



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Thursday, August 25, 2016

7:00 PM

City Hall Council Chambers

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

Presentation:

Recognizing Marie Barringer for Court Management Certification.

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. [16-0514](#) Presentation, possible action, and discussion of minutes for:
 - August 11, 2016 Workshop
 - August 11, 2016 Regular Meeting
 - August 15, 2016 Budget Workshop
 - August 16, 2016 Budget Workshop

Sponsors:

Mashburn

Attachments:

[WKSHP081116 DRAFT Minutes](#)

[RM081116 DRAFT Minutes](#)

[BUDWKSHP081516 DRAFT Minutes](#)

[BUDWKSHP081616 DRAFT Minutes](#)

- 2b. [16-0386](#) Presentation, possible action, and discussion regarding the approval of a Resolution allowing the Mayor to sign an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) in the amount of \$43,500 for the cost participation in the reconstruction of the FM 2818 and FM 60 interchange.
- Sponsors:** Rother
- Attachments:** [Ready Partial-Execute_0506-01-105_TxDOT-CoCS_AFA-VoITIP_2016-08-04 \(I](#)
- 2c. [16-0445](#) Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 3:00 p.m., to consider the imposition of water and wastewater impact fees.
- Sponsors:** Gibbs
- Attachments:** [15B RES hearing w-ww IF](#)
- 2d. [16-0452](#) Presentation, possible action, and discussion regarding the renewal of the Interlocal Agreement with the City of Bryan for Management of the Larry J. Ringer Library.
- Sponsors:** Schmitz
- Attachments:** [Library ILA FINAL](#)
- 2e. [16-0456](#) Presentation, possible action, and discussion regarding the award of Bid #16-091 to Wesco Distribution in the amount of \$114,500 and \$10,020.75 to CAPP, USA for \$10,020.75 for the purchase of Distribution Circuit Breakers and Relays.
- Sponsors:** Crabb
- Attachments:** [Tabulation](#)
- 2f. [16-0482](#) Presentation, possible action, and discussion regarding a change order to Contract 14-239 with BerryDunn increasing the amount by \$107,475 for additional project management services and expenses.
- Sponsors:** Roper
- Attachments:** [College Station BerryDunn Change Order Contract # 14-239](#)
- 2g. [16-0483](#) Presentation, possible action, and discussion on professional services contract #16300530 with Stantec Consulting Services, Inc. in the amount of \$67,410 for the final design and construction phase services for the Carters Creek Wastewater Treatment Plant Blower Replacement Project.
- Sponsors:** Coleman

- 2h. [16-0488](#) Presentation, possible action, and discussion regarding approval of contract number 15300494 in the maximum amount of \$59,400 to purchase up to 90,000 gallons of sodium hypochlorite solution to be used in the disinfection of the public drinking water supply.

Sponsors:

Coleman

Attachments:

[16-093 Hypochlorite Bid Tab](#)

- 2i. [16-0505](#) Presentation, possible action, and discussion regarding an ordinance amending Section 3 of Ordinance No. 2016-3788 ordering 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 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 and polling places for this election; and making provisions for conducting the election. Presentación, posible acción, y discusión con respecto a una ordenanza de enmienda a la Sección 3 de la Ordenanza Número 2016-3788 pidiendo elecciones Generales y Especiales a celebrarse el 8 de noviembre de 2016, con el propósito de elegir a un Alcalde y a un Miembro del Consejo de la Ciudad para el Puesto Número 2, y para ocupar la posición vacante vigente aún por dos años de la duración del cargo del Miembro del Consejo Puesto Número 4, y para ocupar la posición vacante vigente aún por un año de la duración del cargo del Miembro del Consejo Puesto Número 3, por los votantes calificados de la ciudad de College Station; estableciendo lugares y centros de votaciones tempranas para estas elecciones; y proporcionando lo necesario para llevar a cabo las elecciones.

Sponsors:

Mashburn

Attachments:

[AMENDED Nov 2016 Election Order](#)

[AMENDED Nov 2016 Election Order-Spanish](#)

- 2j. [16-0509](#) Presentation, possible action, and discussion regarding Contract No. 16300425 with Scodeller Construction, Inc. (Bid No. 16-072) for Concrete Joint Resealing on City Streets for an amount not to exceed \$591,000.

Sponsors:

Harmon

Attachments:

[Tabulation](#)

- 2k. [16-0510](#) Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300443) with Kimley-Horn and

Associates, Inc. in the amount of \$580,450 for the design and construction phase services for the Northeast Trunk Line Phase I Project and a Preliminary Engineering Report (PER) for the Northeast Trunk Line Phases II-IV.

Sponsors: Harmon

Attachments: [Ph I Project Map](#)
[Ph II-IV Project Map](#)

- 2l. [16-0511](#) Presentation, possible action, and discussion regarding a five (5) year Interlocal Agreement (ILA) with Texas A&M University to equally share in the traffic control device deployment costs according to the Texas A&M Post Football Game Traffic Control Plan. The anticipated annual maximum reimbursement from TAMU is \$57,000.

Sponsors: Rother

- 2m. [16-0512](#) Presentation, possible action, and discussion regarding a General Services Contract with N-Line Traffic Maintenance (Contract No. 16300455) for the 2016 Aggie Football season Game Day Traffic Control Implementation for \$85,043.

Sponsors: Rother

Attachments: [16-080 Bid Tabulation](#)

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. [16-0485](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Business Park to General Commercial for approximately 14.25 acres located at 2501 Earl Rudder Freeway, more generally located north of North Forest Parkway and south of Raintree Drive along the east side of the Earl Rudder Freeway.

Sponsors:

Prochazka

Attachments:

[Background](#)

[Aerial & Amendment Map](#)

[Ordinance](#)

2. [16-0486](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from M-1 Planned Industrial to GC General Commercial for approximately 14.25 acres being situated in the Morgan Rector Survey, Abstract No. 46, College Station, Brazos County, Texas, and being part of the 40.80 acre Tract One described in the deed from College Station Bypass, Ltd., to CS Science Park, LLC, recorded in Volume 8994, Page 2003 of the Official Public Records of Brazos County, Texas, generally located at 2501 Earl Rudder Freeway, and more generally located north of North Forest Parkway and south of Raintree Drive, on the east side of Earl Rudder Freeway Frontage Road.

Sponsors:

Prochazka

Attachments:

[Background](#)

[Aerial & Small Area Map](#)

[Ordinance](#)

3. [16-0508](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from R Rural to RS Restricted Suburban and NAP Natural Areas Protected for approximately 13 acres being situated in the M. Rector Survey, Abstract 46, Brazos County, Texas, being the remainder of that tract called 22 acres in a deed to C. Carl Kolbe and Jeanne Kolbe

recorded in Volume 2558, Page 133, Official Records of Brazos County, Texas and all of that tract called 2.5 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 3213, Page 335, Official Records of Brazos County, Texas generally located at 2744 Horseback Court.

Sponsors: Paz

Attachments: [Background Information](#)
[Aerial & Small Area Map](#)
[Ordinance](#)

4. Adjourn.

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

APPROVED



City Manager

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on August 19, 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 #: 16-0514 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 8/15/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
· August 11, 2016 Workshop
· August 11, 2016 Regular Meeting
· August 15, 2016 Budget Workshop
· August 16, 2016 Budget Workshop
Sponsors: Sherry Mashburn
Indexes:
Code sections:
Attachments: [WKSHP081116 DRAFT Minutes](#)
[RM081116 DRAFT Minutes](#)
[BUDWKSHP081516 DRAFT Minutes](#)
[BUDWKSHP081616 DRAFT Minutes](#)

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

- August 11, 2016 Workshop
- August 11, 2016 Regular Meeting
- August 15, 2016 Budget Workshop
- August 16, 2016 Budget Workshop

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:

- August 11, 2016 Workshop
- August 11, 2016 Regular Meeting
- August 15, 2016 Budget Workshop
- August 16, 2016 Budget Workshop

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
AUGUST 11, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

TAMU Student Liaison

Wayne Beckermann, VP/Municipal Affairs,

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Tanya McNutt, Deputy City Secretary
Yvette Dela Torre, Deputy Local Registrar

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Berry at 4:30 p.m. on Thursday, August 11, 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, §551.072-Real Estate, and §551.074-Personnel, the College Station City Council convened into Executive Session at 4:30 p.m. on Thursday, August 11, 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 imposition of impact fees in College Station's extraterritorial Jurisdiction
- Issues related to the Brazos Valley Wide Area Communications System Interlocal Agreement

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

- To deliberate the purchase, exchange, lease or value of real property along Holleman Drive.

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

- City Manager

The Executive Session adjourned at 6:11 p.m.

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

No action was required from Executive Session.

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

(2c) and (2f): Donald Harmon, Director of Public Works, provided highlights on the FM 2818 Capacity Improvements and the Rock Prairie Road Widening projects and their progress.

(2e): David Schmitz, Director of Parks, gave an overview of the Lincoln Center ground breaking.

(2h): Tony Michalsky, Assistant Director of Electric Utilities, explained the reason for the rejection of bids for the University Drive Underground Cable Installation Project.

5. Presentation, possible action, and discussion on the FY 2016-2017 Proposed Budget.

Jeff Kersten, Assistant City Manager, presented the proposed FY2016-2017 Budget and noted that budget workshops are scheduled for August 15, 16, and 17 to review the proposed budget and to discuss key budget decision points. A Public Hearing is scheduled for September 8, and final action is scheduled for September 22.

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.

Councilmember Nichols requested a future agenda item on short term rentals and residential rentals.

Councilmember Aldrich requested an agenda item regarding game day parking at residences.

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,

Mayor Berry reported on the MPO and BVCOG.

Councilmember Aldrich reported on the Arts Council and Texas Aggies Go to War.

Councilmember Nichols reported on Sisters Cities.

9. Adjournment

There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 7:04 p.m. on Thursday, August 11, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
AUGUST 11, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

TAMU Student Liaison

Wayne Beckermann, VP/Municipal Affairs,

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
Tanya McNutt, Deputy City Secretary
Yvette Dela Torre, Deputy Local Registrar

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7:14 p.m. on Thursday, August 11, 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.

Hear Visitors Comments

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

Floyd Daughters, 1108 Coeburn Ct, came before Council to discuss his daughter that was involved in a hit and run at Barron exit by Graham Road. He asked Council to look into this area of traffic.

CONSENT AGENDA

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

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

2b. 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.

2c. 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.

2d. 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.

2e. 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.

2f. 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).

2g. 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.

2h. Presentation, possible action, and discussion regarding the rejection of bids 16-006 and 16-059 for the University Drive Underground Cable Installation Project.

2i. Presentation, possible action, and discussion regarding approval of Resolution 08-11-16-2i, setting a public hearing date of September 22, 2016 at 7:00 p.m., to consider the imposition of water and wastewater impact fees.

2j. 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

2k. 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%.

2l. 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.

2m. 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.

2n. 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.

2o. 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).

Item 2i was pulled from Consent and will be considered at the August 25 meeting.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Brick, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less item 2i. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3794, 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.

Councilmember Schultz recused herself from this item.

Jennifer Paz, Planning and Development, reported that 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 five-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.

The Planning and Zoning Commission considered this item on July 21 and voted 5-0 to recommend approval.

At approximately 7:32 p.m., Mayor Berry opened the Public Hearing.

Joe Schultz, representing the applicant, said he was here for any questions.

Joe Johnson, 2269 PR 3221, Voss, TX, developer, updated Council on this property.

There being no further comments, the Public Hearing was closed at 7:37 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz abstaining, to adopt Ordinance 2016-3794, 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. The motion carried.

2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2016-3795, 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.

Carol Cotter, Planning and Development, reported that 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. Staff recommends approval.

At approximately 7:40 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:40 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2016-3795, 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. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2016-3796, 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.

Danielle Singh, Planning and Development, reported that 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.

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. The Planning and Zoning Commission considered this item at their August 4 meeting and voted unanimously to recommend approval.

At approximately 7:46 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:46 p.m.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2016-3796, 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. The motion carried unanimously.

4. Presentation, possible action, and discussion on Ordinance 2016-3797, 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.

Scott McCollum, Police Chief, stated that driver inattention while using wireless communication devices is a growing public safety concern. The purpose of the proposed ordinance modification is to provide a mechanism of enforcement and a deterrent regarding use of wireless communication devices and driving within our community. Costs to implement signage for the proposed ordinance is estimated to be \$15,000.

Staff recommends approval.

A motion was made by Councilmember Nichols and seconded by Councilmember Brick, to adopt Ordinance 2016-3797, 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.

Upon a motion made by Councilmember Nichols and a second by Councilmember Brick, the City Council voted six (6) for and one (1) opposed, with Councilmember Benham voting against, to amend the main motion to adopt a 90-day effective date for Ordinance No. 2016-3797 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". The motion carried.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Brick, the City Council voted six (6) for and one (1) opposed, with Councilmember Benham voting against, to adopt the main motion, as amended, reflecting a 90-day effective date for Ordinance No. 2016-3797 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". The motion carried.

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

- **Design Review Board**
- **Historic Preservation Committee**
- **Parks and Recreation Board**

Anat Geva was appointed to the Historic Preservation Committee to fill the unexpired term of Charlie Jones.

Megan Fuentes was appointed to the Parks and Recreation Board to fill the vacancy.

6. Adjournment.

There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:26 p.m. on Thursday, August 11, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE CITY COUNCIL BUDGET WORKSHOP
CITY OF COLLEGE STATION
AUGUST 15, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Jeff Kersten, Assistant City Manager
Jeff Capps, Assistant City Manager
Aubrey Nettles, Special Projects Coordinator
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Budget Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 3:12 p.m. on Monday, August 15, 2016 in the CSU Meeting/Training Facility, 1603 Graham Road, College Station, Texas 77842.

2. Presentation, possible action, and discussion on the FY 2016-2017 Proposed Budget.

Jeff Kersten, Assistant City Manager, provided a review of the proposed FY16-17 budget and citywide budget issues. Public hearings for the tax rate are scheduled for August 31 and September 8, both at 7:00 p.m. Key decision points include Public Safety resources, maintaining existing infrastructure, including streets and transportation systems, service level increases to address growth and maintenance needs; the tax rate, etc. The budget and tax rate are scheduled to be adopted September 22.

GENERAL FUND

Revenues

Sales Tax, our largest revenue stream, accounts for 35.19%. The FY16 forecast is 1% higher than FY15. Staff is projecting a 2% increase over FY16 year-end estimate for an estimated revenue of \$27.5 million.

Ad valorem taxes account for 27.56% of our general fund revenues. Our certified property valuation is \$7.99 billion, for an approximate 11.89% increase in value over last year. \$284 million is new value. We are continuing to see growth on the property value side. Our current tax rate is 45.25 cents. The effective tax rate is 42.4282 cents and generates approximately the same revenues on the same properties this year as last year. The rollback rate is calculated at 47.2820 cents. The property tax revenues coming into the General Fund will be \$21.5 million, and the Debt Service Fund portion will be \$15.1 million. Staff is proposing a tax rate of 47.25 cents. Council will need to discuss the tax rate, vote to increase tax revenues, and call and hold the Public Hearings on the tax rate to be considered.

Street maintenance is a top priority. A Roadway Maintenance Fee is being considered with a dollar amount of \$10 for residential customers and a corresponding fee for commercial customers. This would generate approximately \$4 million in annual revenue.

Total transfers from all Utilities are being proposed in the amount of \$11,765,233 for 15.06% of General Fund revenues.

Minimal changes are proposed in other revenue categories such as licenses and permits, charges for service, etc. There is a proposed increase in development fees.

Expenditures

Police and Fire account for almost half of the expenditures. Department summaries were provided, along with Service Level Adjustments and proposed projects:

- Police: Five patrol officers, two vehicles, one CID police assistant, one digital evidence technician, departmental maintenance items, and a tactical budget. The Service Level Adjustment is a little over \$933,000.
- Fire: CEOC technology replacement, Phase 3 of 3 – Station 6 staffing (five firefighter positions), equipment and supplies, and self-contained breathing apparatus replacements (budgeted in CIP). The Service Level Adjustment is a little over \$764,000.
- Public Works: \$3,362,740 in service level adjustments for additional street repair funds (contingent on Roadway Maintenance Fee), pavement management assessment, traffic signs and markings maintenance, warrant/intersection safety studies, transportation improvement studies, corrective facilities maintenance increases, tree maintenance program, equipment purchases, and Texas Avenue planter box replacement (budgeted in CIP).

At 4:37 p.m., the Mayor recessed the Budget Workshop.

The Budget Workshop reconvened at 5:05 p.m.

- Parks and Recreation: \$405,248 in service level adjustments for three groundworker positions, CAPRA reaccreditation, equipment purchases, and operations and maintenance increases. Asset management plan items are budgeted in CIP. Also included are items that are 25% - 100% funded by hotel occupancy funds: various equipment purchases, pavilion fans, event bid fulfillments, event preparation and related travel. Revenue projections for recreation programs are \$872,650 with expenditures of \$3,299,759. The FY17 estimated subsidy is \$2,427,109.
- Library: \$82,260 in service level adjustments for books and increased operations and maintenance proposed by the City of Bryan.
- Planning and Development Services: \$384,251 in service level adjustments for a graduate engineer, combination building inspector, engineering construction inspector, and implementation of neighborhood plans.
- Information Technology: \$49,000 in service level adjustments for server access management and security awareness training.
- Fiscal Services: \$119,682 in service level adjustments for temporary labor for ERP implementation and a payroll clerk.
- General Government: \$406,457 in service level adjustments, including the City Manager's Office (ADA compliance upgrades, assistive technology and training), the City Secretary's Office (Municode recodification), Legal (Assistant City Attorney and Municode legal review), and Human Resources (ERP temporary support, safety program resources, and recruiting resources).

\$1.7 million has been budgeted in the General Fund for the pay plan. The pay plan proposal includes continuing the new salary structure implementation, 3% performance pay pool, 3% market increase and Police Step Plan, aligning the structure in the new pay structure plus a 3% performance pay for Fire, and targeted adjustments based on market demands and career progression.

Non-departmental expenditures include:

- General and Administrative transfers to offset expenditures incurred by service departments.
- Public Agency Funding for various public agencies, such as Lions Club, RVP, Arts Council, Health District, Appraisal District, and Animal Shelter.
- Rental of additional office space
- Other transfers-out to the Economic Development Fund, to Northgate Parking Fund for non-parking expenditures, and to Sanitation Fund for street sweeping.
- Contingency
- Other transfers-in from HOT Fund for qualifying tournaments and special events and for Public Communications staffing and marketing, from Benefits Fund for Fitlife programs for Police and Fire, from Drainage Fund for streets, and from various CIP Funds to offset cost of project management.

GENERAL FUND FINANCIAL FORECAST

Revenues: We will continue with conservative revenue estimates and includes property value and tax rate increases.

Expenditures: New expenditures as proposed, the Pay Plan as proposed, and includes the estimated O&M on CIP projects.

At 6:29 p.m., the Mayor recessed the Budget Workshop.

The Budget Workshop reconvened at 6:39 p.m.

GENERAL GOVERNMENT CAPITAL PROJECTS

Streets and Transportation: street rehabilitation projects, extension and capacity improvement projects, traffic projects, pedestrian projects including University Drive Pedestrian Improvements Phase II and future sidewalk projects, including Sidewalk Zone projects.

