Federal Cartridge-Tac Rifled 1 oz Slug-Low Re | M | \$560.20 | \$6,162.20 |
| 35.00 | FC-TGL12-8* | Federal Cartridge-Top Gun Shot Shell-12 Gaug | M | \$201.48 | \$7,051.80 |
| 20.00 | CCI-53970* | Cci .40 165 Gr Gold Dot Hollow | M | \$438.60 | \$8,772.00 |
| 65.00 | CCI-53955* | CCI-Lawman-.40 Cal-165 GR-TMJ | M | \$267.67 | \$17,398.55 |
| 15.00 | CCI-53619* | Cci Speer Gold Dot 9Mm 147 Gr | M | \$404.88 | \$6,073.20 |
| 65.00 | CCI-53620* | CCI-9MM 147 GR TMJ | M | \$206.05 | \$13,393.25 |
| 5.00 | CCI-53653* | CCI Lawman .45 230GR TMJ | M | \$348.69 | \$1,743.45 |
| 2.00 | CCI-53608* | CCI Lawman .380 95 Gr TMJ | M | \$287.95 | \$575.90 |
| 3.00 | CCI-53733* | ATK-Lawman-.38 Special-125 Gr. TMJ | M | \$429.78 | \$1,289.34 |
| 1.00 | FC-AE357A* | Federal Cartridge-.357 Mag-JSP-158 Gr. | M | \$429.78 | \$429.78 |
| 3.00 | FOF-FF9B2 | Force on Force Ammo 9mm Blue | M | \$499.50 | \$1,498.50 |
| 1.50 | FOF-FF9R2 | Force on Force Ammo 9mm Red | M | \$499.50 | \$749.25 |
| 3.50 | FOF-FF556B1 | Force On Force Ammo 5.56 Blue | M | \$570.00 | \$1,995.00 |
| 2.00 | FOF-FF556R1 | Force On Force Ammo 5.56 Red | M | \$570.00 | \$1,140.00 |
| 1 | NOTES | Notes: Prices Reflect Texas State Contract. CONTRACT #: 680-A1 Pricing valid until 01/31/2015 | EA | \$0.00 | \$0.00 |



GT Distributors - Austin
 P.O. Box 16080
 Austin TX 78761
 (512) 451-8298 Ext. 0000

| | |
|-------|------------|
| Quote | QTE0081701 |
| Date | 1/13/2015 |
| Page: | 2 |

Bill To:

College Station (TX)
 Attn: Accounting Department
 P.O. Box 9960
 College Station TX 77842-9973

Ship To:

College Station (TX)
 2611 Texas Ave. S.
 Attn: Sgt. Arnold
 College Station TX 77840

| Purchase Order No. | Customer ID | Salesperson ID | Shipping Method | Payment Terms | Req Ship Date | Master No. |
|--------------------|-------------|----------------|-----------------|---------------|---------------|------------|
| AMMO TXMAS 01/201 | 000094 | AP | FACTORY DIRECT | NET 15 | 0/0/0000 | 1,251,765 |

| Quantity | Item Number | Description | UOM | Unit Price | Ext. Price |
|----------|-------------|---|-----|------------|------------|
| 1 | NOTES | Notes: Partial shipments from factroy Ok per dept. | EA | \$0.00 | \$0.00 |

All returns must be authorized by GT Distributors. Interest charges on past due invoices at the maximum rate allowed by law.

| | |
|----------|-------------|
| Subtotal | \$71,728.22 |
| Misc | \$0.00 |
| Tax | \$0.00 |
| Freight | \$0.00 |
| Total | \$71,728.22 |

Your sales person is Doriane Pissonier. Thank you.
 Jimbob Arnold-979-255-0829
 jarnold@cstx.gov



Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|--------------|---|
| File #: | 15-0028 | Version: | 1 | Name: | Agreement with the Brazos Valley Umpires Association For Officiating Services for City Athletic Leagues and Programs |
| Type: | Agreement | Status: | | | Consent Agenda |
| File created: | 1/21/2015 | In control: | | | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | | |
| Title: | Presentation, possible action, and discussion regarding the second renewal of an Agreement for Services with the Brazos Valley Softball Umpires Association to provide officiating services for City athletic leagues, programs and tournaments in an amount not to exceed \$190,000 per year. | | | | |
| Sponsors: | Amy Atkins | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Umpires Contract.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion regarding the second renewal of an Agreement for Services with the Brazos Valley Softball Umpires Association to provide officiating services for City athletic leagues, programs and tournaments in an amount not to exceed \$190,000 per year.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure
3. Sustainable City

Recommendation(s): Staff recommends renewal of the Agreement for Services with the Brazos Valley Softball Umpires Association.

Summary: This New Contract Number 15-124 is for a period of one (1) year (18 Feb 2015 - 17 Feb 2016).

The contract is for the provision of all officiating services for all City-operated athletic leagues and programs, including Adult and Youth Softball, Adult and Youth Flag Football, Adult and Youth Volleyball, Youth Basketball, and Adult Kickball, as well as tournament play. This blanket contract sets rates for these sports that can cover league play and tournaments, if held. The rates remain the same as the previous contract.

Payment for umpire services is made to the Association, prior to each season based on the scheduled games, who then pays the individual umpires for actual games called. A "true up" is calculated at the end of each season to verify actual games called with the Association and the Parks and Recreation Department. Tournaments are handled individually in the same manner.

This Agreement for Services is exempt from competitive bidding in accordance with LGC 252.022(a) (7), a procurement that is available from only one source.

Budget & Financial Summary: This contract is not to exceed \$190,000.00. Funds are budgeted through the Parks and Recreation Departments General Fund, Recreation Fund and Hotel Occupancy Tax budgets.

Attachments:

1. Contract 15-124

**CITY OF COLLEGE STATION OFFICIATING SERVICE AGREEMENT WITH
BRAZOS VALLEY SOFTBALL UMPIRES ASSOCIATION**

This service agreement is entered into by and between the **City of College Station, Texas**, a Texas Home Rule Municipal corporation (“City”), and the **Brazos Valley Softball Umpires Association** (“Association”).

In consideration for the payment as stated below the Association will provide qualified officiating and scorekeeping services for each and every City softball, flag football, volleyball, basketball, and kickball league game as scheduled by City’s Parks and Recreation Department. The Association will provide qualified officiating and scorekeeping services for all sanctioned and approved tournaments and events when such service is requested by the City.

I. PAYMENT

1.1 The total amount of payment by the City to the Association for all services to be performed under this Agreement may not, under any circumstances, exceed **ONE HUNDRED NINETY THOUSAND and NO/100 DOLLARS (\$190,000.00)**.

1.2 Scheduling Fee. The City agrees to pay to the Association for their services provided in scheduling and administration of payroll to the officials of the Association.

- a. The City will pay the Association a softball scheduling fee of \$800.00 for the Spring season, \$800.00 for the Summer season and \$800.00 for the Fall season.
- b. The City will pay the Association a flag football, volleyball, basketball, and kickball training, scheduling, and payment service fee of \$800.00 for the Spring season, \$800.00 for the Summer season, and \$800.00 for the Fall season.

1.3 Per Game Fee. The Association will be compensated for officials and scorekeepers as follows:

- a. Adult Slow Pitch Games \$18.00 per official per game for 2015
- b. Adult Slow Pitch Games \$19.00 per official per game for 2016
- c. Adult Slow Pitch Games \$20.00 per official per game for 2017
- d. Youth Basketball Games \$16.00 per official per game
- e. Youth Basketball Games \$12.00 per scorekeeper per game
- f. Youth Flag Football Games \$16.00 per official per game
- g. Adult Flag Football Games \$22.00 per official per game
- h. Youth Volleyball Matches \$16.00 per official per match
- i. Adult Volleyball Matches \$16.00 per official per match
- j. Adult Kickball Games \$22.00 per official per game
- k. Sanctioned/Approved Events Payment according to ASA or TAAF code
- l. Clinic Fee \$200.00 per clinic
- m. TAAF Officials Insurance Payment according to TAAF code

1.4 The City shall issue a purchase order for the payment of officiating services. It is agreed that City shall make pre-payments to the Association prior to and during the season according to the schedule below. It is further agreed that the Association shall pay officials on a biweekly basis for services performed from these pre-paid funds. Actual payments shall be based upon the actual team registration. It is understood by and between the parties that these costs are estimated and will be adjusted based upon the actual team registration. In the event of an over or under payment, the parties shall adjust to address actual differences. For the term of this Agreement, the City shall pay to the Association:

- a. Based on approximate number of games/matches per season. To be agreed upon by the Association and the City.

1.5 **Suspension of Payment.** In the event the Association does not comply with or otherwise meet the terms and conditions of this agreement, the City may withhold further payment to the Association until the condition or term is remedied to the satisfaction of the City.

II. UMPIRING SERVICES

2.1 **Schedules.** The City will provide the Association with the season schedules one week before the date of the first scheduled game of the season. The City will also provide the Association with one week's notice, if possible, of all rescheduled games. Both schedules will be in writing.

2.2 **Accounting System.** The Association will establish, operate and maintain accounting system, which system shall be open to the City for periodic inspection during regular business hours. The system shall be designed for and provide for the tracking of funds and the review of the financial status of the program on a seasonal basis.

2.3 **Separate Account.** The Association will establish a separate account for the payment of officials for the services performed pursuant to this Agreement. The Association will put into operation and utilize accounting and check issuing procedures approved by the City. The Association will expend funds according to the terms of this Agreement.

2.4 **Representative.** The Association will appoint an authorized representative who will be available to meet with the Recreation Division Representative and other officials of City upon request.

2.5 **Absenteeism.** In the event that an official fails to work any scheduled game due to absenteeism, the Association will reimburse the City the amount of the Per Game Fee as established in this Agreement.

2.6 **Officials.** The Association will provide officials at each scheduled game. At least one official must have at least one (1) year of experience for softball.

2.7 **Financial Audit.** A copy of the Association's financial audit shall be made available to City no later than thirty (30) days following Association's receipt of the City's audits request.

III. INDEMNIFICATION, RELEASE, AND INSURANCE.

3.1 Indemnification. It is further agreed that the Association shall indemnify, hold harmless, and defend the City, its officers, agents, volunteers and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person or for damage to any property arising out of or in connection with the work done by the Association under this Agreement. Such indemnity shall apply regardless of whether the claims, losses, damages, causes of action, suits, or liability arise in whole or in part from the negligence of the City, any other party indemnified hereunder, the Association, or any third party.

3.2 Release. The Association assumes full responsibility for the work to be performed hereunder and hereby releases, relinquishes, and discharges the City, its officers, agents, volunteers and employees from all claims, demands, and causes of action of every kind and character, including the cost of defense thereof, for any injury to or death of any person and any loss of or damage to any property that is caused by, alleged to be caused by, arising out of, or in connection with the Association's work to be performed hereunder. This release shall apply regardless of whether said claims, demands, and causes of action are covered in whole or in part by insurance and regardless of whether such injury, death, loss, or damage was caused in whole or in part by the negligence of the City, any other party released hereunder, the Association, or any third party.

3.3 Insurance.

a. The Association will not allow any non-ASA or non-TAAF certified persons to umpire any City game. The Association guarantees that it will require all officials to be certified with ASA or TAAF and be covered by ASA or TAAF insurance.

b. As a certified member of ASA or TAAF each Association official represents they will maintain ASA or TAAF insurance for the duration of this Agreement, including insurance against claims for injuries to persons and damages to property which may arise from or in connection with the performance of the work hereunder by Association, its agents, representatives, volunteers, employees, and officials.

c. The Association official's ASA or TAAF insurance shall be primary insurance. The insurance must list College Station, its employees and officials as additional insureds. The required limits of insurance for this Agreement are attached in **Exhibit A "Insurance Requirements"**. The Certificates of insurance evidencing the required insurance coverages will be attached in **Exhibit B "Certificates of Insurance"**.

IV. GENERAL TERMS

4.1 Term and Termination. The term of this Agreement will be for one (1) year, effective February 18, 2015 through February 17, 2016. After completion of the first term of the Agreement, the Agreement may be extended annually upon mutual written agreement of both parties not to exceed an additional two (2) terms. This Agreement may be terminated by either party for convenience upon thirty (30) day's written notice to the other party. Any funds received pursuant to this Agreement, but not earned shall be returned to the City within seven (7) days after termination.

4.2 Independent Association. In all activities and services performed hereunder, the Association is an independent Association and not an agent or employee of the City. The Association, as an independent Association, shall be responsible for the services provided under this Agreement. The Association shall have ultimate control over the execution of the work performed under this Agreement. The Association will have the sole obligation to employ, direct, control, supervise, manage, and discharge. The Association will timely compensate the officials performing under this Agreement.

4.3 Termination. The City may terminate the Project and this Contract, at any time, for convenience. In the event of such termination the City will notify the Association in writing and the Association shall cease work immediately. Association shall be compensated for the services performed. Should the City terminate this Contract for convenience, the City shall pay Association for the services performed and expenses incurred before the date of termination.

4.4 Venue. This Contract has been made under and shall be governed by the laws of the State of Texas. The parties agree that performance and all matters related thereto shall be in Brazos County, Texas.

4.5 Amendment. This Contract may only be amended by written instrument approved and executed by the parties.

4.6 Taxes. The City is exempt from payment of state and local sales and use taxes on labor and materials incorporated into the project. If necessary, it is the Association's responsibility to obtain a sales tax permit, resale certificate, and exemption certificate that shall enable the Association to buy any materials to be incorporated into the project and then resell the aforementioned materials to the City without paying the tax on the materials at the time of purchase.

4.7 Compliance with Laws. The Association will comply with all applicable federal, state, and local statutes, regulations, ordinances, and other laws, including but not limited to the Immigration Reform and Control Act (IRCA). The Association may not knowingly obtain the labor or services of an undocumented worker. The Association, not the City, must verify eligibility for employment as required by IRCA.

4.8 Waiver of Terms. No waiver or deferral by either party of any term or condition of this Contract shall be deemed or construed to be a waiver or deferral of any other term or condition or subsequent waiver or deferral of the same term or condition.

4.9 Assignment. This Contract and the rights and obligations contained herein may not be assigned by the Association without the prior written approval of City.

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

4.11 Entire Agreement. This Contract represents the entire and integrated agreement between the City and Association and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may only be amended by written instrument approved and executed by the parties.

4.12 Agree to Terms. The parties state that they have read the terms and conditions of this Contract and agree to the terms and conditions contained in this Contract.

4.13 Notice. Any official notice under this Contract will be sent to the following addresses:

CITY OF COLLEGE STATION
PARKS AND REC. DEPT.
ATTN: *Recreation Supervisor*
P.O. Box 9960
College Station, TX 77842
parks@cstx.gov

BRAZOS VALLEY SOFTBALL
UMPIRES ASSOCIATION
P.O. Box 2875
Bryan, TX 77805

4.14 Severability. In the event any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and in lieu of each provision that is invalid, illegal or unenforceable, there shall be added a new provision to this Contract as similar in terms to such invalid, illegal, or unenforceable provision as may be possible and yet be valid, legal and enforceable, by means of good faith negotiation by the Parties to this Contract or by reform by a court of competent jurisdiction.

4.15 Duplicate Originals. The parties may execute this Contract in duplicate originals, each of equal dignity.

4.16 Exhibits. All exhibits to this Contract are incorporated and made part of this Agreement for all purposes.

4.17 Gifts. Any gifts or other contributions received by the Association or any of its members shall not be subject to the provisions of this Agreement.

**BRAZOS VALLEY SOFTBALL
UMPIRES ASSOCIATION**

BY: _____

Printed Name: _____

Title: _____

Date: _____

CITY OF COLLEGE STATION

BY: _____

City Manager

Date: _____

APPROVED

City Attorney

Assistant City Manager/CFO

EXHIBIT A
INSURANCE REQUIREMENTS

Throughout the term of this Agreement the Association must comply with the following:

I. Standard Insurance Policies Required:

A. Commercial General Liability

II. General Requirements Applicable to All Policies:

- A. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent
- B. Certificates of Insurance and endorsements shall be furnished on the most current State of Texas Department of Insurance-approved forms to the City's Representative at the time of execution of this Agreement; shall be attached to this Agreement as Exhibit B; and shall be approved by the City before work begins
- C. Association shall be responsible for all deductibles on any policies obtained in compliance with this Agreement. Deductibles shall be listed on the Certificate of Insurance and are acceptable on a per-occurrence basis only
- D. The City will accept only Insurance Carriers licensed and authorized to do business in the State of Texas
- E. The City will not accept "claims made" policies
- F. Coverage shall not be suspended, canceled, non-renewed or reduced in limits of liability before thirty (30) days written notice has been given to the City

III. Commercial General Liability

- A. General Liability insurance shall be written by a carrier rated "A:VIII" or better under the current A. M. Best Key Rating Guide.
- B. Policies shall contain an endorsement naming the City as Additional Insured and further providing "primary and non-contributory" language with regard to self-insurance or any insurance the City may have or obtain
- C. Limits of liability must be equal to or greater than \$500,000 per occurrence for bodily injury and property damage, with an annual aggregate limit of \$1,000,000.00. Limits shall be endorsed to be per project.
- D. No coverage shall be excluded from the standard policy without notification of individual exclusions being submitted for the City's review and acceptance
- E. The coverage shall include, but not be limited to the following: premises/operations with separate aggregate; independent contracts; products/completed operations; contractual liability (insuring the indemnity provided herein) Host Liquor Liability, and Personal & Advertising Liability.

EXHIBIT B
CERTIFICATES OF INSURANCE



Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|----------------------|---|
| File #: | 15-0030 | Version: | 1 | Name: | Swing Set Repair and Site Work at Bee Creek and Thomas Park |
| Type: | Presentation | Status: | | Status: | Consent Agenda |
| File created: | 1/22/2015 | In control: | | In control: | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | Final action: | |
| Title: | Presentation, possible action, and discussion on rejecting all bids for swing set repair and site work at Bee Creek and Thomas Park (Bid #14-068). | | | | |
| Sponsors: | Amy Atkins | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Bee Creek Thomas bid tabulation.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion on rejecting all bids for swing set repair and site work at Bee Creek and Thomas Park (Bid #14-068).

Relationship to Strategic Goal: Core Services and Infrastructure

Recommendation(s): Staff recommends rejecting all bids.

Summary: After reviewing bids and scope of work for this project, staff recommends rejecting all bids for budgetary reasons. Through initial research staff had hoped renovation of existing park equipment would yield bids that would be a cost savings to the City. Installation of new equipment has shown to be more cost effective. The project has since been rebid with a change of scope to replacement with new equipment.

