



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Thursday, August 11, 2016

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. [16-0480](#) Presentation, possible action, and discussion of minutes for:
- July 28, 2016 Workshop
 - July 28, 2016 Regular Meeting

Sponsors: Mashburn

Attachments: [WKSHP072816 DRAFT Minutes](#)
[RM072816 DRAFT Minutes](#)

- 2b. [16-0400](#) Presentation, possible action, and discussion on approving a contract for the grant of federal HOME Community Housing Development Organization (CHDO) Set-Aside funds with Elder-Aid, Inc. in the amount of \$200,000 for acquisition and rehabilitation of two (2) existing dwelling units to be used as affordable rental housing for income-eligible elderly households.

Sponsors: Eller

Attachments: [Contract and Grant for HOME Programs- Elder-Aid Inc.](#)

- 2c. [16-0413](#) Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300415) with Binkley and Barfield, Inc., in the amount of \$571,102.50, for engineering and surveying services associated with the FM 2818 Capacity Improvements Design Project.

Sponsors: Harmon

Attachments: [Project Location Map 8.5x11 - FM2818 Capacity Improvements](#)

- 2d. [16-0419](#) Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300529) with Jones & Carter, Inc. for \$152,500 for the final design and construction phase services for the Lick Creek Generator Replacement Project.

Sponsors: Harmon

Attachments: [Lick Creek Location Map](#)

- 2e. [16-0420](#) Presentation, possible action, and discussion regarding construction contract 16300432 with JaCody Construction, LP LLC, in the amount of \$3,366,146 for renovations to the existing facility and construction of a new multi-purpose building for the Lincoln Recreation Center.

Sponsors: Harmon

Attachments: [ITB 16-075 tabulation - 16-075 Tabulation](#)
[Project location map](#)

- 2f. [16-0421](#) Presentation, possible action, and discussion regarding approval of a Professional Services Contract (Contract No. 16300553) with Binkley & Barfield in the amount of \$650,326 for the professional engineering services related to the design of the Rock Prairie Road West Widening Project (ST1604).

Sponsors: Harmon

Attachments: [Project Map](#)

- 2g. [16-0435](#) Presentation, possible action, and discussion regarding the award of Bid 16-087 to Techline, Inc. in the amount of \$51,600 for the purchase of distribution line sensors.

Sponsors: Crabb

Attachments: [Bid Tab for 16-087](#)

- 2h. [16-0436](#) Presentation, possible action, and discussion regarding the rejection bids 16-006 and 16-059 for the University Drive Underground Cable Installation Project.

Sponsors:

Crabb

- 2i. [16-0445](#) Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 7:00 p.m., to consider the imposition of water and wastewater impact fees.

Sponsors:

Gibbs

Attachments:[15B RES hearing w-ww IF](#)

- 2j. [16-0449](#) Presentation, possible action, and discussion regarding the annual copy and print services blanket order second renewal with Alphagraphics (formerly Tops Printing) for \$80,000; Copy Corner for \$40,000; and Office Depot (available through the National Intergovernmental Purchasing Alliance Cooperative (NIPA)) for \$20,000. The total not to exceed amount is \$140,000 for copy and print services

Sponsors:

Leonard

Attachments:[Bid 14-072 Signed Copy and Print - AlphaGraphics](#)[Bid 14-072 Signed Copy and Print - Copy Corner](#)

- 2k. [16-0450](#) Presentation, possible action, and discussion on Renewal 1 of the award for the annual purchase of electric distribution poles, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$525,996 to Techline, Inc. This includes a vendor requested overall price increase of 4.35%.

Sponsors:

Leonard

Attachments:[Bid 15-062 Signed Electric Distribution Poles](#)

- 2l. [16-0455](#) Presentation, possible action, and discussion regarding the bid award of annual transformer repair and rebuild services to Greenville Transformer Company, Inc. in the amount of \$64,515.85.

Sponsors:

Crabb

Attachments:[Bid Tab 16-089](#)

- 2m. [16-0460](#) Presentation, possible action, and discussion on calling a public hearing on the City of College Station FY 2016-2017 Proposed Budget for Thursday September 8, 2016 at 7:00 PM in the City Hall Council Chambers.

Sponsors:

Kersten

- 2n. [16-0472](#) Presentation, possible action, and discussion regarding approval of a construction contract 16300497 with Hahn Equipment Company in the amount of \$149,049 for the replacement of the Lick Creek

Raw Lift Pumps and Variable Frequency Drives.

Sponsors: Coleman

Attachments: [ITB 16-085 tabulation - ITB 16-085 Tabulation](#)

20. [16-0475](#) Presentation, possible action, and discussion on an amendment to the funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau (CVB) for FY16. The amendment will allow for reimbursement costs in the amount of \$30,000 related to the acquisition of a site for a visitor information center according to Tax Code Section 351.101(a) (1). The original agreement allowed for reimbursement of legal and architect fees associated with a new joint facility with the Arts Council of the Brazos Valley (also in the amount of \$30,000).

Sponsors: Kersten

Attachments: [CVB 2016 Amend #1-Shannon signed](#)

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. [16-0477](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Estate and Suburban Commercial to Restricted Suburban for approximately 16 acres

located 8607 Rock Prairie Road, generally located north of Rock Prairie Road and west of William D. Fitch Parkway.

Sponsors:

Paz

Attachments:

[Background Information](#)

[Aerial](#)

[Amendment Map](#)

[0 comp plan 8607 RPR 3 FINAL](#)

2. [16-0478](#) Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.149-acre portion of the right-of-way located at 600 First Street, being part of the W.C. Boyett Estate Partition Map recorded in Volume 100, Page 440 of the Deed Records of Brazos County, Texas.

Sponsors:

Cotter

Attachments:

[Vicinity Map](#)

[Location Map](#)

[Ordinance](#)

[Exhibit A](#)

3. [16-0479](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Article 3 "Development Review Procedures", Section 12-3.4.C "Application Requirements" and Article 7 "General Development Standards", Section 12-7.13 "Traffic Impact Analysis", regarding Traffic Impact Analyses for single-family development.

Sponsors:

Singh

Attachments:

[Redlined Applicable UDO Sections](#)

[Ordinance 12-7.13 4](#)

4. [16-0467](#) Presentation, possible action, and discussion on an ordinance amending Chapter 10 "Traffic Code" of the Code of Ordinances of the City of College Station, Texas by addition Section 10-14 "Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle" and providing a severability clause; declaring a penalty; and providing an effective date.

Sponsors:

McCollum

Attachments:

[Section 10-14 WCD Ord 7-28-16](#)

5. [16-0481](#) Presentation, possible action, and discussion regarding appointments to the following boards and commissions:
- Design Review Board

- Historic Preservation Committee
- Parks and Recreation Board

Sponsors: Mashburn

6. Adjourn.

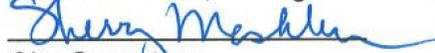
The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion.

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 August 5, 2016 at 5:00 p.m.



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."



Legislation Details (With Text)

File #: 16-0480 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 7/29/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
· July 28, 2016 Workshop
· July 28, 2016 Regular Meeting
Sponsors: Sherry Mashburn
Indexes:
Code sections:
Attachments: [WKSHP072816 DRAFT Minutes](#)
[RM072816 DRAFT Minutes](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion of minutes for:

- July 28, 2016 Workshop
- July 28, 2016 Regular Meeting

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:

- July 28, 2016 Workshop
- July 28, 2016 Regular Meeting

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
JULY 28, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney, absent
John Nichols
Julie Schultz
James Benham, via videoconference

TAMU Student Liaison

Wayne Beckermann, VP/Municipal Affairs,
Absent

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Berry at 4:31 p.m. on Thursday, July 28, 2016 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, the College Station City Council convened into Executive Session at 4:33 p.m. on Thursday, July 28, 2016 in order to continue discussing matters pertaining to:

- A. Consultation with Attorney to seek advice regarding pending or contemplated litigation; to wit:
- Juliao v. City of College Station, Cause No. 14-002168-CV-272, in the 272nd District Court of Brazos County, Texas

- Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas

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

- Legal issues related to the replacement of iPerl water meters.

The Executive Session adjourned at 4:55 p.m.

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

The following action was required from Executive Session:

MOTION: Upon a motion made by Councilmember Nichols and a second by Mayor Berry,, the City Council voted six (6) for and one (0) opposed, to delegate authority to the City Manager to negotiate and execute on behalf of the City a certain settlement agreement between the City and Sensus USA, Inc. related to the replacement, at no cost to the City, of certain water meters previously purchased by the City. The motion carried unanimously.

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

Items 2d, 2h, and 2l were pulled from Consent for clarification.

(2d) and (2h): Troy Rother, Traffic Engineer, explained this came about due to complaints from the schools about the traffic congestion. Left turns have been prohibited from the school driveways. Parking is still allowed along Boswell so that parents can park and walk their child into the school.

(2l): Alan Gibbs, Engineer, stated that staff wants to push the Public Hearing date back to allow more time to prepare.

5. Presentation, possible action, and discussion on membership qualifications for various boards and commissions.

Sherry Mashburn, City Secretary, noted that the majority of the City's boards and commissions only require that an appointee be a resident of College Station and be a registered voter in College Station. However, there are three boards that have additional specific criteria, which may make it difficult to fill those particular positions. The purpose of the presentation is to review the member qualifications for the Bicycle, Pedestrian and Greenways Advisory Board, the Design Review Board, and the Landmark Commission in order to determine if the establishing ordinances can, or should, be amended to open up the candidate pool.

Molly Hitchcock and Venessa Garza, Planning and Development, provided the background on the make-up of the committees. Council directed staff to leave the Bicycle, Pedestrian and Greenways Advisory Board as is, and to bring back to Council a draft ordinance amending the establishing ordinance governing the Design Review Board, incorporating Council recommendation to

simplify the make-up. Council recommended that the Landmark Commission become dormant until such time that a request for Historic Overlay is brought to the City.

6. Council Calendar

Council reviewed the calendar.

7. 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.

There were no future items.

8. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, 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, Sister Cities Association, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, YMCA, Youth Advisory Council, Zoning Board of Adjustments,

Councilmember Brick reported on the Community Impact Luncheon and the Volunteer Appreciation Dinner.

Councilmember Nichols reported on the CVB.

Councilmember Aldrich reported on the RVP.

9. Adjournment

There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 7:00 p.m. on Thursday, July 28, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JULY 28, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney, absent
John Nichols
Julie Schultz
James Benham, via videoconference

TAMU Student Liaison

Wayne Beckermann, VP/Municipal Affairs,
Absent

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7 09 p.m. on Thursday, July 28, 2016 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.

MOTION: Upon a motion made by Councilmember Aldrich and a second by Mayor Berry, the City Council voted six (6) for and none (0) opposed, to approve Councilmember Mooney's absence request. The motion carried unanimously.

Recognition of the top 10 Business Performance Awards in Brazos County.

Mayor Berry recognized the 2016 Top Ten Fastest Growing Small Businesses in Brazos County: Pitman Custom Homes; J4 Engineering; The Barracks Construction Group; Kellen Construction Interiors; Magruder Homes; FrogSlayer; Computers, Electronics, Office Etc.; Tracy Stewart, CPA;

America's Choice Roofing; and Capital Construction Services. Two other special awards were recognized: Texas Commercial Waste, recipient of the Anco Insurance Award for Lifetime Business Achievement; and Dr. James Monroe, recipient of the Research Valley Commercialization Rising Star Award.

Hear Visitors Comments

Ben Roper, 5449 Prairie Dawn Ct., came before Council to honor the service and sacrifice of Pfc. Rick A. Morris Jr.

Safia Naqi, 1706 Leona, came before Council to urge the Mayor and Council to authorize repair and ongoing maintenance of the alley serving dozens of owners and tenants.

Dorothy Kurtzmal, 1610 Leona, came before Council to reiterate Ms. Naqi comments.

CONSENT AGENDA

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

- **July 14, 2016 Workshop**
- **July 14, 2016 Regular Meeting**

2b. Presentation, possible action, and discussion regarding Resolution 07-28-16-2b, approving the proposed FY 2017 Community Development Budget and proposed PY 2016 Annual Action Plan to be submitted to the U. S. Department of Housing and Urban Development as per the requirement of the Community Development Block Grant and HOME Investment Partnership Program grant.

2c. Presentation, possible action, and discussion on a bid award for the purchase of electrical substation equipment to Wesco Distribution for \$94,260 and Hitachi HVB for \$64,940 for a total award amount of \$159,200.

2d. Presentation, possible action, and discussion on Ordinance 2016-3786, amending Chapter 10, "Traffic Code", Section 2 "Traffic Control Devices", J "One-Way Streets and Alleyways", (1) "Traffic Schedule VII - One-Way Streets and Alleyways", of the Code of Ordinances of The City of College Station, Texas, by making Boswell Street a One-Way Street all the time.

2e. Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300514) with Freese and Nichols, in the amount of \$1,379,449 for the design and construction phase services for the Lick Creek Parallel Trunk Line Project, Phases I & II; and approval of Resolution 07-28-16-2e, declaring intention to reimburse certain expenditures with proceeds from debt.

2f. Presentation, possible action, and discussion on the bid award for an annual blanket order for the purchase of Type D Hot Mix Asphalt to be picked up by City Crews for the

maintenance of streets to Knife River for \$1,397,500 and Brazos Paving, Inc. for \$427,000. The total annual not to exceed expenditure is \$1,824,500.

2g. Presentation, possible action, and discussion regarding construction contract (Contract No. 16300487) with Restocon Corporation, in the amount of \$326,905 for concrete and masonry repairs to the Northgate Parking Garage.

2h. Presentation, possible action, and discussion on Ordinance 2016-3789, amending Chapter 10, "Traffic Code", Section 4 "Administrative Adjudication of Parking Violations", E "Parking Regulations of Certain Described Areas", (1) "Traffic Schedule XIV - No Parking Here to Corner or No Parking Anytime" to remove stopping, standing, and parking along Langford Street and Boswell Street.

2i. Presentation, possible action, and discussion regarding an annual water meter purchase contract with National Meter & Automation, Inc. for a maximum annual amount of \$463,000.

2j. Presentation, possible action, and discussion regarding construction contract 16300454 with Smith Pump Company in the amount of \$82,291 for the rehabilitation of Transfer Pump number three.

2k. Presentation, possible action, and discussion on the first renewal of the annual price agreement (ITB 15-046) with ProSTAR Industries for the purchase of janitorial supplies not to exceed \$65,000.

2l. Presentation, possible action, and discussion regarding approval of Resolution 07-28-16-2l, setting a public hearing to consider for the imposition of Roadway Impact Fees.

2m. Presentation, possible action, and discussion regarding approval of Resolution 07-28-16-2m, setting a public hearing date to consider the imposition of water and wastewater impact fees.

2n. Presentation, possible action, and discussion on Ordinance 2016-3789, authorizing a General and Special Election to be held on November 8, 2016, for the purpose of electing a Mayor and City Councilmember, Place 2, and to fill a vacancy for the two year remainder of the unexpired term of office of Councilmember, Place 4, and to fill a vacancy for the one year remainder of the unexpired term of office of Councilmember, Place 3, by the qualified voters of the City of College Station, establishing early voting locations, polling places for this election and making provisions for conducting the election. *Presentación, posible acción y discusión sobre una ordenanza autorizando Elecciones Generales y Especial para celebrarse el 8 de noviembre de 2016, con el propósito de elegir a un Alcalde y a un Miembro del Consejo, Puesto número 2, y para llenar una vacante para los dos año resto del mandato que quede del mandato de concejal, puesto 4, y para llenar una vacante para el un año resto del mandato que quede del mandato de concejal, puesto 3, por medio de los votantes calificados de la Ciudad de College Station, estableciendo los puestos de votaciones tempranas, los centros de votaciones para estas elecciones e indicando las estipulaciones para dirigir las elecciones.*

Items 2l and 2m were pulled from Consent for a separate vote.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda, less items 2l and 2m. The motion carried unanimously.

(2l)MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to bring this item back before Council no later than November 10. The motion carried unanimously.

(2m)MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to bring this item back before Council no later than September 22. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion on Ordinance 2016-3790, Budget Amendment #2 amending Ordinance No. 3705 which will amend the budget for the 2015-2016 Fiscal Year in the amount of \$628,873 and decrease the net personnel FTE count by 5.0; and presentation, possible action and discussion on interdepartmental and contingency transfers totaling \$378,266.

Jeff Kersten, Assistant City Manager, reported that the proposed budget amendment is to increase the FY16 budget appropriations by \$628,873. The amendment also includes one interdepartmental transfer for \$19,960 and one contingency transfer for \$358,306 totaling \$378,266.

At approximately 7:34 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 Nichols and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3790, Budget Amendment #2 amending Ordinance No. 3705 which will amend the budget for the 2015-2016 Fiscal Year in the amount of \$628,873 and decrease the net personnel FTE count by 5.0; and presentation, possible action and discussion on interdepartmental and contingency transfers totaling \$378,266. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3791, 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 R Rural to PDD Planned Development District for approximately 6.078 acres of land lying and being situated in the J.H. Jones survey, Abstract No. 26, College Station, Brazos County, Texas. Said Tract being a portion of a Called 20.5424 acre tract of land as described by a deed to Camwest Traditions LP recorded in Volume 8555, Page 167 of the Official Public Records of Brazos County, Texas, generally located at

5068 Raymond Stotzer Parkway, more generally located at the southeast corner of the intersection of Highway 47 Frontage Road and HSC Parkway.

Councilmember Schultz recused herself from this item.

Mark Bombeck, Planning and Development, stated that this request is to rezone the subject property from Rural to Planned Development District with a base zoning district of Business Park. This request is being made as a step toward developing a mixed-use office complex.

The Planning and Zoning Commission considered this item at their July 7 meeting, and voted unanimously to recommend approval of the applicant's request with staff's recommendation to limit the size of the permitted retail sales use to a maximum of 15,000 square feet.

At approximately 7:41 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:41 p.m.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Benham, the City Council voted five (5) for and none (0) opposed, with Councilmember Schultz abstaining, to adopt Ordinance 2016-3791, 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 R Rural to PDD Planned Development District for approximately 6.078 acres of land lying and being situated in the J.H. Jones survey, Abstract No. 26, College Station, Brazos County, Texas. Said Tract being a portion of a Called 20.5424 acre tract of land as described by a deed to Camwest Traditions LP recorded in Volume 8555, Page 167 of the Official Public Records of Brazos County, Texas, generally located at 5068 Raymond Stotzer Parkway, more generally located at the southeast corner of the intersection of Highway 47 Frontage Road and HSC Parkway. The motion carried.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3792, amending Chapter 12, "Unified Development Ordinance" of the Code of Ordinances of the City of College Station, Texas, Articles 1 "General Provisions", 4 "Zoning Districts", 5 "District Purpose Statements and Supplemental Standards", 6 "Use Regulations", 7 "General Development Standards", and 8 "Subdivision Design and Improvements", related to the creation of the WE Wellborn Estate, WRS Wellborn Restricted Suburban, and WC Wellborn Commercial zoning districts in compliance with the Wellborn Community Plan.

Jessica Bullock, Planning and Development, reported that the Wellborn Community Plan, adopted in 2009, identifies ten Future Land Use and Character designations and calls for the creation of zoning districts that align with the objectives of the Plan as one means of implementation. Since the adoption of the plan, several zoning districts have been created that can be used city-wide that also comply with the vision of the Wellborn Community Plan. Using the land uses adopted as part of the Wellborn Community Plan and stakeholder feedback, staff proposes two new residential districts (Wellborn Estate and Wellborn Restricted Suburban) and one new commercial district (Wellborn Commercial) that will only be permitted in the Wellborn Community Plan Area. The

new zoning districts were developed from feedback received from community members along with the language provided in the Wellborn Community Plan.

The Planning and Zoning Commission considered this item at their June 16 meeting and voted 6-0 to recommend approval.

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

Robert Cohen, 3655 McCullough Road, provide written comments, attached.

Joe Guerra, 2709 Ravenstone, said the zoning districts are a long time coming, and he is very happy for the residents of Wellborn.

There being no further comments, the Public Hearing was closed at 7:55 p.m.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Benham, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3792, amending Chapter 12, “Unified Development Ordinance” of the Code of Ordinances of the City of College Station, Texas, Articles 1 “General Provisions”, 4 “Zoning Districts”, 5 “District Purpose Statements and Supplemental Standards”, 6 “Use Regulations”, 7 “General Development Standards”, and 8 “Subdivision Design and Improvements”, related to the creation of the WE Wellborn Estate, WRS Wellborn Restricted Suburban, and WC Wellborn Commercial zoning districts in compliance with the Wellborn Community Plan. The motion carried unanimously.

4. Presentation, possible action, and discussion regarding Ordinance 2016-3793, amending Chapter 2, “Animal Control”, Section 4 “Livestock, Birds, Exotic Animals and Wild Animals”, of the Code of Ordinances of the City of College Station, Texas related to the creation of the WE Wellborn Estate zoning district in compliance with the Wellborn Community Plan.

Jessica Bullock, Planning and Development, reported that this item amends Chapter 2 of the Code of Ordinances to allow the keeping of domestic livestock, fowl, and rabbits without a permit in the newly-created Wellborn Estate zoning district.

Staff recommends approval.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2016-3793, amending Chapter 2, “Animal Control”, Section 4 “Livestock, Birds, Exotic Animals and Wild Animals”, of the Code of Ordinances of the City of College Station, Texas related to the creation of the Wellborn Estate zoning district in compliance with the Wellborn Community Plan. The motion carried unanimously.

5. Presentation, possible action and discussion regarding appointments to the following boards and commissions:

- **Design Review Board**

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to appoint Valerian Miranda to the vacant regular position and Jeff Mills to the alternate position. The motion carried unanimously.

6. Adjournment.

There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:01 p.m. on Thursday, July 28, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary



Legislation Details (With Text)

File #:	16-0400	Version:	1	Name:	Grant of federal HOME Community Housing Development Organization (CHDO)
Type:	Contract	Status:		Status:	Consent Agenda
File created:	6/28/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on approving a contract for the grant of federal HOME Community Housing Development Organization (CHDO) Set-Aside funds with Elder-Aid, Inc. in the amount of \$200,000 for acquisition and rehabilitation of two (2) existing dwelling units to be used as affordable rental housing for income-eligible elderly households.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	Contract and Grant for HOME Programs- Elder-Aid Inc.				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on approving a contract for the grant of federal HOME Community Housing Development Organization (CHDO) Set-Aside funds with Elder-Aid, Inc. in the amount of \$200,000 for acquisition and rehabilitation of two (2) existing dwelling units to be used as affordable rental housing for income-eligible elderly households.

Relationship to Strategic Goals:

- Financially Sustainable City
- Core Services and Infrastructure
- Neighborhood Integrity

Recommendation(s): Staff recommends approval of this Contract

Summary: The federal HOME program provides assistance to income qualified persons by funding a variety of affordable housing activities. The City is required by the U. S. Department of Housing and Urban Development (HUD) to make at least 15% of each years HOME grant allocation available for non-profit agencies that meet the definition of a Community Housing Development Organization (CHDO). CHDO's must have, as one of their goals, the provision of affordable housing. They must also have a board make-up that complies with the HOME Program requirements. The 15% set-aside funds may be used for most HOME eligible activities. The HOME grant provides the flexibility to exceed the 15% requirement if eligible, feasible projects are proposed that address the community needs. Affordable senior housing has been identified as a HIGH priority need in the Consolidated Plan.

Elder-Aid, Inc. has been certified by the City as an eligible CHDO since May 2015 to allow the organization to expand their mission of serving the elderly into College Station. They have purchased, rehabilitated and leased 6 duplex units in the City of College Station. They have

demonstrated capacity as a CHDO for the City of Bryan since 1998, where they have received HOME funds to construct eighteen (18) single-family homes restricted for rental to elderly households. Elder-Aid submitted a proposal to acquire and rehabilitate two (2) existing dwelling units for use as affordable rental units for income-eligible, elderly households. The dwelling units consist of one (1) duplexes located on Normand Drive.

Budget & Financial Summary: These funds are available in the FY 2012 and FY13 HOME budget.

Attachments:

Attachment 1: Contract and Grant for HOME Programs

CITY OF COLLEGE STATION, TEXAS

**CONTRACT AND GRANT FOR
HOME PROGRAMS: ELDER-AID, INC.**

Article I. PARTIES

Section 1.01 This HOME CHDO Allocation of Funding Contract (the "Contract") is between the **City of College Station** ("City"), a home-rule municipality of the State of Texas, and **Elder-Aid, Inc.**, ("Recipient"), a Texas Non-Profit Corporation (collectively referred to as the "Parties").

Article II. CONTRACT PERIOD

Section 2.01 This contract shall commence on August 1, 2016, and the project shall be completed by August 1, 2018, unless extended by agreement of the Parties in writing. This agreement will remain valid throughout the fifteen (15) year "Period of Affordability" as defined by 22.02.

Article III. RECIPIENT PERFORMANCE

Section 3.01 Recipient shall administer Two (2) projects in accordance with the HOME INVESTMENT PARTNERSHIPS ACT OF 1990, 42 U.S.C. 12701 ET SEQ. (THE ACT) and the implementing regulations, 24 CFR PART 92, TEXAS GOVERNMENT CODE SECTION 531.001 ET SEQ., and the HOME INVESTMENT PARTNERSHIPS PROGRAM RULES. Recipient shall perform all activities in accordance with the terms of the Performance Statement, ("Exhibit A" attached hereto); the Budget, ("Exhibit B" attached hereto); the Project Implementation Schedule, ("Exhibit C" attached hereto); the Applicable Laws and Regulations, ("Exhibit D" attached hereto); the Certifications, ("Exhibit E" attached hereto); the assurances, covenants, warranties, certifications, and all other statements made by Recipient in its application for the project funded under this contract; and with all other terms, provisions, and requirements set forth in this contract.

Section 3.02 In the event the affordability requirements of 24 CFR 92.252 & 24 CFR 92.254 are not satisfied by Recipient hereunder, Recipient shall bear ultimate responsibility for repayment of HOME funds.

Section 3.03 In the event that there is program income, repayments, and/or recaptured funds, the funds must be used in accordance with the requirements of 24 CFR 92.503, as outlined in the Performance Statement, "Exhibit A".

Section 3.04 Recipient agrees to maintain itself as a CHDO in accordance with Title II of the National Affordable Housing Act (1990), as it may be amended, concerning the HOME

Investment Partnership program (HOME) and 24 CFR 92.300.

Section 3.05 All HOME assisted units shall comply with the HOME rents as stated in 24 CFR. 92.252. Recipient must annually provide City with information on rents and occupancy of HOME-assisted units. Rents may not exceed the maximum HOME rents published annually by HUD (Exhibit F). Any increase in rents for HOME-assisted units is subject to the provisions of 24 CFR 92.252(f)(3). Tenants of HOME units must receive not less than 30 days prior written notice before implementing any increase in rents. Based upon the HOME portion of the total eligible development cost, two (2) units will be designated as HOME assisted units and will be floating units. The term floating units means units that are designated as HOME assisted units but may change over time as long as the total number of HOME assisted units within the project remains not less than two (2) and that these units do not differ over the affordability period in terms of size, amenities and number of bedrooms from other non-HOME assisted units.

Section 3.06 Maximum rents and income will be established annually by the U. S. Department of Housing and Urban Development, and the Recipient will be notified in writing of said rates by the Community Development Division of the Community Services Department, as soon as the Division is made aware of said rates.

Section 3.07 Annually or as tenant occupancy changes, whichever occurs earlier, the Recipient will submit to the City a copy of the lease and proof of income of the tenants occupying the HOME units. This information will be submitted for the duration of the affordability period as noted in the Land Use Restriction Agreement.

Section 3.08 The Recipient agrees not to prohibit a Section 8 tenant from occupying a HOME unit. The Recipient is not prohibited from conducting a background check on credit history or criminal history.

Article IV. CITY FINANCIAL OBLIGATIONS

Section 4.01 City Financial Obligations. In consideration of full and satisfactory performance of the activities referred to in Article V of this contract, City shall be obligated to pay for eligible actual and reasonable costs incurred by Recipient during the contract period for performances rendered under this contract by Recipient, subject to the limitations set forth in this Article IV.

- (a) The Parties agree that City's obligations under Article IV of this contract are contingent upon the actual receipt of adequate local and/or federal funds. If adequate funds are not available to make payments under this contract, City shall notify Recipient in writing within a reasonable time after such fact is determined. City shall then terminate this contract and shall not be liable for failure to make payments to Recipient under this contract.
- (b) City shall not be liable to Recipient for any costs incurred by Recipient, or any portion thereof, which have been paid to Recipient or which are subject to payment to Recipient,

or which have been reimbursed to Recipient, or are subject to reimbursement to Recipient, by any source other than City or Recipient.

- (c) City shall not be liable to Recipient for any costs incurred by Recipient which are not eligible project costs, as set forth in 24 CFR 92.206(A) and Article VI of this contract. Funds provided under this contract shall not be used nor shall City be liable for payment of costs associated directly or indirectly incurred because of prohibited activities as defined in 24 CFR 92.214.
- (d) City shall not be liable to Recipient for any costs incurred by Recipient or for any performances rendered by Recipient which are not strictly in accordance with the terms of this contract, including the terms of Exhibits A, B, C, D, and E of this contract.
- (e) City shall not be liable for costs incurred or performance rendered by Recipient before commencement or after termination of this contract.

Section 4.02 LIMIT OF LIABILITY. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CONTRACT, THE TOTAL OF ALL PAYMENTS AND OTHER OBLIGATIONS INCURRED BY CITY UNDER THIS CONTRACT SHALL UNDER NO CIRCUMSTANCES EXCEED ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED AND NINETY-SEVEN AND 32/100, (\$118,797.32), FROM THE FY 2012 (HUD GRANT YEAR 2011) AND EIGHTY-ONE THOUSAND TWO HUNDRED AND TWO AND 69/100 (\$81,202.69) FY 2013 (HUD GRANT YEAR 2012) BUDGET.

Section 4.03 Conversion to Homeownership With the permission of the City, the owner of the HOME-assisted rental unit(s) may convert said units to homeownership pursuant to 24 CFR§92.255.

Article V. DISBURSEMENT OF FUNDS

Section 5.01 City shall pay costs incurred which it determines are eligible and which are properly submitted under this contract in accordance with the requirements of 24 CFR 92.502. Recipient may not request disbursement of funds under this contract until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount of money needed to pay eligible costs actually incurred, and may not include amounts for prospective or future needs.

Section 5.02 Any and all Program Income as defined by 24 CFR 84.21 must be disbursed by Recipient prior to requesting a disbursement of funds from the City. Proceeds from the sale of properties acquired and rehabilitated under this contract are not to be considered program income but may be retained by the CHDO as allowed under 24 CFR 92.300(a)(2) as CHDO Proceeds. All such proceeds retained the Recipient must be used for future affordable housing activities within the jurisdictional boundaries of the City of College Station, subject to approval by the City.

Section 5.03 The Parties agree that City's obligations to make payments under this contract is contingent upon Recipient's full and satisfactory performance of its obligations under this contract. City reserves the right to recover, recapture or offset funds paid under this contract in the event City determines that Recipient will be unable to commit or expend funds within the prescribed time, as determined by City. Recipient agrees to refund to the City all funds that the City in its sole discretion determines to have been used for ineligible and/or unapproved purposes. Such refunds will be made within thirty (30) days of notification by the City of the ineligible expenditure.

Section 5.04 The Parties agree that any right or remedy provided for in this Article V or in any other provision of this contract is not cumulative, and shall not preclude the exercise of any other right or remedy under this Contract or under any provision of law, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies. Failure to exercise any right or remedy hereunder shall not constitute a waiver of the right to exercise that or any other right or remedy at any time.

**Article VI. UNIFORM ADMINISTRATIVE REQUIREMENTS, COSTS
PRINCIPLES AND PROGRAM INCOME
FOR GOVERNMENT ENTITIES AND NON-PROFITS**

Section 6.01 Recipient shall comply with the requirements of OMB Circulars Number A-122 "COST PRINCIPALS FOR NON PROFIT ORGANIZATIONS", OMB Circular Number A-110 "UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND OTHER AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NON PROFIT ORGANIZATIONS, and 24 CFR Part 84 "UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NON PROFIT ORGANIZATIONS", and any other OMB Circulars which may apply either prospectively or retroactively. Recipient nonprofit organization must comply with applicable OMB Circulars pursuant to 24 CFR 92.505 and any other applicable regulations.

Article VII. RETENTION AND ACCESSIBILITY OF RECORDS

Section 7.01 Recipient must establish and maintain sufficient records, including those listed under 24 CFR 92.508. The sufficiency of the records will be determined by City.

Section 7.02 Recipient shall give HUD, the Comptroller General of the United States, the City of College Station Auditor, or any of their duly authorized representatives, access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by Recipient pertaining to this contract. Such rights to access shall continue as long as the records are retained by Recipient. Recipient agrees to maintain such records in a location accessible to the above-named persons and entities.