Parks: field redevelopment projects, Lincoln Center expansion, aquatics renovations/improvements, and system-wide park improvements.

Parkland: Fun For All Playground design, various park development projects, improvements at Raintree Park and John Crompton Park, and minor amenity improvements at various parks.

Facilities Projects: Facility projects include a library expansion, storage tank and containment rehabilitation, Public Works compliance upgrades, City gateway signage, new Police Station building construction, and Community Center planning/design. Council consensus was to add a second gateway sign to the budget.

Technology Projects: Technology projects include ERP system replacement, CAD/RMS (Public Safety) system replacement, fiber optic infrastructure, website design, storage upgrade, and fuel system software replacement. Capital equipment purchases include Fire Department self-contained breathing apparatus replacement and Police and Fire radio replacement.

DEBT SERVICE FUND

The FY17 rate of 19.5339 cents will generate an estimated property tax revenue of \$15,129,437 and will satisfy the FY17 debt service requirement. 50% of the Cemetery debt service will be paid from the tax rate in FY17.

3. Presentation, possible action and discussion on the 2016-2017 ad valorem tax rate; and calling two public hearings on a proposed ad valorem tax rate for FY 2016-17.

This item was not discussed.

4. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the budget workshop of the College Station City Council at 7:33 p.m. on Monday, August 15, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary

MINUTES OF THE CITY COUNCIL BUDGET WORKSHOP
CITY OF COLLEGE STATION
AUGUST 16, 2016

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

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

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Jeff Capps, Assistant City Manager
Jeff Kersten, Assistant City Manager
Aubrey Nettles, Special Projects Coordinator
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Budget Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 3:07 p.m. on Tuesday, August 16, 2016 in the CSU Meeting/Training Facility, 1603 Graham Road, College Station, Texas 77842.

2. Executive Session: Council did not go into Executive Session.

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

No action.

4. Presentation, possible action, and discussion on the FY 2016-2017 Proposed Budget.

Jeff Kersten, Assistant City Manager, continued his review of the proposed FY15-16 budget and citywide budget issues.

OUTSIDE AGENCY FUNDING

Jeff Kersten, Assistant City Manager, proved a brief overview of the outside agency funding requests. Requests from General Fund amounted to \$\$1,250,161 for:

- Noon Lions Club (\$15,000)
- Arts Council (\$35,000) for operations and maintenance.
- Aggieland Humane Society (\$235,000)
- Brazos County Appraisal District (\$288,661)
- Brazos County Health Department (\$326,500)
- Research Valley Partnership (\$350,000).

Keep Brazos Beautiful requested a total of \$51,190 from the Sanitation Fund.

\$3,158,206 from the Hotel Tax Fund has been requested from various outside agencies:

- Veterans Memorial (\$25,000)
- Chamber of Commerce (\$25,000)
- Arts Council O&M (\$91,000)
- Arts Council Marketing/Public Support (\$43,500)
- Arts Council Affiliate Funding (\$348,400)
- Easterwood Advertising (\$102,690)
- CVB O&M (\$2,122,616) It was recommended that the CVB draw down their reserves as low as reasonably possible and use it for the build-out. Staff was requested to bring back a memo stating a realistic reserve rate.
- CVB Grant Funding (\$400,000)

Mayor Berry recessed the budget workshop at 4:48 p.m.

The budget workshop reconvened at 5:18 p.m.

Research Valley Partnership (\$350,000): Councilmember Benham recommended reducing the funding request by \$150,000 and moving those funds into the City's economic development efforts. There was no consensus to do so.

Mayor Berry recessed the budget workshop at 6:23 p.m.

The budget workshop reconvened at 6:32 p.m.

SPECIAL REVENUE FUNDS

Hotel Tax Fund FY 17

Projected HOT Revenues: \$5,391,000

Expenditures – City Operations: \$7,379,890

- Parks Programs and Events (includes HOT funded PARD SLAs)
- Sports Tournament Promotional Fund:
- Veterans Park Build Out Phase 1
- Southeast Park
- Other Capital Purchases (including wrapped vehicle)
- Preferred Access Payment
- Public Communications Staffing & Marketing
- Miscellaneous Programs and Events

HOT Funded Outside Agency Requests: \$3,158,206

Mr. Kersten gave a brief overview of the Court and Police special revenue funds: Court Technology Fee Fund, Court Security Fee Fund, Juvenile Case Manager Fee Fund, Truancy Prevention Fee Fund, Efficiency Time Payment Fee Fund, and Police Seizure Fund.

The Cemetery special revenue funds were reviewed, including the Memorial Cemetery Fund, Memorial Cemetery Endowment Fund, and Texas Avenue Cemetery Endowment Fund. The Memorial Cemetery Fund expenditures include a transfer for one-half of the debt service. The service level adjustments for the Memorial Cemetery Endowment Fund include the Jewish Faith section, equipment purchases, and wayfinding signage.

Other special revenue funds were reviewed: Wolf Pen Creek TIF Fund, West Medical District TIRZ No. 18 Fund, East Medical District TIRZ No. 19 Fund, Public Educational and Governmental (PEG) Channel Access Fund, and the R.E. Meyer Estate Restricted Gift Fund.

ENTERPRISE FUNDS

The Electric Fund has a budget of a little over \$104 million, and proposed a 1% decrease in residential and commercial rates. Service level adjustments in two electric line technicians, hydro excavation vacuum trailer, SCADA Cyber Vulnerability Assessment, dog bite safety training, and a Learning Thermostat Rebate program. Capital project funding from cash is \$16,600,000.

The Water Fund has a budget of a little over \$17 million and proposes no rate increase. Service level adjustments include an environmental technician and vehicle, expansion of W/WW specifications, Corrosion Control Program Phase II, equipment purchases, Chlorine Disinfection Booster system (from proceeds of sale of effluent), irrigation clock replacement (from proceeds of sale of effluent), and a fire flow test fee to offset the cost testing. Capital project funding from cash is \$1,850,000.

The Wastewater Fund has a budget of a little over \$20 million and proposes an 8% rate increase. Service level adjustments include an engineer in training position, expansion of W/WW specifications, equipment purchases, and additional security cameras at Carters Creek Wastewater Treatment Plant. Capital project funding from cash is \$7 million. Due to the amount of future capital expenditures, it is expected there will be additional rate increases in the next few years.

The Sanitation Fund has a budget of \$9.8 million and proposes no rate increase. There are no service level adjustments.

The Drainage Utility Fund: no rate change is proposed. Service level adjustments include a drainage equipment operator, a dump truck, and drainage maintenance repair funds.

The Northgate Parking Fund: no rate change is proposed. Service level adjustments include hand-held citation writers and ADA compliance upgrades.

INTERNAL SERVICE FUNDS

Self-Insurance Funds

- Employee Benefits Fund (includes a 10% increase in City contribution and funding for the City health clinic)
- Property and Casualty Fund
- Workers Compensation Fund
- Unemployment Compensation Fund

Equipment Replacement Fund

- Revenues are derived from contributions from departments based on useful life and anticipated replacement cost for such items as fleet, copiers, public safety equipment, etc.
- Expenditures: \$1,026,504 is budgeted for new fleet and equipment purchases.

Fleet Maintenance Fund

- Revenues: charges for service received from other City departments
- Expenditures are for operations and maintenance
- Service level adjustments are for environmental and safety compliance upgrades

It was suggested that we also establish a separate Building Maintenance Fund.

Utility Customer Service

- Revenues: charges to the Electric, Water, Wastewater, Sanitation, and Drainage utilities
- Expenditures: operations and maintenance. Meter reading was contracted out in FY16
- Service Level adjustments include contract labor of ERP implementation and one additional Billing Services Customer Service Representative.

5. Presentation, possible action and discussion on the 2016-2017 ad valorem tax rate; and calling two public hearings on a proposed ad valorem tax rate for FY 2016-17.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to hold two public hearings on the tax rate of 47.2500 cents per \$100 valuation on August 31 and September 8, both at 7:00 p.m. The motion carried unanimously.

6. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the budget workshop of the College Station City Council at 8:32 p.m. on Tuesday, August 16, 2016.

Nancy Berry, Mayor

ATTEST:

Sherry Mashburn, City Secretary



Legislation Details (With Text)

File #:	16-0386	Version:	2	Name:	Advanced Funding Agreement - TXDoT FM60 DDI
Type:	Agreement	Status:		Status:	Consent Agenda
File created:	6/24/2016	In control:		In control:	City Council Regular
On agenda:	8/25/2016	Final action:			
Title:	Presentation, possible action, and discussion regarding the approval of a Resolution allowing the Mayor to sign an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) in the amount of \$43,500 for the cost participation in the reconstruction of the FM 2818 and FM 60 interchange.				
Sponsors:	Troy Rother				
Indexes:					
Code sections:					
Attachments:	Ready Partial-Execute_0506-01-105_TxDoT-CoCS_AFA-VoITIP_2016-08-04 (002) with resolution				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the approval of a Resolution allowing the Mayor to sign an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) in the amount of \$43,500 for the cost participation in the reconstruction of the FM 2818 and FM 60 interchange.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Improving Mobility

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

Summary: The reconstruction of the FM 2818 and FM 60 interchange consists of pavement, traffic signals, lighting, pavement markings, and pedestrian and bicycle facility improvements. The interchange improvement will include construction of a Diverging Diamond Interchange (DDI). The City of College Station will be financially responsible for the powder coating of the traffic signal poles and mast arms as well as operational enhancements. The City's participation to this interchange is fixed at \$43,500.

Budget & Financial Summary: Funds are budgeted and available in the Streets Capital Improvement Projects Funds.

Legal Review: Yes.

Attachments:

1. Resolution
2. Advance Funding Agreement (includes project map)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING AN ADVANCED FUNDING AGREEMENT WITH THE STATE OF TEXAS ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (“TXDoT”) AUTHORIZING THE EXPENDITURE OF \$43,500.00 FOR CERTAIN PUBLIC ROADWAY IMPROVEMENTS INCLUDING AESTHETIC AND OPERATIONAL ENHANDCEMENTS TO CONSTRUCTION OF A DIVERGING DIAMOND INTERCHANGE AT FARM TO MARKET ROAD 60 (AKA UNIVERSITY BOULEVARD) AND FARM TO MARKET ROAD 2818 (AKA HARVEY MITCHELL PARKWAY); AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER.

WHEREAS, TXDoT has deemed it necessary to make certain highway improvements at the interchange of Farm to Market Road 60 (aka University Boulevard) and Farm to Market Road 2818 (Harvey Mitchell Parkway) including reconstructing said interchange consisting of pavement, traffic signals, lighting, pavement markings and pedestrian and bicycle facility improvements (the “Project”); and

WHEREAS, the City Council of the City of College Station, Texas, desires to participate in said Project by funding portions of the Project including traffic signals with aesthetic and operational enhancements; and which interchange improvements include construction of a Diverging Diamond Interchange with installation of traffic signals as part of the Project; and by entering into this Advance Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement on System Projects with No Required Match; 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 are hereby declared true and correct.
- PART 2: That the City Council hereby approves an agreement with TXDoT for the City to contribute an amount not to exceed \$43,500.00 for the costs associated with the City’s share of the Project as set forth in the Advance Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement on System Projects with No Required Match as set forth in Exhibit “A” attached hereto.
- PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this ___ day of _____, A.D. 2016.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

City Attorney

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT FOR VOLUNTARY
LOCAL GOVERNMENT CONTRIBUTIONS
TO TRANSPORTATION IMPROVEMENT
ON SYSTEM PROJECTS WITH NO REQUIRED MATCH**

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

WITNESSETH

WHEREAS, Transportation Code, Chapters 201, 221, and 361, authorize the State to lay out, construct, maintain, and operate a system of streets, roads, and highways that comprise the State Highway System; and,

WHEREAS, Government Code, Chapter 791, and Transportation Code, §201.209 and Chapter 221, authorize the State to contract with municipalities and political subdivisions; and,

WHEREAS, Texas Transportation Commission Minute Order Number 114491 authorizes the State to undertake and complete a highway improvement generally described as: reconstruct interchange, specifically FM 60 and FM 2818, consisting of pavement, traffic signals, lighting, pavement markings, and pedestrian and bicycle facility improvements; and,

WHEREAS, the Local Government has requested that the State allow the Local Government to participate in said improvement by funding that portion of the improvement described as: TxDOT Right-of-Way Easement will include traffic signals with aesthetic and operational enhancements. The interchange improvements include construction of a Diverging Diamond Interchange (DDI). The installation of traffic signals will be part of the interchange improvements, called the "Project"; and,

WHEREAS, the State has determined that such participation is in the best interest of the citizens of the State;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, the State and the Local Government do agree as follows:

AGREEMENT

1. Time Period Covered

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed, and the State and the Local Government will consider it to be in full force and effect until the Project described in this agreement has been completed and accepted by all parties or unless terminated, as provided for by this agreement.

2. Project Funding and Work Responsibilities

- A.** The State will authorize the performance of only those Project items of work which the Local Government has requested and has agreed to pay for as described in Attachment A, Payment Provision and Work Responsibilities which is attached to and made a part of this contract. In addition to identifying those items of work paid for by payments to the State, Attachment A, Payment Provision and Work Responsibilities, also specifies those Project items of work that are the responsibility of the Local Government and will be carried out and completed by the Local Government, at no cost to the State.
- B.** At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction costs.
- C.** In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.
- D.** Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. The funds may only be applied by the State to the Project. If after final Project accounting any excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.

3. Right of Access

If the Local Government is the owner of any part of the Project site, the Local Government shall permit the State or its authorized representative access to the site to perform any activities required to execute the work.

4. Adjustments Outside the Project Site

The Local Government will provide for all necessary right of way and utility adjustments needed for performance of the work on sites not owned or to be acquired by the State.

5. Responsibilities of the Parties

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

6. Document and Information Exchange

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the local government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

7. Interest

The State will not pay interest on funds provided by the Local Government. Funds provided by the Local Government will be deposited into, and retained in, the State Treasury.

8. Inspection and Conduct of Work

Unless otherwise specifically stated in Attachment A, Payment Provision and Work Responsibilities, to this contract, the State will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the Project is accomplished in accordance with the approved plans and specifications. All correspondence and instructions to the contractor performing the work will be the sole responsibility of the State. Unless otherwise specifically stated in Attachment A to this contract, all work will be performed in accordance with the Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges adopted by the State and incorporated in this agreement by reference, or special specifications approved by the State.

9. Increased Costs

If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased cost to the department for a highway improvement project, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

10. Maintenance

Upon completion of the Project, the State will assume responsibility for the maintenance of the completed Project unless otherwise specified in Attachment A to this agreement.

11. Termination

A. This agreement may be terminated in the following manner:

1. By mutual written agreement and consent of both parties;
2. By either party upon the failure of the other party to fulfill the obligations set forth in this agreement; or

- 3. By the State if it determines that the performance of the Project is not in the best interest of the State.
- B. If the agreement is terminated in accordance with the above provisions, the Local Government will be responsible for the payment of Project costs incurred by the State on behalf of the Local Government up to the time of termination.
- C. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due to the Local Government, the State, or the Federal Government will be promptly paid by the owing party.

12. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid or sent by electronic mail, (electronic notice being permitted to the extent permitted by law but only after a separate written consent of the parties), addressed to such party at the following addresses:

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

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

13. Sole Agreement

In the event the terms of the agreement are in conflict with the provisions of any other existing agreements between the Local Government and the State, the latest agreement shall take precedence over the other agreements in matters related to the Project.

14. Successors and Assigns

The State and the Local Government each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of such other party in respect to all covenants of this agreement.

15. Amendments

By mutual written consent of the parties, this agreement may be amended prior to its expiration.

16. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the contract or indirectly through a subcontract under the contract.

Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds.

An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

17. Insurance

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

18. Signatory Warranty

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

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

District Engineer

Date

**ATTACHMENT A
 PAYMENT PROVISION AND WORK RESPONSIBILITIES**

The Local Government has requested that the aesthetic and operational enhancements shown below be added to the State's proposed highway improvement project to reconstruct FM 60 (Raymond Stotzer Parkway) and FM 2818 (Harvey Mitchell Parkway) to a Diverging Diamond Interchange (DDI). The Local Government has requested that the traffic signal poles and mast arms receive a powder coating, which is beyond the standard finish provided by the State for these elements. The Local Government's participation to this Project is fixed at \$43,500.00; includes the State's direct cost for construction and State's direct cost for construction engineering and contingencies; and is as follows:

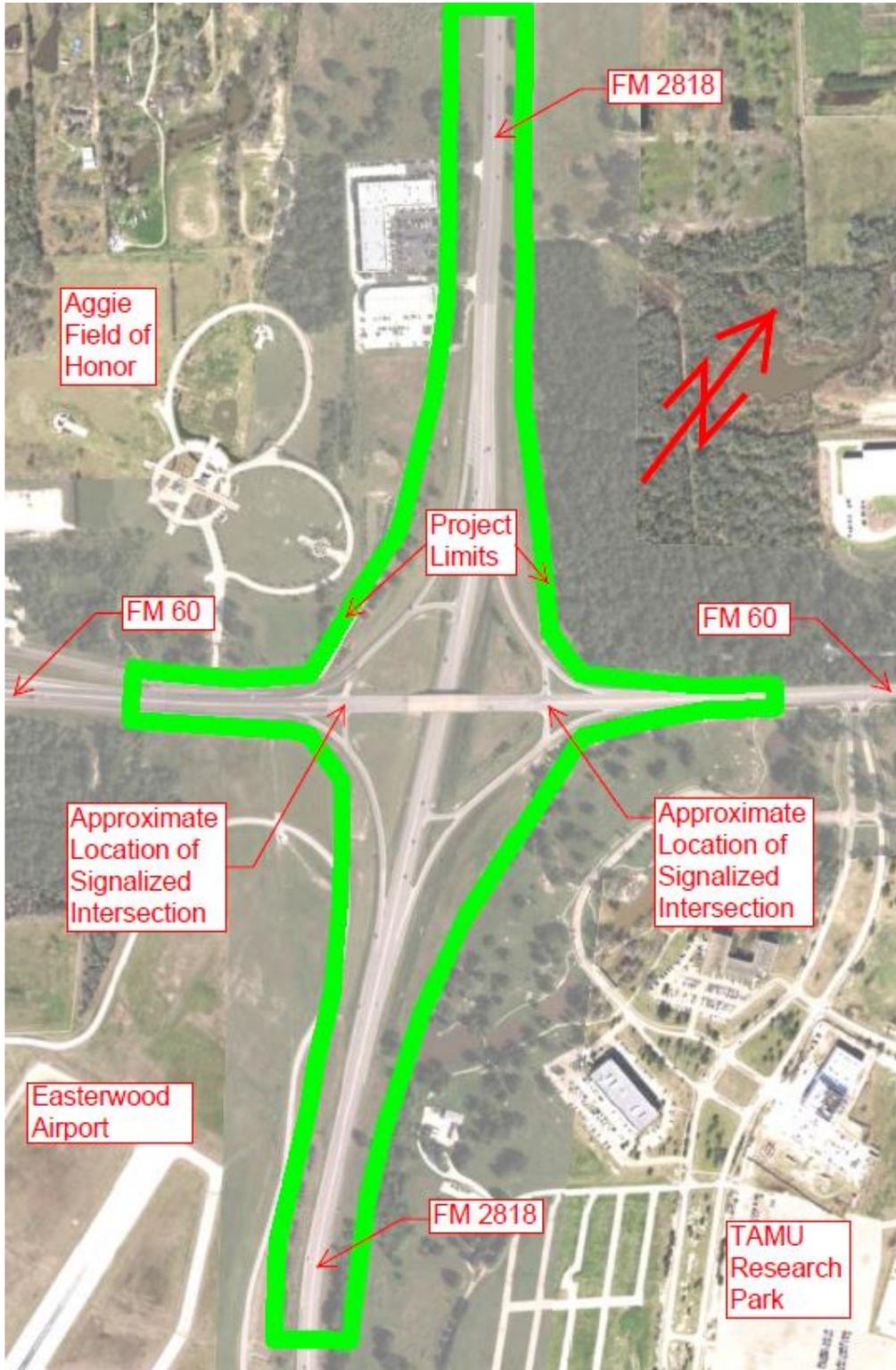
Item Number	Description	Quantity	Unit Price	Local Participation	
				Cost	(%)
1	Additional Cost for Powder Coating (Signal Poles / Mast Arms, Strain Poles) and Priority Control System (Preemption)	8	\$3,000	100%	\$24,000.00
2	Additional Cost for Ethernet Switch	1	\$1,800	100%	\$1,800.00
3	Additional Cost for CCTV Camera Unit (Pan, Tilt & Zoom Capability)	1	\$12,000	100%	\$12,000.00
4	Additional Cost for Powder Coating (7' Pedestrian Pole Assemblies and 9' Pedestrian Push Button Poles)	16	\$0	100%	\$0.00
	Subtotal of Requested Improvements			100%	\$37,800.00
	Direct State Construction Cost - (by State) (Items 1-4)	N/A	N/A	100%	\$37,800.00
	Direct State Costs - Construction Engineering and Contingencies (15%)	N/A	N/A	100%	\$5,700.00
	Indirect State Costs (6.38%)	N/A	N/A	N/A	N/A
	TOTAL				\$43,500.00

Total payment by the Local Government to the State: \$43,500.00 is due upon execution of this Agreement.