Budget & Financial Summary: Five (5) sealed, competitive bids were received and opened on July 16, 2014. Bid tab #14-068 is attached.

Attachments:

1. Bid tab Number #14-068



City of College Station - Purchasing Division
Bid Tabulation for #14-068
"Swing Set Repair and Site Work at Bee Creek and Thomas Parks"
Open Date: Tuesday, July 16, 2014 @ 4:00 p.m.

| Park | Description | Henneberger Construction, Inc. | Marek Brothers Construction, Inc. | Dudley Construction, LTD | Rock Solid USA | Quality Works Construction, Inc. |
|----------------|--|--------------------------------|-----------------------------------|--------------------------|----------------|----------------------------------|
| Bee Creek Park | Expand concrete curb to meet fall zone requirements. Remove existing gravel, and concrete debris and haul off. Install drain line, new concrete curb & concrete base, and shredded bonded rubber cushioning. Paint existing large swing set. | \$61,530.00 | \$50,757.00 | \$50,750.00 | \$73,030.00 | \$33,985.00 |
| Thomas Park | Remove and haul off gravel. Install drain line, concrete base, and shredded bonded rubber cushioning. Replace existing swing set with Game Time Prime Time Swings; product number 12583 and 12584 or equal. | \$36,540.00 | \$33,158.00 | \$48,000.00 | \$39,975.00 | \$24,115.00 |
| | Total Bid | \$98,070.00 | \$83,915.00 | \$98,750.00 | \$113,005.00 | \$58,100.00 |
| | Bid Certification | Y | Y | Y | Y | Y |
| | Addendums Acknowledged | Y | Y * Still used original bid sheet | Y | Y | Y |
| | Bid Bond | Y | Y | Y | Y | N |



Legislation Details (With Text)

File #: 15-0031 **Version:** 1 **Name:** Milsoft Utility Solutions and Partner Software
Type: Contract **Status:** Consent Agenda
File created: 1/23/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**
Title: Presentation, possible action, and discussion regarding the approval of separate contracts with Milsoft Utility Solutions and with Partner Software, in the amounts of \$132,450 and \$26,000 respectively, for the purchase and installation of a Geographic Information System and a Design and Project Management System.
Sponsors: Timothy Crabb
Indexes:
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion regarding the approval of separate contracts with Milsoft Utility Solutions and with Partner Software, in the amounts of \$132,450 and \$26,000 respectively, for the purchase and installation of a Geographic Information System and a Design and Project Management System.

Relationship to Strategic Goals: (Select all that apply)

- Core Services and Infrastructure
- Sustainable City

Recommendation(s):

Staff recommends approval of the contract with Milsoft Utility Solutions and Partner Software to provide and install the software products at the lowest evaluated equivalent first cost to the City.

Summary:

The City of College Station partnered with Bryan Texas Utilities on a joint RFP #103-07-14 to replace its current AutoCAD based design and mapping system. On June 9, 2014, three (3) responses were received in response to RFP#103-07-14. These responses were evaluated and ranked using several factors. Three vendors were invited to perform on-site demonstrations. Based on the RFP responses, on-site demonstrations and client site visits, the solutions proposed by Milsoft/Partnersoft best meet the requirements laid out in the RFP#103-07-14. These two products together make a well integrated solution platform that works seamlessly.

Budget & Financial Summary:

Funds for this project are budgeted and available in the Electric Capital Improvement Projects Fund.

Attachments:

None - Contracts on file in the City Secretary's office



Legislation Details (With Text)

File #: 15-0032 **Version:** 2 **Name:** Electric System Right-of-Way Clearing
Type: Contract **Status:** Consent Agenda
File created: 1/23/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**
Title: Presentation, possible action and discussion regarding the award of a three year contract (contract no. 15-063; bid no. 15-014) for Electric System Right-of-Way Clearing and Tree Trimming to All Around Tree Service, Inc. in the amount of \$1,279,137.58.
Sponsors: Timothy Crabb
Indexes:
Code sections:
Attachments: [15-014 Tabulation.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action and discussion regarding the award of a three year contract (contract no. 15-063; bid no. 15-014) for Electric System Right-of-Way Clearing and Tree Trimming to All Around Tree Service, Inc. in the amount of \$1,279,137.58.

Relationship to Strategic Goals: (Select all that apply)

-
- Core Services and Infrastructure
- Sustainable City

Recommendation(s):

Staff recommends awarding contract no. 15-063 for Electric System Right-Of-Way Clearing and Tree Trimming to All Around Tree Service, Inc. in the amount of \$1,279,137.58 for a three year contract.

Summary:

This contract is for three (3) years for labor and equipment necessary to provide Electric System Right-Of-Way Clearing of overhead power lines and the clearing of easements and right of ways for construction of new power lines. The bid requested firm pricing for three years with each year specifying areas of the electric system to be trimmed. Standard electric utility practices have recommended a three (3) year system trimming cycle. The bid document included fiscal funding provisions so that if for any reason funding is not appropriated for these services, the contract is null and void.

Budget & Financial Summary:

Request for bids were sent out and four (4) bids were received and opened on Wednesday Dec 17, 2014 at 02:00 pm. The majority of the tree trimming expenses will be funded out of the Electric Utility's Departmental Operating Budget. A minor portion will be funded out of the Electric Utility

Capital Improvement Projects fund for new power line extensions. Funds will be budgeted for the tree trimming over a three year period.

Attachments:

Bid Tab



Bid Tabulation No. 15-014
Electric ROW Tree Trimming - Three Year Contract
Opened: Wednesday, December 17, 2014 @ 2:00pm

| 2015 Distribution System ROW Clearing and Trimming | | | | | All Around Tree Service, Inc. (Montgomery, TX) | | | Rios Tree Service, Inc. (Boerne, TX) | | | Nelson Tree Service, Inc. (Dayton, OH) | | | ABC Professional Tree Services, Inc. (Webster, TX) | | |
|---|--|---------------------------------------|------------------------------|---|---|------------------------------------|---|---|------------------------------------|---|---|------------------------------------|---|---|------------------------------------|---|
| Distribution Circuits # | 3-Phase Circuit Length | 1 Phase Circuit Length | Scheduled Quarter | | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost (3 Phase + 1 Phase) | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost (3 Phase + 1 Phase) | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost (3 Phase + 1 Phase) | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost (3 Phase + 1 Phase) |
| 1 | 2103 | 14,769 | 20,739 | 1 | \$8,566.02 | \$12,028.62 | \$20,594.64 | \$12,996.72 | \$18,250.32 | \$31,247.04 | \$28,708.00 | \$43,743.00 | \$72,451.00 | \$19,258.00 | \$41,095.00 | \$60,353.00 |
| 2 | 3208 | 8,956 | 5,367 | 1 | \$5,194.48 | \$3,112.86 | \$8,307.34 | \$7,881.28 | \$4,722.96 | \$12,604.24 | \$8,198.00 | \$14,258.00 | \$22,456.00 | \$24,056.00 | \$32,154.00 | \$56,210.00 |
| 3 | 1102 | 31,126 | 10,150 | 2 | \$18,053.08 | \$5,887.00 | \$23,940.08 | \$27,390.88 | \$8,932.00 | \$36,322.88 | \$19,831.00 | \$19,708.00 | \$39,539.00 | \$27,325.00 | \$23,618.00 | \$50,943.00 |
| 4 | 2104 | 14,300 | 20,425 | 2 | \$8,294.00 | \$11,846.50 | \$20,140.50 | \$12,584.00 | \$17,974.00 | \$30,558.00 | \$23,313.00 | \$39,001.00 | \$62,314.00 | \$28,771.00 | \$70,567.00 | \$99,338.00 |
| 5 | 2209 | 12,888 | 9,300 | 2 | \$7,475.04 | \$5,394.00 | \$12,869.04 | \$11,341.44 | \$8,184.00 | \$19,525.44 | \$43,260.00 | \$19,136.00 | \$62,396.00 | \$15,817.00 | \$15,218.00 | \$31,035.00 |
| 6 | 1101 | 12,794 | 14,527 | 3 | \$7,420.52 | \$8,425.66 | \$15,846.18 | \$11,258.72 | \$12,783.76 | \$24,042.48 | \$12,412.00 | \$38,904.00 | \$51,316.00 | \$14,027.00 | \$57,828.00 | \$71,855.00 |
| 7 | 1205 | 17,766 | 16,658 | 3 | \$10,304.28 | \$9,661.64 | \$19,965.92 | \$15,634.08 | \$14,659.04 | \$30,293.12 | \$21,384.00 | \$56,320.00 | \$77,704.00 | \$22,194.00 | \$58,582.00 | \$80,776.00 |
| 8 | 1206 | 10,129 | 0 | 3 | \$5,874.82 | \$0.00 | \$5,874.82 | \$8,913.52 | \$0.00 | \$8,913.52 | \$6,515.00 | \$0.00 | \$6,515.00 | \$5,946.95 | \$0.00 | \$5,946.95 |
| 9 | 3103 | 18,929 | 7,494 | 3 | \$10,978.82 | \$4,346.52 | \$15,325.34 | \$16,657.52 | \$6,594.72 | \$23,252.24 | \$16,941.00 | \$18,638.00 | \$35,579.00 | \$24,560.00 | \$34,812.00 | \$59,372.00 |
| 10 | 4103 | 32,367 | 12,091 | 4 | \$18,772.86 | \$7,012.78 | \$25,785.64 | \$28,482.96 | \$10,640.08 | \$39,123.04 | \$17,905.00 | \$9,369.00 | \$27,274.00 | \$21,516.00 | \$32,048.00 | \$53,564.00 |
| 11 | 5103 | 9,369 | 0 | 4 | \$5,434.02 | \$0.00 | \$5,434.02 | \$8,244.72 | \$0.00 | \$8,244.72 | \$6,313.00 | \$0.00 | \$6,313.00 | \$19,163.00 | \$0.00 | \$19,163.00 |
| 13 | 5104 | 18,970 | 2,229 | 4 | \$11,002.60 | \$1,292.82 | \$12,295.42 | \$16,693.60 | \$1,961.52 | \$18,655.12 | \$15,374.00 | \$917.00 | \$16,291.00 | \$10,059.85 | \$1,800.00 | \$11,859.85 |
| 14 | 6103 | 22,204 | 16,060 | 4 | \$12,878.32 | \$9,314.80 | \$22,193.12 | \$19,539.52 | \$14,132.80 | \$33,672.32 | \$12,412.00 | \$16,805.00 | \$29,217.00 | \$19,523.00 | \$68,139.00 | \$87,662.00 |
| 15 | Misc. Hourly 26 Weeks x Crew & Equipment Hourly Rate* | | | | | | \$199,680.00 | | | \$119,600.00 | | | \$174,096.00 | | | \$236,600.00 |
| 2015 Distribution Total | | | | | | | \$408,252.06 | | | \$436,054.16 | | | \$683,461.00 | | | \$924,677.80 |
| Transmission System ROW Clearing and Trimming (84,352 ft of various ROW trimming & brush clearing***) | | | | | | | \$48,924.16 | | | \$22,000.00 | | | \$77,338.00 | | | \$135,000.00 |
| 2015 Grand Total Transmission & Distribution | | | | | | | \$457,176.22 | | | \$458,054.16 | | | \$760,799.00 | | | \$1,059,677.80 |



Bid Tabulation No. 15-014
Electric ROW Tree Trimming - Three Year Contract
Opened: Wednesday, December 17, 2014 @ 2:00pm

| 2016 Distribution System ROW Clearing and Trimming | | | | | All Around Tree Service, Inc. (Montgomery, TX) | | | Rios Tree Service, Inc. (Boerne, TX) | | | Nelson Tree Service, Inc. (Dayton, OH) | | | ABC Professional Tree Services, Inc. (Webster, TX) | | |
|---|--|------------------------|--------------------------|---|---|--------------------------------|---------------------------|---|--------------------------------|---------------------------|---|--------------------------------|---------------------------|---|--------------------------------|---------------------------|
| Distribution Circuits # | 3-Phase Circuit | 1 Phase Circuit | Scheduled Quarter | | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost |
| 1 | 3104 | 17,372 | 18,201 | 1 | \$10,075.76 | \$10,556.58 | \$20,632.34 | \$15,287.36 | \$16,016.88 | \$31,304.24 | \$12,317.00 | \$35,290.00 | \$47,607.00 | \$8,265.00 | \$71,434.00 | \$79,699.00 |
| 2 | 3206 | 13,429 | 7,340 | 1 | \$7,788.82 | \$4,257.20 | \$12,046.02 | \$11,817.52 | \$6,459.20 | \$18,276.72 | \$13,745.00 | \$12,018.00 | \$25,763.00 | \$21,776.00 | \$39,489.00 | \$61,265.00 |
| 3 | 6205 | 14,642 | 26,443 | 1 | \$8,492.36 | \$15,336.94 | \$23,829.30 | \$12,884.96 | \$23,269.84 | \$36,154.80 | \$11,703.00 | \$33,091.00 | \$44,794.00 | \$18,181.00 | \$62,765.00 | \$80,946.00 |
| 4 | 3101 | 16,606 | 25,426 | 2 | \$9,631.48 | \$14,747.08 | \$24,378.56 | \$14,613.28 | \$22,374.88 | \$36,988.16 | \$28,197.00 | \$74,552.00 | \$102,749.00 | \$40,500.00 | \$95,675.00 | \$136,175.00 |
| 5 | 5208 | 1,601 | 0 | 2 | \$928.58 | \$0.00 | \$928.58 | \$1,408.88 | \$0.00 | \$1,408.88 | \$2,444.00 | \$0.00 | \$2,444.00 | \$3,100.00 | \$0.00 | \$3,100.00 |
| 6 | 5311 | 22,136 | 1,386 | 2 | \$12,838.88 | \$803.88 | \$13,642.76 | \$19,479.68 | \$1,219.68 | \$20,699.36 | \$17,870.00 | \$2,139.00 | \$20,009.00 | \$25,000.00 | \$1,500.00 | \$26,500.00 |
| 7 | 3102 | 22,241 | 13,753 | 3 | \$12,899.78 | \$7,976.74 | \$20,876.52 | \$19,572.08 | \$12,102.64 | \$31,674.72 | \$24,846.00 | \$19,908.00 | \$44,754.00 | \$43,562.00 | \$30,000.00 | \$73,562.00 |
| 8 | 4102 | 6,581 | 268 | 3 | \$3,816.98 | \$155.44 | \$3,972.42 | \$5,791.28 | \$235.84 | \$6,027.12 | \$6,722.00 | \$0.00 | \$6,722.00 | \$3,200.00 | \$2,100.00 | \$5,300.00 |
| 9 | 4207 | 7,012 | 0 | 3 | \$4,066.96 | \$0.00 | \$4,066.96 | \$6,170.56 | \$0.00 | \$6,170.56 | \$2,643.00 | \$0.00 | \$2,643.00 | \$3,100.00 | \$0.00 | \$3,100.00 |
| 10 | 5207 | 13,500 | 3,667 | 3 | \$7,830.00 | \$2,126.86 | \$9,956.86 | \$11,880.00 | \$3,226.96 | \$15,106.96 | \$7,633.00 | \$4,278.00 | \$11,911.00 | \$12,098.00 | \$6,320.00 | \$18,418.00 |
| 11 | 5310 | 7,896 | 227 | 3 | \$4,579.68 | \$131.66 | \$4,711.34 | \$6,948.48 | \$199.76 | \$7,148.24 | \$5,395.00 | \$0.00 | \$5,395.00 | \$10,150.00 | \$1,000.00 | \$11,150.00 |
| 12 | 2102 | 25,616 | 30,202 | 4 | \$14,857.28 | \$17,517.16 | \$32,374.44 | \$22,542.08 | \$26,577.76 | \$49,119.84 | \$16,487.00 | \$56,831.00 | \$73,318.00 | \$10,188.00 | \$51,251.00 | \$61,439.00 |
| 13 | 2205 | 2,017 | 0 | 4 | \$1,169.86 | \$0.00 | \$1,169.86 | \$1,774.96 | \$0.00 | \$1,774.96 | \$1,423.00 | \$0.00 | \$1,423.00 | \$3,330.00 | \$0.00 | \$3,330.00 |
| 14 | 5312 | 30,595 | 6,821 | 4 | \$17,745.11 | \$3,956.18 | \$21,701.29 | \$26,923.60 | \$6,002.48 | \$32,926.08 | \$46,732.00 | \$1,528.00 | \$48,260.00 | \$46,900.00 | \$7,500.00 | \$54,400.00 |
| 15 | Misc. Hourly 26 Weeks x Crew & Equipment Hourly Rate | | | | | | \$199,680.00 | | | \$119,600.00 | | | \$174,096.00 | | | \$243,698.00 |
| 2016 Grand Total Distribution | | | | | \$393,967.25 | | | \$414,380.64 | | | \$611,888.00 | | | \$862,082.00 | | |