Section 7.03 All records pertinent to this contract shall be retained by Recipient for five

calendar years after the date of termination of this contract or of submission of the final close-out report, whichever is later, with the following exceptions:

- (a) If any litigation, claim or audit is started before the expiration of the five-year period and extends beyond the five-year period, the records will be maintained until all litigation, claims or audit findings involving the records have been finally resolved, including all legal and administrative appeals.
- (b) Records relating to real property acquisition shall be retained for the period of affordability required under 24 CFR 92.254.
- (c) Records covering displacement and acquisitions must be retained for at least five years after the date by which all persons displaced from the property and all persons whose property is acquired for the project have received the final payment to which they are entitled in accordance with 24 CFR 92.353.

Section 7.04 Recipient shall require the substance of this Article VII to be included in all subcontracts.

Section 7.05 Recipient must provide citizens, public agencies, and other interested parties with reasonable access to records consistent with the TEXAS PUBLIC INFORMATION ACT.

Article VIII. REPORTING REQUIREMENTS

Section 8.01 Recipient shall submit to City such reports on the operation and performance of this Agreement as may be required by City including but not limited to the reports specified in this Article VIII. Recipient shall provide City with all reports necessary for City's compliance with 24 CFR 92.508, 92.509 and 24 CFR 570 SUBPART J or any other applicable statute, law or regulation. Additionally Recipient shall provide HUD and City complete access to the property, all books, records, files, reports or other papers as requested by City and HUD.

Section 8.02 In addition to the limitations on liability otherwise specified in this Agreement, it is expressly understood and agreed by the Parties hereto that if Recipient fails to promptly submit to City any report required by this Agreement, City may, at its sole option and in its sole discretion, withhold any or all payments otherwise due or requested by Recipient hereunder. If City withholds such payments, it shall notify Recipient in writing of its decision and the reasons therefore. Payments withheld pursuant to this paragraph may be held by City until such time as Recipient fully cures or performs any and all delinquent obligations which are identified as the reason funds are withheld.

Section 8.03 Verification of Income. Verification of income for HOME assisted unit tenants will be pursuant to 24 C.F.R 5.609.

Section 8.04 Recipient shall submit activity reports to the City on an annual basis, with

information on rents and occupancy. The format of such reports shall, at a minimum, consist of a HOME Project Compliance Report – Rental Housing Checklist 6-D (Exhibit G), Financial Summary (Exhibit H), and Program Narrative (Exhibit I). Annual reports will be due no later than October 30th of each year.

Article IX. MONITORING

Section 9.01 The City reserves the right to carry out regular and periodic field inspections to ensure compliance with the requirements of this contract. After each monitoring visit, City shall provide Recipient with a written report of the monitor's findings. If the monitoring reports note deficiencies in Recipient's performances under the terms of this contract, the monitoring report shall include requirements for the timely correction of such deficiencies by Recipient. Failure by Recipient to take action specified in the monitoring report may be cause for suspension or termination of this contract, as provided in Article XVIII and XIX of this contract.

Article X. INDEPENDENT CONTRACTOR

Section 10.01 It is expressly understood and agreed by the Parties hereto that City is contracting with Recipient as an Independent Contractor and not any employee, or agent of City. This contract does not establish or constitute a joint venture or enterprise between City and Recipient.

Section 10.02 By entering into this contract, City and Recipient do not intend to create a joint enterprise.

Article XI. INSURANCE, INDEMNIFICATION AND RELEASE

Section 11.01 The Recipient shall procure and maintain, at its sole cost and expense, for the duration of this Contract, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the services performed by the Recipient, its officers, agents, volunteers, and employees.

Section 11.02 The Recipient's insurance shall list the City of College Station, its officers, agents, volunteers, and employees as additional insureds. The Required minimum Limits of Insurance coverages are attached in **Exhibit "J"** and Recipient's certificates of insurance shall be attached as **Exhibit "L"**.

Section 11.03 INDEMNIFICATION. THE RECIPIENT 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 ATTORNEYS' 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 RECIPIENT UNDER THIS CONTRACT. 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 RECIPIENT, OR ANY THIRD PARTY.

Section 11.04 RELEASE. THE RECIPIENT 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 RECIPIENT'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 RECIPIENT, OR ANY THIRD PARTY.

Article XII. SUBCONTRACTS

Section 12.01 Except for subcontracts to which the federal labor standards requirements apply, Recipient may not subcontract for performances of any obligation required or described in this contract without obtaining City's prior written approval. Recipient shall only subcontract for performance obligations required or described in this contract to which the federal labor standards requirements apply after Recipient has submitted a Subcontractor Eligibility form, as specified by City, for each such proposed subcontract and Recipient has obtained City's prior written approval, based on the information submitted, of Recipient's intent to enter into such proposed subcontract. Recipient, in subcontracting for the performance of any obligation required as described in this contract, expressly understands that in entering into such subcontracts, City is in no way liable to Recipient's subcontractor(s).

Section 12.02 In no event shall any provision of this Article XII, specifically the requirement that Recipient obtain City's prior written approval of a subcontractor's eligibility, be construed as relieving Recipient of the responsibility for ensuring that the performances rendered under all subcontracts are rendered so as to comply with all of the terms of this contract, as if such performances rendered were rendered by Recipient. City's approval under Article XII does not constitute adoption, ratification, or acceptance of Recipient's or subcontractor's performance hereunder. City maintains the right to insist upon Recipient's full compliance with the terms of this contract, and by the act of approval under Article XII, City does not waive any rights or remedies which may exist or which may subsequently accrue to City under this contract.

Section 12.03 Recipient shall comply with all applicable federal, state, and local laws, regulations, and ordinances for making procurement under this contract.

Section 12.04 Recipient shall submit a subcontractor utilization report prior to beginning work and prior to hiring any additional subcontractors.

Article XIII. CONFLICT OF INTEREST

Section 13.01 No person who (a) is an employee, agent, consultant, officer or elected or appointed official of City or of any applicant that receives funds and who exercises or has exercised any functions or responsibilities with respect to activities assisted with funds provided under this contract or (b) who is in a position to participate in a decision-making process or gain inside information with regard to such activities may obtain a personal or financial interest or benefit from a HOME assisted activity, or have an interest in any contract, subcontract or contract (or the proceeds thereof) with respect to a HOME assisted activity either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Recipient shall ensure compliance with applicable provisions under 24 CFR Sections 84.40 - 84.48 and OMB Circular A-110 in the procurement of property and services.

Article XIV. NONDISCRIMINATION AND SECTARIAN ACTIVITY

Section 14.01 Equal Opportunity. Recipient shall ensure that no person shall on the grounds of race, color, religion, sex, handicap, family status, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under this contract. In addition, funds provided under this contract must be made available in accordance with the requirements of Section 3 of the HOUSING AND URBAN DEVELOPMENT ACT OF 1968 (12 USC 1701u) that:

- (a) To the greatest extent feasible, opportunities for training and employment arising in connection with the planning and carrying out of any project assisted with HOME funds provided under this contract be given to low-income persons residing within the general local government area in which the project is located; and
- (b) To the greatest extent feasible, contracts for work to be performed in connection with any such project be awarded to business concerns, including, but not limited to, individuals or firms doing business in the field of planning, consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the same metropolitan area or non-metropolitan City as the project.

Section 14.02 Religious Organizations. Funds provided under this contract may not be provided to primarily religious organizations, such as churches, for any activity, including secular activities. In addition, funds provided under this contract may not be used to rehabilitate or construct housing owned by primarily religious organizations, such as churches, for any activity, including secular activities. In addition, funds provided under this contract may not be used to rehabilitate or construct housing owned by primarily religious organizations or to assist primarily religious organizations in acquiring housing. The completed housing project must be used exclusively by the owner entity for secular purposes and must be available to all persons regardless of religion. There must be no religious or membership criteria for tenants of the property as specified under

Article XV. LEGAL AUTHORITY

Section 15.01 Recipient assures and guarantees that Recipient possesses the legal authority to enter into this contract, to receive funds authorized by this contract, and to perform the services Recipient has obligated itself to perform hereunder.

Section 15.02 The person or persons signing and executing this contract on behalf of Recipient, or representing themselves as signing and executing this contract on behalf of Recipient, do hereby warrant and guarantee that he, she or they have been duly authorized by Recipient to execute this contract on behalf of Recipient and to validly and legally bind Recipient to all terms, performances, and provisions herein set forth.

Section 15.03 Recipient shall not employ, award contract to, or fund any person that has been debarred, suspended, proposed for debarment, or placed on ineligibility status by U.S. Department of Housing and Urban Development. In addition, City shall have the right to suspend or terminate this contract if Recipient is debarred, suspended, proposed for debarment, or ineligible to participate in the HOME Program.

Article XVI. LITIGATION AND CLAIMS

Section 16.01 Recipient shall give City immediate notice in writing of:

- (a) any action, including any proceeding before an administrative agency, brought or filed against Recipient in connection with this contract; and
- (b) any claim against Recipient, the cost and expense of which Recipient may be entitled to be reimbursed by City.

Except as otherwise directed by City, Recipient shall furnish immediately to City copies of all documents received by Recipient with respect to such action, proceeding, or claim.

Article XVII. CHANGES AND AMENDMENTS

Section 17.01 Except as specifically provided otherwise in this contract, any alterations, additions, or deletions to the terms of this contract shall be by amendment hereto in writing and executed by both the Parties to this contract.

Section 17.02 It is understood and agreed by the Parties hereto that any performance under this contract must be rendered in accordance with the Act, the regulations promulgated under the Act, the assurances and certifications made to City by Recipient, and the assurances and certifications made to the United States Department of Housing and Urban Development by the City with regard

to the operation of the HOME Program.

Section 17.03 Any alterations, additions, or deletions to the terms of this contract which are required by changes in Federal or state law or regulations are automatically incorporated into this contract without written amendment hereto, and shall become effective on the date designated by such law or regulations. All other amendments to the contract must be in writing and signed by both Parties, except as provided in paragraphs 17.02 and 17.03.

Article XVIII. SUSPENSION

Section 18.01 In the event Recipient fails to comply with any term of this contract, City may, upon written notification to Recipient, suspend this contract in whole or in part and withhold further payments to Recipient, and prohibit Recipient from incurring additional obligations of funds under this contract.

Article XIX. TERMINATION

Section 19.01 The City may terminate this contract in whole or in part, in accordance with 24 CFR 85.43 and this Article or as provided in this contract. In the event Recipient materially fails as determined by City, to comply with any term of this contract, whether stated in a Federal statute or regulation, an assurance, in a City plan or application, a notice of award, or elsewhere, City may take one or more of the following actions:

- (a) Temporarily withhold cash payments pending correction of the deficiency or default by the Recipient.
- (b) Disallow all or part of the cost of the activity or action not in compliance; and require immediate repayment of such disallowed costs.
- (c) Withhold further HOME awards from Recipient.
- (d) Exercise other rights and remedies that may be legally available as determined by the City to comply with the terms of this contract.
- (e) City may terminate this contract for convenience in accordance with 24 CFR 85.44.

Article XX. AUDIT

Section 20.01 Unless otherwise directed by City, Recipient shall arrange for the performance of an annual financial and compliance audit of funds received and performances rendered under this contract, subject to the following conditions and limitations:

- (a) Recipient shall have an audit made in accordance with 24 CFR 92.506, THE SINGLE AUDIT ACT OF 1984, 31 U.S.C. 7501 et. seq., and OMB Circular No.133, "AUDITS OF STATES,

LOCAL GOVERNMENTS, AND NON-PROFIT ORGANIZATIONS", for any of its fiscal years included within the contract Period, in which Recipient receives more than \$750,000.00 in federal financial assistance provided by a federal agency in the form of grants, contracts, loans, loan guarantees, property, cooperative contracts, interest subsidies, insurance or direct appropriations, but does not include direct federal cash assistance to individuals. The term includes awards of federal financial assistance received directly from federal agencies, or indirectly through other units of State and local government;

- (b) At the option of Recipient, each audit required by this Article may cover either Recipient's entire operations or each department, agency, or establishment of Recipient which received, expended, or otherwise administered federal funds;
- (c) Notwithstanding paragraphs 4.01(c) and (d), Recipient shall utilize operating expense funds budgeted under this contract to pay for that portion of the cost of such audit services properly allocable to the activities funded by City under this contract, provided however that City shall not make payment for the cost of such audit services until City has received the complete and final audit report from Recipient;
- (d) Unless otherwise specifically authorized by City in writing, Recipient shall submit the complete and final report of such audit to City within thirty (30) days after completion of the audit, but no later than one (1) year after the end of each fiscal period included within the period of this contract. Audits performed under Subsection A of this Article XX are subject to review and resolution by City or its authorized representative.
- (e) As part of its audit, Recipient shall verify expenditures according to the Budget attached as Exhibit B.

Section 20.02 Notwithstanding Paragraph 20.01 City reserves the right to conduct an annual financial and compliance audit of funds received and performances rendered under this contract. Recipient agrees to permit City or its authorized representative to audit Recipient's records and to obtain any documents, materials, or information necessary to facilitate such audit.

Section 20.03 Recipient understands and agrees that it shall be liable to City for any costs disallowed pursuant to financial and compliance audit(s) of funds received under this contract. Recipient further understands and agrees that reimbursement to City of such disallowed costs shall be paid by Recipient from funds which were not provided or otherwise made available to Recipient under this contract.

Section 20.04 Recipient shall take all necessary actions to facilitate the performance of such audit or audits conducted pursuant to this Article XX as City may require of Recipient.

Section 20.05 All approved HOME audit reports shall be made available for public inspection within 30 days after completion of the audit.

Article XXI. ENVIRONMENTAL CLEARANCE REQUIREMENTS

Section 21.01 Recipient understands and agrees that by the execution of this contract, City shall assume the responsibilities for environmental review, decision making, and other action which would otherwise apply to City in accordance with and to the extent specified in 24 CFR, PART 58. In accordance with 24 CFR 58.77(b), Recipient further understands and agrees that City shall handle inquiries and complaints from persons and agencies seeking redress in relation to environmental reviews covered by approved certifications.

Section 21.02 Funds provided under this contract, may not be obligated and expended before the actions specified in this Article occur.

Section 21.03 City shall prepare and maintain a written Environmental Review Record for this project in accordance with 24 CFR PART 58 to ensure compliance with the NATIONAL ENVIRONMENTAL POLICY ACT (NEPA). Recipient must also maintain a copy of the Environmental Review Record in Recipient's project file. City must comply with all other applicable environmental requirements as specified in Exhibit D of this contract. City shall document its compliance with such other requirements in its environmental review file.

Article XXII. SPECIAL CONDITIONS

Section 22.01 City shall not release any funds for any costs incurred by Recipient under this contract until City has received certification from Recipient that its fiscal control and fund accounting procedures are adequate to assure the proper disbursement and accounting for funds provided under this contract. City shall specify the content and form of such certification.

Section 22.02 Affordability. Funds provided under this contract must meet the affordability requirement of 24 CFR 92.252 and 24 CFR 92.254 and the HOME rules as applicable. The affordability period will be 15 years.

Section 22.03 Repayment. Recipient agrees that all repayments, including all interest and any other return on the investment of HOME funds will be made to City pro-rata. Repayment is due if the unit is not operated in accordance with the affordability requirement.

Section 22.04 Housing Quality Standards. Recipient shall ensure that all housing assisted with funds provided under this contract shall meet the requirements of 24 CFR 92.251 for the duration of this contract.

Section 22.05 Affirmative Marketing. Recipient shall adopt Affirmative Marketing procedures and requirements for rental and homebuyer projects containing five (5) or more HOME-assisted housing units. The Affirmative Marketing procedures and requirements shall include, but need not be limited to, those specified in 24 CFR 92.351. City will assess the efforts of the Recipient during the marketing of the units by use of compliance certification. Where a Recipient fails to

follow the Affirmative Marketing procedures and requirements, corrective actions shall include extensive outreach efforts to appropriate contacts to achieve the occupancy goals or other sanctions the City may deem necessary. Recipient must provide City with an annual assessment of the Affirmative Marketing program of the development if an Affirmative Marketing program is required under this section. The assessment must include:

- (a) Method used to inform the public and potential residents about Federal Fair Housing laws and Affirmative Marketing policy. Recipient's advertising of housing must include the Equal Housing Opportunity logo or statement. Advertising media may include newspaper, radio, television, brochures, leaflets, or signage. Recipient may wish to use community organizations, places of worship, employment centers, fair housing groups, housing counseling agencies, social service centers or medical service centers as resources for this outreach.
- (b) Records describing actions taken by the Recipient to affirmatively market housing and records to assess the results of these actions. Recipient must maintain a file containing all marketing efforts (i.e. copies of newspapers ad, memos of phone calls, copies of letters) to be available for inspection at least annually by City.
- (c) Recipient shall solicit applications for housing from persons in the housing market who are least likely to apply for housing without benefit of special outreach efforts. In general, persons who are not of the race/ethnicity of the residents of the neighborhood in which the housing is located shall be considered those least likely to apply.
- (d) Recipient shall maintain a listing of all residents residing in each home through the end of the compliance period.
- (e) The Recipient will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include: Placing qualified small and minority businesses and women's business enterprises on solicitation lists; Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises; Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises; Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in the preceding paragraph.

Section 22.06 Enforcement of Affordability. City shall provide a legally enforceable contract consisting of a Land Use Restriction Agreement, containing remedies adequate to enforce the affordability requirements of 24 CFR 92.252, as applicable, for each activity assisted under this contract, to be recorded in the real property records of Brazos County. Funds recaptured because housing no longer meets the affordability requirements under 24 CFR 92.252(a)(5) are subject to

the requirements of 24 CFR 92.503.

Section 22.07 Reversion of Assets. Upon termination of this contract, all funds remaining on hand on the date of termination and all accounts receivable attributable to the use of funds received under this contract shall revert to City. Recipient shall return these assets to City within seven (7) days after the date of termination. This section does not refer to CHDO proceeds from the sale of property.

Section 22.08 Flood Hazards. Funds provided under this contract may not be used in connection with acquisition, rehabilitation, or construction of a development located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards.

Section 22.09 Fair Housing. Recipient participating in the HOME program shall use affirmative fair housing marketing practices in determining eligibility and concluding all transactions. These requirements apply to all projects of five (5) or more units. Each participating entity must affirmatively further fair housing in accordance with 24 CFR 92.350.

Section 22.10 Displacement, Relocation, and Acquisition. Recipient must ensure that it has taken all reasonable steps to minimize the displacement of persons (families, business and nonprofit organizations) as a result of a project assisted with funds provided under this contract. Recipient must comply with the applicable provisions of 24 CFR 92.353.

Section 22.11 Property Standards. Recipient shall ensure that all housing assisted with funds provided under this contract (1) shall meet the lead-based paint requirements in 24 CFR 92.355 upon project completion and (2) shall meet the requirements of 24 CFR 92.251 for the duration of this contract.

Section 22.12 Tenant and Participation Protections. Recipient shall ensure that all tenant and participation protection policies are in accordance with 24 CFR 92.253, and the Recipient shall comply with all other provisions of 24 CFR 92 Subpart F.

Section 22.13 All documents necessary for the conveyance of real property, pursuant to the contract, must be approved, prior to execution, by the City. (i.e. deeds, notes, Deed of Trust, etc.)

Section 22.14 Funding under this contract is contingent upon Recipient meeting all terms and conditions of this contract.

Section 22.15 This contract and the performance hereunder may not be assigned without the express written consent of City.

Section 22.16 This contract is binding on Recipient's assigns and successors-in-interest.

Article XXIII. ORAL AND WRITTEN CONTRACTS

Section 23.01 All oral and written contracts between the Parties relating to the subject matter of

this contract that were made prior to the execution of this contract have been reduced to writing and are contained in this contract.

Section 23.02 The attachments enumerated and denominated below are hereby made a part of this contract, and constitute promised performances by Recipient in accordance with Article III of this contract.

- (a) Exhibit A. Performance Statement
- (b) Exhibit B. Budget
- (c) Exhibit C. Project Implementation Schedule
- (d) Exhibit D. Applicable Laws and Regulations
- (e) Exhibit E. Certifications
- (f) Exhibit F. HOME Rents
- (g) Exhibit G. Project Compliance Report: Rental Housing Checklist 6-D
- (h) Exhibit H. Financial Summary
- (i) Exhibit I. Project Narrative
- (j) Exhibit J. Insurance Requirements
- (k) Exhibit K. CHDO Proposal
- (l) Exhibit L. Certificate of Insurance

Article XXIV. VENUE

Section 24.01 For purposes of litigation pursuant to this contract, venue shall be in Brazos County, Texas.

Article XXV. COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS

Section 25.01 Recipient shall comply with all federal, state and local laws, statutes, ordinances, rules, regulations, orders and decrees of any court or administrative body or tribunal related to the activities and performances of contractor under this contract. Upon request by City, Recipient shall furnish satisfactory proof of its compliance herein.

AGREED:

ELDER-AID, INC.

CITY OF COLLEGE STATION

By: James C Thomas
Printed Name: JAMES C THOMAS
Title: President
Date: 7/21/16

By: _____
City Manager
Date: _____

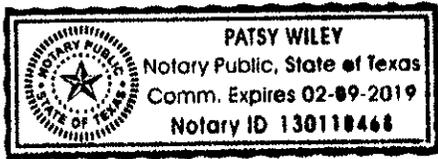
APPROVED:

City Attorney
Date: _____

STATE OF TEXAS §
§
COUNTY OF BRAZOS §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 21 day of July, 2016, by James Thomas, in their capacity as President of Elder-Aid, Inc., a Texas Non-Profit Corporation.



Patsy Wiley
Notary Public in and for
the State of Texas

STATE OF TEXAS §
§
COUNTY OF BRAZOS §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the _____ day of _____, 2016, by Kelly Templin, as City Manager of the City of College Station, a Texas municipal corporation, on its behalf.

Notary Public in and for
the State of Texas

**EXHIBIT A
PERFORMANCE STATEMENT**

Elder-Aid, INC.

Section 1.01 Recipient is awarded **ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED AND NINETY-SEVEN AND 32/100, (\$118,797.32), FROM THE FY 2012 (HUD GRANT YEAR 2011) AND EIGHTY-ONE THOUSAND TWO HUNDRED AND TWO AND 69/100 (\$81,202.69) FY 2013 (HUD GRANT YEAR 2012) BUDGET** from the City of College Station HOME Investment Partnerships Program – Community Housing Development Organization (CHDO) set-aside funds. These funds must be used for the acquisition and rehabilitation of the following properties:

Elder-Aid, Inc., is proposing to purchase approximately 2 housing units for the purpose of providing affordable rental units for income eligible and disadvantaged tenants. Elder-Aid intends to target all applicants at or below 60% of the area median income (AMI) and those applicants that are elderly, disabled, or in transition from homelessness.

Elder-Aid will also provide numerous inhouse referrals for case management, transitioning out of poverty, utility assistance, medical referrals and financial budgeting assistance and education.

It is Elder-Aid's intent to purchase the following properties for the Affordable Rental Program. These properties will be located in College Station and available for rent soon after purchase. Elder-Aid will focus more on 2 bedroom units due to the demand by elderly.

Properties for proposed purchase are as follows:

**Duplexs located at:
3404 & 3406 Normand Dr., College Station, 2 bedroom.**

These properties will be made available for lease to income-eligible households at or below 60% of the Area Median Income.

Recipient shall dedicate all easements required by City, including blanket easements which shall be substituted with as-built easements for all City utilities.

All work must be in compliance with current City of College Station Building Codes. All required permits must be obtained prior to any work commencing. All required inspections must be performed by the City of College Station Building Inspectors.

Recipient must provide written notification of all subcontractors to City.

Within six (6) months from issuance of the Certificate of Occupancy, said HOME unit must be occupied by an eligible resident. Recipient is not prohibited from conducting a background check, including credit history and criminal history checks.

The project must be completed no later than, August 1, 2018.

Upon completion of such construction, Recipient must submit a copy of all valid and eligible expense invoices paid. At that point, the City will have 30 days to review and validate eligible expenses contained in the invoices. Payment by City on valid and eligible invoices shall not exceed the maximums established in Exhibit B, Budgets.

Any and all Program Income as defined by 24 CFR 84.21 must be disbursed by Recipient prior to requesting a disbursement of funds from the City. Proceeds from the sale of properties acquired and rehabilitated under this contract are not to be considered program income but may be retained by the CHDO as allowed under 24 CFR 92.300(a)(2), as CHDO Proceeds. All such proceeds retained by the Recipient must be used for future affordable housing activities within the jurisdictional boundaries of the City of College Station, subject to approval by the City. The City grants the Recipient the right to maintain all project proceeds. All program income, recaptured funds, repaid funds, project proceeds, etc., are subject to this contract.

**EXHIBIT B
BUDGET**

ELDER-AID, INC.

SOURCES OF FUNDS:

Maximum Proceeds of grant under the contract \$200,000.00

USES OF FUNDS:

Acquisition \$129,000.00

Rehabilitation & Development Costs \$41,000.00

CHDO Developer Fee \$30,000.00

EXHIBIT C

PROJECT IMPLEMENTATION SCHEDULE

CONTRACT START DATE: August 1, 2016

CONTRACT END DATE: August 1, 2018

PRODUCTION SCHEDULE:

Month	HOME Amount Expended	# Housing Units Completed	# Housing Units Occupied
August 2016	\$129,000.00		2
January 2016	\$8,000.00		1
February 2016	\$5,900.00		1
March 2016	\$5,000.00		1
April 2016	\$6,800.00		1
May 2016	\$2,300.00	2	2

EXHIBIT D

THE APPLICABLE LAWS AND REGULATIONS

Recipient shall comply with all federal, state, and local laws and regulations applicable to the activities and performances rendered by Recipient under this contract including but not limited to the laws, and the regulations specified in Section I through VI of this Exhibit D.

I. CIVIL RIGHTS

THE FAIR HOUSING ACT (42 U.S.C. 3601-20) AND IMPLEMENTING REGULATIONS AT 24 CFR PART 100; EXECUTIVE ORDER 11063, AS AMENDED BY EXECUTIVE ORDER 12259 (3 CFR, 1958-1963 COMP., P. 652 AND 3 CFR, 1980 COMP., P. 307) (EQUAL OPPORTUNITY IN HOUSING) AND IMPLEMENTING REGULATIONS AT 24 CFR, PART 107; AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000D) (NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS) AND IMPLEMENTING REGULATIONS ISSUED AT 24 CFR, PART 1;

EXECUTIVE ORDER 11063, AS AMENDED BY EXECUTIVE ORDER 12259, AND 24 CFR PART 107, "NONDISCRIMINATION AND EQUAL OPPORTUNITY IN HOUSING UNDER EXECUTIVE ORDER 11063". THE FAILURE OR REFUSAL OF RECIPIENT TO COMPLY WITH THE REQUIREMENTS OF EXECUTIVE ORDER 11063 OR 24 CFR, PART 107 SHALL BE A PROPER BASIS FOR THE IMPOSITION OF SANCTIONS SPECIFIED IN 24 CFR 107.60;

THE PROHIBITION AGAINST DISCRIMINATION ON THE BASIS OF AGE UNDER THE AGE DISCRIMINATION ACT OF 1975 (42 U.S.C. 6101-07) AND IMPLEMENTING REGULATIONS AT 24 CFR, PART 146, AND THE PROHIBITIONS AGAINST DISCRIMINATION AGAINST HANDICAPPED INDIVIDUALS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 U.S.C. 794) AND IMPLEMENTING REGULATIONS AT 24 CFR, PART 8;

THE REQUIREMENTS OF EXECUTIVE ORDER 11246 (3 CFR 1964-65, COMP., P. 339) (EQUAL EMPLOYMENT OPPORTUNITY) AND THE IMPLEMENTING REGULATIONS ISSUED AT 41 CFR, CHAPTER 60.

THE REQUIREMENTS OF 24 CFR 92.351 (MINORITY OUTREACH), EXECUTIVE ORDERS 11625 AND 12432 (CONCERNING MINORITY BUSINESS ENTERPRISE), AND 12138 (CONCERNING WOMEN'S BUSINESS ENTERPRISE). CONSISTENT WITH HUD'S RESPONSIBILITIES UNDER THESE ORDERS, RECIPIENT MUST MAKE EFFORTS TO ENCOURAGE THE USE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN CONNECTION WITH HOME FUNDED ACTIVITIES. RECIPIENT MUST PRESCRIBE PROCEDURES ACCEPTABLE TO THE CITY TO ESTABLISH ACTIVITIES TO ENSURE THE INCLUSION, TO THE MAXIMUM EXTENT POSSIBLE, OF MINORITIES AND WOMEN, AND ENTITIES OWNED BY MINORITIES AND WOMEN. THE CONTRACTOR / SUBCONTRACTOR WILL BE REQUIRED TO IDENTIFY CONTRACTS WHICH HAVE BEEN BID BY MINORITY OWNED, WOMEN OWNED, AND/OR SMALL DISADVANTAGED BUSINESSES. THE AGE DISCRIMINATION ACT OF 1975 (42 U.S.C., SECTION 6101 ET SEQ.);

SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 U.S.C., SECTION 794) AND "NONDISCRIMINATION BASED ON HANDICAP IN FEDERALLY-ASSISTED PROGRAMS AND

ACTIVITIES OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT", 24 CFR, PART 8. BY SIGNING THIS CONTRACT, RECIPIENT UNDERSTANDS AND AGREES THAT THE ACTIVITIES FUNDED HEREIN SHALL BE OPERATED IN ACCORDANCE WITH 24 CFR, PART 8; AND THE ARCHITECTURAL BARRIERS ACT OF 1968 (42 U.S.C., SECTION 4151 ET. SEQ.) INCLUDING THE USE OF A TELECOMMUNICATIONS DEVICE FOR DEAF PERSONS (TDDs) OR EQUALLY EFFECTIVE COMMUNICATION SYSTEM.

II. LEAD-BASED PAINT

TITLE IV OF THE LEAD-BASED PAINT POISONING PREVENTION ACT (42 U.S.C. SEC. 4831).

III. ENVIRONMENTAL STANDARDS

NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (42 U.S.C. SEC. 4321 ET. SEQ.) AND 40 CFR PARTS 1500-1508;

THE NATIONAL HISTORIC PRESERVATION ACT OF 1966 (16 U.S.C. SEC. 470 ET. SEQ.) AS AMENDED; PARTICULARLY SECTION 106 (16 U.S.C. SEC. 470F);

EXECUTIVE ORDER 11593, PROTECTION AND ENHANCEMENT OF THE CULTURAL ENVIRONMENT, MAY 13, 1971 (36 FED. REG. 8921), PARTICULARLY SECTION 2(C);

THE RESERVOIR SALVAGE ACT OF 1960 (16 U.S.C. SEC. 469 ET SEQ.). PARTICULARLY SECTION 3 (16 U.S.C. SEC. 469A-1), AS AMENDED BY THE ARCHEOLOGICAL AND HISTORIC PRESERVATION ACT OF 1974; FLOOD DISASTER PROTECTION ACT OF 1973, (42 U.S.C. SEC. 4001 ET. SEQ.) AS AMENDED, PARTICULARLY SECTIONS 102(A) AND 202(A) (42 U.S.C. SEC. 4012A (A) AND SEC. 4106(A);

EXECUTIVE ORDER 11988, FLOODPLAIN MANAGEMENT, MAY 24, 1977 (42 FED. REG. 26951), PARTICULARLY SECTION 2(A).

EXECUTIVE ORDER 11990 PROTECTION OF WETLANDS, MAY 24, 1977 (42 FED. REG. 26961), PARTICULARLY SECTIONS 2 AND 5.

THE SAFE DRINKING WATER ACT OF 1974, (42 U.S.C. SEC. 201, 300(F) ET SEQ.) AND (21 U.S.C. SEC. 349) AS AMENDED, PARTICULARLY SECTION 1424(E) (42 U.S.C. SEC. 300H-303(E));

THE ENDANGERED SPECIES ACT OF 1973, (16 U.S.C. SEC. 1531 ET. SQ.) AS AMENDED, PARTICULARLY SECTION 7 (16 U.S.C. SEC. 1536);

THE WILD AND SCENIC RIVERS ACT OF 1968, (16 U.S.C. SEC. 1271 ET SEQ.) AS AMENDED, PARTICULARLY SECTION 7(B) AND (C)(16 U.S.C. SEC. 1278(B) AND (C));

THE CLEAN AIR ACT (41 U.S.C. SEC. 7401 ET SEQ.) AS AMENDED, PARTICULARLY SECTION 176(C) AND (D) (42 U.S.C. SEC. 7506(C) AND (D));

FARMLANDS PROTECTION AND POLICY ACT OF 1981, (7 U.S.C. SEC. 4201 ET SEQ.);

24 CFR PART 51, ENVIRONMENTAL CRITERIA AND STANDARDS.

IV. ACQUISITION/RELOCATION

THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (42 U.S.C., SEC. 4601 ET. SEQ.), 49 CFR PART 24, AND 24 CFR SECTION 570.496A (55 FED. REG. 29309 (JULY 18, 1990)).

V. LABOR REQUIREMENTS

CONTRACT WORK HOURS AND SAFETY STANDARDS ACT, AS AMENDED (40 USC 327-333);

COPELAND (ANTI-KICKBACK) ACT (40 USC 276c);

FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED (29 USC 201, ET. SEQ.).