MAINTENANCE

Upon completion of the Project, the Local Government shall be responsible for electricity and maintenance costs of all traffic signals within the project limits. The State will assume responsibility for the maintenance of the other items within the completed Project in accordance with the Municipal Maintenance Agreement in effect at the time the maintenance is required.

ATTACHMENT A LOCATION MAP OF PROPOSED WORK





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:** Consent Agenda

File created: 7/14/2016 **In control:** City Council Regular

On agenda: 8/25/2016 **Final action:**

Title: Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 3:00 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
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Presentation, possible action, and discussion regarding approval of a Resolution setting a public hearing date of September 22, 2016 at 3:00 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 3:00 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 the City Council herein ratifies, authorizes and directs all actions of City staff to notice said public hearing including all reasonable measures to give effect to this Resolution such as preparing notice in accordance with § 395.049 Texas Government Code.

ADOPTED this 25th day of August, A.D. 2016.

ATTEST:

APPROVED:

City Secretary

MAYOR

APPROVED:

City Attorney



Legislation Details (With Text)

File #:	16-0452	Version:	1	Name:	Larry J. Ringer Library Interlocal Agreement Renewal with City of Bryan
Type:	Renewal	Status:			Consent Agenda
File created:	7/19/2016	In control:			City Council Regular
On agenda:	8/25/2016	Final action:			
Title:	Presentation, possible action, and discussion regarding the renewal of the Interlocal Agreement with the City of Bryan for Management of the Larry J. Ringer Library.				
Sponsors:	David Schmitz				
Indexes:					
Code sections:					
Attachments:	Library ILA FINAL				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the renewal of the Interlocal Agreement with the City of Bryan for Management of the Larry J. Ringer Library.

Relationship to Strategic Goal: Neighborhood Integrity; Diverse Growing Economy

Recommendation(s): Staff recommends approval.

Summary: The Interlocal Agreement with the City of Bryan for management of the Larry J. Ringer Library expires October 1, 2016. The renewal Interlocal Agreement will extend that service for another year, with one additional year (auto renewal) for a total of two years. During this time period, the Larry J. Ringer Library will undergo expansion as one of the 2008 Bond projects. The Interlocal Agreement will be revisited once the project is complete.

Changes were made to the Interlocal Agreement pertaining to the recent Library Audit.

- 1.04 BRYAN shall be responsible for routine janitorial service of the interior of the Larry J. Ringer Library building and any other buildings over which it has control. ~~The City of College Station shall, however, re-evaluate the cost/benefit of full-time custodial staff at the COLLEGE STATION library.~~
- 2.04 ~~The library System Director will review and consider implementation of the College Station 2014 Library Audit Report and findings and will work with College Station over the extended term of the agreement for possible implementation of the findings. Any savings in personnel costs would be recaptured, so as to supplement the Ringer Library materials budget.~~
- 9.01 Within twenty (20) **calendar** days of the end of the previous month, BRYAN shall send to the COLLEGE STATION City Manager or his representative a monthly expense budget report and account activity report.

Budget & Financial Summary: N/A
Legal Review: Yes

Attachments:

1. Interlocal Agreement (clean version)

INTERGOVERNMENTAL CONTRACT
BETWEEN BRYAN AND COLLEGE STATION

This agreement is entered into by and between the City of College Station (hereinafter referred to as "COLLEGE STATION") and the City of Bryan (hereinafter referred to as "BRYAN") and shall be effective on the 1st day of October 2016.

RECITALS

WHEREAS, BRYAN and COLLEGE STATION are home rule municipalities as defined by the Texas Local Government Code; and

WHEREAS, home rule cities are authorized to enter into agreements with one another for the performance of any governmental service, activity or undertaking; and

WHEREAS, by voter approval of a referendum on the 25th day of March, 1995, COLLEGE STATION expanded library services and constructed its own library facility, hereinafter referred to as the Larry J. Ringer Library, within its city limits; and

WHEREAS, BRYAN has operated a community library since 1903 and has received accreditation by the Texas State Library; and

WHEREAS BRYAN has the expertise to manage a library system that is accredited by the Texas State Library; and

WHEREAS, BRYAN and COLLEGE STATION previously partnered together by mutual agreement for a combined Library System which has included libraries located in both municipalities; and

WHEREAS, BRYAN and COLLEGE STATION desire to continue such a shared program, as being in the best interests of providing a cost effective service to their shared communities.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained herein, the entities agree as follows:

ARTICLE I. PREMISES

- 1.01 COLLEGE STATION shall lease, own or otherwise provide premises to BRYAN suitable for use as a library. Currently these premises are located at 1818 Harvey Mitchell Pkwy. S., College Station, TX 77845 and shall sometimes herein be referred to as the Premises or the Larry J. Ringer Library. The Premises shall, at a minimum, include 15,000 square feet of heated/air conditioned floor space. Said Premises shall be located within the city limits of COLLEGE STATION as provided by the terms of this Agreement.
- 1.02 In the event that COLLEGE STATION requires the relocation or expansion of the Premises, COLLEGE STATION shall pay the cost of same.
- 1.03 Except as may be expressly set forth herein, COLLEGE STATION shall be responsible for maintenance, repairs, and expansion of the grounds and the structures on the Premises.

- 1.04 BRYAN shall be responsible for the routine janitorial service of the interior of the Larry J. Ringer Library building and any other buildings over which it has control.
- 1.05 BRYAN shall promptly notify COLLEGE STATION in the event any grounds or structural defect or flaw is discovered on the premises.

ARTICLE II. MANAGEMENT AND STAFFING

- 2.01 BRYAN shall be responsible for providing College Station Library Services. COLLEGE STATION shall pay for these services as set forth in this Agreement, including Exhibits "A" and "B" which are attached hereto and incorporated by reference herein.
- 2.02 A Library System Director shall be engaged by BRYAN whose responsibilities include overseeing the provision of College Station Library Services. All employees, contractors, agents, and volunteers engaged in providing College Station Library Services on the Premises or elsewhere shall be considered those of BRYAN, and such people shall provide services under the supervision and direction of the Library System Director.
- 2.03 Upon termination of this Agreement, BRYAN's employees in good standing located at the Larry J. Ringer Library may elect to apply for employment with BRYAN, if positions are available. In any event, the said employees may apply for employment as library employees with COLLEGE STATION. Upon transfer of employment to COLLEGE STATION, COLLEGE STATION shall provide to its library employees the same benefits as provided to other COLLEGE STATION employees. COLLEGE STATION shall waive any waiting period for any and all benefits, unless otherwise required by law.

ARTICLE III. BOOKS AND OTHER MATERIALS

- 3.01 BRYAN shall be responsible for the purchase of materials for the Larry J. Ringer Library after conferring with the COLLEGE STATION City Manager or his designee. The COLLEGE STATION Parks Director shall review and approve the Library System Director's recommended selection of Larry J. Ringer library materials. The Library System Director may be given access to one or more College Station library funds as COLLEGE STATION may authorize to enable BRYAN to carry out its obligations hereunder.
- 3.02 All books and other materials related to providing College Station Library Services, including but not restricted to DVDs, audio books and periodicals and any other physical and electronic assets purchased with the Larry J. Ringer Library budgeted funds shall belong to and remain the property of COLLEGE STATION. BRYAN shall account for all materials that are the property of COLLEGE STATION. For purposes of this Agreement, "materials" means books and other materials recited above as well as any and all online subscriptions and electronically available data bases, the Internet, intranet and similar services made available to patrons of the Larry J. Ringer Library.
- 3.03 BRYAN shall exercise the same degree of care in the keeping, preservation, and maintenance of materials and other physical assets on the Premises as it exercises in the keeping, maintenance, and preservation of its own public library property.

- 3.04 BRYAN shall ensure that The Larry J. Ringer Library will maintain a materials collection that is typical for a library of its size serving a family and college-oriented community like COLLEGE STATION for use by the general public.

ARTICLE IV. PROGRAMS AND OTHER SERVICES

- 4.01 BRYAN agrees to provide College Station Library Services as set forth in this Agreement. This includes providing, managing and paying personnel necessary to operate the Larry J. Ringer Library; maintaining regular hours of business; purchasing materials and electronic subscriptions or rights of access to various data bases for the library, managing the borrowing or accessing of materials; tracking when materials are accessed, checked out, returned, paid for, fines paid and revenue received; operational budgeting; paying invoices associated with library activity; maintaining software related to the provision of library functions; and any and all other library services typical to the overall functioning of the Premises as a public library unless expressly provided for otherwise pursuant to the terms of this Agreement. The term College Station Library Services shall also include a portion of the salaries and benefits for the Library System Director as well as a pro rata share of indirect costs as set forth in Exhibit "B" attached hereto and incorporated herein by reference.
- 4.02 BRYAN operates one or more libraries outside of the city limits of COLLEGE STATION. Collectively the libraries operated by BRYAN on the Premises and elsewhere throughout the community at large shall be referred to as the Bryan + College Station Library System (the "System"). This includes operation of the Twin City Inter-Library Loan Program under the direction of Library System Director. The Twin City Inter-Library Loan Program is the van delivery service that transfers library materials between the Larry J. Ringer Library and other libraries within the System. This loan program is included in the College Station Library Services to be provided by BRYAN to the Premises and the program costs are shared equally (50/50) among the parties. Program costs shall include vehicle replacement, maintenance, fuel, and staff time and will be reconciled at the end of each fiscal year, as provided in paragraph 7.02 and Exhibit A. All City of Bryan employees who drive vehicles for the Twin City Inter-Library Loan Program shall be in compliance with the City of Bryan's driver safety program as outlined in the City of Bryan Employee Handbook.
- 4.03 College Station Library Services to be performed by BRYAN include the housing, operation, upgrade and maintenance of the main computer system used by the Bryan + College Station Library System to check in and out items, track book collections, and other collections, etc. BRYAN will perform system back-ups, generate overdue notices and other reports as necessary. Significant upgrades and replacement of the main computer system and any other shared information technology may occur only with mutual agreement of both Cities.
- 4.04 Except as provided above, COLLEGE STATION shall maintain all hardware and software for the work stations that are in use at the Larry J. Ringer Library; and, notwithstanding any provision in this Agreement to the contrary, those workstations and the hardware and software related thereto remain the property of COLLEGE STATION.

- 4.05 BRYAN and COLLEGE STATION agree to maintain a secure network tunnel related to the Premises use as a public library and provision of College Station Library Services between the two entities for the purpose of maintaining interoperability and carrying out the obligations of each party as set forth in this Agreement.

ARTICLE V. HOURS OF OPERATION

- 5.01 The Bryan + College Station Public Library System shall maintain operating hours as the parties shall mutually agree upon on an annual basis, subject to annual budget appropriations.

ARTICLE VI. INSURANCE AND LIABILITY

- 6.01 COLLEGE STATION shall maintain insurance on the Premises for the Larry J. Ringer Library, including the structures, as well as insurance for personal injury or property damage as it requires for other municipal property. COLLEGE STATION will maintain liability insurance on all vehicles owned by it used to fulfill its obligations hereunder, including property damage and bodily injury.
- 6.02 BRYAN shall maintain workers compensation coverage for its employees on the Premises and shall carry such other liability insurance coverage for its employees, contractors, volunteers and agents engaged in providing services pursuant to this Agreement as it would for its other libraries within the System.
- 6.03 Hold Harmless. The parties agree to hold each other harmless from and against any and all claims, losses, damages, causes of action, suits and liabilities of every kind, including all expenses of litigation, court costs and attorney's fees, for injury or death of any person, for damage to any property, or for any breach of contract, arising out of or in connection with the terms of this Agreement, as permitted by law.
- 6.04 The insurance benefits provided by BRYAN to the employees retained under the terms of this Agreement shall be the same as provided to all other BRYAN employees.
- 6.05 BRYAN shall, to the extent permitted by law, indemnify, and hold COLLEGE STATION harmless from any liability incurred from the hiring, employment or termination of any employee under this Agreement, and its use of any contractor, agent or volunteer in providing College Station Library Services.

ARTICLE VII. FINANCIAL

- 7.01 COLLEGE STATION and BRYAN agree to abide by and share in the development and implementation of a budget for the Premises as set forth herein. The budget shall include at a minimum the cost of College Station Library Services to be performed by BRYAN, the cost of janitorial services, the cost of maintaining and purchasing library materials, building and premises maintenance and operation, and any and all other miscellaneous costs as may be required or desired by COLLEGE STATION related to the upkeep and

improvement of the Premises. Said costs shall collectively be referred to as the College Station Library Costs. COLLEGE STATION is responsible for paying the College Station Library Costs as set forth herein.

- 7.02 By May 31st of each year, BRYAN shall submit to COLLEGE STATION its projected costs in providing College Station Library Services and janitorial services. The projected costs in providing such services shall be provided by BRYAN to COLLEGE STATION in such reasonable detail as COLLEGE STATION may require. COLLEGE STATION shall prepare a complete budget for the College Station Library Costs which shall include the projected costs of College Station Library Services and janitorial services to be provided by BRYAN. Such budget shall be a part of the COLLEGE STATION general budget and shall include all costs necessary to operate the Premises in a professional manner, including those expenditures associated with operating the library.
- 7.03 Both parties agree that the proposed budget for College Station Library Services shall be duly approved by the governing body for each. Both parties will advise the other as to the approved annual budget as promptly as possible. It is understood by the parties that the approval of the budget is a legislative function.
- 7.04 Total Bryan + College Station Library System revenues will be allocated to each City respectively based upon the ratio of the present number of each City's materials to the total number of materials in the Bryan + College Station Library System. Restricted gift revenue, endowments and other financial resources not generated as revenue from the provision of library services will be excluded from this calculation. At the end of each budget cycle actual expenditures shall be offset by credits pursuant to the formula as set forth in Exhibit "A."
- 7.05 At the time the proposed costs for College Station Library Services and janitorial services is submitted by BRYAN as described in this article, the BRYAN City Manager or his representative shall include a cover letter indicating what amounts, if any, remain unspent or unencumbered or how much is still owed for which there is an insufficient budgeted amount from the College Station Library Services and janitorial services line items that were adopted as part of the budget for the College Station Library Costs for the most recently closed fiscal year. Said funds shall be applied as an adjustment to or against the next fiscal year's College Station Library Services, as the case may be.
- 7.06 In the event this Agreement is terminated, all unspent or unencumbered funds and all remaining revenue allocations shall be promptly remitted to COLLEGE STATION.
- 7.07 The computation of the actual amount to be paid by COLLEGE STATION to BRYAN each fiscal year shall be as described in "Exhibit A".
- 7.08 No budgetary transfer of funds involving capital accounts shall be made without the approval of the COLLEGE STATION City Manager or his representative.

ARTICLE VIII. MANNER OF PAYMENT

- 8.01 COLLEGE STATION agrees to pay BRYAN as set forth herein. COLLEGE STATION shall pay BRYAN the amount it owes for the current fiscal year pursuant to the terms of this Bryan + College Station Public Library System

Agreement, including Exhibits "A" and "B" for services to be performed by BRYAN in twelve (12) equal monthly installments due on the first day of each month.

- 8.02 In addition to the consideration paid herein, COLLEGE STATION shall make available to BRYAN a monetary amount to be determined annually by COLLEGE STATION through the budget appropriation process in consultation with the Library System Director, to be used by BRYAN for the purchase of Larry J. Ringer Library materials.

ARTICLE IX. REPORTING AND ACCOUNTING

- 9.01 Within twenty (20) days of the end of the previous month, BRYAN shall send to the COLLEGE STATION City Manager or his representative a monthly expense budget report and account activity report.
- 9.02 BRYAN shall promptly submit all invoices relating to expenditures from any COLLEGE STATION purchase orders provided by COLLEGE STATION to BRYAN for the purchase of library materials.
- 9.03 Promptly after the close of the BRYAN fiscal year, BRYAN shall furnish to COLLEGE STATION, in such reasonable detail as COLLEGE STATION may require, an accounting of the expenditures made and revenues generated hereunder as well as any credits remaining.
- 9.04 The COLLEGE STATION City Manager or his representative shall conduct an annual review of the Larry J. Ringer Library with the Library System Director in February of each year this Agreement is in effect. The annual review shall include, but is not limited to, library performance measures, library goals, library operation changes, and renewal of this Agreement. Performance measures will be reported quarterly to the COLLEGE STATION City Manager or his representative.

ARTICLE X. ADVISORY BOARD

- 10.01 A Bryan + College Station Library System Advisory Board was established January 1, 1998. The Advisory Board is comprised of eight (8) members serving two year terms with each respective City appointing four (4) members. To provide for continuity within the Advisory Board, the term of two (2) Board members appointed by each City shall expire annually.
- 10.02 The duties of the Bryan + College Station Library System Advisory Board will be to encourage the development of the Bryan + College Station Library System; recommend to the City Councils of the parties policies and programs for the advancement of the Bryan + College Station Library System; cooperate with all other public and private groups in advancing the best interest of the Bryan + College Station Library System; and render to the City Councils all recommendations it considers advisable regarding the Bryan + College Station Library System.
- 10.03 Any questions regarding permissible COLLEGE STATION facility or property use by third parties which is unrelated to library usage will be directed to the COLLEGE STATION Legal Department.