Bid Tabulation No. 15-014
Electric ROW Tree Trimming - Three Year Contract
Opened: Wednesday, December 17, 2014 @ 2:00pm

| 2017 Distribution System ROW Clearing and Trimming | | | | | All Around Tree Service, Inc. (Montgomery, TX) | | | Rios Tree Service, Inc. (Boerne, TX) | | | Nelson Tree Service, Inc. (Dayton, OH) | | | ABC Professional Tree Services, Inc. (Webster, TX) | | |
|---|---|-----------------|-------------------|---|---|-------------------------|--------------------|---|-------------------------|--------------------|---|-------------------------|--------------------|---|-------------------------|--------------------|
| Distribution Circuits # | 3-Phase Circuit | 1 Phase Circuit | Scheduled Quarter | | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost | 3 Phase Cost (Lump Sum) | 1 Phase Cost (Lump Sum) | Circuit Total Cost |
| 1 | 2206 | 8,169 | 4,118 | 1 | \$4,738.02 | \$2,388.44 | \$7,126.46 | \$7,188.72 | \$3,623.84 | \$10,812.56 | \$10,678.00 | \$13,138.00 | \$23,816.00 | \$19,554.00 | \$35,949.00 | \$55,503.00 |
| 2 | 2207 | 3,080 | 0 | 1 | \$1,786.40 | \$0.00 | \$1,786.40 | \$2,710.40 | \$0.00 | \$2,710.40 | \$5,653.00 | \$0.00 | \$5,653.00 | \$1,575.00 | \$0.00 | \$1,575.00 |
| 3 | 2208 | 6,388 | 3,366 | 1 | \$3,705.04 | \$1,952.28 | \$5,657.32 | \$5,621.44 | \$2,962.08 | \$8,583.52 | \$5,193.00 | \$7,027.00 | \$12,220.00 | \$11,824.00 | \$14,065.00 | \$25,889.00 |
| 4 | 3207 | 11,853 | 16,174 | 1 | \$6,874.74 | \$9,380.92 | \$16,255.66 | \$10,430.64 | \$14,233.12 | \$24,663.76 | \$13,539.00 | \$37,422.00 | \$50,961.00 | \$9,630.00 | \$80,000.00 | \$89,630.00 |
| 5 | 7103 | 479 | 230 | 1 | \$277.82 | \$133.40 | \$411.22 | \$421.52 | \$202.40 | \$623.92 | \$1,629.00 | \$0.00 | \$1,629.00 | \$6,750.00 | \$8,500.00 | \$15,250.00 |
| 6 | 7104 | 35,709 | 15,564 | 1 | \$20,711.22 | \$9,027.12 | \$29,738.34 | \$31,423.92 | \$13,696.32 | \$45,120.24 | \$11,090.00 | \$9,979.00 | \$21,069.00 | \$18,488.00 | \$13,530.00 | \$32,018.00 |
| 7 | 2101 | 9,522 | 609 | 2 | \$5,522.76 | \$353.22 | \$5,875.98 | \$8,379.36 | \$535.92 | \$8,915.28 | \$12,623.00 | \$306.00 | \$12,929.00 | \$19,500.00 | \$2,500.00 | \$22,000.00 |
| 8 | 4104 | 25,374 | 267 | 2 | \$14,716.92 | \$154.86 | \$14,871.78 | \$22,329.12 | \$234.96 | \$22,564.08 | \$4,429.00 | \$1,018.00 | \$5,447.00 | \$6,500.00 | \$2,500.00 | \$9,000.00 |
| 9 | 4208 | 27,515 | 1,080 | 2 | \$15,958.70 | \$626.40 | \$16,585.10 | \$24,213.20 | \$950.40 | \$25,163.60 | \$16,601.00 | \$0.00 | \$16,601.00 | \$51,600.00 | \$4,000.00 | \$55,600.00 |
| 10 | 6101 | 13,658 | 11,337 | 2 | \$7,921.64 | \$6,575.46 | \$14,497.10 | \$12,019.04 | \$9,976.56 | \$21,995.60 | \$12,825.00 | \$19,249.00 | \$32,074.00 | \$24,500.00 | \$57,953.00 | \$82,453.00 |
| 11 | 7208 | 14,225 | 0 | 2 | \$8,250.50 | \$0.00 | \$8,250.50 | \$12,518.00 | \$0.00 | \$12,518.00 | \$3,766.00 | \$0.00 | \$3,766.00 | \$9,095.00 | \$0.00 | \$9,095.00 |
| 12 | 2310 | 13,006 | 9,728 | 3 | \$7,543.48 | \$5,642.24 | \$13,185.72 | \$11,445.28 | \$8,560.64 | \$20,005.92 | \$8,540.00 | \$17,415.00 | \$25,955.00 | \$10,500.00 | \$23,700.00 | \$34,200.00 |
| 13 | 2311 | 16,289 | 16,418 | 3 | \$9,447.62 | \$9,522.44 | \$18,970.06 | \$14,334.32 | \$14,447.84 | \$28,782.16 | \$25,143.00 | \$53,470.00 | \$78,613.00 | \$20,303.00 | \$37,780.00 | \$58,083.00 |
| 14 | 3205 | 25,160 | 25,703 | 3 | \$14,561.48 | \$14,907.74 | \$29,469.22 | \$22,140.80 | \$22,618.64 | \$44,759.44 | \$43,784.00 | \$54,079.00 | \$97,863.00 | \$54,300.00 | \$86,500.00 | \$140,800.00 |
| 15 | 2312 | 6,911 | 3,323 | 4 | \$4,008.38 | \$1,927.34 | \$5,935.72 | \$6,081.68 | \$2,924.24 | \$9,005.92 | \$9,410.00 | \$3,667.00 | \$13,077.00 | \$12,370.00 | \$6,375.00 | \$18,745.00 |
| 16 | 4101 | 11,613 | 4,618 | 4 | \$6,735.54 | \$2,678.44 | \$9,413.98 | \$10,219.44 | \$4,063.84 | \$14,283.28 | \$3,257.00 | \$0.00 | \$3,257.00 | \$5,000.00 | \$6,750.00 | \$11,750.00 |
| 17 | 4206 | 8,287 | 4,092 | 4 | \$4,806.46 | \$2,373.36 | \$7,179.82 | \$7,292.56 | \$3,600.96 | \$10,893.52 | \$2,491.00 | \$1,017.00 | \$3,508.00 | \$14,900.00 | \$9,500.00 | \$24,400.00 |
| 18 | 5101 | 13,813 | 165 | 4 | \$8,011.54 | \$95.70 | \$8,107.24 | \$12,155.44 | \$145.20 | \$12,300.64 | \$6,709.00 | \$0.00 | \$6,709.00 | \$4,000.00 | \$4,500.00 | \$8,500.00 |
| 19 | 6102 | 8,959 | 295 | 4 | \$5,196.22 | \$171.11 | \$5,367.33 | \$7,883.92 | \$259.60 | \$8,143.52 | \$6,212.00 | \$0.00 | \$6,212.00 | \$12,500.00 | \$1,000.00 | \$13,500.00 |
| 20 | 6104 | 3,661 | 2,899 | 4 | \$2,123.38 | \$1,681.42 | \$3,804.80 | \$3,221.68 | \$2,551.12 | \$5,772.80 | \$610.00 | \$1,528.00 | \$2,138.00 | \$1,500.00 | \$1,500.00 | \$3,000.00 |
| 21 | 6206 | 8,492 | 1,550 | 4 | \$4,925.36 | \$899.00 | \$5,824.36 | \$7,472.96 | \$1,364.00 | \$8,836.96 | \$8,142.00 | \$1,627.00 | \$9,769.00 | \$12,720.00 | \$7,000.00 | \$19,720.00 |
| 15 | Misc. Hourly 26 Weeks x Crew & Equipment Hourly Rate* | | | | | | \$199,680.00 | | | \$119,600.00 | | | \$174,096.00 | | | \$251,008.94 |
| 2017 Grand Total Distribution | | | | | \$427,994.11 | | | \$466,055.12 | | | \$607,362.00 | | | \$981,719.94 | | |



Bid Tabulation No. 15-014
Electric ROW Tree Trimming - Three Year Contract
Opened: Wednesday, December 17, 2014 @ 2:00pm

| SUMMARY | All Around Tree Service, Inc. | Rios Tree Service, Inc. | Nelson Tree Service, Inc. | ABC Professional Tree Services, Inc. |
|---|--------------------------------------|--------------------------------|----------------------------------|---|
| 2015 Grand Total - Transmission & Distribution | \$457,176.22 | \$458,054.16 | \$760,799.00 | \$1,059,677.80 |
| 2016 Grand Total - Distribution | \$393,967.25 | \$414,380.64 | \$611,888.00 | \$862,082.00 |
| 2016 Grand Total - Distribution | \$427,994.11 | \$466,055.12 | \$607,362.00 | \$981,719.94 |
| 2015 - 2017 CONTRACT TOTAL | \$1,279,137.58 | \$1,338,489.92 | \$1,980,049.00 | \$2,903,479.74 |

| Payroll Charges (per man hour) | All Around Tree Service, Inc. | Rios Tree Service, Inc. | Nelson Tree Service, Inc. | ABC Professional Tree Services, Inc. |
|--|--------------------------------------|--------------------------------|----------------------------------|---|
| Class C Trimmer | \$14.00 | \$18.00 | \$22.58 | \$26.50 |
| Class B Trimmer | \$18.00 | \$19.15 | \$23.78 | \$27.50 |
| Class A Trimmer | \$34.00 | \$22.10 | \$24.98 | \$28.50 |
| Foreman | \$42.00 | \$24.80 | \$28.56 | \$29.50 |

| Equipment Charges (per crew hour) | All Around Tree Service, Inc. | Rios Tree Service, Inc. | Nelson Tree Service, Inc. | ABC Professional Tree Services, Inc. |
|---|--------------------------------------|--------------------------------|----------------------------------|---|
| Hydraulic Dump Truck | \$23.00 | \$13.00 | \$10.00 | \$26.50 |
| Power Saw | No Bid | \$1.00 | \$0.00 | \$1.50 |
| Bucket Truck or Ariel Lift | \$24.00 | \$8.95 | \$16.50 | \$23.00 |
| Brush Chipper | \$18.50 | \$6.00 | \$5.00 | \$7.50 |
| Tractor/Mower (per hour utilized) | \$18.50 | \$2.00 | \$36.00 | \$65.00 |

NOTES:
 All Around Tree Service, Inc.: Miscalculated Bid Items 9, 10, 19 and Grand Total Distribution for 2017. The highlighted totals above are correct.



Legislation Details (With Text)

File #: 15-0044 **Version:** 1 **Name:** Auto Parts
Type: Presentation **Status:** Consent Agenda
File created: 1/27/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**
Title: Presentation, possible action, and discussion on approving an annual price agreement for the purchase of auto parts, shop equipment and services from NAPA Auto Parts (College Station, TX) through the Purchasing Solutions Alliance (PSA) contract for the amount of \$80,000.
Sponsors: Jeff Kersten
Indexes:
Code sections:
Attachments: [Attachment - PSA Contract Summary.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion on approving an annual price agreement for the purchase of auto parts, shop equipment and services from NAPA Auto Parts (College Station, TX) through the Purchasing Solutions Alliance (PSA) contract for the amount of \$80,000.

Relationship to Strategic Goals: (Select all that apply)
1. Financially Sustainable City

Recommendation(s): Staff recommends approval of an annual price agreement to purchase various auto parts, shop equipment and related services from NAPA Auto Parts through the Purchasing Solutions Alliance (PSA) contract (#09-102). The estimated annual expenditure of \$80,000 is based on the average amount spent on automotive and truck parts since January 2014 and the anticipated needs for existing vehicles and new vehicles being added to inventory this fiscal year.

Summary: Summary: NAPA Auto Parts is the local (College Station, TX) PSA contract dealer for auto parts, shop equipment and services. PSA is a purchasing cooperative for public agencies. All products and services available for purchase through PSA contracts have been competitively bid and awarded and satisfy any State law requirements relating to competitive bids or proposals. Contingent upon Council approval, a blanket purchase order will be issued for the term of February 1, 2015 through January 30, 2016.

Budget & Financial Summary: Purchases of auto parts are made through an inventory account as budgeted and available in the Fleet Maintenance Funds. Charges are made to the various departments for vehicle maintenance based on the average annual cost for each piece of equipment.

Reviewed and Approved by Legal: N/A

Attachments: Summary of PSA Contract #09-102



Brazos Valley Council of Governments
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> **Purchasing Solutions Alliance**

PSA Home | About PSA | News | Membership | Vendor Info | Active Solicitations | Cooperative Contracts | Contact PSA | FAQs



PSA Contract No. 09-102

Auto Parts, Shop Equipment and Services



Contract Details

Vendor POC:

Genuine Parts Company (d.b.a. NAPA Auto Parts)
Robert L. Parks, Division Sales Manager
Phone: (214) 414-1702
Cell: (210) 317-6534
Email: Robert_L_Parks@genpt.com

Contract: All inclusive selection of automotive parts and accessories, shop and service equipment, classroom and online training services, and integrated business solutions (on-site supplier owned inventory management).

Contract Term: 03.19.2013 through 03.18.2014 – One (1) Annual Extension Remaining.

Orders: PSA Members may place orders via phone, fax, email or through the NAPA online ordering system.

Pricing: Discount from NAPA's Nationally Published Electronic Internet Price List. Reference PSA Contract No. 09-102 to the NAPA store/location (corporate owned and/or privately owned) your entity orders through; NAPA Major Account No. 342 and NAPA Pricing Profile should be set at 9075.

[Click here](#) to download the PSA Contract 09-102 pricing discount schedule in pdf format.

Delivery: 1. F.O.B. to customer's destination, full freight allowed. Deliveries within 10 miles of a NAPA facility are made within 1 hour of the time order is received and during normal business hours for in-stock parts. For customers who are more than 10 miles from a NAPA facility but less than 30 miles, receive same day delivery on in-stock parts.

Or

2. F.O.B. to customer's destination, full freight allowed. Deliveries greater than 30 miles are shipped via UPS ground or other Common Carrier. Orders less than \$300 will be charged actual UPS or Common Carrier freight cost.

Or

3. Freight costs will be applied to parts/equipment that are not stocked within NAPA local stores and have to be assigned to one of NAPA's distribution centers.

Returns: Any NAPA product that is new and in sellable condition can be returned at anytime without any restocking fees. Items that are used and found to be unsatisfactory to an End User for any reason are returnable during the manufactures warranty period for a free replacement. All purchases will be tracked; therefore, no proof of purchase is required from customer to process a return.

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Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|----------------------|--------------------------------|
| File #: | 15-0046 | Version: | 1 | Name: | Investment Policy and Strategy |
| Type: | Presentation | Status: | | Status: | Consent Agenda |
| File created: | 1/28/2015 | In control: | | In control: | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | Final action: | |
| Title: | Presentation, possible action and discussion on a resolution revising the City's Investment Policy that was approved by Resolution 10-20-14-2e to include a section allowing the use of certain investments related to the City's Municipal Utility | | | | |
| Sponsors: | Jeff Kersten | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Investment Policy 2015 Revised 1-23-15.pdf Resolution - Investment Policy FY15 Rev.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action and discussion on a resolution revising the City's Investment Policy that was approved by Resolution 10-20-14-2e to include a section allowing the use of certain investments related to the City's Municipal Utility

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

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

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

The City's investment policy was reviewed and approved on October 20, 2014. At the January 22, 2015 City Council Meeting an ordinance was approved authorizing participation in the ERCOT congestion revenue rights (CRR) market and outlined procedures for managing risk exposure and the maintenance of associated documents for this program. It is also necessary to revise the City's Investment Policy to allow for participation in the CRR market as provided in the Risk Management Policy.

Section V. Suitable and Authorized Investments has been revised to add the following:

Authorized Investment, Municipal Utility

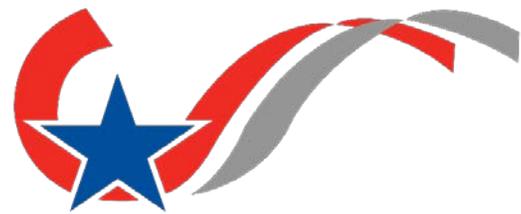
Acceptable investments under this policy shall be limited to the instruments as described by the Government Code: Chapter 2256, Section 2256.0201 of the Public Funds Investment Act. The City must comply with the regulations of the Commodity Futures Trading Commission and the Securities and Exchange Commission. If there is a conflict between the municipal charter of the municipality and Chapter 2256, Section 2256.0201, this chapter prevails.

Budget & Financial Summary: None

Reviewed and Approved by Legal: Yes

Attachments:

1. Revised Investment Policy and Strategy
2. Resolution



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

Investment Strategy and Policy

2015

Approved by Council

October 20, 2014

Revised: February 12, 2015

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INVESTMENT STRATEGY

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

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

CITY OF COLLEGE STATION

INVESTMENT POLICY

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

I. POLICY

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

II. SCOPE

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

| | |
|-------------------|------------------------|
| General Fund | Special Revenue Funds |
| Debt Service Fund | Capital Projects Funds |
| Enterprise Funds | Internal Service Funds |

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

III. INVESTMENT OBJECTIVES

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

Safety

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

Liquidity

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

Yield

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

IV. RESPONSIBILITY AND CONTROL

Delegation of Authority

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

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

Cash Flow Analysis

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

Training Requirement

In order to ensure the quality and capability of investment management, the Assistant City Manager and the Investment Officer shall:

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

Internal Controls

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

Prudence

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

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

Ethics and Conflicts of Interest

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

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

V. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

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

Investments

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

• **Authorized**

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

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

- **Not Authorized**

The following security types are not permitted:

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

Authorized Investment, Municipal Utility

Acceptable investments under this policy shall be limited to the instruments as described by the Government Code: Chapter 2256, Section 2256.0201 of the Public Funds Investment Act. The City must comply with the regulations of the Commodity Futures Trading Commission and the Securities and Exchange Commission. If there is a conflict between the municipal charter of the municipality and Chapter 2256, Section 2256.0201, this chapter prevails.

Exemption for Existing Investments

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

Loss of Required Rating

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

the ratings of securities held. Local Government Pools ratings will be verified quarterly by checking their websites.

VI. INVESTMENT PARAMETERS

Maximum Maturities

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

Diversification

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

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

| | |
|-----------------------------------|------|
| 1. U.S. Treasury Securities | 100% |
| 2. Agencies and Instrumentalities | 70% |
| 3. Certificates of Deposits | 40% |
| 4. Money Market Mutual Funds | 30% |
| 5. Repurchase Agreements | 20% |
| 6. Commercial Paper | 20% |
| 7. Authorized Pools | 70% |

VII. FINANCIAL INSTITUTIONS AND DEALERS

Depository

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

- The ability to qualify as a depository for public funds in accordance with state and local laws.

- The ability to provide requested information or financial statements for the period specified.
- The ability to meet all requirements in the banking RFA.
- Complete response to all required items on the bid form.
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

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

Authorized Brokers/Dealers

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

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

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

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

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

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

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

Competitive Bids

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

Delivery vs. Payment

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

VIII. SAFEKEEPING OF SECURITIES

Safekeeping Agreement

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

Safekeeping and Custody

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

Collateralization

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

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

The right of collateral substitution is granted.

IX. PERFORMANCE STANDARDS

Performance Standards

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

Performance Benchmark

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

X. REPORTING

Methods

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

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

Marking to Market

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

XI. INVESTMENT POLICY ADOPTION

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

QUALIFIED BROKERS/DEALERS

Costal Securities, Inc.

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

Deutsche Bank Alex Brown

700 Louisiana Street, Suite 1500
Houston, TX 77002
Phone: (832)239-3311

First Empire Securities

1100 Motor Parkway, 2nd Floor
Hauppauge, NY 11788
Phone: (631)979-0097

Vining Sparks

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

First Southwest Securities

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

American Momentum (CD's only)

Five Momentum Blvd.
College Station, TX 77845
Phone: (979)599-9349

INVESTMENT POOLS

TexPool

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

TexSTAR

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

DEPOSITORY BANK

Branch Banking & Trust (BB&T)

2717 Texas Avenue South
College Station, Texas 77840
(979)260-1482

GLOSSARY OF COMMON TREASURY TERMINOLOGY

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

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

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

Asked - The price at which securities are offered.