VI. SECTION 3 CLAUSE

ALL SECTION 3 COVERED CONTRACTS MUST INCLUDE THE FOLLOWING CLAUSE:

A. THE WORK TO BE PERFORMED UNDER THIS CONTRACT IS SUBJECT TO THE REQUIREMENTS OF SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED, 12 U.S.C. 1701U (SECTION 3). THE PURPOSE OF SECTION 3 IS TO ENSURE THAT EMPLOYMENT AND OTHER ECONOMIC OPPORTUNITIES GENERATED BY HUD ASSISTANCE OR HUD-ASSISTED PROJECTS COVERED BY SECTION 3, SHALL, TO THE GREATEST EXTENT FEASIBLE, BE DIRECTED TO LOW- AND VERY LOW-INCOME PERSONS, PARTICULARLY PERSONS WHO ARE RECIPIENTS OF HUD ASSISTANCE FOR HOUSING.

B. THE PARTIES TO THIS CONTRACT AGREE TO COMPLY WITH HUD'S REGULATIONS IN 24 CFR PART 135, WHICH IMPLEMENT SECTION 3. AS EVIDENCED BY THEIR EXECUTION OF THIS CONTRACT, THE PARTIES TO THIS CONTRACT CERTIFY THAT THEY ARE UNDER NO CONTRACTUAL OR OTHER IMPEDIMENT THAT WOULD PREVENT THEM FROM COMPLYING WITH THE PART 135 REGULATIONS.

C. THE CONTRACTOR AGREES TO SEND TO EACH LABOR ORGANIZATION OR REPRESENTATIVE OF WORKERS WITH WHICH THE CONTRACTOR HAS A COLLECTIVE BARGAINING AGREEMENT OR OTHER UNDERSTANDING, IF ANY, A NOTICE ADVISING THE LABOR ORGANIZATION OR WORKERS' REPRESENTATIVE OF THE CONTRACTOR'S COMMITMENTS UNDER THIS SECTION 3 CLAUSE, AND WILL POST COPIES OF THE NOTICE IN CONSPICUOUS PLACES AT THE WORK SITE WHERE BOTH EMPLOYEES AND APPLICANTS FOR TRAINING AND EMPLOYMENT POSITIONS CAN SEE THE NOTICE. THE NOTICE SHALL DESCRIBE THE SECTION 3 PREFERENCE, SHALL SET FORTH MINIMUM NUMBER AND JOB TITLES SUBJECT TO HIRE, AVAILABILITY OF APPRENTICESHIP AND TRAINING POSITIONS, THE QUALIFICATIONS FOR EACH; AND THE NAME AND LOCATION OF THE PERSON(S) TAKING APPLICATIONS FOR EACH OF THE POSITIONS; AND THE ANTICIPATED DATE THE WORK SHALL BEGIN.

D. THE CONTRACTOR AGREES TO INCLUDE THIS SECTION 3 CLAUSE IN EVERY SUBCONTRACT SUBJECT TO COMPLIANCE WITH REGULATIONS IN 24 CFR PART 135, AND AGREES TO TAKE APPROPRIATE ACTION, AS PROVIDED IN AN APPLICABLE PROVISION OF THE SUBCONTRACT OR IN THIS SECTION 3 CLAUSE, UPON A FINDING THAT THE SUBCONTRACTOR IS IN VIOLATION OF THE REGULATIONS IN 24 CFR PART 135. THE CONTRACTOR WILL NOT SUBCONTRACT WITH ANY SUBCONTRACTOR WHERE THE CONTRACTOR HAS NOTICE OR KNOWLEDGE THAT THE SUBCONTRACTOR HAS BEEN FOUND IN VIOLATION OF THE REGULATIONS IN 24 CFR PART 135.

E. THE CONTRACTOR WILL CERTIFY THAT ANY VACANT EMPLOYMENT POSITIONS, INCLUDING TRAINING POSITIONS, THAT ARE FILLED (1) AFTER THE CONTRACTOR IS SELECTED BUT BEFORE THE CONTRACT IS EXECUTED, AND (2) WITH PERSONS OTHER THAN THOSE TO WHOM THE REGULATIONS OF 24 CFR PART 135 REQUIRE EMPLOYMENT OPPORTUNITIES TO BE DIRECTED, WERE NOT FILLED TO CIRCUMVENT THE CONTRACTOR'S OBLIGATIONS UNDER 24 CFR PART 135.

F. NONCOMPLIANCE WITH HUD'S REGULATIONS IN 24 CFR PART 135 MAY RESULT IN SANCTIONS, TERMINATION OF THIS CONTRACT FOR DEFAULT, AND DEBARMENT OR SUSPENSION FROM FUTURE HUD ASSISTED CONTRACTS.

G. WITH RESPECT TO WORK PERFORMED IN CONNECTION WITH SECTION 3 COVERED INDIAN HOUSING ASSISTANCE, SECTION 7(B) OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT (25 U.S.C. 450E) ALSO APPLIES TO THE WORK TO BE PERFORMED UNDER THIS CONTRACT. SECTION 7(B) REQUIRES THAT TO THE GREATEST EXTENT FEASIBLE (I) PREFERENCE AND OPPORTUNITIES FOR TRAINING AND EMPLOYMENT SHALL BE GIVEN TO INDIANS, AND (II) PREFERENCE IN THE AWARD OF CONTRACTS AND SUBCONTRACTS SHALL BE GIVEN TO INDIAN ORGANIZATIONS AND INDIAN-OWNED ECONOMIC ENTERPRISES. PARTIES TO THIS CONTRACT THAT ARE SUBJECT TO THE PROVISIONS OF SECTION 3 AND SECTION 7(B) AGREE TO COMPLY WITH SECTION 3 TO THE MAXIMUM EXTENT FEASIBLE, BUT NOT IN DEROGATION OF COMPLIANCE WITH SECTION 7(B).

EXHIBIT E

**CERTIFICATION REGARDING LOBBYING FOR
CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certified, to the best of its knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is material representation of fact which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signed:

BY: James C Thomas

James Thomas
President
ELDER-AID, INC.

DATE: 7/21/16

EXHIBIT F
HOME Rents
College Station – Bryan MSA
Effective June 1, 2015

	Program	Efficiency	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
	Low HOME Rent	\$533	\$571	\$686	\$791	\$883	\$975	\$1,065
	High HOME Rent	\$654	\$703	\$862	\$1,047	\$1,148	\$1,248	\$1,348
	Fair Market Rent	\$654	\$670	\$862	\$1,250	\$1,449	\$1,666	\$1,884
	50% Rent Limit	\$533	\$571	\$686	\$791	\$883	\$975	\$1,065
	65% Rent Limit	\$708	\$759	\$913	\$1,047	\$1,148	\$1,248	\$1,348

EXHIBIT H

Revenue Source	FY Estimate	FY Actual
Rental Income		
Total Rental Income		

Expenses Account		
Personnel:		
Gross Salaries		
Benefits		
Payroll Taxes		
Operations:		
Auto Expense		
Insurance		
Office Supplies		
Postage		
Professional Fees		
Printing		
Rent		
Repairs/Maintenance		
Telephone		
Travel/Training		
Utilities		
Other (Please Specify)		
Total Operating Expenses		
Surplus (Deficit)		
Income/Expenses		

**EXHIBIT I
PROGRAM NARRATIVE**

Reporting Dates:	
Total Units:	
# Occupied:	
# Vacant:	
# of Skips during year:	
# Evictions during year:	
# of Applications Processed:	
# of Applications Denied:	
# Leases Pending:	
# Lease Renewals:	
# of Turn-overs	
Marketing Efforts:	
Other:	

EXHIBIT J

INSURANCE REQUIREMENTS

Throughout the term of this Agreement the Recipient/Contractor must comply with the following:

I. Standard Insurance Policies Required:

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

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 L; and shall be approved by the City before work begins
- C. Recipient/Contractor 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.

IV. Business Automobile Liability

- A.** Business Automobile Liability insurance shall be written by a carrier rated “A:VIII” or better rating 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.** Combined Single Limit of Liability not less than \$1,000,000 per occurrence for bodily injury and property damage.
- D.** The Business Auto Policy must show Symbol 1 in the Covered Autos Portion of the liability section in Item 2 of the declarations page
- E.** The coverage shall include any autos, owned autos, leased or rented autos, non-owned autos, and hired autos.

V. Workers’ Compensation Insurance

- A.** Workers compensation insurance shall include the following terms:
 - 1.** Employer’s Liability minimum limits of liability not less than \$500,000 for each accident/each disease/each employee are required
 - 2.** “Texas Waiver of Our Right to Recover From Others Endorsement, WC 42 03 04” shall be included in this policy
 - 3.** TEXAS must appear in Item 3A of the Workers’ Compensation coverage or Item 3C must contain the following: “All States except those listed in Item 3A and the States of NV, ND, OH, WA, WV, and WY”

EXHIBIT K

2015
Community Housing Development Organization (CHDO)
Proposal for Funding

General Information

Agency: Elder-Aid, Inc.	Date Submitted: June 6, 2016
Name of Proposal Writer: Carol Jones	Position: Executive Director
Contact Person: Carol Jones	E-Mail Address: cjones@elderaidbcs.org
Mailing Address: 307 S. Main St., Suite #202	Street Address: same
Contact Phone: 979-823-5127	Fax Number:
Agency Fiscal Year: January 1 – December 31, 2016	

Summary of Funding Request

Project Type	Total No. of Units or Households	No. of HOME-Asst'd Units	Amount Requested	Matching Funds	Other Sources	Total Project Cost	% of HOME Investment
Rentals	2	2	200,000.00			200,000.00	100%

Part One: Agency Information

Part 1A Non-Profit Status & Board Members:

a.	1. How many members are on the Board?	8
	2. How many Board seats are mandatory (i.e., required by a grant or your charter)?	3
	3. Does the agency have an annual Board orientation? If not, why?	A board orientation is only held when new board members are elected.
	4. What are the Board terms?	1 year
	5. How many consecutive terms can a member serve?	No term limits.
	6. Are the Board seats staggered (i.e., does half of the Board have their seat up for renewal in one year, and the other half the next year, etc.)?	No
	7. How often does the Board meet?	Monthly
	8. What is the average attendance?	90%
	9. Are there repercussions for too many missed meetings? Explain.	Two consecutive unexcused absences in one year constitute voluntary resignation.

b. Is your agency incorporated as a non-profit organization under the laws of the State of Texas? If so, date of incorporation: June 18, 1998

c. Is your agency tax exempt under Internal Revenue code Section 501(c)(3)?
 Yes No

Part 1B: Staff Development Experience

Staff classification and documentation: Provide staff information (including job title/duties) and indicate the number of paid full-time and paid part-time employees. Include payroll report and résumé for listed employees.

- ◆ Staff job descriptions and Resumes; See Tab 1

One full-time employee effective November 2015 – Carol Jones, Executive Director and one part-time employee effective April 2016 – Vicenta Castillo, Administrative Assistant/CHDO Coordinator. Attached is Elder-Aid's most recent payroll See Tab 1.

At this time, Elder-Aid does not employ contract workers in any development or administrative roles within the organization or the CHDO program.

Relevant development experience: Provide details regarding staff experience for both homeownership and rental development projects (acquisition, rehabilitation/construction,

ownership/operation of housing). Indicate previous experience with CHDO projects, if applicable.

Carol Jones, Executive Director, has been employed with Elder-Aid since 2015 and in that time has been actively involved in the planning and ongoing rehabilitation of three College Station duplexes. Carol has become an active and indispensable participant in the Elder-Aid's Acquisition and Rehabilitation Committee.

Carol Jones brings to Elder-Aid experience in Real Estate acquisition, construction, rehabilitation, leasing and property management. Carol has her Texas Real Estate License and holds a Master's of Business Administration. She also brings to Elder-Aid a wealth of experience in Project Management as well as Business Development.

Carol's participation in the CHDO Management & Planning Certificate, an example of her dedication to Elder-Aid as a Community Housing and Development Organization. Carol will complete her certificate in June of 2016.

Part 1C: Developer Capacity

Past and current performance: Provide information on past HOME, CHDO and/or other real estate development activities. Explain the capacity of the organization to take on this additional activity with regard to existing projects.

- ◆ See Letter of Recommendation; See Tab 2
 - ◆ Elder-Aid has completed the rehabilitation of 3329-3331 Lodgepole. We anticipate completion of renovations to 3332-3334 Lodgepole and 3408-3410 Normand by the end of 2016. Thus Elder-Aid will have the ability to manage the proposed second Normand project without adversely affecting other programs.
 - ◆ At this time Elder-Aid has fulfilled all obligations to the City of Bryan HOME projects and has no other Bryan CHDO projects under development. Therefore Elder-Aid will have the ability to manage the second Normand project.
- a.
- ◆ Many of Elder-Aid's current Board of Directors are long-standing members. As a matter of fact, Jim Thomas, Kirk Brown, and Jim Davis, along with Elder-Aid founder, Sara Loeppert, were instrumental in acquiring three donated houses from Texas A&M that became Elder-Aid's first CHDO rehabilitation projects. These houses were due to be demolished, until Jim Thomas and Kirk Brown saw how a little money and a lot of hard work could impact an elderly person's life. Since then, Elder-Aid's Board of Directors has overseen the construction of 19 houses and rehabilitation of 1 house and one duplex with a second duplex underway.

Organization/management structure: Explain how the current corporation structure supports housing development activities. Does the current management have the ability to manage additional development activities? Indicate what policies and procedures are in place to govern development activities.

With Carol's experience as a licensed Texas Real Estate agent as well as her MBA, she also brings to Elder-Aid a wealth of experience in Project Management and Business Development.

b.

- ◆ From Elder-Aid's very first CHDO project in 1998, board members Kirk Brown, Jim Thomas, and Jim Davis have been and continue to be central figures in assessing and determining appropriate CHDO projects for the organization. Although not paid staff, collectively these three men have more than 50 years of CHDO rehabilitation and construction experience. These men were instrumental in assessing and recommending Elder-Aid move forward with the second Normand Project and will take the lead roles in ensuring that the necessary rehabilitation is completed correctly and in a timely manner.
- ◆ As evidenced by Elder-Aid's past CHDO experience, the organization is more than qualified to support housing development activities in the City of College Station and will not require a secondary organizational structure for future projects within the College Station area.

Staff/Board capacity and skills: Describe staff capacity to manage the proposed project. Include strengths/weaknesses/opportunities for growth relating to property management, design and construction management, and marketing and intake. Also discuss the roles of the Board and its relationship to staff.

- ◆ Elder-Aid Board members Kirk Brown, Jim Thomas, and Jim Davis have been instrumental in determining and identifying CHDO projects. Combined these men have more than 50 years of CHDO experience. Kirk Brown and Jim Thomas will be the significant figures during the project.

c.

- ◆ Carol Jones came to Elder-Aid with the willingness to learn and in a very short time has become knowledgeable with regards to CHDO operations and regulations. She has become well versed in CHDO management and planning, demonstrating that she is able to adapt and quickly but efficiently learn new skills.

d.

- ◆ See Organizational Chart for corporate chain of command. See Tab 4

e.

Development team capacity: Explain how the development team roles are defined. Include prior experience working together on previous projects.

- ◆ As outlined throughout this document Elder-Aid has established itself as a strong organization with the proven experience and ability to become a successful and

valued CHDO for the City of College Station Community Development Services Office. Elder-Aid's Executive Director is a self-leader with the initiative.

f.

- ◆ Elder-Aid's Construction Committee includes Carol Jones, Jim Davis, Kirk Brown, and Jim Thomas. Carol and the other members of the committee in the short time that they have worked together have succeeded in renovating one duplex at 3329-3331 Lodgepole and have started rehabilitation of 3332-3334 Lodgepole. The team is well organized and capable of making use of large numbers of community volunteers to keep costs down.

- ◆ Board Member Resumes; See Tab 5

Part 1D: Fiscal Soundness

Financial Management: Discuss budgeting operations, internal controls, and financial reporting measures for the organization.

- ◆ Statement of Financial Position; See Tab 6
- g. Profit and Loss; See Tab 7
Board Meeting Minutes; See Tab 1 Section 4, RFP Operating Proposal 4-13-16
Financial Procedures; See Tab 8

- ◆ The above documents demonstrate Elder-Aid's ability to administer all aspects of financial management for the organization.

- ◆ Elder-Aid's monthly rental income provides a stable funding base for the organization, while additional income from grants and donations are used to fund client assistance programs. Unless otherwise specified, 100% of all donations are allocated to client assistance. These funds can be used to pay for home repairs, utilities, medications, and other needs clients may request. The Board of Directors reviews all undesignated donations before approving its allocation.

- ◆ The only time Elder-Aid has experienced cash flow issues is during CHDO construction projects due to the time constraints of paying invoices, waiting for checks to be paid and posted so that copies can be printed, and the time between submitting CHDO invoices and waiting to receive payment from the city.
 - ◆ To avoid cash flow issues, Elder-Aid passed a resolution at the June 17, 2015 Board of Directors Meeting to establish an unsecured line of credit with Prosperity Bank. This unsecured line of credit will cover the gap between expenditures and City of College Station CHDO reimbursements and will enable Elder-Aid to move forward with the purchase of this property. See Tab 9.

h.

- ◆ As demonstrated in this application and the above documents, Elder-Aid has demonstrated its ability to manage income and expenses in a conservative manner to ensure sufficient funds remain available.

Audit: Indicate if the organization has an annual audit. Provide a copy of the most recent annual audit.

- ◆ Due to the expense of external audits, Elder-Aid's policy requires the Board of Director Treasurer, Jim Davis, to perform annual internal audits and every third year an external audit is conducted by a third-party accounting firm. An external audit was conducted by Thompson, Derrig & Craig, CPA in 2012. An internal audit was conducted in 2013 and 2014. Elder-Aid is in the process of scheduling the next internal audit for the Third Quarter of 2016.

i.

- ◆ See Elder-Aid 2012 Internal Audit, 2013 External Audit, 2014 External Audit; See Tab 10

Financial stability: Explain whether the organization maintains a stable funding base for operations and offers sufficient funds to carry out current and proposed activities.

- ◆ Elder-Aid has been a CHDO with the City of Bryan since 1998 and has demonstrated their ability to construct, oversee, and manage its projects and homes. Financially Elder-Aid is able to maintain and repair all homes when the need arises. Each budget year, Elder-Aid assesses the current status of all homes to determine repairs and maintenance that will be needed.

j.

- ◆ Elder-Aid currently has 19 homes in its portfolio and all homes are in pristine physical and financial condition as well as one completed duplex and two duplexes in process of rehabilitation. Rental income is more than adequate to support both planned and unplanned expenses that may arise during the fiscal year, as well as maintaining appropriate property and liability insurance on all houses.
- ◆ Elder-Aid recently received a grant from the May's Business School for \$14,200.00 to fund and replacement of two older AC units and add attic insulation to 6 homes.

Part 1E: Community Relations

Community support: Discuss the organization's relationship to the local community, with consideration given to the proposed project. Also indicate relationships with local government and lenders.

- ◆ See Tenant Surveys; See Tab 11

k.

- ◆ Elder-Aid has been building CHDO houses since 1998 and as a result has strong ties with the local community through programs such as home repairs, utility assistance, transportation, and housing. Elder-Aid has not experienced opposition

to the rehabilitation of its homes. In fact, Elder-Aid has seen some upgrading of homes after the organization rehabilitated homes in their neighborhood.

- ◆ As for the College Station area, Elder-Aid does not foresee opposition to the Normand Project since the organization will be rehabbing an existing property, which will add value to the neighborhood. Current tenants will be allowed to remain in their homes, but will be required to sign a new one-year lease per HUD/Brazos Valley Council of Governments Voucher program requirements.
- ◆ Elder-Aid has built a strong relationship with the City of Bryan, in which their support has been proven, through the commitment of HOME funds for 19 Elder-Aid homes over 18 years.
- ◆ Elder-Aid's Board of Directors are committed to helping the elderly and when funds have been short to build homes, board members have committed personal funds to make projects happen.

End of Agency Information

Part Two: Project Information

Part 2A: Narrative

Provide a brief narrative description of your project(s).

Elder-Aid intends to purchase a duplex located at 3404 & 3406 Normand. Elder-Aid will rehabilitate both units of the duplex with numerous improvements.

Part 2B: Activity Type

a. Is the proposed project an eligible CHDO set-aside activity?

Yes No

b. Please select the activities that best relate to your project (s)

- | | |
|---|--|
| <input type="checkbox"/> Homebuyer Activity | <input type="checkbox"/> Acquisition and New Construction |
| <input checked="" type="checkbox"/> Rental Activity | <input checked="" type="checkbox"/> Acquisition and Rehabilitation |
| <input type="checkbox"/> Acquisition only | <input type="checkbox"/> Mixed Use – Retail/Residential |
| <input type="checkbox"/> Construction only | <input type="checkbox"/> Other |

Part 2C: Project Location

All projects must be located within the city limits of College Station. Is the project located in College Station?

Yes No

Part 2D: Market Analysis

a. Develop a brief need statement that clearly states the purpose for the project. Discuss the causes of the problem, the resulting need within the community, and the significance of the project to the beneficiaries of the community.

l.

- ♦ The purchase of the Normand duplex will serve Elder-Aid's mission by providing safe and affordable housing for two low-income households.

m.

- ♦ During the past four years, Elder-Aid has had numerous requests for affordable housing in the College Station area. Due to the high cost and limited availability of land in College Station, Elder-Aid has been unable to purchase and construct a traditional Elder-Aid home, which is a small one-bedroom, one bathroom home.

n.

- ♦ The proposed second Normand Project is located in an ideal neighborhood with close access to stores and services, as well as medical facilities. As part of the project we will improve the property, which will benefit other tenants and land owners in the neighborhood. In addition Elder-Aid currently is in the process of rehabbing a neighboring property, 3408-3410 Normand, next door to the 3404-3406 Normand. Being in close proximity creates the opportunity for networking and support between Elder-Aid tenants.

b. Affirmative Marketing Activities: Outline the proposed marketing plan (*Homeownership and Rental Housing projects only*) such that it describe the methods for informing the public, owners, and potential tenants about federal fair housing laws. Describe procedures to be used to inform and solicit applications for persons in the housing market area who are not likely to apply for housing without special outreach. Applicant records must describe actions to be taken to affirmatively market units and assess the results of those actions.

o.

- ◆ Elder-Aid has experience in locating low-income elderly tenants for our homes. As part of our programs, Elder-Aid has a volunteer caseworker that counsels many elderly, low-income families, some of which are living in deplorable housing, or in some cases, are homeless and living in shelters or with relatives.

p.

- ◆ Elder-Aid maintains a waiting list of low-income elderly clients who need safe and affordable housing and who qualify both in terms of age and income. These clients are given priority for rental of a new or vacant home. Should the waiting list not have a suitable candidate, Elder-Aid works through our property Management Company, At Home Properties, as well as notifying and advertising with the Brazos Valley Council of Governments Housing Assistance Voucher Program. Elder-Aid also networks with other public service agencies including 211, Adult Protective Services, and Twin City Mission to obtain referrals of low-income elderly in need of housing. If needed, ads have been placed in *The Eagle* to locate prospective tenants.

- ◆ At this time in Bryan, Elder-Aid has one vacant home at 1021 Bittle with a tenant scheduled to move in the first of June 2016. Elder-Aid homes seldom remain vacant for long. As soon as we know there will be a vacancy, we immediately begin reviewing our waiting list and locating tenants who are most in need. Also for any tenants not receiving rental assistance, the first thing we do is complete an on-line application to add them to the waiting list for rental assistance.

c. Targeted Income Group

Indicate the number of units or households to be served in each Target Population.

Target Population	Number of Units or Households
0-30% of the Area Median Income	
31-50% of the Area Median Income	
51-60% of the Area Median Income	2
61-80% of the Area Median Income	
Market rate income	
Total	2

d. Special Needs Population

- | | |
|--|--|
| <input checked="" type="checkbox"/> Elderly | <input type="checkbox"/> Developmentally Disabled |
| <input type="checkbox"/> Frail Elderly | <input type="checkbox"/> Persons w/HIV/AIDS |
| <input type="checkbox"/> Severe Mental Illness | <input type="checkbox"/> Persons w/Alcohol/Other Drug Addictions |
| <input type="checkbox"/> Physically Disabled | <input type="checkbox"/> Victims of Domestic Violence |
| <input type="checkbox"/> Other | |

Part 2E Project Development Details:

a. Do you have site control? (Or Option Contract executed if applying to acquire)

- Yes (Date acquired: 5/24/16 Elder-Aid Signed Residential Contract) No
If **no**, explain how you intend to secure site control prior to the start of this project.

q.

b. Will your project involve temporary or permanent relocation of residents or businesses?

- Yes No

c. Will your project involve the construction or rehabilitation of 12 or more HOME-assisted units?

- Yes No

d. Provide a brief description of the following information.

- Property Analysis
 - Property description, including amenities and unit features
- ◆ 3404 & 3406 Normand is an existing duplex. Each two-bedroom unit is approximately 750 square feet and includes central air conditioning with gas heat, appliances, washer and dryer.

r.

- Current property condition/inspection
- ◆ This duplex is nearly 30 years old. Both units are in fair condition. Unit 3404 will need kitchen cabinets replaced. Both units will be made wheelchair friendly including remodeling of the bathrooms and widening of doorways. AC units and other appliances will need to be evaluated to see if replacements are needed. Some flooring will need to be replaced in both units.

s.

- ◆ Initial repairs to both units will include replacing all windows and adding blown-in installation in the attic to ensure units are energy efficient.
 - Appraisal information. Provide a statement and include as an attachment a recent Property Appraisal, if available.
- ◆ Current property tax assessments value the duplex at \$128,570.00. Due to the limited availability of properties in the College Station area with tenants receiving rental assistance through the Brazos Valley Housing Choice Voucher Program, Elder-Aid is purchasing the Normand duplex at a cost above the assessed value.

t.

- Proposed Improvements to Property

- ◆ Both duplexes:
 - Replace windows with energy efficient low E, double pane, vinyl windows and replace AC units.
 - Add blown in insulation to the attic.
 - Cabinets and flooring will be replaced, if needed.
 - Storage Sheds will be constructed, if needed.
 - Wheelchair friendly bathrooms and widening of doorways.
- u.
 - Replace appliances where needed.

e. Indicate the number of HOME-assisted and market rate units and the proposed monthly rent/sales price by the following bedroom sizes.

Bedroom Size	HOME-assisted	Market	Proposed monthly rent or sales price for unit
0			
1			
2	2	862	648
3			
4			
Other			
Total	2	1724.00	1296.00

Part 2F Project Development Timeline:

- a. Describe the project timeline from acquisition through final sale or lease of units. Include the following, as applicable:
- Timelines for the entire project and each phase;
 - Flow of all activities; and
 - Recruitment/marketing plan for potential residents/home buyers.
- ◆ 3404 & 3406 Normand duplex is currently under contract with anticipated closing date of August 2016. Elder-Aid does not anticipate using its own funds to help in the repairs and is projecting a completion date of May 2016. Current tenants, in both duplexes, will have the option to remain in the upgraded units and sign a new lease with Elder-Aid per HUD regulations.
- v.
- b. Production Schedule: Please complete the following schedule (add additional months, as necessary).

Month	HOME Amount Expended	# Housing Units Completed	# Housing Units Occupied
August 2016	\$129,000.00		2
January 2016	\$8,000.00		1
February 2016	\$5,900.00		1
March 2016	\$5,000.00		1
April 2016	\$6,800.00		1
May 2016	\$2,300.00	2	2

End of Project Information

Part Three: Financial Information

Part 3A: Budget Expense Detail

Complete the development budget expense detail for pre-acquisition through construction. Do not include operating revenues or expenses other than for initial reserves.

Development Budget Cost Items	Amount
Acquisition Costs	
Land	\$ 45,000.00
Existing Structures	\$ 84,000.00
Other Acquisition Costs:	\$
Site Work Costs	
Demolition/Clearance	\$
Site Remediation	\$
Improvements:	\$
Other Site Work Costs	\$
Construction / Rehabilitation Costs (construction contract costs)	
Other Site Work	\$
New Construction	\$
Rehabilitation	\$ 28,000.00
General Requirements	\$
Performance & Payment Bond Premiums	\$
	\$
Other Construction / Rehabilitation Costs	\$
Lead Abatement	\$
Architectural and Engineering Fees	
Architect Fee -- Design	\$
Architect Fee -- Construction Supervision	\$
Engineering Fees	\$
Other Architectural and Engineering Fees	\$
Other Owner Costs	
Project Consultant Fees	\$
Legal and Organizational Expenses	\$
Syndication Fees (If utilizing Housing Tax Credits)	\$
Market Study	\$
Survey	\$ 750.00
Appraisal Fees	\$
Soil Boring/Environmental Survey/Lead-Based Paint Evaluation	\$
Tap Fees and Impact Fees	\$

Permitting Fees	\$	
Real Estate Attorney Fees	\$	400.00
Construction Loan Legal Fees	\$	
Other Owner Costs: interest on interim loan	\$	538.00
Tenant Relocation Costs	\$	
Project Administration and Management Costs		
Developer fee	\$	30,000.00
Initial Rent Up Reserves	\$	4355.00
Initial Project Reserves	\$	
Marketing/Management	\$	
Operating Expenses	\$	
Taxes	\$	1000.00
Insurance: Construction, Property,	\$	3000.00
Other Project Administration & Management Costs: lease fees	\$	600.00
Total Development Costs	\$	197,643.00

Part 3B: Development Operating Revenue Budget (Rental Development)

For rental developments, complete the table for each unit type rent. Utilize the published HOME rents and applicable utility allowances attached.

Figures on this chart, calculated based on the 2015

Rental Unit Characteristics						
High HOME Units: Capped at 60% AMI Low HOME Units Capped at 50% AMI (Low HOME required for 20% of units if total units greater than 5.	Number of Units	Gross HOME Rent, per unit, per month	Monthly Utility Allowance (Compute from Utility Allowance Table)	Net Rent After Utilities, per unit, per month	Monthly Rent After Utilities	Annual Rent After Utilities (Monthly Rent After Utilities x No. Units Each Type X 12)
0 BR High HOME Units	w.	\$	\$	\$	\$	\$
0 BR Low HOME Units		\$	\$	\$	\$	\$
0 BR Market Rate Units		\$	\$	\$	\$	\$
1 BR High HOME Units		\$	\$	\$	\$	\$
1 BR Low HOME Units		\$	\$	\$	\$	\$
1 BR Market Rate Units		\$	\$	\$	\$	\$
2 BR High HOME Units	2	\$ 862.00	\$ 214.00	\$ 648.00	\$ 648.00	\$ 15,552.00
2 BR Low HOME Units		\$	\$	\$	\$	\$
2 BR Market Rate Units		\$	\$	\$	\$	\$
3 BR High HOME Units		\$	\$	\$	\$	\$
3 BR Low HOME Units		\$	\$	\$	\$	\$
3 BR Market Rate Units		\$	\$	\$	\$	\$
4 BR High HOME Units		\$	\$	\$	\$	\$
4 BR Low HOME Units		\$	\$	\$	\$	\$
4 BR Market Rate Units		\$	\$	\$	\$	\$
5 BR High HOME Units		\$	\$	\$	\$	\$
5 BR Low HOME Units		\$	\$	\$	\$	\$
5 BR Market Rate Units		\$	\$	\$	\$	\$
Total	2	NA	NA	NA	NA	\$ 15,552.00

Part 3C Development Operating Expense Budget (Rental Development):
 For rental developments, complete the operating expense table.

Operating Expense Pro-Forma (Rental Developments)	Annual Cost
Management Expenses	
Management Fee	\$ 13,290.00
Management Administrative Payroll Costs	\$ 74,409.00
Legal Fees	\$
Accounting / Audit Fees	\$ 7,500.00
Advertising / Marketing	\$ 4,000.00
Telephone	\$ 3,000.00
Office Supplies	\$ 4,000.00
Other Administrative Expenses: postage	\$ 550.00
Other Management Expenses	\$
Operations and Maintenance Expenses	
Security	\$
Operations and Maintenance Administrative Payroll Costs	\$
Other Mechanical Equipment	\$
Interior Painting	\$
Routine Repairs and Supplies	\$ 15,000.00
Exterminating	\$ 300.00
Lawn and Landscaping	\$ 7,500.00
Garbage Removal	\$
Resident Service Cost	\$
Other Maintenance Costs: cleaning and make ready	\$
Operations and Maintenance Expenses	\$
Utilities Paid by the Property	
Electricity	\$
Natural Gas, Oil, Other Fuel	\$
Sewer and Water	\$
Other Utilities Paid by the Property	\$ 600.00
Taxes / Insurance / Reserves / Other Expenses	
Real Estate Taxes	\$
Other Taxes and Licenses	\$
Property Insurance	\$ 11,272.00
Reserve for Replacement	\$
Operating Reserve	\$
Other Operating Expenses (List)	
Insurance: Worker's Comp, volunteer, and general liability	\$ 1,504.00

Office Rent	\$	8,700.00
Direct Client Assistance	\$	12,000.00
TOTAL	\$	163,625.00

End of Financial Information

EXHIBIT L
CERTIFICATE OF INSURANCE

ATTACHED IS YOUR POLICY

We are pleased to provide you with the attached policy. Please take a moment to review and contact your agent if you have questions or concerns.