ARTICLE XI. TERM

- 11.01 The term of this Amended Agreement shall be for one year, shall automatically renew annually for up to one additional year term, and shall be effective from October 1st of each year until September 30th of the following year (annual fiscal year). The Amended Agreement will expire October 1, 2018 unless otherwise renewed. The obligations of the parties to this Agreement are subject to the annual budget appropriation for each City.
- 11.02 Either party may terminate this Agreement by written notice sent not less than six (6) months prior to the annual expiration date.
- 11.03 This Agreement is the entire Agreement of the parties and may be changed or amended only by written agreement of both parties.
- 11.04 In the event of termination of this Agreement, COLLEGE STATION and BRYAN shall return to the other entity any of the other's personalty, and BRYAN shall reimburse COLLEGE STATION its pro rata share of any prepaid subscriptions or services. Notwithstanding the foregoing, all library materials purchased for the Premises pursuant to this Agreement shall be the property of COLLEGE STATION.

(The remainder of this page intentionally left blank.)

CITY OF COLLEGE STATION

BY: _____
Mayor

Date

ATTEST:

City Secretary

Date

APPROVED:

City Manager

Date

City Attorney

Date

Chief Financial Officer

Date

CITY OF BRYAN

BY: _____
Mayor

Date

ATTEST:

City Secretary

Date

APPROVED AS TO FORM:

City Attorney

Date

Exhibit A

Payment Formula: $P = CB + I + BV - R - IL$

P = Total amount COLLEGE STATION will pay BRYAN in upcoming fiscal year.

CB = Current fiscal year COLLEGE STATION Library Services and janitorial services for Larry J. Ringer Library to be provided for by BRYAN.

I = Estimated BRYAN Indirect Costs for Larry J. Ringer Library in upcoming fiscal year as calculated per Exhibit "B".

BV = Prior fiscal year COLLEGE STATION Library Services variance for Larry J. Ringer Library.

R = Prior year Larry J. Ringer Library revenue.

IL = Payment due from BRYAN to COLLEGE STATION for 50% of costs associated with the O&M costs for Twin City Inter-Library Loan Program.

EXHIBIT B
INDIRECT COSTS

1. Executive Services
2. Communications & Marketing
3. Internal Audit
4. Finance
5. Budget
6. Purchasing
7. Information Technology
8. Human Resources

*COLLEGE STATION's share of the above indirect costs are based on a study conducted regularly from an independent firm.



Legislation Details (With Text)

File #:	16-0456	Version:	1	Name:	Distribution Circuit Breakers and Relays for Greens Prairie Substation
Type:	Bid Award	Status:		Status:	Consent Agenda
File created:	7/20/2016	In control:		In control:	City Council Regular
On agenda:	8/25/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding the award of Bid #16-091 to Wesco Distribution in the amount of \$114,500 and \$10,020.75 to CAPP, USA for \$10,020.75 for the purchase of Distribution Circuit Breakers and Relays.				
Sponsors:	Timothy Crabb				
Indexes:					
Code sections:					
Attachments:	Tabulation				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the award of Bid #16-091 to Wesco Distribution in the amount of \$114,500 and \$10,020.75 to CAPP, USA for \$10,020.75 for the purchase of Distribution Circuit Breakers and Relays.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s):

Staff recommends the approval of award for this bid to the lowest qualified bidders, Wesco Distribution, \$114,500 and CAPP USA \$10,020.75.

Summary:

Bids were put out for long delivery material needed for the upgrade of Greens Prairie Substation. The Greens Prairie 138 kV Ring Bus Additions will improve reliability to substation transformers by putting each substation transformer in a loop feed configuration and in its own protection zone. The equipment in this bid provides the distribution protection upgrades needed for the protection and communication schemes being utilized to optimize reliability.

On July 22nd, 2016, three (3) sealed bids were received and opened in response to Invitation to Bid #16-091 for the purchase of distribution circuit breakers and relays for Greens Prairie Substation. These bids were evaluated and ranked. The lowest qualified bidders were Wesco Distribution (ITEM A1) in the amount of \$114,500 and CAPP, USA (ITEM B1) in the amount of \$10,020.75.

Budget & Financial Summary:

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

Attachments:

Bid Tab 16-091



City of College Station - Purchasing Division
Bid Tabulation for #16-091
"Purchase of Distribution Relays
for the Greens Prairie Substation"
Open Date: Friday, July 22 @ 2:00 p.m.

			Anixter Inc.	Wesco Distribution	CAPP USA
Item	Qty	Description			
A1	5	Distribution Circuit Breaker: 1200AMP			
		Manufacturer	ABB	ABB	SEL
		Catalog No.	MB11130CCMH5KMZ402	MB11130CCMH5KMZ402	035156X363CS4X1
		Delivery Time (weeks)		20 wks with drawings, 15 wks without drawings	4-6 wks
		Unit Price	No Bid	\$22,900.00	\$3,340.25
		Total Cost		\$114,500.00	\$16,701.25
B1	3	SEL 351S Relay			
		Manufacturer	SEL	SEL	SEL
		Catalog No.	0351S6X363C54X1	0351S6X363C54X1	0351S6X363C54X1
		Delivery Time (weeks)	6 weeks	6-7 weeks	4-6 wks
		Unit Price	\$3,392.00	\$3,526.00	\$3,340.25
		Total Cost	\$10,176.00	\$10,578.00	\$10,020.75
		Total Recommended Award		\$114,500.00	\$10,020.75
		Bid Certification			
		Notes/Exceptions			Non Cancelable/ Non Returnable Item A1 was manually changed to the item in B1 on the bid form. The bid for item A1 is not acceptable.



Legislation Details (With Text)

File #: 16-0482 **Version:** 1 **Name:** Contract 14-239 Change Order
Type: Change Order **Status:** Consent Agenda
File created: 8/1/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding a change order to Contract 14-239 with BerryDunn increasing the amount by \$107,475 for additional project management services and expenses.
Sponsors: Ben Roper
Indexes:
Code sections:
Attachments: [College Station BerryDunn Change Order Contract # 14-239](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a change order to Contract 14-239 with BerryDunn increasing the amount by \$107,475 for additional project management services and expenses.

Relationship to Strategic Goals:

- Financially Sustainable City
- Core Services and Infrastructure

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

Summary:

On June 12, 2014, the City approved contract 14-239 with BerryDunn to provide Project Management Oversight for the ICE Project. The contract was for the amount of \$ 645,638.00, including \$584,582 for Project Management services and \$61,056 in estimated travel and expenses.

Project management services started in August 2014 for overall ICE Project Management provided by Susan Johnson for Munis Financials, Sungard (formerly CRW) Planning and Permitting, and Work Management. Marcey McHatten is also providing HR/Payroll PM services using this contract.

As of July 31, 2016, for services provided through June 30, 2016, the remaining fund balance for PM Services is \$72,623, and \$9,180.73 for travel and expenses.

Planned PM hours for the HR/Payroll implementation total 1158. Hours used from March - May 2016 total 184.5, leaving 973.5 hours remaining as estimated for the Phase implementation. This change order adds funds to cover the estimated hours and expenses associated with the HR/Payroll implementation.

Budget & Financial Summary: Funding for this project is included in the Facilities and Technology Capital Projects Fund as part of the ERP Replacement Project, CO 1204.

Attachments: Change Order #1 to Contract 14-239

CHANGE ORDER NO. 1 DATE: 08/01/2016 Contract No. 14-239
P.O.# 140870 PROJECT: CO 1204

OWNER: CONTRACTOR: BarryDunn
City of College Station P.h.: (207) 541-2294
P.O. Box 9960 Fax:
College Station, Texas 77842

PURPOSE OF THIS CHANGE ORDER:
A. Add Project Management Hours and Expenses for HR/Payroll ERP Implementation.
B.
C.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	EA	PM hours	\$175.00	3264	3721	\$79,975.00
2	EA	Estimated monthly expenses	\$2,500.00	0	11	\$27,500.00
3						
					TOTAL	\$107,475.00

THE NET AFFECT OF THIS CHANGE ORDER IS 16.6 % INCREASE.

LINE 3 (41379971 - 6520)						
LINE 4 (41379971 - 6524)			\$79,975.00			
			\$27,500.00			
TOTAL CHANGE ORDER			107,475.00			
ORIGINAL CONTRACT AMOUNT			\$645,638.00			
CHANGE ORDER NO. 1			\$107,475.00	16.646325%	% CHANGE	
CHANGE ORDER NO. 2				0	% CHANGE	
REVISED CONTRACT AMOUNT			\$753,113.00	16.646325%	% TOTAL CHANGE	
ORIGINAL CONTRACT TIME				Days		
Time Extension No. 1				Days		
Revised Contract Time			N/A	Days		
SUBSTANTIAL COMPLETION DATE						
REVISED SUBSTANTIAL COMPLETION DATE						

APPROVED

	<u>8/1/2016</u>		
CONTRACTOR	Date	DEPARTMENT DIRECTOR	Date
<u>N/A</u>			
CONSTRUCTION CONTRACTOR	Date	ASST CITY MGR - CFO	Date
PROJECT MANAGER	Date	CITY ATTORNEY	Date
CITY ENGINEER	Date	CITY MANAGER	Date



Legislation Details (With Text)

File #: 16-0483 **Version:** 1 **Name:** Blowers Carters Creek
Type: Contract **Status:** Consent Agenda
File created: 8/3/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion on professional services contract #16300530 with Stantec Consulting Services, Inc. in the amount of \$67,410 for the final design and construction phase services for the Carters Creek Wastewater Treatment Plant Blower Replacement Project.
Sponsors: David Coleman
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on professional services contract #16300530 with Stantec Consulting Services, Inc. in the amount of \$67,410 for the final design and construction phase services for the Carters Creek Wastewater Treatment Plant Blower Replacement Project.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation: Staff recommends approval

Summary: The wastewater treatment process requires a large volume of air injected into the aeration basins for proper and efficient biological treatment of the wastewater. Appropriate amounts of air also aid in minimizing odors. The current aeration blowers for Carters Creek plants 4 and 5 have exceeded their service life and must be replaced to ensure the plant stays within the discharge permit regulatory limits. The scope of this contract includes mapping, final design, bid phase services, and construction phase services. This project will replace the current centrifugal blowers with more efficient turbo blowers.

Stantec Consulting Services, Inc. recently purchased Bury & Partners, Inc. who was selected as most qualified for this project, as a continuation. Staff recommends approval of professional services contract #16300530 with Stantec.

Budget & Financial Summary: Funds are currently budgeted for this project in the Wastewater Capital Improvement Projects Fund.

Reviewed and Approved by Legal: Yes

Attachments:

Contract - On file in the City Secretary's Office



Legislation Details (With Text)

File #: 16-0488 **Version:** 1 **Name:** Sodium Hypochlorite Purchase
Type: Contract **Status:** Consent Agenda
File created: 8/5/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding approval of contract number 15300494 in the maximum amount of \$59,400 to purchase up to 90,000 gallons of sodium hypochlorite solution to be used in the disinfection of the public drinking water supply.
Sponsors: David Coleman
Indexes:
Code sections:
Attachments: [16-093 Hypochlorite Bid Tab](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval of contract number 15300494 in the maximum amount of \$59,400 to purchase up to 90,000 gallons of sodium hypochlorite solution to be used in the disinfection of the public drinking water supply.

Relationship to Strategic Goals: Core services and infrastructure

Recommendation: Staff recommends approval of this contract.

Summary: TCEQ regulations require public water supplies to contain certain levels of chlorine. Part of the required chlorine dose for the public drinking water system is added at Sandy Point Pump station in the form of sodium hypochlorite (bleach) solution. (Please note this bleach solution is stronger than household bleach and requires special handling and a technically qualified supplier.)

The projected needs should not exceed 90,000 gallons per year, and bids for up to this amount were solicited under IFB 16-093. Four bids were received with DXI Industries of Houston being the low responsive, responsible bidder at a price of \$59,400.

DXI has provided water treatment chemicals for the City many times in the past and has provided good service, therefore staff recommends awarding this bid to DXI.

Budget & Financial Summary: Funds are available in the Water Operations Budget.

Reviewed and Approved by Legal: Yes

Attachments:
 Bid Tab
 Contract (on file in City Secretary's office)



City of College Station - Purchasing Division
Bid Tabulation for #16-093
"Annual Price Agreement for Sodium Hypochlorite"
Open Date: Wednesday, August 3, 2016 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	DXI Industries, Inc. Houston, TX		Petra Chemical Company Dallas, TX		Brenntag Southwest, Inc. Houston, TX		FSTI, Inc. Austin, TX	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID											
1	90,000	Gallon	12.5% Sodium Hypochlorite	\$0.66	\$59,400.00	\$0.74	\$66,600.00	\$0.68	\$61,110.00	\$0.72	\$64,620.00
BASE BID- TOTAL				\$59,400.00		\$66,600.00		\$61,110.00		\$64,620.00	
Bid Certification				X		X		X		X	
Bid Bond				N/A		N/A		N/A		N/A	
Addendum Acknowledged				N/A		N/A		N/A		N/A	

NOTES: Bidder: Univar USA Inc. submitted a No Bid



Legislation Details (With Text)

File #: 16-0505 **Version:** 1 **Name:** Amending Vote Centers
Type: Ordinance **Status:** Consent Agenda
File created: 8/10/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**

Title: Presentation, possible action, and discussion regarding an ordinance amending Section 3 of Ordinance No. 2016-3788 ordering 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 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 and polling places for this election; and making provisions for conducting the election. Presentación, posible acción, y discusión con respecto a una ordenanza de enmienda a la Sección 3 de la Ordenanza Número 2016-3788 pidiendo elecciones Generales y Especiales a celebrarse el 8 de noviembre de 2016, con el propósito de elegir a un Alcalde y a un Miembro del Consejo de la Ciudad para el Puesto Número 2, y para ocupar la posición vacante vigente aún por dos años de la duración del cargo del Miembro del Consejo Puesto Número 4, y para ocupar la posición vacante vigente aún por un año de la duración del cargo del Miembro del Consejo Puesto Número 3, por los votantes calificados de la ciudad de College Station; estableciendo lugares y centros de votaciones tempranas para estas elecciones; y proporcionando lo necesario para llevar a cabo las elecciones.

Sponsors: Sherry Mashburn

Indexes:

Code sections:

Attachments: [AMENDED Nov 2016 Election Order](#)
[AMENDED Nov 2016 Election Order-Spanish](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an ordinance amending Section 3 of Ordinance No. 2016-3788 ordering 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 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 and polling places for this election; and making provisions for conducting the election. Presentación, posible acción, y discusión con respecto a una ordenanza de enmienda a la Sección 3 de la Ordenanza Número 2016-3788 pidiendo elecciones Generales y Especiales a celebrarse el 8 de noviembre de 2016, con el propósito de elegir a un Alcalde y a un Miembro del Consejo de la Ciudad para el Puesto Número 2, y para ocupar la posición vacante vigente aún por dos años de la duración del cargo del Miembro del Consejo Puesto Número 4, y para ocupar la posición vacante vigente aún por un año de la duración del cargo del Miembro del Consejo Puesto Número 3, por los votantes calificados de la ciudad de College Station; estableciendo lugares y centros de votaciones tempranas para estas elecciones; y proporcionando lo necesario para llevar a cabo las elecciones.

Relationship to Strategic Goals:

- Good Governance (Buena Gobernanza)

Recommendation(s): Approval (Aprobación)

Summary: The Brazos County Elections Administrator conducted site visits of the Vote Centers and discovered that the Momentum location had poor connectivity. Momentum has been replaced as a Vote Center by the Bryan Ballroom. El Administrador de las Elecciones del Condado de Brazos realizó visitas a los Centros de Votaciones y descubrió que el sitio Momentum tenía poca capacidad de conexión. El sitio Momentum ha sido reemplazado como Centro de Votaciones por el Salón de Baile de Bryan.

Budget & Financial Summary: None (Ninguno)

Attachments:

Ordinance amending Ordinance 2016-3788
Ordenanza de enmienda a la Ordenanza 2016-3788

ORDINANCE NO. 2009-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING SECTION 3 OF ORDINANCE NO. 2016-3788 ORDERING 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 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 AND POLLING PLACES FOR THIS ELECTION; AND MAKING PROVISIONS FOR CONDUCTING THE ELECTION.

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

SECTION 1. That Section 3 of Ordinance No. 2016-3788 is hereby amended to read as follows:

SECTION 3. The Vote Centers (polling locations) for College Station for this election shall be as follows:

Vote Centers	Vote Centers
Arena Hall 2906 Tabor Road Bryan, Texas	Church of the Nazarene 2122 E William J Bryan Pkwy Bryan, Texas
Lincoln Center 1000 Eleanor College Station, Texas	Castle Heights Baptist Church 4504 E. Hwy 21 Bryan, Texas
Memorial Student Center (MSC), 2406, 2 nd Fl Texas A&M Campus, Joe Routh Blvd. College Station, Texas	First Baptist Church - Bryan 3100 Cambridge Drive Bryan, Texas
College Station ISD Administration Building 1812 Welsh College Station, Texas	Living Hope Baptist Church 4170 State Highway 6 South College Station, Texas
Parkway Baptist Church 1501 Southwest Parkway College Station, Texas	Beacon Baptist Church 2001 East Villa Maria Road Bryan, Texas
College Station City Hall 1101 Texas Avenue College Station, Texas	Aldersgate Methodist Church 2201 Earl Rudder Freeway College Station, Texas
Wellborn Community Center 4119 W. Greens Prairie Road College Station, Texas	Fellowship Freewill Baptist Church 1228 W. Villa Maria Road Bryan, Texas

Siegert Center – Smetana 1830 Smetana Road Bryan, Texas	Christ United Methodist Church 4201 State Highway 6, South College Station, Texas
Pct. 4 Volunteer Fire Station (Brushy) 6357 Raymond Stotzer Pkwy College Station, Texas	St. Francis Episcopal Church 1101 Rock Prairie Road College Station, Texas
Zion Church of Kurten 977 N. FM 2038 Kurten, Texas	Galilee Baptist Church 804 N. Logan Bryan, Texas
Millican Community Center 22284 Pierce Street Millican, Texas	College Heights Assembly of God 4100 Old College Rd. Bryan, Texas
Brazos County Admin. Building 200 South Texas Ave. Bryan, Texas	Brazos Center 3232 Briarcrest Drive Bryan, Texas
Bryan Ballroom 703 Palasota Drive Bryan, Texas	GW Williams Tabernacle 311 Waco St/1216 Eureka St. Bryan, Texas

SECTION 2. If any portion of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

PASSED, APPROVED AND ADOPTED on August 25, 2016.