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

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

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

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

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

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

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

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

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

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

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

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

Comprehensive Annual Financial Report (CAFR) – The official annual report for the City of College Station. It includes combined statements and basic financial statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provision, extensive introductory material, and a detailed statistical section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Interest Rate - See "Coupon Rate."

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

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

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

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

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

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

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

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

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

Market Value - Current market price of a security.

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

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

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

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

Net Asset Value - The market value of one share of an investment company, such as a mutual fund. This figure is calculated by totaling a fund's assets that includes securities, cash, and any accrued earnings, subtracting this from the fund's liabilities and dividing this total by the number of shares outstanding. This is calculated once a day based on the closing price for each security in the fund's portfolio. (See below.) $[(\text{Total assets}) - (\text{Liabilities})] / (\text{Number of shares outstanding})$

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

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

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

Portfolio – Collection of securities held by an investor.

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

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

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

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

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

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

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

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

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

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

Rule 2a-7 of the Investment Company Act - Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13- month maturity limit and a 90-day average maturity on investments, to help maintain a constant net asset value of one dollar (\$1.00).

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

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

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

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

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

Swap - Trading one asset for another.

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING RESOLUTION 10-20-14-2e APPROVING THE CITY'S INVESTMENT POLICY, BROKER/DEALER LIST AND INVESTMENT STRATEGY FOR FISCAL YEAR 2015 AND AUTHORIZING ITS IMPLEMENTATION.

WHEREAS, the City Council approved resolution 10-20-14-2e approving the Investment Policy on October 20, 2014;

WHEREAS, an amendment to the Investment Policy is proposed;

WHEREAS, THE city Council of the City of College Station has reviewed the revision to the Investment Policy; now, therefore,

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

PART 1: That the City Council hereby approves the amendment to the City's Investment Policy for Fiscal Year 2015.

PART 2: That the amendment is to Section V. Suitable and Authorized Investments of the Investment Policy adding the following language.

Authorized Investment, Municipal Utility

Acceptable investments under this policy shall be limited to the instruments as described by the Government Code: Chapter 2256, Section 2256.0201 of the Public Funds Investment Act. The City must comply with the regulations of the Commodity Futures Trading Commission and the Securities and Exchange Commission. If there is a conflict between the municipal charter of the municipality and chapter 2256, Section 2256.0201, this chapter prevails.

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

ADOPTED this _____ day of _____, A.D. 2015.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney



Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|----------------------|-----------------------------|
| File #: | 15-0047 | Version: | 1 | Name: | Appraisal District Building |
| Type: | Presentation | Status: | | Status: | Consent Agenda |
| File created: | 1/28/2015 | In control: | | In control: | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | Final action: | |
| Title: | Presentation, possible action, and discussion on a resolution by the City of College Station approving the purchase of property and construction of a new office building by the Brazos Central Appraisal District. | | | | |
| Sponsors: | Jeff Kersten | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Brazos County Appraisal District - Copy pdf.pdf Brazos County Appraisal District.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presentation, possible action, and discussion on a resolution by the City of College Station approving the purchase of property and construction of a new office building by the Brazos Central Appraisal District.

Recommendation(s): Staff recommends Council here the update from the Appraisal District at the Workshop and determine whether to support the resolution at this time.

Summary: The City received a letter dated January 14, 2015 from the Brazos Central Appraisal District requesting the City consider approving a resolution allowing BCAD to acquire land and build a new office for the Appraisal District.

The resolution recommends the purchase of 1.75 acres of land and the construction of a building of up to approximately 14,000 square feet. The new building is proposed to be constructed in Park Hudson at the corner of Copperfield and Sagebriar Drive, just off University Drive.

The proposal must be approved by three fourths of the taxing units entitled to vote on the appointment of board members. A resolution was approved by College Station ISD. Brazos County did not approve the resolution after concerns were raised about the project. The item is being considered by Bryan ISD and the City of Bryan.

The Appraisal District has scheduled a meeting of their board for Monday February 9 to discuss this issue after the recent meetings with the other governmental entities.

A presentation on this item was made by the Appraisal District at the Workshop Meeting.

Budget & Financial Summary: The current City of College Station allocation for the Appraisal

District is \$271,494. The project cost is not to exceed \$3,800,000 and the estimated annual additional cost to the City of College Station is \$10,978.

Reviewed and Approved by Legal:

Attachments:

1. Resolution
2. Letter

RESOLUTION NO. _____

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION
APPROVING THE PURCHASE OF PROPERTY AND CONSTRUCTION OF A NEW
OFFICE BUILDING BY THE BRAZOS CENTRAL APPRAISAL DISTRICT**

WHEREAS, pursuant to Chapter 6 of the *Texas Property Tax Code*, the City of College Station appoints a member or members to the Board of Directors of the Brazos Central Appraisal District (“Brazos CAD”); and

WHEREAS, pursuant to Section 6.051 of the *Texas Property Tax Code*, Brazos CAD has the legal right to purchase or lease real property as necessary to establish and operate the Brazos CAD appraisal office; and

WHEREAS, the City Council has received a Resolution, dated November 20, 2014 adopted by the Brazos CAD Board of Directors recommending the purchase of the property known as a part of Lot 1 Block 4 Park Hudson Phase 4, by replat to contain 1.75 acres more or less which is situated in Bryan, Texas (the “Property”) and construct a building approximately 14,000 square feet to operate the Brazos CAD office;

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

- PART 1. That the above recitals are true and correct.
- PART 2. That the City Council hereby approves the Brazos Central Appraisal District acquiring the Property and construct an office building at a maximum total project cost not to exceed \$3,800,000.
- PART 3. That it is officially found and determined that this meeting was open to the public as required by law, and that notice of the time, place and subject matter of this meeting has been posted in the manner required by law.

RESOLVED THIS ____ DAY OF _____, 2015

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

City Attorney

Brazos County Appraisal District
1673 Briarcrest Dr., Suite A-101
Bryan, Texas 77802
Telephone: (979) 774-4100
Facsimile: (979) 774-4196



Mark W. Price
Chief Appraiser
mprice@brazoscad.org

January 14, 2015

Mrs. Nancy Berry
Mayor, City of College Station
P.O. Box 9960
College Station, Texas 77842

Dear Mrs. Berry:

At the November 20th meeting of the Brazos Central Appraisal District Board of Directors, the Board unanimously adopted a resolution recommending the purchase of land and construction of a building to establish and operate the Brazos Central Appraisal District office pursuant to Section 6.051 of the *Texas Property Tax Code*.

Section 6.051 of the *Texas property tax code* authorizes the board of directors of an appraisal district to purchase real property and to construct improvements necessary to establish and operate an appraisal office. The acquisition must be approved by the governing bodies of three-fourths of the taxing unit's entitled to vote on the appointment of board members. Each governing body must act by resolution on or before the 30th day after the date the presiding officer receives the notice of the proposal and file the resolution with the chief appraiser on or before the 10th day after that 30th day. If a taxing unit fails to meet these deadlines the proposal is treated as if it were disapproved by the governing body.

The Board of Directors began the process of exploring our options to provide an alternative office space several years ago. Our goal is to relocate the office to a site that will be more accessible to property owners and to expand into a more functional building. In June 2011, I sent you a letter regarding the preliminary discussions with the Brazos County Commissioners Court about relocating our office to a County complex currently under development on Pendleton Drive. After looking into our financing options under the ground lease scenario, the Board determined it was in the best interest of all taxing units to purchase a separate lot and build the office on land wholly owned by all taxing units of Brazos County.

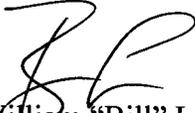
The Board of Directors has been working diligently to plan for a building that will be cost effective, low maintenance, long lasting and conveniently located for the property owners of Brazos County. We have looked at several options over the years such as purchasing and renovating an existing property, leasing a more suitable building or staying at our present location. The Board ultimately made the decision that purchasing land to construct an office

during this time of favorable interest rates would be the most cost effective option for all taxing units. Additionally, the Park Hudson subdivision was determined to be the best fit for a building site given its accessibility for property owners in both Bryan and College Station, as well as its close proximity to the new County tax office. We propose to construct a building approximately 14,000 square feet in size located at the corner of Copperfield and Sagebriar Drives with a total projected project cost of approximately \$3,800,000.

We are requesting that you place the attached resolution on your January 29, 2015 agenda for consideration and action. Your appointed member(s) of our Board along with the Chief Appraiser will be present at your meeting to respond to any questions concerning this proposal.

We appreciate your consideration and support. Please feel free to contact Mark Price at 979-774-4100 or mprice@brazoscad.org if you have any questions or concerns regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'WL', is positioned above the typed name.

William "Bill" Lero

Chairman-Board of Directors

Brazos Central Appraisal District

Schedule 1

Analysis of BCAD Current Building Occupancy Costs:

Building Area: 10,600SF

Lease Payment: \$10,400/mo or \$124,800/yr

Utilities Furnished: Water/Sewer

Annual Operating Cost Estimate:

| Item | # Units | \$/Unit | Extension |
|--------------------------------------|----------------|----------------|------------------|
| Liability Insurance | 10,600 | \$0.17 | \$1,802 |
| Contents Insurance | 10,600 | \$0.24 | \$2,544 |
| Building Maintenance | 10,600 | \$0.50 | \$5,300 |
| Utilities | 10,600 | \$1.50 | \$15,900 |
| Janitorial | 10,600 | \$1.04 | \$11,024 |
| Pest Control | 10,600 | \$0.03 | \$318 |
| Security System | 10,600 | \$0.02 | \$212 |
| Subtotal Operating Expense | 10,600 | \$3.50 | \$37,100 |
| Building Rental | 10,600 | \$11.77 | \$124,762 |
| Total Current Operating Costs | 10,600 | \$15.27 | \$161,862 |

Schedule 2

Analysis of BCAD Proposed Occupancy Costs:

BCAD financial advisors have indicated that mortgage financing is probably available for a 90% loan for 25 years at 3.75% interest on the proposed \$3,800,000 project cost assuming a \$400,000 down payment on land/building cost from BCAD reserve account. The annual operating cost estimate for this scenario is outlined below:

Assumptions:

Land: Purchase Estimate 1.75 AC - \$647,955

Building: New Construction of 14,000 SF

Building Cost Estimate: \$2,918,157

6% Contingency: \$233,888

Total Project Cost: \$3,800,000

Reserve Dollars Contribution: \$400,000

Mortgage Financing: \$3,400,000

Mortgage Financing: 25 years @ 3.75%

Mortgage/Debt Service: \$209,766/yr

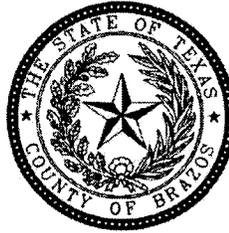
Annual Operating Cost Estimate:

| Item | # Units | \$/Unit | Extension |
|---------------------------------------|---------------|----------------|------------------|
| Building Insurance | 14,000 | \$0.29 | \$4,060 |
| Liability Insurance | 14,000 | \$0.13 | \$1,820 |
| Contents Insurance | 14,000 | \$0.18 | \$2,520 |
| Building Maintenance | 14,000 | \$1.00 | \$14,000 |
| Utilities | 14,000 | \$1.75 | \$24,500 |
| Water/Sewer | 14,000 | \$0.35 | \$4,900 |
| Janitorial | 14,000 | \$0.80 | \$11,200 |
| Pest Control | 14,000 | \$0.05 | \$700 |
| Security System | 14,000 | \$0.03 | \$420 |
| Subtotal Operating Expense | 14,000 | \$4.29 | \$64,120 |
| Debt Service @ 25 yrs | 14,000 | \$14.98 | \$209,766 |
| Total Proposed Operating Costs | 14,000 | \$19.27 | \$273,886 |

Schedule 3**Costs Allocated to Voting Taxing Entities**

| Taxing Entity | % BCAD Budget | Current Allocated Annual Occupancy costs | Projected Allocated Annual Occupancy Cost | Annual Increased Cost to Entities |
|---|----------------------|---|--|--|
| COUNTY | 0.2157 | \$34,914 | \$59,077 | \$24,164 |
| CITY BRYAN | 0.0887 | \$14,357 | \$24,294 | \$9,937 |
| CITY COLLEGE STATION | 0.0980 | \$15,862 | \$26,841 | \$10,978 |
| BISD | 0.2634 | \$42,634 | \$72,142 | \$29,507 |
| CSISD | 0.3261 | \$52,783 | \$89,314 | \$36,531 |
| | | | | |
| TOTAL FOR ALL VOTING TAXING ENTITIES | | \$160,550 | \$271,668 | \$111,118 |

Brazos Central Appraisal District
1673 Briarcrest Dr., Suite A-101
Bryan, Texas 77802
Telephone: (979) 774-4100
Facsimile: (979) 774-4196



Mark W. Price
Chief Appraiser
mprice@brazoscad.org

RESOLUTION NUMBER 2014-100

RESOLUTION BY THE BOARD OF DIRECTORS OF THE BRAZOS CENTRAL APPRAISAL DISTRICT, BRAZOS COUNTY, TEXAS REQUESTING AUTHORIZATION TO PURCHASE LAND AND CONSTRUCT AN IMPROVEMENT TO OPERATE THE BRAZOS CAD OFFICE

Whereas, Section 6.051 of the Texas Tax Code authorizes the Board of Directors of an appraisal district to purchase real property and improvements as necessary to establish and operate the appraisal office.

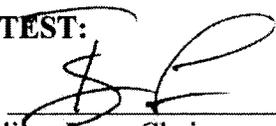
Whereas, the Board of Directors of the Brazos Central Appraisal District will notify the presiding officer of each governing body entitled to vote on the approval to purchase property which is situated in Brazos County.

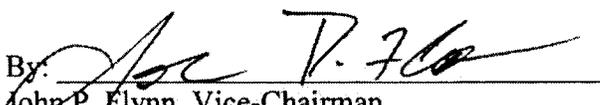
Whereas, Section 6.051 Texas Tax Code requires that an appraisal district's purchase of such real property and improvements must be approved by three-fourths (3/4) of the taxing units entitled to vote on the appointment of board member(s).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Brazos Central Appraisal District the desire to seek approval to purchase land for \$8.50 per square foot with a final purchase price to be determined upon completion of a land survey and construct an improvement not to exceed \$3,120,000 to establish and operate the Brazos CAD office located on land known as a part of Lot 1 Block 4 Park Hudson Phase 4, by replat to contain approximately 1.75 acres more or less which is situated in Bryan, Brazos County.

Approved and adopted by the Board of Directors of the Brazos Central Appraisal District, Bryan, Texas on this 20th day of November, 2014.

ATTEST:

By: 
William Lero, Chairman

By: 
John P. Flynn, Vice-Chairman

**RESOLUTION BY THE GOVERNING BODY OF THE CITY OF
COLLEGE STATION APPROVING THE PURCHASE OF PROPERTY
AND CONSTRUCTION OF A NEW OFFICE BUILDING BY THE
BRAZOS CENTRAL APPRAISAL DISTRICT**

WHEREAS, pursuant to Chapter 6 of the *Texas Property Tax Code*, the City of College Station appoints a member or members to the Board of Directors of the Brazos Central Appraisal District (“Brazos CAD”); and

WHEREAS, pursuant to Section 6.051 of the *Texas Property Tax Code*, Brazos CAD has the legal right to purchase or lease real property as necessary to establish and operate the Brazos CAD appraisal office; and

WHEREAS, this Governmental Unit has received a Resolution, dated November 20, 2014 adopted by the Brazos CAD Board of Directors recommending the purchase of the property known as a part of Lot 1 Block 4 Park Hudson Phase 4, by replat to contain 1.75 acres more or less which is situated in Bryan, Texas (the “Property”) and construct a building approximately 14,000 square feet to operate the Brazos CAD office;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF BRAZOS COUNTY:

1. That the above recitals are true and correct.
2. That this Governmental Unit hereby approves the Brazos Central Appraisal District acquiring the Property and construct an office building at a maximum total project cost not to exceed \$3,800,000.
3. That it is officially found and determined that this meeting was open to the public as required by law, and that notice of the time, place and subject matter of this meeting has been posted in the manner required by law.

RESOLVED THIS ____ DAY OF _____, 2015

CITY OF COLLEGE STATION

By: _____

ATTEST:

By: _____

Exhibit A

SAGEBRIAR DR

UNIVERSITY DR

+ - 1.75 AC

COPPERFIELD DR

LD DR

R106627

100 200 Feet

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





Legislation Details (With Text)

| | | | | | |
|-----------------------|---|----------------------|---|--------------|---|
| File #: | 15-0037 | Version: | 1 | Name: | Public Utility Easement Abandonment Williams Creek Subdivision Phase 3, Block 3, Lots 13 & 14 |
| Type: | Minutes | Status: | | | Agenda Ready |
| File created: | 1/26/2015 | In control: | | | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | | |
| Title: | Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 4324 square foot public utility easement, which is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume 7249, Page 292 of the Deed Records of Brazos County, Texas. | | | | |
| Sponsors: | Carol Cotter | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Williams Creek abandonment ord.pdf Ordinance Exhibit A.pdf Vicinity Map Location Map | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 4324 square foot public utility easement, which is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume 7249, Page 292 of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals: N/A

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

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

The 4324 square foot, 10-foot wide public utility easement to be abandoned is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume 7249, Page 292 of the Deed Records of Brazos County, Texas.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity Map
2. Location Map
3. Ordinance

4. Ordinance Exhibit "A"
5. Application for Abandonment (On file at the City Engineer's Office)

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 4,324 SQUARE FOOT, 10-FOOT WIDE PUBLIC UTILITY EASEMENT, LYING ALONG THE COMMON PROPERTY LINES OF LOTS 13 & 14, BLOCK 3, OF THE WILLIAMS CREEK SUBDIVISION PHASE 3, ACCORDING TO THE PLAT RECORDED IN VOLUME 7249, PAGE 292 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of the 10-foot Wide Public Utility Easement lying along the common property lines of Lots 13 & 14, Block 3, of the Williams Creek Subdivision Phase 3, according to the plat recorded in Volume 7249, Page 292, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Easement"); and

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

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

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

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

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

ORDINANCE NO. _____

Page 2

PASSED, ADOPTED and APPROVED this _____ day of _____, 2015.