Agent Information
JONES & ASSOCIATES INC
PO BOX 4044

BRYAN, TX 77805

Insured Information
ELDER AID INC

307 S MAIN ST SUITE 105
BRYAN, TX 77805

Phone: 979-776-4740
Fax: 979-776-4745

Policy Number:	NN533271	Coverage:	GENERAL LIABILITY - ARTISAN
Effective:	08/12/2015	TRIA Coverage:	REJECTED
Expires:	08/12/2016	Minimum Earned Premium:	25
Company:	NAUTILIS INSURANCE CO		

IMPORTANT

Cancellation and Minimum Earned Premium: Please carefully review the common policy conditions and all endorsements pertaining to cancellation and minimum earned premium. When a policy cancels, the "number of days coverage was in effect" is used to calculate the earned amount. If the earned amount is less than the minimum earned amount stated in the policy, the minimum earned amount is used to determine the return premium.

Policy Fees, Additional Insureds, and Waivers of Subrogation are fully earned, do not apply to the minimum earned amount, and are nonrefundable in the event of cancellation.

Audit Premiums: Your policy can be audited by the insurance company. Please review the policy conditions and endorsements in the event your policy is audited.

GUARANTY FUND STAMP	PREMIUM SUMMARY
This insurance contract is with an insurer not licensed to transact insurance in this state and is issued and delivered as surplus line coverage under the Texas insurance statutes. The Texas Department of Insurance does not audit the finances or review the solvency of the surplus lines insurer providing this coverage, and the insurer is not a member of the property and casualty insurance guaranty association created under Chapter 462, Insurance Code. Chapter 225, Insurance Code, requires payment of a 4.85 percent tax on gross premium.	Premium: 1,629.00
	Policy Fee: 340.00
	State Tax: 105.20
	Stamping Fee: 1.30
	Total: 2,275.50



Authorized Representative: DELTA GENERAL AGENCY CORPORATION
PO BOX 2045 HOUSTON TX 77252

COMMERCIAL GENERAL LIABILITY COVERAGE PART DECLARATIONS

POLICY NUMBER: NN533271

Extension of Declarations is attached.

Effective Date: 06/12/2015 12:01 A.M. Standard Time

LIMITS OF INSURANCE		<input type="checkbox"/> If box is checked, refer to form S132 Amendment of Limits of Insurance.
General Aggregate Limit (Other Than Products/Completed Operations)	\$ 1,000,000	
Products/Completed Operations Aggregate Limit	\$ 1,000,000	
Personal and Advertising Injury Limit	\$ 500,000	Any One Person Or Organization
Each Occurrence Limit	\$ 500,000	
Damage To Premises Rented To You Limit	\$ 100,000	Any One Premises
Medical Expense Limit	\$ 5,000	Any One Person

RETROACTIVE DATE (CG 00 02 ONLY)
 This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" which occurs before the Retroactive Date, if any, shown here: _____ (Enter Date or "NONE" if no Retroactive Date applies)

BUSINESS DESCRIPTION AND LOCATION OF PREMISES
 BUSINESS DESCRIPTION: REMODELING WORK
 LOCATION OF ALL PREMISES YOU OWN, RENT, OR OCCUPY: Location address is same as mailing address.
 1. 307 S MAIN ST SUITE 105
 BRYAN TX 77803-
 2.
 Additional locations (if any) will be shown on form S170, Commercial General Liability Coverage Part Declarations Extension.
 LOCATION OF JOB SITE (If Designated Projects are to be Scheduled):

CODE # -	CLASSIFICATION	*	PREMIUM BASIS	RATE		ADVANCE PREMIUM
				Prem/Op	Prod/Comp Op	
91341 - Carpentry - interior		P	8,750	32.900		288
					32.400	284
94569 - Floor covering installation - not ceramic tile or stone		P	8,750	13.369		119
					14.577	128
98305 - Painting - interior - buildings or structures		P	8,750	6.877		60
					6.325	55
98967 - Siding Installation		P	8,750	17.618		154
					34.919	306

* **PREMIUM BASIS SYMBOLS** + = Products/Completed Operations are subject to the General Aggregate Limit
 a = Area (per 1,000 sq. ft. of area) o = Total Operating Expenditures (per \$1,000 Total Operating Expenditures) * = Gross Sales (per \$1,000 of Gross Sales)
 c = Total Cost (per \$1,000 of Total Cost) p = Payroll (per \$1,000 of Payroll) t = See Classification
 m = Admissions (per 1,000 Admissions) u = Units (per unit)

PREMIUM FOR THIS PAGE \$ 1,394

FORMS AND ENDORSEMENTS (other than applicable Forms and Endorsements shown elsewhere in the policy)
 Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:
Refer to Schedule of Forms and Endorsements

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD
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WORKERS' COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY

6210 E Highway 290
Austin, Texas 78723-1098

INFORMATION PAGE

ITEM 1

ELDER-AID
307 S MAIN ST STE 202
BRYAN, TX 77803-6850

INSURED
NAME AND
ADDRESS

POLICY NUMBER
SBP-0001220341 20160127

Federal Tax ID 74-2581007

OTHER WORKPLACES NOT SHOWN ABOVE:
see attached schedule of operation

Bureau Number

Branch HOUSTON

PRODUCER
16808

JONES & ASSOCIATES INC
PO BOX 4044
BRYAN, TX 77805-4044

Renewal of 0001220341

Entity NON PROFIT CORP

Interim Adjustment

Group

NCCI Carrier Code 29939

ITEM 2

The Policy Period is from: 1-27-2016 To: 1-27-2017 12:01 A.M. standard time at the insured's mailing address

ITEM 3

A. Workers' Compensation Insurance: Part One of the policy applies to the Workers' Compensation Law of the states listed here: **TEXAS**

B. Employers Liability Insurance: Part Two of the policy applies to work in each state listed in Item 3A. The Limits of our Liability under Part Two are:

Bodily Injury by Accident	\$ 1,000,000	Each Accident
Bodily Injury by Disease	\$ 1,000,000	Each Employee
Bodily Injury by Disease	\$ 1,000,000	Policy Limit

C. Other States Insurance: Part Three of the policy applies to the states, if any, listed here: **NONE**

D. This policy includes these endorsements and schedules:

See Schedule of Endorsements attached

ITEM 4

The premium for this policy will be determined by our manuals of Rules, Classifications, Rates and Rating Plans. All information required below is subject to verification and change by audit.

TOTAL ESTIMATED STANDARD PREMIUM \$ 211.00

WAIVER OF SUBROGATION	4.00
INCREASED EMPLOYERS LIABILITY LIMITS	150.00
TOTAL PREMIUM SUBJECT TO MODIFICATIONS	355.00
PREMIUM MODIFIED TO REFLECT PREM INCENTIVE OF (.85)	55.00
PREMIUM MODIFIED TO REFLECT SCHEDULE RATING OF (.85)	37.00
WORKERS' COMP HEALTH CARE NETWORK DISCOUNT ()	.00
DEDUCTIBLE PREMIUM	.00
ADMIRALTY/FELA OR L & H W	.00
PREMIUM DISCOUNT, IF APPLICABLE ()	.00
EXPENSE CONSTANT CHARGE	150.00

TOTAL ESTIMATED ANNUAL PREMIUM \$ 423.00

MINIMUM PREMIUM 178.00

DEPOSIT PREMIUM 423.00

Countersigned by

Issue Date: 1-12-2016

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DECLARATIONS
HOCHHEIM PRAIRIE CASUALTY INSURANCE COMPANY
 500 S. US HIGHWAY 77-A
 YOAKUM, TX 77995-1399
 www.hpfn.com
BUSINESSOWNERS
RENEWAL

Policy Number

DO 5678342

Member Number

482908

ELDER-AID
 307 S MAIN ST 202
 BRYAN TX 77803-6950

JONES & ASSOCIATES INC
 1200 E VILLA MARIA ROAD
 PO BOX 4044
 BRYAN, TX 77805-4044
 (979) 776-4740

125261

Policy Period From: **1/13/2016** to **1/13/2017** at 12:01 A.M., Standard Time at the location of the property as stated herein.

FORM OF BUSINESS:

Individual Partnership Joint Venture Corporation (including Limited Liability Company) Other

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

COVERAGES	DEDUCTIBLE	LIMITS OF INSURANCE	TERM PREMIUM
SECTION II - LIABILITY COVERAGE AND MEDICAL EXPENSES			
Liability and Medical Expenses *	Per Occurrence	\$1,000,000	
Medical Expenses	Per Person	\$5,000	
Personal and Advertising Injury	Per Occurrence	Included	
Hired Auto Liability		Included	\$53
Non-Owned Auto Liability (without Delivery)		Included	\$52
Other than Products/Completed Operations Aggregate*		\$2,000,000	
Products/Completed Operations Aggregate*		\$2,000,000	
Damage to Premises Rented to You*	Per Building	\$50,000	
			\$135
LOCATION - 307 S MAIN ST 202, BRYAN TX 77803-6949			
LOCATION LEVEL COVERAGES			
SECTION I - PROPERTY COVERAGE			
DEDUCTIBLES (Apply per location, per occurrence)			
Property Deductible		\$500	
Optional Coverage or Glass Deductible		\$500	
Business Income/Time Element Deductible		72 hrs.	
NOT OTHERWISE CLASSIFIED: OFFI UNIT: BP CLASS CODE: 65121			
Not Otherwise Classified: Office			
Rating Base - Limit of Insurance \$10,000 Building# 1			
SECTION I - PROPERTY COVERAGE			
Business Personal Property - Special Form	Replacement Cost Coverage	\$10,000	\$29
Business Income and Extra Expense Coverage*	12 months - Actual Loss Sustained	\$100,000	
Ordinary Payroll Expense*	60 days		
Extended Business Income*	30 days		
Business Income From Dependent Properties*		\$5,000	

Policy Number

BO 5678342

Member Number

482908

COVERAGES	DEDUCTIBLE	LIMITS OF INSURANCE	TERM PREMIUM
Interruption of Computer Operations* Civil Authority Fire Department Service Charge* Valuable Papers and Records - On Premises* Valuable Papers and Records - Off Premises Accounts Receivable - On Premises* Accounts Receivable - Off Premises		\$10,000 \$2,500 \$10,000 \$5,000 \$10,000 \$5,000	
SECTION II - LIABILITY COVERAGE AND MEDICAL EXPENSES			
Liability and Medical Expenses Damage to Premises Rented to You* Comprehensive Business Liability Exclusion Description and Location of Premises Operations: All operations other than 'NOC-Not Otherwise Classd(OFC)'			\$8
TOTAL FOR LOCATION			\$37
SECTION I - PROPERTY COVERAGE			
Forgery or Alteration* Electronic Data* Employee Dishonesty* Computer Fraud and Funds Transfer Fraud*		\$5,000 \$10,000 \$5,000 \$25,000	\$16 \$63 \$37
Number of Employees: 1			
SECTION II - LIABILITY COVERAGE AND MEDICAL EXPENSES			
Limitation of Coverage to Designated Premises or Project Premises: All locations listed on declarations page			
TOTAL FOR POLICY LEVEL COVERAGES			\$116
ADDITIONAL COVERAGES INCLUDED			
Money Orders and "Counterfeit Money" Fire Extinguisher Systems Recharge Expense Increased Cost to Construct (applicable on replacement cost basis only) Glass Expenses		\$1,000 \$5,000 \$10,000	
COVERAGE EXTENSIONS INCLUDED			
Newly Acquired or Constructed Property Newly Acquired Business Personal Property Personal Property Off Premises Outdoor Property		\$250,000 \$100,000 \$10,000 \$2,500	
COMMERCIAL PROPERTY AND GENERAL LIABILITY TOTAL			\$286
MINIMUM PREMIUM ADJUSTMENT			\$62
ANNUAL PREMIUM TOTAL - ALL LOCATIONS			\$350

*The limits for this coverage may be adjusted. Contact your agent.

USER NAME PASSWORD

[Forgot Username?](#) [Forgot Password?](#)

[Create an Account](#)

Entity Dashboard

[Entity Overview](#)

Elder-Aid, Inc.

DUNS: 874848047 CAGE Code: 6TZ09
Status: Active

307 S. Main St. #105
Bryan, TX, 77803-6949 ,
UNITED STATES

Expiration Date: 12/20/2016

Purpose of Registration: Federal Assistance Awards Only

- Entity Registration
 - Core Data
 - Assertions
 - Reps & Certs
 - POCs
- Exclusions
 - Active Exclusions
 - Inactive Exclusions
 - Excluded Family Members

[RETURN TO SEARCH](#)

Entity Overview

Entity Registration Summary

Name: Elder-Aid, Inc.
Business Type: Business or Organization
Last Updated By: Carol Jones
Registration Status: Active
Activation Date: 12/21/2015
Expiration Date: 12/20/2016

Exclusion Summary

Active Exclusion Records? No



Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.



Legislation Details (With Text)

File #: 16-0413 **Version:** 2 **Name:** FM 2818 Capacity Improvements Design Contract

Type: Contract **Status:** Consent Agenda

File created: 7/8/2016 **In control:** City Council Regular

On agenda: 8/11/2016 **Final action:**

Title: Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300415) with Binkley and Barfield, Inc., in the amount of \$571,102.50, for engineering and surveying services associated with the FM 2818 Capacity Improvements Design Project.

Sponsors: Donald Harmon

Indexes:

Code sections:

Attachments: [Project Location Map 8.5x11 - FM2818 Capacity Improvements](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300415) with Binkley and Barfield, Inc., in the amount of \$571,102.50, for engineering and surveying services associated with the FM 2818 Capacity Improvements Design Project.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends Council approve the contract.

Summary: Binkley and Barfield, Inc., was contacted to submit a proposal for the design of the FM2818 Capacity Improvements project based upon their selection as being the most highly qualified firm in RFQ #16-024. The scope of this contract is for engineering and surveying services in connection with the FM2818 engineering summary report and schematic design. The project scope includes conceptual and schematic design for the FM2818 corridor from FM2154 to the George Bush Drive intersection and generally includes data collection, accident and traffic analysis, conceptual design, schematic design, environmental documentation, public involvement, ROW/easement identification, utility coordination, project management, and topographic surveying.

Budget & Financial Summary: A budget of \$655,000 is included for this project in the Streets Capital Improvement Projects Fund. Funds in the amount of \$12,219 have been expended or committed to date, leaving a balance of \$642,781 for design. It is anticipated that construction of the project will be completed by TxDOT.

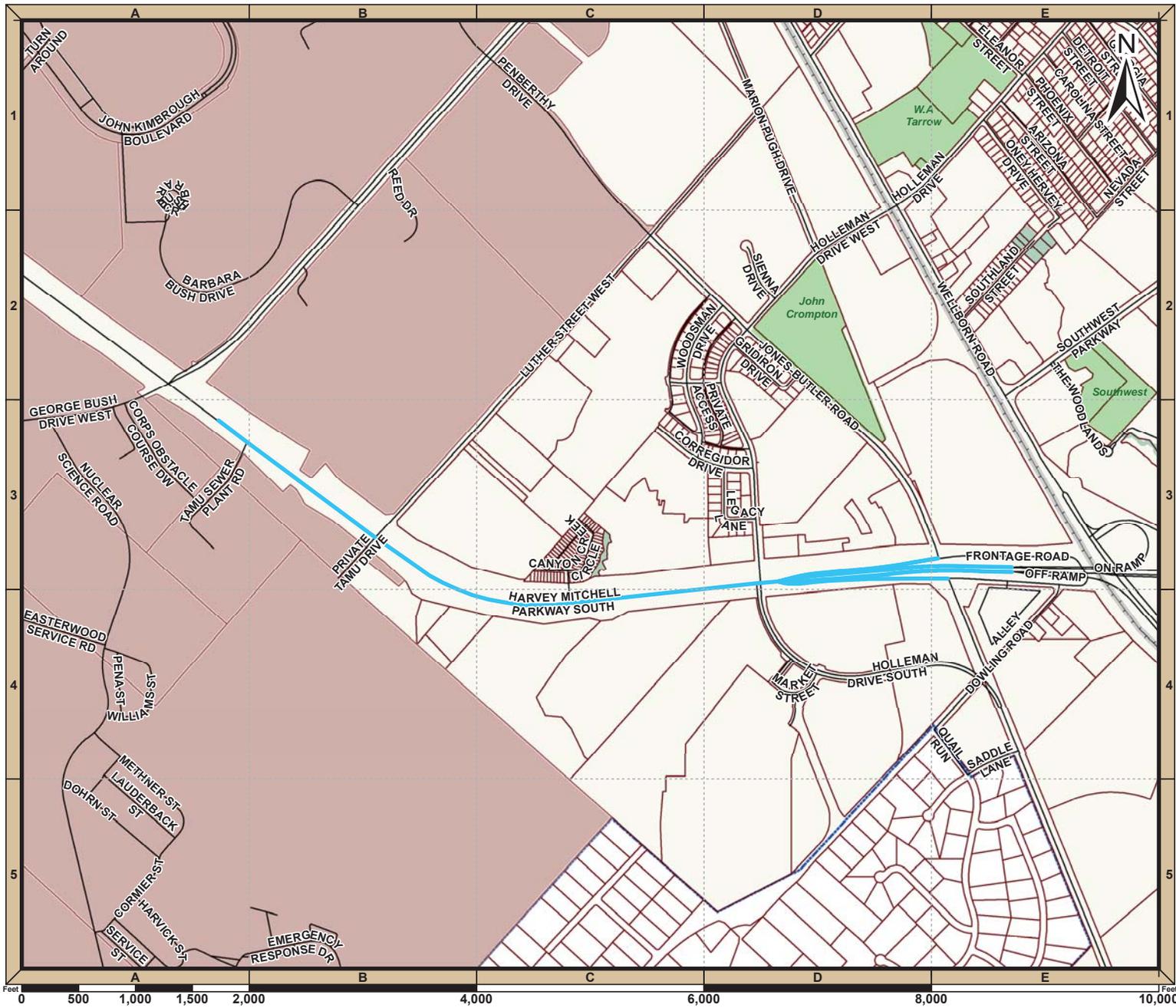
Attachments:

1. Contract on file in the City Secretary's Office
2. Project Location Map

Project Location Map FM2818 Capacity Improvements

Legend

- Project Location
- Streets
- Railroad
- Texas A&M Property
- Greenways
- Parks
- Property Lines
- City Limit
- ETJ



Coordinate System: NAD 1983 StatePlane
 Texas Central FIPS 4203 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983





Legislation Details (With Text)

File #:	16-0419	Version:	1	Name:	Lick Creek WWTP Generator Replacement
Type:	Contract	Status:		Status:	Consent Agenda
File created:	7/8/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300529) with Jones & Carter, Inc. for \$152,500 for the final design and construction phase services for the Lick Creek Generator Replacement Project.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Lick Creek Location Map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300529) with Jones & Carter, Inc. for \$152,500 for the final design and construction phase services for the Lick Creek Generator Replacement Project.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the professional services contract.

Summary: The scope of this contract includes mapping, final design, geotechnical investigation services, bid phase services, construction phase services, and construction materials testing. This project was originally combined with two other projects and formed the Treatment Plant Major Equipment Replacement Project and a Preliminary Engineering Report (PER) was completed. This contract is a follow on contract to finalize design and construct the replacement generator with associated appurtenances for the Lick Creek Waste Water Treatment Plant. The purpose of this project is to provide a new backup generator that will operate all process equipment at the Lick Creek Treatment Plant in case of an emergency or power outage.

This project was separated from the Treatment Plant Major Equipment Replacement project due to immediate need of the generator and recommendation from the PER.

Jones & Carter, Inc., was selected as the most highly qualified firm as part of RFQ# 15-023 for the Treatment Plant Major Equipment Plant Project.

Budget & Financial Summary: Funds in the amount of \$796,000 are currently budgeted for this project in the Wastewater Capital Improvement Projects Fund. However, based on the results of the PER, the estimate for the total cost of this design and construction of this project has been revised to \$1,375,000. This overage will be factored into the FY17 CIP and the applicable forecasts.

Attachments:

1. Contract - On file in the City Secretary's Office
2. Project Location Map



Legislation Details (With Text)

File #:	16-0420	Version:	1	Name:	Lincoln Center Construction Contract
Type:	Contract	Status:		Status:	Consent Agenda
File created:	7/8/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding construction contract 16300432 with JaCody Construction, LP LLC, in the amount of \$3,366,146 for renovations to the existing facility and construction of a new multi-purpose building for the Lincoln Recreation Center.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	ITB 16-075 tabulation - 16-075 Tabulation Project location map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding construction contract 16300432 with JaCody Construction, LP LLC, in the amount of \$3,366,146 for renovations to the existing facility and construction of a new multi-purpose building for the Lincoln Recreation Center.

Relationship to Strategic Goals:

- Core Services and Infrastructure

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

Summary: This project will construct a new 15,355 square foot multi-purpose facility at the Lincoln Recreation Center. The new building will include a gymnasium and multiple activity rooms and support spaces. Once the new addition is constructed, this project also includes renovations to the existing facility, including asbestos abatement and technology updates. This contract also includes three bid alternates for building a walkway cover, repairing the existing storage building and leveling the existing gymnasium.

Budget & Financial Summary: Budget in the amount of \$4,342,973 is included for this project in the Parks Capital Improvement Projects Fund. A total of \$317,676 has been expended or committed to date, leaving a balance of \$4,025,297 for construction and related expenditures.

Attachments:

1. Contract No. 16300432 (on file with the City Secretary)
2. Bid Tabulation ITB #16-075
3. Project Location Map



City of College Station - Purchasing Division
Bid Tabulation for #16-075
"Lincoln Center Addition"
Open Date: Thursday, June 30, 2016 @ 2:00 PM

		JaCody Construction, LP LLC	LDF Construction Inc.	Dudley Construction, Ltd	Pepper-Lawson Construction, L.P.
Base Bid					
	Lump Sum Bid	\$3,249,166.00	\$3,340,000.00	\$3,843,000.00	\$4,200,000.00
Alternate					
1	Aluminum Walkway Cover	\$68,380.00	\$69,700.00	\$63,000.00	\$68,135.00
2	Repairs to Storage/Shop Building	\$12,960.00	\$147,000.00	\$5,000.00	\$30,000.00
3	Leveling of Existing Gymnasium	\$35,640.00	\$34,900.00	\$38,000.00	No Bid
Total Lump Sum Bid + Alternates		\$3,366,146.00	\$3,591,600.00	\$3,949,000.00	\$4,298,135.00
Unit Pricing (Included in Base Bid)					
1	4" Flatwork Concrete (all prep and installation full system) <i>per SF</i>	\$6.75	\$5.61	\$6.50	\$6.10
2	6" Drive Paving Concrete (All prep and installation full system) <i>per SF</i>	\$7.00	\$7.95	\$8.50	\$8.00
Trench Safety					
1	Amount included in the Base Bid for Trench Safety	\$0.00	\$3,000.00	\$1,500.00	\$2,500.00
Bid Certification		Y	Y	Y	Y
Bid Bond		Y	Y	Y	Y
Addendum Acknowledged		Y	Y	Y	Y

Lincoln Recreation Center Additions & Renovation Project Location Map



Project
Location

The accuracy of this data is limited to the validity and accuracy of available data, and therefore the city makes no representation or warranties as to the accuracy of the data. Any party using the data does so at their own risk. This data is produced pursuant to the Texas Public Information Act. For specific questions regarding this plan contact Planning and Development Services.



Legislation Details (With Text)

File #:	16-0421	Version:	1	Name:	Rock Prairie Road West Widening
Type:	Contract	Status:		Status:	Consent Agenda
File created:	7/8/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval of a Professional Services Contract (Contract No. 16300553) with Binkley & Barfield in the amount of \$650,326 for the professional engineering services related to the design of the Rock Prairie Road West Widening Project (ST1604).				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Project Map				

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

Presentation, possible action, and discussion regarding approval of a Professional Services Contract (Contract No. 16300553) with Binkley & Barfield in the amount of \$650,326 for the professional engineering services related to the design of the Rock Prairie Road West Widening Project (ST1604).

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the professional services contract.

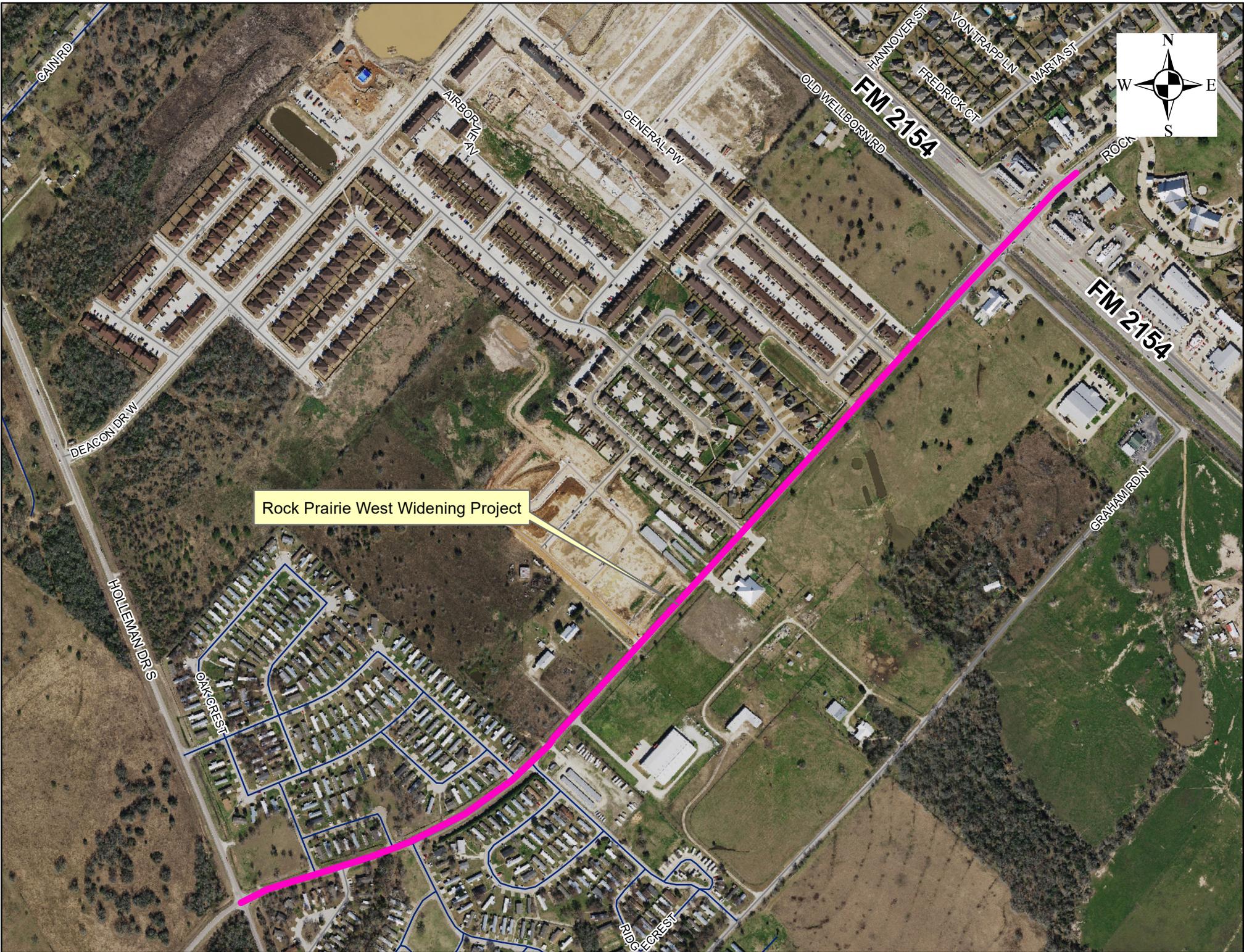
Summary: The project includes the reconstruction of Rock Prairie West from approximately Wellborn Road to Holleman Drive. The existing asphalt road is intended to be replaced with a 3 lane major collector concrete roadway with expansion to a 4 lane minor arterial roadway at the intersections of Wellborn Road and Holleman. Project will include curb, gutter, underground storm sewer, sidewalks and adjustment to the railroad crossing & intersection of Rock Prairie and Wellborn Road.

This project was approved with the FY16 budget to be funded with certificates of obligation and is one of several transportation projects originally prioritized by the 2015 Citizen Advisory Committee.

Budget & Financial Summary: A total project budget of \$4,985,000 is included for this project in the Streets Capital Improvement Projects Fund.

Attachments:

1. Contract No. 16300553 (on file with the City Secretary's Office)
2. Project Location Map



Rock Prairie West Widening Project





Legislation Details (With Text)

File #: 16-0435 **Version:** 1 **Name:** Purchase of Distribution Line Sensors
Type: Bid Award **Status:** Consent Agenda
File created: 7/13/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding the award of Bid 16-087 to Techline, Inc. in the amount of \$51,600 for the purchase of distribution line sensors.
Sponsors: Timothy Crabb
Indexes:
Code sections:
Attachments: [Bid Tab for 16-087](#)

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

Presentation, possible action, and discussion regarding the award of Bid 16-087 to Techline, Inc. in the amount of \$51,600 for the purchase of distribution line sensors.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s):

Staff recommends the approval of award for this bid to the lowest qualified bidder, Techline, Inc., in the amount of \$51,600.

Summary:

LineScope distribution line sensors are devices that are placed on overhead distribution lines that will provide information on the location of outages back to the Operation Center through a communication system recently installed for controlling other electric devices. This will significantly reduce the response time for outages and will allow for quicker isolation of the problem area and the restoration of service to our customers. These devices will also increase safety for our employees by minimizing the switching operations required when trying to determine the location of an outage. This bid was for ten (10) sets of these devices, and ultimately this technology will be deployed to other areas. On July 1, 2016, three (3) sealed bids were received and opened in response to Invitation to Bid #16-087 for the purchase of distribution line sensors. These bids were evaluated and ranked. The lowest qualified bidder was Techline, Inc., for \$51,600.

Budget & Financial Summary:

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

Attachments:

1. Bid Tab 16-087



City of College Station - Purchasing Division
Bid Tabulation for #16-087
"Purchase of Distribution Line Sensors"
Open Date: Friday, July 1, 2016 @ 2:00 PM

Item	Description	Qty	UOM	Techline, Inc.		Graybar Electric		KBS Electrical Distribution		Soloman Corporation	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	LineScope™ Smart Power Monitor system for 15 kV (Line/Ground) power lines.	10	each	\$5,160.00	\$51,600.00	\$5,186.34	\$51,863.40	\$5,285.00	\$52,850.00	No Bid	
Delivery Time (weeks)				6-8 weeks		6-8 weeks		6-8 weeks			
Bid Certification				Y		Y		Y			



Legislation Details (With Text)

File #: 16-0436 **Version:** 1 **Name:** Rejection of Bids for Underground Cable Installation
Type: Bid Award **Status:** Consent Agenda
File created: 7/13/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding the rejection bids 16-006 and 16-059 for the University Drive Underground Cable Installation Project.
Sponsors: Timothy Crabb
Indexes:
Code sections:
Attachments:

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

Presentation, possible action, and discussion regarding the rejection bids 16-006 and 16-059 for the University Drive Underground Cable Installation Project.

Relationship to Strategic Goals: (Select all that apply)

- Financially Sustainable City
- Core Services and Infrastructure

Recommendation(s):

Staff recommends that Council reject bids 16-006 and 16-059 for the University Drive Underground Cable Installation Project.

Summary:

The University Drive Underground Cable Installation Project was original placed online for competitive bidding in September of 2015. On October 8, 2015, Bid 16-006 was opened. No bids were received for evaluation.

The Electric Department revised some of the project specifications, and the project was placed online again as Bid 16-059. On March 23, 2016, three competitive bids were received and opened by the Purchasing Department. The apparent low bidder had several errors on their pricing submission, and choose to withdraw their bid for material purposes. The next low bid was above the expected budget of the project.

The Electric Department has decided not to bid this project for a third time. This work will be completed utilizing the existing contracts for various electric construction and maintenance needs, and through in-house labor.

Budget & Financial Summary:

There is no budgetary or financial impact to reject proposals.

Attachments:



Legislation Details (With Text)

File #:	16-0445	Version:	2	Name:	Resolution to Set 2nd Public Hearing on Water and Wastewater Impact Fees
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	7/14/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 7:00 p.m., to consider the imposition of water and wastewater impact fees.				
Sponsors:	Alan Gibbs				
Indexes:					
Code sections:					
Attachments:	15B RES hearing w-ww IF				

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

Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 7:00 p.m., to consider the imposition of water and wastewater impact fees.

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

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

Summary: This resolution sets the date and time for a public hearing on water and wastewater impact fees. On November 12, 2015, City Council directed staff to bring forward contracts for engineering firms to perform studies regarding possible implementation of impact fees for water, wastewater, and roadways. On January 28th, the City Council approved a contact with Freese and Nichols, Inc. for the water and wastewater impact fee study. In accordance with Local Government Code 395.047, a resolution must be approved by City Council to establish a public hearing date to consider the imposition of citywide water impact fees, and for the imposition of citywide and extra-territorial jurisdiction wastewater impact fees. The first public hearing to consider the land use assumptions and capital improvements plans was at the July 14th City Council meeting.

Budget & Financial Summary: N/A

Legal Review: Yes.

Attachments:

1. Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SETTING A PUBLIC HEARING DATE OF SEPTEMBER 22, 2016, FOR CONSIDERATION OF THE IMPOSITION OF WATER AND WASTEWATER IMPACT FEES.