Nancy Berry
Mayor

Attest:

Approved:

Sherry Mashburn
City Secretary

Carla Robinson
City Attorney

ORDINANZA NÚMERO

UNA ORDENANZA DEL CONSEJO DE LA CIUDAD DE COLLEGE STATION, TEXAS, DE ENMIENDA A LA SECCIÓN 3 DE LA ORDENANZA NÚMERO 2016-3788 PIDIENDO ELECCIONES GENERALES Y ESPECIALES A CELEBRARSE EL 8 DE NOVIEMBRE DE 2016, CON EL PROPÓSITO DE ELEGIR A UN ALCALDE Y A UN MIEMBRO DEL CONSEJO DE LA CIUDAD PARA EL PUESTO NÚMERO 2, Y PARA OCUPAR LA POSICIÓN VACANTE VIGENTE AÚN POR DOS AÑOS DE LA DURACIÓN DEL CARGO DEL MIEMBRO DEL CONSEJO PUESTO NÚMERO 4, Y PARA OCUPAR LA POSICIÓN VACANTE VIGENTE AÚN POR UN AÑO DE LA DURACIÓN DEL CARGO DEL MIEMBRO DEL CONSEJO PUESTO NÚMERO 3, POR LOS VOTANTES CALIFICADOS DE LA CIUDAD DE COLLEGE STATION; ESTABLECIENDO LUGARES Y CENTROS DE VOTACIONES TEMPRANAS PARA ESTAS ELECCIONES; Y PROPORCIONANDO LO NECESARIO PARA LLEVAR A CABO LAS ELECCIONES.

SE DECRETA POR ORDEN DEL CONSEJO DE LA CIUDAD DE COLLEGE STATION, TEXAS:

SECCIÓN 1. Que la SECCIÓN 3 de la Ordenanza Número 2016-3788 por este medio se enmienda para que se lea como sigue a continuación:

SECCIÓN 3. Los Centros de Votaciones (lugares de votaciones) para College Station para estas elecciones serán como se muestra a continuación:

Centros de Votaciones	Centros de Votaciones
Arena Hall [Salón Arena] 2906 Tabor Road Bryan, Texas	Church of the Nazarene [Iglesia del Nazareno] 2122 E William J Bryan Pkwy Bryan, Texas
Lincoln Center [Centro Lincoln] 1000 Eleanor College Station, Texas	Castle Heights Baptist Church [Iglesia Bautista Castle Heights] 4504 E. Hwy 21 Bryan, Texas
Memorial Student Center (MSC) 2406, 2 nd Fl [Centro Conmemorativo Estudiantil, 2406, 2º nivel] Texas A&M Campus, Joe Routt Blvd. College Station, Texas	First Baptist Church – Bryan [Iglesia Bautista First Baptist de Bryan] 3100 Cambridge Drive Bryan, Texas
College Station ISD Administration Building [Edificio Administrativo del Distrito Escolar Independiente de College Station] 1812 Welsh College Station, Texas	Living Hope Baptist Church [Iglesia Bautista Living Hope] 4170 State Highway 6 South College Station, Texas

Parkway Baptist Church [Iglesia Bautista Parkway] 1501 Southwest Parkway College Station, Texas	Beacon Baptist Church [Iglesia Bautista Beacon] 2001 East Villa Maria Road Bryan, Texas
College Station City Hall [Municipalidad de College Station] 1101 Texas Avenue College Station, Texas	Aldersgate Methodist Church [Iglesia Metodista Aldersgate] 2201 Earl Rudder Freeway College Station, Texas
Wellborn Community Center [Centro Comunitario de Wellborn] 4119 W. Greens Prairie Road College Station, Texas	Fellowship Freewill Baptist Church [Iglesia Bautista Fellowship Freewill] 1228 W. Villa Maria Road Bryan, Texas
Siegert Center – Smetana [Centro Siegert – Smetana] 1830 Smetana Road Bryan, Texas	Christ United Methodist Church [Iglesia Metodista Cristo Unido] 4201 State Highway 6, South College Station, Texas
Pct. 4 Volunteer Fire Station (Brushy) [Estación de Bomberos Voluntarios # 4] 6357 Raymond Stotzer Pkwy College Station, Texas	St. Francis Episcopal Church [Iglesia Episcopal San Francisco] 1101 Rock Prairie Road College Station, Texas
Zion Church of Kurten [Iglesia Sión de Kurten] 977 N. FM 2038 Kurten, Texas	Galilee Baptist Church [Iglesia Bautista Galilea] 804 N. Logan Bryan, Texas
Millican Community Center [Centro Comunitario de Millican] 22284 Pierce Street Millican, Texas	College Heights Assembly of God [Asamblea de Dios de College Heights] 4100 Old College Rd. Bryan, Texas
Brazos County Admin. Building [Edificio administrativo del Condado de Brazos] 200 South Texas Ave. Bryan, Texas	Brazos Center [El Centro de Brazos] 3232 Briarcrest Drive Bryan, Texas
Bryan Ballroom [Salón de baile de Bryan] 703 Palasota Drive Bryan, Texas	GW Williams Tabernacle [Tabernáculo GW Williams] 311 Waco St/1216 Eureka St. Bryan, Texas

SECCIÓN 2. Si cualquier parte de esta Ordenanza se considera inválida por una corte de jurisdicción competente, las provisiones restantes de esta Ordenanza permanecerán en plena vigencia.

PASADA, APROBADA, Y ADOPTADA el 25 de agosto de 2016.

Nancy Berry
Alcalde

Doy fe:

Sherry Mashburn
Secretaria de la Ciudad

Aprobada:

Carla Robinson
Abogada de la Ciudad



Legislation Details (With Text)

File #: 16-0509 **Version:** 1 **Name:** Resealing of Concrete Joints on City Streets
Type: Bid Award **Status:** Consent Agenda
File created: 8/10/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding Contract No. 16300425 with Scodeller Construction, Inc. (Bid No. 16-072) for Concrete Joint Resealing on City Streets for an amount not to exceed \$591,000.
Sponsors: Donald Harmon
Indexes:
Code sections:
Attachments: [Tabulation](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding Contract No. 16300425 with Scodeller Construction, Inc. (Bid No. 16-072) for Concrete Joint Resealing on City Streets for an amount not to exceed \$591,000.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends the approval of contract 16300425 with Scodeller Construction, Inc. for the Resealing of Concrete Joints on City Streets for an amount not to exceed \$591,000.

Summary: Sealed bids for RFB #16-072 were closed on June 1, 2016. Four bids were received. Scodeller Construction, Inc. was the lowest responsible bidder. Unit pricing for up to 200,000 linear foot of reseal concrete expansion joints is \$2.85/LF, with a total contract price of \$570,000. Unit pricing for 10,000 linear foot of reseal concrete saw joints is \$2.10, for an amount not to exceed \$21,000. The total contract price is \$591,000 which includes cleaning, sealant and traffic control. This contract may be renewed for up to two (2) additional (1) year terms [three (3) years total].

Budget & Financial Summary: Funding for the Resealing of Concrete Joints on City Streets is available in the Street Maintenance operating budget.

Attachments:

1. Bid Tabulation
2. Contract on file in the City Secretary's Office



City of College Station - Purchasing Division
 Bid Tabulation for #16-072
 "Annual Resealing of Concrete Joints"
 Open Date: Wednesday, June 1, 2016 @ 2:00 p.m.

ITEM	QTY	UNIT	DESCRIPTION	Brazos Paving, Inc		American Pavement Solutions, Inc.		Champion Infrastructure LLC		Scodeller Construction	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
GENERAL CONSTRUCTION ITEMS											
1	200,000	LF	Reseal concrete expansion joints, including cleaning existing joint, reshaping reservoir, installing backer rod, and applying sealant. Traffic Control included.	\$3.50	\$700,000.00	\$3.68	\$736,000.00	\$4.50	\$900,000.00	\$2.85	\$570,000.00
2	10,000	LF	Reseal concrete sawcut joints, including cleaning existing joint, reshaping reservoir, installing backer rod, and applying sealant. Traffic Control included.	\$3.00	\$30,000.00	\$3.48	\$34,800.00	\$8.00	\$80,000.00	\$2.10	\$21,000.00
Total Bid				\$730,000.00		\$770,800.00		\$980,000.00		\$591,000.00	
Bid Certification				Y		Y		Y		Y	
Bid Bond				Y		Y		Y		Y	



Legislation Details (With Text)

File #:	16-0510	Version:	1	Name:	Northeast Sanitary Sewer Trunk Line Design Contract
Type:	Contract	Status:		Status:	Consent Agenda
File created:	8/10/2016	In control:		In control:	City Council Regular
On agenda:	8/25/2016	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300443) with Kimley-Horn and Associates, Inc. in the amount of \$580,450 for the design and construction phase services for the Northeast Trunk Line Phase I Project and a Preliminary Engineering Report (PER) for the Northeast Trunk Line Phases II-IV.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Ph I Project Map Ph II-IV Project Map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a Professional Services Contract (Contract No. 16300443) with Kimley-Horn and Associates, Inc. in the amount of \$580,450 for the design and construction phase services for the Northeast Trunk Line Phase I Project and a Preliminary Engineering Report (PER) for the Northeast Trunk Line Phases II-IV.

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, sanitary sewer design, geotechnical and subsurface utility engineering investigation services, environmental services, bid phase services, construction phase services, and construction materials testing for Phase I. Phase I of the Northeast Trunk Line involves approximately 5,150 linear feet of 42-inch sanitary sewer line on City property and easements located on the southeast side of State Highway 30 (Harvey Road), north of the Windwood and Horsehaven subdivisions, and south of Carters Creek. The purpose of this replacement is to increase capacity while also relocating the proposed line further away from the wandering Carters Creek bank. Phase I is proposed to be constructed with partial funding from CDBG funds.

The scope also includes a PER for three additional phases with approximately 5,200 linear feet of capacity improvements downstream of Phase I to the Carters Creek Wastewater Treatment Plant and approximately 19,900 linear feet of capacity improvements upstream of Phase I to an area west of State Highway 6 serving Northgate, Hensel Park, Chimney Hills, and the Gateway development.

Kimley-Horn and Associates, Inc. was selected as the most highly qualified firm as part of RFQ# 16-078 for the Northeast Trunk Line Project.

Budget & Financial Summary: It is anticipated that approximately \$1.5 million in Public Facility Community Development Block Grant (CDBG) grant funds will be allocated to Phase I of the Northeast Trunkline. The project is not currently budgeted in the FY16 CIP but, due to the timeliness requirements for use of the CDBG funds, the design is being started in FY16. The initial design costs can be absorbed in FY16 in the Wastewater CIP Fund due to delays in other projects. The Phase I project with a budget of \$3,502,000 is included in the proposed FY17 Wastewater Capital Improvement Projects (CIP) Fund.

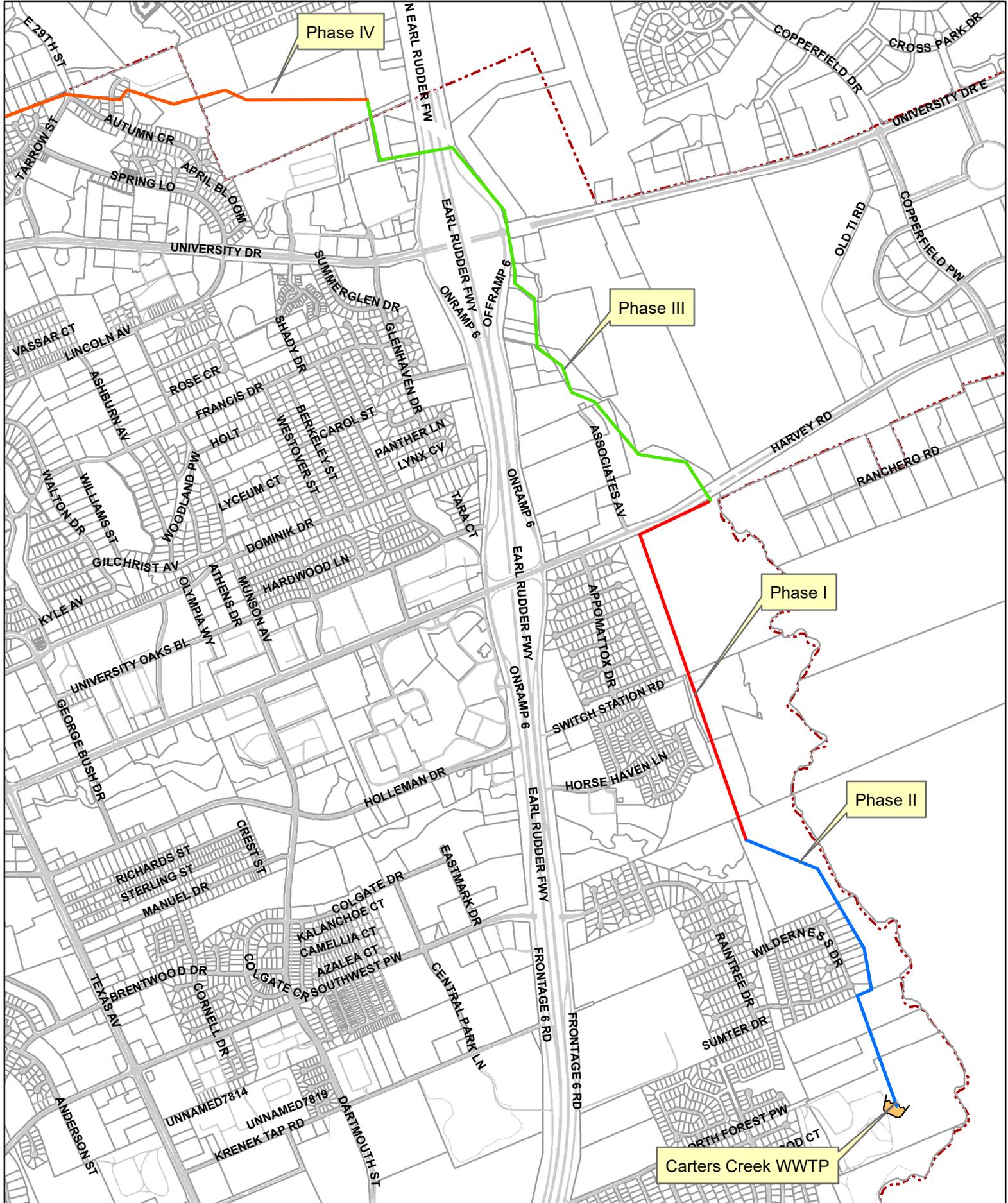
Reviewed and Approved by Legal: Yes

Attachments:

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



Project Map





Legislation Details (With Text)

File #: 16-0511 **Version:** 1 **Name:** Game Day Traffic Control Agreement
Type: Agreement **Status:** Consent Agenda
File created: 8/10/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding a five (5) year Interlocal Agreement (ILA) with Texas A&M University to equally share in the traffic control device deployment costs according to the Texas A&M Post Football Game Traffic Control Plan. The anticipated annual maximum reimbursement from TAMU is \$57,000.
Sponsors: Troy Rother
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a five (5) year Interlocal Agreement (ILA) with Texas A&M University to equally share in the traffic control device deployment costs according to the Texas A&M Post Football Game Traffic Control Plan. The anticipated annual maximum reimbursement from TAMU is \$57,000.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Improving Mobility

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

Summary: As part of the partnership between the Texas A&M University System, City of College Station, and other local agencies to developed a comprehensive game day traffic plan, staff from the Texas A&M University Transportation Institute and the City developed a traffic control plan to efficiently move traffic after the TAMU football game. Funds have been appropriated in the Public Works Street Division budget to cover the cost of the traffic control deployment. Staff intends to bid the deployment of the equipment and this ILA will allow TAMU to cover one-half of the total deployment cost, up to \$57,000 annually.

Budget & Financial Summary: Budget has been included in the FY16 budget (and in the proposed FY17 budget) for the cost of Public Works staff time and the contractor bid to deploy traffic control devices per the Traffic Control Plan. As outlined in the ILA, Texas A&M will reimburse the City one-half of the total deployment cost, up to \$57,000 annually.

Attachments:

1. Agreement on file in the City Secretary's Office



Legislation Details (With Text)

File #: 16-0512 **Version:** 1 **Name:** Game Day Traffic Control Contract
Type: Contract **Status:** Consent Agenda
File created: 8/10/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Presentation, possible action, and discussion regarding a General Services Contract with N-Line Traffic Maintenance (Contract No. 16300455) for the 2016 Aggie Football season Game Day Traffic Control Implementation for \$85,043.
Sponsors: Troy Rother
Indexes:
Code sections:
Attachments: [16-080 Bid Tabulation](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a General Services Contract with N-Line Traffic Maintenance (Contract No. 16300455) for the 2016 Aggie Football season Game Day Traffic Control Implementation for \$85,043.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Improving Mobility

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

Summary: After each Texas A&M University home football game, the Public Works Department for the City of College Station manages several different operations to dramatically improve mobility along the roadway network. One of these operations is the supervision of a contractor deploying traffic control devices which close some roadway access points and/or increase roadway capacities.

Competitive sealed bids for ITB 16-080, Annual Price Agreement for TAMU Post Game Day Traffic Control were solicited, and two were received and opened on June 30, 2016. Buyers Barricades out of Houston, Texas, submitted a bid of \$87,080 and the other bid was from N-Line Traffic Maintenance for \$85,043. The initial contract term is for one (1) year plus two (2) optional renewal terms.

Budget & Financial Summary: Budget for the purchase and deployment of the traffic control devices needed after each TAMU football game has been included in the FY16 budget and in the proposed FY17 budget. An Interlocal Agreement with Texas A&M is on the Council agenda which will reimburse the City for half of the deployment costs.

Attachments:

1. Contract on file in the City Secretary's Office
2. Bid tabulation



City of College Station - Purchasing Division
Bid Tabulation
"ITB 16-080, Annual Price Agreement for TAMU Football
Post Game Traffic Control"
Open Date: Thursday, June 30, 2016 @ 2:00 p.m.

2016 TAMU Football Season (7 Games)		Buyers Barricades (Houston, TX)	N-Line Traffic Maintenance (Bryan, TX)
SECTION NO.	LOCATION/PLAN SHEET	LABOR COST	LABOR COST
1	Plan Sheet 4-A	\$1,555.00	\$847.50
2	Plan Sheet 4-B	\$1,555.00	\$531.50
3	Plan Sheets 5 thru 11s	\$1,555.00	\$4,671.00
4	Plan Sheets 12 thru 16	\$1,555.00	\$1,384.00
5	Plan Sheet 17	\$1,555.00	\$1,400.00
6	Plan Sheet 18	\$1,555.00	\$1,377.00
7	Plan Sheets 19-20	\$1,555.00	\$1,412.00
8	Plan Sheet 21	\$1,555.00	\$391.00
Light Tower			
A1	Deployment of Light Tower	Included in pricing above	\$135.00
TOTAL LABOR COST PER GAME		\$12,440.00	\$12,149.00
TOTAL LABOR COST - 2016 SEASON		\$87,080.00	\$85,043.00
ALTERNATE			
To be utilized contingent upon renewal of contract for the 2017 and 2018 seasons.			
A1	"Plan Sheet 18-Alternate" in Lieu of Original Plan Sheet 18	\$1,555.00	\$1,320.00

NOTES:

Costs for 2017 and 2018 Seasons:		Buyers Barricades	N-Line Traffic Maintenance
Total Labor Cost Per Game		\$12,440.00	\$12,092.00
Total Labor Cost Per Season		\$87,080.00	\$84,644.00



Legislation Details (With Text)

File #: 16-0485 **Version:** 1 **Name:** Science Park Comprehensive Plan Amendment
Type: Comprehensive Plan **Status:** Agenda Ready
File created: 8/4/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**
Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from Business Park to General Commercial for approximately 14.25 acres located at 2501 Earl Rudder Freeway, more generally located north of North Forest Parkway and south of Raintree Drive along the east side of the Earl Rudder Freeway.
Sponsors: Jennifer Prochazka
Indexes:
Code sections:
Attachments: [Background](#)
[Aerial & Amendment Map](#)
[Ordinance](#)

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 Business Park to General Commercial for approximately 14.25 acres located at 2501 Earl Rudder Freeway, more generally located north of North Forest Parkway and south of Raintree Drive along the east side of the Earl Rudder Freeway.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission voted to recommend approval of the Comprehensive Plan amendment at their August 4, 2016 regular meeting. Staff also recommends approval.