APPROVED:

NANCY BERRY, Mayor

ATTEST:

SHERRY MASHBURN, City Secretary

APPROVED:

City Attorney

Exhibit A

**METES AND BOUNDS DESCRIPTION
OF A
10' PUBLIC UTILITY EASEMENT
WILLIAMS CREEK SUBDIVISION, PHASE 3
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL A 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID EASEMENT BEING A PORTION OF LOTS 13 AND 14, BLOCK 3, WILLIAMS CREEK SUBDIVISION, PHASE 3, ACCORDING TO THE PLAT RECORDED IN VOLUME 7249, PAGE 292 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 1/2 INCH IRON ROD FOUND ON THE NORTH LINE OF JOHNSON CREEK LOOP (70' R.O.W.) MARKING THE SOUTHEAST CORNER OF SAID LOT 13 AND THE SOUTHWEST CORNER OF SAID LOT 14;

THENCE: N 12° 52' 52" E ALONG THE COMMON LINE OF SAID LOTS 13 AND 14 FOR A DISTANCE OF 15.21 FEET TO A POINT ON THE NORTH LINE OF AN EXISTING 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT MARKING THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 86° 43' 19" W THROUGH SAID LOT 13 AND ALONG THE NORTH LINE OF SAID 15.00 FOOT WIDE EASEMENT FOR A DISTANCE OF 5.07 FEET;

THENCE: CONTINUING THROUGH SAID LOT 13 AND ALONG THE WESTERLY LINE OF SAID 10.00 FOOT WIDE EASEMENT, 5.00 FEET FROM AND PARALLEL TO THE COMMON LINE OF SAID LOTS 13 AND 14, FOR THE FOLLOWING CALLS:

N 12° 52' 52" E FOR A DISTANCE OF 138.33 FEET;

N 28° 54' 52" E FOR A DISTANCE OF 133.61 FEET;

N 08° 08' 53" E FOR A DISTANCE OF 163.00 FEET TO THE SOUTH LINE OF A SECOND EXISTING 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT BEING IN A CLOCKWISE CURVE HAVING A RADIUS OF 600.00 FEET;

THENCE: CONTINUING THROUGH SAID LOT 13 AND THROUGH SAID LOT 14 AND ALONG THE SOUTH LINE OF SAID SECOND EXISTING 15.00 FOOT WIDE EASEMENT THROUGH A CENTRAL ANGLE OF 01° 02' 17" FOR AN ARC DISTANCE OF 10.87 FEET (CHORD BEARS: S 58° 47' 09" E - 10.87 FEET) TO THE EAST LINE OF THIS HEREIN DESCRIBED EASEMENT;

THENCE: CONTINUING THROUGH SAID LOT 14 AND ALONG THE EASTERLY LINE OF SAID 10.00 FOOT WIDE EASEMENT, 5.00 FEET FROM AND PARALLEL TO THE COMMON LINE OF SAID LOTS 13 AND 14, FOR THE FOLLOWING CALLS:

S 08° 08' 53" W FOR A DISTANCE OF 160.58 FEET;

S 28° 54' 52" W FOR A DISTANCE OF 134.04 FEET;

S 12° 52' 52" W FOR A DISTANCE OF 135.22 FEET TO THE NORTH LINE OF SAID FIRST EXISTING 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT;

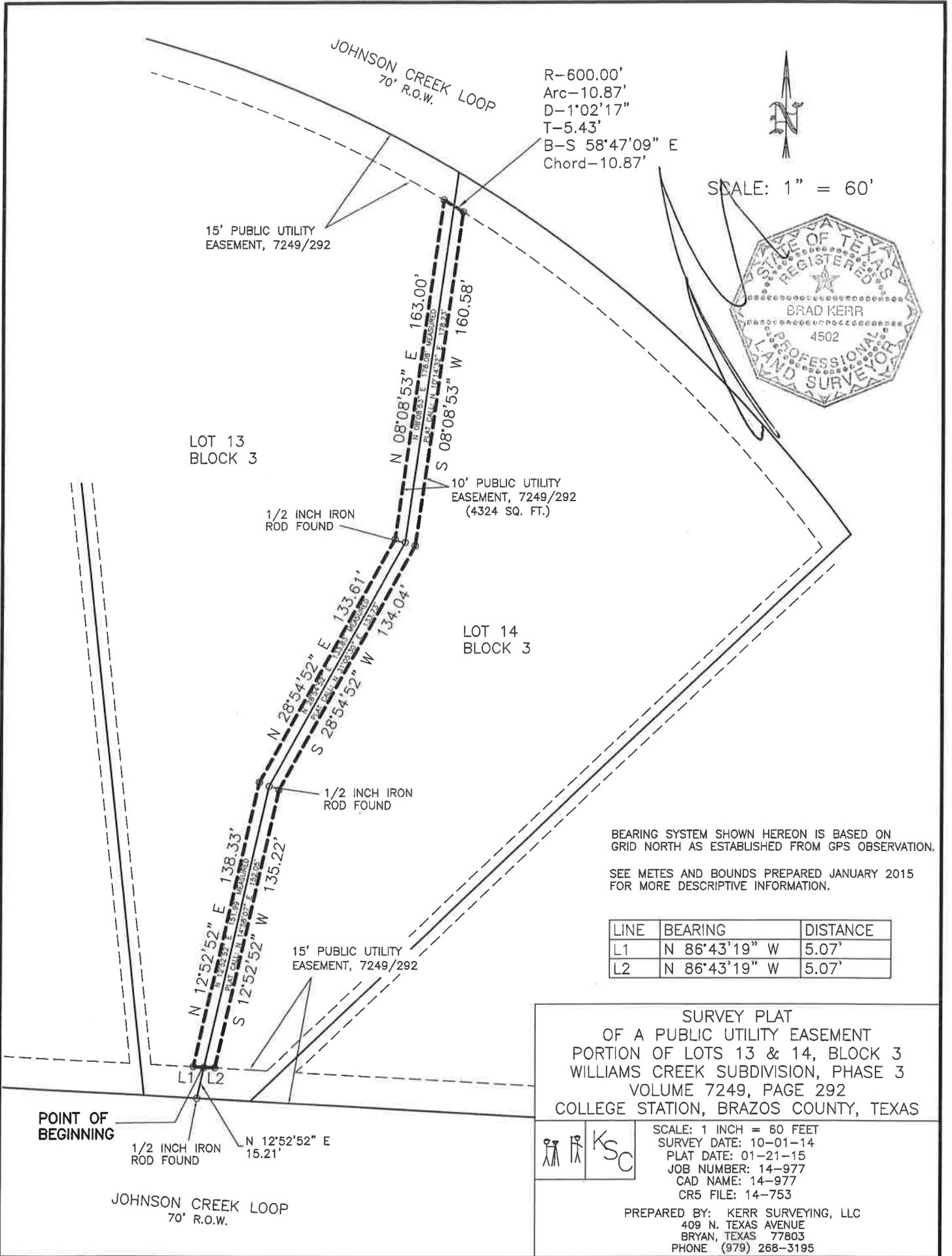
THENCE: N 86° 43' 19" W CONTINUING THROUGH SAID LOT 14 AND ALONG THE NORTH LINE OF SAID EXISTING 15.00 FOOT WIDE EASEMENT FOR A DISTANCE OF 5.07 FEET TO THE POINT OF BEGINNING CONTAINING 4324 SQUARE FEET OF LAND, MORE OR LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION. SEE PLAT PREPARED JANUARY 2015 FOR MORE DESCRIPTIVE INFORMATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14.977.MAB



Exhibit A



SURVEY PLAT
OF A PUBLIC UTILITY EASEMENT
PORTION OF LOTS 13 & 14, BLOCK 3
WILLIAMS CREEK SUBDIVISION, PHASE 3
VOLUME 7249, PAGE 292
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 60 FEET
SURVEY DATE: 10-01-14
PLAT DATE: 01-21-15
JOB NUMBER: 14-977
CAD NAME: 14-977
CR5 FILE: 14-753

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

VICINITY MAP



OLDEN LANE

WILLIAM D FITCH PKW

WILLIAMS CREEK DRIVE

ROCK PRAIRIE RD

WAYNE COURT

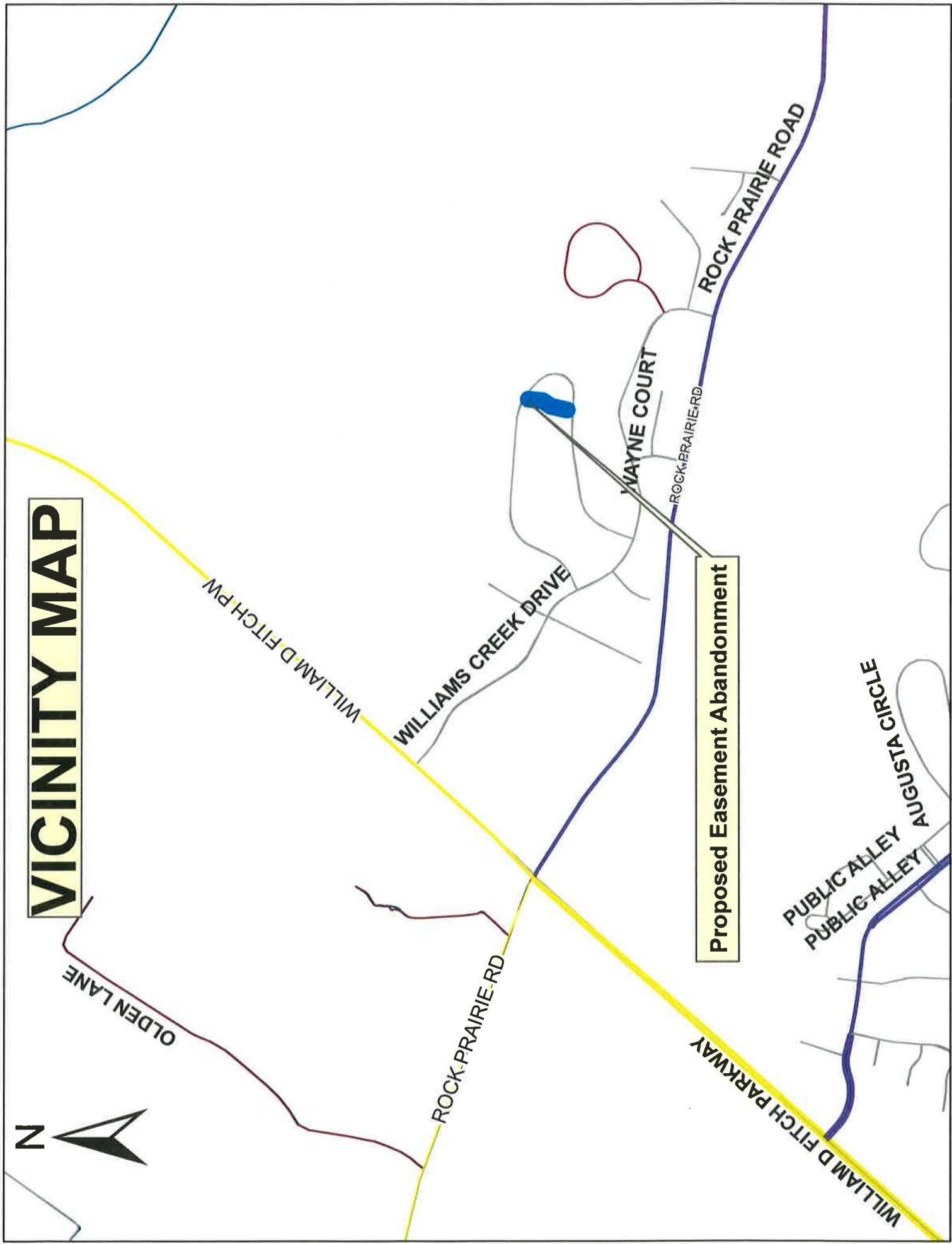
WILLIAM D FITCH PARKWAY

Proposed Easement Abandonment

PUBLIC ALLEY
PUBLIC ALLEY

AUGUSTA CIRCLE

ROCK PRAIRIE ROAD



4324 SQ. FT. Easement Abandonment



LOCATION MAP



Legislation Details (With Text)

| | | | | | |
|-----------------------|--|----------------------|---|--------------|--|
| File #: | 15-0038 | Version: | 1 | Name: | Public Utility Easement Abandonment Greens Prairie Center Phase 2A, Block 5, Lots 2R-A & 3R-A |
| Type: | Ordinance | Status: | | | Agenda Ready |
| File created: | 1/26/2015 | In control: | | | City Council Regular |
| On agenda: | 2/12/2015 | Final action: | | | |
| Title: | Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 2110 square foot public utility easement, which is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas. | | | | |
| Sponsors: | Carol Cotter | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | Abandonment Greens Prairie PUE Block 5 Lots R-A and R-A.pdf Exhibit A.pdf Vicinity Map Location Map | | | | |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 2110 square foot public utility easement, which is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals: N/A

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

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

The 2110 square foot, 15-foot wide public utility easement to be abandoned is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity Map
2. Location Map
3. Ordinance

4. Ordinance Exhibit "A"
5. Application for Abandonment (On file at the City Engineer's Office)

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 2110 SQUARE FOOT, 15-FOOT WIDE PUBLIC UTILITY EASEMENT, LYING ALONG THE COMMON PROPERTY LINE OF LOTS 2R-A & 3R-A, BLOCK 5, OF THE GREENS PRAIRIE CENTER PHASE 2A, ACCORDING TO THE PLAT RECORDED IN VOLUME 11660, PAGE 140 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of the 15-foot Wide Public Utility Easement lying along the common property line of Lots 2R-A & 3R-A, Block 5, of the Greens Prairie Center Phase 2A, according to the plat recorded in Volume 11660, Page 140, of the Official Records of Brazos County, Texas, as described in Exhibit "A" attached hereto (such portion hereinafter referred to as the "Easement"); and

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

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

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

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

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

ORDINANCE NO. _____

Page 2

PASSED, ADOPTED and APPROVED this _____ day of _____, 2015.

APPROVED:

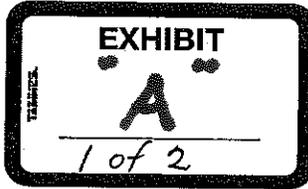
NANCY BERRY, Mayor

ATTEST:

SHERRY MASHBURN, City Secretary

APPROVED:

City Attorney



METES AND BOUNDS DESCRIPTION
OF A
15' PUBLIC UTILITY EASEMENT
GREENS PRAIRIE CENTER, PHASE 2A
COLLEGE STATION, BRAZOS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING AN EXISTING 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT BEING A PORTION OF LOTS 2R-A AND 3R-A, BLOCK 5, GREENS PRAIRIE CENTER, PHASE 2A, ACCORDING TO THE PLAT RECORDED IN VOLUME 12385, PAGE 180 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT THE EAST CORNER OF SAID LOT 2R-A, SAME BEING THE NORTHWEST CORNER OF SAID LOT 3R-A, AND BEING COMMON WITH THE SOUTH CORNER OF LOT 11R-A, BLOCK 5 AND THE WEST CORNER OF COMMON AREA 2-A, BLOCK 5 (PLAT 12385/180);

THENCE: S 42° 30' 16" W ALONG THE COMMON LINE OF SAID LOT 2R-A AND LOT 3R-A FOR A DISTANCE OF 27.35 FEET TO THE SOUTHWEST LINE OF AN EXISTING VARIABLE WIDTH PUBLIC UTILITY EASEMENT AND THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE: THROUGH SAID LOT 3R-A AND LOT 2R-A FOR THE FOLLOWING CALLS:

S 48° 57' 11" E FOR A DISTANCE OF 7.50 FEET;

S 42° 30' 16" W, 7.5' FROM AND PARALLEL TO THE COMMON LINE OF SAID LOT 3R-A AND LOT 2R-A, FOR A DISTANCE OF 139.99 FEET TO THE NORTHEAST LINE OF ANOTHER EXISTING 15' PUBLIC UTILITY EASEMENT MARKING THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 695.00 FEET;

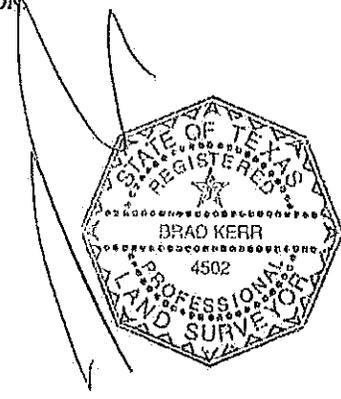
ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 14' 39" FOR AN ARC DISTANCE OF 15.09 FEET (CHORD BEARS: N 53° 51' 21" W - 15.09 FEET) TO THE END OF SAID CURVE;