WHEREAS, the City Council of the City of College Station, Texas (“City”) is considering impact fees for water and wastewater services; and

WHEREAS, § 395.047 Texas Local Government Code sets forth that a political subdivision must adopt an order or resolution establishing a public hearing date to discuss the imposition of impact fees; and

WHEREAS, the Impact Fee Advisory Committee for Water and Wastewater has reviewed and made its recommendations to City Council; and

WHEREAS, in accordance with the aforesaid statutory requirement the City Council desires to call a public hearing to discuss and consider water and wastewater impact fees, now therefore,

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

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

PART 2: That the City Council of the City of College Station, Texas hereby calls for a public hearing to be held during the regular Council session on September 22, 2016 at 7:00 p.m. in the City Council Chambers at 1101 Texas Avenue, College Station, Texas. The purpose of this public hearing is to discuss the imposition of system-wide impact fees for water and wastewater services.

PART 2: That City staff is hereby authorized and directed to notice said public hearing and to take all reasonable measures to give effect to this Resolution, including preparing notice in accordance with § 395.049 Texas Government Code.

ADOPTED this 11th day of August, A.D. 2016.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

City Attorney



Legislation Details (With Text)

File #: 16-0449 **Version:** 1 **Name:** Copy Printing
Type: Contract **Status:** Consent Agenda
File created: 7/18/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**

Title: Presentation, possible action, and discussion regarding the annual copy and print services blanket order second renewal with Alphagraphics (formerly Tops Printing) for \$80,000; Copy Corner for \$40,000; and Office Depot (available through the National Intergovernmental Purchasing Alliance Cooperative (NIPA)) for \$20,000. The total not to exceed amount is \$140,000 for copy and print services

Sponsors: Mary Ellen Leonard

Indexes:

Code sections:

Attachments: [Bid 14-072 Signed Copy and Print - AlphaGraphics](#)
[Bid 14-072 Signed Copy and Print - Copy Corner](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the annual copy and print services blanket order second renewal with Alphagraphics (formerly Tops Printing) for \$80,000; Copy Corner for \$40,000; and Office Depot (available through the National Intergovernmental Purchasing Alliance Cooperative (NIPA)) for \$20,000. The total not to exceed amount is \$140,000 for copy and print services

Relationship to Strategic Goals: Financially Sustainable City

Recommendation(s): Staff recommends approval of the renewal for the annual blanket order with Alphagraphics for \$80,000, Copy Corner for \$40,000 and Office Depot (NIPA) for \$20,000. These estimates are based on the past year’s history for city-wide printing and copying.

Summary: Staff issued a Request for Proposal, #14-072, in July 2014 for the City’s Annual Copy and Print Services. Four (4) sealed proposals were received and were reviewed by a committee of representatives from several City departments. Council approved the original award on August 14, 2014 as Item 2o. Award recommendations were based on the following categories:

I. Category I - Digital Print and Copy
This category includes standard black/white copies/prints; standard color copies/prints; some oversize black/white/color copies/prints; blueprints and finishing services. A multiple award is recommended so departments may choose based on pricing and convenience:

Alphagraphics	\$60,000
Copy Corner	\$40,000
Office Depot (NIPA)*	\$20,000

*Office Depot did not submit a proposal in response to this RFP; however, they were awarded a contract which was competitively bid by the NIPA purchasing cooperative. This contract is available for our use through our Interlocal Agreement with NIPA.

II. Category II - Offset Printing and High Volume Color Printing
This category includes City letterhead, pre-printed envelopes and business cards. Award is

recommended to:

Alphagraphics \$20,000

Upon Council approval, staff will issue blanket orders to be used by all City departments throughout the year. This will be the second and final renewal term.

Budget & Financial Summary: Funds are available and budgeted in each Department for copying and printing services.

Reviewed and Approved by Legal: N/A

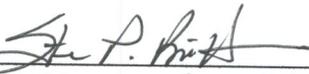
Attachments: Renewal Letters

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew Bid 14-072, Annual Blanket Order for Citywide Copy and Print Services, in accordance with all terms and conditions previously agreed to and accepted, for an amount not to exceed Eighty Thousand and No/100 Dollars (\$80,000.00)

I understand this renewal term will be for the period beginning August 18, 2016 through August 17, 2017. This is the second renewal.

ALPHAGRAPHICS

By: 
Printed Name: Steven P. Britton
Title: President
Date: 7-12-2016

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew Bid 14-072, Annual Blanket Order for Citywide Copy and Print Services, in accordance with all terms and conditions previously agreed to and accepted, for an amount not to exceed Forty Thousand and No/100 Dollars (\$40,000.00)

I understand this renewal term will be for the period beginning August 18, 2016 through August 17, 2017. This is the second renewal.

COPY CORNER

By: 
Printed Name: Larry Hodges
Title: President
Date: 07/11/16



Legislation Details (With Text)

File #: 16-0450 **Version:** 1 **Name:** Annual Electric Distribution Poles
Type: Presentation **Status:** Consent Agenda
File created: 7/18/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**

Title: Presentation, possible action, and discussion on Renewal 1 of the award for the annual purchase of electric distribution poles, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$525,996 to Techline, Inc. This includes a vendor requested overall price increase of 4.35%.

Sponsors: Mary Ellen Leonard

Indexes:

Code sections:

Attachments: [Bid 15-062 Signed Electric Distribution Poles](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on Renewal 1 of the award for the annual purchase of electric distribution poles, which will be maintained in electrical inventory and expended as needed. The total recommended award is \$525,996 to Techline, Inc. This includes a vendor requested overall price increase of 4.35%.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Staff recommends renewal 1 of the award for an annual blanket order to Techline for the purchase of electric distribution poles.

Summary: On June 25, 2015, seven (7) sealed bids were received and opened for Invitation to Bid 15-062, for the annual purchase of electric distribution poles. Electric staff evaluated the bids for compliance to the needed specifications. Techline, Inc. submitted the lowest overall bid, which met all specifications.

The original bid allowed for up to two additional one year terms. This will be the first of the two possible renewal terms. Techline requested pricing increases, as allowed in the original bid specifications. Each line item increase is within the allowable percentage, and the overall increase is 4.35%.

Upon approval, a blanket order will be issued to Techline. Orders will be placed throughout the year, and the materials will be placed and maintained in the electrical inventory and expended as needed.

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

Reviewed and Approved by Legal: N/A

Attachments: Bid #15-062 Renewal 1 Letter with New Pricing

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew Bid 15-062, for the Annual Blanket Order for Electric Distribution Poles, in accordance with all terms and conditions previously agreed to and accepted, for an amount not to exceed Five Hundred Twenty Five Thousand Nine Hundred Ninety Six and No/100 Dollars (\$525,996.00). This includes vendor requested increases to line items as shown on the following page.

I understand this renewal term will be for the period beginning August 18, 2016 through August 17, 2017. This is the first of two possible renewals.

TECHLINE, INC.

By: 
Printed Name: Gary Troxell
Title: Sales
Date: 7/11/16



City of College Station - Purchasing Division
Bid Tabulation for #15-062
"Annual Purchase of Electric Distribution Poles"
Open Date: Thursday, June 25, 2015 @ 2:00 p.m.
Renewal 1

Item	Qty	Unit	COCS Inventory #	Description	Techline - Original Bid			Renewal 1		
					Ground Line Movement	Unit Price	Total Price	Unit Price	% Change	Total Price
GROUP 'A' MATERIALS (Steel Poles)										
A1	10	ea	285-065-00020	30' Steel Pole	76,000	\$824.00	\$8,240.00	\$865.00	4.98%	\$8,650.00
A2	10	ea	285-065-00010	40' Steel Pole	95,000	\$1,115.00	\$11,150.00	\$1,170.00	4.93%	\$11,700.00
A3	10	ea	285-065-00011	45' Steel Pole	140,000	\$1,569.00	\$15,690.00	\$1,647.00	4.97%	\$16,470.00
A4	5	ea	285-065-00012	50' Steel Pole	151,000	\$1,811.00	\$9,055.00	\$1,901.00	4.97%	\$9,505.00
A5	5	ea	285-065-00013	55' Steel Pole	170,000	\$2,042.00	\$10,210.00	\$2,144.00	5.00%	\$10,720.00
Total Group A						\$54,345.00		\$57,045.00		
GROUP 'B' MATERIALS (Steel Self-Supporting Poles)										
B1	3	ea	285-065-00016	50' Steel Self Supporting Pole w/ 6 degree angle	180,000	\$1,947.00	\$5,841.00	\$2,044.00	4.98%	\$6,132.00
B2	3	ea	285-065-00017	50' Steel Self Supporting Pole w/ 12 degree angle	300,000	\$2,864.00	\$8,592.00	\$3,007.00	4.99%	\$9,021.00
B3	3	ea	285-065-00018	50' Steel Self Supporting Pole w/ 18 degree angle	400,000	\$3,077.00	\$9,231.00	\$3,230.00	4.97%	\$9,690.00
B4	2	ea	285-065-00019	60' Steel Self Supporting Pole w/ 6 degree angle	406,000	\$3,978.00	\$7,956.00	\$4,175.00	4.95%	\$8,350.00
B5	2	ea	285-065-00020	60' Steel Self Supporting Pole w/ 12 degree angle	650,000	\$5,041.00	\$10,082.00	\$5,293.00	5.00%	\$10,586.00
B6	2	ea	285-065-00021	60' Steel Self Supporting Pole w/ 18 degree angle	874,000	\$6,106.00	\$12,212.00	\$6,410.00	4.98%	\$12,820.00
Total Group B						\$53,914.00		\$56,599.00		
GROUP 'C' MATERIALS (Fiberglass Composite Poles)										
C1	10	ea	285-065-00031	30' Fiberglass Composite Pole	87,975	\$1,552.00	\$15,520.00	\$1,633.00	5.22%	\$16,330.00
C2	30	ea	285-065-00032	40' Fiberglass Composite Pole	100,640	\$1,811.00	\$54,330.00	\$1,901.00	4.97%	\$57,030.00
C3	30	ea	285-065-00033	45' Fiberglass Composite Pole	114,793	\$1,925.00	\$57,750.00	\$2,021.00	4.99%	\$60,630.00
C4	15	ea	285-065-00034	50' Fiberglass Composite Pole	128,945	\$2,187.00	\$32,805.00	\$2,295.00	4.94%	\$34,425.00
C5	15	ea	285-065-00035	55' Fiberglass Composite Pole	143,098	\$3,258.00	\$48,870.00	\$3,420.00	4.97%	\$51,300.00
Total Group C						\$209,275.00		\$219,715.00		
GROUP 'D' MATERIALS (Tapered Fiberglass Composite Poles)										
D1	2	ea	285-065-00036	50' Tapered Shaft Fiberglass Composite Pole w/ 6 degree angle	179,010	\$2,778.00	\$5,556.00	\$2,917.00	5.00%	\$5,834.00
D2	2	ea	285-065-00037	50' Tapered Shaft Fiberglass Composite Pole w/ 12 degree	334,950	\$3,448.00	\$6,896.00	\$3,620.00	4.99%	\$7,240.00
D3	2	ea	285-065-00038	50' Tapered Shaft Fiberglass Composite Pole w/ 18 degree	444,600	\$3,575.00	\$7,150.00	\$3,753.00	4.98%	\$7,506.00
Total Group D						\$19,602.00		\$20,580.00		
GROUP 'E' MATERIALS (Self Supporting Prestressed Spun Cast Concrete Poles)										
E1	5	ea	540-070-00020	35" Prestressed Spun Cast Concrete Pole	161,000	\$1,732.00	\$8,660.00	\$1,783.00	2.94%	\$8,915.00
E2	10	ea	540-070-00010	40" Prestressed Spun Cast Concrete Pole	179,000	\$1,820.00	\$18,200.00	\$1,874.00	2.97%	\$18,740.00
E3	25	ea	540-070-00008	45" Prestressed Spun Cast Concrete Pole	211,000	\$1,892.00	\$47,300.00	\$1,948.00	2.96%	\$48,700.00
E4	15	ea	540-070-00009	50" Prestressed Spun Cast Concrete Pole	244,000	\$2,025.00	\$30,375.00	\$2,085.00	2.96%	\$31,275.00
E5	10	ea	540-070-00011	55" Prestressed Spun Cast Concrete Pole	267,000	\$2,130.00	\$21,300.00	\$2,193.00	2.96%	\$21,930.00
Total Group E						\$125,835.00		\$129,560.00		
GROUP 'F' MATERIALS (Self Supporting Prestressed Spun Cast Concrete Poles)										
F1	3	ea	540-070-00021	50" Prestressed Spun Cast Concrete Pole w/ 6 degree angle	239,000	\$2,025.00	\$6,075.00	\$2,085.00	2.96%	\$6,255.00
F2	3	ea	540-070-00018	50" Prestressed Spun Cast Concrete Pole w/ 12 degree angle	391,000	\$2,420.00	\$7,260.00	\$2,492.00	2.98%	\$7,476.00
F3	3	ea	540-070-00019	50" Prestressed Spun Cast Concrete Pole w/ 18 degree angle	513,000	\$2,595.00	\$7,785.00	\$2,724.00	4.97%	\$8,172.00
F4	2	ea	540-070-00022	60" Prestressed Spun Cast Concrete Pole w/ 6 degree angle	469,000	\$2,860.00	\$5,720.00	\$2,945.00	2.97%	\$5,890.00
F5	2	ea	540-070-00023	60" Prestressed Spun Cast Concrete Pole w/ 12 degree angle	772,000	\$3,394.00	\$6,788.00	\$3,495.00	2.98%	\$6,990.00
F6	2	ea	540-070-00024	60" Prestressed Spun Cast Concrete Pole w/ 18 degree angle	951,000	\$3,745.00	\$7,490.00	\$3,857.00	2.99%	\$7,714.00
Total Group F						\$41,118.00		\$42,497.00		
TOTAL RECOMMENDED						\$504,089.00		\$525,996.00		
Certification of Bid						Y		Overall Increase		4.35%



Legislation Details (With Text)

File #: 16-0455 **Version:** 1 **Name:** Annual Transformer Repair and Rebuilt
Type: Bid Award **Status:** Consent Agenda
File created: 7/20/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding the bid award of annual transformer repair and rebuild services to Greenville Transformer Company, Inc. in the amount of \$64,515.85.
Sponsors: Timothy Crabb
Indexes:
Code sections:
Attachments: [Bid Tab 16-089](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the bid award of annual transformer repair and rebuild services to Greenville Transformer Company, Inc. in the amount of \$64,515.85.

Relationship to Strategic Goals: (Select all that apply)

- Financially Sustainable City
- Core Services and Infrastructure

Recommendation(s):

Staff recommends that Council approve the award of an annual award with Greenville Transformer Company, Inc. for the repair and rebuild of transformers as needed, for an amount not to exceed \$64,515.85 annually.

Summary:

Two (2) sealed, competitive bids were received and opened on July 15, 2016. Greenville Transformer Company, Inc. took exception to the cost of oil being included in the bid price, and included it at a cost of \$6.00/gallon. Staff estimated the amount of oil which would be used, and included the additional cost into the bid tabulation. Greenville Transformer Company, Inc is the lowest responsible bidder. Staff is familiar with the quality of the work provided and the reputation of the recommended vendor.

Budget & Financial Summary:

Funds are budgeted and available in the Electrical Fund. Funds will be expensed as transformer repairs are needed throughout the term of the award.

Attachments:

Bid Tabulatoin #16-089



City of College Station - Purchasing Division
 Bid Tabulation for #16-089
 "Annual Transformer Repair and Rebuild"
 Open Date: Friday, July 15, 2016 @ 2:00 p.m.

		Solomon Corporation			Greenville Transformer Company, Inc.			
I. Transformer Repair & Rewind								
A. Single Phase Pole Mounted								
Size (kVA)	Est. Quantity	Category I (Ref Only)	Category II Unit Cost	Extended Cost	Category I (Ref Only)	Category II Unit Cost	Extended Cost	
10	1	\$175.00	\$175.00	\$175.00	\$140.00	\$210.00	\$210.00	
15	10	\$205.00	\$205.00	\$2,050.00	\$140.00	\$235.00	\$2,350.00	
25	15	\$245.00	\$245.00	\$3,675.00	\$145.00	\$240.00	\$3,600.00	
37.5	10	\$370.00	\$370.00	\$3,700.00	\$172.00	\$270.00	\$2,700.00	
50	5	\$430.00	\$430.00	\$2,150.00	\$206.00	\$310.00	\$1,550.00	
75	1	\$530.00	\$530.00	\$530.00	\$230.00	\$370.00	\$370.00	
100	1	\$605.00	\$605.00	\$605.00	\$255.00	\$425.00	\$425.00	
167	1	\$940.00	\$940.00	\$940.00	\$270.00	\$460.00	\$460.00	
250	1	\$1,175.00	\$1,175.00	\$1,175.00	\$325.00	\$510.00	\$510.00	
333	1	\$1,580.00	\$1,580.00	\$1,580.00	\$475.00	\$675.00	\$675.00	
500	1	\$2,250.00	\$2,250.00	\$2,250.00	\$475.00	\$700.00	\$700.00	
		Subtotal			\$18,830.00	Subtotal		\$13,550.00
B. Single Phase Pad Mounted								
Size (kVA)	Est. Quantity	Category I (Ref Only)	Category II Unit Cost	Extended Cost	Category I (Ref Only)	Category II Unit Cost	Extended Cost	
25	10	\$430.00	\$430.00	\$4,300.00	\$215.00	\$316.00	\$3,160.00	
37.5	5	\$495.00	\$495.00	\$2,475.00	\$235.00	\$354.00	\$1,770.00	
50	1	\$555.00	\$555.00	\$555.00	\$252.00	\$375.00	\$375.00	
75	1	\$640.00	\$640.00	\$640.00	\$301.00	\$435.00	\$435.00	
100	1	\$785.00	\$785.00	\$785.00	\$337.00	\$485.00	\$485.00	
165	1	\$1,180.00	\$1,180.00	\$1,180.00	\$486.00	\$648.00	\$648.00	
250	1	\$1,650.00	\$1,650.00	\$1,650.00	\$656.00	\$855.00	\$855.00	
		Subtotal			\$11,585.00	Subtotal		\$7,728.00
C. Three Phase Pad Mounted Transformer								
Size (kVA)	Est. Quantity	Category I (Ref Only)	Category II Unit Cost	Extended Cost	Category I (Ref Only)	Category II Unit Cost	Extended Cost	
75	1	\$1,910.00	\$1,910.00	\$1,910.00	\$672.00	\$875.00	\$875.00	
112.5	1	\$2,165.00	\$2,165.00	\$2,165.00	\$839.00	\$1,065.00	\$1,065.00	
150	1	\$2,225.00	\$2,225.00	\$2,225.00	\$880.00	\$1,150.00	\$1,150.00	
225	1	\$2,625.00	\$2,625.00	\$2,625.00	\$880.00	\$1,150.00	\$1,150.00	
300	1	\$2,880.00	\$2,880.00	\$2,880.00	\$1,140.00	\$1,500.00	\$1,500.00	
500	1	\$3,425.00	\$3,425.00	\$3,425.00	\$1,552.00	\$2,040.00	\$2,040.00	
750	1	\$5,375.00	\$5,375.00	\$5,375.00	\$2,030.00	\$2,690.00	\$2,690.00	
1000	1	\$5,820.00	\$5,820.00	\$5,820.00	\$2,330.00	\$3,090.00	\$3,090.00	
1500	1	\$8,150.00	\$8,150.00	\$8,150.00	\$3,080.00	\$4,060.00	\$4,060.00	
2000	0	\$9,600.00	\$9,600.00	\$0.00	\$3,080.00	\$4,090.00	\$0.00	
2500	0	\$10,585.00	\$10,585.00	\$0.00	\$4,500.00	\$6,039.00	\$0.00	
		Subtotal			\$34,575.00	Subtotal		\$17,620.00
		Group I Total			\$64,990.00	Group I Total		\$38,898.00



City of College Station - Purchasing Division
 Bid Tabulation for #16-089
 "Annual Transformer Repair and Rebuild"
 Open Date: Friday, July 15, 2016 @ 2:00 p.m.

		Solomon Corporation		Greenville Transformer Company, Inc.	
II. Additional Parts					
A. Pole Mount					
Part	Est. Qty	Unit Cost	Total Cost	Unit Cost	Total Cost
Primary Bushings 7200	10	\$25.00	\$250.00	\$37.91	\$379.10
Arrester 9/10 KV		\$40.00	\$0.00	\$46.88	\$0.00
4 Hole Spade Bushing					
3/8" Spade		\$25.00	\$0.00	\$17.85	\$0.00
1/2" Spade		\$25.00	\$0.00	\$19.10	\$0.00
5/8" Spade		\$25.00	\$0.00	\$47.50	\$0.00
3/4" Spade		\$25.00	\$0.00	\$51.00	\$0.00
6 Hole Spade Bushing					
1" Spade		\$75.00	\$0.00	\$80.74	\$0.00
1 1/4" Spade		\$75.00	\$0.00	\$80.74	\$0.00
Protective Fuse Link		\$10.00	\$0.00	\$4.50	\$0.00
TapChanger - External		\$60.00	\$0.00	\$27.00	\$0.00
Ground Strap		\$0.00	\$0.00	\$4.00	\$0.00
Clamp		\$0.00	\$0.00	\$4.00	\$0.00
Eyebolt	5	\$0.00	\$0.00	\$2.00	\$10.00
Secondary bushings	5	\$10.00	\$50.00	\$11.50	\$57.50
Hangers	2	\$25.00	\$50.00	\$10.00	\$20.00
		Subtotal	\$350.00	Subtotal	\$466.60
B. Pad Mount					
Part	Est. Qty	Unit Cost	Total Cost	Unit Cost	Total Cost
Secondary Bushings					
Bushings Well	25	\$35.00	\$875.00	\$35.00	\$875.00
Bushings Insert	25	\$40.00	\$1,000.00	\$34.00	\$850.00
Bay O Net Assy	15	\$80.00	\$1,200.00	\$44.50	\$667.50
Bay O Net Fusing	10	\$30.00	\$300.00	\$14.00	\$140.00
Isolation Link		\$10.00	\$0.00	\$10.50	\$0.00
Oil Temp Gauge		\$54.00	\$0.00	\$42.00	\$0.00
Oil Level Gauge		\$39.00	\$0.00	\$36.00	\$0.00
TapChanger					
1 ph		\$0.00	\$0.00	\$26.00	\$0.00
2 ph		\$0.00	\$0.00	\$74.15	\$0.00
3 ph	3	\$60.00	\$180.00	\$91.25	\$273.75
Drip Gaurds	15	\$0.00	\$0.00	\$7.00	\$105.00
Parking Stand		\$0.00	\$0.00	\$7.00	\$0.00
Pressure Vacuum Gauge		\$25.00	\$0.00	\$32.00	\$0.00
Drain Valve w/ Sampler	5	\$25.00	\$125.00	\$28.90	\$144.50
Nameplate					
Poles & 1 Phase Pads		\$0.00	\$0.00	\$5.00	\$0.00
3 Phase Pads		\$0.00	\$0.00	\$8.50	\$0.00
Penta Bolts	10	\$0.00	\$0.00	\$4.25	\$42.50
Plugs	15	\$0.00	\$0.00	\$0.00	\$0.00
Adapters	5	\$0.00	\$0.00	\$0.00	\$0.00
Clamps	15	\$0.00	\$0.00	\$4.00	\$60.00
Spades	5	\$0.00	\$0.00	\$15.00	\$75.00
		Subtotal	\$3,680.00	Subtotal	\$3,233.25
		Group II Total	\$4,030.00	Group II Total	\$3,699.85
				*Additional Oil Cost	\$21,918.00
GRAND TOTAL		\$69,020.00		\$64,515.85	
Salvage Value	\$ per kVA (Overhead)	See Attached		\$2.00	
	\$ per kVA (Pad-Mount)	See Attached		\$2.20	
	Delivery	4 weeks		42 days	
	Bid Certification	Y		Y	
	Exceptions			*Oil \$6.00/gallon (due to the wide variation of gallons per unit size) * Certified PCB Test \$24.00 (These will be performed on any unit that fails the regular Chlor-N-Oil Test)	



Legislation Details (With Text)

File #: 16-0460 **Version:** 1 **Name:** FY 16-17 Budget Call Public Hearing
Type: Presentation **Status:** Consent Agenda
File created: 7/22/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion on calling a public hearing on the City of College Station FY 2016-2017 Proposed Budget for Thursday September 8, 2016 at 7:00 PM in the City Hall Council Chambers.
Sponsors: Jeff Kersten
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on calling a public hearing on the City of College Station FY 2016-2017 Proposed Budget for Thursday September 8, 2016 at 7:00 PM in the City Hall Council Chambers.

Recommendation(s): Staff recommends the City Council call a public hearing on the City of College Station FY 2016-2017 Proposed Budget for Thursday September 8, 2016 at 7:00 PM in the City Hall Council Chambers.

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

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

Review and Approved by Legal: N/A

Attachments:
N/A



Legislation Details (With Text)

File #: 16-0472 **Version:** 1 **Name:** Lick Creek Raw Influent Pumps
Type: Contract **Status:** Consent Agenda
File created: 7/26/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding approval of a construction contract 16300497 with Hahn Equipment Company in the amount of \$149,049 for the replacement of the Lick Creek Raw Lift Pumps and Variable Frequency Drives.
Sponsors: David Coleman
Indexes:
Code sections:
Attachments: [ITB 16-085 tabulation - ITB 16-085 Tabulation](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval of a construction contract 16300497 with Hahn Equipment Company in the amount of \$149,049 for the replacement of the Lick Creek Raw Lift Pumps and Variable Frequency Drives.

Relationship to Strategic Goals:
Core Services and Infrastructure

Recommendation: Staff recommends approval

Summary: The Lick Creek Wastewater Treatment Plant Raw Lift Pumps, along with their associated Variable Frequency Drives, pump the raw sewage from the wastewater collection system into the treatment plant. The existing pumps have exceeded their service life and become unreliable. Additionally the VFDs are obsolete and repair parts are no longer available. These pumps and their drives need to be replaced to ensure continuous and reliable treatment of the wastewater generated in the southern part of College Station.

The pumps and their drives must be compatible and fit the existing facilities and have similar performance characteristics to the existing pumps. Invitation to Bid #16085 requested quotes for a vendor to provide and install the pumps and drives. Four vendors attended the mandatory pre bid meeting and expressed interest. However, only two bids were received, with Hahn Equipment being the low responsible, responsive bidder. Hahn Equipment has provided excellent service with their equipment and we have had excellent service from equipment provided by Hahn, therefore staff recommends this contract be approved.

Budget & Financial Summary: Budget for this replacement is included in the Wastewater Capital Improvement Projects Fund.

Legal Review: Yes.

Attachment:

Bid Tab

Contract (available in City Secretary's Office)



City of College Station - Purchasing Division
Bid Tabulation for #16-085
"Lick Creek Raw Lift Pumps Project"
Open Date: Monday, July 18, 2016 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Alsay Incorporated (Houston, Texas)		Hahn Equipment Co., Inc. (Houston, Texas)	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID							
1	1	LS	Furnish material and labor to replace the existing solids-handling influent submersible pumps and the VFD's that control the pumps. Location is the Lick Creek Wastewater Treatment Plant, 14802 Rock Prairie Rd., College Station, TX 77845.	\$161,964.00	\$161,964.00	\$149,049.00	\$149,049.00
BASE BID - TOTAL				\$161,964.00		\$149,049.00	
Bid Certification				Y		Y	
Bid Bond				Y		Y	
Addendum Acknowledged				Y		Y	

NOTES:



Legislation Details (With Text)

File #:	16-0475	Version:	1	Name:	CVB FY16 Amendment #1
Type:	Presentation	Status:		Status:	Consent Agenda
File created:	7/27/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on an amendment to the funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau (CVB) for FY16. The amendment will allow for reimbursement costs in the amount of \$30,000 related to the acquisition of a site for a visitor information center according to Tax Code Section 351.101(a) (1). The original agreement allowed for reimbursement of legal and architect fees associated with a new joint facility with the Arts Council of the Brazos Valley (also in the amount of \$30,000).				
Sponsors:	Jeff Kersten				
Indexes:					
Code sections:					
Attachments:	CVB 2016 Amend #1-Shannon signed				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on an amendment to the funding agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau (CVB) for FY16. The amendment will allow for reimbursement costs in the amount of \$30,000 related to the acquisition of a site for a visitor information center according to Tax Code Section 351.101(a) (1). The original agreement allowed for reimbursement of legal and architect fees associated with a new joint facility with the Arts Council of the Brazos Valley (also in the amount of \$30,000).

Recommendation(s): Staff recommends approval of amendment #1 to the FY16 funding agreement.

Summary: As part of the 2015-2016 budget process the City Council approved funding for the Brazos Valley Convention and Visitors Bureau in the amount of \$1,727,855. This includes \$1,697,855 for marketing and operational activities directly associated with the promotion of tourism and the hotel industry in College Station by the CVB. Also included was a total of \$30,000 for reimbursement of legal and architect fees associated with a new joint facility with the Arts Council of the Brazos Valley. CVB and Arts Council are now pursuing separate facilities and this amendment changes applicable the language in the funding agreement.

Budget & Financial Summary: The funds for this agreement are budgeted and available in the 2015-2016 Hotel Tax Fund budget. This amendment does not change

the total amount
approved for the CVB as part of the original funding agreement.

Attachments:

1. CVB Funding Agreement Amendment #1 (available in City Secretary's Office)

**AMMENDMENT #1
CITY OF COLLEGE STATION FUNDING AGREEMENT FOR
PAYMENT AND USE OF HOTEL TAX**

WHEREAS, the City of College Station, Texas a Home Rule Municipal Corporation incorporated under the State of Texas ("City"), entered into a funding agreement with the **BRAZOS VALLEY CONVENTION AND VISITORS BUREAU D/B/A BRYAN-COLLEGE STATION CONVENTION AND VISITORS BUREAU**, a Texas Non-Profit Corporation ("Agency") on October 8, 2015 with contract No. 16300015 (Funding Agreement); and

WHEREAS, the parties desire to amend the Funding Agreement to authorize the Agency to receive funding for reimbursement costs for the acquisition of a site for a visitor information center according to Tax Code Section 351.101(a)(1); and

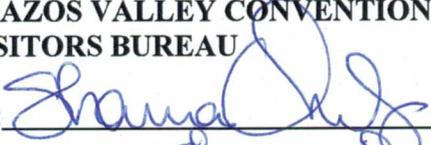
NOW, THEREFORE, FOR IN CONSIDERATION of the recitations above and the covenants expressed herein below, the parties agree to the following:

To amend Section 2.1(b) of the Funding Agreement by deleting in its entirety and replacing with the following:

(b) The amount of **THIRTY THOUSAND DOLLARS AND 00/100 (\$30,000.00)** shall be paid for reimbursement for the acquisition of a site for a visitor information center according to Tax Code Section 351.101(a)(1). Agency shall submit an invoice to the City requesting payment with receipts attached for reimbursement. A reimbursement payment will be made to the Agency by the City. Payment will only be sent to the Agency after the City receives the invoice and approves the reimbursement. The final request for reimbursement must be received on or before October 15, 2016. After October 15, 2016 any unexpended funds for reimbursement expenses will be reallocated by the City and will remain in the possession of the City.

All other terms and conditions of the original Funding Agreement shall remain unchanged and in full force and effect.

BRAZOS VALLEY CONVENTION AND VISITORS BUREAU

By: 
Printed Name: Shamon Derby
Title: President / CEO
Date: 7-21-16

CITY OF COLLEGE STATION

City Manager
Date: _____

City Attorney
Date: _____

Assistant City Manager
Date: _____



Legislation Details (With Text)

File #:	16-0477	Version:	1	Name:	Comprehensive Plan Amendment – Williams Creek Lake Estates
Type:	Comprehensive Plan	Status:		Status:	Agenda Ready
File created:	7/27/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Estate and Suburban Commercial to Restricted Suburban for approximately 16 acres located 8607 Rock Prairie Road, generally located north of Rock Prairie Road and west of William D. Fitch Parkway.				
Sponsors:	Jenifer Paz				
Indexes:					
Code sections:					
Attachments:	Background Information Aerial Amendment Map 0 comp plan 8607 RPR 3 FINAL				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Estate and Suburban Commercial to Restricted Suburban for approximately 16 acres located 8607 Rock Prairie Road, generally located north of Rock Prairie Road and west of William D. Fitch Parkway.

Relationship to Strategic Goals:

- Good Governance
- Neighborhood Integrity
- Diverse Growing Economy

Recommendation(s): The Planning and Zoning Commission considered this item on July 21, 2016 and voted 5-0 to recommend approval.

Summary:

REVIEW CRITERIA

- 1. Changed or changing conditions in the subject area or the City:** The subject property is located just south of College Station’s City limit boundary in an area annexed within the last 14 years. In 2014, the Williams Creek Lake Estates portion of subject property was rezoned from R Rural to E Estate. The property was partially included in the approved Preliminary Plan for William Creek Lake Estate, a low-density, cluster residential development. Due to the rural character and limited services provided to the area there have not been any proposed changes recommended

thus far. Since the Comprehensive Plan, the Medical District Plan refined land uses further down on the west side of Rock Prairie Road and along State Highway 6 South. Outside the vicinity west of Rock Prairie Road and William D. Fitch Parkway, the only amendment near the subject area is west along Rock Prairie Road from Estate to Restricted Suburban and Suburban Commercial near the intersection of Bird Pond Road and Rock Prairie. The remainder of the area north of Rock Prairie is rural in character.