Summary: The applicant has requested to amend the Future Land Use & Character Map for 14.25 acres (of a larger 53 acre property) from Business Park to General Commercial to allow for infill commercial development opportunities along the East Bypass. The larger 53 acre property is currently developed as The Science Park, an industrial development, with significant undeveloped land surrounding the structures. The subject property has frontage along the east side of Earl Rudder Freeway and was recently identified by Staff as a location for needed general commercial development opportunities.

REVIEW CRITERIA

- 1. Changed or changing conditions in the subject area or the City:** The City of

College Station's Comprehensive Plan was adopted in 2009. This site was designated as Business Park on the Future Land Use and Character Map to reflect the existing industrial use and zoning that has existed on the larger 53 acre tract since the early 1980s.

The property is identified on the Comprehensive Plan Concept Map as a part of "Area XII: College Station Science Park District." The Comprehensive Plan states that this area is intended to be the location of a significant research and development facilities, but that the site includes considerable land area beyond that necessary R&D activities. It states that future planning of this area should continue to accommodate R&D uses, as well as create opportunities for a mix of uses, including residential and commercial in a suburban development pattern. The Future Land Use and Character Map designation of Business Park on the property needs to be amended to accommodate rezoning that allows for additional development opportunities on site.

City Staff has recently begun to identify and actively market developable commercial properties along key corridors in an effort to attract businesses to the community. Limited developable commercial properties of significant scale exist along Earl Rudder Freeway, the City's primary commercial corridor. The subject property is one of the areas that City Staff identified as an opportunity for infill commercial development along the Freeway.

2. **Scope of the request:** The applicant has requested to amend 14.25 acres of the larger 53 acre industrial tract from Business Park to General Commercial to accommodate general commercial infill development along Earl Rudder Freeway.
3. **Availability of adequate information:** The General Commercial designation allows for future development of general commercial uses such as retail and restaurant uses. The property has over 1,300 feet of freeway frontage along Earl Rudder Freeway.
4. **Consistency with the goals and strategies set forth in the Plan:** The proposal is consistent with the goals and strategies of the Comprehensive 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 Comprehensive Plan states that infill development is desirable in appropriate locations and should be sensitive to surrounding neighborhoods. City Staff has identified the undeveloped frontage of this industrial tract as a prime commercial development opportunity along Earl Rudder Freeway, the City's primary commercial corridor. The portion of the property proposed for General Commercial use is located furthest from the existing residential uses.

Additionally, the City adopted the Economic Development Master Plan in 2012, with an overarching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such

opportunities and that the City remains responsive to an ever-changing market.”

5. Consideration of the Future Land Use & Character and/or Thoroughfare Plans:

The subject area is currently designated on the Comprehensive Plan Future Land Use and Character Map as Business Park, with a proposed amendment to General Commercial.

The proposed General Commercial designation is described in the Comprehensive Plan as areas intended for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. Generally these areas tend to be large in size, located near the intersection of two regionally significant roads, and concentrated in nodes within the community.

The existing Business Park designation is described as being for areas that include office, research, or industrial uses planned and developed as a unified project. Generally, these areas need good access to arterial roadways.

The property is identified on the Comprehensive Plan Concept Map as a part of “Area XII: College Station Science Park District.” The Comprehensive Plan states that this area is intended to be the location of a significant research and development facilities, but that the site includes considerable land area beyond that necessary R&D activities. It states that future planning of this area should continue to accommodate R&D uses, as well as create opportunities for a mix of uses, including residential and commercial in a suburban development pattern. The Future Land Use and Character Map designation of Business Park on the property needs to be amended to accommodate rezoning that allows for additional development opportunities on site.

6. Compatibility with the surrounding area: The adjacent land uses include places of worship to the north and south along Earl Rudder Freeway. To the east is the remainder of the larger 53 acre tract which is developed as The Science Park, an industrial facility. The proposed amendment to General Commercial is compatible with the surrounding adjacent uses.

7. Impacts on infrastructure including water, wastewater, drainage, and the transportation network: Water service is available to this property from existing 6-inch and 12-inch waterlines along the southern property lines and interior to the property, respectively. There are also existing 6-inch and 8-inch sewer mains along the eastern property lines that may serve this property. Drainage is mainly to the east within the Carter’s Creek Drainage Basin. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Existing infrastructure appears to be adequate for the proposed general commercial use at this time.

The subject property has frontage on Earl Rudder Freeway South, a Freeway/Expressway on the City’s Thoroughfare Plan. Access to the site will be from Earl Rudder Freeway South. With the recently completed S.H. 6 ramp relocation project in this area, the site is now accessible for traffic exiting the Southwest Parkway exit.

8. Impact on the City’s ability to provide, fund, and maintain services: City Services are not anticipated to be negatively impacted by the change in land use.

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 Business Park to General Commercial on just over 14 acres does not limit the general goals of the Comprehensive Plan. The amendment proposes uses consistent with anticipated growth in this area.

Budget & Financial Summary: N/A

Attachments:

Background

Aerial & Amendment Map

Ordinance

BACKGROUND

NOTIFICATIONS

Advertised Commission Hearing Date: August 4, 2016
Advertised Council Hearing Date: August 25, 2016

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

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial	GS General Suburban	Place of Worship (A&M Church of Christ)
South	Suburban Commercial	GS General Suburban	Place of Worship (St. Thomas Aquinas)
East	Business Park	M-1 Planned Industrial	Light Industrial/Office (Science Park)
West (Across Earl Rudder Freeway)	Natural Areas-Protected, Urban	GS General Suburban, GC General Commercial, KO Krenek Overlay	Central Park, Vacant

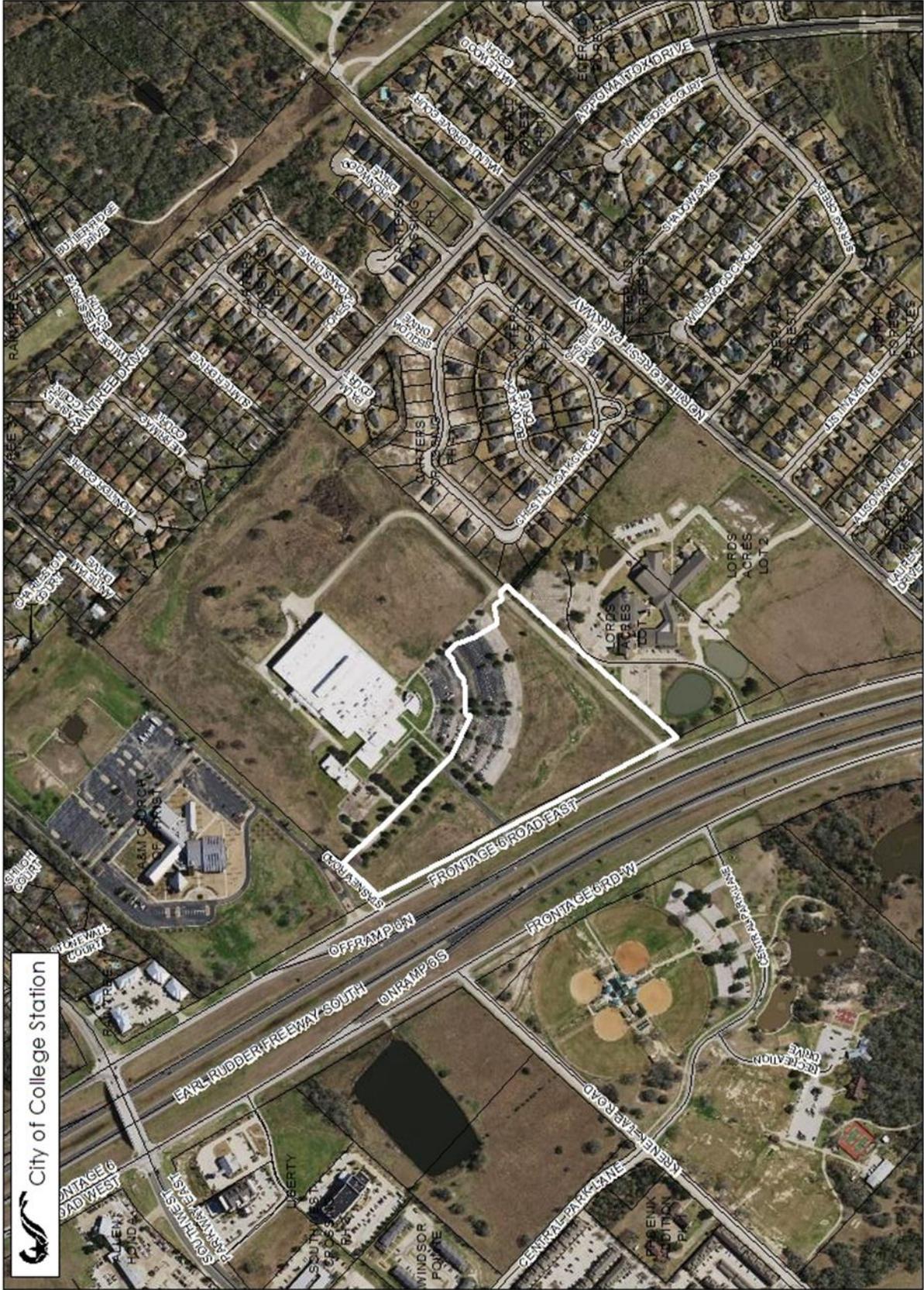
DEVELOPMENT HISTORY

Annexation: The first 500 feet east of the East Bypass (of the larger 53 acre tract) was annexed in 1971. The remainder was annexed in 1977.

Zoning: 1971 - The first 500 feet east of the East Bypass zoned R-1 Single-Family at the time of Annexation.
1977 - The remainder was zoned A-O Agricultural-Open at the time of annexation.
1981 – M-1 Planned Industrial

Final Plat: The property is in the process of preliminary plan and final plat review, but is currently unplatted.

Site development: The larger 53 acre tract is currently developed as The Science Park. The 14.25 acres under question is undeveloped.




 City of College Station

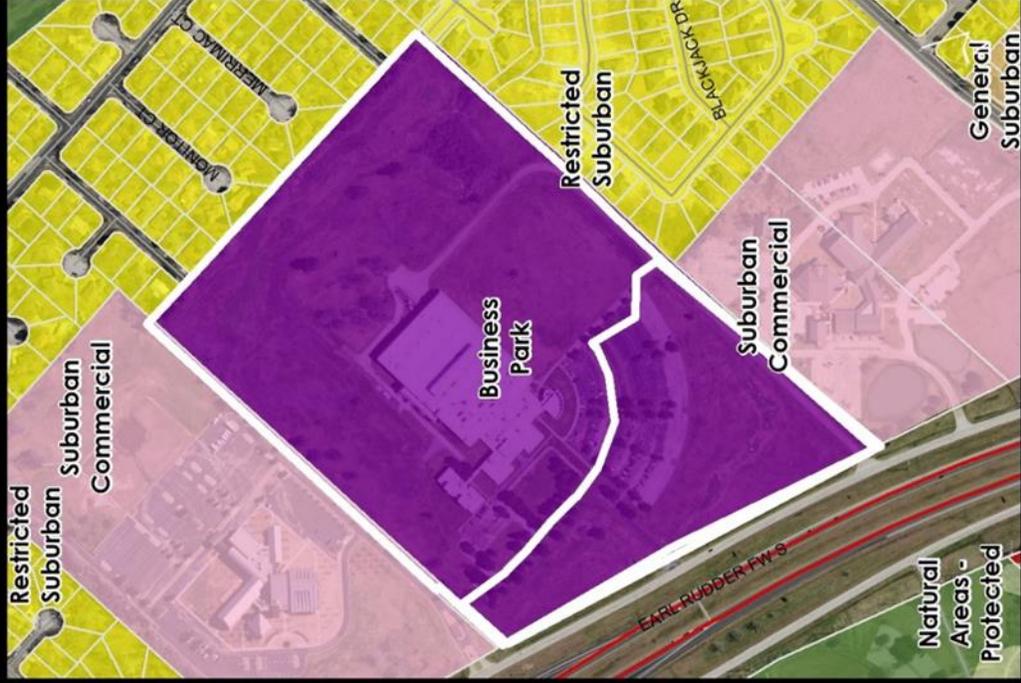
Case: **COMP PLAN AMENDMENT**
CPA2016-000006

SCIENCE PARK



EXISTING

Future Land Use



PROPOSED

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 BUSINESS PARK TO GENERAL COMMERCIAL FOR APPROXIMATELY 14.25 ACRES LOCATED AT 2501 EARL RUDDER FREEWAY SOUTH, GENERALLY LOCATED NORTH OF NORTH FOREST PARKWAY AND SOUTH OF RAINTREE DRIVE, ALONG THE EAST SIDE OF EARL RUDDER FREEWAY SOUTH FRONTAGE ROAD, 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.p 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 25th 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 an Ordinance dated August 11, 2016.
 - p. The approximately 14.25 acres of land located at 2501 Earl Rudder Freeway South, generally located north of North Forest Parkway and south of Raintree Drive, along the east side of Earl Rudder Freeway South – by this ordinance dated August 25, 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 Business Park to General Commercial shown as follows:

PROPOSED
Future Land Use



EXISTING
Future Land Use





Legislation Details (With Text)

File #: 16-0486 **Version:** 1 **Name:** Science Park Rezoning
Type: Rezoning **Status:** Agenda Ready
File created: 8/4/2016 **In control:** City Council Regular
On agenda: 8/25/2016 **Final action:**

Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from M-1 Planned Industrial to GC General Commercial for approximately 14.25 acres being situated in the Morgan Rector Survey, Abstract No. 46, College Station, Brazos County, Texas, and being part of the 40.80 acre Tract One described in the deed from College Station Bypass, Ltd., to CS Science Park, LLC, recorded in Volume 8994, Page 2003 of the Official Public Records of Brazos County, Texas, generally located at 2501 Earl Rudder Freeway, and more generally located north of North Forest Parkway and south of Raintree Drive, on the east side of Earl Rudder Freeway Frontage Road.

Sponsors: Jennifer Prochazka

Indexes:

Code sections:

Attachments: [Background](#)
[Aerial & Small Area Map](#)
[Ordinance](#)

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," 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 M-1 Planned Industrial to GC General Commercial for approximately 14.25 acres being situated in the Morgan Rector Survey, Abstract No. 46, College Station, Brazos County, Texas, and being part of the 40.80 acre Tract One described in the deed from College Station Bypass, Ltd., to CS Science Park, LLC, recorded in Volume 8994, Page 2003 of the Official Public Records of Brazos County, Texas, generally located at 2501 Earl Rudder Freeway, and more generally located north of North Forest Parkway and south of Raintree Drive, on the east side of Earl Rudder Freeway Frontage Road.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission recommended approval of the rezoning request at their August 4, 2016 regular meeting. Staff also recommends approval.

Summary: The applicant has requested a rezoning of 14.25 acres (of a larger 53 acre property) from

M-1 Planned Industrial to GC General Commercial to allow for infill commercial development opportunities along the East Bypass. The larger 53 acre property is currently developed as The Science Park. The subject property has frontage along the east side of Earl Rudder Freeway South and was recently identified by Staff as a prime location for needed general commercial development.

REZONING REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The subject area is currently designated on the Comprehensive Plan Future Land Use and Character Map as Business Park, with a pending application for amendment to General Commercial.

The proposed General Commercial designation is described in the Comprehensive Plan as areas intended for concentrations of commercial activities that cater to both nearby residents and to the larger community or region. Generally these areas tend to be large in size, located near the intersection of two regionally significant roads, and concentrated in nodes within the community.

The existing Business Park designation is described as being for areas that include office, research, or industrial uses planned and developed as a unified project. Generally, these areas need good access to arterial roadways.

The property is identified on the Comprehensive Plan Concept Map as a part of "Area XII: College Station Science Park District." The Comprehensive Plan states that this area is intended to be the location of a significant research and development facilities, but that the site includes considerable land area beyond that necessary R&D activities. It states that future planning of this area should continue to accommodate R&D uses, as well as create opportunities for a mix of uses, including residential and commercial in a suburban development pattern.

Additionally, the City adopted the Economic Development Master Plan in 2012, with an overarching goal of a diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high quality of life. One of the strategic initiatives for continued economic success is to support retail development by ensuring that there are opportunities to locate and expand businesses that make College Station a regional destination for retail services. The stated Master Plan goal for retail is as follows: "The City of College Station will continue to recognize the significance of retail expenditures to the local economy and will ensure that locations are ready to accommodate the development of such opportunities and that the City remains responsive to an ever-changing market."

If the City Council approves the Comprehensive Plan Future Land Use and Character Map amendment to General Commercial, the proposed rezoning will be in compliance with the Comprehensive Plan. If the City Council denies the Map amendment, the rezoning will not be in compliance with the Comprehensive Plan.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The properties located immediately to the north and south are zoned GS General Suburban and are developed as places of worship, being A&M Church of Christ and St. Thomas Aquinas, respectively. To the east, approximately 40 acres is zoned M-1 Planned Industrial and is developed as The Science Park, a light industrial development with varying laboratory and distribution activities on-site.

To the west is the Earl Rudder Freeway. Proposed general commercial development is compatible with the existing Places of Worship and industrial development located along the East Bypass.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The larger 53-acre tract is currently developed as The Science Park, a light industrial complex with several industrial / R&D uses and significant undeveloped property surrounding the structure. The property has over 1,300 feet of undeveloped frontage along Earl Rudder Freeway that is suitable for General Commercial uses such as retail and restaurant.
4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property and larger surrounding tract are currently zoned M-1 Planned Industrial. The property is suitable for light industrial development.
5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The subject property may be marketable with its current zoning of M-1 Planned Industrial, however, the requested rezoning provides an opportunity for regionally significant commercial development along freeway frontage, where general commercial land uses are most appropriate.
6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** Water service is available to this property from existing 6-inch and 12-inch waterlines along the southern property lines and interior to the property, respectively. There are also existing 6-inch and 8-inch sewer mains along the eastern property lines that may serve this property. Drainage is mainly to the east within the Carter's Creek Drainage Basin. Drainage and other public infrastructure required with site development shall be designed and constructed in accordance with the BCS Unified Design Guidelines. Existing infrastructure appears to be adequate for the proposed use at this time.