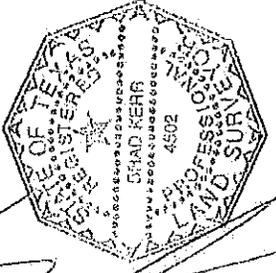
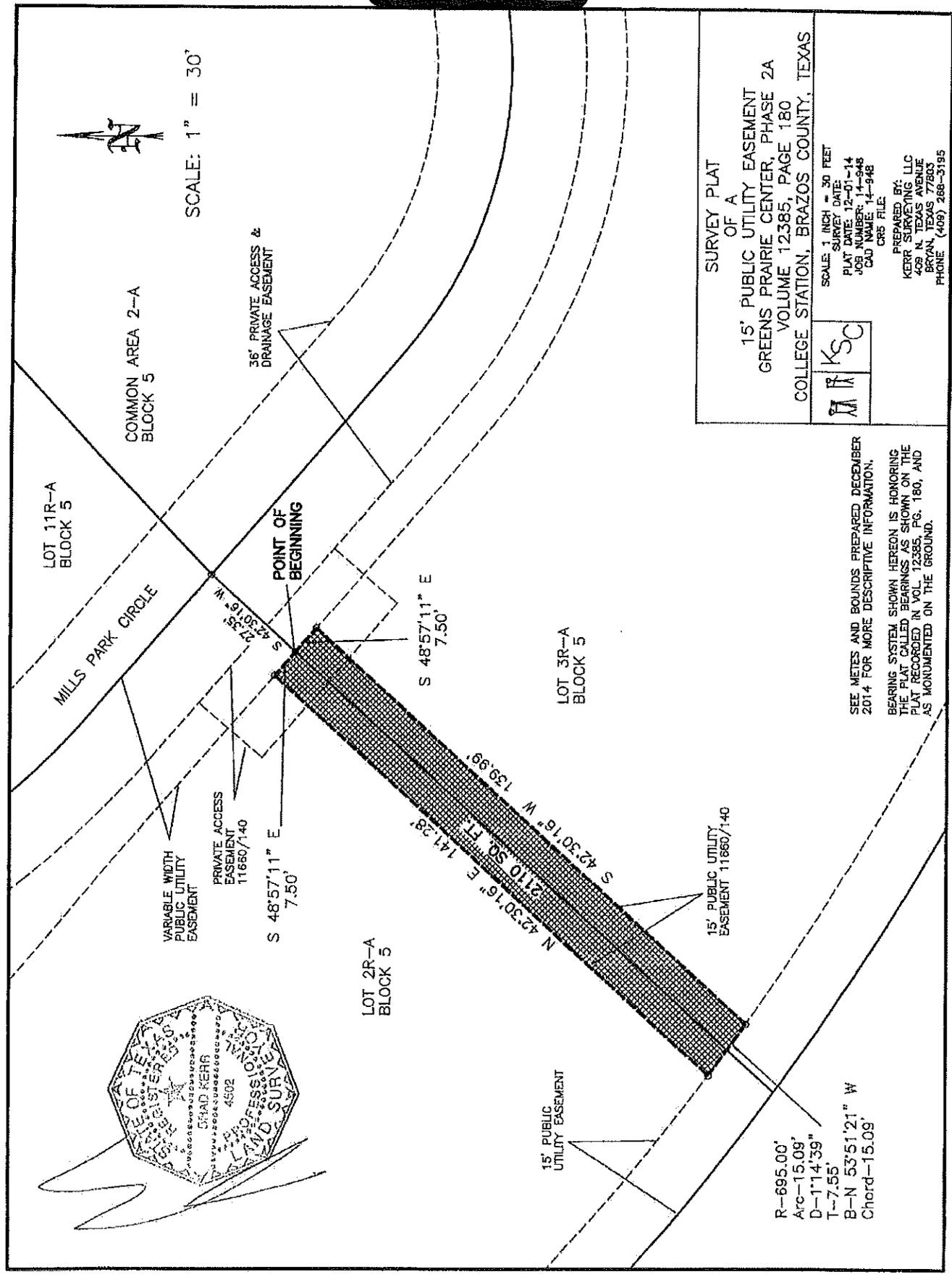
N 42° 30' 16" E, 7.5' FROM AND PARALLEL TO THE COMMON LINE OF SAID LOT 2R-A AND LOT 3R-A, FOR A DISTANCE OF 141.28 FEET TO THE SOUTHWEST LINE OF SAID EXISTING VARIABLE WIDTH PUBLIC UTILITY EASEMENT'

S 48° 57' 11" E FOR A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING CONTAINING 2110 SQUARE FEET OF LAND, MORE OF LESS, AS SURVEYED ON THE GROUND. BEARING SYSTEM SHOWN HEREIN IS BASED ON THE PLAT CALL BEARINGS OF GREEN PRAIRIE CENTER, PHASE 2A, 12385/180. SEE PLAT PREPARED DECEMBER 2014 FOR MORE DESCRIPTIVE INFORMATION.

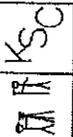
BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-948.MAB





SURVEY PLAT
OF A
15' PUBLIC UTILITY EASEMENT
GREENS PRAIRIE CENTER, PHASE 2A
VOLUME 12385, PAGE 180
COLLEGE STATION, BRAZOS COUNTY, TEXAS


 SCALE: 1 INCH = 30 FEET
 SURVEY DATE:
 PLAT DATE: 12-01-14
 JOB NUMBER: 14-545
 CSD NUMBER: 14-948
 CRS FILE
 PREPARED BY:
 KERR SURVEYING, LLC
 409 N. TEXAS AVENUE
 BRYAN, TEXAS 77803
 PHONE: (409) 268-3195

SEE METES AND BOUNDS PREPARED DECEMBER 2014 FOR MORE DESCRIPTIVE INFORMATION.

BEARING SYSTEM SHOWN HEREON IS HONORING THE PLAT CALLED BEARINGS AS SHOWN ON THE PLAT RECORDED IN VOL. 12385, PG. 180, AND AS MONUMENTED ON THE GROUND.



Legislation Details (With Text)

File #: 15-0040 **Version:** 1 **Name:** The Barracks II Rezoning
Type: Rezoning **Status:** Agenda Ready
File created: 1/26/2015 **In control:** City Council Regular
On agenda: 2/12/2015 **Final action:**

Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for approximately 30 acres for the property situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being 3.508-acre and 4.911-acre portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas, a 8.651-acre portion of a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, and a 12.939-acre tract being portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas and a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, generally located at the northeast, northwest, southeast and southwest corners of The Barracks II Subdivision between Old Wellborn Road and Holleman Drive South by amending the concept plan and uses for said district.

Sponsors: Jason Schubert

Indexes:

Code sections:

- Attachments:** [Background Information](#)
[Aerial and Small Area Map](#)
[Proposed Concept Plan](#)
[Ordinance.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for approximately 30 acres for the property situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being 3.508-acre and 4.911-acre portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas, a 8.651-acre portion of a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, and a 12.939-acre tract being portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas and a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, generally located at the northeast, northwest, southeast and southwest corners of The Barracks II Subdivision between Old Wellborn Road and Holleman Drive South by amending the concept plan and uses for

said district.

Relationship to Strategic Goals: Diverse Growing Economy

Recommendations: The Planning and Zoning Commission considered this item at their January 15, 2015 meeting and unanimously recommended approval. Staff also recommends approval.

Summary: This rezoning request is for approximately 30 acres of the existing PDD Planned Development District to revise the Concept Plan and associated uses by adding more townhouse areas. The rezoning request consists of four separate tracts of 3.508 acres, 4.911 acres, 8.651 acres, and 12.939 acres in the northeast, northwest, southeast and southwest corners of the development. The Unified Development Ordinance provides the following review criteria for zoning map amendments:

REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan;**
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;**
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment;**
- 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;**
- 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; and**
- 6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use.**

The Comprehensive Plan designates the subject area as Urban and General Suburban on the Future Land Use and Character Map and in Growth Area 5 on the Concept Map. The Comprehensive Plan states that the area near and north of Cain Road is Urban and should be used for intense land use activities including general commercial, office uses, townhomes, high-density apartments, and vertical mixed use. The areas further south of Cain Road to Rock Prairie Road West should be used for General Suburban activities including high-density single-family lots (minimum 5,000 square feet), townhomes, duplexes, as well as suburban or neighborhood commercial and office uses.

The area within the existing and proposed PDD Planned Development District allow for a mixture of single-family residences, townhouses, multi-family, and commercial development. Residential uses are capped at a gross density of 8 units per acre, which is the maximum allowable density of the other single-family and townhouse developments in the area, namely The Barracks, a townhome development, Williamsgate and Buena Vida, single-family subdivisions, and the planned 12 at Rock Prairie subdivision consisting of single-family and townhouse lots.

The proposed PDD Planned Development District revises the Concept Plan and associated uses to remove commercial and multi-family areas and provide more townhouse lots. Except for the recreation facilities in the center of the development, commercial uses are located on the western edge along Holleman Drive South, a future four-lane major collector, and on the eastern edge of the

development along Old Wellborn Road. Additional details regarding the commercial and recreational uses are described as part of the Concept Plan.

The subject property is located within Wellborn Special Utility District water service area, the City's sanitary sewer service area, and Bryan Texas Utilities (BTU) electric service area. The property is located in the Steeplechase Sanitary Sewer Impact Fee Area that gravity flows into the Bee Creek Trunk Line, which serves many developments along Harvey Mitchell Parkway.

The subject property is in the Bee Creek Tributary "B" drainage basin. The subject property is not located within a FEMA regulated Special Flood Hazard Area per FEMA FIRM panel 182C. Future development of the tract will have to meet the requirements of the City Storm Water Design Guidelines. The subject property is located adjacent to Old Wellborn Road (local) to the east and Holleman Drive South (four-lane major collector) to the west. Three future thoroughfares bi-sect the development: Deacon Drive West (two-lane major collector), General Parkway (two-lane minor collector) and Towers Parkway (two-lane minor collector). These thoroughfares have been constructed as the development has built-out. A left-turn lane from Holleman Drive South will be installed when the unnamed, ABCD, street is constructed.

REVIEW OF CONCEPT PLAN

The applicant has provided the following information related to the purpose and intent of the proposed zoning district:

"The Barracks II Subdivision was previously granted PDD Zoning to develop a residential community for students in the 18-30 year age range. The planned development includes a mixture of housing options, recreation facilities and commercial businesses that cater to the student population. The intent has not changed. The rezoning request adds additional land and uses to the Barracks II Development and PDD Zoning."

The proposed rezoning revises four separate areas at the corners of the development that can be summarized as:

Zoning Area 1 - 4.911 acres at southeast corner

The existing Concept Plan designates this area as Commercial Tract 3 which has modified C-3 Light Commercial uses and standards as described in the attached Concept Plan notes. The proposed Concept Plan retains about one-third of the area as Commercial Tract 3 and converts the remaining two-thirds to a street for townhouse lots.

Zoning Area 2 - 12.939 acres at northeast corner

The existing Concept Plan designates this area as two water detention ponds, Commercial Tract 2 with modified SC Suburban Commercial uses and standards, and Commercial Tract 4 with modified GC General Commercial uses and standards. The proposed Concept Plan reconfigures the two water detention areas, removes the two commercial tract areas, and replaces them with two residential streets for townhouse lots.

Zoning Area 3 - 8.651 acres at northwest corner

The existing Concept Plan designates this area with townhouse lots, parkland, two multi-family tracts, and one tract for multi-family and/or general commercial use. The proposed Concept Plan removes

one of the multi-family tracts and reconfigures the residential streets to add more townhouse lots. The uses and standards of Commercial Tract 1A are being revised from a modified GC General Commercial uses and standards to the modified SC Suburban Commercial uses and standards of the adjacent Commercial Tract 1.

Zoning Area 4 - 3.508 acres at southwest corner

The existing Concept Plan designates this area with single-family detached houses. The proposed Concept Plan converts these to townhouse lots.

Base Zoning and Meritorious Modifications

The applicant proposes to utilize the following base zoning districts: T Townhouse for all townhouse lots, R-4 Multi-Family for Multi-Family Tracts 1 & 2, SC Suburban Commercial for Commercial Tract 1A, and C-3 Light Commercial for Commercial Tract 3. The existing PDD zoning approved meritorious modifications that will carry over with this PDD rezoning and are described in the attached Concept Plan notes.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Aerial & Small Area Map
3. Proposed Concept Plan
4. Ordinance

Background Information

NOTIFICATIONS

Advertised Commission Hearing Date: January 15, 2015
 Advertised Council Hearing Date: February 12, 2015

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 at Rock Prairie Owner’s Association

Property owner notices mailed: 93
 Contacts in support: None at time of staff report.
 Contacts in opposition: None at time of staff report.
 Inquiry contacts: None at time of staff report.

ADJACENT LAND USES

| Direction | Comprehensive Plan | Zoning | Land Use |
|------------------------------------|--|--|---|
| North | Urban–Growth Area 5 | R Rural | Vacant, single-family, commercial businesses |
| South | General Suburban – Growth Area 5 | GS General Suburban; T Townhome; R Rural | Single-family and townhouse subdivisions; Vacant |
| East (across Wellborn Rd) | Suburban Commercial; Urban; Neighborhood Conservation | GC General Commercial; R-4 Multi-Family; GS General Suburban | Vacant; Multi-family; Single-family |
| West (across Holleman Dr S) | Restricted Suburban – Growth Area 5 | RS Restricted Suburban | Planned single-family subdivision |

DEVELOPMENT HISTORY

Annexation: 2002

Zoning: A-O Agricultural Open upon annexation (2002); A-O Agricultural Open to PDD Planned Development District (2011); PDD Planned Development District to PDD Planned Development District (2012, 2013, & 2014 to revise the Concept Plan and add to the development).

Final Plat: The areas within the proposed rezoning have not been platted.

Site development: Large portion of The Barracks II project have developed into single-family and townhouse uses with a commercial amusement/amenity area under construction.



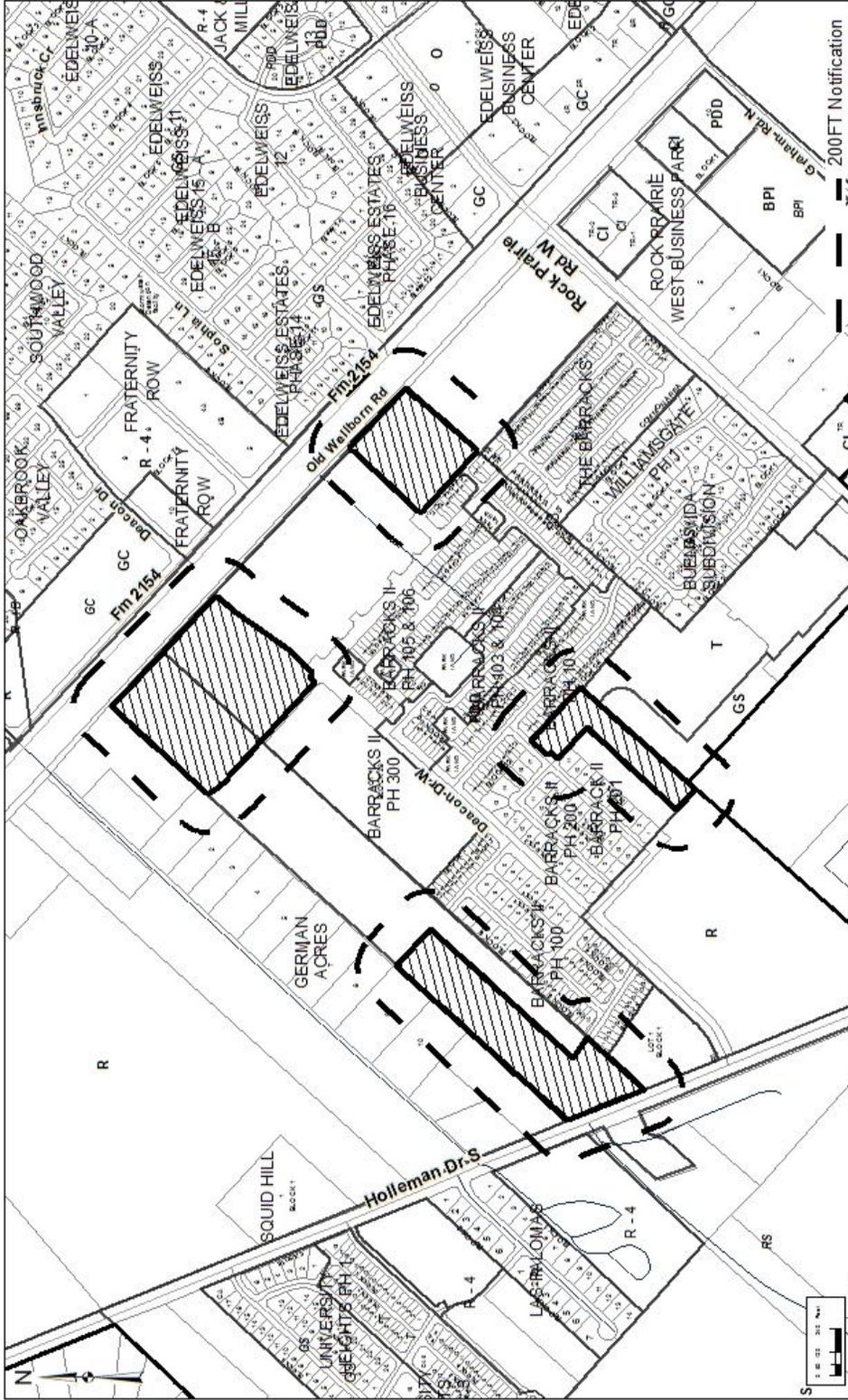
REZONING

Case: 14-290

THE BARRACKS II SUBDIVISION

DEVELOPMENT REVIEW





Zoning Districts

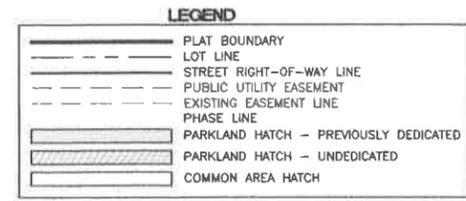
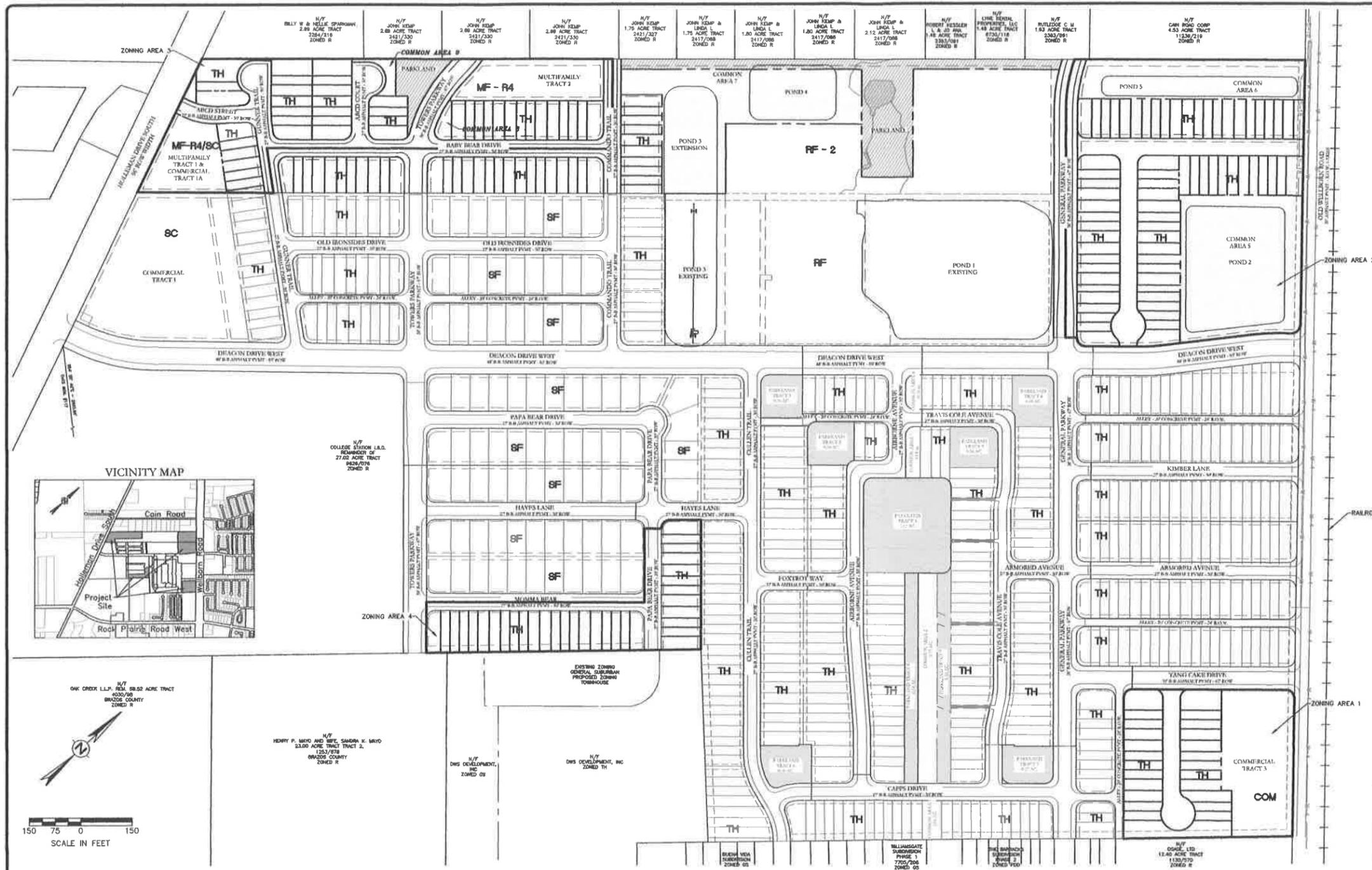
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|------|---------------------------|-------|---------------------------|-------|-------------------------------|------|------------------------------|
| R | Rural | R - 4 | Multi-Family | BPI | Business Park Industrial | PDD | Planned Development District |
| E | Estate | R - 6 | High Density Multi-Family | NAP | Natural Areas Protected | WFC | Wolf Pen Creek Dev. Corridor |
| RS | Restricted Suburban | MHP | Manufactured Home Park | C-3 | Light Commercial | NG-1 | Core Northgate |
| GS | General Suburban | O | Office | M-1 | Heavy Industrial | NG-2 | Transitional Northgate |
| R-1B | Single Family Residential | SC | Suburban Commercial | M-2 | College and University | NG-3 | Residential Northgate |
| D | Duplex | GC | General Commercial | C-U | Research and Development | OV | Corridor Overlay |
| T | Townhouse | CI | Commercial-Industrial | R & D | Planned Mixed-Use Development | RDD | Redevelopment District |
| | | BP | Business Park | P-MUD | | KO | Krenek Tap Overlay |