2. **Scope of the request:** The request is to amend the Comprehensive Plan Future Land Use and Character Map designation for approximately 16 acres from Estate and Suburban Commercial to Restricted Suburban. This amendment will allow for a future residential subdivision with medium density single-family housing (minimum 6,500 square-foot lots; average 10,000 square-foot or 8,000 square feet when clustered) along an existing rural section road proposed as a future 4-lane Minor Arterial, in an area with a prevailing rural character. The proposed land use designation is more intense than the current surrounding land use and the proposed land uses for the area. Under the existing Estate land use designation, future residential development would be characterized as low density with homes dispersed in minimum one acre lots. This would allow a gross density of one unit per acre as opposed to the requested change to Restricted Suburban which would allow a gross density of four units per acre, effectively increasing the density in an area that is anticipated to be largely rural or low density residential.
3. **Availability of adequate information:** A Restricted Suburban designation allows for future development of a medium-density single-family residential subdivision. The subject property is within the College Station water CCN along Rock Prairie Road (approximately 250 feet depth) and transitions to the Wellborn Special Utility District CCN. Wellborn Special Utility District has indicated an ability to serve domestic water service to the proposed subdivision within their CCN, but additional infrastructure improvements will be needed with further site development to meet minimum fire flow requirements. Properties within College Station's CCN will be served by a water main across Rock Prairie Road.

This property is located within the City of College Station's sewer CCN. There is an existing lift station and 12-inch sewer main along William D. Fitch. This main and lift station currently has the capacity to serve the proposed development.

There are existing Police Department Service concerns for this area. Additional density will likely further diminish the Police Department's effectiveness and reduce service levels. Additional staff may be needed as growth occurs in this area.

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

The subject property and surrounding area to the north and west are identified in the Comprehensive Plan as part of Growth Area III. Due to the service limitations and prevailing rural character, the Growth Area suggests that it remain rural in character and be developed at a low intensity.

The proposed amendment essentially creates a bubble of medium-density single-family housing that is much higher than the current and expected density and character of the area. Further

amendments in this area are discouraged due to a limited future street network and utility constraints in this area as well as to retain the prevailing rural character.

5. **Consideration of the Future Land Use & Character and/or Thoroughfare Plans:** The existing Future Land Use and Character designation on the property is Estate and Suburban Commercial. Estate is a designation for areas that should have a low level of development activities. This land use is typically characterized by large single-family lots acting as a transitional use between medium density Restricted Suburban and low density Rural lands uses.

Generally, land to the north of Rock Prairie Road is planned for agricultural and lower intensity residential uses. Due to the location of the property, being at the edge of the city limits, near Carter's Creek and the existing rural residential development in the area, there is little thoroughfare infrastructure planned in this area, limiting overall thoroughfare capacity.

The applicant has requested an amendment to Restricted Suburban. Restricted Suburban is a designation for areas that should have a medium-density single-family development with minimum 6,500 square foot lots that overall average of 10,000 square feet or 8,000 when clustered around open space. The adjacent properties are designated Estate and Natural Areas Protected and properties to the south across Rock Prairie Road is designated as Institutional. The property is located along an existing rural section street that is reflective of the existing character and thoroughfare capacity of the area.

Rock Prairie Road is designated as a 4-lane Minor Arterial on the City's Thoroughfare Plan Map and is proposed to maintain its current alignment. The roadway is currently built to a 2-lane rural section.

6. **Compatibility with the surrounding area:** The adjacent land uses are large lot single-family and rural tracts varying in sizes from 2 to 70 acres (overall future density of 0.33 to 1 dwelling units per acre) and planned neighborhood commercial on the corner of William D. Fitch and Rock Prairie Road. This property is partially included in the approved Preliminary Plan for Williams Creek Lake Estate which is a large lot single-family cluster development with an overall density of 1 unit per acre. The property to the south of Rock Prairie Road is College Station ISD Transportation Center and the former landfill. The majority of the area east of Rock Prairie is unplatted with the exception of Williams Creek Subdivision, located along Rock Prairie and across William D. Fitch Parkway, a seventy-acre Estate-density subdivision. A Restricted Suburban development will provide different character than these existing developments east of Rock Prairie Road.
7. **Impacts on infrastructure including water, wastewater, drainage, and the transportation network:** Water service will be served by Wellborn SUD and City of College Station. The City of College Station's CCN is along the front of Rock Prairie Road. On the subject's tract, the City of College Station's CCN ends and transitions to Wellborn SUD.

Subject tract is proposing to sewer the subject tract through Williams Creek Lake Subdivision that ultimately drains towards the existing lift station on William D. Fitch. Public infrastructure will be required to be designed and constructed in accordance with the B/CS Unified Design Guidelines. Existing Infrastructure appears to currently have capacity to adequately serve the proposed use.

The site is in the Lick Creek drainage basin and generally drains towards Rock Prairie Road. With site development, detention will be required. Drainage improvements are required to be designed and constructed in accordance with the B/CS Unified Stormwater Design Guidelines, and site development impacts on the drainage system will be evaluated further at that time.

The subject tract would have access to Rock Prairie Road which is designated as a 4-lane Minor Arterial on the Thoroughfare Plan.

8. **Impact on the City's ability to provide, fund, and maintain services:** The subject property and surrounding area are not within the Fire Department's desired 4.5 minute response time, a performance indicator that can have bearing on the City's ISO rating.

Existing Police service is a concern in this area. Additional density will likely further diminish the Police Department's effectiveness and reduce service levels.

9. **Impact on environmentally sensitive and natural areas:** This area is not recognized as environmentally sensitive.

10. **Contribution to the overall direction and character of the community as captured in the Plan's vision and goals:** The goal for College Station's Future Land Use and Character is to create a community with strong, unique neighborhoods, protected rural areas, special districts, distinct corridors, and a protected and enhanced natural environment. The proposed amendment from Estate and Suburban Commercial to Restricted Suburban on just 16 acres does limit the general goals of the Comprehensive Plan. The amendment is proposing a density and level of service to an area that currently does not have the capacity for given the current conditions.

Additionally, a proposal to increase density in this area was considered by the City Council last December as part of the Comprehensive Plan 5-year update. Given the prevailing rural character north of Rock Prairie Road and the limited infrastructure (specifically water, sewer, and thoroughfares), the City Council decided not to increase the density. Conditions in this area have not changed since that time.

Budget & Financial Summary: N/A

Attachments:

1. Background Information
2. Aerial
3. Comprehensive Plan Amendment Map
4. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: July 21, 2016
Advertised Council Hearing Dates: August 11, 2016

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:

N/A

Contacts in support: Two
Contacts in opposition: None at the time of the staff report
Inquiry contacts: None at the time of the staff report

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Estate	Estate	Vacant
South (across Rock Prairie Road)	Institutional/Public	R Rural	Brazos Valley Solid Waste & CSISD Bus Farm
East	Suburban Commercial	R Rural	Vacant
West	Estate	R Rural	Vacant

DEVELOPMENT HISTORY

Annexation: 1983 & 2002
Zoning: E Estate and R Rural
Final Plat: Unplatted; Property is a part of a single family Preliminary Plan, Williams Creek Lake Estate, approved earlier this year.
Site development: Vacant

PROPOSAL

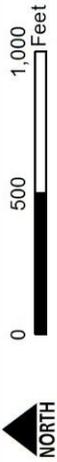
The applicant is requesting an amendment to the Estate and Suburban Commercial to Restricted Suburban designation on the Comprehensive Plan Future Land Use and Character Map as a step toward platting more dense single-family residential subdivision for approximately 16 acres located north of Rock Prairie Road and west of William D. Fitch. The subject property and properties to the north and east are primarily designated Estate on the Comprehensive Plan Future Land Use and Character Map.



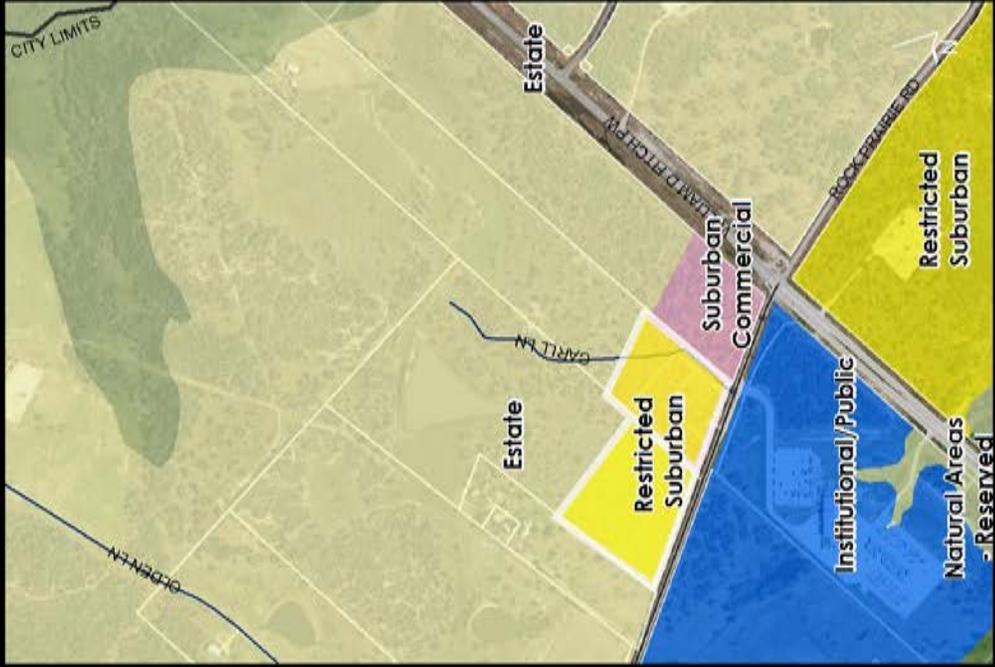
City of College Station

Case: COMP PLAN AMENDMENT
CPA2016-000004

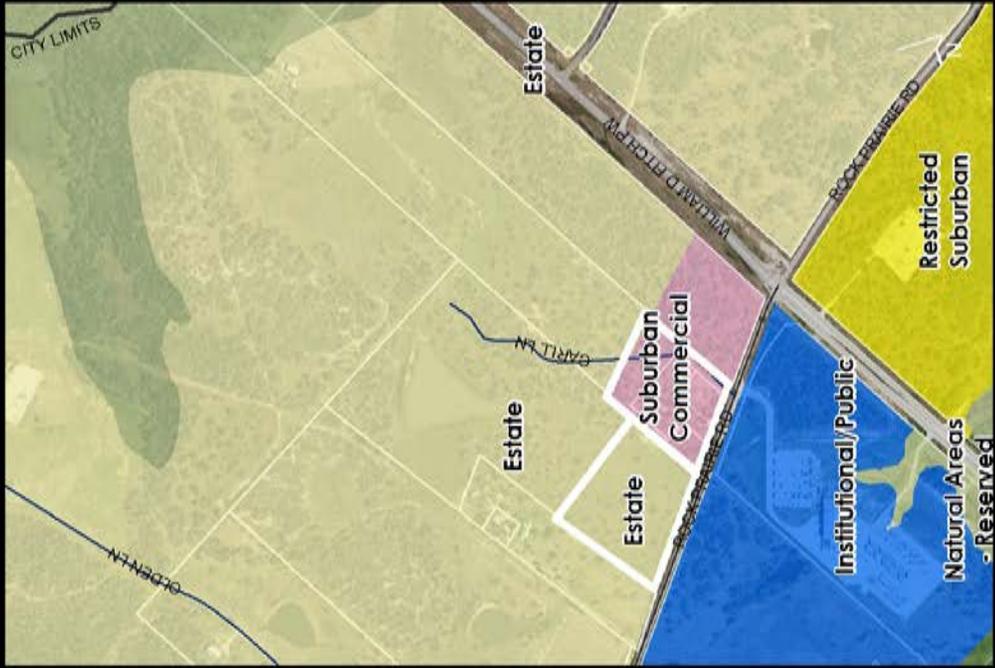
WILLIAMS CREEK LAKE ESTATES



PROPOSED
Future Land Use



EXISTING
Future Land Use



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING THE COLLEGE STATION COMPREHENSIVE PLAN BY AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE AND CHARACTER MAP FROM ESTATE AND SUBURBAN COMMERCIAL TO RESTRICTED SUBURBAN FOR APPROXIMATELY 16 ACRES LOCATED AT 8607 ROCK PRAIRIE ROAD, GENERALLY LOCATED NORTH OF ROCK PRAIRIE ROAD AND WEST OF WILLIAM D. FITCH PARKWAY, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

PART 1: That the “Comprehensive Plan of the City of College Station” is hereby amended by adding a new Subsection C.2.o of Exhibit “A” thereto as set out in Exhibit “A” attached hereto and made a part hereof; and by amending the “Comprehensive Plan Future Land Use and Character Map,” as set out in Exhibit “B” attached hereto for the identified area and made a part hereof 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 affect 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 not less than 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 11th day of August, 2016.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That ordinance no. 3186 adopting the “Comprehensive Plan of the City of College Station” as amended, is hereby amended by adding a new Subsection C.2.o to Exhibit “A” of said plan for Exhibit “A” to read in its entirety as follows:

“EXHIBIT ‘A’**A. Comprehensive Plan**

The College Station Comprehensive Plan (Ordinance 3186) is hereby adopted and consists of the following:

1. Existing Conditions;
2. Introduction;
3. Community Character;
4. Neighborhood Integrity;
5. Economic Development;
6. Parks, Greenways & the Arts;
7. Transportation;
8. Municipal Services & Community Facilities;
9. Growth Management and Capacity; and
10. Implementation and Administration.

B. Master Plans

The following Master Plans are hereby adopted and made a part of the College Station Comprehensive Plan:

1. The Northgate Redevelopment Plan dated November 1996;
2. The Revised Wolf Pen Creek Master Plan dated 1998;
3. Northgate Redevelopment Implementation Plan dated July 2003;
4. East College Station Transportation Study dated May 2005;
5. Parks, Recreation and Open Space Master Plan dated May 2005;
6. Park Land Dedication Neighborhood Park Zones Map dated January 2009;
7. Park Land Dedication Community Park Zones map dated April 2009;
8. Bicycle, Pedestrian, and Greenways Master Plan dated January 2010;
9. Central College Station Neighborhood Plan dated June 2010;
10. Water System Master Plan dated August 2010;
11. Wastewater Master Plan dated June 2011;
12. Eastgate Neighborhood Plan dated June 2011;
13. Recreation, Park and Open Space Master Plan dated July 2011;
14. Southside Area Neighborhood Plan dated August 2012;
15. Medical District Master Plan dated October 2012;
16. Wellborn Community Plan dated April 2013;
17. Economic Development Master Plan dated September 2013; and

18. South Knoll Area Neighborhood Plan dated September 2013.

C. Miscellaneous Amendments

The following miscellaneous amendments to the College Station Comprehensive Plan are as follows:

1. Text Amendments:

- a. Chapter 2 “Community Character,” “Growth Areas” by amending the text regarding Growth Area IV and Growth Area V – Ordinance 3376, dated October 2011.
- b. Chapter 6 “Transportation” by amending the text regarding Complete Streets, Context Sensitive Solutions, Minimum Length and Additional Right-of-Way for Turn Lanes at Intersections, and Right-of-Way for Utilities – Ordinance 3729, dated December 10, 2015.
- c. Chapter 2 “Community Character,” Chapter 3 “Neighborhood Integrity,” Chapter 4 “Economic Development,” Chapter 5 “Parks, Greenways, and the Arts,” and Chapter 7 “Municipal Services and Community Facilities” by amending the text based on the recommendation of the Comprehensive Plan Five-Year Evaluation & Appraisal Report – Ordinance 3730 dated December 10, 2015.
- d. Chapter 8 “Growth Management & Capacity” by amending the text based on recommendations from the Annexation Task Force – Ordinance 3766, dated April 28, 2016.

2. Future Land Use and Character Map Amendment:

- a. 301 Southwest Parkway – Ordinance 3255, dated July 2010.
- b. Richards Subdivision – Ordinance 3376, dated October 2011.
- c. 1600 University Drive East – Ordinance 3535, dated November 14, 2013.
- d. 2560 Earl Rudder Freeway S. – Ordinance 3541, dated December 12, 2013.
- e. 13913 FM 2154. – Ordinance 3546, dated January 9, 2014.
- f. 2021 Harvey Mitchell Parkway – Ordinance 3549, dated January 23, 2014.
- g. 1201 Norton Lane – Ordinance 3555, dated February 27, 2014.
- h. 3715 Rock Prairie Road West – Ordinance 3596, dated August 25, 2014.
- i. 4201 Rock Prairie Road – Ordinance 3670, dated July 9, 2015.
- j. The approximately 40 acres of land generally located east of FM 2154 (aka Wellborn Road), south of the Southern Trace Subdivision, west of State Highway 40 (aka William D. Fitch Parkway), and north of Westminster Subdivision – Ordinance 3731, dated December 10, 2015.
- k. The approximately 120 acres of land generally located south of Barron Cut-Off Road, west of WS Phillips Parkway, north of the Castlegate II Subdivision, and east of the Wellborn Community – Ordinance 3732, dated December 10, 2015.
- l. The approximately 900 acres of land generally located south of Greens Prairie Road West, east of the Sweetwater Subdivision, and north of Arrington Road – Ordinance 3733, dated December 10, 2015.

- m. The approximately 17.788 acres of land generally located at the corner of Turkey Creek Road and Raymond Stotzer Parkway frontage road.– Ordinance 3752, dated March 10, 2016.
 - n. The approximately 9 acres of land generally located north of the Crossroad Woods Subdivision near the intersection of Wellborn Road (FM 2154) and Greens Prairie Trail –Ordinance 3779, dated June 9, 2016
 - o. The approximately 16 acres of land located at 8607 Rock Prairie Road, generally located north of Rock Prairie Road and west of William D. Fitch Parkway – by this Ordinance dated August 11, 2016.
3. Concept Map Amendment:
- a. Growth Area IV – Ordinance 3376, dated October 2011.
 - b. Growth Area V – Ordinance 3376, dated October 2011.
4. Thoroughfare Map Amendment:
- a. Raintree Drive – Ordinance 3375, dated October 2011.
 - b. Birkdale Drive – Ordinance 3375, dated October 2011.
 - c. Corsair Circle – Ordinance 3375, dated October 2011.
 - d. Deacon Drive – Ordinance 3375, dated October 2011.
 - e. Dartmouth Drive – Ordinance 3375, dated October 2011.
 - f. Farm to Market 60 – Ordinance 3375, dated October 2011.
 - g. Southwest Parkway – Ordinance 3375, dated October 2011.
 - h. Cain Road extension –Ordinance 3639, dated February 26, 2015.
 - i. Update to Chapter 6 Maps- Ordinance 3729, dated December 10, 2015.
5. Bicycle, Pedestrian and Greenways Master Plan Amendment:
- a. Cain Road extension – Ordinance 3639, dated February 26, 2015
 - b. Update to Maps 5.4 and 5.5- Ordinance 3729, dated December 10, 2015.

D. General

1. Conflict. All parts of the College Station Comprehensive Plan and any amendments thereto shall be harmonized where possible to give effect to all. Only in the event of an irreconcilable conflict shall the later adopted ordinance prevail and then only to the extent necessary to avoid such conflict. Ordinances adopted at the same city council meeting without reference to another such ordinance shall be harmonized, if possible, so that effect may be given to each.
2. Purpose. The Comprehensive Plan is to be used as a guide for growth and development for the entire City and its extra-territorial jurisdiction (“ETJ”). The College Station Comprehensive Plan depicts generalized locations of proposed future land-uses, including thoroughfares, bikeways, pedestrian ways, parks, greenways, and waterlines that are subject to modification by the City to fit local conditions and budget constraints.
3. General nature of Future Land Use and Character. The College Station Comprehensive Plan, in particular the Future Land Use and Character Map found in A.3 above and any adopted amendments thereto, shall not be nor considered a zoning map, shall not constitute zoning

regulations or establish zoning boundaries and shall not be site or parcel specific but shall be used to illustrate generalized locations.

4. General nature of College Station Comprehensive Plan. The College Station Comprehensive Plan, including the Thoroughfare Plan, Bicycle, Pedestrian, and Greenways Master Plan, Central College Station Neighborhood Plan, Water System Master Plan and any additions, amendments, master plans and subcategories thereto depict same in generalized terms including future locations; and are subject to modifications by the City to fit local conditions, budget constraints, cost participation, and right-of-way availability that warrant further refinement as development occurs. Linear routes such as bikeways, greenways, thoroughfares, pedestrian ways, waterlines and sewer lines that are a part of the College Station Comprehensive Plan may be relocated by the City 1,000 feet from the locations shown in the Plan without being considered an amendment thereto.
5. Reference. The term College Station Comprehensive Plan includes all of the above in its entirety as if presented in full herein, and as same may from time to time be amended.”

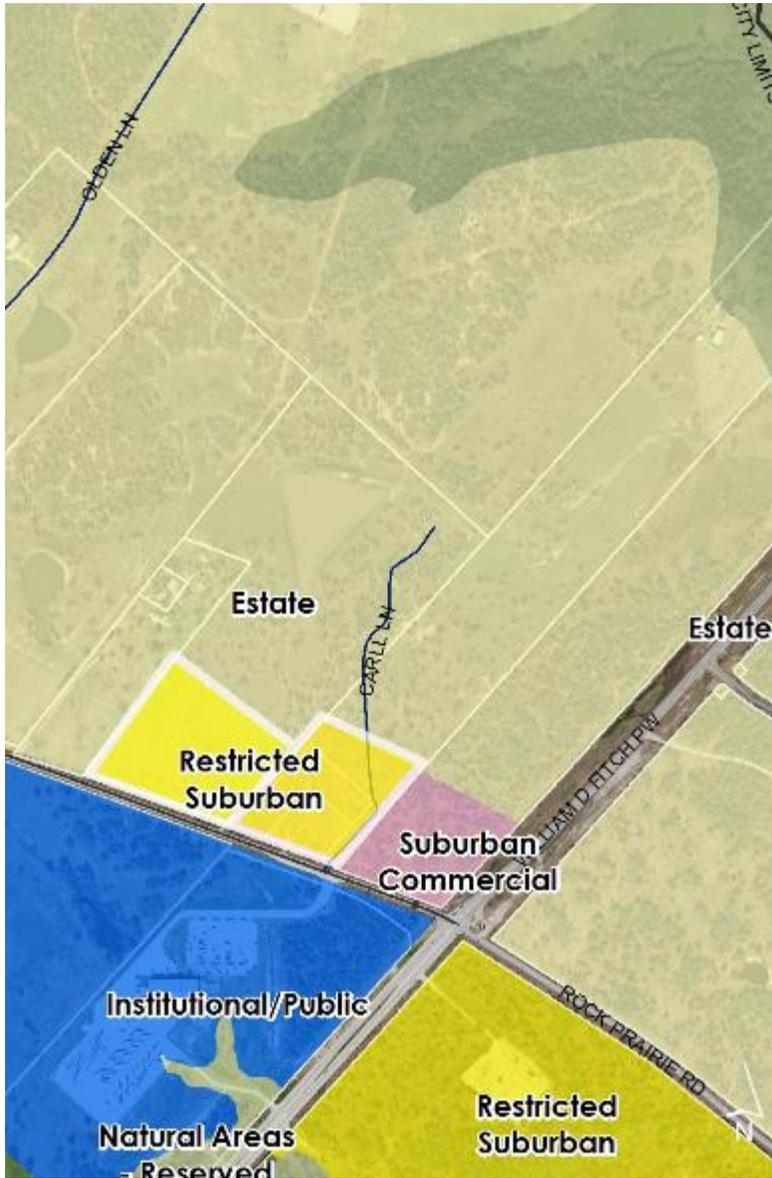
EXHIBIT “B”

That the “Comprehensive Plan of the City of College Station” is hereby amended by amending a portion of the map titled “Map 2.2-Future Land Use & Character” of Chapter 2 – Community Character” from Estate and Suburban Commercial to Restricted Suburban shown as follows:

Existing Future Land Use & Character Map



Proposed Future Land Use & Character Map





Legislation Details (With Text)

File #:	16-0478	Version:	1	Name:	Right-of-Way Abandonment – 600 First Street
Type:	Ordinance	Status:		Status:	Agenda Ready
File created:	7/27/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.149-acre portion of the right-of-way located at 600 First Street, being part of the W.C. Boyett Estate Partition Map recorded in Volume 100, Page 440 of the Deed Records of Brazos County, Texas.				
Sponsors:	Carol Cotter				
Indexes:					
Code sections:					
Attachments:	Vicinity Map Location Map Ordinance Exhibit A				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning a 0.149-acre portion of the right-of-way located at 600 First Street, being part of the W.C. Boyett Estate Partition Map recorded in Volume 100, Page 440 of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Diverse Growing Economy

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

Summary:

This right-of-way abandonment will help accommodate redevelopment in the Northgate area in accordance with the proposed site plan. The City will retain a temporary blanket easement for the entire right-of-way which will continue to provide sufficient access to public and private utilities until infrastructure is removed and/or relocated at the owners' expense and a new public utility easement is granted as needed with the future site development.

The variable width portion of the right-of-way (see Exhibit "A") is 0.149 of one acre situated in the J.E. Scott Survey, Abstract No.50, Brazos County, Texas, and being a part of the existing right-of-way of First Street out of the W.C. Boyett Estate Partition Map according to the plat of record in Volume 100,

Page 440 of the Deed Records of Brazos County, Texas.

Budget & Financial Summary: N/A

Attachments:

1. Vicinity Map
2. Location Map
3. Ordinance
4. Exhibit "A"



VICINITY MAP

N



ORAN CR

GAYTHA CR

NATALIE ST

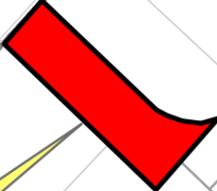
SPRUGE ST

COLLEGE MAIN ST

CHERRY ST

SECOND ST

WELLBORN RD



**Proposed 0.149-Ac.
ROW Abandonment**

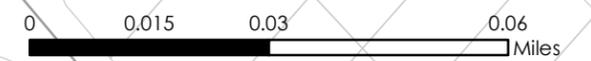
BOYETT ST

MAPLE AV

FIRST ST

LOUISE AV

-  BCAD Parcels
-  City Limit
-  ETJ



Note: The accuracy of this data is limited to the validity and accuracy of available data, and therefor the city makes no representation or warranties as to the accuracy of the data. Any party using the data does so at their own risk. This data is produced pursuant to the Texas Public Information Act. For specific questions regarding this map contact Planning and Development Services.



LOCATION MAP

**Proposed 0.149-Ac.
ROW Abandonment**

NATALIE ST

WELLBORN RD

SPRUCE ST

FIRST ST

BOYETT ST

AV-022

AV-019

AV-020

AV-190

N34A2M009

N34A2M068

N34A2M052

0 0.005 0.01 0.02 Miles



ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 0.149 ACRE PORTION OF FIRST STREET RIGHT-OF-WAY LOCATED AT 600 FIRST STREET, RECORDED IN VOLUME 100, PAGE 440 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 0.149-acre portion of the First Street variable width right-of-way, which is located at 600 First Street, situated in the J.E. Scott Survey, Abstract No. 50, Brazos County, Texas, and being a part of the existing right-of-way of First Street out of the W.C. Boyett Estate Partition Map according to the plat of record in Volume 100, Page 440 of the Deed Records of Brazos County, Texas as described in Exhibit "A" attached hereto (such portions collectively hereinafter referred to as the "Right-of-Way"); and

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

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

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

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

- 5. Utility infrastructure exists within the Right-of-Way and the City has a continuing need for currently existing public utilities to remain within the Right-of-Way, and said uses are expressly not abandoned herein; and
- 6. The Right-of-Way is hereby abandoned as a public roadway and is no longer thrown open to the general public but is only for the public purposes recited herein and is in all other respects hereby abandoned.

PART 2: That the 0.149-acre Right-of-Way known as First Street and as described in Exhibit "A" be abandoned and vacated by the City for roadway purposes; provided, however, that the City shall retain a temporary blanket public utility easement on the area to be abandoned as set forth above, and the City does not abandon such uses.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2016.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

FIELD NOTES
0.149 OF ONE ACRE
PARTIAL ROW ABANDONMENT
OF
FIRST STREET
OUT OF THE
W. C. BOYETT ESTATE
PARTITION MAP
VOLUME 100, PAGE 440
City of College Station, Brazos County, Texas
April 11, 2016

All that certain lot, tract or parcel of land being 0.149 of one acre situated in the J. E. SCOTT SURVEY, Abstract No. 50, Brazos County, Texas, and being a part of the existing Right-of-Way of First Street out of the W. C. Boyett Estate Partition Map according to the plat of record in Volume 100, Page 440, Deed Records of Brazos County, Texas, said 0.149 of one acre being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4" Iron Rod found for the most northerly corner, said corner being the most northerly corner of First Street, said corner also being the most westerly corner of Lot 1, Block 17 of said W. C. Boyett Estate Partition;

THENCE S 46 ° 41 ' 33 " E, along the northeast right-of-way line of said First Street and the southwest line of said Lot 1 a distance of 97.54 feet to a point for the beginning of a curve;

THENCE along the northerly right-of-way line of said First Street with the southerly line of said Lot 1 around a curve in a counterclockwise direction having a delta angle of 89 ° 54 ' 08 ", an arc distance of 80.00 feet, a radius of 50.98 feet, and a chord of N 88 ° 21 ' 23 " E, a distance of 72.04 feet to a 1/2" Iron Rod with Cap set for the point of tangency of said curve, said corner being located in the northwest right-of-way line of Park Avenue;

THENCE S 43 ° 24 ' 19 " W, a distance of 90.91 feet to a 1/2" Iron Rod with Cap set for the most southerly corner, said corner being located in the southwest right-of-way line of said First Street, a 5/8" Iron Rod with Cap found for the most easterly corner of Lot 17, Block 15 of said W. C. Boyett Estate Partition bears S 46 ° 41 ' 33 " E a distance of 228.67 feet;

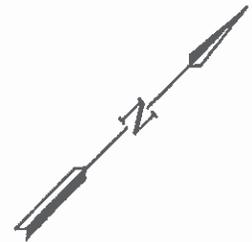
THENCE N 46 ° 41 ' 33 " W, along the southwest right-of-way line of said First Street a distance of 148.25 feet to a 1/2" Iron Rod found for the most westerly corner, said corner being the most westerly corner of said First Street;

THENCE N 43 ° 08 ' 22 " E, along the northwest right-of-way line of said First Street a distance of 40.02 feet to the PLACE OF BEGINNING AND CONTAINING AN AREA OF 0.149 OF ONE ACRE OF LAND MORE OR LESS, according to a survey performed on the ground during the month of June, 2015 under the supervision of H. Curtis Strong, Registered Professional Land Surveyor No. 4961 and working under FIRM Number 10093500. North Orientation is based on rotating the northwest line to grid north NAD83 (CORS 2011) epoch 2010.00, Texas State Plane Central Zone by utilizing GPS Methods.