The subject property has frontage on Earl Rudder Freeway South, a Freeway/Expressway on the City's Thoroughfare Plan. Access to the site will be from Earl Rudder Freeway South. A rezoning Traffic Impact Analysis was submitted and reviewed. An updated TIA is required with the Site Plan.

Budget & Financial Summary: N/A

Attachments:

Background
Aerial & Small Area Map
Ordinance

BACKGROUND

NOTIFICATIONS

Advertised Commission Hearing Date: August 4, 2016
Advertised Council Hearing Date: August 25, 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:

Carter's Crossing HOA

Property owner notices mailed: 7
Contacts in support: None at the time of staff report.
Contacts in opposition: None at the time of staff report.
Inquiry contacts: None at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Suburban Commercial	GS General Suburban	Place of Worship (A&M Church of Christ)
South	Suburban Commercial	GS General Suburban	Place of Worship (St. Thomas Aquinas)
East	Business Park	M-1 Planned Industrial	Light Industrial/Office (Science Park)
West (Across Earl Rudder Freeway)	Natural Areas-Protected, Urban	GS General Suburban, GC General Commercial, KO Krenek Overlay	Central Park, Vacant

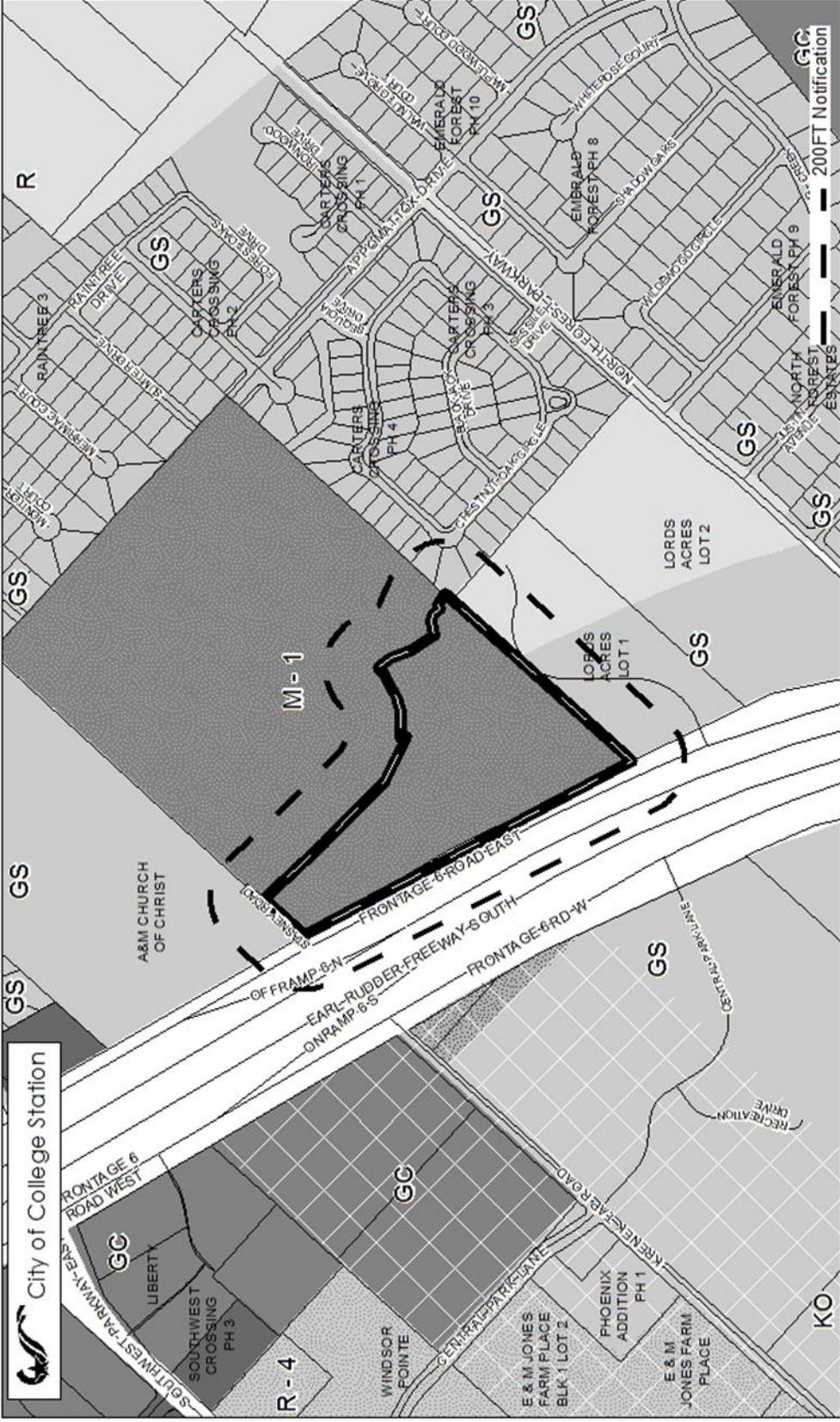
DEVELOPMENT HISTORY

Annexation: The first 500 feet east of the East Bypass (of the larger 53 acre tract) was annexed in 1971. The remainder was annexed in 1977.

Zoning: 1971 - The first 500 feet east of the East Bypass zoned R-1 Single-Family at the time of Annexation.
1977 - The remainder was zoned A-O Agricultural-Open at the time of annexation.
1981 – M-1 Planned Industrial

Final Plat: The property is in the process of preliminary plan and final plat review, but is currently unplatted.

Site development: The larger 53 acre tract is currently developed as The Science Park. The 14.25 acres under question is undeveloped.



City of College Station

ZONING DISTRICTS (in Grayscale)

Residential	Mixed-Use	CI	Commercial Industrial	Design Districts	Overlay Districts	Retired Districts
R Rural	MU Mixed-Use	BP Business Park	Business Park	WPC Wolf Pen Creek Dev. Cor.	OV Corridor Ovr.	R-1B Single Family Residential
E Estate	MHP Manufactured Home Pk.	BPI Business Park Industrial	Business Park Industrial	NG-1 Core Northgate	RDD Redevelopment District	R-4 Multi-Family
RS Restricted Suburban	Non-Residential	C-U College and University	College and University	NG-2 Transitional Northgate	KO Krenek Tap Ovr.	R-6 High Density Multi-Family
GS General Suburban	NAP Natural Area Protected			NG-3 Residential Northgate	NPO Nbrhd. Prevailing Ovr.	RD Research and Dev.
D Duplex	O Office				NCO Nbrhd. Conservation Ovr.	M-1 Light Industrial
T Townhome	SC Suburban Commercial	Planned Districts	Planned Mixed-Use Dist.		HP Historic Preservation Ovr.	M-2 Heavy Industrial
MF Multi-Family	GC General Commercial	P-MUD Planned Mixed-Use Dist.	PDD Planned Develop. Dist.			

SCIENCE PARK

Case: REZ2016-000019

REZONING



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 12-4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES FROM M-1 LIGHT INDUSTRIAL TO GC GENERAL COMMERCIAL FOR APPROXIMATELY 14.25 ACRES FOR THE PROPERTY BEING SITUATED IN THE MORGAN RECTOR SURVEY, ABSTRACT NO.46, COLLEGE STATION, BRAZOS COUNTY, TEXAS, AND BING PART OF THE 40.80 ACRE TRACT ONE DESCRIBED IN THE DEED FROM COLLEGE STATION BYPASS, LTD. TO CS SCIENCE PARK, LLC, RECORDED IN VOLUME 8994, PAGE 2003, OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MORE GENERALLY LOCATED AT 2501 EARL RUDDER FREEWAY SOUTH, BEING SOUTH OF RAINTREE DRIVE AND NORTH OF NORTH FOREST PARKWAY ON THE EAST SIDE OF EARL RUDDER FREEWAY SOUTH, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIING AN EFFECTIVE DATE.

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

PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A" and as shown graphically in 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 effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

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

PASSED, ADOPTED and APPROVED this 25th day of August, 2016

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

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

The following property is rezoned from M-1 Light Industrial to GC General Commercial, as described below and as graphically depicted in Exhibit "B":

CS Science Park, LLC
14.25 Acre Tract
Morgan Rector Survey, A-46
College Station, Brazos County, Texas

Field notes of a 14.25 acre tract or parcel of land, lying and being situated in the Morgan Rector Survey, Abstract No. 46, College Station, Brazos County, Texas, and being part of the 40.80 acre - Tract One described in the deed from College Station Bypass, Ltd., to CS Science Park, LLC, recorded in Volume 8994, Page 2003, of the Official Records of Brazos County, Texas, and said 14.25 acre tract being more particularly described as follows:

BEGINNING at the ½" iron rod and cap found marking the common corner between the beforementioned 40.80 acre tract and Lot 1 – 10.01 acres, Lord's Acres, according to the plat recorded in Volume 628, Page 641, of the Official Records of Brazos County, Texas, said corner also lying in the southeast right-of-way line of Earl Rudder Freeway – State Highway No. 6;

THENCE along the northeast right-of-way line of the beforementioned Earl Rudder Freeway, as follows:

N 23° 41' 04" W	for a distance of 739.61 feet to a concrete right-of-way marker found,
N 27° 40' 23" W	for a distance of 649.38 feet to a ½" iron rod and cap found marking the common corner between the beforementioned 40.80 acres and Lot 1, Block 1, - 29.348 acres, according to the plat of A&M Church of Christ Subdivision, recorded in Volume 8707, Page 51, of the Official Records of Brazos County, Texas;

THENCE N 44° 51' 18" E along the common line between the beforementioned 40.80 acre tract and the beforementioned Lot 1, Block 1 – 29.348 acres, for a distance of 189.81 feet to a ½" iron rod and cap set;

THENCE across the beforementioned 40.80 acre tract, as follows:

S 37° 35' 08" E	for a distance of 152.63 feet,
S 44° 06' 57" E	for a distance of 389.19 feet,
S 37° 19' 55" E	for a distance of 25.41 feet to the beginning of a curve, concave to the north, having a radius of 333.41 feet,
Easterly along said curve,	for an arc distance of 242.34 feet to the end of this curve, the chord bears S 58° 09' 17" E – 237.04 feet,
N 00° 23' 35" W	for a distance of 22.48 feet to the beginning of a curve, concave to the north, having a radius of 311.41 feet,
Easterly along said curve,	for an arc distance of 285.32 feet to the end of this curve, the chord bears N 75° 35' 35" E – 275.45 feet,
S 24° 10' 57" E	for a distance of 241.37 feet,
N 77° 25' 27" E	for a distance of 52.73 feet to the beginning of a curve, concave to the south, having a radius of 25.00 feet,
Easterly along said curve,	for an arc distance of 24.67 feet to the end of this curve, the chord bears S 74° 18' 13" E – 23.68 feet,
S 46° 01' 54" E	for a distance of 24.63 feet to the beginning of a curve, concave to the north, having a radius of 25.00 feet,
Easterly along said curve,	for an arc distance of 40.17 feet to the end of this curve, the chord bears N 87° 56' 11" E – 35.99 feet,
S 44° 42' 11" E	for a distance of 46.96 feet to a ½" iron rod and cap set in the common line between the beforementioned 40.80 acre tract and a 10.543 acre tract described in the deed to Carter's Crossing Joint Venture, recorded in Volume 10992, Page 270, of the Official Records of Brazos County, Texas;

THENCE along the common line between the beforementioned 40.80 acre tract, lying to the northwest, and the following two tracts, lying to the southeast: the beforementioned 10.543 acre tract, and the beforementioned Lot 1 - 10.01 acre tract, as follows:

S 45° 01' 11" W

for a distance of 21.90 feet to a ½" iron rod found marking the common corner between the said 10.543 acre tract and the 10.01 acre tract, from which an 8" creosote fence corner bears N 49° 28' E - 2.1 feet,

S 43° 51' 15" W

for a distance of 904.95 feet to the **PLACE OF BEGINNING**, containing 14.25 acres of land, more or less.



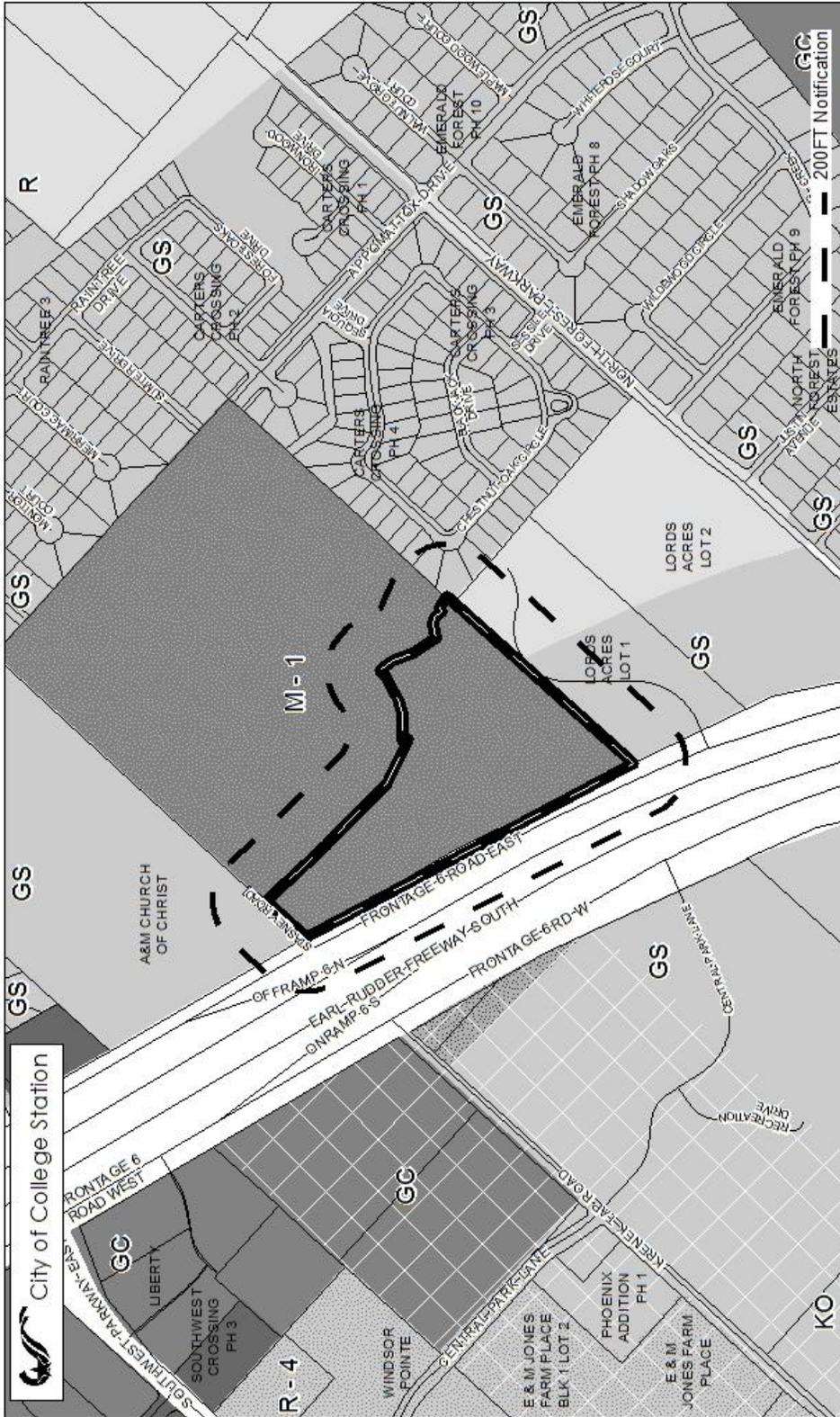
Surveyed: July, 2016

By:

A large, stylized handwritten signature in blue ink, appearing to read "S.M. Kling".

S. M. Kling
R.P.L.S. No. 2003

EXHIBIT "B"



City of College Station

ZONING DISTRICTS (In Grayscale)	
Residential	Mixed-Use
R Rural	MU Manufactured Home Pk.
E Estate	MHP Manufactured Home Pk.
RS Restricted Suburban	Non-Residential
GS General Suburban	NAP Natural Area Protected
D Duplex	O Office
T Townhome	SC Suburban Commercial
MF Multi-Family	GC General Commercial
	PDD Planned Develop. Dist.
	Planned Districts
	CI Commercial Industrial
	Business Park
	BPI Business Park Industrial
	C-U College and University
	Commercial Industrial
	WPC Wolf Pen Creek Dev. Cor.
	NG-1 Core Northgate
	NG-2 Transitional Northgate
	NG-3 Residential Northgate
	Design Districts
	OV Corridor Ovr.
	RDD Redevelopment District
	KO Krenek Tap Ovr.
	NPO Nbrhd. Prevailing Ovr.
	NCO Nbrhd. Conservation Ovr.
	HP Historic Preservation Ovr.
	Over/Low Districts
	R-1B Single Family Residential
	R-4 Multi-Family
	R-6 High Density Multi-Family
	RD Research and Dev.
	M-1 Light Industrial
	M-2 Heavy Industrial
	Retired Districts

SCIENCE PARK

Case: REZ2016-000019

REZONING



Legislation Details (With Text)

File #: 16-0508 **Version:** 1 **Name:** Horseback Court Rezoning

Type: Rezoning **Status:** Agenda Ready

File created: 8/10/2016 **In control:** City Council Regular

On agenda: 8/25/2016 **Final action:**

Title: Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from R Rural to RS Restricted Suburban and NAP Natural Areas Protected for approximately 13 acres being situated in the M. Rector Survey, Abstract 46, Brazos County, Texas, being the remainder of that tract called 22 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 2558, Page 133, Official Records of Brazos County, Texas and all of that tract called 2.5 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 3213, Page 335, Official Records of Brazos County, Texas generally located at 2744 Horseback Court.

Sponsors: Jenifer Paz

Indexes:

Code sections:

Attachments: [Background Information](#)
[Aerial & Small Area Map](#)
[Ordinance](#)

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," 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 RS Restricted Suburban and NAP Natural Areas Protected for approximately 13 acres being situated in the M. Rector Survey, Abstract 46, Brazos County, Texas, being the remainder of that tract called 22 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 2558, Page 133, Official Records of Brazos County, Texas and all of that tract called 2.5 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 3213, Page 335, Official Records of Brazos County, Texas generally located at 2744 Horseback Court.

Relationship to Strategic Goals:

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

Recommendation(s): The Planning and Zoning Commission considered this item on August 4, 2016 and voted 5-0 to recommend approval.