DEVELOPMENT REVIEW

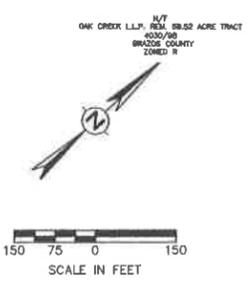
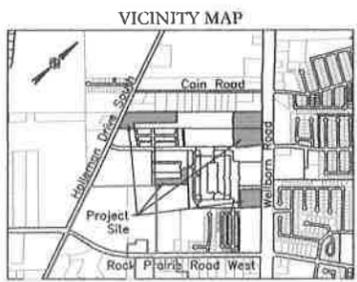
THE BARRACKS II SUBDIVISION

REZONING

Case: 14-290



- SITE NOTES:**
- THE BEARING SYSTEM SHOWN HEREON IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.
 - THE SITE ADDRESS IS 3100 HAUPT ROAD, COLLEGE STATION, TEXAS.
 - NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE F.E.M.E. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48041C0305 F, EFFECTIVE DATE: 04/02/2014.



CONCEPT PLAN
THE BARRACKS II SUBDIVISION
 CRAWFORD BURNETT LEAGUE, A-7
 COLLEGE STATION, BRAZOS COUNTY, TEXAS

ZONING AREA 1 - 4.911 ACRES
 ZONING AREA 2 - 12.939 ACRES
 ZONING AREA 3 - 8.651 ACRES
 ZONING AREA 4 - 3.508 ACRES

DECEMBER 2014

OWNER/DEVELOPER:
 HEATH PHILLIPS INVESTMENTS, LLC
 P.O. BOX 282
 WELLSBORO, TEXAS 77881
 (979) 228-0888

ENGINEER:
 Schultz Engineering, LLC
 2730 LINDBERG DR., SUITE A
 COLLEGE STATION, TEXAS 77845
 979.784.3800

SURVEYOR:
 BRAD KICOR, RPLS NO. 4582
 KICOR SURVEYING, LLC
 408 N. TEXAS AVE.
 WELLSBORO, TEXAS 77803
 979.268.3100

CURRENT ZONING: PDD
PROPOSED ZONING: PDD

14-290
 12/19/14
 4:40
 AJ

1. The land uses proposed for this property are as listed on this plan.
 - a. Townhomes (TH) meeting T - Townhouse zoning requirements with variances as noted below.
 - b. Commercial (COM) meeting C-3 zoning requirements with variances noted below. The following additional uses are permitted in Commercial Tract 3 only:
 - Shooting Range - Indoor
 - Car Wash subject to supplemental standards contained within the UDO
 - Commercial garden/greenhouse/landscape maintenance subject to supplemental standards contained within the UDO
 - Commercial amusement subject to supplemental standards contained in the UDO
 - Office and retail sales/services with storage areas being greater than 50% of the space (i.e. office/warehouse with overhead doors)
 - Self Storage - equipment, materials, recreational vehicles, or boats - in buildings with at least 3 enclosed sides.
 - Restaurants shall NOT be permitted in Commercial Tract 3.
 - c. Recreation Facility (RF) including commercial amusement activities, cable wake board ski facility, flyboarding, administrative offices, pool, exercise room, jogging track, food & beverage services, micro-industrial use for a micro-brewery, and similar recreational offerings for members of the HOA and the general public, and Radio/TV Stations/Studios. Retail sales of equipment, clothing, and accessories related to these uses are permitted in conjunction with normal operations of the Recreation Facility. Additional accessory uses for this area include a development sales office and model residential condo units, (attached to the commercial building), upon build out of the development the model residential condos will become rental condo unit. Also, additional rental condo units for overnight accommodations on a short or long basis will be allowed in this area. The total number of rental condo units will not exceed 20 units. The units will be rental only and will be owned by the Recreation Facility Developer.
 - d. Multi-Family (MF-4) meeting R-4 zoning requirements. Duplexes are not permitted in this designation.
 - e. Suburban Commercial (SC) meeting SC zoning requirements with the addition of retail sales, convenience store with fuel sales up to 10 fueling stations and a drive through window restaurant, retail sales, car wash and service - alcohol.
 - f. Recreation Facility 2 (RF-2) Mixed Use Tract including all uses in the Recreation Facility (RF) with additions of multi-family units or condos meeting R-6 requirements, General Commercial uses including health clubs, indoor sports facilities, outdoor sports facilities, hotel, offices, personal service shop, restaurants, and theaters. Night clubs, bars, and taverns may be permitted by Conditional Use Permit. Duplexes are not permitted in this designation.
2. General bulk or dimensional variations (meritorious modifications) are as follows:
 - a. Townhome (TH) development (variations from T - Townhouse Zoning)
 - Front setback distance - 20 ft without rear access, 15' with rear access
 - Rear setback distance - 20 ft
 - Street side setback distance - 15 ft
 - Side setback distance - 5 ft
 - Common area side setback distance - 5 ft
 - b. Commercial Tract 3 shall each be permitted to erect a freestanding sign in accordance with Section 12- 7.5.N of the UDO. These signs may be raised to a maximum height of 20 feet.
 - c. Dead-end streets in residential areas are permitted up to maximum of 100 feet in length.
3. Special conditions for Commercial (COM), Suburban Commercial (SC) or General Commercial (GC) development for Commercial Tracts 1, 1A & 3:
 - a. The total building area of all commercial buildings shall not exceed (50,000) sf. This figure excludes self storage units and buildings associated with the Recreation Facility (RF) and Recreation Facility (RF-2).
 - b. Self storage units shall be allowed in Commercial Tract 3 only. The total leasable area of all self storage units shall not exceed (15,000) sf.
 - c. No openings to self storage buildings are allowed on the sides adjacent to any street right-of-way or alley that is associated with residential development.
 - d. The self storage facility will be permitted to incorporate an office on the premises for management and security. The office shall be permitted to sell equipment or materials related to storage and moving, but shall not sell/rent trucks or trailers. The office will be limited to a maximum of 1,000 sf. Living quarters for the managers of the facility will also be permitted within the premises. These quarters shall be no larger than 1,000 sf.
 - e. Individual commercial buildings shall not exceed 10,000 sf with the following exceptions:
 - One commercial building will be allowed up to a maximum of 15,000 sf. The building may be located on Commercial Tract 3.
 - This maximum building size does not apply to the Recreation Facility (RF) & Recreation Facility 2 (RF-2).
 - f. The following applies to Commercial Tracts 1, 1A & 3. Unless otherwise noted herein, commercial buildings and related parking areas shall comply with the Non-Residential Architectural Standards as applied with SC-Suburban Commercial zoning.
 - g. All commercial tracts shall provide cross access in accordance with the UDO.
 - h. Convenience stores with fuel sales in SC areas shall be limited to Commercial Tract 1.
4. Special conditions for the Recreation Facility (RF) are as follows:
 - a. Food and beverage services are permitted within the Recreation Facility.
 - b. Commercial amusement activities, including water recreation and associated equipment, shall be allowed within the Recreation Facility. Motorized vehicles are allowed for recreational activities and for rescue or maintenance purposes.
 - c. Any buildings and parking areas associated with the Recreation Facility shall comply with the Non-Residential Architectural Standards in the UDO.
 - d. Landscaping requirements in the UDO will be applied to the building, parking, and adjacent amenity areas of the Recreation Facility. The remainder of the Recreation Facility is excluded from these requirements.
 - e. Drainage and access easements shall be granted to the Homeowners Association for maintenance purposes associated with the detention ponds and their related appurtenances.
 - f. The following operational restrictions shall be imposed on the Recreation Facility and its related facilities:
 - g. Hours of operation for the cable wake board ski facility shall be no earlier than 8:00 a.m. and no later than 12:00 midnight. All other recreational amenities may be open for use between the hours of 7:00 a.m. and 2:00 a.m. The restaurant will be allowed to set its own hours of operation.
 - Lighting shall be designed in accordance with the Unified Development Ordinance. Lights used for the ski facility shall be turned off no later than 1 hour following the closing times noted above except when necessary for maintenance purposes that cannot be undertaken during daylight hours.
 - The Recreation Facility shall have a maximum of three 2-tower cable wake board ski systems.
5. A block length of up to 1270 feet is allowed along Deacon Drive in front of the Recreation Facility and along the north boundary of Recreation Facility 2 (RF-2). A block length of 860 feet is allowed along the east side of Commando Trail, the West side of General Parkway. A block perimeter of 4,179 feet is required for the block created by General Parkway, Deacon Drive West, Commando Trail, and the German Acres Subdivision.
6. Recreation Facility (RF) shall be limited to a maximum height of 50 feet. All other designations shall meet the requirements of the UDO based on the use.
7. When there are more than 30 lots to be served by external street connections, a minimum of two connections to external paved public streets shall be required. A Remote Emergency Access is permitted to serve as one of these connections. Two street connections to external paved public streets shall be required when 100 or more lots are served.
8. Unless otherwise noted herein, buffer areas will be provided in accordance with the UDO.
9. Driveway access from residential lots shall not be permitted onto streets designated as minor collector or larger.
10. Right-of-way and pavement widths shown on this plan reflect the widths that are required along the majority length of each street. These widths can be increased at intersections of collector streets as needed to accommodate turning lanes, medians or other traffic controls.
11. All stormwater requirements (including detention) shall be designed to comply with the BCS Drainage Design Guidelines.
12. If the City of College Station or another entity constructs a regional detention facility in the drainage basin encompassing this tract of land that has capacity to serve this development, one or more of the detention facilities shown here may be eliminated upon approval by the City Engineer. Any land released from use as a detention facility may be developed for other uses pending approval of revised PDD Zoning.
13. Pedestrian and bicycle circulation will be provided throughout the project as required by the UDO. Location and details of these facilities will be determined at platting or site plan submittal.
14. A left turn lane will be constructed on Holleman Drive when the ABCD connection is made.
15. Density for the residential development portions of this PDD shall not exceed 8 dwelling units per acre (Subdivision Gross). The density area excludes Commercial, Multi-family, Recreation Facility and Recreation Facility 2 areas.

CONCEPT PLAN

THE BARRACKS II SUBDIVISION

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

ZONING AREA 1 - 4.911 ACRES
ZONING AREA 2 - 12.939 ACRES
ZONING AREA 3 - 8.651 ACRES
ZONING AREA 4 - 3.508 ACRES

DECEMBER 2014

OWNER/DEVELOPER:
HEATH PHILLIPS INVESTMENTS, LLC
P.O. BOX 2852
WELLSBORO, TEXAS 77881
(979) 223-8800

ENGINEER:
 Schultz Engineering, LLC

2730 LOHMEYER DR., SUITE A
COLLEGE STATION, TEXAS 77845
979-764-3900

SURVEYOR:
BRAD SCHULZ, RPLS NO. 1082
HEATH PHILLIPS INVESTMENTS, LLC
409 N. TEXAS AVE.
WYATT, TEXAS 77883
979-288-1190

ZONING STATUS:
CURRENT ZONING: PDD
PROPOSED ZONING: PDD

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 12-4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE PDD PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 30 ACRES FOR THE PROPERTY SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING 3.508-ACRE AND 4.911-ACRE PORTIONS OF THE REMAINDER OF A CALLED 108.88-ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, A 8.651-ACRE PORTION OF A CALLED 29.869-ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 11623, PAGE 227 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, AND A 12.939-ACRE TRACT BEING PORTIONS OF THE REMAINDER OF A CALLED 108.88-ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS AND A CALLED 29.869-ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 11623, PAGE 227 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST, NORTHWEST, SOUTHEAST AND SOUTHWEST CORNERS OF THE BARRACKS II SUBDIVISION BETWEEN OLD WELLBORN ROAD AND HOLLEMAN DRIVE SOUTH BY AMENDING THE CONCEPT PLAN AND USES FOR SAID DISTRICT; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", as described in Exhibit "B" and Exhibit "C", and as outlined graphically in Exhibit "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 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 12th day of February, 2015

APPROVED:

MAYOR

ORDINANCE NO. _____

Page 2

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

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

The PDD Planned Development District for the following four tracts of 4.911 acres, 12.939 acres, 8.651 acres, and 3.508 acres is amended by amending the Concept Plan and uses for said District:

ZONING AREA 1

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 108.88 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 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 SOUTHWEST LINE OF OLD WELLBORN ROAD (VARIABLE WIDTH R.O.W.) MARKING THE EAST CORNER OF SAID REMAINDER OF 108.88 ACRE TRACT AND THE NORTH CORNER OF A CALLED 12.40 ACRE TRACT AS DESCRIBED BY A DEED TO OSAGE, LTD. RECORDED IN VOLUME 1130, PAGE 570 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 41° 12' 34" W ALONG THE COMMON LINE OF SAID REMAINDER OF 108.88 ACRE TRACT AND SAID 12.40 ACRE TRACT FOR A DISTANCE OF 494.87 FEET TO THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: THROUGH SAID REMAINDER OF 108.88 ACRE TRACT FOR THE FOLLOWING CALLS:

N 47° 45' 43" W FOR A DISTANCE OF 410.17 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 02° 45' 43" W - 35.36 FEET) TO THE END OF SAID CURVE;

N 42° 14' 17" E FOR A DISTANCE OF 449.62 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 41' 26" FOR AN ARC DISTANCE OF 39.57 FEET (CHORD BEARS: N 87° 35' 00" E - 35.57 FEET) TO THE END OF SAID CURVE ON THE SOUTHWEST LINE OF OLD WELLBORN ROAD;

THENCE: S 47° 04' 17" E ALONG THE SOUTHWEST LINE OF OLD WELLBORN ROAD FOR A DISTANCE OF 401.01 FEET TO THE **POINT OF BEGINNING** CONTAINING 4.911 ACRES OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/14-943-1.MAB



ZONING AREA 2

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 108.88 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, AND A PORTION OF A CALLED 29.869 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 11623, PAGE 227 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

BEGINNING AT THE NORTH CORNER OF SAID 29.869 ACRE TRACT ON THE SOUTHWEST LINE OF OLD WELLBORN ROAD (VARIABLE WIDTH R.O.W.), SAME BEING THE EAST CORNER OF A CALLED 4.53 ACRE TRACT AS DESCRIBED BY A DEED TO CAIN ROAD CORPORATION RECORDED IN VOLUME 11239, PAGE 219 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 47° 04' 17" E ALONG THE SOUTHWEST LINE OF OLD WELLBORN ROAD FOR A DISTANCE OF 395.75 FEET TO THE COMMON CORNER OF SAID 29.869 ACRE TRACT AND SAID REMAINDER OF 108.88 ACRE TRACT;

THENCE: S 47° 04' 14" E CONTINUING ALONG THE SOUTHWEST LINE OF OLD WELLBORN ROAD FOR A DISTANCE OF 376.03 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

THENCE: THROUGH SAID REMAINDER OF 108.88 ACRE TRACT AND SAID 29.869 ACRE TRACT FOR THE FOLLOWING CALLS:

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 18' 31" FOR AN ARC DISTANCE OF 38.97 FEET (CHORD BEARS: S 02° 24' 58" E - 35.14 FEET) TO THE END OF SAID CURVE;

S 42° 14' 17" W FOR A DISTANCE OF 40.54 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 617.50 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 01' 10" FOR AN ARC DISTANCE OF 75.65 FEET (CHORD BEARS: S 38° 43' 42" W - 75.60 FEET) TO THE END OF SAID CURVE;

S 35° 13' 07" W FOR A DISTANCE OF 260.61 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 532.50 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07° 01' 10" FOR AN ARC DISTANCE OF 65.24 FEET (CHORD BEARS: S 38° 43' 42" W - 65.20 FEET) TO THE END OF SAID CURVE;

S 42° 14' 17" W FOR A DISTANCE OF 162.04 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 02' 51" FOR AN ARC DISTANCE OF 39.29 FEET (CHORD BEARS: S 87° 15' 24" W - 35.37 FEET) TO THE END OF SAID CURVE;

S 42° 14' 17" W FOR A DISTANCE OF 33.49 FEET;