STRONG SURVEYING
 FIRM NO. 10093500 email: curtis@strongsurveying.com

1722 Broadmoor, Suite 105
 Bryan, Texas 77802
 Phone: (979) 776-9836
 Fax: (979) 731-0096



SCALE: 1" = 40'

STERLING - A8M
 NORTHGATE, LLC
 LOT 2R, BLOCK 1
 HYDE PARK ADDITION
 REF. 12919/9

LOT 3R, BLOCK 1
 HYDE PARK ADDITION
 REF. 12919/9

STERLING - A8M
 NORTHGATE, LLC
 0.488 AC.
 12919/9

STERLING - A8M
 NORTHGATE, LLC
 0.514 AC.
 12919/9

BLOCK 15

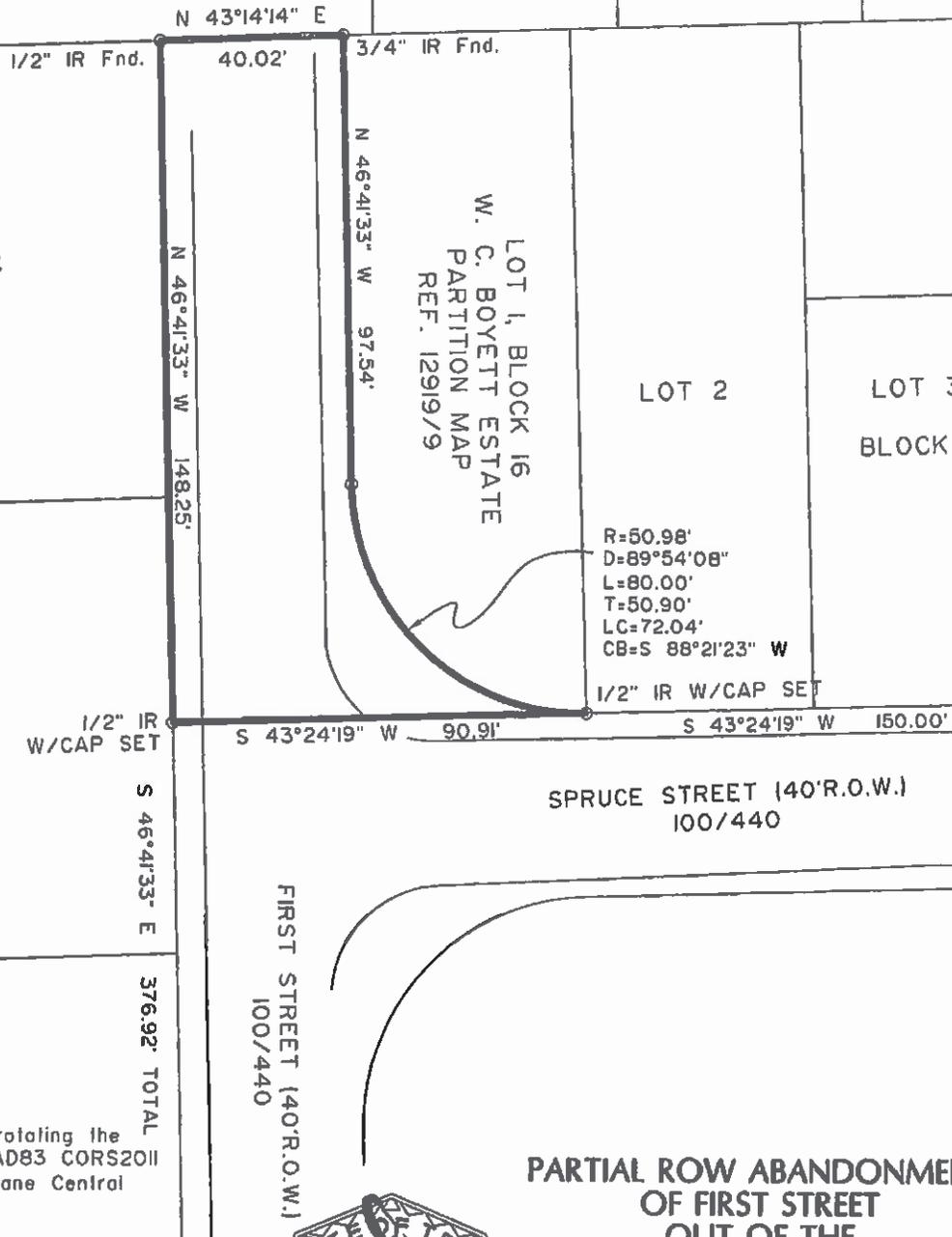
LOT 15
 BLOCK 15

NOTES:
 North Orientation is based on rotating the
 northwest line to grid north NAD83 CORS2011
 epoch 2010.00, Texas State Plane Central
 Zone.

I, H. CURTIS STRONG, REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 4961, DO HEREBY CERTIFY
 THAT THIS PLAT REPRESENTS THE RESULTS
 OF AN ON THE GROUND SURVEY AND IS TRUE
 AND CORRECT TO THE BEST OF MY KNOWLEDGE.



**PARTIAL ROW ABANDONMENT
 OF FIRST STREET
 OUT OF THE
 W. C. BOYETT ESTATE
 PARTITION MAP
 VOLUME 100, PAGE 440
 CITY OF COLLEGE STATION
 BRAZOS COUNTY, TEXAS
 APRIL 11, 2016**





Legislation Details (With Text)

File #:	16-0479	Version:	1	Name:	Traffic Impact Analyses for Single-Family Development
Type:	Ordinance	Status:		Status:	Agenda Ready
File created:	7/28/2016	In control:		In control:	City Council Regular
On agenda:	8/11/2016	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Article 3 "Development Review Procedures", Section 12-3.4.C "Application Requirements" and Article 7 "General Development Standards", Section 12-7.13 "Traffic Impact Analysis", regarding Traffic Impact Analyses for single-family development.				
Sponsors:	Danielle Singh				
Indexes:					
Code sections:					
Attachments:	Redlined Applicable UDO Sections Ordinance 12-7.pdf				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance", Article 3 "Development Review Procedures", Section 12-3.4.C "Application Requirements" and Article 7 "General Development Standards", Section 12-7.13 "Traffic Impact Analysis", regarding Traffic Impact Analyses for single-family development.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Neighborhood Integrity
- Diverse Growing Economy
- Improving Mobility

Recommendation(s): The Planning and Zoning Commission will consider this item at their August 4, 2016 meeting. Their recommendation will be provided at the City Council meeting. Staff recommends approval.

Summary: The proposed amendment removes the single-family residential development exemption from the current Traffic Impact Analysis requirements by requiring a Traffic Impact Analysis to be included with a preliminary plan application where applicable. The current ordinance requires a Traffic Impact Analysis to be submitted with zoning and/or site plan applications. Since site plans are not submitted for single-family residential developments, the ordinance amendment also includes a Traffic Impact Analysis requirement with preliminary plan applications.

"Traffic Impact Analysis" is the section of the General Development Standards that requires any

development generating 150 or more vehicle trips in any peak hour to provide a Traffic Impact Analysis to determine the impacts to the transportation system and propose mitigation for any facilities falling below an acceptable level of service. The ordinance was originally adopted in 2008. The original ordinance provided an exemption for Northgate zoning districts and single-family zoning districts. In 2009, the Comprehensive Plan was adopted which called for the requirement for Traffic Impact Analysis to be extended to single family developments. As part of the Five-Year Comprehensive Plan Evaluation & Appraisal Report, the recommendation was made to require Traffic Impact Analysis for single family residential development.

Staff hosted two public meetings in March to discuss proposed changes and to solicit input. Staff received several comments and questions regarding the proposed changes and presented the comments to the Council Transportation and Mobility Committee for guidance on developing the ordinance amendment.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Redlined Applicable UDO Sections
2. Ordinance

Sec. 12-3.4. - Plat Review.

C. Application Requirements.

1. Preapplication Conference.

Prior to the submission of a preliminary plan or a plat application required by this UDO, applicants are encouraged to schedule and attend an optional preapplication conference in accordance with and for the purposes set forth elsewhere in this UDO for preapplication conferences.

2. A complete application for review shall be submitted to the Administrator including payment of a fee as set forth in this UDO. Upon request, all preliminary plans and all plats shall be submitted in an electronic form acceptable to the Administrator and compatible with the City's Geographic Information System (GIS). The signatures of all owners of land within the boundary of the preliminary plan or the plat shall be required on the application. A representative of an owner may sign the application provided a written letter of agency is provided to the City with the application. If the property owner is not an individual but an entity (e.g., business or trust), the application must be accompanied by proof of authority for the individual to sign on behalf of the entity.
3. When required to submit the following, the applications shall comply with and/or show the following information:

a. Preliminary Plans.

When submitting preliminary plans, the following information is required:

- 1) The preliminary plan shall conform to the general requirements of this UDO and minimum standards of design and improvements as set forth in Chapter 12, Article 8 Subdivision Design and Improvements;
- 2) Provide the preliminary plan on sheets twenty-four (24) inches by thirty-six (36) inches to a scale of one hundred (100) feet per inch or larger. Smaller scales may be allowed at the discretion of the Administrator. If more than one (1) sheet, provide an index sheet at a scale of five hundred (500) feet per inch or larger;
- 3) The words "PRELIMINARY PLAN - NOT FOR RECORD" shall appear on the plan in letters one-half (½) inch high;
- 4) The date the preliminary plan was submitted and the dates of any revisions shall legibly appear on the plan;
- 5) The proposed name of the subdivision or development, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the county it is located;
- 6) The name and address of all property owners, developers and subdividers, engineers, and surveyors;
- 7) The legal description by metes and bounds of the subdivision or development which shall close within accepted land survey standards. An accurate location of the subdivision or development shall be provided by reference to an established survey or league corner, City of College Station horizontal control monument, subdivision corner, or other known point. Primary control points or descriptions and ties to such control point, to which, later, all dimensions, angles, bearings, block numbers, and similar data shall be referred. The preliminary plan shall be located with respect to a corner of the survey or tract, or an original corner of the original survey of which it is a part;
- 8) Subdivision boundary lines shall be indicated by heavy lines and the computed acreage of the subdivision or development shown;
- 9) The name of contiguous subdivisions and names of owners of contiguous parcels, and an indication whether or not contiguous properties are platted;

- 10) The following existing features shall be shown:
 - (a) The location, dimension, name and description of all recorded streets, alleys, reservations, easements, or other public or private rights-of-way within the subdivision or development, intersecting or contiguous with its boundaries or forming such boundaries. In the case of pipelines carrying flammable gas or fuel, the approximate location, size of line, design pressure and product transported through the line shall be shown;
 - (b) The location, dimension, description and name of all existing or recorded lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision or development;
 - (c) The location, dimensions, description, and flow line of existing watercourses and drainage structures within the subdivision, development or contiguous thereto;
 - (d) The location of the one hundred-year floodplain according to the most recent best available data;
- 11) Date of preparation, scale in feet, and north arrow;
- 12) Topographic information, including contours at two-foot intervals, flow line elevation of streams, and wooded areas;
- 13) The location, approximate dimensions, description and name of all proposed streets, alleys, drainage structures, parks, or other public areas, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision or development. Proposed channel cross sections, if any. Existing and/or proposed well site locations;
- 14) A number or letter to identify each lot and each block. Lots and blocks shown on a preliminary plan should be numbered sequentially;
- 15) Location of current City limits line, and current zoning district boundaries;
- 16) Vicinity map which shows general location of subject property to existing streets in College Station and to its City limits. No scale is required but a north arrow is to be included;
- 17) Show number of residential lots and average lot size when applicable;
- 18) Provide a note to identify a Cluster Subdivision when applicable;
- 19) Provide any oversize participation requests that will be sought;
- 20) Provide title report for property that is current within ninety (90) days and includes applicable information such as ownership, liens, encumbrances, etc;
- 21) Written requests for waivers of subdivision standards, if any, shall be submitted in accordance with the applicable Sections of this UDO;
- 22) Eleven-inch by seventeen-inch copies of the preliminary plan (not necessarily to scale) will be requested by the Administrator when the preliminary plan has been reviewed and has the potential to be scheduled for a Planning and Zoning Commission meeting for consideration; and
- 23) Provide a note on the Preliminary Plan to identify the Residential Parking Option chosen from the Single-Family Residential Parking Requirements for Platting when applicable.
- 24) As applicable, applicants shall submit the information, documents, and materials set forth in the Traffic Impact Analyses Section in Chapter 12, Article 7 of This UDO.

Sec. 12-7.13. - Traffic Impact Analyses.

This section establishes requirements and procedures pertaining to traffic impact analyses ("TIAs"). This Article is intended to inform the applicant of the City's expectations to ensure safe and adequate access to development properties; adequate traffic flow on existing and proposed/planned roadways; and sufficient connectivity of the existing and proposed/planned roadway system attributable to their proposal. In addition this Article is intended to expedite the City's review of TIA reports, provide standard criteria for evaluating proposals, and identify some potential mitigation measures.

The TIA is intended to form the basis for design of any proposed access/roadway system to ensure coordination of the proposed land use with the transportation needs resulting there from. The City of College Station and the developer share responsibility to identify and solve transportation issues arising from land development.

College Station requires that TIAs accompany certain zoning applications, ~~and~~ certain site plan applications, and certain preliminary plan applications. It is intended that any TIA required for any type of land development proposal will complement the overall goal of ensuring that adequate transportation facilities are in place to serve land uses by the time those uses are occupied and generating traffic. These purposes are further amplified below.

A. **Purpose.**

1. **Zoning TIA.**

The goal of a TIA submitted in conjunction with a zoning request is to determine the effect that uses allowed within various proposed zones will have on existing and/or any proposed/planned roadway systems, and to ensure there is a balance between future land uses and future transportation systems. Zoning applications that are required to have a TIA are evaluated using both current and long-term traffic and roadway scenarios.

The TIA will determine whether acceptable levels of service will be maintained for traffic flow within the proposed project and in its study area. Where service levels fall below acceptable standards, mitigation solutions will be analyzed for their effectiveness. A TIA for a zoning request should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission and the City Council shall consider the findings of the TIA in approving or disapproving zoning changes to the extent allowed by law.

2. **Preliminary Plan TIA.**

The goal of a TIA submitted in conjunction with a preliminary plan is twofold: to assess the adequacy and safety of proposed access to adjacent existing or planned roadways (or designs proposed for such access or roadways); and to determine effects the proposed project may have on current and future land development and roadway systems in its study area. Generally, the TIA uses current and anticipated near-term traffic volumes and roadway configurations for the analysis. The process should ensure that the roadway system is, or will be, adequate to accommodate the proposed use and that safe and adequate access will be provided for travel between the site and the public roadway system.

Where the TIA shows levels of service falling below acceptable minimums on roadway systems in its study area the TIA will recommend appropriate mitigation measures and demonstrate their effectiveness. Example mitigation techniques may include adding/lengthening deceleration/turn lanes, improving driveway access, providing connectivity, and modifying traffic control devices. Combinations of these techniques and other techniques can be considered. A TIA for a preliminary plan should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission shall consider the findings of the TIA in approving or disapproving preliminary plans to the extent allowed by law.

23. Site Plan TIA.

The goal of a TIA submitted in conjunction with a site plan is twofold: to assess the adequacy and safety of proposed access to adjacent existing or planned roadways (or designs proposed for such access or roadways); and to determine effects the site project may have on current and future land development and roadway systems in its study area. Generally, the TIA uses current and anticipated near-term traffic volumes and roadway configurations for the analysis. The process should ensure that the roadway system is, or will be, adequate to accommodate the proposed use and that safe and adequate access will be provided for travel between the site and the public roadway system.

Where the TIA shows levels of service falling below acceptable minimums on roadway systems in its study area the TIA will recommend appropriate mitigation measures and demonstrate their effectiveness. Example mitigation techniques may include adding/lengthening deceleration/turn lanes, improving driveway access, providing connectivity, and modifying traffic control devices. Combinations of these techniques and other techniques can be considered. A TIA for a site plan should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission shall consider the findings of the TIA in approving or disapproving site plans to the extent allowed by law.

B. Definitions.

1. Trip Generation Rates.

Trip Generation Rates are used to estimate the amount of vehicular traffic generated by proposed rezoning or a proposed site plan. For Zoning and Preliminary Plan TIAs, these rates are shown by zoning district in the table below. Preliminary Plan trip generation rates should be based on the underlying zoning district. Site plan TIAs shall use rates set forth in the latest edition of the Trip Generation Report published by the Institute of Transportation Engineers (ITE), unless said Report does not adequately address the type or intensity of the proposed land use. In this event the applicant or his agent shall submit projected vehicle trips to the Administrator. For land uses adequately represented in said Report, alternate trip generation rates shall not be accepted.

Table 1 Trip Generation: Residential Land Uses				
Zoning Classification	Maximum Units/Acre	ITE Land Use Code	Trip Rate / Unit	Trip Rate / Acre

<u>R</u>	<u>0.33</u>	<u>210</u>	<u>1.00</u>	<u>0.33</u>
<u>WE</u>	<u>0.5</u>	<u>210</u>	<u>1.00</u>	<u>0.5</u>
<u>E</u>	<u>1</u>	<u>210</u>	<u>1.00</u>	<u>1</u>
<u>WRS</u>	<u>2</u>	<u>210</u>	<u>1.00</u>	<u>2</u>
<u>RS</u>	<u>4</u>	<u>210</u>	<u>1.00</u>	<u>4</u>
<u>GS</u>	<u>8</u>	<u>210</u>	<u>1.00</u>	<u>8</u>
<u>D</u>	<u>12</u>	<u>230</u>	<u>0.52</u>	<u>6.24</u>
<u>I</u>	<u>14</u>	<u>230</u>	<u>0.52</u>	<u>7.28</u>
<u>MF</u>	<u>30</u>	<u>220</u>	<u>0.62</u>	<u>18.6</u>
<u>MU</u>	<u>Determined by Administrator</u>			
R-4	20.0	220	0.62	12.4
R-6	30.0	220	0.62	18.6
MHP	Determined by Administrator			
P-MUD	Determined by Administrator			

Table 2				
Trip Generation: Non-Residential Land Uses				
Zoning Classification	Maximum Units/Acre*	ITE Land Use Code	Trip Rate / KSF	Trip Rate / Acre
O	16,000 sf	710	1.55	25
SC	11,000 sf	820	3.75	40

WC	11,000 sf	820	3.75	40
GC	13,500 sf	820	3.75	50
CI	16,000 sf	710	1.55	25
BP	N/A	130	0.85	8.85
BPI	N/A	770	1.43	19
CU	Determined by Administrator			
PDD	Determined by Administrator			

* Density maximum calculated based on existing (2007) developments in the City of College Station.

Table 3				
Trip Generation: Retired Land Uses				
Zoning Classification	Maximum Units/Acre*	ITE Land Use Code	Trip Rate / KSF	Trip Rate / Acre
<u>R-4</u>	<u>20.0</u>	<u>220</u>	<u>0.62</u>	<u>12.4</u>
<u>R-6</u>	<u>30.0</u>	<u>220</u>	<u>0.62</u>	<u>18.6</u>
C-3	11,000 sf	820	3.75	40
R&D	N/A	760	N/A	16.8
M-1	N/A	110	N/A	7.5
M-2	N/A	120	N/A	2.2

2. Design Year.

The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy, and shall include consideration of

nearby development that has been approved and will contribute traffic volume to the proposed project's study area.

3. **Peak Periods.**

Peak periods relate to times of day experiencing the greatest hourly traffic flow rates. Two (2) "peaks" are to be addressed by a TIA: The morning and afternoon peak hours (or projected peak hours) of existing (or planned) roadways serving the proposed land development. Typically roadway peak periods are between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m.

4. **Base Volumes.**

Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy plus volumes generated by nearby future development (all phases) that has been approved by the City. When available, base data will be supplied by the City Traffic Engineer. In all cases where traffic counts are needed and are not available, the developer or his agent shall be required to collect such data according to guidelines approved by the Administrator.

5. **Level of Service (LOS).**

Level of Service is a measure of the extent of congestion experienced on roadways. It is measured through analysis of traffic operating conditions on roadway links and at intersections, using techniques presented in the latest edition of the Transportation Research Board's Highway Capacity Manual.

C. **Applicability.**

1. **Zoning TIA.**

Any zoning request, except for certain "redevelopment" areas, ~~requests for R, WE, E, WRS, GS, R-1B, D, or T zoning classifications~~ which is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period requires a TIA. Where the Comprehensive Plan designates a property as "Redevelopment" a TIA is required if the zoning request is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period more than those generated by the currently approved use(s) on the property. A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated for all the proposed districts. A TIA may be required for a zoning request that generates less than one hundred fifty (150) trips in the peak hour, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed rezoning request. In cases where a TIA is required, the rezoning application will be considered incomplete until the TIA is submitted

2. **Preliminary Plan TIA.**

Any proposed development requiring preliminary plan approval, which is expected to generate at least one hundred fifty (150) trips in any peak hour period requires a TIA. A TIA may be required for preliminary plans that generate less than one hundred fifty (150) trips in any peak hour period where the peaking characteristics could have a detrimental impact on the area's vehicular transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed project. In cases where a TIA is required, the preliminary plan application must be accompanied by the TIA

23. Site Plan TIA.

Any proposed development requiring site plan approval, excluding developments located in the zoning classifications of NG-1, NG-2, or NG-3, which is expected to generate at least one hundred fifty (150) trips in any peak hour period requires a TIA. A TIA may be required for site plans that generate less than one hundred fifty (150) trips in any peak hour period where the peaking characteristics could have a detrimental impact on the area's vehicular transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed site project. In cases where a TIA is required, the site plan application must be accompanied by the TIA.

D. Methodology.

1. Professional Engineer to perform TIA.

All required TIAs shall be performed by a professional engineer licensed in the State of Texas qualified to perform such analyses. Qualifications may include, but are not limited to, certification as a Professional Traffic Operations Engineer or Professional Transportation Planner by the Institute of Transportation Engineers or certification by the Texas Department of Transportation to conduct traffic engineering studies.

2. Pre-Submittal Meeting.

A pre-submission consultation with the Administrator is required at the time of the Pre-Application Conference to discuss whether a TIA is required and, if so, the relevant aspects thereof. The study area will be defined to include nearby land developments (existing or approved), the street network to be examined (the "study network"), and the minimum extent of analysis. In addition, details of the procedures, assumptions, data collection, and analysis methodology(ies) will be determined at this meeting. Traffic from other nearby developments that have been approved but not yet constructed will be accounted for in the TIA as determined by the Administrator. The Administrator may require other specific assumptions such as the percent of trucks to match local conditions. The City may require analyses of peak fifteen (15) minute intervals for certain types of land uses that generate major traffic surges such as, but not limited to, stadiums, movie theaters, arenas, and schools.

3. Zoning TIA Content.

a. Study Area.

A map(s) will delineate the TIA study area, including land areas to be considered and all existing/planned streets therein, and the "study network" (those streets and intersections requiring specific analyses). The study area shall be determined based on the geographical area most affected by the proposed zoning request as determined by the Administrator after conferring with the applicant's traffic engineer.

b. Existing Zoning.

A description by zoning classification of the existing zoning in the area proposed for rezoning.

c. Proposed Zoning.

A description of the proposed zoning including land area by zoning classification.

d. Roadway Network.

A description of the existing and proposed/planned roadways of all classifications and traffic volumes on the study network within the study area.

e. **Impact Determination.**

An assessment of projected traffic volumes is to be made for all study network roadways, comparing those with allowable volume limits on roadways classed as collector and local, and providing a description of the volume/capacity (V/C) ratio for all roadways in the study network. In addition delay projections for signalized and unsignalized intersections in the study network will be determined. Where V/C ratios and intersection delay are the measures of effectiveness Level of Service D or better must be maintained. The analysis shall contain the following minimum information:

1. **Proposed Trip Generation.**

Show in tabular form trip generation rates (see Table 1, 2, or 3 as applicable) and the total trips generated based on proposed zoning.

2. **Existing Trip Generation.**

Show in tabular form trip generation rates (see Table 1, 2, or 3 as applicable) and the total trips generated based on existing zoning.

3. **Net Increased Trip Distribution and Assignment.**

Show proposed trip generation minus existing trips and the calculation of new trips generated. The net increase in trips generated by the zoning request is to be added to the base volumes projected by design year. Twenty-four-hour and peak hour volumes must be calculated. Distribution and assignment calculations must be provided.

4. **Level of Service Analysis.**

Show in tabular form peak hour Level of Service for existing and proposed zoning. Calculations shall include all thoroughfare links and intersections. Calculate level of service and percentage change (when compared to base volumes) for each link and intersection.

5. **Neighborhood Traffic Analysis.**

If a proposed rezoning is projected to increase the traffic on an existing or proposed/planned minor collector or local residential roadway (street) at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines, street network layout must be adjusted to lower this traffic volume.

6. **Conclusions.**

Summarize points of conflict and congestion, identify all thoroughfare links and intersections not achieving Level of Service D or better, and the percentage change resulting from the proposed zoning change. The results of examining collector and local residential roadways, including the findings of any neighborhood traffic analysis must also be summarized.

f. **Mitigation.**

A description of the mitigation measures proposed for achieving acceptable service thresholds shall be shown. Analysis of the study network as adjusted by the proposed measures must be documented. Traffic produced by the proposed zoning request plus traffic levels projected by the time of project occupancy should result in Level of Service D or better. Locations not meeting Level of Service D where the proposed zoning contributes five (5) percent or more of the peak hour traffic must be mitigated by the

applicant. Acceptable methods of mitigating negative traffic impacts include any one (1), or a combination of, the measures listed below but is not limited to those listed.

- 1) Modifying the zoning request so that resulting traffic volumes yield Level of Service D or better throughout the study network.
- 2) Modify any street network proposed as part of the development project in terms of size, layout, connectivity, intersection layouts, or location of termini with thoroughfares, or any combination of such changes.
- 3) Limit development densities/intensities within one (1) or more zoning classifications or land parcels to result in acceptable traffic volumes.
- 4) Making minor thoroughfare or intersection improvements, such as adding/extending or relocating turn lanes, adding/extending acceleration and/or deceleration lanes, adding non-traversable medians, relocating median openings, using special directional median openings, or using special features to facilitate safe U-turn maneuvers.

Amendments to the City's Thoroughfare Plan shall not be accepted as a means of mitigating negative impacts, unless the proposed amendment(s) can be shown to enhance capacity and safety and will be constructed as part of the proposed land development project.

g. Planning and Zoning Commission Report.

The Planning and Zoning Commission shall make a report to the City Council on all TIAs it considers in conjunction with requests for rezoning. The Planning and Zoning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of the TIA.

Where the identified impacts of the proposed zoning cannot be adequately mitigated, the Planning and Zoning Commission may recommend to the City Council one (1) or more of the following actions:

1. Denial of the zoning case in total or in part.
2. Other action(s) deemed appropriate by a study made, or endorsed by, a qualified traffic engineer to mitigate negative traffic impacts.

4. Preliminary Plan TIA Content.

Submittals of TIAs for preliminary plan projects shall include the following:

a. Study Area.

A map(s) delineating the TIA study area, including land areas to be considered and all existing/planned roadways therein, and the "study network" (those roadways and intersections requiring specific analyses).The study area will be determined by identifying the geographical area most affected by the proposed development as determined by the Administrator after conferring with the applicant. In general the study area will cover all intersections through which at least ten (10) percent of the proposed development's site traffic passes, and shall extend to and include at least the first traffic signal in all directions if within one (1) mile of any portion of the site. Existing roadway and intersection capacities shall be shown.

b. Existing Zoning.

A description of existing zoning in the area included in the preliminary plan.

c. Thoroughfare Network.

A description of existing thoroughfares, signals, signal phasing and traffic volumes within the study area;

d. Proposed Development.

A description of the proposed development including land area (gross and net), square footage, density, dwelling units, etc. Also a description of anticipated roadway conditions expected by the date of completion of the proposed development shall be included.

e. Proposed Roadway Network.

Identification of the proposed roadway network for the preliminary plan. This shall include the location of access points, location and number of lanes of proposed roadways or public ways, and proposed traffic controls. It must also include any proposed modifications to adjacent roadways.

f. Impact Determination.

A determination of the Level of Service for all roadways and intersections in the study area shall be included, as shall an evaluation of pedestrian, bicycle, and motor vehicle safety conditions within the preliminary plan. The analysis shall contain the following minimum information:

1. Proposed Trip Generation.

A calculation of the total trip generation by use within the study area assuming full development and occupancy, including both peak hour and twenty-four-hour information show any reductions attributed to passers-by, mixed use, etc. show trip generation by use in tabular form with land use trip generation rates and trips generated.

2. Trip Distribution and Assignment.

A calculation of trips generated by the proposed development as added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions (and the bases therefore) and assignment calculations must be provided.

3. Level of Service Analysis.

A depiction shown in tabular form, twenty-four-hour and peak hour volume/capacity ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, existing traffic plus projected traffic.

4. Neighborhood Traffic Analysis.

If the TIA calculations show that a proposed preliminary plan increases traffic on a minor collector or local residential roadway (street) by at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines mitigation to lower this traffic may be required.

5. Conclusions.

A summary of findings must be reported. It must show all adjacent roadways and intersections noting those that fail to provide Level of Service D or better, and the percent increase in total traffic produced by the proposed project. In addition the

report must demonstrate that the proposed roadway network will provide safe and adequate access to the development. It also must identify any safety and operational problems (e.g., driveways, sight distances, median openings, and signalization) within the study area.

g. Mitigation.

A description of the mitigation measures proposed for meeting acceptable traffic service thresholds shall be shown. Where the development is contributing five (5) percent or more of the traffic at locations failing to meet Level of Service D or better the total trips should be mitigated by the applicant to low enough levels to achieve the required standard (or to pre-development levels, if pre-development level is less than Level of Service D). Acceptable measures for mitigating negative traffic impacts include any one (1), or a combination of, those listed below.

- 1) Modifying the density or intensity of land use, such as a reduction in square footage or the percentage of commercial use to result in traffic levels meeting Level of Service D or better;
- 2) Phasing approval and construction of a project until additional roadway capacity becomes available;
- 3) Modifying the proposed street network in terms of size, layout, connectivity, intersection layouts, or location of termini with thoroughfares or any combination of such changes;
- 4) Making off-site improvements including the construction of additional lanes, increases in storage lane capacities, or modification/installation of signalization, to list some examples.

h. Costs of Mitigation.

Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

45. Site Plan TIA Content.

Submittals of TIAs for site plan projects shall include the following:

a. Study Area.

A map(s) delineating the TIA study area, including land areas to be considered and all existing/planned roadways therein, and the "study network" (those roadways and intersections requiring specific analyses). The study area will be determined by identifying the geographical area most affected by the proposed development as determined by the Administrator after conferring with the applicant. In general the study area will cover all intersections through which at least ten (10) percent of the proposed development's site traffic passes, and shall extend to and include at least the first traffic signal in all directions if within one (1) mile of any portion of the site. Existing roadway and intersection capacities shall be shown.

b. Existing Zoning and Development.

A description of existing zoning including land area (gross and net) by zoning classification, square footage, density of hotel rooms, dwelling units, etc. Also, a description of development currently within the proposed site plan, including showing how it will be affected by the new development proposal;

c. Thoroughfare Network.

A description of existing thoroughfares, signals, signal phasing and traffic volumes within the study area;

d. **Proposed Development.**

A description of the proposed development including land area (gross and net), square footage, density of hotel rooms, dwelling units, etc. Also a description of anticipated roadway conditions expected by the date of occupancy of the proposed development shall be included.

e. **Proposed Access.**

Identification of the proposed access driveways for the site. This shall include the location and number of lanes, proposed traffic controls, and relationship to on-site circulation features for each proposed point of access. It must also include any proposed modifications to adjacent roadways. Once the TIA and an access plan has been approved, the final location and design of all access points shall meet or exceed the current access management and roadway design policies of the entity responsible for the condition of that portion of adjacent roadway.

f. **Impact Determination.**

A determination of the Level of Service for all roadways and intersections in the study area shall be included, as shall an evaluation of pedestrian, bicycle, and motor vehicle safety conditions along all the roadway frontage of the site. The analysis shall contain the following minimum information:

1. **Proposed Trip Generation.**

A calculation of the total trip generation by use within the study area assuming full development and occupancy, including both peak hour and twenty-four-hour information show any reductions attributed to passers-by, mixed use, etc. show trip generation by use in tabular form with land use trip generation rates and trips generated.

2. **Trip Distribution and Assignment.**

A calculation of trips generated by the proposed development as added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions (and the bases therefore) and assignment calculations must be provided.

3. **Level of Service Analysis.**

A depiction shown in tabular form, twenty-four-hour and peak hour volume/capacity ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, existing traffic plus projected traffic. Capacity analyzes must be shown for all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

4. **Neighborhood Traffic Analysis.**

If the TIA calculations show that a proposed site project increases traffic on a minor collector or local residential roadway (street) by at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines mitigation to lower this traffic may be required.

5. Conclusions.

A summary of findings must be reported. It must show all adjacent roadways and intersections noting those that fail to provide Level of Service D or better, and the percent increase in total traffic produced by the proposed site project. In addition the report must demonstrate that the proposed access design will provide safe and adequate access to the project site. It also must identify any safety and operational problems (e.g., driveways, sight distances, median openings, and signalization) within the study.

g. Mitigation.

A description of the mitigation measures proposed for meeting acceptable traffic service thresholds shall be shown. Where the development is contributing five (5) percent or more of the traffic at locations failing to meet Level of Service D or better the total trips should be mitigated by the applicant to low enough levels to achieve the required standard (or to pre-development levels, ~~whichever is greater~~ if pre-development level is less than Level of Service D). Acceptable measures for mitigating negative traffic impacts include any one (1), or a combination of, those listed below.

- 1) Modifying the density or intensity of land use, such as a reduction in square footage or the percentage of commercial use to result in traffic levels meeting Level of Service D or better;
- 2) Phasing approval and construction of a project until additional roadway capacity becomes available;
- 3) Improving the access plan by dealing with features such as overall site arrangement, the placement and design features of access points, provision of additional access points to roadways not immediately adjacent to the property, provision of alternate controls, or adjustments in the site circulation system;
- 4) Making off-site improvements including the construction of additional lanes, increases in storage lane capacities, or modification of signalization, to list some examples.

h. Costs of Mitigation.

Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

E. Criteria for Approval.

The City shall consider the following standards in determining whether a proposed rezoning or submitted site plan project meets an acceptable Level of Service:

1. Design Requirement.

The proposed rezoning or site plan project is consistent with the City's adopted access management and design requirements and is consistent with the design requirements of the Texas Department of Transportation on roadways maintained by such agency.

2. Level of Service D.

The desirable minimum Level of Service for the City of College Station is a Level of Service D as that term is described in the Transportation Research Board's Highway Capacity Manual.

3. Determination of Adequate Mitigation.

Notwithstanding anything to the contrary herein, the appropriate Administrator and the appropriate reviewing body, where required, shall, based on recommendations by a qualified traffic engineer, determine whether adequate mitigation has occurred to meet an acceptable level of service utilizing the requirements set forth herein.