Summary:

REZONING REVIEW CRITERIA

- 1. Consistency with the Comprehensive Plan:** The subject area is designated on the Comprehensive Plan Future Land Use and Character map as Restricted Suburban, Natural Areas Protected and Natural Areas Reserved. The portion to the north along Carters Creek is identified as a Natural Planning Corridor. The portion designated as Restricted Suburban is intended for moderate level of development activities consisting of medium-density single-family residential lots. Areas that are Natural Areas Protected is intended for areas to be permanently protected from development and preserved for their natural function or for park, recreation, or greenway opportunities. Natural Areas Reserved is a land use designation that represents a constraint to development and that should be preserved for their natural function. The proposed rezoning would allow for this type of characteristic within this portion of the city. NAP Natural Areas Protected zoning district will allow for areas within and outside the floodplain to remain in their natural state and provide open space opportunity for nearby development. RS Restricted Suburban will allow for the development of medium density single-family lots.
- 2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** The properties to the north, south and east are mostly floodplain and floodway from Carter's Creek and Wolf Pen Creek; zoned Rural. The neighboring properties to the west are zoned General Suburban, which are single-family lots part of Horse Haven Estate Phases 3 & 5. The average lot size is 8,183 square feet, with the smallest lot being 5,227 square feet and the largest being 29,707 square feet. The Restricted Suburban zoning proposed along the western portion of the property is compatible with the existing single family development given that the subdivision is developed with more medium density. The Natural Areas Protected is also compatible with zoning and natural features within the neighboring properties to the north, south and east.
- 3. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property contains and is surrounded on three sides by flood hazard area. The Natural Areas Protected is intended for the conservation of natural areas and serves as a buffer between the floodway and the proposed Restricted Suburban single-family development. The property is suitable for the proposed zoning districts and uses allowed in these districts.
- 4. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The property is currently used for agricultural activities with access from a local street. The surrounding properties to the north, south and east are undeveloped due to creeks but to the west the properties are zoned and used for single-family. The area proposed for Restricted Suburban is suitable for single-family use similar to the adjacent development but the proposal also retains the natural features of the property within and outside the floodplain as Natural Areas Protected. The existing zoning Rural allows for low density single-family and agricultural uses.
- 5. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The marketability of the property will increase if the property outside the flood hazard area is zoned Restricted Suburban to allow for medium density, single-family uses due to its proximity and access from the adjacent single-family development. Additionally, the Natural Areas Protected portions of the property will provide allow for the conservation of the natural areas and create a buffer from the floodway.

6. Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use: There is an existing 6-inch waterline along Horseback Drive available to serve this site. The site will have sanitary sewer access via an 8-inch main along Horseback Drive. Water and sewer mains will need to be extended to serve all lots at the time of final platting. All utilities are required to be designed and constructed in accordance the BCS Unified Design Guidelines.

The subject property is located in the Carter Creek and Wolf Pen Creek Drainage Basins. A portion of the site is encumbered by FEMA regulated Zone AE floodplain/floodway. Detention will need to be evaluated and designed in accordance with the BCS Unified Stormwater Design Guidelines.

The property has frontage to a local street, Horseback Drive. Access to the future development will require street connection to Horseback Drive. This connection, as well as an internal street network, will be required at the time of platting.

Budget & Financial Summary: N/A

Attachments:

1. Background information
2. Aerial & Small Area Map
3. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: August 4, 2016
Advertised Council Hearing Date: August 25, 2016

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

Horse Haven Estates HOA

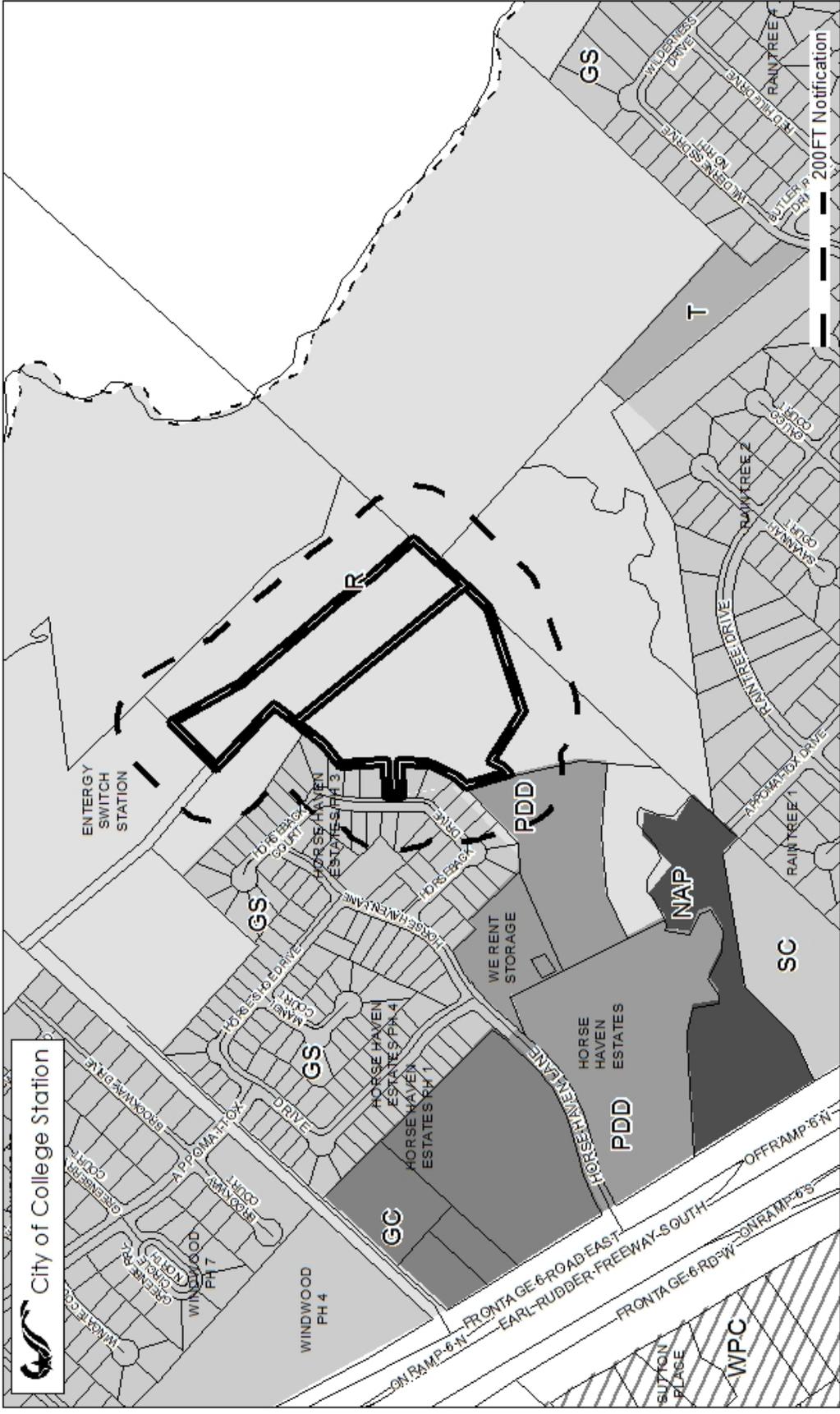
Property owner notices mailed: 35
Contacts in support: None at the time of staff report.
Contacts in opposition: None at the time of staff report.
Inquiry contacts: Two at the time of staff report.

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural Area-Reserved	R Rural	Vacant Floodplain/Floodway
South	Natural Area-Reserved	R Rural	Vacant Floodplain/Floodway
East	Natural Area-Reserved	R Rural	Vacant Floodplain/Floodway
West	Restricted Suburban & Natural Areas-Reserved	GS General Suburban & PDD Planned Development District	Single-family homes, Open Space for Storage Facility

DEVELOPMENT HISTORY

Annexation: 1977
Zoning: A-O Agricultural Open upon annexation; A-O Agricultural Open renamed to R Rural
Final Plat: The property is unplatted.
Site development: Property is used for agricultural purpose and equestrian activity.



City of College Station

ZONING DISTRICTS (In Grays only)	Mixed-Use	CI	Design Districts	Overlay Districts	Retired Districts
Residential			WFC	OV	R-1B
R	MHP	BP	Wolf Pen Creek	Corridor Ovr.	Single Family Residential
E	Manufactured Home Pk.	BPI	NG-1	RDD	R-4
RS		C-U	Core Northgate	Redevelopment District	Multi-Family
GS	Non-Residential		NG-2	KO	R-6
D	NAP		Transitional Northgate	NPO	High Density Multi-Family
DuPlex	Natural Area		Residential Northgate	NCO	Research and Dev.
T	O			HP	Light Industrial
To whome	Office				M-1
ME	Suburban Commercial				M-2
	GC				Heavy Industrial
	General Commercial				

0	500	1,000	Feet
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	NORTH
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Case:	REZ2016-000018
HORSE HAVEN PH 6	REZONING

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 12-4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES FROM R RURAL TO RS RESTRICTED SUBURBAN AND NAP NATURAL AREAS PROTECTED FOR APPROXIMATELY 13.429 ACRES FOR THE PROPERTY BEING SITUATED IN THE M. RECTOR SURVEY, ABSTRACT 46, BRAZOS COUNTY, TEXAS, BEING THE REMAINDER OF THAT TRACT CALLED 22.00 ACRES IN A DEED TO C. CARL KOLBE AND JEANNE KOLBE RECORDED IN VOLUME 2558, PAGE 133, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS AND THE REMAINDER OF THAT TRACT CALLED 0.06 ACRES IN A DEED TO C. CARL KOLBE AND JEANNE KILBE RECORDED IN VOLUME 6819, PAGE 246, OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, GENERALLY LOCATED 2744 HORSEBACK COURT, MORE GENERALLY LOCATED EAST OF HORSE HAVEN ESTATES PHASE 5, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as described in Exhibit "A" and Exhibit "B", and as shown graphically in Exhibit "C", attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 25th day of August, 2016

APPROVED:

MAYOR

ATTEST:

City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

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

The following property is rezoned from R Rural to RS Restricted Suburban, as graphically depicted in Exhibit "C":

FIELD NOTE DESCRIPTION OF 7.802 ACRES, MORE OR LESS, IN THE M. RECTOR SURVEY, ABSTRACT 46, BRAZOS COUNTY, TEXAS, BEING THE REMAINDER OF THAT TRACT CALLED 22.00 ACRES IN A DEED TO C. CARL KOLBE AND JEANNE KOLB RECORDED IN VOLUME 2558, PAGE 133, ORBCT (OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS) AND THE REMAINDER OF THAT TRACT CALLED 0.06 ACRES (ALSO KNOWN AS TRACT TWO) IN A DEED TO C. CARL KOLBE AND JEANNE KOLBE RECORDED IN VOLUME 6819, PAGE 246, ORBCT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the south line of the remainder of that tract called 29.51 acres (also known as Tract One) in a deed to Oakwood Custom Homes, Ltd. recorded in Volume 6413, Page 107 ORBCT and for the most west corner of this description, from which a 1/2" iron rod found at the easterly corner of the Oakwood Custom Homes, Ltd. tract and an interior corner of said Kolbe 22.00 acre tract, bears N 38°39'23" E a distance of 59.34 feet;

THENCE leaving the **POINT OF BEGINNING**, crossing through said Kolbe 22.00 acre tract, **S 39° 26'34" E a distance of 794.24 feet** to a calculated point in the northwest line of that called 12.4 acres described in a deed to the City of College Station recorded in Volume 9676, Page 43, ORBCT, for the east corner of this description, from which a 5/8" iron rod found at the north corner of said City of College Station 12.4 acre tract, bears N 42°19'49" E a distance of 105.28 feet;

THENCE with the northwest line of said City of College Station 12.4 acre tract **S 42°19'49" W a distance of 112.97 feet** to a calculated point for a southeasterly corner of this description;

THENCE leaving said City of College Station 12.4 acre tract, crossing through said Kolbe 22.00 acre tract, the following four (4) courses:

1. **S 71°30'42" W a distance of 405.86 feet** to a calculated point,
2. **N 55°25'33" W a distance of 214.46 feet** to a calculated point,
3. **S 34°52'18" W a distance of 60.34 feet** to a calculated point, and
4. **S 45°01'02" W a distance of 30.45 feet** to a calculated point in the east line of We Rent Storage Subdivision recorded in Volume 10625, Page 217, ORBCT, for the southwesterly corner of this description, from which a 1/2" inch iron rod found at an angle point in the We Rent Storage Subdivision tract, bears S 12°31'33" E a distance of 273.04 feet;

THENCE with the east line of We Rent Storage Subdivision, **N 12°31'33" W a distance of 164.80 feet** to a 1/2" iron rod found at the northeast corner of We Rent Storage Subdivision, being in the southeast line of Lot 1 Block 1, Horse Haven Estates, Phase Five;

THENCE leaving We Rent Storage Subdivision and with the southeast, east and north lines of said Block 1 of said Horse Haven Estates, Phase Five, the following four (4) courses:

5. **N 46°15'58" E a distance of 44.20 feet** to a 1/2" iron rod found,
6. **N 24°13'51" E a distance of 107.54 feet** to a 1/2" iron rod found,
7. **N 02°12'25" E a distance of 106.31 feet** to a 1/2" iron rod found with a plastic cap, and
8. **S 89°40'22" W a distance of 119.99 feet** to a 1/2" iron rod found at the northwest corner of Block 1, of said Horse Haven Estates, Phase Five, being in the east line of Horseback Drive;

THENCE leaving said Block 1 and with the east line of Horseback Drive **N 00°18'18" W a distance of 49.79 feet** to a 1/2" iron rod found at the southwest corner of Block 2 of said Horse Haven Estates, Phase Five;

THENCE leaving the east line of Horseback Drive and with the south, east and southeast lines of said Block Two, of said Horse Haven Estates, Phase Five, and the southeast line of Block Two, Phase Five, Horse Haven Estates, Phase Three, the following six courses:

1. **N 89°33'33" E a distance of 119.99 feet** to a 1/2" iron rod found,
2. **N 00°28'17" W a distance of 99.36 feet** to a 1/2" iron rod found,
3. **N 87°08'28" W a distance of 10.27 feet** to a 1/2" iron rod found with a plastic cap,
4. **N 00°15'09" W a distance of 67.61 feet** to a 1/2" iron rod found,
5. **N 50°32'14" E a distance of 100.63 feet** to a 1/2" iron rod found, and
6. **N 38°50'10" E a distance of 92.30 feet** to a 1/2" iron rod found at the most easterly corner of Lot 21, Block 2, of said Horse Haven Estates, Phase Three and a corner of the of the Oakwood Custom Homes, Ltd. Tract, for an angle point of this description;

THENCE leaving said Lot 21, Block 2, of said Horse Haven Estates, Phase Three, with a southeast line of the Oakwood Custom Homes, Ltd tract **N 38°39'23" E a distance of 33.06 feet** to the **POINT OF BEGINNING**. There are 7.802 acres, more or less, described in these field notes.

The bearing basis for this survey was determined from GPS observations and refers to Grid North. This description was prepared by Payne Industries, LLC from an on the ground survey performed in May of 2016 and corresponds to a survey plat referenced as job number 1276-001-16.

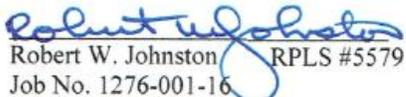

Robert W. Johnston RPLS #5579
Job No. 1276-001-16
July 21, 2016



EXHIBIT "B"

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

The following property is rezoned from R Rural to NAP Natural Areas Protected, as graphically depicted in Exhibit "C":

FIELD NOTE DESCRIPTION OF 5.627 ACRES, MORE OR LESS, IN THE M. RECTOR SURVEY, ABSTRACT 46, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF THAT TRACT CALLED 22.00 ACRES IN A DEED TO C. CARL KOLBE AND JEANNE KOLBE RECORDED IN VOLUME 2558, PAGE 133, ORBCT (OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS) AND A PORTION OF THAT TRACT CALLED 2.50 ACRES IN A DEED TO C. CARL KOLBE AND JEANNE KOLBE RECORDED IN VOLUME 3213, PAGE 335, ORBCT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the south line of the remainder of that tract called 29.51 acres (Tract One) in a deed to Oakwood Custom Homes, Ltd. recorded in Volume 6413, Page 107 ORBCT and for the most westerly corner of this description, from which a 1/2" iron rod found at the southerly corner of the Oakwood Custom Homes, Ltd. tract and the most easterly corner of Lot 21, Block 2, Horse Haven Estates, Phase Three, bears S 38°39'23" W a distance of 69.03 feet;

THENCE leaving the **POINT OF BEGINNING** with a southeast and a northeast line of the Oakwood Custom Homes, Ltd tract the following three courses:

1. **N 38°39'23" E a distance of 95.31 feet** to a 1/2" iron rod found,
2. **N 43°30'33" W a distance of 32.51 feet** to a 1/2" iron rod found at the south corner of that tract called 2.50 acres in a deed to C. Carl Kolbe and Jeanne Kolbe recorded in Volume 3213, Page 335, ORBCT, and
3. **N 44°42'38" W a distance of 281.27 feet** to a 1/2" iron rod found at the west corner of said Kolbe 2.50 acre tract, being a south corner of a 40' Greenway Dedication per Entergy Switch Station, plat recorded in Volume 9687, Page 106, ORBCT and the most northerly west corner of this description;

THENCE leaving the Oakwood Custom Homes, Ltd tract and with the southeast line of said 40' Greenway Dedication and Lot 1, Block 1 of Entergy Switch Station, and also with the northwest line of said Kolbe 2.50 acre tract **N 45°20'30" E a distance of 217.37 feet** to a calculated point for the north corner of this description, from which a tack found in a cross tie post, in the southwest line of that tract called 45.12 acres in a deed to Bryan D. Jones, Charles Eric Jones and Marshall B. Jones recorded in Volume 8875, Page 191, ORBCT, at the east corner of Lot 1 of said Entergy Switch Station, being the north corner of said Kolbe 2.50 acre tract, bears N 45°20'30" E a distance of 162.56 feet;

THENCE leaving said Entergy Switch Station, crossing through said Kolbe 2.50 acre tract and said Kolbe 22.00 acre tract, the following two (2) courses:

1. **S 30°38'39" E a distance of 291.94 feet** to a calculated point in the southeast line of said Kolbe 2.50 acre tract and the northwest line of said Kolbe 22.00 acre tract, for an angle point of this description;
2. **S 39°29'47" E a distance of 823.74 feet** to a calculated point in the southeast line of said Kolbe 22.00 acre tract and the northwest line that tract called 34.10 acres in a deed to the City of College Station recorded in Volume 9754, Page 127 ORBCT, and for the east corner of this description, from which a 1/2" iron rod found at the east corner of said Kolbe 22.00 acre tract, bears N 42°35'13" E a distance of 404.20 feet;

THENCE with a northwest line of said 34.10 acre tract, **S 42°35'13" W a distance of 99.28 feet** to a 5/8" iron rod found at the west corner of said called 34.10 acres, and the east corner of that tract called

12.4 acres in a deed to the City of College Station recorded in Volume 9676, Page 43, ORBCT and for an angle point of this description;

THENCE leaving said called 34.10 acre tract with the northwest line of said 12.4 acre tract, **S 42°19'49" W a distance of 140.84 feet** to a calculated point for the south corner of this description;

THENCE leaving the northwest line of said 12.4 acre tract, crossing through said Kolbe 22.00 acre tract, **N 39°26'34" W a distance of 794.24 feet** to the **POINT OF BEGINNING**. There are 5.627 acres, more or less, described in these field notes.

The bearing basis for this survey was determined from GPS observations and refers to Grid North. This description was prepared by Payne Industries, LLC from an on the ground survey performed in May of 2016 and corresponds to a survey plat referenced as job number 1276-001-16.

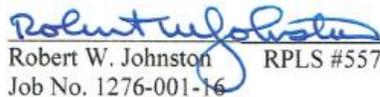

Robert W. Johnston RPLS #5579
Job No. 1276-001-16
July 21, 2016



EXHIBIT "C"