N 47° 45' 43" W FOR A DISTANCE OF 669.06 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 430.00 FEET;

ZONING AREA 2

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 37' 19" FOR AN ARC DISTANCE OF 132.25 FEET (CHORD BEARS: N 38° 57' 04" W - 131.73 FEET) TO THE END OF SAID CURVE;

N 30° 08' 24" W FOR A DISTANCE OF 12.08 FEET TO THE SOUTHEAST LINE OF GERMAN ACRES, ACCORDING TO THE PLAT RECORDED IN VOLUME 2393, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 42° 08' 32" E ALONG THE COMMON LINE OF SAID 29.869 ACRE TRACT AND GERMAN ACRES AND THE AFOREMENTIONED 4.53 ACRE CAIN ROAD TRACT FOR A DISTANCE OF 670.74 FEET TO THE **POINT OF BEGINNING** CONTAINING 12.939 ACRES OF LAND, MORE OF LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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ZONING AREA 3

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 29.869 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 11623, PAGE 227 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 EASTERLY LINE OF HOLLEMAN DRIVE (VAR. R.O.W.) MARKING THE NORTHWEST CORNER OF SAID 29.869 ACRE TRACT AND THE SOUTHWEST CORNER OF A CALLED 0.969 ACRE TRACT AS DESCRIBED BY A DEED TO BILLY W. SPARKMAN AND NELLIE SPARKMAN RECORDED IN VOLUME 3381, PAGE 255 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N42° 08' 32" E ALONG THE COMMON LINE OF SAID 29.869 ACRE TRACT AND SAID 1.969 ACRE TRACT FOR A DISTANCE OF 1201.19 FEET TO A POINT ON THE COMMON LINE OF SAID 29.869 ACRE TRACT AND GERMAN ACRES, ACCORDING TO THE PLAT RECORDED IN VOLUME 2393, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE MOST NORTHERLY CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: THROUGH SAID 29.869 ACRE TRACT FOR THE FOLLOWING CALLS:

S 47° 45' 43" E FOR A DISTANCE OF 262.34 FEET;

S 42° 14' 17" W FOR A DISTANCE OF 1009.21 FEET;

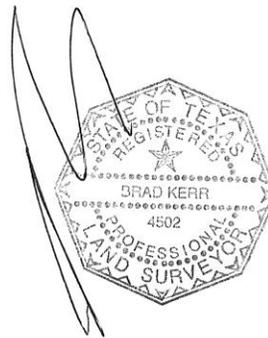
S 56° 23' 58" E FOR A DISTANCE OF 131.48 FEET TO THE COMMON LINE OF SAID 29.869 ACRE TRACT AND THE BARRACKS II SUBDIVISION, PHASE 100, ACCORDING TO THE PLAT RECORDED IN VOLUME 10570, PAGE 293 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 42° 14' 17" W ALONG THE COMMON LINE OF SAID 29.869 ACRE TRACT AND SAID PHASE 100 FOR A DISTANCE OF 399.74 FEET TO A 1/2 INCH IRON ROD FOUND ON THE EASTERLY LINE OF HOLLEMAN DRIVE MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 22° 02' 42" W ALONG THE EASTERLY LINE OF HOLLEMAN DRIVE FOR A DISTANCE OF 433.23 FEET TO THE **POINT OF BEGINNING** CONTAINING 8.651 ACRES OF LAND, MORE OR LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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ZONING AREA 4

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

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE CRAWFORD BURNETT LEAGUE, ABSTRACT NO. 7, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 108.88 ACRE TRACT AS DESCRIBED BY A DEED TO HEATH PHILLIPS INVESTMENTS, LLC RECORDED IN VOLUME 9627, PAGE 73 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 A CALLED 23.00 ACRE TRACT AS DESCRIBED BY A DEED TO HENRY P. MAYO AND WIFE, SANDRA K. MAYO RECORDED IN VOLUME 1253, PAGE 878 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE SOUTHWEST CORNER OF SAID REMAINDER OF 108.88 ACRE TRACT AND THE EAST CORNER OF THE REMAINDER OF A CALLED 27.02 ACRE TRACT AS DESCRIBED BY A DEED TO COLLEGE STATION I.S.D. RECORDED IN VOLUME 9626, PAGE 76 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 47° 43' 18" W ALONG THE COMMON LINE OF SAID REMAINDER OF 108.88 ACRE TRACT AND SAID REMAINDER OF 27.02 ACRE TRACT FOR A DISTANCE OF 148.64 FEET;

THENCE: THROUGH SAID REMAINDER OF 108.88 ACRE TRACT FOR THE FOLLOWING CALLS:

N 42° 14' 17" E FOR A DISTANCE OF 635.47 FEET;

N 47° 45' 43" W FOR A DISTANCE OF 216.00 FEET;

N 42° 14' 17" E FOR A DISTANCE OF 50.00 FEET TO THE BEGINNING OF A CLOCKWISE CURVE HAVING A RADIUS OF 25.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR AN ARC DISTANCE OF 39.27 FEET (CHORD BEARS: N 02° 45' 43" W - 35.36 FEET) TO THE END OF SAID CURVE;

N 42° 14' 17" E FOR A DISTANCE OF 90.92 FEET TO THE SOUTHWEST LINE OF THE BARRACKS II SUBDIVISION, PHASE 101, ACCORDING TO THE PLAT RECORDED IN VOLUME 11191, PAGE 123 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 47° 45' 43" E ALONG THE COMMON LINE OF SAID REMAINDER OF 108.88 ACRE TRACT AND SAID PHASE 101 FOR A DISTANCE OF 377.37 FEET TO THE NORTH CORNER OF A CALLED 12.573 ACRE TRACT AS DESCRIBED BY A DEED TO DWS DEVELOPMENT, INC. RECORDED IN VOLUME 12198, PAGE 194 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 41° 21' 39" W ALONG THE COMMON LINE OF SAID REMAINDER OF 108.88 ACRE TRACT AND SAID 12.573 ACRE TRACT AND THE AFOREMENTIONED 23.00 ACRE MAYO TRACT FOR A DISTANCE OF 801.59 FEET TO THE **POINT OF BEGINNING** CONTAINING 3.508 ACRES OF LAND, MORE OR LESS, BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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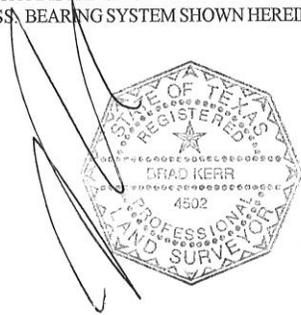


EXHIBIT “C” – CONCEPT PLAN NOTES

1. The land uses proposed for this property are as listed on this plan.
 - a. Townhomes (TH) meeting T - Townhouse zoning requirements with variances as noted below.
 - b. Commercial (COM) meeting C-3 Light Commercial zoning requirements with variances noted below. The following additional uses are permitted in Commercial Tract 3 only:
 - Shooting Range - Indoor
 - Car Wash subject to supplemental standards contained within the UDO
 - Commercial garden/greenhouse/landscape maintenance subject to supplemental standards contained within the UDO
 - Commercial amusement subject to supplemental standards contained in the UDO
 - Office and retail sales/services with storage areas being greater than 50% of the space (i.e. office/warehouse with overhead doors)
 - Self Storage - equipment, materials, recreational vehicles, or boats - in buildings with at least 3 enclosed sides.
 - Restaurants shall NOT be permitted in Commercial Tract 3.
 - d. Recreation Facility (RF) including commercial amusement activities, cable wake board ski facility, flyboarding, administrative offices, pool, exercise room, jogging track, food & beverage services, micro-industrial use for a micro-brewery, and similar recreational offerings for members of the HOA and the general public, and Radio/TV Stations/ Studios. Retail sales of equipment, clothing, and accessories related to these uses are permitted in conjunction with normal operations of the Recreation Facility. Additional accessory uses for this area include a development sales office and model residential condo units, (attached to the commercial building), upon build out of the development the model residential condos will become rental condo unit. Also, additional rental condo units for overnight accommodations on a short or long basis will be allowed in this area. The total number of rental condo units will not exceed 20 units. The units will be rental only and will be owned by the Recreation Facility Developer.
 - e. Multi-Family (MF-4) meeting R-4 Multi-Family zoning requirements. Duplexes are not permitted in this designation.
 - f. Suburban Commercial (SC) meeting SC Suburban Commercial zoning requirements with the addition of retail sales, convenience store with fuel sales up to 10 fueling stations and a drive through window restaurant, and retail sales and service - alcohol.
 - g. Recreation Facility 2 (RF-2) Mixed Use Tract including all uses in the Recreation Facility (RF) with additions of multi-family units or condos meeting R-6 High Density Multi-Family requirements, General Commercial uses including health clubs, indoor

EXHIBIT “C” Concept Plan Notes (continued)

sports facilities, outdoor sports facilities, hotel, offices, personal service shop, restaurants, and theaters. Night clubs, bars, and taverns may be permitted by Conditional Use Permit. Duplexes are not permitted in this designation.

2. General bulk or dimensional variations (meritorious modifications) are as follows:
 - a. Townhome (TH) development (variations from T – Townhouse zoning)
 - Front setback distance - 20 ft without rear access, 15 ft with rear access
 - Rear setback distance - 20 ft
 - Street side setback distance - 15 ft
 - Side setback distance - 5 ft
 - Common area side setback distance - 5 ft
 - b. Commercial Tract 3 shall be permitted to erect a freestanding sign in accordance with Section 12-7.5.N of the UDO. The sign may be raised to a maximum height of 20 feet.
 - c. Dead-end streets in residential areas are permitted up to maximum of 100 feet in length.
3. Special conditions for Commercial (COM), Suburban Commercial (SC) or General Commercial (GC) development for Commercial Tracts 1, 1A, & 3:
 - a. The total building area of all commercial buildings shall not exceed 50,000 sf. This figure excludes self storage units and buildings associated with the Recreation Facility (RF) and Recreation Facility (RF-2).
 - b. Self storage units shall be allowed in Commercial Tract 3 only. The total leasable area of all self storage units shall not exceed 15,000 sf.
 - c. No openings to self storage buildings are allowed on the sides adjacent to any street right-of-way or alley that is associated with residential development.
 - d. The self storage facility will be permitted to incorporate an office on the premises for management and security. The office shall be permitted to sell equipment or materials related to storage and moving, but shall not sell/rent trucks or trailers. The office will be limited to a maximum of 1,000 sf. Living quarters for the managers of the facility will also be permitted within the premises. These quarters shall be no larger than 1,000 sf.
 - e. Individual commercial buildings shall not exceed 10,000 sf with the following exceptions:
 - One commercial building will be allowed up to a maximum of 15,000 sf. The building may be located on Commercial Tract 3.
 - This maximum building size does not apply to the Recreation Facility (RF) & Recreation Facility 2 (RF-2).

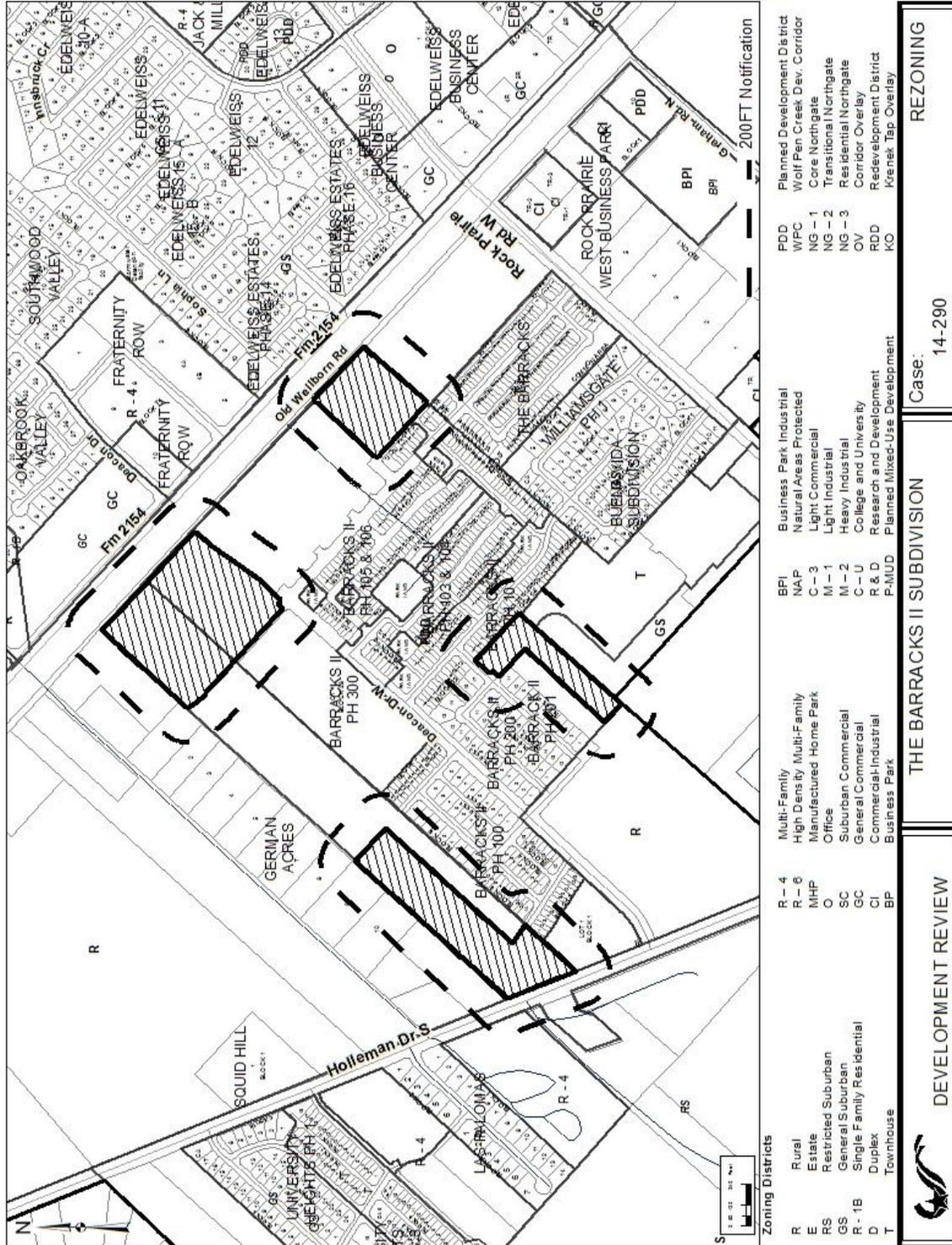
EXHIBIT “C” Concept Plan Notes (continued)

- f. The following applies to tracts 1, 1A, & 3. Unless otherwise noted herein, commercial buildings and related parking areas shall comply with the Non-Residential Architectural Standards as applied with SC Suburban Commercial zoning.
 - g. All commercial tracts shall provide cross access in accordance with the UDO.
 - h. Convenience stores with fuel sales in SC areas shall be limited to either Commercial Tract 1.
4. Special conditions for the Recreation Facility (RF) are as follows:
- a. Food and beverage services are permitted within the Recreation Facility.
 - b. Commercial amusement activities, including water recreation and associated equipment, shall be allowed within the Recreation Facility boundary. Motorized vehicles are allowed for recreational activities and for rescue or maintenance purposes.
 - c. Any buildings and parking areas associated with the Recreation Facility shall comply with the Non-Residential Architectural Standards in the UDO.
 - d. Landscaping requirements in the UDO will be applied to the building, parking, and adjacent amenity areas of the Recreation Facility. The remainder of the Recreation Facility is excluded from these requirements.
 - e. Drainage and access easements shall be granted to the Homeowners Association for maintenance purposes associated with the detention ponds and their related appurtenances.
 - f. The following operational restrictions shall be imposed on the Recreation Facility and its related facilities:
 - Hours of operation for the cable wake board ski facility shall be no earlier than 8:00 a.m. and no later than 12:00 midnight. All other recreational amenities may be open for use between the hours of 7:00 a.m. and 2:00 a.m. The restaurant will be allowed to set its own hours of operation.
 - Lighting shall be designed in accordance with the Unified Development Ordinance. Lights used for the ski facility shall be turned off no later than 1 hour following the closing times noted above except when necessary for maintenance purposes that cannot be undertaken during daylight hours.
 - The Recreation Facility shall have a maximum of three 2-tower cable wake board ski systems.
5. A block length of up to 1,270 feet is allowed along Deacon Drive West in front of the Recreation Facility and along the north boundary of Recreation Facility 2 (RF-2). A block length of 860 feet is allowed along the east side of Commando Trail, and the west side of

EXHIBIT “C” Concept Plan Notes (continued)

- General Parkway. A block perimeter of 4,179 feet is required for the block created by General Parkway, Deacon Drive West, Commando Trail, and the German Acres Subdivision.
6. Recreation Facility (RF) shall be limited to a maximum height of 50 feet. All other designations shall meet the requirements of the UDO based on the use.
 8. When there are more than 30 lots to be served by external street connections, a minimum of two connections to external paved public streets shall be required. A Remote Emergency Access is permitted to serve as one of these connections. Two street connections to external paved public streets shall be required when 100 or more lots are served.
 9. Unless otherwise noted herein, buffer areas will be provided in accordance with the UDO.
 10. Driveway access from residential lots shall not be permitted onto streets designated as minor collector or larger.
 11. Right-of-way and pavement widths shown on this plan reflect the widths that are required along the majority length of each street. These widths can be increased at intersections of collector streets as needed to accommodate turning lanes, medians or other traffic controls.
 12. All stormwater requirements (including detention) shall be designed to comply with the BCS Drainage Design Guidelines.
 13. If the City of College Station or another entity constructs a regional detention facility in the drainage basin encompassing this tract of land that has capacity to serve this development, one or more of the detention facilities shown here may be eliminated upon approval by the City Engineer. Any land released from use as a detention facility may be developed for other uses pending approval of revised PDD Zoning.
 14. Pedestrian and bicycle circulation will be provided throughout the project as required by the UDO. Location and details of these facilities will be determined at platting or site plan submittal.
 15. A left turn lane will be constructed on Holleman Drive when the ABCD connection is made.
 16. Density for the residential development portions shall not exceed 8 dwelling units per acre (Subdivision Gross). The density area excludes Commercial, Multi-family, Recreation Facility and Recreation Facility 2 areas.

EXHIBIT "D"



| | | |
|----------------------------------|---|------------------------|
| <p>DEVELOPMENT REVIEW</p> | <p>THE BARRACKS II SUBDIVISION</p> | <p>REZONING</p> |
| | <p>Case: 14-290</p> | |