(Ord. No. [2012-3449](#), Pt. 1(Exh. I), 9-27-2012; Ord. No. [2012-3450](#), Pt. 1(Exh. E), 9-27-2012; Ord. No. [2013-3521](#), Pt. 1(Exh. L), 9-12-2013)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, “UNIFIED DEVELOPMENT ORDINANCE”, ARTICLE 3, “DEVELOPMENT REVIEW PROCEDURES”, SECTION 12-3.4.C, “APPLICATION REQUIREMENTS” AND ARTICLE 7, “GENERAL DEVELOPMENT STANDARDS”, SECTION 12-7.13, “TRAFFIC IMPACT ANALYSIS” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS REGARDING TRAFFIC IMPACT ANALYSIS REQUIREMENTS; 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,” Article 3 “Development Review Procedures,” Section 12-3.4.C “Application Requirements” and Article 7 “General Development” Section 12-7.13 “Traffic Impact Analysis” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit “A” and Exhibit “B” 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 affect 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 not less than 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 11th day of August, 2016.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Article 3, "Development Review Procedures", Section 12-3.4.C, "Application Requirements" of the Code of Ordinances of the City of College Station, Texas, is amended to read as follows:

"C. Application Requirements.**1. Preapplication Conference.**

Prior to the submission of a preliminary plan or a plat application required by this UDO, applicants are encouraged to schedule and attend an optional preapplication conference in accordance with and for the purposes set forth elsewhere in this UDO for preapplication conferences.

2. A complete application for review shall be submitted to the Administrator including payment of a fee as set forth in this UDO. Upon request, all preliminary plans and all plats shall be submitted in an electronic form acceptable to the Administrator and compatible with the City's Geographic Information System (GIS). The signatures of all owners of land within the boundary of the preliminary plan or the plat shall be required on the application. A representative of an owner may sign the application provided a written letter of agency is provided to the City with the application. If the property owner is not an individual but an entity (e.g., business or trust), the application must be accompanied by proof of authority for the individual to sign on behalf of the entity.

3. When required to submit the following, the applications shall comply with and/or show the following information:

a. Preliminary Plans.

When submitting preliminary plans, the following information is required:

- 1) The preliminary plan shall conform to the general requirements of this UDO and minimum standards of design and improvements as set forth in Chapter 12, Article 8 Subdivision Design and Improvements;
- 2) Provide the preliminary plan on sheets twenty-four (24) inches by thirty-six (36) inches to a scale of one hundred (100) feet per inch or larger. Smaller scales may be allowed at the discretion of the Administrator. If more than one (1) sheet, provide an index sheet at a scale of five hundred (500) feet per inch or larger;
- 3) The words "PRELIMINARY PLAN - NOT FOR RECORD" shall appear on the plan in letters one-half (½) inch high;
- 4) The date the preliminary plan was submitted and the dates of any revisions shall legibly appear on the plan;
- 5) The proposed name of the subdivision or development, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the county it is located;
- 6) The name and address of all property owners, developers and subdividers, engineers, and surveyors;
- 7) The legal description by metes and bounds of the subdivision or development which shall close within accepted land survey standards. An accurate location of the subdivision or development shall be provided by reference to an established survey or league corner, City of College Station horizontal control monument, subdivision corner, or other known point. Primary control points or descriptions and ties to such control point, to which, later, all dimensions, angles, bearings,

block numbers, and similar data shall be referred. The preliminary plan shall be located with respect to a corner of the survey or tract, or an original corner of the original survey of which it is a part;

- 8) Subdivision boundary lines shall be indicated by heavy lines and the computed acreage of the subdivision or development shown;
- 9) The name of contiguous subdivisions and names of owners of contiguous parcels, and an indication whether or not contiguous properties are platted;
- 10) The following existing features shall be shown:
 - (a) The location, dimension, name and description of all recorded streets, alleys, reservations, easements, or other public or private rights-of-way within the subdivision or development, intersecting or contiguous with its boundaries or forming such boundaries. In the case of pipelines carrying flammable gas or fuel, the approximate location, size of line, design pressure and product transported through the line shall be shown;
 - (b) The location, dimension, description and name of all existing or recorded lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision or development;
 - (c) The location, dimensions, description, and flow line of existing watercourses and drainage structures within the subdivision, development or contiguous thereto;
 - (d) The location of the one hundred-year floodplain according to the most recent best available data;
- 11) Date of preparation, scale in feet, and north arrow;
- 12) Topographic information, including contours at two-foot intervals, flow line elevation of streams, and wooded areas;
- 13) The location, approximate dimensions, description and name of all proposed streets, alleys, drainage structures, parks, or other public areas, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision or development. Proposed channel cross sections, if any. Existing and/or proposed well site locations;
- 14) A number or letter to identify each lot and each block. Lots and blocks shown on a preliminary plan should be numbered sequentially;
- 15) Location of current City limits line, and current zoning district boundaries;
- 16) Vicinity map which shows general location of subject property to existing streets in College Station and to its City limits. No scale is required but a north arrow is to be included;
- 17) Show number of residential lots and average lot size when applicable;
- 18) Provide a note to identify a Cluster Subdivision when applicable;
- 19) Provide any oversize participation requests that will be sought;
- 20) Provide title report for property that is current within ninety (90) days and includes applicable information such as ownership, liens, encumbrances, etc;
- 21) Written requests for waivers of subdivision standards, if any, shall be submitted in accordance with the applicable Sections of this UDO;
- 22) Eleven-inch by seventeen-inch copies of the preliminary plan (not necessarily to scale) will be requested by the Administrator when the preliminary plan has been reviewed and has the potential to be scheduled for a Planning and Zoning Commission meeting for consideration; and
- 23) Provide a note on the Preliminary Plan to identify the Residential Parking Option chosen from the Single-Family Residential Parking Requirements for Platting when applicable.

- 24) As applicable, applicants shall submit the information, documents, and materials set forth in the Traffic Impact Analysis Section in Chapter 12, Article 7 of this UDO.”

EXHIBIT “B”

That Chapter 12, “Unified Development Ordinance,” Article 7 “General Development Standards” Section 12-7.13 “Traffic Impact Analysis” of the Code of Ordinances of the City of College Station, Texas, is amended to read as follows:

“Sec. 12-7.13. Traffic Impact Analysis.

This section establishes requirements and procedures pertaining to traffic impact analysis (“TIAs”). This Article is intended to inform the applicant of the City's expectations to ensure safe and adequate access to development properties; adequate traffic flow on existing and proposed/planned roadways; and sufficient connectivity of the existing and proposed/planned roadway system attributable to their proposal. In addition this Article is intended to expedite the City's review of TIA reports, provide standard criteria for evaluating proposals, and identify some potential mitigation measures.

The TIA is intended to form the basis for design of any proposed access/roadway system to ensure coordination of the proposed land use with the transportation needs resulting there from. The City of College Station and the developer share responsibility to identify and solve transportation issues arising from land development.

College Station requires that TIAs accompany certain zoning applications, certain site plan applications, and certain preliminary plan applications. It is intended that any TIA required for any type of land development proposal will complement the overall goal of ensuring that adequate transportation facilities are in place to serve land uses by the time those uses are occupied and generating traffic. These purposes are further amplified below.

A. Purpose.**1. Zoning TIA.**

The goal of a TIA submitted in conjunction with a zoning request is to determine the effect that uses allowed within various proposed zones will have on existing and/or any proposed/planned roadway systems, and to ensure there is a balance between future land uses and future transportation systems. Zoning applications that are required to have a TIA are evaluated using both current and long-term traffic and roadway scenarios.

The TIA will determine whether acceptable levels of service will be maintained for traffic flow within the proposed project and in its study area. Where service levels fall below acceptable standards, mitigation solutions will be analyzed for their effectiveness. A TIA for a zoning request should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission and the City Council shall consider the findings of the TIA in approving or disapproving zoning changes to the extent allowed by law.

2. Preliminary Plan TIA.

The goal of a TIA submitted in conjunction with a preliminary plan is twofold: to assess the adequacy and safety of proposed access to adjacent existing or planned roadways (or designs proposed for such access or roadways); and to determine effects the proposed project may have on current and future land development and roadway systems in its study area. Generally, the TIA uses current and anticipated near-term traffic volumes and roadway configurations for the analysis. The process should ensure that the roadway system is, or will be, adequate to accommodate the proposed use and that safe and adequate access will be provided for travel between the site and the public roadway system.

Where the TIA shows levels of service falling below acceptable minimums on roadway systems in its study area the TIA will recommend appropriate mitigation measures and demonstrate their effectiveness. Example mitigation techniques may include adding/lengthening deceleration/turn lanes, improving driveway access, providing connectivity, and modifying traffic control devices.

Combinations of these techniques and other techniques can be considered. A TIA for a preliminary plan should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission shall consider the findings of the TIA in approving or disapproving preliminary plans to the extent allowed by law.

3. Site Plan TIA.

The goal of a TIA submitted in conjunction with a site plan is twofold: to assess the adequacy and safety of proposed access to adjacent existing or planned roadways (or designs proposed for such access or roadways); and to determine effects the site project may have on current and future land development and roadway systems in its study area. Generally, the TIA uses current and anticipated near-term traffic volumes and roadway configurations for the analysis. The process should ensure that the roadway system is, or will be, adequate to accommodate the proposed use and that safe and adequate access will be provided for travel between the site and the public roadway system.

Where the TIA shows levels of service falling below acceptable minimums on roadway systems in its study area the TIA will recommend appropriate mitigation measures and demonstrate their effectiveness. Example mitigation techniques may include adding/lengthening deceleration/turn lanes, improving driveway access, providing connectivity, and modifying traffic control devices. Combinations of these techniques and other techniques can be considered. A TIA for a site plan should not recommend mitigation measures that are inconsistent with any traffic or roadway provisions of the Unified Development Ordinance or the City's Comprehensive Plan, including the Thoroughfare Plan. The Planning and Zoning Commission shall consider the findings of the TIA in approving or disapproving site plans to the extent allowed by law.

B. Definitions.

1. Trip Generation Rates.

Trip Generation Rates are used to estimate the amount of vehicular traffic generated by proposed rezoning or a proposed site plan. For Zoning and Preliminary Plan TIAs, these rates are shown by zoning district in the table below. Preliminary Plan trip generation rates should be based on the underlying zoning district. Site plan TIAs shall use rates set forth in the latest edition of the Trip Generation Report published by the Institute of Transportation Engineers (ITE), unless said Report does not adequately address the type or intensity of the proposed land use. In this event the applicant or his agent shall submit projected vehicle trips to the Administrator. For land uses adequately represented in said Report, alternate trip generation rates shall not be accepted.

Table 1 Trip Generation: Residential Land Uses				
Zoning Classification	Maximum Units/Acre	ITE Land Use Code	Trip Rate / Unit	Trip Rate / Acre
R	0.33	210	1.00	0.33
WE	0.5	210	1.00	0.5
E	1	210	1.00	1
WRS	2	210	1.00	2

RS	4	210	1.00	4
GS	8	210	1.00	8
D	12	230	0.52	6.24
T	14	230	0.52	7.28
MF	30	220	0.62	18.6
MU	Determined by Administrator			
MHP	Determined by Administrator			
P-MUD	Determined by Administrator			

Table 2
Trip Generation: Non-Residential Land Uses

Zoning Classification	Maximum Units/Acre*	ITE Land Use Code	Trip Rate / KSF	Trip Rate / Acre
O	16,000 sf	710	1.55	25
SC	11,000 sf	820	3.75	40
WC	11,000 sf	820	3.75	40
GC	13,500 sf	820	3.75	50
CI	16,000 sf	710	1.55	25
BP	N/A	130	0.85	8.85
BPI	N/A	770	1.43	19
CU	Determined by Administrator			
PDD	Determined by Administrator			

* Density maximum calculated based on existing (2007) developments in the City of College Station.

Table 3				
Trip Generation: Retired Land Uses				
Zoning Classification	Maximum Units/Acre*	ITE Land Use Code	Trip Rate / KSF	Trip Rate / Acre
R-4	20.0	220	0.62	12.4
R-6	30.0	220	0.62	18.6
C-3	11,000 sf	820	3.75	40
R&D	N/A	760	N/A	16.8
M-1	N/A	110	N/A	7.5
M-2	N/A	120	N/A	2.2

2. Design Year.

The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy, and shall include consideration of nearby development that has been approved and will contribute traffic volume to the proposed project's study area.

3. Peak Periods.

Peak periods relate to times of day experiencing the greatest hourly traffic flow rates. Two (2) "peaks" are to be addressed by a TIA: The morning and afternoon peak hours (or projected peak hours) of existing (or planned) roadways serving the proposed land development. Typically roadway peak periods are between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m.

4. Base Volumes.

Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy plus volumes generated by nearby future development (all phases) that has been approved by the City. When available, base data will be supplied by the City Traffic Engineer. In all cases where traffic counts are needed and are not available, the developer or his agent shall be required to collect such data according to guidelines approved by the Administrator.

5. Level of Service (LOS).

Level of Service is a measure of the extent of congestion experienced on roadways. It is measured through analysis of traffic operating conditions on roadway links and at intersections, using techniques presented in the latest edition of the Transportation Research Board's Highway Capacity Manual.

C. Applicability.**1. Zoning TIA.**

Any zoning request, except for certain "redevelopment" areas as designated on the Comprehensive Plan Future Land Use and Character Map, which is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period requires a TIA. Where the Comprehensive Plan designates a property as "Redevelopment" a TIA is required if the zoning request is expected to generate at least one hundred fifty (150) vehicle trips during any peak hour period more than those generated by the currently approved use(s) on the property. A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated for all the proposed districts. A TIA may be required for a zoning request that generates less than one hundred fifty (150) trips in the peak hour, where the peaking characteristics could have a detrimental impact on the transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed rezoning request. In cases where a TIA is required, the rezoning application will be considered incomplete until the TIA is submitted

2. Preliminary Plan TIA.

Any proposed development requiring preliminary plan approval, which is expected to generate at least one hundred fifty (150) trips in any peak hour period requires a TIA. A TIA may be required for preliminary plans that generate less than one hundred fifty (150) trips in any peak hour period where the peaking characteristics could have a detrimental impact on the area's vehicular transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed project. In cases where a TIA is required, the preliminary plan application must be accompanied by the TIA

3. Site Plan TIA.

Any proposed development requiring site plan approval, excluding developments located in the zoning classifications of NG-1, NG-2, or NG-3, which is expected to generate at least one hundred fifty (150) trips in any peak hour period requires a TIA. A TIA may be required for site plans that generate less than one hundred fifty (150) trips in any peak hour period where the peaking characteristics could have a detrimental impact on the area's vehicular transportation system as determined by the Administrator.

A TIA shall be required unless the applicant demonstrates to the satisfaction of the Administrator that a TIA is not necessary for the proposed site project. In cases where a TIA is required, the site plan application must be accompanied by the TIA.

D. Methodology.**1. Professional Engineer to perform TIA.**

All required TIAs shall be performed by a professional engineer licensed in the State of Texas qualified to perform such analysis. Qualifications may include, but are not limited to, certification as a Professional Traffic Operations Engineer or Professional Transportation Planner by the Institute of Transportation Engineers or certification by the Texas Department of Transportation to conduct traffic engineering studies.

2. Pre-Submittal Meeting.

A pre-submission consultation with the Administrator is required at the time of the Pre-Application Conference to discuss whether a TIA is required and, if so, the relevant aspects thereof. The study area will be defined to include nearby land developments (existing or approved), the street network to be examined (the "study network"), and the minimum extent of analysis. In addition, details of the procedures, assumptions, data collection, and analysis methodology(ies) will be determined at this

meeting. Traffic from other nearby developments that have been approved but not yet constructed will be accounted for in the TIA as determined by the Administrator. The Administrator may require other specific assumptions such as the percent of trucks to match local conditions. The City may require analysis of peak fifteen (15) minute intervals for certain types of land uses that generate major traffic surges such as, but not limited to, stadiums, movie theaters, arenas, and schools.

3. **Zoning TIA Content.**

a. **Study Area.**

A map(s) will delineate the TIA study area, including land areas to be considered and all existing/planned streets therein, and the "study network" (those streets and intersections requiring specific analysis). The study area shall be determined based on the geographical area most affected by the proposed zoning request as determined by the Administrator after conferring with the applicant's traffic engineer.

b. **Existing Zoning.**

A description by zoning classification of the existing zoning in the area proposed for rezoning.

c. **Proposed Zoning.**

A description of the proposed zoning including land area by zoning classification.

d. **Roadway Network.**

A description of the existing and proposed/planned roadways of all classifications and traffic volumes on the study network within the study area.

e. **Impact Determination.**

An assessment of projected traffic volumes is to be made for all study network roadways, comparing those with allowable volume limits on roadways classed as collector and local, and providing a description of the volume/capacity (V/C) ratio for all roadways in the study network. In addition delay projections for signalized and unsignalized intersections in the study network will be determined. Where V/C ratios and intersection delay are the measures of effectiveness Level of Service D or better must be maintained. The analysis shall contain the following minimum information:

1. **Proposed Trip Generation.**

Show in tabular form trip generation rates (see Table 1, 2, or 3 as applicable) and the total trips generated based on proposed zoning.

2. **Existing Trip Generation.**

Show in tabular form trip generation rates (see Table 1, 2, or 3 as applicable) and the total trips generated based on existing zoning.

3. **Net Increased Trip Distribution and Assignment.**

Show proposed trip generation minus existing trips and the calculation of new trips generated. The net increase in trips generated by the zoning request is to be added to the base volumes projected by design year. Twenty-four-hour and peak hour volumes must be calculated. Distribution and assignment calculations must be provided.

4. **Level of Service Analysis.**

Show in tabular form peak hour Level of Service for existing and proposed zoning. Calculations shall include all thoroughfare links and intersections. Calculate level of service and percentage change (when compared to base volumes) for each link and intersection.

5. Neighborhood Traffic Analysis.

If a proposed rezoning is projected to increase the traffic on an existing or proposed/planned minor collector or local residential roadway (street) at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines, street network layout must be adjusted to lower this traffic volume.

6. Conclusions.

Summarize points of conflict and congestion, identify all thoroughfare links and intersections not achieving Level of Service D or better, and the percentage change resulting from the proposed zoning change. The results of examining collector and local residential roadways, including the findings of any neighborhood traffic analysis must also be summarized.

f. Mitigation.

A description of the mitigation measures proposed for achieving acceptable service thresholds shall be shown. Analysis of the study network as adjusted by the proposed measures must be documented. Traffic produced by the proposed zoning request plus traffic levels projected by the time of project occupancy should result in Level of Service D or better. Locations not meeting Level of Service D where the proposed zoning contributes five (5) percent or more of the peak hour traffic must be mitigated by the applicant. Acceptable methods of mitigating negative traffic impacts include any one (1), or a combination of, the measures listed below but is not limited to those listed.

- 1) Modifying the zoning request so that resulting traffic volumes yield Level of Service D or better throughout the study network.
- 2) Modify any street network proposed as part of the development project in terms of size, layout, connectivity, intersection layouts, or location of termini with thoroughfares, or any combination of such changes.
- 3) Limit development densities/intensities within one (1) or more zoning classifications or land parcels to result in acceptable traffic volumes.
- 4) Making minor thoroughfare or intersection improvements, such as adding/extending or relocating turn lanes, adding/extending acceleration and/or deceleration lanes, adding non-traversable medians, relocating median openings, using special directional median openings, or using special features to facilitate safe U-turn maneuvers.

Amendments to the City's Thoroughfare Plan shall not be accepted as a means of mitigating negative impacts, unless the proposed amendment(s) can be shown to enhance capacity and safety and will be constructed as part of the proposed land development project.

g. Planning and Zoning Commission Report.

The Planning and Zoning Commission shall make a report to the City Council on all TIAs it considers in conjunction with requests for rezoning. The Planning and Zoning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of the TIA.

Where the identified impacts of the proposed zoning cannot be adequately mitigated, the Planning and Zoning Commission may recommend to the City Council one (1) or more of the following actions:

1. Denial of the zoning case in total or in part.

2. Other action(s) deemed appropriate by a study made, or endorsed by, a qualified traffic engineer to mitigate negative traffic impacts.
4. **Preliminary Plan TIA Content.**

Submittals of TIAs for preliminary plan projects shall include the following:

a. **Study Area.**

A map(s) delineating the TIA study area, including land areas to be considered and all existing/planned roadways therein, and the "study network" (those roadways and intersections requiring specific analysis). The study area will be determined by identifying the geographical area most affected by the proposed development as determined by the Administrator after conferring with the applicant. In general the study area will cover all intersections through which at least ten (10) percent of the proposed development's site traffic passes, and shall extend to and include at least the first traffic signal in all directions if within one (1) mile of any portion of the site. Existing roadway and intersection capacities shall be shown.

b. **Existing Zoning.**

A description of existing zoning in the area included in the preliminary plan.

c. **Thoroughfare Network.**

A description of existing thoroughfares, signals, signal phasing and traffic volumes within the study area;

d. **Proposed Development.**

A description of the proposed development including land area (gross and net), square footage, density, dwelling units, etc. Also a description of anticipated roadway conditions expected by the date of completion of the proposed development shall be included.

e. **Proposed Roadway Network.**

Identification of the proposed roadway network for the preliminary plan. This shall include the location of access points, location and number of lanes of proposed roadways or public ways, and proposed traffic controls. It must also include any proposed modifications to adjacent roadways.

f. **Impact Determination.**

A determination of the Level of Service for all roadways and intersections in the study area shall be included, as shall an evaluation of pedestrian, bicycle, and motor vehicle safety conditions within the preliminary plan. The analysis shall contain the following minimum information:

1. **Proposed Trip Generation.**

A calculation of the total trip generation by use within the study area assuming full development and occupancy, including both peak hour and twenty-four-hour information show any reductions attributed to passers-by, mixed use, etc. show trip generation by use in tabular form with land use trip generation rates and trips generated.

2. **Trip Distribution and Assignment.**

A calculation of trips generated by the proposed development as added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions (and the bases therefore) and assignment calculations must be provided.

3. **Level of Service Analysis.**

A depiction shown in tabular form, twenty-four-hour and peak hour volume/capacity ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, existing traffic plus projected traffic.

4. **Neighborhood Traffic Analysis.**

If the TIA calculations show that a proposed preliminary plan increases traffic on a minor collector or local residential roadway (street) by at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines mitigation to lower this traffic may be required.

5. **Conclusions.**

A summary of findings must be reported. It must show all adjacent roadways and intersections noting those that fail to provide Level of Service D or better, and the percent increase in total traffic produced by the proposed project. In addition the report must demonstrate that the proposed roadway network will provide safe and adequate access to the development. It also must identify any safety and operational problems (e.g., driveways, sight distances, median openings, and signalization) within the study area.

g. **Mitigation.**

A description of the mitigation measures proposed for meeting acceptable traffic service thresholds shall be shown. Where the development is contributing five (5) percent or more of the traffic at locations failing to meet Level of Service D or better the total trips should be mitigated by the applicant to low enough levels to achieve the required standard (or to pre-development levels, if pre-development level is less than Level of Service D). Acceptable measures for mitigating negative traffic impacts include any one (1), or a combination of, those listed below.

- 1) Modifying the density or intensity of land use, such as a reduction in square footage or the percentage of commercial use to result in traffic levels meeting Level of Service D or better;
- 2) Phasing approval and construction of a project until additional roadway capacity becomes available;
- 3) Modifying the proposed street network in terms of size, layout, connectivity, intersection layouts, or location of termini with thoroughfares or any combination of such changes;
- 4) Making off-site improvements including the construction of additional lanes, increases in storage lane capacities, or modification/installation of signalization, to list some examples.

h. **Costs of Mitigation.**

Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

5. **Site Plan TIA Content.**

Submittals of TIAs for site plan projects shall include the following:

a. **Study Area.**

A map(s) delineating the TIA study area, including land areas to be considered and all existing/planned roadways therein, and the "study network" (those roadways and intersections requiring specific analysis). The study area will be determined by identifying the geographical area most affected by the proposed development as determined by the Administrator after conferring with the applicant. In general the study area will cover all intersections through which

at least ten (10) percent of the proposed development's site traffic passes, and shall extend to and include at least the first traffic signal in all directions if within one (1) mile of any portion of the site. Existing roadway and intersection capacities shall be shown.

b. **Existing Zoning and Development.**

A description of existing zoning including land area (gross and net) by zoning classification, square footage, density of hotel rooms, dwelling units, etc. Also, a description of development currently within the proposed site plan, including showing how it will be affected by the new development proposal;

c. **Thoroughfare Network.**

A description of existing thoroughfares, signals, signal phasing and traffic volumes within the study area;

d. **Proposed Development.**

A description of the proposed development including land area (gross and net), square footage, density of hotel rooms, dwelling units, etc. Also a description of anticipated roadway conditions expected by the date of occupancy of the proposed development shall be included.

e. **Proposed Access.**

Identification of the proposed access driveways for the site. This shall include the location and number of lanes, proposed traffic controls, and relationship to on-site circulation features for each proposed point of access. It must also include any proposed modifications to adjacent roadways. Once the TIA and an access plan has been approved, the final location and design of all access points shall meet or exceed the current access management and roadway design policies of the entity responsible for the condition of that portion of adjacent roadway.

f. **Impact Determination.**

A determination of the Level of Service for all roadways and intersections in the study area shall be included, as shall an evaluation of pedestrian, bicycle, and motor vehicle safety conditions along all the roadway frontage of the site. The analysis shall contain the following minimum information:

1. **Proposed Trip Generation.**

A calculation of the total trip generation by use within the study area assuming full development and occupancy, including both peak hour and twenty-four-hour information show any reductions attributed to passers-by, mixed use, etc. show trip generation by use in tabular form with land use trip generation rates and trips generated.

2. **Trip Distribution and Assignment.**

A calculation of trips generated by the proposed development as added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions (and the bases therefore) and assignment calculations must be provided.

3. **Level of Service Analysis.**

A depiction shown in tabular form, twenty-four-hour and peak hour volume/capacity ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, existing traffic plus projected traffic. Capacity analyzes must be shown for all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

4. **Neighborhood Traffic Analysis.**

If the TIA calculations show that a proposed site project increases traffic on a minor collector or local residential roadway (street) by at least ten (10) percent, a neighborhood traffic analysis shall be performed. This analysis will include an evaluation of existing and projected traffic on the affected roadways. Where the projected traffic exceeds the limits indicated in the BCS Design Guidelines mitigation to lower this traffic may be required.

5. Conclusions.

A summary of findings must be reported. It must show all adjacent roadways and intersections noting those that fail to provide Level of Service D or better, and the percent increase in total traffic produced by the proposed site project. In addition the report must demonstrate that the proposed access design will provide safe and adequate access to the project site. It also must identify any safety and operational problems (e.g., driveways, sight distances, median openings, and signalization) within the study.

g. Mitigation.

A description of the mitigation measures proposed for meeting acceptable traffic service thresholds shall be shown. Where the development is contributing five (5) percent or more of the traffic at locations failing to meet Level of Service D or better the total trips should be mitigated by the applicant to low enough levels to achieve the required standard (or to pre-development levels, if pre-development level is less than Level of Service D). Acceptable measures for mitigating negative traffic impacts include any one (1), or a combination of, those listed below.

- 1) Modifying the density or intensity of land use, such as a reduction in square footage or the percentage of commercial use to result in traffic levels meeting Level of Service D or better;
- 2) Phasing approval and construction of a project until additional roadway capacity becomes available;
- 3) Improving the access plan by dealing with features such as overall site arrangement, the placement and design features of access points, provision of additional access points to roadways not immediately adjacent to the property, provision of alternate controls, or adjustments in the site circulation system;
- 4) Making off-site improvements including the construction of additional lanes, increases in storage lane capacities, or modification of signalization, to list some examples.

h. Costs of Mitigation.

Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the Thoroughfare Plan may be repaid by the City in accordance with its cost sharing policies.

E. Criteria for Approval.

The City shall consider the following standards in determining whether a proposed rezoning or submitted site plan project meets an acceptable Level of Service:

1. Design Requirement.

The proposed rezoning or site plan project is consistent with the City's adopted access management and design requirements and is consistent with the design requirements of the Texas Department of Transportation on roadways maintained by such agency.

2. Level of Service D.

The desirable minimum Level of Service for the City of College Station is a Level of Service D as that term is described in the Transportation Research Board's Highway Capacity Manual.

3. **Determination of Adequate Mitigation.**

Notwithstanding anything to the contrary herein, the appropriate Administrator and the appropriate reviewing body, where required, shall, based on recommendations by a qualified traffic engineer, determine whether adequate mitigation has occurred to meet an acceptable level of service utilizing the requirements set forth herein.



Legislation Details (With Text)

File #: 16-0467 **Version:** 1 **Name:** Proposed Ordinance Amendment
Type: Ordinance **Status:** Agenda Ready
File created: 7/25/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion on an ordinance amending Chapter 10 "Traffic Code" of the Code of Ordinances of the City of College Station, Texas by addition Section 10-14 "Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle" and providing a severability clause; declaring a penalty; and providing an effective date.
Sponsors: Scott McCollum
Indexes:
Code sections:
Attachments: [Section 10-14 WCD Ord 7-28-16](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on an ordinance amending Chapter 10 "Traffic Code" of the Code of Ordinances of the City of College Station, Texas by addition Section 10-14 "Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle" and providing a severability clause; declaring a penalty; and providing an effective date.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Neighborhood Integrity
- Improving Mobility
- Sustainable City

Recommendation(s): Based on feedback from our previous workshop discussion and City Council direction, staff recommends approval.

Summary: Driver inattention while using wireless communication devices is a growing public safety concern. While the State Legislature has considered a State law regarding use of these devices while driving in past sessions, each session the bill has either been vetoed by the Governor or otherwise failed. The purpose of the proposed ordinance modification is to provide a mechanism of enforcement and a deterrence regarding use of wireless communication devices and driving within our community.

Budget & Financial Summary: Estimated costs to implement signage for proposed ordinance is \$15,000.

Attachments: Proposed Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CODE" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY ADDING SECTION 10-14 "USE OF WIRELESS COMMUNICATION DEVICES WHILE OPERATING A MOTOR VEHICLE OR BICYCLE", 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 10, "Traffic Code", be amended by adding Section 10-14 "Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle", as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect 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 Hundred Dollars (\$200.00). 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 11th day of August, 2016.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 10, “Traffic Code”, is hereby amended by adding Section 10-14 “Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle”, and is to read as follows:

Section 10-14**Use of Wireless Communication Devices While Operating a Motor Vehicle or Bicycle****A. Definitions.**

1. **Authorized Emergency Personnel** means a person who is a law enforcement officer, firefighter, member of a governmental emergency medical services, communications or public utility function, or member of a governmental emergency management function.
2. **Hands-free Device** means speakerphone capability or a telephone attachment or other piece of equipment, regardless of whether permanently installed in the motor vehicle allowing use of the Wireless Communication Device without use of either of the operator's hands.
3. **Use** means employing, accessing or operating the Wireless Communication Device for any reason.
4. **Wireless Communication Device** has the meaning assigned in Texas Transportation Code § 545.425, as amended.

B. Violation. An operator of a motor vehicle or a bicycle may not use a Wireless Communication Device while operating a motor vehicle or bicycle on a public roadway or highway.

C. Affirmative Defenses. It is an affirmative defense to prosecution to an offense under this section if:

1. **Complete Stop.** The motor vehicle or bicycle is at a complete stop.
2. **Hands-free Device.** The Wireless Communication Device is used in Hands-free Device mode of operation to engage in telephone communication or to listen to audio transmissions.
3. **Navigation.** The Wireless Communication Device is used as global positioning or navigation device or for its global positioning or navigation operating software and the Wireless Communication Device is affixed to the motor vehicle or bicycle.

- 4. Emergency Services.** The Wireless Communication Device is used for obtaining emergency assistance to report a crime, traffic accident, medical emergency, serious traffic hazard or in prevention of a crime.

D. Presumption. Evidence that a police officer observed a person holding a Wireless Communication Device while operating a motor vehicle or bicycle in motion creates a rebuttable presumption that the person used a Wireless Communication Device in violation of this section.

E. Conflicts. To the extent this section conflicts with any provision of the Texas Transportation Code regarding the use of wireless communication devices or hand-held mobile telephones, this section does not apply.

F. Non-Applicability. This section does not apply to:

- a.** A person licensed by the Federal Communication Commission while operating a radio frequency device other than a Wireless Communication Device.
- b.** Authorized Emergency Personnel while acting in official capacity.



Legislation Details (With Text)

File #: 16-0481 **Version:** 1 **Name:** Appointments
Type: Appointment **Status:** Agenda Ready
File created: 7/29/2016 **In control:** City Council Regular
On agenda: 8/11/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding appointments to the following boards and commissions:

- Design Review Board
- Historic Preservation Committee
- Parks and Recreation Board

Sponsors: Sherry Mashburn
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding appointments to the following boards and commissions:

- Design Review Board
- Historic Preservation Committee
- Parks and Recreation Board

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): None

Summary: These boards are having difficulty maintaining a quorum, due either to non-attendance or resignation. Requests for applications have been advertised on radio, the City's website, HOA's, Citizens University, etc.

Budget & Financial Summary: None

Attachments: None